

**9/20/16**  
**City Council Meeting**

**Handouts received after  
agenda posted**



**Ref Item 5-1**

# **Ordinance pertaining to Medical and Recreational Marijuana**

**September 20, 2016**



# AUMA

- ▶ Adult Use Marijuana Act (AUMA)
- ▶ Officially qualified for the ballot on June 28, 2016
- ▶ November Ballot

# AUMA Synopsis

- ▶ Legalizes the smoking, ingestion, possession, transportation and purchase of up to 1 ounce of marijuana by persons 21 years and older for recreational purposes
- ▶ Legalizes cultivation of up to 6 plants
- ▶ Prohibits smoking of marijuana in public places that ban cigarette smoking
- ▶ Allows for local control in all areas with the exception of personal cultivation up to 6 plants
- ▶ Cities cannot ban personal indoor cultivation, they may “reasonably regulate”



# Proposed Ordinance

- ▶ Prohibited Activities:
  - ▶ Marijuana Commercial Cultivation
  - ▶ Marijuana Commercial Processing
  - ▶ Marijuana Delivery
  - ▶ Marijuana Dispensaries

# Personal Cultivation

- ▶ Shall be subject to the limits set forth in state law (6 plants per residence)
- ▶ Within private residence
- ▶ Within an attached garage
- ▶ Within an accessory building, if property is detached single family residential

# Personal Cultivation

- ▶ Area:
  - ▶ Shall not exceed (32) square feet
  - ▶ Shall not exceed (10) feet in height
  - ▶ Shall be a single designated area
  - ▶ Limit applies regardless of the number of individuals residing in the residence



# Personal Cultivation Building Code Requirements

- ▶ Any alterations to residence shall be subject to applicable building and fire codes, including lot coverage, set back, height requirements, and parking requirements.
- ▶ Lighting shall not exceed a total of 1200 watts.
- ▶ From public right of way, there shall be no exterior evidence of marijuana cultivation.
- ▶ The cultivation site shall include a ventilation system.

# Additional Requirements

- ▶ Cultivation that occurs in a garage or accessory building:
  - ▶ Shall be secure, locked, and fully enclosed, with a ceiling roof or top, and entirely opaque
  - ▶ Shall be alarmed through an alarm or private security company
  - ▶ Shall be constructed with firewall assembly of green board, meeting the minimum building requirements

# Consumption of Marijuana

- ▶ Smoking of marijuana products must occur entirely within a private residence
- ▶ All consumption shall be done in a manner so as to not cause a nuisance to nearby residents with noxious odors or other adverse health and safety impacts

# Next Steps?

- ▶ If AUMA does not pass:
  - ▶ The City does not need to take any action.
- ▶ If AUMA passes:
  - ▶ The City must address land use issues and develop a permitting process for personal cultivation in residential zones.



# Questions?



**Ref Item 5-2**

# **Classification and Compensation Consultant Services**

**September 20, 2016**



# Background

- ▶ Last formal study conducted in 1996
- ▶ Best Practices
  - ▶ Compensation Study
    - ▶ Updated every 3-5 years
  - ▶ Classification Study
    - ▶ Updated every 20 years

# Goals of Study

- ▶ Position descriptions
  - ▶ Updated knowledge, skills & abilities
  - ▶ Legal compliance with labor and employment laws
- ▶ Retain workforce
- ▶ Recruit top applicants
- ▶ Total compensation in-line with work assignments and expectations



# Elements of the Study

- ▶ Classification
- ▶ Compensation Philosophy
- ▶ Compensation
- ▶ Not a review of staffing levels

# Classification

- ▶ Job Analysis Questionnaires
  - ▶ 105 full-time employees
  - ▶ Approximately 50 separate classifications
- ▶ Employee Interviews
- ▶ Development of new job descriptions and possible job titles based on:
  - ▶ Industry standards
  - ▶ Issues and opportunities
- ▶ Employee & Director review process



# Compensation Philosophy

## ► Components

- Recruitment/Retention
- Labor Market Definition
- Labor Market Position
- Salary Progression
- Benefits/Total Compensation

## ► Approach

- Stakeholder Input
  - Council, Management, Bargaining Units
- Historical Practices
- Market Analysis
- Industry Norms
- Goals & Objectives
- Written Assessment



# Compensation Approach

- ▶ Assessment of comparable agencies
  - ▶ Historical practices, geographical location, services provided, economic similarity, agency size
  - ▶ Select 10-15 comparable agencies (to be approved by Council)
- ▶ Collect and analyze documents
  - ▶ Classifications, job descriptions, salary schedules, benefit summaries, MOUs
- ▶ Confirmation of compensation data
  - ▶ Telephone calls, email and other means
  - ▶ Assure comparability and data is factual and complete



# Compensation

- ▶ Total compensation review
  - ▶ Salary, leave accruals, specialty & certificate pay, bilingual pay, etc.
- ▶ Job comparability assessment
- ▶ Market trends (base, benefits, other issues)
- ▶ Salary compaction
- ▶ Pay structure analysis
- ▶ Salary & benefit recommendations
- ▶ Costing and implementation



# Consultant Selection Process

- ▶ Comprised of Mayor Pro Tem Chedester, Council Member Madrigal, City Manager, Chief Finance Officer and Human Resources Manager
- ▶ Proposal Review
- ▶ Interviews
- ▶ Reference Checks
- ▶ Unanimous Recommendation

# Recommendation

- ▶ **Ralph Anderson & Associates**
  - ▶ Firm established in 1972
  - ▶ Experienced consulting team
  - ▶ Customized and tailored products
  - ▶ Collaborative process
  - ▶ Implementation Assistance
    - ▶ Identify all available options
  - ▶ Price - \$54,850 (*CIP budget of \$100,000*)



# Questions?



**Ref Item 5-3**

# **League of California Cities**

## **2016 Annual Conference Resolution**



# LOCC Annual Conference Resolution Process

- ▶ Lemoore City Council appointed Council Member Neal as the LOCC Voting Delegate on July 5, 2016
- ▶ Voting Delegates vote on each presented resolution at the LOCC Annual Conference
- ▶ Only one (1) resolution at the 2016 Conference



# Resolution

- ▶ Resolution committing the League of California Cities to support initiatives reducing traffic related deaths



# Recommendation

- ▶ Staff recommends a vote in favor of the resolution if the City will be not be subjected to unfunded mandates



# Vision Zero and Toward Zero Deaths

<http://www.visionzeroinitiative.com/>





JOINT LEMOORE CITY COUNCIL /  
★ LEMOORE REDEVELOPMENT  
SUCCESSOR AGENCY  
COUNCIL CHAMBER  
429 C STREET  
September 20, 2016

**AGENDA**

*Please silence all electronic devices as a courtesy to those in attendance. Thank you.*

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**7:30 pm REGULAR SESSION**

- a. **CALL TO ORDER**
- b. **PLEDGE OF ALLEGIANCE**
- c. **INVOCATION**
- d. **AGENDA APPROVAL, ADDITIONS, AND/OR DELETIONS**

**PUBLIC COMMENT**

This time is reserved for members of the audience to address the City Council/Agency Board on items of interest that are not on the Agenda and are within the subject matter jurisdiction of the Council/Agency Board. It is recommended that speakers limit their comments to 3 minutes each and it is requested that no comments be made during this period on items on the Agenda. Members of the public wishing to address the Council/Agency Board on items on the Agenda should notify the Mayor/Chairman when that Agenda item is called. The Council/Agency Board is prohibited by law from taking any action on matters discussed that are not on the Agenda, and no adverse conclusions should be drawn if the Council/Agency Board does not respond to public comment at this time. Speakers are asked to please use the microphone, and provide their name. Prior to addressing the Council/Agency Board, any handouts to be provided to City Clerk/Board Clerk who will distribute to Council/Agency Board and appropriate staff.

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**DEPARTMENT AND CITY MANAGER REPORTS – Section 1**

**1-1 Department & City Manager Reports**

*Items denoted with a ★ are Redevelopment Successor Agency items and will be acted upon by the Redevelopment Successor Agency Board. Agendas for all City Council/Redevelopment Successor Agency meetings are posted at least 72 hours prior to the meeting at the City Hall, 119 Fox St., Written communications from the public for the agenda must be received by Administrative Services no less than seven (7) days prior to the meeting date. The City of Lemoore complies with the Americans with Disabilities Act (ADA of 1990). The Council Chamber is accessible to the physically disabled. If you need special assistance, please call (559) 924-6705, at least 4 days prior to the meeting.*

*All items listed under Consent Calendar are considered to be routine and will be enacted by one motion. For discussion of any Consent Item, it will be made a part of the Regular Agenda at the request of any member of the City Council or any person in the audience.*

**CONSENT CALENDAR – Section 2**

Items considered routine in nature are placed on the Consent Calendar. They will all be considered and voted upon in one vote as one item unless a Council member requests individual consideration. A Council member's vote in favor of the Consent Calendar is considered and recorded as a separate affirmative vote in favor of each action listed. Motions in favor of adoption of the Consent Calendar are deemed to include a motion to waive a reading of any ordinance or resolution on the Consent Calendar.

- 2-1 Approval – Minutes – Regular Meeting – September 6, 2016**
- 2-2 Approval – Tablet Device Reimbursement Policy for City Council Members and City Employees**
- 2-3 Approval – Membership and Agreement with the Public Agency Coalition Enterprise (PACE) for Health Benefits**
- 2-4 Approval – Second Reading – Ordinance 2016-11 – Adding Sections 1, 2, 3 and 4, Chapter 9 of Title 4 of the Lemoore Municipal Code Pertaining to Fireworks**
- 2-5 Approval – Approve Legal Services Agreement with Lozano Smith for City Attorney Services**

**CEREMONIAL / PRESENTATIONS – Section 3**

**No Ceremonial / Presentations**

**PUBLIC HEARINGS – Section 4**

- 4-1 Declaring Public Nuisance and Ordering Weed Abatement (Olson)**

**NEW BUSINESS – Section 5**

- 5-1 Report and Recommendation – First Reading – Ordinance 2016-12, Amending Chapter 8 of Title 4 of the Lemoore Municipal Code Related to Medical and Recreational Marijuana (Smith)**
- 5-2 Report and Recommendation – Classification and Compensation Consultant Services (Venegas)**
- 5-3 Report and Recommendation – Approval of the Recommended City Positions for the 2016 League of California Cities Annual Conference Resolution (Speer)**

**CITY COUNCIL REPORTS AND REQUESTS – Section 6**

- 6-1 City Council Reports / Requests**

**CLOSED SESSION**

This time has been set aside for the City Council to meet in a closed session to discuss matters pursuant to Government Code Section 54956.9(d) (4). Based on the advice of the City Attorney, discussion in open session concerning these matters would prejudice the position of the City in this litigation. The Mayor will provide an oral report regarding the Closed Session at the beginning of the next regular City Council meeting.

- 1. Conference with Legal Counsel – Existing Litigation  
Government Code Section 54956.9(d)(1)  
Case No. 16-C0003  
Kings Community Development Corporation v. City of Lemoore**

## ADJOURNMENT

*NOTICE: Pursuant to Government Code §54954.3(a), public comments may be directed to the legislative body concerning any item contained on the agenda for this meeting before or during consideration of the item. Those wishing to address Council on an item shall be limited to 3 minutes and if a large group, the Mayor may request that individuals provide only new information not presented by another person.*

*Any writing or documents provided to a majority of the City Council regarding any item on this agenda will be made available for public inspection at the City Clerk's Counter at City Hall located at 119 Fox Street, Lemoore, CA during normal business hours. In addition, most documents will be posted on the City's website at [www.lemoore.com](http://www.lemoore.com).*

### Tentative Future Agenda Items

#### October 4<sup>th</sup>

CC – QuitClaim/Acceptance of Easement Grove Apartments (Olson)  
CC – FRQ Award for On Call Soil/Compaction Testing (Olson)  
NB – 4<sup>th</sup> Qtr Financial Report (Corder)

#### October 18<sup>th</sup>

SS – Presentation from League of California Cities Regional Public Affairs Manager (Welsh)  
CC – South Fork Kings Joint Powers Agreement (Olson)  
NB – CIP for FY 17 (Corder)

#### November 15<sup>th</sup>

NB – 1<sup>st</sup> Reading – Anniston Place North PFMD Zone 5 Annexation (Olson)

#### December 6<sup>th</sup>

NB – 2<sup>nd</sup> Reading – Anniston Place North PFMD Zone 5 Annexation (Olson)

#### Date to be Determined

SS – Commissions & Boards Policies (Venegas)  
SS – Sidewalk Ordinance (Olson/Corder/Holwell)  
SS – Animal Control Ordinance (Smith)  
SS – Massage Ordinance (Smith)  
SS – Water Operations (Corder/Olson)  
CC – Volunteers & Liability – Resolution (Venegas)  
CC – Adoption of 2016 Building & Fire Codes (Holwell)  
NB – Residential Gates on Golf Course (Holwell)

### PUBLIC NOTIFICATION

I, Mary J. Venegas, City Clerk for the City of Lemoore, declare under penalty of perjury that I posted the above City Council / Redevelopment Successor Agency Agenda for the meeting of September 20, 2016 at City Hall, 119 Fox Street, Lemoore, CA on September 14, 2016.

//s//

\_\_\_\_\_  
Mary J. Venegas  
City Clerk

**September 6, 2016 Minutes**  
**Study Session**  
**Joint City Council /**  
**★ Lemoore Redevelopment Successor Agency Meeting**

**CALL TO ORDER:**

*At 5:30 p.m. the meeting was called to order.*

**ROLL CALL:** Mayor/Chair: WYNNE  
Mayor Pro Tem/Vice Chair: CHEDESTER  
Council/Board Members: MADRIGAL, NEAL  
Absent: SIEGEL

**City Staff and contract employees present:** City Manager Welsh; City Attorney Van Bindsbergen; Police Chief Smith; Public Works Director Olson; Community Services Director Glick; Chief Financial Officer Corder; Assistant to City Manager Speer; City Engineer Joyner; City Planner Brandt; City Clerk Venegas.

**PUBLIC COMMENT**

*There was no Public Comment.*

**STUDY SESSION – Section SS**

**SS-1 Adult Use Marijuana Act – Proposition 64**

*Police Chief Smith, and various City staff, informed Council of the following:*

- *Proposition 64*
  - *Also known as Adult Use Marijuana Act (AUMA)*
  - *Qualified for the ballot on June 28, 2016*
  - *Will be on the November ballot*
- *AUMA Synopsis*
  - *Legalizes the smoking, ingestion, possession, transportation and purchase of up to 28.5 grams of marijuana by persons 21 years and older for recreational purposes*
  - *Legalizes cultivation indoors of up to 6 plants*
  - *Prohibits smoking of marijuana in public places that ban cigarette smoking*
  - *Allows for local control in all areas with the exception of banning personal indoor cultivation up to 6 plants*
  - *Cities cannot ban personal indoor cultivation, they may “reasonably regulate”*
- *State Taxation Rates*
  - *Cultivation Taxes for Businesses*
    - *\$9.25 per dry weight ounce on all marijuana flowers*
    - *\$2.75 per ounce dry weight on all marijuana leaves*
    - *Does not apply to personal cultivation*
- *Where will the Proposition 64 taxes go?*

- *Environmental*
  - *Average mature adult marijuana plant consumes 6-12 gallons of water per day*
  - *Insecticides, fertilizers and herbicides will enter the City's storm drain/waste water treatment facility*
- *City of Lemoore Concerns*
  - *Consumables*
    - *Colorado was ill prepared for the amount of consumable marijuana products on the market. Many of these consumables have been marketed in products that are directed toward kids.*
  - *Homelessness*
    - *Colorado has experienced an increase in homelessness of 25-30% since legalizing marijuana*
  - *Public Safety*
    - *Fires associated with marijuana grows increased 1100% in Denver*
    - *Drivers who use marijuana double their risk of being in an auto accident*
    - *Marijuana related ER visits from 2012-2014 increased 44% for Colorado residents and 109% for non-residents. The marijuana of today is not the marijuana of yesterday.*
- *Financial, Land Use and Human Resources Aspects*
  - *Taxation Rates*
    - *Total sales tax of 22.5%*
      - *State retail sales tax of 15%*
      - *County sales tax of 7.5% swept by the State*
    - *City would not receive any of the funding, if sales are permitted*
  - *City Tax Implications*
    - *Local jurisdictions may impose higher sales tax rates by voter approval*
  - *Implications for Zoning*
    - *Zoning Ordinance revisions to allow indoor residential growing of up to six plants in a secure location inside the residence or in an on-site accessory building*
    - *Determine whether or not to allow licensed businesses to operate a dispensary within the City, and if so, in which zones*
    - *On-site advertising signs would be regulated per current code. The message cannot be regulated.*
  - *Human Resources*
    - *Will need to revise City personnel policies regarding use of marijuana during work house and off-duty*
    - *Drug testing: pre-employment and during employment (random testing)*
- *Next Steps*
  - *Proposition 64 Fails*
    - *The City does not need to take any action*
  - *Proposition 64 Passes*
    - *Amend local ordinances to allow personal cultivation, licensing regulations*
    - *City must decide if it will allow retail marijuana activity*
    - *Internal personnel rules will need to be modified regarding employment practices*

*Consensus by Council to prepare for Proposition passing, regulate as tightly as possible and loosen regulation, as appropriate.*

At 6:08 p.m. Council adjourned to Closed Session.

**CLOSED SESSION**

1. Conference with Legal Counsel – Existing Litigation  
Government Code Section 54956.9(d)(1)  
Case No. 16C-0200  
Nationstar Mortgage LLC v. City of Lemoore, et al.
2. Conference with Legal Counsel – Existing Litigation  
Government Code Section 54956.9(d)(1)  
Case No. 14-C0082  
Martin v. City of Lemoore, et al.

**ADJOURNMENT**

At 6:45 p.m. Council adjourned.

**September 6, 2016 Minutes  
Regular Meeting  
Joint City Council /  
★ Lemoore Redevelopment Successor Agency**

**CALL TO ORDER:**

*At 7:30 p.m. the meeting was called to order.*

**ROLL CALL:** Mayor/Chair: WYNNE  
Mayor Pro Tem/Vice Chair: CHEDESTER  
Council/Board Members: MADRIGAL, NEAL  
Absent: SIEGEL

**City Staff and contract employees present:** City Manager Welsh; City Attorney Van Bindsbergen; Development Services Director Holwell; Police Chief Smith; Public Works Director Olson; Community Services Director Glick; Chief Financial Officer Corder; Assistant to City Manager Speer; City Engineer Joyner; City Clerk Venegas.

**ANNOUNCEMENT FROM CLOSED SESSION**

*There was no announcement.*

**PUBLIC COMMENT**

*Jenny MacMurdo, CEO of the Lemoore Chamber of Commerce, informed Council a free informational session would be offered regarding the Young Entrepreneur's Academy on Tuesday, September 13, 2016 from 6-7pm.*

Christine Dickman is concerned about the speeding on North Olive, nothing has been done to decrease traffic; speed wagons have been on the streets; suggest raise salary of officers to keep them at the department.

## DEPARTMENT AND CITY MANAGER REPORTS – Section 1

### 1-1 Department & City Manager Reports

Public Works Director Olson informed Council the State of California has rescinded the mandatory reporting on water conservation, however, the State has asked for a commitment of water conservation moving forward. This item will be brought to Council at a later date.

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All items listed under Consent Calendar are considered to be routine and will be enacted by one motion. For discussion of any Consent Item, it will be made a part of the Regular Agenda at the request of any member of the City Council or any person in the audience.

## CONSENT CALENDAR – Section 2

- 2-1 Approval – Minutes – Special Meeting – August 10, 2016
- 2-2 Approval – Minutes – Regular Meeting – August 16, 2016
- 2-3 Approval – Second Reading – Zone Change No. 2016-01: A request by Great Valley Land Company, LLC to change the zoning from Low Medium Density Residential (RLMD), Low Density Residential (RLD), and Parks and Recreation/Ponding Basin (PR) to Low Density Residential (RLD), and Parks and Recreation/Ponding Basin (PR) – Ordinance 2016-09
- 2-4 Approval – Second Reading – Ordinance 2016-10 Adding Chapter 11 to Title 8 Building and Development Regulations of the Lemoore Municipal Code – Permitting Procedures for Small Residential Rooftop Solar Systems
- 2-5 Approval – Notice of Completion – Cinnamon Drive Canal Project and Cinnamon Drive Street Overlay Project

Motion by Council Member Madrigal, seconded by Council Member Neal, to approve the Consent Calendar as presented.

Ayes: Madrigal, Neal, Chedester, Wynne  
Absent: Siegel

## CEREMONIAL / PRESENTATIONS – Section 3

There were no Ceremonial / Presentations.

## PUBLIC HEARINGS – Section 4

There were no Public Hearings.

**NEW BUSINESS – Section 5**

**5-1 Report and Recommendation – First Reading – Ordinance 2016-11 – Adding Sections 1, 2, 3, and 4, Chapter 9 of Title 4 of the Lemoore Municipal Code Pertaining to Fireworks**

*Motion by Council Member Chedester, seconded by Council Member Neal, to approve the introduction (first reading) of Ordinance No. 2016-11, Adding Sections 1, 2, 3, and 4, Chapter 9 of Title 4, Pertaining to Fireworks; waive the reading of the Ordinance in its entirety; and set the second hearing on the Ordinance for September 20, 2016.*

*Ayes: Chedester, Neal, Madrigal, Wynne  
Absent: Siegel*

**5-2 Report and Recommendation – Declaring Public Nuisances and Ordering Public Hearing Regarding Weed Abatement – Resolution 2016-30**

*Motion by Council Member Chedester, seconded by Council Member Madrigal, to approve Resolution 2016-30, declaring all properties listed on Exhibit “A” as a public nuisance and set a public hearing on September 20, 2016.*

*Ayes: Chedester, Madrigal, Neal, Wynne  
Absent: Siegel*

**CITY COUNCIL REPORTS AND REQUESTS – Section 6**

**6-1 City Council Reports / Requests**

*Council Member Neal is on the Kings Community Action Organization board and went to Austin, TX. He attended some great workshops. He also visited BJ Johnson’s library.*

*Mayor Wynne will be attending the Salute to Ag dinner on Friday, September 9<sup>th</sup>.*

**ADJOURNMENT**

*At 7:44 p.m. the meeting adjourned.*

ATTEST:

APPROVED:

\_\_\_\_\_  
Mary J. Venegas  
City Clerk

\_\_\_\_\_  
Lois Wynne  
Mayor

**Mayor**  
Lois Wynne  
**Mayor Pro Tem**  
Jeff Chedester  
**Council Members**  
Ray Madrigal  
Eddie Neal  
William Siegel



**Office of the  
City Manager**

119 Fox Street  
Lemoore, CA 93245  
Phone (559) 924-6700  
Fax (559) 924-9003

## Staff Report

ITEM NO. 2-2

**To: Lemoore City Council**  
**From: Janie Venegas, City Clerk / Human Resources Manager**  
**Date: September 14, 2016 Meeting Date: September 20, 2016**  
**Subject: Tablet Device Reimbursement Policy for City Council Members and City Employees**

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### **Proposed Motion:**

Approve Tablet Device Reimbursement Policy for City Council Members and City Employees in the amount of \$350 and the purchase option for existing iPads based on current resale value.

### **Subject/Discussion:**

City Council Members and City Employees use table devices (currently, iPads) for City business on a daily basis for a variety of reasons, such as City Council agendas. The City currently purchased iPads for Council Members and two City employees (City Clerk and Executive Assistant). The City is responsible for all maintenance of the iPads and currently reimburses for damage, such as a broken screen. The City also pays for applications that are downloaded for business use.

Under the current practice, Council Members return the iPads when their term of service expires. Typically, an iPad is returned to the City after four years. After four years of continual use, the returned iPad has lived its electronic life span (which is typically three to four years) and is ready to be retired.

The Tablet Device Reimbursement Policy would allow Council Members and City Employees to purchase a tablet device of their choice, for business and personal use. The reimbursement policy would reimburse the Council Member or City Employee up to \$350 (based on current market value) upon submittal of the receipt within 90 days of purchase. The City would assist with set up and installation of all required applications. However, the purchase of required applications or hardware (such as a case or keyboard) would be at the expense of the Council Member or employee. Also, any maintenance of the device would be the sole responsibility of the Council Member or employee.

Staff anticipates two, possibly three, Council iPads will be returned before the end of the calendar year at the end of their terms of office. The current resale value of a 2011, 16GB Wi-Fi, iPad 2 is \$70. The lifespan of the device has likely been expended and a new device would need to be purchased. The old device would not be utilized and it would be scheduled for e-waste or sale of surplus property. As the Council Member

has been utilizing the device, staff recommends an option for the old device to be purchased by the Council Member for the resale value. Council Members in the middle of their term in office, could keep their existing iPad and purchase it at the fair market value in 2018, or could decide to purchase/return the existing iPad and exercise the reimbursement option.

Current City employees who utilize a City purchased iPad device would have the purchase option as well. The below chart obtained from the Quartz website (a digital news outlet) references the resale value of iPad devices.

<b>Model</b>	<b>Release date</b>	<b>16GB WiFi</b>	<b>64GB WiFi</b>	<b>16GB Cellular</b>	<b>64GB Cellular</b>
iPad	Apr. '10	\$20	\$20	\$20	\$20
iPad 2	Mar. '11	\$70	\$90	\$75	\$95
iPad (3rd gen)	Mar. '12	\$90	\$110	\$95	\$115
iPad (4th gen)	Nov. '12	\$140	\$160	\$145	\$165

When viewing the differences between City versus individual ownership, one issue that arises revolves around the use of public property for personal use. If the City owns a piece of equipment, such as an iPad or computer, absolutely no co-mingling of personal emails or documents should occur. While discouraged, in today's digital age, it is simply not practical to assume that no one will conduct even minimal private business on a City owned piece of equipment. Note, that even with a private device, users still must adhere to the Public Records Act.

**Financial Considerations:**

No impact to the current fiscal year budget. Should Council approve the policy, tablet device reimbursements would be funded from the existing supply budget of the requesting department. No budget increases would be allowed.

Based on current market value, the tablet device reimbursement would be \$350, which would be evaluated by the City Manager in the future as the market fluctuates.

**Alternatives or Pros/Cons:**

Pros:

- City staff would not be required to provide support for the tablet device.
- City would not be responsible for maintenance/repair costs.

Cons:

- Less technologically savvy staff could struggle with the upkeep of the tablet device.

**Commission/Board Recommendation:**

Not Applicable.

**Recommendation:**

Staff recommends approval of the Tablet Device Reimbursement Policy in the amount of \$350 and the purchase option for existing iPads based on the resale value listed.

**Attachments:**

- Resolution
- Ordinance
- Map
- Other     Tablet device Reimbursement Policy & Agreement

**Review:**

- Finance
- City Attorney     09/12/16
- City Manager        09/12/16
- City Clerk            09/14/16

**Date:**

**SUBJECT: TABLET DEVICE REIMBURSEMENT POLICY**

1. PURPOSE

The purpose of this policy is to establish criteria for City Council Members and City employees to receive a reimbursement to purchase a tablet device for City use and business in an amount not to exceed \$350 or as amended by the City Manager based on present market value.

2. DEFINITIONS

A. Tablet Device: A private electronic tablet device that is owned and maintained by a City Employee or City Council Member.

B. City Employee: A City employee as it pertains to this regulation includes the City Manager, all Executive Management Staff, and any other employee determined by the City Manager/Department Head to be eligible for reimbursement of City use of their tablet device.

C. City Council Member: An individual elected or appointed to the City Council for the City of Lemoore during the term of their office.

3. POLICY

The reimbursement for the purchase of a private tablet device for City business. The reimbursement request will be honored every four years.

*EFFECTIVE DATE:  
December 1, 2017*

### Tablet Device Agreement

City personnel approved for work use of tablet devices must acknowledge receipt, understanding and acceptance of the City of Lemoore’s (“City”) Tablet Device Reimbursement Policy and the requirements of this Agreement.

I, \_\_\_\_\_,  request/  do not request \$350 partial-reimbursement for work use of my personal tablet device.

By connecting to City information and communications resources, I accept the following:

1. **Term**—Elected officials and approved employees are allowed reimbursement once per four-year period.
2. **Eligibility**—Reimbursements shall only be approved for staff with a defined and ongoing project or work need. Receipt of purchase is required.
3. **Records Retention**—Use of tablet devices shall segregate work and personal use:
  - a. Any and all work files shall be saved to City-approved servers and services.
  - b. All City communications and appointments shall be conducted from City accounts.
4. **Security**—All tablet devices connected to City information and communication technology resources shall be secured with these controls *at minimum*:
  - a. Devices shall be password-locked.
  - b. Devices shall be set to auto-wipe after a maximum of ten incorrect password entries.
  - c. Without liability, the City Information Technology (IT) Department has full permission to access, alter, connect, disconnect, and/or delete any device information based on risk to the City.
5. **Support**— The IT Department will only support approved work applications and uses.
6. **Maintenance**—If lost or damaged, I shall personally pay all my repair and replacement costs.
7. **Off-Hours Use**—I will use access to City information and communication resources only within my approved work schedule, or as formally approved by my supervisor.
8. **Notification**—**If my device is stolen or lost, I shall report it to the Information Technology Department at 559-924-6705 within 30 minutes of discovery.**

By my signature, I have received, understand, and accept this Agreement and all provisions herein.

Department Director	Date	Employee	Date
---------------------	------	----------	------

**Approved:**

<b>Account</b> (If Reimbursed)	City Manager	Date
--------------------------------	--------------	------

**Mayor**  
Lois Wynne  
**Mayor Pro Tem**  
Jeff Chedester  
**Council Members**  
Ray Madrigal  
Eddie Neal  
William Siegel



**Office of the  
City Manager**

119 Fox Street  
Lemoore, CA 93245  
Phone (559) 924-6700  
Fax (559) 924-9003

## Staff Report

ITEM NO. 2-3

**To:** Lemoore City Council  
**From:** Janie Venegas, City Clerk / Human Resources Manager  
**Date:** September 14, 2016 **Meeting Date:** September 20, 2016  
**Subject:** Membership and Agreement with the Public Agency Coalition Enterprise (PACE) for Health Benefits

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### **Proposed Motion:**

Approve the Membership and Agreement with the Public Agency Coalition Enterprise (PACE) to join the JPA for Health Benefits and authorize the City Manager to execute said Agreement, as well as any other documents and/or agreements necessary to join the JPA.

### **Subject/Discussion:**

This agenda item is to formalize the relationship between the City and the Public Agency Coalition Enterprise (PACE) for the purchase of Health Benefits.

In August 2016, the City Council adopted a resolution to terminate healthcare through CalPERS

After exiting CalPers Health, staff pursued joining PACE, which is a medical purchasing Joint Powers Authority (JPA) comprised of other public agencies in California to help with price stability, better cost control and increased employee satisfaction through improved customer service. Joining PACE requires a two-year commitment to the JPA.

PACE plans and premiums will be effective January 1, 2017. For a smoother transition for benefit participants, a benefit and provider comparison will be provided to attempt to limit disruption as much as possible.

### **Financial Consideration(s):**

Staff estimates there will be approximately \$35,000 in annual savings transitioning to PACE.

### **Alternatives or Pros/Cons:**

#### **Pros:**

- A wellness component that will include items such as on-site health assessments, gym membership discounts, weight loss subsidies.
- Higher control over rate structure
- Flexibility in plan year and anniversary dates

- Ability to separate active and early retiree rates.

Cons:

- None noted.

**Committee/Commission/Board Recommendation:**

The Employee Health Benefits Committee, comprised of representatives from the City’s three bargaining units (Police Sergeants, Police Officers Association, and General Association of Service Employees Unit) met during several meetings to review the various medical plans available, such as Preferred Provider Plans (PPO), Health Maintenance Organizations (HMO), Exclusive Provider Organizations (EPO), and High Deductible Health Plans (HDHP) with Health Summary Accounts. The Committee made a recommendation to join the Public Agency Coalition Enterprise.

These meetings were facilitated by the City’s health insurance broker, Keenan & Associates (recently hired per Council action in June 2016).

**Staff Recommendation:**

It is recommended that the City Council approve the Membership and Agreement with the Public Agency Coalition Enterprise (PACE) to join the JPA for Health Benefits and authorize the City Manager to execute said Agreement, as well as any other documents and/or agreements necessary to join the JPA.

**Attachments:**

- Resolution
- Ordinance
- Map
- Other      PACE Acceptance Form, JPA Agreement and Bylaws

**Review:**

- Finance
- City Attorney
- City Manager
- City Clerk

**Date:**

09/12/16  
09/14/16

**EXHIBIT B**

**AGREEMENT AND ACCEPTANCE OF  
AMENDED AND RESTATED JOINT EXERCISE OF POWERS AGREEMENT**

**WHEREAS**, the undersigned public agency (“Agency”) seeks to become a member of the Public Agency Coalition Enterprise (“PACE”);

**WHEREAS**, the Board of Directors has approved the undersigned’s application for membership in PACE,

**NOW ,THEREFORE**, in consideration of being granted membership in PACE, the Agency hereby accepts and agrees that, as of the Effective Date noted below, it shall be bound by all terms and conditions of the Amended and Restated Joint Exercise of Powers Agreement attached hereto, as if the Agency had been an original signatory thereto.

\_\_\_\_\_

BY: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

**AMENDED AND RESTATED  
JOINT EXERCISE OF POWERS AGREEMENT**

**PUBLIC AGENCY COALITION ENTERPRISE**

**JOINT POWERS AUTHORITY**

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# JOINT EXERCISE OF POWERS AGREEMENT

## PUBLIC AGENCY COALITION ENTERPRISE

This Joint Exercise of Powers Agreement ("Agreement") is entered into pursuant to the provisions of title 1, Division 7, Chapter 5, Article 1 (Sections 6500, et seq.) of the California Government Code, for the purpose of operating an agency to be known as the Public Agency Coalition Enterprise which shall be organized and operated as a California joint powers authority ("JPA").

### WITNESSETH:

**WHEREAS**, it has been determined to be to the mutual benefit and in the best interests of the agencies who have signed this Agreement and those that may later sign onto this Agreement ("Signatories") to join together to establish a JPA to carry out the purposes and powers as later described herein; and

**WHEREAS**, it has been determined by the Signatories that there is a need to establish and operate a cooperative program for the purchase of insurance, creation and management of pooled self-insurance programs, and/or the implementation of appropriate risk management activities, and other related services and programs for insured and self-insured members ("Program"); and

**WHEREAS**, it has also been determined that such a Program is of value on an individual and mutual basis; and

**WHEREAS**, it has also been determined that the establishment of a Program can adequately meet the needs of the of Signatories; and

**WHEREAS**, Title 1, Division 7, Chapter 5, Article 1, of the California Government Code authorizes joint exercise by two or more public agencies of any power common to them; and

NOW, THEREFORE, FOR AND IN CONSIDERATION OF THE MUTUAL ADVANTAGES TO BE DERIVED THEREFROM, AND IN CONSIDERATION OF THE EXECUTION OF THIS AGREEMENT BY OTHER PUBLIC AGENCIES, each of the Signatories does agree as follows:

#### 1. CREATION OF THE JOINT POWERS AUTHORITY

A JPA, separate and apart from each public agency that is a Signatory, shall be and is hereby created and shall hereafter be designated as the Public Agency Coalition Enterprise ("PACE").

## 2. PURPOSE AND POWERS

(a) PACE is established for the purpose of administering this Agreement, pursuant to the joint powers provisions of the California Government Code, and for taking all action necessary and appropriate for the establishment, operation and maintenance of the Program and to provide a forum for discussion, study, development and implementation of recommendations relating to the Program.

(b) The powers of PACE are:

(1) To establish a vehicle for the cost effective purchase of employee benefits insurance and/or such other insurance by and for the Members of PACE ("Members"),

(2) To establish such programs of and/or for self-insurance and/or risk pooling arrangements as the Board of Directors of PACE ("Board") shall deem appropriate.

(3) To facilitate the cost-effective purchase of third-party administration (TPA) and other services deemed appropriate by the Board for the Members.

(4) To take such actions and to enter into such contracts as may be necessary for to accomplish the purpose stated in this Section 2(b).

(5) To acquire, hold, and dispose of property, real and personal, all for the purpose of providing the creating and sustaining the Program including, but not limited to, the acquisition of such resources, facilities, equipment and personnel as may be necessary the Program.

(6) To incur debts, liabilities, and obligations necessary to accomplish the purposes of this Agreement.

(7) To receive gifts, contributions, and donations of property, funds, services, and other forms of assistance from persons, firms, corporations, associations, and any governmental agency in furtherance of the Program.

(8) To invest surplus reserve funds as deemed appropriate by the Board and as required by law.

(9) To provide a forum for discussion, study, development, and implementation of recommendations of mutual interest regarding other joint programs.

(10) To sue and be sued in the name of PACE.

(11) To perform such other functions as may be necessary or appropriate to carry out this Agreement, so long as such other functions so performed are not prohibited by any provision of law.

(12) To exercise any power common to the Signatories, provided that the same are in furtherance of the functions and objectives of this Agreement as herein set forth. Pursuant to Section 6509 of the California Government Code, the exercise of the aforesaid powers of PACE shall be subject to the restrictions upon the manner of exercising such powers by a public agency having the same status as a member of a JPA except as otherwise provided in this Agreement.

#### **4. TERM OF THE AGREEMENT**

This Agreement shall become effective on August 6, 2014. With respect to organizations that have previously executed a Joint Exercise of Powers Agreement (JPA Agreement) with PACE, this amended and restated Agreement shall expressly supersede the prior JPA Agreement. This Agreement shall continue in effect until lawfully terminated as provided herein and in the Bylaws. In the event of a reorganization of one or more of the Signatories, the successor in interest or successors in interest to the obligations of any such reorganized Signatory may be substituted as a party or as parties to this Agreement.

#### **5. BYLAWS**

(a) PACE shall be governed pursuant to bylaws ("Bylaws"), approved and adopted by the Board and by such amendments to the Bylaws as may from time to time be adopted. Upon approval by the Board, a copy of the Bylaws and all subsequent amendments thereto, shall be attached to and incorporated into this Agreement as Exhibit A. PACE shall be operated pursuant to this Agreement and the Bylaws.

(b) Procedures for amending the Bylaws shall be as provided in the Bylaws so long as not inconsistent with this Agreement. Such amendments shall be binding upon all Members of PACE ("Members"). The effective date of any Bylaw amendment will be on the first day of the next month following adoption, unless otherwise stated.

#### **6. DESIGNATION OF PROGRAM MANAGER**

It is recognized that for PACE to develop and maintain a financially sound, cost-effective Program and to grow its membership, oversight of the Program must be provided by a party that has a demonstrated record of success in dealing with insurance and self-insurance programs of public agencies and in managing JPA's established for insurance-related purposes. To that end, it is agreed that Keenan & Associates shall be the Program Manager of PACE. Any decision to remove Keenan as the Program Manager shall be carried out in the manner provided in the Bylaws.

#### **7. MEMBERSHIP IN PACE**

(a) Each Signatory must be eligible for membership in PACE as defined in the Bylaws, and shall become a Member on the effective date of this Agreement or on the date that the Signatory becomes a party to this Agreement, whichever is later. Each public agency that becomes a Member shall be entitled to the rights and privileges of membership. By signing this Agreement each Signatory agrees to be subject to and bound by all terms and conditions of this Agreement and of the Bylaws.

(b) Upon approval the Executive Committee, any self-insured or fully insured California public agency or California JPA, may become a Member by executing a copy of this Agreement

(c) Each Member shall (i) pay its own insurance premiums for programs of commercial insurance purchased through PACE, (ii) make such contributions as the Board may deem necessary for any pooled self-insurance program established by PACE, (iii) maintain the minimum self-insured retention as may be set by the Board in conjunction with any insurance or self-insurance coverage arranged, established, or provided for by PACE, (iv) perform such other acts as are reasonably required by the Board in conjunction with the Program, and (v) with respect to self-insured Members securing TPA services through PACE, agree to the terms of the TPA services agreement.

## **7. WITHDRAWAL FROM OR TERMINATION OF MEMBERSHIP**

(a) Any Signatory which has completed two complete years as a Member may voluntarily terminate this Agreement as to itself and withdraw from membership in PACE. Such termination and withdrawal of membership shall become effective subject and according to the conditions, manner and means set forth in the Bylaws.

(b) A Member may be involuntarily terminated from PACE as provided the Bylaws. Such removal from membership shall operate to terminate the Agreement as to such party, but shall have no effect on the continued operation of this Agreement with respect to other Signatories.

## **8. TERMINATION OF PACE**

This Agreement and the JPA may be terminated effective at the end of any fiscal year by the affirmative vote of three-fourths (3/4) of the Members of PACE; provided, however, that PACE and this Agreement shall continue to exist for the purpose of disposing of all claims, distribution of assets, and all other functions necessary to conclude the affairs of PACE.

## **9. DISPOSITION OF PROPERTY AND FUNDS**

(a) In the event of the dissolution of PACE, the complete rescission, or other final termination of this Agreement by the Signatories then a party hereto, any property interest remaining in PACE following a discharge of all obligations shall be disposed of as provided for by the Bylaws.

(b) In the event a Signatory terminates its participation in this Agreement and membership in PACE, any property interest of that Signatory remaining in PACE following discharge of its obligations shall be disposed of as provided for by the Bylaws .

(c) The term "obligations," as referred to herein, shall include, but not be limited to, all payments required by law together with any other obligations incurred by PACE or a Signatory, as applicable, pursuant to this Agreement or the Program.

## **10. AMENDMENTS**

This Agreement may be amended at any time in writing by agreement of by three-fourths (3/4) of the-current Signatories. Any such amendment shall be effective upon the date of final execution thereof, unless otherwise provided in the amendment.

## **11. SEVERABILITY**

Should any portion, term, condition, or provision of this Agreement be decided by a court of competent jurisdiction to be illegal or in conflict with any law of the State of California, or be otherwise rendered unenforceable or ineffectual, the validity of the remaining portions, terms, conditions, and provisions shall not be affected thereby.

## **12. LIABILITY**

(a) Pursuant to the provisions of Sections 895, et seq., of the California Government Code, the Signatories are jointly and severally liable upon any liability which is otherwise imposed by law upon any one of the Signatories or upon PACE for injury caused by a negligent or wrongful act or omission occurring in the performance of this Agreement and the operation of the JPA.

If a Signatory is held liable upon any judgement for damages caused by such an act or omission and makes payments in excess of its pro rata share on such judgment, such Signatory is entitled to contribution from each of the other Signatories that were parties to the Agreement at the time of the

incident or action giving rise to the liability. A Signatory's pro rata share shall be determined in the same manner as for the disposition of property and funds as provided in the Agreement and the Bylaws.

(b) PACE may insure itself, to the extent deemed necessary or appropriate by the Board, against loss, liability, and claims arising out of or connected with this Agreement.

**13. ENFORCEMENT**

The Board is hereby given authority to enforce this Agreement. In the event suit is brought upon this Agreement by PACE and judgment is recovered against a Signatory, the Signatory shall pay all costs incurred by PACE, including reasonable attorney's fees as fixed by the court.

**14. EXECUTION**

Those public agencies who are the original Signatories to this Agreement shall be considered the founding Members of PACE. Each public agency that subsequently seeks to join PACE will be required to sign an "Agreement and Acceptance" form in substantially the same form as Exhibit B, the execution of which will cause the public agency to be deemed a Signatory of this Agreement

**IN WITNESS WHEREOF**, the parties hereto have caused this Agreement to be duly executed by their authorized officers thereunto duly authorized as set forth herein below.

**SIGNATORIES:**

Name of Agency: Town of Danville

Date: Sept. 4, 2014

By: *Renné M. Tiscari*

Title: *PACE Board President*

Name of Agency: City of Livingston

Date: Sept. 8 2014

By: *Torel Ramirez*

Name of Agency: Del Mar Union School District

Date: 9-14-14

By: Catherine Birds

Name of Agency: Municipal Services Authority

Date: September 16, 2014

By: \_\_\_\_\_

**EXHIBIT A**

**Bylaws of PACE**

**[To be attached once approved by PACE Board of Directors]**

**EXHIBIT B**

**AGREEMENT AND ACCEPTANCE OF  
AMENDED AND RESATATED JOINT EXERCISE OF POWERS AGREEMENT**

**WHEREAS**, the undersigned public agency (“Agency”) seeks to become a member of the Public Agency Coalition Enterprise (“PACE”);

**WHEREAS**, the Board of Directors has approved the undersigned’s application for membership in PACE,

**NOW ,THEREFORE**, in consideration of being granted membership in PACE, the Agency hereby accepts and agrees that, as of the Effective Date noted below, it shall be bound by all terms and conditions of the Amended and Restated Joint Exercise of Powers Agreement attached hereto, as if the Agency had been an original signatory thereto.

Insert Name of Public Agency

BY: \_\_\_\_\_

Name: Insert Name of Person Signing

Title: Insert Title of Person Signing

**AMENDED AND RESTATED BYLAWS  
PUBLIC AGENCY COALITION ENTERPRISE  
JOINT POWERS AUTHORITY**

**PREAMBLE**

The Public Agency Coalition Enterprise Joint Powers Authority ("PACE" or "JPA") is established for the purpose of the establishment, operation, and maintenance of a joint program for employee benefits coverage, and such other coverages and associated services as the Board may later determine, by its members ("Members"), and to provide a forum for discussion, study, development, and implementation of programs regarding employee benefits, insurance, and self-insurance. PACE shall comply with the provisions of Sections 6503.5 and 53051 of the Government Code requiring the filing of a statement with the Secretary of State.

**ARTICLE I  
BOARD OF DIRECTORS**

- A. A Board of Directors ("Board") is hereby established to direct and control PACE. The number of directors shall equal the number of Members. As additional Members are added, the number of directors shall be adjusted accordingly without need to amend these bylaws.
- B. Each Member of PACE shall appoint one of its employees to serve on the Board, and shall notify PACE in writing of the appointment. The Insurance Advisory Committee described in Article VIII ("IAC") shall also appoint one of its members to serve on the Board.
- C. Each Director shall serve an indefinite term which shall end upon the occurrence of any of the following events:
1. Written notice from the appointing Member that it has appointed a replacement for the director;
  2. The director ceases to be an employee of the appointing Member, or the IAC, if service as IAC representative;
  3. The director provides written notice of resignation; or
  4. The director is involuntarily removed from office by a majority vote of the Board.
- Any vacancy on the Board shall be filled by the Member that appointed the Director leaving the vacancy.
- D. The Board shall meet at least annually and at other times as special meetings are called. The date, time, and place for each such regular meeting shall be fixed by resolution of the Board of Directors, which resolution shall be publicly posted prior to the meeting on a public bulletin board to be designated by the Board and filed with each Member. All meetings of the Board of Directors shall be called, held, and conducted in accordance with the terms and provisions of the Ralph M. Brown Act, Sections 54950, et seq., of the California Government Code ("Act"), as from time to time amended, and in accordance with rules adopted by the Board, provided that such rules are not inconsistent with the Act. The Board shall cause minutes of its meetings to be kept, and shall promptly transmit to the Members true and correct copies of the minutes of such meetings.

- E. The Board, by resolution, shall designate a specific location at which it will receive notices, correspondence, and other communications, and shall designate one of its Members as an agent for the purpose of receiving service on behalf of PACE.
- F. Each Director shall have one vote and, unless otherwise provided under these Bylaws, the action of a majority of Directors at any meeting at which a quorum is present shall constitute the action of the Board. A quorum shall consist of a majority of Directors present at any regular or specially called meeting of the Board.
- G. In addition to those standing committees established by the Bylaws, the Board may appoint and dissolve working committees whose function shall be as designated by the Board. Working committees shall not have authority to act on behalf of the Board, but shall present information, offer input, and/or make suggestions and recommendations to the Board. Unless otherwise prohibited by law or these Bylaws, membership in a working committee is not restricted to Directors. Any employee of a Member may serve on a working committee, provided, however, that each working committee shall have at least one (1) member who is a Director. The President shall appoint the chair and all members of each working committee.
- H. No Director shall receive any compensation in exchange for service as a Director, provided, however, that the Directors shall be reimbursed, in accordance with policies to be adopted by the Board, for all legitimate expenses incurred in the performance of their duties.
- I. The JPA may secure insurance coverage for the Board of Directors.

**ARTICLE II  
POWERS OF THE BOARD OF DIRECTORS**

- A. The Board may establish rules governing its own conduct and procedure, and have such expressed or implied authority as is not inconsistent with, or contrary to, the laws of the State of California, these Bylaws, or the Joint Powers Agreement (“JPA Agreement.”)
- B. The Board of Directors shall directly or by contract take such action and provide for services required to effectively implement all aspects of this joint program.
- C. Unless otherwise prohibited by law or these Bylaws, the Board may delegate to the Executive Committee the authority to act on Behalf of the Board on any matter that is to be brought before the Board.
- D. The Board shall designate and engage a Program Manager to oversee the day-to-day activities of the JPA.

**ARTICLE III  
EXECUTIVE COMMITTEE**

- A. Once the Authority has reached seven (7) Members, the Board may, at its discretion, establish an Executive Committee. The size of the Executive Committee shall be as set by resolution of the Board. The Executive Committee shall be comprised of the PACE Officers and such other Directors as are elected by the Board. Until such time as the Executive Committee is established, the powers and duties of the Executive Committee as designated in these Bylaws shall be the responsibility of the full Board of Directors.
- B. The non-Officer members of the Executive Committee shall be elected by a majority vote of the Directors and shall serve a term ending on December 31 of odd numbered years. In the event of a vacancy on the Executive Committee, the vacancy shall be filled by the majority vote of the Executive Committee. Any individual elected to fill a vacancy shall serve for the remainder of the unexpired term.
- C. The Executive Committee may conduct regular, adjourned regular, special, and adjourned special meetings, provided, however, that it will hold at least two regular meetings each fiscal year. Such meetings may be held concurrent with PACE meetings. The date, time, and place for each such regular meeting shall be fixed by resolution of the Executive Committee, which resolution shall be publicly posted prior to the meeting on a public bulletin board to be designated by the Executive Committee and filed with each Member of PACE.

All meetings of the Executive Committee shall be called, held, and conducted in accordance with the terms and provisions of the Ralph M. Brown Act (Government Code Section 54950, et seq.) (“Brown Act”) of the California Government Code, as said Act may be modified by subsequent legislation, and as the same may be augmented by rules of the Executive Committee not inconsistent therewith.

- D. Except as otherwise provided or permitted by law, all meetings of the Executive Committee shall be open and public. The Executive Committee shall cause minutes of its meetings to be kept, and shall promptly transmit to the Members of PACE true and correct copies of the minutes of such meetings.
- E. Each member of the Executive Committee shall have one (1) vote and, unless otherwise provided in these bylaws, the action of a majority at any meeting at which a quorum is present shall constitute the action of the Executive Committee. A quorum shall consist of a majority of Directors present at any regular or specially called meeting of the Executive Committee.
- F. No individual shall receive any compensation in exchange for service on the Executive Committee, provided, however, that the members of the Executive Committee shall be reimbursed, in accordance with policies to be adopted by the Board, for all legitimate expenses incurred in the performance of their duties.

**ARTICLE IV  
POWERS OF THE EXECUTIVE COMMITTEE**

- A. The Executive Committee may establish rules governing its own conduct and procedure, and have such expressed or implied PACE as is not inconsistent with or contrary to the laws of the State of California, these Bylaws, the Agreement, or any rule, policy, procedure, action, or directive of the Board. The Executive Committee shall have no power to overrule or invalidate any action validly taken by the Board.
- B. The Executive Committee shall have the duty to act on behalf of the Board in between the meetings of the Board, but only as described in Part C below.
- C. The powers of the Executive Committee include:
  - 1. Appoint and dissolve working committees;
  - 2. Directly or by contract provide for services required to effectively implement all aspects of this joint program;
  - 3. Review, approve and/or terminate any contract to which PACE is a party, except that the JPA's contract with the Program Manager may only be approved or terminated by the full Board;
  - 4. Approve admission of new Members;
  - 5. Approve the health benefits insurance and insurance-related programs to be offered to the Members;
  - 6. Work with the Program Manager, as appropriate, to oversee PACE's insurance programs and day-to-day operations; and
  - 7. Any other power necessary to conduct the business of PACE unless such power is specifically reserved to the Board.

**ARTICLE V  
OFFICERS**

- A. The Officers of PACE shall be elected by the Board, and shall be the President, Vice President, and Secretary/Treasurer. Each officer shall serve a term ending on December 31 of even numbered years. Any person elected or appointed as an Officer may be removed at any time, with or without cause, by a majority vote of the Board. Any vacancy in an Officer position shall be filled by the Board.
- B. The President shall be the chief executive officer and shall have general supervision and direction of the business of PACE, shall see that all orders and resolutions of the Board are carried into effect, and shall have other powers and perform such other duties as may be prescribed from time to time by the Board. The President shall also be a Member of all working committees established by the Board or Executive Committee.
- C. The Vice President shall have such powers and perform such duties as may be prescribed from time to time by the Board or the President. In the absence or disability of the President, the Vice President shall be vested with all the powers and authorized to perform all the duties of the President.

D. The Secretary/Treasurer shall have the following duties:

1. Attend all meetings of PACE and record all votes and the minutes of all meetings;
2. Give, or cause to be given, notice of all meetings of PACE when notice is required by law or these Bylaws;
3. Act as the chief financial officer of PACE and assume the following duties described in Sections 6505.1 and 6505.5 of the California Government Code:
  - i. Receive and receipt for all money of PACE and place it in a County Treasury and/or a commercial account as approved by PACE to the credit of PACE;
  - ii. Be responsible for the safekeeping and disbursement of all money of PACE; and
  - iii. Pay, when due, out of money of PACE, all legitimate and verifiable sums payable by PACE.
4. Verify and report in writing on the first day of July, October, January, and April of each year, or as soon as possible thereafter, to PACE, the amount of money he holds for PACE, the amount of receipts since his last report, and the amount paid out since his last report.
5. Act as Custodian of PACE property; and
6. Perform such other duties as may be prescribed from time to time by law or by PACE or the President.

## **ARTICLE VI MEMBERSHIP**

- A. Membership in PACE is open to any commercially insured or self-insured California public agency. Membership shall be deemed to be effective when the prospective Member has:
1. Been approved by the Board or Executive Committee;
  2. Has executed the Agreement; and
  3. Agreed in writing to be bound by these Bylaws.
- B. For purposes of Section A above, “public agency” means any city, state, county, or local government or an agency of city, state, county, or local government, or other public entity or any joint powers authority comprised of any of the foregoing and serving the interests of the public entities detailed in this section.

## **ARTICLE VII PROGRAM MANAGER**

A Program Manager shall oversee the day-to-day operations and administrative functions of PACE. The Program Manager shall also act as PACE’s benefits consultant and insurance broker for the organization. Given its extensive experience as an insurance broker/consultant and in the management of pooled insurance programs and joint powers authorities, Keenan shall serve as PACE’s Program Manager. Keenan shall serve at the pleasure of the Board and may be removed as the Program Manager if such removal is authorized by unanimous consent of all Directors. The compensation of the Program Manager will be set each year by the Board. Members shall comply with any initiatives or programs implemented by the Program Manager on behalf of PACE,

including, but not limited to, the use of the BenefitBridge data platform to facilitate enrollment and the transmission of eligibility data.

## **ARTICLE VIII INSURANCE ADVISORY COMMITTEE**

- A. There shall be created an Insurance Advisory Committee (“IAC”) whose purpose shall be to advise and consult with the Board with respect to the interests and concerns of non-management employees of the Members. Each Member shall designate up to two (2) individuals from the organization to serve on the IAC. Individuals shall serve on the IAC at the pleasure of the appointing Member and any individual so serving may be removed and replaced by the appointing Member at any time for any reason.
- B. The IAC shall appoint two (2) members of the Committee to serve as Directors of the Authority. Except as expressly described in this Article VII, any individual representing the IAC on the Board of Directors shall have the same duties, responsibilities, and conditions of tenure as each other Director.
- C. The IAC shall select one individual to serve as its Chair. The Chair shall preside over all meetings of the IAC.
- D. The IAC shall function only in an advisory capacity and shall have no authority to take any action or make any decision on behalf of the Authority.
- E. All meetings of the IAC will be called, held and conducted in compliance with the provisions of the Brown Act.
- F. The IAC members shall not receive compensation for their service on the Committee. Expenses incurred by an IAC member at the direction or request of the Board shall be eligible for reimbursement only if approved in advance.
- G. The IAC shall meet at least once annually. Additional meetings may be convened upon request of the Chair or any IAC member, or at the request or direction of the Board.

## **ARTICLE IX WELLNESS INITIATIVES**

Each Member shall promote the health and well-being of its employees through participation in the wellness initiatives adopted by PACE. In furtherance of such initiatives, and to support a wellness program among its own employees, each Member shall:

- 1. Create a wellness leadership team representing management and labor, which meets monthly and assists with providing direction for the program design, implementation, and evaluation;
- 2. Establish an employee wellness committee to provide involvement of the workforce in program design and advocacy;

3. Conduct an audit of the wellness environment in the organization, and identify actions to be taken to support a culture of wellness;
4. Conduct an assessment of employee wellness needs, interests, and challenges;
5. Develop a multi-year wellness program blueprint – including mission, goals, and objectives – to provide an action plan for implementing and evaluating the program, and for sustaining the program to achieve a positive return on investment;
6. Create a wellness program branding;
7. Develop a strategy for engaging employees in the program, including an incentives program plan; and
8. Identify metrics for monitoring and evaluating the program’s progress and outcomes.

**ARTICLE X  
FINANCE**

- A. PACE shall operate on a fiscal year from January 1st through December 31st.
- B. No less than 120 days before the end of the fiscal year, the Executive Committee shall adopt an operating budget (“Operating Budget”) for the following fiscal year. A copy of the Operating Budget shall be transmitted to each of the Members.
- C. As necessary, an Operating Account shall be established and maintained by the Program Manager for any the monies that may be received by PACE. Funds from the Operating Account shall be used for the payment of the operating expenses of PACE.
- D. Each Member shall be responsible for the payment of its own insurance premiums.
- E. Each Member shall be responsible for a pro rata share of the fees of the Program Manager and such other expenses as may be authorized by the Board. The amount of each Member’s share shall be calculated on a per employee per month basis.

**ARTICLE XI  
INSURANCE COVERAGE AND OTHER SERVICES**

- A. The Program Manager shall, upon Board recommendation, solicit and obtain quotes from insurance carriers for presentation to the Board.
- B. The Board shall determine the carrier(s) and insurance options that will be made available to the Members.
- C. Coverage shall renew as of the first day of each fiscal year.

- D. Each commercially insured Member must purchase its benefits insurance coverage through the JPA. unless the selected carrier(s) refuses to offer a quote for such Member, in which case the Member may either elect to continue as a self-insured Member or be terminated from membership in PACE, pursuant to Article XII.
- E. Each member may select from the available commercial insurance coverage options in accordance with the guidelines set up by carrier(s) and/or the JPA. Once its options have been selected, a Member may not change its selected options for a period of 3 years, provided, however, that under extenuating circumstances a Member may request that this requirement be waived. Any Member requesting a waiver must present its request in writing to the Executive Committee explaining the circumstances and the reasons why the waiver should be granted. The Executive Committee shall have the sole authority to determine, in its absolute discretion, whether or not to grant the waiver. The decision of the Executive Committee shall be final.
- F. Each commercially insured Member will be responsible for the timely payment of its insurance premiums. Failure to pay premiums when due is grounds for termination of membership in the JPA.
- G. PACE will make available the third party administration (TPA) services to its self-insured Members. Self-insured TPA services will be provided by the PACE Program Manager. Members will be expected to utilize the services of TPA PACE's Program Manager unless an exception is granted in writing by the Board.
- H. Self-insured Members securing TPA services through PACE will have access to the pricing negotiated by the TPA and the applicable network.
- I. Self-insured Members will be required to accept the terms and conditions of the TPA service agreement entered into by PACE and the Program Manager.
- J. Each self-insured Member will be fully and solely responsible for the payment of its claims and will be responsible for funding a claims payment account for use by the TPA.
- K. Self-insured Members will be billed directly by the TPA for the TPA services and will be solely responsible for payment of the TPA fees.

**ARTICLE XII**  
**ACCOUNTS AND RECORDS**

- A. The Secretary/Treasurer is the designated depository of PACE funds in compliance with California Government Code 6505.5 and 6505.6.
- B. PACE is strictly accountable for all funds received and dispersed by it and, to that end, PACE shall establish and maintain such funds and accounts as may be required by good accounting practice or by any provision of law or any resolution of PACE. Books and records of PACE in the hands of the Secretary/Treasurer shall be open to inspection at all reasonable times by representatives of the Members. As soon as practical after the close of

each fiscal year, PACE shall give, or cause to be given, a complete written report of all financial activities for such fiscal year to each Member.

- C. The Board of Directors shall make, or contract with a Certified Public Accountant to make, an annual audit of the accounts, records, and financial affairs of PACE. In each case the minimum requirements of the audit shall be those prescribed by the State Controller for special districts under Section 26909 of the California Government Code and shall conform to generally accepted auditing standards and accounting principles. When such an audit of accounts and reports is made by a Certified Public Accountant, a report thereof shall be filed as a public record with each of the Members of PACE.

### **ARTICLE XIII TERMINATION OF MEMBERSHIP**

- A. Any Member who has been a member of PACE for at least two (2) years may terminate its membership and its participation in the Joint Powers Agreement by providing notice in the manner prescribed in Section B below. Termination will be effective as of the last day of the then-current fiscal year.
- B. Notice must be given at least 60 days before the end of the fiscal year. Notice must be in writing signed by the chief executive of the Member and submitted with a copy of a resolution of the Member's Board of Trustees authorizing the termination. If a Member submits notice of an intent to terminate, but subsequently decides to remain in PACE, the Member shall not be permitted to submit another termination notice for two years. The Board has the right to impose a termination fee upon any Member who fails to provide notice in the manner required by these Bylaws.
- C. Any Member withdrawing from PACE shall not be eligible to reapply for membership for a period of three (3) years.
- D. The terminating Member will not be eligible to renew any insurance coverage obtained through PACE at the rates available to PACE Members
- E. A Member may be involuntarily terminated from PACE upon a two-thirds (2/3) majority vote of the Executive Committee at any meeting at which a quorum is present.
- F. Grounds for involuntary termination include, but are not limited to, the following:
  - 1. Failure or refusal to abide by the Agreement or Bylaw, and/or any amendment thereto;
  - 2. Any action which in the opinion of the Board is contrary to best the interests, goals and/or objectives of PACE and its Members.
  - 3. Failure of a Member to disclose a material fact to PACE or its Program Manager which, in the opinion of the Board, constitutes fraud, misrepresentation or concealment for the purposes of obtaining coverage with PACE.
  - 4. Failure to qualify for any insurance coverage offered through PACE, if not continuing as a self-insured Member securing TPA services through PACE;
  - 5. Failure for more than 60 days to pay any of its share of the Program Manager's fees;

6. The cancellation of insurance obtained through PACE for non-payment of premiums, or
7. Failure for more than 60 days to make any payment due for TPA services secured through PACE.

Involuntary termination shall have the effect of eliminating the Member as a signatory to the Agreement and as a Member of PACE. Termination shall be effective upon such other date as the Board may specify, but in no case less than thirty (30) days after notice of involuntary termination is given. In the event that termination occurs before the last day of the fiscal year, any insurance obtained by the terminated Member through PACE shall continue until the first day of the month following the termination date.

#### **ARTICLE XIV DISPOSITION OF PROPERTY AND FUNDS**

In the event of the dissolution of PACE, the complete rescission, or other final termination of Joint Powers Agreement by all Members then a party to the Agreement, any property interest remaining in PACE following a discharge of all obligations shall be disposed of pursuant to a plan adopted by the Board of Directors with the objective of returning to each Member a pro rata share of the remaining interest. The pro rata share shall be determined by the length of time each entity has been a Member.

#### **ARTICLE XV INVESTMENT OF FUNDS**

- A. PACE shall have the power to invest or cause to be invested, in compliance with Section 6509.5 of the California Government Code, such funds as are not necessary for the immediate operation of PACE as allowed by Section 53601 of the California Government Code.
- B. The level of cash to be retained for the actual operation of PACE shall be determined by the Board.

#### **ARTICLE XVI AMENDMENT**

- A. Amendment to these Bylaws may be proposed by any Member of the Board.
- B. Except as otherwise provided in these Bylaws, amendments to these Bylaws must be adopted by a two-thirds (2/3) vote of all Directors. Any amendments duly adopted by the Board shall be binding upon all Members of PACE. Any amendment that would alter the rights of the Members or would fundamentally change the purpose of the JPA as established in the Preamble to these Bylaws, must be approved by the unanimous consent of all Directors. The effective date of any amendment will be on the first day of the next month following adoption, unless otherwise stated.

**ARTICLE XVII  
SEVERABILITY**

Should any portion, term, condition, or provision of these Bylaws be decided by a court of competent jurisdiction to be illegal or in conflict with any law of the State of California, or be otherwise rendered unenforceable or ineffectual, the validity of the remaining portions, terms, conditions, and provisions shall not be affected thereby.

**ARTICLE XVIII  
EFFECTIVE DATE**

These Bylaws shall become effective immediately upon their adoption by the Board.

Approved: August 16, 2016

**Mayor**  
Lois Wynne  
**Mayor Pro Tem**  
Jeff Chedester  
**Council Members**  
Ray Madrigal  
Eddie Neal  
William Siegel



**POLICE  
DEPARTMENT**

657 Fox Street  
Lemoore, CA 93245  
Phone (559) 924-9574  
Fax (559) 924-3116

**Staff Report**

**ITEM NO. 2-4**

**To: Lemoore City Council**  
**From: Darrell Smith, Chief of Police**  
**Date: September 12, 2016 Meeting Date: September 20, 2016**  
**Subject: Second Reading - Ordinance 2016-11 – Adding Sections 1, 2, 3 and 4, Chapter 9 of Title 4 of the Lemoore Municipal Code Pertaining to Fireworks**

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**Proposed Motion:**

After conducting its second reading on proposed Ordinance No. 2016-11, Adding Sections 1, 2, 3, and 4, Chapter 9 of Title 4, pertaining to Fireworks; waive the reading of the Ordinance in its entirety and adopt the Ordinance.

**Subject/Discussion:**

This is the second reading of this ordinance. The first reading was approved by the City Council on September 6, 2016.

On June 21, 2016, staff brought a fireworks ordinance before the City Council. The Council requested staff address areas of the ordinance concerning property owner responsibility. The ordinance has been modified to reflect no adverse action proposed to property owners who may be renting and therefore are not specifically responsible for the violations.

Due to the high use of fireworks, on or about, July 4 of each year, the City has been unsuccessful in holding users and possessors, fully accountable for the possession, or use, of dangerous or illegal fireworks. Code enforcement or police officers must observe someone in the act unless a witness is willing to make a “citizen’s arrest.” Witnesses are often unwilling to become involved in such incidents, thus making it difficult for law enforcement to address the issue of illegal firework(s) use and possession. In order to make owners, renters, lessees, or those that otherwise have possession of a residence, or other private property (“Responsible Party”), responsible for the illegal and dangerous firework possession and use, law enforcement will only need to verify what property the fireworks were launched from. Once that is verified, the City may pursue a Responsible Party for an initial \$1,000 fine.

Additional changes to the current ordinance in regards to the number of fireworks stands in the City are proposed to be limited to 15. Over the past three years, the City has averaged 9-10 stands per year, so this proposed change allows for some future growth. Council will have the authority to modify the number of stands allowed, with an amendment to the ordinance, if the need arises in the future. As stand sales are limited to organizations that provide substantial benefit to the community (be a non-profit or be

affiliated with a governmental or educational institution), if too many stands proliferate, it is possible organizations will not generate enough funds to continue with sales at all.

If the ordinance is approved; the City will provide notices to fireworks stand permit holders regarding the increased personal liability. The notices will be posted at all firework stands located within the City limits reminding citizens of the new ordinance.

The Municipal Code, as currently written, does not allow for the issuance of citations and fines to the individual(s) possessing or using illegal fireworks; and the Code does not specifically define the possession or use of dangerous or illegal fireworks. Currently, the Code only addresses the permit requirements for the sale and use of safe and sane fireworks. Therefore, staff recommends adding definitions identifying what is considered illegal fireworks, a fine, and the individuals subject to such fine, for the use or possession of illegal fireworks.

**Financial Consideration(s):**

The financial impact is unknown at this time. Should a fine be levied, it would cover the administrative and staff time required to undergo the violation process.

**Alternatives or Pros/Cons:**

Pros:

- Such an ordinance may deter members of the public from use or possession of illegal or dangerous fireworks.
- Illegal and dangerous fireworks pose a public safety risk to our citizens and require significant resources from fire and law enforcement personnel to address the issues resulting from the discharge of illegal fireworks.

Cons:

- None noted.

**Staff Recommendation:**

It is recommended that Council hold its second hearing on the proposed Ordinance, waive the reading of the Ordinance in its entirety and adopt the Ordinance. If the Ordinance is adopted, the changes would take effect thirty (30) days following the adoption.

**Attachments:**

- Resolution
- Ordinance 2016-11
- Map
- Other \_\_\_\_\_

**Review:**

- Finance
- City Attorney 09/12/16
- City Manager 09/12/16
- City Clerk 09/14/16

**Date:**

**ORDINANCE NO. 2016-11**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LEMOORE  
ADDING CHAPTER 9 TO TITLE 4 PERTAINING TO FIREWORKS, AND  
REPEALING CHAPTER 1, ARTICLE E, SECTION 8-1E-4-1 OF TITLE 8  
COVERING THE SAME TOPIC**

**WHEREAS**, the use or possession of dangerous or illegal fireworks continues to increase within the City limits; and,

**WHEREAS**, law enforcement personnel have been unable to hold users and possessors of property fully accountable for the possession or use of dangerous or illegal fireworks; and

**WHEREAS**, it is in the interest of the health, welfare and safety of the people of the City of Lemoore to address the increasing problem of possession and use of illegal and dangerous fireworks by holding the renter, lessee or those otherwise in possession of the real property accountable for the possession and use of illegal and dangerous fireworks on the subject property regardless of the possessor or user.

**WHEREAS**, the fireworks provisions previously located in Chapter 1, Article E, Section 8-1E-4-1 of Title 8 of this Code will be made redundant by this new Fireworks Chapter.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LEMOORE DOES ORDAIN AS FOLLOWS:

**Section 1. Adopting a New Fireworks Chapter.** Chapter 9 of Title 4 is hereby added to the Lemoore Municipal Code to read as follows:

**Chapter 9  
FIREWORKS**

**4-9-1: DEFINITIONS:**

For the purposes of this chapter, unless otherwise apparent from the context, certain words and phrases used in this chapter are defined as follows:

- (a) “Illegal or dangerous fireworks” shall mean any fireworks specified as such in the State Fireworks Law, Sections 12500 et seq. of the Health and Safety Code of the State, and such other fireworks as may be determined to be dangerous by the State Fire Marshal.

(b) “Safe and Sane Fireworks” shall mean and include only unaltered fireworks specified as such in section 12529 of the Health and Safety Code of the State.

**4-9-2: SAFE AND SANE FIREWORKS:**

(a) Sale of Safe and Sane Fireworks:

1. It shall be unlawful for any person to sell, offer for sale or display for sale any safe and sane fireworks within the Lemoore city limits without first obtaining a permit for such purpose from the City of Lemoore business license division as provided herein.

2. Safe and sane fireworks may be sold for a period of one week; from June 28 to July 4 of any year, unless July 4 falls on a Sunday, in which case the period for the sale of fireworks ends on July 5. The hours of operation of any stand shall be limited, allowing operation daily from nine o’clock (9:00) A.M. to eleven o’clock (11:00) P.M. during the week of sale identified above except for the last day, July 4, when sales must cease no later than twelve o’clock (12:00) midnight. The construction and placement of said fireworks stands shall commence no earlier than June 21 of any given year.

3. The sale of any safe and sane fireworks shall be made in strict accordance with the provisions of this section and state law, and not otherwise.

(b) Discharge of Safe and Sane Fireworks: It shall be unlawful for any person to fire, set off, discharge, explode or use, or to cause or to permit to be fired, set off, discharged, exploded or used, any safe and sane fireworks within the city limits except from nine o’clock (9:00) A.M. on July 1 and ending at twelve o’clock (12:00) A.M. midnight on July 5 of any year.

(c) Applicants for Permit: Applicants for a permit under this section must be a state recognized nonprofit organization or be an integral part of a governmental or educational institution within the city limits of the City of Lemoore. Each applicant must have had its principal place of operation and a permanent meeting place within the city limits of the City of Lemoore for a period of at least one year prior to the date of application for a permit. Additionally, an applicant must provide a significant benefit to the citizens of the City of Lemoore. Each applicant shall provide any and all documentation that the Lemoore business license division, or designee, may request in order to establish that all requirements of this section have been satisfied. Such documentation which serves as proof of nonprofit status will include, but is not limited to, a signed affidavit, a current notice from the state of California declaring nonprofit status, and/or previous year’s federal or state tax identification form for nonprofit organizations.

(d) Permit Requirements and Procedures: All applications for a fireworks permit shall comply with the provisions of section 12500 et seq., of the California Health and Safety Code and any and all rules and regulations established by the state of California or the Lemoore fire department, and in addition shall be governed by the following:

1. An application for a fireworks permit shall be filed no sooner than beginning the first Monday of April and no later than June 1 with the City of Lemoore business license division, along with payment of a nonrefundable fire inspection fee and a nonrefundable business license fee established by resolution of the city council of the City of Lemoore. A limit of 15 permits will be issued per calendar year on a first come first approved basis. First time applicants will also pay a background check fee, as set by resolution. All applicants will submit a deposit, set by resolution, to be held by the city, until such time that all fireworks stand materials and equipment have been removed from the designated property, as required by this section. If the organization, at the required time set by this section, does not have the fireworks stand removed completely from public view, the deposit will be forfeited to the city and a record will be made of the violation. Two (2) consecutive years with the same violation will result in denial of any further applications for a period of five (5) years. Fireworks permits are not transferable.

2. No fireworks permit will be granted to the applicant if the following items are not properly and completely prepared and presented to the City of Lemoore business license division on or before June 1 of the calendar year during which the fireworks will be sold:

- A. State fire marshal's license;
- B. Temporary seller's permit from the state board of equalization;
- C. Property owner's permission form (original) signed and currently dated;
- D. A copy of workers' compensation (if you have employees operating the stand);
- E. Address of property where stand will be located; and
- F. Certificate of insurance naming the City of Lemoore as the additional insured.

G. Affidavit of nonprofit organization plus the state of California “statement by domestic nonprofit organization” and a copy of current state of California tax return form 199.

3. The City of Lemoore reserves the right to further check the validity, by normal and necessary means, of the documents presented as evidence of nonprofit status.

4. The City of Lemoore business license division, or designee, may extend the June 1 filing date if the city, or designee, determines, at their discretion, that an applicant has attempted in good faith and with due diligence to satisfy all of the requirements in subsections (d)(1) through (d)(3) of this section and that as a result of action or inaction on the part of other persons or entities, which are beyond the applicant’s control, the applicant has been unable to satisfy the requirements as stated in subsections (d)(1) through (d)(3) of this section within the required time periods.

5. No change of stand locations will be permitted after an application has been submitted, without the prior approval of the City of Lemoore, or designee.

(e) Conditions:

1. All fireworks stands, any remaining inventory and all building materials and litter must be removed completely out of public view on or before eight o’clock (8:00) A.M. on July 7 of each year.

2. No person shall sell, or offer for sale, any fireworks within a distance of one hundred feet (100’) of any pump or dispensing device of any flammable liquids.

3. No fireworks stand shall be located within thirty feet (30’) of any adjacent buildings, burnable materials, grass, paper or like flammable materials.

4. No fireworks stand shall be located closer than ten feet (10’) from any public roadway or back of curb, or in any location which does not otherwise meet the approval of the City of Lemoore, or designee.

5. No sale or display of fireworks will be allowed inside any permanent building.

6. Each fireworks stand shall have a minimum of two (2) exits, which shall be located and provided on opposite sides. Each exit shall be at least

thirty two inches (32") wide. Fireworks stands with only three (3) sides and open from the back will not require exits.

7. If stands are operated at night, only electric lights may be used.
8. "No Smoking" signs shall be located on all sides of the stand. Each sign shall have the words "No Smoking" in red letters, not less than two inches (2") in height, with the minimum one and one-half inch (1<sup>1</sup>/<sub>2</sub>") stroke on white background.
9. One approved two and one-half (2<sup>1</sup>/<sub>2</sub>) gallon pressurized, water type fire extinguisher and/or one 5-pound multipurpose ABC fire extinguisher or garden hose fully charged with shutoff nozzle attached shall be provided in the stand's sale area. There shall be no exceptions to this requirement. The fire extinguisher must be in operating condition, with an up to date inspection tag indicating that the fire extinguisher has been serviced within the past year.
10. Fireworks signs shall not create a traffic hazard and must be approved by the Lemoore fire department, or designee.
11. All permittees shall instruct all employees and persons who handle fireworks in any capacity of the hazards of said fireworks and with these rules and safety precautions governing fireworks.
12. All persons selling fireworks shall be trained in emergency procedures, including use of the fire extinguishers.
13. Persons employed for the sale of fireworks shall be at least eighteen (18) years of age. Proof must be shown at any time when requested by fire officials.
14. No person under sixteen (16) years of age shall purchase fireworks.
15. No sleeping inside the fireworks stand will be permitted at any time.
16. The stand and surrounding area shall be maintained in a clean, neat and orderly condition at all times and be free from any condition that would create a "fire nuisance" or a "visual nuisance".
17. No person shall use or handle fireworks while under the influence of intoxicating liquids or narcotics. Alcohol and narcotics are prohibited within the fireworks stands.
18. Smoking shall be prohibited where fireworks are stored or handled.

19. No person, other than a member of the organization or a volunteer who is associated with the organization, having a permit shall be permitted to sell or otherwise participate in the sale of fireworks.

20. No permit issued or authorized shall be transferable or assignable.

21. No person shall light, or caused to be lighted, any fireworks or other combustible article within any stand or within two hundred feet (200') thereof.

22. The applicant's state license and county fireworks permit and temporary sales permit issued by the state board of equalization and the City Ordinance related to allowed uses and penalties for violations shall be displayed in a prominent place in the fireworks stand.

23. All permittees must obtain final written approval from the Fire Marshall of the City of Lemoore, and shall be subject to any conditions imposed by the Fire Marshall.

(f) Insurance: Prior to issuance of a permit, the eligible organization shall procure a certificate of insurance acceptable to the City of Lemoore. The certificate shall name the city, its officers, agents and employees as additional insureds in an amount of not less than two million dollars (\$2,000,000) combined bodily injury and property damage for each occurrence. The certificate must specify the time, location and dates to be covered by the policy.

(g) Revocation: Any violation of these provisions or any other city ordinance, or the terms and conditions of the permit, or state law or administrative regulations, or safety rules of the Lemoore fire department, or designee, shall be grounds for immediate revocation of the permit. Any such violation shall be determined by the sole discretion of the City of Lemoore, or designee. The decision of the City of Lemoore, or designee, with regards to revocation may be appealed to the city council of the City of Lemoore.

#### **4-9-3: DANGEROUS FIREWORKS:**

It shall be unlawful for any person to possess, sell, use, or discharge illegal or dangerous fireworks in the City.

#### **4-9-4: APPEAL:**

Whenever the city disapproves an application or refuses to grant a permit applied for, or when it is claimed that the provisions of the code do not apply or that the true intent and meaning of the code have been misconstrued or wrongly interpreted, the applicant may appeal from the decision of the city to the Lemoore city council within thirty (30) days from the date of the decision appealed. The appeal shall be

in writing and shall be filed with the city manager and shall be heard at the next regular meeting of the city council. The determination of the city council upon such appeal shall be conclusive and final.

**4-9-5: STATE FIREWORKS LAW:**

The provisions of this chapter shall be construed so as not to conflict with the State Fireworks Law.

**4-9-6: VIOLATION AND PENALTIES:**

(a) Any person who violates any of the provisions of this article shall be guilty and punishable as set forth in Title 1, Chapter 4 of this Code.

(b) In addition, for violations of this Code pertaining to the unlawful sale of dangerous or safe and sane fireworks, or for the possession, use or discharge of dangerous fireworks, all violators and Responsible Persons may be assessed an administrative fine of \$1,000 for each violation.

1. Responsible Person(s) for purposes of this section include:
  - a. The person(s) who rents, leases, or otherwise has possession of the residence or other private property;
  - b. The person(s) in immediate control of the residence or other private property; and
  - c. The person(s) who organizes, supervises, sponsors, conducts, allows, controls, or controls access to the illegal discharge or illegal possession of dangerous or illegal fireworks.
2. There is no requirement that the City provide advance notice to the responsible person(s) prior to issuing an administrative citation. Responsible person(s) shall be deemed to know the law as is the common standard for Code violations. Further, fireworks violations create an immediate danger to the public health, safety and welfare for which immediate correction is required. Additionally, fireworks violations are non-continuing violations for which it is not possible or practical to provide prior notice and an opportunity to correct.
3. Upon identification of a violation of this subsection, City code enforcement officers and any law enforcement or fire agency designated by the Police Chief, may impose an administrative fine of \$1,000.
4. Administrative fines shall be subject to the administrative appeal and hearing procedures set forth in Title 1, Chapter 10 of this Code.

**SECTION 2. Repeal of Section 8-1E-4-1.** Chapter 1, Article E, Section 8-1E-4-1 of Title 8 of this Code is repealed.

**SECTION 3. Effective Date.** This Ordinance shall take effect 30 days after its adoption.

**SECTION 4. Publication.** The City Clerk is further directed to cause this ordinance or a summary of this ordinance to be published once in a newspaper of general circulation published and circulated within the City of Lemoore, within fifteen (15) days after its adoption. If a summary of the ordinance is published, then the City Clerk shall cause a certified copy of the full text of the proposed ordinance to be posted in the office of the City Clerk at least five days prior to the Council meeting at which the ordinance is adopted and again after the meeting at which the ordinance is adopted. The summary shall be approved by the City Attorney.

The foregoing Ordinance was introduced at a Regular Meeting of the City Council of the City of Lemoore held on the 6<sup>th</sup> day of September 2016, and was passed and adopted at a regular meeting of the City Council held on the 20<sup>th</sup> day of September 2016, by

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

APPROVED:

\_\_\_\_\_

Mary J. Venegas  
City Clerk

\_\_\_\_\_

Lois Wynne  
Mayor

**Mayor**  
Lois Wynne  
**Mayor Pro Tem**  
Jeff Chedester  
**Council Members**  
Ray Madrigal  
Eddie Neal  
William Siegel



**Office of the  
City Attorney**

119 Fox Street  
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Fax (559) 924-9003

## Staff Report

ITEM NO. 2-5

**To:** Lemoore City Council  
**From:** Andi Welsh, City Manager  
**Date:** September 12, 2016 **Meeting Date:** September 20, 2016  
**Subject:** Approve Legal Services Agreement with Lozano Smith for City Attorney Services

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### **Proposed Motion:**

Approve the Legal Services Agreement with Lozano Smith for City Attorney Services.

### **Subject/Discussion:**

The current agreement with Lozano Smith was approved by the City Council in June 2014. Lozano Smith's current agreement has no expiration date, but the City is able to terminate the agreement at any time.

Lozano Smith attorneys continue to serve as City Attorney for the cities of Reedley, Clovis, Fowler, Parlier, Lemoore, and Coalinga. As a result, Lemoore and the other cities benefit from the efficient and wide range of municipal law expertise and full-services provided by Lozano Smith, rather than having to hire outside counsel at a higher rate to handle specialized services. The new agreement proposes the same hourly rates for all City matters including litigation cases or other specialized services.

Lozano Smith is proposing a slight increase to the hourly rate from \$160 to \$170 for Fiscal Year 2016-2017 beginning October 1, and another slight increase from \$170 to \$180 from Fiscal Year 2017-2018. However, Lozano Smith proposes to implement other savings for the City by deleting a separate rate for special services, such as litigation. Currently, the hourly rate for litigation is \$175 an hour, \$15.00 over the general rate. Lozano Smith proposes to charge the same rate for all services which will save the City money. Additionally, while there is no change to the flat rate for attendance at City Council meetings for the Fiscal Year 2016-2017, the new agreement seeks a slight increase for meetings from \$550 to \$600 per meeting for Fiscal Year 2017-2018. Further, Lozano Smith proposes to change this flat rate from two City Council meetings, to 3 meetings per month, providing the City flexibility and cost savings for attendance at special or other board or commission meetings. Moreover, the new agreement adds office hours at a flat rate, which will allow for more staff collaboration and efficiency on projects.

### **Financial Consideration(s):**

While the proposed agreement includes a slight increase, it decreases the hourly rate for specialized services. Budgeted for legal services in Fiscal Year 2017 is \$144,000.

**Alternatives or Pros/Cons:**

Council choose not to approve the new agreement and the current agreement would remain in place.

**Staff Recommendation:**

To approve the new legal services agreement.

**Attachments:**

- Resolution
- Ordinance
- Map
- Other \_\_\_\_\_

**Review:**

- Finance
- City Attorney 09/12/16
- City Manager 09/12/16
- City Clerk 09/14/16

**Date:**

## **CITY OF LEMOORE**

### **AGREEMENT FOR PROFESSIONAL LEGAL SERVICES AS GENERAL COUNSEL**

THIS AGREEMENT is made and entered into as of \_\_\_\_\_, 2016, between the CITY OF LEMOORE, a municipal corporation (hereinafter referred to as “City”) and LOZANO SMITH, a limited liability partnership (hereinafter referred to as “Attorney”). The term “City” shall also include all boards, commissions, and other bodies of the City.

#### **1. SCOPE OF WORK AND DUTIES**

The City hires Lozano Smith as its City Attorney to render such legal services as are customarily rendered by a City Attorney, including attending meetings of the City Council, and other commissions, boards, and committees of the City, and its affiliated agencies, as directed by the City. Representation shall include, but not necessarily be limited to, drafting and reviewing ordinances, resolutions and City agreements, and consulting with or advising City staff on legal issues that arise within their areas of operation, and generally advising the City Council and City staff concerning the legal affairs of the City.

Attorney, as a full-service law firm, is prepared to, and will, provide representation to City in all of its legal affairs, including, but not limited to, municipal law, tort defense, labor representation, criminal prosecution, redevelopment dissolution, land use, finance, franchising, contract representation and other matters, except where conflicts exist or where the City Council may otherwise direct. Attorney shall represent the City in initiating and defending all litigation unless otherwise directed by the City Council.

All of these duties shall be performed, as directed by the City Council, and Attorney will keep the City Council and the City Manager informed as to the progress and status of all pending matters. All legal services can be authorized only by the City Council or the City Manager.

Attorney will manage and control the delivery of legal services in a competent, professional, and cost-effective manner. Where appropriate, Attorney may from time to time recommend the use of special counsel. In that event, Attorney shall coordinate the work of special counsel. Notwithstanding the foregoing, it is expressly understood that Attorney shall not be responsible for any pending litigation matter(s) until Attorney has specifically appeared in the matter as attorneys of record on behalf of City.

The scope of work and duties under this Agreement shall not include representation of the City as Bond Counsel. In the event City desires that Attorney act as Bond Counsel, and Attorney so agrees, City and Attorney shall enter into a separate Bond Counsel Agreement setting forth

Attorney's duties and compensation for such Bond Counsel services. City and Attorney may agree that such compensation shall be on a contingent fee basis.

## 2. CITY DUTIES

City agrees to provide such information, assistance, cooperation, and access to books, records, and other information, as is necessary for Attorney to effectively render its professional services under this Agreement. City further agrees to abide by this Agreement, and to pay in a timely manner for Attorney's bills for fees, costs, and expenses.

## 3. LEGAL FEES, BILLING PRACTICES, AND PERSONNEL

City shall compensate Attorney for legal services provided within the scope of work and duties as follows:

- From October 1, 2016 through June 30, 2017, City shall pay to Attorney \$170 per hour for attorney services and \$100 per hour for law clerk and paralegal services, exclusive of attendance at regular City Council and Board or Commission meetings. For attendance at regular City Council and Board or Commission meetings from October 1, 2016 through June 30, 2017, City shall pay Attorney at the rate of \$550 per meeting, for up to three (3) meetings. For onsite services, Client shall pay to Attorney \$850 for a half-day or four (4) hours; or \$1,400 for a full-day or eight (8) hours.
- From July 1, 2017 through June 30, 2018, City shall pay to Attorney \$180 per hour for attorney services and \$100 per hour for law clerk and paralegal services, exclusive of attendance at regular City Council and Planning Commission meetings. For attendance at regular City Council and Board or Commission meetings from July 1, 2017 through June 30, 2018, City shall pay Attorney at the rate of \$600 per meeting, for up to three (3) meetings. For onsite services, Client shall pay to Attorney \$850 for a half-day or four (4) hours; or \$1,400 for a full-day or eight (8) hours.
- Beginning July 1, 2018, City shall pay to Attorney \$180 per hour for attorney services and \$100 per hour for law clerk and paralegal services, exclusive of attendance at regular City Council and Board or Commission meetings. Beginning July 1, 2018, for attendance at regular City Council and Board or Commission meetings, City shall pay Attorney at the rate of \$600 per meeting, for up to three (3) meetings. For onsite services, Client shall pay to Attorney \$900 for a half-day or four (4) hours; or \$1,450 for a full-day or eight (8) hours.

In addition to paying legal fees, City shall reimburse Attorney for customary and reasonable costs and expenses incurred by Attorney in the course of providing legal services to City. Costs will include, but are not limited to, all third party expenses, mileage for travel, duplicating, long distance telephone, postage charges, delivery charges, computerized legal research, facsimile charges, and filing fees. Attorney shall not, however, charge City for mileage to and from its offices to City.

Attorney shall render to City a statement for fees for services and costs incurred every calendar month. City shall pay Attorney's statement within thirty (30) days after issuance of each statement. Each statement shall clearly indicate the basis of the fees, including the working attorney, hours worked, hourly rate (or flat meeting rate) and a brief description of the work performed, and a description of costs charged.

The City Attorney will exercise discretion to use whichever attorneys, paralegals and staff that he determines best suited to the rendering of legal services in a competent and economically efficient manner.

#### 4. THIRD PARTY COSTS AND EXPENSES

Attorney may determine it necessary or appropriate to use one or more outside investigators, consultants, or experts in rendering the legal services required (particularly if a matter goes into litigation). Upon advance City Manager approval and proper documentation, City shall pay directly or reimburse Attorney for directly incurred out-of-pocket disbursements, costs, and expenses of providing said services.

#### 5. INDEPENDENT CONTRACTOR/LAWFUL PERFORMANCE

Attorney shall perform all legal services required under this Agreement as an independent contractor. Attorney shall fully comply with the provisions of law regarding performance of this Agreement, including but not limited to, laws regarding licensure, professional canons of ethics and conflict of interest statutes, rules and regulations. Attorney must certify and comply with the following: (1) that Attorney has no ethical or legal conflicts which would in general disqualify Attorney from representing the City; (2) that Attorney will refrain from initiating any legal action against City (or their respective officers, agents and employees in their official capacity as such) by way of complaint or cross-complaint during the term of this Agreement or any services rendered pursuant thereto, whichever later occurs; and (3) that Attorney will promptly disclose upon knowledge or discovery of any specific facts which would or could potentially disqualify Attorney from representing City pursuant to this Agreement.

#### 6. HOLD HARMLESS

Attorney agrees to protect indemnify and save harmless against all claims, demands and causes of action by Attorney's employees or third parties on account of personal injuries or death or on account of property damages arising out of the work to be performed by Attorney hereunder and resulting from the negligent acts or omissions of Attorney, Attorney's agents, employees or subcontractors.

#### 7. INSURANCE

Attorney shall procure and maintain, at his sole cost and expense, comprehensive general liability and property damage insurance, including automobile and excess liability insurance, and professional liability insurance against all claims for injuries against persons or damages to property resulting from Attorney's negligent acts or omissions rising out of or related to

Attorney's performance under this Agreement. The minimum amount of such insurance shall be \$2,000,000. Attorney shall also carry Workers' Compensation Insurance in accordance with applicable laws of the State of California. Such coverage shall be maintained in effect during the term of this Agreement and shall not be subject to reduction in coverage below the limits established, nor shall the insurance be canceled or terminated without thirty (30) days, prior written notice to the City. A certificate evidencing the foregoing, and naming the City as an additional insured, shall be delivered to and approved by the City prior to commencement of services pursuant to this Agreement.

8. TERM, DISCHARGE, AND WITHDRAWAL

This Agreement shall continue in effect until terminated by discharge or withdrawal. City may discharge Attorney at any time. Attorney may withdraw from City's representation at any time, to the extent permitted by law, and the rules of Professional Conduct, upon at least thirty (30) days written notice. Upon notice of discharge or withdrawal, Attorney shall deliver all documents and records of the City to the City and assist to the fullest extent possible in the orderly transition of all pending matters to City's new counsel.

9. NOTICE

Any notice required by law or by this Agreement shall be deemed delivered upon personal delivery or when deposited in the United States Mail, postage prepaid, and addressed as described below or to any subsequently noticed change or address, whichever applies:

CITY OF LEMOORE  
119 Fox Street  
Lemoore, CA 93245

LOZANO SMITH  
7404 North Spalding Avenue  
Fresno, CA 93720

10. EFFECTIVE DATE

This Agreement shall be effective \_\_\_\_\_, 2016.

11. ASSIGNMENT

This Agreement shall not be assigned by Attorney without prior written consent of the City.

12. CONSENT TO ELECTRONIC COMMUNICATIONS

In order to maximize efficiency, Attorney intends to use technology to facilitate its representation of City. Such technology may include, but is not limited to, email, document transfers by computer, cellular telephones, and use of mobile computing devices. The use of such technology may place City confidences and privileges at risk. While Attorney has reasonable safeguards in place to guard against any breach of confidentiality, Attorney cannot guarantee that such information will not be accessed by persons not entitled to access such information and there is a risk of accidental disclosure. Knowing the foregoing, City nevertheless consents to the use of technology.

13. SUPERSESSION

This Agreement supersedes any and all prior agreements or amendments thereto entered into for City Attorney services between City and Attorney.

**CITY**  
CITY OF LEMOORE

**ATTORNEY**  
LOZANO SMITH

By: \_\_\_\_\_  
Andrea Welsh, City Manager

By:  \_\_\_\_\_  
Karen M. Rezendes, Managing Partner

Date: \_\_\_\_\_

Date: September 2, 2016

**Mayor**  
Lois Wynne  
**Mayor Pro Tem**  
Jeff Chedester  
**Council Members**  
Ray Madrigal  
Eddie Neal  
William Siegel



**Office of the  
Fire Marshal**

119 Fox Street  
Lemoore, CA 93245  
Phone (559) 924-6740  
Fax (559) 924-6708

## Staff Report

ITEM NO. 4-1

**To: Lemoore City Council**  
**From: Nathan Olson, Public Works Director**  
**Date: September 9, 2016 Meeting Date: September 20, 2016**  
**Subject: Public Hearing – Declaring Public Nuisance and Ordering Weed Abatement**

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### **Proposed Motion:**

Proceed with weed abatement measures, as outlined in Ordinance 4-2 and Resolution 2016-30, adopted September 6, 2016.

### **Subject/Discussion:**

On September 6, 2016, the City Council adopted Resolution 2016-30, formally identifying locations within the City that were in violation of City Ordinance 4-2-2; Nuisance Declared by Resolution. Per City Ordinance 4-2-8, a public hearing is required in order to hear all objections related to identified locations being declared as a public nuisance, prior to the City abatement of the properties.

Staff requests Council consideration to continue the abatement process, as approved in Resolution 2016-30, for all properties listed in Exhibit A. As of the writing of the Council Communication, no objections have been received from property owners.

### **Financial Considerations:**

Financial impact is unknown at this time. If the City must contract for the removal of weeds, the City initially bears the costs. After the removal is finished, the costs are passed on to the property owner in the form of a lien against the property. The lien is then paid in the following year's taxes.

### **Recommendation:**

Staff recommends that Council conduct a public hearing, consider any comments, and instruct staff to continue efforts on the properties not cleared by property owners.

#### **Attachments:**

- Resolution 2016-30
- Ordinance
- Map
- Other \_\_\_\_\_

#### **Review:**

- |   |          |
|---|----------|
| <input type="checkbox"/> Finance                  |          |
| <input checked="" type="checkbox"/> City Attorney | 09/12/16 |
| <input checked="" type="checkbox"/> City Manager  | 09/12/16 |
| <input checked="" type="checkbox"/> City Clerk    | 09/14/16 |

#### **Date:**

**RESOLUTION NO. 2016-30**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
LEMOORE IN FAVOR OF DECLARING PUBLIC NUISANCES AND ORDERING  
WEED ABATEMENT**

**WHEREAS**, Lemoore Municipal Code Sections 4-2-2 through 4-2-14 provide a means for the City Council to find and declare public nuisances and order weed abatement; and

**WHEREAS**, the City Council desires to initiate that process which will abate and remove fire hazards from the City by declaring them to be public nuisances pursuant to the Municipal Code.

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Lemoore, the following:

1. The Council hereby finds and declares that public nuisances exist on each of the properties listed on Exhibit "A", attached hereto, in the form of weeds, brush, grass and other dangers; creating a fire hazard.
2. The Fire Marshal, or designee, is hereby directed to the post notices on the properties or mail notices as shown on Exhibit "A" in the manner provided in the Municipal Code.
3. September 20, 2016 is hereby established by the Council as the date of a public hearing to be held before the City Council of the City of Lemoore for the purpose of considering any and all objections to the removal of weeds, grasses and other fire hazards on the properties shown on Exhibit "A" and to consider adopting an order of abatement.

**PASSED AND ADOPTED** by the City Council of the City of Lemoore at a regular meeting held on the 6<sup>th</sup> day of September 2016, by the following vote:

AYES: Chedester, Madrigal, Neal, Wynne

NOES: None

ABSENT: Siegel

ABSTAIN: None

ATTEST:

  
\_\_\_\_\_  
Mary J. Venegas  
City Clerk

APPROVED:

  
\_\_\_\_\_  
Lois Wynne  
Mayor

## EXHIBIT "A"

APN	SITE LOCATION	1ST NOTIFICATION	2ND NOTIFICATION	3RD NOTIFICATION
021-660-031	H/A & 41 HWY	8/19/2016		
021-770-017	1601 LINDEN ST	7/29/2016	8/8/2016	8/18/2016
021-330-012	150 E CINNAMON DR	8/19/2016		
023-020-037	800 BLK OF EAST D ST	8/19/2016		
023-020-030	800 BLK OF EAST BUSH ST	8/19/2016		
020-111-062	149 MAGNOLIA AVE	8/24/2016		
020-031-015	90 MAGNOLIA AVE	8/24/2016		
020-031-013	112 MAGNOLIA AVE	8/24/2016		
020-031-036	136 MAGNOLIA AVE	8/24/2016		
021-290-024	123 QUANDT PL	8/24/2016		
021-290-023	155 QUANDT PL	8/24/2016		
020-012-003	613 HILL ST	8/24/2016		
023-420-018	1345 W BUSH ST	8/24/2016		
023-430-018	425 N 19TH ST	8/24/2016		
020-013-013	442 G ST	8/24/2016		
020-050-001	BETWEEN FOX & HEINLEN	EMAIL 5/5/2016	EMAIL 5/31/2016	EMAIL 6/1/2016
020-041-003	BETWEEN FOLLETT & LEMOORE	EMAIL 5/5/2016	EMAIL 5/31/2016	EMAIL 6/1/2016
021-240-039	BEHIND BALBOA, DAPHNE, & MAGNOLIA	EMAIL 5/5/2016	EMAIL 5/31/2016	EMAIL 6/1/2016
020-050-002	HEINLEN AND FOLLETT	EMAIL 5/5/2016	EMAIL 5/31/2016	EMAIL 6/1/2016

**Mayor**  
Lois Wynne  
**Mayor Pro Tem**  
Jeff Chedester  
**Council Members**  
Ray Madrigal  
Eddie Neal  
William Siegel



**Police  
Department**

657 Fox Street  
Lemoore, CA 93245  
Phone (559) 924-9574  
Fax (559) 924-3116

**Staff Report**

ITEM NO. 5-1

**To: Lemoore City Council**  
**From: Darrell Smith, Chief of Police**  
**Date: September 13, 2016 Meeting Date: September 20, 2016**  
**Subject: First Reading - Ordinance 2016-12, Amending Chapter 8 of Title 4 of the Lemoore Municipal Code Related to Medical and Recreational Marijuana**

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**Proposed Motion:**

Approve the introduction (first reading) of Ordinance No. 2016-12, Amending Chapter 8 of Title 4, Pertaining to Medical and Recreational Marijuana; waive the reading of the Ordinance in its entirety; and set the second hearing on the Ordinance for October 4, 2016.

**Subject/Discussion:**

In November 2016, Proposition 64, also known as the Adult Use Marijuana Act (AUMA) is officially on the ballot. If passed by voters, for adults 21 years and older, the initiative would legalize the possession of up to 28.5 grams of marijuana, up to eight (8) grams of marijuana in the form of concentrated cannabis, which may be present in marijuana products such as edibles, and up to six (6) living marijuana plants, and any marijuana produced by those plants. It would also only allow Cities to ban outdoor grows. Cities will be allowed to reasonably regulate cultivation.

Beginning in 2018, the State will begin issuing licenses and regulations for small and medium cultivators to conduct retail sales. While there are certain limits, cities will be allowed to add to or create additional regulations. Proposition 64 would also impose state sales taxes of 15% of the sales price and cultivation taxes per ounce of flowers and leaves. Again, cities would be entitled to implement additional taxes.

. Marijuana remains illegal at the federal level; however, federal agencies are currently not enforcing laws regulating marijuana as closely as they historically did.

If passed, Proposition 64 will change the City's ability to prohibit marijuana from being sold, dispensed, delivered, and cultivated within the City limits. Under AUMA, if passed, the City will be required to allow indoor growing for personal use. AUMA does allow for "reasonable regulations" at the local level, however, these regulations have not yet been specifically defined by the act.

The AUMA indicates a local government cannot prevent transportation of marijuana or marijuana products on public roads, AUMA authorizes cities to "reasonably regulate" indoor cultivation of marijuana in private residences, ban outdoor cultivation of marijuana

entirely, unless it becomes federally legalized, and prohibit any marijuana-related business entirely.

Currently, the City has a total ban on medical marijuana cultivation, processing, deliveries, dispensaries. At the September 6, 2016 Council Meeting staff held a study session to address the potential passage of AUMA. Council directed staff to bring back an ordinance limiting the use and cultivation of marijuana within the law, to take effect if AUMA does pass.

Ordinance 2016-12 is conditioned upon AUMA being adopted and would restrict personal cultivation to the limits of state law, which is 6 plants per residence. It also provides for specific requirements if an individual does grow marijuana for personal use. The City's zoning and permitting ordinances will also need to be amended and will be brought back to Council at a later date.

**Financial Consideration(s):**

The impact to the City is unknown at this time.

**Alternatives or Pros/Cons:**

**Pros: (If AUMA passes)**

- Allows local governments to reasonably regulate the cultivation of marijuana for personal use by adults 21 years and older as set forth in the Act.

**Cons:**

- Unknown at this time.

**Commission/Board Recommendation:**

Not Applicable.

**Staff Recommendation:**

It is recommended that Council introduce and hold its first hearing on the proposed Ordinance, waive the reading of the Ordinance in its entirety, and set its second hearing for October 4, 2016. The ordinance would take effect thirty (30) days following adoption. Pending the outcome of the November 2016 election, a future Council study session may be held to discuss future policies regarding commercial dispensaries.

**Attachments:**

- Resolution
- Ordinance
- Map
- Other \_\_\_\_\_

**Review:**

- |   |          |
|---|----------|
| <input type="checkbox"/> Finance                  |          |
| <input checked="" type="checkbox"/> City Attorney | 09/13/16 |
| <input checked="" type="checkbox"/> City Manager  | 09/14/16 |
| <input checked="" type="checkbox"/> City Clerk    | 09/14/16 |

**Date:**

**ORDINANCE NO. 2016-12**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF  
LEMOORE AMENDING CHAPTER 8, OF TITLE 4, OF THE LEMOORE  
MUNICIPAL CODE PERTAINING TO MEDICAL AND  
RECREATIONAL MARIJUANA**

THE CITY COUNCIL OF THE CITY OF LEMOORE DOES ORDAIN AS FOLLOWS:

SECTION 1. FINDINGS.

1. State Law Findings.

a. In 1996, with the adoption of Proposition 215, the California voters approved the Compassionate Use Act (Health and Safety Code § 11362.5) to ensure that seriously ill Californians have the right to obtain and use marijuana for medical purposes where that medical use is deemed appropriate and has been recommended by a physician, without fear of criminal prosecution under limited, specified circumstances.

b. In 2004, the State Legislature enacted SB 420 to clarify the scope of the Compassionate Use Act and provide additional statutory guidance regarding medical marijuana use. These statutes are codified at Health and Safety Code § 11362.7 et seq. and allow cities and counties to adopt supplemental rules and regulations.

c. On October 9, 2015, almost 20 years after passage of the Compassionate Use Act, the Governor signed the Medical Marijuana Regulation and Safety Act (“Act”), comprised of California legislative bills AB 243, AB 266, and SB 643. The Act creates a comprehensive state licensing system for the commercial cultivation, manufacture, retail sale, transport, distribution, delivery, and testing of medical cannabis, all subject to local control. One of the purposes of the Act is to ensure uniformity among jurisdictions that wished to allow commercial marijuana operations.

d. Pending before the voter this November is the Adult Use of Marijuana Act (“AUMA”). The purpose of AUMA is to establish a comprehensive system to legalize, control and regulate the cultivation, processing, manufacture, distribution, testing, and sale of nonmedical marijuana, including marijuana products. Adults, age 21 and older, will be allowed to possess marijuana and grow certain amounts at home for personal use.

e. In 2012 and as amended in January 2016, the City adopted Title 4, Chapter 8, of the Lemoore Municipal Code pertaining to Medical Marijuana (Marijuana Ordinance). The Marijuana Ordinance places a complete ban on marijuana cultivation, processing, deliveries, and dispensaries in the City based upon various health, safety and welfare and land use findings relating to marijuana cultivation, dispensing, and consumption, which findings are incorporated herein by reference.

f. The City of Lemoore has identified a number of health, safety, and welfare concerns associated with marijuana activities. These concerns are set forth in the original reports accompanying the Medical Marijuana Ordinance, and are incorporated herein by reference. These concerns continue and have been exemplified throughout Kings County and the State as evidenced by numerous area agency police reports and news articles and stories. Some of the continued documented problems include offensive odors, trespassing, theft, violent encounters, fire hazards and problems associated with mold, fungus, and pests.

g. Under MMRSA, and AUMA if it passes, the City retains its police powers and land use authority to regulate or ban marijuana activities, including commercial marijuana operations, cultivation, distribution and consumption for the health, safety, and welfare of the citizens of Lemoore.

## SECTION 2. AMENDMENT OF CODE: PUBLIC WELFARE (MARIJUANA)

Chapter 8, of Title 4, of the Lemoore Municipal Code is amended in its entirety to read as follows:

### Chapter 4-8

#### MARIJUANA

- 4-8-1: PURPOSE AND INTENT:**
- 4-8-2: EFFECTIVE DATE:**
- 4-8-3: DEFINITIONS:**
- 4-8-4: PROHIBITED ACTIVITIES:**
- 4-8-5: REGULATIONS APPLICABLE TO THE CULTIVATION OF MARIJUANA:**
- 4-8-6: REGULATIONS APPLICABLE TO COMMERCIAL MARIJUANA OPERATIONS, DISPENSARIES, AND DELIVERIES:**
- 4-8-7: REGULATIONS APPLICABLE TO THE CONSUMPTION OF MARIJUANA:**
- 4-8-8: VIOLATION AND PENALTY:**
- 4-8-9: PUBLIC NUISANCE:**
- 4-8-10: JUDICIAL REVIEW**

#### **4-8-1: PURPOSE AND INTENT**

It is the purpose and intent of this Chapter to promote the health, safety, morals, and general welfare of the residents and businesses within the City by regulating the cultivation, processing, extraction, manufacturing, testing, distribution, transportation, sale, and consumption of marijuana, whether for medical purposes as currently allowed under State law, or for recreational use should recreational use become lawful under State law.

#### **4-8-2: EFFECTIVE DATE:**

The ordinance codified herein shall take effect and be in full force and effect from and after thirty (30) days after its final passage and adoption provided that AUMA is approved by the voters of the State of California during the general election on November 8, 2016. Within fifteen (15) days after its adoption, the ordinance codified herein, or a summary of the ordinance codified herein, shall be published once in a newspaper of general circulation.

#### **4-8-3: DEFINITIONS:**

For purposes of this Chapter, the following definitions shall apply:

(a) “Cannabis” or “marijuana” shall have the meaning set forth in California Business and Professions Code section 19300.5(f).

(b) “City” shall mean the City of Lemoore.

(c) “Collective or cooperative cultivation” means the association within California of qualified patients, persons with valid identification cards, and designated primary care givers to cultivate marijuana for medical purposes as may be allowed under the Compassionate Use Act, the Medical Marijuana Program Act, or the California Medical Marijuana Regulation and Safety Act adopted on October 9, 2015 with legislative bills AB 243, AB 266, and SB 643 (“MMRSA”).

(d) “Commercial marijuana operation” means any commercial cannabis activity as set forth in California Business and Professions Code section 19300.5(k) and allowed under MMRSA, and the implementing regulations, as MMRSA and the implementing regulations may be amended from time to time, and all uses permitted under any subsequently enacted State law pertaining to the same or similar uses for recreational cannabis.

(e) “Delivery” shall be as defined in the Medical Marijuana Regulation and Safety Act, California Business and Professions Code section 19300.5(m), as that section may be amended from time to time, and includes the commercial transfer of medical marijuana and medical marijuana products from a dispensary as well as the use of any technology platform that enables qualified patients and caregivers to arrange for or facilitate the transfer.

(f) “Marijuana dispensary” or “dispensary” means any facility or location, whether fixed or mobile, and any building or structure, where cannabis is made available to, distributed by, or distributed to more than two persons.

(g) “Marijuana products” means cannabis that has undergone a process whereby the plant material has been transformed into a concentrate, including, but not limited to,

concentrated cannabis, or an edible or topical product containing cannabis or concentrated cannabis and other ingredients.

(h) “Medical marijuana or medical marijuana use” means the use of cannabis for the purposes set forth in the Compassionate Use Act and the Medical Marijuana Program Act, California Health and Safety Code sections 11362.5 and 11362.7 et seq.

(i) “Recreational marijuana or recreational marijuana use” means all uses of cannabis not included within the definition of medical marijuana use.

#### **4-8-4: PROHIBITED ACTIVITIES:**

Marijuana commercial cultivation, marijuana commercial processing, marijuana delivery, and marijuana dispensaries shall be prohibited activities in the City, except where the City is preempted by federal or state law from enacting a prohibition on any such activity.

#### **4-8-5: REGULATIONS APPLICABLE TO THE CULTIVATION OF MARIJUANA:**

To the extent that the City is required to allow the cultivation of marijuana, whether for medical or recreational use, under State law, the rules set forth herein shall apply. Nothing in this section shall be interpreted to permit commercial marijuana operations or marijuana dispensaries otherwise prohibited by this Chapter.

(a) Personal use cultivation. The cultivation of marijuana shall be subject to the limits set forth in any applicable State law. An individual that has a right to cultivate marijuana for personal use shall be allowed to cultivate medical marijuana within his/her private residence, in an attached garage, or in an accessory building if the property is detached single family residential. No outdoor cultivation is allowed within the City. Marijuana cultivation for personal use shall be subject to the following requirements:

(1) Area. The marijuana cultivation area shall not exceed thirty two (32) square feet measured by the canopy and not exceed ten feet (10’) in height per residence. This limit applies regardless of the number of individuals residing in the residence. The cultivation area shall be a single designated area.

(2) Lighting. Marijuana cultivation lighting shall not exceed a total of 1200 watts.

(3) Building Code Requirements. Any alterations or additions to the residence, including garages and accessory buildings, shall be subject to applicable building and fire codes, including plumbing and electrical, and all applicable zoning codes, including lot coverage, set back, height requirements, and parking requirements.

(4) Gas products. The use of gas products (CO<sub>2</sub>, butane, etc.) for marijuana cultivation or processing is prohibited.

(5) Evidence of cultivation. From a public right of way, there shall be no exterior evidence of marijuana cultivation occurring on the site.

(6) Residence. The qualified individual shall reside in the residence where the marijuana cultivation occurs.

(7) Cultivation elsewhere in City. The qualified individual shall not participate in marijuana cultivation in any other location within the City of Lemoore.

(8) Incidental use. The residence shall maintain kitchen, bathrooms, and primary bedrooms for their intended use and not be used primarily for marijuana cultivation.

(9) Ventilation. The marijuana cultivation area shall include a ventilation and filtration system designed to ensure that odors from the cultivation are not detectable beyond the residence, or property line for detached single family residential, and designed to prevent mold and moisture and otherwise protect the health and safety of persons residing in the residence and cultivating the marijuana. This shall include at a minimum, a system meeting the requirements of the current, adopted edition of the California Building Code § 1203.4 Natural Ventilation or § 402.3 Mechanical Ventilation (or its equivalent(s)).

(10) Storage of chemicals. Any chemicals used for marijuana cultivation shall be stored outside of the habitable areas of the residence and outside of public view from neighboring properties and public rights of way.

(11) Nuisance. The marijuana cultivation area shall: not adversely affect the health or safety of the nearby residents by creating dust, glare, heat, noise, noxious gasses, odor, smoke, traffic, vibration, or other impacts; and not be hazardous due to the use or storage of materials, processes, products or wastes, or from other actions related to the cultivation.

(12) Property owner authorization. For rental property, the lessee shall obtain written authorization from the property owner or property management company to cultivate marijuana.

(13) Notification. The owner and any lessee of the residence upon which cultivation will occur shall inform the Police Department of the intent to cultivate marijuana and pick up a handout setting forth the owner and lessee responsibilities under this section. This notification shall be provided prior to the commencement of the cultivation except that for existing cultivation, the information shall be provided within ten (10) days of the effective date of this Chapter. The Police Department may direct the owner and lessee to the Department of Planning and Development Services for more information about building code and permit requirements that may be applicable if alterations or additions to the residence are contemplated. The Police Department and

Department of Planning and Development Services shall keep patient information confidential to the extent required by law.

(14) Additional requirements for garages and accessory buildings. The following additional requirements shall apply for personal use cultivation that occurs in a garage or accessory building: the garage or accessory building shall be secure, locked, and fully enclosed, with a ceiling, roof or top, and entirely opaque. The garage or building shall include a burglar alarm monitored by an alarm company or private security company. The garage or building, including all walls, doors, and the roof, shall be constructed with a firewall assembly of green board meeting the minimum building code requirements for residential structures and include material strong enough to prevent entry except through an open door.

(15) Collective or cooperative cultivation. The collective or cooperative cultivation of medical marijuana shall be prohibited in the City.

**4-8-6: REGULATIONS APPLICABLE TO COMMERCIAL MARIJUANA OPERATIONS, DISPENSARIES, AND DELIVERIES:**

(a) Commercial marijuana operations. Commercial marijuana operations as defined in section 8-4-3(d) are prohibited within the City.

(b) Dispensaries. Marijuana dispensaries as defined in Section 8-4-3 (f) are prohibited within the City.

(c) Deliveries. The delivery of marijuana as defined in Section 8-4-3 (e) is prohibited in the City regardless of whether the delivery is initiated within or outside of the City, and regardless of whether a technology platform is used for delivery by the dispensary.

No person shall deliver any marijuana-infused product such as tinctures, baked goods or other consumable products, to any location within the City from a mobile marijuana dispensary, regardless of where the mobile marijuana dispensary is located, or engage in any operation for this purpose.

Public Nuisance declared.

Operation of any mobile marijuana dispensary within the City in violation of the provisions of this Chapter is hereby declared a public nuisance and may be abated pursuant to all available remedies.

**4-8-7: REGULATIONS APPLICABLE TO THE CONSUMPTION OF MARIJUANA:**

No person shall smoke, ingest, or otherwise consume marijuana or marijuana products, whether recreational or medical, in the City of Lemoore unless such smoking, ingesting or consumption occurs entirely within a private residence. “Within a private

residence” shall mean inside habitable areas and shall not include garages, whether attached or detached, and other accessory buildings unless those buildings are at all times fully enclosed during the consumption.

All consumption shall be done in a manner so as to not cause a nuisance to nearby residents with noxious odors or other adverse health and safety impacts.

**4-8-8: VIOLATION AND PENALTY:**

Any person violating any of the provisions of this chapter shall be guilty of a misdemeanor and subject to a maximum penalty of six (6) months imprisonment in the County Jail or a fine of one thousand dollars (\$1,000), as well as the administrative penalties as set forth, as may be amended. Violators shall be subject to any other enforcement remedies available to the city under any applicable state or federal statute or pursuant to any other lawful power the city may possess.

**4-8-9: PUBLIC NUISANCE:**

Any violation of this chapter is hereby declared to be a public nuisance.

**4-8-10: JUDICIAL REVIEW:**

Judicial review of a decision made under this Chapter may be had by filing a petition for a writ of mandate with the superior court in accordance with the provisions of the California Code of Civil Procedure Section 1094.5. Any such petition shall be filed within ninety (90) days after the day the decision becomes final as provided in California Code of Civil Procedure Section 1994.6, which shall be applicable for such actions.

**SECTION 3. SEVERABILITY.**

If any provision of this ordinance is declared unlawful by a court of competent jurisdiction, the Council intends that the remaining provisions of this ordinance remain in effect.

**SECTION 4. EFFECTIVE DATE.**

The ordinance codified herein shall take effect and be in full force and effect from and after thirty (30) days after its final passage and adoption provided that AUMA is approved by the voters of the State of California during the general election on November 8, 2016. Within fifteen (15) days after its adoption, the ordinance codified herein, or a summary of the ordinance codified herein, shall be published once in a newspaper of general circulation.

The foregoing ordinance was introduced at a regular meeting of the City Council of the City of Lemoore held on the 20th day of September, 2016 and passed and adopted

at a regular meeting of the City Council held on the \_\_\_\_ day of \_\_\_\_\_ 2016 provided that AUMA is approved by the voters of the State of California during the general election on November 8, 2016 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

APPROVED:

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Mary J. Venegas  
City Clerk

---

Lois Wynne  
Mayor

**Mayor**  
Lois Wynne  
**Mayor Pro Tem**  
Jeff Chedester  
**Council Members**  
Ray Madrigal  
Eddie Neal  
William Siegel



**Office of the  
City Manager**

119 Fox Street  
Lemoore, CA 93245  
Phone (559) 924-6700  
Fax (559) 924-9003

## Staff Report

ITEM NO. 5-2

**To: Lemoore City Council**  
**From: Janie Venegas, City Clerk / Human Resources Manager**  
**Date: September 8, 2016 Meeting Date: September 20, 2016**  
**Subject: Classification and Compensation Consultant Services**

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### **Proposed Motion:**

Approve (firm to be determined by the City Council meeting date) to perform classification and compensation consultant services and authorize the City Manager to execute an agreement for said services.

### **Subject/Discussion:**

The City of Lemoore last conducted a formal classification and compensation study in 1996. It is a best practice and industry standard to periodically conduct external job description and salary comparisons based on similarly-sized and geographically local organizations. A study was approved in the current Community Investment Projects (CIP) budget due to the length of time that has passed since the last study. The results of the study will more closely align job descriptions and classifications with current employee functions, as well as assist with the development of a compensation philosophy (which would be approved by the City Council at a future meeting). In anticipation of bargaining group negotiations that will begin in 2017, this study will be one of the tools both parties will utilize to ensure productive and positive negotiations.

The primary goal of the classification and compensation study is to provide the City with a position classification and compensation system which will enhance the ability to recruit, retain and motivate quality employees, as well as ensure current position descriptions and total compensation are in-line with work assignments and expectations. To accomplish this objective, the consultant will:

Identify specific essential duties and responsibilities, required knowledge, skills and abilities, minimum education and experience requirements and minimum special qualifications and/or training for each position included in the study.

1. Group similar positions into classes of positions.
2. Develop written class specifications for each class of positions established which clearly specify and describe: (a) a general statement of duties; (b) distinguishing features of the class; (c) essential duties and responsibilities; (d) required knowledge, skills and abilities; (e) required special training and certifications; and (f) minimum

physical requirements consistent with the provisions of the Americans with Disabilities Act (ADA); and

3. Develop and apply a job evaluation system which ensures internal pay equity (comparable compensation for comparable work) using factors consistent with the organizational values of the City of Lemoore, as well as those that reflect current job duties and requirements of the positions.

**Financial Considerations:**

Staff budgeted \$100,000 for this project.

**Alternatives or Pros/Cons:**

Pros:

- A compensation philosophy will be developed.
- The results of the study will assist with contract negotiations.
- Job descriptions and classifications will more closely align with employee functions.

Cons:

- Findings could indicate that positions are currently under-compensated and personnel costs could increase in future years.

**Commission/Board Recommendation:**

A City Manager’s committee comprised of Mayor Pro Tem Chedester, Council Member Madrigal (both representatives on the City Council Finance, Audit & Budget Sub-Committee), City Manager, Chief Financial Officer, and Human Resources Manager conducted interviews of three consulting firm on September 12 & 13. Following the interviews, the Committee will recommend a firm at the September 20, City Council meeting.

**Recommendation:**

A recommendation will be provided at the City Council meeting.

**Attachments:**

- Resolution
- Ordinance
- Map
- Other \_\_\_\_\_

**Review:**

- Finance
- City Attorney
- City Manager
- City Clerk

**Date:**

09/12/16  
09/12/16  
09/14/16

**Mayor**  
Lois Wynne  
**Mayor Pro Tem**  
Jeff Chedester  
**Council Members**  
Ray Madrigal  
Eddie Neal  
William Siegel



**Office of the  
City Manager**

119 Fox Street  
Lemoore, CA 93245  
Phone (559) 924-6700  
Fax (559) 924-9003

## Staff Report

ITEM NO. 5-3

**To:** Lemoore City Council  
**From:** Michelle Speer, Assistant to the City Manager  
**Date:** September 6, 2016 **Meeting Date:** September 20, 2016  
**Subject:** Approval of the Recommended City Positions for the 2016 League of California Cities Annual Conference Resolution

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### **Proposed Motion:**

Authorize the City's voting delegate to vote on one (1) resolution to be considered at the annual League of California Cities conference to be held in Long Beach, CA October 5-7, 2016.

### **Subject/Discussion:**

On July 5, 2016, Council approved Council Member Neal as the voting delegate for the League of California Cities Annual Conference, which is to be held on October 5, 2016 in Long Beach, California. Each year, the League of California Cities (LOCC) accepts resolutions from member cities and elected official to be voted on at its annual conference. This year, one (1) resolution has been introduced for consideration at the conference and referred to appropriate LOCC Policy Committees.

The voting delegates at the annual business meeting make the final determination on the resolutions. The resolution to be considered by the League's Policy Committees are subject to change in their current form.

By approving the recommendations for the resolutions, the City's LOCC representative, Council Member Neal (delegate), will have the Council's general guidance for the vote to be taken and is authorized to vote on amended resolutions in the manner deemed to be in the best interest of the City.

The LOCC Annual Conference Resolution packet contains the original language of the resolution in its current form, along with LOCC analysis and letters of support. Below, is a table with the resolution title, the recommended City position, and the impacted City department(s).

<b>Title</b>
Resolution Committing the League of California Cities To Supporting Vision Zero, Toward Zero Deaths, and Other Programs or Initiatives To Make Safety A Top Priority For Transportation Projects And Policy Formulation, While Encouraging Cities To Pursue Similar Initiatives
<b>Staff Recommended Vote</b>
Yes, with the caveat that the City will not be subject to unfunded mandates or be required to implement Vision Zero.
<b>Impacted City Departments</b>
At this time, none. In the future, Public Works could be impacted with transportation safety Community Investment Projects.

**Financial Consideration(s):**

Support of the League of California Cities Resolution committing to Vision Zero does not currently have any fiscal impact of the City of Lemoore. It is unknown what the cost would be should the City adopt a Vision Zero position.

**Alternatives or Pros/Cons:**

Pros:

- Supports transportation safety at a state level
- Helps build awareness of transportation safety

Cons:

- It is unknown whether the City may be subject to unfunded mandates in the future.

**Commission/Board Recommendation:**

Not Applicable.

**Staff Recommendation:**

Staff recommends Council authorization for the Voting Delegate to vote in favor of the Resolution, with the caveat that the City will not be subjected to unfunded mandates or be required to participate in Vision Zero initiatives, supporting the League of California Cities support of the Vision Zero and Toward Zero Death initiatives at the Annual Conference October 5-7, 2016.

**Attachments:**

- Resolution
- Ordinance
- Map
- Other League of California Cities  
Annual Conference Resolution  
Packet

**Review:**

- Finance
- City Attorney 09/12/16
- City Manager 09/12/16
- City Clerk 09/14/16

**Date:**



***Annual Conference  
Resolutions Packet***

***2016 Annual Conference Resolutions***



***Long Beach, California***

***October 5 – 7, 2016***

## INFORMATION AND PROCEDURES

**RESOLUTIONS CONTAINED IN THIS PACKET:** The League bylaws provide that resolutions shall be referred by the president to an appropriate policy committee for review and recommendation. Resolutions with committee recommendations shall then be considered by the General Resolutions Committee at the Annual Conference.

This year, one resolution has been introduced for consideration by the Annual Conference and referred to the League policy committees.

**POLICY COMMITTEES:** One policy committee will meet at the Annual Conference to consider and take action on the resolution referred to them. The committee is Transportation, Communication and Public Works. The committee will meet 9:00 – 10:30 a.m. on Wednesday, October 5, 2016, at the Hyatt Regency. The sponsor of the resolution has been notified of the time and location of the meeting.

**GENERAL RESOLUTIONS COMMITTEE:** This committee will meet at 1:00 p.m. on Thursday, October 6, at the Hyatt Regency in Long Beach, to consider the report of the policy committee regarding the resolution. This committee includes one representative from each of the League's regional divisions, functional departments and standing policy committees, as well as other individuals appointed by the League president. Please check in at the registration desk for room location.

**ANNUAL LUNCHEON/BUSINESS MEETING/GENERAL ASSEMBLY:** This meeting will be held at 12:00 p.m. on Friday, October 7, at the Long Beach Convention Center.

**PETITIONED RESOLUTIONS:** For those issues that develop after the normal 60-day deadline, a resolution may be introduced at the Annual Conference with a petition signed by designated voting delegates of 10 percent of all member cities (48 valid signatures required) and presented to the Voting Delegates Desk at least 24 hours prior to the time set for convening the Annual Business Meeting of the General Assembly. This year, that deadline is 12:00 p.m., Thursday, October 6. Resolutions can be viewed on the League's Web site: [www.cacities.org/resolutions](http://www.cacities.org/resolutions).

Any questions concerning the resolutions procedures may be directed to Meg Desmond at the League office: [mdesmond@cacities.org](mailto:mdesmond@cacities.org) or (916) 658-8224

## **GUIDELINES FOR ANNUAL CONFERENCE RESOLUTIONS**

Policy development is a vital and ongoing process within the League. The principal means for deciding policy on the important issues facing cities is through the League's eight standing policy committees and the board of directors. The process allows for timely consideration of issues in a changing environment and assures city officials the opportunity to both initiate and influence policy decisions.

Annual conference resolutions constitute an additional way to develop League policy. Resolutions should adhere to the following criteria.

### **Guidelines for Annual Conference Resolutions**

1. Only issues that have a direct bearing on municipal affairs should be considered or adopted at the Annual Conference.
2. The issue is not of a purely local or regional concern.
3. The recommended policy should not simply restate existing League policy.
4. The resolution should be directed at achieving one of the following objectives:
  - (a) Focus public or media attention on an issue of major importance to cities.
  - (b) Establish a new direction for League policy by establishing general principals around which more detailed policies may be developed by policy committees and the board of directors.
  - (c) Consider important issues not adequately addressed by the policy committees and board of directors.
  - (d) Amend the League bylaws (requires 2/3 vote at General Assembly).

## LOCATION OF MEETINGS

### **Policy Committee Meetings**

Wednesday, October 5  
Hyatt Regency Long Beach  
200 South Pine Street, Long Beach

**9:00 – 10:30 a.m.:** Transportation, Communication & Public Works

### **General Resolutions Committee**

Thursday, October 6, 1:00 p.m.  
Hyatt Regency Long Beach  
200 South Pine Street, Long Beach

### **Annual Business Meeting and General Assembly Luncheon**

Friday, October 7, 12:00 p.m.  
Long Beach Convention Center  
300 East Ocean Boulevard, Long Beach

**KEY TO ACTIONS TAKEN ON RESOLUTIONS**

Resolutions have been grouped by policy committees to which they have been assigned.

Number	Key Word Index	Reviewing Body Action		
		1	2	3

1 - Policy Committee Recommendation to General Resolutions Committee  
 2 - General Resolutions Committee  
 3 - General Assembly

**TRANSPORTATION, COMMUNICATION, AND PUBLIC WORKS POLICY COMMITTEE**

		1	2	3
1	Vision Zero			

Information pertaining to the Annual Conference Resolutions will also be posted on each committee’s page on the League website: [www.cacities.org](http://www.cacities.org). The entire Resolutions Packet will be posted at: [www.cacities.org/resolutions](http://www.cacities.org/resolutions).

## **KEY TO ACTIONS TAKEN ON RESOLUTIONS (*Continued*)**

Resolutions have been grouped by policy committees to which they have been assigned.

### **KEY TO REVIEWING BODIES**

1. Policy Committee
2. General Resolutions Committee
3. General Assembly

### **KEY TO ACTIONS TAKEN**

- |   |   |
|---|---|
| A | Approve   |
| D | Disapprove                                      |
| N | No Action                                       |
| R | Refer to appropriate policy committee for study |

### **ACTION FOOTNOTES**

\* Subject matter covered in another resolution

a Amend+

Aa Approve as amended+

\*\* Existing League policy

Aaa Approve with additional amendment(s)+

\*\*\* Local authority presently exists

Ra Refer as amended to appropriate policy committee for study+

Raa Additional amendments and refer+

Da Amend (for clarity or brevity) and Disapprove+

Na Amend (for clarity or brevity) and take No Action+

W Withdrawn by Sponsor

### **Procedural Note:**

The League of California Cities resolution process at the Annual Conference is guided by the League Bylaws. A helpful explanation of this process can be found on the League's website by clicking on this link: [Resolution Process](#).

**1. RESOLUTION COMMITTING THE LEAGUE OF CALIFORNIA CITIES TO SUPPORTING VISION ZERO, TOWARD ZERO DEATHS, AND OTHER PROGRAMS OR INITIATIVES TO MAKE SAFETY A TOP PRIORITY FOR TRANSPORTATION PROJECTS AND POLICY FORMULATION, WHILE ENCOURAGING CITIES TO PURSUE SIMILAR INITIATIVES**

Source: City of San Jose

Concurrence of five or more cities/city officials: Cities: Fremont; Los Angeles; Sacramento; San Diego; San Francisco; Santa Monica; and West Hollywood

Referred to: Transportation, Communication and Public Works Policy Committees

Recommendation to General Resolution Committee:

**WHEREAS**, each year more than 30,000 people are killed on streets in the United States in traffic collisions; and

**WHEREAS**, traffic fatalities in America hit a seven-year high in 2015 and is estimated to have exceeded 35,000 people; with pedestrians and cyclists accounting for a disproportionate share; and

**WHEREAS** the Centers for Disease Control recently indicated that America’s traffic death rate per person was about double the average of peer nations; and

**WHEREAS** Vision Zero and Toward Zero Deaths are comprehensive strategies to eliminate all traffic fatalities and severe injuries using a multi-disciplinary approach, including education, enforcement and engineering measures; and

**WHEREAS** a core principal of Vision Zero and Toward Zero Deaths is that traffic deaths are preventable and unacceptable; and

**WHEREAS** cities across the world have adopted and implemented Vision Zero and Toward Zero Deaths strategies and successfully reduced traffic fatalities and severe injuries occurring on streets and highways; and

**WHEREAS** safe, reliable and efficient transportation systems are essential foundations for thriving cities.

**RESOLVED** that the League of California Cities commits to supporting Vision Zero, Toward Zero Deaths, and other programs, policies, or initiatives that prioritize transportation safety;

**AND** encourage cities throughout California to join in these traffic safety initiatives to pursue the elimination of death and severe injury crashes on our roadways;

**AND** encourage the State of California to consider adopting safety as a top priority for both transportation projects and policy formulation.

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**Background Information on Resolution to Support Transportation Safety Programs**

Each year more than 30,000 people are killed on streets in the United States in traffic collisions. Traffic fatalities in America hit a seven-year high in 2015 and are estimated to have exceeded 35,000 people, with children, seniors, people of color, low-income and persons with disabilities accounting for a disproportionate share. The Centers for Disease Control recently reported that the traffic death rate per

person in the United States was about double the average of peer nations, with close to 10% of these deaths occurring in California (3,074 in 2014). California's largest city, Los Angeles, has *the* highest rate of traffic death among large U.S. cities, at 6.27 per 100,000 people.

Cities around the world have adopted traffic safety projects and policies that underscore that traffic deaths are both unacceptable and preventable. In 1997, Sweden initiated a program called Vision Zero that focused on the idea that "Life and health can never be exchanged for other benefits within the society." The World Health Organization has officially endorsed Vision Zero laying out traffic safety as an international public health crisis and the United Nations General Assembly introduced the Decade of Action for Road Safety 2011-2020 and set the goal for the decade: "to stabilize and then reduce the forecast level of road traffic fatalities around the world" by 50% by 2020.

As of this writing, 18 U.S. cities have adopted Vision Zero programs (including New York City, Boston, Ft. Lauderdale, Austin, San Antonio, Washington DC, and Seattle) to reduce the numbers of fatal crashes occurring on their roads (<http://visionzeronetWORK.org/map-of-vision-zero-cities/>). California cities lead the way, with the cities of San Jose, San Francisco, San Mateo, San Diego, Los Angeles, Long Beach and Fremont having adopted Vision Zero strategies and many others are actively considering adoption.

In 2009 a national group of traffic safety stakeholders launched an effort called "Toward Zero Deaths: A National Strategy on Highway Safety". This initiative has been supported by the Federal Highway Administration (FHWA) (<http://safety.fhwa.dot.gov/tzd/>) and states throughout the United States, including California ([http://www.ots.ca.gov/OTS\\_and\\_Traffic\\_Safety/About\\_OTs.asp](http://www.ots.ca.gov/OTS_and_Traffic_Safety/About_OTs.asp)).

This past January the U.S. Department of Transportation launched its "Mayors' Challenge for Safer People and Safer Streets." This effort calls on elected officials to partner with the USDOT and raise the bar for safety for people bicycling and walking by sharing resources, competing for awards, and taking action. The California cities of Beverly Hills, Davis, Maywood, Cupertino, Culver City, Rialto, Santa Monica, Porterville, Los Angeles, San Jose, Monterey, Glendale, Irvine, Oakland, Palo Alto, Alameda, West Hollywood and Fullerton signed on to this effort. Additionally, the Institute of Transportation Engineers (ITE), a leading organization for transportation professionals, recently launched a new initiative to aggressively advance the Vision Zero and Towards Zero Deaths movements (<http://library.ite.org/pub/ed59a040-caf4-5300-8ffc-35deb33ce03d>).

Ultimately all of these programs share the fundamental belief that a data-driven, systems-level, interdisciplinary approach can prevent severe and fatal injuries on our nation's roadways. They employ proven strategies, actions, and countermeasures across education, enforcement and engineering. Support for many of these life-saving programs extends far beyond government agencies, and includes National Association of City Transportation Officials (NACTO), American Association of State Highway and Transportation Officials (AASHTO), Kaiser Permanente, AARP, the National Safe Routes to School Partnership, and the International Association of Chiefs of Police, among many others.

There is wide-spread recognition that cities and towns need safe, efficient transportation systems to be economically prosperous. A resolution by the League of California Cities to support transportation safety policies like Vision Zero and Toward Zero Deaths, and encourage implementation of projects and programs that prioritize safety will help California elevate the health and safety of its residents and position us as a leader in national efforts to promote a culture of safe mobility for all.

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## League of California Cities Staff Analysis on Resolution No. 1

Staff: Rony Berdugo  
Committee: Transportation, Communication, and Public Works

### Summary:

The resolved clauses in Resolution No. 1: commits the League of California Cities to:

- 1) Supporting Vision Zero, Toward Zero Deaths, and other programs, policies, or initiatives that prioritize transportation safety;
- 2) Encouraging cities throughout California to join in these traffic safety initiatives to pursue the elimination of death and severe injury crashes on our roadways; and
- 3) Encouraging the State to consider adopting transportation safety as a top priority for transportation projects and policy formulation.

### Background:

The City of San Jose notes national and international efforts to reduce fatal and severe injury traffic collisions through systematic data driven approaches, such as Vision Zero and Toward Zero Deaths. According to the World Health Organization (WHO), “Vision Zero is a traffic safety policy, developed in Sweden in the late 1990s and based on four elements: ethics, responsibility, a philosophy of safety, and creating mechanisms for change.”<sup>1</sup> Below is a summary of each Vision Zero element, according to WHO:

1. Ethics – Life and health trump all other transportation benefits, such as mobility.
2. Responsibility – Responsibility for crashes and injuries is shared between the providers of the system and the road users.
3. Safety Philosophy – Asserts that a transportation system should account for the unstable relationship of human error with fast/heavy machinery to avoid deaths/serious injury, but accept crashes/minor injuries.
4. Driving Mechanisms for Change – Asserts that road users and providers must both work to guaranteeing road safety, taking measures such as: improving levels of seat belt use, installing crash-protective barriers, wider use of speed camera technology, increasing random breathalyzer tests, and promoting safety in transportation project contracts.

### A Vision Zero City meets the following minimum standards:

- Sets clear goal of eliminating traffic fatalities and severe injuries
- Mayor has publicly, officially committed to Vision Zero
- Vision Zero plan or strategy is in place, or Mayor has committed to doing so in clear time frame
- Key city departments (including police, transportation and public health) are engaged

List of cities that meet the minimum Vision Zero standards nationally include: Anchorage, AK; Austin, TX; Boston, MA; Cambridge, MA; Denver, CO; Eugene, OR; Fort Lauderdale, FL; Fremont, CA; Los Angeles, CA; New York, NY; Portland, OR; Sacramento, CA; San Antonio, TX; San Diego, CA; San Francisco, CA; San Jose, CA; Seattle, WA; Washington, DC

List of cities that are considering adoption of Vision Zero nationally include: Ann Arbor, MI; Bellevue, OR; Bethlehem, PA; Chicago, IL; Columbia, MO; Houston, TX; Long Beach, CA;

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<sup>1</sup> [http://who.int/violence\\_injury\\_prevention/publications/road\\_traffic/world\\_report/chapter1.pdf](http://who.int/violence_injury_prevention/publications/road_traffic/world_report/chapter1.pdf)

New Orleans, CA; Philadelphia, PA; Pittsburgh, PA; San Mateo, CA; Santa Ana, CA; Santa Cruz, CA; Santa Monica, CA; St. Paul, MN; Tampa, FL<sup>2</sup>

#### Vision Zero – Samples:

1. San Francisco – In 2015, the City established a two-year action strategy that outlines the projects and policy changes to implement its Vision Zero goal of zero traffic deaths by 2024. The strategy adopts five core principles, such as: 1) traffic deaths are preventable and unacceptable; 2) safety for all road modes and users is the highest priority; 3) transportation system design should anticipate inevitable human error; 4) education, enforcement, and vehicle technology contribute to a safe system; and 5) transportation systems should be designed for speeds that protect human life.<sup>3</sup> The strategy focuses on engineering, enforcement, education, evaluation, and policy changes that can be made to achieve their goals. The City is working on projects, such as:
  - a. Creating protected bike lanes
  - b. Building wider sidewalks
  - c. Reducing traffic speeds<sup>4</sup>

The City is also exploring policy changes to state law that will allow the City to place traffic cameras near schools and senior centers to cite speeding drivers through automated speed enforcement.<sup>5</sup>

2. Los Angeles – the City has established a commitment to eliminate all traffic deaths by 2025. They have identified a network of streets, known as the High Injury Network (HIN)<sup>6</sup>, which maps out their areas of concern where they plan on making strategic investments in reducing deaths/severe injury. According to the City, only 6% of their city streets account for 2/3 of all deaths/severe injury for pedestrians. The City highlights the three following projects as part of their Vision Zero efforts<sup>7</sup>:
  - a. Installation of 22 new Leading Pedestrian Intervals (LPIs) at signals throughout the city, which gives pedestrians a head start against right-turning vehicles when crossing
  - b. Installation of a pedestrian scramble at the intersection of Hollywood and Highland, which stops traffic in all four-directions during pedestrian crossing.
  - c. Installation of curb extensions along Cesar E. Chavez Avenue in their HIN, which reduces the crossing distance for pedestrians, narrows the intersections, and reduces speed for turning vehicles.

#### San Francisco’s Vision Zero Categories:

1. Engineering – implement treatments and redesign streets to reduce the frequency and severity of collisions (i.e. using/implementing: high injury network maps, signal timing, high visibility crosswalks, bus stop lengths, etc.)
2. Enforcement – use data driven approach to cite and focus on violations of the California Vehicular Code and S.F. Transportation Code that identify as causative in severe and fatal collisions (i.e. explore implementation of E-citation Pilot, reporting on traffic collision data, police training, etc.)

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<sup>2</sup> <http://visionzeronet.org/wp-content/uploads/2016/02/VZ-map-April-20-2016-4.jpg>

<sup>3</sup> <http://www.joomag.com/magazine/vision-zero-san-francisco/0685197001423594455?short>

<sup>4</sup> <http://visionzerosf.org/vision-zero-in-action/engineering-streets-for-safety/>

<sup>5</sup> <http://visionzerosf.org/vision-zero-in-action/public-policy-for-change/>

<sup>6</sup> <http://ladot.maps.arcgis.com/apps/MapJournal/index.html?appid=488062f00db44ef0a29bf481aa337cb3>

<sup>7</sup> <http://visionzero.lacity.org/actions/>

3. Education – coordinate among city departments to create citywide strategy for outreach and safety programs, such as Safe Routes to Schools. (i.e. education campaign includes – Safe Streets SF, large vehicle safe driving for municipal vehicles, etc.)
4. Evaluation – evaluate the impact of engineering, enforcement, education and policy efforts to provide recommendations for refinement (i.e. use of web-based data sharing and tracking systems for transparency and accountability).
5. Policy – support and mobilize local and state policy initiatives that advance Vision Zero (i.e. Advance Automated Safety Enforcement initiative at the state level, in-vehicle technology usage, partnering with state and federal agencies on administrative and legal issues, etc.)

In its annual reporting, the City has established the following measures for successful benchmarks:

- Decreasing total severe and fatal injuries
- Decreasing the proportion of severe and fatal injuries in communities of concern to address social inequities
- Decreasing medical costs at SF General Hospital relating to collisions
- Increasing the number of engineering projects and miles of streets receiving safety improvements
- Decreasing the speeds on SF streets
- Increasing investigation and prosecution of vehicular manslaughter
- Increasing public awareness of Vision Zero and traffic safety laws
- Increasing policy changes made at the state and local levels to advance Vision Zero

Toward Zero Deaths – The Federal Highway Administration (FHWA) within the United States Department of Transportation (USDOT) is committed to the vision of eliminating fatalities and serious injuries on national roadways. FHWA has a strategic goal of ensuring the “nation’s highway system provides safe, reliable, effective, and sustainable mobility for all users.”<sup>8</sup> It is essentially the national version of Vision Zero administered primarily through the Highway Safety Improvement Program (HSIP).

At the state level, the California Office of Traffic Safety (OTS) has a mission to “effectively and efficiently administer traffic safety grant funds to reduce traffic deaths, injuries, and economic losses.”<sup>9</sup> They make available grants to local and state public agencies for traffic law enforcement, public traffic safety education, and other programs aimed at reducing fatalities, injuries, and economic loss from collisions.

**Support:** City of Fremont, City of Los Angeles, City of Sacramento, City of San Francisco, City of San Jose, City of Santa Monica, and City of West Hollywood

**Opposition:** One individual

**Fiscal Impact:** Unknown. The costs to any particular city can vary tremendously depending on the level and scope of investment any particular city would seek to make. For example, the City of San Francisco has Vision Zero project costs ranging from \$30,000 for pedestrian safety treatments up to \$12,000,000 for a Streetscape project. The cost of any particular effort could be well below, above, and anywhere between those ranges for Vision Zero implementation.

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<sup>8</sup> <http://safety.fhwa.dot.gov/tzd/>

<sup>9</sup> [http://www.ots.ca.gov/OTS\\_and\\_Traffic\\_Safety/About\\_OTs.asp](http://www.ots.ca.gov/OTS_and_Traffic_Safety/About_OTs.asp)

**Comment:**

- 1) Policy committee members are encouraged to consider carefully how the adoption of the resolved clause in this resolution may affect the League’s future policy when it comes to advocating for transportation funding and other existing priorities. While the clause “encouraging cities throughout California to join in these traffic safety initiatives to pursue the elimination of death and severe injury crashes on our roadways” provides an opportunity to highlight strategies that can be considered to improve transportation safety, two other aspects of the resolved appear to establish new policy for the organization in that it would “commit” the League to:
  - Supporting Vision Zero, Toward Zero Deaths, and other programs, policies, or initiatives that prioritize transportation safety.
  - Encouraging the State to consider adopting transportation safety as a top priority for transportation projects and policy formulation.
- 2) Effects of various strategies to improve transportation safety can vary. According to an article published in the San Francisco Chronicle on March 26, 2016, deaths in San Francisco traffic were not falling despite Vision Zero efforts.<sup>10</sup> The article notes that there were seven deaths in 2016, while there was only one in the first 10 weeks of 2015 and seven in 2014 during the same period. The San Francisco Department of Public Health commented that despite these incidents, it’s too early to make any conclusions about Vision Zero’s effectiveness. In Los Angeles, however, the city has cited significant decreases in severe and fatal injuries with implementation of certain technologies, such as installation of pedestrian scrambles. The success of Vision Zero in any particular city will likely depend on the level of investment and scope of the project(s) as the projects can vary widely.
- 3) In the fifth “Whereas” clause from the top, the word “principal” should be “principle.”

**Existing League Policy:** “The League supports additional funding for local transportation and other critical unmet infrastructure needs. One of the League’s priorities is to support a consistent and continuous appropriation of new monies from various sources directly to cities and counties for the preservation, maintenance and rehabilitation of the local street and road system. New and additional revenues should meet the following policies:

- **System Preservation and Maintenance.** Given the substantial needs for all modes of transportation, a significant portion of new revenues should be focused on system preservation. Once the system has been brought to a state of good repair, revenues for maintenance of the system would be reduced to a level that enables sufficient recurring maintenance.
- **Commitment to Efficiency.** Priority should be given to using and improving current systems. Recipients of revenues should incorporate operational improvements and new technology in projects.
- **All Users Based System.** New revenues should be borne by all users of the system from the traditional personal vehicle that relies solely on gasoline, to those with new hybrid or electric technology, to commercial vehicles moving goods in the state, and even transit, bicyclists, and pedestrians who also benefit from the use of an integrated transportation network.
- **Alternative Funding Mechanisms.** Given that new technologies continue to improve the efficiency of many types of transportation methods, transportation stakeholders must be open to new alternative funding mechanisms. Further, the goal of reducing greenhouse gases is also expected to affect vehicle miles traveled, thus further reduce gasoline consumption and revenue from the existing gas tax. The

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<sup>10</sup> <http://www.sfchronicle.com/bayarea/article/Deaths-in-S-F-traffic-not-falling-despite-Vision-7182486.php>

existing user based fee, such as the base \$0.18-cent gas tax is a declining revenue source. Collectively, we must have the political will to push for sustainable transportation revenues.

- Unified Statewide Solution. For statewide revenues, all transportation stakeholders must stand united in the search for new revenues. Any new statewide revenues should address the needs of the entire statewide transportation network, focused in areas where there is defensible and documented need.
- Equity. New revenues should be distributed in an equitable manner, benefiting both the north and south and urban, suburban, and rural areas as well as being equally split between state and local projects.
- Flexibility. Needs vary from region to region and city to city. New revenues and revenue authority should provide the flexibility for the appropriate level of government to meet the goals of the constituents.
- Accountability. All tax dollars should be spent properly, and recipients of new revenues should be held accountable to the taxpayers, whether at the state or local level.”<sup>11</sup>

Additionally, the League adopted to “Increase Funding for Critical Transportation and Water Infrastructure” as its number one strategic goal for 2016. It reads, “Provide additional state and federal financial assistance and new local financing tools to help meet the critical transportation (streets, bridges, active transportation, and transit) and water (supply, sewer, storm water, flood control, etc.) infrastructure maintenance and construction needs throughout California’s cities.”<sup>12</sup>

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<sup>11</sup> <http://www.cacities.org/Resources-Documents/Policy-Advocacy-Section/Policy-Development/2016-Summary-of-Existing-Policy-and-Guiding-Princi.aspx>

<sup>12</sup> <http://www.cacities.org/Secondary/About-Us/Strategic-Priorities>

# **LETTERS OF CONCURRENCE**

Resolution No. 1

VISION ZERO



*Office of the Mayor*

3300 Capitol Avenue, Building A | P.O. Box 5006, Fremont, CA 94537-5006  
510 284-4011 *ph* | 510 284-4001 *fax* | [www.fremont.gov](http://www.fremont.gov)

July 21, 2016

The Honorable Dennis Michael, President  
League of California Cities  
1400 K Street  
Sacramento, California 95814

RE: A RESOLUTION OF THE LEAGUE OF CALIFORNIA CITIES SUPPORTING THE ADOPTION AND IMPLEMENTATION OF INITIATIVES TO PRIORITIZE TRAFFIC SAFETY THROUGHOUT CALIFORNIA

Dear President Michael,

The City of Fremont enthusiastically endorses the proposed resolution to support the implementation of initiatives to eliminate traffic deaths and severe injuries on our roadways. Fremont is among the early adopters of the Vision Zero traffic safety strategy. With City Council's approval of our Fremont Vision Zero 2020 action plan in March 2016, we are already seeing the benefits of building a safety first culture in our community.

I strongly encourage other California cities to join a growing coalition of support for Vision Zero. Accordingly, we concur in the submission of the resolution for consideration by the League of Cities General Assembly at its annual meeting on October 5, 2016.

Traffic fatalities in America hit a seven-year high in 2015 and is estimated to have exceeded 35,000 people. This is about double the average of peer nations and must be addressed. Safety of our residents and visitors is paramount and this is especially true on the roads and streets of our cities. We must put safety as the top priority for all users of our streets. It is fundamental for the prosperity of California cities as safe, efficient, organized transportation systems are essential for economically vibrant and sustainable communities.

The City of Fremont has embraced Vision Zero and we are in strong support of expanded transportation safety in California cities and support the proposed Resolution.

Sincerely,

A handwritten signature in blue ink that reads "Bill Harrison".

Bill Harrison  
Mayor





CITY HALL  
LOS ANGELES, CALIFORNIA 90012

August 2, 2016

The Honorable Dennis Michael  
President  
League of California Cities  
1400 K Street  
Sacramento, California 95814

RE: League of California Cities Resolution Supporting Initiatives to Prioritize Traffic Safety

Dear President Michael:

We write in support of the proposed resolution to support the adoption and implementation of Vision Zero initiatives throughout California to eliminate traffic fatalities and injuries. Vision Zero and Towards Zero Deaths strategies have been adopted in cities throughout California, including the City of Los Angeles. Accordingly, we concur in the submission of the resolution for consideration by the League of Cities General Assembly at its annual meeting on October 5, 2016.

Every year, more than 200 people are killed while trying to move around Los Angeles. Nearly half of the people who die on Los Angeles streets are people walking and bicycling, and an alarming number of them are children and older adults. The safety of our residents and visitors is paramount. If we can realize Vision Zero throughout California, children will be safer walking to school, families will be safer going to the park, and commuters will be safer getting to work.

The City of Los Angeles adopted Vision Zero as part of its Transportation Strategic Plan, and an executive directive was issued in 2015 directing its implementation. We are in strong support of Vision Zero in California, and we support the proposed Resolution.

Sincerely,

ERIC GARCETTI  
Mayor

JOE BUSCAINO  
Councilmember, 15th District  
League of California Cities Representative



OFFICE OF THE  
CITY COUNCIL

CITY OF SACRAMENTO  
CALIFORNIA

JAY SCHENIRER

COUNCILMEMBER  
DISTRICT FIVE

July 27, 2016

The Honorable Dennis Michael, President  
League of California Cities  
1400 K Street  
Sacramento, California 95814

RE: RESOLUTION OF THE LEAGUE OF CALIFORNIA CITIES SUPPORTING THE ADOPTION  
AND IMPLEMENTATION OF INITIATIVES TO PRIORITIZE TRAFFIC SAFETY  
THROUGHOUT CALIFORNIA

Dear President Michael,

The City of Sacramento supports the proposed resolution to support the adoption and implementation of initiatives to prioritize transportation safety toward eliminating death and severe injuries on our roadways. **Vision Zero** and **Towards Zero Deaths** strategies have been adopted in many cities and Sacramento is currently developing its own **Vision Zero Action Plan**.

Accordingly, we concur in the submission of the resolution for consideration by the League of Cities General Assembly at its annual meeting on October 5, 2016.

Traffic fatalities in America hit a seven-year high in 2015 and are estimated to have exceeded 35,000 people. This is about double the average of peer nations and must be addressed. Safety of our residents and visitors is paramount and this is especially true on roads and streets of our cities. We must put safety as a top priority for all users of our streets. It is fundamental for prosperity of California cities as safety, efficient, organized transportation systems are essential for economically vibrant and sustainable communities.

The City of Sacramento is in strong support of prioritized and expanded transportation safety in California cities and supports the proposed Resolution.

Sincerely,

Jay Schenirer, Council Member  
Chair, Law & Legislation Committee



THE CITY OF SAN DIEGO

August 9, 2016

The Honorable Dennis Michael, President  
League of California Cities  
1400 K Street  
Sacramento, CA 95814

Dear President Michael:

RE: A resolution of the league of California Cities Supporting the Adoption and Implementation of Initiatives to Prioritize Traffic Safety throughout California

The City of San Diego Transportation & Storm Water Department supports the proposed resolution to support the adoption and implementation of initiatives to eliminate death and severe injuries on our roadways. Vision Zero and Towards Zero Deaths strategies have been adopted in numerous cities throughout California, including the City of San Diego (Attachment 1). Accordingly, we concur in the submission of the resolution for consideration by the League of Cities General Assembly at its annual meeting on October 5, 2016.

Traffic fatalities in America hit a seven-year high in 2015 and is estimated to have exceeded 35,000 people. This is about double the average of peer nations and must be addressed. Safety of our residents and visitors is paramount and this is especially true on the roads and streets of our cities. We must put safety as the top priority for all users of our streets. It is fundamental for the prosperity of California cities as safe, efficient, organized transportation systems are essential for economically vibrant and sustainable communities.

The City of San Diego Transportation & Storm Water Department has embraced Vision Zero/Towards Zero Death and I am in strong support of expanded transportation safety in California cities and support the proposed Resolution.

Sincerely,

Kris McFadden  
Director

Attachment: A Resolution of the Council of the City of San Diego Adopting a Vision Zero Plan to Eliminate Traffic Fatalities and Serious Injuries in the Next Ten Years

cc: Katherine Johnston, Director of Infrastructure and Budget Policy, Office of the Mayor  
Kristin Tillquist, Director of State Government Affairs, Office of the Mayor  
Vic Bienes, Assistant Director, Transportation & Storm Water Department  
Linda Marabian, Deputy Director, Traffic Engineering Operations



Transportation & Storm Water Department

202 C Street, 9th Floor, MS 9A • San Diego, CA 92101

Tel (619) 236-6594 Fax (619) 236-6570



RESOLUTION NUMBER R- 310042

DATE OF FINAL PASSAGE NOV 03 2015

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO ADOPTING A VISION ZERO PLAN TO ELIMINATE TRAFFIC FATALITIES AND SERIOUS INJURIES IN THE NEXT TEN YEARS.

WHEREAS, on average one person each day is seriously injured or killed on the road while walking, bicycling, or driving the streets of San Diego; and,

WHEREAS, the City has adopted numerous studies and plans that outline design concepts to improve safety for people walking and biking in the City including a Pedestrian Master Plan and Bicycle Master Plan; and,

WHEREAS, the City of San Diego's draft Climate Action Plan proposes to achieve 50 percent of commuter mode share for walking, biking and transit use in transit priority areas by 2050 and safer conditions for walking and biking can help implement this Plan; and,

WHEREAS, the City will increase in population by approximately 30 percent by 2050 and the majority of growth will result from infill development thereby increasing demand for safe walking and bicycling; and,

WHEREAS, communities in San Diego have prioritized infrastructure projects that improve walking and biking safety among other project types as represented by the Community Planning Committee report to Infrastructure Committee in November 2013; and,

WHEREAS, the City incurs costs to respond to lawsuits alleging the City's failure to provide safer streets; and,

WHEREAS, restoring infrastructure in the City is a priority of the Council and Mayor; and,

WHEREAS, Vision Zero provides a framework for reducing traffic deaths to zero through a combination of safe engineering measures, education, and enforcement practices; and,

WHEREAS, Vision Zero has been adopted in many cities throughout the country, most notably in New York City which has seen the lowest number of pedestrian fatalities in its first year of implementation since documentation began in 1910; and,

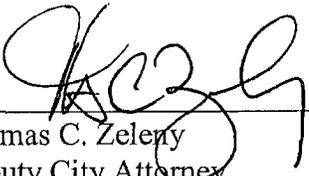
WHEREAS, Circulate San Diego is convening an Advisory Committee to advance Vision Zero Goals; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that it hereby adopts a goal of eliminating traffic deaths and serious injuries by 2025; and

BE IT FURTHER RESOLVED, by the Council of the City of San Diego, that it urges City staff from the Mayor's office, Transportation and Stormwater Department, San Diego Police Department, and a representative of the City's Bicycle Advisory Committee to attend meetings of Circulate San Diego's Vision Zero Advisory Committee for a limited time to develop a traffic safety plan that will help the City reach the goal of zero traffic deaths and serious injuries; and

BE IT FURTHER RESOLVED, that the traffic safety plan will be guided by innovative engineering solutions to improve road safety for all users, especially the most vulnerable; will measure and evaluate performance annually; and will include enforcement and education strategies to prevent the most dangerous behaviors that cause public harm, especially along the corridors where collisions are most frequent.

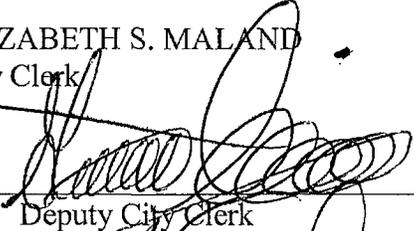
APPROVED: JAN I. GOLDSMITH, City Attorney

By   
Thomas C. Zeleny  
Deputy City Attorney

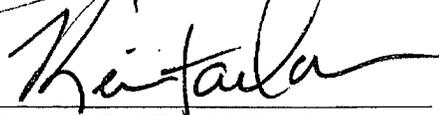
TCZ:cfq  
September 24, 2015  
Or.Dept:Envir. Comm.  
Doc. No.: 1116742

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of Oct 27 2015.

ELIZABETH S. MALAND  
City Clerk

By   
Deputy City Clerk

Approved: 11/2/15  
(date)

  
KEVIN L. FAULCONER, Mayor

Vetoed: \_\_\_\_\_  
(date)

\_\_\_\_\_  
KEVIN L. FAULCONER, Mayor

Passed by the Council of The City of San Diego on OCT 27 2015, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Sherri Lightner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lorie Zapf	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Todd Gloria	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Myrtle Cole	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mark Kersey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Cate	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott Sherman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
David Alvarez	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Marti Emerald	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage NOV 03 2015

(Please note: When a resolution is approved by the Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)

AUTHENTICATED BY:

KEVIN L. FAULCONER  
Mayor of The City of San Diego, California.

ELIZABETH S. MALAND  
City Clerk of The City of San Diego, California.

(Seal)

By , Deputy

Office of the City Clerk, San Diego, California

Resolution Number R- 310042



August 1, 2016

The Honorable Dennis Michael  
President, League of California Cities  
1400 K Street  
Sacramento, CA 95814

**Re: Resolution of the League of California Cities Supporting the Adoption and Implementation of Initiatives to Prioritize Traffic Safety Throughout California**

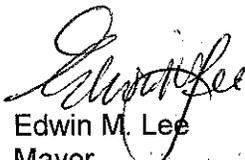
Dear President Michael,

On behalf of the City and County of San Francisco, I am writing to express my support for the proposed resolution to support the adoption and implementation of initiatives to eliminate death and severe injuries on our roadways. Vision Zero and Towards Zero Deaths strategies have been adopted in numerous cities throughout California including San Francisco, San Jose, San Mateo, San Diego, Los Angeles, Santa Barbara, and Santa Monica. Accordingly, I encourage the submission of the resolution to support Vision Zero, Toward Zero Deaths, and other initiatives that make traffic safety a priority, which will be considered by the League of Cities General Assembly at its annual meeting on October 5, 2016.

Every year in San Francisco, approximately 30 people lose their lives and over 200 more are seriously injured while traveling on our streets. These deaths and injuries are unacceptable and preventable, and the City is strongly committed to stopping further loss of life. San Francisco adopted Vision Zero as a policy in 2014, committing to build better and safer streets, educate the public on traffic safety, enforce traffic laws, and adopt policy changes that save lives. Our goal is to create a culture that prioritizes traffic safety and to ensure that mistakes on our roadways do not result in serious injuries or deaths. The safety of our residents and the over 18 million visitors that use our streets each year is paramount, and the same holds true for cities across the California, which need safe, efficient, and organized transportation systems to support economically vibrant and sustainable communities.

The City and County of San Francisco has embraced Vision Zero, and I am in strong support of expanded transportation safety in California cities and, in turn, the proposed Resolution.

Sincerely,

  
Edwin M. Lee  
Mayor



**Mayor Tony Vazquez**  
**Mayor Pro Tempore Ted Winterer**

*Councilmembers*

**Gleam Davis**  
**Sue Himmelrich**  
**Kevin McKeown**  
**Pam O'Connor**  
**Terry O'Day**

July 21, 2016

The Honorable Dennis Michael, President  
League of California Cities  
1400 K Street  
Sacramento, California 95814

RE: THE LEAGUE OF CALIFORNIA CITIES CONSIDERATION OF INITIATIVES TO PRIORITIZE TRAFFIC SAFETY THROUGHOUT CALIFORNIA

Dear President Michael:

The City of Santa Monica supports initiatives to eliminate death and severe injuries on our roadways. Vision Zero and Towards Zero Deaths strategies have been adopted in numerous cities throughout California, leading to the submission of the resolution for consideration by the League of Cities General Assembly at its annual meeting on October 5, 2016.

The City of Santa Monica embraced Secretary Anthony Foxx's Mayor's Challenge for *Safer People, Safer Streets* in March 2015. Simultaneously, the Council directed staff to initiate work on Vision Zero and 8-80 cities – a movement created by Gil Penalosa, to make cities that work for people aged 8 to 80. Combined, these two efforts aim to create streets that are safe and comfortable for people in all modes and of all abilities. In February 2016 the Santa Monica City Council adopted a Vision Zero target in our first Pedestrian Action Plan. We are now actively working to incorporate these visionary targets into City operations.

Our City cares deeply about the safety of our people, and their ability to access good, services, education, social networks and employment. Creating a New Model for Mobility is one of the Council's Five Strategic Goals, identified to organize and advance work on our top priorities. A safe mobility network supports our urgent need to provide transportation options that reduce greenhouse gas emissions, and provide equitable access to places and activities that support community Wellbeing. Reducing and ultimately eliminating severe injury and fatal crashes part of a resilient, safe and prosperous community.

Traffic fatalities in America hit a seven-year high in 2015 and is estimated to have exceeded 35,000 people. This is about double the average of peer nations and must be addressed. Safety of our residents and visitors is paramount and this is especially true on the roads and streets of our cities. We must put safety as the top priority for all users of our streets. It is fundamental for the prosperity of California cities as safe, efficient, organized transportation systems are essential for economically vibrant and sustainable communities.

The City of Santa Monica has embraced **Vision Zero/Towards Zero Deaths** and I am in strong support of expanded transportation safety in California cities.

Sincerely,

  
Tony Vazquez  
Mayor

1685 Main Street • PO Box 2200 • Santa Monica • CA 90407-2200  
tel: 310 458-8201 • fax: 310 458-1621 • e-mail: council@smgov.net



# CITY OF WEST HOLLYWOOD

CITY HALL

8300 SANTA MONICA BLVD.  
WEST HOLLYWOOD, CA  
90069-6216  
TEL: (323) 848-6460  
FAX: (323) 848-6562

**OFFICE OF THE  
CITY MANAGER**

PAUL AREVALO  
CITY MANAGER

July 21, 2016

The Honorable L. Dennis Michael, President  
League of California Cities  
1400 K Street  
Sacramento, California 95814

**RESOLUTION OF THE LEAGUE OF CALIFORNIA CITIES SUPPORTING THE ADOPTION AND IMPLEMENTATION OF INITIATIVES TO PRIORITIZE TRAFFIC SAFETY THROUGHOUT CALIFORNIA - SUPPORT**

Dear President Michael:

The City of West Hollywood supports the proposed resolution to support the adoption and implementation of initiatives to eliminate death and severe injuries on our roadways. **Vision Zero** and **Towards Zero Deaths** strategies have been adopted in numerous cities throughout California. Accordingly, we concur in the submission of the resolution for consideration by the League of Cities General Assembly at its annual meeting on October 5, 2016.

Traffic fatalities in America hit a seven-year high in 2015, and it is estimated to have exceeded 35,000 people. This is about double the average of peer nations and must be addressed. Safety of our residents and visitors is paramount and this is especially true on the roads and streets of our cities. We must put safety as the top priority for all users of our streets. It is fundamental for the prosperity of California cities as safe, efficient, organized transportation systems are essential for economically vibrant and sustainable communities.

The City of West Hollywood is in strong support of expanded transportation safety in California cities and support the proposed Resolution.

Sincerely,

Paul Arevalo,  
**CITY MANAGER**

c: Honorable Members of the West Hollywood City Council



**Mayor**  
Lois Wynne  
**Mayor Pro Tem**  
Jeff Chedester  
**Council Members**  
Ray Madrigal  
Eddie Neal  
William Siegel



**Office of the  
City Manager**

119 Fox Street  
Lemoore, CA 93245  
Phone (559) 924-6700  
Fax (559) 924-9003

**To: Lemoore City Council**  
**From: Janie Venegas, City Clerk**  
**Date: September 14, 2016 Meeting Date: September 20, 2016**  
**Subject: Activity Update**

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**Reports**

➤ Warrant Register – FY 16-17

September 1, 2016

# Warrant Register 9-1-16

PEI  
 DATE: 09/01/2016  
 TIME: 09:58:06

CITY OF LEMOORE  
 EXPENDITURE TRANSACTION ANALYSIS

PAGE NUMBER: 1  
 AUDIT11

SELECTION CRITERIA: transact.yr='17' and transact.period='2' and transact.fund between '001' and '247' and transact.batch='VM090216'  
 ACCOUNTING PERIOD: 3/17

FUND - 001 - GENERAL FUND  
 BUDGET UNIT - 4213 - CITY MANAGER

ACCOUNT	DATE	T/C	ENCUMBR	REFERENCE	VENDOR	BUDGET	EXPENDITURES	ENCUMBRANCES	DESCRIPTION
4310					PROFESSIONAL CONTRACT SVC				
2 /17	09/01/16	21		269469	6377 THE CRISCOM COMP		3,850.00	.00	BUSINESS SVC-SEPT 16
TOTAL					PROFESSIONAL CONTRACT SVC	.00	3,850.00	.00	
4320					MEETINGS & DUES				
2 /17	09/01/16	21		1710	2849 KINGS COOUNTY EC		250.00	.00	MEETING EXPENSE
2 /17	09/01/16	21		08252016	T812 MARY JANE VENEGA		64.69	.00	REIMBURSEMENT
TOTAL					MEETINGS & DUES	.00	314.69	.00	
4330					PRINTING & PUBLICATIONS				
2 /17	09/01/16	21		15880	6405 I DESIGN & PRINT		288.27	.00	NO WINDOW ENVELOPES
TOTAL					PRINTING & PUBLICATIONS	.00	288.27	.00	
4340					UTILITIES				
2 /17	09/01/16	21		000008484440	5516 AT&T		35.51	.00	939-103-4005
TOTAL					UTILITIES	.00	35.51	.00	
4360					TRAINING				
2 /17	09/01/16	21		08252016	6745 SECRETARY OF STA		40.00	.00	NOTARY APP/TESTING
2 /17	09/01/16	21		08252016	6745 SECRETARY OF STA		40.00	.00	NOTARY APP/TESTING
2 /17	09/01/16	21		08252016	T812 MARY JANE VENEGA		111.58	.00	REIMBURSEMENT
2 /17	09/01/16	21		082516	T2021 ANDREA WELSH		16.00	.00	REIMBURSEMENT
TOTAL					TRAINING	.00	207.58	.00	
TOTAL					CITY MANAGER	.00	4,696.05	.00	

PEI  
DATE: 09/01/2016  
TIME: 09:58:06

CITY OF LEMOORE  
EXPENDITURE TRANSACTION ANALYSIS

PAGE NUMBER: 2  
AUDIT11

SELECTION CRITERIA: transact.yr='17' and transact.period='2' and transact.fund between '001' and '247' and transact.batch='VM090216'  
ACCOUNTING PERIOD: 3/17

FUND - 001 - GENERAL FUND  
BUDGET UNIT - 4215 - FINANCE

ACCOUNT	DATE	T/C	ENCUMBR	REFERENCE	VENDOR	BUDGET	EXPENDITURES	ENCUMBRANCES	DESCRIPTION
4310									
	2 /17	09/01/16	21						
				0025994-IN	1610 HINDERLITER, DE		982.92	.00	PROF SVCS/1ST QTR
TOTAL						.00	982.92	.00	
4340									
	2 /17	09/01/16	21						
				000008484440	5516 AT&T		22.20	.00	939-103-4005
TOTAL						.00	22.20	.00	
TOTAL						.00	1,005.12	.00	

PEI  
 DATE: 09/01/2016  
 TIME: 09:58:06

CITY OF LEMOORE  
 EXPENDITURE TRANSACTION ANALYSIS

PAGE NUMBER: 3  
 AUDIT11

SELECTION CRITERIA: transact.yr='17' and transact.period='2' and transact.fund between '001' and '247' and transact.batch='VM090216'  
 ACCOUNTING PERIOD: 3/17

FUND - 001 - GENERAL FUND  
 BUDGET UNIT - 4220 - MAINTENANCE DIVISION

ACCOUNT	DATE	T/C	ENCUMBR	REFERENCE	VENDOR	BUDGET	EXPENDITURES	ENCUMBRANCES	DESCRIPTION
4220									OPERATING SUPPLIES
2 /17	09/01/16	21		619-36458950	1547 VERITIV OPERATIN		285.73	.00	MOP HANDLE/CLEANER
2 /17	09/01/16	21		CALEM18062	5866 FASTENAL COMPANY		98.44	.00	CORDEARPLUG/RANGERHAT
TOTAL						.00	384.17	.00	
4310									PROFESSIONAL CONTRACT SVC
2 /17	09/01/16	21		1455201	5287 RES COM PEST CON		38.00	.00	411 WEST D STREET
TOTAL						.00	38.00	.00	
4320									MEETINGS & DUES
2 /17	09/01/16	21		06062016	0915 AMERICAN PUBLIC		155.00	.00	RENEW MEMBERSHIP
TOTAL						.00	155.00	.00	
4340									UTILITIES
2 /17	09/01/16	21		0349160AUG16	0423 THE GAS COMPANY		52.19	.00	07/20/16-08/18/16
2 /17	09/01/16	21		1819160AUG16	0423 THE GAS COMPANY		82.71	.00	07/20/16-08/18/16
2 /17	09/01/16	21		AGU16	0423 THE GAS COMPANY		221.64	.00	07/20/16-08/18/16
2 /17	09/01/16	21		1693161AUG16	0423 THE GAS COMPANY		1.05	.00	07/20/16-08/18/16
2 /17	09/01/16	21		1441604AUG16	0423 THE GAS COMPANY		30.08	.00	07/20/16-08/18/16
2 /17	09/01/16	21		1882160AUG13	0423 THE GAS COMPANY		21.64	.00	07/22/16-08/22/16
2 /17	09/01/16	21		1945160AUG13	0423 THE GAS COMPANY		782.28	.00	07/22/16-08/22/16
TOTAL						.00	1,191.59	.00	
TOTAL						.00	1,768.76	.00	MAINTENANCE DIVISION

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CITY OF LEMOORE  
 EXPENDITURE TRANSACTION ANALYSIS

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SELECTION CRITERIA: transact.yr='17' and transact.period='2' and transact.fund between '001' and '247' and transact.batch='VM090216'  
 ACCOUNTING PERIOD: 3/17

FUND - 001 - GENERAL FUND  
 BUDGET UNIT - 4221 - POLICE

ACCOUNT	DATE	T/C	ENCUMBR	REFERENCE	VENDOR	BUDGET	EXPENDITURES	ENCUMBRANCES	DESCRIPTION
4220									OPERATING SUPPLIES
2 /17	09/01/16	21		RINV010778	6742 RAY ALLEN MANUFA		1,429.99	.00	TRAINING SUIT
2 /17	09/01/16	21		610642	2724 SCHOOL-TECH, INC		385.74	.00	CROSSING GUARD
2 /17	09/01/16	21		5129	3010 THE ANIMAL HOUSE		63.37	.00	ACTIVE CARE
TOTAL						.00	1,879.10	.00	
4220U									OPERAT SUPPLIES- UNIFORMS
2 /17	09/01/16	21		610642	2724 SCHOOL-TECH, INC		599.82	.00	CROSSING GUARD
TOTAL						.00	599.82	.00	
4320									MEETINGS & DUES
2 /17	09/01/16	21		08252016	T2109 VALERIE CAZARES		14.00	.00	REIMBURSEMENT LUNCH
TOTAL						.00	14.00	.00	
4330									PRINTING & PUBLICATIONS
2 /17	09/01/16	21		9014	3037 J. GARDNER & ASS		431.13	.00	STICKERS
TOTAL						.00	431.13	.00	
4340									UTILITIES
2 /17	09/01/16	21		000008499745	5516 AT&T		173.52	.00	939-103-3999
2 /17	09/01/16	21		000008484438	5516 AT&T		22.62	.00	939-103-4003
2 /17	09/01/16	21		9770484847	0116 VERIZON WIRELESS		1,385.53	.00	07/17/16-08/16/16
TOTAL						.00	1,581.67	.00	
4380									RENTALS & LEASES
2 /17	09/01/16	21		390581	1817 C.A. REDING COMP		412.24	.00	PD PRINTER
TOTAL						.00	412.24	.00	
4840AR									AUTOS/TRKS ASSET REPLACE
2 /17	09/01/16	21	7060	-01 PC90708	4052 WONDRIES FLEET G		27,689.00	-27,689.00	VEHICLE-2016 FORD UTILITI
2 /17	09/01/16	21	7060	-02 PC90708	4052 WONDRIES FLEET G		2,076.68	-2,076.68	SALES TAX
2 /17	09/01/16	21	7060	-03 PC90708	4052 WONDRIES FLEET G		8.75	-8.75	TIRE TAX ( NONTAXABLE)
TOTAL						.00	29,774.43	-29,774.43	
TOTAL						.00	34,692.39	-29,774.43	POLICE

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ACCOUNTING PERIOD: 3/17

FUND - 001 - GENERAL FUND  
BUDGET UNIT - 4222 - FIRE

ACCOUNT DATE	T/C	ENCUMBR	REFERENCE VENDOR	BUDGET	EXPENDITURES	ENCUMBRANCES DESCRIPTION
4340	UTILITIES					
2 /17 09/01/16 21			000008499811 5516 AT&T		96.73	.00 939-103-4001
TOTAL	UTILITIES			.00	96.73	.00
TOTAL	FIRE			.00	96.73	.00

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SELECTION CRITERIA: transact.yr='17' and transact.period='2' and transact.fund between '001' and '247' and transact.batch='VM090216'  
ACCOUNTING PERIOD: 3/17

FUND - 001 - GENERAL FUND  
BUDGET UNIT - 4230 - PUBLIC WORKS

ACCOUNT	DATE	T/C	ENCUMBR	REFERENCE	VENDOR	BUDGET	EXPENDITURES	ENCUMBRANCES	DESCRIPTION
4310					PROFESSIONAL CONTRACT SVC				
2 /17	09/01/16	21		IVC020001061	6729 PRIDESTAFF, INC.		144.00	.00	OFFICE ASSISTANT
TOTAL					PROFESSIONAL CONTRACT SVC	.00	144.00	.00	
4320					MEETINGS & DUES				
2 /17	09/01/16	21		06062016	0915 AMERICAN PUBLIC		155.00	.00	RENEW MEMBERSHIP
TOTAL					MEETINGS & DUES	.00	155.00	.00	
TOTAL					PUBLIC WORKS	.00	299.00	.00	

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 EXPENDITURE TRANSACTION ANALYSIS

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SELECTION CRITERIA: transact.yr='17' and transact.period='2' and transact.fund between '001' and '247' and transact.batch='VM090216'  
 ACCOUNTING PERIOD: 3/17

FUND - 001 - GENERAL FUND  
 BUDGET UNIT - 4231 - STREETS

ACCOUNT	DATE	T/C	ENCUMBR	REFERENCE	VENDOR	BUDGET	EXPENDITURES	ENCUMBRANCES	DESCRIPTION
4220									
2 /17	09/01/16	21		81782	3091 JAM SERVICES, IN		331.10	.00	YELLOW/RED LED
TOTAL						.00	331.10	.00	
4230									
2 /17	09/01/16	21		6086080516	0428 STONEY'S SAND &		111.04	.00	SLURRY SACK
TOTAL						.00	111.04	.00	
4340									
2 /17	09/01/16	21		3606272AUG16	0363 P G & E		7,428.84	.00	08/01/16-08/16/16
2 /17	09/01/16	21		0405654AUG16	0363 P G & E		60.57	.00	08/01/16-08/17/16
2 /17	09/01/16	21		0475158AUG16	0363 P G & E		1,034.17	.00	08/01/16-08/16/16
TOTAL						.00	8,523.58	.00	
TOTAL					STREETS	.00	8,965.72	.00	

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CITY OF LEMOORE  
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 ACCOUNTING PERIOD: 3/17

FUND - 001 - GENERAL FUND  
 BUDGET UNIT - 4241 - PARKS

ACCOUNT	DATE	T/C	ENCUMBR	REFERENCE	VENDOR	BUDGET	EXPENDITURES	ENCUMBRANCES	DESCRIPTION
4220									
2 /17	09/01/16	21		5133	3010 THE ANIMAL HOUSE		60.48	.00	DOG SCOOPERS
TOTAL						.00	60.48	.00	
4350									
2 /17	09/01/16	21		210639	1257 GIBSON ENTERPRIS		1,511.09	.00	SKATE PARK
TOTAL						.00	1,511.09	.00	
TOTAL						.00	1,571.57	.00	

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 ACCOUNTING PERIOD: 3/17

FUND - 001 - GENERAL FUND  
 BUDGET UNIT - 4242 - RECREATION

ACCOUNT	DATE	T/C	ENCUMBR	REFERENCE	VENDOR	BUDGET	EXPENDITURES	ENCUMBRANCES	DESCRIPTION
4220									OPERATING SUPPLIES
2	/17	09/01/16	21	08122016	2200 US LATEX PRODUCT		145.00	.00	POWER-UP PIRATE
2	/17	09/01/16	21	20500	2045 BUDDY'S TROPHIES		174.42	.00	FINSH PLAQUE W/DBLE
TOTAL						.00	319.42	.00	
4310									PROFESSIONAL CONTRACT SVC
2	/17	09/01/16	21	08292016	T2114 FRANCES AGUIRRE		105.00	.00	SEWING- AUGUST 2016
2	/17	09/01/16	21	08292016	6731 FLORENCE COLBY		220.50	.00	ZUMBA- AUGUST 2016
2	/17	09/01/16	21	08292016	5962 JASON GLASPIE		130.38	.00	BOXING- AUGUST 2016
2	/17	09/01/16	21	08292016	T2056 AUDREY LEE		210.00	.00	DDP YOGA- AUGUST 2016
2	/17	09/01/16	21	08292016	5674 JENNIFER MELENDE		497.00	.00	CHEER- AUGUST 2016
2	/17	09/01/16	21	08292016	T1975 PIUNNO, TONI		227.50	.00	JAZZERCISE- AUG. 2016
2	/17	09/01/16	21	08292016	T1508 MAUREEN TOMPKINS		336.00	.00	DOG OBEDIENCE-AUG2016
2	/17	09/01/16	21	08292016	6229 TARA RODRIGUEZ		140.00	.00	KINDERMUSIK- AUG 2016
2	/17	09/01/16	21	08292016	5235 STATE DISBURSEME		130.38	.00	AUGUST CHILD SUPPORT
2	/17	09/01/16	21	08292016	6371 MANUEL VELARDE		297.50	.00	KARATE- AUGUST 2016
TOTAL						.00	2,294.26	.00	
TOTAL						.00	2,613.68	.00	RECREATION

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 ACCOUNTING PERIOD: 3/17

FUND - 001 - GENERAL FUND  
 BUDGET UNIT - 4297 - HUMAN RESOURCES

ACCOUNT	DATE	T/C	ENCUMBR	REFERENCE	VENDOR	BUDGET	EXPENDITURES	ENCUMBRANCES	DESCRIPTION
4220									
2 /17	09/01/16	21		5-518-34645	0157 FEDERAL EXPRESS		30.11	.00	CA PUBLIC EMPLOYEES
TOTAL						.00	30.11	.00	
4360									
2 /17	09/01/16	21		08242016	2030 MARGARITA OCHOA		1,918.84	.00	TUITION REIMBURS/BOOK
2 /17	09/01/16	21	7105	-01 #1	6753 LANCE STRATEGIES		6,000.00	-6,000.00	EXECUTIVE TEAM LEADERSHIP
TOTAL						.00	7,918.84	-6,000.00	
TOTAL						.00	7,948.95	-6,000.00	
TOTAL						.00	63,657.97	-35,774.43	

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 ACCOUNTING PERIOD: 3/17

FUND - 040 - FLEET MAINTENANCE  
 BUDGET UNIT - 4265 - FLEET MAINTENANCE

ACCOUNT	DATE	T/C	ENCUMBR	REFERENCE	VENDOR	BUDGET	EXPENDITURES	ENCUMBRANCES	DESCRIPTION
4220									
2 /17	09/01/16	21		A193857	0068 GARY V. BURROWS,		1,560.54	.00	15-40 OIL/SUPREME OIL
TOTAL						.00	1,560.54	.00	
4220F									
2 /17	09/01/16	21		81503	0043 BURROWS & CASTAD		6,594.31	.00	CARDLOCK STATEMENT
TOTAL						.00	6,594.31	.00	
4230									
2 /17	09/01/16	21		72405	6146 HANFORD CHRYSLER		226.48	.00	WHEEL/SENSOR
2 /17	09/01/16	21		72398	6146 HANFORD CHRYSLER		20.76	.00	HOSE/CAP RADIATOR
2 /17	09/01/16	21		72378	6146 HANFORD CHRYSLER		316.73	.00	THERMOSTAT/HOUSING
2 /17	09/01/16	21		6946525-01	5379 TURF STAR		402.99	.00	SOLENOID-RUN
2 /17	09/01/16	21		6946525-00	5379 TURF STAR		120.88	.00	SOLENOID-RUN/SWITCH
2 /17	09/01/16	21		1080	6741 VISION GLASS WER		231.96	.00	WINDSHEILD/MOLDING
TOTAL						.00	1,319.80	.00	
4310									
2 /17	09/01/16	21		C251025	0664 SJVAPCD		234.00	.00	16/17 PORTABLE EQUIP
2 /17	09/01/16	21		IN0045267	0261 KINGS CO. HEALTH		1,325.00	.00	SURCHARGE-CUPA
TOTAL						.00	1,559.00	.00	
4350									
2 /17	09/01/16	21		739392	6307 MATTOS SMALL ENG		55.74	.00	CARB KIT/AIR FILTER
2 /17	09/01/16	21		7629	5701 T.N.T. TOWING, L		375.00	.00	TOWING 52210
TOTAL						.00	430.74	.00	
TOTAL						.00	11,464.39	.00	
TOTAL						.00	11,464.39	.00	

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 ACCOUNTING PERIOD: 3/17

FUND - 045 - GOLF COURSE - CITY  
 BUDGET UNIT - 4245 - GOLF COURSE-CITY

ACCOUNT DATE	T/C	ENCUMBR	REFERENCE	VENDOR	BUDGET	EXPENDITURES	ENCUMBRANCES	DESCRIPTION
4000K			COST OF REVENUE-KITCHEN					
2 /17 09/01/16 21			08212016	T1885 THOMAS RINGER		563.40	.00	VALLEY WIDE BEVERAGE
2 /17 09/01/16 21			32153352	6438 PEPSI BEVERAGES		380.08	.00	DRINK CASES
2 /17 09/01/16 21			32153351	6438 PEPSI BEVERAGES		140.00	.00	SODA CASES
2 /17 09/01/16 21			608040618	6440 SYSCO		429.01	.00	FOOD SUPPLIES
2 /17 09/01/16 21			827830	6723 FRESNO PRODUCE,		97.25	.00	FOOD SUPPLIES
TOTAL					.00	1,609.74	.00	
4000P			COST OF REVENUE-PRO SHOP					
2 /17 09/01/16 21			IN1151484	6508 US KIDS GOLF, LL		8.34	.00	DRIVER HEADCOVER
2 /17 09/01/16 21			IN1153674	6508 US KIDS GOLF, LL		19.25	.00	VISORS
2 /17 09/01/16 21			31912776	6443 TAYLORMADE GOLF		956.46	.00	GOLF CLUBS
2 /17 09/01/16 21			31912701	6443 TAYLORMADE GOLF		582.88	.00	GOLF CLUB
2 /17 09/01/16 21			IN-01105340	6657 TOUR EDGE GOLF M		201.22	.00	GRIPS
2 /17 09/01/16 21			IN-01103417	6657 TOUR EDGE GOLF M		1,654.50	.00	GOLF CLUBS
2 /17 09/01/16 21			31846287	6443 TAYLORMADE GOLF		552.83	.00	GOLF GEAR
2 /17 09/01/16 21			AIN-0030842	6558 THE ANTIGUA GROU		544.75	.00	MENS POLO SHIRTS
2 /17 09/01/16 21			926997746	6476 CALLAWAY		635.10	.00	GOLF CLUBS
TOTAL					.00	5,155.33	.00	
4180			WORKERS COMP INSURANCE					
2 /17 09/01/16 21			08212016	T1885 THOMAS RINGER		3,252.75	.00	WORKMANS COMP INS
TOTAL					.00	3,252.75	.00	
4220K			OPERATING SUPPLIES-KITCH					
2 /17 09/01/16 21			621304044	6624 CINTAS		47.76	.00	KITCHEN SUPPLIES
2 /17 09/01/16 21			621300910	6624 CINTAS		47.76	.00	KITCHEN SUPPLIES
TOTAL					.00	95.52	.00	
4220M			OPERATING SUPPLIES MAINT.					
2 /17 09/01/16 21			7459-141961	6526 LEMOORE AUTO SUP		9.66	.00	ANTI SEIZE LUBRICANT
2 /17 09/01/16 21			7459-138782	6526 LEMOORE AUTO SUP		73.96	.00	AG BELT INDUSTRIAL
2 /17 09/01/16 21			7459-143836	6526 LEMOORE AUTO SUP		3.86	.00	PREM STARTING FLUID
2 /17 09/01/16 21			7459-143726	6526 LEMOORE AUTO SUP		69.65	.00	BATTERIES
2 /17 09/01/16 21			7459-140712	6526 LEMOORE AUTO SUP		99.95	.00	BATTERY/CARB CLEANER
2 /17 09/01/16 21			7459-131966	6526 LEMOORE AUTO SUP		61.17	.00	CIRCUIT TESTER/BAT
2 /17 09/01/16 21			064699	6483 SOUTHERN LINKS I		118.40	.00	CREW CADDY
2 /17 09/01/16 21			6946161-00	5379 TURF STAR		130.27	.00	BEARING/FUEL PUMP
TOTAL					.00	566.92	.00	
4220P			OPERATING SUPPLIES-PRO SH					
2 /17 09/01/16 21			76273	6672 RANGE SERVANT AM		113.57	.00	NEW TOKEN SWITCH
TOTAL					.00	113.57	.00	
4291			MISCELLANEOUS EXPENSES					
2 /17 09/01/16 21			08212016	T1885 THOMAS RINGER		250.00	.00	BAUER ADVERTISING
2 /17 09/01/16 21			08262016	T1885 THOMAS RINGER		350.00	.00	ABC LICENSE RENEWAL

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 ACCOUNTING PERIOD: 3/17

FUND - 045 - GOLF COURSE - CITY  
 BUDGET UNIT - 4245 - GOLF COURSE-CITY

ACCOUNT	DATE	T/C	ENCUMBR	REFERENCE	VENDOR	BUDGET	EXPENDITURES	ENCUMBRANCES	DESCRIPTION
4291									
4291									
2 /17	09/01/16	21		0001610681	6143 VISALIA TIMES-DE		700.00	.00	ADVERTISEMENT
TOTAL						.00	1,300.00	.00	
4309									
2 /17	09/01/16	21		08262016	T1885 THOMAS RINGER		14,635.46	.00	EMPLOYEE PAYROLL
2 /17	09/01/16	21		08262016	T1885 THOMAS RINGER		1,268.51	.00	EMPLOYEE TAXES
TOTAL						.00	15,903.97	.00	
4310									
2 /17	09/01/16	21		08292016	6548 RINGER, TOM		6,500.00	.00	MGMNT SVCS- AUG 2016
TOTAL						.00	6,500.00	.00	
4340									
2 /17	09/01/16	21		000008484439	5516 AT&T		18.48	.00	939-103-4004
2 /17	09/01/16	21		000008484441	5516 AT&T		107.33	.00	939-103-4006
2 /17	09/01/16	21		000008484437	5516 AT&T		22.78	.00	939-103-4002
2 /17	09/01/16	21		7439240AUG16	0363 P G & E		8,180.73	.00	08/01/16-08/04/16
2 /17	09/01/16	21		1480159AUG16	0423 THE GAS COMPANY		84.37	.00	07/15/16-08/15/16
2 /17	09/01/16	21		1711159AUG16	0423 THE GAS COMPANY		15.29	.00	07/15/16-8/15/16
TOTAL						.00	8,428.98	.00	
4350									
2 /17	09/01/16	21		08212016	T1885 THOMAS RINGER		750.00	.00	QUALITY WOODWORKS
TOTAL						.00	750.00	.00	
TOTAL						.00	43,676.78	.00	
TOTAL						.00	43,676.78	.00	

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 ACCOUNTING PERIOD: 3/17

FUND - 050 - WATER  
 BUDGET UNIT - 4250 - WATER

ACCOUNT	DATE	T/C	ENCUMBR	REFERENCE	VENDOR	BUDGET	EXPENDITURES	ENCUMBRANCES	DESCRIPTION
4220									OPERATING SUPPLIES
2 /17	09/01/16	21		FO853185	6058 UNIVAR		2,630.29	.00	CHLORINE
2 /17	09/01/16	21		FO852940	6058 UNIVAR		1,192.50	.00	CHLORINE
2 /17	09/01/16	21		FO852933	6058 UNIVAR		1,937.54	.00	CHLORINE
2 /17	09/01/16	21		FO853161	6058 UNIVAR		2,630.29	.00	CHLORINE
2 /17	09/01/16	21		FO080516	6058 UNIVAR		1,584.62	.00	CHLORINE
2 /17	09/01/16	21		FO853407	6058 UNIVAR		1,979.36	.00	CHLORINE
2 /17	09/01/16	21		FO853286	6058 UNIVAR		1,087.94	.00	CHLORINE
2 /17	09/01/16	21		1200932	0188 FERGUSON ENTERPR		1,755.71	.00	HOSE CAP W/RING
TOTAL						.00	14,798.25	.00	
4310									PROFESSIONAL CONTRACT SVC
2 /17	09/01/16	21		IVC020001061	6729 PRIDESTAFF, INC.		432.00	.00	OFFICE ASSISTANT
TOTAL						.00	432.00	.00	
4320									MEETINGS & DUES
2 /17	09/01/16	21		06062016	0915 AMERICAN PUBLIC		155.00	.00	RENEW MEMBERSHIP
TOTAL						.00	155.00	.00	
4340									UTILITIES
2 /17	09/01/16	21		00008499807	5516 AT&T		101.20	.00	939-103-4000
2 /17	09/01/16	21		0433160AUG16	0423 THE GAS COMPANY		50.00	.00	07/22/16-08/22/16
2 /17	09/01/16	21		08152016	6639 AT&T		145.76	.00	WATER/INTERNET SVC
TOTAL						.00	296.96	.00	
TOTAL						.00	15,682.21	.00	WATER

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CITY OF LEMOORE  
 EXPENDITURE TRANSACTION ANALYSIS

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SELECTION CRITERIA: transact.yr='17' and transact.period='2' and transact.fund between '001' and '247' and transact.batch='VM090216'  
 ACCOUNTING PERIOD: 3/17

FUND - 050 - WATER  
 BUDGET UNIT - 4251 - UTILITY OFFICE

ACCOUNT	DATE	T/C	ENCUMBR	REFERENCE	VENDOR	BUDGET	EXPENDITURES	ENCUMBRANCES	DESCRIPTION
4310									PROFESSIONAL CONTRACT SVC
2 /17	09/01/16	21		108831	5546 INFOSEND		3,820.39	.00	JULY 2016 BILLS
2 /17	09/01/16	21		109469	5546 INFOSEND		150.00	.00	CHNG TEXT FOR METERS
TOTAL						.00	3,970.39	.00	
4330									PRINTING & PUBLICATIONS
2 /17	09/01/16	21		15879	6405 I DESIGN & PRINT		59.52	.00	UTILITY BUSINESS CARD
2 /17	09/01/16	21		15888	6405 I DESIGN & PRINT		59.52	.00	UTILITY BUSINESS CARD
TOTAL						.00	119.04	.00	
4340									UTILITIES
2 /17	09/01/16	21		000008484440	5516 AT&T		16.29	.00	939-103-4005
TOTAL						.00	16.29	.00	
TOTAL						.00	4,105.72	.00	UTILITY OFFICE
TOTAL						.00	19,787.93	.00	WATER

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CITY OF LEMOORE  
EXPENDITURE TRANSACTION ANALYSIS

PAGE NUMBER: 16  
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SELECTION CRITERIA: transact.yr='17' and transact.period='2' and transact.fund between '001' and '247' and transact.batch='VM090216'  
ACCOUNTING PERIOD: 3/17

FUND - 056 - REFUSE  
BUDGET UNIT - 4256 - REFUSE

ACCOUNT	DATE	T/C	ENCUMBR	REFERENCE	VENDOR	BUDGET	EXPENDITURES	ENCUMBRANCES	DESCRIPTION
4220									
2 /17	09/01/16	21		61875476	0169 FRESNO OXYGEN		26.68	.00	IND. OXYGEN
TOTAL						.00	26.68	.00	
4310									
2 /17	09/01/16	21		IVC020001061	6729 PRIDESTAFF, INC.		72.00	.00	OFFICE ASSISTANT
TOTAL						.00	72.00	.00	
TOTAL						.00	98.68	.00	
TOTAL						.00	98.68	.00	

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CITY OF LEMOORE  
 EXPENDITURE TRANSACTION ANALYSIS

PAGE NUMBER: 17  
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SELECTION CRITERIA: transact.yr='17' and transact.period='2' and transact.fund between '001' and '247' and transact.batch='VM090216'  
 ACCOUNTING PERIOD: 3/17

FUND - 060 - SEWER& STROM WTR DRAINAGE  
 BUDGET UNIT - 4260 - SEWER

ACCOUNT	DATE	T/C	ENCUMBR	REFERENCE	VENDOR	BUDGET	EXPENDITURES	ENCUMBRANCES	DESCRIPTION
4220									
2 /17	09/01/16	21		CALEM18080	5866 FASTENAL COMPANY		5.05	.00	CUTTING BLADES
TOTAL						.00	5.05	.00	
4310									
2 /17	09/01/16	21		IVC020001061	6729 PRIDESTAFF, INC.		72.00	.00	OFFICE ASSISTANT
TOTAL						.00	72.00	.00	
4320									
2 /17	09/01/16	21		06062016	0915 AMERICAN PUBLIC		155.00	.00	RENEW MEMBERSHIP
TOTAL						.00	155.00	.00	
4340									
2 /17	09/01/16	21		000008484522	6200 AT&T		33.66	.00	939-105-2729
TOTAL						.00	33.66	.00	
TOTAL						.00	265.71	.00	
TOTAL						.00	265.71	.00	

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CITY OF LEMOORE  
EXPENDITURE TRANSACTION ANALYSIS

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SELECTION CRITERIA: transact.yr='17' and transact.period='2' and transact.fund between '001' and '247' and transact.batch='VM090216'  
ACCOUNTING PERIOD: 3/17

FUND - 078 - LLMD/PFMD  
BUDGET UNIT - 4801 - LLMD ZONE 1 WESTFIELD

ACCOUNT DATE	T/C	ENCUMBR	REFERENCE VENDOR	BUDGET	EXPENDITURES	ENCUMBRANCES DESCRIPTION
4310						
2 /17	09/01/16	21 7095	-01 4359			
			5637 ELITE MAINTENANC		1,785.00	-1,785.00 1-20 ROTORS SPRINKLERS RE
TOTAL				.00	1,785.00	-1,785.00
TOTAL			LLMD ZONE 1 WESTFIELD	.00	1,785.00	-1,785.00
TOTAL			LLMD/PFMD	.00	1,785.00	-1,785.00

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CITY OF LEMOORE  
EXPENDITURE TRANSACTION ANALYSIS

PAGE NUMBER: 19  
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SELECTION CRITERIA: transact.yr='17' and transact.period='2' and transact.fund between '001' and '247' and transact.batch='VM090216'  
ACCOUNTING PERIOD: 3/17

FUND - 090 - TRUST & AGENCY  
BUDGET UNIT - 4295 - TRUST & AGENCY

ACCOUNT	DATE	T/C	ENCUMBR	REFERENCE	VENDOR	BUDGET	EXPENDITURES	ENCUMBRANCES	DESCRIPTION
4430									
2 /17	09/01/16	21		08232016	0301 LEMOORE UNION SC		53,674.52	.00	IMPACT FEES-7/1-7/31
2 /17	09/01/16	21		08232016	0306 LEMOORE HIGH SCH		45,703.06	.00	IMPACT FEES-7/1-7/31
TOTAL					SCHOOL IMPACT FEES	.00	99,377.58	.00	
TOTAL					TRUST & AGENCY	.00	99,377.58	.00	
TOTAL					TRUST & AGENCY	.00	99,377.58	.00	

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CITY OF LEMOORE  
 EXPENDITURE TRANSACTION ANALYSIS

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SELECTION CRITERIA: transact.yr='17' and transact.period='2' and transact.fund between '001' and '247' and transact.batch='VM090216'  
 ACCOUNTING PERIOD: 3/17

FUND - 247 - CITYWIDE CIP FUND  
 BUDGET UNIT - 9023 - CMC UNDERGROUND CANAL

ACCOUNT	DATE	T/C	ENCUMBR	REFERENCE	VENDOR	BUDGET	EXPENDITURES	ENCUMBRANCES	DESCRIPTION
4317				CONSTRUCTION/IMPLEMENTA.					
2	/17	09/01/16	21	7093	-01 BILLING #7 6330 YARBS GRADING AN		10,901.08	-10,901.08	CIP/CMC PIPELINE
2	/17	09/01/16	21	7093	-02 BILLING #7 6330 YARBS GRADING AN		3,035.60	-3,035.60	LOWERING DEPTH OF PIPE (C
2	/17	09/01/16	21	7093	-03 BILLING #7 6330 YARBS GRADING AN		2,185.30	-2,185.30	SIDEWALK, BUS PAD, STRIPI
2	/17	09/01/16	21	7093	-04 BILLING #7 6330 YARBS GRADING AN		1,644.52	-1,644.52	LANDSCAPING/UNDERGROUND/E
2	/17	09/01/16	21	7093	-05 BILLING #7 6330 YARBS GRADING AN		8.24	-8.24	FINAL QUANTITIES (CHANGE
2	/17	09/01/16	21	7093	-06 BILLING #7 6330 YARBS GRADING AN		10,695.47	-10,695.47	LIGHTED CROSSWALK (CHANGE
TOTAL				CONSTRUCTION/IMPLEMENTA.		.00	28,470.21	-28,470.21	
TOTAL				CMC UNDERGROUND CANAL		.00	28,470.21	-28,470.21	
TOTAL				CITYWIDE CIP FUND		.00	28,470.21	-28,470.21	
TOTAL REPORT						.00	268,584.25	-66,029.64	

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CITY OF LEMOORE  
GENERAL LEDGER TRANSACTION ANALYSIS

PAGE NUMBER: 1  
AUDIT311

SELECTION CRITERIA: account.acct between '1011' and '2021' AND transact.yr='17' and transact.period='2' and transact.batch='VM090216'  
ACCOUNTING PERIOD: 3/17

FUND - 001 - GENERAL FUND

ACCOUNT	DATE	T/C	REFERENCE	VENDOR/PAYER	DEBIT	CREDIT	DESCRIPTION
1550							
2 /17	09/01/16	21		3022 FIRST BANKCARD	40,734.15		VISA BANKCARD
TOTAL					40,734.15	.00	
2020							
2 /17	09/01/16	21		3022 FIRST BANKCARD		40,734.15	VISA BANKCARD
TOTAL					.00	40,734.15	
TOTAL				GENERAL FUND	40,734.15	40,734.15	
TOTAL REPORT					40,734.15	40,734.15	

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CITY OF LEMOORE  
GENERAL LEDGER TRANSACTION ANALYSIS

PAGE NUMBER: 1  
AUDIT311

SELECTION CRITERIA: account.acct between '2000' and '2999' AND transact.yr='17' and transact.period='2' and transact.batch='VM090216'  
ACCOUNTING PERIOD: 3/17

FUND - 001 - GENERAL FUND

ACCOUNT	DATE	T/C	REFERENCE	VENDOR/PAYER	DEBIT	CREDIT	DESCRIPTION
2020			ACCOUNTS PAYABLE				
2 /17	09/01/16	21		5674 JENNIFER MELENDEZ	40.00		REIMBURSE/LAS VEGAS
TOTAL			ACCOUNTS PAYABLE		40.00	.00	
2248			RECREATION IN/OUT				
2 /17	09/01/16	21		5674 JENNIFER MELENDEZ		40.00	REIMBURSE/LAS VEGAS
TOTAL			RECREATION IN/OUT		.00	40.00	
TOTAL			GENERAL FUND		40.00	40.00	
TOTAL REPORT					40.00	40.00	

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CITY OF LEMOORE  
REVENUE TRANSACTION ANALYSIS

PAGE NUMBER: 1  
AUDIT31

SELECTION CRITERIA: transact.yr='17' and transact.period='2' and transact.account between '3000' and '3999' and transact.batch='VM09  
ACCOUNTING PERIOD: 3/17

FUND - 001 - GENERAL FUND  
BUDGET UNIT - 001 - GENERAL FUND

ACCOUNT	DATE	T/C	RECEIVE REFERENCE	PAYER/VENDOR	BUDGET	RECEIPTS	RECEIVABLES DESCRIPTION
3293			ANIMAL LICENSE - 3 YEAR				
2 /17	09/01/16	21 0	08292016	T2203 EDWARD EGGERT		-60.00	REFUND ANIMAL LICENSE
TOTAL			ANIMAL LICENSE - 3 YEAR		.00	-60.00	.00
3625			CIVIC AUDITORIUM RENTAL				
2 /17	09/01/16	21 0	08262016	T2202 MARIETTA BRISCOE		-150.00	REFUND-VET HALL
2 /17	09/01/16	21 0	08292016	T2201 MARTHA SAUCEDA		-250.00	REFUND- CIVIC AUDITOR
TOTAL			CIVIC AUDITORIUM RENTAL		.00	-400.00	.00
TOTAL			GENERAL FUND		.00	-460.00	.00
TOTAL			GENERAL FUND		.00	-460.00	.00
TOTAL REPORT					.00	-460.00	.00