



Mayor Antonio Lopez  
Mayor Pro Tem Sylvia Ballin  
Councilmember Jesse H. Avila  
Councilmember Joel Fajardo  
Councilmember Robert C. Gonzales  
Interim City Administrator  
Don Penman

## SAN FERNANDO CITY COUNCIL

### AGENDA

MARCH 4, 2013 – 6:00 PM

COUNCIL CHAMBERS  
117 MACNEIL STREET  
SAN FERNANDO, CA 91340

#### CALL TO ORDER/ROLL CALL

#### PLEDGE OF ALLEGIANCE

Mayor Antonio Lopez

#### PRESENTATION

- a) DENTAL ASSISTANT RECOGNITION WEEK (MARCH 3 – 9)
- b) UPDATE ON HELP-PORTRAIT SAN FERNANDO 2012 WITH ALAS MEDIA

#### APPROVAL OF AGENDA

#### PUBLIC STATEMENTS – WRITTEN/ORAL

There will be a three (3) minute limitation per each member of the audience who wishes to make comments in order to provide a full opportunity to every person who desires to address the City Council.

#### 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.

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- 1) **APPROVAL OF WARRANT REGISTER NO. 13-031**
- 2) **RECLASSIFICATION OF A SENIOR COUNSELOR (PART-TIME) TO PROGRAM SPECIALIST (PART-TIME) POSITION**

Recommend that the City Council:

- a. Approve the reclassification of a Senior Counselor (part-time) to Program Specialist (part-time); and
- b. Adopt a Resolution amending the Table of Organization from one part-time Program Specialist to two part-time Program Specialists.

**NEW BUSINESS**

- 3) **APPROVAL OF A LOAN BETWEEN THE CITY OF SAN FERNANDO AND THE SAN FERNANDO SUCCESSOR AGENCY**

Recommend that the City Council approve a loan to the San Fernando Successor Agency totaling \$184,060.46 to make interest payments on the 1998 and 2006 redevelopment bond issues due March 14, 2013 and direct the Mayor to sign a loan agreement on behalf of the City.

- 4) **CONSIDERATION OF CALLING FOR A SPECIAL ELECTION TO PLACE A BALLOT MEASURE BEFORE THE VOTERS TO CONSIDER A TRANSACTIONS AND USE TAX**

Recommend that the City Council:

- a. Adopt Resolution No. 7525:
  - i. Calling and Giving Notice of a Special Municipal Election to be held on Tuesday, June 4, 2013, to submit a ballot measure question to the voters concerning the enactment of a temporary one half of one percent (1/2%) Transactions and Use Tax to be implemented as a General Tax;
  - ii. Declaring a fiscal emergency justifying the placement of a General Tax Measure on a Special Election Ballot; and
  - iii. Setting election procedures and priorities for the filing of written arguments and rebuttals regarding the measure and reciting the City Attorney to prepare an Impartial Analysis.



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- b. Adopt Resolution No. 7526 requesting the Board of Supervisors of the County of Los Angeles render specified services to the City relating to the conduct of a Special Municipal Election to be held on Tuesday, June 4, 2013.
- c. Introduce for first reading, in title only, and waive further reading of Ordinance No. 1626, "An Ordinance of the City of San Fernando Enacting, Subject to Adoption by the Electorate, a Temporary Half Cent Transactions and Use Tax to be Administered by the State Board of Equalization Pursuant to Revenue and Taxation Code § 7251 et seq."

### STANDING COMMITTEE UPDATES

- No. 1 Budget, Personnel and Finance (BPF)  
*Chair Jesse H. Avila*
- No. 2 Housing, Community & Economic Development and Parking (HCEP)  
*Chair Antonio Lopez*
- No. 3 Natural Resources, Infrastructure, Water, Energy and Waste Management (NRIW)  
*Chair Joel Fajardo*
- No. 4 Public Safety, Veteran Affairs, Technology and Transportation (PVTT)  
*Chair Jesse H. Avila*
- No. 5 Education, Parks, Arts, Health and Aging (EPAH)  
*Chair Robert C. Gonzales*

### 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: March 1, 2013 (4:00 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](http://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](http://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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# **San Fernando City Council**

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## **FINANCE DEPARTMENT**

### **MEMORANDUM**

**TO:** Mayor Antonio Lopez and Councilmembers

**FROM:** Rafaela T. King, Interim Finance Director/Deputy Finance Director

**DATE:** March 4, 2013

**SUBJECT:** Warrant Register

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#### **RECOMMENDATION:**

It is recommended that the City Council adopt a Resolution (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 Deputy 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 Deputy 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. Warrant Register Resolution

**ATTACHMENT "A"****RESOLUTION NO. 13-031****RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
SAN FERNANDO ALLOWING AND APPROVING FOR  
PAYMENT DEMANDS PRESENTED ON DEMAND/  
WARRANT REGISTER NO. 13-031****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 4<sup>th</sup> day of March, 2013.

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Antonio Lopez, Mayor

**ATTEST:**

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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 4<sup>th</sup> day of March 2013, by the following vote to wit:

**AYES:**

**NOES:**

**ABSENT:**

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Elena G. Chávez, City Clerk

**EXHIBIT "A"**

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**Voucher List  
CITY OF SAN FERNANDO**

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Bank code : bank

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
100978	3/4/2013	100031 A-1 LAWNMOWER INC.	23720		REPAIR CLUSSEN SOD CUTTER CLUTCH 01-390-0460-4320	326.53
					<b>Total :</b>	<b>326.53</b>
100979	3/4/2013	100074 AEGIS COMPUTERS INC.	207891		WEB DESIGN/SUPPORT & WEBSITE SE 01-190-0241-4260	930.00
			207892		IT SERVICES - DEC 2012 01-190-0241-4260	4,000.00
					01-190-0420-4260	2,000.00
					01-222-0000-4260	4,000.00
					<b>Total :</b>	<b>10,930.00</b>
100980	3/4/2013	100101 VERIZON WIRELESS-LA	970459610		VARIOUS CELL PHONES 01-310-0000-4220	40.35
					72-360-0000-4220	22.53
					01-101-0109-4220	44.90
					<b>Total :</b>	<b>107.78</b>
100981	3/4/2013	100532 STATE OF CALIFORNIA, DEPARTMENT OF JUSTICE	937107		LIVESCAN FINGERPRINTING - OCT 201 01-222-3721-4260	4,306.00
			949303		EMPLOYEE SCREENING FINGERPRINTING 01-106-0000-4270	32.00
			952211		LIVESCAN FINGERPRINTING - DEC 201 01-222-0000-4260	2,657.00
					<b>Total :</b>	<b>6,995.00</b>
100982	3/4/2013	100713 CITY OF GLENDALE	GLN0000005375		WATERMASTER COST SHARE AGREEMENT 70-381-0000-4260	1,703.66
					<b>Total :</b>	<b>1,703.66</b>
100983	3/4/2013	100777 C.A.P.E. ACCOUNTING DEPT.	NONPO		MEMBERSHIP DUES MAR 2013 - MAR 2014 01-222-0000-4380	45.00
					<b>Total :</b>	<b>45.00</b>
100984	3/4/2013	100805 COOPER HARDWARE INC.	87757		GOPHER TRAPS & HOG RINGS FOR BIRCH 01-390-0470-4300	62.96

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Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
100984	3/4/2013	100805 COOPER HARDWARE INC.	(Continued) 87758		REC PARK FENCING SUPPLIES, INDOOR 01-390-0410-4300	14.12
			87761		USA MARKING PAINT 27-344-0301-4300	52.23
			87798		TROLLEY STOP SIGN 13-311-0000-4300	51.81
			87816		GLENOAKS ALLEY GATE CHAIN - LUTHER 13-311-0000-4300	59.21
					<b>Total :</b>	<b>240.33</b>
100985	3/4/2013	101089 ESCOBAR, MARCO	021513 - 1		L P SENIOR PETTY CASH REIMB. 04-2380	96.50
			021513 - 2		L P SENIOR PETTY CASH REIMB. 04-2380	103.08
			021813		L P SENIOR PETTY CASH REIMB. 04-2380	86.93
					<b>Total :</b>	<b>286.51</b>
100986	3/4/2013	101147 FEDEX	2-171-10446		COURIER SERVICE 01-190-0000-4280	19.58
					<b>Total :</b>	<b>19.58</b>
100987	3/4/2013	101302 VERIZON	8181811075		CITY HALL PAGING 01-190-0000-4220	45.21
			8181811114		CITY YARD AUTO DIALER 70-384-0000-4220	39.09
			8183612385		MTA PHONE LINE 01-190-0000-4220	44.14
					07-440-0441-4220	88.27
			8183617825		HERITAGE PARK IRRIG SYSTEM 01-420-0000-4220	47.56
			8188315002		PD SPECIAL PROBLEMS 01-222-0000-4220	38.61
			8188377174		PD SPECIAL PROBLEMS 01-222-0000-4220	20.10
			8188981293		CITY YARD MAJOR PHONE LINES	

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Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
100987	3/4/2013	101302 VERIZON	(Continued)			
			8188987373		70-384-0000-4220	727.81
			8188987385		PD EMERGENCY	
					01-222-0000-4220	107.71
					LP FAX LINE	
					01-420-0000-4220	38.54
					<b>Total :</b>	<b>1,197.04</b>
100988	3/4/2013	101347 GOLDEN WEST INDUSTRIAL SUPPLY	2055933		WRENCH AND PLIER	
					01-320-0000-4340	260.34
					<b>Total :</b>	<b>260.34</b>
100989	3/4/2013	101512 HDL, COREN & CONE	0018902-IN		CONTRACT SERVICE PROPERTY TAX .	
					01-130-0000-4270	625.00
					<b>Total :</b>	<b>625.00</b>
100990	3/4/2013	101528 THE HOME DEPOT CRC, ACCT#603532202490	1081413		WATER FILTER FOR CITY HALL	
					01-390-0310-4300	60.76
					01-390-0450-4300	60.77
					01-390-0222-4300	60.77
			4098211		REPLACE ELECTRICAL OUTLET @ LP I	
					01-390-0460-4300	7.54
			6095316		P.M. MATERIALS FOR SIGNS	
					13-370-0301-4300	58.45
			8097292		FAUCET REPAIR @ PW OPS CTR KITCI	
					01-390-0450-4300	45.38
					<b>Total :</b>	<b>293.67</b>
100991	3/4/2013	101599 IMAGE 2000 CORPORATION	VN300163		TOSHIBA 3510 CONTRACT OVERAGE -	
					01-190-0000-4320	1.71
			VN300166		CONTRACT BASE CHARGE - 02/15/13-C	
					01-420-0000-4260	475.84
			VN300167		CONTRACT OVERAGE 12/21/12-01/20/1	
					10-420-1371-4260	225.50
			VN300230		TOSHIBA 720 CONTRACT BASE CHARGE	
					01-190-0000-4320	290.75

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100991	3/4/2013	101599 101599 IMAGE 2000 CORPORATION	(Continued)			<b>Total : 993.80</b>
100992	3/4/2013	101647 INTERSTATE BATTERY	30571320		BATTERIES FOR FLEET	
					01-1215	154.73
					<b>Total :</b>	<b>154.73</b>
100993	3/4/2013	101649 INTER VALLEY POOL SUPPLY, INC	49425		POOL CHEMICALS	
			49561		01-430-0000-4300	1,214.34
					POOL CHEMICALS	
					01-430-0000-4300	1,335.25
					<b>Total :</b>	<b>2,549.59</b>
100994	3/4/2013	101666 DE LAGE LANDEN FINANCIAL SERVS	16875785		COPY MACHINE USAGE - FEB 2013	
					01-222-0000-4260	606.34
					<b>Total :</b>	<b>606.34</b>
100995	3/4/2013	101694 JACOBS, ROBERT	TRAVEL		MANDATORY STC COURSE ON	
					01-225-3688-4360	110.00
					<b>Total :</b>	<b>110.00</b>
100996	3/4/2013	101761 KEYS CONFERENCE	TRAVEL		MANDATORY STC COURSE ON	
					01-225-3688-4360	395.00
					<b>Total :</b>	<b>395.00</b>
100997	3/4/2013	101761 KEYS CONFERENCE	TRAVEL		MANDATORY STC COURSE ON	
					01-225-3688-4360	395.00
					<b>Total :</b>	<b>395.00</b>
100998	3/4/2013	101761 KEYS CONFERENCE	TRAVEL		MANDATORY STC COURSE ON	
					01-225-3688-4360	395.00
					<b>Total :</b>	<b>395.00</b>
100999	3/4/2013	101920 LIEBERT CASSIDY WHITMORE	011613		ERC WORKSHOP ON 01/16/2013	
					01-105-0000-4360	35.00
					01-102-0000-4370	35.00
					01-115-0000-4360	35.00
					01-225-0000-4360	35.00
					01-420-0000-4360	70.00

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Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
100999	3/4/2013	101920 LIEBERT CASSIDY WHITMORE	(Continued)		70-381-0000-4360	35.00
					01-370-0000-4360	35.00
					01-320-0000-4360	35.00
			160167		LEGAL SERVICES	
					01-112-0000-4270	1,514.30
			160168		LEGAL SERVICES	
					01-112-0000-4270	49.00
			160169		LEGAL SERVICES	
					01-110-3375-4270	105.00
			160170		LEGAL SERVICES	
					01-112-0000-4270	801.00
			160171		LEGAL SERVICES	
					01-110-1065-4270	661.50
			160172		LEGAL SERVICES	
					01-112-0000-4270	120.00
					<b>Total :</b>	<b>3,565.80</b>
101000	3/4/2013	101929 LINGO INDUSTRIAL ELECTRONICS	31957		8TH & MACLAY KNOCKDOWN POLE RE	
					13-371-0301-4300	746.65
					<b>Total :</b>	<b>746.65</b>
101001	3/4/2013	101957 CITY OF LOS ANGELES	38 SF130000006		FIRE/AMBULANCE SERVICES - NOV 20	
					01-500-0000-4260	263,279.92
					<b>Total :</b>	<b>263,279.92</b>
101002	3/4/2013	101971 L.A. MUNICIPAL SERVICES	021213		ELECTRIC - 13655 FOOTHILL	
					70-384-0000-4260	79.13
			021313		WATER - 12900 DRONFIELD	
					70-384-0000-4210	13,506.01
					70-384-0000-4260	565.47
					<b>Total :</b>	<b>14,150.61</b>
101003	3/4/2013	101974 LOS ANGELES COUNTY	JAN 2013		DEPT OF ANIMAL CARE & CONTROL FI	
					01-222-0000-4260	4,890.31
					<b>Total :</b>	<b>4,890.31</b>

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101004	3/4/2013	102007 L.A. COUNTY SHERIFFS DEPT.	123654WM		PRISONER MAINT FEE JAN 2012	
					01-225-0000-4350	338.52
			132970WC		PRISONER MEALS - JAN 2013	
					01-225-0000-4350	791.02
					<b>Total :</b>	<b>1,129.54</b>
101005	3/4/2013	102064 MACLAY CLEANERS	7951		MMA CHARRO DRY CLEANING & REP	
					10-424-3614-4260	525.00
					<b>Total :</b>	<b>525.00</b>
101006	3/4/2013	102069 POWER FORD	175529		TIRE PRESSURE SWITCH - PD8864	
					01-320-0225-4400	68.45
					<b>Total :</b>	<b>68.45</b>
101007	3/4/2013	102160 MCMASTER CARR SUPPLY CO	45432191		REC PARK OUTSIDE MEN'S RESTROOI	
					01-390-0410-4430	84.97
					<b>Total :</b>	<b>84.97</b>
101008	3/4/2013	102177 MENDOZA, SALVADOR	021313		LP SENIORS - MUSIC FOR ST PATRICK	
					04-2380	900.00
					<b>Total :</b>	<b>900.00</b>
101009	3/4/2013	102226 MISSION LINEN & UNIFORM	340617361		LAUNDRY	
					01-225-0000-4350	176.65
			340618076		LAUNDRY	
					01-225-0000-4350	58.12
			340619076		LAUNDRY	
					01-225-0000-4350	174.33
			340619820		LAUNDRY	
					01-225-0000-4350	154.15
					<b>Total :</b>	<b>563.25</b>
101010	3/4/2013	102374 NEOPOST	49556268		ANNUAL POSTAGE METER RENTAL 02	
					01-190-0000-4280	2,198.96
					<b>Total :</b>	<b>2,198.96</b>
101011	3/4/2013	102395 NORMAN A. TRAUB ASSOCIATES INC	12138.01		IA INVESTIGATION SERVICES	
					01-222-0000-4260	3,013.30

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Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
101011	3/4/2013	102395 NORMAN A. TRAUB ASSOCIATES INC	(Continued) 12138A.01		IA INVESTIGATION SERVICES 01-222-0000-4260	759.90
					<b>Total :</b>	<b>3,773.20</b>
101012	3/4/2013	102403 NOW IMAGE PRINTING	3044		TROLLEY ROUTE FLYER 07-313-0000-4300	749.38
					<b>Total :</b>	<b>749.38</b>
101013	3/4/2013	102423 OCCU-MED, INC.	0113901		PRE-EMPLOYMENT PHYSICAL 01-106-0000-4260	446.50
					<b>Total :</b>	<b>446.50</b>
101014	3/4/2013	102432 OFFICE DEPOT	639669875001		CREDIT - INK CARTRIDGE RETURNED 70-383-0000-4300	-59.57
			643118185001		CHAIRMATS, MONTHLY PLANNERS 01-310-0000-4300	35.07
					01-150-0000-4300	39.88
			643231028001		COPY PAPER, HANGING FOLDERS, PE 01-222-0000-4300	152.49
			643231196001		ENVELOPES & CLIPS 01-222-0000-4300	7.90
			643231197001		CLAMPS 01-222-0000-4300	35.19
			643957181001		COFFEE, CREAMER, SUGAR, HIGHLI 70-383-0000-4300	156.73
			644018831001		PRINT CARTRIDGES, FLAGS, TABS, DI 01-222-0000-4300	192.07
			644400577001		BATTERIES, POST ITS, STAPLES, PAPE 01-1200	106.92
			644602546001		FOLDERS, DUSTER, CALCULATOR TAF 70-382-0000-4300	48.32
					72-360-0000-4300	48.32
					73-350-0000-4300	48.32
			644699839001		HARD DRIVE 70-382-0000-4300	25.43
					72-360-0000-4300	25.43
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101014	3/4/2013	102432 OFFICE DEPOT	(Continued)		73-350-0000-4300	25.43
			645159444001		TONERS 10-220-3641-4300	174.39
					01-222-0000-4300	75.74
			645171208001	10962	RECORDS SHELVING NEEDED FOR AF 01-222-0000-4300	3,970.20
					01-222-0000-4300	341.21
			645328993001		BINDERS AND DIVIDERS 01-115-0000-4300	25.27
					01-101-0000-4300	27.60
			645329749001		MARKERS 01-115-0000-4300	2.02
					<b>Total :</b>	<b>5,504.36</b>
101015	3/4/2013	102506 PANTOJA, DANITZA	021213		COMMISSIONER'S REIMBURSEMENT 01-420-0000-4111	50.00
					<b>Total :</b>	<b>50.00</b>
101016	3/4/2013	102530 AT & T	818-270-2203		1SDN LINE/LASN NETWORK 01-222-0000-4220	104.98
					<b>Total :</b>	<b>104.98</b>
101017	3/4/2013	102623 PIONEER FIRE PROTECTION, INC.	302225		FIRE EXT SERVICE @ CITY HALL 01-390-0310-4260	144.98
			302227		NEW FIRE EXTINGUISHERS FOR EQUI 01-390-0450-4300	189.66
					<b>Total :</b>	<b>334.64</b>
101018	3/4/2013	102666 PREFERRED DELIVERY SYSTEMS INC	549-53		COURIER SERVICE 01-222-0000-4260	103.00
					<b>Total :</b>	<b>103.00</b>
101019	3/4/2013	102688 PROFESSIONAL PRINTING CENTERS	21643		VEH REPO FORMS 01-222-0000-4300	27.25
					<b>Total :</b>	<b>27.25</b>
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101020	3/4/2013	102779 RAMIREZ, THOMAS	FEB 2013		KARATE INSTRUCTOR 17-420-1326-4260	379.20
					<b>Total :</b>	<b>379.20</b>
101021	3/4/2013	102929 ROYAL PAPER CORPORATION	4348453		TRASH CAN 17-420-1397-4300	156.96
			4348801		TRASH CAN 01-430-0000-4300	130.80
			4349042		TRASH CAN 01-430-0000-4300	303.02
			4354342		JANITORIAL SUPPLIES 01-390-0415-4300	506.85
					01-390-0460-4300	78.48
					01-390-0410-4300	109.00
					01-390-7500-4300	39.24
					<b>Total :</b>	<b>1,324.35</b>
101022	3/4/2013	103010 SAM'S CLUB DIRECT, #0402465855179	7591		BATTERIES, MOCHA MIX, PLATES, COF 01-222-0000-4300	183.34
			7623		ENP REFRESHMENTS FOR VALENTINE 04-2346	64.81
					<b>Total :</b>	<b>248.15</b>
101023	3/4/2013	103029 SAN FERNANDO, CITY OF	12367-12411		REIMBURSEMENT TO WORKERS COM 06-190-0000-4810	7,780.12
					<b>Total :</b>	<b>7,780.12</b>
101024	3/4/2013	103184 SMART & FINAL	162846		PARK AVE CLUB SUPPLIES 04-2382	37.26
					01-422-0000-4300	10.96
					04-2346	32.63
					04-2380	389.38
			165906		SUPPLIES FOR ENP 10-422-3750-4300	137.89
					<b>Total :</b>	<b>608.12</b>
101025	3/4/2013	103202 SOUTHERN CALIFORNIA EDISON CO.	020613		ELECTRIC - VARIOUS LOCATIONS	

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101025	3/4/2013	103202 SOUTHERN CALIFORNIA EDISON CO.	(Continued)		01-420-0000-4210	1,607.69
					27-344-0000-4210	19,336.12
			020713		ELECTRIC - VARIOUS LOCATIONS (TR	
					01-371-0000-4210	1,546.46
			020813		ELECTRIC - LOT 3, 5 & 8	
					29-335-0000-4210	153.28
					01-371-0000-4210	38.16
					29-335-0000-4210	36.31
			020913		ELECTRIC - 900 1/2 1ST, 1041 1/2	
					01-390-0470-4210	117.60
			021213		ELECTRIC - CORR TRUMAN/KITTRIDGE	
					27-344-0000-4210	23.50
			021313		ELECTRIC - 120 N MACNEIL	
					01-390-0450-4210	469.49
					70-381-0000-4210	231.37
					72-360-0000-4210	231.37
					70-384-0000-4210	713.37
					<b>Total :</b>	<b>24,504.72</b>
101026	3/4/2013	103205 THE GAS COMPANY	020713		GAS - 828 HARDING	
					01-420-0000-4210	8.47
			020813		GAS - 120 N MACNEIL	
					70-381-0000-4210	31.56
					72-360-0000-4210	31.56
					01-390-0450-4210	63.11
					01-310-0000-4210	319.62
					01-420-0000-4210	11,186.81
					01-222-0000-4210	564.07
			021213		GAS - 519 S BRAND	
					01-420-0000-4210	347.13
					<b>Total :</b>	<b>12,552.33</b>
101027	3/4/2013	103206 SOUTHERN CALIFORNIA GAS CO.	176-827-9753		NATURAL GAS FOR CNG STATION	
					01-320-3661-4402	9,534.43
					<b>Total :</b>	<b>9,534.43</b>

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101028	3/4/2013	103279 SUMMER SYSTEMS, INC.	34391		SCHEDULED A/C PREVENTIVE MAINT (	
					01-390-0310-4260	440.00
					<b>Total :</b>	<b>440.00</b>
101029	3/4/2013	103318 TAG/AMS, INC.	2649928		RANDOM DRUG TESTING	
					01-106-0000-4270	65.00
					<b>Total :</b>	<b>65.00</b>
101030	3/4/2013	103403 TRAFFIC PARTS INC.	363375	10954	MACLAY CROSSWALK IMPROVEMENT:	
			364219		13-371-0000-4600	17,745.80
					FLASHER REPLACEMENTS @ WORKM	
					13-371-0301-4300	460.52
					<b>Total :</b>	<b>18,206.32</b>
101031	3/4/2013	103413 TRANS UNION LLC	01309823		CREDIT CHECK	
					01-222-0000-4260	5.16
					<b>Total :</b>	<b>5.16</b>
101032	3/4/2013	103444 ULTRA GREENS, INC	33251		15-15 SOIL AMMENDMENT W/SULFER	
					01-346-0301-4300	65.38
					<b>Total :</b>	<b>65.38</b>
101033	3/4/2013	103550 VANICEK, JAMES	REIMB.		REIMB FOR MEALS AND MILEAGE - ST	
					01-225-3688-4360	101.38
					<b>Total :</b>	<b>101.38</b>
101034	3/4/2013	103579 VICA	7355		2013 MEMBERSHIP DUES	
					01-101-0000-4380	500.00
					<b>Total :</b>	<b>500.00</b>
101035	3/4/2013	103619 CARL WARREN & CO.	1442995		LEGAL SERVICES	
					06-190-0000-4800	89.54
			1442996		LEGAL SERVICES	
					01-110-0507-4270	83.15
			1442997		LEGAL SERVICES	
					01-110-0511-4270	89.54
			1442998		LEGAL SERVICES	
					01-110-3375-4270	89.54
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101035	3/4/2013	103619 CARL WARREN & CO.	(Continued)		LEGAL SERVICES	
			1442999		06-190-0000-4800	102.34
			1449412		LEGAL SERVICES	
					06-190-0000-4800	300.00
			1451665		LEGAL SERVICES	
					01-110-1055-4270	44.77
			1451666		LEGAL SERVICES	
					01-110-0507-4270	115.13
			1451667		LEGAL SERVICES	
					01-110-3375-4270	313.40
			1451668		LEGAL SERVICES	
					01-110-1065-4270	70.36
			1451669		LEGAL SERVICES	
					06-190-0000-4800	102.75
			1451670		LEGAL SERVICES	
					06-190-0000-4800	141.13
					<b>Total :</b>	<b>1,541.65</b>
101036	3/4/2013	103661 WEST-LITE SUPPLY CO., INC.	13152C		REPLACE FLUORESCENT LAMPS FOR	
					01-390-7500-4300	117.53
					<b>Total :</b>	<b>117.53</b>
101037	3/4/2013	103673 WESTERN WATER WORKS SUPPLY CO.	316569-00		LEAK REPAIR PLUGS, VARIOUS SIZES	
					70-383-0301-4300	262.92
					<b>Total :</b>	<b>262.92</b>
101038	3/4/2013	103856 FLAGS USA INC.	54474		(14) US FLAGS	
					13-311-0000-4300	315.76
					<b>Total :</b>	<b>315.76</b>
101039	3/4/2013	103903 TIME WARNER CABLE	8448200540010369		CABLE	
					01-222-0000-4260	20.54
			8448200540028882		CABLE/INTERNET - 02/13/13 - 03/12/13	
					01-420-0000-4260	117.40
					<b>Total :</b>	<b>137.94</b>
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101040	3/4/2013	887258 MONTES, TAWNY	REIMB.		REIMB FOR MEALS AND MILEAGE - ST 01-225-3688-4360	59.58
					<b>Total :</b>	<b>59.58</b>
101041	3/4/2013	887346 INTERMOUNTAIN LOCK &	705372		PADLOCKS WITH SHACKLES 70-384-0000-4310	199.85
			736420		PADLOCKS 70-384-0000-4310	203.28
					<b>Total :</b>	<b>403.13</b>
101042	3/4/2013	887377 AKEMON, DOLORES	022013		COMMISSIONER'S REIMBURSEMENT 01-310-0000-4111	50.00
					<b>Total :</b>	<b>50.00</b>
101043	3/4/2013	887422 NORTHERN SAFETY CO., INC.	900304871		SAFETY SUPPLIES FOR FACILITIES MA 01-390-0410-4310	387.74
					<b>Total :</b>	<b>387.74</b>
101044	3/4/2013	887575 SAN FERNANDO EXPLORER POST 521	REIMB.		REIMB FOR EXPENSES RELATED TO C 01-226-0230-4430	1,842.42
					<b>Total :</b>	<b>1,842.42</b>
101045	3/4/2013	887810 CALGROVE RENTALS, INC.	42022		STUMP GRINDER RENTAL - 2022 CHIV 01-346-0000-4250	175.50
					<b>Total :</b>	<b>175.50</b>
101046	3/4/2013	887847 ADAMSON POLICE PRODUCTS	INV95812		FLARES 01-222-0000-4300	965.06
					<b>Total :</b>	<b>965.06</b>
101047	3/4/2013	887952 J. Z. LAWNMOWER SHOP	3642		EQUIP MAINT 01-390-0410-4320	4.36
			3645		EQUIP MAINT 01-390-0410-4320	90.71
					<b>Total :</b>	<b>95.07</b>
101048	3/4/2013	887986 TRAFFIC MANAGEMENT INC.	151015		SIGNAL SIGN *ONE LANE ROAD AHEAD 70-383-0000-4310	150.68
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101048	3/4/2013	887986 TRAFFIC MANAGEMENT INC.	(Continued) 151333		BLANK SHEET BLACK ON ORANGE SA 70-383-0000-4310	104.64
					<b>Total :</b>	<b>255.32</b>
101049	3/4/2013	888212 DIESEL AIR FLEET SERVICE	27726		SMOKE TESTING (3 TRUCKS) 01-320-0000-4260	180.00
					<b>Total :</b>	<b>180.00</b>
101050	3/4/2013	888241 UNITED SITE SERVICES OF CA INC	114-1100374		PORTABLE TOILET RENTAL @ 501 FIRE 70-381-0450-4260	467.89
					<b>Total :</b>	<b>467.89</b>
101051	3/4/2013	888420 ACCURATE BACKFLOW TESTING	98304		BACKFLOW REPAIR @ 208 PARK 70-383-0301-4300	147.30
					<b>Total :</b>	<b>147.30</b>
101052	3/4/2013	888442 WESTERN EXTERMINATOR COMPANY	06010710-9		PEST CONTROL @ REC PARK 01-390-0410-4260	69.00
			06010718-2		PEST CONTROL @ LP PARK 01-390-0460-4260	48.00
			06010722-4		PEST CONTROL @ CITY HALL 01-390-0310-4260	73.50
			12045512-6		PEST CONTROL @ ORTEGA PARK 01-390-7500-4260	47.00
			13003463-0		INSTALLATION & MONITORING OF TRA 01-390-0460-4330	450.00
			13003464-8		INSTALLATION & MONITORING OF TRA 01-390-0410-4330	200.00
					<b>Total :</b>	<b>887.50</b>
101053	3/4/2013	888468 MAJOR METROPOLITAN SECURITY	1056973		ALARM MONITORING - MARCH 2013 01-430-0000-4260	15.00
			1056974		ALARM MONITORING - MARCH 2013 70-381-0450-4260	15.00
			1056975		ALARM MONITORING - MARCH 2013 70-381-0450-4260	15.00
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101053	3/4/2013	888468 MAJOR METROPOLITAN SECURITY	(Continued) 1056976		ALARM MONITORING - MARCH 2013 70-381-0450-4260	15.00
			1056977		ALARM MONITORING - MARCH 2013 01-390-0460-4260	15.00
			1056978		ALARM MONITORING - MARCH 2013 01-390-0410-4260	15.00
			1056979		ALARM MONITORING - MARCH 2013 01-390-0310-4260	15.00
			1056980		ALARM MONITORING - MARCH 2013 01-390-0410-4260	15.00
			1056981		ALARM MONITORING - MARCH 2013 01-390-0410-4260	15.00
			1056982		ALARM MONITORING - MARCH 2013 01-390-0410-4260	15.00
			1056983		ALARM MONITORING - MARCH 2013 01-390-0410-4260	15.00
			1056984		ALARM MONITORING - MARCH 2013 01-390-0460-4260	15.00
			1056985		ALARM MONITORING - MARCH 2013 01-390-0222-4260	15.00
					<b>Total :</b>	<b>195.00</b>
101054	3/4/2013	888531 BIG RED PLUMBING SUPPLY, INC.	76821		R & R CITY HALL BACKFLOW DEVICE F 01-390-0310-4330	420.00
			76838		70-383-0301-4300 BACKFLOW REPAIR - CITY HALL 70-383-0301-4300	419.29
					<b>Total :</b>	<b>944.18</b>
101055	3/4/2013	888615 WOOD AUTO SUPPLY INC	790239		REFLECTORS FOR GATES 01-320-0301-4300	2.55
			791739		TAPE 01-430-0000-4300	12.01
			791925		DRIVERSIDE MIRROR 01-320-0312-4400	45.10
			792133		HYDRAULIC OIL FILTER	

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101055	3/4/2013	888615 WOOD AUTO SUPPLY INC	(Continued)		72-360-0000-4400	27.61
			79214		THREAD LOCK 01-430-0000-4300	12.52
			792148		HYDRAULIC OIL 72-360-0000-4400	150.75
			792173		FUNNELS 01-320-0000-4340	38.87
			792325		EVACUATION CYLINDER 01-320-0000-4340	108.99
					<b>Total :</b>	<b>398.40</b>
101056	3/4/2013	888762 COMMAND CONCRETE CUTTING	11631		TRENCH CUT - 774 N MACLAY @ GLEN 70-383-0000-4260	375.00
					<b>Total :</b>	<b>375.00</b>
101057	3/4/2013	888800 BUSINESS CARD	FEB 2013		MMAF - AIRLINE TICKETS TO TUSCON 10-424-3693-4260	3,612.00
			FEB 2013		MMAF - WORKSHOP REGISTRATION M 01-424-0000-4430	2,420.00
			FEB 2013		ANNUAL MEMBERSHIP FEE 01-190-0000-4435	18.00
					<b>Total :</b>	<b>6,050.00</b>
101058	3/4/2013	888869 MUNITEMPS STAFFING	123650		TEMP STAFFING - ADMIN ANALYST W/E 70-384-0000-4112	255.50
					72-360-0000-4112	255.50
					01-310-0000-4112	204.40
					01-311-0000-4112	51.10
					27-344-0000-4112	127.75
					70-381-0000-4112	511.00
					70-382-0000-4112	894.25
					70-383-0000-4112	255.50
					<b>Total :</b>	<b>2,555.00</b>
101059	3/4/2013	888873 ROYAL FLUSH	1935		PORTABLE TOILET RENTAL @ 12900 D 70-384-0000-4260	133.00

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101059	3/4/2013	888873 888873 ROYAL FLUSH	(Continued)			Total : 133.00
101060	3/4/2013	889056 CALLEROS, MARIA	REIMB.		REIMB FOR HOLIDAY TREE LIGHTING : 17-420-1367-4300	175.24 Total : 175.24
101061	3/4/2013	889081 LASZLO ENTERPRISES, INC	022113		LP SENIORS - CHARTER BUS FOR PAN 04-2380	700.00
			022113		LP SENIORS - CHARTER BUS FOR SAN 04-2380	700.00 Total : 1,400.00
101062	3/4/2013	889118 LDI COLOR TOOLBOX	178646		COPIERS AND PRINTERS - USAGE 01-222-0000-4260	61.08
			180374		COPIERS AND PRINTERS - USAGE 01-222-0000-4260	205.48
			180403		COPIERS AND PRINTERS - USAGE 01-222-0000-4260	170.81 Total : 437.37
101063	3/4/2013	889149 STAPLES BUSINESS ADVANTAGE	8024605837		CABLE ADAPTER FOR ID PRINTER 01-106-0000-4300	29.75
					01-105-0000-4300	35.50 Total : 65.25
101064	3/4/2013	889201 FOOTHILL SOILS, INC	8169		BASEBALL FIELD MAINT 01-390-0410-4300	817.50 Total : 817.50
101065	3/4/2013	889328 FIRST TRANSIT, INC.	10772550		MCT - JAN 2013 07-440-0442-4260	40,215.88 Total : 40,215.88
101066	3/4/2013	889352 GOMEZ, ADRIANA	021213		COMMISSIONER'S REIMBURSEMENT 01-420-0000-4111	50.00 Total : 50.00
101067	3/4/2013	889423 LIZARRAGA, MANUEL	TRAVEL		MANDATORY STC COURSE ON	

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101067	3/4/2013	889423 LIZARRAGA, MANUEL	(Continued)		01-225-3688-4360	504.08 Total : 504.08
101068	3/4/2013	889462 PANCHO VILLA'S RESTAURANT	2499		LP CLUB TRIP TO PANCHO VILLA'S 04-2380	791.65 Total : 791.65
101069	3/4/2013	889503 JTB SUPPLY COMPANY, INC.	95675		PED MODULE REPLACEMENTS 13-371-0301-4300	1,308.00
			95688		PED MODULE REPLACEMENTS 13-371-0301-4300	1,406.10 Total : 2,714.10
101070	3/4/2013	889532 GILMORE, REVA A.	02/09/13 - 02/22/13		FOOD SERVICE MANAGER 10-422-3750-4270	682.50
					10-422-3752-4270	71.50 Total : 754.00
101071	3/4/2013	889533 MARTINEZ, ANITA	02/09/13 - 02/22/13		ASSISTANT FOOD MANAGER 10-422-3750-4270	159.30 Total : 159.30
101072	3/4/2013	889534 RAMIREZ, FRANCISCO	02/09/13 - 02/22/13		HDM DRIVER 10-422-3752-4270	141.60
					10-422-3752-4390	41.60 Total : 183.20
101073	3/4/2013	889535 GOMEZ, GILBERT	02/09/13 - 02/22/13		HDM DRIVER 10-422-3752-4270	141.60
					10-422-3752-4390	45.76 Total : 187.36
101074	3/4/2013	889602 RESPOND SYSTEMS	92738		AMBU BAGS 01-222-0000-4300	424.28
			92767		INDUSTRIAL GLOVES, HEADGEAR W/F 70-383-0000-4310	74.51

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101074	3/4/2013	889602 889602 RESPOND SYSTEMS	(Continued)			Total : 498.79
101075	3/4/2013	889626 ASSETWORKS, INC	MA12310-350		ANNUAL RENEWAL FEE - ASSETMAXX 01-190-0000-4260	1,350.00 Total : 1,350.00
101076	3/4/2013	889644 VERIZON BUSINESS	631493112		CITY HALL LONG DISTANCE & INTRAL	172.58
			63193110		CITY HALL LONG DISTANCE 01-190-0000-4220	52.94
			63193111		CITY YARD LONG DISTANCE 70-384-0000-4220	53.23
			63193113		POLICE LONG DISTANCE 01-222-0000-4220	204.02
			63193114		CITY YARD LONG DISTANCE 70-384-0000-4220	4.86
			63193115		PARK LONG DISTANCE 01-420-0000-4220	68.28
			63193683		ENGINEERING LONG DISTANCE 01-310-0000-4220	2.68
			63193692		CITY YARD LONG DIST (AIMS NETWORK 70-384-0000-4220	2.37
			63193696		CREDIT CARD LINE 01-190-0000-4220	2.43
			63193697		POLICE LONG DISTANCE 01-222-0000-4220	2.43
			63193698		PARK LONG DISTANCE 01-420-0000-4220	4.34
			63193706		CITY HALL LONG DIST 01-190-0000-4220	3.86
					Total :	574.02
101077	3/4/2013	889681 VILLALPANDO, MARIA	02/09/13 - 02/22/13		FOOD SERVICE WORKER 10-422-3750-4270	199.13
					10-422-3752-4270	39.83
					Total :	238.96

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101078	3/4/2013	889942 ATHENS SERVICES	FEB 2013		STREET SWEEPING - FEB 2013 01-343-0000-4260	10,100.00 Total : 10,100.00
101079	3/4/2013	890004 PACIFIC TELEMAGEMENT SERVICE	493109		PD PAY PHONE - MARCH 2013 01-190-0000-4220	62.64 Total : 62.64
101080	3/4/2013	890010 TOTAL PRINTING SUPPLIES	13013		TONER 01-222-0000-4300	65.40 Total : 65.40
101081	3/4/2013	890026 PRIORITY MAILING SYSTEMS LLC	INV273443		ANNUAL MAINT PLAN FOR ST77 & JDE 01-190-0000-4320	1,215.00 Total : 1,215.00
101082	3/4/2013	890095 O'REILLY AUTO PARTS	2665-341688		ENGRAVER 01-320-0000-4340	55.58 Total : 55.58
101083	3/4/2013	890358 BALLIN, PHILLIP ARTHUR	022013		COMMISSIONER'S REIMBURSEMENT 01-310-0000-4111	50.00 Total : 50.00
101084	3/4/2013	890360 HERRERA, NINAMARIE JULIA	021213		COMMISSIONER'S REIMBURSEMENT 01-420-0000-4111	50.00 Total : 50.00
101085	3/4/2013	890368 C & M TOPSOIL	15162		BASEBALL FIELD MAINT 01-390-0410-4300	78.48
			15166		BASEBALL FIELD MAINT 01-390-0410-4300	52.32
					Total :	130.80
101086	3/4/2013	890401 ENVIROGEN TECHNOLOGIES INC	0003769-IN	10950	NITRATE REMOVAL SYS MONTHLY LEA 70-384-0857-4600	6,676.00
					70-384-0857-4600	600.84

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vchlist 02/28/2013 4:35:13PM		Voucher List CITY OF SAN FERNANDO				Page: 21
Bank code :		bank				
Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
101086	3/4/2013	890401 890401 ENVIROGEN TECHNOLOGIES INC	(Continued)			Total : 7,276.84
101087	3/4/2013	890488 AGUILA, ISMAEL	REIMB.		REIMB OF MARKETING FOR POOL PUE 01-420-0000-4260 17-420-1337-4300	31.64 625.49 Total : 657.13
101088	3/4/2013	890491 PTI PRINTING TECHNOLOGY INC	0459660-IN		COLOR PRINTER TONERS 01-130-0000-4300	172.05 Total : 172.05
101089	3/4/2013	890493 LOS ANGELES COUNTY	NOV 2011 TO JAN 2012		OUTSTANDING PASS THROUGH FOR F 01-3146-0000	184,619.84 Total : 184,619.84
101090	3/4/2013	890513 ELIFEGUARD INC	39517		UNIFORMS 01-430-0000-4300	494.28 Total : 494.28
101091	3/4/2013	890559 CRESCENTA VALLEY WATER DISTRIC	SF6		ULARA SPECIAL COUNSEL COST SHAF 70-381-0000-4270	325.97 Total : 325.97
101092	3/4/2013	890583 HILTON CONCORD	TRAVEL		MANDATORY STC COURSE ON 01-225-3688-4360	568.00 Total : 568.00
101093	3/4/2013	890583 HILTON CONCORD	TRAVEL		MANDATORY STC COURSE ON 01-225-3688-4360	568.00 Total : 568.00
101094	3/4/2013	890583 HILTON CONCORD	TRAVEL		MANDATORY STC COURSE ON 01-225-3688-4360	568.00 Total : 568.00
101095	3/4/2013	890589 ALCOCER, ARACELY E.	01/23/13 - 02/19/13		ZUMBA INSTRUCTOR 17-420-1337-4260	515.00
						Page: 21

vchlist 02/28/2013 4:35:13PM		Voucher List CITY OF SAN FERNANDO				Page: 22
Bank code :		bank				
Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
101095	3/4/2013	890589 890589 ALCOCER, ARACELY E.	(Continued)			Total : 515.00
101096	3/4/2013	890594 HEALTH AND HUMAN RESOURCE	76079		EAP - JAN 2013 01-106-0000-4260	325.80
			77485		EAP - FEB 2013 01-106-0000-4260	325.80 Total : 651.60
101097	3/4/2013	890685 PASI, JAMISON	01/23/13 - 02/19/13		YOGA/PILATES INSTRUCTOR 17-420-1337-4260	140.00 Total : 140.00
101098	3/4/2013	890700 GUZMAN, DANETTE	TRAVEL		MANDATORY STC COURSE ON 01-225-3688-4360	110.00 Total : 110.00
101099	3/4/2013	890740 MORAN, STEPHANIE	JAN 2013 - 2		WATER EXERCISE INSTRUCTOR 17-420-1338-4260	100.00 Total : 100.00
101100	3/4/2013	890771 TORRES, CAROLINA	02/09/13 - 02/15/13		ZUMBA INSTRUCTOR 17-420-1337-4260	115.00 Total : 115.00
101101	3/4/2013	890780 MISSION AMBULANCE, INC.	27726		LIFEGUARD SERVICES 01-430-0000-4260	7,705.08 Total : 7,705.08
101102	3/4/2013	890810 SENFTLEBEN, DARIO	01/23/13 - 02/19/13		OUTDOOR FITNESS INSTRUCTOR 17-420-1337-4260	480.00 Total : 480.00
101103	3/4/2013	890833 THOMSON REUTERS	826535369		LA CLEAR - INVEST TOOLS 01-224-0000-4270	130.90 Total : 130.90
101104	3/4/2013	890834 SPARKLING IMAGE CORP	42119		CAR WASHES - JAN 2013 01-222-0000-4320	78.00
						Page: 22

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**Voucher List**  
**CITY OF SAN FERNANDO**

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Bank code : bank

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
101104	3/4/2013	890834 890834 SPARKLING IMAGE CORP	(Continued)			<b>Total : 78.00</b>
101105	3/4/2013	890879 EUROFINS EATON ANALYTICAL, INC	L0111507		WATER ANALYSIS - F422178	
			L0111510		70-384-0000-4260	139.60
					WATER ANALYSIS - F422493	
			L0111676		70-384-0000-4260	139.60
					WATER ANALYSIS - F422617	
			L0111679		70-384-0000-4260	139.60
					WATER ANALYSIS - F422773	
			L0112008		70-384-0000-4260	139.60
					WATER ANALYSIS - F422118	
					70-384-0000-4260	900.00
					<b>Total :</b>	<b>1,458.40</b>
101106	3/4/2013	890916 MENDOZA, JIM	01/23/13 - 02/19/13		SPIN CLASS INSTRUCTOR	
					17-420-1337-4260	150.00
					<b>Total :</b>	<b>150.00</b>
101107	3/4/2013	890947 RAIN FOR RENT	039023662	10952	POOL PUMP RENTAL	
					01-430-0000-4260	1,958.93
					<b>Total :</b>	<b>1,958.93</b>
101108	3/4/2013	890989 MAJESTIC FIRE INC.	MF95517		REPLACE EXITING PIPING ABOVE CHE	
					29-335-0000-4270	954.00
					<b>Total :</b>	<b>954.00</b>
101109	3/4/2013	890994 PONCE, JOE	021213		COMMISSIONER'S REIMBURSEMENT	
					01-420-0000-4111	50.00
					<b>Total :</b>	<b>50.00</b>
101110	3/4/2013	890998 TRUJILLO, RODOLFO	022013		COMMISSIONER'S REIMBURSEMENT	
					01-310-0000-4111	50.00
					<b>Total :</b>	<b>50.00</b>
101111	3/4/2013	890999 BERRIOZABAL, GILBERT	022213		COMMISSIONER'S REIMBURSEMENT	
					01-310-0000-4111	50.00
					<b>Total :</b>	<b>50.00</b>

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**Voucher List**  
**CITY OF SAN FERNANDO**

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Bank code : bank

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
101112	3/4/2013	891064 SIEMENS INDUSTRY INC	400095335		EMERGENCY B/O POWER SUPPLY 4TH	
					13-371-0000-4600	1,037.50
					<b>Total :</b>	<b>1,037.50</b>
101113	3/4/2013	891065 SOTELO, ANGEL	2000058.001		YOUTH BASKETBALL REFUND	
					17-3770-1328	75.00
					<b>Total :</b>	<b>75.00</b>
101114	3/4/2013	891066 MONTES CASTELLON, CAROL'S	02/11/13 - 02/21/13		COMMUNITY WELLNESS COORDINATC	
					10-430-3649-4260	496.00
					<b>Total :</b>	<b>496.00</b>
137 Vouchers for bank code : bank						<b>Bank total : 701,485.86</b>
137 Vouchers in this report						<b>Total vouchers : 701,485.86</b>

Voucher Registers are not final until approved by Council.

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## RECREATION AND COMMUNITY SERVICES DEPARTMENT

### MEMORANDUM

**TO:** Mayor Antonio Lopez and Councilmembers

**FROM:** Don Penman, Interim City Administrator  
By: Ismael Aguila, Recreation and Community Services Operations Manager

**DATE:** March 4, 2013

**SUBJECT:** Reclassification of a Senior Counselor (Part-time) to Program Specialist (Part-time) Position

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#### **RECOMMENDATION:**

It is recommended that the City Council:

- a. Approve the reclassification of a Senior Counselor (part-time) to Program Specialist (part-time); and
- b. Adopt a Resolution (Attachment "A") amending the Table of Organization from one part-time Program Specialist to two part-time Program Specialists.

#### **BACKGROUND:**

1. Since 2000, the Recreation and Community Services Department (RCS) has successfully operated after school programs for local schools in the City of San Fernando.
2. In June of 2008, the RCS Department renewed a contract with Los Angeles Unified School District (LAUSD) Beyond the Bell (BTB) to receive grant funds to provide afterschool programs on LAUSD elementary school campuses in the City of San Fernando. The grant provided the funding for program operations and personnel, including one Program Specialist.
3. On August 17, 2009, the Program Specialist for the After School Program was laid off.
4. On August 21, 2009, the individual previously working the Program Specialist position was reinstated as a City employee to work in the After School Program under the position title of Senior Counselor.
5. On November 1, 2011, a temporary salary increase was enacted per Article 10.01, "Working out of Class", of the General Part-time Unit Memorandum of Understanding between the City of San Fernando and SEIU Local 721, which states that any assignment to perform

## Reclassification of a Senior Counselor (Part-time) to Program Specialist (Part-time) Position

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duties of a higher level position or act in a higher capacity outside one's job classification will be paid an increase of at least 5%. This increase was terminated on June 30, 2012.

6. On August 9, 2012, an administrative decision was made to further evaluate the After School Program provided by the City at the school sites prior to making a decision regarding the Program Specialist position. In the interim, it was recommended to increase the Senior Counselor employee hourly salary rate to that of a Program Specialist.
7. On December 28, 2012, an administrative decision was made to continue the Program Specialist rate of salary compensation for the Senior Counselor position until the City Council could approve a reclassification of the Senior Counselor to a Program Specialist.

**ANALYSIS:**

Currently, the RCS Department provides after school programming for Morningside Elementary and Gridley Elementary schools. The Senior Counselor is currently performing the duties of a Program Specialist, which includes the responsibility of implementing policies and procedures with the After School Program as described in the City's job specification (Attachment "B"). In 2012, RCS staff conducted a thorough evaluation of the success of the After School Program and overall satisfaction of services provided by the City at the school sites. Staff has concluded that the Senior Counselor has been taking constructive steps to coordinate and improve the After School Program resulting in successful evaluations from LAUSD (Attachment "C").

**CONCLUSION:**

The reclassification of the Senior Counselor to a Program Specialist for the After School Program is recommended to ensure the success of the program. The Program Specialist would report directly to the Community Services Supervisor and would assist in overseeing the Senior Counselors and Counselors in the After School Program. It is recommended that the City Council approve the reclassification of a Senior Counselor (P/T) to a Program Specialist (P/T) and adopt a Resolution amending the Table of Organization.

**BUDGET IMPACT:**

The position reclassification would not impact the General Fund. The funding for the Program Specialist position is provided from Fund 10 (Grant Fund) revenue received through the Los Angeles Unified School District for the After School Program. The Program Specialist (P/T) will not exceed 30 hours per week.

**ATTACHMENTS:**

- A. Resolution Number 7524
- B. Job Specification for Program Specialist
- C. LAUSD Evaluation

**ATTACHMENT "A"****RESOLUTION NO. 7524****A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN FERNANDO AMENDING PORTIONS OF SECTION 1 OF RESOLUTION NO. 7489, ADOPTED JULY 2, 2012.**

**WHEREAS**, the City Council of the City of San Fernando has adopted the Fiscal Year 2012-2013 Table of Organization on July 2, 2012, per Resolution No. 7489; and

**WHEREAS**, the Table of Organization as adopted for FY 2012-2013 has provisions for various positions and classifications.

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

**SECTION 1:** That that portion of the said Table of Organization adopted on July 2, 2012, per Resolution No. 7489, be further amended by deleting the following information under "budgeted hours per week," "full time equivalent (FTE) status," and "average number of personnel in position," effective March 4, 2013, as follows:

<u>TITLE</u>	<u>BUDGETED HOURS PER WEEK</u>	<u>FULLTIME EQUIVALENT (FTE) STATUS</u>	<u>AVERAGE NUMBER OF PERSONNEL IN POSITION</u>
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**Recreation &  
Community Services**

Program Specialist (P/T)	4	.1	1
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**SECTION 2:** That that portion of the said Table of Organization adopted on July 2, 2012, per Resolution No. 7489, be further amended by adding thereto the following information under "budgeted hours per week," "full time equivalent (FTE) status," and "average number of personnel in position," effective March 4, 2013, as follows:

<u>TITLE</u>	<u>BUDGETED HOURS PER WEEK</u>	<u>FULLTIME EQUIVALENT (FTE) STATUS</u>	<u>AVERAGE NUMBER OF PERSONNEL IN POSITION</u>
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**Recreation &  
Community Services**

Program Specialist (P/T)	34	.85	2
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**SECTION 3:** Except as amended herein, all other provisions of the said Table of Organization adopted on July 2, 2012, per Resolution No.7489, remains unchanged and in full force and effect.

**SECTION 4:** The City Clerk shall certify to the adoption of this resolution and shall cause this resolution and her certification to be filed in the office of the City Clerk.

**PASSED, APPROVED, AND ADOPTED** this 4<sup>th</sup> day of March, 2013.

\_\_\_\_\_  
Antonio Lopez, 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 4<sup>th</sup> day of March, 2013, by the following vote to wit:

**AYES:**  
**NOES:**  
**ABSENT:**

\_\_\_\_\_  
Elena G. Chávez, City Clerk

**ATTACHMENT "B"****CITY OF SAN FERNANDO**

Supplement No. 135  
Resolution No. 6957  
Effective: 2/02/04

**PROGRAM SPECIALIST****DEFINITION**

Under direction, plans, organizes and directs recreational, social, educational and cultural activities for youths, adults and senior citizens. Specific program areas include adult sports, youth sports, contract classes, citywide special events, afterschool programs, youth intervention, facility rental program, and senior citizen activities. Performs other related duties as assigned.

**IMPORTANT AND ESSENTIAL DUTIES**

Essential duties may include, but are not limited to, the following:

1. Plans, organizes and directs recreational, social, educational and cultural activities for youths, adults and senior citizens.
2. Develops and recommends new programs to meet community needs.
3. Prepares and distributes program materials.
4. Purchases supplies and maintains records.
5. Conducts group meetings and training with program participants.
6. Coordinates department marketing efforts.
7. Prepares publicity materials, schedules, bulletins, newsletters, department brochures, reports and related materials.
8. Evaluates programs and events, and prepares relevant reports.

**OTHER JOB-RELATED DUTIES**

1. May supervise and evaluate the work of part-time and volunteer staff.
2. Responsible for administrative functions in main office.
3. Takes lead with guidance of department's marketing, sponsorship and publicity efforts.
4. Assists in organizing, promoting and implementing citywide festivals and events.
5. Interprets departmental programs, policies and procedures.
6. Responds to and assists in resolving citizen complaints.
7. Schedules trips, monitors and coordinates Proposition "A" bus program.
8. Performs related duties and responsibilities as required.

**JOB-RELATED AND ESSENTIAL QUALIFICATIONS****Knowledge of:**

1. Principles and techniques of special event planning.
2. Record keeping methods.
3. Computer database programs.
4. Social and economical issues associated with the service population.
5. Principles and techniques of recreation programming.

***Program Specialist  
Job Specification  
Page 2 of 2***

**Ability to:**

1. Plan, organize and direct senior citizen, youth and adult recreational activities.
2. Write clear and accurate reports.
3. Establish and maintain effective working relationships with program participants and co-workers.
4. Coordinate the work of part-time and volunteer staff.
5. Understand and speak Spanish is highly desirable.

**Experience and Training Guidelines**

A typical way to obtain the knowledge, skills and abilities would be the following:

**Experience:** One-year full-time or two-year volunteer experience coordinating recreation programs, community service work or related field is required.

**Education:** High school graduation or its equivalent is required. Graduation from an accredited two or four-year College or University is highly desirable.

**Special Requirements**

Must have a valid California Class C Driver's License at the time of appointment and as a condition of continued employment.

Must stay current in field, and acquire all necessary training that new technological changes may present.

**Physical Requirements**

Essential duties require the following physical abilities and environmental conditions: Ability to sit, stand, walk, kneel, crouch, squat, stoop, reach, twist, climb and lift about 40 Lbs.; may be exposed to sun, and work under high and low temperatures (mostly between 40 and 90 degrees); may be exposed to frequent loud noises and toxic/poisonous substances, as well as slippery surfaces; operate computer for long periods and tolerate exposure to vibration, pitch and glare from the computer.

**ATTACHMENT “C”****LAUSD BTB Agency Review of 2011**

In 2011, the City of San Fernando After School Program was evaluated by the LAUSD *Beyond the Bell Branch* (BTB). This case report covered materials from 23 LAUSD observations and comprehensive interviews with the school principals. According to the LAUSD BTB *Executive Summary of 2011*, the program was described as “a solid program that provided students with a variety of activities”. The case report included results from the principal and student surveys that revealed the After School Program is considered an integral component of school operations. In conclusion, the After School Program scored significantly high at 3.5 and 3.65 respectively (based on Scale of 1-4). These scores were considerably above the mean score of all LAUSD BYB programs.

During the 2010-2011 school year, a total of 283 students who participated in the after school program were included in the *2011 Educational Resource Consultants Report*. This report describes the outcomes of the after school program. Outcomes that were measured included performance skills on the Math and English-Language Arts (ELA) portions of the California Standards Test (CST). The following is a chart on how participants in the City of San Fernando After School Program fared in comparison to non-after school participants.

<b>California Standards Test (CST) 2010-2011</b> <b>City of San Fernando After School Program</b>		
<b>Academic Achievement</b>	<b>After School Participant</b>	<b>Non-After School Participant</b>
Mean CST-Math Scale Scores	405.1	398.2
Percentage of Students Proficient/Advanced in Math	75%	66.8%
Mean CST-ELA Scale Scores	351.50	344.0
Percentage of Students Proficient/Advances in ELA	46.2%	45.7%

According to the LAUSD BTB *Agency Review of 2011*, findings showed that the City of San Fernando demonstrated a well run program. The report documented that the coordinator was aware of responsibilities and provided appropriate direction for staff and parents. Furthermore, the report reveals that the community appeared very pleased with the program. In addition, required attendance objectives were met and approved expenditure reports with back up documentation requirements submitted. The Compliance Review Report states, “Reports were on time and accurate”. The report continues to articulate how the City is compliant with invoice submission and provides adequate response to e-mails and phone calls.

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**PLEASE REFER TO  
SUCCESSOR AGENCY  
ITEM #2  
FOR FULL REPORT**

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## ADMINISTRATION DEPARTMENT

### MEMORANDUM

**TO:** Mayor Antonio Lopez and City Councilmembers

**FROM:** Don Penman, Interim City Administrator

**DATE:** March 4, 2013

**SUBJECT:** Consideration of Calling for a Special Municipal Election to Place a Ballot Measure Before the Voters to Consider a Transactions and Use Tax

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#### **RECOMMENDATION:**

It is recommended that the City Council:

- a. Adopt Resolution No. 7525 (Attachment “A”):
  - i. Calling and Giving Notice of a Special Municipal Election to be held on Tuesday, June 4, 2013, to submit a ballot measure question to the voters concerning the enactment of a temporary one half of one percent (1/2%) Transactions and Use Tax to be implemented as a General Tax;
  - ii. Declaring a fiscal emergency justifying the placement of a General Tax Measure on a Special Election Ballot; and
  - iii. Setting election procedures and priorities for the filing of written arguments and rebuttals regarding the measure and reciting the City Attorney to prepare an Impartial Analysis.
- b. Adopt Resolution No. 7526 (Attachment “B”) requesting the Board of Supervisors of the County of Los Angeles render specified services to the City relating to the conduct of a Special Municipal Election to be held on Tuesday, June 4, 2013.
- c. Introduce for first reading, in title only, and waive further reading of Ordinance No. 1626 (Attachment “B”), “An Ordinance of the City of San Fernando Enacting, Subject to Adoption by the Electorate, a Temporary Half Cent Transactions and Use Tax to be Administered by the State Board of Equalization Pursuant to Revenue and Taxation Code § 7251 Et Seq.”

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## **BACKGROUND:**

1. On July 2, 2012, the City Council adopted the Fiscal Year (FY) 2012-2013 City Budget.
2. From July, 2012, through September 2012 the City Council held meetings to discuss necessary actions to close the original budget gap of \$520,000 plus new demand payments.
3. On October 1, 2012, the City Council approved the layoff and freezing of certain positions to help balance the FY 2012-2013 budget.
4. On February 4, 2013, the City Council received the FY 2011-2012 Comprehensive Annual Financial Report (CAFR), which showed a negative General Fund and Insurance Fund balance of \$1,236,782 and a Grants Fund negative fund balance of \$2,007,798.
5. On February 19, 2013, the City Council received the FY 2012-13 Mid-Year Budget Review Report which projected a negative General Fund and Insurance Fund balance for the fiscal year of \$1,086,481. In total the General Fund and Insurance Fund is projected to have a negative fund balance of \$2,323,265 and the Grants Fund a negative fund balance of \$2,007,798.
6. On February 25, 2013, the City Council met at a special meeting to discuss the possibility of placing before the voters a transactions and use tax measure at a future date to address the severe fiscal issues facing the City.

## **ANALYSIS:**

For a number of reasons, the City is faced with a severe financial crisis. It currently has no General Fund reserves and its outstanding internal debt/loans are projected to total between \$4.2 and \$4.3 million by June 30, 2013. This includes a projected deficit balance in the General Fund and Insurance Fund of \$ 2,323,265 and a deficit in the Grants Fund of \$2,007,798. The City General Fund also owes the Los Angeles City Fire Department (LAFD) \$526,560 for two months of unpaid bills in FY 2011-2012; and approximately \$812,000 to the California Housing Finance Agency (CHFA) for a \$1 million loan for senior housing projects. The balance of the CHFA loan at the beginning of the fiscal year was \$912,692 and \$100,000 was paid on August 1, 2012 and another \$200,000 is due on June 30, 2013. Additionally, \$350,000 is due on June 30, 2014 and about \$262,000 plus accrued interest is due on December 31, 2014.

The internal borrowing referenced above that created much of this debt to the General Fund was from the Enterprise Funds, including the Retirement Fund, Sewer Fund, and Water Fund. These loans started to accumulate in earnest commencing in May 2001 when the City Council approved borrowing \$750,000 from the Retirement Fund and \$750,000 from the Sewer Fund to pay for the Las Palmas Center improvement project. An additional \$396,870 was borrowed due to changes in the project. Of the original \$1.5 million in loans for this project, the remaining balance is \$966,166. In subsequent years, additional loans were made to the either the General Fund or

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Grants Fund to cover budget shortfalls. It should be noted that the Grants Funds is established to receive outside grants, and payments for the projects for which the grants were intended are made out of this fund. Should costs exceed the grant amount or the grant does not receive ultimate approval (such as the Las Palmas project) the General Fund assumes the debt for the project. It is also important to note that long term borrowing from the Enterprise Funds for the benefit of the General Fund is highly irregular.

### Economic Issues

Without question the recession has had a serious impact on City revenues. Like most local governments, San Fernando has experienced significant declines in a number of revenue sources, including sales taxes. While there has been some revenue growth this year including projected increases in sales and property taxes, overall revenues are projected to be \$646,805 under budget thus contributing to an estimated budget shortfall in the General Fund of \$819,846 (excluding an Insurance Fund shortfall of \$266,635). As noted as far back as the 2009-2010 CAFR (page 60), "The City's General Fund expenditures have exceeded revenues for fiscal years 2006-2007, 2007-2008, 2008-2009, and 2009-2010". With the recession impacting City revenues, the timing of the opening of the new San Fernando Regional Pool Facility presented specific funding challenges. For example, staff estimates that the Pool Facility will have a net cost (after fees) of approximately \$397,000 to operate and maintain during this fiscal year. Additionally, with reduced funding from the Community Development Block Grant program (CDBG) the City is required to pay any shortfall in the debt service on the construction of this project which for FY 2012-2013 is \$80,000.

### Staffing Cutbacks

Over the past few years the City has made a number of efforts to reduce its personnel expenses, which comprise the majority of cost to the General Fund. Since 2008-2009, nineteen (19) fulltime positions have been eliminated from the budget. This has been through a combination of layoffs, eliminating vacant positions and freezing vacant positions. Additionally, employee groups have made concessions to reduce expenses including contributing a portion of the employee share of their retirement costs, reducing the costs of health care expenses, placing caps on longevity and bilingual pay and other employee benefits.

### Redevelopment

Redevelopment has always played an important role in the revitalization of the City in terms of revenue enhancement, job creation, the provision of affordable housing and the elimination of blight. In the past decade the pace and emphasis of redevelopment activities accelerated, as a number of public and private projects were proposed and completed. Loans were made to the Redevelopment Agency to assist in this activity. As the economy started to worsen with the recession, the tools and resources of the Agency took on an even greater role in the City's economic wellbeing. Unfortunately the State Legislature enacted two measures, AB 26 X1 and AB 27 X1 to eliminate redevelopment agencies. While AB 27 X1 was invalidated as unconstitutional, AB 26 X1 was held valid and redevelopment agencies were dissolved. The San

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Fernando Redevelopment Agency, in its last full year of existence, contributed approximately \$760,000 to the City General Fund (approximately 10% of the budget). The elimination of redevelopment and commensurate loss of this money has had a significant effect on the General Fund.

### Options

While the City has made a number of efforts to address its fiscal issues, the challenge of balancing the General Fund budget, paying down the estimated \$4.2 million to \$4.3 million debt and building a General Fund reserve of 15% to 20% will be an extremely daunting task based on the current revenue picture. While employee expenses comprise the majority of General Fund dollars, cuts in this category to address all three of these areas would severely impact and further degrade the quality of services in this community. Additionally, while the majority of the debt is owed to the City itself through the Enterprise Funds, the City must make a responsible effort to retire this debt in a reasonable amount of time. Overall the City's ability to balance the budget, retire all debt and loans, and build a reserve will be extremely difficult without a new revenue source.

### New Tax Sources

While the economy is improving and there has been some growth of existing revenue the City will not be able to realize enough growth to adequately address all of its fiscal challenges. As a result staff reviewed new revenue options that are available to local government that would address these challenges. Staff researched what other cities have done to raise revenue through the League of California Cities website. Options considered included:

- Transactions and Use Tax
- Utility Tax
- Parcel Tax

Options not considered included transient occupancy tax (hotel tax), increases in the business license, and the property transfer tax. The City does not have a hotel industry; a business license tax increase would only impact one segment of the community; and a property transfer tax increase would not generate the revenue needed without a huge increase in the rate.

Of the three possible options, staff recommends the transactions and use tax. It is the simplest to implement as the State Board of Equalization would administer the tax including all the collections. A 1/2% increase could generate approximately \$1.625 million annually which would address the City's fiscal issues over a reasonable period of time and it is a general tax thus requiring only a simple majority vote for approval. (The City's tax consultant HdL provided a range of \$1.625 million to \$1.70 million annually for a transactions tax based on a 1/2% rate). A utility tax could be imposed at a rate that would generate a comparable amount of revenue to the transactions tax and it too would require only a simple majority, however it would be more time consuming to implement, would involve multiple utility companies in terms of the collection process and with telecommunications there are legal issues that complicate the application of this



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tax as it pertains to wireless and other newer technologies and the internet. Finally while a parcel tax could be imposed throughout the City it would require 2/3 voter approval.

Regarding the percentage requirement for voter approval, based on the Statewide November 2012 elections, general tax increases that required a simple majority such as a transactions tax and utility tax experienced a 79% success rate. Tax measures that required a 2/3 voter approval only had a 44% success rate.

### Sunset Clause

The City Council at your special meeting of February 25 discussed whether a sunset clause should be included in the measure. A sunset clause would establish an expiration date for the tax. Generally speaking, measures with expiration dates may result in more support as voters will know that the tax increase will not last in perpetuity; that unless prior to expiration the matter is submitted to and approved by the voters.

Staff was asked to look at a possible term for a sunset clause. This can be difficult to determine because there are so many assumptions that can become part of the analysis such as other projected revenue growth in the General Fund, increases in expenditures, whether any services and staffing previously cut should be restored, the rate of inflation, if the State or Federal government take any actions that might impact cities financially, etc. What is known is that the debt to the Enterprise Funds (which includes the deficit in the Grants Fund) is projected to be about \$4.2 to \$4.3 million on June 30, 2013. Based on \$4.2 million in debt assuming a tax increase with a sunset clause at seven years, and based on a 1/2% tax resulting in \$1,625,000 in new revenue a year, a total of \$11,375,000 would be generated (in today's dollars). A seven year payback of the loans/debt of \$600,000 per year would retire the \$4.2 million. The City must also pay back the \$526,000 to the LAFD and \$812,000 to the State. A three-year pay back of these would require a payment of \$446,000 per year. After three years, the \$446,000 could be applied over the remaining four years of the tax to building a reserve which would generate \$1,784,000 for that purpose, which would build an approximate 10% reserve. Based on that scenario the City over the seven year period of the tax would be able to use \$600,000 to balance the General Fund. The example is illustrated below:

<b>Revenue Over Seven Years</b>		<b>\$11,375,000</b>
<b>Expenses Over Seven Years</b>		
• Retire internal debt over seven years		\$4,200,000
• LAFD and CHFA payment over three years		\$1,338,000
• Balance General Fund over seven years at \$600,000 per year		\$4,200,000
• Build General Fund reserve over last four years after LAFD and CHFA payoff		\$1,637,000
	<b>TOTAL EXPENSES</b>	<b>\$11,375,000</b>

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As noted this is provided only as an example of how the funds could be used over a seven year period. It is not a sophisticated model that factors in inflation and makes no estimates of changes in general revenues or expenditures and employs the sale tax consultants low end estimate of revenues. Any number of assumptions could be built into the calculations that could result in different conclusions. However the LAFD and CHFA payback and internal debt payment periods are reasonable based on what we know today. Adding one additional year to the sunset clause is estimated to generate another \$1.625 million in today's dollars, which would be a more conservative approach and may allow for some restoration of programs and services. Finally, at the end of seven years, the \$600,000 projected to be used for balancing the General Fund would end, so other existing revenues would need to grow to cover this loss.

### Election Options

Tax increases and new taxes must be approved by the voters and placed on a regularly scheduled general election for city councilmembers. However if the City Council declares an emergency by unanimous vote, a general tax measure may be placed before the voters on dates specified in the Elections Code. For 2013, since there is no General Municipal Election in March as it was cancelled (and it would be too late anyway) the only other dates where this election can be held are June 4 and November 5. The last date to call for a June 4 election for a general tax measure is March 5. To do this, the City Council must declare, by unanimous vote, an emergency at this meeting of March 4, 2013.

### **BUDGET IMPACT:**

It is estimated that a Special Municipal Election on this tax measure will cost between \$45,000 and \$50,000. No funds are currently budgeted for this election though there is approximately \$25,000 remaining in the budget from savings from the cancellation of the General Municipal Election in March. Staff will need to bring back to City Council a budget amendment for the balance of the cost of this election.

### **CONCLUSION:**

The City is faced with a severe fiscal crisis where it has no General Fund reserves and has obligations to our Enterprise Funds totaling approximately \$4.2 million. Additionally, the City owes \$526,000 to the LAFD and \$812,000 to the California Housing Finance Agency and has operated for in excess of five years where General Fund expenditures have exceeded revenues. The City has no capacity to address this debt, balance the General Fund and build a reserve without some new revenue source. The City Council has directed staff to prepare information on a ballot measure for a transactions and use tax, which placed on the ballot and approved by the voters at a 1/2% rate is estimated to generate \$1.625 million annually (not factoring growth). The City Council is also considering having a sunset clause as part of the measure which would impose an ending date to the tax unless extended by voter approval in the future. Staff estimates that no less than a seven year sunset clause be considered.

Consideration of Calling for a Special Election to Place a Ballot Measure Before the Voters to Consider a Transactions and Use Tax

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Resolution No. 7525 (calling for the Special Municipal Election and declaring a fiscal emergency justifying the placement of a General Tax Measure on a Special Election Ballot) must be approved unanimously in order for the City Council to proceed with this election. Also attached is Resolution No. 7526 (requesting County services) and Ordinance No. 1626 (enacting, subject to adoption by the electorate, a temporary 1/2% transactions and use tax).

If the City Council chooses not to approve the Resolutions and Ordinance, then the next possible date for a ballot measure to be considered would be November 5, 2013.

**ATTACHMENTS:**

- A. Resolution No. 7525
- B. Resolution No. 7526
- C. Ordinance No. 1626

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**ATTACHMENT "A"****RESOLUTION NO. 7525**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN FERNANDO (1) CALLING AND GIVING NOTICE OF A SPECIAL MUNICIPAL ELECTION TO BE HELD JUNE 4, 2013 TO SUBMIT A BALLOT MEASURE QUESTION TO THE VOTERS OF THE CITY OF SAN FERNANDO CONCERNING THE ENACTMENT OF A TEMPORARY ONE HALF OF ONE PERCENT (1/2%) TRANSACTIONS AND USE TAX TO BE IMPLEMENTED AS A GENERAL TAX; (2) DECLARING A FISCAL EMERGENCY JUSTIFYING THE PLACEMENT OF A GENERAL TAX MEASURE ON A SPECIAL ELECTION BALLOT; AND (3) SETTING ELECTION PROCEDURES AND PRIORITIES FOR THE FILING OF WRITTEN ARGUMENTS AND REBUTTALS REGARDING THE MEASURE AND DIRECTING THE CITY ATTORNEY TO PREPARE AN IMPARTIAL ANALYSIS**

**WHEREAS**, the budget of the City of San Fernando like the budgets of municipalities throughout the State of California, has been strained and stressed in recent years by a succession of adverse economic and legislative developments, including a depressed housing market, increased costs for municipal services coupled with reduced tax revenues; State take-a-ways and costly regulatory mandates; and the dissolution of redevelopment and the costs associated with winding down redevelopment activities; and

**WHEREAS**, the San Fernando City Council ("City Council"), having conferred with the executive staff of the City of San Fernando ("City") and having received and considered the reports and presentations regarding the City's finances, has determined that the City has reached a state of fiscal crisis which qualifies as a *bona fide* fiscal emergency within the meaning of Article XIIC Section (2)(b) of the California Constitution;

**WHEREAS**, the state of the City's finances are such as to justify and compel immediate action to call a June 4, 2013 Special Municipal Election for the implementation of a general tax whose proceeds may be used for any governmental purpose so as to offset sharp reductions in the City's incoming revenues that threaten to render the City unable to provide basic levels of services in the very near future, thereby jeopardizing the City's ability to safeguard the public health, safety and welfare;

**WHEREAS**, recent economic challenges have forced the City to make significant staffing and service cuts to services and programs that the public depends and relies upon, including but not limited to police protection; street maintenance; public facility and vital public infrastructure maintenance and repair; as well as park maintenance and park programs; and

**WHEREAS**, on December 29, 2011, the California Supreme Court issued a decision ordering the dissolution of community redevelopment agencies throughout the State of California; and

**WHEREAS**, the United States Congress has also implemented automatic reductions in Federal Funding of the Community Develop Block Grant (“CDBG”) Budget Fiscal Years 2012-2013 and beyond; and

**WHEREAS**, in response to these ongoing fiscal stresses, City Departments have worked diligently under the guidance of the City Council and the City Administrator to reduce departmental expenditures and implement strategies for greater cost efficiency; and

**WHEREAS**, budget-cutting alone is not nearly sufficient to address issues of fiscal solvency - not without significantly eroding the City’s ability to maintain minimally acceptable levels of service and infrastructure upkeep; and

**WHEREAS**, the City, despite significant improvements in its fiscal accountability, remains at risk of operating paycheck to paycheck in the very near future if an emergency supplemental funding source cannot be established; and

**WHEREAS**, the City’s fiscal crisis as herein described is of sufficient gravity and severity that the City must at the earliest possible time propose revenue enhancement measures to the electorate in order to maintain, to the extent reasonably possible, the minimal level of governmental services necessary to protect and preserve the health and general welfare of the City’s residents, workers and visitors; and

**WHEREAS**, a temporary transactions and use tax measure implemented as a general tax would help offset sharp and largely unprecedented losses to incoming General Fund revenues and in turn reduce the severity and magnitude of cuts to City services while also giving the City a meaningful chance to build reserves and gradually restore itself to a solid financial footing; and

**WHEREAS**, Revenue and Taxation Code Section 7251, et seq. authorizes municipalities to establish local transactions and use taxes which can be added on to the existing County-wide sales tax; and

**WHEREAS**, Revenue and Taxation Code Section 7285.9 authorizes the legislative bodies of cities to levy a transactions and use tax for general revenue purposes pursuant to Section 7251 et seq. following approval by both unanimous city council and majority voter approvals; and

**WHEREAS**, the proposed ordinance attached hereto as **Exhibit “A”** and incorporated herein by reference (hereinafter, the “Ordinance”) would implement a temporary one half of one percent (1/2%) transactions use tax which would be implemented as a general tax for a period of seven (7) years commencing from the statutorily authorized implementation date of the tax; and

**WHEREAS**, pursuant to Article XIIC Section (2)(b) of the California Constitution, the City Council unanimously finds and declares the existence of a fiscal emergency in that there are existing and imminent financial threats to the City’s ability to meet its existing financial obligations and to adequately provide basic municipal services, including core services, like police and fire protection, vital infrastructure maintenance and repair, street repair and the like; and

**WHEREAS**, the City Council unanimously approves the attached transactions and use tax ordinance, conditioned upon its approval by a majority of those San Fernando residents who cast votes at the Special Municipal Election which the City Council has unanimously called for June 4, 2013.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAN FERNANDO, CALIFORNIA, DOES HEREBY FIND, DECLARE AND RESOLVE AS FOLLOWS:**

**SECTION 1. APPROVAL OF RECITALS.** The City Council finds that the foregoing Recitals are true and correct.

**SECTION 2. CALL OF ELECTION.** Pursuant to the laws of the State of California relating to general law cities and Elections Code Sections 9222 and 12001, the City Council hereby orders and calls a Special Municipal Election to held in the City of San Fernando, California on **Tuesday, June 4, 2013** for the purpose of submitting to the qualified electors a measure (the "Measure") seeking approval of the enactment of temporary one-half of one percent (1/2%) Transactions and Use Tax as hereinafter described and set out. This Special Municipal Election shall be administered independently by the City of San Fernando. The Transactions and Use Tax shall expire automatically on the 7<sup>th</sup> anniversary from the date the subject tax takes effect, unless an extension of the tax is approved by the voters at a subsequent election.

**SECTION 3. DECLARATION OF FISCAL EMERGENCY.** As required under Article XIIC, Section 2(b), the City Council by unanimous vote of its members hereby finds and declares that the City is confronted with a serious and *bona fide* fiscal emergency that compels the City to undertake a Special Municipal Election in advance of the next regular general municipal election which is not scheduled until November 2014. If the City Council delays in presenting the subject ballot Measure to the voters until the next general municipal election, the City will be at imminent risk of being unable to meet its financial obligations or provide levels of services minimally required to safeguard the health, safety and welfare of the City's residents, businesses, workers and visitors. The existence of this *bona fide* fiscal emergency is evidenced by the Recitals above and the following facts and conditions:

- The 2011-2012 Comprehensive Annual Financial Report (CAFR) indicates a negative General Fund balance of \$1,236,782, in part due to increased liabilities.
- The 2011-2012 CAFR reports a negative balance of \$2,007,798 in the Grants Special Revenue Fund.
- The 2012-13 Mid-Year Budget Report to the City Council estimates that the negative General Fund balance by June 30, 2013, will increase to \$2,323,265.
- Since Fiscal Year 2008-2009, the City has reduced its full-time staffing from 119 positions to 100 through layoffs, elimination of vacant positions and freezing vacant positions, resulting in overall reductions in staffing of 16%.

**SECTION 4. BALLOT QUESTION AND LETTER DESIGNATION.** The Measure, as more fully set forth in the Ordinance, to be placed on the ballot for the Special Municipal Election hereby called shall be printed in the ballots used at said election in substantially the following form:

<p><b>City Services Emergency Protection Measure.</b></p>	YES
<p>To stabilize the City financially and offset severe cuts in federal and state funding as well as sharp reductions in general fund revenues which threaten the City's ability to adequately provide general municipal services, including but not limited to police and fire service; and street, sidewalk, park and other vital infrastructure maintenance, shall an ordinance imposing a temporary, seven-year half percent (1/2%) transactions and use (sales) tax be approved?</p>	NO

The foregoing question requires the approval of a simple majority of those casting votes at the Special Municipal Election called for June 4, 2013. The letter "A" is hereby assigned to this Measure. By approval of this Resolution the City Council by unanimous vote hereby approves the placement of the Measure on the June 4, 2013 ballot and approves adoption of the Ordinance and the transactions and use tax implemented thereunder, but only upon the condition that a majority of voters at the June 4, 2013 Special Municipal Election approve the Measure. The City Council shall timely certify the election results following the Special Municipal Election and if it is confirmed that the Measure has been approved by a simple majority of the voters, the City Council shall affirm its adoption of the Ordinance and the same shall take effect in the manner prescribed therein and within the timeframe prescribed by law. Upon voter approval and concomitant City Council certification of the Measure, the Ordinance shall be codified under Chapter 82, Article \_\_\_\_ of the San Fernando Municipal Code. If upon certification of the votes cast following the June 4, 2013 Special Municipal Election it is determined that the Measure did not receive a simple majority of votes cast, the Ordinance shall not be approved and the transactions and use tax set forth therein shall not take effect.

**SECTION 5. TIME OF ELECTION AND ELECTION PROCEDURES.**

- A. The ballots to be used at the election shall be in form and content as required by law.
- B. The polls shall be open at 7:00 a.m. of the day of the special election and shall remain open continuously from that time until 8:00 p.m. of the same day when the polls shall be closed, except as provided in §14401 of the California Elections Code.
- C. The vote requirement for passage of the Measure is a majority of the votes cast (50% plus 1).
- D. The City Council authorizes the City Clerk to administer the special election and authorizes both the City Administrator and the City Clerk to execute all such agreements for the use and procurement of voting equipment and voting venues; special election consulting and administration services; and the preparation of ballot materials.



- E. The City Clerk is authorized, instructed and directed to procure and furnish any and all official ballots, notices, printed matter and all supplies, equipment and paraphernalia that may be necessary for the City to properly and lawfully conduct the election.
- F. That pursuant to Elections Code §12310, a stipend for services for the persons named as precinct board members is fixed at the sum of \$125 for each inspector and \$100 for each Clerk for the election. In addition, the sum of \$25 will be given to each precinct board member to attend a training class and the sum of \$25 to be given to each inspector to pick up the precinct supplies. The rental for each polling place, where a charge is made, shall be the sum of \$100 for the election.
- G. In all particulars not recited in this Resolution, the election hereby called shall be as provided by law for holding municipal elections in the City.
- H. Notice of the time and place of holding the election is given and the City Clerk is authorized, instructed and directed to give further or additional notice of the election, in time, form and manner as required by law.
- I. Priority for the selection of ballot arguments in support of the Measure and ballot arguments in opposition to the Measure shall be in accordance with Elections Code § 9287. Ballot arguments shall be no more than 300 words in length. Arguments shall be due on Monday, March 18, 2013 by the close of business for the Office of the City Clerk. Each argument shall be accompanied by the printed names and signatures of the author(s) submitting it, or if submitted on behalf of an organization, the name of the organization, and the printed name and signature of the author(s) submitting it, in accordance with Article 4, Chapter 3, Division 9 of the California Elections Code (Elections Code § 9280 et seq.). In the event the person(s) submitting a ballot argument wish to amend the argument, the amended argument must be received by the City Clerk no later than the close of business on Monday, March 18, 2013 after which time no arguments for or against the Measure may be submitted to the City Clerk.
- J. Pursuant to Elections Code § 9285, when the elections official has selected the arguments for and against the Measure which will be printed and distributed to the voters, the elections official shall send a copy of an argument in favor of the Measure to the authors of any argument against the Measure and a copy of an argument against the Measure to the authors of any argument in favor of the Measure immediately upon receiving the argument.
- K. The author or a majority of the authors of an argument relating to the Measure may prepare and submit a rebuttal argument not exceeding 250 words or may authorize in writing any other person or persons to prepare, submit, or sign the rebuttal argument. A rebuttal argument may not be signed by more than five persons.
- L. The rebuttal arguments shall be filed with the City Clerk, signed, with the printed name(s) and signature(s) of the author(s) submitting it, or if submitted on behalf of an organization, the name of the organization, and the printed name and signature of at least one of its principal officers no later than the close of business on Thursday, March 28, 2013 after such time no rebuttal arguments shall be accepted. The rebuttal arguments shall be accompanied by the Form of

Statement To Be Filed By Author(s) of Argument. Rebuttal arguments shall be printed in the same manner as the direct arguments. Each rebuttal argument shall immediately follow the direct argument which it seeks to rebut.

- M. The City Council directs the City Clerk to transmit a copy of the Measure to the City Attorney. The City Attorney shall prepare an impartial analysis of the Measure showing the effect of the Measure on existing law and the operation of the Measure. The impartial analysis shall be filed by Monday, March 18, 2013 with the City Clerk for the filing of primary arguments.

**SECTION 6.** The City Clerk shall certify to the adoption of this Resolution which shall be effective upon its adoption.

**PASSED, APPROVED AND ADOPTED** this 4<sup>th</sup> day of March, 2013.

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Antonio Lopez, Mayor

**ATTEST:**

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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 duly adopted by the City Council at a regular meeting held on the 4<sup>th</sup> day of March, 2013, by the following vote to wit:

**AYES:**

**NOES:**

**ABSENT:**

---

Elena G. Chávez, City Clerk

**EXHIBIT “A”****ORDINANCE NO. 1626**

**AN ORDINANCE OF THE CITY OF SAN FERNANDO ENACTING, SUBJECT TO ADOPTION BY THE ELECTORATE, A TEMPORARY HALF CENT TRANSACTIONS AND USE TAX TO BE ADMINISTERED BY THE STATE BOARD OF EQUALIZATION PURSUANT TO REVENUE AND TAXATION CODE § 7251 ET SEQ.**

**RECITALS**

**WHEREAS**, in accordance with California Constitution Article XIIC § 2(b), the City Council of the City of San Fernando (the “City”) by unanimous vote of its membership called a Special Municipal Election held June 4, 2013 so that San Fernando voters could consider whether to approve the enactment of a one half of one percent (1/2%) transactions and use (sales) tax implemented as a general tax to be added on to the base sales tax imposed throughout the County of Los Angeles; and

**WHEREAS**, the transactions and use tax measure was presented to the voters as Measure “A” at the June 4, 2013, Special Municipal Election at which Measure “A” received a majority of the votes cast; and

**WHEREAS**, recent economic challenges forced the City to make significant cuts to services that have presented considerable challenges to the City’s ability to maintain adequate core service levels (including public safety and emergency response services) needed to safeguard the health, safety and welfare of the public; and

**WHEREAS**, on December 29, 2011, the California Supreme Court issued a decision ordering the dissolution of community redevelopment agencies throughout the State of California; and

**WHEREAS**, the United States Congress has also implemented automatic reductions in Federal Funding of the Community Develop Block Grant (“CDBG”) Budget for Fiscal Years 2012-2013 and beyond; and

**WHEREAS**, the elimination of both redevelopment and reductions to the CDBG funding and reductions in sales tax have deprived the City of significant funding sources that helped absorb a significant portion of the City’s services and staffing needs over the years; and

**WHEREAS**, the loss of these vital funding sources has created short and long term strains on the City’s still fragile General Fund revenues and depleted General Fund reserves; and

**WHEREAS**, the long-term loss of redevelopment and CDBG funds places the City at serious risk (we have no reserves) thereby increasing the need to make additional cuts to personnel and services which remain deeply understaffed in light of prior rounds of budget cutting in prior fiscal years; and

**WHEREAS**, in response to these ongoing fiscal stresses, City Departments worked diligently under the City Administrator's Office to reduce departmental expenditures and implement strategies for greater cost efficiency; and

**WHEREAS**, budget-cutting alone was not sufficient to address long term issues of fiscal solvency- not without significantly eroding the City's ability to maintain vital infrastructure and provide essential municipal services and programs; and

**WHEREAS**, the City, despite significant improvements in its fiscal accountability, was at imminent risk of operating paycheck to paycheck in the very near future if supplemental funding source cannot be found to close the funding gaps created by the loss of redevelopment and CDBG funding and sharp reductions to City revenues; and

**WHEREAS**, the City's fiscal crisis as herein described is of sufficient gravity and severity that the City must at the earliest feasible juncture propose revenue enhancement measures to the electorate in order to maintain, to the extent possible, the minimal level of governmental services necessary to protect and preserve the health and general welfare of the City's residents, workers and visitors; and

**WHEREAS**, a temporary transactions and use tax measure would allow the City to preserve basic community services and infrastructure obligations during the current economic downturn and allow the City to build-up critical operating reserves; and

**WHEREAS**, the elimination of redevelopment and federal funding sources have served to undermine the City's original recovery projections and in the absence of secure long-term funding sources risk plunging the City back into a condition of deficit and insufficient reserves; and

**WHEREAS**, Revenue and Taxation § 7251, et seq. provides for the establishment of transactions and use taxes by local agencies; and

**WHEREAS**, Revenue and Taxation § 7285.9 authorizes the city council of any city to levy a transactions and use tax for general revenue purposes as required by § 7251 et seq. following approval by both unanimous city council and majority voter approvals; and

**WHEREAS**, this ordinance (the "Ordinance") proposes to enact a temporary one half of one percent (1/2%) transactions use tax to be implemented as a general tax for a duration of seven years commencing from the date in which the tax becomes effective; and

**WHEREAS**, pursuant to Section 2(b) of California Constitution Article XIIC, the City Council unanimously found and declared the existence of a fiscal emergency as set forth under Resolution No. 7525 approved March 4, 2013; and

**WHEREAS**, this temporary transactions and use tax measure will help mitigate potential cuts to various City services brought on by sharp reductions to City revenues, increased costs of services and the national economic downturn.

THE PEOPLE OF THE CITY OF SAN FERNANDO, CALIFORNIA DO ORDAIN AS FOLLOWS:

**SECTION 1.** The recitals stated above are true and correct and incorporated herein.

**SECTION 2.** If approved by a majority of the voters of the City of San Fernando, the following provisions shall be codified under Chapter 82, Article \_\_\_\_\_ of the San Fernando Municipal Code.

82-XX **TITLE.** This Article shall be known as the “City of San Fernando Temporary Transactions and Use Tax” and shall be codified under the following Municipal Code Article heading: “Temporary Transactions and Use Tax.”

82-XX **OPERATIVE DATE.** "Operative Date" means the first day of the first calendar quarter commencing more than 110 days after June 4, 2013, pursuant to Taxation and Revenue Code § 7265. The provisions of this Article shall not take effect until the Operative Date.

82-XX **PURPOSE.** The Ordinance implementing this Article was adopted by a majority of San Fernando voters who cast votes at a June 4, 2013, Special Municipal Election to achieve the following, among other purposes, and directs that the provisions hereof be interpreted in order to accomplish those purposes:

A. To impose a retail transactions and use tax in accordance with the provisions of Part 1.6 (commencing with § 7251) of Division 2 of the Revenue and Taxation Code and § 7285.9 of Part 1.7 of Division 2 which authorizes the City of San Fernando (hereinafter, “City”) to adopt the ordinance implementing this tax which shall be operative if a majority of the electors voting on the measure vote to approve the imposition of the tax at an election called for that purpose.

B. To adopt a retail transactions and use tax ordinance that incorporates provisions identical to those of the Sales and Use Tax Law of the State of California insofar as those provisions are not inconsistent with the requirements and limitations contained in Part 1.6 of Division 2 of the Revenue and Taxation Code.

C. To adopt a retail transactions and use tax ordinance that imposes a tax and provides a measure therefore that can be administered and collected by the State Board of Equalization in a manner that adapts itself as fully as practicable to, and requires the least possible deviation from, the existing statutory and administrative procedures followed by the State Board of Equalization in administering and collecting the California State Sales and Use Taxes.

D. To adopt a retail transactions and use tax ordinance that can be administered in a manner that will be, to the greatest degree possible, consistent with the provisions of Part 1.6 of Division 2 of the Revenue and Taxation Code, minimize the cost of collecting the transactions and use taxes, and at the same time, minimize the

burden of record keeping upon persons subject to taxation under the provisions of this ordinance.

82-XX CONTRACT WITH STATE. Prior to the Operative Date, the City shall contract with the State Board of Equalization to perform all functions incident to the administration and operation of this transactions and use tax implemented under this Article; provided, that if the City shall not have contracted with the State Board of Equalization prior to the Operative Date, it shall nevertheless so contract and in such a case the operative date shall be the first day of the first calendar quarter following the execution of such a contract.

82-XX TRANSACTIONS TAX RATE. For the privilege of selling tangible personal property at retail, a tax is hereby imposed upon all retailers in the incorporated territory of the City at the rate of 0.50% of the gross receipts of any retailer from the sale of all tangible personal property sold at retail in said territory on and after the Operative Date of this Article.

82-XX PLACE OF SALE. For the purposes of this Article, all retail sales are consummated at the place of business of the retailer unless the tangible personal property sold is delivered by the retailer or his agent to an out-of-state destination or to a common carrier for delivery to an out-of-state destination. The gross receipts from such sales shall include delivery charges, when such charges are subject to the state sales and use tax, regardless of the place to which delivery is made. In the event a retailer has no permanent place of business in the State or has more than one place of business, the place or places at which the retail sales are consummated shall be determined under rules and regulations to be prescribed and adopted by the State Board of Equalization.

82-XX USE TAX RATE. An excise tax is hereby imposed on the storage, use or other consumption in the City of tangible personal property purchased from any retailer on and after the operative date of this Article for storage, use or other consumption in said territory at the rate of 0.50% of the sales price of the property. The sales price shall include delivery charges when such charges are subject to state sales or use tax regardless of the place to which delivery is made.

82-XX ADOPTION OF PROVISIONS OF STATE LAW. Except as otherwise provided in this Article and except insofar as they are inconsistent with the provisions of Part 1.6 of Division 2 of the Revenue and Taxation Code, all of the provisions of Part 1 (commencing with § 6001) of Division 2 of the Revenue and Taxation Code are hereby adopted and made a part of this Article as though fully set forth herein.

82-XX LIMITATIONS ON ADOPTION OF STATE LAW AND COLLECTION OF USE TAXES. In adopting the provisions of Part 1 of Division 2 of the Revenue and Taxation Code:

A. Wherever the State of California is named or referred to as the taxing agency, the name of this City shall be substituted therefore. However, the substitution shall not be made when:

1. The word "State" is used as a part of the title of the State Controller, State Treasurer, State Board of Control, State Board of Equalization, State Treasury, or the Constitution of the State of California;

2. The result of that substitution would require action to be taken by or against this City or any agency, officer, or employee thereof rather than by or against the State Board of Equalization, in performing the functions incident to the administration or operation of this Article.

3. In those sections, including, but not necessarily limited to sections referring to the exterior boundaries of the State of California, where the result of the substitution would be to:

a. Provide an exemption from this tax with respect to certain sales, storage, use or other consumption of tangible personal property which would not otherwise be exempt from this tax while such sales, storage, use or other consumption remain subject to tax by the State under the provisions of Part 1 of Division 2 of the Revenue and Taxation Code, or;

b. Impose this tax with respect to certain sales, storage, use or other consumption of tangible personal property which would not be subject to tax by the state under the said provision of that code.

4. In §§ 6701, 6702 (except in the last sentence thereof), 6711, 6715, 6737, 6797 or 6828 of the Revenue and Taxation Code.

B. The word "City" shall be substituted for the word "State" in the phrase "retailer engaged in business in this State" in § 6203 and in the definition of that phrase in § 6203.

82-XX PERMIT NOT REQUIRED. If a seller's permit has been issued to a retailer under § 6067 of the Revenue and Taxation Code, an additional transactor's permit shall not be required by this Article.

82-XX EXEMPTIONS AND EXCLUSIONS.

A. There shall be excluded from the measure of the transactions tax and the use tax the amount of any sales tax or use tax imposed by the State of California or by any city, city and county, or county pursuant to the Bradley-Burns Uniform Local Sales and Use Tax Law or the amount of any state-administered transactions or use tax.

B. There are exempted from the computation of the amount of transactions tax the gross receipts from:

1. Sales of tangible personal property, other than fuel or petroleum products, to operators of aircraft to be used or consumed principally outside the county in which the sale is made and directly and exclusively in the use of such aircraft as common carriers of persons or property under the authority of the laws of this State, the United States, or any foreign government.

2. Sales of property to be used outside the City which is shipped to a point outside the City, pursuant to the contract of sale, by delivery to such point by the retailer or his agent, or by delivery by the retailer to a carrier for shipment to a consignee at such point. For the purposes of this paragraph, delivery to a point outside the City shall be satisfied:

a. With respect to vehicles (other than commercial vehicles) subject to registration pursuant to Chapter 1 (commencing with § 4000) of Division 3 of the Vehicle Code, aircraft licensed in compliance with § 21411 of the Public Utilities Code, and undocumented vessels registered under Division 3.5 (commencing with § 9840) of the Vehicle Code by registration to an out-of-City address and by a declaration under penalty of perjury, signed by the buyer, stating that such address is, in fact, his or her principal place of residence; and

b. With respect to commercial vehicles, by registration to a place of business out-of-City and declaration under penalty of perjury, signed by the buyer, that the vehicle will be operated from that address.

3. The sale of tangible personal property if the seller is obligated to furnish the property for a fixed price pursuant to a contract entered into prior to the operative date of this Article.

4. A lease of tangible personal property which is a continuing sale of such property, for any period of time for which the lessor is obligated to lease the property for an amount fixed by the lease prior to the operative date of this Article.

5. For the purposes of subparagraphs (3) and (4) of this section, the sale or lease of tangible personal property shall be deemed not to be obligated pursuant to a contract or lease for any period of time for which any party to the contract or lease has the unconditional right to terminate the contract or lease upon notice, whether or not such right is exercised.

C. There are exempted from the use tax imposed by this Article, the storage, use or other consumption in this City of tangible personal property:

1. The gross receipts from the sale of which have been subject to a transactions tax under any state-administered transactions and use tax ordinance.

2. Other than fuel or petroleum products purchased by operators of aircraft and used or consumed by such operators directly and exclusively in the use of such aircraft as common carriers of persons or property for hire or compensation under a certificate of public convenience and necessity issued pursuant to the laws of this State, the United States, or any foreign government. This exemption is in addition to the exemptions provided in §§ 6366 and 6366.1 of the Revenue and Taxation Code of the State of California.

3. If the purchaser is obligated to purchase the property for a fixed price pursuant to a contract entered into prior to the Operative Date of this Article.



4. If the possession of, or the exercise of any right or power over, the tangible personal property arises under a lease which is a continuing purchase of such property for any period of time for which the lessee is obligated to lease the property for an amount fixed by a lease prior to the Operative Date of this Article.

5. For the purposes of subparagraphs (3) and (4) of this section, storage, use, or other consumption, or possession of, or exercise of any right or power over, tangible personal property shall be deemed not to be obligated pursuant to a contract or lease for any period of time for which any party to the contract or lease has the unconditional right to terminate the contract or lease upon notice, whether or not such right is exercised.

6. Except as provided in subparagraph (7), a retailer engaged in business in the City shall not be required to collect use tax from the purchaser of tangible personal property, unless the retailer ships or delivers the property into the City or participates within the City in making the sale of the property, including, but not limited to, soliciting or receiving the order, either directly or indirectly, at a place of business of the retailer in the City or through any representative, agent, canvasser, solicitor, subsidiary, or person in the City under the authority of the retailer.

7. "A retailer engaged in business in the City" shall also include any retailer of any of the following: vehicles subject to registration pursuant to Chapter 1 (commencing with § 4000) of Division 3 of the Vehicle Code, aircraft licensed in compliance with § 21411 of the Public Utilities Code, or undocumented vessels registered under Division 3.5 (commencing with § 9840) of the Vehicle Code. That retailer shall be required to collect use tax from any purchaser who registers or licenses the vehicle, vessel, or aircraft at an address in the City.

D. Any person subject to use tax under this Article may credit against that tax any transactions tax or reimbursement for transactions tax paid to a district imposing, or retailer liable for a transactions tax pursuant to Part 1.6 of Division 2 of the Revenue and Taxation Code with respect to the sale to the person of the property the storage, use or other consumption of which is subject to the use tax.

82-XX AMENDMENTS. All amendments subsequent to the effective date of this ordinance to Part 1 of Division 2 of the Revenue and Taxation Code relating to sales and use taxes and which are not inconsistent with Part 1.6 and Part 1.7 of Division 2 of the Revenue and Taxation Code, and all amendments to Part 1.6 and Part 1.7 of Division 2 of the Revenue and Taxation Code, shall automatically become a part of this Article, provided however, that no such amendment shall operate so as to affect the rate of tax imposed by this Article.

82-XX ENJOINING COLLECTION FORBIDDEN. No injunction or writ of mandate or other legal or equitable process shall issue in any suit, action or proceeding in any court against the State or the City, or against any officer of the State or the City, to prevent or enjoin the collection under this Article, or Part 1.6 of Division 2 of the Revenue and Taxation Code, of any tax or any amount of tax required to be collected.

82-XX ANNUAL PUBLIC REPORTS. On or before each anniversary of the Operative Date, the City shall complete a study and produce a report reviewing the collection, management and expenditure of revenue from the proposed tax and shall present a report explain and providing an overview of the same at an open and public meeting of the City Council. This report shall be a public document.

82-XX SEVERABILITY. If any provision of this Article or the application thereof to any person or circumstance is held invalid, the remainder of the Article and the application of such provision to other persons or circumstances shall not be affected thereby.

82-XX EFFECTIVE DATE. This Article relates to the levying and collecting of the City transactions and use taxes and shall take effect immediately. However, as required by Article XIIC of the California Constitution and Revenue and Taxation Code and Section 7285.9, no amendment to this Article may increase the rates of the taxes above what is authorized by this Article unless such amendment is submitted to and approved by the voters.

82-XX AUTOMATIC EXPIRATION DATE. The authority to levy the tax imposed by this Article shall expire on the 7<sup>th</sup> anniversary of the Operative Date, unless prior to such expiration the matter is again submitted to, and approved by, the voters.

82-XX DECLARATION. The proceeds of the taxes imposed under this Article may be used for any lawful purpose of the City, as authorized by ordinance, resolution or action of the City Council or by ordinance adopted by the electorate of the City. These taxes do not meet the criteria established by § 1(d) of Article XIIC of the California Constitution for special taxes, and are intended to be general taxes whose proceeds may be used for any general government purposes.

**SECTION 3.** If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council declares that it would have passed this Ordinance and each and every section, subsection, sentence, clause or phrase not declared invalid or unconstitutional without regard to whether any portion of the Ordinance would be subsequently declared invalid or unconstitutional.

**SECTION 4.** This Ordinance shall become effective immediately upon the following conditions: (i) approval by unanimous vote of the City Council of the Ordinance and concomitant unanimous approval for placement of this Ordinance on the ballot at a Special Municipal Election; (ii) approval of the Ordinance by majority of the voters casting votes at the Special Municipal Election; (iii) certification of all votes cast by the City Council confirming that a majority of voters have approved this Ordinance; and (iv) confirmation of approval of this Ordinance by the City Council upon certification of the election results.

**PASSED, APPROVED, AND ADOPTED** by the City Council of the City of San Fernando a regular meeting held on \_\_\_\_\_ day of \_\_\_\_\_, 2013.

\_\_\_\_\_  
Antonio Lopez, 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 \_\_\_\_\_, 2013 and was carried by the following roll call vote:

AYES:

NOES:

ABSENT:

\_\_\_\_\_  
Elena G. Chávez, City Clerk

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**ATTACHMENT "B"****RESOLUTION NO. 7526**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN FERNANDO, CALIFORNIA, REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES TO RENDER SPECIFIED SERVICES TO THE CITY RELATING TO THE CONDUCT OF A SPECIAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, JUNE 4, 2013**

**WHEREAS**, a Special Municipal Election is to be held in the City of San Fernando, California, on June 4, 2013; and

**WHEREAS**, in the course of conduct of the election it is necessary for the City to request services of the County; and

**WHEREAS**, all necessary expenses in performing these services shall be paid by the City of San Fernando.

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

**SECTION 1:** That pursuant to the provisions of § 10002 of the Elections Code of the State of California, this City Council requests the Board of Supervisors of the County to permit the County Election Department to prepare and furnish the following for use in conducting the election:

1. A listing of county precincts with number of registered voters in each, so city may consolidate election precincts into city voting precincts, and maps of the voting precincts;
2. A list of polling places and poll workers the county uses for their elections;
3. The computer record of the names and address of all eligible registered voters in the City in order that the City's consultant may:
  - a. Produce labels for vote-by-mail voters;
  - b. Produce labels for sample ballot pamphlets;
  - c. Print Rosters of Voters and Street Indexes;
4. Voter signature verification services as needed; and

5. Make available to the City election equipment and assistance as needed according to State law.

**SECTION 2:** That the City shall reimburse the County for services performed when the work is completed and upon presentation to the City of a properly approved bill.

**SECTION 3:** That the City Clerk is directed to forward without delay to the Board of Supervisors and to the County Election Department, each a certified copy of this Resolution.

**SECTION 4:** That the City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

**PASSED, APPROVED AND ADOPTED** this 4<sup>th</sup> day of March, 2013.

---

Antonio Lopez, 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 duly adopted by the City Council at a regular meeting held on the 4<sup>th</sup> day of March, 2013, by the following vote to wit:

**AYES:**

**NOES:**

**ABSENT:**

---

Elena G. Chávez, City Clerk

**ATTACHMENT “C”****ORDINANCE NO. 1626**

**AN ORDINANCE OF THE CITY OF SAN FERNANDO ENACTING, SUBJECT TO ADOPTION BY THE ELECTORATE, A TEMPORARY HALF CENT TRANSACTIONS AND USE TAX TO BE ADMINISTERED BY THE STATE BOARD OF EQUALIZATION PURSUANT TO REVENUE AND TAXATION CODE § 7251 ET SEQ.**

**RECITALS**

**WHEREAS**, in accordance with California Constitution Article XIIC § 2(b), the City Council of the City of San Fernando (the “City”) by unanimous vote of its membership called a Special Municipal Election held June 4, 2013 so that San Fernando voters could consider whether to approve the enactment of a one half of one percent (1/2%) transactions and use (sales) tax implemented as a general tax to be added on to the base sales tax imposed throughout the County of Los Angeles; and

**WHEREAS**, the transactions and use tax measure was presented to the voters as Measure “A” at the June 4, 2013, Special Municipal Election at which Measure “A” received a majority of the votes cast; and

**WHEREAS**, recent economic challenges forced the City to make significant cuts to services that have presented considerable challenges to the City’s ability to maintain adequate core service levels (including public safety and emergency response services) needed to safeguard the health, safety and welfare of the public; and

**WHEREAS**, on December 29, 2011, the California Supreme Court issued a decision ordering the dissolution of community redevelopment agencies throughout the State of California; and

**WHEREAS**, the United States Congress has also implemented automatic reductions in Federal Funding of the Community Develop Block Grant (“CDBG”) Budget for Fiscal Years 2012-2013 and beyond; and

**WHEREAS**, the elimination of both redevelopment and reductions to the CDBG funding and reductions in sales tax have deprived the City of significant funding sources that helped absorb a significant portion of the City’s services and staffing needs over the years; and

**WHEREAS**, the loss of these vital funding sources has created short and long term strains on the City’s still fragile General Fund revenues and depleted General Fund reserves; and

**WHEREAS**, the long-term loss of redevelopment and CDBG funds places the City at serious risk (we have no reserves) thereby increasing the need to make additional cuts to personnel and services which remain deeply understaffed in light of prior rounds of budget cutting in prior fiscal years; and

**WHEREAS**, in response to these ongoing fiscal stresses, City Departments worked diligently under the City Administrator's Office to reduce departmental expenditures and implement strategies for greater cost efficiency; and

**WHEREAS**, budget-cutting alone was not sufficient to address long term issues of fiscal solvency- not without significantly eroding the City's ability to maintain vital infrastructure and provide essential municipal services and programs; and

**WHEREAS**, the City, despite significant improvements in its fiscal accountability, was at imminent risk of operating paycheck to paycheck in the very near future if supplemental funding source cannot be found to close the funding gaps created by the loss of redevelopment and CDBG funding and sharp reductions to City revenues; and

**WHEREAS**, the City's fiscal crisis as herein described is of sufficient gravity and severity that the City must at the earliest feasible juncture propose revenue enhancement measures to the electorate in order to maintain, to the extent possible, the minimal level of governmental services necessary to protect and preserve the health and general welfare of the City's residents, workers and visitors; and

**WHEREAS**, a temporary transactions and use tax measure would allow the City to preserve basic community services and infrastructure obligations during the current economic downturn and allow the City to build-up critical operating reserves; and

**WHEREAS**, the elimination of redevelopment and federal funding sources have served to undermine the City's original recovery projections and in the absence of secure long-term funding sources risk plunging the City back into a condition of deficit and insufficient reserves; and

**WHEREAS**, Revenue and Taxation § 7251, et seq. provides for the establishment of transactions and use taxes by local agencies; and

**WHEREAS**, Revenue and Taxation § 7285.9 authorizes the city council of any city to levy a transactions and use tax for general revenue purposes as required by § 7251 et seq. following approval by both unanimous city council and majority voter approvals; and

**WHEREAS**, this ordinance (the "Ordinance") proposes to enact a temporary one half of one percent (1/2%) transactions use tax to be implemented as a general tax for a duration of seven years commencing from the date in which the tax becomes effective; and

**WHEREAS**, pursuant to Section 2(b) of California Constitution Article XIIC, the City Council unanimously found and declared the existence of a fiscal emergency as set forth under Resolution No. 7525 approved March 4, 2013; and

**WHEREAS**, this temporary transactions and use tax measure will help mitigate potential cuts to various City services brought on by sharp reductions to City revenues, increased costs of services and the national economic downturn.



THE PEOPLE OF THE CITY OF SAN FERNANDO, CALIFORNIA DO ORDAIN AS FOLLOWS:

**SECTION 1.** The recitals stated above are true and correct and incorporated herein.

**SECTION 2.** If approved by a majority of the voters of the City of San Fernando, the following provisions shall be codified under Chapter 82, Article \_\_\_\_\_ of the San Fernando Municipal Code.

82-XX **TITLE.** This Article shall be known as the “City of San Fernando Temporary Transactions and Use Tax” and shall be codified under the following Municipal Code Article heading: “Temporary Transactions and Use Tax.”

82-XX **OPERATIVE DATE.** "Operative Date" means the first day of the first calendar quarter commencing more than 110 days after June 4, 2013, pursuant to Taxation and Revenue Code § 7265. The provisions of this Article shall not take effect until the Operative Date.

82-XX **PURPOSE.** The Ordinance implementing this Article was adopted by a majority of San Fernando voters who cast votes at a June 4, 2013, Special Municipal Election to achieve the following, among other purposes, and directs that the provisions hereof be interpreted in order to accomplish those purposes:

A. To impose a retail transactions and use tax in accordance with the provisions of Part 1.6 (commencing with § 7251) of Division 2 of the Revenue and Taxation Code and § 7285.9 of Part 1.7 of Division 2 which authorizes the City of San Fernando (hereinafter, “City”) to adopt the ordinance implementing this tax which shall be operative if a majority of the electors voting on the measure vote to approve the imposition of the tax at an election called for that purpose.

B. To adopt a retail transactions and use tax ordinance that incorporates provisions identical to those of the Sales and Use Tax Law of the State of California insofar as those provisions are not inconsistent with the requirements and limitations contained in Part 1.6 of Division 2 of the Revenue and Taxation Code.

C. To adopt a retail transactions and use tax ordinance that imposes a tax and provides a measure therefore that can be administered and collected by the State Board of Equalization in a manner that adapts itself as fully as practicable to, and requires the least possible deviation from, the existing statutory and administrative procedures followed by the State Board of Equalization in administering and collecting the California State Sales and Use Taxes.

D. To adopt a retail transactions and use tax ordinance that can be administered in a manner that will be, to the greatest degree possible, consistent with the provisions of Part 1.6 of Division 2 of the Revenue and Taxation Code, minimize the cost of collecting the transactions and use taxes, and at the same time, minimize the

burden of record keeping upon persons subject to taxation under the provisions of this ordinance.

82-XX CONTRACT WITH STATE. Prior to the Operative Date, the City shall contract with the State Board of Equalization to perform all functions incident to the administration and operation of this transactions and use tax implemented under this Article; provided, that if the City shall not have contracted with the State Board of Equalization prior to the Operative Date, it shall nevertheless so contract and in such a case the operative date shall be the first day of the first calendar quarter following the execution of such a contract.

82-XX TRANSACTIONS TAX RATE. For the privilege of selling tangible personal property at retail, a tax is hereby imposed upon all retailers in the incorporated territory of the City at the rate of 0.50% of the gross receipts of any retailer from the sale of all tangible personal property sold at retail in said territory on and after the Operative Date of this Article.

82-XX PLACE OF SALE. For the purposes of this Article, all retail sales are consummated at the place of business of the retailer unless the tangible personal property sold is delivered by the retailer or his agent to an out-of-state destination or to a common carrier for delivery to an out-of-state destination. The gross receipts from such sales shall include delivery charges, when such charges are subject to the state sales and use tax, regardless of the place to which delivery is made. In the event a retailer has no permanent place of business in the State or has more than one place of business, the place or places at which the retail sales are consummated shall be determined under rules and regulations to be prescribed and adopted by the State Board of Equalization.

82-XX USE TAX RATE. An excise tax is hereby imposed on the storage, use or other consumption in the City of tangible personal property purchased from any retailer on and after the operative date of this Article for storage, use or other consumption in said territory at the rate of 0.50% of the sales price of the property. The sales price shall include delivery charges when such charges are subject to state sales or use tax regardless of the place to which delivery is made.

82-XX ADOPTION OF PROVISIONS OF STATE LAW. Except as otherwise provided in this Article and except insofar as they are inconsistent with the provisions of Part 1.6 of Division 2 of the Revenue and Taxation Code, all of the provisions of Part 1 (commencing with § 6001) of Division 2 of the Revenue and Taxation Code are hereby adopted and made a part of this Article as though fully set forth herein.

82-XX LIMITATIONS ON ADOPTION OF STATE LAW AND COLLECTION OF USE TAXES. In adopting the provisions of Part 1 of Division 2 of the Revenue and Taxation Code:

A. Wherever the State of California is named or referred to as the taxing agency, the name of this City shall be substituted therefore. However, the substitution shall not be made when:

1. The word "State" is used as a part of the title of the State Controller, State Treasurer, State Board of Control, State Board of Equalization, State Treasury, or the Constitution of the State of California;

2. The result of that substitution would require action to be taken by or against this City or any agency, officer, or employee thereof rather than by or against the State Board of Equalization, in performing the functions incident to the administration or operation of this Article.

3. In those sections, including, but not necessarily limited to sections referring to the exterior boundaries of the State of California, where the result of the substitution would be to:

a. Provide an exemption from this tax with respect to certain sales, storage, use or other consumption of tangible personal property which would not otherwise be exempt from this tax while such sales, storage, use or other consumption remain subject to tax by the State under the provisions of Part 1 of Division 2 of the Revenue and Taxation Code, or;

b. Impose this tax with respect to certain sales, storage, use or other consumption of tangible personal property which would not be subject to tax by the state under the said provision of that code.

4. In §§ 6701, 6702 (except in the last sentence thereof), 6711, 6715, 6737, 6797 or 6828 of the Revenue and Taxation Code.

B. The word "City" shall be substituted for the word "State" in the phrase "retailer engaged in business in this State" in § 6203 and in the definition of that phrase in § 6203.

82-XX PERMIT NOT REQUIRED. If a seller's permit has been issued to a retailer under § 6067 of the Revenue and Taxation Code, an additional transactor's permit shall not be required by this Article.

82-XX EXEMPTIONS AND EXCLUSIONS.

A. There shall be excluded from the measure of the transactions tax and the use tax the amount of any sales tax or use tax imposed by the State of California or by any city, city and county, or county pursuant to the Bradley-Burns Uniform Local Sales and Use Tax Law or the amount of any state-administered transactions or use tax.

B. There are exempted from the computation of the amount of transactions tax the gross receipts from:

1. Sales of tangible personal property, other than fuel or petroleum products, to operators of aircraft to be used or consumed principally outside the county in which the sale is made and directly and exclusively in the use of such aircraft as common carriers of persons or property under the authority of the laws of this State, the United States, or any foreign government.

2. Sales of property to be used outside the City which is shipped to a point outside the City, pursuant to the contract of sale, by delivery to such point by the retailer or his agent, or by delivery by the retailer to a carrier for shipment to a consignee at such point. For the purposes of this paragraph, delivery to a point outside the City shall be satisfied:

a. With respect to vehicles (other than commercial vehicles) subject to registration pursuant to Chapter 1 (commencing with § 4000) of Division 3 of the Vehicle Code, aircraft licensed in compliance with § 21411 of the Public Utilities Code, and undocumented vessels registered under Division 3.5 (commencing with § 9840) of the Vehicle Code by registration to an out-of-City address and by a declaration under penalty of perjury, signed by the buyer, stating that such address is, in fact, his or her principal place of residence; and

b. With respect to commercial vehicles, by registration to a place of business out-of-City and declaration under penalty of perjury, signed by the buyer, that the vehicle will be operated from that address.

3. The sale of tangible personal property if the seller is obligated to furnish the property for a fixed price pursuant to a contract entered into prior to the operative date of this Article.

4. A lease of tangible personal property which is a continuing sale of such property, for any period of time for which the lessor is obligated to lease the property for an amount fixed by the lease prior to the operative date of this Article.

5. For the purposes of subparagraphs (3) and (4) of this section, the sale or lease of tangible personal property shall be deemed not to be obligated pursuant to a contract or lease for any period of time for which any party to the contract or lease has the unconditional right to terminate the contract or lease upon notice, whether or not such right is exercised.

C. There are exempted from the use tax imposed by this Article, the storage, use or other consumption in this City of tangible personal property:

1. The gross receipts from the sale of which have been subject to a transactions tax under any state-administered transactions and use tax ordinance.

2. Other than fuel or petroleum products purchased by operators of aircraft and used or consumed by such operators directly and exclusively in the use of such aircraft as common carriers of persons or property for hire or compensation under a certificate of public convenience and necessity issued pursuant to the laws of this State, the United States, or any foreign government. This exemption is in addition to the exemptions provided in §§ 6366 and 6366.1 of the Revenue and Taxation Code of the State of California.

3. If the purchaser is obligated to purchase the property for a fixed price pursuant to a contract entered into prior to the Operative Date of this Article.

4. If the possession of, or the exercise of any right or power over, the tangible personal property arises under a lease which is a continuing purchase of such property for any period of time for which the lessee is obligated to lease the property for an amount fixed by a lease prior to the Operative Date of this Article.

5. For the purposes of subparagraphs (3) and (4) of this section, storage, use, or other consumption, or possession of, or exercise of any right or power over, tangible personal property shall be deemed not to be obligated pursuant to a contract or lease for any period of time for which any party to the contract or lease has the unconditional right to terminate the contract or lease upon notice, whether or not such right is exercised.

6. Except as provided in subparagraph (7), a retailer engaged in business in the City shall not be required to collect use tax from the purchaser of tangible personal property, unless the retailer ships or delivers the property into the City or participates within the City in making the sale of the property, including, but not limited to, soliciting or receiving the order, either directly or indirectly, at a place of business of the retailer in the City or through any representative, agent, canvasser, solicitor, subsidiary, or person in the City under the authority of the retailer.

7. "A retailer engaged in business in the City" shall also include any retailer of any of the following: vehicles subject to registration pursuant to Chapter 1 (commencing with § 4000) of Division 3 of the Vehicle Code, aircraft licensed in compliance with § 21411 of the Public Utilities Code, or undocumented vessels registered under Division 3.5 (commencing with § 9840) of the Vehicle Code. That retailer shall be required to collect use tax from any purchaser who registers or licenses the vehicle, vessel, or aircraft at an address in the City.

D. Any person subject to use tax under this Article may credit against that tax any transactions tax or reimbursement for transactions tax paid to a district imposing, or retailer liable for a transactions tax pursuant to Part 1.6 of Division 2 of the Revenue and Taxation Code with respect to the sale to the person of the property the storage, use or other consumption of which is subject to the use tax.

82-XX AMENDMENTS. All amendments subsequent to the effective date of this ordinance to Part 1 of Division 2 of the Revenue and Taxation Code relating to sales and use taxes and which are not inconsistent with Part 1.6 and Part 1.7 of Division 2 of the Revenue and Taxation Code, and all amendments to Part 1.6 and Part 1.7 of Division 2 of the Revenue and Taxation Code, shall automatically become a part of this Article, provided however, that no such amendment shall operate so as to affect the rate of tax imposed by this Article.

82-XX ENJOINING COLLECTION FORBIDDEN. No injunction or writ of mandate or other legal or equitable process shall issue in any suit, action or proceeding in any court against the State or the City, or against any officer of the State or the City, to prevent or enjoin the collection under this Article, or Part 1.6 of Division 2 of the Revenue and Taxation Code, of any tax or any amount of tax required to be collected.

82-XX ANNUAL PUBLIC REPORTS. On or before each anniversary of the Operative Date, the City shall complete a study and produce a report reviewing the collection, management and expenditure of revenue from the proposed tax and shall present a report explain and providing an overview of the same at an open and public meeting of the City Council. This report shall be a public document.

82-XX SEVERABILITY. If any provision of this Article or the application thereof to any person or circumstance is held invalid, the remainder of the Article and the application of such provision to other persons or circumstances shall not be affected thereby.

82-XX EFFECTIVE DATE. This Article relates to the levying and collecting of the City transactions and use taxes and shall take effect immediately. However, as required by Article XIIC of the California Constitution and Revenue and Taxation Code and Section 7285.9, no amendment to this Article may increase the rates of the taxes above what is authorized by this Article unless such amendment is submitted to and approved by the voters.

82-XX AUTOMATIC EXPIRATION DATE. The authority to levy the tax imposed by this Article shall expire on the 7<sup>th</sup> anniversary of the Operative Date, unless prior to such expiration the matter is again submitted to, and approved by, the voters.

82-XX DECLARATION. The proceeds of the taxes imposed under this Article may be used for any lawful purpose of the City, as authorized by ordinance, resolution or action of the City Council or by ordinance adopted by the electorate of the City. These taxes do not meet the criteria established by § 1(d) of Article XIIC of the California Constitution for special taxes, and are intended to be general taxes whose proceeds may be used for any general government purposes.

**SECTION 3.** If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council declares that it would have passed this Ordinance and each and every section, subsection, sentence, clause or phrase not declared invalid or unconstitutional without regard to whether any portion of the Ordinance would be subsequently declared invalid or unconstitutional.

**SECTION 4.** This Ordinance shall become effective immediately upon the following conditions: (i) approval by unanimous vote of the City Council of the Ordinance and concomitant unanimous approval for placement of this Ordinance on the ballot at a Special Municipal Election; (ii) approval of the Ordinance by majority of the voters casting votes at the Special Municipal Election; (iii) certification of all votes cast by the City Council confirming that a majority of voters have approved this Ordinance; and (iv) confirmation of approval of this Ordinance by the City Council upon certification of the election results.

**PASSED, APPROVED, AND ADOPTED** by the City Council of the City of San Fernando a regular meeting held on \_\_\_\_\_ day of \_\_\_\_\_, 2013.

\_\_\_\_\_  
Antonio Lopez, 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 \_\_\_\_\_, 2013 and was carried by the following roll call vote:

AYES:

NOES:

ABSENT:

\_\_\_\_\_  
Elena G. Chávez, City Clerk