



SAN FERNANDO CITY COUNCIL

REGULAR MEETING NOTICE AND AGENDA

MAY 4, 2015 – 6:00 PM

**COUNCIL CHAMBERS
117 MACNEIL STREET
SAN FERNANDO, CA 91340**

CALL TO ORDER/ROLL CALL

Mayor Joel Fajardo
Vice Mayor Sylvia Ballin
Councilmember Robert C. Gonzales
Councilmember Antonio Lopez
Councilmember Jaime Soto

PLEDGE OF ALLEGIANCE

Police Explorer Alfredo Mendoza

APPROVAL OF AGENDA

PRESENTATIONS

- a) OLDER AMERICANS MONTH
Director of Recreation & Community Services Ismael Aguila
- b) NATIONAL POLICE WEEK – MAY 10-16, 2015
NATIONAL PEACE OFFICERS MEMORIAL DAY – MAY 15, 2015
Police Chief Tony Vairo
- c) RECOGNITION OF CESAR CHAVEZ ART CONTEST WINNERS
Councilmember Robert C. Gonzales

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PUBLIC STATEMENTS – WRITTEN/ORAL

There will be a three (3) minute limitation per each member of the audience who wishes to make comments relating to City Business. Anyone wishing to speak, please fill out the blue form located at the Council Chambers entrance and submit it to the City Clerk. When addressing the City Council please speak into the microphone and voluntarily state your name and address.

CONSENT CALENDAR

Items on the Consent Calendar are considered routine and may be disposed of by a single motion to adopt staff recommendation. If the City Council wishes to discuss any item, it should first be removed from the Consent Calendar.

1) REQUEST TO APPROVE MINUTES OF:

- a. APRIL 20, 2015 – SPECIAL MEETING**
- b. APRIL 20, 2015 – REGULAR MEETING**

2) CONSIDERATION TO ADOPT RESOLUTION NO. 15-051 APPROVING THE WARRANT REGISTER**3) CONSIDERATION TO APPROVE THE APPOINTMENT OF JON BROWN TO THE DISASTER COUNCIL**

Recommend that the City Council approve the appointment of Jon Brown as representative of the American Red Cross to the Disaster Council for a two-year term.

4) CONSIDERATION TO ADOPT A RESOLUTION APPROVING THE RENEWAL OF THE GENERAL SERVICES AGREEMENT WITH THE COUNTY OF LOS ANGELES

Recommend that the City Council:

- a. Adopt Resolution No. 7673 approving the renewal of the General Services Agreement (Contract No. 1788) between the City of San Fernando and the County of Los Angeles for a five-year period (July 1, 2015 through June 30, 2020); and
- b. Authorize the City Manager to execute the agreement.

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5) CONSIDERATION TO ADOPT A RESOLUTION APPROVING THE INVESTMENT POLICY FOR FISCAL YEAR 2015-2016

Recommend that the City Council adopt Resolution No. 7671 approving the annual Investment Policy for Fiscal Year 2015-2016.

6) CONSIDERATION TO ADOPT A RESOLUTION AUTHORIZING THE CITY TREASURER AND DEPUTY CITY TREASURER TO INVEST SURPLUS FUNDS

Recommend that the City Council adopt Resolution No. 7672 authorizing the City Treasurer and Deputy City Treasurer to invest surplus funds.

7) CONSIDERATION TO ADOPT A RESOLUTION APPOINTING THE CITY'S REPRESENTATIVES TO THE INDEPENDENT CITIES RISK MANAGEMENT AUTHORITY (ICRMA) GOVERNING BOARD

Recommend that the City Council adopt Resolution No. 7670 re-affirming the appointment of Vice Mayor Sylvia Ballin as the primary representative, appointing Finance Director Nick Kimball as the alternate representative, and re-affirming the appointment of Personnel Manager Michael Okafor as the substitute alternate representative to the ICRMA Governing Board.

8) CONSIDERATION TO ADOPT A RESOLUTION ALLOWING CONTINUED PARTICIPATION IN THE CALIFORNIA HOME ENERGY RENOVATION OPPORTUNITY (HERO) PROGRAM PROVIDING FINANCING FOR RENEWABLE ENERGY AND WATER EFFICIENCY IMPROVEMENTS

Recommend that the City Council adopt Resolution No. 7675 approving an amendment to the Los Angeles County Energy Program (LACEP) City Resolution in order to authorize the City's continued participation in the California HERO Program.

9) CONSIDERATION TO APPROVE LETTERS OF SUPPORT FOR AB 857 (PEREA) CLEAN TRUCK PROGRAM AND AB 1074 (GARCIA) CLEAN FUELING ACT

Recommend that the City Council:

- a. Approve a letter supporting AB 857 (Perea) Clean Truck Program;
- b. Approve a letter supporting AB 1074 (Garcia) Clean Fueling Act; and
- c. Authorize the Mayor to execute the letters of support.

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ADMINISTRATIVE REPORTS**10) APPOINTMENT TO THE TRANSPORTATION AND SAFETY COMMISSION**

Councilmember Jaime Soto is recommending the appointment of Julie Cuellar to the Transportation and Safety Commission as his representative.

11) CONSIDERATION TO IMPLEMENT PHASE II OF THE WATER CONSERVATION ORDINANCE

Recommend that the City Council:

- a. Adopt Resolution No. 7674, declaring a water shortage condition and implementing Phase II of the City's Water Conservation Ordinance; and
- b. Review the draft Guidelines for Residential Parkway Landscaping to encourage reduced water usage in parkway locations throughout the City.

12) CONSIDERATION TO ADOPT A RESOLUTION AMENDING THE CITY COUNCIL PROCEDURAL MANUAL AND REVIEW OF ADMINISTRATIVE POLICIES PERTAINING TO CITY COUNCIL CONTACTS AND ATTORNEY SERVICES

Recommend that the City Council:

- a. Provide suggested changes to the Procedural Manual;
- b. Adopt Resolution No. 7664 amending the City Council Procedural Manual to reflect final changes made by the City Council; and
- c. Review Administrative Policies pertaining to City Council Contacts and Attorney Services and provide staff with recommended changes.

13) CONSIDERATION TO ADOPT AN ORDINANCE REGARDING THE REGULATION OF BEHESTED PAYMENTS

This item is placed on the agenda by Mayor Joel Fajardo.

14) CONSIDERATION TO APPOINT VICE MAYOR SYLVIA BALLIN AND COUNCILMEMBER ROBERT C. GONZALES TO REVIEW APPLICATIONS FOR THE CITY/REPUBLIC SERVICES COLLEGE SCHOLARSHIP PROGRAM

This item is placed on the agenda by Mayor Joel Fajardo.

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15) DISCUSSION PERTAINING TO THE MEMBERSHIP OF THE DEVELOPMENT ADVISORY COMMITTEE TO THE TRANSIT ORIENTED DEVELOPMENT OVERLAY ZONE PROJECT

This item is placed on the agenda by Vice Mayor Sylvia Ballin.

16) CONSIDERATION OF A CALIFORNIA HIGH-SPEED RAIL PROJECT MEETING IN SAN FERNANDO

Recommend that the City Council authorize the City Manager to expend up to \$7,500 to publicize the City's last community meeting with the California High Speed Rail Authority.

COMMITTEE/COMMISSION LIAISON UPDATES**GENERAL COUNCIL COMMENTS****STAFF COMMUNICATION****ADJOURNMENT**

I hereby certify under penalty of perjury under the laws of the State of California that the foregoing agenda was posted on the City Hall bulletin board not less than 72 hours prior to the meeting.

Elena G. Chávez, City Clerk

Signed and Posted: April 30, 2015 (5:00 p.m.)

Agendas and complete Agenda Packets (including staff reports and exhibits related to each item) are posted on the City's Internet Web site (www.sfcity.org). These are also available for public reviewing prior to a meeting in the City Clerk's Office. Any public writings distributed by the City Council to at least a majority of the Councilmembers regarding any item on this regular meeting agenda will also be made available at the City Clerk's Office at City Hall located at 117 Macneil Street, San Fernando, CA, 91340 during normal business hours. In addition, the City may also post such documents on the City's Web Site at www.sfcity.org. In accordance with the Americans with Disabilities Act of 1990, if you require a disability-related modification/accommodation to attend or participate in this meeting, including auxiliary aids or services please call the City Clerk's Office at (818) 898-1204 at least 48 hours prior to the meeting.

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Regular Meeting

San Fernando City Council

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**SAN FERNANDO CITY COUNCIL
MINUTES**

**APRIL 20, 2015 – 4:30 P.M.
SPECIAL MEETING**

City Hall Community Room
117 Macneil Street
San Fernando, CA 91340

CALL TO ORDER/ROLL CALL

Mayor Joel Fajardo called the meeting to order at 4:30 p.m.

Present:

Council: Mayor Joel Fajardo, Mayor Pro Tem Sylvia Ballin, and Councilmembers Robert C. Gonzales and Jaime Soto

Staff: City Manager Brian Saeki, City Attorney Rick R. Olivarez (arrived at 5:00 p.m.) and City Clerk Elena G. Chávez

Absent: Councilmember Antonio Lopez

PLEDGE OF ALLEGIANCE

Led by Mayor Joel Fajardo

APPROVAL OF AGENDA

Motion by Mayor Pro Tem Ballin, seconded by Councilmember Gonzales, to approve the agenda. By consensus, the motion carried.

PUBLIC STATEMENTS – WRITTEN/ORAL

None

RECESS TO CLOSED SESSION (4:31 P.M.)

By consensus, Councilmembers recessed to the following Closed Session:

- A) CONFERENCE WITH LABOR NEGOTIATOR
G.C. §54957.6

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SPECIAL MEETING MINUTES – April 20, 2015**

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Designated City Negotiator: City Manager Brian Saeki

Employees and Employee Bargaining Units that are the Subject of Negotiation:

San Fernando Management Group (SEIU, Local 721)

San Fernando Public Employees' Association (SEIU, Local 721)

San Fernando Police Officers Association

San Fernando Police Officers Association Police Management Unit

San Fernando Police Civilian Association (SEIU, Local 721)

San Fernando Part-time Employees' Bargaining Unit (SEIU, Local 721)

All Unrepresented Employees

B) PUBLIC EMPLOYEE PERFORMANCE EVALUATION

G.C. §54957(b)(1)

Title: City Manager

C) CONFERENCE WITH LABOR NEGOTIATOR– UNREPRESENTED EMPLOYEE

G.C. §54957.6

Designated City Negotiators: Mayor Joel Fajardo and Mayor Pro Tem Sylvia Ballin

Unrepresented Employee: City Manager

RECONVENE/REPORT OUT FROM CLOSED SESSION

City Attorney Olivarez reported the following:

Item A – The City Council received a briefing from the City Manager; direction was given but no final action was taken.

Items B & C – The City Council conducted an evaluation regarding the City Manager; direction was given but no final action was taken.

ADJOURNMENT (6:00 P.M.)

By consensus, the meeting was adjourned.

I do hereby certify that the foregoing is a true and correct copy of the minutes of April 20, 2015 meeting as approved by the San Fernando City Council.

*Elena G. Chávez
City Clerk*

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To: Mayor Joel Fajardo and Councilmembers

From: Brian Saeki, City Manager
By: Nick Kimball, Finance Director

Date: May 4, 2015

Subject: Consideration to Adopt Resolution No. 15-051 Approving the Warrant Register

RECOMMENDATION:

It is recommended that the City Council adopt Resolution No. 15-051 (Attachment "A") approving the Warrant Register.

BACKGROUND:

For each City Council meeting the Finance Department prepares a Warrant Register for Council approval. The Register includes all recommended payments for the City. Checks, other than handwritten checks, generally are not released until after the Council approves the Register. The exceptions are for early releases to avoid penalties and interest, excessive delays and in all other circumstances favorable to the City to do so. Handwritten checks are those payments required to be issued between Council meetings such as insurance premiums and tax deposits. Staff reviews requests for expenditures for budgetary approval and then prepares a Warrant Register for Council approval and or ratification. Items such as payroll withholding tax deposits do not require budget approval.

The Finance Director hereby certifies that all requests for expenditures have been signed by the department head, or designee, receiving the merchandise or services thereby stating that the items or services have been received and that the resulting expenditure is appropriate. The Finance Director hereby certifies that each warrant has been reviewed for completeness and that sufficient funds are available for payment of the warrant register.

ATTACHMENT:

A. Resolution No. 15-051

ATTACHMENT "A"**RESOLUTION NO. 15-051****RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN FERNANDO ALLOWING AND APPROVING FOR PAYMENT DEMANDS PRESENTED ON DEMAND/ WARRANT REGISTER NO. 15-051****THE CITY COUNCIL OF THE CITY OF SAN FERNANDO DOES HEREBY RESOLVE, FIND, DETERMINE AND ORDER AS FOLLOWS:**

1. That the demands (EXHIBIT "A") as presented, having been duly audited, for completeness, are hereby allowed and approved for payment in the amounts as shown to designated payees and charged to the appropriate funds as indicated.

2. That the City Clerk shall certify to the adoption of this Resolution and deliver it to the City Treasurer.

PASSED, APPROVED, AND ADOPTED this 4th day of May, 2015.

Joel Fajardo, Mayor

ATTEST:

Elena G. Chávez, City Clerk

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss
CITY OF SAN FERNANDO)

I HEREBY CERTIFY that the foregoing Resolution was approved and adopted at a regular meeting of the City Council held on the 4th day of May, 2015, by the following vote to wit:

AYES:

NOES:

ABSENT:

Elena G. Chávez, City Clerk

EXHIBIT "A"

Printlist

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CITY OF SAN FERNANDO

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"#\$%&.\$	')("\$#	#*\$&8&""2+6/21:D",7.6+<	+52/3 **\$#		U+2+, 1"/0<2>-, .2 \$*&88)\$8\$4*88)*=\$	"8\$9\$9\$ 570.00
Total :						570.00
"#\$%&.#	')("\$#	#*\$%4\$""2.F +3";?.31<+31"131-,2/-	@#\$8&#*##		<.211, "3/A?,<D"2153+ -1"75<"/,?" \$*&84))8\$4\$88)4\$\$	"#D\$4&9)* 1,037.42
Total :						1,037.42
"#\$%&.*	')("\$#	#\$4\$#\$""<+6G<"-3>H"B/21-, D"V(\$)*\$)='@ "#&%	#*\$=		<10/.2"52.A"<52/OA "5+2 ,F "21C21 \$\$88)*8\$\$\$88)4\$\$	"##&9== ""9\$)
						")=%9\$4
Total :						610.73
"#\$%&.&4	')("\$#	#\$4\$#\$""<+0"C120+0B.D"/-,F "C	#"\$8&#="&		21/6H>2<1610 , , .,2U12<"-.6 \$\$=8#8\$4'	"D@9\$9\$9\$ 25,809.50
Total :						25,809.50
"#\$%&.)	')("\$#	#\$4\$#\$""<+0"C120+0B."51, "7.<5/, +3	\$#@"#		71, "7/</, ".0"\$#("@"# \$\$8***8\$\$\$88)*&\$	"\$9\$9\$
						"\$94&
Total :						90.37
"#\$%&."	')("\$#	#\$4\$#\$""<+0"C120+0B."7 +331F "<0	%8%		*0B";11U".C"5>H9"8**\$#"131- \$\$8#8\$=8\$\$\$88)*4\$	"#%\$9=4 190.63
Total :						190.63
"#\$%&.=	')("\$#	#\$4#(@)"<6+2, "T"C/0+3	#=&)%		<553/1<"C.2"<2"-3>H"B+0-1"8\$)(# \$\$88)*8\$\$\$88)4\$	"#9@9\$
						"4%9"
Total :						91.32
"#\$%&.&	')("\$#	#\$4\$#\$""<.,?120"-+3/C.20/+ "1B/<.0"-9	*8\$\$\$8%\$88)&=)		131-,2/-"8"3 ,, "4D""T"@ \$*"844*8\$\$\$88)*\$	"#&49'="
						"8\$8\$8\$8\$8#@%'
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vchlist		Voucher List				Page: 11
04/29/2015	1:59:42PM	CITY OF SAN FERNANDO				
Bank code : ÄÄ !						
Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
"#%&="	' ()("\$#'	#\$4=#% #\$4=#%""+23"; +2210"TT"-9	L-M NO PJQR			Total : 750.00
"#%&==	' ()("\$#'	#\$4=@@""/385.;12"H+ ,.12 F"B/<, 9	#&#%=%		#7.3 , "4+?"H+.,12/1< \$&\$84@)8\$\$\$\$8)44\$	"#=94" Total : 16.32
"#%&=&	' ()("\$#'	#\$4&""":>6+2"/0B><.2/1<D"/0-9	\$#&%)'		6/<</0A"/</A0"2153+-1610, \$\$#84&\$8\$4\$8)4\$	"#%9%%" Total : 199.99
"#%&=@	' ()("\$#'	#\$4%\$4"J61"; +2012"-+H31	@)@("\$)\$#\$4=%		-+H31"<12 7/-1 \$\$8***8\$\$\$\$8)=\$ /0,1201, "<12 7/-1<"8"\$)(*(#8\$('"(# \$\$8#%(\$8\$\$\$\$8)""\$	"#94#" "#D\$%"9" Total : 1,310.56
"#%&=%	' ()("\$#'	@@&4@&""-->A	*\$#		*\$#" +00>+3 "616H12<7/5 \$\$8***8\$\$\$\$8)4@\$	"&'9\$\$ Total : 75.00
"#%&\$\$	' ()("\$#'	@@&#@@""B>2?+6B37/0	6+2"TT" +52"\$#)		-66/<</0,12G<"21/6H \$\$8#"\$8\$\$\$\$8)###	"\$\$\$\$9\$ Total : 100.00
"#%&##	' ()("\$#'	@@&=)=""53>6H12<"B15., "/0-	5B8*&#@		- .6521<</0"H., D"<>-./0"?.< 1 \$&"84=\$8\$\$\$\$8)\$\$	"#D=#@9=@ Total : 1,618.68
"#%&.&*	' ()("\$#'	@@&=%#"3G<"U>H., +", 2+., .2	4\$%)&		21+2";7113 "4<<F "8"5U##=% \$\$84*\$8\$4%\$8)\$\$	""9== Total : 224.66
"#%&.&4	' ()("\$#'	@@&#@@""6+2/<-"B2D"6+2/.	.2+ 713		-2/<</0,12 710./0" , 2+/0/0A"6+ 0 \$\$8***84=@@8)4=\$	"#9\$9\$ Total : 155.00
"#%&.&)	' ()("\$#'	@@&%"***E9":9"306.;12"<?7.5	<, +31"B,B"-UV#\$'@%="		2153 "<,3 "B,B"-U8 /07<"=%D"=%@ "E"# \$\$8#")\$	"&49%="
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vchlist		Voucher List				Page: 12
04/29/2015 1:59:42PM		CITY OF SAN FERNANDO				
Bank code : ÄÄ !						
Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
"#%&.&.)	'()("\$#'	@@&%"* @&%"***E9":9"306.;12"<?7.5	L-M NO PJQR		Total :	73.96
"#%&.&.'	'()("\$#'	@@&4@&""-31+2<D"/0-9	*\$#		"\$#" +00>+3 "616H12<7/5 "B">1< \$\$8***8\$\$\$\$8)4@\$	"\$9\$9\$ Total : 50.00
"#%&.&.=	'()("\$#'	@@@@)"#"">0/,1B"<./,1"<12 7/-1<".C"-+ /0-	##)8* @4&%= ##)8* @)(\$#)		5.2 , +H31", /31 , "210, +3"X""C/2 < \$\$84%(\$8\$)\$8)=\$ 5.2 , +H31", /31, "210, +3"X"3+ F01" & \$\$84%(\$8\$)\$8)=\$	""9\$9) "4&9"9** Total : 929.26
"#%&.&.&&	'()("\$#'	@@@@4*87+0-1B" +>, ."215 +/2"H.BF "T	#')@ #')%		2153+-1"2+B/+ , .2"C +0"8"5B4\$4\$ \$\$84*\$8\$""8)\$\$ +3/A0610, D"2153+-1"H.,?C2.0, "4 \$\$84*\$8\$#"8)\$\$	""@'9\$= "9%=9%= Total : 782.02
"#%&.&.&@	'()("\$#'	@@&4%\$"";1&.,+<, "42H.2/<D"/0-9	#\$)=4@	####4=	CF""\$#" +00>+3 "211" /2/ 66/0A"- 0 \$\$84)=8\$\$\$\$8)=\$	"D4="9\$9\$ Total : 5,365.00
"#%&.&.&.%	'()("\$#'	@@&4%2*3/01"52/0,0AD"/0-9	\$)\$@#		<, +CC"<?/2, < \$\$8)\$8\$\$\$\$8)4\$	"4=9" Total : 536.55
"#%&.&.&@\$	'()("\$#'	@@@@))"";1<,120"1S,126/0+ , . 2"-65 +0F	4\$)@)@ 4\$)@)% 4\$)@)\$ 4\$)%)@# 4\$)%)@* 4\$&.&)&%		51<, "-0,2.3 "X"21"-5 +2U \$\$84%(\$8\$)\$8)=\$ H+/, "6.0/, . 2/0A"X"21"-5 +2U \$\$84%(\$8\$)\$8)=\$ 51<, "-0,2.3 "X"2>BF "2 ,1A+ "5+2 \$\$84%(\$8&\$8)=\$ 51<, "-0,2.3 "X"35 "5+2U \$\$84%(\$8\$)=\$8)=\$ H+/, "6.0/, . 2/0A"X"35 "5+2U \$\$84%(\$8\$)=\$8)=\$ 51<, "-0,2.3 "X"-/F "7+33 \$\$84%(\$8\$4#8)=\$	"&'9\$9\$ "49\$9\$ "#9\$9\$ "\$9\$9\$ "#9\$9\$9\$ "&'9\$9\$ "4&9\$9\$
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vchlist		Voucher List				Page: 15
04/29/2015	1:59:42PM	CITY OF SAN FERNANDO				
Bank code : ÄÄ !						
Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
"#%&@@	'()'("\$#	@@%4""".3/7+<D"C21B	%\$\$%#		21C>0B"8"-+0-1331B"<10/.2" , 2/5 \$\$8"4@)	"4\$9\$\$ 30.00
					Total :	
"#%&@%	'()'("\$#	@@%)4""3/-+22+A+D"6+0>13	2 1/6H9		512"B/16" +0B"6/31+A1"21/6H"8"<,- " \$\$8""84=@@8)4=\$	"&)9&@ 74.78
					Total :	
"#%&%%\$	'()'("\$#	@@%4""A/36.21D"217+"9	\$)(\$)(#8\$)(#&(#		C..B"<12 7/-1"6+0+A12 ##8)"84&"8)"&\$ ##8)"84&"8)"&\$	"@'9\$ "##&9\$ 702.00
					Total :	
"#%&%%#	'()'("\$#	@@%44""6+201:D" +0/, +	\$)(\$)(#8\$)(#&(#		C..B"<12 7/-1"/0, +U1"-31 2U8-# ##8)"84&"8)"&\$	"#@'9\$ 180.00
					Total :	
"#%&%%"	'()'("\$#	@@%4""A.61:D"A/3H12 ,	\$)(\$)(#8\$)(#&(#		?B6"B2/712 ##8)"84&"8)"&\$ ##8)"84&"8)"4%\$	"#="9\$ ")=9@ 208.80
					Total :	
"#%&%%4	'()'("\$#	@@%=")"712/;.0"H></01<<	=&%4@%@%		- ./,F "7+33 "3.0A"B/<, +0-1 \$\$8#%\$8\$\$\$8)"\$ -./,F "F+2B"3.0A"B/<, +0-1 \$&\$84@)8\$\$\$8)"\$ -./,F "7+33 "3.0A"B/<, +0-1"T"/0,2+3 + \$\$8#%\$8\$\$\$8)"\$ 5.3/-1"3.0A"B/<, +0-1 \$\$8""8\$\$\$8)"\$ -./,F "F+2B"3.0A"B/<, +0-1 \$&\$84@)8\$\$\$8)"\$ 5+2U"3.0A"B/<, +0-1 \$\$8)"8\$\$\$8)"\$ 10A/0112/0A"3.0A"B/<, +0-1 \$\$84#\$8\$\$\$8)"\$ -./,F "F+2B"3.0A"B/<, "L+/6<"01,;. 2	"#'\$9\$4 "9) "@@94" "4@49)= "%9=% "9)\$ "9@=
					Total :	
						5ÄIJK #

vchlist		Voucher List				Page: 16
04/29/2015 1:59:42PM		CITY OF SAN FERNANDO				
Bank code : ÄÄ !						
Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
"#%&%%4	'()("\$#	@@%=()"712/;.0"H></01<<	L-M NO PJQR		\$&\$84@)8\$\$\$\$8)"\$ -21B/, "F+2B"3/01 \$\$8#%\$8\$\$\$\$8)"\$ 5.3/-1"3.0A"B/<, +0-1 \$\$8""8\$\$\$\$8)"\$ 5+2U"3.0A"B/<, +0-1 \$\$8)"8\$\$\$\$8)"\$ -./,F "7+33 "3.0A"B/<, +0-1 \$&\$8#%\$8\$\$\$\$8)"\$	"9@ "9@ "9@ "9\$4 "9" Total : 1,052.72
"#%&%%)	'()("\$#	@@%=@\$""E/6101:"3.51:D"E>+0"6+0>13	6+2-?"\$#		66+5 "0<.2>-, .2 #\$(8)"84=4@8)=\$	"=\$9\$ 600.00 Total :
"#%&%%'	'()("\$#	@@%=@#""7/33+8B.D"6+2+)	\$)(\$)(#8\$)(#&(#		C..B"<12 7/-1";.2U12 ##8)"84&"8)"&\$ ##8)"84&"8)"&\$	""9\$ "9\$ Total : 270.00
"#%&%%=	'()("\$#	@@%@#%"Ä+ +F"-./1<	CF""8\$)"\$		5+2 ./-5 +, /0"21A+2B/0A" , ?1" +B6 \$&\$84@)8\$\$\$\$8)"\$	"#D&=49@4 Total : 1,763.83
"#%&%%&	'()("\$#	@@%%"710<"<12 7/-1<	@&&#@		<.211, "<.115/0A"8" +52""\$# \$\$84)48\$\$\$\$8)"\$	"#D="9\$ Total : 12,625.00
"#\$%&%%@	'()("\$#	@%\$%"G21/33+>, ."5 +2 ,<)=\$84@=@)		<6+33 ", ..3< \$\$84"\$8\$\$\$\$8)4)\$, .AA31"<./,-?"8"5,##"@ \$&"84=\$8\$\$\$\$8))\$ 6>B"C3+5 "8"5,##"@ \$&"84=\$8\$\$\$\$8))\$ 21+2"H2+U1"5 +B<"8"-1=)&& \$&\$84"\$8\$#"8))\$	"#9@# "9)= ""9&@ "4&94'
5ÄIJK #						

vchlist		Voucher List				Page: 19
04/29/2015 1:59:42PM		CITY OF SAN FERNANDO				
Bank code : ÄÄ !						
Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
"#%@\$"	'()("\$#"	@%\$@&%"1>2.C/0<"1+. 0"+0+3 F./+3D"/0-	L-M NO PJQR		\$&\$84@)8\$\$\$\$\$8)"=\$	"#4%9=\$
					Total :	1,514.60
"#%@\$="	'()("\$#"	@%\$@%&%"07H2..U<" +<<-./+ , 1<D"/0-	##\$#8##		521<10, +./0"5215 +2+ ./0"T" +,, 1	"@)9\$9\$
			##\$#8@	###\$="	10A"B1</A0"<12 7/-1"C.2" , 2+CC/-" <	"#D&\$9\$9\$
					Total :	16,590.00
"#%@\$&	'()("\$#"	@%\$%&%"Q40/B1"<5.2 , <	=#		.2.57/1<	"#D#\$="94"
					Total :	1,106.35
"#%@\$@	'()("\$#"	@%\$4""?>+5,D?1+31"1	6+2-?"\$#"		-.66/<</.012G<"21/6H	"\$9\$9\$
					Total :	50.00
"#%@\$%	'()("\$#"	@%\$#)\$""61E/+D7.001"A	+52/3 ""\$#"		- .66/<</.012G<"21/6H	"\$9\$9\$
					Total :	50.00
"#%@\$#	'()("\$#"	@%\$4""2/,1-?	5+\$\$\$4\$=)	###\$#	<.C.; +21" , ."107+0-1"26<D"-+B" +	"D\$\$\$9\$9\$
					Total :	5,000.00
"#%@\$#	'()("\$#"	@%\$##""2/712+D"0/- .31	6+2-?"\$#"		66+5 "610, . 2("0<2>-, .2	"#=9\$9\$
					Total :	165.00
"#%@\$"	'()("\$#"	@%\$#)=""1<5/0.D"E.<1	\$54		521710, +/71"6+/0, "C.2"<5/00/0A"	"4\$9\$9\$
					Total :	300.00
"#%@\$#4	'()("\$#"	@%\$#"5%&%, .0+ ./0"<-	*\$8%&@		-.65>.12"T"- .21"8"5B4\$4"	"@)9\$9\$"
			*\$**#"		##\$84"\$8\$""8)\$9\$	"#&"94&
					H2+U1"U/,<	
					##\$8#*#	
						5ÄIJK #%

vchlist		Voucher List				Page: 20
04/29/2015 1:59:42PM		CITY OF SAN FERNANDO				
Bank code : ÄÄ !						
Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
"#%@\$#4	'()("\$#"	@%\$#" \$%#3, .0+ ./,0"<-	L-M NO PJQR		-.21"C.2"- .65>.12"L21,>201BR	8#\$9\$9\$
			-6"\$#&@		\$\$#84"\$8\$**8)\$9\$	1,003.49
					Total :	
"#\$%#@#)	'()("\$#"	@%\$#4##", .221<D"2/, +	\$)(\$(#8\$)(#&(#"		105 "<>H<./.>.1	'@#9\$9\$
					##8)"84&8\$)"&\$	"%9\$9\$
					##8)"84&8\$)"&\$	90.00
					Total :	
"#\$%#@#"	'()("\$#"	@%\$#4&&""21F1<D"E.<1	\$)(\$(#8\$)(#&(#"		?B6"B2/712	"#@\$9\$9\$
					##8)"84&8\$)"&\$	"89"\$
					##8)"84&8\$)"4%\$	237.20
					Total :	
"#\$%#@#="	'()("\$#"	@%\$#=#""C3.21<D"6+2/+ "19	\$4(#(#8\$)(#&(#"		: >6H+ "0<2>-, .2	"#)\$9\$9\$
					\$(8)"844&8\$)*=\$	140.00
					Total :	
"#\$%#@#&	'()("\$#"	@%\$#44""B1S61B/+)%\$\$\$4#@\$#="		B.6+/0"21A/<.2+ ./,0"T"186+/3 "2. <	"\$9\$9\$"
					\$\$8#%\$8\$\$\$8\$)*\$	50.95
					Total :	
"#\$%#@#@	'()("\$#"	@%\$#&&""H1+33D"E.<?>+	\$4(#(#8\$)(#&(#"		H.BF "<>35/0A"T"- .21"<.2 10A, ?	"#4'9\$9\$
					\$(8)"844&8\$)*=\$	135.00
					Total :	
"#\$%#@#%	'()("\$#"	@%\$#@31"6+/3/0A""0-9	**\$4'	####4	>/3/F "H/33/0A"6+/3/0A"<12 7/-1	"%9&="
			**\$4=	####4	\$&\$84@8\$\$\$\$\$8)4\$9\$	"%9&="
					\$&\$84=\$8\$\$\$\$\$8)4\$9\$	"#9'\$
					6+2-?"\$#8"<. 2+A1"C11<	"#9'\$
					\$&\$84@8\$\$\$\$\$8)4\$9\$	144.52
					Total :	
"#\$%@*\$	'()("\$#"	@%\$#=\$""<?12+. 0"<+0"B/1A.	.2+ 713		-2/</<"/0.12 710./,0" , 2+/0/0A"6+ 0	"=)\$9#)
					\$\$8\$**84=@@8)4=\$	
					5ÄIJK	*\$

vchlist	Voucher List					Page:	21
04/29/2015	CITY OF SAN FERNANDO						
Bank code : ÄÄ !							
Voucher	Date	Vendor	Invoice	PO #	Description/Account		Amount
"\$%@\$"	' ()("\$#'	@%#=\$% @%#=\$%"<?12+ 0"<+0"B/1A.	L-M NO PJQR			Total :	640.14
"\$%@\$#"	' ()("\$#'	@%#="4""<+2A10, ",..0"53+00/OA	#\$\$ #	####4	<+0"C120+0B." , 2+0</, ".2/10,1B "E ##48#"S84=848)"&\$		"#&D)%>9=\$
						Total :	17,496.60
"\$%@\$**"	' ()("\$#'	@%#&##-?/1C"3+ ;;"10C.2-1610, ">553 F	###44%		>0(C.26"<>553/1< \$\$#8***8\$\$\$\$\$)4\$\$		"49&&
						Total :	33.77
"\$%@\$'4"	' ()("\$#'	@%#&=""?"120+0B1:D"?/3B+	\$4(("#8\$)(#)(#'		F.A+ "/0<,2>-,. .2 \$#88)"\$8#44&8)"=\$		"#\$9\$\$
						Total :	150.00
"\$%@\$")"	' ()("\$#'	@%#&=""?2.B2/A>1:D"5+, 2/-/+	\$4(("#8\$)(#)(#'		3+ /0"E+6";.2U>., "/0<,2>-,. .2 \$#88)"\$8#44&8)"=\$		"#\$9\$\$\$
						Total :	100.00
"\$%@\$""	' ()("\$#'	@%#&=&""-?71:D"13"/+H1,?	\$4(("#8\$)(#)(#'		: >6H+ "/0<,2>-,. .2 \$#88)"\$8#44&8)"=\$		"#4'9\$\$
						Total :	235.00
"\$%@\$'="	' ()("\$#'	@%#&&&""/22/A*0"1S521<<	#\$\$&\$"8\$\$		6+ ,G3<"C.2"/22/A"215 +/2<"X "3.51:" \$\$#84%\$8\$)#\$8)4\$\$		"=9@&
			#\$\$%\$@=8\$\$		6+ ,G3<"C.2"/22/A"215 +/2<"X"5/.01 1		"@'"94#
			#\$\$%\$=)8\$\$		6+ ,G3<"C.2"/22/A+ ,./0"215 +/2"X"2 >		"#g+"
			#\$\$%&\$\$		/22/A+ ,./0"<>553/1< \$\$#84%\$8\$)&8\$)4\$\$		"%\$9#&
			#\$\$%&&8\$)		6+ ,G3<"C.2"/22/A+ ,./0"215 +/2<"X" 5 \$\$#84%\$8\$)#\$8)4\$\$		"#@9=*
			#\$\$%&%8\$\$		6+ ,G3<"C.2"/22/A"215 +/2<"X"5 +2U"+ \$\$#84%\$8\$)#\$8)4\$\$		"#\$94=
			#\$\$%&%48\$\$		6+ ,G3<"C.2"/22/A"215 +/2"X"5 +2U"+7 \$\$#84%\$8\$)#\$8)4\$\$		"#\$90\$#
			#\$\$%@"%8\$\$		6+ ,G3<"C.2"/22/A"215 +/2<"X"35 "5+2 \$\$#84%\$8\$)=8\$)4\$\$		"#=9")
						5ÄIJK	**
vchlist	Voucher List					Page:	22
04/29/2015	CITY OF SAN FERNANDO						
Bank code : ÄÄ !							
Voucher	Date	Vendor	Invoice	PO #	Description/Account		Amount
"\$%@\$'="	' ()("\$#'	@%#&&&""/22/A*0"1S521<<	L-M NO PJQR #\$\$#"\$8\$\$		6+ ,G3<"C.2"/22/A"215 +/2<"X"5/.01 1 \$\$#84%\$8\$)#\$8)4\$\$)&9&'
			#\$\$#"\$8\$\$		6+ ,G3<"C.2"/22/A"215 +/2"X"5/.011 2 \$\$#84%\$8\$)#\$8)4\$\$		"\$944
						Total :	411.91
"\$%@\$&"	' ()("\$#'	@%#@@\$@"102/Y>1:D"5/3+2"69	+52/3 "\$#'		- .66/<<.012G<"21/6H \$\$#8#"8\$\$\$\$\$)###		"\$9\$\$
						Total :	50.00
"\$%@\$'@"	' ()("\$#'	@%#@@"=?"13"5.2 , 2+/,	0.05.		C>0B/OA"C.2" +00>+3 "C211"C+6/3 F \$48#%)8%@4#8)4\$		"#D\$\$\$9\$\$
						Total :	1,000.00
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Voucher List
CITY OF SAN FERNANDO

Page: 23

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AGENDA REPORT

To: Mayor Joel Fajardo and Councilmembers

From: Brian Saeki, City Manager
By: Chris Marcarello, Deputy City Manager/Public Works Director

Date: May 4, 2015

Subject: Consideration to Approve the Appointment of Jon Brown to the Disaster Council

RECOMMENDATION:

It is recommended that the City Council approve the appointment of Jon Brown as representative of the American Red Cross to the Disaster Council for a two-year term.

BACKGROUND:

1. The Disaster Council was established to develop and recommend for adoption by the City Council, emergency and mutual aid plans and agreements and such ordinances and resolutions as are necessary to implement such plans and agreements.
2. On May 19, 2014, Brandy Welch and Nicolas Hippisely-Coxe (alternate) were appointed as Representatives of the American Red Cross to the Disaster Council for a two-year term.
3. On June 25, 2014, staff was notified that Nicolas Hippisely-Coxe (alternate) had been reassigned to a different territory.
4. On February 23, 2015, Brandy Welch notified staff she would be leaving the American Red Cross and that Jon Brown would be replacing her as the representative of the American Red Cross to the Disaster Council.
5. On April 1, 2015, Jon Brown contacted staff and expressed his interest in being appointed as the representative of the American Red Cross to the Disaster Council.

ANALYSIS:

Section 26-92 of the San Fernando City Code states:

Sec. 26-92. - Powers and duties; meetings.

Consideration to Approve the Appointment of Jon Brown to the Disaster CouncilPage 2 of 2

It shall be the duty of the disaster council and it is empowered to develop and recommend for adoption by the city council emergency and mutual aid plans and agreements and such ordinances and resolutions as are necessary to implement such plans and agreements. The disaster council shall meet at least quarterly and upon call of the chairman or, in his absence from the city or inability to call such meeting, upon call of the vice-chairman.
(Code 1957, § 7.4)

The Disaster Council has been especially active in the last few years in developing disaster preparedness and emergency plans. The Disaster Council has had good attendance by other agencies including Los Angeles Fire Department, American Red Cross, Providence Holy Cross Hospital, and Los Angeles Search and Rescue. The Disaster Council provides an opportunity to maintain relations with these important agencies and others serving the City of San Fernando. The Public Works Department and the Police Department work together to facilitate the meetings.

BUDGET IMPACT:

None.

CONCLUSION:

The appointments of Disaster Council members are important towards achieving a quorum to hold meetings.

Staff recommends the appointment of Jon Brown as representative of the American Red Cross to the Disaster Council for a two-year term.

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AGENDA REPORT

To: Mayor Joel Fajardo and Councilmembers

From: Brian Saeki, City Manager
By: Chris Marcarello, Deputy City Manager/Public Works Director

Date: May 4, 2015

Subject: Consideration to Adopt a Resolution Approving the Renewal of the General Services Agreement with the County of Los Angeles

RECOMMENDATION:

It is recommended that the City Council:

- a. Adopt Resolution No. 7673 (Attachment "A") approving the renewal of the General Services Agreement (GSA) (Exhibit "A" – Contract No. 1788) between the City of San Fernando and the County of Los Angeles for a five-year period (July 1, 2015 through June 30, 2020); and
- b. Authorize the City Manager to execute the agreement.

BACKGROUND:

1. On February 16, 2010, the City Council approved the renewal of a five-year GSA (July 1, 2010 through June 30, 2015) with the County of Los Angeles.
2. The City recently received notification from the County of Los Angeles that the GSA would expire June 30, 2015. The County requested that the City adopt a Resolution approving the renewal of the GSA.

ANALYSIS:

The GSA is general in nature and provides authority for the County to provide services requested by the City on an as-needed basis. It also specifies the method by which the City requests and pays for a service and provides for the annual adjustment of rates.

The approval of the Resolution does not change in any way the GSA and services provided hereunder. The GSA primarily consists of miscellaneous services which the City requests from the County on an as-needed basis. They include such services as predatory animal control,

Consideration to Adopt a Resolution Approving the Renewal of the General Services Agreement with the County of Los AngelesPage 2 of 2

prosecution of City ordinances, direct assessment collection, and a variety of public works activities. Ongoing and specific services, such as, public health code enforcement, and animal care and control, are handled separately by the responsible County departments under Specific Service Agreements.

BUDGET IMPACT:

The approval of this resolution and agreement will authorize services to be provided on an as-needed basis and does not commit the City to a fixed cost. Any costs related to these as-needed services will be included as part of the City's annual operating budget.

CONCLUSION:

It is recommended that the City Council approve the renewal of the General Services Agreement between the City of San Fernando and the County of Los Angeles for a five-year period.

ATTACHMENT:

A. Resolution No. 7673

ATTACHMENT "A"**RESOLUTION NO. 7673****A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN FERNANDO APPROVING THE RENEWAL OF THE GENERAL SERVICES AGREEMENT BETWEEN THE CITY OF SAN FERNANDO AND THE COUNTY OF LOS ANGELES**

WHEREAS, the current General Services Agreement between the City of San Fernando and the County of Los Angeles will expire on June 30, 2015; and

WHEREAS, the City of San Fernando desires to continue to use the services of the County under the General Services Agreement.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAN FERNANDO DOES HEREBY RESOLVE, FIND, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. To approve the renewal of the General Services Agreement between the City of San Fernando and the County of Los Angeles; and

SECTION 2. To authorize the Mayor to execute the General Services Agreement between the City of San Fernando and the County of Los Angeles, included herein as Exhibit "A".

PASSED, APPROVED, AND ADOPTED this 4th day of May, 2015.

Joel Fajardo, Mayor

ATTEST:

Elena G. Chávez, City Clerk

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss
CITY OF SAN FERNANDO)

I HEREBY CERTIFY that the foregoing Resolution was approved and adopted at a regular meeting of the City Council held on the 4th day of May, 2015, by the following vote to wit:

AYES:

NOES:

ABSENT:

Elena G. Chávez, City Clerk

GENERAL SERVICES AGREEMENT

THIS GENERAL SERVICES AGREEMENT ("Agreement"), dated for purposes of reference only, June 1, 2015, is made by and between the County of Los Angeles, hereinafter referred to as the "County", and the City of San Fernando, hereinafter referred to as the "City."

RECITALS:

(a) The City is desirous of contracting with the County for the performance by its appropriate officers and employees of City functions.

(b) The County is agreeable to performing such services on the terms and conditions hereinafter set forth.

(c) Such contracts are authorized and provided for by the provisions of Section 56½ of the Charter of the County of Los Angeles and Section 51300, *et seq.*, of the Government Code.

THEREFORE, THE PARTIES MUTUALLY AGREE AS FOLLOWS:

1. The County agrees, through its officers, agents and employees, to perform those City functions, which are hereinafter provided for.

2. The City shall pay for such services as are provided under this Agreement at rates to be determined by the County Auditor-Controller in accordance with the policies and procedures established by the Board of Supervisors.

These rates shall be readjusted by the County Auditor-Controller annually effective the first day of July of each year to reflect the cost of such service in accordance with the policies and procedures for the determination of such rates as adopted by the Board of Supervisors of County.

3. No County agent, officer or department shall perform for said City any function not coming within the scope of the duties of such officer or department in performing services for the County.

4. No service shall be performed hereunder unless the City shall have available funds previously appropriated to cover the cost thereof.

5. No function or service shall be performed hereunder by any County agent, officer or department unless such function or service shall have been requested in writing by the City on order of the City Council thereof or such officer as it may designate and approved by the Board of Supervisors of the County, or such officer as it may designate, and each such service or function shall be performed at the times and under circumstances which do not interfere with the performance of regular County operations.

6. Whenever the County and City mutually agree as to the necessity for any such County officer or department to maintain administrative headquarters in the City, the City shall furnish at its own cost and expense all necessary office space, furniture, and furnishings, office supplies, janitorial service, telephone, light, water, and other utilities. In all instances where special supplies, stationery, notices, forms and the like must be issued in the name of the City, the same shall be supplied by the City at its expense.

It is expressly understood that in the event a local administrative office is maintained in the City for any such County officer or department, such quarters may be used by the County officer or department in connection with the performance of its duties in territory outside the City and adjacent thereto provided, however, that the performance of such outside duties shall not be at any additional cost to the City.

7. All persons employed in the performance of such services and functions for the City shall be County agent, officer or employee, and no City employee as such shall be taken over by the County, and no person employed hereunder shall have any City pension, civil service, or other status or right.

For the purpose of performing such services and functions, and for the purpose of giving official status to the performance hereof, every County agent, officer and employee engaged in performing any such service or function shall be deemed to be an agent, officer or employee of said City while performing service for the City within the scope of this agreement.

8. The City shall not be called upon to assume any liability for the direct payment of any salary, wages or other compensation to any County personnel performing services hereunder for the City, or any liability other than that provided for in this agreement.

Except as herein otherwise specified, the City shall not be liable for compensation or indemnity to any County employee for injury or sickness arising out of his employment.

9. The parties hereto have executed an Assumption of Liability Agreement approved by the Board of Supervisors on December 27, 1977 and/or a Joint Indemnity Agreement approved by the Board of Supervisors on October 8, 1991. Whichever of these documents the City has signed later in time is currently in effect and hereby made a part of and incorporated into this agreement as set out in full herein. In the event that the Board of Supervisors later approves a revised Joint Indemnity Agreement and the City executes the revised agreement, the subsequent agreement as of its effective date shall supersede the agreement previously in effect between the parties hereto.

10. Each County agent, officer or department performing any service for the City provided for herein shall keep reasonably itemized and in detail work or job records covering the cost of all services performed, including salary, wages and other compensation for labor; supervision and planning, plus overhead, the reasonable rental value of all County-owned machinery and equipment, rental paid for all rented machinery or equipment, together with the cost of an operator thereof when furnished with said machinery or equipment, the cost of all machinery and supplies furnished by the County, reasonable handling charges, and all additional items of expense incidental to the performance of such function or service.

11. All work done hereunder is subject to the limitations of the provisions of Section 23008 of the Government Code, and in accordance therewith, before any work is done or services rendered pursuant hereto, an amount equal to the cost or an amount 10% in excess of the estimated cost must be reserved by the City from its funds to insure payment for work, services or materials provided hereunder.

12. The County shall render to the City at the close of each calendar month an itemized invoice which covers all services performed during said month, and the City shall pay County therefore within thirty (30) days after date of said invoice.

If such payment is not delivered to the County office which is described on said invoice within thirty (30) days after the date of the invoice, the County is entitled to recover interest thereon. Said interest shall be at the rate of seven (7) percent per annum or any portion thereof calculated from the last day of the month in which the services were performed.

13. Notwithstanding the provisions of Government Code Section 907, if such payment is not delivered to the County office which is described on said invoice within

thirty (30) days after the date of the invoice, the County may satisfy such indebtedness, including interest thereon, from any funds of any such City on deposit with the County without giving further notice to said City of County's intention to do so.

14. This Agreement shall become effective on the date herein-above first mentioned and shall run for a period ending June 30, 2020, and at the option of the City Council of the City, with the consent of the Board of Supervisors of County, shall be renewable thereafter for an additional period of not to exceed five (5) years.

15. In the event the City desires to renew this Agreement for said five-year period, the City Council shall not later than the last day of May 2020, notify the Board of Supervisors of County that it wishes to renew the same, whereupon the Board of Supervisors, not later than the last day of June 2020, shall notify the City Council in writing of its willingness to accept such renewal. Otherwise such Agreement shall finally terminate at the end of the aforescribed period.

Notwithstanding the provisions of this paragraph herein-above set forth, the County may terminate this Agreement at any time by giving thirty (30) days' prior written notice to the City. The City may terminate this Agreement as of the first day of July of any year upon thirty (30) days' prior written notice to the County.

16. This Agreement is designed to cover miscellaneous and sundry services which may be supplied by the County of Los Angeles and the various departments thereof. In the event there now exists or there is hereafter adopted a specific contract between the City and the County with respect to specific services, such contract with respect to specific services shall be controlling as to the duties and obligations of the parties anything herein to the contrary notwithstanding, unless such special contract adopts the provisions hereof by reference.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed by their duly authorized officers.

Executed this _____ day of _____ 2015.

The City of San Fernando,

By _____
Mayor

ATTEST:

City Clerk

THE COUNTY OF LOS ANGELES

By _____
Deputy

By _____
Mayor of the Board

ATTEST:

PATRICK OGAWA
Acting Executive Officer/Clerk
of the Board of Supervisors

By _____
Deputy

APPROVED AS TO FORM:

MARK J SALADINO
County Counsel

By _____
Deputy

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AGENDA REPORT

To: Mayor Joel Fajardo and Councilmembers

From: Brian Saeki, City Manager
By: Margarita Solis, City Treasurer

Date: May 4, 2015

Subject: Consideration to Adopt a Resolution Approving the Investment Policy for Fiscal Year 2015-2016

RECOMMENDATION:

It is recommended that the City Council adopt Resolution No. 7671 (Attachment "A"), approving the annual Investment Policy for Fiscal Year 2015-2016.

BACKGROUND:

1. On January 1, 1996, SB 564 went into effect which requires that the City Treasurer render annually to the legislative body for consideration at a public meeting, a statement of investment policy.
2. Since 1996, the investment policy has been reviewed annually by the City Manager, Finance Director and City Treasurer and has been presented to the City Council for approval.
3. The proposed policy has been reviewed by City Manager, Finance Director, and City Treasurer.

ANALYSIS:

The ultimate investment goal of a good investment policy is to enhance the economic status of the City while protecting funds under management and meeting the daily cash flow demands of the City. The proposed Investment Policy requires investments be selected based on safety, liquidity, and yield, in that order, and are made in accordance with California Government Code, Sections 53600 et. seq.

The City attempts to obtain the highest yield possible when selecting investments, providing that criteria for safety and liquidity are met. For the last few years, the City has only has sufficient liquidity to invest in the Local Agency Investment Fund (LAIF), which is a very low

Consideration to Adopt Resolution No. 7671 Approving the Investment Policy for Fiscal Year 2015-2016Page 2 of 2

yielding, but highly liquid, investment. The City is now in a position that there is sufficient liquidity to start investing in longer term, higher yielding investments.

The proposed Investment Policy authorizes investment in a number of investment vehicles that may offer higher yields while maintaining the safety and liquidity criteria.

BUDGET IMPACT:

Investment in higher yield investments may result in additional investment income earned by all City funds.

CONCLUSION:

Approval of the annual Investment Policy by the City Council will ensure that the City complies with the SB 564 requirement.

ATTACHMENT:

A. Resolution No. 7671, including Exhibit 1 - Investment Policy

ATTACHMENT “A”**RESOLUTION NO. 7671****A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
SAN FERNANDO, CALIFORNIA, ADOPTING THE ANNUAL
INVESTMENT POLICY FOR FISCAL YEAR 2015-2016.**

WHEREAS, Senate Bill 564, effective January 1, 1996, requires the City Treasurer present a statement of investment policy annually to the City Council; and

WHEREAS, a responsible investment policy enhances the economic status of the City while protecting funds under management and meeting the daily cash flow demands of the City.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF SAN FERNANDO, DOES HEREBY RESOLVE, FIND, DETERMINE AND ORDER AS FOLLOWS:

Section 1. The City Council hereby establishes the Investment Policy, attached hereto as Exhibit “1” and incorporated herein by this reference.

PASSED, APPROVED, AND ADOPTED this 4th day of May, 2015.

Joel Fajardo, Mayor

ATTEST:

Elena G. Chávez, City Clerk

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss
CITY OF SAN FERNANDO)

I HEREBY CERTIFY that the foregoing Resolution was approved and adopted at a regular meeting of the City Council held on the 4th day of May, 2015, by the following vote to wit:

AYES:

NOES:

ABSENT:

Elena G. Chávez, City Clerk

CITY OF SAN FERNANDO		POLICY/PROCEDURE
NUMBER		SUBJECT INVESTMENT POLICY
ORIGINAL ISSUE 5/04/2015	EFFECTIVE 5/04/2015	
CURRENT ISSUE	EFFECTIVE	
SUPERSEDES		CATEGORY FINANCE

Section 1. Purpose.

This Policy is intended to provide specific criteria for the prudent investment of City funds. The ultimate investment goal is to enhance the economic status of the City while protecting funds under management and meeting the daily cash flow demands of the City.

Section 2. Statement of Policy.

The City's cash management system is designed to accurately monitor and forecast expenditures and revenues, thus enabling the City to invest funds to the fullest extent possible. The City attempts to earn the highest yield obtainable while keeping within the investment criteria established for the safety and liquidity of public funds.

The Finance Director shall establish procedures that separate the internal responsibility for management and accounting of the investment portfolio. An analysis by an external independent auditor shall be conducted annually to review internal controls, account activity and compliance with policies and procedures.

San Fernando operates its temporary pooled idle cash investment under the prudent investor standard (i.e., such a trustee must act with the "care, skill, prudence and diligence...that a prudent investor...would use in the conduct of funds of a like character and with like aims, to safeguard the principal and maintain the liquidity needs of the agency"). This affords the City a broad spectrum of investment opportunities as long as the investment is deemed prudent and allowable under current legislation of the State of California (Government Code Section 53600 et seq.)

Criteria for selecting investments and the order of priority are:

1. **SAFETY** – The safety and risk associated with an investment refers to the potential loss of principal, accrued interest or both. Protection of the public funds entrusted to the Treasurer is the paramount criteria used to evaluate the investment instruments available.
2. **LIQUIDITY** – This refers to the ability to convert an investment to cash at any moment in time with minimal risk of forfeiting a portion of principal or interest. Liquidity is an essential investment requirement especially in light of the City's need to be able to meet emergency financing demands of the community at any time.

INVESTMENT POLICY**Page 2**

3. YIELD – It is the potential dollar earnings an investment can provide and is described as the market rate of return. As a general rule, yields tend to mirror the inherent risk and liquidity characteristics of the particular investment and thus can only be evaluated after those investment criteria are satisfied.

Authorized Investments

All investments shall be made in accordance by the California Government Code, Sections 53600 et. seq. Within the context of these limitations and based on the cost at the time of purchase, the following investments are authorized as further limited herein:

1. U.S. Treasuries

The U.S. Treasury Bills, Bonds, and Notes, or those for which the full faith and credit of the U.S. are pledged for payment of principal and interest provided that:

- a) There is no limitation as to the percentage of the portfolio that can be invested in this category.

2. U.S. Agencies

The Obligations issued by the Government National Mortgage Association (GNMA), the Federal Farm Credit Bank System (FFCB), the Federal Home Loan Bank Board (FHLB), Federal Home Loan Mortgage Corporation (FHLMC), Federal National Mortgage Association (FNMA), and the Student Loan Marketing Association (SLMA) provided that:

- a) No more than 30% of the cost (book) value of the portfolio will be invested in any one agency.

3. Bankers' Acceptances

Bills of exchange or time drafts drawn on and accepted by a commercial bank provided that:

- a) Bankers' Acceptances purchased may not exceed 180 days to maturity or 25% of the cost (book) value of the portfolio;
- b) No more than 5% of the cost (book) value of the portfolio may be invested in Bankers' Acceptances issued by any one bank;
- c) Prior to the purchase of any Banker's Acceptance, the portfolio manager shall review the rating of the issuing bank; and
- d) Bankers' Acceptances of issuing financial institutions shall have both a short and long term rating in the highest category by at least one nationally recognized rating agency at the time of purchase.

4. Commercial Paper

- a) The paper is ranked P1 by Moody's Investor Services and A1 by S&P, and have an minimum of A by both rating agencies;
- b) Issued by a domestic corporation having assets in excess of \$500 million;

INVESTMENT POLICY**Page 3**

- c) Purchases of eligible paper may not exceed 270 days to maturity nor represent more than 10% of the outstanding paper of an issuing corporation;
- d) May not exceed 15% of the cost value of the portfolio at time of purchase; and
- e) No more than 5% of the cost value of the portfolio may be invested in Commercial Paper issued by any one corporation.

5. Certificates of Deposit

Cash will be invested only in FDIC Insured, Certificates of Deposit or fully collateralized Certificates of Deposit. Collateral for a given investment must be 110% of principal for government securities collateral and 150% of principal for first mortgage collateral. No more than 1% of the portfolio, not to exceed \$1 million, shall be invested in any one institution. An institution must meet the following criteria to be considered by the City:

- a) For investments greater than \$100,000 the institution must maintain \$100 million in assets. For investments greater than \$300,000 the institution must maintain at least \$300 million in assets.
- b) The city will not invest in any institution less than five years old.

6. Repurchase Agreements

- a) No more than 25% of the cost value of the portfolio may be invested in repurchase agreements at any time; and
- b) The maturity of repurchase agreements shall not exceed 75 days.

In order to conform with provisions of the Federal Bankruptcy Code which provides for the liquidation of securities held as collateral for repurchase agreements, the only securities acceptable as collateral shall be securities that are direct obligations of, or that are fully guaranteed as to principal and interest by, the United States Government such as Treasury bills, Treasury notes or Treasury bonds with less than a five year maturity.

7. Local Agency Investment Fund (LAIF)

- a) The City may invest in the LAIF established by the State Treasurer for the benefit of local agencies up to the maximum permitted by State Law.

8. Municipal Bonds

- a) Bonds issued by local agencies in the State of California be rated "AA" or better. "AA" rated bonds shall be limited to 36 months maximum maturity and "AAA" rated bonds shall be limited to 60 months maximum maturity.

Upon any announcement of negative credit watch or downgrade by a major rating agency of any issue within the portfolio, the investment manager should contact the Finance Director and recommend a course of action. If at any time a security falls below "investment grade," the investment manager should obtain the best bid and take the necessary steps toward liquidation.

INVESTMENT POLICY**Page 4****9. Corporate Medium Term Notes**

- a) Must have an “AA” or better rating criteria at time of purchase. “AA” rated medium term notes shall be limited to 36 months maximum maturity and “AAA” rated medium term notes shall be limited to 60 months maximum maturity;
- b) Issued by a domestic corporation having assets in excess of \$500 million;
- c) The aggregate total of all purchased medium term notes may not exceed 20% of the cost value of the portfolio; and
- d) No more than 5% of the cost value of the portfolio may be invested.

Upon any announcement of negative credit watch or downgrade by a major rating agency of any issue within the portfolio, the investment manager should contact the Finance Director and recommend a course of action. If at any time a security falls below “investment grade,” the investment manager should obtain the best bid and take the necessary steps toward liquidation.

10. Money Market Mutual Funds

- a) Must have a rating of AAA/Aaa or an equivalent by one or more national rating agencies with no load maintained at \$1 par value;
- b) No more than 20% of portfolio value may be invested;
- c) Investment in a single mutual fund will not to exceed 10% of the cost value (book value) of the total portfolio exclusive of the fiscal agent cash portfolio; and
- d) The City’s investment in any specific mutual fund will not exceed 2% of that mutual fund’s total assets.

Considerations for Investments

The City attempts to obtain the highest yield possible when selecting investments, providing that criteria for safety and liquidity are met. Ordinarily, because investments normally carry a positive yield curve, (i.e., longer term investments have higher rates than shorter maturities), the City attempts to stagger its maturities to meet anticipated cash needs in such a way that new investment money can be placed in maturities that carry a higher rate that is available in the short market of 30 days or under. Furthermore, maturities are selected to anticipate cash needs of the City, thereby obviating the need for forced liquidation.

City Constraints

The City Treasurer is responsible for managing the City’s investment portfolio in accordance with Federal and State laws as well as this policy. Longer term investments (i.e., over one year) are limited to maturities of five years or less.

The City strives to maintain an appropriate level of investment of all funds through daily and projected cash flow determinations. Idle cash management and investment transactions are the responsibility of the City Treasurer in consultation with the Finance Director.

The basic premise underlying the City’s investment philosophy is, and will continue to be, to insure that money

INVESTMENT POLICY**Page 5**

is always safe and available when needed.

The City Treasurer or the Deputy Treasurer and/or Finance Director in the absence of the City Treasurer shall continually review the financial condition of proposed depositories of City funds. The City should demand a copy of the latest financial statements and audit reports prior to investment and any reports issued during the period of the investment.

Investment Strategy

1. When making an investment decision, the purchase of an investment is made with the intent of holding that investment to maturity.
2. Cash flow projections are fully utilized to balance the liquidity needs at all times.
3. At least bi-weekly, economic forecasts are obtained from financial experts in the field through bankers and brokers.
4. Close rapport is maintained with the City Manager, Finance Director, Public Works and other departments having a significant impact on cash flow.
5. The City will invest all City and Successor Agency to the Redevelopment Agency funds and the estimated checking accounts float, except for those amounts required by the City's banks to pay for bank services furnished to the City.
6. Depending on market conditions, time deposits are maintained in commercial banks and savings and loan institutions. Particular attention is paid to investment opportunities available from financial institutions within the City of San Fernando so as to contribute to the economic vitality of the community.
7. Safekeeping: Securities purchased from brokers/dealers shall be held in third party safekeeping by the City's third party custodian. Said securities shall be held in the name of the City of San Fernando with the trustee executing investment transactions as directed by the Treasurer.

Prohibited and Restricted Investments

The City will not invest in derivative-type investments which are now prohibited by law, inverse floaters, range notes, interest- only strips derived from a mortgage pool, equity linked securities, swaps, margin/leveraging, and any security that could result in zero interest accrual if held to maturity. The City will not invest in reverse repurchase agreements. The City will not engage in speculative buying.

Investment Policy Adoption

The investment plan and strategy are reviewed and updated as needed, and no less often than annually.

INVESTMENT POLICY**Page 6****Section 3. Exceptions.**

There will be no exceptions to this policy, except as may be approved by the City Council.

Section 4. Authority.

By order of City Council Resolution 7671, this Policy was adopted by the City Council on May 4, 2015.

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AGENDA REPORT

To: Mayor Joel Fajardo and Councilmembers

From: Brian Saeki, City Manager
By: Margarita Solis, City Treasurer

Date: May 4, 2015

Subject: Consideration to Adopt a Resolution Authorizing the City Treasurer and Deputy City Treasurer to Invest Surplus Funds

RECOMMENDATION:

It is recommended that the City Council adopt Resolution No. 7672 (Attachment "A") authorizing the City Treasurer and Deputy City Treasurer to invest surplus funds.

BACKGROUND:

Pursuant to Government Code Section 53607, the City Council may delegate to the City Treasurer the authority to make investments. The City Council has delegated this authority to the City Treasurer and Deputy City Treasurer in past years. The Government Code requires that, if the City Council wishes to delegate this authority to the Treasurer, this delegation must be readopted annually.

The Resolution would renew for one year the delegation to the City Treasurer and Deputy City Treasurer the authority to invest surplus funds of the City.

BUDGET IMPACT:

None

ATTACHMENT:

A. Resolution No. 7672

ATTACHMENT "A"**RESOLUTION NO. 7672****A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN FERNANDO AUTHORIZING THE CITY TREASURER AND DEPUTY CITY TREASURER TO INVEST SURPLUS FUNDS**

WHEREAS, the City Council of the City of San Fernando has determined that, as a policy and practice of the City, any monies ("Surplus Funds") in a sinking fund of, or surplus money in, its treasury not required for the immediate necessities of the City, may be invested in such a manner as to maximize the return thereof for the benefit of the City, its citizens and its taxpayers;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAN FERNANDO DOES HEREBY RESOLVE, FIND, DETERMINE, AND ORDER AS FOLLOWS:

SECTION 1. Any portion of any Surplus Funds in a sinking fund of, or surplus money in, the City Treasury not required for the immediate necessities of the City may be invested by the City in any investment medium permissible under state law for the investment of the funds of a General Law city.

SECTION 2. The investment of all Surplus Funds shall be made and maintained pursuant to Section 53601 of Title 5, Division 2 of the California Government Code.

SECTION 3. The authority of the City Council to invest or to reinvest surplus funds of the City, or to sell or exchange securities so purchased, is hereby delegated by the City Council to the Treasurer of the City ("Treasurer") and to the Deputy Treasurer of the City ("Deputy Treasurer"), who both shall assume full responsibility for such transactions until such time as this delegation of authority is revoked, and who shall make monthly reports of any and all such transactions to the City Council.

SECTION 4. The authority of the City Council is hereby delegated to the Treasurer or Deputy Treasurer to deposit for safekeeping with a federally chartered or state chartered savings and loan association, a trust company or a state or national bank located within the State of California or with the Federal Reserve Bank of San Francisco or any branch thereof within the state, or with any Federal Reserve Bank or with any state or national bank located in any city designated as a reserve city by the Boards of Governors of the Federal Reserve System, the bonds, notes, bills, debentures, obligations, certificates of indebtedness, warrants, or other evidences of indebtedness in which the Surplus Funds of the City is invested pursuant to this Resolution. The Treasurer or Deputy Treasurer shall take from such financial institution a receipt for securities so deposited. The Treasurer or Deputy Treasurer shall not be responsible for securities delivered to and receipted for by a financial institution until they are withdrawn from the financial institution by the Treasurer or Deputy Treasurer.

PASSED, APPROVED, AND ADOPTED this 4th day of May, 2015.

Joel Fajardo, Mayor

ATTEST:

Elena G. Chávez, City Clerk

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss
CITY OF SAN FERNANDO)

I HEREBY CERTIFY that the foregoing Resolution was approved and adopted at a regular meeting of the City Council held on the 4th day of May, 2015, by the following vote to wit:

AYES:

NOES:

ABSENT:

Elena G. Chávez, City Clerk

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AGENDA REPORT

To: Mayor Joel Fajardo and Councilmembers

From: Brian Saeki, City Manager
By: Nick Kimball, Finance Director

Date: May 4, 2015

Subject: Consideration to Adopt Resolution No. 7670 Appointing the City's Representatives to the Independent Cities Risk Management Authority (ICRMA) Governing Board.

RECOMMENDATION:

It is recommended that the City Council adopt Resolution No. 7670 re-affirming Vice Mayor Sylvia Ballin as the primary representative, appointing Finance Director Nick Kimball as the Alternate Representative, and re-affirming Personnel Manager Michael Okafor as the Substitute Alternate representative to the ICRMA Governing Board.

BACKGROUND:

1. ICRMA is a joint powers authority that provides risk management programs for approximately 21 member cities in the area of general liability, workers' compensation, property, earthquake and other related pooled insurance coverages.
2. The City of San Fernando has been a member of ICRMA since July 1, 1986, and is required to have a primary and alternate representative appointed to the Governing Board to attend and vote during Board meetings. ICRMA also allows cities to have a substitute alternate representative who can attend and vote during board meetings, if the other members cannot attend. The primary board member must be an elected official from the City, while the alternate and substitute alternate can either be another elected official and/or an appointed staff member.
3. Governing Board meetings are currently held on the second Wednesday of even-numbered months. The meetings are during the day and typically last approximately three to four hours.

Consideration to Adopt Resolution No. 7670 Appointing the City's Representatives to the Independent Cities Risk Management Authority (ICRMA) Governing Board.Page 2 of 2

ANALYSIS:

Staff is recommending appointing Finance Director Nick Kimball as the City's Alternate Representative on the Governing Board in place of the City Manager, who is currently the Alternate Representative. The Finance Director has experience in Risk Management and has attended ICRMA meetings representing another member City in the past.

Due to the technical nature of the insurance and risk management programs, as well as the financial impact associated with those programs, it is in the City's best interest to appoint members that have risk management experience and attend meetings regularly. The Finance Director has been attending Governing Board meetings regularly since joining the City and is part of an ICRMA ad hoc committee formed to review the experience modification formula used by the risk pool.

Adoption of a new Resolution is required by ICRMA when board members are changed or added. Therefore, a new Resolution is required to appoint a new Alternate Representative.

BUDGET IMPACT:

There is no budget impact associated with adoption of this Resolution; however, it is advantageous to appoint the Finance Director as a representative to the Governing Board due to the financial impact of risk management and insurance programs.

CONCLUSION:

Approval of the Governing Board Members will ensure the City will continue to be properly represented at ICRMA Governing Board meetings.

ATTACHMENT:

A. Resolution No. 7670

RESOLUTION NO. 7670**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN FERNANDO APPOINTING A REPRESENTATIVE, AN ALTERNATE REPRESENTATIVE AND SUBSTITUTE ALTERNATE REPRESENTATIVE TO THE GOVERNING BOARD OF THE INDEPENDENT CITIES RISK MANAGEMENT AUTHORITY (ICRMA)**

WHEREAS, the City of San Fernando ("City") is a member of the Independent Cities Risk Management Authority ("ICRMA"), a joint powers authority created pursuant to the provisions of the California Government Code; and

WHEREAS, ICRMA provides a Liability Risk Management Program, Property Risk Management Program, Workers' Compensation Risk Management Program, and other programs for its members; and

WHEREAS, the Joint Powers Agreement provides that the City Council of each member City shall appoint a member of the City Council as that City's representative to the ICRMA Governing Board and also authorizes the appointment of an alternate representative and a substitute representative to represent the City's interest in the absence of the City Council appointee; and

WHEREAS, City desires to designate its representatives to the ICRMA Governing Board.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAN FERNANDO DOES HEREBY RESOLVE, FIND, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. That Sylvia Ballin (an elected official) is hereby appointed to serve on the ICRMA Governing Board and to the Risk Management Programs in which this City participates.

SECTION 2. That Nick Kimball (a staff person) is hereby appointed as the alternate, to serve on the ICRMA Governing Board and to the Risk Management Programs in which this City participates in the absence of the primary member noted in Section 1 above.

SECTION 3. That Michael Okafor (a staff person) is hereby appointed as the substitute alternate, to serve on the ICRMA Governing Board and to the Risk Management Programs in which this City participates in the absence of the primary and alternate members noted in Sections 1 and 2 above.

SECTION 4. That the individuals designated by this City Council as the City's representative, alternate and substitute alternate representatives to the ICRMA Governing Board and to the Risk Management Programs in which this City participates are hereby confirmed and

designated as the City's delegates for all purposes of representing the City's interests and exercising the authority of the City with respect to the Coverage and the Program and voting on behalf of the City on all matters delegated to the Governing Board and signing such amendments as are contemplated to be approved by the Governing Board.

SECTION 5. That a certified copy of this Resolution shall be provided to the General Manager of the ICRMA.

PASSED, APPROVED, AND ADOPTED this 4th day of May, 2015.

Joel Fajardo, Mayor

ATTEST:

Elena G. Chávez, City Clerk

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss
CITY OF SAN FERNANDO)

I HEREBY CERTIFY that the foregoing Resolution was approved and adopted at a regular meeting of the City Council held on the 4th day of May, 2015, by the following vote to wit:

AYES:

NOES:

ABSENT:

Elena G. Chávez, City Clerk

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AGENDA REPORT

To: Mayor Joel Fajardo and Councilmembers

From: Brian Saeki, City Manager
By: Chris Marcarello, Deputy City Manager/Public Works Director

Date: May 4, 2015

Subject: Consideration to Adopt a Resolution Allowing Continued Participation in the California Home Energy Renovation Opportunity (HERO) Program Providing Financing for Renewable Energy and Water Efficiency Improvements

RECOMMENDATION:

It is recommended that the City Council adopt Resolution No. 7675 approving an amendment to the Los Angeles County Energy Program (LACEP) City Resolution in order to authorize the City's continued participation in the California HERO Program. (Attachment "A")

BACKGROUND:

Los Angeles County was recently approved as Renovate America's HERO program manager in Los Angeles County. This change means that Los Angeles County will become the bond issuer for all cities in the LACEP. This change requires the City of San Fernando to approve the attached resolution in order for residents and businesses to continue participating in the California HERO Program.

ANALYSIS:

Both Assembly Bill (AB) 811 (7/21/08) and AB 474 (1/1/10) amended Chapter 29 of Part 3 of Division 7 of the California Streets and Highways Code (Chapter 29), authorizing local legislative bodies to designate an area within which authorized public officials and willing property owners may enter into voluntary contractual assessments to finance the installation of distributed renewable energy sources, energy efficiency, and/or water conservation improvements that are permanently fixed to real property.

Under this legislation, several "Property-Assessed Clean Energy" (PACE) programs have been initiated to help property owners finance energy efficiency improvements. PACE Programs are a form of financing that creates municipal finance districts to provide loans to homeowners and

Consideration to Approve Resolution Allowing Continued Participation in the California Home Energy Renovation Opportunity (HERO) Program Providing Financing for Renewable Energy and Water Efficiency ImprovementsPage 2 of 3

businesses for energy-efficient retrofits and renewable energy system installations. Loans are repaid through an annual surcharge on property tax assessments.

The HERO Program was launched in Western Riverside County in 2012 and to date has been very successful – with the approval of over \$240 million in applications and the funding of approximately \$62 million in projects. The California HERO Program was developed as a turnkey program to save other public agencies time and resources in developing standalone programs.

On October 6, 2014, the City of San Fernando adopted a resolution authorizing resident and business participation in the California HERO Program. This action enabled local property owners to utilize the HERO Program to finance permanently fixed renewable energy, energy and water efficiency improvements, and electric vehicle charging infrastructure on their properties.

According to the HERO Program, since the program's start on March 24, 2015 there have been 22 applications for funding. Of this amount, 15 applications have been approved. As a result of the improvements funded under this program, the City will realize energy savings, the reduction of emissions, and the creation of construction activity in the community.

Los Angeles County was recently approved as Renovate America's HERO Program administrator for the LACEP on March 3, 2015. On May 10, 2015, Los Angeles County will become the bond issuer for all cities that have previously approved the LACEP resolution. As a result, the adoption of the attached resolution is required in order to keep the HERO Program available for the San Fernando community.

BUDGET IMPACT:

There is no fiscal impact to the City related to this action. All HERO Program costs are covered through an initial administrative fee included in participating property owners' voluntary contractual assessment and an annual administrative fee which is collected on the property owner's property tax bill.

CONCLUSION:

It is recommended that the City Council approve the attached resolution, authorizing continued participation in the California HERO Program and providing the community with a voluntary financing mechanism for energy efficiency improvements.

Consideration to Approve Resolution Allowing Continued Participation in the California Home Energy Renovation Opportunity (HERO) Program Providing Financing for Renewable Energy and Water Efficiency Improvements

Page 3 of 3

ATTACHMENT:

A. Resolution No. 7675

ATTACHMENT "A"**RESOLUTION NO. 7675**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN FERNANDO, STATE OF CALIFORNIA, CONSENTING TO INCLUSION OF PROPERTIES WITHIN THE INCORPORATED AREA OF THE CITY IN THE LOS ANGELES COUNTY ENERGY PROGRAM TO FINANCE DISTRIBUTED GENERATION RENEWABLE ENERGY SOURCES AND ENERGY AND WATER EFFICIENCY IMPROVEMENTS, APPROVING THE REPORT SETTING FORTH THE PARAMETERS OF THE REFERENCED PROGRAM AND CERTAIN MATTERS IN CONNECTION THEREWITH

WHEREAS, Chapter 29 of Part 3 of Division 7 of the California Streets and Highways Code (the "Act") authorizes cities and counties to assist free and willing property owners in financing the installation of distributed generation renewable energy sources and energy and water efficiency improvements (the "Improvements") that are permanently fixed to residential, commercial, industrial or other real property through a contractual assessment program; and

WHEREAS, the Board of Supervisors (the "Board of Supervisors") of the County of Los Angeles, a political subdivision of the State of California (the "County"), has established a contractual assessment program named the Los Angeles County Energy Program ("LACEP") pursuant to the Act; and

WHEREAS, the parameters of LACEP are set forth in the Report attached hereto as Exhibit A (the "Report") and such Report has been prepared by the Director of the Internal Services Department of the County, as Program Administrator (the "Program Administrator"), pursuant to Section 5898.22 of the Act and approved by the Board of Supervisors; and

WHEREAS, the Act authorizes the County to enter into contractual assessments with property owners located within incorporated cities only subsequent to the approval of the legislative body of the related city to participate in LACEP; and

WHEREAS, the City of San Fernando desires to participate with the County in LACEP, under terms and conditions agreed to by San Fernando and the County, and provide for participation in LACEP by property owners located within City limits; and

WHEREAS, this Council of the City (this "City Council") has reviewed the Report;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAN FERNANDO DOES HEREBY RESOLVE, FIND, DETERMINE AND ORDER AS FOLLOWS:

Section 1. The recitals set forth hereinabove are true and correct in all respects.

Section 2. This City Council finds and declares that properties in the City's incorporated area will be benefited by participation in LACEP.

Section 3. This City Council ratifies the resolution adopted by the Board of Supervisors on April 6, 2010 declaring the Board of Supervisors' intention to order the implementation of a contractual assessment program to finance Improvements pursuant to the Act.

Section 4. This City Council hereby approves the Report substantially in the form attached hereto as Exhibit A and finds and determines that changes to the parameters of LACEP that are not material in nature do not require the approval of this Council.

Section 5. This City Council hereby approves the inclusion in LACEP of all of the properties in the incorporated area within the City, as same may be amended through annexation from time to time, the acquisition, construction and installation within City limits of the Improvements set forth in the Report upon the request and agreement of the affected property owner, and the assumption of jurisdiction thereover by the County for the aforesaid purposes. The adoption of this Resolution by this City Council constitutes the approval by the City to participate in the LACEP. This City Council further authorizes the County to set the terms of and implement LACEP and to take each and every action necessary or desirable for financing the Improvements, including the levying, collecting and enforcement of the contractual assessments to finance the Improvements and the issuance of bonds secured by such contractual assessments.

Section 6. The City Clerk is directed to file a certified copy of this Resolution with the Los Angeles County Office of Sustainability, located at 1100 North Eastern Avenue, Los Angeles, California 90063.

Section 7. City staff is authorized and directed to coordinate with the County, including the Program Administrator and County staff, to facilitate operation of LACEP. City staff is also authorized and directed to do all acts and things which may be required by this Resolution, or which may be necessary or desirable in carrying out LACEP as described in the Report, as may be amended from time to time, and approved by this Resolution, and all matters incidental thereto.

PASSED, APPROVED, AND ADOPTED this 4th day of May, 2015.

Joel Fajardo, Mayor

ATTEST:

Elena G. Chávez, City Clerk

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss
CITY OF SAN FERNANDO)

I HEREBY CERTIFY that the foregoing Resolution was approved and adopted at a regular meeting of the City Council held on the 4th day of May, 2015, by the following vote to wit:

AYES:

NOES:

ABSENT:

Elena G. Chávez, City Clerk



AGENDA REPORT

To: Mayor Sylvia Ballin and Councilmembers

From: Brian Saeki, City Manager
By: Chris Marcarello, Deputy City Manager/Public Works Director

Date: October 6, 2014

Subject: Consideration to Adopt a Resolution Authorizing the City's Participation in the California HERO Program (Financing for Renewable Energy and Water Efficiency Improvements)

RECOMMENDATION:

It is recommended that the City Council:

- a. Adopt Resolution No. 7640 (Attachment "A") authorizing the City's participation in the California HERO Program, which will enable property owners to finance permanently fixed renewable energy and water efficiency improvements, and electric vehicle charging infrastructure on their properties; and
- b. Authorize the City Manager to execute an amendment to the Western Riverside Council of Governments Joint Powers Agreement (Attachment "A", Exhibit "A" – Contract No. 1764) adding the City of San Fernando as an associate member, which will allow local property owners to participate in the California HERO Program.

BACKGROUND:

1. Both Assembly Bill (AB) 811 (passed July 21, 2008) and Assembly Bill 474 (passed January 1, 2010) amended Chapter 29 of Part 3 of Division 7 of the California Streets and Highways Code (Chapter 29), authorizing local legislative bodies to designate an area within which authorized public officials and willing property owners may enter into voluntary contractual assessments to finance the installation of distributed renewable energy sources, energy efficiency, and/or water conservation improvements that are permanently fixed to real property.

Under this legislation, several "Property-Assessed Clean Energy" (PACE) programs have been initiated to help property owners finance energy efficiency improvements. PACE Programs are a form of financing that creates municipal finance districts to provide loans to homeowners and businesses for energy-efficient retrofits and renewable energy system

Consideration to Adopt a Resolution Authorizing the City's Participation in the California HERO Program (Financing for Renewable Energy and Water Efficiency Improvements)

Page 2 of 4

installations. Loans are repaid through an annual surcharge on property tax assessments. Through this financing program, two alternatives are available to help local property owners. Both entail the same programming options for property owners.

2. The HERO Program was launched in Western Riverside County in 2012 and has been very successful – approving over \$240 million in applications and funding over \$62 million in projects. The California HERO Program was developed as a turnkey program to save other public agencies time and resources in developing standalone programs. In order to participate in the program, public agencies need only to adopt the attached Resolution. Approval of this Resolution authorizes an amendment to the joint exercise of powers agreement related to the California HERO Program to initiate the process.

In addition, the County of Los Angeles is finalizing a new PACE program that will be available to the City. The program will be similar to the California HERO Program and will provide property owners with an additional alternative for financing energy efficiency improvements. It is anticipated that this program will be presented to the City Council for consideration before the end of 2014.

ANALYSIS:

The California HERO Program is being offered to allow property owners in participating cities and counties to finance renewable energy, energy water efficiency improvements, and electric vehicle charging infrastructure on their property. If a property owner chooses to participate, related property improvements will be financed by the issuance of bonds by a joint power authority, the Western Riverside Council of Governments (WRCOG), and secured by a voluntary contractual assessment levied on such owner's property. Participation in the program is 100% voluntary. Property owners wishing to participate in the program agree to repay monies through a voluntary contractual assessment collected together with their property taxes.

The application process for the California HERO Program includes the following:

- ✓ Property owners apply either online or through a hard copy application.
- ✓ If approved, the resident will receive an email indicating the maximum approval amount and information about the next steps.
- ✓ Property owners work with a licensed contractor to determine what eligible products to install. The contractor will need to call a program representative to obtain approval for the use of products.

Consideration to Adopt a Resolution Authorizing the City's Participation in the California HERO Program (Financing for Renewable Energy and Water Efficiency Improvements)

Page 3 of 4

- ✓ Financing documents will be sent to residents. Once the documents are signed, notarized, and returned, the resident can begin installing eligible products.
- ✓ Once all eligible products are installed, the property owner will need to submit the signed completion certificate with all invoices, permits and other required attachments. After the completion certificate is reviewed and approved, program representatives issue payment to the selected contractor.

Program Benefits for Property Owners

- ✓ Voluntary Program to Generate Savings - A convenient alternative to finance energy efficiency improvements and lower utility bills. Further, the program is voluntary and property owners choose to participate at their discretion.
- ✓ Repayment – Under this program, a voluntary contractual assessment stays with the property upon transfer of ownership. Most private property-related loans are due upon the sale of the benefited property, sometimes making it difficult for property owners to match the life of the repayment obligation to the useful life of financed improvements. However, some mortgage providers may require that the assessment be paid off at the time a property is refinanced or sold.
- ✓ Prepayment Option – Property Owners may choose to pay off assessments at any time, subject to applicable prepayment penalties.

Program Benefits to the City

- ✓ Promotes Energy Efficiency – Provides access for property owners to increase efficiency and help promote sustainability.
- ✓ Increase Property Values – Energy efficiency improvements help to increase property values and related property tax revenue.
- ✓ No City Financial Obligation – The City is not obligated to repay the bonds or assessments levied on participating properties. Further, all related program administration is handled by the California HERO Program, resulting in little, if any City resources to participate in the program.

The attached Resolution will authorize participation in the California HERO Program for San Fernando property owners for financing renewable energy, energy efficiency, and water efficiency property improvements. The Resolution will approve an amendment to the WRCOG Joint Powers Agreement to add the City as an Associate Member and allow local property owners to participate in this program.

Consideration to Adopt a Resolution Authorizing the City's Participation in the California HERO Program (Financing for Renewable Energy and Water Efficiency Improvements)

Page 4 of 4

BUDGET IMPACT:

There is no financial impact to the City for participation in the California HERO Program.

CONCLUSION:

It is recommended that the City Council approve the attached Resolution, authorizing participation in the California HERO Program and providing the community with a voluntary financing mechanism for energy efficiency improvements.

ATTACHMENT:

A. Resolution No. 7640

ATTACHMENT "A"

RESOLUTION 7640

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
SAN FERNANDO, CALIFORNIA, APPROVING THE
AMENDMENT TO A CERTAIN JOINT POWERS AGREEMENT
AND CONSENTING TO INCLUSION OF PROPERTIES WITHIN
THE CITY'S JURISDICTION IN THE CALIFORNIA HERO
PROGRAM TO FINANCE DISTRIBUTED GENERATION
RENEWABLE ENERGY SOURCES, ENERGY AND WATER
EFFICIENCY IMPROVEMENTS AND ELECTRIC VEHICLE
CHARGING INFRASTRUCTURE**

WHEREAS, the Western Riverside Council of Governments ("Authority") is a joint exercise of powers authority established pursuant to Chapter 5 of Division 7, Title 1 of the Government Code of the State of California (Section 6500 and following) (the "Act") and the Joint Power Agreement entered into on April 1, 1991, as amended from time to time (the "Authority JPA"); and

WHEREAS, Authority intends to establish the California HERO Program to provide for the financing of renewable energy distributed generation sources, energy and water efficiency improvements and electric vehicle charging infrastructure (the Division 7 of the California Streets and Highways Code) ("Chapter 29") within counties and cities throughout the State of California that elect to participate in such program; and

WHEREAS, the City of San Fernando is committed to the development of renewable energy sources and energy efficiency improvements, reduction of greenhouse gases, protecting of environment, and reversal of climate change; and

WHEREAS, in Chapter 29, the Legislature has authorized cities and counties to assist property owners in financing the cost of installing improvements through a voluntary contractual assessment program; and

WHEREAS, installation of such Improvements by property owners within the jurisdictional boundaries of the counties and cities that are participating in the California HERO Program would promote the purposed cited above; and

WHEREAS, the City wishes to provide innovative solutions to its property owners to achieve energy and water efficiency and independence, and in doing so cooperate with Authority in order to efficiently and economically assist property owners in the City in financing such Improvements; and

WHEREAS, Authority has authority to establish the California HERO Program, which will be such a voluntary contractual assessment program, as permitted by the Act, the Authority JPA, originally made and entered into April 1, 1991, as amended to date, and the Amendment to Joint Powers Agreement Adding the City of San Fernando as an Associate Member of the

Western Riverside Council of Governments to Permit the Provision of Property Assessed Clean Energy (PACE) Program Services within the City (the "JPA Amendment"), by and between Authority and the City, a copy of which is attached as Exhibit A hereto, to assist property owners within the incorporated area of the City in financing the cost of installing improvements; and

WHEREAS, the City will not be responsible for the conduct of any assessment proceedings; the levy and collection of assessments or any required remedial action in the case of delinquencies in the payment of any assessments or the issuance, sale or administration of any bonds issued in connection with the California HERO Program.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAN FERNANDO DOES HEREBY RESOLVE, FIND, DETERMINE, AND ORDER AS FOLLOWS:

SECTION 1. This City Council finds and declares that properties in the City's incorporated will be benefited by the availability of the California HERO Program to finance the installation of improvements.

SECTION 2. The City Council hereby approves the JPA Amendment and authorizes the execution thereof by appropriate City officials.

SECTION 3. This City Council consents to inclusion in the California HERO Program of all of the properties in the incorporated area within the City and to the Improvements, upon the request by and voluntary agreement of owners of such properties, in compliance with the laws, rules and regulations applicable to such program; and to the assumption of jurisdiction thereover by Authority for the purposed thereof.

SECTION 4. The consent of this City Council constitutes assent to the assumption of jurisdiction by Authority for all purposes of the California HERO Program and authorizes Authority, upon satisfaction of the conditions imposed in this resolution, to take each and every step required for or suitable for financing the Improvements, including the levying, collecting and enforcement of the contractual assessments to finance the Improvements and the issuance and enforcement of bonds to represent and be secured by such contractual assessments.

SECTION 5. City staff is authorized and directed to coordinate with Authority staff to facilitate operation of the California HERO Program within the City, and report back periodically to this City Council on the success of such program.

SECTION 6. This Resolution shall take effect immediately upon its adoption.

SECTION 7. The City Clerk shall certify to the adoption of this resolution and hereafter the same shall be in full force and effect.

PASSED, APPROVED, AND ADOPTED this 6th day of October, 2014.

Sylvia Ballin, Mayor

ATTEST:

Elena G. Chávez, City Clerk

APPROVED AS TO FORM:

Rick R. Olivarez, City Attorney

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss
CITY OF SAN FERNANDO)

I HEREBY CERTIFY that the foregoing Resolution was approved and adopted at a regular meeting of the City Council held on the 6th day of October, 2014, by the following vote to wit:

AYES:

NOES:

ABSENT:

Elena G. Chávez, City Clerk

CONTRACT NO. 1764

EXHIBIT A

**AMENDMENT TO THE JOINT POWERS AGREEMENT
ADDING CITY OF SAN FERNANDO
AS AN ASSOCIATE MEMBER OF THE
WESTERN RIVERSIDE COUNCIL OF GOVERNMENTS
TO PERMIT THE PROVISION OF PROPERTY ASSESSED
CLEAN ENERGY (PACE) PROGRAM SERVICES**

This Amendment to the Joint Powers Agreement ("JPA Amendment") is made and entered into on the 6TH day of October, 2014, by City of San Fernando ("City") and the Western Riverside Council of Governments ("Authority") (collectively the "Parties").

RECITALS

WHEREAS, Authority is a joint exercise of powers authority established pursuant to Chapter 5 of Division 7, Title 1 of the Government Code of the State of California (Section 6500 and following) (the "Joint Exercise of Powers Act") and the Joint Power Agreement entered into on April 1, 1991, as amended from time to time (the "Authority JPA"); and

WHEREAS, as of October 1, 2012, Authority had 18 member entities (the "Regular Members").

WHEREAS, Chapter 29 of the Improvement Act of 1911, being Division 7 of the California Streets and Highways Code ("Chapter 29") authorizes cities, counties, and cities and counties to establish voluntary contractual assessment programs, commonly referred to as a Property Assessed Clean Energy ("PACE") program, to fund certain renewable energy sources, energy and water efficiency improvements, and electric vehicle charging infrastructure (the "Improvements") that are permanently fixed to residential, commercial, industrial, agricultural or other real property; and

WHEREAS, Authority intends to establish a PACE program to be known as the "California HERO Program" pursuant to Chapter 29 as now enacted or as such legislation may be amended hereafter, which will authorize the implementation of a PACE financing program for cities and county throughout the state; and

WHEREAS, City desires to allow owners of property within its jurisdiction to participate in the California HERO Program and to allow Authority to conduct proceedings under Chapter 29 to finance Improvements to be installed on such properties; and

WHEREAS, this JPA Amendment will permit City to become an Associate Member of Authority and to participate in California HERO Program for the purpose of facilitating the implementation of such program within the jurisdiction of City; and

WHEREAS, pursuant to the Joint Exercise of Powers Act, the Parties are approving this JPA Agreement to allow for the provision of PACE services, including the operation of a PACE financing program, within the incorporated territory of City; and

WHEREAS, the JPA Amendment sets forth the rights, obligations and duties of City and Authority with respect to the implementation of the California HERO Program within the incorporated territory of City.

MUTUAL UNDERSTANDINGS

NOW, THEREFORE, for and in consideration of the mutual covenants and conditions hereinafter stated, the Parties hereto agree as follows:

A. JPA Amendment.

1. The Authority JPA. City agrees to the terms and conditions of the Authority JPA, attached.

2. Associate Membership. By adoption of this JPA Amendment, City shall become an Associate Member of Authority on the terms and conditions set forth herein and the Authority JPA and consistent with the requirements of the Joint Exercise of Powers Act. The rights and obligations of City as an Associate Member are limited solely to those terms and conditions expressly set forth in this JPA Amendment for the purposes of implementing the California HERO Program within the incorporated territory of City. Except as expressly provided for by the this JPA Amendment, City shall not have any rights otherwise granted to Authority's Regular Members by the Authority JPA, including but not limited to the right to vote on matters before the Executive Committee or the General Assembly, the right to amend or vote on amendments to the Authority JPA, and the right to sit on committees or boards established under the Authority JPA or by action of the Executive Committee or the General Assembly, including, without limitation, the General Assembly and the Executive Committee. City shall not be considered a member for purposes of Section 9.1 of the Authority JPA.

3. Rights of Authority. This JPA Amendment shall not be interpreted as limiting or restricting the rights of Authority under the Authority JPA. Nothing in this JPA Amendment is intended to alter or modify Authority Transportation Uniform Mitigation Fee (TUMF) Program, the PACE Program administered by Authority within the jurisdictions of its Regular Members, or any other programs administered now or in the future by Authority, all as currently structured or subsequently amended.

B. Implementation of California HERO Program within City Jurisdiction.

1. Boundaries of the California HERO Program within City Jurisdiction. City shall determine and notify Authority of the boundaries of the incorporated territory within City's jurisdiction within which contractual assessments may be entered into under the California HERO Program (the "Program Boundaries"), which boundaries may include the entire incorporated territory of City or a lesser portion thereof.

2. Determination of Eligible Improvements. Authority shall determine the types of distributed generation renewable energy sources, energy efficiency or water conservation improvements, electric vehicle charging infrastructure or such other improvements as may be authorized pursuant to Chapter 29 (the "Eligible Improvements") that will be eligible to be financed under the California HERO Program.

3. Establishment of California HERO Program. Authority will undertake such proceedings pursuant to Chapter 29 as shall be legally necessary to enable Authority to make contractual financing of Eligible Improvements available to eligible property owners within the Program Boundaries.

4. Financing the Installation of Eligible Improvements. Authority shall develop and implement a plan for the financing of the purchase and installation of the Eligible Improvements under the California HERO Program.

5. Ongoing Administration. Authority shall be responsible for the ongoing administration of the California HERO Program, including but not limited to producing education plans to raise public awareness of the California HERO Program, soliciting, reviewing and approving applications from residential and commercial property owners participating in the California HERO Program, establishing contracts for residential, commercial and other property owners participating in such program, establishing and collecting assessments due under the California HERO Program, adopting and implementing any rules or regulations for the California HERO Program, and providing reports as required by Chapter 29.

City will not be responsible for the conduct of any proceedings required to be taken under Chapter 29; the levy or collection of assessments or any required remedial action in the case of delinquencies in such assessment payments; or the issuance, sale or administration of any bonds issued in connection with the California HERO Program.

6. Phased Implementation. The Parties recognize and agree that implementation of the California HERO Program as a whole can and may be phased as additional other cities and counties execute similar agreements. City entering into this JPA Amendment will obtain the benefits of and incur the obligations imposed by this JPA Amendment in its jurisdictional area, irrespective of whether cities or counties enter into similar agreements.

C. Miscellaneous Provisions.

1. Withdrawal. City or Authority may withdraw from this JPA Amendment upon six (6) months written notice to the other party; provided, however, there is no outstanding indebtedness of Authority within City. The provisions of Section 6.2 of the Authority JPA shall not apply to City under this JPA Amendment.

2. Mutual Indemnification and Liability. Authority and City shall mutually defend, indemnify and hold the other party and its directors, officials, officers, employees and agents free and harmless from any and all claims, demands, causes of action, costs, expenses, liabilities, losses, damages or injuries of any kind, in law or equity, to property or persons, including wrongful death, to the extent arising out of the willful misconduct or negligent acts, errors or omissions of the indemnifying party or its directors, officials, officers, employees and agents in connection with the California HERO Program administered under this JPA Amendment, including without limitation the payment of expert witness fees and attorneys fees and other related costs and expenses, but excluding payment of consequential damages. Without limiting the

foregoing, Section 5.2 of the Authority JPA shall not apply to this JPA Amendment. In no event shall any of Authority's Regular Members or their officials, officers or employees be held directly liable for any damages or liability resulting out of this JPA Amendment.

3. Environmental Review. Authority shall be the lead agency under the California Environmental Quality Act for any environmental review that may required in implementing or administering the California HERO Program under this JPA Amendment.

4. Cooperative Effort. City shall cooperate with Authority by providing information and other assistance in order for Authority to meet its obligations hereunder. City recognizes that one of its responsibilities related to the California HERO Program will include any permitting or inspection requirements as established by City.

5. Notice. Any and all communications and/or notices in connection with this JPA Amendment shall be either hand-delivered or sent by United States first class mail, postage prepaid, and addressed as follows:

Authority:

Western Riverside Council of Governments
4080 Lemon Street, 3rd Floor. MS1032
Riverside, CA 92501-3609
Att: Executive Director

City:

San Fernando

6. Entire Agreement. This JPA Amendment, together with the Authority JPA, constitutes the entire agreement among the Parties pertaining to the subject matter hereof. This JPA Amendment supersedes any and all other agreements, either oral or in writing, among the Parties with respect to the subject matter hereof and contains all of the covenants and agreements among them with respect to said matters, and each Party acknowledges that no representation, inducement, promise of agreement, oral or otherwise, has been made by the other Party or anyone acting on behalf of the other Party that is not embodied herein.

7. Successors and Assigns. This JPA Amendment and each of its covenants and conditions shall be binding on and shall inure to the benefit of the Parties and their respective successors and assigns. A Party may only assign or transfer its rights and obligations under this JPA Amendment with prior written approval of the other Party, which approval shall not be unreasonably withheld.

8. Attorney's Fees. If any action at law or equity, including any action for declaratory relief is brought to enforce or interpret the provisions of this Agreement, each Party to the litigation shall bear its own attorney's fees and costs.

9. Governing Law. This JPA Amendment shall be governed by and construed in accordance with the laws of the State of California, as applicable.

10. No Third Party Beneficiaries. This JPA Amendment shall not create any right or interest in the public, or any member thereof, as a third party beneficiary hereof, nor shall it authorize anyone not a Party to this JPA Amendment to maintain a suit for personal injuries or property damages under the provisions of this JPA Amendment. The duties, obligations, and responsibilities of the Parties to this JPA Amendment with respect to third party beneficiaries shall remain as imposed under existing state and federal law.

11. Severability. In the event one or more of the provisions contained in this JPA Amendment is held invalid, illegal or unenforceable by any court of competent jurisdiction, such portion shall be deemed severed from this JPA Amendment and the remaining parts of this JPA Amendment shall remain in full force and effect as though such invalid, illegal, or unenforceable portion had never been a part of this JPA Amendment.

12. Headings. The paragraph headings used in this JPA Amendment are for the convenience of the Parties and are not intended to be used as an aid to interpretation.

13. Amendment. This JPA Amendment may be modified or amended by the Parties at any time. Such modifications or amendments must be mutually agreed upon and executed in writing by both Parties. Verbal modifications or amendments to this JPA Amendment shall be of no effect.

14. Effective Date. This JPA Amendment shall become effective upon the execution thereof by the Parties hereto.

IN WITNESS WHEREOF, the Parties hereto have caused this JPA Amendment to be executed and attested by their officers thereunto duly authorized as of the date first above written.

[SIGNATURES ON FOLLOWING PAGES]

EXHIBIT A

REPORT
(See attached.)

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AGENDA REPORT

To: Mayor Joel Fajardo and Councilmembers

From: Brian Saeki, City Manager

Date: May 4, 2015

Subject: Consideration to Approve Letters of Support for AB 857 (Perea) Clean Truck Program and AB 1074 (Garcia) Clean Fueling Act

RECOMMENDATION:

It is recommended that the City Council:

- a. Approve a letter supporting AB 857 (Perea) Clean Truck Program (Attachment "A");
- b. Approve a letter supporting AB 1074 (Garcia) Clean Fueling Act (Attachment "B"); and
- c. Authorize the Mayor to execute the letters of support.

BACKGROUND:

On April 7, 2015, staff received correspondence from Marisol Espinoza, Public Affairs Manager with Southern California Gas Company requesting letters of support for AB 857 (Perea) Clean Truck Program and AB 1074 (Garcia) Clean Fueling Act.

ANALYSIS:

AB 857 (Perea) Clean Truck Program

AB 857 would expand incentives to support deployment of clean and low carbon heavy-duty vehicles involved in goods movement that can provide an immediate and cost-effective solution to reduce emissions to improve air quality and public health. This bill would also support a transition to low carbon transportation technologies to address climate change over the long-term.

Consideration to Approve Letters of Support for AB 857 (Perea) Clean Truck Program and AB 1074 (Garcia) Clean Fueling ActPage 2 of 2

AB 1074 (Garcia) Clean Fueling Act

AB 1074 is related to fueling infrastructure and asks the California Energy Commission to study the transportation corridors to develop a fueling infrastructure plan that identifies any and all stations, locational sites or areas, and facilities necessary to ensure refueling options.

BUDGET IMPACT:

There will be no impact to the budget by approving the letters of support.

ATTACHMENTS:

- A. AB 857 Letter of Support – Assembly Appropriations Committee
- B. AB 1074 Letter of Support – Assembly Appropriations Committee
- C. AB 857 Fact Sheet, Summary and List of Supporters
- D. AB 1074 Fact Sheet and Summary



THE CITY OF SAN FERNANDO

ATTACHMENT "A"

CITY COUNCIL

May 4, 2015

*Transmitted via US Mail, Fax, and Email:
916/319-2151*MAYOR
JOEL FAJARDO

The Honorable Jimmy Gomez, Chair
Assembly Appropriations Committee
State Capitol, Room 2114
Sacramento, California 98514

assemblymember.gomez@assembly.ca.govMAYOR PRO TEM
SYLVIA BALLINCOUNCILMEMBER
ANTONIO LOPEZ

SUBJECT: AB 857 (Perea) CLEAN TRUCK PROGRAM – STRONG SUPPORT

COUNCILMEMBER
ROBERT C. GONZALESCOUNCILMEMBER
JAIME SOTO

Dear Assemblymember Gomez,

On behalf of the San Fernando City Council, we respectfully submit our support for the AB 857, the Clean Trucking Act. This bill will create incentives for heavy-duty truck purchasers to help buy-down the initial cost of the vehicle. The bill will help California truckers purchase new very low-emission trucks which will help accelerate the retirement of older high polluting trucks. It will help grow the clean alternative fuel truck market now and will also stimulate additional investments in the next generation of lower emission truck technologies.

California has always been at the forefront of policies to protect and improve the environment. For the last 50 years, California has led the nation in the development of tough policies and stringent regulations to decrease public exposure to air contaminants that cause asthma, cancer, and other health problems. But even with the most aggressive emissions control measures in the world, California still suffers from the worst air quality in the nation, particularly in the South Coast and San Joaquin Valley air districts.

Poor air quality creates a cost to everyone, and all too frequently, it is the most vulnerable who are at risk. Study after study shows California has a wide health disparity problem that cuts along economic, ethnic and racial divides. This disparity adversely affects those living in communities situated near pollution-affected corridors including freeways, ports, and rail depots.

While the transportation sector is California's biggest emissions challenge, it also offers the greatest opportunity to improve air quality and quality of life. By sending market signals that all cost-effective solutions will be considered, California can accelerate the development of even cleaner, affordable technologies that help drive down the cost of new heavy-duty engines.

AB 857 is critical to improving air quality and public health in California. It will provide incentives to increase deployment of clean trucks in California and help California achieve the ambitious emissions reduction goals mandated by AB 32, as well as federal

117 MACNEIL STREET
SAN FERNANDO
CALIFORNIA
91340

(818) 898-1207

WWW.SFCITY.ORG

HONORABLE JIMMY GOMEZ

Chair, Assembly Appropriations Committee

Page 2 of 2

ozone standards. AB 857 is actionable policy that will lead to better air quality in California, including disadvantaged communities along major goods movement corridors.

We commend Assemblymember Perea for authoring AB 857 and actualizing innovations that can improve California's air quality in the near-term. With AB 857, California has the opportunity to improve air quality, and increase related health benefits for residents. For these reasons the San Fernando City Council **supports** AB 857.

Sincerely,

Joel Fajardo
Mayor
City of San Fernando

cc: Members, Assembly Committee on Appropriations:

The Honorable Frank Bigelow, Vice Chair (assemblymember.bigelow@assembly.ca.gov)
assemblymember.bonilla@assembly.ca.gov
assemblymember.bonta@assembly.ca.gov
assemblymember.calderon@assembly.ca.gov
assemblymember.Chang@assembly.ca.gov
assemblymember.Daly@assembly.ca.gov
assemblymember.Eggman@assembly.ca.gov
assemblymember.Gallagher@assembly.ca.gov
assemblymember.eduardo.garcia@assembly.ca.gov
assemblymember.Holden@assembly.ca.gov
assemblymember.Jones@assembly.ca.gov
assemblymember.Quirk@assembly.ca.gov
assemblymember.Rendon@assembly.ca.gov
assemblymember.Wagner@assembly.ca.gov
assemblymember.Weber@assembly.ca.gov
assemblymember.Wood@assembly.ca.gov

Israel Salas (isalas@semprautilities.com)
Regina Lugani (rlugani@semprautilities.com)

Jennifer Galehouse (jennifer.galehouse@asm.ca.gov)



THE CITY OF SAN FERNANDO

ATTACHMENT "B"

CITY COUNCIL

May 4, 2015

*Transmitted via US Mail, Fax, and Email:
916/319-2151*MAYOR
JOEL FAJARDO

The Honorable Jimmy Gomez, Chair
Assembly Appropriations Committee
State Capitol, Room 2114
Sacramento, California 95814

assemblymember.gomez@assembly.ca.govMAYOR PRO TEM
SYLVIA BALLINCOUNCILMEMBER
ANTONIO LOPEZ

RE: AB 1074 (Garcia) Clean Fueling Act – STRONG SUPPORT

COUNCILMEMBER
ROBERT C. GONZALESCOUNCILMEMBER
JAIME SOTO

Dear Assemblymember Gomez,

On behalf of the San Fernando City Council, we are pleased to support AB 1074 (Garcia), the Clean Fueling Act. This bill will accelerate the adoption of alternative fuel vehicles by addressing the need for alternative fueling stations. Specifically, AB 1074 directs the California Energy Commission to develop a refueling infrastructure plan that identifies the number of stations, and the geographic areas where additional stations are needed. Building a roadmap for alternative refueling infrastructure is the first step to developing stations and reducing driver range anxiety, which is a major barrier in the adoption of alternative fuel vehicles. To increase the number of alternative fuel vehicles on the road, drivers need convenient access to refueling facilities.

State law, the California Global Warming Solutions Act (AB 32), requires reductions in greenhouse gas (GHG) emissions by more than 80% by 2050. In addition, Southern California and the San Joaquin Valley face a more immediate challenge in the form of the Federal Clean Air Act, which requires at least a 65% reduction in NOx emissions by 2023, and an 80% reduction by 2032. Public exposure to poor air quality may cause asthma, cancer, and other health problems. The transportation sector accounts for 80% of the regions smog-forming emissions (NOx) and 40% of its greenhouse gas (GHG) emissions. Alternative fuel vehicles will improve California's air quality by reducing transportation related emissions. For example, transitioning to Heavy Duty CNG trucks from standard heavy duty diesel trucks would reduce NOx emissions by 90% and GHG emissions by 15-20%.

There are many alternative fuel technologies available today, and Californians should have greater access to them so that individual transportation needs can be met. However, today access is limited because there are not enough alternative refueling options. With AB 1074, the California Energy Commission's plan would guide

117 MACNEIL STREET
SAN FERNANDO
CALIFORNIA
91340

(818) 898-1207

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Chair, Assembly Appropriations Committee

Page 2 of 2

necessary infrastructure development to reach our air quality and GHG emission reduction goals quickly and cost-effectively. We commend Assemblymember Garcia for authoring AB 1074 and responding to the need to expand the alternative refueling infrastructure. For these reasons the San Fernando City Council, supports AB 1074 and requests your "Aye" vote.

Sincerely,

Joel Fajardo
Mayor
City of San Fernando

cc: Members, Assembly Committee on Appropriations:

The Honorable Frank Bigelow, Vice Chair (assemblymember.bigelow@assembly.ca.gov)
assemblymember.bonilla@assembly.ca.gov
assemblymember.bonta@assembly.ca.gov
assemblymember.calderon@assembly.ca.gov
assemblymember.Chang@assembly.ca.gov
assemblymember.Daly@assembly.ca.gov
assemblymember.Eggman@assembly.ca.gov
assemblymember.Gallagher@assembly.ca.gov
assemblymember.eduardo.garcia@assembly.ca.gov
assemblymember.Holden@assembly.ca.gov
assemblymember.Jones@assembly.ca.gov
assemblymember.Quirk@assembly.ca.gov
assemblymember.Rendon@assembly.ca.gov
assemblymember.Wagner@assembly.ca.gov
assemblymember.Weber@assembly.ca.gov
assemblymember.Wood@assembly.ca.gov

Israel Salas (isalas@semprautilities.com)
Regina Lugani (rlugani@semprautilities.com)

Jennifer Galehouse (jennifer.galehouse@asm.ca.gov)

ATTACHMENT "C"
Green can be
cost-effective.

We can clean
up California's
air while
building our
economy.

Support AB 857: The Clean Trucking Act

CALIFORNIA'S ECONOMY

Goods movement is vital to California's economy.



OVER **78%** OF CALIFORNIA'S COMMUNITIES DEPEND EXCLUSIVELY ON TRUCKS TO MOVE THEIR GOODS

TRANSPORTATION AND GOODS MOVEMENT PROVIDED CALIFORNIA WITH **900,000** JOBS IN 2011



IN 2012, CALIFORNIA'S ADVANCED TRANSPORTATION SECTOR GENERATED **\$172 BILLION** IN REVENUES



THE CHALLENGE

We need to reduce emissions from the transportation sector, which account for



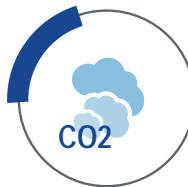
80% OF THE REGION'S SMOG-FORMING EMISSIONS (NOx)

40% OF ITS GREENHOUSE GAS EMISSIONS

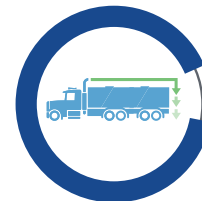
These emissions create severe air pollution along California's freeways.

HEAVY-DUTY DIESEL TRUCKS — THE TRUCKS THAT MOVE OUR GOODS — ARE THE BIGGEST POLLUTERS.

The good news is, we have a practical way to clean up our air without crippling local businesses. Transitioning these heavy-duty diesel trucks to alternative fuels would have an immediate and positive impact on our environment.



REDUCE GREENHOUSE GASES BY **15%-20%**



PRODUCE **90% LESS** NOx EMISSIONS

THE SOLUTION

The challenge is economic—fleet owners need a way to offset upfront costs.



AB 857 THE CLEAN TRUCKING ACT

GIVES CALIFORNIA A PRACTICAL AND AFFORDABLE WAY TO IMPROVE THE AIR QUALITY AND THE HEALTH OF OUR COMMUNITIES.

Providing incentives to get cleaner, heavy-duty trucks on the road, **the bill will accelerate the reduction of harmful emissions, help California clean the air and achieve its environmental goals faster.**

We don't have to wait for better air quality.

Breathing
California's air
should NOT
lead to another
sick day.

The time to
act is now.

© Chris Jordan-Bloch, EarthJustice

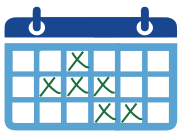
Support AB 857: The Clean Trucking Act

AIR QUALITY

California has the worst air quality in the nation, contributing to serious health risks including asthma, cancer, birth defects and even premature death.



1 IN 6 OF CALIFORNIA'S CHILDREN LIVE WITH ASTHMA



CALIFORNIA CHILDREN MISS AROUND
1.9 MILLION
SCHOOL DAYS
EACH YEAR DUE TO ASTHMA

ASTHMA RESULTS IN ABOUT **11.8 MILLION** DAYS OF MISSED WORK IN CALIFORNIA



THE CHALLENGE

We need to reduce emissions from the transportation sector, which account for



80% OF THE REGION'S SMOG-FORMING EMISSIONS (NOx)

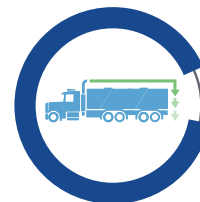
40% OF ITS GREENHOUSE GAS EMISSIONS

Poor air quality is widening the gap in **health disparity** — California's most disadvantaged communities live near major transportation corridors.

HEAVY-DUTY DIESEL TRUCKS ARE THE BIGGEST POLLUTERS. Transitioning from gasoline and diesel to alternative fuels would significantly improve our environment and public health.



REDUCE GREENHOUSE GASES BY
15%-20%



PRODUCE
90% LESS
NOx EMISSIONS

THE SOLUTION

The challenge is economic—fleet owners need a way to offset upfront costs.



AB 857 THE CLEAN TRUCKING ACT GIVES CALIFORNIA A PRACTICAL AND AFFORDABLE WAY TO IMPROVE THE AIR QUALITY AND THE HEALTH OF OUR COMMUNITIES.

Providing incentives to get cleaner, heavy-duty trucks on the road, **the bill will accelerate the reduction of harmful emissions, help California clean the air and achieve its environmental goals faster.**

We don't have to wait for better air quality.

AB 857 (Perea)

CA Clean Truck Act

(As amended March 26, 2015)

SUMMARY

AB 857 would expand incentives to support deployment of clean and low carbon heavy-duty vehicles involved in goods movement that can provide an immediate and cost-effective solution to reduce emissions to improve air quality and public health. This bill would also support a transition to low carbon transportation technologies to address climate change over the long-term.

BACKGROUND

Air pollution affects human health, disproportionately within disadvantaged communities along transportation corridors, increasing asthma, cancer and premature death. In the South Coast and San Joaquin Valley Air Districts, nearly 80% of smog-forming pollutants, such as oxides of nitrogen (NOx), come from mobile sources where heavy-duty vehicles are the number one producer of NOx. Federal Ozone standards require at least a 65% reduction in NOx emissions by 2023, and an 80% reduction by 2032. The goal of these early reductions is to demonstrate progress toward attainment of federal deadlines in order to avoid implementation of an onerous Federal Implementation Plan (FIP) that would have a negative impact on our economy. Additionally, 40% of the state's greenhouse gas (GHG) emissions come from mobile sources and California's long-term climate change policy requires an 85-90% reduction in GHG emissions by 2050.

Manufacturers report new technology will be available in the transportation marketplace within 3 years that could meet "near zero" emissions levels (90% NOx reduction over current standard). But to achieve widespread deployment financial incentives will be necessary to buy down the capital costs of technology purchases.

Current state funding programs supporting development of zero and near zero criteria emissions, as well as low carbon transportation technology can be designated to specifically support early deployment of such technology. Advancing deployment of near-zero heavy-duty vehicles offers a viable "pathway" to help meet California's air quality and climate protection goals to clean up smog, eliminate diesel particulates, as well as reduce the state's greenhouse gas footprint.

THIS BILL

Specifically, AB 857 would:

- Amend SB 1204 (2014) by extending the sunset date 5 years to 2023 and increasing the amount of dollars available for deployment from 20% to 80% or \$100 million dollars, whichever is greater.
- Direct funding to support the commercial deployment of existing zero- and near-zero emission heavy-duty truck technology that meets or exceeds an emission standard of 0.02 grams per brake horsepower-hour Oxides of Nitrogen under the existing Optional Low NOx Standard regulation.
- Define "Heavy-duty truck" as vehicles that have a gross vehicle weight rating (GVWR) of 26,001 pounds or more.

SUPPORT

OPPOSITION

FOR MORE INFORMATION

Jesse Cuevas

Assemblymember Henry T. Perea

Phone: (916) 319-2031

Fax: (916) 319-2131

Jesse.Cuevas@asm.ca.gov

AMENDED IN ASSEMBLY MARCH 26, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 857

Introduced by Assembly Member Perea

February 26, 2015

An act to amend Section 39719.2 of the Health and Safety Code, relating to greenhouse gases.

LEGISLATIVE COUNSEL'S DIGEST

AB 857, as amended, Perea. California Clean Truck, Bus, and Off-Road Vehicle and Equipment Technology Program.

The California Global Warming Solutions Act of 2006 designates the State Air Resources Board as the state agency charged with monitoring and regulating sources of emissions of greenhouse gases. The act authorizes the state board to include the use of market-based compliance mechanisms. Existing law requires all moneys, except for fines and penalties, collected by the state board from the auction or sale of allowances as part of a market-based compliance mechanism to be deposited in the Greenhouse Gas Reduction Fund and to be available upon appropriation by the Legislature.

The California Clean Truck, Bus, and Off-Road Vehicle and Equipment Technology Program, upon appropriation from the Greenhouse Gas Reduction Fund, funds zero- and ~~near-zero-emission~~ *near-zero-emission* truck, bus, and off-road vehicle and equipment technologies and related projects, as specified, with priority given to certain projects, including projects that benefit disadvantaged communities. *The program, until January 1, 2018, requires no less than 20% of the funding made available for the purposes of technology development, demonstration, precommercial pilots, and early*

AB 857

— 2 —

commercial deployments of zero- and near-zero-emission medium- and heavy-duty truck technology support early commercial deployment of existing zero- and near-zero-emission heavy-duty truck technology.

~~This bill would make technical, nonsubstantive changes to these provisions.~~

This bill, between January 2, 2018, and January 1, 2023, inclusive, would require no less than 80% or \$100,000,000, whichever is greater, of the moneys appropriated for technology development, demonstration, precommercial pilots, and early commercial deployments of zero- and near-zero-emission medium- and heavy-duty truck technology be allocated to support the commercial deployment of existing zero- and near-zero-emission heavy-duty truck technology that meets or exceeds a specified emission standard.

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~-yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 39719.2 of the Health and Safety Code
2 is amended to read:
3 39719.2. (a) The California Clean Truck, Bus, and Off-Road
4 Vehicle and Equipment Technology Program is hereby created,
5 to be administered by the state board in conjunction with the State
6 Energy Resources Conservation and Development Commission.
7 The program, from moneys appropriated from the fund for the
8 purposes of the program, shall fund development, demonstration,
9 precommercial pilot, and early commercial deployment of zero-
10 and ~~near-zero-emission~~ *near-zero-emission* truck, bus, and off-road
11 vehicle and equipment technologies. Priority shall be given to
12 projects benefiting disadvantaged communities pursuant to the
13 requirements of Sections 39711 and 39713.
14 (b) Projects eligible for funding pursuant to this section include,
15 but are not limited to, the following:
16 (1) Technology development, demonstration, precommercial
17 pilots, and early commercial deployments of zero- and ~~near-zero~~
18 ~~emission~~ *near-zero-emission* medium- and heavy-duty truck
19 technology, including projects that help to facilitate clean
20 goods-movement corridors. ~~Until January 1, 2018, no less than 20~~
21 ~~percent of funding made available for purposes of this paragraph~~

— 3 —

AB 857

1 ~~shall support early commercial deployment of existing zero- and~~
2 ~~near-zero emission heavy-duty truck technology.~~

3 (A) *Until January 1, 2018, no less than 20 percent of funding*
4 *made available for the purposes of this paragraph shall support*
5 *early commercial deployment of existing zero- and*
6 *near-zero-emission heavy-duty truck technology.*

7 (B) *Between January 2, 2018, and January 1, 2023, inclusive,*
8 *no less than 80 percent or one hundred million dollars*
9 *(\$100,000,000), whichever is greater, of the moneys appropriated*
10 *for the purposes of this paragraph shall be allocated to support*
11 *the commercial deployment of existing zero- and*
12 *near-zero-emission heavy-duty truck technology that meets or*
13 *exceeds an emission standard of 0.02 grams per brake*
14 *horsepower-hour oxides of nitrogen, as described in the optional*
15 *low oxides of nitrogen emission standards in Section 1956.8 of*
16 *Title 13 of the California Code of Regulations.*

17 (2) ~~Zero- and near-zero emission~~ *near-zero-emission* bus
18 technology development, demonstration, precommercial pilots,
19 and early commercial deployments, including pilots of multiple
20 vehicles at one site or region.

21 (3) ~~Zero- and near-zero emission~~ *near-zero-emission* off-road
22 vehicle and equipment technology development, demonstration,
23 precommercial pilots, and early commercial deployments, including
24 vehicles and equipment in the port, agricultural, marine,
25 construction, and rail sectors.

26 (4) Purchase incentives, which may include point-of-sale, for
27 commercially available zero- and ~~near-zero emission~~
28 *near-zero-emission* truck, bus, and off-road vehicle and equipment
29 technologies and fueling infrastructure to support early market
30 deployments of alternative technologies and to increase
31 manufacturer volumes and accelerate market acceptance.

32 (5) Projects that support greater commercial motor vehicle and
33 equipment freight efficiency and greenhouse gas emissions
34 reductions, including, but not limited to, advanced intelligent
35 transportation systems, autonomous vehicles, and other freight
36 information and operations technologies.

37 (c) The state board, in consultation with the State Energy
38 Resources Conservation and Development Commission, shall
39 develop guidance through the existing Air Quality Improvement
40 Program funding plan process for the implementation of this

AB 857

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1 section that is consistent with the California Global Warming
2 Solutions Act of 2006 (Division 25.5 (commencing with Section
3 38500)) and this chapter.

4 (d) The guidance developed pursuant to subdivision (c) shall
5 do all of the following:

6 (1) Outline performance criteria and metrics for deployment
7 incentives. The goal shall be to design a simple and predictable
8 structure that provides incentives for truck, bus, and off-road
9 vehicle and equipment technologies that provide significant
10 greenhouse gas reduction and air quality benefits.

11 (2) Ensure that program investments are coordinated with
12 funding programs developed pursuant to the California Alternative
13 and Renewable Fuel, Vehicle Technology, Clean Air, and Carbon
14 Reduction Act of 2007 (Chapter 8.9 (commencing with Section
15 44270) of Part 5).

16 (3) Promote projects that assist the state in reaching its climate
17 goals beyond 2020, consistent with Sections 38550 and 38551.

18 (4) Promote investments in medium- and heavy-duty trucking,
19 including, but not limited to, vocational trucks, short-haul and
20 long-haul trucks, buses, and off-road vehicles and equipment,
21 including, but not limited to, port equipment, agricultural
22 equipment, marine equipment, and rail equipment.

23 (5) Implement purchase incentives for eligible technologies to
24 increase the use of the cleanest vehicles in disadvantaged
25 communities.

26 (6) Allow for remanufactured and retrofitted vehicles to qualify
27 for purchase incentives if those vehicles meet warranty and
28 emissions requirements, as determined by the state board.

29 (7) Establish a competitive process for the allocation of moneys
30 for projects funded pursuant to this section.

31 (8) Leverage, to the maximum extent feasible, federal or private
32 funding.

33 (9) Ensure that the results of emissions reductions or benefits
34 can be measured or quantified.

35 (10) Ensure that activities undertaken pursuant to this section
36 complement, and do not interfere with, efforts to achieve and
37 maintain federal and state ambient air quality standards and to
38 reduce toxic air contaminants.

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1 (e) In evaluating potential projects to be funded pursuant to this
2 section, the state board shall give priority to projects that
3 demonstrate one or more of the following characteristics:

4 (1) Benefit disadvantaged communities pursuant to Sections
5 39711 and 39713.

6 (2) The ability to leverage additional public and private funding.

7 (3) The potential for cobenefits or multiple-benefit attributes.

8 (4) The potential for the project to be replicated.

9 (5) Regional benefit, with focus on collaboration between
10 multiple entities.

11 (6) Support for technologies with broad market and emissions
12 reduction potential.

13 (7) Support for projects addressing technology and market
14 barriers not addressed by other programs.

15 (8) Support for enabling technologies that benefit multiple
16 technology pathways.

17 (f) To assist in the implementation of this section, the state
18 board, in consultation with the State Energy Resources
19 Conservation and Development Commission, shall create an annual
20 framework and plan. The framework and plan shall be developed
21 with public input and may utilize existing investment plan
22 processes and workshops as well as existing state and third-party
23 research and technology roadmaps. The framework and plan shall
24 do all of the following:

25 (1) Articulate an overarching vision for technology development,
26 demonstration, precommercial pilot, and early commercial
27 deployments, with a focus on moving technologies through the
28 commercialization process.

29 (2) Outline technology categories and performance criteria for
30 technologies and applications that may be considered for funding
31 pursuant to this section. This shall include technologies for
32 medium- and heavy-duty trucking, including, but not limited to,
33 vocational trucks, short-haul and long-haul trucks, buses, and
34 off-road vehicles and equipment, including, but not limited to, port
35 equipment, agricultural equipment, construction equipment, marine
36 equipment, and rail equipment.

37 (3) Describe the roles of the relevant agencies and the process
38 for coordination.

39 ~~(g) For purposes of this section, “zero- and near-zero emission”~~
40 ~~means vehicles, fuels, and related technologies that reduce~~

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1 greenhouse gas emissions and improve air quality when compared
2 with conventional or fully commercialized alternatives, as defined
3 by the state board in consultation with the State Energy Resources
4 Conservation and Development Commission. “Zero- and near-zero
5 emission” may include, but is not limited to, zero-emission
6 technology, enabling technologies that provide a pathway to
7 emissions reductions, advanced or alternative fuel engines for
8 long-haul trucks, and hybrid or alternative fuel technologies for
9 trucks and off-road equipment.

10 (g) For purposes of this section, the following terms have the
11 following meanings:

12 (1) “Heavy-duty truck” means a vehicle that has a gross vehicle
13 weight rate (GVWR) of 26,001 pounds or more.

14 (2) “Zero- and near-zero-emission” means vehicles, fuels, and
15 related technologies that reduce greenhouse gas emissions and
16 improve air quality when compared with conventional or fully
17 commercialized alternatives, as defined by the state board in
18 consultation with the State Energy Resources Conservation and
19 Development Commission. “Zero- and near-zero-emission” may
20 include, but is not limited to, zero-emission technology, enabling
21 technologies that provide a pathway to emissions reductions,
22 advanced or alternative fuel engines for long-haul trucks, and
23 hybrid or alternative fuel technologies for trucks and off-road
24 equipment.

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Clean Trucking Act (AB 857) Supporters

Following is a list of over 100 diverse parties that have submitted letters in support of Assembly Bill 857 (Perea).

Environmental/Environmental Justice Groups

Clean Air Now
Mothers of East LA
Mujeres de la Tierra
Pacoima Beautiful

Air Agencies

Antelope Valley AQMD
Mojave Desert AQMD

Public Agencies

Association of California Cities-Orange County
City of Atascadero
City of Compton
City of Fontana
City of Buena Park
City of Downey
City of El Monte
City of Goleta
City of Hanford
City of Lake Elsinore
City of Lynwood
City of Maywood
City of McFarland
City of Montebello
City of Monterey Park
City of Perris
City of Tulare
City of Westminster
County of San Bernardino
County of Santa Barbara
County of Tulare
Kings County

Former Elected Officials

Nicole Parra (Former California Assemblymember)
Pete Parra (Former Kern County Supervisor)

Health Organizations

Bienvenidos Community Health Center
Binational Health Week Planning Committee
Clinica Monsenor Oscar Romero Health Centers
COPE Health Solutions
Dignity Health
Korean Health Education and Research Center (KHEIR)
LK Health
National Hispanic Medical Association
Northeast Community Clinics
Providence Health & Services

Educational Organizations

Arborland Montessori Children's Academy
Charter Oak Unified School District

Glendora Unified School District
Montebello Unified School District UC
Riverside –Center for Sustainable Suburban Development
UC San Diego –Fleet Services

Community Organizations

Boys & Girls Club: Buena Park, West Valley, Greater Pomona Valley, Greater Redlands-Riverside, Greater Ventura Boys Republic
Brotherhood Crusade
California Center For Public Policy
Cambodia Town, Inc.
Casa 101
Coalition for Humane Immigrant Rights of Los Angeles (CHIRLA)
Congress of California Seniors
East Los Angeles Community Youth Center
Federacion de Clubes Jaliscienses Del Sur de California
Grandma's House of Hope
Lincoln Training Center
Los Angeles Opportunities Industrialization Center
Meals on Wheels Industry Inc.
Outstanding Mothers' Gathering
Pacific Asian Consortium in Employment (PACE)
Plaza Community Services
Positive Results
Proteus, Inc.
RBD Communications/Recycling Black Dollars
Rowland Heights Community Coordinating Council
San Fernando Valley Rescue Mission
Southeast Community Development Corporation
TELACU (The East Los Angeles Community Union)
The Salvadoran-American Leadership And Education Fund
The Salvation Army LA Red Shield Youth and Community Center
Valley Family Center
William C. Velasquez Institute
YMCA: Anaheim Family, Metropolitan Los Angeles, Santa Anita

Transportation:

California Natural Gas Vehicle Coalition
California Trucking Association
Cars Are Basic
GreenFIX America LLC
Ryder
Speedy Fuel, Inc.
Transit Systems Unlimited

Customers/Businesses

3G CNG

99 Cent Only Stores
Agility Fuel Systems
CM Distributors Inc
Dy-dee Diaper Service
EDCO
G.I. Industries
Paso Robles Waste & Recycle
Pinnacle Petroleum
Silverado Stages

Business Associations

Alhambra Chamber of Commerce
Antelope Valley African American Chamber of Commerce
Antelope Valley Hispanic Chamber of Commerce
Asian Business Association of the Inland Empire
Azusa Chamber of Commerce
Bioenergy Association of California
Black Business Association
Black Chamber of Commerce of Orange County
Brea Chamber of Commerce
Burbank Chamber of Commerce
Cambodian American Chamber of Commerce
Central City Association
Chamber of Commerce Alliance of Ventura & Santa Barbara Counties
Coachella Valley
Dana Point Chamber of Commerce
Desert Valley Builders Association
Duarte Chamber of Commerce
El Monte/South El Monte Chamber of Commerce
Foothill Workforce Investment Board
Fullerton Chamber of Commerce
Gardena Valley Chamber of Commerce
Gateway Chambers Alliance
Greater Conejo Valley Chamber of Commerce
Greater Corona Chamber of Commerce
Greater Los Angeles African American Chamber of Commerce
Hanford Chamber of Commerce
Hemet/San Jacinto Valley Chamber of Commerce
Industry Manufactures Council
Inland Action
La Verne Chamber of Commerce
Laguna Niguel Chamber of Commerce
Los Angeles Area Chamber of Commerce
Los Angeles Business Council (LABC)
North of the River Chamber of Commerce
North Orange County Legislative Alliance
Ojai Valley Chamber of Commerce
Orange County Business Council
Orange County Hispanic Chamber of Commerce
Oxnard Chamber of Commerce
Palm Desert Area Chamber of Commerce
Pasadena Chamber of Commerce



Clean Trucking Act (AB 857) Supporters

Following is a list of over 100 diverse parties that have submitted letters in support of Assembly Bill 857 (Perea).

Duarte Unified School District

Rosemead Chamber of Commerce and
Information Center

San Gabriel Valley Economic Partnership

Business Associations Continued

San Luis Obispo Economic Vitality
Corporation

Santa Ana Chamber of Commerce

Santa Barbara County Tax Payers
Association

Santa Barbara County Technology and
Industry Association

Santa Clarita Valley Chamber of
Commerce

Santa Maria Chamber of Commerce

Santa Maria Valley Chamber of
Commerce

Simi Valley Chamber of Commerce

South Orange County Economic Coalition

Southwest California Legislative Council

Temple City Chamber of Commerce

The Placita Santa Fe Merchants
Association

The Valley Economic Alliance

Tulare County Economic Development
Corporation

United Chambers of Commerce of the San
Fernando Valley

Ventura Chamber of Commerce

Ventura County Economic Development
Collaborative

ATTACHMENT "D"
Sitting in
traffic is
bad enough.

Do you really
want to be
stuck behind
this truck?

Support AB 1074: The Clean Fueling Act

THE TRANSPORTATION SECTOR

California has the worst air quality in the nation. To address the challenge, we need to target the transportation sector, which accounts for

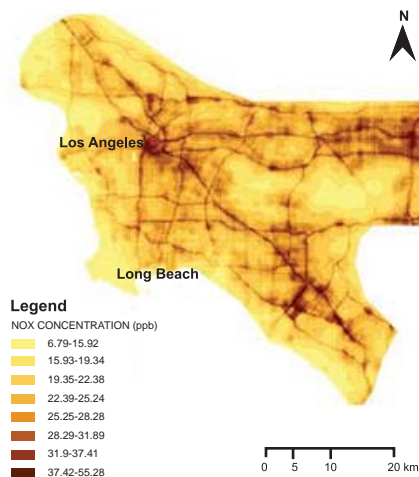


80% OF THE REGION'S
SMOG-FORMING EMISSIONS (NO_x)

40% OF ITS GREENHOUSE
GAS EMISSIONS

AIR POLLUTION

Disadvantaged communities near Southern California's freeways are suffering most from living with severely polluted air.



CALIFORNIA'S BAD AIR

California's extremely poor air quality contributes to serious health risks including asthma, cancer, birth defects and even premature death.



1 IN 6 OF CALIFORNIA'S
CHILDREN LIVE WITH ASTHMA



CHILDREN
MISS AROUND
1.9 MILLION
SCHOOL DAYS
EACH YEAR DUE TO ASTHMA

ASTHMA RESULTS
IN ABOUT
11.8 MILLION
DAYS OF MISSED WORK
IN CALIFORNIA

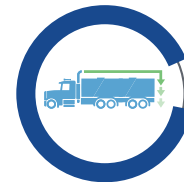


STATEWIDE COSTS
OF ASTHMA HOSPITALIZATIONS
WERE OVER **\$1 BILLION** IN 2010

TRANSITIONING FROM GASOLINE AND DIESEL TO ALTERNATIVE FUELS WILL IMPROVE OUR ENVIRONMENT AND PUBLIC HEALTH.



REDUCE
GREENHOUSE
GASES BY
15%-20%



PRODUCE
90% LESS
NO_x EMISSIONS

THE SOLUTION

We need to **invest in fueling infrastructure and build new stations** to make it easy and convenient to fill up with cleaner alternative fuels.



AB 1074 THE CLEAN FUELING ACT WILL GIVE
MORE CALIFORNIANS ACCESS TO CLEAN-BURNING FUELS.

Expanding California's infrastructure for alternative fuels, **the bill will accelerate the reduction of harmful emissions, help California clean the air and achieve its environmental goals faster.**

We don't have to wait for better air quality.

Assembly Bill 1074

Clean Vehicle Infrastructure

Assemblymember Cristina Garcia (D – 58)

PROBLEM

If California is to achieve its climate and air quality goals, the most aggressive in the nation, it must reduce Greenhouse Gas (GHG) emissions by 80% before 2050 and NOx emissions in Southern California by 80% before 2023. Vehicles contribute more to air pollution and GHG emissions than any other sector. Transportation corridors in California represent some of the dirtiest air in the country. In order to help California achieve climate goals and reduce air pollution, a robust refueling infrastructure for alternative fueled vehicles is needed. As a state, we need to show potential vehicle buyers that California is serious about expanding the alternative fuels market.

Solution

To help combat range anxiety and accelerate the adoption of alternative fuel vehicles, the State of California should adopt a policy that refueling options need to be available to facilitate electric, hydrogen and natural gas refueling along all passenger and goods movement corridors from border to border.

AB 1074 would direct the California Energy Commission (CEC) to develop a refueling infrastructure plan that identifies any and all stations, locational sites or areas, and facilities necessary to ensure refueling options.

BACKGROUND

California has already made the commitment to build a Hydrogen Highway, which would provide for hydrogen fueling stations throughout the state. In order to quickly and economically meet air quality and GHG emission reduction mandates, California should leverage benefits provided by all types of alternate fuel vehicles.

Widespread adoption of alternate fuel vehicles will not be achieved without convenient access to refueling facilities. To this end, the state needs a robust

infrastructure network plan in place for natural gas refueling, electric vehicle fast charging and hydrogen stations. Developing a comprehensive infrastructure plan would give California a complete package of alternative fuel opportunities available to consumers that could be customized and tailored to meet specific transportation needs.

Failure to demonstrate progress towards meeting federal air quality standards could result in significant consequences, including the withholding of federal transportation monies that fund roads and bridges, the loss of local control over rules and regulations, and the permitting of new sources that would impact the creation and expansion of businesses. Vehicle fueling infrastructure takes significant effort and requires extensive planning and coordination. Before cars and trucks, including heavy-duty trucks, are sold or leased, consumers and businesses must have confidence that they can refuel near their homes and jobs.

Currently, the infrastructure for alternative fuels is insufficient and does not support widespread adoption of these alternate fuel vehicles. A state policy to develop this infrastructure is needed if we are to reach our air quality and GHG emission reduction goals quickly and cost-effectively.

SUPPORT

Sempra Energy Utilities (sponsor)

OPPOSITION

CONTACT

Mandi Strella

Mandi.Strella@asm.ca.gov

Office of Assemblymember Garcia

916-319-2058

AMENDED IN ASSEMBLY MARCH 26, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 1074

Introduced by Assembly Member Cristina Garcia

February 27, 2015

An act relating to natural gas; to add Sections 25010, 25142, and 25991 to the Public Resources Code, relating to alternative transportation fuels.

LEGISLATIVE COUNSEL'S DIGEST

AB 1074, as amended, Cristina Garcia. ~~Natural gas; Alternative fuels:~~ infrastructure.

The Warren-Alquist State Energy Resources Conservation and Development Act establishes the State Energy Resources Conservation and Development Commission, ~~known as the Energy Commission~~, and requires the commission to prepare a biennial integrated energy policy report containing ~~specified information related to major energy trends and issues facing the state, as well as a biennial energy policy review.~~ The ~~Natural Gas Act~~ requires the Energy Commission, beginning November 1, 2015, and every 4 years thereafter, concurrent with the preparation of the integrated energy policy report, to identify strategies to maximize the benefits obtained from natural gas as an energy source, ~~as specified:~~ *an overview of major energy trends and issues facing the state, including supply, demand, pricing, reliability, efficiency, and impacts on public health and safety, the economy, resources, and the environment. The commission is required to make recommendations to improve the efficiency of transportation energy use, reduce dependence on petroleum fuels, decrease environmental impacts from transportation*

AB 1074

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energy use, and contribute to reducing congestion, promoting economic development, and enhancing energy diversity and security.

Existing law authorizes the Humboldt Bay Harbor, Recreation, and Conservation District and specified harbor and port districts, as defined, to jointly, with an electrical corporation, gas corporation, community choice aggregator established on or before July 1, 2013, or publicly owned electric or gas utility serving the district, to prepare one or more energy management plans to reduce air emissions and promote economic development through the addition of new businesses and the retention of existing businesses in the district. Existing law requires that if a district prepares an energy management plan pursuant to these provisions, that the plan include specified provisions.

~~This bill would state the intent of the Legislature to enact legislation to ensure that there is sufficient natural gas infrastructure and refueling infrastructure to accomplish the goals of the Natural Gas Act and the energy management plans described above.~~ *add a definition of “alternative fuel” and would provide that it is the policy of the state to help accelerate the adoption of vehicles using alternative fuels throughout the state by increasing the amount of charging and refueling options needed to facilitate electric, hydrogen, and natural gas vehicles traveling along all passenger and goods movement corridors on federal and state highways. The bill would, require the commission to conduct an assessment and develop an integrated strategy to maximize the benefits and scope of an alternative refueling infrastructure, as defined, to help the state achieve its climate change, air quality, and economic goals and this newly stated policy.*

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~-yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 *SECTION 1. Section 25010 is added to the Public Resources*
- 2 *Code, to read:*
- 3 *25010. It is the policy of the state and the intent of the*
- 4 *Legislature to help accelerate the adoption of vehicles using*
- 5 *alternative fuels throughout the state by increasing the amount of*
- 6 *charging and refueling options needed to facilitate electric,*
- 7 *hydrogen, and natural gas vehicles traveling along all passenger*
- 8 *and goods movement corridors on federal and state highways.*

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AB 1074

1 *SEC. 2. Section 25142 is added to the Public Resources Code,*
2 *to read:*

3 25142. “Alternative fuel” include biodiesel, bioalcohol
4 (methanol, ethanol, and butanol), chemically stored electricity
5 (batteries and fuel cells), hydrogen, compressed fossil or nonfossil
6 natural gas, liquefied fossil or nonfossil natural gas, vegetable
7 oil, propane, and other biomass sources.

8 *SEC. 3. Section 25991 is added to the Public Resources Code,*
9 *to read:*

10 25991. (a) As used in this section, “alternative refueling
11 infrastructure” means the equipment used to charge or store and
12 dispense alternative fuel to vehicles according to industry codes
13 and standards that is open to the public.

14 (b) The commission shall conduct an assessment and develop
15 an intergrated strategy to maximize the benefits and scope of an
16 alternative refueling infrastructure to help the state achieve its
17 climate change, air quality, and economic goals and the policy
18 described in Section 25010. As part of this assessment and strategy,
19 the commission shall develop a refueling infrastructure plan that
20 identifies both of the following:

21 (1) The number and types of stations that are needed to fulfill
22 the policy goal described in Section 25010.

23 (2) The geographical areas where additional stations will be
24 needed.

25 ~~SECTION 1. It is the intent of the Legislature to enact~~
26 ~~legislation to ensure that there is sufficient natural gas infrastructure~~
27 ~~and refueling infrastructure to accomplish the goals of the Natural~~
28 ~~Gas Act (Section 25303.5 of the Public Resources Code) and~~
29 ~~energy management plans pursuant to Chapter 13 (commencing~~
30 ~~with Section 25990) of Division 15 of the Public Resources Code.~~

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AGENDA REPORT

To: Mayor Joel Fajardo and Councilmembers

From: Councilmember Jaime Soto

Date: May 4, 2015

Subject: Appointment to the Transportation and Safety Commission

RECOMMENDATION:

I recommend that Julie Cuellar be appointed as my representative to the Transportation and Safety Commission.

BUDGET IMPACT:

None

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AGENDA REPORT

To: Mayor Joel Fajardo and Councilmembers

From: Brian Saeki, City Manager
By: Chris Marcarello, Deputy City Manager/Public Works Director

Date: May 4, 2015

Subject: Consideration to Implement Phase II of the Water Conservation Ordinance

RECOMMENDATION:

It is recommended that the City Council:

- a. Adopt Resolution No. 7674 (Attachment "A"), declaring a water shortage condition and implementing Phase II of the City's Water Conservation Ordinance; and
- b. Review the draft Guidelines for Residential Parkway Landscaping to encourage reduced water usage in parkway locations throughout the City.

BACKGROUND:

1. 2013 was the driest year on record for California and the drought continued into 2014. Many regions of the State have been severely impacted, prompting Governor Brown to ask all Californians to reduce their daily water use by 20%. While Los Angeles County has prepared for dry periods like this, water reserves throughout the State are being rapidly depleted.
2. In response to the ongoing severe drought, the State Water Resources Control Board (SWRCB) enacted emergency regulations in August 2014 to remain in effect for 270 days (approximately nine months), unless extended. Since most Californians use 50% of water consumption of outdoor use, the regulations are intended to reduce outdoor urban water use. The regulations require all urban water suppliers to:
 - Promote water conservation by implementing requirements and actions of the California Department of Water Resources (DWR) approved Water Shortage Contingency Plan that imposes mandatory watering restrictions on outdoor landscaping and turf.

Consideration to Implement Phase II of the Water Conservation OrdinancePage 2 of 5

- Prepare and submit reports to SWRCB to monitor potable water production and estimate gallons of water used per person per day for residential customers.
3. In Fall 2014, a public service announcement postcard was sent to all City water consumers regarding the State Emergency Regulations.
 4. The City declared a water emergency in October 2014 and implemented a Phase I (voluntary) water conservation level in accordance with the City's Water Conservation Ordinance (Attachment "C").
 5. On April 1, 2015, the Governor enacted Executive Order B-29-15, calling for a statewide reduction in water usage by 25%.
 6. On April 14, 2014, the Metropolitan Water District Board of Directors issued a letter of support the Governor's water conservation guidelines and declared a Level 3 water supply allocation plan starting in July 2015. This allocation plan represents approximately a 15% reduction in wholesale water use and a surcharge of approximately four times the normal price of an acre foot of water for use beyond allocated amounts.

ANALYSIS:

The City of San Fernando, like other cities in California, will help lead by example and promote best practices for water conservation. Some goals that are included in the proposed water conservation policy include promoting awareness of current drought conditions, reducing water usage locally by 25%, promoting water rebates and programs available for residents/businesses through the Metropolitan Water District (MWD), including www.socalwatersmart.com; www.saveourwater.org; and www.bewaterwise.com.

In addition to following the State's water conservation regulations and the proposed revisions to the municipal code, several efforts will continue to be made to educate the community about basic steps that can be used to help save water. These include such steps as:

- Checking your property for leaks and running water;
- Reducing watering times for lawns/outdoor landscaping;
- Taking shorter showers;
- Running dishwashers and clothes washers only when full; and
- Implementing water savings devices in irrigation use.

Consideration to Implement Phase II of the Water Conservation OrdinancePage 3 of 5

Statewide Water Shortage and Conservation Regulations

On April 1, 2015, the Governor enacted Executive Order B-29-15, adopting emergency water conservation regulations requiring a statewide reduction of water use by 25%. This action also requires local water agencies to activate their own water conservation plans to a level where outdoor watering restrictions are mandatory. In addition, on April 14, 2015, the MWD declared a Level 3 water supply allocation plan effective July 1, 2015. By taking this action, MWD has determined that a 15% reduction in water supplies is forecasted and that additional conservation measures are needed.

In order to comply with the State's mandate to restrict outdoor water usage, it is necessary that the City implement Phase II of its water conservation ordinance (per Section 94, Division 4 of the Municipal Code), which includes several water usage prohibitions that are summarized below:

1. Gutter Flooding: Water shall not enter gutter areas if it can reasonably be prevented.
2. Washing Hard-Surfaced Areas: Water shall not be used to wash sidewalks, driveways, parking lots, etc.
3. Irrigation: Outdoor watering of landscaping materials shall not occur between 10 a.m. and 5 p.m.
4. Ornamental Facilities: Water shall not be used to refill pools, fountains or other ornamental facilities.
5. Leaks: Water shall not leak from properties if it can reasonably be prevented.
6. Restaurants: Water shall be served to restaurant customers only upon request.
7. Washing Vehicles: Washing shall take place using a hand-held bucket, a hose equipped with a shutoff nozzle for quick rinses, or recycled water.

Additionally, local water conservation guidelines call for lawns, landscaped or other turf areas to be watered no more than every other day and between the hours of 10 p.m. and 5 a.m. In accordance with these guidelines, properties with even-numbered addresses will water on even-numbered days (Tuesday, Thursday, Sunday) and properties with odd-numbered address will water on odd-numbered days (Monday, Wednesday, Friday). No exterior watering will be allowed on Saturday. Days of the week are used to make implementation easier for the community. Most irrigation controller programs are designed using days of the week (Monday, Tuesday, etc.) and not calendar days (1, 2, etc.). This provision shall apply to all residential, commercial, industrial and public agencies in the City.

Enforcement of these provisions of the Municipal Code will include a significant education/notification component to better familiarize the community with City watering restrictions. Subsequent violations of the restriction could result in the issuance of administrative citations, fines, or water service disconnection/termination, as provided within

Consideration to Implement Phase II of the Water Conservation OrdinancePage 4 of 5

the California Water Code. As proposed, the water usage provisions would go into effect on June 1, 2015.

Proposed Residential Parkway Design Guidelines

In response to recent inquiries from the community, the City Council requested the development of design guidelines for parkway areas in residential neighborhoods. Currently, zoning guidelines require the use of turf in parkway areas (areas between curb/gutter and sidewalks). As proposed, these new guidelines would be used to encourage the use of drought tolerant plants or other materials in parkway areas that do not require water usage. These guidelines would be made available to residents at the City's public counter and on the City website. Of note, the proposed guidelines include the following key provisions:

- No permit fee for replacing turf with standard materials such as drought tolerant plants or other acceptable alternative materials;
- Maximum height restrictions on plant materials planted in parkway areas in order to not impact traffic/pedestrian safety and visibility;
- Provisions to allow acceptable materials other than plants, including decomposed granite, mulch, bark, gravel, or rock;
- Provisions to ensure that adjacent property owners maintain parkway areas;
- A sample palette of drought tolerant plant species that are available for use in landscaping designs.

If the draft guidelines are acceptable, they will be finalized for the City Council's adoption on May 18, 2015.

BUDGET IMPACT:

Failure to adopt increase local water conservation could subject the City to fines through the State Water Resources Control Board or wholesale rate surcharges through the Metropolitan Water District. It is expected that decreases in water usage will result in lost revenue from water sales due to conservation measures.

CONCLUSION:

It is recommended that the City Council adopt Resolution No. 7674 declaring a water shortage condition and implementing Phase II of the City of San Fernando's Water Conservation Ordinance. Additionally, it is recommended that the City Council provide input on the proposed draft Residential Parkway Design Guidelines that will encourage drought tolerant landscapes in parkway areas throughout the community.

Consideration to Implement Phase II of the Water Conservation Ordinance

Page 5 of 5

ATTACHMENTS:

- A. Resolution No. 7674
- B. Parkway Design Guidelines
- C. San Fernando Municipal Code - Chapter 94, Division 4

ATTACHMENT "A"

RESOLUTION NO. 7674**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN FERNANDO, DECLARING A WATER SHORTAGE CONDITION AND IMPLEMENTING PHASE II OF THE CITY'S WATER CONSERVATION ORDINANCE**

WHEREAS, the City of San Fernando operates a municipal utility for the delivery of water to the citizens of the City of San Fernando; and

WHEREAS, San Fernando Municipal Code, Chapter 94, Division 4 describes the City's Water Conservation Ordinance which requires that water resources be conserved upon declaration of the City Council that a water shortage exists and that certain prohibitions be set in place in order to reduce the consumption of potable water over an extended period; and

WHEREAS, Chapter 94, Division 4, Section 303 sets forth certain prohibitions of water use during shortage periods, including gutter flooding; washing hard-surfaced areas like sidewalks, driveways, and parking lots; use of water to refill pools, fountains or other ornamental facilities; washing vehicles unless using a hand-held bucket or a hose equipped with a shutoff nozzle; and outdoor watering of landscaping materials between the hours of 5 a.m. and 10 p.m.; and

WHEREAS, the City's prohibitions of water use is in effect at all times as Phase II of the City's Water Conservation Ordinance; and

WHEREAS, on July 15, 2014, the California State Water Resources Control Board ("Water Board") adopted emergency water conservation regulations requiring all Californians and water suppliers to take immediate actions to conserve water in response to the drought conditions, including, but not limited to, for water suppliers to activate their water shortage contingency plan to a level where outdoor irrigation restrictions are adopted; and

WHEREAS, on April 1, 2015, the Water Board adopted additional emergency water conservation regulations requiring a statewide reduction of 25% in water usage through February 26, 2016;

WHEREAS, on April 14, 2015, the Metropolitan Water District, of which the City is a member agency, declared a level three water supply allocation plan starting July 2015 which represents approximately a 15 % reduction in wholesale water use and a surcharge of approximately four times the normal price of an acre foot of water for use beyond allocated amounts; and

WHEREAS, in order to comply with the Water Board's emergency conservation regulations, the City of San Fernando enacted Phase I of the City's Voluntary Water Conservation Ordinance on October 6, 2014; and

WHEREAS, in order to comply with the Water Board's emergency conservation regulations adopted on April 1, 2015, the City of San Fernando will have to enact Phase II of the City's Mandatory Water Conservation Ordinance; and

WHEREAS, Phase II of the Water Conservation Ordinance provides that the outdoor watering of landscapes is only allowed no more than every other day and between the hours of 10 p.m. and 5 a.m. and properties with even-numbered addresses will water on even-numbered days (Tuesday, Thursday, Sunday), properties with odd-numbered addresses will water on odd-numbered days (Monday, Wednesday, Friday), with no outdoor watering on Saturdays; and

WHEREAS, implementation of Phase II of the Water Conservation Ordinance is a measure to conserve and protect existing water supplies and is exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to state CEQA Guidelines Sections 15061(b)(3), 15304, and 15307.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SAN FERNANDO, CALIFORNIA:

SECTION 1. That the City Council hereby implements Phase II of the City's Water Conservation Ordinance, as set forth in SFMC Chapter 94, Division 4, prohibiting the waste of water and requiring customers to comply with the water use restrictions as set forth in this chapter.

SECTION 2. That the City Clerk is authorized and directed to publish legal notice of this Resolution as required by law.

SECTION 3. That Phase II of the City's Water Conservation Ordinance shall become effective June 1, 2015.

SECTION 4. That the implementation of Phase II of the City of San Fernando's Water Conservation Ordinance is exempt from the requirements of the California Environmental Quality Act.

PASSED, APPROVED, AND ADOPTED this 4th day of May, 2015.

Joel Fajardo, Mayor

ATTEST:

Elena G. Chávez, City Clerk

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss
CITY OF SAN FERNANDO)

I HEREBY CERTIFY that the foregoing Resolution was approved and adopted at a regular meeting of the City Council held on the 4th day of May, 2015, by the following vote to wit:

AYES:

NOES:

ABSENT:

Elena G. Chávez, City Clerk

ATTACHMENT "B"



RESIDENTIAL PARKWAY LANDSCAPING GUIDELINES

"DRAFT"

MAY 4, 2015

Purpose

This document is offered to help provide the community with guidelines relative to the installation of landscape improvements within parkway areas, adjacent to sidewalks and street areas.

Standard Parkway Design

No Fee Permit. The accepted standard parkway design shall include materials such as turf, drought tolerant plant materials, groundcover plants, decorative rocks, mulch, bark, decomposed granite, or other permeable materials that help to minimize storm water runoff into roadway areas. No permit fee shall be charged when these materials are used to landscape a parkway area. These materials must provide an obstruction-free pedestrian passage between the street and sidewalk and maintain an open line of sight between the street and abutting properties. Drought tolerant materials are encouraged in order to help minimize water usage.

Plant Materials

Plant materials installed within parkway areas must meet the following criteria:

1. They must be drought tolerant or drought resistant
2. They must not exceed 36" in height at full maturity
3. They should complement the existing aesthetic context and character of the neighborhood and surrounding properties
4. They must not be considered noxious or invasive species
5. They must not have exposed, rigid spines or thorns
6. They must not form a continuous hedge or screen at full maturity
7. If installed within 60" of a driveway or sidewalk, they must not exceed 24" in height at full maturity

A recommended species list is attached to these guidelines.

Alternative Materials

Non-vegetative materials installed within parkway areas must meet the following criteria:

1. They must be placed so that the finished surface is in plane with the abutting sidewalk and curb surfaces
2. Loosely placed materials (mulch, bark, decomposed granite, rocks) shall not be used in parkway areas with a slope greater than 6% in any direction (3/8" of fall per each foot horizontally)
3. Alternative materials that do not provide a uniform, reasonably walkable surface are discouraged and will typically not be permitted for installation in parkway areas. If permitted,

these materials must be set within a cement concrete mix in a manner that will permanently affix the materials to the parkway area.

A recommended materials list is attached to these guidelines.

As part of the permitting review process, drawings, plans or other items that specify materials to be used, quantities and locations will be reviewed.

Convenience/Maintenance Strip

When plant materials are installed within the parkway area, a minimum 18" wide convenience strip shall be required adjacent and parallel to the back of curb along the entire length of the improved parkway to allow ingress and egress for occupants of vehicles parked along the curb. The convenience strip may consist of either low growing drought tolerant plant materials or recommended alternative materials. The finished grade of this area shall form a commonly accepted walking surface that is flush with the adjacent curb area.

Parkway Irrigation Systems

Where irrigation systems are used, the City encourages the use of sub-surface drip irrigation systems or low flow water systems to minimize water overspray or over watering. Pressurized lines or valves shall not be installed in parkway areas. If spray systems are used, all spray heads shall be the pop-up style with fully retractable sprinkler heads. Spray systems shall retract to be flush with the adjacent surface when not in use and shall not be located closer than 24" to any hard paved nearby surfaces.

Non-Standard Parkway Design

Permits are Required. For all other non-standard parkway designs, appropriate permits (i.e. encroachment permit) shall be required, by filing an application with the City. Permit costs are set in accordance to fee schedules established by the City Council, and may vary depending on the proposed design. Residents are encouraged to discuss proposed designs with City staff in order to find out more information regarding non-standard designs. Such non-standard designs may include decorative paving, storm water capture systems, or pressured irrigation systems. As part of the permitting review process, drawings, plans or other items that specify materials to be used, quantities and locations will be reviewed.

Storm Water Capture Systems

Storm water capture systems are encouraged when possible and appropriate. These systems help to clean and treat storm water biologically prior to its continuance into the storm drain systems. They also help storm water to infiltrate into the sub-grade and reduce storm water runoff.

Parkway Maintenance






All parkway landscape installation shall be maintained in good repair and on grade by the owner using the following criteria:




1. Plant materials shall be kept in a neat, trimmed manner adjacent to paved surfaces at all times and shall not obstruct upon sidewalks, driveways, walkways, or curb areas. Plant materials shall be replaced or replenished as required, and the planted parkways shall be kept free of weeds or other debris.
2. Alternative materials shall be maintained in good repair and on grade flush with the adjacent sidewalks, driveways, walkways, or curb areas to minimize slipping and tripping hazards. Materials like decomposed granite, mulch, bark or other materials shall be replenished as required to maintain a finished grade that is in plane with the adjacent curb or sidewalk.
3. Irrigation systems shall be maintained in good repair and be kept free of leaks or other anomalies that prevent the system from operating at peak efficiency.

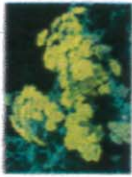

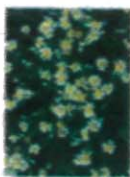


Enforcement






When parkway areas are found to be out of compliance with these guidelines or other City codes or regulations, the City will employ a progressive enforcement process to ensure the improvements are either properly permitted or returned to a condition that complies with said codes or regulations. This process will begin with verbal and/or written notifications to the abutting property owner or occupant in an attempt to voluntarily achieve proper compliance. Further enforcement activities may include fines or corrective action. In cases where improvements are deemed a nuisance or safety hazard to the public, the City reserves the right to remove the offending improvements and restore the parkway areas using City forces. The abutting property owner shall be responsible for the reimbursement of all costs incurred by the City to properly restore parkway areas fronting his/her property.

Recommended Plant Species and Materials List

Scientific name	Common name	Reference photo	Water needs:	Height x spread	Notes
<i>Bouteloua gracilis</i> 'Hachita'	Hachita Blue Grama		L/VL	4"	More vigorous than other Bouteloua species. Good in sandy or clay soil. Sold as plugs. Mow once a month to maintain uniform, consistent height.
<i>Burchardia gracilis</i> 'UC Verde'	UC Verde Buffalo grass		L/VL	3" mowed height	Warm season grass. Best along the coast or L.A. basin where it stays green all year; goes dormant inland for as long as October to March. Sold as plugs. Not good in sandy soil. Mow every 2 to 3 weeks to maintain uniform, consistent height.
<i>Carex panza</i>	California Meadow Sedge		M/M	3"-4" mowed height	Cool season sedge, can go dormant in summer without regular summer water. Sold as plugs. Mow to maintain uniform, consistent height.
<i>Carex protergracilis</i>	Dune Sedge		M/M	3"-4" mowed height	Cool season sedge, can go dormant in summer without regular summer water. Sold as plugs. Mow to maintain uniform, consistent height.
<i>Cynodon dactylon</i> 'GN-1'	Hybrid Bermuda		L/M	1/4" - 3/4"	Warm season grass; goes dormant during winter months. Tolerates high foot traffic. Drought tolerant; full sun. Grow from stolons, plugs, or sod. 'GN-1' requires less maintenance than 'Santa Ana' or 'Tifway' grasses.
<i>Cynodon dactylon</i> 'Santa Ana'	Hybrid Bermuda		L/M	1/4" - 3/4"	Same as above (see 'GN-1' notes). More smog resistant, and shorter dormant period; holds color longer.

Scientific name	Common name	Reference photo	Water needs:	Height x spread	Notes
<i>Cynodon dactylon</i> 'Tifdwarf'	Hybrid Bermuda		L/M	1/4" - 3/4"	Same as above (see 'GN-1' notes). Slower to establish and spread than other Bermuda hybrids
<i>Cynodon dactylon</i> 'Tifgreen'	Hybrid Bermuda		L/M	1/4" - 3/4"	Same as above (see 'GN-1' notes). Good tolerance to saline soils
<i>Cynodon dactylon</i> 'Tifway 419'	Hybrid Bermuda		L/M	1/4" - 3/4"	Same as above (see 'GN-1' notes). Good tolerance to saline soils. Shorter dormant period; holds color longer
<i>Paspalum vaginatum</i> 'Sea Spray'	Sea Spray Paspalum		L-M/M	1/4" - 1 1/2" mowed height	Warm season grass. Prefers soils that have moderate to high salinity; great near the coast and perfect for reclaimed or grey water. Available from seed. Irrigate every 1 to 2 weeks with 1" water. Mow to maintain uniform height.

Scientific name	Common name	reference photo	Water needs:	Height x spread	Notes
<i>Achillea millefolium</i>	Common Yarrow		M/L	Flowers to 3', leaves 3"	Mow every 2-6 weeks to maintain uniform height similar to lawn. There are many cultivars.
<i>Achillea tomentosa</i>	Woolly Yarrow		M/L	2' x 1 1/2'	Grey, green woolly leaves. Yellow flat-topped flower heads to 6" - 10" tall. Must be mowed to remove flower stalks and maintain uniform height similar to lawn.
<i>Chamaemelum nobile</i>	Chamomile		M/M	3" - 12"	The plant of herbal tea fame. Mow or shear to maintain uniform height similar to lawn. Plant 1' apart for good coverage.
<i>Duchesnea indica</i> (<i>Fragaria indica</i>)	Indian Mock Strawberry		M/M	3" - 4" X 12"	Can take more sun near the coast; must have partial shade in warm inland valleys. Bright yellow flowers and red, tasteless fruit. Needs regular moisture and well-drained soils. Mow in early spring to maintain uniform height.
<i>Dymondia margaritae</i>	Dymondia		M/L	1" - 3" X 1" - 2"	Spreading perennial. Green leaves edged in silver, yellow flowers in summer. Slow growing. Needs well-drained soils and does better near the coast; okay for inland areas.

Scientific name	Common name	Reference photo	Water needs:	Height x spread	Notes
<i>Fragaria chiloensis</i>	Beach Strawberry		M/M	3"-8"	Produces small edible strawberries. Mow or cut back in late winter just before new growth to maintain uniform height. Best near coast. Not recommended for inland/valley areas.
<i>Herniaria glabra</i>	Green Carpet, Rupture Wort		M/M	1"-3"	Spreads by rooting stems. Plant 1' apart for good coverage. Needs well-drained soil. Will take light traffic areas.
<i>Lotus corniculatus</i> "Plenus"	Bird's Foot Trefoil		M/M	4" x 12"	Carpet of dark green three-leaved leaves. Yellow flowers in summer and fall. Can be mowed. Especially good in clay soil.
<i>Phyla nodiflora</i> (<i>Lippia repens</i> , <i>Lippia nodiflora</i>)	Lippia		M/L	2"	Ground-hugging perennial. Small pink flowers from spring to fall attract bees. Mow periodically to maintain uniform height and to remove flowers if bees are an issue.
<i>Thymus praecox arcticus</i>	Creeping Thyme		M/M	2"-4" X 18"-24"	Spreading perennial herb. Pink flowers. Scented leaves.

ATTACHMENT "C"

CITY OF SAN FERNANDO MUNICIPAL CODE

CHAPTER 94

DIVISION 4. - WATER CONSERVATION

FOOTNOTE(S):

--- (2) ---

Editor's note— Ord. No. 1638, § 1, adopted Oct. 20, 2014, repealed former Div. 4, §§ 94-296—94-303, in its entirety and enacted new provisions numbered as §§ 94-295—94-306. In order to avoid conflicts in section numbering the editor has renumbered the provisions added by Ord. No. 1638 as herein set out. Former Div. 4 pertained to water wastage and derived from the Code of 1957, §§ 28.9—28.15.

Sec. 94-281. - Purpose.

Upon declaration by the city council that a water shortage emergency exists, this plan shall be implemented to provide a vehicle to protect the public peace, health and safety by significantly and equitably reducing the consumption of potable water over an extended period. The plan shall remain in effect until the city council declares the water shortage emergency has ended.

(Ord. No. 1638, § 1, 10-20-2014)

Sec. 94-282. - Definitions.

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Person means any individual, firm, partnership, association, company or organization of any kind.

Water means water supplied by the city.

(Ord. No. 1638, § 1, 10-20-2014)

Cross reference— Definitions generally, § 1-2.

Sec. 94-283. - Applicability.

This division shall apply to all persons using water in this city, regardless of whether any person using water shall have a contract for water service.

(Ord. No. 1638, § 1, 10-20-2014)

Sec. 94-284. - Reclamation wastewater system required for carwashes.

All carwashes shall be constructed with a wastewater reclamation system approved by the public works director. No carwash shall be exempted pursuant to section 94-289 from the requirements of this section.

(Ord. No. 1638, § 1, 10-20-2014)

Sec. 94-285. - Phase I water shortage (voluntary conservation).

(a) A phase I shortage shall be declared when the city determines that a shortage of up to ten percent will occur in water supplies.

(b) All elements of section 94-288 (Prohibitions) shall apply in phase I on a voluntary basis only.

(Ord. No. 1638, § 1, 10-20-2014)

Sec. 94-286. - Phase II water shortage (mandatory conservation).

- (a) A phase II shortage shall be declared when the city determines that a shortage of up to 20 percent will occur in water supplies.
- (b) All elements of section 94-288 (Prohibitions) shall apply in phase II on a mandatory basis.

(Ord. No. 1638, § 1, 10-20-2014)

Sec. 94-287. - Phase III water shortage (mandatory conservation).

- (a) A phase III shortage shall be declared when the city determines that a shortage above 20 percent will occur in water supplies.
- (b) All elements of section 94-288 (Prohibitions) shall apply in phase III on a mandatory basis except that:

- (1) Restrictions on watering lawns, landscaped or other turf areas shall be modified to prohibit watering more often than every third day in a schedule to be set by the public works director, with watering only during the hours of 5:00 p.m. and 10:00 a.m.;
- (2) Commercial nurseries and other water-dependent industries shall be prohibited from watering lawn, landscaped and other turf areas more often than every third day on a schedule to be determined by the public works director, and shall water only during the hours between 5:00 p.m. and 10:00 a.m.
- (3) Water used on a one-time basis for purposes such as construction and dust control, shall be limited to that quantity identified in a plan submitted by the user which describes water use requirements. The plan shall be submitted to the city for approval. Water sources other than potable water shall be utilized where available;
- (4) The use of water from fire hydrants shall be limited to fire fighting and related activities and other uses of water for municipal purposes shall be limited to activities necessary to maintain the public health, safety and welfare.

(Ord. No. 1638, § 1, 10-20-2014)

Sec. 94-288. - Prohibitions.

- (a) *Gutter flooding.* No person shall cause or permit any water furnished to any property within the city to run or to escape from any hose, pipe, valve, faucet, sprinkler or irrigation device into any gutter or otherwise to escape from the property if such running or escaping can reasonably be prevented.
- (b) *Washing hard-surfaced areas.* No person shall use any water furnished to any property within the city to wash sidewalks, walks, driveways and parking lots by hosing.
- (c) *Irrigation.* No person shall water or irrigate any shrubbery, trees, lawns, grass, ground covers, plants, vines, gardens, vegetables, flowers or other vegetation between the hours of 10:00 a.m. and 5:00 p.m. No water users shall cause or allow the water to run off landscaped areas into adjoining streets, sidewalks or other paved areas due to incorrectly directed or maintained sprinklers or excessive watering.
- (d) *Ornamental facilities.* No person shall refill any fountain, pool or other facility containing water solely for ornamental purposes emptied during the effectiveness of this division.
- (e) *Leaks.* No person shall permit leaks of water which he has the authority to eliminate.
- (f) *Restaurants.* Restaurants shall only serve water to customers upon request.
- (g) *Washing vehicles.* Washing of motor vehicles, trailers, boats and other types of equipment shall be done only with a hand-held bucket or a hose equipped with a positive shutoff nozzle for quick rinses,

except that washing may be done with reclaimed wastewater, or by a commercial car wash using recycled water.

- (h) All lawns, landscaped or other turf area shall be watered not more often than every other day and with watering only during the hours between 5:00 p.m. and 10:00 a.m., with even-numbered addresses watering on even-numbered days of the month and odd-numbered addresses watering on odd-numbered days of the month. This provision shall apply to residential, commercial, industrial and public agencies but shall not apply to commercial nurseries, golf courses and other water-dependent industries.
- (i) *Wasting generally.* No person shall cause or permit water under his control to be wasted.

(Ord. No. 1638, § 1, 10-20-2014)

Sec. 94-289. - Exemptions.

- (a) *Permit.* A person may be exempted from application of this division to a certain type of use if the city's public works director issues a permit allowing such use and if such permit issuance is based on a finding that enforcement of the applicable restriction would either:
 - (1) Cause an unnecessary and undue hardship to the applicant or the public; or
 - (2) Cause or threaten an emergency condition affecting the health, sanitation, fire protection or safety of the applicant or the public.
- (b) *Conservation devices.* The public works director may require the use of such water conservation devices or practices as he deems appropriate as a condition of the exemption permit. He shall promulgate a list of approved devices.

(Ord. No. 1638, § 1, 10-20-2014)

Sec. 94-290. - Enforcement.

- (a) The public works director, the fire chief, police chief, water superintendent, or designee have the duty and are authorized to enforce this division and shall have all the powers and authority contained in Penal Code § 836.5, including the power to issue written notice to appear.
- (b) Each law enforcement officer shall, in connection with his duties imposed by law, diligently enforce this division.

(Ord. No. 1638, § 1, 10-20-2014)

Sec. 94-291. - Remedies; penalties.

- (a) *Notice of violation; procedure upon failure to correct.* Prior to enforcement pursuant to section 94-290, any person who is suspected of violating this division shall be given a preliminary notice in writing of such violation, with the description of violation set forth in such preliminary notice. The person shall have 24 hours to correct the violation or terminate the use. If the violation is not corrected or the use terminated, the water division may forthwith either:
 - (1) Disconnect service;
 - (2) Install flow-restricting devices restricting water service; or
 - (3) Order issuance of a second preliminary notice.

Service disconnected or restricted pursuant to subsection (a)(1) or (2) of this section shall be restored only upon payment of the turn-on and other charges fixed by this article or the rules and regulations of the water division.

- (b) *Penalties.* Any person who has received a preliminary notice of violation of a particular section of this division and against whom the water division has taken action pursuant to this section and who has not corrected or terminated the use or at a subsequent time violates the same section of this division,

regardless of whether the type of use was previously specified in any preliminary notice of violation, shall be:

- (1) Issued an administrative citation as described in the city's comprehensive fee schedule; or
- (2) Guilty of a misdemeanor, punishable as provided in section 1-10. Each day any violation of this division is committed or permitted to continue shall constitute a separate offense and shall be punishable as such.

(Ord. No. 1638, § 1, 10-20-2014)

Sec. 94-292. - Conflict with state law.

This division shall be inoperative to the extent any regulations and restrictions adopted pursuant to Water Code §§ 350—359 conflict.

(Ord. No. 1638, § 1, 10-20-2014)

Secs. 2-293—2-303. - Reserved.

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AGENDA REPORT

To: Mayor Joel Fajardo and Councilmembers

From: Brian Saeki, City Manager

Date: May 4, 2015

Subject: Consideration to Adopt a Resolution Amending the City Council Procedural Manual and Review of Administrative Policies Pertaining to City Council Contacts and Attorney Services

RECOMMENDATION:

It is recommended that the City Council:

- a. Provide suggested changes to the Procedural Manual (Exhibit "A" to Resolution No. 7664);
- b. Adopt Resolution No. 7664 (Attachment "A") amending the City Council Procedural Manual to reflect final changes made by the City Council; and
- c. Review Administrative Policies pertaining to City Council Contacts (Attachment "B") and Attorney Services (Attachment "C") and provide staff with recommended changes.

BACKGROUND:

1. On July 3, 1995, the City Council adopted Resolution No. 6434 Approving a Procedural Manual (Manual) for the Conduct of City Council Meetings.
2. Since adoption, the Manual has been amended (via Resolutions and Ordinances) several times.
3. On February 4, November 18, and December 2, 2013, and on January 20 and February 17, 2015, the City Council met to discuss various changes to the Manual and directed staff to re-agendize with the recommended changes/revisions for final approval by the City Council.
4. On April 1, 2015, the Mayor, Vice Mayor, and City Clerk met briefly to discuss Mayor Fajardo's suggested changes to the Manual and to discuss policies that may be included in the final Manual. It was suggested that both aforementioned policies also be brought to the full City Council for discussion along with the Manual.

Consideration to Adopt a Resolution Amending the City Council Procedural Manual and Review of Administrative Policies Pertaining to City Council Contacts and Attorney ServicesPage 2 of 2

ATTACHMENTS:

- A. Resolution No. 7664 (Exhibit "A" to the Resolution is a strikethrough version of the Manual)
- B. 1993 Administrative Policy Pertaining to City Council Contacts
- C. 1995 City Council Policy Pertaining to Attorney Services

ATTACHMENT “A”**RESOLUTION NO. 7664****A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN FERNANDO, CALIFORNIA, AMENDING THE CITY COUNCIL PROCEDURAL MANUAL BY REVISING VARIOUS SECTIONS INCLUDING CHANGING THE MAYOR PRO TEMPORE TITLE TO VICE MAYOR**

WHEREAS, the City Council adopted its Procedural Manual (Manual) for the Conduct of City Council Meetings in the City of San Fernando on July 3, 1995 by Resolution No. 6434, and amended the Procedural Manual on March 16, 1998 by Resolution No. 6604, on August 7, 2000 by Resolution No. 6743, on July 21, 2003 by Ordinance No. 1543, on July 20, 2009 by Resolution 7328, on December 7, 2009 by Resolution No. 7346, on May 3, 2010 by Resolution No. 7376, on September 19, 2011 by Resolution No. 7454; and

WHEREAS, the Manual sets forth procedures regarding the conduct of City business, including, but not limited to, regular meetings, special meetings, agendas, noticing, decorum, voting, adoption of resolutions and ordinances, minutes and reorganization, but does not thoroughly address Council committees; and

WHEREAS, the City Council desires to amend the Manual (Exhibit “A”) by revising various sections.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAN FERNANDO DOES HEREBY RESOLVE, FIND, DETERMINE, AND ORDER AS FOLLOWS:

SECTION 1. The City Council finds that all of the facts set forth in this Resolution are true and correct.

SECTION 2. The revised sections contained in Exhibit “A”, which are hereby incorporated herein by this reference, are added to the Manual.

SECTION 3. The Mayor shall sign and the City Clerk shall certify to the passage and adoption of this Resolution. This Resolution shall take effect and be in full force immediately.

PASSED, APPROVED AND ADOPTED by the City Council of the City of San Fernando at a regular meeting held on this 4th day of May 2015.

Joel Fajardo, Mayor

ATTEST:

Elena G. Chávez, City Clerk

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss
CITY OF SAN FERNANDO)

I HEREBY CERTIFY that the foregoing Resolution was approved and adopted at a regular meeting of the City Council held on the 4th day of May 2015, by the following vote to wit:

AYES:

NOES:

ABSENT:

Elena G. Chávez, City Clerk

CITY OF SAN FERNANDO		POLICY/PROCEDURE
NUMBER		SUBJECT Council Contacts
ORIGINAL ISSUE August 19, 1986	EFFECTIVE August 19, 1986	
CURRENT ISSUE September 15, 1993	EFFECTIVE September 15, 1993	CATEGORY Council Policy/Procedure
SUPERSEDES Penman Memorandum of August 19, 1986		

In the interest of supporting proper channels of communications between City Council members and employees, and conservation of Council members and staff time this policy establishes the procedure for (1) staff contacts initiated by Council members and (2) Council member contacts initiated by employees.

Staff Contacts Initiated by Council Members


Department heads will be contacted by Council members if they have questions or wish to discuss some matter. Requests for information that can be retrieved from established records will be accommodated. Requests for information that requires generating studies or analysis will be accommodated in accordance with priorities and staff time availability. Employees other than department heads who are contacted by Council members are required to advise the department head of the contact and the nature of the call.

Council Contacts Initiated by Employees

Council members will be contacted by department heads if they have questions or wish to discuss some matter upon approval of the City Administrator. All requests by employees other than department heads to speak to a Council member will be submitted to the Deputy City Clerk. The request will include the subject matter and the reason necessitating the contact. Employees are not to contact Council members directly on City time; failure to comply with this directive may result in disciplinary action. Response to the request will be at the discretion of the Council member which may be directly, by someone else on behalf of the Council member, or not at all.

AUTHORITY

By order of the City Administrator.



Mary Stenn, City Administrator

CITY OF SAN FERNANDO		POLICY/PROCEDURE
NUMBER		SUBJECT Attorney Services
ORIGINAL ISSUE	EFFECTIVE	
CURRENT ISSUE June 5, 1995	EFFECTIVE June 5, 1995	CATEGORY Council Policy
SUPERSEDES		

I. PURPOSE AND SCOPE

- A. Assure equal access to city attorney services for all Councilmembers.
- B. Control costs and make effective use of time.
- C. Assure that the City Attorney is not working on assignments that are at cross purposes with adopted Council policy.
- D. Assure that Councilmembers have personal advice on conflict issues.
- E. Assure that the City Attorney remains a key member of the management team.

II. GENERAL

Several sources were drawn upon in developing the following policy: Past experience of the City Attorney, the City Administrator's recent administrative policy developed for staff use of attorney services, and elements of past history that worked well (or were too restrictive).

III. PROCEDURE

The City Council has adopted the following policy for use of city attorney services:

1. Any Councilmember should be able to call the City Attorney for advice on conflict of interest issues or FPPC filings, without sharing the information with other Councilmembers, except the City Clerk.
2. Work requested by a Councilmember should be assigned based on approval by a majority of the City Council.
3. Any Councilmember should be able to call the City Attorney for information that does not generate research or a work product.
4. All work products should be copied to all Councilmembers and staff (with the exception noted in (1)).
5. When Council has taken formal action completing an item, city attorney research should not be expected without further authorization.

AUTHORITY

Approved at a meeting of the San Fernando City Council on June 5, 1995.

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AGENDA REPORT

To: City Councilmembers

From: Mayor Joel Fajardo

Date: May 4, 2015

Subject: Consideration to Adopt an Ordinance Regarding the Regulation of Behested Payments

RECOMMENDATION:

I have placed this on the agenda for City Council discussion and consideration.

It is recommended that the City Council introduce for first reading, in title only, and waive further reading of Ordinance No. 1640 (Attachment "A") titled, "An Ordinance of the City Council of the City of San Fernando Amending Article VII (Campaign Reform) of Chapter 2 (Administration) by the Addition of Section 2-910 Regarding the Regulation of Behested Payments."

BACKGROUND:

On March 16 and April 20, 2015, I removed this item from the agenda to be reconsidered at another City Council meeting. I have requested that this Ordinance (Attachment "A") be presented to the City Council for consideration.

BUDGET IMPACT:

There will be no impact to the budget by introducing this ordinance.

ATTACHMENT:

A. Ordinance No. 1640

ATTACHMENT "A"**ORDINANCE NO. 1640****AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN FERNANDO AMENDING ARTICLE VII (CAMPAIGN REFORM) OF CHAPTER 2 (ADMINISTRATION) BY THE ADDITION OF SECTION 2-910 REGARDING THE REGULATION OF BEHESTED PAYMENTS**

WHEREAS, state law sets forth a reporting scheme under Government Code section 82015(b)(2)(B)(iii) for so-called "behested payments" as part of the Political Reform Act (the "Act") that applies to elected officials of the City of San Fernando (the "City"); and

WHEREAS, the Act provides that even if a payment is made "at the behest" of an elected official, it is neither a gift nor a contribution if it is made principally for legislative, governmental or charitable purposes; and

WHEREAS, the California Fair Political Practices Commission ("FPPC") prescribes a specific Form 803 for behested payment reports, which must be filed within thirty (30) days with the official's agency when the amount of the payment, or aggregate payments for similar purposes made at the behest of the officer by the same source, is \$5,000 or more in a calendar year; and

WHEREAS, the public policy behind the reporting of such behested payments is to provide the disclosure of payments to the public in which there may be a potential for influence over a public official; and

WHEREAS, the City Council desires to augment the state law requirements concerning behested payments as set forth below.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAN FERNANDO DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. The facts set forth in the recitals above are true and correct and are incorporated herein by reference.

SECTION 2. Article VII (Campaign Reform) of Chapter 2 (Administration) of the City of San Fernando Municipal Code is amended by the addition of Section 2-910 which shall read as follows:

Sec. 2-910. Behested Payments.

(a) Definitions. The terms "payment" and "official" shall have those meanings as set forth in California Government Code Sections 82044 and 82020, respectively.

(b) Payments made for legislative, governmental, or charitable purposes at the behest of a candidate who is an elected officer shall be reported within thirty (30) calendar days to the City Clerk on a form prescribed by the City Clerk.

(c) Within twenty (20) calendar days of receipt of a report submitted pursuant to Subsection (b), above, the City Clerk shall publicly identify the behested payment identified therein at a regular City Council meeting at the conclusion of the public comment portion of a City Council meeting. Alternatively, the applicable elected official can publicly identify his or her reported behested payment within twenty (20) calendar days of the submission of a report submitted pursuant to Subsection (b), above, during his or her closing comments at a City Council meeting.

SECTION 3. Should any section, subsection, clause or provision of this Ordinance, for any reason, be held to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity or constitutionality of the remaining portions of this Ordinance. This Ordinance, and each section, subsection, sentence, clause, and phrase hereof would have been prepared, proposed, approved, and ratified irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared invalid or unconstitutional.

SECTION 4. The Mayor shall sign and the City Clerk shall attest to the passage of this Ordinance. The City Clerk shall cause the same to be published once in the official newspaper within fifteen (15) days after its adoption. This Ordinance shall become effective thirty (30) days after adoption.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of San Fernando at the regular meeting held on the _____ day of _____, 2015.

Joel Fajardo, Mayor

ATTEST:

Elena G. Chávez, City Clerk

APPROVED AS TO FORM:

Rick R. Olivarez, City Attorney

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS
CITY OF SAN FERNANDO)

I, Elena G. Chávez, City Clerk of the City of San Fernando, do hereby certify that the foregoing Ordinance was adopted a regular meeting of the City Council held on the _____ day of _____, 2015 and was carried by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Elena G. Chávez, City Clerk

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AGENDA REPORT

To: City Councilmembers

From: Mayor Joel Fajardo

Date: May 4, 2015

Subject: Consideration to Appoint Vice Mayor Sylvia Ballin and Councilmember Robert C. Gonzales to Review Applications for the City/Republic Services College Scholarship Program

RECOMMENDATION:

I recommend that the City Council appoint Vice Mayor Ballin and Councilmember Gonzales to assist with the review of applications and essays related to the City/Republic Services annual scholarship program. In addition, Vice Mayor Ballin and Councilmember Gonzales could also appoint a member from the Education Commission to assist in the review and recommendation process.

BACKGROUND:

The City provides solid waste collection services through an exclusive franchise agreement with Republic Services. This agreement started on February 15, 2014 and provides for the safe and efficient collection, processing and disposal of solid waste and recyclable materials. As part of the franchise agreement, Republic Services is required to coordinate a scholarship program for graduating high school seniors that live in San Fernando.

Applications under this program have been received and I recommended that the City Council appoint Vice Mayor Ballin and Councilmember Gonzales to assist with the review process. As proposed, they will work with a member of the Cesar Chavez Committee, Republic representatives and City staff to review applications and recommend scholarship awards. In addition, Vice Mayor Ballin and Councilmember Gonzales could also appoint an Education Commission to assist in the review process. After conducting its review, the committee will inform applicants of its decision and scholarships will be awarded by the entire City Council.

ANALYSIS:

On December 2, 2013, the City Council approved a 10-year franchise agreement with Republic Services to provide solid waste collection services in the City of San Fernando. The scope of

Consideration to Appoint Vice Mayor Sylvia Ballin and Councilmember Robert C. Gonzales to Review Applications for the City/Republic Services College Scholarship ProgramPage 2 of 3

work includes collection services for all residential, commercial, and temporary bin rentals in the City.

In addition to solid waste collection services, Section 14.04 of the franchise agreement specifies that Republic Services shall coordinate a scholarship program for college-bound high school seniors that reside in the City.

Information regarding the scholarship program was circulated to local high schools beginning in January 2015. (Attachment "A") Additionally, Republic Services' staff members have conducted outreach with school staff to help advertise the program. The scholarship program is comprised of the following elements:

- Up to \$1,000 per fiscal year is available to eligible college-bound high school seniors that submit an application and essay related to environmental stewardship practices.
- The application includes a written essay that discusses students' ideas relative to environmental stewardship and how these ideas could be implemented in their day-to-day life. Students are also asked to briefly discuss how these ideas relate to Cesar Chavez' environmental beliefs/practices.
- For the current application phase, funds from both Fiscal Year (FY) 2014-2015 and FY 2015-2016 will be combined and \$2,000 will be available for scholarships.
- Review of applications/essays will take place depending on availability of the reviewers. It is estimated that approximately 2 hours will be needed to review applications.
- Scholarship awards will be presented by the City Council in May or June 2015.

BUDGET IMPACT:

Funding for the scholarship program is provided by Republic Services. No City funds are utilized for this program.

CONCLUSION:

I recommended that the City Council appoint Vice Mayor Ballin and Councilmember Gonzales assist with the review of applications and essays related to the City/Republic Services annual scholarship program. In addition, Vice Mayor Ballin and Councilmember Gonzales could appoint a member from the Education Commission to assist them in the review and recommendation process.

Consideration to Appoint Vice Mayor Sylvia Ballin and Councilmember Robert C. Gonzales to Review Applications for the City/Republic Services College Scholarship Program

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ATTACHMENT:

A. 2015 Scholarship Program Overview/Details



2014-2015 ANNUAL CESAR CHAVEZ SCHOLARSHIP PROGRAM

City of San Fernando

Republic Services, Inc. is an industry leader in U.S. non-hazardous solid waste and recycling. Through its subsidiaries, Republic's collection companies, transfer stations, recycling centers and landfills focus on providing reliable environmental services and solutions for commercial, industrial, municipal and residential customers. Republic and its employees believe in protecting the planet and applying common sense solutions to customers' waste and recycling challenges.



Recognizing teamwork and education is essential to creating environmental change, Republic Services is working with the City of San Fernando's Education Commission and the local Cesar Chavez Foundation Chapter, to help students reach waste reducing goals within the City and become leaders in the three R's; Reduce, Re-use, and Recycle. As part of the effort to make recycling second nature to all City of San Fernando residents and college bound senior high school students, Republic Services is proud to announce the **2015 Annual Cesar Chavez Scholarship Program**.

Scholarship Program Overview:

Republic Services will award two \$1,000 scholarships to two eligible City of San Fernando resident students for the **2014-2015 Annual Cesar Chaves Scholarship Program**. Beginning February 15, 2015 High School college-bound seniors residing within the City of San Fernando will have the opportunity to begin their environmental stewardship essay that relates to Cesar Chavez's environmental beliefs / morals.

Republic Services believes that tomorrow's thinkers and innovators will solve and tackle pressing issues regarding the conservation of our environment. These future scholars and leaders have the potential to create greener living standards, an environmentally sound economy, and a measure of sustainability in all that they do. Republic Services hopes to inspire young people to express their environmental ideas and opinions through this project.

Please review the **2015 Annual Cesar Chavez Scholarship Program** details outlined below and visit our website at www.republicservices.com to view environmental and recycling videos to help gain content for the essay.

This Scholarship program is a collaborative effort between adult volunteers from the City of San Fernando, The Cesar Chavez Foundation Local Chapter and Republic Services



2015 Essay Writing Details and Topics:

Theme:

- Cesar Chavez and Environmental Stewardship

Deadline:

- Entries must be submitted to: SFscholarship@republicservices.com by February 27th, 2015

Eligibility:

- The essay contest is open to all City of San Fernando college-bound graduating seniors.

Scholarship Awards:

- Two \$1,000 individual scholarships will be awarded for two recipients.

Writing Guidelines:

- Essays must be in English and be 400 to 500 words in length, typewritten and double-spaced in 12 point font. Facts and quotations should be appropriately cited either in the body of the essay or in footnotes. Entries must be original, unpublished essays written by the contestants.

Submission Guidelines:

- Please submit only one essay per student.
- Send entries to SFscholarship@republicservices.com
- Please include your essay in the body of the e-mail **and** as an attached PDF document.
- Entries must include your full name, e-mail address, home address, phone number, grade level, school name, and the name of your parent or legal guardian, in that specific order.

Selection of Scholarship Recipients:

- A panel of judges will evaluate all essays based upon creativity, demonstrated knowledge about Cesar Chavez, passion for environmental issues, and a vision for the future. Submissions will also be judged based upon writing standards set forth in *A Writer's Reference* and required by most colleges and universities. Decisions by the judges are final.
- Details of the specific evaluation methods and contest requirements are developed by Republic Services.

This program is not sponsored or managed by LAUSD.

2015 Essay Topics

(Students are challenged to answer **one** of the following questions):



- 1.) What would be the overall environmental impact if all students/teachers/staff/parents conscientiously recycled on all campuses? How could this goal be achieved?
- 2.) How can current and future technology be used to conserve natural resources?
- 3.) How would you implement trash free meals at school and home?
- 4.) Cesar Chavez was an activist. Using lessons inspired by Cesar Chavez, how would you convince your fellow students to become active recyclers and reduce waste? What would your school recycling campaign look like?
- 5.) What are the economic and environmental benefits of recycling? Discuss in detail.
- 6.) Cesar Chavez believed that legislation was a solution to many problems. Discuss how your student government can create policy change at your school to reducing waste, recycle more and compost food scraps.

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AGENDA REPORT

To: Mayor Joel Fajardo and Councilmembers

From: Vice Mayor Sylvia Ballin

Date: May 4, 2015

Subject: Discussion Pertaining to the Membership of the Development Advisory Committee to the Transit Oriented Development Overlay Zone Project

RECOMMENDATION:

It is recommended that the City Council provide direction with regard to the future membership of the Development Advisory Committee (DAC) for the Transit Oriented Development Overlay Project.

BACKGROUND:

At the April 20, 2015 City Council meeting, I requested that this item be agendaized for the next City Council meeting to withdraw myself from the DAC and appoint Councilmember Lopez to serve in my place.

BUDGET IMPACT:

There is no impact to the budget as part of this action.

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AGENDA REPORT

To: Mayor Joel Fajardo and Councilmembers

From: Brian Saeki, City Manager

Date: May 4, 2015

Subject: Consideration of a California High-Speed Rail Project Meeting in San Fernando

RECOMMENDATION:

It is recommended that the City Council authorize the City Manager to expend up to \$7,500 to publicize the City's last community meeting with the California High-Speed Rail Authority

BACKGROUND/ANALYSIS:

As the City Council is aware, it is the intent of the California High-Speed Rail Authority (CHSRA) staff to present the final alternatives analysis to their Board for consideration on June 9, 2015. As we get closer to that date, the CHSRA staff will host the last of the community meetings. Our meeting is scheduled for May 28, 2015, at Las Palmas Park. The meeting is scheduled to begin at 5 p.m. with a formal presentation being made in English and Spanish beginning at 6 p.m. Because of the importance of this meeting, it is staff's recommendation that the City Council authorize the City Manager to expend up to \$7,500 to publicize this meeting to maximize attendance from residents and businesses in San Fernando. This would include advertising in all local new papers, web notifications, email blasts, creation of distribution of flyers and information, utilization of message boards, etc. It is staff's estimation that \$7,500 would be sufficient to achieve this. However, as always, if additional funds are required, the City Council has the authority to appropriate additional funds.

On a side note, it was discussed previously about hosting a community meeting in town. We could have partnered with the Save Angeles Forest for Everyone (SAFE) and North Los Angeles County Communities Protection Coalition and hosted a large meeting in San Fernando. However, given the CHSRA's community meeting on May 28, 2015, having another meeting either a few days before or a few days after could pose attendance issues. However, that option remains available.

BUDGET IMPACT:

There are sufficient funds available in this year's Administration budget.