



SAN FERNANDO CITY COUNCIL  
REGULAR MEETING NOTICE AND AGENDA

JULY 2, 2018 – 6:00 PM

CITY HALL COUNCIL CHAMBERS  
117 MACNEIL STREET  
SAN FERNANDO, CA 91340

**CALL TO ORDER/ROLL CALL**

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

**PLEDGE OF ALLEGIANCE**

Led by Police Chief Anthony Vairo

**APPROVAL OF AGENDA**

**PRESENTATIONS**

- a) CERTIFICATES OF RECOGNITION - GRADUATES OF THE PROGRAM AT PLAZA COMUNITARIA SINALOA, INC  
Mayor Sylvia Ballin
- b) PRESENTATION BY TREVOR M. RICHMOND, DEPUTY CHIEF BUREAU COMMANDER, LOS ANGELES FIRE DEPARTMENT OPERATIONS VALLEY BUREAU  
Councilmember Jaime Soto
- c) PARKS & RECREATION MONTH – JULY  
Director of Recreation and Community Services Julian J. Venegas

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**DECORUM AND ORDER**

The City Council, elected by the public, must be free to discuss issues confronting the City in an orderly environment. Public members attending City Council meetings shall observe the same rules of order and decorum applicable to the City Council ([SF Procedural Manual](#)). Any person making impertinent derogatory or slanderous remarks or who becomes boisterous while addressing the City Council or while attending the City Council meeting, may be removed from the room if the Presiding Officer so directs the sergeant-at-arms and such person may be barred from further audience before the City Council.

**PUBLIC STATEMENTS – WRITTEN/ORAL**

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

**CITY COUNCIL - LIAISON UPDATES****CONSENT CALENDAR**

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

- 1) REQUEST TO APPROVE THE MINUTES OF JUNE 18, 2018 – SPECIAL MEETING**
- 2) CONSIDERATION TO AUTHORIZE A NOTICE OF COMPLETION FOR THE LAYNE PARK IMPROVEMENT PROJECT AND THE LAYNE PARK PLAY-LOT RESURFACING PROJECT**

Recommend that the City Council:

- a. Accept the improvements as constructed by Terra Form, Inc. and consider the work completed;
- b. Accept the resurfacing of the Layne Park Play-Lot by No Fault Sport Group, LLC and consider the work completed;
- c. Authorize the issuance and filing of the “Notice of Completion” for Terra Form, Inc. and for No Fault Sport Group, LLC with the Los Angeles County Office of the Registrar-Recorder/County Clerk; and

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- d. Authorize release of final payment and retention funds to Terra Form, Inc. and No Fault Sport Group, LLC after required waiting period.

**3) CONSIDERATION TO ADOPT A RESOLUTION REGARDING THE GENERAL MUNICIPAL ELECTION TO BE HELD ON NOVEMBER 6, 2018**

Recommend that the City Council adopt Resolution No. 7870 calling and giving notice of the General Municipal Election to be held on Tuesday, November 6, 2018, for the election of three City Councilmembers; requesting consolidation with the Statewide General Election; requesting that the Board of Supervisors of the County of Los Angeles to issue instructions to the Registrar-Recorder/County Clerk to take any and all steps necessary for the holding of the consolidated election; and adopting regulations pertaining to candidates statements.

**PUBLIC HEARING****4) CONSIDERATION TO ADOPT A RESOLUTION AND ORDINANCE TO PLACE A MEASURE ON THE NOVEMBER BALLOT TO EXTEND THE EXISTING HALF-CENT LOCAL SALES TAX**

Recommend that the City Council conduct a Public Hearing and pending public testimony:

- a. Adopt Resolution No. 7872:
  - i. Giving notice of the submission to San Fernando voters of a ballot question for a ballot measure that would extend the City's existing half-percent (1/2%) transactions and use tax indefinitely;
  - ii. Requesting that the ballot question and measure be included among the election contests referenced in City Council Resolution No. 7870 which calls for a General Municipal Election to be held on November 6, 2018 and which is to be consolidated with County-administered General Election of the same date;
  - iii. Setting priorities for filing written arguments and rebuttals regarding the measure and directing the City Attorney to prepare an impartial analysis; and
  - iv. Rescinding prior City Council Resolution No. 7852.
- b. Reintroduce for first reading, in title only, and waive further reading of Ordinance No. 1678 "An Ordinance of the City Council of the City of San Fernando, California, extending indefinitely, subject to voter approval, the General Purpose Transactions and Use Tax administered by the California Department of Tax and Fee Administration and codified under Article V (Transactions and Use Tax) of Chapter 82 (Taxation) of the San Fernando Municipal Code pursuant to Revenue & Taxation Code Sections 7251 et seq."

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**ADMINISTRATIVE REPORTS****5) CONSIDERATION TO DESIGNATE A VOTING DELEGATE AND ALTERNATE(S) FOR THE 2018 LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE**

Recommend that the City Council:

- a. Designate a voting Delegate for the 2018 League of California Cities Annual Conference;
- b. Designate up to two Alternate Voting Delegate who may vote in the event that the designated Delegate is unable to serve in that capacity; and
- c. Authorize the City Clerk to execute and submit the 2018 Annual Conference Voting Delegate/Alternate Form.

**6) DISCUSSION OF RECOMMENDATIONS FROM THE CANNABIS AD HOC COMMITTEE AND DIRECTION REGARDING DEVELOPMENT OF A COMMERCIAL CANNABIS REGULATION AND PERMITTING PROGRAM**

Recommend that the City Council:

- a. Discuss the recommendations from the Cannabis Ad Hoc Committee; and
- b. Direct staff as appropriate.

**7) CONSIDERATION TO ADOPT A RESOLUTION CONDEMNING THE TRUMP ADMINISTRATION'S IMMIGRATION POLICIES; CALLING ON ALL MEMBERS OF CONGRESS ON BOTH SIDES OF THE AISLE TO REPUDIATE THE TRUMP ADMINISTRATION'S INCOMPETENT CALLOUS AND CRUEL APPROACH TO IMMIGRATION; AND DEMANDING THAT CONGRESS ACT IMMEDIATELY TO ENACT FAIR AND HUMANE COMPREHENSIVE IMMIGRATION REFORM**

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

**DEPARTMENT HEADS - COMMISSION UPDATES****GENERAL COUNCIL COMMENTS****STAFF COMMUNICATION**



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**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, CMC*

*City Clerk*

*Signed and Posted: June 28, 2018 (5:00 p.m.)*

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*Agendas and complete Agenda Packets (including staff reports and exhibits related to each item) are posted on the City's Internet website ([www.sfcity.org](http://www.sfcity.org)). These are also available for public reviewing prior to a meeting in the City Clerk Department. 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 Department 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 website 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 Department at (818) 898-1204 at least 48 hours prior to the meeting.*

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# **Regular Meeting**

# **San Fernando City Council**

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**SAN FERNANDO CITY COUNCIL  
MINUTES**

**JUNE 18, 2018 – 5:00 P.M.  
SPECIAL MEETING**

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

**CALL TO ORDER/ROLL CALL**

Mayor Sylvia Ballin called the meeting to order at 5:04 p.m.

Present:

Council: Mayor Sylvia Ballin, and Councilmembers Joel Fajardo and Robert C. Gonzales

Staff: City Manager Alexander P. Meyerhoff, Assistant City Attorney Richard Padilla and City Clerk Elena G. Chávez

Absent: Vice Mayor Antonio Lopez and Councilmember Jaime Soto

**APPROVAL OF AGENDA**

Motion by Councilmember Fajardo, seconded by Councilmember Gonzales, to approve the agenda. By consensus, the motion carried.

**PUBLIC STATEMENTS – WRITTEN/ORAL**

None

**RECESS TO CLOSED SESSION (5:05 P.M.)**

By consensus, Councilmembers recessed to the following Closed Session as announced by Assistant City Attorney Padilla:

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

Designated City Negotiators:

City Manager Alexander P. Meyerhoff  
Deputy City Manager/Director of Finance Nick Kimball  
City Attorney Rick Olivarez

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SPECIAL MEETING MINUTES – June 18, 2018**

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Assistant City Attorney Richard Padilla  
Employees and Employee Bargaining Units that are the Subject of Negotiation:  
San Fernando Management Group (SEIU, Local 721)  
San Fernando Public Employees' Association (SEIU, Local 721)  
San Fernando Police Officers Association  
San Fernando Police Officers Association Police Management Unit  
San Fernando Police Civilian Association  
San Fernando Part-time Employees' Bargaining Unit (SEIU, Local 721)  
All Unrepresented Employees

**B) CONFERENCE WITH LEGAL COUNSEL TO DISCUSS AND PROVIDE UPDATES ON  
MULTIPLE EXISTING LITIGATION MATTERS**

G.C. §54956.9(d)(1)

Jorge Bayardo v. City of San Fernando, LASC Case No. BC626481  
Kevin Yoo v. City of San Fernando, LASC Case No. BC626482  
Young Bin Cho v. City of San Fernando, LASC Case No. BC626478  
Jeffrey Pak v. City of San Fernando, LASC Case No. BC626480  
Saul Garibay v. City of San Fernando, LASC Case No. BC626479

**C) CONFERENCE WITH REAL PROPERTY NEGOTIATOR**

G.C. §54956.8

Property:	732 Mott Street, 700 Chatsworth Drive and 713 Chatsworth Drive, City of San Fernando
Agency Negotiator:	City Manager Alexander P. Meyerhoff, Lead Negotiator Deputy City Manager/Director of Finance Nick Kimball City Attorney Rick Olivarez Assistant City Attorney Richard Padilla
Negotiating Parties:	Mission Community Hospital and Deanco Healthcare, LLC Craig B. Garner, Garner Health Law Corporation James K. Theiring, Chief Executive Officer
Under Negotiation:	Price and Terms of Payment as it Relates to Leasing of Real Property

**D) CONFERENCE WITH REAL PROPERTY NEGOTIATOR**

G.C. §54956.8

Property:	13441 Foothill Blvd., Sylmar, City of Los Angeles
Agency Negotiator:	City Manager Alexander P. Meyerhoff, Lead Negotiator Director of Public Works/City Engineer Yazdan (Yaz) Emrani City Attorney Rick Olivarez Assistant City Attorney Richard Padilla
Negotiating Parties:	Christina Garay, LA Homes 4 U, on behalf of owner Richard C. Patterson
Under Discussion:	Price and Terms of Payment Regarding Acquisition of Real Property

**E) CONFERENCE WITH LEGAL COUNSEL TO DISCUSS FACTS AND  
CIRCUMSTANCES WHICH MAY FORM THE BASIS FOR INITIATING LITIGATION**

G.C. §54956.9(d)(4)

One (1) Matter



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SPECIAL MEETING MINUTES – June 18, 2018  
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**RECESS (6:00 P.M.)**

Mayor Ballin recessed the meeting in order to continue with the regular meeting of the City Council.

**RECONVENE/RECESS TO CLOSED SESSION (8:10 P.M.)**

**RECONVENE /REPORT OUT FROM CLOSED SESSION (8:56 P.M.)**

Assistant City Attorney Padilla reported the following:

Item A – An update was provided by the City’s negotiators, feedback and direction was provided by City Council, but no final action was taken.

Item B – General authority was provided to special Legal Counsel but no final action was taken.

Items C, D, and E – A general update was provided by City Council as to each, direction given but no final action taken.

**ADJOURNMENT (8:56 P.M.)**

Motion by Councilmember Fajardo, seconded by Councilmember Gonzales, to adjourn. By consensus, the meeting was adjourned.

*I do hereby certify that the foregoing is a true and correct copy of the minutes of June 18, 2018, meeting as approved by the San Fernando City Council.*

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*Elena G. Chávez, CMC  
City Clerk*

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## AGENDA REPORT

**To:** Mayor Sylvia Ballin and Councilmembers

**From:** Alexander P. Meyerhoff, City Manager  
By: Julian J. Venegas, Director of Recreation and Community Services

**Date:** July 2, 2018

**Subject:** Consideration to Authorize a Notice of Completion for the Layne Park Improvement Project and the Layne Park Play-Lot Resurfacing Project

### RECOMMENDATION:

It is recommended that the City Council:

- a. Accept the improvements as constructed by Terra Form, Inc. and consider the work completed;
- b. Accept the resurfacing of the Layne Park Play-Lot by No Fault Sport Group, LLC and consider the work completed;
- c. Authorize the issuance and filing of the "Notice of Completion" for Terra Form, Inc. (Attachment "A") and for No Fault Sport Group, LLC (Attachment "B") with the Los Angeles County Office of the Registrar-Recorder/County Clerk; and
- d. Authorize release of final payment and retention funds to Terra Form, Inc. and No Fault Sport Group, LLC after required waiting period.

### BACKGROUND:

1. On December 29, 2016, the City was awarded \$113,650 in Housing-Related Parks Program (HRPP) grant funds and entered into an agreement with the Department of Housing and Community Development (No. 15-HRPP-10967) to fund the Layne Park Improvement Project.
2. On March 10, 2018, the City circulated a Notice Inviting Bids for the Layne Park Improvement Project. The bid proposals received exceeded the available HRPP grant funds. Staff initiated individual park projects negotiations with contractors to provide the greatest possible improvements with the available funds.

**Consideration to Authorize a Notice of Completion for the Layne Park Improvement Project and the Layne Park Play-Lot Resurfacing Project**Page 2 of 3

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3. On April 2, 2018, the City Council approved a contract with Terra Form, Inc. for the Layne Park Improvement project. The amenities included five new concrete pads with picnic tables and barbeque grills, six park benches, security lighting, a drinking fountain and a U8 youth soccer field overlay.
4. On May 7, 2018, the City Council adopted Resolution No. 7847 to appropriate \$3,525 in Quimby Act Funds towards the Layne Park improvements. In addition, the City Council approved a contract with No Fault Sport Group, LLC for the Layne Park Play-Lot Resurfacing Project. The resurfacing of the play lot consisted of installing a safety ground covering cushioning a fall and provides protection by absorbing the shock of a falling body.

**ANALYSIS:**

The work performed by Terra Form, Inc. was completed on June 16, 2018. Staff inspected the work and has determined that the contractor met all the terms of the agreement and that the work is satisfactory to the City. Staff recommends releasing the final payment and retention funds after required waiting period. Upon filing the Notice of Completion, the agreement between the City and Terra Form, Inc. will be closed.

The work performed by No Fault Sport Group, LLC was completed on June 19, 2018. Staff inspected the work and has determined that the contractor met all the terms of the agreement and that the work is satisfactory to the City. Staff recommends releasing the final payment and retention funds after required waiting period. Upon filing the Notice of Completion, the agreement between the City and No Fault Sport Group, LLC will be closed.

**BUDGET IMPACT:**

The Layne Park Improvement Project and the Layne Park Play-Lot Resurfacing Project were funded by the Housing Related Parks Program (\$113,650) and the Quimby Act Fund (\$3,525). The combined cost of these agreements was \$115,424 which is within the appropriated funds for the Layne Park improvements. Project management costs were funded by the General Fund rather than charged to the grant. This allowed staff to spend all grant funds on construction costs and park improvements.

**CONCLUSION:**

Staff has determined that both Terra Form, Inc. and No Fault Sport Group, LLC completed their projects in a timely manner and to the satisfaction of the City. Staff recommends that the City Council accept the job as performed and consider the work completed. In addition, staff is

**Consideration to Authorize a Notice of Completion for the Layne Park Improvement Project and the Layne Park Play-Lot Resurfacing Project**Page 3 of 3

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recommending that the City Council authorize release of the final payments and retention funds, after the required waiting period, to Terra Form, Inc., and No Fault Sport Group, LLC.

Staff also recommends authorizing the issuance and filing of a Notice of Completion for both projects with the Office of the County Registrar-Recorder/County Clerk.

**ATTACHMENTS:**

- A. Notice of Completion – Terra Form, Inc.
- B. Notice of Completion – No Fault Sport Group, LLC

EXEMPT FROM RECORDING FEES PER GOVT  
CODE SECTION 6103

## ATTACHMENT "A"

### RECORDING REQUESTED BY AND WHEN RECORDED MAIL TO:

**City of San Fernando**  
Elena G. Chávez, City Clerk  
San Fernando City Hall  
117 Macneil Street  
San Fernando, CA 91340

Space Above This Line Reserved For The Recorder's Use

## NOTICE OF COMPLETION

Notice pursuant to Civil Code Section 3093, must be filed within 10 days after completion.

1. **NOTICE IS HEREBY GIVEN THAT:** work on the subject project has been completed, and it is recommended that a Notice of Completion be executed and recorded.
2. **NAME AND ADDRESS OF OWNER:** City of San Fernando, a municipal corporation, 117 Macneil Street, San Fernando, CA 91340.
3. **DESCRIPTION OF THE PUBLIC WORK:** Per Contract #1882 (Layne Park Improvement Project) construction included installation of five concrete picnic pad with table and grill, installation of security lighting, installation of six park benches, installation of a pedestal drinking fountain and a U8 soccer field overlay.
4. **DESCRIPTION OF PROPERTY:** The property on which said work of improvement was completed is in the City of San Fernando, County of Los Angeles, state of California, and is described as: 120 North Huntington Street, San Fernando, CA 91340.
5. **ACCEPTED AND COMPLETED:** Work on said contract was completed and accepted on July 2, 2018.
6. **NATURE OF OWNER'S INTEREST:** In fee.
7. **NAME AND ADDRESS OF CONTRACTOR:** Terra Form, Inc. 466 Foothill Blvd. Suite 343, La Canada, CA 91011.
8. **DECLARATION:** I, Julian Venegas, duly appointed Director of Recreation and Community Services of the City of San Fernando, have read the foregoing Notice of Completion, have made my verification on behalf of said City, and know the contents thereof to be true. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

\_\_\_\_\_  
Julian Venegas, Director of Recreation and  
Community Services  
City of San Fernando, California  
(City Seal)

\_\_\_\_\_  
Date

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA  
COUNTY OF LOS ANGELES SS.

Subscribed and sworn to (or affirmed) before me on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by Julian Venegas, proved to me on the basis of satisfactory evidence to be the person who appeared before me.

\_\_\_\_\_  
Julie M. Fernandez, Notary Public



EXEMPT FROM RECORDING FEES PER GOVT  
CODE SECTION 6103

**ATTACHMENT "B"**

**RECORDING REQUESTED BY AND  
WHEN RECORDED MAIL TO:**

**City of San Fernando**

Elena G. Chávez, City Clerk  
San Fernando City Hall  
117 Macneil Street  
San Fernando, CA 91340

Space Above This Line Reserved For The Recorder's Use

## NOTICE OF COMPLETION

Notice pursuant to Civil Code Section 3093, must be filed within 10 days after completion.

1. **NOTICE IS HEREBY GIVEN THAT:** work on the subject project has been completed, and it is recommended that a Notice of Completion be executed and recorded.
2. **NAME AND ADDRESS OF OWNER:** City of San Fernando, a municipal corporation, 117 Macneil Street, San Fernando, CA 91340.
3. **DESCRIPTION OF THE PUBLIC WORK:** Per Contract #1884 (Layne Park Play Lot Resurfacing Project). The Play-Lot ground covering was resurfaced with a pour in place safety rubberized material. Adding a fall safe height of 7 feet to the play-lot.
4. **DESCRIPTION OF PROPERTY:** The property on which said work of improvement was completed is in the City of San Fernando, County of Los Angeles, state of California, and is described as: 120 North Huntington Street, San Fernando, CA 91340.
5. **ACCEPTED AND COMPLETED:** Work on said contract was completed and accepted on July 2, 2018.
6. **NATURE OF OWNER'S INTEREST:** In fee.
7. **NAME AND ADDRESS OF CONTRACTOR:** No Fault Sport Group, LLC 3112 Valley Creek Suite C, Baton Rouge, LA 70808.
8. **DECLARATION:** I, Julian Venegas, duly appointed Director of Recreation and Community Services of the City of San Fernando, have read the foregoing Notice of Completion, have made my verification on behalf of said City, and know the contents thereof to be true. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

\_\_\_\_\_  
Julian Venegas, Director of Recreation and Community Services  
City of San Fernando, California  
(City Seal)

\_\_\_\_\_  
Date

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA  
COUNTY OF LOS ANGELES SS.

Subscribed and sworn to (or affirmed) before me on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, by Julian Venegas, proved to me on the basis of satisfactory evidence to be the person who appeared before me.

\_\_\_\_\_  
Julie M. Fernandez, Notary Public

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## AGENDA REPORT

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**To:** Mayor Sylvia Ballin and Councilmembers

**From:** Elena G. Chávez, City Clerk

**Date:** July 2, 2018

**Subject:** Consideration to Adopt a Resolution Regarding the General Municipal Election to be Held on November 6, 2018

### **RECOMMENDATION:**

It is recommended that the City Council adopt Resolution No. 7870 (Attachment "A") Calling and giving notice of the General Municipal Election to be held on Tuesday, November 6, 2018, for the election of three City Councilmembers; requesting consolidation with the Statewide General Election; requesting that the Board of Supervisors of the County of Los Angeles to issue instructions to the Registrar-Recorder/County Clerk to take any and all steps necessary for the holding of the consolidated election; and adopting regulations pertaining to candidate statements.

### **BACKGROUND:**

On August 21, 2017, the San Fernando City Council adopted Ordinance No. 1668, to change the City's General Municipal Elections from March of odd-numbered years to November of even-numbered years to coincide with statewide election dates.

As a result, the next General Municipal Election will be held on Tuesday, November 6, 2018, and will be consolidated with the Los Angeles County General Election. Registered voters in the City of San Fernando will have the opportunity to elect three councilmembers of the five-member City Council for a term of four years each. These seats are presently occupied by incumbents Sylvia Ballin, Antonio Lopez, and Jaime Soto.

### **BUDGET IMPACT:**

Funding for the November 6, 2018 General Municipal Election is included in the Fiscal Year 2018-2019 City Budget.

**Consideration to Adopt a Resolution Regarding the General Municipal Election to be Held on November 6, 2018**Page 2 of 2

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**CONCLUSION:**

In accordance with California Election law, staff recommends that the City Council adopt Resolution No. 7870 calling and giving notice of the election on November 6, 2018 for the election of three City Councilmembers, requesting election consolidation, requesting that the Board of Supervisors of the County of Los Angeles authorize the Registrar-Recorder/County Clerk to perform election services, and adopting regulations pertaining to candidate statements.

**ATTACHMENT:**

A. Resolution No. 7870

**ATTACHMENT “A”****RESOLUTION NO. 7870**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN FERNANDO, CALIFORNIA (1) CALLING AND GIVING NOTICE OF THE GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 6, 2018, FOR THE ELECTION OF THREE CITY COUNCILMEMBERS; (2) REQUESTING CONSOLIDATION OF SUCH ELECTION WITH THE STATEWIDE GENERAL ELECTION TO BE HELD ON THE SAME DAY; (3) REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES TO ISSUE INSTRUCTIONS TO THE REGISTRAR-RECORDER/COUNTY CLERK TO TAKE ANY AND ALL STEPS NECESSARY FOR THE HOLDING OF THE CONSOLIDATED ELECTION; AND (4) ADOPTING REGULATIONS PERTAINING TO CANDIDATE STATEMENTS**

**WHEREAS**, under the provision of the laws relating to general law cities in the State of California, a General Municipal Election of the City of San Fernando (the “City”) shall be conducted on Tuesday, November 6, 2018, for the purpose of electing three (3) members of the City Council for the full term of four years; and

**WHEREAS**, it is desirable that said election be consolidated with the County-administered General Election to be held on the same date and that within the City the precincts, polling places, and election officers of the two elections be the same, and that the Registrar-Recorder/County Clerk of the County of Los Angeles (“County Registrar”) canvass the returns of the City’s General Municipal Election and that it be held in all respects as if it were part and parcel of the County-administered General Election; and

**WHEREAS**, it is necessary to secure the consent and order of the Board of Supervisors of the County of Los Angeles (the “Board of Supervisors”) to effectuate such consolidation; and

**WHEREAS**, the City shall compensate the County Registrar for all necessary expenses incurred by the County in performing election services for the City; and

**WHEREAS**, the City Council approves the printing of the information for said election in the foreign languages requiring translation pursuant to the Voting Rights Act of 1965; and

**WHEREAS**, Elections Code Section 13307 provides that the City may adopt regulations pertaining to the recovery of certain costs associated with the printing, handling, translation, and mailing of candidate statements as filed with the elections officer; and

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

**SECTION 1.** The recitals above and findings therein are true and correct and incorporated into the body of this Resolution by this reference.

**SECTION 2.** That pursuant to the requirements of the laws of the State of California relating to General Law cities, the City Council hereby orders and calls a General Municipal Election to be held in the City of San Fernando, California on Tuesday, November 6, 2018, to be consolidated with the County-administered General Election to be held on the same day for the purpose of electing three (3) members of the City Council for the full term of four years.

**SECTION 3.** Pursuant to the requirements of Section 10403 of the Elections Code, it is respectfully requested that the Board of Supervisors consent and agree to the consolidation of the City's General Municipal Election on Tuesday, November 6, 2018 with the County-administered election to be held on the same date.

**SECTION 4.** In connection with the County Registrar's administration of the City's November 6, 2018 General Municipal Election, the City further requests that the County Registrar be authorized and directed to: (a) review and verify vote by mail applications and signatures; (b) conduct registered voter verifications (including signature verifications) associated with the processing of any proposed General Municipal Election ballot measure; (c) provide the City with the appropriate election precinct data, to the extent required; (d) make available to the City such election facilities, ballot casting equipment and assistance as may be necessary to conduct the election in compliance with state law and the Board of Supervisor's approval; (e) canvass the election returns; (f) print and supply ballots for the election; (g) mail the City's sample ballots, including ballot measure question, arguments, rebuttals and impartial analysis; and (h) administer the City's General Municipal Election in all respects as if it were part and parcel of any other County Registrar administered election, implementing all such legally required or customarily employed measures and practices as may be necessary to conduct the election in a timely and legally compliant manner.

**SECTION 5.** The City shall reimburse the Country Registrar for any costs associated with the administration of said election upon presentation to the City of a properly approved bill.

**SECTION 6.** Pursuant to Section 13307 of the Elections Code, each candidate for elective office to be voted for at the City's November 6, 2018, General Municipal Election may prepare a candidate statement on a form acceptable to the County Registrar, as applicable, and made available through the City Clerk.

**SECTION 7.** Pursuant to Section 13307(a)(1) of the Elections Code candidate statements may include the following:

- (A) The name, age, and occupation of the candidate; and
- (B) A brief description of no more than 200 words of the candidate's education and qualifications as expressed by the candidate himself or herself.

**SECTION 8.** Pursuant to Elections Code Section 13307(a)(1), candidate statements shall not include the following:

- (A) The party affiliation of the candidate; or
- (B) References to membership or activity in partisan political organizations.



**SECTION 9.** All prospective candidates should be aware of the holding in *Dean v. Superior Court* (1998) 62 Cal.App.4th 638, which holds that a statement prepared by a candidate for inclusion in the voters' pamphlet **may not** include comments or statements concerning the qualifications (or alleged lack of qualifications) of one's opponents. Candidates, in an abundance of caution, should avoid making any reference to opponents in their candidate statements. Candidates should seek the advice of private legal counsel if unsure as to whether their candidate statement does or does not comply with applicable law before filing.

**SECTION 10.** The candidate statement shall be filed in typewritten form at the Office of the City Clerk at the time the candidate's nomination papers are filed. The candidate statement may be withdrawn, but not changed, during the period for filing nomination papers and until 5:00 p.m. of the next working day after the close of the nomination period.

**SECTION 11.** Subject to any logistical constraints imposed by the County Registrar by virtue of consolidation, the City Clerk shall have translated (from the English to relevant foreign languages authorized under the Voting Rights Act of 1965) and printed in the voters' pamphlet only the candidate statements of those candidates who request such translation and printing at the time of filing of the candidate statements.

**SECTION 12.** No candidate for any elected office of the City shall be permitted to include additional materials in the voters' pamphlet and sample ballot package.

**SECTION 13.** Each candidate for any of the offices to be elected at the General Municipal Election to be conducted on November 6, 2018, who files a candidate statement shall, as a condition of having his or her candidate statement included in the voters' pamphlet, concurrently deposit with the City Clerk an amount, as reasonably estimated by the City Clerk, to pay in advance his or her estimated *pro rata* share of the actual costs of printing and handling such candidate statements incurred by the City and/or the County Registrar as a result of providing such service at the time of filing such statement with the City Clerk. In the event that the amount paid as a deposit by a candidate includes overpayment of actual costs incurred by the City and/or the County Registrar, the City Clerk shall prorate the excess amount among the candidates and refund the excess amount paid within thirty (30) days following the date of the election.

**SECTION 14.** The City Clerk shall provide each candidate or candidate's representative a copy of this Resolution at the time nominating petitions are issued.

**SECTION 15.** The ballots to be used at the election shall be in form and content as required by law.

**SECTION 16.** The City Clerk is authorized, instructed and directed to coordinate with the County Registrar to procure and furnish any and all official ballots, notices, printed matter and all supplies, equipment and paraphernalia that may be necessary in order to properly and lawfully conduct the election.

**SECTION 17.** The polls for the election shall be open at seven o'clock a.m. of the day of the election and shall remain open continuously from that time until eight o'clock p.m. of the same day when the polls shall be closed, pursuant to Elections Code Section 10242, except as provided in Section 14401 of the Elections Code.

**SECTION 18.** In all particulars not recited in this Resolution, the election shall be held and conducted as provided by law for holding municipal elections.

**SECTION 19.** In the event of a tie vote (if any two or more persons receive an equal and the highest number of votes for an office) as certified by the County Registrar, the City Council, in accordance with Elections Code Section 15651(a), shall set a date and time and place and summon the candidates who have received the tie votes to appear and will determine the tie by lot (i.e., coin toss, draw straws, drawing of names).

**SECTION 20.** The City Clerk shall forward without delay, a copy of this Resolution to the appropriate public agency which shall be assisting the City with the conduct of its General Municipal Election.

**SECTION 21.** This Resolution shall take effect immediately upon its adoption by the City Council and 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 2<sup>nd</sup> day of July, 2018.

\_\_\_\_\_  
Sylvia Ballin, 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 2<sup>nd</sup> day of July 2018, by the following vote to wit:

**AYES:**

**NOES:**

**ABSENT:**

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



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## AGENDA REPORT

**To:** Mayor Sylvia Ballin and Councilmembers

**From:** Alexander P. Meyerhoff, City Manager  
By: Nick Kimball, Deputy City Manager/Director of Finance  
Richard Padilla, Assistant City Attorney

**Date:** July 2, 2018

**Subject:** Consideration to Adopt a Resolution and Ordinance to Place a Measure on the November Ballot to Extend the Existing Half-Cent Local Sales Tax

### RECOMMENDATION:

It is recommended that the City Council conduct a Public Hearing and pending public testimony:

- a. Adopt Resolution No. 7872 (Attachment "A"):
  - i. Giving notice of the submission to San Fernando voters of a ballot question for a ballot measure that would extend the City's existing half-percent (1/2%) transactions and use tax indefinitely;
  - ii. Requesting that the ballot question and measure be included among the election contests referenced in City Council Resolution No. 7870 which calls for a General Municipal Election to be held on November 6, 2018 and which is to be consolidated with County-administered General Election of the same date;
  - iii. Setting priorities for filing written arguments and rebuttals regarding the measure and directing the City Attorney to prepare an impartial analysis; and
  - iv. Rescinding prior City Council Resolution No. 7852.
- b. Reintroduce for first reading, in title only, and waive further reading of Ordinance No. 1678 (Attachment "A") "An Ordinance of the City Council of the City of San Fernando, California, extending indefinitely, subject to voter approval, the General Purpose Transactions and Use Tax administered by the California Department of Tax and Fee Administration and codified under Article V (Transactions and Use Tax) of Chapter 82 (Taxation) of the San Fernando Municipal Code pursuant to Revenue & Taxation Code Sections 7251 et seq."

**Consideration to Adopt a Resolution and Ordinance to Place a Measure on the November Ballot to Extend the Existing Half-cent Transaction Tax**Page 2 of 3

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**BACKGROUND:**

1. In Fiscal Year (FY) 2012-2013, the City declared a fiscal emergency and held a special election for the San Fernando electorate to decide on a temporary ½ cent Transaction and Use Tax (also referred to as a local Sales Tax).
2. On June 4, 2013, the “City Services Emergency Protection Measure” (Measure “A”) was approved by sixty percent (60%) of voters. The Tax became effective on October 1, 2013 and will expire on October 1, 2020.
3. In accordance with the provisions of Measure A, the City provides an Annual Report each September detailing the collection, management, and expenditure of the local Sales Tax revenues in the prior fiscal year. Additionally, the City clearly identifies the planned use of local Sales Tax revenues through the annual budget process and in the City Manager’s Budget Message.
4. On December 4, 2017, City Council appointed Vice Mayor Lopez and Councilmember Gonzales to an Ad Hoc Committee to work with staff to develop public information material to educate the public and key stakeholders on the critical role the local Sales Tax has played in saving the City’s finances and make a recommendation to City Council regarding potential extension of the Transaction and Use Tax beyond October 2020.
5. The Ad Hoc worked with staff to identify key questions to be answered as part of a public education effort, including, in no particular order:
  - What is a local Sales Tax (Measure A) and why it was necessary.
  - How have the local Sales Tax funds have been used.
  - How local Sales Tax funds will be used if extended.
  - Likely consequences if the current local Sales Tax is not extended.
  - How much additional revenue the local Sales Tax has generated.
6. On June 4, 2018, City Council considered Resolution No. 7852 and Ordinance No. 1678 to place a measure to extend the existing half-cent transaction tax on the November ballot. There were revisions made to the proposed ballot question at that meeting and a new Ad Hoc Committee (Councilmembers Fajardo and Gonzales) was appointed to review the ballot question and draft a ballot argument.

**ANALYSIS:**

Subsequent to the City Council meeting on June 4, 2018, the Ad Hoc Committee provided additional input and drafted a revised ballot question. As a result, City Council is being asked to

**Consideration to Adopt a Resolution and Ordinance to Place a Measure on the November Ballot to Extend the Existing Half-cent Transaction Tax**Page 3 of 3

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review the revised ballot question and provide direction. If it is City Council's desire to revise the ballot question approved on June 4, 2018, an action must be taken to rescind Resolution No. 7852 (which included the original ballot question language), adopt Resolution No. xxxx that includes the revised ballot question, and re-introduce Ordinance No. 1678 with the revised ballot question. Placing a measure on the ballot requires 4/5 ths affirmative vote by City Council.

**BUDGET IMPACT:**

There is minimal impact related to City Council reconsidering the revised ballot language. Please refer to the staff report presented on June 4, 2018 for additional information regarding the impact of extending half-cent transaction tax on the City's long term finances.

**CONCLUSION:**

The Ad Hoc Committee recommends revising the ballot question and place a measure on the November ballot extending the current half-cent local Sales Tax beyond the current sunset date of October 2020.

**ATTACHMENTS:**

- A. Resolution No. 7872
- B. Ordinance No. 1678

**ATTACHMENT "A"****RESOLUTION NO. 7872**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN FERNANDO, CALIFORNIA (1) GIVING NOTICE OF THE SUBMISSION TO SAN FERNANDO VOTERS OF A BALLOT QUESTION FOR A BALLOT MEASURE THAT WOULD EXTEND THE CITY'S EXISTING HALF-PERCENT (1/2%) TRANSACTIONS AND USE TAX INDEFINITELY; (2) REQUESTING THAT THE BALLOT QUESTION AND MEASURE BE INCLUDED AMONG THE ELECTION CONTESTS REFERENCED IN CITY COUNCIL RESOLUTION NO. 7870 WHICH CALLS FOR A GENERAL MUNICIPAL ELECTION TO BE HELD ON NOVEMBER 6, 2018 AND WHICH IS TO BE CONSOLIDATED WITH COUNTY-ADMINISTERED GENERAL ELECTION OF THE SAME DATE; (3) SETTING PRIORITIES FOR FILING WRITTEN ARGUMENTS AND REBUTTALS REGARDING THE MEASURE AND DIRECTING THE CITY ATTORNEY TO PREPARE AN IMPARTIAL ANALYSIS; AND (4) RESCINDING PRIOR CITY COUNCIL RESOLUTION NO. 7852**

**WHEREAS**, the City of San Fernando has made strides in its effort to recover from the Great Recession of the late 2000's but still has some way to go in order to achieve full financial sustainability and recovery; and

**WHEREAS**, since 2005, the City's financial position has changed significantly in that the General Fund, which pays for police, fire, recreation programs, cultural events, street maintenance, and public works services and other general services experienced a dramatic decrease in the amount of money available to provide for these services; and

**WHEREAS**, the City's reserves fell from \$7.1 million in 2006 to negative (\$5.7 million) in 2014; and

**WHEREAS**, this dramatic reduction was the result of a perfect storm as the City's expenditures on services began to increase (e.g. the San Fernando Regional Pool and other projects added significant ongoing operations and maintenance costs) just before the onset of the "Great Recession" in 2007; and

**WHEREAS**, to remain solvent, the City reduced employee benefits, discontinued retiree medical benefits for new employees, implemented layoffs and furloughs, eliminated vacant positions and reduced department budgets; and

**WHEREAS**, the number of City employees was reduced from 160 in 2008 to 128 in 2017 (20% reduction); and

**WHEREAS**, the number of sworn Police Officers was reduced from 37 in 2008 to 31 in 2017 (16% reduction); and



**WHEREAS**, in 2013, the City's financial auditors expressed their concern regarding the City's ability to continue operate and carry out its financial commitments, obligations and objectives; and

**WHEREAS**, the City's general sales tax revenues remain below pre-Great Recession levels; and

**WHEREAS**, the circumstances described, above, were further aggravated a succession of adverse economic and legislative developments, including, but not limited to, City sales tax reductions, rising costs for City pensions and health care, and state takeaways and new unfunded regulatory mandates; 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, including the San Fernando Community Redevelopment Agency; and

**WHEREAS**, the United States Congress has also implemented reductions in Federal Funding of the Community Develop Block Grant ("CDBG") Budget as well as the Home Program Budget; and

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

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

**WHEREAS**, against the financial backdrop described above, the voters of the City of San Fernando approved a half-cent (\$0.005) or half-percent (½%) transactions and use tax presented to the voters as Measure A at a Special Municipal Election held June 4, 2013; and

**WHEREAS**, without the revenues generated by the transactions and use tax, the City would have struggled to stay out of bankruptcy; and

**WHEREAS**, it is proposed that the existing half-cent transaction and use tax be extended by City voters beyond its current September 31, 2020 expiration (sunset) date until such time that the tax is repealed by vote of the City electors in order to keep the City on the path to full recovery; and

**WHEREAS**, the proposed extension of the half-cent transactions and use tax does not constitute the establishment of a new tax or the increase in the rate of an existing tax within the meaning of Government Code Section 54954.6(a); and

**WHEREAS**, at its Regular Meeting of July 2, 2018, the City Council approved City Council Resolution No 7870 (hereinafter, "Resolution No. 7870") which (1) calls and gives notice of a General Municipal Election to be held on Tuesday, November 6, 2018 for the election

of certain officers; (2) requests consolidation of such election with the County-administered General Election to be held on the same day; (3) requests the that the Los Angeles County Board of Supervisors authorize Registrar-Recorder/County Clerk for the County of Los Angeles ("County Registrar") to perform election services for such election; and (4) adopts regulations for candidates for elective office for such election regarding candidate statements; and

**WHEREAS**, the City Council wishes to include the above-referenced transactions and use tax extension measure as part of the City's General Municipal Election ballot and included among the matters referenced under Resolution No. 7870; and

**WHEREAS**, the City shall compensate the County of Los Angeles for all necessary expenses incurred by the County Registrar in performing election services for the City; and

**WHEREAS**, the City Council also approved the placement of the transactions and use tax measure onto the November 6, 2018 ballot in accordance with Revenue & Taxation Code Section 7285.9 which provides in relevant part: "The governing body of any city may ... extend a transactions and use tax for general purposes..., if the ordinance proposing that tax is approved by a two-thirds vote of all members of that governing body and the tax is approved by a majority vote of the qualified voters of the city voting in an election on the issue..."

**WHEREAS**, the proposed measure will only take effect if approved by a majority of votes cast at the City's General Municipal Election of November 6, 2018 which is to be consolidated with the County-administered General Election of the same date.

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

**SECTION 1.** The recitals above and findings therein are true and correct and incorporated into the body of this Resolution by this reference.

**SECTION 2.** Pursuant to the requirements of the laws of the State of California relating to general law cities and Elections Code Section 9222 and 12001, the City Council hereby orders and calls a General Municipal Election to be held in the City of San Fernando, California on Tuesday, November 6, 2018, to be consolidated with the County-administered General Election to be held on the same day, for the purpose of submitting to the qualified electors a measure (hereinafter, the "Measure") seeking voter approval to make permanent the City's existing voter-approved half-cent (or ½%) transactions and use tax in the manner described in the Ordinance attached hereto as **Exhibit "A"**. At present the City's existing transaction and use tax will expire on September 31, 2020. The proposed Measure would extend the term of the tax indefinitely until such time as it is later repealed by San Fernando voters by subsequent ballot measure.

**SECTION 3.** This Resolution is one of two resolutions submitted to the Board of Supervisors and the County Registrar by the City Council relating to the City's General Municipal Election of November 6, 2018. The second resolution, Resolution No. 7870, referenced above, (1) calls and gives notice of a General Municipal Election to be held on

Tuesday, November 6, 2018 for the election of certain officers; (2) requests consolidation of such election with the County-administered General Election to be held on the same day; (3) requests the that the Los Angeles County Board of Supervisors authorize County Registrar to perform election services for such election; and (4) adopts regulations for candidates for elective office for such election regarding candidate statements. The City Council requests that the Measure be added to the list of items referenced under Resolution No. 7870 that are to be placed on the ballot for the General Municipal Election to be consolidated with the County-administered General Election of the same date.

**SECTION 4.** Pursuant to the requirements of Section 10403 of the Elections Code, and as part of the City Council's request under Resolution No. 7870, it is further requested that the Board of Supervisors consent and agree to the inclusion of the above-referenced Measure as part of the of the City of San Fernando's November 6, 2018 General Municipal Election which is to be consolidated with the County-administered General Election to be held on the same date.

**SECTION 5.** The ballot question for the Measure shall appear as follows:

<b>Extension of San Fernando Transactions and Use Tax</b> Shall the City extend the half percent (1/2%) transactions and use tax until voters decide to end it, in order to preserve funding for essential city services such as police, fire and ambulance services; street repairs, park beautification, and other public works infrastructure projects; cultural and recreational programs; staffing increases; economic development; restoration of the City's emergency "rainy day" fund; and other unrestricted general revenue purposes?	Yes
	No

**SECTION 6.** It is respectfully requested that the Board of Supervisors authorize and direct the County Registrar to canvass the returns of the City's consolidated General Municipal Election (for the items referenced under Resolution 7870 and the Measure referenced in this Resolution) and that such election be held in all respects as if it were part and parcel of the County-administered General Election of the same date. It is also respectfully requested that the County Registrar give the above-subject measure the letter designation "A" such that the measure may be identified as Measure A on the ballot. If the letter designation "A" is no longer available, it is respectfully requested that the County Registrar give the Measure the following letter designations in order of preference from most preferred to least preferred: "AA" and "B".

**SECTION 7.** As of the date of this Resolution, the vote requirement for passage of the proposed Measure is a simple majority of the votes cast (50% plus 1). It is observed that as of the date of this Resolution, a Statewide ballot measure entitled the "Tax Fairness Transparency and Accountability Act of 2018" is being circulated statewide for signatures in order to qualify for the November 6, 2018 ballot. If this statewide measure qualifies for the Statewide November 2018 ballot and is approved by California voters, the Statewide measure by its terms will apply retroactively to any local general tax measure submitted to the voters on or after January 1, 2018 and will require that such measures be approved by 2/3's of votes cast

instead of by a simple majority of votes casts. Local general tax ballot measures presented to local voters on or after January 1, 2018, including the local general tax measure contemplated under this Resolution, will be rendered invalid, unless such measures prevail by a 2/3's margin of victory. If the above-referenced Statewide measure does not qualify for the November 6, 2018 ballot or if it fails to win approval by California voters, then the requisite minimum margin of victory required for approval of the City's Measure will remain a simple majority of votes cast (50% plus 1).

**SECTION 8.** It is respectfully requested that the Board of Supervisors authorize and direct the County Registrar to:

- A. Print and supply ballots for the General Municipal Election;
- B. Mail the ballot question, ballot arguments, rebuttals, and the City Attorney's impartial analysis to the registered voters in the City of San Fernando.

**SECTION 9.** It is also respectfully requested that the Board of Supervisors issue instructions to the County Registrar to take any and all additional steps necessary for the holding of the consolidated election requested above.

**SECTION 10.** The City of San Fernando shall reimburse the Registrar for any additional costs attributable to the inclusion of the Measure on the ballot of the General Municipal Election to be consolidated with the County-administered General Election of November 6, 2018.

**SECTION 11.** The complete text of the proposed Ordinance submitted to the voters is attached as **Exhibit "A"** to this Resolution.

**SECTION 12.** The ballots to be used at the election shall be in form and content as required by law.

**SECTION 13.** Direct Arguments In Support Of and In Opposition To Measure: As authorized under Elections Code Section 9282(b), the City Council reserves the right to file a written argument in favor of this Measure or authorize any member or members of the City Council to do the same. Pursuant to Elections Code Section 9282(b) written arguments for or against the Measure may also be submitted by any individual voter who is eligible to vote on the Measure; any *bona fide* association of citizens; any combination of voters and associations or such other persons or entities as may be authorized under Elections Code Section 9282(b). The foregoing notwithstanding, if more than one set of arguments "in favor of" or "in opposition to" the Measure is timely submitted to the City Clerk, the City Clerk shall select only one argument for and one argument against in accordance with the selection priority set forth under Elections Code Section 9287. That priority gives preference as follows: (a) The City Council or City Council-authorized members of the City Council; (b) The individual voter, or bona fide association of citizens, or combination of voters and associations, who are the bona fide association of citizens, or combination of voters and associations, who are the bona fide sponsors or proponents of the measure; (c) A *bona fide* association of citizens; then (d) Individual voters

who are eligible to vote on the measure. Pursuant to Elections Code Section 9283, a ballot argument will not be accepted unless accompanied by the printed name and signature or printed names and signatures of the author or authors submitting the argument, 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 who is the author of the argument. Pursuant to Elections Code Section 9283, no more than five (5) signatures shall appear with any argument submitted and if any argument is signed by more than five authors, the signatures of the first five shall be printed but not the signatures in excess of the first five. Ballot arguments in support of or in opposition to the Measure may not exceed 300 words in length. Consistent with Elections Code Section 9287(b), ballot arguments in favor of or in opposition to the Measure must be submitted to and received by the City Clerk by or before 4:00 p.m. on Friday, August 17, 2018. Arguments that are received by the City Clerk after this deadline will not be accepted. The City Clerk's Office is located at San Fernando City Hall, 117 N. Macneil Street, San Fernando, California 91340.

**SECTION 14.** Rebuttals to Direct Arguments: Pursuant to Elections Code Section 9285, when the City Clerk receives an argument to the Measure that will be printed in the ballot pamphlet, the elections official shall send a copy of the argument in favor of the Measure to the authors of any argument against the Measure and a copy of the argument against the Measure to the authors of the argument in favor of the measure. To the extent permitted under Elections Code Section 9285(a)(2), the author or a majority of the authors of an argument (either in favor of or in opposition to) may prepare and submit a rebuttal argument or may authorize in writing any other person or person to prepare, submit or sign the rebuttal argument. No rebuttal argument may exceed 250 words in length. Pursuant to Elections Code Section 9285(a)(5), a rebuttal argument relating to the Measure may not be signed by more than five persons and shall be printed in the same manner as a direct argument and shall immediately follow the direct argument which it seeks to rebut. Consistent Elections Code Sections 9285 and 9287(b), rebuttal arguments must be submitted to and received by the City Clerk by or before 4:00 pm on Monday, August 27, 2018. Rebuttals that are received by the City Clerk after this deadline will not be accepted. Again, the City Clerk's Office is located at San Fernando City Hall, 5220 Santa Ana Street, San Fernando, California 90201.

**SECTION 15.** City Attorney's Impartial Analysis. 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 with the City Clerk by or before August 17, 2018.

**SECTION 16.** This Resolution shall take effect immediately upon its adoption by the City Council and the City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

**SECTION 17.** The City Council also rescinds prior City Council Resolution No. 7852 approved by the City Council at its Regular Meeting of June 4, 2018.

**SECTION 18.** The City Clerk shall forward without delay, a copy of this Resolution to the appropriate public agency which shall be assisting the City of San Fernando with the conduct of its General Municipal Election.

**PASSED, APPROVED, AND ADOPTED** this \_\_\_\_\_ day of July 2018.

\_\_\_\_\_  
Sylvia Ballin, 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 \_\_\_\_ day of July, 2018, by the following vote to wit:

**AYES:**

**NOES:**

**ABSENT:**

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

**EXHIBIT “A”**

**ORDINANCE NO. \_\_\_\_\_**

**ATTACHMENT “B”****ORDINANCE NO. 1678**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN FERNANDO, CALIFORNIA, EXTENDING INDEFINITELY, SUBJECT TO VOTER APPROVAL, THE GENERAL PURPOSE TRANSACTIONS AND USE TAX ADMINISTERED BY THE CALIFORNIA DEPARTMENT OF TAX AND FEE ADMINISTRATION AND CODIFIED UNDER ARTICLE V (TRANSACTIONS AND USE TAX) OF CHAPTER 82 (TAXATION) OF THE SAN FERNANDO MUNICIPAL CODE PURSUANT TO REVENUE & TAXATION CODE SECTIONS 7251 ET SEQ.**

**WHEREAS**, the budget of the City of San Fernando (“City”), like the budgets of municipalities throughout the State of California, has continued along the path to full recovery from the strains and stresses of the Great Recession of the late 2000’s; and

**WHEREAS**, since 2005, the City’s financial position has changed significantly in that the General Fund, which pays for police, fire, recreation programs, cultural events, street maintenance, and public works services and other general services experienced a dramatic decrease in the amount of money available to provide for these services; and

**WHEREAS**, the City’s reserves fell from \$7.1 million in 2006 to negative (\$5.7 million) in 2014; and

**WHEREAS**, this dramatic reduction was the result of a perfect storm as the City’s expenditures on services began to increase (e.g. the San Fernando Regional Pool and other projects added significant ongoing operations and maintenance costs) just before the onset of the “Great Recession” in 2007; and

**WHEREAS**, to remain solvent, the City reduced employee benefits, discontinued retiree medical benefits for new employees, implemented layoffs and furloughs, eliminated vacant positions and reduced department budgets; and

**WHEREAS**, the number of City employees was reduced from 160 in 2008 to 128 in 2017 (20% reduction); and

**WHEREAS**, the number of sworn Police Officers was reduced from 37 in 2008 to 31 in 2017 (16% reduction); and

**WHEREAS**, in 2013, the City’s financial auditors expressed their concern regarding the City’s ability to continue operate and carry out its financial commitments, obligations and objectives; and

**WHEREAS**, the City’s general sales tax revenues are still below pre-Great Recession levels; and



**WHEREAS**, the circumstances described, above, were further aggravated a succession of adverse economic and legislative developments, including, but not limited to, City sales tax reductions, rising costs for City pensions and health care, and state takeaways and new unfunded regulatory mandates; 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, including the San Fernando Community Redevelopment Agency; and

**WHEREAS**, the United States Congress has also implemented reductions in Federal Funding of the Community Develop Block Grant (“CDBG”) Budget as well as the Home Program Budget; and

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

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

**WHEREAS**, against the financial backdrop described above, the voters of the City of San Fernando approved a half-cent (\$0.005) or half-percent (½%) transactions and use tax presented to the voters as Measure A at a Special Municipal Election held June 4, 2013; and

**WHEREAS**, without the revenues generated by the transactions and use tax, the City would have struggled to stay out of bankruptcy; and

**WHEREAS**, it is proposed that the existing half-cent transaction and use tax be extended by City voters beyond its current September 31, 2020 expiration (sunset) date until such time that the tax is repealed by vote of the City electors in order to keep the City on the path to full recovery; and

**WHEREAS**, the proposed extension of the half-cent transactions and use tax does not constitute the establishment of a new tax or the increase in the rate of an existing tax within the meaning of Government Code Section 54954.6(a); and

**WHEREAS**, at its meeting of June \_\_\_\_, 2018, the City Council approved Resolution No. \_\_\_\_ calling the City’s General Municipal Election of November 6, 2018 for election contests for three of the five City Council seats and for consideration of a ballot measure seeking approval of this Ordinance and the tax extension contemplated herein; and

**WHEREAS**, the ballot question for the ballot measure appeared as follows:

<b>Extension of San Fernando Transactions and Use Tax</b> Shall the City extend the half percent (1/2%) transactions and use tax until voters decide to end it, in order to preserve funding for essential city services such as police, fire and ambulance services; street repairs, park beautification, and other public works infrastructure projects; cultural and recreational programs; staffing increases; economic development; restoration of the City's emergency "rainy day" fund; and other unrestricted general revenue purposes?	Yes
	No

**WHEREAS**, the City Council approved the placement of the proposed transactions and use tax measure onto the November 6, 2018 ballot by approval of Resolution No. \_\_\_\_\_ on July 2, 2018 in accordance with Revenue & Taxation Code Section 7285.9 which provides in relevant part: "The governing body of any city may ... extend a transactions and use tax for general purposes..., if the ordinance proposing that tax is approved by a two-thirds vote of all members of that governing body and the tax is approved by a majority vote of the qualified voters of the city voting in an election on the issue..."

**WHEREAS**, the City Council approved this Ordinance for first reading at a public hearing conduct as part of its Regular Meeting of July 2, 2018 and approved the Ordinance for second reading at its meeting of \_\_\_\_\_2018, provided that the Ordinance may not take effect unless approved by San Fernando voters at the General Municipal Election of November 6, 2018; and

**WHEREAS**, the Ordinance, by its terms, shall only take effect if the ballot measure requesting its approval is approved by a majority of San Fernando voters at the General Municipal Election of November 6, 2018 or by such greater margin of victory as may be legally required for general tax ballot measures presented to the voters in the year 2018; and

**WHEREAS**, at the General Municipal Election of Tuesday, November 6, 2018, San Fernando voters approved the measure requesting approval of this Ordinance by a margin of \_\_\_\_\_ % voting in favor ("Yes") and \_\_\_\_\_% voting in opposition ("No"); and

**WHEREAS**, the election results were certified at the City Council's meeting of \_\_\_\_\_ 2018 by way of Resolution No. \_\_\_\_\_.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAN FERNANDO, ACTING WITH THE CONSENT OF THE VOTERS FOLLOWING A NOVEMBER 6, 2018 GENERAL MUNICIPAL ELECTION, HEREBY ORDAIN AS FOLLOWS:**

**SECTION 1.** The foregoing Recitals are true and correct.

**SECTION 2.** Section 82-135 (Automatic expiration date) of Article V (Transactions and Use Tax) of Chapter 82 (Taxation) of the San Fernando Municipal and the expiration (sunset) clause set forth therein are hereby repealed in their entirety and replaced with a new

Section 82-135 entitled “Termination of Tax Upon Repeal by Voters” which shall state the following:

**82-135 Termination of Tax Upon Repeal by Voters.**

*This article and the transactions and use tax established and codified hereunder shall have an indefinite term. The forgoing notwithstanding, this Article and the transactions and use tax established hereunder may be later terminated by the voters of the City of San Fernando by means of a ballot measure to repeal the same at a future general or special municipal election of the City.*

*[EDITOR’S NOTE: This Article and the transactions and use tax established and codified under this Article was first enacted by a vote of the people at a Special Municipal Election held on June 4, 2013. The tax was first approved as Measure A, the City of San Fernando Temporary Transactions and Use Tax. The operative date of the tax was October 1, 2013 and the expiration date of the tax was to be 7 years thereafter at midnight, September 31, 2020. With the passage of Ordinance No. \_\_\_\_\_ as Measure \_\_\_\_\_, the San Fernando City Services Preservation Measure at a General Municipal Election held on November 6, 2018, the September 31, 2020 expiration date for the transactions and use tax was repealed and the tax was extended indefinitely until such time as Article V (Transactions and Use Tax) of Chapter 82 (Taxation) is repealed in its entirety by the vote of the people of the City of San Fernando at a future general or special municipal election or by such other legal procedures as may be authorized by law for the repeal of taxes.]*

**SECTION 3.** Section 82-119 (Title) of Article V (Transactions and Use Tax) of Chapter 82 (Taxation) of the San Fernando Municipal is hereby amended in its entirety to now state the following:

**82-119 Title.**

*This article shall be known as the "San Fernando City Services Preservation Measure" and is codified under the following San Fernando Municipal Code article heading: "Transactions and Use Tax."*

**SECTION 4.** The first clause of the first sentence of Section 82-121 (Purpose) of Article V (Transactions and Use Tax) of Chapter 82 (Taxation) of the San Fernando Municipal is modified by the addition and insertion of the word “first” between the word “was” and the word “adopted” such that the clause now reads as follows:

*“The ordinance implementing this article was **first** adopted by a majority of San Fernando voters who cast votes at a June 4, 2013, special municipal election to achieve the following ...”*

The remaining text of Section 82-121 (Purpose) that follows the first clause referenced above shall remain intact and unchanged.

**SECTION 5.** The title and text of Section 82-136 (Declaration) of Article V (Transactions and Use Tax) of Chapter 82 (Taxation) of the San Fernando Municipal are hereby amended in their entirety to now state the following:

***82-136 Declaration Regarding Use of Tax Revenues.***

*The revenues generated by the tax imposed under this article may be used for any lawful governmental 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. The transactions and use tax established under this article does not meet the criteria established by California Constitution Article IIIC, section 1(d) for special taxes and said tax is instead a general tax within the meaning of California Constitution Article IIIC, section 1(a) whose revenues may be used for any unrestricted general revenue purpose.*

**SECTION 6.** **AUTHORIZED USE TAX PROCEEDS.** The revenues generated by the transactions and use tax extended under this Ordinance may be used for any lawful governmental 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. Said transactions and use tax does not meet the criteria established by California Constitution Article IIIC, section 1(d) for special taxes, and is approved as a general tax within the meaning of California Constitution Article IIIC, section 1(a) whose proceeds may be used for any unrestricted general revenue purposes.

**SECTION 7.** **SEVERABILITY.** If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, the remainder of the ordinance and the application of such provision to other persons or circumstances shall not be affected thereby.

**SECTION 8.** **EFFECTIVE DATE.** This Ordinance relates an extension of the City's existing transactions and use tax and shall take effect and become operative only if approved by a majority of San Fernando voters (i.e., by more than 50% of votes cast) at the General Municipal Election held November 6, 2018 or by such greater margin of victory as may later be required by State law applicable to general tax ballot measures that are presented to voters at any time during the year 2018. If approved by the voters by the requisite margin of victory, the transaction and use tax codified under Article V (Transactions and Use Tax) of Chapter 82 (Taxation) of the San Fernando Municipal Code will be extended indefinitely until such time as Article V (Transactions and Use Tax) of Chapter 82 (Taxation) of the San Fernando Municipal Code is repealed by the voters at a later general or special municipal election. If the

measure fails or fails to win by the legally mandated margin of victory applicable to the General Municipal Election of November 6, 2018, this Ordinance shall be rendered inoperative and void, however, the defeat of the measure shall not operate extinguish or amend the existing transaction and use tax as presently constituted and approved by the voters on June 4, 2013 which will not expire until midnight on September 31, 2020.

**SECTION 9.** CEQA. This Ordinance and the contemplated extension of the transactions and use tax referenced herein is not a “project” within the meaning of the California Environmental Quality Action codified as 21000 et seq. of the California Public Resources Code (“CEQA”) because it will not result in a direct or reasonably foreseeable indirect physical change in the environment nor does it involve any commitment to any specific project which may result in a potentially significant physical impact on the environment.

**SECTION 10.** The City Clerk shall certify the adoption of this Ordinance and shall cause the same to be published pursuant to California Government Code Section 36933.

**PASSED, APPROVED AND ADOPTED** by the City Council of the City of San Fernando at a regular meeting held on this \_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
Sylvia Ballin, Mayor

**ATTEST:**

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

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Richard Padilla, City Attorney

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

I, ELENA CHAVEZ, City Clerk of the City of San Fernando, do hereby certify that the foregoing Ordinance No. \_\_\_\_ was introduced for a first reading on the \_\_\_\_ day of \_\_\_\_\_, 2018 and approved for a second reading and adopted by said Council at its regular meeting held on the \_\_\_\_ day of \_\_\_\_\_, 2018 by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

---

Elena G. Chávez, City Clerk



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## AGENDA REPORT

**To:** Mayor Sylvia Ballin and Councilmembers

**From:** Alexander P. Meyerhoff, City Manager

**Date:** July 2, 2018

**Subject:** Consideration to Designate a Voting Delegate and Alternate(s) for the 2018 League of California Cities Annual Conference

### RECOMMENDATION:

It is recommended that the City Council:

- a. Designate a voting Delegate for the 2018 League of California Cities ("the League") Annual Conference;
- b. Designate up to two Alternate Voting Delegate who may vote in the event that the designated Delegate is unable to serve in that capacity; and
- c. Authorize the City Clerk to execute and submit the 2018 Annual Conference Voting Delegate/Alternate Form (Attachment "A").

### BACKGROUND:

1. The League 2018 Annual Conference is scheduled for September 12-14, 2018, in Long Beach, California. An important part of the Annual Conference is the Annual Business Meeting; at this meeting, the League membership considers and takes action on resolutions that establish League policy.
2. On March 6, 2018, the City Council approved Mayor Ballin's recommended appointments to the City Council Liaison Assignments for 2017-2018, which included appointing Vice Mayor Antonio Lopez as the City Council Liaison and Councilmember Robert C. Gonzales as the Alternate to the League of California Cities.

### ANALYSIS:

Each member city has a right to cast one vote on matters pertaining to League policy. In order to vote at the Annual Business Meeting, the City Council must designate a Voting Delegate, and

**Consideration to Designate a Voting Delegate and Alternate(s) for the 2018 League of California Cities Annual Conference**Page 2 of 2

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may also appoint up to two alternate Voting Delegates, one of whom may vote in the event that the designated voting delegate is unable to serve in that capacity.

Consistent with League bylaws, the City's Voting Delegate (and up to two Alternate Voting Delegates) must be designated by the City Council via either resolution or by City Council action; Voting Delegates may not be appointed by individual action of the Mayor or City Manager/Administrator alone (Attachment "A").

The Voting Delegate and Alternate(s) must be registered to attend the Conference; they do not need to register for the entire conference, they may register for Friday only. A Voting Delegate Card will be issued and may be transferred freely between the Voting Delegate and the Alternate(s); however, it may not be transferred to another City official.

**BUDGET IMPACT:**

The cost to attend the 2018 League Annual Conference is included in the FY 2018-2019 Adopted Budget. The act of designating a Voting Delegate and Alternate(s) will not impact the budget.

**CONCLUSION:**

Staff recommends that the City Council appoint a Voting Delegate and up to two (2) Alternates so that the City may participate in and benefit from the development of League policy.

**ATTACHMENT:**

A. League of California Cities 2018 Annual Conference Voting Delegate/Alternate Forms

## ATTACHMENT "A"



1400 K Street, Suite 400 • Sacramento,  
California 95814  
Phone: 916.658.8200 Fax: 916.658.8240  
[www.cacities.org](http://www.cacities.org)

<b>Council Action Advised by July 31, 2018</b>
--

May 17, 2018

**TO: Mayors, City Managers and City Clerks**

**RE: DESIGNATION OF VOTING DELEGATES AND ALTERNATES**  
**League of California Cities Annual Conference – September 12 - 14, Long Beach**

The League's 2018 Annual Conference is scheduled for September 12 – 14 in Long Beach. An important part of the Annual Conference is the Annual Business Meeting (during General Assembly), scheduled for 12:30 p.m. on Friday, September 14, at the Long Beach Convention Center. At this meeting, the League membership considers and takes action on resolutions that establish League policy.

In order to vote at the Annual Business Meeting, your city council must designate a voting delegate. Your city may also appoint up to two alternate voting delegates, one of whom may vote in the event that the designated voting delegate is unable to serve in that capacity.

**Please complete the attached Voting Delegate form and return it to the League's office no later than Friday, August 31, 2018. This will allow us time to establish voting delegate/alternate records prior to the conference.**

Please note the following procedures are intended to ensure the integrity of the voting process at the Annual Business Meeting.

- **Action by Council Required.** Consistent with League bylaws, a city's voting delegate and up to two alternates must be designated by the city council. When completing the attached Voting Delegate form, please attach either a copy of the council resolution that reflects the council action taken, or have your city clerk or mayor sign the form affirming that the names provided are those selected by the city council. Please note that designating the voting delegate and alternates **must** be done by city council action and cannot be accomplished by individual action of the mayor or city manager alone.
- **Conference Registration Required.** The voting delegate and alternates must be registered to attend the conference. They need not register for the entire conference; they may register for Friday only. To register for the conference, please go to our website: [www.cacities.org](http://www.cacities.org). In order to cast a vote, at least one voter must be present at the

Business Meeting and in possession of the voting delegate card. Voting delegates and alternates need to pick up their conference badges before signing in and picking up the voting delegate card at the Voting Delegate Desk. This will enable them to receive the special sticker on their name badges that will admit them into the voting area during the Business Meeting.

- **Transferring Voting Card to Non-Designated Individuals Not Allowed.** The voting delegate card may be transferred freely between the voting delegate and alternates, but *only* between the voting delegate and alternates. If the voting delegate and alternates find themselves unable to attend the Business Meeting, they may *not* transfer the voting card to another city official.
- **Seating Protocol during General Assembly.** At the Business Meeting, individuals with the voting card will sit in a separate area. Admission to this area will be limited to those individuals with a special sticker on their name badge identifying them as a voting delegate or alternate. If the voting delegate and alternates wish to sit together, they must sign in at the Voting Delegate Desk and obtain the special sticker on their badges.

The Voting Delegate Desk, located in the conference registration area of the Sacramento Convention Center, will be open at the following times: Wednesday, September 12, 8:00 a.m. – 6:00 p.m.; Thursday, September 13, 7:00 a.m. – 4:00 p.m.; and Friday, September 14, 7:30 a.m.– 11:30 a.m.. The Voting Delegate Desk will also be open at the Business Meeting on Friday, but will be closed during roll calls and voting.

The voting procedures that will be used at the conference are attached to this memo. Please share these procedures and this memo with your council and especially with the individuals that your council designates as your city's voting delegate and alternates.

Once again, thank you for completing the voting delegate and alternate form and returning it to the League's office by Friday, August 31. If you have questions, please call Kayla Curry at (916) 658-8254.

Attachments:

- Annual Conference Voting Procedures
- Voting Delegate/Alternate Form

## Annual Conference Voting Procedures

1. **One City One Vote.** Each member city has a right to cast one vote on matters pertaining to League policy.
2. **Designating a City Voting Representative.** Prior to the Annual Conference, each city council may designate a voting delegate and up to two alternates; these individuals are identified on the Voting Delegate Form provided to the League Credentials Committee.
3. **Registering with the Credentials Committee.** The voting delegate, or alternates, may pick up the city's voting card at the Voting Delegate Desk in the conference registration area. Voting delegates and alternates must sign in at the Voting Delegate Desk. Here they will receive a special sticker on their name badge and thus be admitted to the voting area at the Business Meeting.
4. **Signing Initiated Resolution Petitions.** Only those individuals who are voting delegates (or alternates), and who have picked up their city's voting card by providing a signature to the Credentials Committee at the Voting Delegate Desk, may sign petitions to initiate a resolution.
5. **Voting.** To cast the city's vote, a city official must have in his or her possession the city's voting card and be registered with the Credentials Committee. The voting card may be transferred freely between the voting delegate and alternates, but may not be transferred to another city official who is neither a voting delegate or alternate.
6. **Voting Area at Business Meeting.** At the Business Meeting, individuals with a voting card will sit in a designated area. Admission will be limited to those individuals with a special sticker on their name badge identifying them as a voting delegate or alternate.
7. **Resolving Disputes.** In case of dispute, the Credentials Committee will determine the validity of signatures on petitioned resolutions and the right of a city official to vote at the Business Meeting.



**CITY:** \_\_\_\_\_

**2018 ANNUAL CONFERENCE  
VOTING DELEGATE/ALTERNATE FORM**

**Please complete this form and return it to the League office by Friday, August 31, 2018. Forms not sent by this deadline may be submitted to the Voting Delegate Desk located in the Annual Conference Registration Area. Your city council may designate one voting delegate and up to two alternates.**

In order to vote at the Annual Business Meeting (General Assembly), voting delegates and alternates must be designated by your city council. Please attach the council resolution as proof of designation. As an alternative, the Mayor or City Clerk may sign this form, affirming that the designation reflects the action taken by the council.

**Please note:** Voting delegates and alternates will be seated in a separate area at the Annual Business Meeting. Admission to this designated area will be limited to individuals (voting delegates and alternates) who are identified with a special sticker on their conference badge. This sticker can be obtained only at the Voting Delegate Desk.

**1. VOTING DELEGATE**

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

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

**2. VOTING DELEGATE - ALTERNATE**

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

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

**3. VOTING DELEGATE - ALTERNATE**

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

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

**PLEASE ATTACH COUNCIL RESOLUTION DESIGNATING VOTING DELEGATE AND ALTERNATES.**

**OR**

**ATTEST: I affirm that the information provided reflects action by the city council to designate the voting delegate and alternate(s).**

Name: \_\_\_\_\_ E-mail: \_\_\_\_\_

Mayor or City Clerk \_\_\_\_\_ Phone: \_\_\_\_\_  
(circle one) (signature)

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

**Please complete and return by Friday, August 31, 2018**

League of California Cities  
**ATTN: Kayla Curry**  
1400 K Street, 4<sup>th</sup> Floor  
Sacramento, CA 95814

**FAX: (916) 658-8240**  
E-mail: kcurry@cacities.org  
(916) 658-8254



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## AGENDA REPORT

**To:** Mayor Sylvia Ballin and Councilmembers

**From:** Alexander P. Meyerhoff, City Manager  
Nick Kimball, Deputy City Manager/Director of Finance  
Richard Padilla, Assistant City Attorney

**Date:** June 18, 2018

**Subject:** Discussion of Recommendations from the Cannabis Ad Hoc Committee and Direction Regarding Development of a Commercial Cannabis Regulation and Permitting Program

### RECOMMENDATION:

It is recommended that the City Council:

- a. Discuss the recommendations from the Cannabis Ad Hoc Committee; and
- b. Direct staff as appropriate.

### BACKGROUND:

1. In November 1996, California voters approved Proposition 215, known as the Compassionate Use Act, which decriminalized the use of medicinal cannabis in California for qualified patients with a physician's recommendation. Until recently, most, if not all, regulation of medicinal cannabis since the passage of Proposition 215 has been left to local governments like the City of San Fernando (the "City").
2. On November 8, 2016, California voters approved Proposition 64 (Prop. 64), which authorized commercial cannabis activities, including the cultivation, manufacturing, retail sale, transportation, storage, delivery, and testing of cannabis. Proposition 64 provides state and local licensing for cannabis business activity.
3. On December 5, 2016, the City Council discussed the potential for allowing commercial cannabis activities in the City. Based on that discussion, staff and the City Attorney's Office developed a series of two presentations to analyze possible alternatives to be considered by the City Council when evaluating whether to allow limited commercial cannabis uses in the City.

**Discussion of Recommendations from the Cannabis Ad Hoc Committee and Direction Regarding Development of a Commercial Cannabis Regulation and Permitting Program**Page 2 of 11

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4. On January 17, 2017, the City Council received the first of two presentations on the “Regulatory Alternatives Under the Medical Cannabis Regulation and Safety Act (MCRSA) and the Adult Use of Marijuana Act (Prop 64/AUMA).” The presentation by the City Attorney’s Office focused on the following topics:
  - a. Past legislative actions related to cannabis adopted at the state and federal levels, including discussion of MRSCA and Prop 64;
  - b. City Council actions to date;
  - c. Seed to Sale: medical/nonmedical commercial activity;
  - d. State Licensing Categories under MRSCA and Prop 64;
  - e. Potential commercial and medical activities authorized under MRSCA and Prop 64;
  - f. Case Studies;
  - g. Potential City Code amendments and licensing; and
  - h. Potential Sites Analysis based on 600 Ft. buffer from schools and youth institutes.
5. On February 6, 2017, the City Council received the second presentation from David McPherson from HdL Companies, which focused on the following topics:
  - a. General understanding of the marijuana industry;
  - b. Strategies for implementation of a cannabis program, including the regulatory framework, application process and entitlement processes;
  - c. Taxation vs. development agreement options to generate revenue;
  - d. Public safety considerations based on best practices in other states and municipalities;
  - e. Feasibility of including a local hire provision in the DA and CUP application process; and
  - f. Identify salary ranges for jobs in the cultivation, manufacturing, production, and work related to the aforementioned cannabis businesses.
6. On February 6, 2017, the City Council also appointed an Ad Hoc Committee (Mayor Ballin and Vice Mayor Lopez) to work with staff to develop an outreach program and develop recommendations regarding an appropriate industry in San Fernando, if any.

**Discussion of Recommendations from the Cannabis Ad Hoc Committee and Direction Regarding Development of a Commercial Cannabis Regulation and Permitting Program**Page 3 of 11

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7. On May 1, 2017, the City Council awarded a professional service agreement to HdL Companies to provide services related to the development and implementation of a local cannabis regulation and permitting program.
8. In June 2017, the California Legislature addressed discrepancies between the MCRSA and Prop. 64 through Senate Bill 94, the Medicinal and Adult-Use Cannabis Regulation and Safety Act ("MAUCRSA"), which harmonized elements of the MCRSA and Prop. 64 to establish a streamlined singular regulatory and licensing structure for both medical and nonmedical cannabis activities. MAUCRSA refers to medical cannabis as "medicinal cannabis" and nonmedical/recreational cannabis as "adult-use cannabis."
9. MAUCRSA allows cities to ban or regulate any or all medicinal and/or adult-use commercial cannabis activities.
10. On September 18, 2017, the City Council adopted Urgency Ordinance No. 1669 prohibiting all medical and nonmedical commercial cannabis activities, except certain medicinal deliveries from licensed businesses to qualified patients and caregivers. This action was taken to allow time to contemplate regulatory and prohibitory options.
11. In October and November 2017, the Ad Hoc Committee, City staff and the Consultant, worked together to develop a public outreach plan, which included a series of workshops and a survey to solicit community input.
12. In January and February 2018, the City held a total of four (4) public workshops to discuss the potential of creating a commercial cannabis industry in the City. A distinct flyer (in English and Spanish) was sent out with every water bill in the City (Attachment "A") and the meetings were promoted on the City's website and social media. The survey was also made available at all public meetings and online.

**ANALYSIS:****Public Information Efforts**

During the last several months, the Ad Hoc Committee has been focused on collecting community input to measure community preferences and assist with formulating a recommendation to the full Council that contemplates all options, which range from a complete ban to regulatory options with respect to medicinal and commercial cannabis activities in San Fernando. In order to make sure the community was notified of the four community workshops that were held throughout January and February 2018, an easily identifiable flyer available in English and Spanish (Attachment "A") was developed and included in the December 2017 and January 2018 water bills.

## **Discussion of Recommendations from the Cannabis Ad Hoc Committee and Direction Regarding Development of a Commercial Cannabis Regulation and Permitting Program**

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In addition to the flyers, staff provided a full social media campaign and quarter page ads were placed in the *San Fernando Valley Sun Newspaper* to ensure the community was well aware of the community workshops.

Staff worked with the Ad Hoc Committee to develop a community survey (Attachment "B"), also available in English and Spanish. The survey was available at City Hall, provided to attendees at all community workshops, and accessible online through the "Cannabis Kiosk" on the City's website (<http://ci.san-fernando.ca.us/cannabis-industry/>). A link to the Cannabis Kiosk is clearly identifiable from the City's homepage (Attachment "C").

Ultimately, the City mailed approximately 5,000 flyers, ran four ads (two in English; two in Spanish) in the *San Fernando Valley Sun Newspaper* (circulation of 6,000 homes in the San Fernando-Sylmar area with an additional 4,000 distributed through racks in densely populated areas of the San Fernando Valley), and reached 10,897 individuals on social media. This community engagement effort resulted in 85 individuals attending the community workshops, 1,523 views of the meetings via Facebook live, and 180 surveys being submitted.

### Community Workshops

In May 2017, City Council awarded a professional services contract to HdL Companies to assist with exploring and developing appropriate cannabis regulations for the City. Over the past year, HdL worked closely with staff and the Ad Hoc Committee to develop an informational PowerPoint presentation (Attachment "D"), which was presented at all community workshops. HdL, with assistance from the City Attorney's office, attended all community workshops to serve as subject matter experts.

A series of four community workshops were held throughout January and February 2018:

1. Thursday, January 18, 2018; 6:30 pm at Recreation Park
2. Saturday, January 27, 2018; 2:00 pm at Las Palmas Park
3. Thursday, February 1, 2018; 6:30 pm at City Council Chambers
4. Saturday, February 10, 2018; 2:00 pm at City Council Chambers

A total of 85 individuals attended the meetings in person and viewed the meetings virtually 1,523 times on Facebook live. Each workshop lasted approximately one hour.

In general, the workshops were well attended and included a mix of residents, business owners, industry representatives, and other interested community members. With a few exceptions, input at the meetings tended to be positive. The general sentiment was that, since adult use of recreational cannabis is now legal in the state, San Fernando should work to create a regulated market and exercise some level of control rather than just react to the inevitable illegal activity. There were also a few residents that touted the medical benefits of cannabis and its significant

## Discussion of Recommendations from the Cannabis Ad Hoc Committee and Direction Regarding Development of a Commercial Cannabis Regulation and Permitting Program

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impact on their quality of life. They urged the City to recognize the importance of availability for medicinal cannabis.

Those that opposed cannabis regulation generally felt that legalizing cannabis activities in the City will be detrimental to the City's youth and negatively impact the City's character. There was also concern that regulated cannabis businesses could lead to additional crime in the City.

### Survey Results

The City received 68 hardcopy surveys and 112 online surveys for a total of 180 surveys. The survey was structured to solicit responders' reactions as well as provide information on some potential regulatory measures and possible ways the additional resources may be used to improve the community.

Section 1 gauged responders' initial reaction to medical and commercial cannabis cultivation, manufacture, and sale. Section 2 asked responders to identify their main concerns with allowing medical and commercial cannabis activity in the City. Section 3 provided information on possible regulatory activities the City may implement and asked the responder to rate their reaction to medical and commercial cannabis activities considering the possible regulatory activity. Section 4 asked how the responder would like revenue generated from a cannabis program spent. Finally, Section 5 asked the responders' reaction to medical and commercial cannabis cultivation, manufacture, and sale after considering the information provided in the survey. The results are as follows (full summary provided as Attachment "E"):

*Question 1:* Should the City allow and regulate cannabis activity? (Percent "Yes" shown)

	<b>Medicinal</b>	<b>Commercial</b>
<b>Cultivation</b>	67.1%	57.2%
<b>Manufacture</b>	68%	57.2%
<b>Sale</b>	64.8%	52.5%

*Question 2:* How concerned are you that regulated cannabis would create the following issues in the City? (Percent "Very Concerned" shown)

	<b>Very Concerned</b>
<b>Negative Impact on Youth</b>	42.6%
<b>Crime Issues</b>	38.2%
<b>Mental Health Issues</b>	35.6%
<b>Public Health</b>	35.2%
<b>Environmental Issues</b>	29.4%

## Discussion of Recommendations from the Cannabis Ad Hoc Committee and Direction Regarding Development of a Commercial Cannabis Regulation and Permitting Program

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**Question 3:** If the City requires a cannabis business to conduct thorough employee background checks through the SFPD; install a physical security system that secures both the property and the building; use security guards to keep employees and customers safe; install odor control. How likely are you to support cultivation, manufacturing or sale of cannabis in the City? (Percent "Likely" shown)

	Likely
<b>Cultivation</b>	62.1%
<b>Manufacture</b>	60.5%
<b>Sale</b>	58.2%

**Question 4:** If the City were to proceed with cannabis regulation, how would you like to see the revenues spent? Please check three.

	Priority
<b>Enhance Street and Sidewalk Improvements</b>	59.9%
<b>Youth Education Programs</b>	58.6%
<b>Parks, Play Equipment, and Sports Fields</b>	52.5%
<b>Substance Abuse Outreach Programs</b>	46.3%
<b>Fund Police School Resource Officer</b>	39.5%
<b>Art and Culture Programs</b>	38.3%
<b>Reinstitute Fourth of July Celebration Event</b>	22.2%
<b>Other</b>	17.9%

**Question 5:** After considering the information provided in the survey, do you now feel the City should allow and regulate cannabis activity? (Percent "Yes" shown)

	Medicinal	Commercial
<b>Cultivation</b>	67.6%	59.0%
<b>Manufacture</b>	68.6%	59.6%
<b>Sale</b>	66.5%	56.2%

### Key survey themes:

- More than 56% of respondents supported all types of regulated cannabis activity in the City.
- Respondents supported medicinal cannabis activity at a greater rate than commercial cannabis activity (66.5% support for medicinal cannabis vs. 56.2% support for commercial cannabis).
- Respondents supported cultivation and manufacturing more than sale.
- Respondents were slightly more likely to support cannabis activity after receiving the information provided in the survey.
- Respondents were most concerned about the negative impact on youth and crime issues.

## Discussion of Recommendations from the Cannabis Ad Hoc Committee and Direction Regarding Development of a Commercial Cannabis Regulation and Permitting Program

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- Respondents cannabis revenue expenditure priorities were streets and sidewalk repairs, youth education programs, and parks, play equipment, and sports fields.

### Ad-Hoc Consensus

After carefully considering all of the public input and the City's needs, the Ad Hoc Committee was able to come to a consensus recommendation to the City Council to allow the activities outlined below. As a reference, staff developed a map of the City identifying the areas in which each activity would be allowed per the Ad Hoc's recommendation (Attachment "F")

1. Medicinal and Adult-Use Commercial Cultivation: Cultivation is the growing of cannabis plants to be sold to cannabis manufacturing businesses and ultimately turned into a final consumer product. This activity is typically conducted indoors in a secure warehouse type facility. Consensus was reached to recommended allowing medicinal and adult-use cannabis cultivation within the City's manufacturing (M-1 and M-2) zones with a 300-foot buffer from schools and youth centers.
2. Medicinal and Adult-Use Commercial Manufacturing: Manufacturing is the process of turning the raw cannabis plant material into consumer products, including, but not limited to, food products, cosmetic products, oils and supplements. This activity is typically conducted in a manufacturing facility, often times with a commercial kitchen and other large commercial production equipment. Consensus was reached to recommended allowing medicinal and adult-use cannabis manufacturing within the City's manufacturing (M-1 and M-2) zones with a 300-foot buffer from schools and youth centers.
3. Cannabis Testing: Testing is the analysis of cannabis plants and products to determine the residual solvents, physical and microbial contamination, potency, and terpenes, among other things, for labeling and reporting purposes. This activity is done in a clean medical laboratory environment similar to testing of medical samples. Consensus was reached to recommended allowing testing within the City's commercial (C-1, C-2, and SC) and manufacturing (M-1 and M-2) zones with a 300-foot buffer from schools and youth centers.

Number of Permits: The Ad Hoc Committee discussed whether there should be a limited number of permits offered in each category. Since the area where these activities would be allowed is already limited to a small segment of the City, the Ad Hoc is not recommending a finite number of permits to be issued. Rather, they are recommending that each application be evaluated based on its merits, including the ability to operate a successful, high performing business. More information regarding the recommended process for awarding permits is provided in the "Recommended Permitting Process" section of this report.Additional Considerations

Despite a lack of consensus from the Ad Hoc, the Committee felt that the City Council should discuss and provide direction on the following issues:

## Discussion of Recommendations from the Cannabis Ad Hoc Committee and Direction Regarding Development of a Commercial Cannabis Regulation and Permitting Program

Page 8 of 11

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1. *Storefront Retail Dispensaries:* The City may allow storefront retail dispensaries from licensed premises that sell and deliver cannabis and cannabis products and are open to the public. The location of these licensed operations can be limited by the City to provide a buffer from sensitive receptors identified by the City. The City would have discretion to set any applicable buffer and any sensitive uses applicable to such buffer.
2. *Non-storefront Retail (i.e. delivery only):* The City may allow non-storefront retail operations that is not open to the public. A non-storefront retailer is a point-of-sale retailer that sells and delivers cannabis or cannabis products to consumers from a licensed premises; however, those premises are not open to the public and sales are conducted exclusively by delivery. The location of these licensed operations can be limited by the City to provide a buffer from sensitive receptors identified by the City. The City would have discretion to set any applicable buffer and any sensitive uses applicable to such buffer.

NOTE: Cannabis delivery service is currently permitted under the City Code for licensed businesses located outside the City limits. To date, no businesses have applied for this permit.

3. *Vertical Integration through Microbusinesses:* The City may encourage “vertical integration” by allowing applicants to obtain multiple licenses on one property. For example, the City may approve a license to cultivate cannabis plants as well as manufacture the cannabis raw material into a consumer product on the same site through a “microbusiness” license. A microbusiness license allows multiple cannabis activities (i.e. limited cultivation of no more than 10,000 square feet, manufacturing, and storefront or non-storefront retail sales, if allowed) on the one site..
4. *Revenue Generation:* There are a number of mechanisms for generating revenue from a cannabis program. There will be a non-refundable application fee required from each applicant before the City starts processing a permit application. This fee will be set to fully recover the cost of processing, reviewing, and vetting each application and applicant. There will also be user fees required for any planning and building permits required for facility improvements. These are one time fees for which the City is limited to cost recovery.

In addition to one-time fees, the City can generate revenue through implementing new cannabis related taxes. These would be on-going revenues to be used to offset on-going costs associated with regulation and oversight of a cannabis program as well as provide funding for community benefits and other community programs and projects. Potential tax structures for each type of activity is included in the Budget Impact Section. Pursuant to state law, new taxes will need to be approved by voters at a general election. If directed to move forward, staff will work closely with HdL and City Council to develop proposed tax structures and will present the proposed taxes to voters for approval in November 2020.



## Discussion of Recommendations from the Cannabis Ad Hoc Committee and Direction Regarding Development of a Commercial Cannabis Regulation and Permitting Program

Page 9 of 11

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### Recommended Permitting Process

The Ad Hoc Committee recommends that a conditional use permit and development agreement be required for all potential commercial cannabis businesses in the City.

#### *Conditional Use Permit (CUP)*

A CUP is a discretionary land use approval that requires Planning and Preservation Committee approval and both public noticing and a public hearing to obtain community input on a proposed project. CUPs consider projects in light of the public welfare and customize conditions to ensure that businesses further the public interest and welfare. The CUP would allow the City to tailor conditions and regulations on proposed businesses based upon the impact on the community and vicinity. Conditions often address signage, hours of operation, parking, security, noise, and odor. Such conditions, however, must reasonably related to the use of the property to be valid.

#### *Development Agreement (DA)*

A DA is a contract negotiated between a developer and the City, subject to approval by both the Planning and Preservation Commission and the City Council. The DA is beneficial in that it allows for creative land use development through give-and-take negotiations in which both parties address their respective needs and desires. DAs are advantageous to the City in that conditions can be imposed that are not limited to being reasonably related to the use of the property. If the parties agree to a term, then it can be imposed. A DA is also useful in that it is a vehicle for the Developer's provision of public community benefits to the City, including:

- The payment of annual business fees;
- Drug prevention education programs;
- Scholarships;
- Health clinics;
- Infrastructure improvements; and
- Other community benefits desired by City.

### **BUDGET IMPACT:**

Staff worked closely with HdL to develop a number of conservative revenue projections generated from a cannabis program assuming three permitted businesses in each category. These are only projections.

### Ad Hoc Consensus Activities

The following table identifies the projected range of revenue for the consensus items recommended by the Ad Hoc Committee:

# Discussion of Recommendations from the Cannabis Ad Hoc Committee and Direction Regarding Development of a Commercial Cannabis Regulation and Permitting Program

Page 10 of 11

Activity	# of Permits	Basis of Tax Revenue	Min. Revenue/year	Max. Revenue/year
Cultivation	3	\$7 - \$10 per square foot	\$259,000	\$370,000
Microbusinesses	3	2.5% - 6% of Gross Receipts	\$262,500	\$630,000
Manufacturing	3	2.5% - 6% of Gross Receipts	\$187,500	\$450,000
Testing Lab	2	1% - 2.5% of Gross Receipts	\$20,000	\$50,000
<b>Total Consensus Items</b>			<b>\$729,000</b>	<b>\$1,500,000</b>

## Additional Activities

The following table identifies the projected range of revenue for the additional items to be considered by the City Council:

Activity	# of Permits	Basis of Tax Revenue	Min. Revenue/year	Max. Revenue/year
Storefront Retail	3	2.5% - 6% of Gross Receipts	\$187,500	\$450,000
Non-storefront Retail (delivery only)	3	2.5% - 6% of Gross Receipts	\$150,000	\$360,000
<b>Total Additional Items</b>			<b>\$337,500</b>	<b>\$810,000</b>

## Increased Expenses

In addition to the potential additional revenue, there will be additional costs associated with implementation, oversight, management, and regulation of a cannabis program. To accommodate the increased workload, the following costs are anticipated:

Department	Activity	Min. Expense/year	Max. Expense/year
Community Development	Staff resources for planning review, code enforcement and building inspections (1.5 to 2 FTEs or contract services)	\$150,000	\$200,000
Police Department	Staff resources for processing permits, oversight, and enforcement activities (2 to 3 FTEs)	\$200,000	\$300,000
Administration/Finance	Staff resources for program revenue processing and oversight (2 FTE or contract services)	\$150,000	\$200,000
<b>Total Expenses</b>		<b>\$500,000</b>	<b>\$700,000</b>

**Discussion of Recommendations from the Cannabis Ad Hoc Committee and Direction Regarding Development of a Commercial Cannabis Regulation and Permitting Program**Page 11 of 11

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**Net Revenue**

Net revenue generated by a cannabis program ranges widely depending on the activities supported by the City Council. At the low end (i.e., minimum revenue generated by only consensus activities less the maximum expenses per year), the resulting projected net revenue is \$30,000 per year and on the high end (i.e., maximum revenue generated by all activities less minimum expense per year), the resulting projected net revenue is \$1,810,000 per year. Projected net revenue generated from a cannabis program would be available to fund priority items identified in the community survey.

**CONCLUSION:**

Staff recommends that the City Council consider the Cannabis Ad Hoc Committee's consensus recommendations and other non-consensus activities and provide direction to staff regarding development of a cannabis regulation and permitting program in the City of San Fernando.

**ATTACHMENTS:**

- A. Flyer promoting Cannabis Community Meetings
- B. Cannabis Survey
- C. Screenshot of City's Homepage
- D. Informational PowerPoint Presentation
- E. Cannabis Survey Data
- F. GIS map of recommended allowable uses

THE CITY OF  
**SAN FERNANDO**

# *What do you think about the* **CANNABIS (MARIJUANA)** **INDUSTRY** *coming to our City?*

The City is hosting a series of community workshops to listen to residents' concerns about cannabis.

- **THURSDAY | JANUARY 18, 2018 | 6:30 PM**  
**Recreation Park 208 Park Avenue**
- **SATURDAY | JANUARY 27, 2018 | 2 PM**  
**Las Palmas Park 505 S. Huntington Street**
- **THURSDAY | FEBRUARY 1, 2018 | 6:30 PM**  
**Council Chambers 117 Macneil Street**
- **SATURDAY | FEBRUARY 10, 2018 | 2 PM**  
**Council Chambers 117 Macneil Street**

## **FOR MORE INFORMATION:**

818.898.1202 | [info@sfcity.org](mailto:info@sfcity.org) | [www.sfcity.org](http://www.sfcity.org)

### *Discussion will include:*

How can we keep cannabis out of the hands of our youth?

Will cannabis business bring crime to our community?

How much revenue can the City expect to generate from cannabis taxes and fees?

What could these revenues be used for?

What are public health and environmental impacts?

In 2016, California voters passed Prop 64 legalizing the non-medical use of cannabis, with certain restrictions, and provides for industry licensing and establishing standards for marijuana projects. Prop 64 also allows for state and local regulation and taxation of marijuana businesses.

LA CIUDAD DE  
**SAN FERNANDO**

# *¿Que piensa sobre la industria de la* **CULTIVACION DEL CANNABIS** **(MARIJUANA)** *en la ciudad?*

La ciudad estará presentando una serie de talleres comunitarios para escuchar las inquietudes que los residentes pueden tener sobre el cannabis.

- **JUEVES | 18 DE ENERO DEL 2018 | 6:30 PM**  
**Parque Recreación 208 Park Avenue**
- **SABADO | 27 DE ENERO DEL 2018 | 2 PM**  
**Parque Las Palmas 505 S. Huntington Street**
- **JUEVES | 1 DE FEBRERO DEL 2018 | 6:30 PM**  
**Cámara del Concilio 117 Macneil Street**
- **SABADO | 10 DE FEBRERO DEL 2018 | 2 PM**  
**Cámara del Concilio 117 Macneil Street**

## **PARA MÁS INFORMACIÓN:**

818.898.1202 | [info@sfcity.org](mailto:info@sfcity.org) | [www.sfcity.org](http://www.sfcity.org)

### *La charla incluirá:*

¿Como podremos mantener el cannabis fuera del alcance de nuestros jóvenes?

¿Traerá crimen a nuestra Ciudad la industria del cannabis?

¿Cuanto ingreso se espera que los impuestos y tarifas del cannabis generen para la ciudad?

¿Para que se pueden utilizar esos ingresos?

¿Cuáles serán los impactos a la salud pública y ambientales?

En el 2016, los votantes de California pasaron la Proposición 64 que legaliza el uso no medicinal del cannabis, con ciertas restricciones, y estipula la concesión y establece normas para proyectos de marijuana. Proposición 64 también permite regulaciones estatales y locales e impuestos a los negocios de marijuana.

What do you think about the  
CANNABIS INDUSTRY (MARIJUANA)  
coming to our city?

Due to recent changes in California law, cities have the authority to regulate commercial cannabis in their community.

The San Fernando City Council is in the process of reviewing cannabis policy options that will best serve the interests of our community and seeks your input.

- Marijuana is another term for cannabis.
- Cultivation is growing cannabis plants.
- Manufacturing is producing cannabis products, including food products, cosmetic products, oils, and supplements.
- Sale is dispensing of cannabis products from a physical retail location, including non-storefront sales.

¿Que piensa sobre la industria de la  
CULTIVACION DEL CANNABIS (MARIJUANA)  
en la ciudad?

Debido a recientes cambios en la ley de California, las ciudades tienen la autoridad de regular el uso del cannabis comercial en su comunidad.

El concilio de la Ciudad de San Fernando está en el proceso de analizar opciones sobre la póliza de cannabis que mejor sirvan los intereses de nuestra comunidad y piden su participación.

- Marijuana es otro término para cannabis.
- Cultivación es la siembra de la planta cannabis.
- Manufactura es la producción de productos cannabis, incluye productos comestibles, productos cosméticos, aceites y suplementos.
- Venta es dispensar productos cannabis de una locación de venta a menudeo, incluyendo ventas en tiendas sin fachada.

Please tell us what you think about Cannabis. Por favor diganos que es lo que piensa acerca del Cannabis.

1. Should the City of San Fernando allow and regulate commercial cannabis (marijuana) activity? If yes, check all that apply. ¿Cree usted que la Ciudad de San Fernando debe de permitir y regular la actividad del cannabis (marijuana) comercial? Si su respuesta es “sí”, marque todo lo que aplique.

	Medical Medica			Non-Medical/Commercial No-Medica/Comercial		
	Yes	Undecided	No	Yes	Undecided	No
	Si	Indeciso(a)	No	Si	Indeciso(a)	No
A. <b>Cultivation</b> Cultivación	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
B. <b>Manufacturing</b> Manufactura	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
C. <b>Sale</b> Venta	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

2. How concerned are you that regulated cannabis (marijuana) would create the following issues in the City of San Fernando? Use the rating scale below. ¿Que tan preocupado está usted de que el cannabis (marijuana) regulado crea los siguientes problemas en la Ciudad de San Fernando? Use la escala de clasificación a continuación.

	Very Concerned Muy Preocupado(a)	Neutral Neutral	Not Concerned At All Nada Preocupado(a)
A. <b>Crime Issues</b> Problemas Criminales	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
B. <b>Environmental Issues</b> Problemas Ambientales	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
C. <b>Public Health</b> Problemas de Salud Publica	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<b>Negative Impact on Youth</b>			
D. Impacto Negativo Sobre los Problemas de la Juventud	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
E. <b>Mental Health Issues</b> Problemas de Salud Mental	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

3. If the City of San Fernando requires a cannabis business to: Si la Ciudad de San Fernando require a un negocio de cannabis a someterse a:

- **Conduct thorough employee background checks through the San Fernando Police Department;** una verificación a fondo de antecedentes del empleo conducido por el Departamento de Policía de San Fernando;
- **Install a physical security system that secures both the property and the building;** la instalacion de un sistema de suguridad físico que asegura la propiedad y edificio;
- **Use security guards to keep employees and customers safe; and** uso de guardias de seguridad para proteger a los empleados y clientes; y
- **Install odor control.** Instalar artefacto de control de olor.

How likely are you to support the cultivation, manufacturing or sale of medicinal cannabis in the City of San Fernando? Use the rating scale below. ¿Que tan dispuesto estaría a apoyar la cultivación, manufactura y venta de el cannabis (marijuana) en la Ciudad de San Fernando? Use la escala de clasificación a continuación.

	Likely Probable	Neutral Neutral	Unlikely Improbable
A. <b>Cultivation</b> Cultivación	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
B. <b>Manufacturing</b> Manufactura	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
C. <b>Sale</b> Venta	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

4. If the City of San Fernando were to proceed with cannabis (marijuana) regulation, how would you like to see revenues spent? Please check three. ¿Si la Ciudad de San Fernando procediera con la regularización del cannabis (marijuana), como quisiera usted que se utilizaran los ingresos generados? Por favor marque tres.

A. <b>Fund Police School Resource Officer</b> Financiar un Oficial de Policía de Recursos Escolares	<input type="radio"/>
B. <b>Parks, Play Equipment, and Sports Fields</b> Parques, Equipo de Recreo, y Campos de Deporte	<input type="radio"/>
C. <b>Enhance Street and Sidewalk Improvements</b> Dar Realce a las Mejoras a las Calles y Aceras	<input type="radio"/>
D. <b>Substance Abuse Outreach Programs</b> Divulgación de Programas de Abuso de Sustancias	<input type="radio"/>
E. <b>Youth Education Programs</b> Programas Educacionles Para Jovenes	<input type="radio"/>
F. <b>Art and Culture Programs</b> Programas de Arte y Cultura	<input type="radio"/>
G. <b>Reinstitute the Fourth of July Celebration Event (fireworks)</b> Reincorporar el Evento de Celebración del Cuatro de Julio (fuegos artificiales)	<input type="radio"/>
H. <b>Other:</b> Otro:	<input type="radio"/>

5. After considering the information provided in this survey, do you now feel the City of San Fernando should allow and regulate commercial cannabis (marijuana) activity? Use the rating scale below. ¿Despues de considerar la información proveida en esta encuesta, usted ahora siente que la Ciudad de San Fernando debería permitir y regular la actividad del cannabis (marijuana) comercial? Use la escala de clasificación a continuación.

	Medical Medica			Non-Medical/Commercial No-Medica/Comercial		
	Yes Si	No No	Need More Information Necesito Mas Información	Yes Si	No No	Need More Information Necesito Mas Información
A. <b>Cultivation</b> Cultivación	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
B. <b>Manufacturing</b> Manufactura	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
C. <b>Sale</b> Venta	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

6. Do you have any other thoughts you would like to share with us regarding cannabis (marijuana) in the City of San Fernando? ¿Tiene algún otra preocupación que le gustaría compatir sobre el cannabis (marijuana) en la Ciudad de San Fernando?

NAME NOMBRE

ADDRESS AND/OR EMAIL ADDRESS DIRECCIÓN Y/O CORREO ELECTRONICO



*Please tell us what you think about Cannabis. Por favor diganos que es lo que piensa acerca del Cannabis.*



# WAYS 2 MANERAS

TO COMPLETE THIS SURVEY      DE COMPLETAR LA ENCUESTA

**VISIT VISITE:**

WWW.CI.SAN-FERNANDO.CA.US/CANNABIS-INDUSTRY

**AND COMPLETE THE FORM ELECTRONICALLY**  
Y COMPLETE LA FORMA ELECTRONICAMENTE

**FILL OUT LLENE:**

**THE ENCLOSED SURVEY AND MAIL IT TO OR DROP OFF AT THE ADDRESS PROVIDED**  
LA ENCUESTA ADJUNTA Y MANDELA POR CORREO O ENTREGUE A LA DIRECCION PROVISTA

CITY OF SAN FERNANDO | INFO@SFCITY.ORG | 818.898.1202 | WWW.SFCITY.ORG



San Fernando, CA 91340  
117 Macneil Street  
CITY OF SAN FERNANDO

PLACE STAMP  
HERE  
PONGA  
ESTAMPILLA  
AQUI

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THE CITY OF  
**SAN FERNANDO**

*What do you think about the*  
*¿Que piensa sobre la industria de la*

**CANNABIS (MARIJUANA) INDUSTRY**  
**CULTIVACION DEL CANNABIS**

*coming to our City?*  
*en la Ciudad?*

**COMPLETE AND RETURN THIS SURVEY**  
**COMPLETE Y REGRESE ESTA ENCUESTA**

City of San Fernando

ci.san-fernando.ca.us


tel. (818) 898-1200 117 Macneil Street, San Fernando, CA 91340

Our City Work With City Stay Connected Departments Residents Businesses

## Looking to start a business in San Fernando?


San Fernando proudly offers accessible city services, a responsive city government, and low business taxes. Visit our Business Services section for all your answers.

SEE MORE CONTACT US




### What's New

Get the latest information on new programs, activities, and events in San Fernando.




### City Council Meetings

Held on the 1<sup>st</sup> and 3<sup>rd</sup> Monday of each month.




### Public Meetings

Keep up-to-date on City business and join us at our Public Meetings



### City Calendar

Check back here for a schedule of meetings and events!



### CANNABIS INDUSTRY

What do you think about the Cannabis Industry coming to our City? Click here to learn more.

Type here to search

11:16 PM 6/17/2018





# **CITY of SAN FERNANDO**

## **Community Workshop**

Presented by: Matthew Eaton





# Overview of State & Local Legislation



# California Cannabis Legislation



## CANNABIS POLICY COMMUNITY OUTREACH

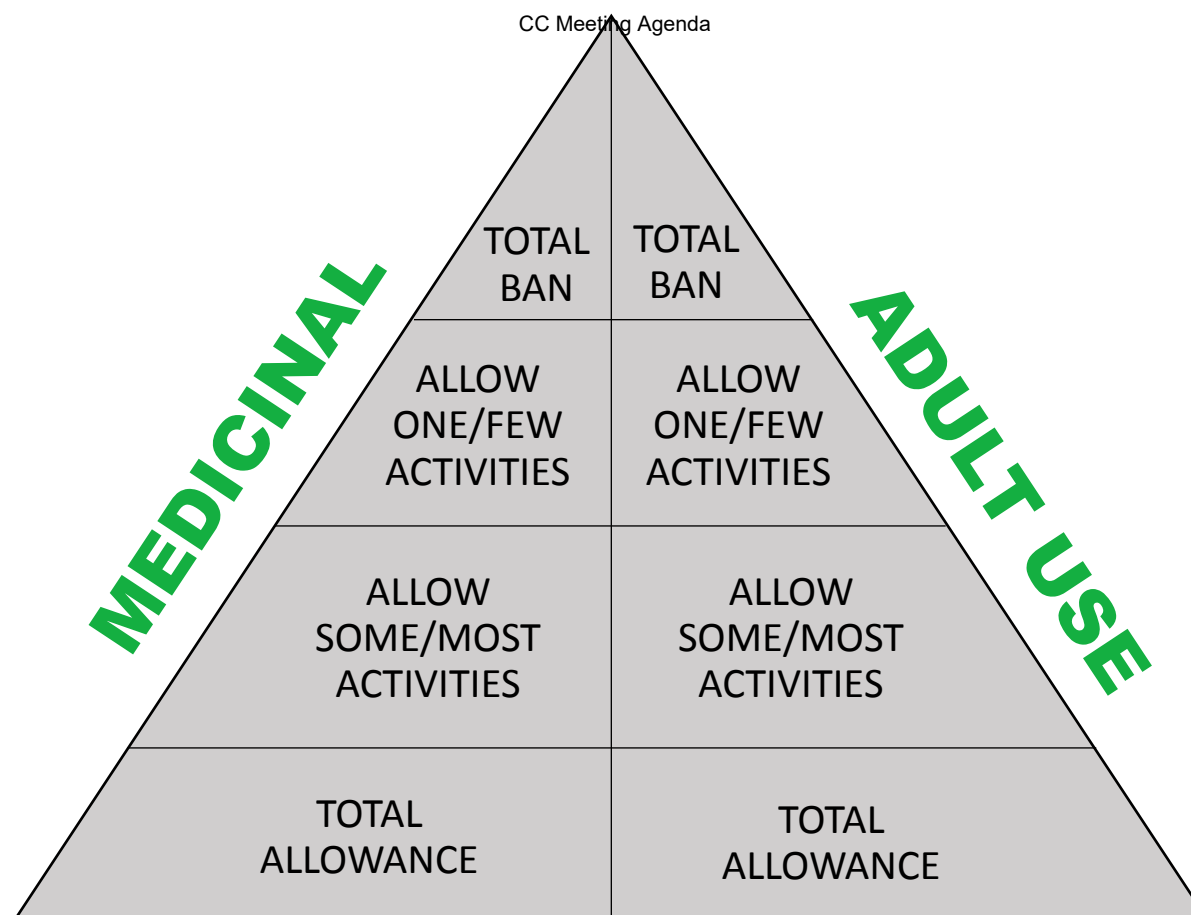


## Protects local control by:

- **Dual licensing:** A requirement in statute that all marijuana businesses must have both a state license and a local license or permit to operate legally in California. Jurisdictions that regulate or ban medical marijuana will be able to retain their regulations or ban.
- **Enforcement:** Local governments may enforce state law and local ordinances if they request that authority and if it is granted by the relevant state agency.

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# MEDICAL & ADULT-USE CANNABIS REGULATION AND SAFETY ACT (MAUCRSA)



# REGULATORY OPTIONS

# MARIJUANA POLICY DEVELOPMENT

*“Policies designed today will help  
shape how your industry looks  
tomorrow.”*

-HdL Companies

# CREATING REGULATIONS

## Areas to Consider

- Hours of operation
- Business location (zoning)
- Signage/advertisement
- Physical security
- Smell, sight, noise
- Reporting requirements
- Employee badge requirements

# CREATING REGULATIONS

## Areas to Consider

- Unpermitted construction activity
- Vendors and consultants
- Access control requirements
- Record reporting/retention requirements
- Investigation and inspection protocols
- Good neighbor policy





# Overview of Commercial Cannabis Business types

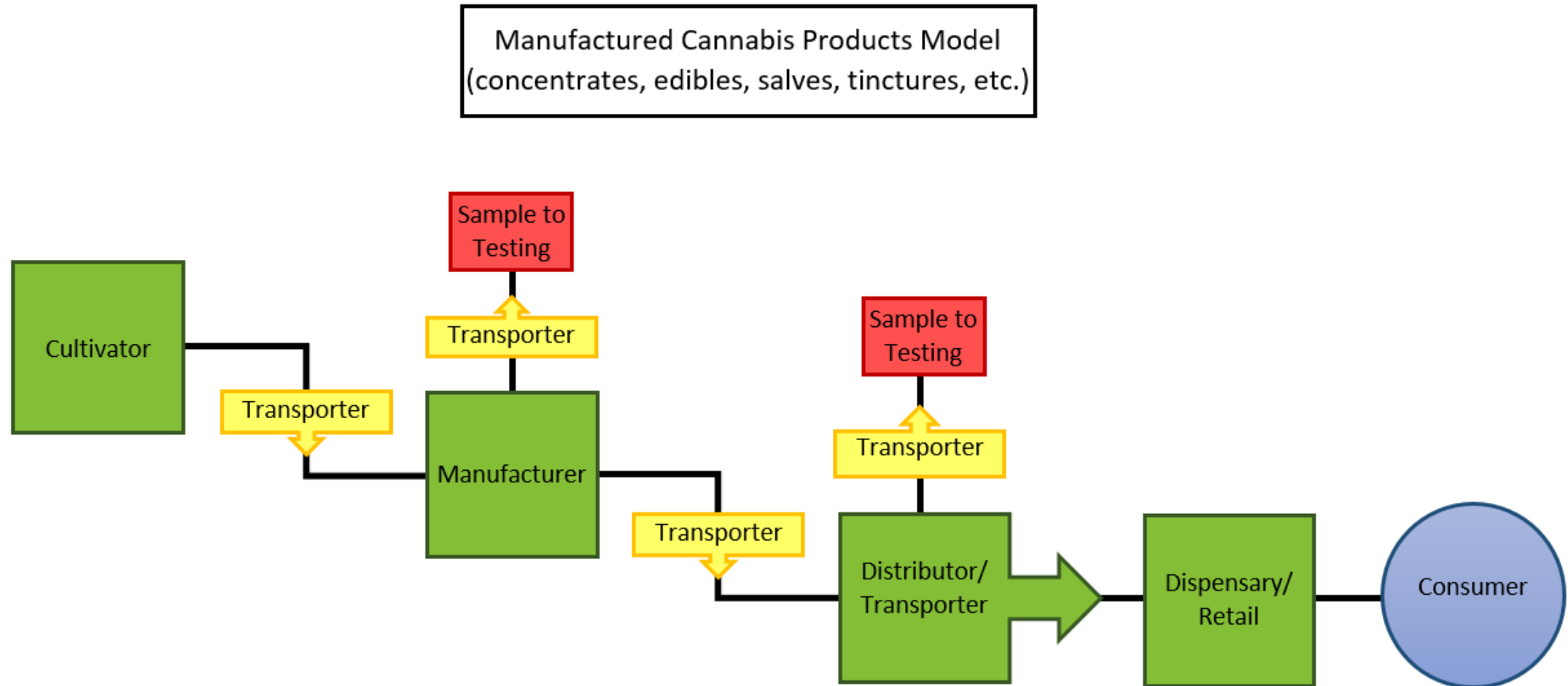




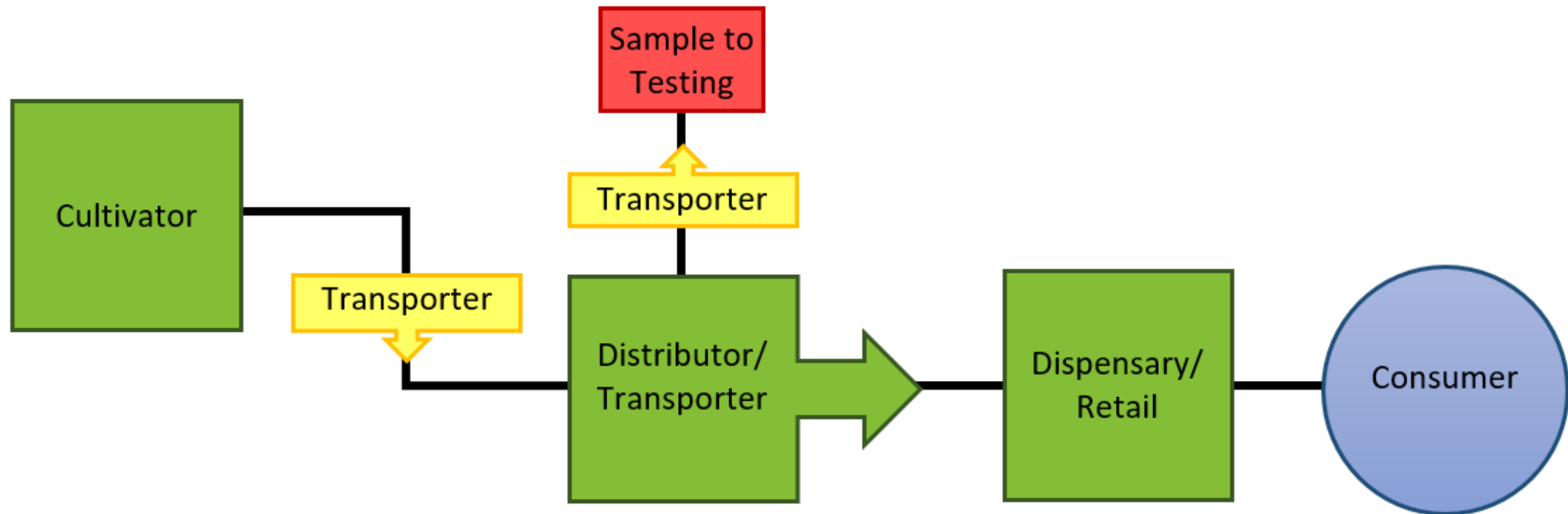
## CANNABIS POLICY COMMUNITY OUTREACH

# City Council Sets Cannabis Regulatory Policies on:

- Cultivation
- Microbusiness
- Manufacturing
- Testing Labs
- Delivery/Non Store Front Retailer
- Retail-Medicinal/Adult-Use
- Distribution Facilities



## Non-Manufactured Cannabis Model (flower, leaf or pre-rolled)







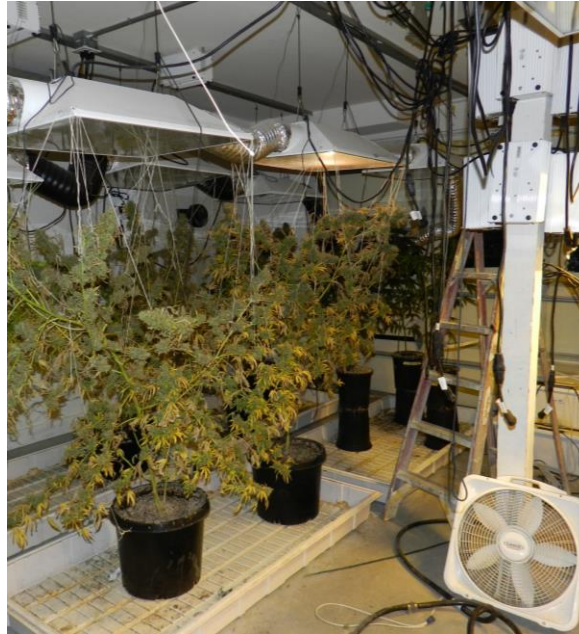
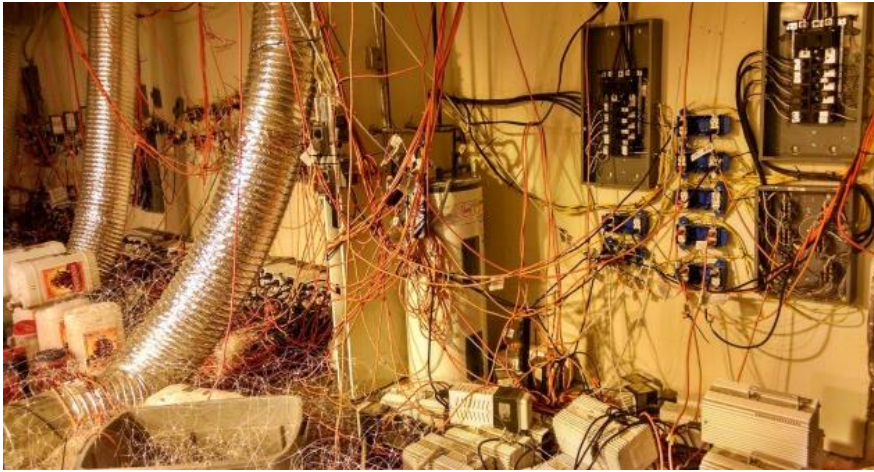
## RETAILER/MICROBUSINESS





# CULTIVATIONS





# ELECTRICAL EQUIPMENT





# EXTRACTION FACILITY





# MANUFACTURING





# UNLICENSED ACTIVITIES





# DISTRIBUTION

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# TESTING LABORATORIES



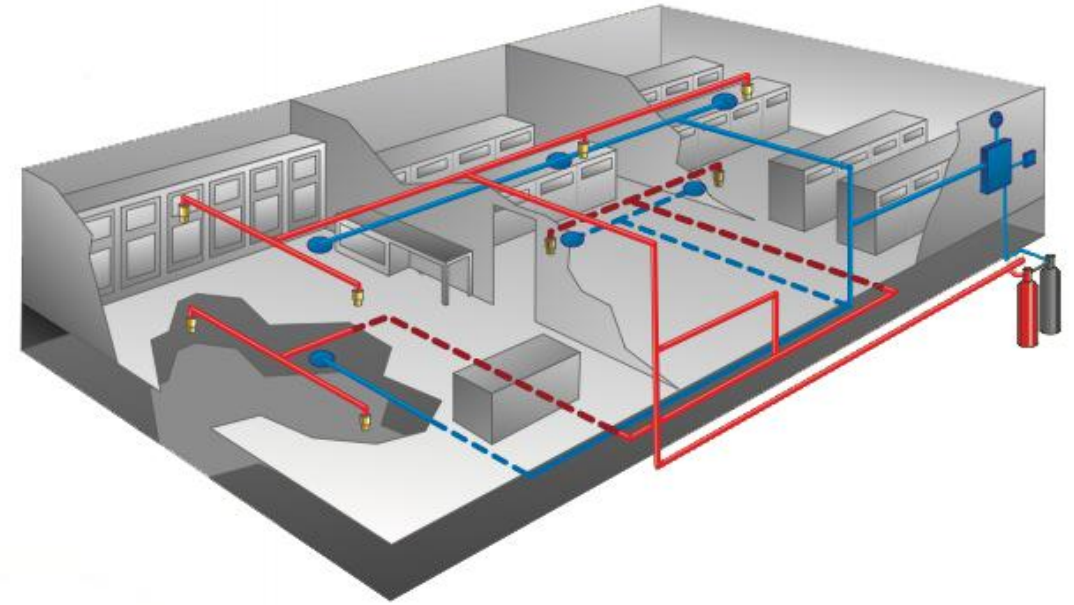
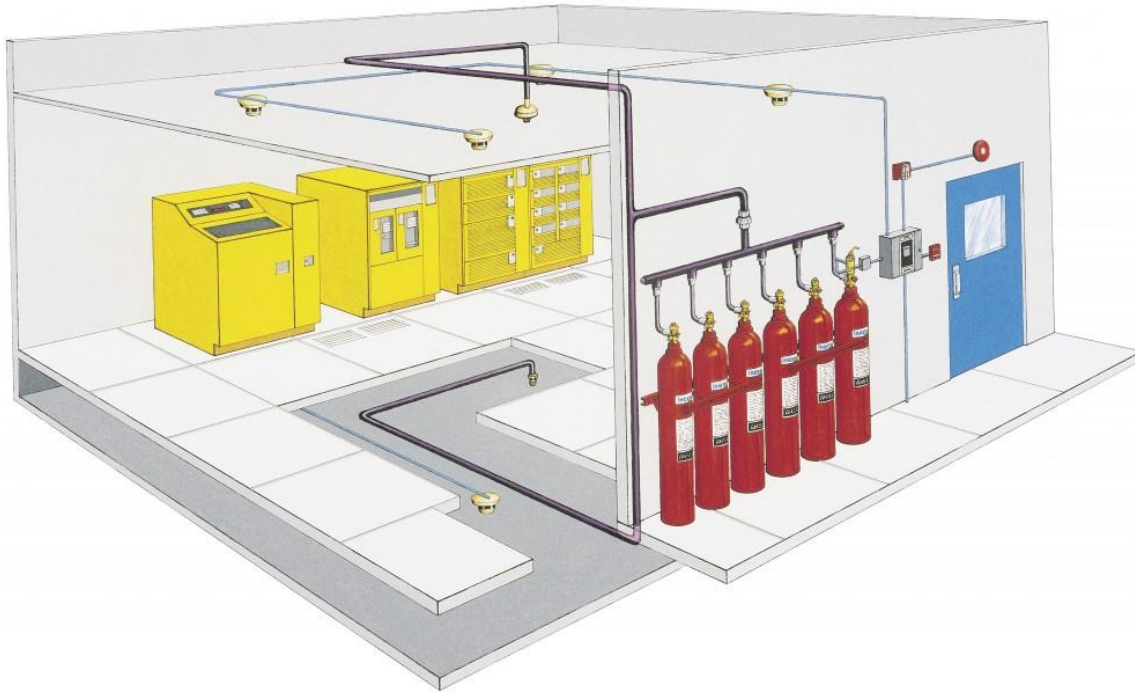
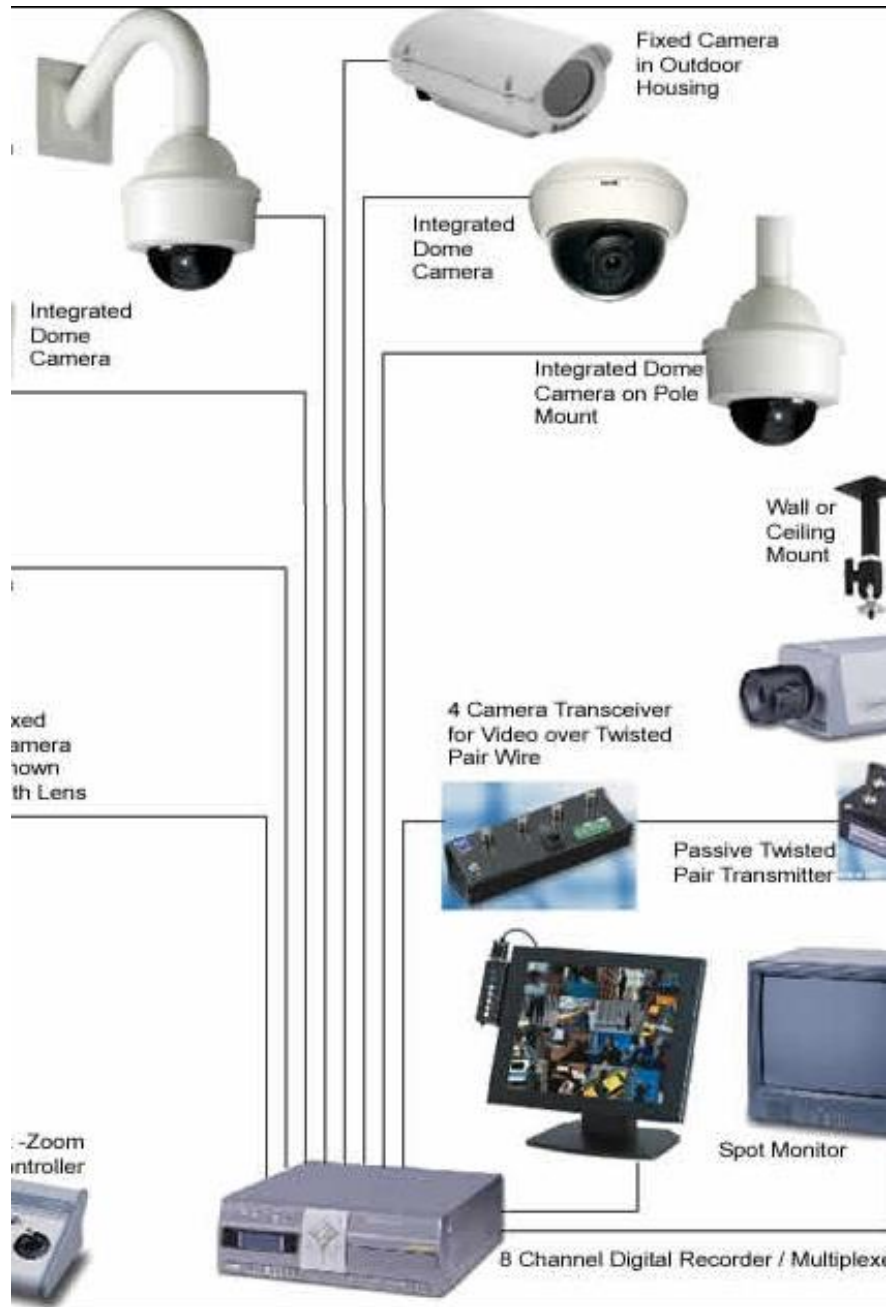


photo courtesy of Kidde

# SAFETY PLAN

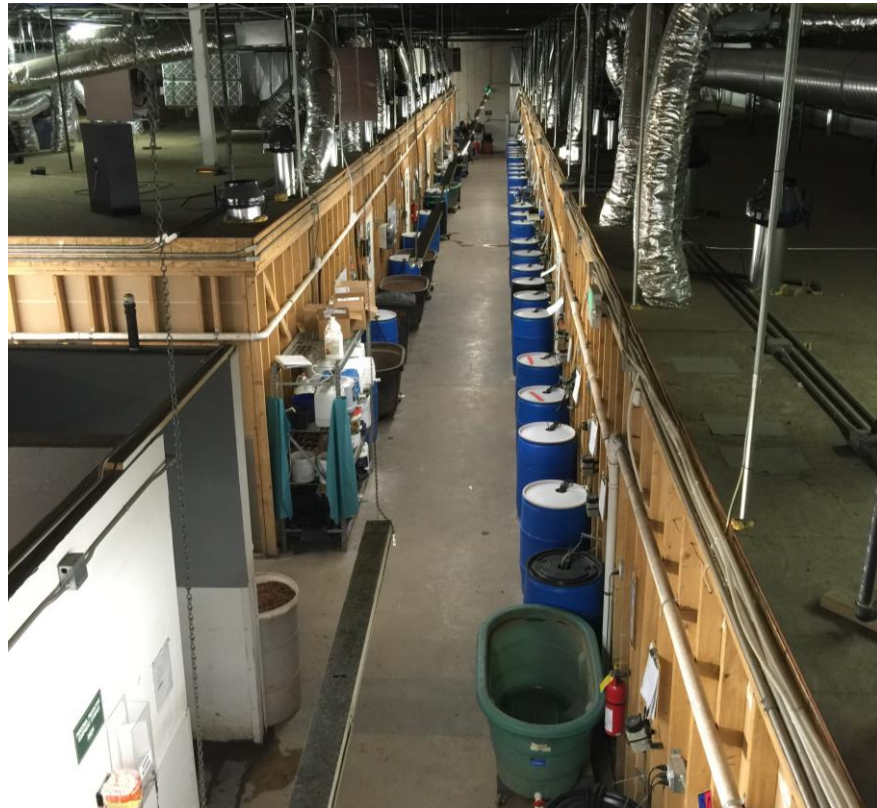
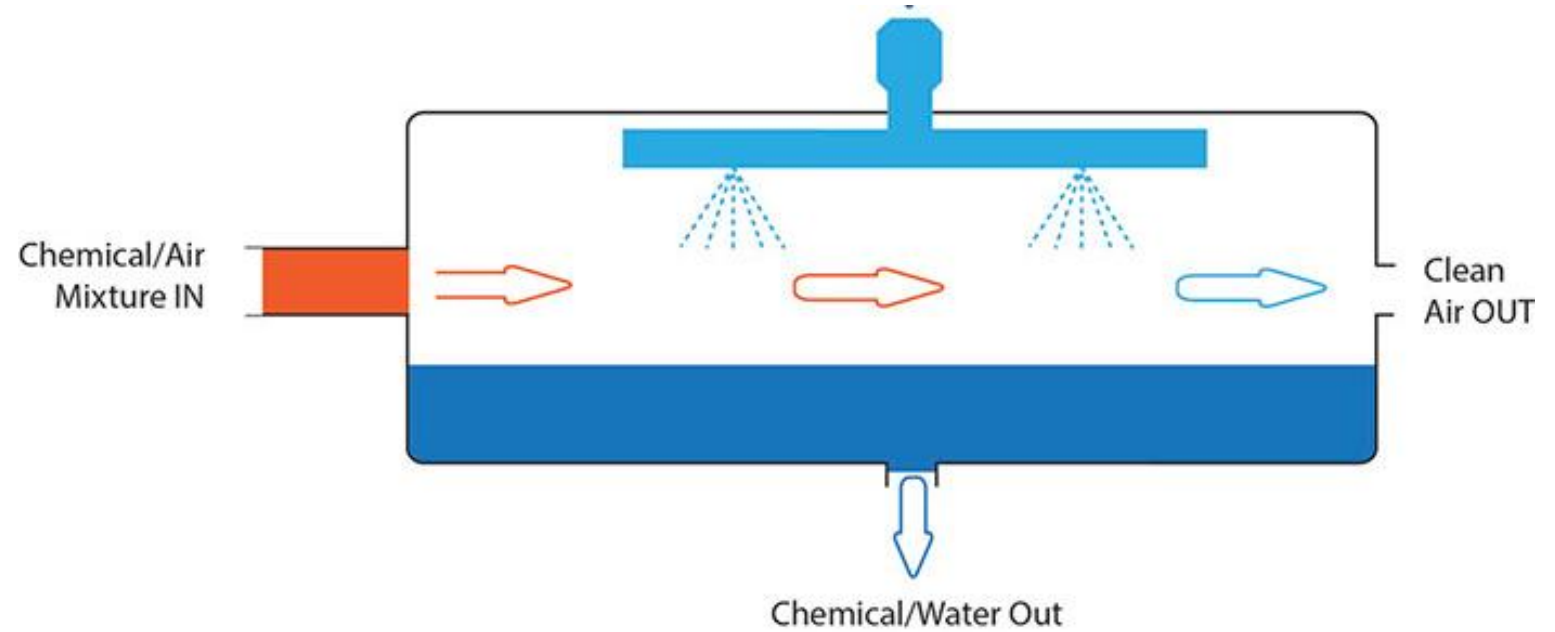


# SECURITY PLAN





# INVENTORY TRACKING



# ODOR MITIGATION





CHILD RESISTANT **ASTM D3475 CERTIFIED**

**ENHANCED PRODUCT SAFETY**  
(Regulated Product Packaging)



# UNIVERSAL SYMBOL



# PERSONAL CANNABIS CULTIVATIONS

---



# IMPACTS OF PERSONAL CANNABIS CULTIVATIONS

## THOUGHTFUL LOCAL REGULATIONS SHOULD ADDRESS THE POTENTIAL IMPACTS:

- Unsafe electrical & construction
  - Waste management
  - Water & power usage
  - Quality of life complaints
    - Lighting, noise, odor
- 

## HEALTH AND SAFETY IMPACTS





## Benefits of Regulation (Lessons Learned)



# BALANCED APPROCH TO OVERSIGHT

1

**MONITOR:** The progress

2

**MEASURE:** The results

3

**MODIFY:** The rules as needed



## Taxes & Fees





# CANNABIS STATE AND LOCAL TAX RATES

## State Cannabis Excise Tax

(Applies to medical and non-medical)

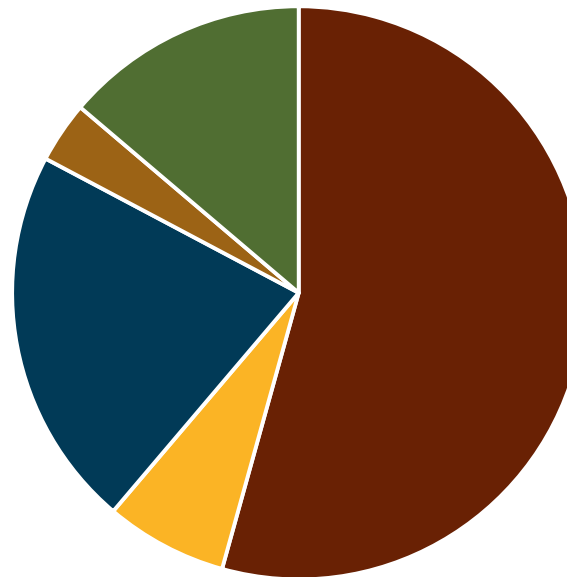
### Retail Tax

15%  
Gross Receipts of Retail Sales

### Cultivation Tax

\$9.25/oz. Flowers  
\$2.75/oz. Leaves

**Sales and Use Tax: 7.25% +**  
Adult-Use Subject to Tax  
Medicinal May be Subject to Tax



- State General Fund (3.9375%)
- Local Public Safety Fund (.50%)
- Local Revenue Fund (1.5625%)
- County Transportation Fund (.25%)
- City/County Operations Fund (1.00%)

## City Cannabis Tax

(Medicinal /Adult –Use)

XX% of Gross Receipts  
\$XX Per Square Feet  
\$XX Flat Rate  
\$XX Per Weight

## City Cost Recovery Fees

**(Prop 26)**

(Medicinal/Adult-Use)

\$XX Application Fee  
\$XX License Fee  
\$XX Renewal Fee  
\$XX Administration Fee

	<b>MEDICINAL</b>	<b>ADULT-USE</b>
Cultivation	YES / NO	YES / NO
Manufacturing	YES / NO	YES / NO
Testing (Quality Control)	YES / NO	YES / NO
Retailer/Non-Store Front Retailer (Dispensary/Delivery Services)	YES / NO	YES / NO
Distribution Facility	YES / NO	YES / NO
Microbusiness	YES / NO	YES / NO

# CATEGORIES OF USE



***THANK YOU!***

Matthew Eaton

Cannabis Compliance Manager

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## ATTACHMENT "E"

## COMBINED Survey Results

6/27/2018

Survey Name: Cannabis Survey

Response Status: Partial &amp; Completed

## 1.1 Should the City of San Fernando allow and regulate medical cannabis (marijuana) activity? If yes, check all that apply.

Top number is the count of respondents selecting the option. Bottom % is percent of the total respondents selecting the option.

		Medical YES	Medical UNDECIDED	Medical NO
A. Cultivation	Electronic (English)	70	1	35
	Electronic (Spanish)	3	0	0
	Hardcopy	43	0	21
	<b>TOTAL</b>	<b>116</b>	<b>1</b>	<b>56</b>
		<b>67.1%</b>	<b>0.6%</b>	<b>32.4%</b>
B. Manufacturing	Electronic (English)	70	2	34
	Electronic (Spanish)	4	0	0
	Hardcopy	45	1	19
	<b>TOTAL</b>	<b>119</b>	<b>3</b>	<b>53</b>
		<b>68.0%</b>	<b>1.7%</b>	<b>30.3%</b>
C. Sale	Electronic (English)	68	0	36
	Electronic (Spanish)	4	0	0
	Hardcopy	42	6	20
	<b>TOTAL</b>	<b>114</b>	<b>6</b>	<b>56</b>
		<b>64.8%</b>	<b>3.4%</b>	<b>31.8%</b>

## 1.2 Should the City of San Fernando allow and regulate commercial cannabis (marijuana) activity? If yes, check all that apply.

Top number is the count of respondents selecting the option. Bottom % is percent of the total respondents selecting the option.

		Non-Medical/ Commercial YES	Non-Medical/ Commercial UNDECIDED	Non-Medical/ Commercial NO
A. Cultivation	Electronic (English)	64	3	38
	Electronic (Spanish)	2	0	1
	Hardcopy	25	4	22
	<b>TOTAL</b>	<b>91</b>	<b>7</b>	<b>61</b>
		<b>57.2%</b>	<b>4.4%</b>	<b>38.4%</b>
B. Manufacturing	Electronic (English)	62	5	37
	Electronic (Spanish)	3	0	1
	Hardcopy	26	5	20
	<b>TOTAL</b>	<b>91</b>	<b>10</b>	<b>58</b>
		<b>57.2%</b>	<b>6.3%</b>	<b>36.5%</b>
C. Sale	Electronic (English)	60	6	39
	Electronic (Spanish)	3	0	1
	Hardcopy	22	7	24
	<b>TOTAL</b>	<b>85</b>	<b>13</b>	<b>64</b>
		<b>52.5%</b>	<b>8.0%</b>	<b>39.5%</b>

**COMBINED Survey Results**

6/27/2018

**Survey Name:** Cannabis Survey**Response Status:** Partial & Completed**2. How concerned are you that regulated cannabis (marijuana) would create the following issues in the City of San Fernando? Use the rating scale below.**

Top number is the count of respondents selecting the option. Bottom % is percent of the total respondents selecting the option.

		Very Concerned	Neutral	Not Concerned At All
A. Crime Issues	Electronic (English)	38	9	59
	Electronic (Spanish)	3	1	0
	Hardcopy	27	20	21
	<b>TOTAL</b>	<b>68</b>	<b>30</b>	<b>80</b>
		<b>38.2%</b>	<b>16.9%</b>	<b>44.9%</b>
B. Environmental Issues	Electronic (English)	27	15	64
	Electronic (Spanish)	2	0	1
	Hardcopy	23	17	28
	<b>TOTAL</b>	<b>52</b>	<b>32</b>	<b>93</b>
		<b>29.4%</b>	<b>18.1%</b>	<b>52.5%</b>
C. Public Health	Electronic (English)	32	13	61
	Electronic (Spanish)	3	0	1
	Hardcopy	27	16	23
	<b>TOTAL</b>	<b>62</b>	<b>29</b>	<b>85</b>
		<b>35.2%</b>	<b>16.5%</b>	<b>48.3%</b>
D. Negative Impact on Youth	Electronic (English)	39	20	46
	Electronic (Spanish)	3	0	1
	Hardcopy	33	19	15
	<b>TOTAL</b>	<b>75</b>	<b>39</b>	<b>62</b>
		<b>42.6%</b>	<b>22.2%</b>	<b>35.2%</b>
E. Mental Health Issues	Electronic (English)	33	12	60
	Electronic (Spanish)	3	0	1
	Hardcopy	27	18	23
	<b>TOTAL</b>	<b>63</b>	<b>30</b>	<b>84</b>
		<b>35.6%</b>	<b>16.9%</b>	<b>47.5%</b>

**3. If the City of San Fernando requires a cannabis business to: Conduct thorough employee background checks through the San Fernando Police Department; Install a physical security system that secures both the property and the building; Use security guards to keep employees and customers safe; Install odor control. How likely are you to support the cultivation, manufacturing or sale of medicinal cannabis in the City of San Fernando? Use the rating scale below.**

Top number is the count of respondents selecting the option. Bottom % is percent of the total respondents selecting the option.

		Likely	Neutral	Unlikely
A. Cultivation	Electronic (English)	70	2	34
	Electronic (Spanish)	1	0	2
	Hardcopy	39	8	21
	<b>TOTAL</b>	<b>110</b>	<b>10</b>	<b>57</b>
		<b>62.1%</b>	<b>5.6%</b>	<b>32.2%</b>
B. Manufacturing	Electronic (English)	69	3	34
	Electronic (Spanish)	1	0	2
	Hardcopy	37	12	19
	<b>TOTAL</b>	<b>107</b>	<b>15</b>	<b>55</b>
		<b>60.5%</b>	<b>8.5%</b>	<b>31.1%</b>
C. Sale	Electronic (English)	68	2	35
	Electronic (Spanish)	2	0	2
	Hardcopy	33	16	19
	<b>TOTAL</b>	<b>103</b>	<b>18</b>	<b>56</b>
		<b>58.2%</b>	<b>10.2%</b>	<b>31.6%</b>

**COMBINED Survey Results**

6/27/2018

**Survey Name:** Cannabis Survey**Response Status:** Partial & Completed**4. If the City of San Fernando were to proceed with cannabis (marijuana) regulation, how would you like to see revenues spent? Please check three.**

		Number of Response(s)
A. Fund Police School Resource Officer	Electronic (English)	35
	Electronic (Spanish)	3
	Hardcopy	26
	<b>TOTAL</b>	<b>64</b>
		<b>39.51%</b>
B. Parks, Play Equipment, and Sports Fields	Electronic (English)	49
	Electronic (Spanish)	3
	Hardcopy	33
	<b>TOTAL</b>	<b>85</b>
		<b>52.47%</b>
C. Enhance Street and Sidewalk Improvements	Electronic (English)	64
	Electronic (Spanish)	0
	Hardcopy	33
	<b>TOTAL</b>	<b>97</b>
		<b>59.88%</b>
D. Substance Abuse Outreach Programs	Electronic (English)	39
	Electronic (Spanish)	3
	Hardcopy	33
	<b>TOTAL</b>	<b>75</b>
		<b>46.30%</b>
E. Youth Education Programs	Electronic (English)	59
	Electronic (Spanish)	4
	Hardcopy	32
	<b>TOTAL</b>	<b>95</b>
		<b>58.64%</b>
F. Art and Culture Programs	Electronic (English)	40
	Electronic (Spanish)	1
	Hardcopy	21
	<b>TOTAL</b>	<b>62</b>
		<b>38.27%</b>
G. Reinstitute the Fourth of July Celebration Event (fireworks)	Electronic (English)	27
	Electronic (Spanish)	0
	Hardcopy	9
	<b>TOTAL</b>	<b>36</b>
		<b>22.22%</b>
Other	Electronic (English)	15
	Electronic (Spanish)	0
	Hardcopy	14
	<b>TOTAL</b>	<b>29</b>
		<b>17.90%</b>
TOTAL	Electronic (English)	101
	Electronic (Spanish)	4
	Hardcopy	57
	<b>TOTAL</b>	<b>162</b>

**COMBINED Survey Results**

6/27/2018

**Survey Name:** Cannabis Survey**Response Status:** Partial & Completed**5.1 After considering the information provided in this survey, do you now feel the City of San Fernando should allow and regulate medical cannabis (marijuana) activity? Use the rating scale below.**

Top number is the count of respondents selecting the option. Bottom % is percent of the total respondents selecting the option.

		Medical YES	Medical UNDECIDED	Medical NO
A. Cultivation	Electronic (English)	73	0	33
	Electronic (Spanish)	3	0	0
	Hardcopy	41	18	5
	<b>TOTAL</b>	<b>117</b>	<b>18</b>	<b>38</b>
		<b>67.6%</b>	<b>10.4%</b>	<b>22.0%</b>
B. Manufacturing	Electronic (English)	73	0	32
	Electronic (Spanish)	3	0	0
	Hardcopy	42	17	5
	<b>TOTAL</b>	<b>118</b>	<b>17</b>	<b>37</b>
		<b>68.6%</b>	<b>9.9%</b>	<b>21.5%</b>
C. Sale	Electronic (English)	68	1	33
	Electronic (Spanish)	4	0	0
	Hardcopy	41	18	5
	<b>TOTAL</b>	<b>113</b>	<b>19</b>	<b>38</b>
		<b>66.5%</b>	<b>11.2%</b>	<b>22.4%</b>

**5.2 After considering the information provided in this survey, do you now feel the City of San Fernando should allow and regulate commercial cannabis (marijuana) activity? Use the rating scale below.**

Top number is the count of respondents selecting the option. Bottom % is percent of the total respondents selecting the option.

		Non-Medical/ Commercial YES	Non-Medical/ Commercial UNDECIDED	Non-Medical/ Commercial NO
A. Cultivation	Electronic (English)	67	2	37
	Electronic (Spanish)	2	1	0
	Hardcopy	29	21	7
	<b>TOTAL</b>	<b>98</b>	<b>24</b>	<b>44</b>
		<b>59.0%</b>	<b>14.5%</b>	<b>26.5%</b>
B. Manufacturing	Electronic (English)	66	2	38
	Electronic (Spanish)	2	1	0
	Hardcopy	31	22	4
	<b>TOTAL</b>	<b>99</b>	<b>25</b>	<b>42</b>
		<b>59.6%</b>	<b>15.1%</b>	<b>25.3%</b>
C. Sale	Electronic (English)	62	4	36
	Electronic (Spanish)	3	1	0
	Hardcopy	26	23	7
	<b>TOTAL</b>	<b>91</b>	<b>28</b>	<b>43</b>
		<b>56.2%</b>	<b>17.3%</b>	<b>26.5%</b>

**6. Do you have any other thoughts you would like to share with us regarding cannabis (marijuana) in the City of San Fernando?**

Responses Received	Electronic (English)	48
Responses Received	Electronic (Spanish)	2
Responses Received	Hardcopy	33
<b>Responses Received</b>	<b>TOTAL</b>	<b>83</b>

**Number of Surveys Returned**

Electronic (English)	108
Electronic (Spanish)	4
Hardcopy	68
<b>TOTAL</b>	<b>180</b>

## Constant Contact Survey Results

6/27/2018

**Survey Name:** Cannabis Survey**Response Status:** Partial & Completed

**4. If the City of San Fernando were to proceed with cannabis (marijuana) regulation, how would you like to see revenues spent? Please check three.**

H. Other

- 1 Leave it to owners how to donate to community
- 2 I do not want this in our city.
- 3 Schools
- 4 I don't want any of the money in our city.
- 5 Full benefits to city workers
- 6 Plant more shade trees
- 7 Why is it limited to 3?
- 8 Elderly support programs
- 9 Don't do it!! I prefer you to I crease city tax.
- 10 College Scholarships for Disadvantaged Students.
- 11 More Police Officers
- 12 Economic Development
- 13 Change culture of City Staff
- 14 Additional Police/Traffic Officers
- 15 C&F Movie Cinema for S. Fernando
- 16 Full benefits to city workers
- 17 Fund continued education and awarness in school program
- 18 Same as all other business tax & fees or general fund
- 19 Street Lighting!
- 20 HEALTH EDUCATION PROGRAMS
- 21 Hire a person that knows how to write a proper unbiased survey.



## Constant Contact Survey Results

6/27/2018

**Survey Name:** Cannabis Survey

**Response Status:** Partial & Completed

### 4. If the City of San Fernando were to proceed with cannabis (marijuana) regulation, how would you like to see revenues spent? Please check three. (CONTINUED)

#### H. Other (CONTINUED)

22 Hire more Police Officers

23 Help shelter homeless in a responsible manner

24 Advertise Against Cannabies

### 6. Do you have any other thoughts you would like to share with us regarding cannabis (marijuana) in the City of San Fernando?

- 1 WHATS the difference between a cannabis facility and allowing a nightlife like a lounge in the city of San Fernando? I also feel like the city should regulate similar business to a few mile radius. It's ridiculous the amount of hair salons and barber shops that are in the city of San Fernando. It makes no sense to put 10 struggling salons in one street.
- 2 During the presentations, it was mentioned that an ALARMING increase in DUI occurred in cities with legalized sales. I am not willing to endanger a single pedestrian or driver for a potential tax dollar. I consider this akin to blood money. Let people drive to Sylmar or Mission Hills rather than come to our community. If we are so poor that this must be an option (and I would support a tax increase first), NO retail sales (medical or recreational) whatsoever. Testing and cultivation only 500 feet from schools and residential areas. Delivery services equally far from residential areas. ZERO sales. Our residents need to be safe walking and in their cars.
- 3 I personally only know that the people who use marijuana that I know are not successful people. I see in my community the young people who started using marijuana almost never amount to professionals or well-educated young people. We don't need this stuff to further destroy the young people of this city. It's hard enough to try to hire a Dependable young person for positions at work. I have never seen a young person who uses marijuana to be to be a positive member of society contributing to the good of society.
- 4 Access to medical marijuana should be easy for patients and they shouldn't have to travel outside their city to obtain it.
- 5 Keep san fernando small business owned. No more corporate businesses like chipotle and cvs. Create low income housing
- 6 San Fernando has a reputation for being small and quaint. Don't make us common by allowing the cannabis industry in. We don't NEED it.
- 7 Cannabis should not be allowed in San Fernando nor should there be any cannabis shops in the city.
- 8 I understand the concerns of those who oppose cannabis in San Fernando because this is a very new and delicate subject. The revenue that can be generated for the city would be wonderful. If we look past our own nose we will come to find that there's a liquor store on almost every corner in San Fernando. That being said. Sale of marijuana should and without a doubt be regulated. No worries here. :)
- 9 Reduce the use of drugs around public parks. Drug usage is destroying Carey Ranch Park (specifically) and ruining it for families.

## Constant Contact Survey Results

6/27/2018

**Survey Name:** Cannabis Survey

**Response Status:** Partial & Completed

### 6. Do you have any other thoughts you would like to share with us regarding cannabis (marijuana) in the City of San Fernando? (CONTINUED)

- Should this even be in question? Lets move forward and stop playing games. Our +/- 2sq. Miles will be surrounded by this and we want to potentially ignore the possibility of bringing in revenue from this? Lets do this already! Why is medicinal even in question? I thought 64 was for recreational use.
- I attended the meeting today and feel that Cultivation and Manufacturing is the way to go. If sale was allowed I would like to see that the person opening the shop is a resident of San Fernando. I feel that they would have more stake in the community if they resided here. I would prefer we just stick to Cultivation and Manufacturing preferably city run.
- Establish criteria for selection of cannabis licensees that incorporate: 1) long term commitment to SF community 2) diversity, equity and local roots 3) adequate capitalization and experience in cannabis industry.
- We have so many empty shopping centers and industrial centers that are empty that property owners need this industry to spur commerce again.
- We must explore other kinds of revenue such as medical/recreational marijuana so that we can continue to grow as a city that offers new job growth and retail opportunities for residents.
- I live next door to someone that uses marijuana atleast 4 or more times a day. I am pregnant and have little kids I hate the smell and we should have city regulations as to how this should be used
- Ensuring that the product being sold is without additional chemicals or additives that could harm consumers is another policy liability that the City must consider. Important City regulations should be heavily imposed on Cultivation & Manufacturing since these are areas that can greatly impact residents. Areas of sale can be seen as hotspots for police to patrol so that there can be low levels of assault, robbery, & DUI's.
- Itâs worked extremely well in much larger cities who are seeing revenues go up for education services and also seeing cannabis use go down among youth - letâs get it regulated, taxed, and quit wasting money enforcing laws against it that do nothing for anyone but the prison system.
- Make the mall to San Fernando cannabis mall
- Not allowing cannabis sales is a missed opportunity for generating tons of tax revenue for our cities programs. Fears of negative affects on the aforementioned issues are unfounded.
- Don't need any more drugs around the neighborhood..
- Very concerned for our youth as many are having challenges to stay in school and also the impact it may have on crime.

## Constant Contact Survey Results

6/27/2018

**Survey Name:** Cannabis Survey

**Response Status:** Partial & Completed

### 6. Do you have any other thoughts you would like to share with us regarding cannabis (marijuana) in the City of San Fernando? (CONTINUED)

- How else are residents being contacted in regards to this important issue? For example, are people who don't know how to read/write, use a computer, or speak English being considered? San Fernando is such a small and beautiful city. There are other changes happening in Sylmar where they are building homes for people who have are homeless. People who have mental health and substance abuse issues. Have the representatives of the city of San Fernando considered how a cannabis business will provide easy access for people to use. How will law enforcement be able to monitor "drugged driving"? I'm most concerned about marijuana laced candy and treats because children are being admitted in emergency rooms after accidentally ingesting the marijuana. It promotes increased use and marijuana can be the gate way to heavier drugs. The city doesn't need a marijuana business. It needs to continue to focus on the well being of their residents & providing the community with valuable resources.
- I truly believe that our little city does NOT need a dispensary. I have 5 children, ages 25-9, and I don't want to walk by a dispensary in our neighborhood. Its a shame that you try to ask in your survey what we would like money allocated to IF it happens.....then you ask the initial questions again. We have enough issues in our city, we don't need this to add more. If you have to state that security, alarms etc wld be used at each building for our safety. that's ridiculous!
- It's a bad idea all the way around. Drive down our streets at any given day with your windows down in the car 9x's out of 10 you can smell weed in someone's car near you...BAD BAD BAD....it's just going to cause more problems. What's next selling Heroin????
- I voted against legalizing pot. The smell is as bad as having neighbors who smoke cigarettes. My neighbor sits outside drinking and playing loud music all night at least three times a week, I can't wait to see what happens when he adds pot to the mix.
- As long as the city can guarantee crime does not increase & ALL the cultivating , manufacturing, sales are closely monitored & tightly controlled more people might be on board .
- I just bought a house in San Fernando 3 months ago and one of the reasons was because the marijuana industry hadn't corrupted it and I really didn't think that it would with the type of family oriented community San Fernando is known to be
- No!!! No no it's a small town and it will just bring more crime to our community.
- I think this industry has the potential to bring the city a great deal of income. My main concern would be keeping the homeless and drug addicts out of our city.
- The city of San Fernando should promote itself and ask for inclusion in the analysis of feasibility to potentially include the San Fernando Valley for participation in the Social Equity Program for cannabis business development. This analysis was just ordered on Friday, by the Los Angeles City Council's Rules Committee. I am an aspiring cannabis business owner, and would like the opportunity to be able to qualify, apply for, and participate in the Social Equity program. I am an aspiring cannabis business owner and want to apply into the Social Equity program. If well managed, I believe that the revenue stream generated from a well regulated local cannabis industry will ultimately benefit the community in San Fernando. If the city naively does not regulate, guide, and grow this industry locally, they will lose out on needed funds to other parts of the county.

## Constant Contact Survey Results

6/27/2018

**Survey Name:** Cannabis Survey

**Response Status:** Partial & Completed

### 6. Do you have any other thoughts you would like to share with us regarding cannabis (marijuana) in the City of San Fernando? (CONTINUED)

31 I think it's been long overdue and the cities of San Fernando and Pacoima will benefit from cannabis industry.

32 City of Los Angeles is allowing sales of recreational marijuana. The city of San Fernando is surrounded by the city of Los Angeles so there will be recreational marijuana all around us. Why not make tax revenue from that market?

33 This industry is finally legal. Many other cities will take advantage of it and benefit from the income it generates. Marijuana has always been a huge part of San Fernando and will continue to be. It is in all neighboring cities therefore it is always in our city anyway. Why not profit from it?

34 America is freedom. Inhibiting our right to consume is a violation of our natural given right. Thank you for reading.

35 The reason I do not support the sale of cannabis within our city is due to the fact that I have seen the dispensaries around the city of Los Angeles and they are often unattractive and there seems to be quite a bit of loitering and consumers utilizing the product in the open around them. If the City of San Fernando were to regulate signage, dispensary presentation as well as making sure that consumers purchase and cannot use the product in the open, I may reconsider my position on the sale of cannabis within the city.

36 California residents have voted and as elected officials you act on what the citizens want. The revenue having this in the City of San Fernando will be sufficient not bring the city out of debt but also improve the overall community (if it spent wisely) by the elected officials. It is what it is and it's time to embrace marijuana.

37 Here is my experience with cannabis: Regarding the use of cannabis, if an individual would like to engage in its use, they will find a way to procure marijuana, regardless of the legality, so why not regulate and tax it? We can use the tax revenue to improve the city. If the industry is properly regulated and taxed in the City of San Fernando, I do not see any potential harm coming to the city and its residents. I encourage the legality, education, regulation, and taxation of the cannabis industry. Proper, educated use, should not result in higher crime rates. I believe it should be treated much the same way alcohol is treated.

38 This is a great opportunity to bring in a high paying industry and also properly regulate it for responsible use in a way that could benefit the greater community. It has also been proven to provide massive tax hauls for communities and curb black market distribution.

39 Get the money and fix our city.

40 Me preocupan los jóvenes especialmente...por qué. Soy madre de 3 jóvenes adultos. Me da tristeza ver cómo hoy lo estamos viendo de lo más normal. En nuestra comunidad hay tantos expendios de cannabis. ***The young people worry me....especially because I am a mother to 3 young adults. It saddens me (unknown) to see how we are living (unknown) normal how in our community there are numerous cannabis dispensaries.***

41 Dispensarios o ventas muy cerca de las escuelas. ***Dispensaries or sales near schools***

42 The cannabis industry will be a good resource for the city with education to youth education programs that cannabis is not for kids.

## Constant Contact Survey Results

6/27/2018

**Survey Name:** Cannabis Survey

**Response Status:** Partial & Completed

### 6. Do you have any other thoughts you would like to share with us regarding cannabis (marijuana) in the City of San Fernando? (CONTINUED)

- I believe that if residents would like to get involved with cannabis, they would regardless of the legality with this fact, why not regulate and tax it for the good of the community? Side note: Cannabis has been proven to be much less harmful than alcohol. Studies have shown positive medicinal effects.
- Your consultant, Matthew Eaton, appears to have a strong handle on all of the issues and can provide a roadmap for the city to follow. Good presentation!
- Yes, San Fernando should consult with professionals in this space, us. Making decisions based on opinions. The city should seek top professionals in the industry, as if priority is given to residences. They will fail trying to learn this business.
- Well regulated cannabis has continuously shown to negate most concerns held by citizens of newly adopted areas. By regulating youth usage decreases, black market dwindles and crime decreases.
- No to marijuana
- Manufacturing - no retail
- No commercial use permits. No sale of any kind
- We do all the prep, what if the US Government starts enforcing their laws. What is the plan on getting around US Government enforcement.
- This is long overdue. It will definitely enhance SFC
- Would like to see San Fernando build a initiative that the State of California left out to protect from special interests. Like San Fernando tradition to keep small to medium size establishments with high security.
- None
- Against
- I'm hoping the cannabis industry can be small to fit the city, raise revenues, and reduce crime.
- Against
- Please think longterm and understand that being shortsighted in scope and considerations hurts everyone involved.
- We need this sales tax revenue. Alcohol is more dangerous than marijuana. Let's get with it and not let these dollars out of our city.
- Cannabis is still considered an illegal drug by the federal government. It is still unclear how cannabis affects a person's decision making abilities and I am concerned this would create a larger criminal and homeless presence.
- You should be fair and allow the city business owners, property owners, and residents to be able to apply.
- This is a goldmine if done right. Our city can be better aesthetically

## Constant Contact Survey Results

6/27/2018

**Survey Name:** Cannabis Survey

**Response Status:** Partial & Completed

### 6. Do you have any other thoughts you would like to share with us regarding cannabis (marijuana) in the City of San Fernando? (CONTINUED)

62 How is police force controlling safety of guns with state card holders

63 There should be more agencies dedicated to offering education (legal/commercial) towards ..... Industry, and all its aspects.

64 Do not support cannabis use in our city. City leadership and city residents are responsible to keep our children and families safe from drug use. We already have sever problems with alcohol. We do no need to enhance problems with marijuana in our community. trafitionally, we work to keep our cities healthy.

65 Con todo respeto doy mi opinion no estoy de acuerdo en lo que pasaria aqui mas crimenos porque no me digan que tandrian bajo control impocible digame en el estado de colorado esta controlada? No queremos esto aque en S.F. gracias. ***With all due respect I give you my opinion I am not in favor in what would happen here more crime because don't tell me everything would be under control impossible tell me is the state of Colorado under control? We don't want this in S.F. thank you.***

66 As a cancer survivor, I 100% support the use of medical marijuana

67 Since cannabis is legal to use, then its cultivation and sale should be allowed

68 Thank you for asking our opinion

69 Do we need more police in schools/on the streets. What are the ongoing cost

70 Me preocupa que jovenes tomen esto sin seriedad necesaria para poder llevar acabo el proyecto que se planea. ***It worries me that young people take this without necessary seriousness in order to proceed with the proposed project***

71 I'm not talking about our adults, I'm worried about our youth. Don't allow this to happen at the cost of our youth.

72 Does not belong in our city - will not contribute to our quality of life nor character of our community. Concerned about impact on our youth, message it sends. Do we want our youth in altered state of mind or preparing for a successful future to contribute to society an dlive productive life. Please do not apporve any form of cannabis in our community. surrounding city's already provide business opportunities for cannabis entrepreneurs. San Fernando should look to improve their business outlook (away from auto body shops and light manufacturing, which is more harmful to our environment and does not provide high paying jobs or taxable revenue) to more commercial / modern business ventures.

74 This industry would be a huge increase in city revenues and jobs. It would be a great loss to San Fernando if they are surrounded by other cities allowing this industry and not receiving any of the revenues.

## Constant Contact Survey Results

6/27/2018

**Survey Name:** Cannabis Survey

**Response Status:** Partial & Completed

### 6. Do you have any other thoughts you would like to share with us regarding cannabis (marijuana) in the City of San Fernando? (CONTINUED)

1.1 Should the City Of San Fernando allow cannabis, Yes. Should the city of San Fernando Regulate cannabis, No.

1.2 Should the City Of San Fernando allow cannabis, Yes. Should the city of San Fernando Regulate

75 cannabis, No.

Your survey is worded improperly as is therefore void. Allowance and regulation are two separate issues.

5.1 There is so little educational material about cannabis that this question is not legitimate.

5.2 There is so little educational material about cannabis that this question is not legitimate.

76 After seeing the effects of sales in Sylmar, and the type of people hanging around the dispensaries, it would be a mistake to add marijuana sales in San Fernando!

The meeting we had, we were told that by regulating and everything said about this survey that the city would have more police to handle any crime or safety issues brought about by the cannabis measure

77 but if we don't have the cannabis measure in our city we would not need the extra police and our city would not have extra crime or the other issues that will eventually come by the city saying yes so NO NO NO on the bringing in it into our city.

When the entire state is moving forward with legalization, why would the City keep these potential tax revenues from benefiting the city?

There are countless studies, including by the FBI that legalization of cannabis reduces violent crime.

Legalization takes the sale of cannabis off the streets and places it in a legal, controlled setting.

78 Beyond this aspect, the countless studies demonstrating the positive health benefits for cancer patients, adults and children with seizures, etc.

Impeding people access to this natural plant is based on uniformed opinions of how the plant is actually used by the majority of its proponents.

79 I would love a chance to operate a cannabis business in your city. I think helping set up a homeless program to help rehabilitate people back into a work mode to eventually get back on there feet... not all homeless are careless. some just need a little help, i believe if the city is able to gain revinue at an early stage in this already booming industry... why wait? also many of the streets could use work,so many potholes

80 MEDICAL MARIJUANA SHOULD BE DISBURSED IN PHARMACIES. ALLOWING COMMERCIAL CANNABIS ACTIVITY IS DETRIMENTAL TO ANY COMMUNITY AND BRINGS NO POSITIVE OUTCOME IN THE LONG RUN.

81 People should have the right to do whatever they want to do with their own lives. However, I also have that right and the right to clean air. Just like cigars, smokers should be allowed to smoke in certain places. Also, because this is a health issue, like in the tobacco industry. Taxes on marijuana users should be used to advertise against its use.

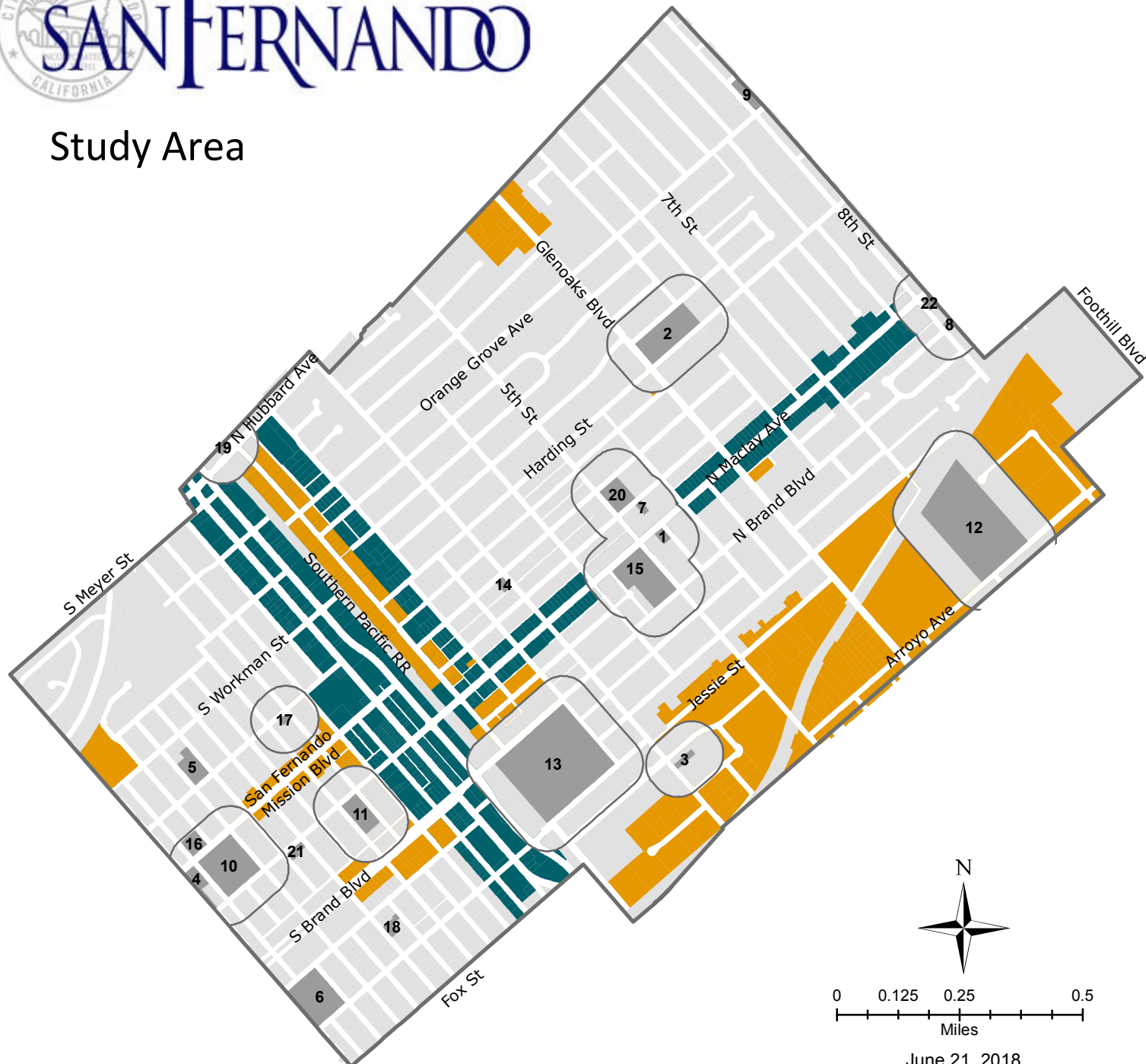
82 People have no respect they smoke outside you can't eve be on your own backyard

83 No cultivating marijuana in the City of San Fernando. No cultivasion de mariguana aqui en San Fernando.





## Study Area



0 0.125 0.25 0.5  
Miles

June 21, 2018

## ATTACHMENT "F" SCHOOLS, DAYCARE CENTERS AND YOUTH CENTERS

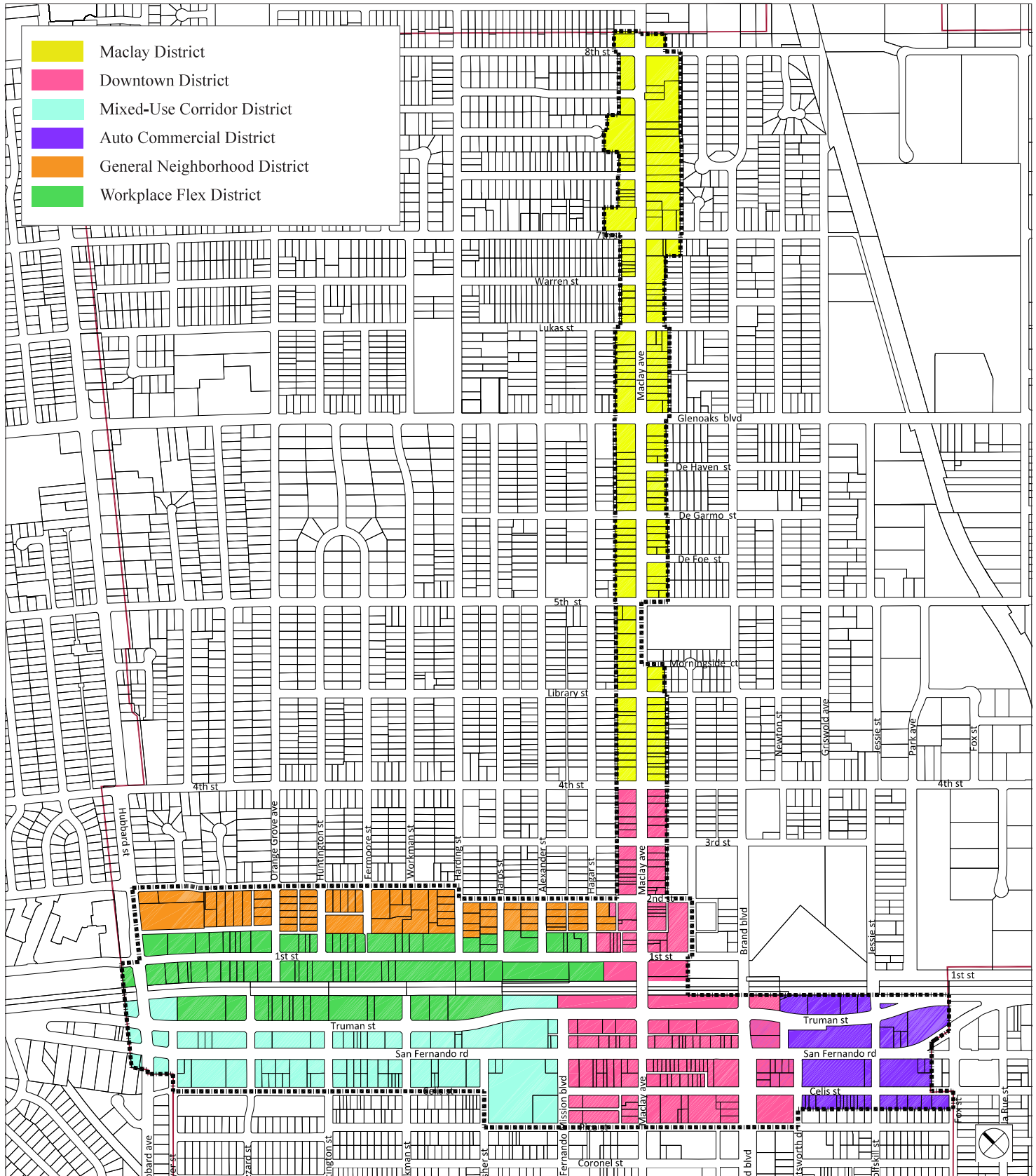
1. INTERNATIONAL CHURCH OF THE  
FOURSQUARE GOSPEL
2. GLENOAKS CHRISTIAN ELEMENTARY  
AND WOODEN SHOE PRESCHOOL
3. ROMAN CATHOLIC ARCHBISHOP OF  
LOS ANGELES
4. TRINITY CHURCH
5. SANTA ROSA BISHOP ALEMANY
6. O MELVENY ELEMENTARY SCHOOL
7. CALIFORNIA CHILDREN'S ACADEMY –  
AMANECER
8. PUC INSPIRE CHARTER  
ACADEMY
9. GRIDLEY STREET ELEMENTARY SCHOOL
10. SAN FERNANDO ELEMENTARY SCHOOL
11. ST. FERDINAND ELEMENTARY SCHOOL
12. CEASAR CHAVEZ LEARNING CENTERS
13. SAN FERNANDO MIDDLE SCHOOL
14. NUEVA ESPERANZA CHARTER ACADEMY
15. MORNINGSIDE ELEMENTARY SCHOOL
16. CALIFORNIA'S CHILDRENS ACADEMY
17. VOLUNTEERS OF AMERICA
18. KIDS 1ST LEARNING CENTER
19. KINDER CARE LEARNING CENTER
20. CALIFORNIA CHILDRENS ACADEMY
21. VOLUNTEERS OF AMERICA BUEN  
PRINCIPIO PRESCHOOL
22. YWCA GREATER LOS ANGELES

## LEGEND

- Schools and Daycares
- 300 ft. Buffer
- M1, M2, C1, Limited C2 Parcels
- SP5 Zone



## FIGURE 1.2 - SPECIFIC PLAN DISTRICTS



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## AGENDA REPORT

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**To:** Vice Mayor Antonio Lopez and Councilmembers

**From:** Mayor Sylvia Ballin

**Date:** July 2, 2018

**Subject:** Consideration to Adopt a Resolution Condemning the Trump Administration's Immigration Policies; Calling on All Members of Congress on Both Sides of the Aisle to Repudiate the Trump Administration's Incompetent Callous and Cruel Approach to Immigration; and Demanding that Congress Act Immediately to Enact Fair and Humane Comprehensive Immigration Reform

### RECOMMENDATION:

I have placed this item on the agenda for consideration and recommend that the City Council adopt Resolution No. 7871 (Attachment "A") condemning the Trump Administration's immigration policies; calling on all Members of Congress on both sides of the aisle to repudiate the Trump Administration's incompetent callous and cruel approach to immigration; and demanding that Congress act immediately to enact fair and humane comprehensive immigration reform.

### BUDGET IMPACT:

There is no impact to the budget by discussing this item. Additional future costs to be determined based on City Council direction.

### ATTACHMENT:

A. Resolution No. 7871

## ATTACHMENT "A"

## RESOLUTION NO. 7871

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN FERNANDO, CALIFORNIA, CONDEMNING THE TRUMP ADMINISTRATION'S IMMIGRATION POLICIES; CALLING ON ALL MEMBERS OF CONGRESS ON BOTH SIDES OF THE AISLE TO REPUDIATE THE TRUMP ADMINISTRATION'S INCOMPETENT CALLOUS AND CRUEL APPROACH TO IMMIGRATION; AND DEMANDING THAT CONGRESS ACT IMMEDIATELY TO ENACT FAIR AND HUMANE COMPREHENSIVE IMMIGRATION REFORM**

**WHEREAS**, the Trump Administration has implemented a "zero tolerance" policy under which the Justice Department has attempted to criminally prosecute persons who cross the U.S.-Mexico border, even if many could be legally seeking asylum or refugee status; and

**WHEREAS**, this "zero tolerance" policy dramatically increases the number of vulnerable minors who are in U.S. custody without the protection of their families; and

**WHEREAS**, in practice, this policy has resulted in 1,995 minors who have been cruelly and callously separated from their families between April 19, 2018 and May 31, 2018; and

**WHEREAS**, the purported goal of this policy is to serve as a deterrent to prevent people from crossing the border without documentation; and

**WHEREAS**, the adoption of the "zero tolerance" policy has led to the perverse, despicable and barbaric creation of "tender age" shelters that house migrant infants, toddlers, and young children who are forcibly separated from their parents; and

**WHEREAS**, this policy further escalates the increasing harassment and discrimination of immigrants caused by the Trump's Administration policies, including: 1. Regular public vilification of migrants, people of color, and people from certain countries; 2. Executive Orders authorizing increased raids and deportation of undocumented immigrants; 3. Reduction of the refugee quota; 4. A costly and unnecessary border wall; 5. A travel ban directed at select Muslim majority nations; 6. Threats to retaliate against law enforcement and cities that seek to keep communities safe through cooperation with immigrant communities; 7. Rejecting caravans of migrant asylum seekers from Central and South America; and 8. Targeting 700,000 young adult immigrants brought to the United States as children by rescinding the Deferred Action for Childhood Arrivals (DACA) program; and

**WHEREAS**, President Trump signed *Executive Order 13841: Affording Congress an Opportunity to Address Family Separation* on June 20, 2018, which declared "the policy of this Administration to maintain family unity, including by detaining alien families together where appropriate and consistent with law and available resources," attempts to shift responsibility and accountability for the Administration's actions to Congress by calling for immigration reform, and does not contain a clear commitment or plan to care for children currently in detention and

separated from their families nor to reunite the thousands of families torn apart by a draconian policy of “zero tolerance”; and

**WHEREAS**, this “zero tolerance” policy of punishing innocent children and purposely disrupting families as a deterrent is a human rights abuse that causes unnecessary trauma to children and parents; and

**WHEREAS**, the number of young children in detention is increasing and these younger children face more risks because of their age; and

**WHEREAS**, these practices violate core American values; and

**WHEREAS**, the City of San Fernando opposes the unwarranted separation of undocumented children from their parents and the incarceration of unaccompanied minors, unless the child is in danger of abuse or neglect at the hands of the parent or legal guardian, or a danger to himself/herself or others; and

**WHEREAS**, the Trump Administration along with its shameless apologists and meek enablers are advised to recall the solemn words by Emma Lazarus that have greeted immigrants at the Statute of Liberty for decades:

*Not like the brazen giant of Greek fame,  
With conquering limbs astride from land to land;  
Here at our sea-washed, sunset gates shall stand  
A mighty woman with a torch, whose flame  
Is the imprisoned lightning, and her name  
Mother of Exiles. From her beacon-hand  
Glow's world-wide welcome; her mild eyes command  
The air-bridged harbor that twin cities frame.  
"Keep, ancient lands, your storied pomp!" cries she  
With silent lips. "Give me your tired, your poor,  
Your huddled masses yearning to breathe free,  
The wretched refuse of your teeming shore.  
Send these, the homeless, tempest-tost to me,  
I lift my lamp beside the golden door!"*

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

**SECTION 1:** The representations set forth in the Recitals above, are true and correct.

**SECTION 2:** That by the adoption of this Resolution, the City of San Fernando calls on the Trump Administration to take responsibility for the “zero tolerance” policy as it is wholly within the Administration’s power to rescind this policy.



**SECTION 3:** That by the adoption of this Resolution, the City of San Fernando urges the U.S. Senate and Congress to come together in a bipartisan support and adopt humane federal immigration legislation that will result in undocumented families not being separated and that does not demonize people on the basis of their race or national origin.

**SECTION 4:** That the City of San Fernando is committed to protect the safety of all children in our city and those who enter our community.

**PASSED, APPROVED, AND ADOPTED** this 2<sup>nd</sup> day of July, 2018.

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Sylvia Ballin, Mayor

**ATTEST:**

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Elena G. Chávez, City Clerk

**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 Resolution was adopted a regular meeting of the City Council held on the 2<sup>nd</sup> day of July, 2018 and was carried by the following roll call vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

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Elena G. Chávez, City Clerk