

1.a.

**CITY OF SELMA
WORKSHOP/PRE-COUNCIL MEETING
June 19, 2017**

The Workshop/ pre-Council meeting of the Selma City Council was called to order at 5:30 p.m. in the Council Chambers. Council members answering roll call were: Franco, Montijo, Robertson, and Mayor Derr. Mayor Pro Tem Avalos arrived at 5:59 p.m.

Also present were City Manager Elias, City Attorney Costanzo, Community Services Director Kirchner, Finance Manager Moreno, Fire Chief Kain, Police Chief Garner, Public Works Director Shiplee, the press and interested citizens.

The agenda for this meeting was duly posted in a location visible at all times by the general public seventy-two hours prior to this meeting.

FRESNO COUNTY TOBACCO PREVENTION PROGRAM PRESENTATION:

Representatives from the Youth Leadership Institute and the Fresno County Department of Public Health provided a power point presentation and information packet regarding their collaboration on the Selma Youth Tobacco and Smoke-Free Park Project.

City Manager Elias reported that the packet from the group included sample ordinance verbiage for Council to consider at a future meeting and discussed the impacts on quality of life, public awareness, enforcement, and park signage costs.

Representatives from the Youth Leadership Institute stated that they would fundraise for half of the costs associated with the signage for the parks.

Ms. Virginia Lees stepped forward and stated that she would be willing to donate funds to offset the costs for park signage.

Council member Franco also stated that he would donate funds to offset costs for signage.

Council thanked the representatives for attending and directed staff to review the sample ordinance for placement on a future Council meeting.

EXECUTIVE SESSION: At 5:46 p.m., Mayor Derr recessed the meeting into Executive Session to discuss one case of Potential Litigation pursuant to Government Code 54956.9. The meeting reconvened at 5:59 p.m., with nothing to report from Executive Session.

ADJOURNMENT: There being no further business, the meeting was adjourned at 6:00 p.m.

Respectfully submitted,

Reyna Rivera
City Clerk

Michael Derr
Mayor of the City of Selma

1.b.
CITY OF SELMA
REGULAR COUNCIL MEETING
June 19, 2017

The regular meeting of the Selma City Council was called to order at 6:04 p.m. in the Council Chambers. Council members answering roll call were: Franco, Montijo, Robertson, Mayor Pro Tem Avalos, and Mayor Derr.

Also present were City Manager Elias, City Attorney Costanzo, Community Services Director Kirchner, Finance Manager Moreno, Fire Chief Kain, Police Chief Garner, Public Works Director Shiplee, the press and interested citizens.

The agenda for this meeting was duly posted in a location visible at all times by the general public seventy-two hours prior to this meeting.

INVOCATION: Pastor Louis Quintana of New Hope Family Church led the invocation.

INTRODUCTION OF SELMA POLICE VOLUNTEER IN POLICING VIP'S: Police Chief Garner introduced the newest Police Department's Volunteers in Policing. Council thanked Ms. Erika Rendon, Ms. Ruth Rangel, Ms. Athena Tabarez, and Mr. Michael Coburn for their service to the City of Selma.

ORAL COMMUNICATIONS: Mr. Nick Sahota, stepped forward to request a co-sponsorship for an upcoming event at Lincoln Park.

Ms. Joan Nelson, 1058 Mill Street, stepped forward to request additional code enforcement, and subdivisions. She also inquired on the Community Development Projects Director contract.

CONSENT CALENDAR: Council member Montijo motioned to approve the Consent Calendar as read. Motion was seconded by Council member Robertson, and carried with the following vote:

AYES:	Montijo, Robertson, Franco, Avalos, Derr
NOES:	None
ABSTAIN:	None
ABSENT:	None

- a. Minutes of the May 30, 2017 special meeting approved as written.
- b. Minutes of the June 5, 2017 Workshop/pre-Council meeting approved as written.
- c. Minutes of the June 5, 2017 regular meeting approved as written.
- d. RESOLUTION NO. 2017 – 38R, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SELMA AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT WITH THE FRESNO-MADERA AREA AGENCY

ON AGING FOR FISCAL YEAR 2017-2018. Resolution approved by standard motion.

- e. RESOLUTION NO. 2017 – 39R, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SELMA APPROVING AND ADOPTING LOCAL TRANSPORTATION PURPOSES CERTIFICATION AND CLAIM AND AUTHORIZING ITS EXECUTION – MEASURE C EXTENSION- ADA COMPLIANCE. Resolution approved by standard motion.
- f. RESOLUTION NO. 2017 – 40R, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SELMA APPROVING AND ADOPTING LOCAL TRANSPORTATION PURPOSES CERTIFICATION AND CLAIM AND AUTHORIZING ITS EXECUTION – MEASURE C EXTENSION- STREET MAINTENANCE. Resolution approved by standard motion.
- g. RESOLUTION NO. 2017 – 41R, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SELMA APPROVING AND ADOPTING LOCAL TRANSPORTATION PURPOSES CERTIFICATION AND CLAIM AND AUTHORIZING ITS EXECUTION – MEASURE C EXTENSION- FLEXIBLE FUNDING. Resolution approved by standard motion.
- h. RESOLUTION NO. 2017 – 42R, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SELMA APPROVING AND ADOPTING LOCAL TRANSPORTATION PURPOSES CERTIFICATION AND CLAIM AND AUTHORIZING ITS EXECUTION – MEASURE C EXTENSION- PEDESTRIAN TRAILS. Resolution approved by standard motion.
- i. RESOLUTION NO. 2017 – 43R, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SELMA APPROVING AND ADOPTING LOCAL TRANSPORTATION PURPOSES CERTIFICATION AND CLAIM AND AUTHORIZING ITS EXECUTION – MEASURE C EXTENSION- BICYCLE FACILITIES. Resolution approved by standard motion.
- j. Check register dated June 15, 2017 approved by standard motion.

CONSIDERATION AND NECESSARY ACTION ON APPEAL OF PLANNING COMMISSION DECISION TO DENY A ZONE VARIANCE WHICH WOULD ALLOW GARAGES TO ENCROACH INTO THE FRONT SET BACK AT 2436 COUNTRY CLUB LANE (APN: 389-28014): City Attorney Costanzo explained the requirements set by Ordinance and discussed the packet distributed by the applicant.

After discussion, Mayor Derr opened the public hearing portion of the meeting.

Mr. Nick Sahota and Mr. Harry Pascuzzi both representing the applicant stepped forward in favor of the project and discussed the contents of the packet provided to the Council, which provided the basis for the request of the zone variance.

Mr. Michael McKenry, Mr. Gene Jacobsen, Mrs. Char Tucker, and Mrs. Sandi Niswander all stepped forward in opposition of the variance and requested that Council uphold the Planning Commission decision.

There being no further testimony, Mayor Derr closed the public hearing portion of the meeting and referred the matter back to Council for discussion.

After further Council discussion, Mr. Suha Palov, the applicant stepped forward to clarify questions from the public and Council. He further discussed his safety concerns.

After much Council discussion, motion was made by Council member Robertson and seconded by Council member Montijo to approve RESOLUTION NO. 2017 – 44R, A RESOLUTION OF THE SELMA CITY COUNCIL AFFIRMING THE PLANNING COMMISSION DECISION TO DENY A ZONE VARIANCE NO. 2016-104, TO ALLOW NEW STRUCTURES TO ENCROACH INTO THE FRONT SETBACK, 2436 COUNTRY CLUB LANE SELMA CA. 93662 (APN: 389-280-14). Motion carried with the following vote:

AYES:	Montijo, Robertson, Franco, Avalos, Derr
NOES:	None
ABSTAIN:	None
ABSENT:	None

CONSIDERATION AND NECESSARY ACTION ON RESOLUTION AMENDING SCHEDULE OF FEES AND CHARGES FOR CITY SERVICES (USER FEES):

Finance Manager Moreno discussed the changes for Council, and stated that the fees are reviewed annually. He reported that there was an error on the information submitted and that the fees for a Tentative Tract Map Review CD-034 should be \$5,803 and not \$11,730 as noted in the Council packet.

Mayor Derr opened the public hearing at 7:27 p.m., with no one to speak on the matter; the hearing was closed at 7:28 p.m.

After further discussion, motion to approve RESOLUTION NO. 2017 – 45R, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SELMA AMENDING THE SCHEDULE OF FEES AND CHARGES FOR CITY SERVICES (USER FEES) was made by Council member Mayor Pro Tem Avalos and seconded by Council member Robertson. Motion carried with the following vote:

AYES:	Avalos, Robertson, Franco, Montijo, Derr
NOES:	None
ABSTAIN:	None
ABSENT:	None

CONSIDERATION AND NECESSARY ACTION ON ORDINANCE SETTING THE FISCAL YEAR 2017-2018 TAX RATE FOR FUNDING THE DEBT SERVICE ON THE MEASURE P GENERAL OBLIGATION BONDS IN THE CITY OF SELMA –

public hearing and adoption: City Attorney Costanzo reported that the tax levy of the recommended amount of 0.0216% will result in estimated collections of \$217,000, which would be sufficient to make the debt service payments on February 1, 2018 and August 1, 2018. He explained that if approved, the Ordinance would be filed with the County in order to collect the tax levy for the 2017-2018 fiscal year.

Mayor Derr opened the public hearing portion of the meeting at 7:41 p.m. The public hearing was then closed at 7:42 p.m., with no one to speak for or against the matter.

After a brief discussion, motion was made to adopt ORDINANCE NO. 2017-2, AN ORDINANCE OF THE CITY OF COUNCIL OF THE CITY OF SELMA SETTING THE FISCAL YEAR (FY) 2017-2018 TAX RATE FOR FUNDING THE DEBT SERVICE ON MEASURE P GENERAL OBLIGATION BONDS OF THE CITY OF SELMA by Council member Montijo and seconded by Council member Franco. Motion carried by the following vote:

AYES: Montijo, Franco, Robertson, Avalos, Derr
NOES: None
ABSTAIN: None
ABSENT: None

CONSIDERATION AND NECESSARY ACTION ON ORDINANCE AMENDING SECTION II OF CHAPTER I OF TITLE VII OF THE SELMA MUNICIPAL CODE ENTITLED GARBAGE REGULATIONS -

public hearing and adoption: City Attorney Costanzo reported that due to state mandated requirements, Council is being asked to make a minor revision requiring organic recycling.

The public hearing was opened at 7:45 p.m.

Ms. Liz Gomez, Public Sector Solutions Manager for Waste Management stepped forward in favor of the Ordinance, and discussed the requirements that will be implemented by Waste Management.

There being no further comments, Mayor Derr closed the public portion of the meeting at 7:46 p.m.

After much discussion, motion to adopt ORDINANCE 2017 – 1, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SELMA AMENDING SECTION 2, OF CHAPTER 1 OF TITLE VIII OF THE SELMA MUNICIPAL CODE ENTITLED GARBAGE REGULATIONS was made by Council member Franco. Motion was then seconded by Council member Montijo and carried with the following vote:

AYES: Franco, Montijo, Robertson, Avalos, Derr
NOES: None
ABSTAIN: None
ABSENT: None

CONSIDERATION AND NECESSARY ACTION ON RESOLUTION CONFIRMING THE REPORT OF THE ENVIRONMENTAL CONTROL OFFICER ON DELINQUENT PARCELS FOR THE COST OF REMOVAL OF STRUCTURES, WEEDS, RUBBISH, REFUSE, DIRT, SIDEWALK REPAIRS, ETC., TO THE 2017-2018 FRESNO COUNTY TAX ROLL *public hearing and adoption*: Finance Manager Moreno reported on the annual assessments.

Mayor Derr opened the public hearing at 7:48 p.m.

Mr. Robert Allen, 1315 Maple, stepped forward in favor of the Resolution.

Ms. Rita Becerra, 3527 Hill Street, stepped forward in favor of the Resolution and requested additional enforcement on delinquent parcels.

There being no further comments, Mayor Derr closed the public portion of the meeting at 7:53 p.m., and referred the matter back to Council.

After discussion, motion to approve RESOLUTION NO. 2017 -46R, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SELMA CONFIRMING REPORT OF PUBLIC WORKS DIRECTOR AS TO THE COSTS FOR REMOVAL OF STRUCTURES, WEEDS, RUBBISH, REFUSE, DIRT, ETC., AND REPAIR OF SIDEWALK was made by Mayor Pro Tem Avalos and seconded by Council member Robertson. Motion carried by the following vote:

AYES: Avalos, Robertson, Franco, Montijo, Derr
NOES: None
ABSTAIN: None
ABSENT: None

CONSIDERATION AND NECESSARY ACTION ON RESOLUTION APPROVING 2017- 2018 FISCAL YEAR BUDGET – public hearing and adoption: Finance Manager Moreno stepped forward and discussed the budget for Council. He also provided a corrected Resolution for Council and outlined that the grand total should read \$16,704,651 not \$16,104,617.

Mayor Derr opened the public portion of the meeting at 7:56 p.m.

Mr. Nick Sahota, stepped forward to inquire the difference between the last fiscal year and the proposed 2017-2018 fiscal year budget.

Finance Manager Moreno replied that there is a positive change between fiscal years of approximately \$700,000.

There being no further comments, Mayor Derr closed the public hearing at 7:57 p.m.

Motion to approve RESOLUTION NO. 2017-47R, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SELMA ADOPTING THE 2017 - 2018 FISCAL YEAR BUDGET was made by Mayor Pro Tem Avalos and seconded by Council member Robertson. Motion carried by the following vote:

AYES: Avalos, Robertson, Franco, Montijo, Derr
NOES: None
ABSTAIN: None
ABSENT: None

CONSIDERATION AND NECESSARY ACTION ON RESOLUTION ADOPTING ANNUAL APPROPRIATIONS (GANN) LIMIT: After discussion, motion to approve RESOLUTION NO. 2017 – 48R, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SELMA ADOPTING ANNUAL APPROPRIATIONS GANN LIMIT was made by Council member Montijo and seconded by Mayor Pro Tem Avalos. Motion carried by the following vote:

AYES: Montijo, Avalos, Franco, Robertson, Derr
NOES: None
ABSTAIN: None
ABSENT: None

DEPARTMENTAL REPORTS: City Manager Elias reported on attending the recent SKF meeting, Transportation funding meeting with Council member Franco, and COG Teleconference regarding Dinuba overpass. He discussed an upcoming meeting with SKF staff regarding will serve letters, Bond rating, and new businesses being proposed.

City Attorney Costanzo reported on information regarding the adopted Portable Restroom Ordinance as previously requested by Council.

Finance Manager Moreno reported that the State Audit was complete and was positive.

Community Services Director Kirchner reported on the Cooling Center, spray park, and thanked the Arts Foundation for full sponsorship of the upcoming play at the Arts Center.

Public Works Director Shiplee reported on the upcoming Floral Avenue reconstruction project.

Fire Chief Kain reported on STRIKE team participation and an upcoming meeting regarding Fire Station design.

COUNCIL REPORTS: Council member Franco discussed the We Are Sikh Campaign and requested that staff forward the request from the Fresno Faire to Randy McFarland, Selma's Historian.

Council member Montijo reported on the SKF meeting.

Council member Robertson reported on attending a graduation party and the We Are Sikh Campaign in Fresno. He thanked Fresno County Rural Transit for assisting with the Boys and Girls Club transportation and requested that staff contact Selma Unified School District to establish an ad-hoc committee.

Mayor Pro Tem Avalos reported on attending the We Are Sikh Campaign in Fresno and Swim meet.

Mayor Derr reported on attending the South Kings Groundwater GSA meeting, Budget workshop meeting, and Arts Council meeting.

ORAL COMMUNICATIONS: Bob Allen, Chamber of Commerce Executive Director stepped forward and extended invitations for the upcoming Chamber mixer, annual fireworks show, and movie nights in the park.

ADJOURNMENT: There being no further business, the meeting was adjourned at 8:39 p.m.

Respectfully submitted,

Reyna Rivera
City Clerk

Michael Derr
Mayor of the City of Selma

1.c.

**CITY OF SELMA
SPECIAL WORKSHOP MEETING
June 28, 2017**

A special workshop meeting of the Selma City Council was called to order at 3:05 p.m. in the Council chambers. Council members answering roll call were: Franco, Montijo, Robertson, Mayor Pro Tem Avalos (arrived at 3:06 p.m.), and Mayor Derr.

Also present were City Manager Elias, City Attorney Costanzo, Finance Manager Moreno, Public Works Director Shiplee and interested citizens.

The notice for this meeting was duly posted in a location visible at all times by the general public twenty-four hours prior to this meeting.

CONSIDERATION AND NECESSARY ACTION ON RESOLUTION APPROVING AND AUTHORIZING THE WITHDRAWAL OF THE CITY OF SELMA FROM THE JOINT POWERS AUTHORITY AGREEMENT, SOUTH KINGS

GROUNDWATER SUSTAINABILITY AGENCY: City Attorney Costanzo reported on the matter and the groundwater sustainability timeline.

At this point in the meeting, there was much Council discussion regarding the matter.

After further Council discussion regarding the matter, City Attorney Costanzo requested that the following verbiage be included to page 2, item 2, of the proposed Resolution “provided that Consolidated Irrigation District agrees to a Memorandum of Understanding acceptable to the City Manager and the City Attorney.”

Mr. Stephen Johnson, California Water Service Local Manager, stepped forward to answer various questions from Council and provided a recommendation that the City of Selma join the Groundwater Sustainability Agency with Consolidation Irrigation District.

After much discussion, motion was made by Council member Robertson and seconded by Mayor Pro Tem Avalos to approve RESOLUTION NO. 2017-49R, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SELMA APPROVING AND AUTHORIZING THE WITHDRAWAL OF THE CITY OF SELMA FROM THE JOINT POWERS AUTHORITY AGREEMENT, SOUTH KINGS GROUNDWATER SUSTAINABILITY AGENCY with the included verbiage to page 2, item 2 that states “PROVIDED THAT CONSOLIDATED IRRIGATION DISTRICT AGREES TO A MEMORANDUM OF UNDERSTANDING ACCEPTABLE TO THE CITY MANAGER AND THE CITY ATTORNEY OF THE CITY OF SELMA.” Motion carried with the following vote:

AYES:	Robertson, Avalos, Franco, Montijo, Derr
NOES:	None
ABSTAIN:	None
ABSENT:	None

ADJOURNMENT: There being no further discussion the meeting was adjourned at 4:16 p.m.

Respectfully submitted,

Reyna Rivera
City Clerk

Michael Derr
Mayor

1.d.

**CITY OF SELMA
SPECIAL WORKSHOP MEETING
July 3, 2017**

A special workshop meeting of the Selma City Council was called to order at 9:00 a.m. in the Council chambers. Council members answering roll call were: Franco, Montijo, Robertson, Mayor Pro Tem Avalos, and Mayor Derr.

Also present were City Manager Elias, Public Works Director Shiplee and interested citizens.

The notice for this meeting was duly posted in a location visible at all times by the general public seventy-two hours prior to this meeting.

**CONSIDERATION AND NECESSARY ACTION ON A RESOLUTION
AWARDING CONTRACT FOR SELMA GROUNDWATER RECHARGE BASIN
PROJECT (C.D.B.G. PROJECT NO. 15651)**: Public Works Director Shiplee reported on the matter for Council.

After discussion, motion was made by Council member Montijo and seconded by Council member Robertson to approve RESOLUTION NO. 2017 – 50R, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SELMA AWARDING CONTRACT FOR SELMA GROUNDWATER RECHARGE BASIN PROJECT (C.D.B.G. PROJECT NO. 15651). Motion carried with the following vote:

AYES:	Montijo, Robertson, Franco, Avalos, Derr
NOES:	None
ABSTAIN:	None
ABSENT:	None

ADJOURNMENT: There being no further discussion the meeting was adjourned at 9:06 a.m.

Respectfully submitted,

Reyna Rivera
City Clerk

Michael Derr
Mayor

1.e.

**CITY OF SELMA
WORKSHOP/PRE-COUNCIL MEETING
July 17, 2017**

The Workshop/ pre-Council meeting of the Selma City Council was called to order at 5:01 p.m. in the Council Chambers. Council members answering roll call were: Franco, Montijo, Robertson, Mayor Pro Tem Avalos, and Mayor Derr.

Also present were City Manager Elias, City Attorney Costanzo, and interested citizens.

The agenda for this meeting was duly posted in a location visible at all times by the general public seventy-two hours prior to this meeting.

EXECUTIVE SESSION: At 5:02 p.m., Mayor Derr recessed the meeting into Executive Session to discuss Public Employee Performance Evaluation for City Manager. The meeting reconvened at 5:50 p.m., with nothing to report from Executive Session.

ADJOURNMENT: There being no further business, the meeting was adjourned at 5:51 p.m.

Respectfully submitted,

Reyna Rivera
City Clerk

Michael Derr
Mayor of the City of Selma

1.f.
CITY OF SELMA
REGULAR COUNCIL MEETING
July 17, 2017

The regular meeting of the Selma City Council was called to order at 6:00 p.m. in the Council Chambers. Council members answering roll call were: Franco, Montijo, Robertson, Mayor Pro Tem Avalos, and Mayor Derr.

Also present were City Manager Elias, City Attorney Costanzo, Community Services Director Kirchner, Finance Manager Moreno, Fire Chief Kain, Police Chief Garner, Public Works Director Shiplee, and interested citizens.

The agenda for this meeting was duly posted in a location visible at all times by the general public seventy-two hours prior to this meeting.

INVOCATION: Pastor Jesse L. Clay, First Friendship Baptist Church led the invocation.

ORAL COMMUNICATIONS: Mr. Mark Armenta, Selma Boys and Girls Club stepped forward to provide an update on the Club for Council.

Ms. Adamaris Martinez, Mr. Manuel Torres, Mr. Jose Garcia, Mr. Juan Carlos, Ms. Patricia Dominguez, Ms. Jessica Gonzalez, Mr. Brian Rios, Ms. Marlene Perez, Mr. Enrique Perez, Ms. Carmen Torres, Mr. Amador Serapio, Mr. Thomas Whiler, Ms. Maria Rodriguez, Mr. Humberto Gomez, and Father Lupe Rios all stepped forward requesting that Council consider issuing a declaration ensuring all families are welcome in Selma.

Council thanked them for attending the meeting and reported that the request is not on the agenda, and therefore prohibits any action taken. It was the consensus of the Council to direct staff to research other municipalities and place the information on an upcoming agenda.

Police Chief Garner stepped forward at the request of Council to discuss Department Policy as well as historic information.

RECESS: At 6:55 p.m., Mayor Derr called for a short break in the meeting. The meeting then reconvened at 7:03 p.m.

CONSENT CALENDAR: Mayor Pro Tem Avalos requested that agenda item 1.e. be pulled for further discussion. Motion to approve the remainder of the Consent Calendar was made by Council member Robertson and seconded by Council member Montijo. Motion carried with the following vote:

AYES:	Robertson, Montijo, Franco, Avalos, Derr
NOES:	None
ABSTAIN:	None
ABSENT:	None

- a. Minutes of the June 15, 2017 special meeting approved as written.

- b. RESOLUTION NO. 2017 – 51R, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SELMA SUBMITTING A CLAIM FOR TRANSPORTATION DEVELOPMENT ACT (TDA) FUNDS CONTINUING FROM THE 2017-2018 FISCAL YEAR, THEREBY COINCIDING WITH THE FRESNO COUNCIL OF GOVERNMENTS POLICY BOARD APPROVAL OF TDA FUNDS APPORTIONMENT AND TDA CLAIMS PROCESS. Resolution approved by standard motion.
- c. RESOLUTION NO. 2017 – 52R, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SELMA AUTHORIZING EXECUTION OF LOCAL AGENCY-STATE AGREEMENT, PROGRAM SUPPLEMENT NO. 026-N1 TO ADMINISTERING AGENCY-STATE AGREEMENT FOR FEDERAL AID PROJECT NO. HSIP – 5096 (032) COVERING THE CONSTRUCTION FOR PEDESTRIAN IMPROVEMENTS ON THOMPSON BETWEEN DINUBA AND ROSE. Resolution approved by standard motion.
- d. RESOLUTION NO. 2017 – 53R, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SELMA DECLARING CERTAIN VEHICLES/EQUIPMENT SURPLUS AND AUTHORIZING THEIR SALE, DONATION, OR DISPOSAL. Resolution approved by standard motion.
- e. Pulled for separate discussion.
- f. Check register dated July 13, 2017 approved by standard motion.

CONSIDERATION AND NECESSARY ACTION ON APPROVING AND AUTHORIZING DEBT FOR A FLEET PURCHASE: Finance Manager Moreno stated that the recently approved Debt Management Policy requires Council approval to enter into new debt. He further discussed that the debt would be to finance the acquisition of safety vehicles for the police department.

After Council discussion, Police Chief Garner stepped forward to discuss the aging fleet conditions.

After further Council discussion, motion was made by Council member Montijo and seconded by Council member Robertson to APPROVE AND AUTHORIZE DEBT FOR FLEET PURCHASE. Motion carried with the following vote:

AYES:	Montijo, Robertson, Franco, Avalos, Derr
NOES:	None
ABSTAIN:	None
ABSENT:	None

DEPARTMENTAL REPORTS: City Manager Elias provided updates on the following: commission applications, LAFCo annexation, Dinuba Avenue and Amberwood sewer projects.

Public Works Director Shiplee reported on the upcoming Floral Avenue reconstruction project that is expected to begin July 24, 2017.

COUNCIL REPORTS: Council member Robertson reported on attending the Boys and Girls Club movie night and Bringing Broken Neighborhoods Back to Life event.

Council member Franco discussed the timeframe requirement for SB1 funding and requested updates on following: police station drawings, community goal forum, and SKF McCall line project.

Council member Montijo provided an SKF update and discussed the Beautification Committee.

Mayor Pro Tem Avalos reported on attending the We Are Sikh Campaign in Selma and thanked all the departments.

Mayor Derr reported on attending the following: Chamber mixer, Arts Center play, South Kings Groundwater GSA meeting, COG meeting, We Are Sikh Campaign in Selma, Second Street Dancer fundraiser.

ORAL COMMUNICATIONS: Ms. Abigail Carrasco, 1891 Mitchell stepped forward to discuss concerns regarding a public nuisance.

ADJOURNMENT: There being no further business, the meeting was adjourned at 8:15 p.m.

Respectfully submitted,

Reyna Rivera
City Clerk

Michael Derr
Mayor of the City of Selma

**CITY MANAGER'S/STAFF'S REPORT
CITY COUNCIL MEETING:**

August 7, 2017

ITEM NO:

1.g.

SUBJECT:

Notice of Completion for Federal Aid Project STPL-5096(031),
Whitson/Thompson Intersection Improvements.

DISCUSSION: The Public Works Engineering Department is requesting that the Council approve the Notice of completion for the above referenced project. All work has been completed, has met all design standards, and has been approved by the City Engineer.

It is hereby requested that the Notice of Completion be executed and the final payment, plus retention on this project be released to the contractor.

RECOMMENDATION: Approve Notice of Completion for Federal Aid Project STPL-5096(031), Whitson/Thompson Intersection Improvements.


Joseph Daggett, City Engineer


Date


David Elias, City Manager


Date

Recording Requested By
City of Selma

When Recorded Return To:
City of Selma - City Clerk
1710 Tucker Street
Selma, CA 93662

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."

THIS SPACE IS FOR RECORDING INFORMATION ONLY

**NOTICE OF COMPLETION
(UNDER SECTION 1187 C.C.P.)**

NOTICE IS HEREBY GIVEN that the undersigned, City of Selma, a Municipal Corporation, is the owner of the real estate situated in the City of Selma, County of Fresno, State of California, and described as follows, to-wit:

Federal Aid Project STPL-5096(031), Whitson/Thompson Intersection Improvements;
That the address of said owner is City Hall, 1710 Tucker Street, Selma, California;
That the nature of the title of the owner to said real estate is that of fee simple and/or easement;
That the name of the Contractor is R.J. Berry, Jr., Inc., PO Box 468, Selma, CA 93662;
That on the 1st day of August, 2017, the Contract for the work on the above-described property was actually completed.

By: _____
David Elias, City Manager
Owner

I, David Elias, being duly sworn says:

That I am the agent of the Owner of the property described in the foregoing Notice; that I have read the foregoing Notice and know the contents thereof, and that the same is true of my own knowledge.

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."

CITY OF SELMA, a Municipal Corporation

By: _____
David Elias, City Manager
Owner

State of California
County of Fresno

On August 1, 2016, before me, Reyna Rivera, City Clerk, personally appeared David Elias, City Manager, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument. I certify under PENALTY OF PERJURY under laws of the State of California the foregoing paragraph is true and correct.
WITNESS my hand and official seal.

Reyna Rivera, Selma City Clerk

(Acknowledgment taken by City Clerk pursuant to California Civil Code Section 1181)

**CITY MANAGER'S/STAFF'S REPORT
CITY COUNCIL MEETING:**

August 7, 2017

ITEM NO:


1.h.

SUBJECT: Consideration and Necessary Action on Request from League of California Cities Regarding the Housing Bill Package: Support of SB 2 and SB 3, and Opposition of SB 35.

DISCUSSION: A request was received from South San Joaquin Valley Regional Public Affairs Manager, of the League of California Cities for Council action on three (3) measures that the League of CA Cities has taken positions on.

Attached for Council consideration are sample letters and more information on the Housing Bill Package.

RECOMMENDATION: Consider request from League of California Cities regarding the Housing Bill Package.



David Elias, City Manager



Date

Subject: FW: Housing Package Action Alert
Attachments: SB 2 (Atkins) SAMPLE Support letter 7 28 17.docx; SB 3 (Beall) SAMPLE 7 28 17.docx; SB 35 (Wiener) SAMPLE OPPOSE 7 28 17.docx

From: Rajveer Rakkar [<mailto:rrakkar@cacities.org>]
Sent: Monday, July 31, 2017 5:17 PM
Subject: Housing Package Action Alert

Good Afternoon,

I wanted to share some information on the Housing Bill package. Attached are letters SB 2 and SB 3, which the league supports and SB 35, which the League of CA Cities opposes. Now is the perfect time to get these letters submitted and contact your local legislators since they are on summer break.

If you have any questions, please let me know.

ACTION ALERT!!

Housing Bill Package Being Finalized OPPOSE Eliminating Local Land Use Authority

Background:

Last week the Legislature delayed voting on a, yet to be determined, housing bill package until they return on August 21st. It is believed that negotiations will continue through the Legislature's summer recess. According to a joint statement released by Governor Brown and Legislative Leaders: "The package of legislation we are all working on will help ensure Californians won't have to pay an arm and a leg to have a roof over their head. It will include a general obligation bond, a permanent funding source for affordable housing and regulatory reform. This comprehensive approach does what's long been needed in California — build new homes and improve access to housing. We look forward to finalizing this package upon return from summer recess."

While the actual package of bills that will be included in the housing deal has yet to be announced, the Governor and Leaders have been clear that money for affordable housing will only be available if it is paired with streamlined regulations at the local level.

Possible funding proposals

- SB 2 (Atkins): Imposes a fee of \$75 recordation on specified real estate documents to generate hundreds of millions of dollars per year for affordable housing, supportive housing, emergency shelters, and transitional housing.
- SB 3 (Beall) Affordable Housing Bond Act of 2018: Authorizes a \$3 billion general obligation bond to fund affordable housing programs and infill infrastructure projects including multifamily housing, CalHome, Joe Serna Farmworker Housing, Local Housing Trust Fund Matching Grant, BEGIN, and TODs.
- AB 71 (Chiu) Eliminates the mortgage interest deduction on second homes, increases the state Low-Income Housing Tax Credit Program by \$300 million.
- ACA 11 (Caballero) Imposes a ¼ cent statewide sales tax to support local and state programs that: assist in the development or acquisition of affordable housing; support first-time home buyer programs; and support housing programs that assist homeless individuals. ACA 11 would generate nearly \$1.7 billion annually.

Possible streamlining/regulatory reform proposals

- SB 35 (Weiner): Seeks to streamline multifamily housing project approvals by eliminating public input, prohibiting CEQA, and removing local discretion.

- SB 167 (Skinner)/AB 678 (Bocanegra): Makes numerous changes to the Housing Accountability Act including, 1) Requires findings to be based on “a preponderance of evidence”; 2) Imposes mandatory fines (\$10,000) on cities that fail to comply with a judge’s order within 60 days; 3) Allows enhanced fines (a factor of five) if a city acts in bad faith.
- SB 540 (Roth) Streamlines the housing approval process by having cities and counties identify priority housing areas where enhanced planning, necessary environmental reviews and public engagement would occur at the front-end. These Workforce Housing Opportunity Zones would focus on workforce and affordable housing in areas close to jobs and transit and conform to California’s greenhouse gas reduction laws.
- AB 72 (Santiago): Provides the Department of Housing and Community Development broad new authority to review any action by a city or county that it determines is inconsistent with an adopted housing element.
- AB 73 (Chiu): Allows a city or county to create a housing sustainability district to complete upfront zoning and environmental review in order to receive incentive payments for development projects that are consistent with the district’s ordinance.
- AB 879 (Grayson) Provides the Department of Housing and Community Development new authority to, 1) Complete a study to evaluate the reasonableness of local fees charged to new developments, including new amendments to the Mitigation Fee Act to “substantially reduce fees for residential development”; 2) Requires a city, in their analysis of governmental constraints, to include an analysis of any currently-authorized, locally-adopted ordinances that directly impact the cost and supply of residential development.
- AB 1397 (Low): Requires lands in a city’s housing element to include vacant sites and sites that have “realistic and demonstrated potential” for redevelopment to meet a portion of the locality’s housing need for a designated income level.
- AB 1515 (Daly): Requires housing projects to be deemed consistent, compliant, and in conformity with an applicable plan, if there is substantial evidence that would allow a reasonable person to conclude that the housing development project or emergency shelter is consistent, compliant, or in conformity.

One measure that we know will be included in the housing bill package is SB35 (Wiener), which seeks to preempt local discretionary land use authority, eliminate opportunities for public review, and ban project-level environmental review for multifamily housing developments. While it is supposedly structured to focus on “bad actors” it is structured in a way that nearly all cities with a population over 2,500 can anticipate losing local discretion, because it is based on unrealistic production quotas that have no connection to market conditions or the availability of affordable housing subsidies.

SB 35 seeks to streamline housing approvals by eliminating public input, prohibiting CEQA, and removing nearly all local discretion. Specifically, this measure:

- Applies to multifamily housing developments containing two or more units.
- Prohibits parking requirements if the development is within one-half mile of public transit, located within a historic district, or has a car share service within one block.
- Limits zoning and design review.
- Requires prevailing wage.

SB 35 doesn’t make sense because it:

- Uses the Regional Housing Needs Allocation (RHNA) as one metric to determine if a city must comply. If a city doesn’t approve enough housing units in the first half (four years) or the last half (remaining 4 years) of the RHNA cycle in all four income categories, a city must approve housing projects with no environmental review. With redevelopment eliminated and the state reluctant to approve any funding for affordable housing, all of the above communities can expect to be subject to being deemed “bad actors” by the state for not producing low income and very low income housing to match state quotas.
- Ignores local housing market conditions and punishes even those communities with progressive affordable housing policies.

SB 35 should be amended to exempt “Good Actor” cities by providing a “Safe Harbor” for those jurisdictions that meet the following criteria:

1. No violations, within the last five years, of the Housing Accountability Act (Government Code 655859.5), Mitigation Fee Act (Government Code 66000), density bonus (Government Code 65915), no net loss (Government Code 65863), anti-discrimination provisions (Government Code 65008).
2. Jurisdiction has approved all submitted housing projects that have been submitted on sites identified in its housing element inventory.

3. Jurisdiction has not reduced density of housing project below density as submitted by developer on initial application
4. Jurisdiction implemented the programs in its housing element in accordance with schedule in housing element.
5. Jurisdiction completed any rezonings required by housing element within 2 years of adoption of housing element.
6. Jurisdiction can demonstrate that it did not receive applications for housing units that would have allowed it to issue building permits equal to the city's share of RHNA by income category for that reporting period.

ACTION:

Contact your Assembly Member and Senator and:

- Convey your support for funding proposals – SB 2 & SB 3. And encourage their consideration of more robust funding options such as ACA 11, which would generate \$1.7 billion annually for affordable housing and homelessness programs.
- Demand that your legislator ensure that Good Actor/Pro-Housing cities be exempt from punitive proposals like SB 35 via a Safe Harbor.
- The loss of redevelopment funding has contributed to the current crisis. That was a bad deal. Urge your legislator to not compound that with another bad deal for your community.

Below is a list of priority Legislators that should be contacted as soon as possible. Sample letters for SB 2, SB 3, and SB 35 are attached.

Assembly

Member	House	District	Party	Room	Phone	Fax
Aguiar-Curry, Cecilia	A	4	D	5144	916 319 2004	916 319 2104
Arambula, Joaquin	A	31	D	5155	916 319 2031	916 319 2131
Baker, Catharine	A	16	R	2130	916 319 2016	916 319 2116
Bocanegra, Raul	A	39	D	2175	916 319 2039	916 319 2139
Caballero, Anna	A	30	D	5158	916 319 2030	916 319 2130
Cervantes, Sabrina	A	60	D	5164	916 319 2060	916 319 2160
Cooley, Ken	A	8	D	3013	916 319 2008	916 319 2108
Cooper, Jim	A	9	D	6025	916 319 2009	916 319 2109
Dababneh, Matthew	A	45	D	6031	916 319 2045	916 319 2145
Eggman, Susan	A	13	D	4117	916 319 2013	916 319 2113
Frazier, Jim	A	11	D	3091	916 319 2011	916 319 2111
Garcia, Eduardo	A	56	D	4140	916 319 2056	916 319 2156
Gray, Adam	A	21	D	3152	916 319 2021	916 319 2121
Holden, Chris	A	41	D	5132	916 319 2041	916 319 2141
Irwin, Jacqui	A	44	D	5119	916 319 2044	916 319 2144
Levine, Marc	A	10	D	5135	916 319 2010	916 319 2110
Limón, Monique	A	37	D	4167	916 319 2037	916 319 2137
Maienschein, Brian	A	77	R	4139	916 319 2077	916 319 2177
Mathis, Devon	A	26	R	2111	916 319 2026	916 319 2126
Mayes, Chad	A	42	R	3104	916 319 2042	916 319 2142
Medina, Jose	A	61	D	2141	916 319 2061	916 319 2161
Muratsuchi, Al	A	66	D	2179	916 319 2066	916 319 2166
Quirk-Silva, Sharon	A	65	D	6012	916 319 2065	916 319 2165
Reyes, Eloise Gómez	A	47	D	4015	916 319 2047	916 319 2147
Ridley-Thomas, Sebastian	A	54	D	2176	916 319 2054	916 319 2154

Rodriguez, Freddie	A	52	D	2188	916 319 2052	916 319 2152
Salas, Rudy	A	32	D	4016	916 319 2032	916 319 2132
Wood, Jim	A	2	D	6005	916 319 2002	916 319 2102

Senate

Member	House	District	Party	Room	Phone	Fax
Berryhill, Tom	S	8	R	3067	916 651 4008	916 651 4908
Bradford, Steven	S	35	D	2062	916 651 4035	916 651 4935
Cannella, Anthony	S	12	R	5082	916 651 4012	916 651 4912
Dodd, Bill	S	3	D	5064	916 651 4003	916 651 4903
Galgiani, Cathleen	S	5	D	5097	916 651 4005	916 651 4905
Glazer, Steve	S	7	D	5108	916 651 4007	916 651 4907
Jackson, Hannah-Beth	S	19	D	2032	916 651 4019	916 651 4919
Leyva, Connie	S	20	D	4061	916 651 4020	916 651 4920
McGuire, Mike	S	2	D	5061	916 651 4002	916 651 4902
Mendoza, Tony	S	32	D	5100	916 651 4032	916 651 4932
Newman, Josh	S	29	D	4082	916 651 4029	916 651 4929
Portantino, Anthony	S	25	D	3086	916 651 4025	916 651 4925
Roth, Richard	S	31	D	4034	916 651 4031	916 651 4931
Stern, Henry	S	27	D	3070	916 651 4027	916 651 4927

CITY LETTERHEAD

DATE

The Honorable Kevin de León
President pro Tempore
California State Senate
State Capitol Building, Room 205
Sacramento, CA 95814
VIA FAX: 916-651-4924

The Honorable Anthony Rendon
Speaker
California State Assembly
State Capitol Building, Room 219
Sacramento, CA 95814
VIA FAX: 916-319-2163

RE: SB 2 Building Homes and Jobs Act
NOTICE OF SUPPORT

Dear President pro Tempore de León and Speaker Rendon:

The City/Town of _____ supports SB 2, the Building Homes and Jobs Act. This measure would generate hundreds of millions of dollars per year for affordable rental or ownership housing, supportive housing, emergency shelters, transitional housing and other housing needs via a \$75 recordation fee on specified real estate documents.

Cities, including the City/Town of _____, are eager to help encourage the construction of affordable housing, but with the loss of over \$1 billion per year of redevelopment housing funds they lack the resources to do so. While the timeliness of the environmental review, permitting, and approval processes can always be improved to help reduce costs, affordable housing projects require some form of financial assistance. This measure is a significant step in the right direction.

INCLUDE CITY/TOWN SPECIFIC INFO OR ANECDOTE

SB 2 would provide an ongoing, permanent state source of funding for much needed affordable housing projects.

For these reasons, the City/Town of _____ **supports** SB 2.

Sincerely,

NAME

TITLE

CITY/TOWN of _____

cc: Senator Toni Atkins
Your Senator & Assembly Member
Your League Regional Public Affairs Manager (via email)
Jason Rhine, League of California Cities, jrhine@cacities.org

CITY LETTERHEAD

Date

The Honorable Kevin de León
President pro Tempore
California State Senate
State Capitol Building, Room 205
Sacramento, CA 95814
VIA FAX: 916-651-4924

The Honorable Anthony Rendon
Speaker
California State Assembly
State Capitol Building, Room 219
Sacramento, CA 95814
VIA FAX: 916-319-2163

Re: SB 3 (Beall) – Affordable Housing Bond Act of 2018
NOTICE OF SUPPORT

Dear President pro Tempore de León and Speaker Rendon:

The City/Town of _____ supports SB 3, the Affordable Housing Bond Act of 2018, which authorizes a \$3 billion general obligation bond to fund affordable housing programs and infill infrastructure projects.

Cities are in great need of assistance now that Proposition 46 and Proposition 1C funds have been allocated, \$1.5 billion in annual redevelopment funding have been eliminated, and federal investments in critical housing programs have been slashed 50-77% from 2005 to 2015.

INCLUDE CITY/TOWN SPECIFIC INFO OR ANECDOTE

The lack of construction in the private housing market has resulted in increasing rents and home prices well above the national average, while also playing a role in the state's homeless population climbing to 116,000 after years of progress. SB 3 would help mitigate these problems by infusing \$3 billion into the affordable housing market.

For these reasons, the City/Town of _____ **supports** SB 3.

Sincerely,

NAME

TITLE

CITY/TOWN of _____

cc:

Senator Jim Beall, Chair, Senate Housing and Transportation Committee
Your Senator & Assembly Member
Your League Regional Public Affairs Manager (via email)
Jason Rhine, League of California Cities

CITY LETTERHEAD

Date

The Honorable Kevin de León
President pro Tempore
California State Senate
State Capitol Building, Room 205
Sacramento, CA 95814
VIA FAX: 916-651-4924

The Honorable Anthony Rendon
Speaker
California State Assembly
State Capitol Building, Room 219
Sacramento, CA 95814
VIA FAX: 916-319-2163

RE: SB 35 (Wiener) Affordable Housing: Streamlined Approval Process.
Notice of Opposition (as amended 7/14/17)

Dear President pro Tempore de León and Speaker Rendon:

The City/Town of _____ is opposed to SB 35 (Wiener), which would pre-empt local discretionary land use authority by making approvals of multifamily developments, that meet inadequate criteria, “ministerial” actions, thus bypassing the California Environmental Quality Act (CEQA) and public input.

SB 35 has been characterized as a measure targeting “bad actor” jurisdictions that fail to approve enough housing to meet their Regional Housing Needs Allocation (RHNA) in all four income categories. However, SB 35 dodges the reality that state and federal affordable housing funding have slowed to a trickle. More than \$1 billion annually in affordable housing money has evaporated with the elimination of redevelopment agencies in 2011. Funds from the 2006 state housing bond have been exhausted and federal dollars have been declining for decades. This massive withdraw of resources has contributed to the current challenges, yet no significant source of ongoing affordable housing funding is on the horizon.

[If you have specific examples of the impact of this bill on your city/town, please include here.]

Forcing nearly all communities with a population over 2,500 to “streamline” housing approvals by eliminating opportunities for environmental and public review of major multifamily developments goes against the principles of local democracy and public engagement. While frustrating for some to address neighborhood concerns about traffic, parking and other development impacts, those directly affected by such projects have a right to be heard. Public engagement also often leads to better projects. Not having such outlets will increase public distrust in government and additional ballot measures dealing with growth management.

At a minimum, SB 35 should be amended to provide a “Safe Harbor” for “Good Actor/Pro-Housing” jurisdictions that:

- Have not violated the State’s housing laws in the last five years;
- Approved all submitted housing projects that have been submitted on sites identified in its housing element inventory;
- Have not reduced density of housing project below density as submitted by developer on initial application;
- Have implemented the programs in its housing element in accordance with schedule in housing element;

- Have completed any rezonings required by housing element within 2 years of adoption of housing element; and
- Can demonstrate that it did not receive applications for housing units that would have allowed it to issue building permits equal to the city's share of RHNA by income category for that reporting period.

For these reasons, the City/Town of _____ opposes SB 35.

Sincerely,

NAME

TITLE

CITY/TOWN of _____

cc: Your Senator & Assembly Member
Your League Regional Public Affairs Manager (via email)
Meg Desmond, League of California Cities, mdesmond@cacities.org

**CITY MANAGER'S/STAFF'S REPORT
CITY COUNCIL MEETING:**

August 7, 2017

ITEM NO: 1.i.

SUBJECT: Consideration and Necessary Action on Request from Board of Supervisor Mendes Supporting Temperance Flat Dam and Reservoir Project.

DISCUSSION: A request was received from Fresno County Supervisor Buddy Mendes for Council to consider authorizing a letter of support for the Temperance Flat Dam and Reservoir.

Attached for Council consideration is the request and sample letter.

RECOMMENDATION: Consider request from Supervisor Buddy Mendes regarding Temperance Flat Dam and Reservoir project.



David Elias, City Manager



Date

Subject: FW: Support of Temperance Flat Dam and Reservoir Project
Attachments: Temperance flat support let 7-17 .docx; ATT00001.htm

From: "Day, Vickie" <vday@co.fresno.ca.us>
Date: August 1, 2017 at 12:30:17 PM PDT
To: "davide@cityofselma.com" <davide@cityofselma.com>
Subject: FW: Support of Temperance Flat Dam and Reservoir Project

Just a reminder – letter of support of Temperance Flat. Application is due August 14th we would like to include a letter from the City of Selma.

Thanks.

Vickie Day
Chief of Staff
Supervisor Buddy Mendes
Fresno County - District 4
(559) 600-4000

From: Day, Vickie
Sent: Monday, July 24, 2017 2:12 PM
To: jb@cityoforangecove.com; 'nvosburg@coalinga.com' <nvosburg@coalinga.com>; 'mtrejo@coalinga.com' <mtrejo@coalinga.com>; 'davidtcardenas@yahoo.com' <davidtcardenas@yahoo.com>; 'jdavis@ci.fowler.ca.us' <jdavis@ci.fowler.ca.us>; 'rey.leon@cal.berkeley.edu' <rey.leon@cal.berkeley.edu>; 'jcastro001@yahoo.com' <jcastro001@yahoo.com>; 'mr4kingsburg@gmail.com' <mr4kingsburg@gmail.com>; 'ahenderson@cityofkingsburg-ca.gov' <ahenderson@cityofkingsburg-ca.gov>; 'abeltran@parlier.ca.us' <abeltran@parlier.ca.us>; 'sescobar@parlier.ca.us' <sescobar@parlier.ca.us>; 'Fpinon@reedley.ca.gov' <Fpinon@reedley.ca.gov>; 'nicole.zieba@reedley.ca.gov' <nicole.zieba@reedley.ca.gov>; 'fgonzalez@ci.sanger.ca.us' <fgonzalez@ci.sanger.ca.us>; 'tchapa@ci.sanger.ca.us' <tchapa@ci.sanger.ca.us>; 'mike.derr.b864@statefarm.com' <mike.derr.b864@statefarm.com>; 'davide@cityofselma.com' <davide@cityofselma.com>

Subject: Support of Temperance Flat Dam and Reservoir Project

Sent on behalf of Supervisor Buddy Mendes:

To District 4 Mayors and City Managers,

First I would like to extend my gratitude to all my Cities for the great support you have given the San Joaquin Valley Water Infrastructure Authority and its efforts to secure adequate funding to build much needed above ground storage in our Valley. Specifically the Temperance Flat Dam and Reservoir project.

As you may also know, the dead line for application submittal to the California Water Commission is August 14, 2017, less than a month away. So we are in the process of securing as many Valley support letters for the project as possible. I would ask all of you to have your City prepare and send a support

letter for Temperance Flat Dam and Reservoir project to the California Water Commission with a copy to me at bmendes@co.fresno.ca.us . I have attached a templet that you may use.

The following is the address where to send:

Chairman Armando Quintero
California Water Commission
P.O. Box 942836
Sacramento, California 94236-0001

If possible, please also scan and e-mail letter to the following – remember the deadline is August 14, 2017.

California Water Commission--- CWC@water.ca.gov
SJWIA ----- msantoyo@sjvwia.org

Lastly, please find below the web link to our project video:

https://youtu.be/f30o_dQNmn8

Thanks for your support –

Buddy

Vickie Day
Chief of Staff
Supervisor Buddy Mendes
Fresno County - District 4
(559) 600-4000

DATE

California Water Commission
P.O. Box 942836
Sacramento, California 94236-0001

RE: Temperance Flat Dam and Reservoir

Dear California Water Commission Members,

The Fresno County Board of Supervisors would like to voice our strong support for the proposal to build Temperance Flat Dam and Reservoir in Fresno and Madera counties. Temperance Flat has been identified as being among the best locations for new multi-objective surface storage in California.

Over the past few years natural drought conditions have been particularly difficult on the central and southern San Joaquin Valley. Regulatory curtailments of water supplies have simply been devastating to valley agriculture and much of our economy. At the same time, this lack of surface water led to understandable overutilization and overdraft of the valley's greatest reserve supply — groundwater. As a consequence, water tables have plummeted; wells by the thousands have dried up and failed, demonstrating repeatedly the absolute necessity of developing additional surface water storage to capture high flows in big storm events and water years, putting the stored water to beneficial use. This includes capturing and storing excess Sierra runoff to enable its use for groundwater recharge in the lengthy process required to convey and percolate water for such purposes.

Current storage at Millerton Lake/Friant Dam has an annual average inflow of about 1.8 million acre-feet (capacity 520,500 acre-feet, but with "active" available storage above "dead pool" of just 385,000 acre-feet) is currently unable to store water in successive years. Temperance Flat would create additional capacity of some 1.3 million acre-feet. It would be managed to provide a broad array of public benefits, including ecosystem restoration, flood control, recreation, water quality, and emergency water supply, in combination with non-public benefits water supply and hydropower benefits.

The Temperance Flat Dam and Storage Project will have deep reverberating impact on the future of not only agriculture in the valley but also on the countless other industries and people that will benefit from the additional water that this project would provide.

The Fresno County Board of Supervisors sees this project as a critical economic development driver for our region. We are proud to join a diverse coalition of organizations and agencies in supporting this project and we ask for your favorable consideration.

Sincerely,

Fresno County Board of Supervisors

cc: Mario Santoyo, Executive Director San Joaquin Valley Water Infrastructure Authority

**CITY MANAGER'S/STAFF'S REPORT
CITY COUNCIL MEETING:**

August 7, 2017

ITEM NO:

1.j.

SUBJECT: Consideration and necessary action on proposed contract with
The CrisCom Company to assist with consulting and advocacy.

DISCUSSION: The City has contracted with CrisCom on a month to month basis since December 2015. Since that time, CrisCom has been advocating on State and Federal levels for Police Infrastructure funding.

Staff has requested that CrisCom assist with additional services such as Economic Development Attraction. Attached is the proposed agreement which does not reflect a monetary amount change. The significant changes are specific to scope of work and terms (annual versus month to month).


Scope of Work /Services will include the following:

- Represent Selma as the City's advocate in Sacramento, CA and Washington, D.C.
- Help position Selma for federal and state funds through grants and appropriations
- Build relationships with elected and appointed federal and state officials
- Advocate for and on behalf of the City on pertinent issues
- Aggressively market Selma with potential developers and retailers.

<u>COST:</u> (Enter cost of item to be purchased)		<u>BUDGET IMPACT:</u> (Enter amount this non-budgeted item will impact this years' budget – if budgeted, enter NONE).
\$4,500		
<u>FUNDING:</u> (Enter the funding source for this item – if fund exists, enter the balance in the fund).		<u>ON-GOING COST:</u> (Enter the amount that will need to be budgeted each year – if one-time cost, enter NONE).
Funding Source: 402-Police Impact: 50% 406-Sewer Impact: 50%		
Fund Balance:		

RECOMMENDATION: Council authorizes the City Manager to enter into a Contract with The CrisCom Company to continue providing services.


David Elias, City Manager


Date

CONSULTANT AGREEMENT

THIS AGREEMENT is made effective (date), by and between the CITY OF SELMA ("City"), with its principal place of business located at (address), in the County of Fresno, State of California, and The CrisCom Company ("CrisCom"), maintaining its principal place of business at 9550 Topanga Canyon Blvd., Chatsworth, California.

ARTICLE 1 BACKGROUND AND PURPOSE

Section 1.1 - Background

The City has contracted with CrisCom since December 2015 during which time CrisCom has served as the City's advocate on State and Federal matters. Additionally, CrisCom will agree to assist the City of Selma with Economic Development Attraction services.

Section 1.2 - Purpose

This Agreement formalizes the existing relationship between the City and CrisCom and outlines the terms and conditions hereinafter set forth.

ARTICLE 2 TERMS AND SERVICES

Section 2.1 - Terms

As an extension of services already being provided, this Agreement will commence on September 1, 2017 and end on August 31, 2018. Either party may terminate this Agreement with thirty (30) days written notice.

Section 2.2 - Services

CrisCom shall provide the following services:

- Represent Selma as the City's advocate in Sacramento, CA and Washington, D.C.
- Help position Selma for federal and state funds through grants and appropriations
- Build relationships with elected and appointed federal and state officials
- Advocate for and on behalf of the City on pertinent issues
- Aggressively market Selma with potential developers and retailers.

Section 2.3 - Independent Contractor

CrisCom serves as an independent contractor for the City, and not an employee of the City.

ARTICLE 3 COMPENSATION

Section 3.1 - Payment

As compensation for services rendered under this Agreement, Selma will pay CrisCom four thousand five hundred dollars (\$4,500) on the first of each month. In addition, Selma shall pay to CrisCom reimbursement for travel expense at mileage rates as established by the Internal Revenue Service; however, any reimbursement of more than \$50.00 in any month must be approved by the City Manager before any expense is incurred.

Article 4 SUBCONTRACTS

Section 4.1 - Subcontracts

CrisCom shall not subcontract or assign responsibility for performance of any portion of this Agreement without the prior written consent of the City. Except as otherwise specifically approved by the City, CrisCom shall include appropriate provisions of this Agreement in subcontracts so rights conferred to City by this Agreement shall not be affected or diminished by subcontract. There shall be no contractual relationship intended, implied or created between the City and any subcontractor with respect to services under this Agreement.

ARTICLE 5 INDEMNIFICATION & INSURANCE

Section 5.1 - Indemnification

CrisCom shall defend, indemnify and hold harmless the City, its officers, employees and agents, from and against loss, injury, liability, or damages arising from any act of omission, including any negligent act or omission to act, by CrisCom or CrisCom's officers, employees, or agents.

Section 5.2 - Insurance

Workers' Compensation

CrisCom shall maintain Workers' Compensation Insurance (Statutory Limits) and Employer's Liability Insurance with limits of at least one million dollars (\$1,000,000).

General Liability

CrisCom shall maintain commercial general liability insurance with coverage at least as broad as Insurance Services Office form CG 00 01, in an amount not less than one million dollars (\$1,000,000) per occurrence, two million dollars (\$2,000,000) general aggregate, for bodily injury, personal injury, and

property damage, including without limitation, blanket contractual liability. CrisCom's general liability policies shall be primary and non-contributory, and be endorsed using Insurance Services Office form CG 20 10 to provide that City and its officers, officials, employees, and agents shall be additional insureds under such policies.

Professional Liability

CrisCom shall maintain professional liability insurance that insures against professional errors and omissions that may be made in performing the Services to be rendered in connection with this Agreement, in the minimum amount of one million dollars (\$1,000,000) per claim and in the aggregate. Any policy inception date, continuity date, or retroactive date must be before the effective date of this agreement.

ARTICLE 6 MISCELLANEOUS

Section 6.1 - Breach of Agreement

The waiver by either party of any breach of this agreement shall not bar the other party from enforcing any subsequent breach thereof.

Section 6.2 - Notices

Notices shall be deemed received when deposited in the U.S. Mail with postage prepaid and registered or certified addressed as follows unless advising in writing to the contrary:

City of Selma
Attn: City Manager
1710 Tucker Street
Selma, CA 93662

The CrisCom Company
Attn: Chuck Jelloian
9550 Topanga Canyon Blvd.
Chatsworth, CA 91311

Section 6.3 - Attorney Fees

If any action at law or in equity is brought to enforce this agreement, the prevailing party shall be entitled to reasonable attorney fees and costs.

Section 6.4 - Governing Law and Venue

The Agreement shall be interpreted and construed under, and the rights of the parties will be governed by the laws of the State of California. Venue in any legal action or proceeding shall be in the appropriate court for the County of Fresno, California

**ARTICLE 7
INTEGRATION**

Section 7.1 - Integration

This Agreement represents the entire understanding of the City and CrisCom as to those matters contained herein. No prior oral or written understanding shall be of any force or effect with respect to those matters covered hereunder. This Agreement may not be modified or altered except in writing, signed by both parties.

IN WITNESS WHEREOF, the parties hereby have caused this Agreement to be executed the date first above written.

APPROVED:
City of Selma
City Manager
Signature _____
Date _____

APPROVED:
The CrisCom Company
CEO
Signature _____
Date _____

Check Register Report

Check Number	Check Date	Status	Vendor Name	Check Description	Grant (G)/ Reimb (R)	Amount
69217	07/20/2017	Printed	AIRGAS USA LLC	OXYGEN CYLINDER RENTAL		161.07
69218	07/20/2017	Printed	NICOLETTE ANDERSEN	LOCKERS FOR CARRIE		60.00
69219	07/20/2017	Printed	AT&T	TELEPHONE SERVICE		352.85
69220	07/20/2017	Printed	AT&T	TELEPHONE SERVICE		145.92
69221	07/20/2017	Printed	AT&T	TELEPHONE SERVICE		1,352.89
69222	07/20/2017	Printed	AT&T	TELEPHONE SERVICE		122.54
69223	07/20/2017	Printed	AT&T	TELEPHONE SERVICE		57.91
69224	07/20/2017	Printed	AT&T MOBILITY	TELEPHONE-MDT'S		2,832.28
69225	07/20/2017	Printed	BANNER PEST CONTROL INC	PEST CONTROL		501.00
69226	07/20/2017	Printed	BENNETT & BENNETT, INC.	MISC IRRIGATION SUPPLIES		22.03
69227	07/20/2017	Printed	CALIFORNIA WATER SERVICE	WATER SERVICE		17,848.41
69228	07/20/2017	Printed	GILBERT CANTU	POST TRAINING COMMUTER LUNCH	R	24.00
69229	07/20/2017	Printed	ROD CARSEY	PLAN CHECKS		656.49
69230	07/20/2017	Printed	CDCE INCORPORATED	MDT MONTHLY LEASE-PD		3,420.00
69231	07/20/2017	Printed	CENTRAL VALLEY GUNS	POLICE REVOLVING ACCT		400.00
69232	07/20/2017	Printed	CITY OF FRESNO	RANGE USE		468.00
69233	07/20/2017	Printed	CITY OF SELMA	PETTY CASH FOR SPECIAL OPS		332.37
69234	07/20/2017	Printed	MARK CLIFTON	POST TRAINING COMMUTER LUNCH	R	24.00
69235	07/20/2017	Printed	COMCAST	INTERNET SERVICE		1,060.00
69236	07/20/2017	Printed	COOL AIR SPECIALTY	PIONEER VILLAGE AC LEAKING		240.00
69237	07/20/2017	Printed	CORELOGIC SOLUTIONS LLC	REALQUEST SERVICE		481.25
69238	07/20/2017	Printed	COSTANZO & ASSOCIATES	LEGAL FEES		9,492.07
69239	07/20/2017	Printed	DEPARTMENT OF CONSERV	SMIP & SEISMIC FEE REPORT 2ND		1,002.86
69240	07/20/2017	Printed	DEPARTMENT OF JUSTICE	FINGERPRINTS		993.00
69241	07/20/2017	Printed	DEPARTMENT OF TRANSPORT.	SIGNALS & LIGHTING APR-JUN 17		2,714.70
69242	07/20/2017	Printed	DSJ ARCHITECTS INC	NEW PD STATION AGREEMENT		24,000.00
69243	07/20/2017	Printed	EMBER ROSE GARMENT PRINTING	SCREEN PRINTING FIRE DEPT T'S		200.06
69244	07/20/2017	Printed	FAITH TABERNACLE CHURCH	REFUND FIREWORK DEPOSIT		50.00
69245	07/20/2017	Printed	FRESNO CO TREASURER	RMS/JMS/CAD ACCESS FEES		496.88
69246	07/20/2017	Printed	FRESNO COUNTY AUDITOR'S	COUNTY PARKING		12.50
69247	07/20/2017	Printed	FRUSA EMS LLC	AMBULANCE BILLING		8,789.31
69248	07/20/2017	Void		Void Check		0.00
69249	07/20/2017	Void		Void Check		0.00
69250	07/20/2017	Printed	G&K SERVICES	LINEN/UNIFORM SERVICE		489.78
69251	07/20/2017	Printed	GATEWAY ENGINEERING, INC.	CITY ENGINEERING SERVICES-MAY & JUNE		13,005.00
69252	07/20/2017	Printed	GRACE FREEWILL BAPTIST YOUTH	REFUND FIREWORK DEPOSIT		50.00
69253	07/20/2017	Printed	DOMINIC GRIJALVA	CARRIE GRAPHIC ARTWORK		355.00
69254	07/20/2017	Printed	JUAN GUZMAN	POST TRAINING COMMUTER LUNCH	R	24.00
69255	07/20/2017	Printed	HEALTHEDGE ADMINISTRATORS	DENTAL 7/5/17		871.36
69256	07/20/2017	Printed	HEALTHEDGE ADMINISTRATORS	DENTAL 6/28/17		1,771.10
69257	07/20/2017	Printed	HEALTHEDGE ADMINISTRATORS	ADMINISTRATIVE FEES		684.87
69258	07/20/2017	Printed	HEALTHEDGE ADMINISTRATORS	DENTAL 7/12/17		1,612.61
69259	07/20/2017	Printed	HEALTHWISE SERVICES	KIOSK MEDICAL WASTE	R	150.00
69260	07/20/2017	Printed	HEWLETT-PACKARD FINANCIAL	LEASES		4,380.59
69261	07/20/2017	Printed	J.B. SOUND CO.	CONCERT IN THE PARK 8/4/17		500.00
69262	07/20/2017	Printed	JUDICIAL DATA SYSTEM	PARKING CITATIONS		6.56
69263	07/20/2017	Printed	KENT M. KAWOGOE, PH.D.	PRE-EMPL PSYCOLOGICAL EXAMS		1,200.00
69264	07/20/2017	Printed	KNORR SYSTEMS, INC.	SPRAY PARK SUPPLIES/MAINT		1,271.32
69265	07/20/2017	Printed	LEE CENTRAL CALIFORNIA	BIDS FOR FLORAL RECONSTRUCTION		171.86
69266	07/20/2017	Printed	ROBYN L LEWIS	POLICE RECORDS COURSE-MILEAGE		143.38
69267	07/20/2017	Printed	LEXIPOL LLC	LE MANAGEMENT SERVICES		11,085.00
69268	07/20/2017	Printed	LIFE-ASSIST INC.	MEDICAL SUPPLIES		38.24
69269	07/20/2017	Printed	LINCOLN AQUATICS	CHLORINE TANK FOR SPRAY PARK		100.64
69270	07/20/2017	Printed	SERGIO MALDONADO	POST TRAINING COMMUTER LUNCH	R	24.00
69271	07/20/2017	Printed	MATTHEW BENDER & CO., INC.	GOVERNMENT CODE UPDATES		691.64
69272	07/20/2017	Printed	METRO UNIFORM	FIRE REVOLVING ACCT		347.09
69273	07/20/2017	Printed	NEW DAY CHURCH	REFUND FIREWORK DEPOSIT		50.00
69274	07/20/2017	Printed	OFFICE DEPOT, INC.	OFFICE SUPPLIES		526.10
69275	07/20/2017	Printed	PETERSEN DEAN ROOF SOLAR	PERMIT FEE REFUND 17-0374		30.50
69276	07/20/2017	Printed	PG&E	UTILITIES		31,543.89
69277	07/20/2017	Printed	POLYGRAPH PROFESSIONALS	POLYGRAPH EXAMS-PD		800.00

Check Register Report

Check Number	Check Date	Status	Vendor Name	Check Description	Grant (G)/ Reimb (R)	Amount
69278	07/20/2017	Printed	RAY MORGAN COMPANY INC	COPIER MAINT/COPY AGREEMENT		645.83
69279	07/20/2017	Printed	ROBINA WRIGHT ARCHITECT	BUSINESS INSPECTIONS		600.00
69280	07/20/2017	Printed	SELMA F.F.A. AG BOOSTERS	REFUND FIREWORK DEPOSIT		50.00
69281	07/20/2017	Printed	SELMA FIREFIGHTERS ASSN.	REFUND FIREWORK DEPOSIT		50.00
69282	07/20/2017	Printed	SELMA MEXICAN AMERICAN	REFUND FIREWORK DEPOSIT		50.00
69283	07/20/2017	Printed	SELMA NAZARENE CHURCH	REFUND FIREWORK DEPOSIT		50.00
69284	07/20/2017	Printed	SELMA UNIFIED SCHOOL DISTRICT	FUEL		15,317.49
69285	07/20/2017	Printed	SELMA YOUTH BASKETBALL	REFUND FIREWORK DEPOSIT		50.00
69286	07/20/2017	Printed	SELMA YOUTH SOCCER	JULY 3RD CLEAN UP		350.00
69287	07/20/2017	Printed	SOUTH COUNTY VETERINARY	MONTHLY FREEZER USE		350.00
69288	07/20/2017	Printed	SPARKLETTS	WATER SERVICE		388.72
69289	07/20/2017	Printed	STERICYCLE, INC.	SERI-SAFE OSHA COMPLIANCE		150.45
69290	07/20/2017	Printed	SUN LIFE	EMPLOYEE INSURANCE		1,095.17
69291	07/20/2017	Printed	TARGET SOLUTIONS LLC	ONLINE TRAINING PROGRAM-FD		1,440.00
69292	07/20/2017	Printed	THE CRISCOM COMPANY	POLICE INFRASTRUCTURE		4,500.00
69293	07/20/2017	Printed	THE FRESNO BEE	35MM ADS		1,325.00
69294	07/20/2017	Printed	THE MEETING PLACE	REFUND FIREWORK DEPOSIT		50.00
69295	07/20/2017	Printed	TOP DOG TRAINING CENTER	MONTHLY MAINTENANCE		90.00
69296	07/20/2017	Printed	U.S. BANCORP EQUIPMENT FIN	LEASE PAYMENT		1,063.70
69297	07/20/2017	Printed	VALLEY NETWORK SOLUTIONS	NETCARE/WATCHGUARD APT BLOCKER		12,407.00
69298	07/20/2017	Printed	VIVINT SOLAR DEVELOPER LLC	SOLAR PERMIT REFUND 17-0303		433.91
69299	07/20/2017	Printed	WASTE MANAGEMENT-USA WASTE	GARBAGE		111,348.21
69300	07/20/2017	Printed	WILLDAN FINANCIAL SERVICES	FISCAL IMP RPT/CFD FORMATION		1,102.50
69301	07/20/2017	Printed	XL HEATING & AIR CONDITIONING	ICE MACHINE REPAIR		261.01
69302	07/24/2017	Printed	UMPQUA BANK	2015 REFI BOND		61,981.72
69303	08/01/2017	Printed	COUNTY OF FRESNO	ASPHALT REHAB PROJECT-MEAS C		1,430.00
					Total	<u><u>366,819.63</u></u>

**CITY MANAGER'S/STAFF'S REPORT
REGULAR CITY COUNCIL MEETING DATE:**

August 7, 2017

ITEM NO:

2.

SUBJECT:

Consideration and Necessary Action on Resolution Declaring the City of Selma a Community that Respects the Dignity of all People

DISCUSSION: At the July 17, 2017, meeting the City Council was addressed by a number of individuals requesting that the City adopt a resolution or take other action to prohibit any reports to or cooperation with federal immigration authorities, primarily the Department of Immigration and Customs Enforcement (ICE), by City police or employees. None of the speakers requested the adoption of a resolution declaring Selma to be a "Sanctuary City". But, virtually all of them requested adoption of a resolution declaring Selma a "welcoming" city.

The typical sanctuary city, both prior to and following the November 8, 2016 Presidential Election, is commonly viewed as a jurisdiction that refuses to comply with requests issued by ICE to continue to detain (for retrieval by ICE) persons arrested or incarcerated after the person had been detained or incarcerated for the maximum time allowed by state law. Several California counties and cities, fall into this category. These same jurisdictions restrict the use of city or county resources to inquire into, investigate, collect or report information concerning an individual's immigration status. Although sanctuary city resolutions and ordinances take many different forms they generally include limitations on the city official's ability to actively share with ICE information concerning an individual's immigration status; set limitations on local law enforcement making arrests and holding individuals in custody based solely on their immigration status; and limiting federal immigration authorities access to government spaces (typically jails) without a court order.

EXISTING AND YET TO BE IMPLEMENTED FEDERAL LAW

The federal government has exclusive authority to enforce federal immigration law. Existing law generally allows the federal government to permit, but not require, the assistance of local officials in immigration enforcement efforts. But, federal statutes do prohibit state or local governmental entities from restricting voluntary communication with the federal government regarding the immigration status of any individual. 8 USC §1373 reads:

"Notwithstanding any other provision of federal, state, or local law, a federal, state, or local government entity or official may not prohibit, or in any way restrict, any government entity or official from sending to, or receiving from, the immigration and naturalization service information regarding the citizenship or immigration status, lawful or unlawful, of any individual".

The President of the United States adopted an Executive Order which reads, in part, as follows “It is the policy of the Executive Branch to ensure, to the fullest extent of the law that a state or political subdivision of a state, shall comply with 8 USC §1373”. The Executive Order defines a sanctuary city as one that “willfully” refuses to comply with 8 USC §1373 and gives the Secretary of Homeland Security and the Attorney General authority to withhold from those jurisdictions federal grants that are administered by the Executive Department. Selma, and virtually all cities receive a variety of law enforcement oriented federal grants from the Department of Homeland Security (DHS) and the Department of Justice (DOJ). Selma also receives a number of non-law enforcement or safety grants funded wholly or in part by the federal government through agencies controlled by the Executive Branch.

After the adoption of the Executive Order a number of cities in California have adopted resolutions or ordinances declaring their city to be a “Welcoming City” and generally providing in their resolutions or ordinances instructions to city employees, including police, to not directly enforce federal civil immigration laws and prohibiting the use of city funds, resources or personnel to investigate, question, detect or apprehend anyone solely for immigration violations, unless required by state or federal law. These cities have taken the position that a “Welcoming City” resolution does not violate 8 USC §1373, and therefore, does not risk the withholding of any federal grant because police and other city employees are not prohibited from sharing information voluntarily with federal immigration authorities.

Sanctuary city resolutions do in fact restrict the City from sending to or receiving from ICE information concerning the citizenship or immigration status of an individual in violation of 8 USC §1373. Cities having such policies are directly at risk of having federal funds withheld. Whether a “Welcoming City” resolution also puts a city at risk of having federal funding withheld is unclear. However, because the law prohibits a city from in any way restricting the sending or receiving to or from ICE information concerning immigration status of an individual it seems likely that a city adhering to a “Welcoming City” policy is also at risk of losing federal funds. Prohibiting officers from obtaining that information and essentially ignoring or not recording information that comes into the possession of, primarily police, concerning citizenship or immigration status could easily be viewed as a violation of 8 USC §1373 because by restricting the collection of information those cities are, in a way, restricting the sending to or receiving from the immigration authorities information regarding citizenship or immigration status.

8 USC §1373 is not a provision that has been widely interpreted by the courts. The determination of which policies violate this provision is, absent litigation, going to be made by the Secretary of DHS and/or the Attorney General. On March 27, 2017, the Attorney General announced that jurisdictions applying for Department of Justice grants are required to affirmatively show that they follow federal immigration law. The President’s Executive Order also requires the Attorney General to take “appropriate enforcement action against any entity that violates 8 USC §1373” or which has in effect a policy or practice that prevents or hinders enforcement of federal law. Numerous lawsuits exist challenging the

Executive Order. None have yielded any concrete decision. It, therefore, remains extremely unclear what federal funds may be withheld from any city based upon a sanctuary or welcoming city resolution. Below is a listing of grants received from the federal government over the last year and pending applications for federal grants:

CURRENT PROJECTS/FUNDING		
Project	Project Cost	Federal Funding
Community Development Block Grant (CDBG) 15651-Selma Groundwater Recharge Basin Project	\$586,494.00	\$586,494.00
CDBG 1651-Ringo Park Improvement Project	\$100,000.00	100,000.00
HSIP 5096(032) Pedestrian Improvements on Thompson from Dinuba to Rose	\$316,031.00	\$287,577.00
Congestion Mitigation and Air Quality (CMAQ)-Street Sweeper purchase	\$250,000.00	\$250,000.00
Regional Transportation Program (ATP) 5096(033)	\$468,582.00	\$468,582.00
ATP 5096(034)	\$100,000.00	\$88,000.00
Regional Surface Transportation Program (RSTP) Lifeline Account	\$1,782,342.00	\$1,782,342.00
CMAQ Lifeline Account	\$925,492.00	\$925,492.00
RSTP 2017/2018 Allocation	\$435,556.00	\$435,556.00
CMAQ 2017/2018 Allocation	\$225,341.00	\$225,341.00
Bullet Proof Vest Program	\$2,800.00	\$2,800.00
FMAAA (Senior Program related grant)	\$16,000.00	\$16,000.00
OTS (Office of Transportation Safety)	\$6,400.00	\$6,400.00
BRYNES (Public Safety related grant)	\$16,257.00	\$16,257.00
Homeland Security (Selma Fire Dept.)	\$6,500.00	\$6,500.00
Total Amount		\$5,197,341.00
PENDING FEDERAL APPLICATIONS		
2017 CHP (Cops Hiring Grant)		\$250,000.00
Fire Fighter Assistance Grant		\$425,000.00
Total Pending		\$675,000.00
Overall total including Pending Federal Amounts		\$5,872,341.00

EXISTING STATE LAW AND FAILED SB54.

In December 2016 Senate Bill 54 was introduced which would prohibit state and local law enforcement agencies from using resources to investigate, interrogate, detain, detect or arrest persons for immigration enforcement purposes and prohibit local law enforcement agencies from transferring an individual to federal immigration authorities, or detaining an individual at the request of federal immigration authorities. SB 54 passed the Senate, but died in the Assembly.

The failure of SB 54 leaves intact only two provisions of State law one known as the “Trust Act” (Govt. Code §7282 et seq) and another known as the “Truth Act”. The latter provision which is entitled “Transparent Review of Unjust Transfer and Holds” (TRUTH)” became effective January 1, 2017 and imposes various obligations on law enforcement agencies if they notify ICE of an inmate’s upcoming date and time of release or arrange for ICE to interview the detainee including a requirement to provide the detainee with a written consent form explaining the purpose of the interview, voluntary and that the individual may decline to be interviewed. It also requires the agency to notify the detainee of the agency’s intent to comply with ICE requests and requires the maintenance of records by the agency.

The Trust Act affects only a decision to detain an individual. It provides that local enforcement officials have the discretion to cooperate with federal immigration officials by detaining the individual on the basis of an immigration hold after the individual becomes eligible for release from custody, but only if the release does not violate any federal, state or local laws or policies, and only under specific circumstances, including a conviction for a serious or violent felony, gang related offenses or hate crime. Otherwise it prohibits law enforcement agencies from detaining an individual beyond the time the individual becomes eligible for release from custody. Obviously these detainer requests by ICE are typically received by the operator of a jail. Other than having standard holding cells for persons to be transported to the Fresno County Jail, Selma maintains no jail and it is unlikely, and within the four year tenure of our Chief of Police, Selma has never received a detainer request from ICE.

RISK OF LOSS OF FEDERAL FUNDS

The provisions of 8 USC §1373, which are used as a springboard for the President’s Executive Order directing the withholding of federal funds and/or other unspecified action against a county or city having what DOH or DHS deems to be a “sanctuary” city policy are very broad prohibiting a city from in any way restricting or prohibiting the provision of information concerning citizenship or immigration status to ICE. Because it puts federal funding at risk staff believes adoption of either a sanctuary or welcoming city resolution creates an unacceptable risk of loss of funding for the City’s law enforcement activities. Accordingly, staff is presenting for the Council’s adoption a resolution that simply provides that the City, in enforcing the law or providing city services, will act in a fair and impartial manner without regard to someone’s citizenship status, consistent with existing policies at our Police Department.

SELMA POLICE DEPARTMENT POLICY 416

It appears that most cities that have adopted these sanctuary or welcoming city resolutions do not have policies directly speaking to immigration enforcement. Selma does. A copy of the Police Department's Policy 416 relating to "immigration violations" is attached. Our policy is in full conformity with 8 USC §1373. The adoption of any different policy would require that the Council mandate the repeal of this Policy. The policy conforms with 8 USC §1373 while not specifically requiring that anything be shared with ICE. The policy states:

"To encourage crime reporting and cooperation in the investigation of criminal activity, all individuals, regardless of their immigration status, must feel secure that contacting or being addressed by members of law enforcement will not automatically lead to immigration inquiry or deportation. While it may be necessary to determine the identity of victim or witnesses, members [Selma Police Officers] shall treat all individuals equally and without regard to race, color or national origin in any way that would violate the United States or California Constitutions".

Policy No. 416.3

These policies are consistent with 8 USC §1373 by providing that no member of the Police Department shall prohibit or in any way restrict, any other member from sending information to or requesting or receiving information from ICE maintaining information in department records or exchanging information with other federal or state local governmental entities (at Policy 416.8); but, the policies do not mandate the sharing of information or cooperation with ICE. Our policies recognize that it is not necessary for one of our police officers to notify ICE when an arrestee is booked at the County Jail because the County Jail's operational procedures are applicable to that person. With respect to the detention or arrest of an individual who is not booked to the County Jail, consistent with 8 USC §1373, our policies give the officer the discretion, in consultation with a Supervisor to determine the course of action considering a variety of factors that include safety of the community, the seriousness of the offense and the impact to the immigrant community. It also provides that no individual who is otherwise eligible to be released should be continued to be detained solely for the purpose of notifying federal immigration authorities. (At §416.5).

RECOMMENDATION: Because our existing Police Department policies are consistent with federal law and the adoption of any different policy in addition to requiring repeal of those Police Department policies, will put federal funds at risk staff recommends adoption of a resolution which is neither a sanctuary or a welcoming city resolution and is instead a resolution that replicates the existing police department policies, which as explained to the speakers at the July 17, 2017, meeting has not resulted in a single report to ICE of any individual, at least in the Chief of Police's four year tenure. The attached resolution is simply a resolution that declares the dignity and worth of all persons, including immigrants and that city services and/or law enforcement activities will be carried on in a fair and impartial manner and without regard to one's immigration status.

/s/ Neal E. Costanzo

08/04/2017

Neal E. Costanzo, City Attorney

Date

/s/ David Elias

08/4/2017

David L. Elias, City Manager

Date

Immigration Violations

416.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines to members of the Selma Police Department for investigating and enforcing immigration laws.

416.1 ICE REQUESTS FOR ASSISTANCE

Requests by ICE, or any other federal agency, for assistance from this department should be directed to a supervisor. The Department may provide available support services, such as traffic control or peacekeeping efforts, to ICE or other federal agencies.

416.2 POLICY

It is the policy of the Selma Police Department that all members make personal and professional commitments to equal enforcement of the law and equal service to the public. Confidence in this commitment will increase the effectiveness of this department in protecting and serving the entire community and recognizing the dignity of all persons, regardless of their immigration status.

416.3 VICTIMS AND WITNESSES

To encourage crime reporting and cooperation in the investigation of criminal activity, all individuals, regardless of their immigration status, must feel secure that contacting or being addressed by members of law enforcement will not automatically lead to immigration inquiry and/or deportation. While it may be necessary to determine the identity of a victim or witness, members shall treat all individuals equally and without regard to race, color or national origin in any way that would violate the United States or California Constitutions.

416.4 ENFORCEMENT

An officer may detain an individual when there are facts supporting a reasonable suspicion that the individual entered into the United States in violation of a federal criminal law. Federal authorities shall be notified as soon as possible and the detained individual shall be immediately released if the federal authorities do not want the person held. An officer should not detain any individual, for any length of time, for a civil violation of federal immigration laws or a related civil warrant.

416.4.1 CIVIL VS. CRIMINAL FEDERAL OFFENSES

An individual who enters into the United States illegally has committed a misdemeanor (8 USC § 1325(a)). Generally, an alien who initially made a legal entry into the United States but has remained beyond what is a legal period of time has committed a federal civil offense.

Reasonable suspicion that a criminal immigration violation has occurred shall not be based on race, color, national origin or any other generalization that would cast suspicion on or stigmatize any person, except to the extent permitted by the United States or California Constitutions. Instead, the totality of circumstances shall be used to determine reasonable suspicion, and shall include factors weighing for and against reasonable suspicion.

Selma Police Department

Selma PD Policy Manual

Immigration Violations

Factors that may be considered in determining reasonable suspicion that a criminal immigration violation has occurred may include, but are not limited to:

- (a) An admission that the person entered the United States illegally.
- (b) Reason to suspect that the person possesses immigration documentation that is forged, altered or otherwise indicative that the person is not legally present in the United States.
- (c) While a lack of English proficiency may be considered, it should not be the sole factor in establishing reasonable suspicion. When practicable, reasonable effort should be made to accommodate persons with limited English proficiency.
- (d) Other factors based upon training and experience.

416.4.2 IMMIGRATION CHECKS

Immigration status may be determined through any of the following sources:

- (a) A law enforcement officer who is authorized by the federal government under 8 USC § 1357 to verify or ascertain an alien's immigration status (sometimes referred to as a 287(g) certified officer)
- (b) Immigration and Customs Enforcement (ICE)
- (c) U.S. Customs and Border Protection (CBP)

An officer shall verify from a 287(g) certified officer, ICE or CBP whether a person's presence in the United States relates to a federal civil violation or a criminal violation.

If the officer has facts that establish probable cause to believe that a person already lawfully detained has committed a criminal immigration offense, he/she may continue the detention and may request ICE or CBP to respond to the location to take custody of the detained person. In addition, the officer should notify a supervisor as soon as practicable. No individual who is otherwise ready to be released should continue to be detained only because questions about the individual's status are unresolved.

An officer is encouraged to forgo detentions made solely on the basis of a misdemeanor offense when time limitations, availability of personnel, issues of officer safety, communication capabilities or the potential to obstruct a separate investigation outweigh the need for the detention.

416.4.3 SUPERVISOR RESPONSIBILITIES

When notified that an officer has detained a person and established probable cause to believe the person has committed a criminal immigration offense, the supervisor should:

- (a) Confirm that the detained person's immigration status was properly verified.
- (b) Ensure that the detained person is taken into custody when appropriate. Take any additional steps necessary that may include, but are not limited to:
 - 1. Transfer to federal authorities.
 - 2. Lawful arrest for a criminal offense or warrant.

Immigration Violations

416.5 ARREST NOTIFICATION TO IMMIGRATION AND CUSTOMS ENFORCEMENT

Except as described below, it is not necessary to notify ICE when booking arrestees at the county jail. Immigration officials routinely interview suspected undocumented aliens who are booked into the county jail. Notification should be handled according to jail operation procedures.

Whenever an officer has reason to believe that an individual arrested for any offense listed in Health and Safety Code § 11369 may not be a citizen of the United States, and the individual is not going to be booked into the county jail, the arresting officer shall notify ICE or other appropriate agency of the United States.

Individuals arrested for other offenses who are not going to be booked into the county jail may be reported to ICE or other appropriate agency of the United States.

When determining whether notification of immigration authorities is appropriate, the officer should, in consultation with a supervisor, consider the totality of circumstances of each case, including, but not limited to:

- (a) Seriousness of the offense
- (b) Community safety
- (c) Potential burden on ICE or other federal agency
- (d) Impact on the immigrant community

No individual who is otherwise ready to be released should continue to be detained solely for the purpose of making notification to immigration authorities.

416.7 U VISA AND T VISA NONIMMIGRANT STATUS

Under certain circumstances, federal law allows temporary immigration benefits, known as a U visa, to victims and witnesses of certain qualifying crimes (8 USC § 1101(a)(15)(U)). A law enforcement certification for a U visa may be completed by an officer in order for a U visa to be issued.

Similar immigration protection, known as a T visa, is available for certain qualifying victims of human trafficking (8 USC § 1101(a)(15)(T)). A law enforcement declaration for a T visa may be completed by an officer in order for a T visa to be issued.

Any request for assistance in applying for U visa or T visa status should be forwarded in a timely manner to the Investigation Unit supervisor assigned to oversee the handling of any related case. The Investigation Unit supervisor shall:

- (a) Consult with the assigned investigator to determine the current status of any related case and whether further documentation is warranted.
- (b) Contact the appropriate prosecutor assigned to the case, if applicable, to ensure the certification or declaration has not already been completed and whether a certification or declaration is warranted.
- (c) Address the request and complete the certification or declaration, if appropriate, in a timely manner.

Selma Police Department

Selma PD Policy Manual

Immigration Violations

1. The instructions for completing certification and declaration forms can be found on the U.S. Department of Homeland Security (DHS) website.
 2. Form I-918 Supplement B certification shall be completed if the victim qualifies under Penal Code § 679.10 (multiple serious offenses). Form I-914 Supplement B certification shall be completed if the victim qualifies under Penal Code § 236.5 or Penal Code § 679.11 (human trafficking).
- (d) Ensure that any decision to complete, or not complete, a certification or declaration form is documented in the case file and forwarded to the appropriate prosecutor. Include a copy of any completed form in the case file.
- (e) Inform the victim liaison of any requests and their status.

416.7.1 TIME FRAMES FOR COMPLETION

Officers and their supervisors who are assigned to investigate a case of human trafficking as defined by Penal Code § 236.1 shall complete the above process and the documents needed for a T visa application within 15 business days of the first encounter with the victim, regardless of whether it is requested by the victim (Penal Code § 236.5).

Officers and their supervisors shall complete the above process and the documents needed for a U visa or T visa application pursuant to Penal Code § 679.10 and Penal Code § 679.11 within 90 days of a request from the victim or victim's family related to one of their assigned cases. If the victim is in removal proceedings, the certification shall be processed within 14 days of the request.

416.7.2 REPORTING TO LEGISLATURE

The Operations Division Commander or the authorized designee should ensure that certification requests are reported to the Legislature in January of each year and include the number of certifications signed and the number denied. The report shall comply with Government Code § 9795 (Penal Code § 679.10; Penal Code § 679.11).

416.8 INFORMATION SHARING

No member of this department will prohibit, or in any way restrict, any other member from doing any of the following regarding the citizenship or immigration status, lawful or unlawful, of any individual (8 USC § 1373):

- (a) Sending information to, or requesting or receiving such information from ICE
- (b) Maintaining such information in department records
- (c) Exchanging such information with any other federal, state or local government entity

416.8.1 IMMIGRATION HOLDS

Individuals should not be held in custody solely for a civil immigration hold under 8 CFR 287.7 unless the individual (Government Code § 7282; Government Code § 7282.5):

- (a) Has been convicted of offenses specified in Government Code § 7282.5.
- (b) Has been charged with offenses specified in Government Code § 7282.5 after a court has determined probable cause supports the charge.

Selma Police Department

Selma PD Policy Manual

Immigration Violations

(c) Is a sex or arson registrant.

In no event should a person be held under this section for longer than 48 hours. Notification to the federal authority should be made prior to the release.

416.8.2 NOTICE TO INDIVIDUALS

Individuals shall be given a copy of documentation received from Immigration and Customs Enforcement (ICE) regarding a hold, notification or transfer request along with information as to whether the Selma Police Department intends to comply with the request (Government Code § 7283.1).

If the Selma Police Department provides ICE with notification that an individual is being, or will be, released on a certain date, the same notification shall be provided in writing to the individual and to his/her attorney or to one additional person who the individual may designate (Government Code § 7283.1).

416.8.3 ICE INTERVIEWS

Before any interview between ICE personnel and an individual in custody for civil immigration violations, the Selma Police Department shall provide the individual with a written consent form that explains the purpose of the interview, that the interview is voluntary and that he/she may decline to be interviewed or may choose to be interviewed only with his/her attorney present. The consent form must be available in the languages specified in Government Code § 7283.1.

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SELMA
DECLARING THE CITY OF SELMA A COMMUNITY
THAT RESPECTS THE DIGNITY OF ALL PEOPLE**

WHEREAS, all people residing or present in the City of Selma are respected and valued and are vital to the shared prosperity of all residents, persons and inhabitants of the City of Selma; and

WHEREAS, the City Council recognizes that fostering a relationship of trust, respect and open communications between City employees and City residents, is essential to the City's core mission of providing for public safety and serving the needs of the entire community and that fostering a welcoming environment for all people, regardless of race, religion, ethnicity, or place of origin, enhances Selma's cultural fabric, economic growth and overall well-being and prosperity for current and future generations; and

WHEREAS, the City Council wishes to encourage crime reporting and cooperation in investigation of criminal activity by all individuals, regardless of their circumstance. All individuals must feel secure that contacting or being addressed by members of law enforcement will not automatically lead to immigration inquiries or deportation. All residents or inhabitants of the City of Selma shall be treated equally and without regard to race, color, citizenship status, or place origin or in any way that would violate the United States and California Constitution; and

WHEREAS, the enforcement of immigration law is a matter entirely within the purview of the federal government and the City of Selma cannot bar any or all federal agencies, including the Department of Immigration and Customs Enforcement (ICE) from conducting independent immigration enforcement actions or activities within the City of Selma; and

WHEREAS, the City of Selma remains committed to maximizing public safety, public health and vital services on which the entire community depends and recognizes the best way to achieve that priority is to foster an environment of inclusiveness and trust between City government and all City residents or inhabitants, regardless of their immigration status.

NOW, THEREFORE, be it resolved as follows:

1. The foregoing recitals are true and correct.

2. It is the policy of the City of Selma, and all of its departments that the provision of City services and the enforcement of law are to be provided or undertaken in an even-handed and equal manner with respect to all residents, inhabitants, and persons present in the City of Selma. City services will be accessible to all residents and law enforcement activities shall be carried out in a fair and impartial manner.

3. The City of Selma and its departments, including its Police Department and other officers and employees engaged in law enforcement activities will not volunteer information concerning a person's immigration status obtained in connection with providing any City or municipal service or in the course of performing any law enforcement function to any federal immigration authority or to the federal government, and shall only disclose such information in response to a request from County, State or federal agencies as required by law or policy of the City of Selma or its departments and the City of Selma shall review its policies to ensure that they reflect the policy set by this Resolution.

4. Nothing in this Resolution shall be construed to prohibit any City officer or employee from participating in law enforcement activities or task force activities with federal criminal law enforcement authorities or agencies.

5. Nothing in this Resolution shall be construed to prohibit the federal immigration authorities from enforcing federal immigration law in the City of Selma or to limit or obstruct federal authorities from enforcing federal immigration law nor shall anything in this Resolution be construed to prohibit any City official or employee or law enforcement officer from investigating any violation of the criminal law, whether federal or state.

The foregoing Resolution was duly approved by the Selma City Council at a regular meeting held on the ____ day of, _____ 2017, by the following vote, to wit:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

MIKE DERR
MAYOR OF THE CITY OF SELMA

ATTEST:

Reyna Rivera
City of Clerk of the City of Selma

**CITY MANAGER'S/STAFF'S REPORT
CITY COUNCIL MEETING:**

August 7, 2017

ITEM NO: 3.

SUBJECT: Consideration and necessary action on Resolution Confirming Report on Vineyard Estates (Canales) Community Facilities District No. 2006-1 certified list of all parcels for the 2017-2018 Fresno County tax roll.

DISCUSSION: The City Council adopted a Notice of Special Tax Lien titled, City of Selma Community Facilities District No. 2006-1 (Services) on December 4, 2006. This special tax gave authorization to the city to levy for the purpose of financing the cost of services for the city.

The Finance department will calculate the annual escalation factor by using the greater of the West Urban Area Consumer Price Index (CPI) or 3%.


The Vineyard Estates project consists of multiple phases and parcels. Once a building permit is requested by the owner or contractor, this parcel will then qualify for levy on the next property tax roll. A certified list of parcels and amounts will be prepared to reflect each parcel that will be levied for the year. Although not all parcels will be taxed, interest continues to accrue each year on those outstanding.

The funds collected each year will be allocated to its own fund to insure they are used for the following services:

- Police, Fire, and Paramedic Services
- Park Service
- Storm Drainage Services

<u>COST:</u> (Enter cost of item to be purchased in box below)		<u>BUDGET IMPACT:</u> (Enter amount this non-budgeted item will impact this years' budget in box below – if budgeted, enter NONE).
<u>FUNDING:</u> (Enter the funding source for this item in box below – if fund exists, enter the balance in the fund).		<u>ON-GOING COST:</u> (Enter the amount that will need to be budgeted each year in box below – if one-time cost, enter NONE).

RECOMMENDATION: Approve Resolution Confirming Report of certified list for Community Facilities District No. 2006-1 tax roll.


 Isaac Moreno, Finance Manager

7-11-17
 Date


 David Elias, City Manager

8/3/17
 Date

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SELMA APPROVING A
CERTIFIED LIST OF ALL PARCELS SUBJECT TO A SPECIAL TAX LEVY
PURSUANT TO THE CITY OF SELMA COMMUNITY FACILITIES DISTRICT NO.
2006-1 NOTICE OF SPECIAL TAX LIEN SETTING THE AMOUNT OF THE SPECIAL
TAX TO BE LEVIED ON EACH SUCH PARCEL FOR THE 2017-18 TAX YEAR**

WHEREAS, following the conduct of proceedings pursuant to California Streets and Highways Code §3114.5 and the Mello-Roos Community Facilities Act of 1982, as amended, commencing with §53311 of the California Government Code (the Act) the City of Selma did conduct proceedings pursuant to the Act and a special tax was authorized to be levied within the City of Selma Community Facilities District No. 2006-1 and the lien of the special tax is a continuing lien which secured each annual levy of the special tax and continues in force and effect until the tax ceases to be levied and the notice of cessation of the special tax is recorded in accordance with §53330.5 of the Act; and

WHEREAS, in accordance with the Act and the proceedings of the City a notice of special tax lien was recorded in the Office of the Fresno County Recorder as Document No. DOC-2007-0004328 on January 9, 2007 together with the names of the owners of Assessors Tax Parcel Numbers of the real property included within the District and setting forth the amount of the special tax levied by such notice accompanied by a recorded copy of the ordinance and rate of apportionment of the special tax by as follows:

Land Use Class	Description	Maximum Special Tax Per Unit, Subject to Annual Escalation Factor
1.	Developed single-family residence	\$390.00
2.	Developed multi-family residence	\$293.00

WHEREAS, the Ordinance and rate of apportionment provide that on July 1, following the base year, July 1, 2007, the maximum special tax rates set out above are increased automatically in accordance with an annual escalation factor which is the greater of the increase in the annual percentage change of all urban consumers consumer price index or 3%; and

WHEREAS, Government Code §53340, included in the Act, provides that the legislative body, following formation of the Community Facilities District may provide, by resolution, for the levy of the special tax in the current tax year or future tax years at the same rate or at a lower rate than the rate provided by the ordinance.

NOW, THEREFORE, be it resolved as follows:

1. The foregoing recitals are true and correct.
2. Attached hereto and incorporated by reference as Exhibit A is a certified list of all parcels subject to the special tax levied made by the Notice of Special Tax Lien, City of Selma Community Facilities District No. 2006-1, recorded January 9, 2007, as Document No. DOC-2007-0004328 including the amount of the tax to be levied on each parcel for tax year 2017-18 according to the terms of the Ordinance recorded with the foregoing notice.
3. The certified list Exhibit A, is approved and adopted and the amounts set forth thereon are hereby levied as the special tax against the identified parcels for the current tax year. The City Clerk is directed to file a certified copy of this resolution with the County Auditor for placement of the special tax levied by this resolution on the County of Fresno tax rolls.

The foregoing Resolution was duly approved this ____ day of August, 2016 by the following vote, to wit:

AYES:	COUNCIL MEMBERS:
NOES:	COUNCIL MEMBERS:
ABSTAIN:	COUNCIL MEMBERS:
ABSENT:	COUNCIL MEMBERS:

Michael Derr, Mayor of the City of Selma

ATTEST:

Reyna Rivera, City Clerk of the City of Selma

Vineyard Estates CFD 2006-1 Exhibit A

Rate Base:

Developed Single-Family Residence \$ 390.00 Per Unit

Developed Multi-Family Residence \$ 293.00 Per Unit

					Special Tax Per Unit		
Year	CPI-U Rate	Standard Rate	Annual Escalation Factor	Single-Family	Multi-Family		Fiscal Year
2006				\$ 390.00	\$ 293.00		
2007	3.3%	3.0%	3.3%	\$ 402.87	\$ 302.67		2007-8
2008	3.5%	3.0%	3.5%	\$ 416.97	\$ 313.26		2008-9
2009	-0.7%	3.0%	3.0%	\$ 429.48	\$ 322.66		2009-10
2010	1.5%	3.0%	3.0%	\$ 442.36	\$ 332.34		2010-11
2011	3.0%	3.0%	3.0%	\$ 455.63	\$ 342.31		2011-12
2012	2.1%	3.0%	3.0%	\$ 469.30	\$ 352.58		2012-13
2013	1.3%	3.0%	3.0%	\$ 483.38	\$ 363.16		2013-14
2014	1.8%	3.0%	3.0%	\$ 497.88	\$ 374.05		2014-15
2015	1.0%	3.0%	3.0%	\$ 512.82	\$ 385.27		2015-16
2016	1.8%	3.0%	3.0%	\$ 528.21	\$ 396.83		2016-17
2017	2.9%	3.0%	3.0%	\$ 544.05	\$ 408.74		2017-18

Note: The annual escalation factor is the greater of the increase in the annual percentage change of the all Urban Consumers Consumer Price Index (CPI) or three 3%

Vineyard Estates CFD 2006-1
Exhibit A (Continued)

	Special Tax Per Unit	
	Single-Family	Multi-Family
Fiscal Year 2015-16 Rate	\$ 512.82	\$ 385.27
Fiscal Year 2016-17 Rate	\$ 528.21	\$ 396.83
Fiscal Year 2017-18 Rate	\$ 544.05	\$ 408.74

Issue Date	APN	Address	2016-17 Proration		2017-18 rate	*Total Tax Roll Amount
			Days	Amount		
5/26/2016	390-173-01	2719 Birch Street			\$544.05	\$544.04
05/10/16	390-172-06	2720 Birch Street			\$544.05	\$544.04
04/04/16	390-173-16	2706 Saginaw Avenue			\$544.05	\$544.04
04/04/16	390-172-03	2802 Birch Street			\$544.05	\$544.04
05/26/16	390-171-04	1723 Shaft Street			\$544.05	\$544.04
04/04/16	390-171-03	1717 Shaft Street			\$544.05	\$544.04
04/04/16	390-173-03	2731 Birch Street			\$544.05	\$544.04
04/04/16	390-173-10	2800 Saginaw Avenue			\$544.05	\$544.04
05/10/16	390-172-02	2808 Birch Street			\$544.05	\$544.04
05/10/16	390-171-02	1711 Shaft Street			\$544.05	\$544.04
05/10/16	390-172-04	2732 Birch Street			\$544.05	\$544.04
04/04/16	390-172-01	2814 Birch Street			\$544.05	\$544.04
10/15/15	390-173-07	2813 Birch Street			\$544.05	\$544.04
02/04/16	390-173-08	2812 Saginaw Avenue			\$544.05	\$544.04
10/15/15	390-173-06	2807 Birch Street			\$544.05	\$544.04
02/04/16	390-173-09	2806 Saginaw Avenue			\$544.05	\$544.04
02/04/16	390-173-05	2801 Birch Street			\$544.05	\$544.04
10/15/15	390-173-04	3737 Birch Street			\$544.05	\$544.04
2/4/2016	390-173-11	2736 Saginaw Avenue			\$544.05	\$544.04
9/11/2015	390-173-12	2730 Saginaw Avenue			\$544.05	\$544.04
9/11/2015	390-173-13	2724 Saginaw Avenue			\$544.05	\$544.04
8/25/2015	390-173-14	2718 Saginaw Avenue			\$544.05	\$544.04
8/25/2015	390-173-15	2712 Saginaw Avenue			\$544.05	\$544.04
2/4/2016	390-171-01	1705 Shaft Street			\$544.05	\$544.04
8/19/2016	390-173-02	2725 Birch Street	316	\$ 457.30	\$544.05	\$1,001.34
8/5/2016	390-173-17	2700 Saginaw Ave	330	\$ 477.56	\$544.05	\$1,021.60
7/28/2016	390-173-19	1709 Mitchell Ave	338	\$ 489.13	\$544.05	\$1,033.18
8/19/2016	390-173-18	1703 Mitchell Ave	316	\$ 457.30	\$544.05	\$1,001.34
7/28/2016	390-173-23	1733 Mitchell Ave	338	\$ 489.13	\$544.05	\$1,033.18
7/28/2016	390-173-21	1721 Mitchell Ave	338	\$ 489.13	\$544.05	\$1,033.18
9/22/2016	390-172-05	2726 Birch Street	282	\$ 408.09	\$544.05	\$952.14
12/15/2016	390-173-20	1715 Mitchell Ave	198	\$ 286.53	\$544.05	\$830.58
12/15/2016	390-173-22	1727 Mitchell Ave	198	\$ 286.53	\$544.05	\$830.58
1/24/2017	390-181-05	1769 Mitchell Ave	158	\$ 228.65	\$544.05	\$772.70
1/24/2017	390-173-24	1739 Mitchell Ave	158	\$ 228.65	\$544.05	\$772.70
4/3/2017	390-181-01	1745 Mitchell Ave	89	\$ 128.80	\$544.05	\$672.84
4/3/2017	390-181-06	1775 Mitchell Ave	89	\$ 128.80	\$544.05	\$672.84
5/4/2017	390-181-02	1751 Mitchell Ave	58	\$ 83.93	\$544.05	\$627.98
5/4/2017	390-181-03	1757 Mitchell Ave	58	\$ 83.93	\$544.05	\$627.98
						<u>\$25,941.12</u>

*Total Tax Roll amount was rounded down to make even number when needed

**CITY MANAGER'S/STAFF'S REPORT
CITY COUNCIL MEETING:**

August 7, 2017

ITEM NO:

4.

SUBJECT:

Designation of voting delegate for League Conference

DISCUSSION: Each year, before the annual League Conference, all cities are asked to designate their voting delegate(s). This delegate is authorized to vote on behalf of their city on all League ordinances, resolutions, by-law or policy changes (attached).

Council will need to appoint a voting delegate for the League of California Cities annual conference.

The League of California Cities annual conference is scheduled for September 13, 2017 – September 15, 2017 in Sacramento.

RECOMMENDATION: Appoint a voting delegate for the League of California Cities annual conference.



David Elias, City Manager



Date



1400 K Street, Suite 400 • Sacramento, California 95814
Phone: 916.658.8200 Fax: 916.658.8240
www.cacities.org

Council Action Advised by July 31, 2017
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May 3, 2017

TO: Mayors, City Managers and City Clerks

**RE: DESIGNATION OF VOTING DELEGATES AND ALTERNATES
League of California Cities Annual Conference – September 13 – 15, Sacramento**

The League's 2017 Annual Conference is scheduled for September 13 – 15 in Sacramento. An important part of the Annual Conference is the Annual Business Meeting (during General Assembly), scheduled for 12:30 p.m. on Friday, September 15, at the Sacramento 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, September 1, 2017. This will allow us time to establish voting delegate/alternate records prior to the conference.

Please note the following procedures that 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. 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 13, 8:00 a.m. – 6:00 p.m.; Thursday, September 14, 7:00 a.m. – 4:00 p.m.; and Friday, September 15, 7:30 a.m.– Noon. 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 office by Friday, September 1. If you have questions, please call Carly Shelby at (916) 658-8279.

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: _____

**2017 ANNUAL CONFERENCE
VOTING DELEGATE/ALTERNATE FORM**

Please complete this form and return it to the League office by Friday, September 1, 2017. 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, September 1, 2017

League of California Cities
ATTN: Carly Shelby
1400 K Street, 4th Floor
Sacramento, CA 95814

FAX: (916) 658-8240
E-mail: cshelby@cacities.org
(916) 658-8279



***Annual Conference
Resolutions Packet***

2017 Annual Conference Resolutions



***Sacramento, California
September 13 – 15, 2017***

INFORMATION AND PROCEDURES

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

This year, two resolutions have been introduced for consideration by the Annual Conference and referred to the League policy committees.

POLICY COMMITTEES: One policy committee will meet at the Annual Conference to consider and take action on the resolutions referred to it. The committee is Public Safety. The committee will meet from 9:00 – 11:00 a.m. on Wednesday, September 13, at the Hyatt Regency. The sponsors of the resolutions have been notified of the time and location of the meeting.

GENERAL RESOLUTIONS COMMITTEE: This committee will meet at 1:00 p.m. on Thursday, September 14, at the Hyatt Regency in Sacramento, to consider the report of the policy committee regarding the resolutions. This committee includes one representative from each of the League's regional divisions, functional departments and standing policy committees, as well as other individuals appointed by the League president. Please check in at the registration desk for room location.

ANNUAL LUNCHEON/BUSINESS MEETING/GENERAL ASSEMBLY: This meeting will be held at 12:30 p.m. on Friday, September 15, at the Sacramento Convention Center.

PETITIONED RESOLUTIONS: For those issues that develop after the normal 60-day deadline, a resolution may be introduced at the Annual Conference with a petition signed by designated voting delegates of 10 percent of all member cities (48 valid signatures required) and presented to the Voting Delegates Desk at least 24 hours prior to the time set for convening the Annual Business Meeting of the General Assembly. This year, that deadline is 12:30 p.m., Thursday, September 14. Resolutions can be viewed on the League's Web site: www.cacities.org/resolutions.

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

GUIDELINES FOR ANNUAL CONFERENCE RESOLUTIONS

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

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

Guidelines for Annual Conference Resolutions

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

LOCATION OF MEETINGS

Policy Committee Meetings

Wednesday, September 13
Hyatt Regency Sacramento
1209 L Street, Sacramento
9:00 – 11:00 a.m.: Public Safety

General Resolutions Committee

Thursday, September 14, 1:00 p.m.
Hyatt Regency Sacramento
1209 L Street, Sacramento

Annual Business Meeting and General Assembly Luncheon

Friday, September 15, 12:30 p.m.
Sacramento Convention Center
1400 J Street, Sacramento

KEY TO ACTIONS TAKEN ON RESOLUTIONS

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

Number	Key Word Index	Reviewing Body Action		
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		1	2	3
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1 - Policy Committee Recommendation
to General Resolutions Committee

2 - General Resolutions Committee

3 - General Assembly

PUBLIC SAFETY POLICY COMMITTEE

		1	2	3
1	Implement Strategies to Reduce Negative Impacts of Recent Changes to Criminal Laws			
2	Local Control for Emergency Medical Response			

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

KEY TO ACTIONS TAKEN ON RESOLUTIONS (*Continued*)

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

KEY TO REVIEWING BODIES

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

KEY TO ACTIONS TAKEN

- | | |
|-----|---|
| A | Approve |
| D | Disapprove |
| N | No Action |
| R | Refer to appropriate policy committee for study |
| a | Amend+ |
| Aa | Approve as amended+ |
| Aaa | Approve with additional amendment(s)+ |
| Ra | Refer as amended to appropriate policy committee for study+ |
| Raa | Additional amendments and refer+ |
| Da | Amend (for clarity or brevity) and Disapprove+ |
| Na | Amend (for clarity or brevity) and take No Action+ |
| W | Withdrawn by Sponsor |

ACTION FOOTNOTES

- * Subject matter covered in another resolution
- ** Existing League policy
- *** Local authority presently exists

Procedural Note:

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

2017 ANNUAL CONFERENCE RESOLUTIONS

RESOLUTION REFERRED TO PUBLIC SAFETY POLICY COMMITTEE

1. A RESOLUTION OF THE LEAGUE OF CALIFORNIA CITIES CALLING UPON THE GOVERNOR AND LEGISLATURE TO ENTER INTO DISCUSSION WITH LEAGUE AND OTHER PUBLIC SAFETY STAKEHOLDERS TO IDENTIFY AND IMPLEMENT STRATEGIES THAT WILL REDUCE THE UNINTENDED NEGATIVE IMPACTS OF EXISTING CRIMINAL LAW

Source: City of Whittier

Concurrence of five or more cities/city officials: Cities: La Mirada; Lakewood; Monrovia; Pico Rivera; Rolling Hills; Santa Fe Springs; and South Gate

Referred to: Public Safety Policy Committee

Recommendation to General Resolutions Committee:

WHEREAS, during the past several years, State legislative changes have made fundamental alterations to the fabric of California's criminal justice system. Many of those changes have been needed and necessary, as not all crimes should be punished with jail sentences; and

WHEREAS, California cities, counties, and the State, however, are facing increased crime which endangers the health and safety of police officers, residents, business owners, and property due to some of these legislative changes which created a situation where violent and career criminals are serving little to no prison time; and

WHEREAS, negative impacts from State legislative changes have been far reaching and crime rates and the number of victims are skyrocketing throughout California. The negative impacts of these laws were unintended when voters and legislators approved the laws, which were instead intended to help lower the prison population in California prisons and appropriately rehabilitate non-violent offenders; and

WHEREAS, incentives for offenders to voluntarily enroll in substance abuse programs have diminished, which has had the effect of eroding the safety of our communities; and

WHEREAS, AB 109 transferred nearly 45,000 felons from the State prison system to local jail facilities, which were not designed to house criminals on a long-term basis and were unprepared for such an increase in incarcerations, resulting in lower-level criminals being released early, directly impacting rising property crime rates throughout the State; and

WHEREAS, many probationers who have severe mental illness are released into communities where they continue to commit crimes that adversely impact the safety of community members and drain the resources of probation departments and police departments throughout the state; and

WHEREAS, Proposition 47, The Safe Neighborhoods and Schools Act, downgraded a number of serious crimes from felonies to misdemeanors—drug possession, repeated shoplifting, forging checks, gun theft, and possession of date-rape drugs; and

WHEREAS, Proposition 57 categorizes rape by intoxication, rape of an unconscious person, human trafficking involving sex with minors, drive-by shooting, assault with a deadly weapon, domestic violence, hate crime causing physical injury, and corporal injury to a child as “non-violent” felonies and offenders convicted of violating such laws are able to avoid appropriate prison sentences; and

WHEREAS, under Proposition 57, criminals who commit multiple crimes against multiple victims will be eligible for release at the same time as offenders who only committed a single crime against a single victim and allows repeat criminals to be eligible for release after the same period of incarceration as first time offenders; and

WHEREAS, cities must join together to voice their concerns for these legislative changes that have created an adverse impact on the safety of residents and businesses in local communities.

NOW, THEREFORE, BE IT RESOLVED by the General Assembly of the League of California Cities, assembled in Sacramento on September 15, 2017, to:

1. Direct League staff to consider creating a task force with other organizations and jointly commission a report on the unintended negative impacts of recent and future criminal law based on appropriate documentation by local agencies to identify necessary changes, working with key stakeholders to promote support for resulting advocacy efforts.
2. Promote an amendment of appropriate sections of AB 109 to change the criteria justifying the release of non-violent, non-serious, non-sex offender inmates to include their total criminal and mental health history instead of only their last criminal conviction.
3. Continue to advocate to place into law that for the purposes of Section 32 of Article I of the California Constitution, a violent offense includes any of the following:
 - Murder or voluntary manslaughter.
 - Mayhem.
 - Rape.
 - Sodomy by force, violence, duress, menace, or threat of great bodily harm.
 - Oral copulation by force, violence, duress, menace, or threat of great bodily harm.
 - Lewd acts on a child under the age of 14 years.
 - Any felony punishable by death or imprisonment in the state prison for life.
 - Any other felony in which the defendant inflicts great or serious bodily injury on any person, other than an accomplice, that has been charged and proven, or any felony in which the defendant uses a firearm which use has been charged and proven.
 - Attempted murder.
 - Assault with intent to commit rape or robbery.

- Assault with a deadly weapon or instrument on a peace officer.
 - Assault by a life prisoner on a non-inmate.
 - Assault with a deadly weapon by an inmate.
 - Arson.
 - Exploding a destructive device or any explosive with intent to injure.
 - Exploding a destructive device or any explosive causing great bodily injury.
 - Exploding a destructive device or any explosive with intent to murder.
 - Robbery.
 - Kidnapping.
 - Taking of a hostage by an inmate of a state prison.
 - Attempt to commit a felony punishable by death or imprisonment in the state prison for life.
 - Any felony in which the defendant personally used a dangerous or deadly weapon.
 - Escape from a state prison by use of force or violence.
 - Assault with a deadly weapon.
 - Extortion as defined in Penal Code section 518, or threats to victims or witnesses as defined in Penal Code section 136.1, which would constitute a felony violation of Penal Code section 186.22.
 - Carjacking.
 - Discharge of a firearm at an inhabited dwelling, vehicle, or aircraft.
 - Throwing acid or flammable substances with intent to injure.
 - Continuous sexual abuse of a child.
4. Request the State to improve the Smart Justice platform to provide an effective statewide data sharing to allow state and local law enforcement agencies to rapidly and efficiently share offender information to assist in tracking and monitoring the activities of AB 109 and other offenders.
 5. Encourage the collection and organization of real world data from cities and counties on the universe of post-release community supervision (PRCS) offenders.
 6. Encourage cities throughout California to join in these advocacy efforts to mitigate the unintended negative impacts of recent policy changes to the criminal justice system.
 7. Call for the Governor and the Legislature to work with the League and others stakeholders to consider and implement such criminal justice system reforms.

////////

Background Information on Resolution No. 1

Source: City of Whittier

Background:

During the past several years, State legislative changes have made fundamental alterations to the fabric of California's criminal justice system. Some changes have been needed, as not all crimes should be punished with jail sentences. These changes included AB 109 as well as Propositions 47 and 57.

Approved in 2011, AB 109 was approved, transferring nearly 45,000 felons from the State prison system to local jail systems, resulting in lower-level criminals being released early. Then, Proposition 47, so called The Safe Neighborhoods and Schools Act, was approved by California voters in 2014. It reclassified and downgraded a number of serious crimes from felonies to misdemeanors. Similarly, Proposition 57, called The Public Safety and Rehabilitation Act, was approved by voters in 2016 and allows the State to provide for the release of up to 30,000 criminals convicted of "non-violent" felonies, including rape by intoxication, driveby shooting, human trafficking involving sex act with minors, assault with a deadly weapon, to name a few. Additionally, under Prop 57 repeat criminals are eligible for release after the same period of incarceration as first time offenders.

Now, California cities and counties are facing increasing crime rates which are being connected to these legislative actions which created a situation where violent and career criminals are serving little to no prison time while low-level offenders commit multiple crimes with limited consequences. This increasing level of crime endangers the health and safety of our residents, police officers, and property. Negative impacts from these State legislative changes have been far reaching, and crime rates and the number of victims are increasing throughout California. The negative impacts of these laws were unintended when voters and legislators approved the laws, which were instead intended to help lower the prison population in California prisons and appropriately rehabilitate non-violent offenders.

As an example, the Public Policy Institute of California reports since 2015:

- California has experienced an uptick in overall crime
- Property crime is up 145%, violent crime up 54%
- One in four Californians view violence and street crime in their community as a substantial problem
- Arrests dropped 31% for property crimes and 68% for drug offenses (due to Prop. 47)
- The report concludes auto theft increase is a direct result of AB109

To make matters even worse, during the past two years we've seen officers shot, wounded and killed in communities throughout California including Whittier, Downey, Lancaster, Palm Springs, San Diego, Stanislaus County, and Modoc County. Further, the number of U.S. police officers killed in the line of duty hit a five-year high in 2016. The National Law Enforcement Officers Memorial Fund's preliminary report shows that this year's 135 fatalities were a 10% increase over the 123 officers who died in the line of duty last year.

When taken together the increases in crime in our communities and reductions in arrests for many crimes plus violent attacks against police officers underscores the need for a call to action amongst California's state and local leaders. This conference resolution is an important first step and seeks to initiate both a dialogue as well as actions to begin reforming California's criminal justice system by requesting that League staff analyze the negative impacts of recent criminal law, identify necessary changes, and work with stakeholders to promote support for such advocacy efforts. The resolution also calls on the Governor, Legislature, cities, and other stakeholders to work together toward reforms.

The resolution contains three specific reforms:

1. Address Issues with AB 109

The conference resolution promotes the amendment of appropriate sections of AB 109 to change the criteria justifying the release of non-violent, non-serious, non-sex offender inmates to include their total criminal and mental health history instead of only their last criminal conviction.

2. Revise the Definition of Violent Crime

The resolution calls for the League to advocate to place into law for the purposes of Section 32 of Article I of the California Constitution, a violent offense includes any of the following crimes:

- Murder or voluntary manslaughter
- Mayhem
- Rape
- Sodomy by force, violence, duress, menace, or threat of great bodily harm
- Oral copulation by force, violence, duress, menace, or threat of great bodily harm
- Lewd acts on a child under the age of 14 years
- Any felony punishable by death or imprisonment in the state prison for life
- Any other felony in which the defendant inflicts great or serious bodily injury on any person, other than an accomplice, that has been charged and proven, or any felony in which the defendant uses a firearm which use has been charged and proven
- Attempted murder
- Assault with intent to commit rape or robbery
- Assault with a deadly weapon or instrument on a peace officer
- Assault by a life prisoner on a non-inmate
- Assault with a deadly weapon by an inmate
- Arson
- Exploding a destructive device or any explosive with intent to injure
- Exploding a destructive device or any explosive causing great bodily injury
- Exploding a destructive device or any explosive with intent to murder
- Robbery
- Kidnapping
- Taking of a hostage by an inmate of a state prison

- Attempt to commit a felony punishable by death or imprisonment in the state prison for life
- Any felony in which the defendant personally used a dangerous or deadly weapon
- Escape from a state prison by use of force or violence
- Assault with a deadly weapon
- Extortion as defined in Penal Code section 518, or threats to victims or witnesses as defined in Penal Code section 136.1, which would constitute a felony violation of Penal Code section 186.22
- Carjacking
- Discharge of a firearm at an inhabited dwelling, vehicle, or aircraft.
- Throwing acid or flammable substances with intent to injure.
- Continuous sexual abuse of a child.

3. Data Sharing

The resolution requests the State to improve the Smart Justice platform to provide an effective statewide data sharing to allow state and local law enforcement agencies to rapidly and efficiently share offender information to assist in tracking and monitoring the activities of AB 109 and other offenders.

////////

League of California Cities Staff Analysis on Resolution No. 1

Staff: Tim Cromartie
Committee: Public Safety

Summary:

This Resolution seeks to address increases in crime in the wake of AB 109 (2011), Proposition 47 (2014), which reclassified a host of felony offenses as misdemeanors, and Proposition 57 (2016), which revised the rules of parole for what are designated “non-violent” offenders under the California Penal Code, but in fact comprise a number of criminal acts that are violent in nature, or may be committed to facilitate a violent outcome (for example, discharging a firearm from a motor vehicle).

This Resolution would direct staff to seek legislation expanding the term “violent felony” as defined in the California Penal Code; to tighten the criteria for the release of non-violent, non-serious, non-sex offender inmates; to mandate consideration of an inmate’s entire criminal history as part of the deliberations involving whether to grant individual parole; and to consider creation of a task force that would be charged with issuing a report recommending further changes in law, and supported by documentation collected by local agencies and other key stakeholders.

Background:

Since 2011, changes in state law, starting with AB 109, altered the fabric of California's criminal justice system. In 2011, AB 109 began to shift nearly 45,000 felons from the state prison system to local county jails. Prior to AB 109, many of California's more heavily populated counties already had jail systems that were operating under court-ordered or self-imposed population caps. As a result, AB 109 implementation triggered changes in that county jails experienced over time an influx of a rougher class of offender, and many lower level petty criminals committing new offenses were simply booked and released, serving no jail time at all.

Proposition 47 followed in 2014, reclassifying a host of felony offenses as misdemeanors and increasing the threshold amount for a felony charge of grand theft from \$450.00 to \$900.00. The effect of this change was to significantly stimulate the volume of petty theft, shoplifting, auto theft, and organized retail theft (shoplifting involving multiple persons with cell phones, designated getaway drivers, and a pre-determined escape route often involving a short trip to a major highway). Proposition 57, approved by voters in 2016, facilitates the potential early release of a large number of "non-violent" offenders by providing that inmates are eligible for parole once they have served 100% of their base sentence, without regard to any time served as a result of any sentencing enhancements. The universe of "non-violent" offenders could include individuals who have committed the following offenses: rape by intoxication, attempted drive-by shooting, assault with a deadly weapon, throwing acid with the intent to disfigure, to name but a few offenses. Since current law defines a "non-violent offender" based on the individual's most recent commitment offense, even if the individual is a repeat offender, the State Parole Board must still consider that person's parole application.

This state of affairs includes factors such as a higher proportion of offenders at large on our city streets, many of whom have had little in the way of rehabilitation programming while incarcerated, some with drug habits, who are more violent now than when initially incarcerated. Unless they engage in major illegal activity (murder, rape, arson, armed robbery), the available sanctions for any violations they commit, such as flash incarceration, i.e. temporary incarceration for 48-72 hours in a city or county jail, scarcely provide a meaningful deterrent to further criminal activity.

Communities in California are now facing increasing crime rates which can be linked to these recent legislative changes, which probation officers and local law enforcement are struggling to monitor and contain a situation in which a dramatically increase universe of offenders are at large in our communities.

The Public Policy Institute of California reports that since 2015:

- California has experienced an increase in overall crime
- Property crime is up 145%
- Violent crime is up 54%
- One in four Californians view violence and street crime in their community as a substantial problem
- Arrests dropped 31% for property crimes and 68% for drug offenses (due to Prop. 47)
- The report concludes auto theft increase is a direct result of AB 109

Support:

Cities of La Mirada, Lakewood, Monrovia, Pico Rivera, Rolling Hills, Santa Fe Springs, and South Gate

Opposition:

None received.

Fiscal Impact:

The collective and cumulative effect of the current criminal justice policies has led to increased pressure on county general funds for increased resources for probation supervision and incarceration in county jails, as well as identical pressure on municipal general funds related to increased law enforcement activity and in some areas, increased emergency medical services calls. Should the objectives outlined by the resolution be achieved, those pressures will be alleviated to a significant but undetermined amount.

Comment:

This measure is a response to a trend of rapidly mounting frustration among cities beset by calls for more law enforcement resources as a result of ongoing, sustained criminal activity. There is a growing sense among law enforcement professionals and local elected officials that current policies which have reduced criminal penalties, reclassified felonies as misdemeanors and facilitated what amounts to early release of many offenders who are not truly non-violent, will in time result in a high-profile tragedy involving significant loss of life.

Existing League Policy:

In regard to incarceration policy, the League supports stiffer penalties for violent offenders. In 2014, the League joined the California Police Chiefs in opposing Proposition 47, which reduces sentencing penalties for specified non-serious and non-violent drug and property crimes. It directed that the following offenses would be treated as misdemeanors, in most instances irrespective of the circumstances:

- Commercial Burglary
- Forgery
- Passing Bad Checks
- Grand Theft
- Receipt of Stolen Property
- Petty Theft with a Prior Offense
- Drug Possession

In 2013, the League Board of Directors approved a resolution pertaining to AB 109 (2011), which implemented Public Safety Realignment and brought significant changes to the state's incarceration policy. Specifically, it provided that specified categories of felony offenders previously sentenced to state prison, would prospectively be sentenced to terms in county jails.

The League's Resolution had two significant components relevant to this resolution:

- 1) It urged the Governor's office to adjust the implementation of Public Safety Realignment so that the criteria examined to evaluate the appropriateness of release of non-violent, non-serious, non-sex offender inmates would include their total criminal and mental

history, instead of merely the most recent criminal conviction for which they are currently committed; and

- 2) It urged the Governor's office to expedite the development of an effective statewide data sharing mechanism allowing state and local law enforcement agencies too rapidly and efficiently share offender information to assist in tracking and monitoring the activities of AB 109 and other offenders.

Finally, the League in 2016 opposed Proposition 57, which altered rules for parole eligibility for non-violent felons, potentially facilitating parole before an individual has served any time toward a sentencing enhancement, and ushered in new rules for good time behavior seeking to incentivize inmates to undergo rehabilitation programming of an educational/vocational nature.

RESOLUTION REFERRED TO PUBLIC SAFETY POLICY COMMITTEE

2. A RESOLUTION OF THE LEAGUE OF CALIFORNIA CITIES SUPPORTING LEGISLATION AMENDING GOVERNMENT CODE SECTION 38611 TO CLARIFY THE DEFINITION OF LOCAL CONTROL PROVIDING BROAD STATUTORY AUTHORITY FOR LOCAL OFFICIALS TO DETERMINE EMERGENCY SERVICE LEVELS AND DIRECT EMERGENCY MEDICAL RESPONSE WITHIN THEIR JURISDICTIONS

Source: City of Tracy

Concurrence of five or more cities/city officials: Cities: Lathrop, Lodi, Manteca, Stockton, and Consumnes Fire Department (Cities of Elk Grove and Galt)

Referred to: Public Safety Policy Committee

Recommendation to General Resolutions Committee:

WHEREAS, Government Code Section 38611 was last amended in 1957 and does not contain language clarifying the broad scope of emergency services as provided by present day fire departments; and

WHEREAS, Government Code Section 38611 requires further definition for general law and charter cities in determining service levels for the delivery of emergency services commensurate with the resources provided by the local government body; and

WHEREAS, pursuant to Section 7 of Article XI of the California Constitution, municipal governments are vested with police power which imposes on the responsibility to protect public safety and public health and municipal governments must provide or contract for fire and/or emergency medical services; and

WHEREAS, the local provision of fire protection services, rescue services, emergency medical services, hazardous material emergency response services, ambulance services, and other services relating to the protection of lives and property is critical to the public peace, health, and safety of the state; and

WHEREAS, local fire and/or emergency medical services are financed by local taxpayers and the availability and use of such services is determined by the local governing body of the jurisdiction to which services are directly provided; and

WHEREAS, amending Government Code Section 38611 would provide the chief of a fire department specific authority to protect public safety and public health within the jurisdictional boundaries of the fire department.

RESOLVED, that the League of California Cities General Assembly, assembled at the League Annual Conference on September 15, 2017 in Sacramento, calls for the Governor and the Legislature to work with the League and other stakeholders to amend Government Code Section 38611 clarifying the definition of local control, providing broad statutory authority for local officials to determine emergency service levels and direct emergency medical response within their jurisdictions.

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Background Information on Resolution No. 2

Source: City of Tracy

Background:

In 1980, the State Legislature enacted the Emergency Medical Services (EMS) Act in response to the development of paramedic services and a concern that there was a lack of medical oversight and coordination of emergency medical services. The EMS Act contains 100 different provisions in nine separate chapters of the California Health and Safety Code. The EMS Act created a two-tiered system that established a State EMS Agency to coordinate state-wide EMS activities and to develop state-wide minimum EMS policies and a local tier (Local EMS Agency) to plan, implement and evaluate an EMS System. The statute also includes language that establishes *“The medical direction and management of an emergency medical services system shall be under the medical control of the medical director of the local EMS Agency.”* In each county, the local EMS Agency sets local EMS policy, administers and provides medical oversight for cities and special fire districts to deliver EMS services within the county.

In the late 1970’s, as the EMS Act was being developed, the League of California Cities weighed heavily concerning the impact of the proposed EMS Act on cities. The League of California Cities argued against depriving a city of local control over EMS service levels. The League of California Cities wrote, *“We believe (local control) is important because city taxpayers financially support (EMS) programs and city management is responsible for their efficient utilization. The city council is responsible for the level of service and the cost of the program, wholly unrelated to the medical questions.”* Based on that argument, additional language was included in the EMS policy that allowed local agencies that were providing EMS service to continue (and even obligated) them to continue to provide EMS services at the same levels as prior to 1980. This addition to the EMS Act (Section 1797.201 – became known as “201

Rights”) has been very controversial and has led to several lawsuits between cities/special districts and local EMS Agencies.

The City of Tracy in San Joaquin County has become the epicenter on the issue of local control as it relates to who has the authority to determine which resources will respond to medical emergencies. Several incidents have been noted where poor patient outcomes were the result of a failed county policy (SJCEMS Agency Policy 3202) that restricts local fire departments from responding to “low-level” emergencies. The EMS policy decisions within San Joaquin County have potential implications on every local community within the state of California and increasingly threaten local control.

Proposed Amendment

The proposed amendment to Government Code Section 38611 would clarify local control and allow the local governing bodies to determine which services are directly provided within their respective jurisdictions. The existing law is extremely limited in scope having been last amended in 1957, at a time when fire departments did not routinely provide many of the specialized services of today. Changes in services provided include but are not limited to hazardous materials response, specialized rescue, and emergency medical services. The amendment aims to support the long-standing tradition in California of local control over the types, levels, and availability of these services.

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League of California Cities Staff Analysis on Resolution No. 2

Staff: Tim Cromartie
Committee: Public Safety

Summary:

This resolution calls for the Governor and the Legislature to work with the League and other stakeholders to amend Government Code Section 38611 clarifying the definition of local control, providing broad statutory authority for local officials to determine emergency service levels and direct emergency medical response within their jurisdictions.

Background:

In 1980, the State Legislature enacted the Emergency Medical Services (EMS) Act in response to the development of paramedic services and a concern that there was a lack of medical oversight and coordination of emergency medical services. The EMS Act contains 100 different provisions in nine separate chapters of the California Health and Safety Code. The EMS Act created a two-tiered system that established a State EMS Agency to coordinate state-wide EMS activities and to develop state-wide minimum EMS policies and a local tier (Local EMS Agency) to plan, implement and evaluate an EMS System.

The statute also includes language that establishes “*The medical direction and management of an emergency medical services system shall be under the medical control of the medical director*”

of the local EMS Agency.” In each county, the local EMS Agency sets local EMS policy, administers and provides medical oversight for cities and special fire districts to deliver EMS services within the county.

In the late 1970’s, as the EMS Act was being developed, the League of California Cities weighed heavily concerning the impact of the proposed EMS Act on cities. The League argued against depriving a city of local control over EMS service levels. The League wrote, “*We believe (local control) is important because city taxpayers financially support (EMS) programs and city management is responsible for their efficient utilization. The city council is responsible for the level of service and the cost of the program, wholly unrelated to the medical questions.*” Based on that argument, additional language was included in the EMS policy that allowed local agencies that were providing EMS service to continue (and even obligated) them to continue to provide EMS services at the same levels as prior to 1980. This addition to the EMS Act (Section 1797.201 – became known as “201 Rights”) has been very controversial and has led to several lawsuits between cities/special districts and local EMS Agencies.

The City of Tracy in San Joaquin County has become one of the epicenters on the issue of local control as it relates to who has the authority to determine which resources will respond to medical emergencies. Several incidents have been noted where poor patient outcomes have been attributed by some observers to a county policy (SJCEMS Agency Policy 3202) that restricts local fire departments from responding to “low-level” emergencies. The EMS policy decisions within San Joaquin County have potential implications on every local community within the state of California and increasingly threaten local control.

Support:

Cities of Lathrop, Lodi, Manteca, City of Stockton, and Consumnes Fire Department (Cities of Elk Grove and Galt)

Opposition:

None received.

Fiscal Impact:

This resolution, if its directive can be achieved, will have no direct fiscal impact on cities. It will however, provide an atmosphere in which cities that have invested significant resources in building up and maintaining an independent EMS capability can have confidence that it will be deployed as intended.

Comment:

While this resolution calls for very specific action to clarify the rules governing emergency medical services, ideally it would be more generally worded to allow greater flexibility in pursuing legislative and other solutions to a problem that has existed for decades, spawning both legislation and multiple incidents of litigation.

However, it accurately expresses the legitimate frustration of cities in their efforts to provide emergency medical services (EMS) while abiding by the directives of their local emergency medical services authorities (LEMSA’s), which are county entities. Counties have broad

discretion under existing case law in how they administer EMS under the doctrine of medical control. To the degree there is dissatisfaction on the part of cities within a given county or counties, the following should be noted:

- 1) A task force convened by the California Emergency Medical Services Authority, the state entity with jurisdiction over this subject matter, made significant headway in crafting regulations governing the provision of ground emergency medical transport -- until disputes over local control and the criteria under which a local (municipal) agency could lay claim to the exclusive right to provide EMS in a specific operating area led to a lawsuit being filed by the California Fire Chiefs Association. That suit effectively suspended the work of the Task Force.
- 2) Over the past two decades, multiple attempts at legislation to resolve this issue have been tried, most without success. It was in part the multiple attempts at legislation that triggered the formation of the above-referenced task force.

Existing League Policy:

The League supports the fire service mission of saving lives and protecting property through fire prevention, disaster preparedness, hazardous-materials mitigation, specialized rescue, etc. as well as cities' authority and discretion to provide all emergency services to their communities.

The League supports and strives to ensure local control of emergency medical services by authorizing cities and fire districts to prescribe and monitor the manner and scope of pre-hospital emergency medical services, including transport through ambulance services, all provided within local boundaries for the purpose of improving the level of pre-hospital emergency medical service.

The League supports legislation to provide the framework for a solution to longstanding conflict between cities, counties, the fire service and LEMSA's particularly by local advisory committees to review and approve the EMS plan and to serve as an appeals body. Conflicts over EMS governance may be resolved if stakeholders are able to participate in EMS system design and evaluation and if complainants are given a fair and open hearing.

The League opposes legislation, regulations and standards that impose minimum staffing and response time standards for city fire and EMS services since such determinations should reflect the conditions and priorities of individual cities.

The League supports Emergency 911 systems to ensure cities and counties are represented on decisions affecting emergency response.

LETTERS OF CONCURRENCE

Resolution No. 1

**Implement Strategies to Reduce Negative Impacts of
Recent Changes to Criminal Laws**



CITY OF LA MIRADA

DEDICATED TO SERVICE

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La Mirada, California 90638

P.O. Box 828
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July 11, 2017

LETTER OF SUPPORT

General Resolutions Committee
League of California Cities
1400 K Street, Suite 400
Sacramento, CA 95814

SUBJECT: 2017 CONFERENCE RESOLUTION STRATEGIES TO IMPROVE NEGATIVE IMPACTS OF CRIMINAL LAW

Dear Committee:

The City of La Mirada supports the League of California Cities Annual Conference Resolution proposed by the City of Whittier calling on the Governor and Legislature to enter into discussion with the League and other public safety stakeholders to identify and implement strategies that will improve the unintended negative impacts of existing criminal law.

The City of La Mirada has seen increases in property crime that may have resulted from a combination of legislative actions and voter-approved initiatives. Specifically, since 2014 the City of La Mirada has seen property crime increase by 41 percent. The proposed resolution seeks to correct these negative impacts from existing criminal law and considers proactive measures that could reduce such impacts.

The resolution directs League staff to consider creating a task force with other organizations and jointly commission a report on the unintended negative impacts of recent criminal law to identify necessary changes.

The resolution also promotes an amendment of appropriate sections of AB 109 to change the criteria justifying the release of non-violent, non-serious, non-sex offender inmates to include one's total criminal and mental health history instead of only the most recent criminal conviction. It encourages continued advocacy to make "violent offenses" include crimes that meet the plain language definition of "violent".

The resolution further asks the State to improve the Smart Justice platform to allow state and local law enforcement agencies to rapidly share information to track offenders, and encourages data collection on post-release community supervision offenders.

The passage of this resolution would provide a range of important reforms to enhance public safety in our community. For these reasons, the City of La Mirada strongly supports this resolution to strategically address criminal justice reforms.

Sincerely,

CITY OF LA MIRADA

Ed Eng
Mayor

EE:JB:vdr

Ed Eng
Mayor

Lawrence P. Mowles
Mayor Pro Tem

Steve De Ruse, D. Min.
Councilmember

August 7, 2017 Council Packet

John Lewis
Councilmember

Andrew Sarega
Councilmember

Jeff Boynton
City Manager



July 10, 2017

General Resolutions Committee
League of California Cities
1400 K Street, Suite 400
Sacramento, CA 95814

**RE: 2017 Conference Resolution – Notice of Support
Strategies to Improve Negative Impacts of Criminal Law**

Dear Committee:

The City of Lakewood supports the League of California Cities Annual Conference Resolution calling on the Governor and Legislature to enter into discussion with the League and other public safety stakeholders to identify and implement strategies that will improve the unintended negative impacts of existing criminal law.

Like other cities, Lakewood has seen increases in property crime that may have resulted from a combination of legislative actions and voter-approved initiatives. The proposed annual conference resolution seeks to turn around these negative impacts from existing criminal law and considers proactive measures that could reduce such impacts. These include:

- Request League staff to consider creating a task force with other organizations and jointly commission a report on the unintended negative impacts of recent criminal law to identify necessary changes and work with key stakeholders to promote support for resulting advocacy efforts.
- Promote an amendment of appropriate sections of AB 109 to change the criteria justifying the release of non-violent, non-serious, non-sex offender inmates to include their total criminal and mental health history instead of only their last criminal conviction. It encourages continued advocacy to make "violent offenses" include crimes that meet the plain language definition of "violent."
- Request that the State improve the "Smart Justice" platform to allow state and local law enforcement agencies to rapidly share information to track offenders and encourage data collection on post-release community supervision offenders.

The passage of this resolution would provide a range of important reforms that would enhance public safety in our community. For these reasons, the City of Lakewood strongly supports this resolution to strategically address criminal justice reforms.

Sincerely,

Diane DuBois
Mayor

Lakewood



July 11, 2017

President JoAnne Mounce
The League of California Cities
1400 K Street, Suite 400
Sacramento, CA 95814

RE: Letter of Support for the Resolution Brought Forward by the City of Whittier Regarding the Unintended Negative Consequences of Recent Legislative Changes to California's Criminal Justice System

Dear Ms. Mounce:

The City of Monrovia strongly supports the Resolution brought forth by the City of Whittier, which asks the League of California Cities (League) to initiate and facilitate further discussion between the Governor, the State Legislature, and other key public safety stakeholders regarding the legislative changes that have been made to California's criminal justice system during the past few years.

Taken together, Assembly Bill 109, Proposition 47, and Proposition 57 have reshaped how we approach public safety issues in our State. And certainly, the identified measures have resulted in measurable and positive impacts to California's criminal justice system, such as a decrease in the State prison system population. However, the cumulative effect of these legislative actions have had several significant unintended consequences, which have resulted in California cities now needing to address increasingly complex public safety challenges.

For example, in the City of Monrovia, violent and property crimes increased by 19% when comparing 2016 crime levels against 2015 rates. On-the-street information being provided by our Police Officers seems to correlate that the increasing levels of crime are connected with the legislative changes that have been enacted in California during the past several years. Additionally, the public safety issues we are experiencing in Monrovia are not occurring in a vacuum, as other neighboring jurisdictions are reporting similar concerns that impact our region as a whole.

Given these factors, we believe that California's overall criminal justice system needs to be carefully reexamined for potential methods to mitigate these emerging public safety issues. The City of Whittier's Resolution represents a positive first step, which includes the formation of a task force to examine possible criminal justice system modifications in greater detail. We believe that such a step would be a move in the right direction for California.

For these reasons, the City of Monrovia strongly supports the Resolution brought forth by the City of Whittier. Of course, please feel free to contact me if I can provide any additional information. I can be reached at (626) 932-5501, or via email at ochi@ci.monrovia.ca.us.

Best regards,

A handwritten signature in blue ink, appearing to read "Oliver Chi".

Oliver Chi
City Manager



René Bobadilla, P.E.
City Manager

City of Pico Rivera

OFFICE OF THE CITY MANAGER

6615 Passons Boulevard · Pico Rivera, California 90660

(562) 801-4379

Web: www.pico-rivera.org · e-mail: rbobadilla@pico-rivera.org

City Council

Bob J. Archuleta
Mayor

Gustavo V. Camacho
Mayor Pro Tem

David W. Armenta
Councilmember

Gregory Salcido
Councilmember

Brent A. Tercero
Councilmember

July 12, 2017

General Resolutions Committee
League of California Cities
1400 K Street, Suite 400
Sacramento, CA 95814

**RE: 2017 Conference Resolution
Strategies to Improve Negative Impacts of Criminal Law
Notice of Support**

Dear Committee:

The City of Pico Rivera supports the League of California Cities Annual Conference Resolution calling on the Governor and Legislature to enter into discussion with the League and other public safety stakeholders to identify and implement strategies that will improve the unintended negative impacts of existing criminal law.

The City of Pico Rivera has seen increases in property crime that may have resulted from a combination of legislative actions and voter-approved initiatives. Following are some specific impacts provided by the Pico Rivera Sheriff's Department:

Part I crimes

Robbery is up 10.26% in 2017 compared to 2016

Larceny Theft is up 4.09% in 2017 compared to 2016

Part II crimes

Weapon Law is up 9.68% in 2017 compared to 2016

Felony Transport & or Sales of controlled substance (except Marijuana) is up 44.44% compared to 2016

Misdemeanor Possession of a Controlled Substance (excluding Marijuana) is up 56.06% compared to 2016

Under the influence of Narcotic is up 28.57% in 2017 compared to 2016

The proposed annual conference resolution seeks to turn around these negative impacts from existing criminal law and considers proactive measures that could reduce such impacts.

General Resolutions Committee

2017 Conference Resolution – Strategies to Improve Negative Impacts of Criminal Law

Notice of Support

July 12, 2017

Page 2

The resolution directs League staff to consider creating a task force with other organizations and jointly commission a report on the unintended negative impacts of recent criminal law to identify necessary changes, working with key stakeholders to promote support for resulting advocacy efforts.

The resolution also promotes an amendment of appropriate sections of AB 109 to change the criteria justifying the release of non-violent, non-serious, non-sex offender inmates to include their total criminal and mental health history instead of only their last criminal conviction. It encourages continued advocacy to make “violent offenses” include crimes that meet the plain language definition of “violent”.

The resolution further asks the State to improve the Smart Justice platform to allow state and local law enforcement agencies to rapidly share information to track offenders, and encourages data collection on post-release community supervision offenders.

The passage of this resolution would provide a range of important reforms that would enhance public safety in our community. For these reasons, the City of Pico Rivera strongly supports this resolution to strategically address criminal justice reforms.

Best regards,

A handwritten signature in blue ink, appearing to read 'René Bobadilla', with a stylized flourish at the end.

René Bobadilla, P.E.
City Manager
City of Pico Rivera



City of Rolling Hills

INCORPORATED JANUARY 24, 1957

NO. 2 PORTUGUESE BEND ROAD
ROLLING HILLS, CALIF. 90274
(310) 377 1521
FAX: (310) 377-7288

July 12, 2017

General Resolutions Committee
League of California Cities
1400 K Street, Suite 400
Sacramento, CA 95814

**RE: 2017 Conference Resolution
Strategies to Improve Negative Impacts of Criminal Law
Notice of Support**

Dear Members of the General Resolutions Committee:

As a member of the Rolling Hills City Council, I support the League of California Cities Annual Conference Resolution calling on the Governor and Legislature to enter into discussion with the League and with other public safety stakeholders to identify and implement strategies that will relieve the unintended negative impacts of existing criminal law.

The City of Rolling Hills has seen increases in burglaries, mail/package theft and other property related crime that may have resulted from a combination of legislative actions and voter-approved initiatives. The City has also seen a significant jump in identity theft. The proposed annual conference resolution seeks to turn around these negative impacts from existing criminal law and considers proactive measures that could reduce such impacts.

The resolution directs League staff to consider creating a task force with other organizations and jointly commission a report on the unintended negative impacts of recent criminal law to identify necessary changes, working with key stakeholders to promote support for resulting advocacy efforts.

The resolution also promotes an amendment of appropriate sections of AB 109 to change the criteria justifying the release of non-violent, non-serious, non-sex offender inmates to include their total criminal and mental health history instead of only their last criminal conviction. It encourages continued advocacy to make "violent offenses" include crimes that meet the plain language definition of "violent".

General Resolutions Committee

July 12, 2017

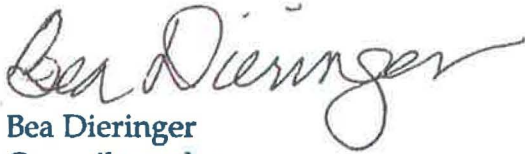
Re: 2017 Conference Resolution Strategies to Improve Negative Impacts of Criminal Law -
Notice of Support

Page 2

The resolution further asks the State to improve the Smart Justice platform to allow state and local law enforcement agencies to rapidly share information to track offenders, and encourages data collection on post-release community supervision offenders.

The passage of this resolution would provide a range of important reforms that would enhance public safety in our community. For these reasons, I strongly support this resolution to strategically address criminal justice reforms.

Sincerely,

A handwritten signature in dark ink, reading "Bea Dieringer". The signature is fluid and cursive, with the first name "Bea" and last name "Dieringer" clearly distinguishable.

Bea Dieringer
Councilmember
City of Rolling Hills

RC:BD:hl

07-12-17League Resolution Support.docx



July 11, 2017

General Resolutions Committee
League of California Cities
1400 K Street, Suite 400
Sacramento, CA 95814

**RE: 2017 Conference Resolution
Strategies to Improve Negative Impacts of Criminal Law
Notice of Support**

Dear Committee:

The City of Santa Fe Springs supports the League of California Cities Annual Conference Resolution calling on the Governor and Legislature to enter into discussion with the League and other public safety stakeholders to identify and implement strategies that will improve the unintended negative impacts of existing criminal law.

The City of Santa Fe Springs has seen increases in property crime that may have resulted from a combination of legislative actions and voter-approved initiatives. In addition, the City of Santa Fe Springs contracts with the Whittier Police Department for Law Enforcement Services. In February, Whittier Police Department Officer Keith Boyer was gunned down by a AB 109 offender in a heinous act of indiscriminate violence. We feel strongly that AB 109 and the loosening of oversight and control over recidivist offenders was at least partially responsible in Officer Boyer's death. We believe that the proposed annual conference resolution seeks to turn around these negative impacts from existing criminal law and considers proactive measures that could reduce such impacts.

The resolution directs League staff to consider creating a task force with other organizations and jointly commission a report on the unintended negative impacts of recent criminal law to identify necessary changes, working with key stakeholders to promote support for resulting advocacy efforts.

The resolution also promotes an amendment of appropriate sections of AB 109 to change the criteria justifying the release of non-violent, non-serious, non-sex offender inmates to include their total criminal and mental health history instead of only their last criminal conviction. It encourages continued advocacy to make "violent offenses" include crimes that meet the plain language definition of "violent".

The resolution further asks the State to improve the Smart Justice platform to allow state and local law enforcement agencies to rapidly share information to track offenders, and encourages data collection on post-release community supervision offenders.

William K. Rounds, Mayor • Jay Sarno, Mayor Pro Tem
City Council
Richard J. Moore • Juanita Trujillo • Joe Angel Zamora
City Manager
Thaddeus McCormack

August 7, 2017²⁷ Council Packet

July 10, 2017

Page 2

2017 Conference Resolution

The passage of this resolution would provide a range of important reforms that would enhance public safety in our community. For these reasons, the City of Santa Fe Springs strongly supports this resolution to strategically address criminal justice reforms.

Sincerely,



William K. Rounds, Mayor
City of Santa Fe Springs

William K. Rounds, Mayor • Jay Sarno, Mayor Pro Tem
City Council
Richard J. Moore • Juanita Trujillo • Joe Angel Zamora
City Manager
Thaddeus McCormack



City of South Gate

8650 CALIFORNIA AVENUE + SOUTH GATE, CA 90280-3075 + (323) 563-9543
WWW.CITYOFSOUTHGATE.ORG FAX (323) 569-2678

MARIA DAVILA, Mayor
MARIA BELEN BERNAL, Vice Mayor
DENISE DIAZ, Council Member
JORGE MORALES, Council Member
AL RIOS, Council Member

July 11, 2017

General Resolutions Committee
League of California Cities
1400 K Street, Suite 400
Sacramento, CA 95814

**RE: 2017 ANNUAL CONFERENCE RESOLUTION: STRATEGIES TO IMPROVE
NEGATIVE IMPACTS OF CRIMINAL LAW-NOTICE OF SUPPORT**

Dear Committee:

As a Council Member of the City of South Gate, and a Member of the League's Public Safety Policy Committee, I am writing to express my support of the City of Whittier's 2017 Annual Conference Resolution (Resolution.) The proposed Resolution calls on the Governor and Legislature to enter into discussion with the League and other public safety stakeholders, to identify and implement strategies that will improve the unintended negative impacts of existing criminal law.

Cities in Los Angeles County have experienced increases in property crimes that may have resulted from a combination of legislative actions and voter-approved initiatives. The proposed Resolution seeks to remedy many of the negative impacts from existing criminal law and considers proactive measures that could reduce such impacts.

The passage of this Resolution would provide a range of important League directives to address the growing public safety concerns in these communities. For these reasons, I strongly support this Resolution to strategically address criminal justice reforms.

Sincerely,

Jorge Morales
Council Member

LETTERS OF CONCURRENCE

Resolution No. 2

Local Control for Emergency Medical Response



COSUMNES FIRE DEPARTMENT

10573 E Stockton Blvd.
Elk Grove, CA 95624

(916) 405-7100
Fax (916) 685-6622
www.yourcsd.com

July 13, 2017

The Honorable JoAnne Mounce, President
League of California Cities
1400 K Street
Sacramento, California 95814

**RE: RESOLUTION THAT SUPPORTS LEGISLATION TO AMEND GOVERNMENT
CODE SECTION 38611 TO CLARIFY THE DEFINITION OF LOCAL CONTROL**

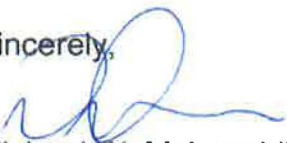
Dear President Mounce,

The Cosumnes CSD Fire Department, which encompasses the Cities of Elk Grove and Galt supports the proposed resolution that would support legislation to amend Government Code Section 38611 to clarify the definition of local control as it pertains to emergency services.

A core function of local government is the ability to determine and provide the appropriated level of emergency response resources. Allowing Local Emergency Medical Services Agencies (LEMSAs) to determine when and how local fire agencies respond to emergencies circumvents the role of Fire Chiefs and municipal and special fire district legislative bodies. It should be the role of the Fire Chief to determine the required service levels and the role of the local legislative bodies to support the Fire Chief's recommendations based on community expectations, community risk reduction strategies and available resources.

Therefore, the Cosumnes CSD Fire Department supports the proposed resolution and future legislation that would serve to ensure local government determines their emergency response service levels. If further clarification is required, please let me know.

Sincerely,



Michael W. McLaughlin
Fire Chief



Office of the City Manager

390 Towne Centre Dr. - Lathrop, CA 95330
Phone (209) 941-7220 - fax (209) 941-7248
www.ci.lathrop.ca.us

July 14, 2017

The Honorable JoAnne Mounce, President
League of California Cities
1400 K Street
Sacramento, CA 95814

Sent to Via Email to: Meg Desmond mdesmond@cacities.org <<mailto:mdesmond@cacities.org>>

**Re: RESOLUTION THAT SUPPORTS LEGISLATION TO AMEND GOVERNMENT
CODE SECTION 38611 TO CLARIFY THE DEFINITION OF LOCAL CONTROL**

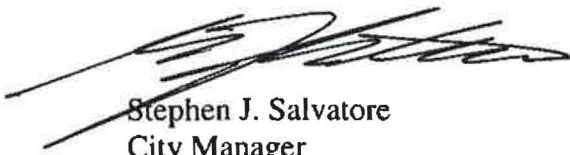
Dear President Mounce,

The City of Lathrop supports the proposed resolution that would support legislation to amend Government Code Section 38611 to clarify the definition of local control as it pertains to emergency services.

A core function of local government is the ability to determine and provide the appropriated level of emergency response resources. Allowing Local Emergency Medical Services Agencies (LEMSAs) to determine when and how local fire agencies respond to emergencies circumvents the role of Fire Chiefs and municipal and special fire district legislative bodies. It should be the role of the Fire Chief to determine the required service levels and the role of the local legislative bodies to support the Fire Chief's recommendations based on community expectations, community risk reduction strategies and available resources.

Therefore, the City of Lathrop supports the proposed resolution and future legislation that would serve to ensure local government determines their emergency response service levels. If further clarification is required, please let me know.

Thank you,



Stephen J. Salvatore
City Manager

Cc: Members of the City of Lathrop City Council
Lathrop Manteca Fire Chief, Gene Neely
Tracy City Manager, Troy Brown
Tracy Fire Chief, Randall Bradley
Central Valley Regional Public Affairs Manager LOCC, Stephen Qualls

CITY COUNCIL
DOUG KUEHNE, Mayor
ALAN NAKANISHI,
Mayor Pro Tempore
MARK CHANDLER
BOB JOHNSON
JOANNE MOUNCE

CITY OF LODI

CITY HALL, 221 WEST PINE STREET
P.O. BOX 3006
LODI, CALIFORNIA 95241-1910
(209) 333-6702 / FAX (209) 333-6807
www.lodi.gov cityclerk@lodi.gov

STEPHEN SCHWABAUER
City Manager
JENNIFER M. FERRAILOLO
City Clerk
JANICE D. MAGDICH
City Attorney

July 19, 2017

The Honorable JoAnne Mounce, President
League of California Cities
1400 K Street, Suite 400
Sacramento, CA 95814

**RE: RESOLUTION OF THE LEAGUE OF CALIFORNIA CITIES SUPPORTING
LEGISLATION AMENDING GC §38611 TO CLARIFY DEFINITION OF LOCAL
CONTROL PROVIDING BROAD STATUTORY AUTHORITY FOR LOCAL
OFFICIALS TO DETERMINE EMERGENCY SERVICE LEVELS AND DIRECT
EMERGENCY MEDICAL RESPONSE WITHIN THEIR JURISDICTIONS**

The City of Lodi supports the proposed resolution to support legislation amending Government Code §38611 to clarify the definition of local control providing broad statutory authority for local officials to determine emergency service levels and direct emergency medical response within their jurisdictions.

Accordingly, we concur in the submission of the resolution for consideration by the League of California Cities General Assembly at its annual meeting on September 15, 2017.

Government Code Section 38611 does not contain language clarifying the broad scope of emergency services as provided by present day fire departments. The code requires further definition for general law and charter cities in determining service levels for the delivery of emergency services commensurate with the resources provided by the local government body. Amending Government Code Section 38611 would provide the chief of a fire department specific authority to protect public safety and public health within the jurisdictional boundaries of the fire department.

The City of Lodi is in strong support of providing statutory authority for local officials to determine emergency service levels and direct emergency medical response within their jurisdictions.

Sincerely,



Doug Kuehne
Mayor, City of Lodi

DK/JMF

cc: Larry Rooney, Fire Chief, City of Lodi
Randall Bradley, City of Tracy, randall.bradley@ci.tracy.ca.us
Stephen Qualls, League of California Cities, squalls@cacities.org

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August 7, 2017³³ Council Packet



CITY OF MANTECA - FIRE DEPARTMENT

1154 S. UNION ROAD • MANTECA, CA 95337

(209) 456-8300 • FAX (209) 923-8936

July 13, 2017

League of California Cities
1400 K Street, Suite 400
Sacramento CA 95814

RE: A RESOLUTION OF THE LEAGUE OF CALIFORNIA CITIES SUPPORTING LEGISLATION AMENDING GOVERNMENT CODE SECTION 38611 TO CLARIFY THE DEFINITION OF LOCAL CONTROL PROVIDING BROAD STATUTORY AUTHORITY FOR LOCAL OFFICIALS TO DETERMINE EMERGENCY SERVICE LEVELS AND DIRECT EMERGENCY MEDICAL RESPONSE WITHIN THEIR JURISDICTIONS

To Whom It May Concern:

This letter confirms that the City of Manteca supports the resolution on Emergency Medical Services submitted to the League of California cities by the City of Tracy. The City of Manteca believes that local control of Emergency Services is critical to ensure that the best possible service and protection of our citizens/taxpayers is provided.

We appreciate the City of Tracy's willingness to bring this crucial issue to the forefront.

Respectfully,


Greg Showerman, Acting City Manager

Date: 13 July 2017


Kyle Shipherd, Fire Chief

Date: 17 July 2017

MICHAEL TUBBS
Mayor

ELBERT HOLMAN
Vice Mayor
District 1



CITY OF STOCKTON

OFFICE OF THE CITY COUNCIL
CITY HALL • 425 N. El Dorado Street • Stockton, CA 95202
209 / 937-8244 • Fax 209 / 937-8568

DAN WRIGHT
District 2

SUSAN LOFTHUS
District 3

SUSAN LENZ
District 4

CHRISTINA FUGAZI
District 5

JESÚS ANDRADE
District 6

July 13, 2017

The Honorable JoAnne Mounce, President
League of California Cities
1400 K Street
Sacramento, CA 95814

**SUBJECT: Resolution of the League of California Cities Supporting Legislation
Providing Broad Statutory Authority for Local Officials to Determine
Emergency Service Levels - SUPPORT**

Dear President Mounce,

On behalf of the City of Stockton, I wish to voice our support of the City of Tracy proposed resolution for consideration by League membership. Stockton supports this resolution for the following reasons:

- 1) The City of Stockton Legislative Program seeks the broadest authority for the City Council to make decisions locally, particularly related to the local exercise of police powers;
- 2) The City of Stockton Legislative Program advocates for efforts that impact the City's ability to enhance the well-being, quality of life, health, and safety of residents;
- 3) The City of Stockton has experienced challenges and frustrations in delivering the highest quality of emergency medical services to our residents due to provision of the Emergency Medical Services (EMS) Act.
- 4) Amendments to the EMS Act would clarify local control and allow governing bodies to determine which services are directly provided within their respective jurisdictions.

For these reasons, the City of Stockton concurs with and supports the City of Tracy proposed resolution for consideration by League membership.

MICHAEL TUBBS
MAYOR

MT:cc

cc: Stockton City Councilmembers
Kurt Wilson, Stockton City Manager

**CITY MANAGER'S/STAFF'S REPORT
CITY COUNCIL MEETING:**

August 7, 2017

ITEM NO: 5.

SUBJECT: Consideration and necessary action on authorizing the participation into the Five Cities Economic Development Authority, A Joint Powers Authority.

DISCUSSION: In June 2017, Council approved and authorized the participation into the Five Cities Economic Development Authority. As part of the process to add an additional member, an amendment must be filed and authorized by each of the respective agencies.

The Five Cities JPA Board unanimously approved the addition of Selma at its June 26, 2017 Board meeting. Fresno County Economic Development Corporation has prepared the Fourth Amendment to the First Amended Joint Powers Agreement Creating the Five Cities Economic Development Authority (attached) and is requesting Council approval.

Council will also need to appoint a Board member.

RECOMMENDATION: Approve Amendment to the Five Cities JPA which permits the addition of Selma and designate appointment.



David Elias, City Manager


Date

Reyna Rivera

From: Jacob Villagomez <JVillagomez@fresnoedc.com>
Sent: Wednesday, July 19, 2017 11:21 AM
To: Becky Hernandez; Plata, Sylvia; Reyna Rivera; Bertha A. Augustine; jb@cityoforangecove.com; Jeannie Davis; apalsgaard@cityofkingsburg-ca.gov
Cc: Will Oliver; Nikki Newsome; Lee Ann Eager; Merritt Pacini; Tim Chapa; Nicole.Zieba@reedley.ca.gov; David Elias; sescobar@parlier.ca.us; Alex Henderson
Subject: Five Cities Fourth Amendment-Approval Needed
Attachments: Five Cities 4th Amendment- Selma 2017.doc; Approved Resolution 2017-2.pdf

Good Morning,

As we all know, the City of Selma has announced it will join the Five Cities Economic Development Authority whereas the Board has approved a resolution accepting their entry. Upon entry of a member agency, an amendment to the first amended joint powers agreement creating the Five Cities Economic Development Authority must be filed and be authorized by each of our respected member agencies. The Fresno County Board of Supervisors will be the first member agency to review the Fourth Amendment on August 8th, where it is expected to be approved.

We are therefore requesting our member cities and councils to approve the amendment to finalize Selma's entry. Please see the attached amendment which is now ready for member approval and the approved resolution accepting Selma.

Should you have any questions, comments or concerns please do not hesitate to give me a call.

Respectfully,

Jacob Villagomez
Economic Development Specialist
Fresno County Economic Development Corporation (EDC)
906 N. Street, Suite 120 Fresno, CA 93721
Office:(559) 476-2511 Cell:(559) 375-2506



RESOLUTION NO. 2017 – 36R

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF SELMA AUTHORIZING PARTICIPATION INTO
THE FIVE CITIES ECONOMIC DEVELOPMENT
AUTHORITY, A JOINT POWERS AUTHORITY**

WHEREAS, the City of Selma ("City") would like to participate as a Member Entity of the Five Cities Economic Development Authority, a joint powers agency providing economic development services to its members; and


WHEREAS, the Joint Powers Agreement allows a Member Entity to participate in the Authority upon adoption of a Resolution authorizing membership and the filing of notice thereof with the Authority; and

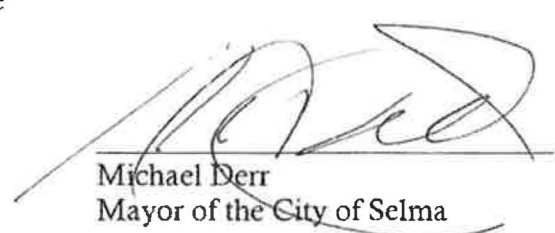
WHEREAS, Selma City Council has reviewed and discussed the participation in the Authority for the upcoming fiscal year; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Selma to participate in the Five Cities Joint Powers Economic Development Authority and the Authority is hereby directed to execute an Amendment to the Joint Powers Agreement and to take any other necessary steps related thereto.

The foregoing Resolution was duly approved by the Selma City Council at a regular meeting held on the 5th day of June, 2017, by the following vote, to wit:

AYES:	5	COUNCIL MEMBERS:	Montijo, Robertson, Franco, Avalos, Derr
NOES:	0	COUNCIL MEMBERS:	None
ABSENT:	0	COUNCIL MEMBERS:	None
ABSTAIN:	0	COUNCIL MEMBERS:	None


Reyna Rivera
City Clerk


Michael Derr
Mayor of the City of Selma

FIVE CITIES ECONOMIC DEVELOPMENT AUTHORITY
Resolution No. 2017-2

*A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
FIVE CITIES ECONOMIC DEVELOPMENT AUTHORITY
AUTHORIZING THE ACCEPTANCE OF THE CITY OF SELMA
AS A MEMBER*

WHEREAS, the Cities of Fowler, Parlier, Reedley, Sanger and Selma entered into that certain Amended Joint Powers Agreement creating the Five Cities Economic Development Authority (the "Agreement"); and

WHEREAS, the County of Fresno (the "County") heretofore has been added as a Member of the Authority effective November 16, 2004 and the City of Kingsburg heretofore has been added as a Member of the Authority effective December 5, 2006 and the City of Orange Cove has been added as a Member of the Authority effective September 27, 2010; and

WHEREAS, the City of Selma, by the authority of the City Council at a regular meeting, relinquished membership to the Five Cities Joint Powers Economic Development Authority effective April 20, 2015 and has hereby approved membership at a regular meeting effective June 5, 2017; hereby directed to execute an Amendment to the Joint Powers Agreement; and

WHEREAS, Article 21 of the Agreement permits a majority of the Board of the Member Agencies of the Authority to later add the City of Selma as a Member Agency of the Authority and as a signatory to the Agreement; and

WHEREAS, Article 26 of the Agreement permits a majority of the Member Agencies of the Authority and the County to agree to such addition of the City of Selma by way of an Amendment to the Agreement; and

WHEREAS, the Member Agencies have approved this Fourth Amendment to the Agreement (the "Third Amendment") and the City of Selma, authorize this Fourth Amendment.

NOW, THEREFORE, BE IT RESOLVED, that in consideration of all the mutual benefits, covenants, and agreements contained herein, the City of Selma is a duly authorized member with all rights and privileges thereof.

CERTIFICATION

I do hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly approved at a meeting of the Five Cities Economic Development Authority held on June 26, 2017 by the following vote to wit:

AYES:	BOARD MEMBERS: 5
NOES:	BOARD MEMBERS: 0
ABSTAIN:	BOARD MEMBERS: 0
ABSENT:	BOARD MEMBERS: 0


Buddy Mendes, Chair
Five Cities Economic Development Authority

ATTEST:


Jacob Villagomez, Secretary

August 7, 2017 Council Packet

**FOURTH AMENDMENT TO FIRST AMENDED
JOINT POWERS AGREEMENT CREATING
THE FIVE CITIES ECONOMIC DEVELOPMENT AUTHORITY**

RECITALS

WHEREAS, the Cities of Fowler, Parlier, Reedley, Sanger and Selma entered into that certain First Amended Joint Powers Agreement creating the Five Cities Economic Development Authority (the "Agreement"); and

WHEREAS, the County of Fresno ("County") was added as a Member Agency of the Authority effective November 16, 2004, the City of Kingsburg was added as a Member Agency of the Authority effective December 5, 2006 and the City of Orange Cove was added as a Member of the Authority effective September 27, 2010; and

WHEREAS, the City of Selma, by the authority of it City Council at a regular meeting, relinquished membership to the Five Cities Joint Powers Economic Development Authority effective April 20, 2015, but thereafter approved membership at a regular meeting effective June 5, 2017; and

WHEREAS, the purpose of the Agreement is to permit each Member Agency that is a party to the Agreement to join together with other Member Agencies, under the Joint Powers Law, to create the Authority, as a public entity, separate and apart from the parties to the Agreement; and

WHEREAS, the purposes of the Authority are to provide staff resources, personnel and expertise to assist the local Member Agencies of the Authority, develop local economic development resources, establish cooperative relationships to pursue legislation, seek funding, plan the allocation of resources, and implement the Regional Economic Development Program and strategies for the benefit of the citizens and economies of the Member Agencies of the Authority; and

WHEREAS, the Member Agencies of the Authority have determined that, in order to further broaden the economic development efforts of the Authority, it is desirable to include the City of Selma as a full-voting Member Agency of the Authority and to become a party to the Agreement; and

WHEREAS, Article 21 of the Agreement permits a majority of the Board of the Member Agencies of the Authority to later add the City of Selma as a Member Agency of the Authority and as a signatory to the Agreement; and

WHEREAS , Article 26 of the Agreement permits a majority of the Member Agencies of the Authority to agree to such addition of the City of Selma by way of an amendment to the Agreement; and

WHEREAS, the Member Agencies approving this Fourth Amendment to the Agreement (the "Fourth Amendment"), and the City of Selma, authorize this Fourth Amendment in order to carry out all such purposes recited above.

NOW, THEREFORE, for and in consideration of all the mutual benefits, covenants, and agreements contained herein, the parties hereto agree to amend the Agreement as follows:

1. Capitalized terms in this Fourth Amendment shall have the same definition thereof as provided in the Agreement, unless otherwise stated in this Fourth Amendment.
2. The last sentence of the second paragraph of page 1 of the Agreement shall be amended and restated as follows:
"The Member Agencies shall be the local public entities listed in Exhibit 'A-2,' attached hereto and incorporated herein."
3. Exhibit "A-2" replacing original Exhibit "A" is attached to this Fourth Amendment and incorporated herein by reference.
4. Each party to this Fourth Amendment certifies that it intends to, and does, contract with all other parties which are signatory to this Fourth Amendment. Each party to this Fourth Amendment agrees that the addition of the City of Selma (hereinafter, the "City") as a Member Agency is in compliance with all applicable requirements of the Joint Powers Law, the Agreement, and the requirements of the Board, and that the date of admission of the City as a Member Agency to the Authority shall be on the date decided by a majority of the Members of the Board executing this Fourth Amendment. Upon such admission date, the City's membership as a Member of the Authority shall be confirmed.

5. The City's execution of this Fourth Amendment also shall be deemed to be an execution of the Agreement, as further amended by this Fourth Amendment. The foregoing provisions of this Fourth Agreement constitute the full and complete agreement of the parties with respect to the matters set forth in this Fourth Amendment. Except as otherwise amended herein, the Agreement, the First, Second and Third Amendments shall continue in full force and effect and in accordance with their terms and conditions.
6. The Secretary of the Board shall file a copy of this Fourth Amendment, and notice of the execution of this Fourth Amendment, with the Office of the California Secretary of State within thirty (30) days of the effective date of the Fourth Amendment, as required by California Government Code section 6503.5.

IN WITNESS WHEREOF, the parties hereto have executed this Fourth Amendment by their duly authorized officers.

COUNTY OF FRESNO

Dated: _____ By: _____
Brian Pacheco, Chairman

REVIEWED AND RECOMMENDED
FOR APPROVAL
Jean Rousseau, County Administrative Officer

By: _____

REVIEWED AS TO LEGAL FORM:
Daniel C. Cederborg, County Counsel

By: _____

ATTEST:

Bernice E. Seidel
Clerk to the Board of Supervisors

By: _____

CITY OF FOWLER

Dated: _____ By: _____
David Cardenas, Mayor

ATTEST:

Jeannie David, City Clerk

CITY OF KINGSBURG

Dated: _____ By: _____
Michelle Roman, Mayor

ATTEST:

Abigail Palsgaard, City Clerk

CITY OF ORANGE COVE

Dated: _____ By: _____
Victor Lopez, Mayor

ATTEST:

June V. Lopez-Bracamontes, City Clerk

CITY OF PARLIER

Dated: _____ By: _____
Armando Lopez, Mayor

ATTEST:

Dorothy Garza, City Clerk

CITY OF REEDLEY

Dated: _____ By: _____
Anita Betancourt, Mayor

ATTEST:

Sylvia Plata, City Clerk

CITY OF SANGER

Dated: _____ By: _____
Frank Gonzalez, Mayor

ATTEST:

Becky Hernandez, City Clerk

CITY OF SELMA

Dated: _____ By: _____
Michael Derr, Mayor

ATTEST:

Reyna Rivera, City Clerk

APPROVED AS TO FORM:

Neal Costanzo, City Attorney

**MEMBER AGENCIES OF THE
FIVE CITIES ECONOMIC DEVELOPMENT AUTHORITY**

City of Fowler
128 South Fifth Street
Fowler, CA 93625

City of Kingsburg
1401 Draper Street
Kingsburg, CA 93631

City of Orange Cove
633 Sixth Street
Orange Cove, CA 93646

City of Parlier
1100 East Parlier Avenue
Parlier, CA 93648

City of Reedley
1717 Ninth Street
Reedley, CA 93654

City of Sanger
1700 Seventh Street
Sanger, CA 93657

City of Selma
1710 Tucker Street
Selma, CA 93662

County of Fresno
2200 Tulare Street, Room 304
Fresno, CA 93721

**CITY MANAGER'S/STAFF'S REPORT
CITY COUNCIL MEETING:**

August 7, 2017

ITEM NO:

6.

SUBJECT: Consideration and necessary action on Commission Vacancy Report.

DISCUSSION: There are 5 Commissions to which the Council has the discretion to appoint some or all of the members. Each Commission has an issue, policy and/or program focus, and appointees generally represent defined communities of interest. The Council relies on these groups to advise them on a wide range of issues affecting the City and to assure they are responsive to community needs. The Council is committed to providing all citizens with access to specific and current information about the local commissions so they might pursue the opportunity to serve on and participate in the operations and processes of local government. Anyone living in Selma is encouraged to apply for positions on commissions which are of interest.

Attachment "A" is a list of Commissions that currently have positions available for appointment as well as eligible applicants. The intent of this list is to provide the public with access to current information regarding the many local regulatory and advisory boards, commissions and committees and provide an equal opportunity to be informed of existing vacancies. The list contains all appointive terms for Commissions with the names of the appointee and terms of office.

The Council has an opportunity to make nominations from the listed applicants to fill current vacancies as well as reappoint incumbents. Persons wishing to apply for membership to a commission must complete an application form and deliver it to the Clerk. The application and further information, on each specific Commission is available on the City website as previously requested by Council. The attendance information for the incumbents is also attached.

RECOMMENDATION: Review attachments and provide direction on vacancies and incumbents.



David Elias, City Manager



Date

City of Selma Appointments List

COMMISSION NAME		TERM EXPIRES		<u>Applications on file</u>
Planning Commission (4 year Terms)				
1	Jim Ivory	6/30/2017	1	John Trujillo
2	George Gonzalez	6/30/2017	2	Amarjit Singh Jhutti
3	Ken Maxey resigned 6/9/17	6/30/2018	3	Mandeep Singh
4	Johnny Gonzalez	6/30/2019		
5	Ramza Coury	6/30/2019		
6	Danny Serimian	6/30/2020		
7	Glen Niswander	6/30/2020		

Recreation & Community Services (2 year Terms)		
1	Santiago Ocegueda	6/30/2017
2	Diego Haro	6/30/2017
3	David Rivera	6/30/2017
4	Beverly Cho	6/30/2018
5	Ken Robison	6/30/2018
6	Monica Navarro	6/30/2018
7	Larry Teixeira	no expiration

Personnel Commission (4 year Terms)		
1	John Trujillo	6/30/2017
2	Paula Contreras	6/30/2017
3	Vacant	6/30/2017
4	Vacant	6/30/2019
5	Hugh Adams	6/30/2019

Pioneer Village Commission (2 year Terms)		
1	Erica Rivas	6/30/2018
2	Jim Stephenson Vacating Position	6/30/2018
3	Robert Allen	6/30/2018
4	Virginia Lees-Chair	6/30/2018
5	John Hoyt	6/30/2018
6	Char Tucker	6/30/2019
7	Susan Wells- Vice	6/30/2017

Measure "S" Oversight Committee (3 year Terms)		
1	Karl Salazar	6/30/2019
2	Charlotte Tucker	6/30/2019
3	Vacant	6/30/2019
4	Michael Ridgway	6/30/2017
5	Jennifer Earle	6/30/2017

Measure "P" Oversight Committee		
1	Vacant	1
2	Vacant	2
3	Vacant	3

Green Highlight - Vacancy

Yellow Highlight - Incumbant requires ratification

Attendance Recap:

Recreation Commission

Diego Haro has missed two. One due to a graduation and one for work.

David Rivera missed all five meetings this past year.

Santiago Ocegüera perfect attendance.

Pioneer Village

Wells missed one due to a minor surgery.

Personnel

Both Rogers and Trujillo were in attendance for all meetings.

Planning

Ivory missed one meeting this past year.

Measure S

Ridgway and Earle were in attendance for all meetings.

City of Selma Commission Information

Planning Commission/ Traffic-Streets Commission

Planning Commission member's terms are for four (4) years unless an appointment is made to fill an unexpired term. Appointees are required to be at least 18 years old and live within the Selma city limits. The Planning Commission plays a major role in establishing present and future land use policy for Selma. The Commission meets to determine issues and policies related to traffic and/or street issues. Certain decisions of the Planning Commission ultimately go to the City Council for final approval or denial. The Commission is comprised of seven members and meets on the fourth Monday of each month at 6:00 p.m. at Selma City Hall.

Recreation and Community Services Commission

Community Services Commission member's terms are for two years, unless an appointment is made to fill an unexpired term. Appointees are required to live in the Selma Unified School District. The Commission meets to determine issues and policies regarding recreation issues. There are seven regular members comprised of six citizens appointed at large and one representative appointed by the Selma Unified School District. The Commission meets on the third Wednesday of each month at 7:00 p.m. at Selma City Hall.

Personnel Commission

Appointees are required to be at least 18 years old and live within the city limits of the City of Selma. Personnel Commission members serve for four years unless appointed to fill an unexpired term. The Personnel Commission's function is to hear appeals submitted by any person in the competitive service (city employees) relative to any disciplinary action, dismissal, demotion, charge of discrimination, or alleged violation and to review personnel policies and procedures. The Commission is comprised of five members and meets on a *needs only* basis.

Pioneer Village Commission

Pioneer Village Commissioner's terms are for two years unless an appointment is made to fill an unexpired term. Appointees must be at least 18 years old and either live or have a business in the Selma city limits. The Commission is comprised of seven members who meet to develop policy and procedure for Selma's Pioneer Village. The Commission meets on the first Thursday of each month at 6:30 p.m.

Measure "S" Oversight Committee

The Measure "S" Oversight Committee's purpose is to ensure that the expenditures made from Measure "S" funds are spent according to the purposes specified in the measure's expenditure plan. Measure "S" is the half-cent sales tax increase approved by the voters to help fund safety (Police and Fire) services in the City of Selma. The committee is comprised of five members whose terms run for two years each. Applicants must be at least 18 years of age and live within the Selma city limits. This committee will meet at least quarterly with the date and time to be determined.

Measure "P" Oversight Committee

The Measure "P" Oversight Committee's purpose is to ensure that all bond proceeds and expenditures are spent according to the purposes specified in the Ordinance. Measure "P" was approved by the voters to issue a four million dollar general obligation bonds for the purpose of the acquisition and construction of a police station and associated improvements. The committee is comprised of three members whose terms run for four years each. Applicants must be at least 18 years of age and live within the Selma city limits. This committee will meet annually with the date and time to be determined.

General Information

- All Commission members must be residents of the City of Selma unless otherwise stated.
- Applicants must be willing to attend and actively participate at regular and special meetings.
- Appointees must have an interest in being of service to the City of Selma and its citizens. Further information and applications may be obtained by contacting the City Clerk.

CITY MANAGER'S/STAFF'S REPORT
REGULAR CITY COUNCIL MEETING DATE:

August 7, 2017

ITEM NO: 7.

SUBJECT: Resolution confirming the annual refuse collection charges to be added to the 2017-2018 Fresno County property tax roll.


DISCUSSION: Annually, the City of Selma along with Waste Management, the City's solid waste contractor, prepares a list of residential and commercial trash assessments for placement on the Fresno County property tax roll.

This year's list includes 5,055 parcels in the gross amount of \$1,963,177.56. The complete list is on file in the Finance Department.

If approved, the Resolution would authorize the 2017-2018 trash assessments to the Fresno County property tax roll.

<u>COST:</u> (Enter cost of item to be purchased in box below)		<u>BUDGET IMPACT:</u> (Enter amount this non-budgeted item will impact this years' budget in box below – if budgeted, enter NONE).
None		None
<u>FUNDING:</u> (Enter the funding source for this item in box below – if fund exists, enter the balance in the fund).		<u>ON-GOING COST:</u> (Enter the amount that will need to be budgeted each year in box below – if one-time cost, enter NONE).
Funding Source: N/A Fund Balance:		None

RECOMMENDATION: Approve Resolution placing the 2016-2017 trash assessments on the Fresno County property tax roll.

 Isaac Moreno, Finance Manager	<u>8-1-17</u> Date
 David Elias, City Manager	<u>8-3</u> Date

RESOLUTION NO. 2017-

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SELMA
CONFIRMING THE REPORT OF ANNUAL REFUSE
COLLECTION CHARGES TO BE ADDED TO THE
2017-2018 FRESNO COUNTY PROPERTY TAX ROLL**

WHEREAS, Health and Safety Code Section 5473 provides authority for the City of Selma to elect, by resolution, to have sanitation charges collected on the tax roll; and

WHEREAS, a written report containing a description of each parcel of real property receiving such services and the amount of the charge for each parcel has been prepared and filed with the City Clerk.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Selma confirms and approves the assessments and charges to be added to the 2017 – 2018 Fresno County Property Tax Roll in the manner provided by law; and

BE IT FURTHER RESOLVED, that the assessments and charges shall be filed with the Tax Collector of the County of Fresno and said charges shall be collected on the property tax roll all in accordance with Health and Safety Code Section 5473, et. seq.

The foregoing Resolution was duly approved by the Selma City Council at a regular meeting on the 7th day of August 2017 by the following vote, to wit:

AYES: COUNCIL MEMBERS:
NOES: COUNCIL MEMBERS:
ABSTAIN: COUNCIL MEMBERS:
ABSENT: COUNCIL MEMBERS:

Michael Derr
Mayor of the City of Selma

ATTEST:

Reyna Rivera
City Clerk of the City of Selma