

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

August 15, 2022

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**ITEM NO: 1.a.**

**SUBJECT:** Consideration of a Resolution Authorizing the City to Continue with Teleconferenced Public Meetings Pursuant to Assembly Bill 361

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**BACKGROUND:** On September 16, 2021, the California legislature passed Assembly Bill ("AB") 361, which amends Government Code Section 54953 and permits a local agency to use teleconferencing to conduct its meetings in any of the following circumstances: (A) the legislative body holds a state of emergency, and meeting during a proclaimed state or local officials have imposed or recommended measures to promote social distancing; (B) the legislative body holds a meeting during a proclaimed state of emergency for the purpose of determining, by majority vote, whether as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees; or (C) the legislative body holds a meeting during a proclaimed state of emergency and has determined, by majority vote, pursuant to subparagraph (B), that, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

**DISCUSSION:** In order for the City Council to use teleconferencing as allowed by AB 361 after October 1, 2021, it must first adopt findings in a resolution, allowing the City Council to conduct teleconferenced meetings for a period of thirty (30) days. In addition, AB 361 requires the City to make specified findings every 30 days thereafter. City Council initially approved Resolution No. 2021-57R on September 27, 2021 and subsequently Resolution No. 2021-60R on October 18, 2021, Resolution No. 2021-67R on November 15, 2021, Resolution No. 2021-70R on December 6, 2021, Resolution No. 2021-72R on December 21, 2021, Resolution No. 2022-1R on January 18, 2022, Resolution No. 2022-6R on February 7, 2022, Resolution No. 2022-15R on March 7, 2022, Resolution No. 2022-28R on April 4, 2022, Resolution No. 2022-38R on May 2, 2022; Resolution No. 2022-42R on June 7, 2022; Resolution No. 2022-46R on June 20, 2022; and Resolution No. 2022-54R on July 18, 2022.

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**RECOMMENDATION:** If the City Council wishes to Continue with Remote Teleconference Meetings, the Council should adopt the attached Resolution Authorizing Remote Teleconference Public Meetings by the City Council and Commissions of the City in Accordance with Assembly Bill 361.

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Fernando Santillan, City Manager

**RESOLUTION NO. 2022 – R**

**A RESOLUTION OF THE CITY OF SELMA, CALIFORNIA AUTHORIZING  
CONTINUED USE OF REMOTE TELECONFERENCING PROVISIONS (AB 361)**

**WHEREAS**, the City Council of the City of Selma (“City Council”) is committed to open and transparent government, and full compliance with the Ralph M. Brown Act (“Brown Act”); and

**WHEREAS**, the Brown Act generally requires that a public agency take certain actions in order to use teleconferencing to attend a public meeting virtually; and

**WHEREAS**, the City Council recognizes that a local emergency persists due to the worldwide COVID-19 pandemic; and

**WHEREAS**, the California Legislature has recognized the ongoing state of emergency due to the COVID-19 pandemic and has responded by creating an additional means for public meetings to be held via teleconference (inclusive of internet-based virtual meetings); and

**WHEREAS**, on September 16, 2021, the California legislature passed Assembly Bill (“AB”) 361, which amends Government Code, section 54953 and permits a local agency to use teleconferencing to conduct its meetings in any of the following circumstances: (A) the legislative body holds a meeting during a proclaimed state of emergency, and state or local officials have imposed or recommended measures to promote social distancing; (B) the legislative body holds a meeting during a proclaimed state of emergency for the purpose of determining, by majority vote, whether as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees; or (C) the legislative body holds a meeting during a proclaimed state of emergency and has determined, by majority vote, pursuant to subparagraph (B), that, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees; and

**WHEREAS**, in order for the City Council to use teleconferencing as allowed by AB 361 after October 1, 2021, it must first adopt findings in a resolution, allowing the City Council to conduct teleconferenced meetings for a period of thirty (30) days; and

**WHEREAS**, the City Council initially approved Resolution No. 2021-57R on September 27, 2021; and

**WHEREAS**, on October 18, 2021, the City Council approved Resolution No. 2021-60R; and

**WHEREAS**, on November 15, 2021, the City Council approved Resolution No. 2021-67R; and

**WHEREAS**, on December 6, 2021, the City Council approved Resolution No. 2021-70R; and

**WHEREAS**, on December 21, 2021, the City Council approved Resolution No. 2021-72R; and

**WHEREAS**, on January 18, 2022, the City Council approved Resolution No. 2022-1R; and

**WHEREAS**, on February 7, 2022, the City Council approved Resolution No. 2022-6R; and

**WHEREAS**, on March 7, 2022, the City Council approved Resolution No. 2022-15R; and

**WHEREAS**, on April 4, 2022, the City Council approved Resolution No. 2022-28R; and

**WHEREAS**, on May 2, 2022, the City Council approved Resolution No. 2022-38R; and



**WHEREAS**, on June 7, 2022, the City Council approved Resolution No. 2022-42R; and  
**WHEREAS**, on June 20, 2022, the City Council approved Resolution No. 2022-46R; and  
**WHEREAS**, on July 18, 2022, the City Council approved Resolution No. 2022-54R; and

**WHEREAS**, Governor Gavin Newsom declared a state of emergency for the State of California due to the COVID-19 pandemic in his order entitled “Proclamation of a State of Emergency,” signed March 4, 2020; and

**WHEREAS**, the California Occupational and Safety Health Administration (OSHA) continues to recommend certain social distancing requirements, as described in detail in California Code of Regulations Title 8, section 3205 Covid Prevention; and

**WHEREAS**, the Fresno County Department of Public Health supports the well-being of its communities and County residents and recommends ways to slow the spread of COVID-19 including through social distancing (i.e., “staying at least 6 feet (about 2 arm lengths) from others who don’t live with you” and by avoiding crowds. The Fresno County Department of Public Health states “[t]he more people you are in contact with, the more likely you are to be exposed to COVID-19.”

**WHEREAS**, the City Council hereby finds that the state and local emergencies have caused and will continue to cause imminent risks to the health or safety of attendees; and

**WHEREAS**, the City Council is conducting its meetings through the use of telephonic and internet-based services so that members of the public may observe and participate in meetings and offer public comment.

**NOW THEREFORE, BE IT RESOLVED**, that the recitals set forth above are true and correct and fully incorporated into this Resolution by reference.

**BE IT FURTHER RESOLVED**, that the City Council is conducting meetings during a state of emergency and OSHA recommends measures to promote social distancing; and/or

**BE IT FURTHER RESOLVED**, that the City Council has determined that given the state of emergency, holding in-person only meetings would present imminent risks to the health or safety of attendees.

**BE IT FURTHER RESOLVED**, that the actions taken by the City Council through this resolution shall be applied to all City committees governed by the Brown Act unless otherwise desired by that committee.

**BE IT FURTHER RESOLVED**, the City Council authorizes the City Manager or their designee(s) to take all actions necessary to conduct City Council meetings in accordance with Government Code section 54953(e) and all other applicable provisions of the Brown Act, using teleconferencing for a period of thirty (30) days from the adoption of this Resolution after which the City Council will again reconsider the circumstances of the state of emergency.

**PASSED AND ADOPTED** by the Selma City Council on this 15<sup>th</sup> day of August 2022, by the following vote:

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

(Signatures on the following page)

ATTEST:

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Scott Robertson, Mayor

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Reyna Rivera, City Clerk

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

August 15, 2022

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**ITEM NO:** 1.b

**SUBJECT:** Consideration of a Resolution Approving Request For a Fee Waiver  
for the Selma Chamber of Commerce Annual Car Show Event

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**DISCUSSION:** The Selma Chamber of Commerce has submitted a request to waive fees associated with their Annual Car Show event (Attachment #1).

Fees associated with this event include Special Events Permit, Sound Permit, Street Closure Permit, and Park Rental which total One Thousand Seven Hundred and Fifty Dollars (\$1,750).

This event will take place on September 17, 2022 and will be held at Lincoln Park. The fee waiver serves a public purpose by bringing many residents and individuals from neighboring communities to the City's Lincoln Park, thereby serving as a vehicle to bring additional revenue to the City. The Car Show event is also a means by which the City can showcase Lincoln Park.

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**RECOMMENDATION:** Consider request from the Selma Chamber of Commerce for a Fee Waiver for the Organization's Annual Car Show Event.

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Lupe Macias, Building-Planning Technician

Rob Terry, Deputy City Manager

Fernando Santillan, City Manager

**Attachments:**

- 1- Resolution
- 2- Application for Special Event Fee Waiver

Carshaw  
9/17/22

SELMA CITY HALL  
1710 Tucker Avenue, Selma, CA 93662  
(559) 891-2200 Fax (559) 896-1068

Policy:

The City of Selma (City) recognizes the value of partnering with other agencies and organizations in providing services that benefit the community and its residents. In an effort to provide support for organizations providing valuable services to the community, specific guidelines have been established for determining when permit fees may be reduced or waived (see "Fee Reduction or Waiver Policy for Special Events"). In order to request a reduction or waiver of fees, please complete this application and submit it with necessary documentation to the address provided on the last page.

Policy approved by City Council on March 4, 2019 (Resolution No. 2019-11R)

**THIS APPLICATION IS DUE TO THE CITY 60 DAYS PRIOR TO THE EVENT**

REQUESTING (Please check all that apply)

☒ Fee waiver

( ) Fee reduction (Amount Requested: \$\_\_\_\_\_)

### SPONSORING ORGANIZATION INFORMATION

Name of Organization: SELMA DISTRICT CHAMBER OF COMMERCE

Address: 1821 TUCKER STREET, SELMA, CA. 93662

Telephone: (559) 891-2235 Cell: ( )

Email: chamberdirector@cityofsedona.com

Event Coordinator: Char Tucker

Telephone: same as above Cell: \_\_\_\_\_

Email: same as above

Nonprofit 501(c) (3) tax-exempt organization: 94-116850

Located in Selma:

Has organization received any other financial assistance from the City this year? Yes

Quarterly Stipend

City Of Selma  
APPLICATION FOR

CAR SHOW

Submit (60) days prior to event



Planning Office Use Only		
Date Received:		
( ) Application Complete	Date:	( ) Harmless Agreement
( ) Application Fee Paid	\$	( ) Insurance Forms
( ) PD Inv. Fee Paid	\$	( ) Other
( ) Facilities Event		Private Property \$670 City Property \$945

(PRINT OR TYPE ALL INFORMATION)

CONTACT PERSON Char Tucker Tel: \_\_\_\_\_  
 Address 1821 Tucker St. City/Zip Selma, TN 37362  
 Primary Email: \_\_\_\_\_ Alternate Email chamberdirector@cityofselma.com  
 Alternate Contact Person Karen Foster Telephone 558-891-2235  
 Address 1821 Tucker St. City/Zip Selma 93662  
 SPONSOR/ORGANIZATION Selma Chamber Telephone 558-891-2235  
 Address 1821 Tucker St City/Zip Selma 93662  
 Officer Char Tucker Title President  
 EVENT CHAIRPERSON Char Tucker Telephone \_\_\_\_\_  
 Address 1821 Tucker St City/Zip Selma 93662  
 Nature and Purpose of Event Annual Car Show  
 DATE OF EVENT 9-17-2022  
 Start Time: 6 AM End Time: 3 PM  
 Location Boundaries (list main streets) Lincoln Park  
 North Rose East Selma St.  
 South Mill West McCall  
 Estimated Number of participants or attendees 300 Approx  
 Types of Vehicles new & used cars  
 Types of Animals N/A  
 Number of Animals N/A  
 Types of Structures N/A  
 Number of Structures N/A  
 Description of Sound Amplification Equipment Public Address System  
 Description of Food/beverage(s) to be sold and/or served 3-4 vendors, Local Business  
 Name of Private Security N/A Telephone N/A  
 Estimated Parking Requirements N/A Number of Spaces needed N/A



City Of Selma  
APPLICATION FOR  
SPECIAL EVENTS PERMIT  
PAGE 2

Submit (60) days prior to event

THE FOLLOWING ADDITIONAL INFORMATION IS REQUIRED FOR PARADES, RACES, AND OTHER EVENTS ALONG A ROUTE:

ASSEMBLY POINT \_\_\_\_\_

Boundaries North \_\_\_\_\_

Boundaries South \_\_\_\_\_

Boundaries East \_\_\_\_\_

Boundaries West \_\_\_\_\_

Time of Assembly for participants: \_\_\_\_\_ am/pm

Route to be traveled:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

List of all portions of the streets to be traversed:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Map included: Yes \_\_\_\_\_ No \_\_\_\_\_

Intervals of space/time to be maintained between the units \_\_\_\_\_

Number of floats \_\_\_\_\_

Size(s) of floats (width, length & height of largest float) \_\_\_\_\_

Material & size (types of cloth, etc.) for flags/banners/signs: \_\_\_\_\_

I, the undersigned representative, have read the rules and regulations with reference to this permit and am duly authorized to enjoin the organization(s) or person(s) listed on this application for the responsibilities listed in the Selma Municipal Code Section \_\_\_\_\_ in its entirety and as applied to the city of Selma:

Title Chamber Pres. Date 7-28-22  
CDL #: \_\_\_\_\_

POLICE DEPARTMENT USE ONLY: APPROVED ☒ DENIED ( ) DATE: 8-2-2022 REASON N/A

NAME RUDY ALCARAZ TITLE CHIEF OF POLICE

FIRE DEPARTMENT USE ONLY: APPROVED ☒ DENIED ( ) DATE: 8-4-22 REASON \_\_\_\_\_

NAME [Signature] TITLE Fire Chief

PUBLIC WORKS DEPARTMENT USE ONLY: APPROVED ☒ DENIED ( ) DATE: 8-4-22 REASON \_\_\_\_\_

NAME Fernando Mora TITLE MITT

PLANNING DEPARTMENT USE ONLY: APPROVED ☒ DENIED ( ) DATE: 8-5-22 REASON \_\_\_\_\_

NAME [Signature] TITLE DEPUTY CITY MANAGER

Selma Car Show  
Map—September 18, 2021

ROSE AVENUE

Registration Check-in / Entrance

McCall Avenue  
public parking

2 Trash / 1 brown 1 blue

REGISTRATION  
CHECK-IN HERE

2 Trash / 1 brown 1 blue

Trash BIN

Restroom  
bldg

Senior Citizens Center

Pancake Breakfast

DJ

Chamber  
Commerce

Elec

Irec

Veteran's  
Memorial  
Plaza

WATER  
FOUNTAIN

4 Trash / 2  
brown  
2 blue

Bandstand  
Stand

vendors

6 Trash / 3 brown  
3 blue

Mill St

1

2

3

4

5

6

7

8

9



# CITY OF SELMA

## POLICE DEPARTMENT

### SOUND AMPLIFYING EQUIPMENT APPLICATION

<b>Applicant:</b> Selma Chamber	<b>Phone:</b> 559 891-2235
<b>Date:</b> 9-17-22	<b>Time (s):</b> 10:00 AM - 3:00 PM
<b>Location:</b> Lincoln Park	<b>Fee:</b> \$80

The application to have music is approved for the above date or dates, and subject to daily fee for each date listed. **The applicant is subject to the following restrictions and conditions.**

The city Municipal Code restricts ambient noise levels in residential areas between 7 AM to 10 PM.

**The applicant is restricted to the specified hours of operation and must conclude no later than 10 pm.**

1. The City Municipal Code prohibits excessive noise as follows:  
" No person shall make, cause, or suffer or permit to be made, or caused upon any premises or upon any street, sidewalk, alley, or place within the City, any sound or noise which causes discomfort or annoyance to any reasonable person of normal sensitivity residing or working in the area. The provisions of this section shall apply to the use and operation of any of the following noise sources:  
Radios, musical instruments, photographs, televisions sets, tape decks or other machines or devices used for the amplifications, productions or reproduction of sound, or the human voice.
2. Any noise or sound clearly exceeding the reasonable ambient noise level at the property line of any person offended thereby, shall be deemed to be prima facie evidence of violation of Municipal Code.
3. If the Selma police Department receives two or more calls due to a disturbance of peace, as a result of the live music, an initial warning notice will be issued. If after a second complaint the disturbance continues, the applicant and/or the person in control of the residence or event is subject to noise disturbance response charge. In addition, the person in control of the residence or event may be subject to criminal action for disturbance of the peace.

I have read and understand the above restrictions and conditions and agree to abide by them.

Signature of Applicant: <u>Char Tucker</u>	Date: <u>7-28-22</u>
Approved by: <u>Rudy Alcaraz</u>	Date: <u>8-2-2022</u>



**EVENT INFORMATION**

Name of Event: Parkin in the Park Car show

Type of Event: Car show

Facility Requested or Event Location: Lincoln Park

Date of Event: September 17, 2022

Event Hours: 10am - 3pm

On which dates and at what times are you requesting permission to setup/clean up?

Set up: 9/17/2022 Clean up: 9/17/2022

Please describe the event, its purpose, and the activities that will take place:

CAR SHOW  
Fundraser for Chamber  
Annual event

Is the event open to the public: Yes

Estimated number of participants/spectators: 350

Is this event a fundraiser: yes

Will there be an admission, entrance, user fee or cover charge for the event? If so, please explain: Admission Free

Car entry/registration \$40 -

How will the event benefit Selma: Brings people into the community.  
Local clubs & organizations + businesses use the event to fundrai  
Marketing & advertisement of city of Selma

Will promotional materials be used? How are you planning to market the event:

Paper, Radio, Billboard, electronic sign,  
website/social media, etc.

Will the event create revenue-generating opportunities for local Selma businesses? If so, how: People will shop and eat in Selma.

Those working in the food booths use Selma businesses to purchase supplies.

Can you commit to tracking event attendance and vendor sales to report the City's Economic Development Team following the event? Yes ☒ No ☐

If yes, please describe how you will track attendance and sales:

Car registration forms / estimation of attendance

Has your organization put on this same event in the past: Yes ☒ No ☐

If not, has your organization put on other events in Selma? If so, please indicate which ones: \_\_\_\_\_

Other organizations participating in organization of the event: none

Other organizations participating in event: various

Will this event receive third party funding or sponsorship: none currently

Name of Applicant (Print): Char Tucker Date: 7/28/2022

Signature of Applicant: [Signature]

Please deliver completed application to (City Hall, 1710 Tucker Street, Selma, CA 93662 Building-Planning Technician, 559-891-2208) along with a copy of your organization IRS 501(3)(c) determination letter. Incomplete applications or requests will not be considered.

Planning Office Use Only	
Date Received:	_____
Received By:	_____
Application Rcvd ( )	IRS 501(3)(c) Rcvd ( )
Date Forwarded for Approval:	_____

**CITY OF SELMA**  
**APPLICATION FOR TEMPORARY STREET CLOSURE**

The undersigned hereby accepts and agrees to comply with all City Policies, Ordinances, State Laws and rules and regulations. For **"TEMPORARY STREET CLOSURE PERMIT"** Date of closure: 9-17-22

Between the hours of 6 AM and 4 PM on Mill St

Between: McCall and Selma  
Street Name Street Name

Responsible Party: \_\_\_\_\_ Date: 8-8-22

Name: Selma Chamber - Cher Tucker

Address: 1821 Tucker St Selma

Email: \_\_\_\_\_

Telephone No: 5 \_\_\_\_\_

Reason for Street Closure: car show

APPROVED: [Signature] CHIEF OF POLICE DATE: 8/9/22  
APPROVED: [Signature] CHIEF OF FIRE DATE: 8-9-22

FOR OFFICE USE BELOW

.....  
Date: 9/17/22 \$: 175  
Fees for Temporary Street Closure Permit  
Rental of 20 Barricades @ \$10.00 each \$: 200  
Total: 375

\*An additional fee of \$35 will be charged for each damaged or unreturned barricade\*

Barricades returned in good order: \_\_\_\_\_ By: \_\_\_\_\_ Date: \_\_\_\_\_  
Barricades not returned in good order: \_\_\_\_\_ By: \_\_\_\_\_ Date: \_\_\_\_\_

**\* Responsible Party to pick up and return Barricades\***

City of Selma Yard: 1325 Nebraska Ave  
(559) 891-2216



CITY OF SELMA  
RECREATION & COMMUNITY SERVICES DEPARTMENT  
2301 SELMA STREET, SELMA, CA 93662 (559) 891-2237  
**APPLICATION FOR PARK RENTAL**

Park Requested: Lincoln Activity/Program Car Show  
Day of Week: SAT Date(s): 9-17-22 Time: From: 6 AM To: 3 PM  
Name: Char Tucker Home Work Phone: 559-891-2235  
Address: 1821 Tucker St Fee Admission Charge: Yes ☐ No ☐

Electricity Requested: (Brentlinger Shelter 1 Only) \_\_\_\_\_ Estimated Attendance: \_\_\_\_\_  
\*\*\*\*\*

1. Alcoholic beverages are prohibited in City Parks (Selma City Code Section 9-8-4(s).
2. No Parking in the park or Veteran's Plaza (unloading only)
3. Electricity is available at most Parks, however, strict regulations govern its use.
4. Will a public address system or amplified music be used? Yes ☒ No ☐
5. Certificate of Insurance is required for bounce houses.
6. Special Park arrangements must be approved and fee paid as assessed for such services.

**FEES REQUIRED**

**Residents:** \$200/day (200 or less participants) **Non-Residents:** \$300/day (200 or less participants)  
\$350/day (Over 200 participants) \$500/day (Over 200 participants)  
\*Plus facility attendant –if needed

Cleaning Deposit \$20.00 per hour to clean  
(Billed after rental) and payment costs to repair any  
Checks payable to City of Selma damage to the park or shelter.

**CLEANING AND DAMAGE PAYMENT**  
No deposit is required at time of rental.  
However, as the person responsible for renting  
the shelter, I understand I will be billed for  
cleaning and damages should they occur.  
Renter Initial: \_\_\_\_\_

**STATEMENT OF UNDERSTANDING**

The undersigned hereby accepts and agrees to comply with all City Policies, Ordinances, State Laws and rules and regulations. Applicant further agrees to hold the City of Selma, Officers and employees, free and harmless from the loss, damage, liability, cost or expenses that may arise incident to the use or occupation of the required park, facility or equipment.

**10-10-23.1: PARKING IN PARKS AND OTHER RECREATIONAL AREAS:**

No person shall drive or park a vehicle in a public park or recreation area, except by special permit issued by the Police Department. Authorized signs shall be posted at all entrances to parks or recreation areas giving notice of this Section. (Ord. 694,7-3-72, eff. 8-4-77)

Signature of Person Assuming Respc \_\_\_\_\_

**Signature of Director of Recreation is required before approval is granted to use park.**

Director: \_\_\_\_\_

Date: 7-28-22

Date: 8-4-22

**PHONE NUMBERS**

**SELMA POLICE DEPARTMENT**  
Non-Emergency 896-2525  
Emergency 911

**SELMA FIRE DEPARTMENT**  
Non-Emergency 891-2211  
Emergency 911

**RECREATION & COMMUNITY SERVICES DEPARTMENT**  
MONDAY – FRIDAY 8:00 A.M. TO 5:00 P.M. – 891-2237

**RESOLUTION NO. 2022 – \_\_R**

**A RESOLUTION OF THE CITY COUNCIL OF THE  
CITY OF SELMA, CALIFORNIA, APPROVING A  
REQUEST FOR A FEE WAIVER FOR THE SELMA  
CHAMBER OF COMMERCE’S CAR SHOW EVENT**

**WHEREAS**, the Selma District Chamber of Commerce (“Chamber”) requested that the City Council waive fees associated with its Car Chow event to be held on September 17, 2022; and

**WHEREAS**, the total fees associated with the Car Show event are One Thousand Seven Hundred Fifty Dollars (\$1,750), which includes the fees for the special events permit, sound permit, street closure permit, barricades, and park rental permit; and

**WHEREAS**, the total amount the Chamber is requesting the City Council to waive is One Thousand Seven Hundred Fifty (\$1,750); and

**WHEREAS**, while the City is proposing to waive One Thousand Seven Hundred Fifty Dollars (\$1,750) associated with the Car Show event, the Chamber is still required to comply with all other provisions of the City’s Municipal Code; and

**WHEREAS**, the Chamber is a valuable community partner, and consistently works with the City to promote community events, provide resources for a stronger economy, promote local business growth, and create and maintain a sense of community pride. The fee waiver serves a public purpose in that it aims to attract many residents and individuals from neighboring communities to the City’s Lincoln Park, thereby serving as a vehicle to bring additional revenue to the City. The Car Show event is also a means by which the City can showcase its Lincoln Park.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SELMA  
DOES HEREBY RESOLVE AS FOLLOWS:**

SECTION 1. The above recitals are true and correct and are incorporated herein by reference.

SECTION 2. The Chamber is a valuable community partner, and consistently works with the City to promote community events, provide resources for a stronger economy, promote local business growth, and create and maintain a sense of community pride. The fee waiver serves a public purpose in that it aims to attract many residents and individuals from neighboring communities to the City’s Lincoln Park, thereby serving as a vehicle to bring additional revenue to the City. The Car Show event is also a means by which the City can showcase its Lincoln Park.

SECTION 3. The City Council hereby approves the fee waiver for fees associated with the Car Show event in the amount of One Thousand Seven Hundred Fifty (\$1,750).

SECTION 4. The Chamber shall comply with the City's Municipal Code during the Car Show event, and provide the City with all information required by City staff, including, but not limited to, the following:

1. Proof of insurance with the City named as additional insured.
2. Indemnification of the City.

SECTION 5. The provisions of this Resolution are severable and if any provision, clause, sentence, word or part thereof is held illegal, invalid, unconstitutional, or inapplicable to any person or circumstances, such illegality, invalidity, unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, sections, words or parts thereof of the Resolution or their applicability to other persons or circumstances.

SECTION 6. That the City Clerk shall certify to the adoption of this Resolution and that the same shall be in full force and effect.

**PASSED, APPROVED AND ADOPTED** this 15<sup>th</sup> day of August, 2022, by the following vote:

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

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Scott Robertson, Mayor

ATTEST:

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Reyna Rivera, City Clerk

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

August 15, 2022

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**ITEM NO:** 1.c.

**SUBJECT:** Consideration of a Resolution Authorizing the City Manager to Execute an Agreement for the Adoption of Retired K9 "Ben" by Selma Police Officer Wyatt Gormon

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**DISCUSSION:**

The Selma Police Department has owned and utilized the K9 Officer Ben as a Patrol and Firearms K9 for the last 6 years. After serving our department, K9 Ben has been deemed unable to continue his service as a Police K9 due to a neurological health matter. As in past instances, the department K9 will be adopted by a Selma Police Officer in order to serve out his life as a pet.

**FISCAL IMPACT:**

The K9 Adoption Agreement would be in exchange for consideration in the amount of \$1.00.

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**RECOMMENDATION:** Adopt a Resolution directing the City Manager to execute the K9 Adoption Agreement of K9 Officer Ben to Selma Police Officer Wyatt Gormon.

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Rudy Alcaraz, Chief of Police

Fernando Santillan, City Manager

**RESOLUTION NO. 2022 – \_\_R**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SELMA, CALIFORNIA, AUTHORIZING THE CITY MANAGER TO EXECUTE A K9 ADOPTION TO SELMA POLICE OFFICER WYATT GORMON**

**WHEREAS**, the City owns a German Shepherd police K9 service dog (“Ben”), who has been in the service of the Selma Police Department since June of 2017; and

**WHEREAS**, Ben has served with his handler Selma Police Officer Wyatt Gorman for approximately six (6) years; and

**WHEREAS**, Ben has been deemed unable to continue his service as a Police K9 for medical reasons; and

**WHEREAS**, the standard retirement of police K9 services dogs is transfer of ownership to the partner/handler for the consideration of a nominal dollar amount; and

**WHEREAS**, as a condition of this purchase, Officer Gorman will not allow Ben to be used as a police K9 service dog for any other agency; and

**WHEREAS**, the valuable consideration for this adoption of \$1.00.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Selma as follows:

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

**SECTION 2.** The City Council hereby approves the Agreement attached as **Exhibit A** and incorporated herein by reference.

**SECTION 3.** The City Manager is hereby authorized to execute K9 Adoption Agreement and all necessary documents and make all necessary expenditures related to the same on behalf of the City.

**SECTION 4. Severability.** The provisions of this Resolution are severable and if any provision, clause, sentence, word, or part thereof is held illegal, invalid, unconstitutional, or inapplicable to any person or circumstances, such illegality, invalidity, unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, sections, words, or parts thereof of the Resolution or their applicability to other persons or circumstances.



**PASSED, APPROVED AND ADOPTED** this 15<sup>th</sup> day of August, 2022, by the following vote:

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

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Scott Robertson, Mayor

ATTEST:

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Reyna Rivera, City Clerk

**City of Selma**  
**K-9 ADOPTION AGREEMENT**  
**RELEASE, WAIVER OF LIABILITY, AND**  
**ASSUMPTION OF THE RISK AGREEMENT FORM**

This Agreement ("Agreement") is made and entered into effective the [redacted] day of [redacted] by and between the CITY of Selma, a California municipal corporation, its departments, its officers, its agents, its trainers, its council members, representatives, managers, servants, employees, successors, assigns, sponsors, or volunteers (hereinafter referred to as "CITY" or "Released Party"), and **Wyatt Gorman**, (adopting person) an individual, on behalf of myself, my heirs, agents, employees, and representatives (hereinafter referred to as "Releasor").

Releasor desire to adopt retired CITY police K-9 "**Ben**" (hereinafter referred to as "Retired police K-9") from the CITY. In exchange for valuable consideration of **\$1.00**, Releasor acknowledges, appreciates, and agrees to the following:

- \_\_\_\_\_ I understand my Retired police K-9 has been trained to attack on command and at perceived threats. This training will always be a part of his/her temperament. As such, the police K-9 will require ongoing training and potentially re-socialization training. I agree to provide such training and am financially able to do so.
- \_\_\_\_\_ I agree to keep my Retired police K-9 housed in a kennel with a cover when not under my direct control.
- \_\_\_\_\_ I agree to house my adopted Retired police K9 indoors or in a covered kennel outdoors. I ALSO AGREE THAT UNDER NO CIRCUMSTANCES SHALL MY DOG BE LEFT UNATTENDED OUTDOORS FOR ANY REASON. I understand and acknowledge that there will be a time of transitioning my dog to retirement. I understand that housebreaking and other demands may be required. I am willing to persevere in this process until my dog has made the full transition to our home, including additional training if necessary.
- \_\_\_\_\_ I agree to exercise my Retired police K-9 daily (minimum of 2 walks/day and playtime).
- \_\_\_\_\_ I agree to provide ample food, water, and necessary dietary supplements for my Retired police K9.
- \_\_\_\_\_ I agree to have a properly fenced yard in good repair (no less than six (6) feet, but understand the kennel will only keep the K-9 contained).
- \_\_\_\_\_ I agree to provide veterinary care for my adopted Retired police K9 to include but not be limited to the following: annual vaccinations, yearly exams, parasite control (external & internal), dental cleaning, and any established medical care which may have resulted in the K9's retirement. (Average cost \$1,000/year not including emergencies).
- \_\_\_\_\_ I agree to notify my veterinarian, groomers, boarders, and any other care personnel that my dog is a retired police K9.

- \_\_\_\_\_ I understand that I need to abide by local, state, and federal laws regarding my retired police K9.
- \_\_\_\_\_ I agree to the insurance requirements below and will notify the CITY immediately if I am in breach of this provision.
- \_\_\_\_\_ I am a current police officer with the **City of Selma** and have 4 years of police experience with 1 years' experience as a police K9 handler.

### **INHERENT RISKS, HAZARDS AND DANGERS**

The ownership and care of a retired police K-9 is a demanding and a potentially hazardous activity. Risks associated with the ownership and care of a retired police K-9, include, but are not limited to, death; physical trauma; head injury; brain damage; facial fractures; neck fractures; spinal fractures; damage to the spinal cord that results in complete or partial paralysis; amputation; rib fractures; punctured lungs; serious injury to all bones, joints, muscles, and internal organs; aggravation of pre-existing conditions; eye damage, hearing loss; heat stroke; fainting; collapse; exhaustion; physical or psychological injury; pain; suffering; illness; disfigurement; permanent disability; economic loss; emotional loss; and property damage (hereinafter "Inherent Risks"). Such risks can arise in an incalculable variety of foreseeable and unforeseeable ways, some foreseeable ways may include the following: being involved in a dog attack, the dog getting loose and attacking other people, actions of any third party bothering the dog, which results in an attack of third parties or yourself; potential reckless actions of others; and complications associated with exposure to weather conditions, such as, rain, wind, hail, thunder, lightning, and other forces of the elements while walking the dog. Even though particular rules, safety equipment, and personal discipline may reduce the risk such items may still be inadequate to prevent serious accident, injury or death (hereinafter "Hazards and Dangers"). Therefore:

### **Assumption of the Risk, Covenants, Waivers and Indemnification**

- (a) **ASSUMPTION OF RISK.** Releasor knowingly and freely assumes all Inherent Risks, Hazards and Dangers, both known and unknown, foreseeable and unforeseeable, even if arising from the negligence of Released Party arising out of my adoption, ownership, maintenance and care of the Retired police K-9. Releasor assumes full responsibility for the ownership, maintenance and control of the Retired police K-9, which may leave Releasor vulnerable or exposed to the Hazards and Dangers and hereby knowingly accept and assume all Inherent Risks, and responsibility for any damages, liabilities, losses, injuries or expenses which Releasor incurs.
- (b) **WAIVER AND RELEASE.** Releasor hereby voluntarily waives, releases and forever discharges Released Party from any and all allegations, claims, demands, damages, loss, expense, lawsuits or causes of action (hereinafter "Claims"), which Releasor may otherwise have arising out of the Releasor's adoption, ownership, maintenance and care of the Retired police K-9. This means, to the extent permitted by law, Releasor cannot file Claims or recover money damages if its agents, representatives, officers or employees

sustain Inherent Damages arising out of the adoption, ownership, maintenance and care of the Retired police K-9.

- (c) **INDEMNIFICATION.** Releasor hereby voluntarily releases, forever discharges, and agrees to defend, indemnify and hold harmless Released Party from any and all Claims, which are in any way connected with Releasor's (including its agents, employees, officers or representatives) adoption, ownership, maintenance and care of the Retired police K-9, including but not limited to any such Claims which allege negligent acts or omissions of Released Party, to the extent permitted by law. This means if anyone seeks money damages from Released Party arising out of Releasor's adoption, ownership, maintenance and care of the Retired police K-9, Releasor will pay for Released Party's attorney fees and costs to defend it against any such Claims, and Releasor will pay any monetary amount to resolve or satisfy Claims, which are in any way connected to Releasor's adoption, ownership, maintenance and care of the Retired police K-9.

### **Insurance**

- (a) The Releasor shall maintain liability insurance in amounts no less than \$1,000,000 per occurrence. The Releasor shall identify the CITY as an additional insured on such insurance policy or policies and provide proof of the same at the time of the adoption, and at the time of every renewal. Releasor understands that these are the minimum requirements and that its duties under this Agreement are not limited by this Section. Specifically, the Releasor is required to defend and indemnify the CITY under this Agreement regardless of the amount of insurance.
- (b) This Section shall survive termination or expiration of this Agreement, as the parties anticipate the potential for claims made after the termination or expiration of this Agreement.

### **Severability, Choice of Law and Enforcement**

- (a) **PARTIAL INVALIDITY/CHOICE OF LAW:** Should any provision of this Agreement be held by a court of competent jurisdiction to be either invalid or unenforceable, the remaining provisions of this Agreement shall remain in effect. This Agreement, covenant, waiver and release shall be governed and construed under the laws of the State of California.
- (b) **EXPENSES OF ENFORCEMENT:** Should the Released Party be required to incur attorney's fees and costs to enforce this Agreement Releasor will pay all of those attorney's fees and costs.
- (c) **VENUE:** Venue for purposes of the filing of any action regarding the enforcement or interpretation of this Agreement and any rights and duties hereunder shall be Fresno County, California.

### **Interpretation**

- (a) **INTERPRETATION:** The parties acknowledge that this Agreement in its final forms is the result of the combined efforts of the parties and that, should any provision of this Agreement be found to be ambiguous in any way, such ambiguity shall not be resolved by

construing this Agreement in favor of or against either party, but rather by construing the terms in accordance with their generally accepted meaning.

- (b) **HEADINGS:** The section headings in this Agreement are for convenience and reference only and shall not be construed or held in any way to explain, modify or add to the interpretation or meaning of the provisions of this Agreement.
- (c) **JOINT AND SEVERAL LIABILITY/USE OF TERMS:** In the event the undersigned consist of more than one party, then each of the undersigned shall be jointly, severally, and individually liable for all obligations, agreements, and promises of the undersigned herein. As used in this Agreement, the singular shall include the plural and the plural the singular and the masculine, feminine, and neuter genders shall each include the others as the context requires.
- (d) **ENTIRE AGREEMENT, NO ORAL MODIFICATION:** This Agreement and the RETIRED POLICE K9 ADOPTION APPLICATION, including all recitals, constitutes the entire agreement of the Parties. This Agreement may be amended or modified only by the mutual written agreement of the Parties. Subsequent written agreements are invalid unless approved by an authorized agent of Released Party specifically authorized by the legislative body of the Released Party to execute amendments to this Agreement, at the level of City Manager or equivalent.

**Releasor** acknowledges that he/she reads and understands English and has carefully read and understands the significance of this **RELEASE, WAIVER OF LIABILITY AND ASSUMPTION OF THE RISK AGREEMENT** in its entirety. **Releasor** consents to the foregoing to adopt the Retired police K-9.

Description of Dog:

Breed: \_\_\_\_\_ Registration #: \_\_\_\_\_

Name: \_\_\_\_\_ Microchip #: \_\_\_\_\_

Age: \_\_\_\_\_ Color: \_\_\_\_\_ Sex: \_\_\_\_\_

Executed on this      day of                     , 2022 in the City of Selma, CA.

_____  _____  (Releasor- Print and Sign)	_____  _____  Date
_____  CITY	_____  Date

## CHECK REGISTER REPORT

CHECK NUMBER	CHECK DATE	STATUS	VENDOR NAME	CHECK DESCRIPTION	CATEGORY	AMOUNT
79978	08/04/22	Printed	A-C ELECTRIC COMPANY	REPAIR DAMAGES TO STREET LIGHT POLE -HIGH & 2ND ST, TROUBLESHOOT HIGH ST & MCCALL		12,164.00
79979	08/04/22	Printed	CHRISTOPHER L. ABBEY / ABBEY DOOR SERVICE	SERVICED DOOR OPERATOR SYSTEM STATION 1		380.00
79980	08/04/22	Printed	ACTION TOWING AND DIVE TEAM	EVIDENCE TOWING -JUNE 2022		251.00
79981	08/04/22	Printed	MARK ALVES / ALVES ELECTRIC	INSTALLED NEW WIRING FOR AC -SENIOR CENTER, INSTALLED NEW LIGHT FIXTURES, SALAZAR CENTER, LED SHOP LIGHT -CITY YARD, NEW LIGHTS & BREAKER -STA 1		6,326.99
79982	08/04/22	Printed	NICOLETTE ANDERSEN	SNACK BAR REIMBURSEMENT FOR MOANA JR		233.69
79983	08/04/22	Printed	APPLIED CONCEPTS, INC.	LIDAR XS-C	G	2,088.14
79984	08/04/22	Void		Void Check		0.00
79985	08/04/22	Void		Void Check		0.00
79986	08/04/22	Void		Void Check		0.00
79987	08/04/22	Printed	ARAMARK UNIFORM	UNIFORMS/TOWELS/FIRST AID KITS 7/7/22-7/28/22		1,324.63
79988	08/04/22	Printed	AT&T	TELEPHONE -JULY 2022		30.82
79989	08/04/22	Printed	AT&T	PD FIRE ALARM		221.32
79990	08/04/22	Printed	AT&T MOBILITY	TELEPHONE-MDT'S 6/12-7/11/22		1,738.88
79991	08/04/22	Printed	BENNY BACA / COOL AIR SPECIALTY	AC 15 TON CHECKED -SC, HVAC WATER LINE REPAIR -STA 2, REPLACED THERMOSTAT -CITY HALL, SERVICE UNIT -OLD PD, AC REPAIR -FIRE ADMIN		927.00
79992	08/04/22	Printed	LIANA J. BRIGHAM / PICTURE THIS EMBROIDERY	SUMMER CAPS -PW		1,711.94
79993	08/04/22	Printed	JAY WESLEY BROCK / TOP DOG TRAINING CENTER	K9 MAINTENANCE 7/18/22		180.00
79994	08/04/22	Printed	CALRECYCLE	REFUND UNUSED PORTION OF FY 2019/20 GRANT	G	5,709.00
79995	08/04/22	Printed	CHRISTIAN ADRIAN CANO	RADAR/LIDAR TRAINING PER DIEM 8/9/22-8/11/22		60.00
79996	08/04/22	Printed	PHILLIP CASIAS	TRASH REFUND		52.89
79997	08/04/22	Printed	CENTRAL CALIFORNIA ELECTRONICS	FIRE ALARM MONITORING -PD		120.00
79998	08/04/22	Printed	CENTRAL SANITARY SUPPLY	JANITORIAL SUPPLIES		1,283.59
79999	08/04/22	Printed	CISCO SYSTEMS CAPITAL CRP	LEASE-PHONE SYSTEM/BACKUP		1,375.84
80000	08/04/22	Printed	CONCORD THEATRICALS CORP.	PLAY RIGHTS -CINDERELLA & REHEARSAL TRACK RENTAL		4,898.09
80001	08/04/22	Printed	COUNTY OF FRESNO AUDITOR-	LAFCO BUDGET 2022/2023		5,586.17
80002	08/04/22	Printed	CPCA	BECOMING A POLICE CHIEF COURSE -GARZA 9/19-9/22/22		595.00
80003	08/04/22	Printed	DATA TICKET, INC.	PARKING CITATION PROCESSING JUNE 2022		200.00
80004	08/04/22	Printed	EDITOR LLC	SPONGEBOB PROMOS, VIDEOS & PHOTOS		300.00
80005	08/04/22	Printed	EFURNITURE, LLC.	OPERATOR DISPATCH CHAIRS		4,156.95
80006	08/04/22	Printed	ELAVON SETTLEMENT RECOVERY	CREDIT CARD FEES SENIOR CENTER		111.95
80007	08/04/22	Printed	FEDEX	CONTROLLER TO MCCAIN TO INSTALL SOFTWARE -PW		156.61
80008	08/04/22	Void		Void Check		0.00
80009	08/04/22	Printed	JOEL A FEDOR / FEDOR PLUMBING	BACKFLOW CERTIFICATIONS		4,185.00
80010	08/04/22	Printed	FRESNO COUNTY EDC	CENTRAL VALLEY TRAINING CENTER 6/1/22-6/30/22	R	44,331.99
80011	08/04/22	Printed	FRESNO COUNTY SHERIFF	INTERNAL AFFAIRS		3,172.52
80012	08/04/22	Printed	FRESNO OXYGEN	OXYGEN RENTALS		110.91
80013	08/04/22	Printed	GAR BENNETT LLC	PVC IRRIGATION SUPPLIES -YARD		13.56
80014	08/04/22	Printed	RENE GARZA	APCO PSAP EXPO AND TRAINING PER DIEM 8/6-8/8/22		160.00
80015	08/04/22	Printed	GCS ENVIRONMENTAL EQUIPMENT	GUTTER BROOMS UNIT 1315 & 1318		4,098.87
80016	08/04/22	Printed	GEIL ENTERPRISES INC	JANITORIAL SERVICE -JUNE 2022		3,804.00
80017	08/04/22	Printed	GILBERT GONZALES	PERISHABLE SKILLS TRAINING PER DIEM 8/3/22	R	11.00
80018	08/04/22	Printed	CHRISTIAN GUIZAR	RADAR/LIDAR TRAINING PER DIEM 8/9/22-8/11/22		60.00
80019	08/04/22	Printed	HEALTHWISE SERVICES, LLC.	MEDICAL WASTE SERVICE -PD	R	173.75
80020	08/04/22	Printed	HENRY SCHEIN INC.	MEDICAL SUPPLIES		1,150.00
80021	08/04/22	Printed	RAUL R HERRERA JR	POLYGRAPH SERVICES 7/7-7/14/22		800.00
80022	08/04/22	Printed	VANESSA M. HERRERA	SUPPLIES REIMBURSEMENT FOR WILL BLACKWELL RETIREMENT		24.33
80023	08/04/22	Printed	ICMA MEMBER SERVICES	ANNUAL MEMBERSHIP DUES		1,400.00
80024	08/04/22	Printed	INDUSTRIAL SAFETY LLC	SAFETY GLASSES -PW		113.73
80025	08/04/22	Printed	J&A DRUG TESTING INC	EMPLOYEE DRUG TESTING -PD		463.00
80026	08/04/22	Printed	J'S COMMUNICATION INC.	SERVICE AGREEMENT -AUGUST 2022		446.00
80027	08/04/22	Printed	KEY EVIDENCE LOCK & SAFE INC.	LABOR TO OPEN SAFE PD CASE 22-2722		297.50
80028	08/04/22	Printed	KOSMONT & ASSOCIATES INC	INFRASTRUCTURE & FINANCING ANALYSIS -MAY & JUNE 2022		13,224.12
80029	08/04/22	Printed	LOZANO SMITH LLP	LEGAL SERVICES -JUNE 2022		18,513.00
80030	08/04/22	Printed	CORY LYNCH	RADAR/LIDAR TRAINING PER DIEM 8/9/22-8/11/22		60.00
80031	08/04/22	Printed	DWAYNE MCPHERSON	PERISHABLE SKILLS TRAINING PER DIEM 8/3/22	R	11.00
80032	08/04/22	Printed	METRO UNIFORM	PD REVOLVING ACCT	R	735.78
80033	08/04/22	Printed	MUSIC THEATRE INTERNATIONAL	ROYALTY FEES -NEXT TO NORMAL & PIPPIN		10,710.00
80034	08/04/22	Printed	ODP BUSINESS SOLUTIONS LLC	OFFICE SUPPLIES		640.19
80035	08/04/22	Void	LANCE PEARCE	RADAR/LIDAR TRAINING PER DIEM 8/9/22-8/11/22		0.00
80036	08/04/22	Printed	PG&E	UTILITIES -JULY 2022		13.59
80037	08/04/22	Printed	PG&E	UTILITIES -JULY 2022		554.31
80038	08/04/22	Printed	PG&E	UTILITIES -JULY 2022		38,938.60
80039	08/04/22	Printed	PG&E	UTILITIES -JULY 2022		17,544.21
80040	08/04/22	Printed	PG&E	UTILITIES -JULY 2022		857.78
80041	08/04/22	Printed	QUAD KNOPF, INC.	PLANNING SERVICES 6/12-7/9/22		28,323.50
80042	08/04/22	Printed	QUINN COMPANY	GENERATOR SERVICE -CH, FD, PD		4,785.48
80043	08/04/22	Printed	GERALD REESER	PARAMEDIC RECERTIFICATION & ACLS REIMBURSEMENT		410.00
80044	08/04/22	Printed	REGIONAL GOVERNMENT SERVICES	REQUIREMENTS FOR POSTING		240.78

CHECK NUMBER	CHECK DATE	STATUS	VENDOR NAME	CHECK DESCRIPTION	CATEGORY	AMOUNT
80045	08/04/22	Printed	RINCON CONSULTANTS, INC.	ZONING ORDINANCE UPDATE		2,948.25
80046	08/04/22	Printed	DANIEL ANTHONY RIVAS	STRIKE TEAM REIMBURSEMENT	R	2,470.40
80047	08/04/22	Printed	CARLOS ROMERO	RADAR/LIDAR TRAINING PER DIEM 8/9/22-8/11/22		60.00
80048	08/04/22	Printed	SAMPSON,SAMPSON, AND PATTERSON	ACCOUNTING SERVICES -JUNE 2022		12,000.00
80049	08/04/22	Printed	SANTA MARIA CALIFORNIA NEWS	PH NOTICES -LLMD ASSESSMENTS, WEED ABATEMENT, PLANNING COMMISSION, BILLBOARD ORDINANCE, BUSINESS IMPROV DISTRICT		1,434.56
80050	08/04/22	Printed	SAVING ALL CHILDREN / FAMILY HEALING CENTER	FAMILY HEALING CENTER SERVICES		1,000.00
80051	08/04/22	Printed	SECOND CHANCE ANIMAL SHELTER	MONTHLY SUPPORT -AUGUST 2022		8,163.57
80052	08/04/22	Printed	SEQUOIA SAFETY COUNCIL, INC.	AMBULANCE OVERPAYMENT REIMB.		190.00
80053	08/04/22	Printed	SURINDER SINGH	AMBULANCE OVERPAYMENT REIMB.		1,511.00
80054	08/04/22	Printed	HEATHER BRIANNE SISK	SPONGEBOB THE MUSICAL COSTUMES REIMBURSEMENT SECOND ROUND		450.75
80055	08/04/22	Printed	SITEONE LANDSCAPE SUPPLY, LLC.	IRRIGATION SUPPLIES		2,184.40
80056	08/04/22	Printed	SPARKLETTES	WATER SERVICE -PD		174.90
80057	08/04/22	Printed	SPECIALIZED GRAPHICS, INC.	COMMANDER SIGNAGE FOR OFFICE		128.05
80058	08/04/22	Printed	STEAM CLEANERS, INC.	PRESSURE WASHER W/ TRAILER -PW		8,937.26
80059	08/04/22	Printed	STERICYCLE, INC.	STERI-SAFE OSHA COMPLIANCE AUGUST 2022		189.28
80060	08/04/22	Printed	GLENDIA LEANNE DAWN STEWART	MOANA JR CHOREOGRAPHY, SPONGEBOB SET SUPPLIES REIMB.		250.48
80061	08/04/22	Printed	THE CRISCOM COMPANY	SEWER INFRASTRUCTURE -AUG 2022		4,500.00
80062	08/04/22	Printed	THE MOWER'S EDGE INC.	PURCHASE CANOPIES FOR MOWER, TRIMMER FOR WEED EATERS		1,218.57
80063	08/04/22	Printed	TIFCO INDUSTRIES, INC.	RETRACTABLE RATCHET -PARKS		151.65
80064	08/04/22	Printed	TULARE CO JAIL INDUSTRIES	DECALS FOR UTILITY VEHICLES		129.30
<b>TOTAL</b>						<b>301,845.42</b>

Grant: G PD State Appropriation: PDSA (457) Reimbursement: R

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

August 15, 2022

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**ITEM NO: 2.**

**SUBJECT:** Consideration of an Ordinance Amendment (Submittal No. 2022-0016) to Selma Municipal Code Section 11-28-8 Billboards (Off-Premise Advertising Sign Structure) Public Hearing, Introduction and First Reading

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**DISCUSSION:** In 2021, an application (ZTA 2021-0010) was submitted to the City to revise the existing Municipal Code policies regulating billboards. That request was considered at a Planning Commission meeting in September of 2021 where the Planning Commission voted to adopt a resolution recommending that the City Council approve.

The City Council held a public hearing on October 18, 2021, and then voted to continue the request to the November 1, 2021 meeting, with a request for staff to include additional background information into the Staff Report Package. Following the October 18th meeting, staff received inquiries about the proposed ordinance from another billboard company with billboards already in the City. On November 1, 2021, the City Council continued the application request to the November 15, 2021 meeting, without discussion.

The City Council held a public hearing on November 15, 2021 to consider the item. Following staff's presentation, public comment and Council discussion, a motion and second were made to approve ZTA Application No 2021-0010. However, the Council vote resulted in a 2-3 vote, and thus the motion failed. Subsequent to the aforementioned vote, Council directed staff to organize collaboration with billboard sign stakeholders (billboard advertising companies) in an effort to gain consensus on the proposed zone text amendment language and bring an item back to Council for their consideration at a later date. Following this directive, staff immediately began outreach to the stakeholders to organize a collaborative process, and has remained engaged with the group on such efforts, to date.

As staff continued to work with the stakeholder group to formalize a draft text amendment for Council's consideration, it became clear that there was a misunderstanding in regards to the status of ZTA 2021-0010. With no additional motion made in regard to ZTA 2021-0010 at the November 15, 2021 public hearing, it is crucial to notate that the application was deemed denied, having failed by vote. Unfortunately, the confusion relating to the status of ZTA 2021-0010 resulted in a public hearing notice utilizing this application number to be sent as the stakeholder-inclusive text amendment process was moving forward. Said public hearing was continued by Council to the August 1, 2022 Council Meeting. To ensure clarity and transparency, staff recommended that Council hold the continued public hearing to formally acknowledge the ZTA 2021-0010 was deemed denied on November 15, 2021, having failed by vote. Council unanimously supported this action by resolution approval.



For this collaborative draft text amendment process, staff has been engaging with various stakeholders in different capacities in order to obtain insight and preference on industry standards and proposed language for the proposed ordinance. Notably, City Staff conducted “roundtable” meetings online via Microsoft Teams with all interested parties and stakeholders for the new proposed City-driven Zoning Text Amendment No. 2022-0016.

The Staff initiated roundtable meetings occurred on the following dates:

- May 20, 2022
- June 10, 2022
- June 24, 2022

Throughout the process, the stakeholder group has been invited to submit feedback, review and comment on all draft materials, and continually engage in the process to reach a draft amendment. While not all of the requested items delivered by the stakeholder group are included within the final proposed draft, all such items were openly considered and discussed throughout the process.

The table on the following pages highlights the significant proposed changes and additions to Section 11-28-8 (Billboards Off-Premise Advertising Sign Structure):

**Comparison of Existing Standards and Requirements for Billboards and the Proposed Amendments Section 11-28-8**

	<b>Billboards Existing Ordinance (Section 11-28-8)</b>	<b>Billboards Ordinance Changes Proposed by this Proposal</b>	<b>Result if Billboard Ordinance Change Approved</b>
<b>Citywide Billboard Capacity</b>	Not mentioned	The City may permit a total of 24 Billboard faces within the City Limits	Allowance of a specific number of billboards within the City Limits, which takes into account the existing billboard inventory
<b>Locations Allowed</b>	Must be within 200 feet of Highway 99, within the M-1 or M-2 zone districts, AND south of Park Street	South of Park Street requirement removed. Other requirements remain.	Opens up an industrial area on the north side of Selma that previously did not allow billboards
<b>Uses Allowed to Have Sign</b>	Any use can advertise on the sign.	No change	No change
<b>Maximum Size</b>	300 square feet	672 square feet	Increases allowed size by 372 square feet.
<b>Minimum Height</b>	7 feet	20 feet to the bottom of the billboard	Mandate billboard are not less than 20 feet in height.
<b>Maximum Height</b>	32 feet	50 feet	Increase allowed height for all billboards by 18 feet.
<b>Maximum Height Variability</b>	Not mentioned	Billboard shall not exceed fifty feet (50') to the top of the structure as measured from either the	Allows for the height of a sign to exceed the max height if a great height differential between the freeway and sign

		finished grade under the billboard or from the freeway, highway, State Route grade, whichever is higher; unless a variance is proposed.	base is proven by the applicant
<b>Location on the Site</b>	At least 500 feet away from residential land uses, residential zoning, and uses	At least 500 feet away from residential land uses and residential zoning	Existing non-conforming residential uses will not be considered
<b>Pole Type</b>	Must be a single pole	All visible sign support for electronic billboards must be a single pole that is covered with architectural embellishments	Adds requirement for architectural embellishments for electronic billboards
<b>Distance from other signs</b>	No billboard shall be placed within 660 feet of another billboard or freeway-oriented sign	Reduces distance required from other billboards or freeway-oriented sign to 500 feet and adds that billboards with electronic messaging shall be placed 1,000 feet from another electronic billboard	Decreases distance separation for billboard to billboard/freeway-oriented signs and Increases distance separation for electronic billboards
<b>Entitlement required for a new billboard?</b>	CUP required	Yes - CUP required	No change
<b>Upgrade(s)</b>	Not mentioned	50% improvement threshold to allow for improvements to	Allows the City Manager or his/her designee to approve upgrades up to a certain threshold

be permitted at the Director level			
<b>Replacement and Relocation of Existing Billboards</b>	Allowed per CUP	Allowed by Administrative Approval	Allowed by Administrative Approval per specific requirements otherwise it requires a CUP
<b>Electronic messaging for Billboards allowed?</b>	Prohibited	Yes - but no animation allowed on billboard	Allows electronic messaging with no animation

Exhibits are attached showing size comparisons of billboards that are currently allowed versus what would be allowed under the proposed ordinance amendments (Exhibits A & B). The illustrations show the current maximum height for billboards is 32 feet and the current sign face size is 300 square feet. The draft proposal would increase the maximum allowed height to 50 feet and the maximum allowed sign face size to 672 square feet. The proposal would increase the maximum allowed height by 56% and the maximum allowed sign face size by 124%. Furthermore, the amendment will increase the existing minimum height standard from 7 feet to 20 feet, which is a 186% percent increase. The amendment will also include some variability of height measurements when located or affected by a great height differential of State Route 99 right-of-way grade.

The proposed ordinance also expands the areas of the City where billboards are permitted. The current code restricts billboards to the M-1 and M-2 zones that are located south of Park Street and within 200 feet of Highway 99. The proposed amendment would still limit billboards only to the M-1 and M-2 zones and within 200 feet of Highway 99. However, the proposed amendment would remove “South Park Street” as a limitation. This would open a new area for billboards on the north side of the city roughly between the Huntsman Avenue and Springfield Avenue alignments along Highway 99. Exhibit C shows the locations where billboards are currently allowed and the proposed new area. In addition, the original amendment proposes a citywide billboard capacity threshold of a total of 24 billboard faces will be permitted within the City Limits. The recommendation given by the Planning Commission is to reduce the total number from 24 billboard faces to 12 billboard faces.

If the amendment is approved, new billboards and legal conforming billboards that proposed significant upgrades would still be required to obtain a Conditional Use Permit (CUP). Design guidelines have been added that require architectural embellishments on support columns and City of Selma branding. This would be enforced through the CUP process.

Subsection D of the proposed ordinance amendment adds wording to allow electronic message boards on billboards. Specific standards for electronic message displays and LED billboard signs include the requirement to meet Caltrans Outdoor Advertising (ODA) standards, use of signs for emergency messaging, and correcting a malfunction. Caltrans ODA regulates sign appearances including, but not limited to, allowable levels of brightness, how often copy can change, and a prohibition of animated messaging.

Also attached to this staff report is an explanation of the brightness guidelines that Caltrans enforces and the State law regarding billboard luminescence. This law and guidelines provide standards for how bright the electronic message billboard may be during certain times of the day. The proposed ordinance does not address luminescence so that it can be enforced uniformly by Caltrans.

### **Planning Commission Role in Amendment to Zoning Regulations**

The proposed ZTA No. 2022-0016 amendment to Section 11-28-8 of the SMC, was presented to Planning Commission on August 8, 2022. Following Staff's presentation and public comment, the Planning Commission deliberated and made a motion to recommend approval of ZTA 2022-0016 to the City Council with the added notation that the total citywide capacity threshold be reduced from 24 billboard faces to 12 billboard faces. The specific change is reflected in the following text in Section 11-28-8 (A.3). The City Council will make the final determination.

### **Proposed Text of the Ordinance Amendment**

The proposed text of the ordinance amendment is as follows:

- Proposed deleted text is shown in ~~striketrough~~ text.
- Proposed new text is shown in underlined italic text.

#### **11-28-8: Billboards (Off Premises Advertising Sign Structure)**

##### **(A) General Provisions:**

1. No billboard shall be constructed, relocated, or upgraded within the city without a Conditional Use Permit (CUP), unless otherwise noted in this Chapter. Each application shall be considered separately and individually. Multiple billboards on separate parcels shall not be combined into a single application. Multiple billboards on a single legal parcel may be submitted as one application. Multiple faces on a single billboard shall be submitted as a single application.
2. Expansion of billboard area or addition of faces to existing billboards: the vested rights held by existing billboards, whether conforming or nonconforming to this Chapter, do not allow expansion of billboard area or addition of billboard faces as a matter of right. No billboard shall have its area increased or have an additional face added unless all of the following conditions are met:
  - (a) A Conditional Use Permit is obtained by the applicant;
  - (b) The billboard meets the requirements of this Chapter;
  - (c) The applicant obtains all required building permits.
3. The City may permit a total of up to a total of ~~24 Billboards faces~~ 12 Billboard faces within City limits. Any existing legal nonconforming billboard in place at the time of the approval of this Ordinance, shall not count towards the total number of allowed Billboard sign faces.

##### **(B) Placement:**

1. Billboards shall only be permitted within two hundred feet (200') of Highway 99 and only in the M-1, and M-2 zone districts.

2. No billboards shall be permitted within five hundred feet (500') of property zoned or planned for residential uses. Uses across Highway 99 from a proposed billboard shall not be considered in this requirement.
3. No billboard shall be placed within five hundred feet (500') of another billboard or a freeway-oriented sign. No billboard with electronic message display shall be placed within one thousand feet (1,000') of another billboard with electronic message display. Billboards and freeway-oriented signs across Highway 99 from a proposed billboard shall not be considered in this requirement.

(C) Design:

1. The total height of a billboard shall not exceed fifty feet (50') to the top of the structure.
2. Notwithstanding any other policy per the Selma Municipal Code, the height of the billboard shall not exceed fifty feet (50') to the top of the structure as measured from either the finished grade under the billboard or from the freeway, highway, State Route grade, whichever is higher; unless a variance is proposed.
3. The total area of a single sign face shall not exceed six hundred seventy-two (672) square feet.
4. The area shall be measured by the smallest square, rectangle, triangle, circle, or combination thereof, which will encompass the entire advertisement and is made based on the height and the length but not the depth of the advertising surface.
5. A Variance may be proposed only to deviate from the prescribed maximums, specific to size and height. The Variance will be approved by Planning Commission and processed consistently with Title XI, Chapter 22 – Variances of the City of Selma Municipal Code.

(a) The applicant must prove that the existing development standards outlined within this Chapter will negatively impact billboard's viewability.

Any deviation specific to the overall sign size and height can be proposed.

5. Billboards are defined as a sign, static or electronic, which advertises goods, products, services or facilities.
6. Billboard faces are defined as the surface area used for the display of goods, products, services, or facilities.
7. No billboard shall have more than two (2) sign faces.
8. All billboards shall be supported by a single pole.
9. The minimum height to the bottom of a billboard shall be twenty feet (20').
10. All visible sign support columns for electronic billboards shall be concealed with approved architectural embellishments. The materials used in the sign support embellishments shall be primarily natural stone, brick, approved masonry panels, stucco, or architectural metal.

11. Billboards may be illuminated provided no lighting is directed onto adjacent properties or public rights-of-way and, where applicable, and be reviewed by the California Highway Patrol and/or California Department of Transportation (Caltrans).

12. Electronic billboards shall have the City of Selma branding on each side that contains advertising.

(D) Electronic message display and LED billboard signs:

1. Electronic message display and LED billboard signs are permitted but must have clearance or necessary approvals in writing from Caltrans Outdoor Advertising. Electronic message rotation shall comply with Caltrans safety standards.
2. The owner of an LED billboard sign shall coordinate with the local authorities to display, when appropriate, emergency information important to the traveling public including, but not limited to Amber Alerts, alerts concerning terrorist attacks or natural disasters. Emergency information messages shall remain in the advertising rotation according to the protocols of the agency that issues the information.
3. The owner of an LED billboard sign shall provide to the City of Selma Community Development Department 24-hour contact information for a person who has the authority and ability to turn off the electronic sign promptly after a malfunction occurs. Any sign not properly functioning needs to be repaired to the city's satisfaction within 30 days of a written notice or be subject to CUP revocation process, with the possibility of an additional 30-day extension approved by the Community Development Director or City Manager.”
4. Electronic Billboards shall meet the same size and height requirements as standard Billboards, as noted above.

(E) Upgrades

The City Manager or his/her designee shall have the authority to administratively approve, an existing billboard that has been previously approved via a Conditional Use Permit, the issuance of a permit for the upgrade of an existing billboard, subject to design review, which meets all of the following requirements:

1. The applicant proposes to enhance, improve and modify an existing legal or legally non-conforming billboard for the purpose of modernizing and improving the aesthetic appearance of such billboard.
2. Upgrades shall be considered as follows:
  - a. If 50% or less of the area of a billboard face is being improved or increased, then it will be considered an upgrade and or;
  - b. If 50% or less of the support structure is being improved or increased, then it will be considered an upgrade.
3. The proposed upgrade will comply with the provisions of this ordinance.
4. An upgrade may allow a billboard to become legally conforming if not already at the

time of the proposed upgrade, exempting all billboards located outside of the geographic location permitted within this ordinance.

5. All upgrades that exceed the 50% threshold shall be subject to the approval of a Conditional Use Permit.
6. Any work consisting of less than 50% threshold will be considered as maintenance of the existing billboard.

(F) Replacement, Relocation of Existing Billboard, and Maintenance

1. Administrative Approval: If a legally conforming billboard no longer conforms to placement requirements due to property development, road widening, etc., the billboard shall be relocated on the same property. The City Manager or his/her designee shall have the authority to administratively approve the issuance of a permit for the relocation of an existing billboard, subject to design review, which meets all of the following requirements:
  - (a) The billboard was legally permitted by the City of Selma or otherwise had legal non-conforming status with the City.
  - (b) The City or another public agency has required the relocation of the existing billboard, or it is otherwise physically necessary to relocate the billboard;
  - (c) The sign will be relocated on the same parcel or property it was originally located;
  - (d) The size of the new or relocated billboard will not exceed the size, area, height, length, width, shape and number of sides or faces of the existing billboard. If a modification to these parameters is desired, a Conditional Use Permit will be required as described in Section F-2 below.
  - (e) The relocated billboard will constitute an improvement in the aesthetic appearance of the original billboard structure;
  - (f) All proposed lighting for the new or relocated billboard shall be the same or similar to the lighting of the original billboard and, in any case, the new sign will not utilize display technology which creates a moving or changing image, of the illusion thereof and the new or relocated sign may not be electronic or LED unless proposed with a Use Permit; and
  - (g) All costs associated with the relocation and installation of the new or relocated billboard will be borne solely by the billboard owner or applicant. If a new structure is to be built, it must comply with all applicable Building Code and safety requirements.
  - (h) Replacement billboards shall comply with all applicable federal, State, and local regulations.
2. Conditional Use Permit Approval: Replacement billboards shall also be permitted subject to the provisions of this ordinance when the following apply:



- (a) The applicant completely demolishes and relocates an existing billboard, including a legal nonconforming billboard, to a more suitable location so as not to conflict with the proposed development or redevelopment of the property, or other valid reasons and complies with the development standards of Title XI, Chapter 28 of the Municipal Code of the City of Selma; or
  - (b) The applicant completely demolishes and relocates an existing billboard, including a legal nonconforming billboard, to a more suitable location that lessens the overall negative aesthetic impacts on the city and its residents and complies with the development standards of Title XI, Chapter 28 of the Municipal Code of the City of Selma; or
  - (c) The applicant has previously removed and completely demolished one or more billboards and maintains credits for such removal by the California Department of Transportation pursuant to California Business and Professions Code Section 5443.5; or
  - (d) The applicant proposes to enhance, improve and modify an existing billboard already established within a permitted zone for the purpose of modernizing and improving the aesthetic appearance of such billboard.
3. New billboards which replace existing billboards may feature electronic copy, subject to the approval of a Conditional Use Permit.
  4. Maintenance
    - a. All billboards shall be maintained in a safe, presentable, and good structural condition at all times, including the replacement of defective parts, painting, repainting, cleaning, ensuring the sign facing is not dilapidated or faded, and other acts required for the maintenance of such billboard. Billboards not in conformance with these standards will be addressed utilizing the Public Nuisance process as detailed within Title 1, Chapter 21 of the Selma Municipal Code.

### **Environmental (CEQA)**

This project is exempt under California Environmental Quality Act (CEQA) Section 15061(b)(3) and Section 15183. The project is exempt under the “common sense” exemption because it does not involve the construction or alteration of facilities that will have a significant effect on the environment. The project includes a Zoning Text Amendment to amend the Selma Municipal Code (SMC) Section 11-28-8: Billboards (off-premises sign structure). Billboards are required to apply for a discretionary permit (CUP) prior to approval and construction. Adherence to the Caltrans Outdoor Advertising Standards will reduce aesthetic and safety impacts to less than significant. The aesthetic impacts of LED billboards have been studied in the past and impacts were shown to be less than significant. The project is exempt under Section 15183 because the existing SMC allows for freeway-oriented signs up to 75 feet high and the M-2 zone district allows for building heights of 100 feet. Therefore, the proposed changes to the billboard code do not exceed similar standards previously adopted.

### **Notice of Public Hearing**

The Public Notice was published one time in The Selma Enterprise on August 3, 2022.

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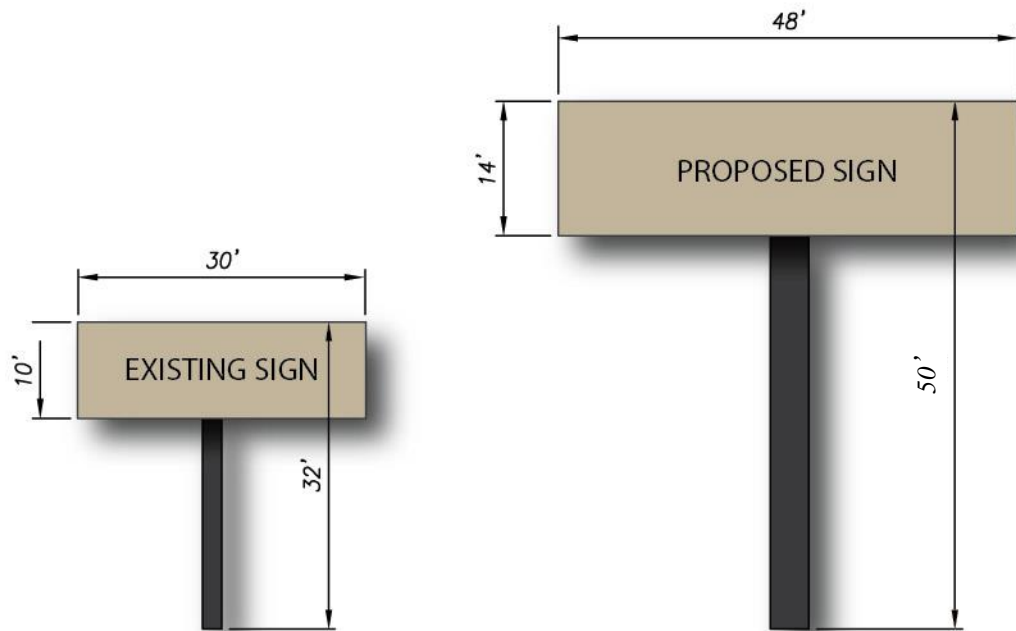
**RECOMMENDATION:** 1) Conduct the Public Hearing of the Ordinance Zone Text Amendment 2022-0016 with the Planning Commission notation; and 2) Introduce and Waive the First Reading of the Ordinance Amending Selma Municipal Code Section 11-28-8 Billboards (Off Premises Advertising Sign Structure).

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Trevor Stearns, Contract City Planner

Rob Terry, Deputy City Manager



This exhibit illustrates the existing allowed maximum billboard size and height and compares it with the proposed maximum size and height.

SCALE: 1"=20'-0"

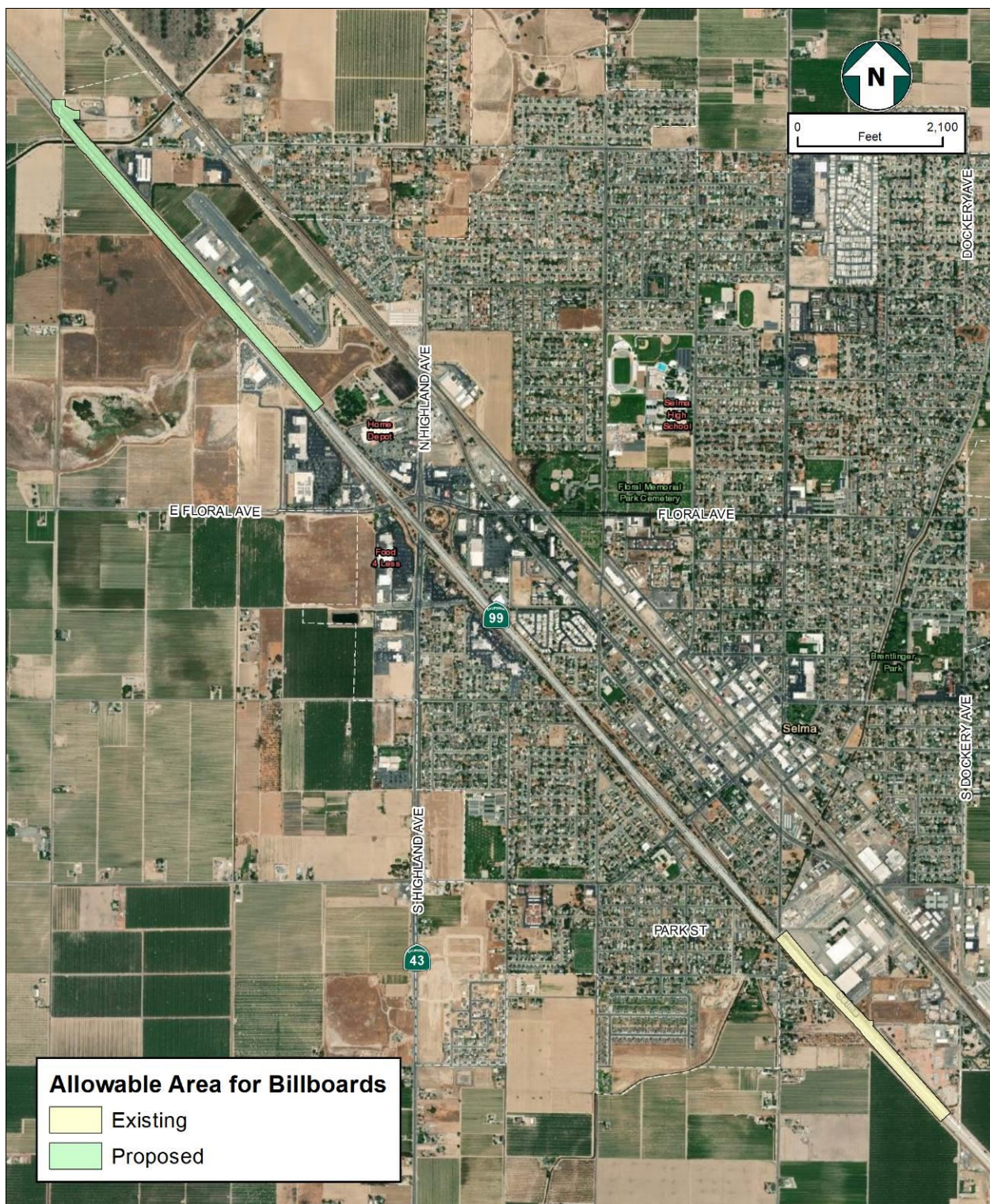
### Exhibit A Size Comparison Dimensions



This exhibit uses the illustration of the proposed billboard prepared by the applicant and adds in a billboard meeting the existing code to compare sizes.

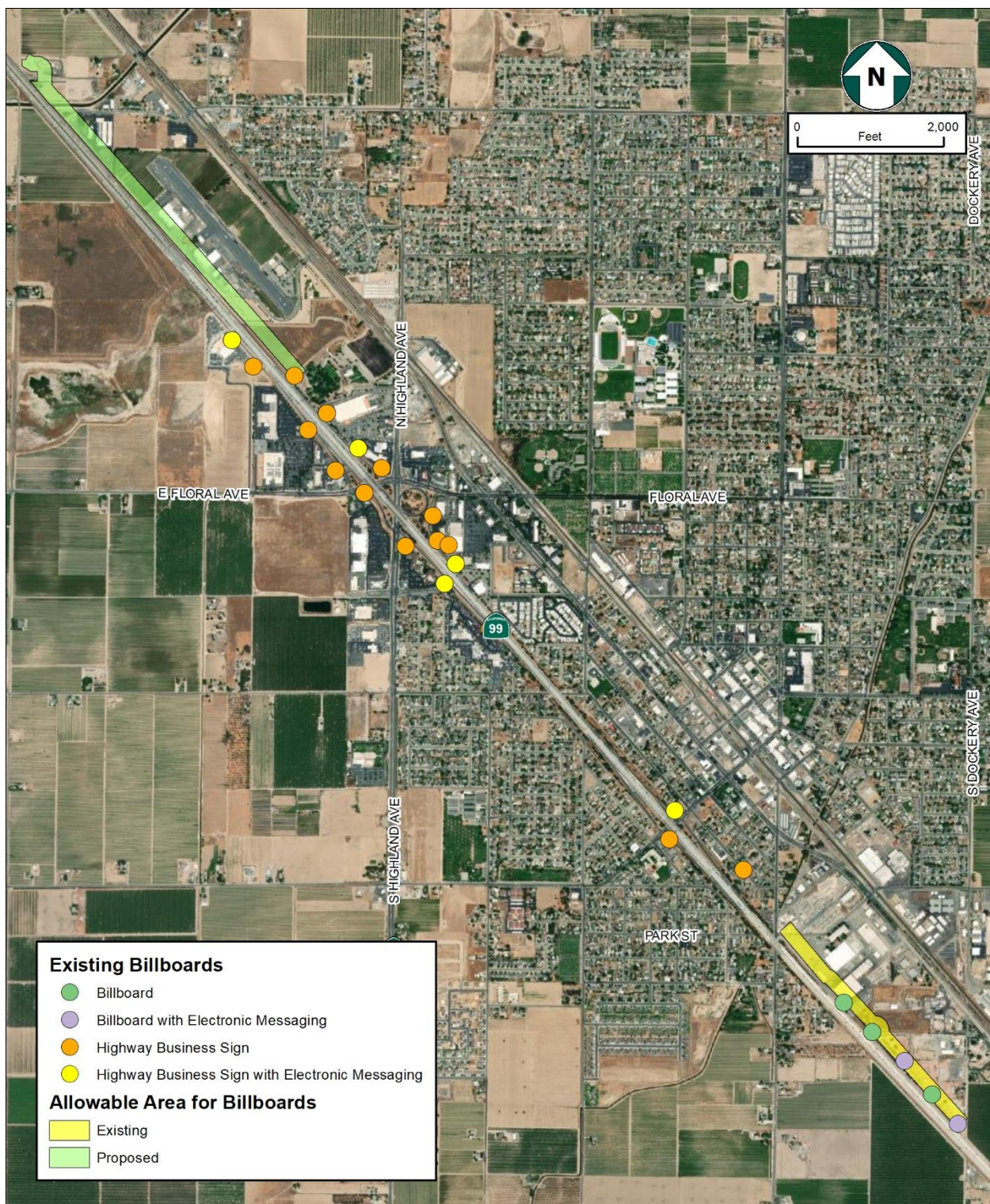
## **Exhibit B Size Comparison Rendering**





**Exhibit C**  
**Map of Allowable Area – Existing and Proposed**





**Exhibit D**  
**Map of Existing Billboard and Highway Signs**

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ORDINANCE NO. 2022-\_\_

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SELMA AMENDING  
SECTION 11-28-8 OF TITLE XI OF THE SELMA MUNICIPAL CODE RELATING TO  
BILLBOARDS (OFF-PREMISE ADVERTISING SIGN STRUCTURE)

---

THE CITY COUNCIL OF THE CITY OF SELMA DOES ORDAIN as follows:

SECTION 1. Section 8 of Chapter 28 of Title XI (11-28-8) of the Municipal Code of the City of Selma is hereby amended to read as follows:

“11-28-8: Billboards (Off Premises Advertising Sign Structure)

(A) General Provisions:

1. No billboard shall be constructed, relocated, or upgraded within the city without a Conditional Use Permit (CUP), unless otherwise noted in this Chapter. Each application shall be considered separately and individually. Multiple billboards on separate parcels shall not be combined into a single application. Multiple billboards on a single legal parcel may be submitted as one application. Multiple faces on a single billboard shall be submitted as a single application.
2. Expansion of billboard area or addition of faces to existing billboards: the vested rights held by existing billboards, whether conforming or nonconforming to this Chapter, do not allow expansion of billboard area or addition of billboard faces as a matter of right. No billboard shall have its area increased or have an additional face added unless all of the following conditions are met:
  - (a) A Conditional Use Permit is obtained by the applicant;
  - (b) The billboard meets the requirements of this Chapter;
  - (c) The applicant obtains all required building permits.
3. The City may permit a total of up to a total of ~~24 Billboards faces~~ 12 Billboard faces within City limits. Any existing legal nonconforming billboard in place at the time of the approval of this Ordinance, shall not count towards the total number of allowed Billboard sign faces.

(B) Placement:

1. Billboards shall only be permitted within two hundred feet (200') of Highway 99 and only in the M-1, and M-2 zone districts.
2. No billboards shall be permitted within five hundred feet (500') of property zoned or planned for residential uses. Uses across Highway 99 from a proposed billboard shall not be considered in this requirement.

3. No billboard shall be placed within five hundred feet (500') of another billboard or a freeway-oriented sign. No billboard with electronic message display shall be placed within one thousand feet (1,000') of another billboard with electronic message display. Billboards and freeway-oriented signs across Highway 99 from a proposed billboard shall not be considered in this requirement.

(C) Design:

1. The total height of a billboard shall not exceed fifty feet (50') to the top of the structure.
2. Notwithstanding any other policy per the Selma Municipal Code, the height of the billboard shall not exceed fifty feet (50') to the top of the structure as measured from either the finished grade under the billboard or from the freeway, highway, State Route grade, whichever is higher; unless a variance is proposed.
3. The total area of a single sign face shall not exceed six hundred seventy-two (672) square feet.
4. The area shall be measured by the smallest square, rectangle, triangle, circle, or combination thereof, which will encompass the entire advertisement and is made based on the height and the length but not the depth of the advertising surface.
5. A Variance may be proposed only to deviate from the prescribed maximums, specific to size and height. The Variance will be approved by Planning Commission and processed consistently with Title XI, Chapter 22 – Variances of the City of Selma Municipal Code.

(a) The applicant must prove that the existing development standards outlined within this Chapter will negatively impact billboard's viewability.

Any deviation specific to the overall sign size and height can be proposed.

5. Billboards are defined as a sign, static or electronic, which advertises goods, products, services or facilities.
6. Billboard faces are defined as the surface area used for the display of goods, products, services, or facilities.
7. No billboard shall have more than two (2) sign faces.
8. All billboards shall be supported by a single pole.
9. The minimum height to the bottom of a billboard shall be twenty feet (20').
10. All visible sign support columns for electronic billboards shall be concealed with approved architectural embellishments. The materials used in the sign support embellishments shall be primarily natural stone, brick, approved masonry panels, stucco, or architectural metal.



11. Billboards may be illuminated provided no lighting is directed onto adjacent properties or public rights-of-way and, where applicable, and be reviewed by the California Highway Patrol and/or California Department of Transportation (Caltrans).
12. Electronic billboards shall have the City of Selma branding on each side that contains advertising.

(D) Electronic message display and LED billboard signs:

1. Electronic message display and LED billboard signs are permitted but must have clearance or necessary approvals in writing from Caltrans Outdoor Advertising. Electronic message rotation shall comply with Caltrans safety standards.
2. The owner of an LED billboard sign shall coordinate with the local authorities to display, when appropriate, emergency information important to the traveling public including, but not limited to Amber Alerts, alerts concerning terrorist attacks or natural disasters. Emergency information messages shall remain in the advertising rotation according to the protocols of the agency that issues the information.
3. The owner of an LED billboard sign shall provide to the City of Selma Community Development Department 24-hour contact information for a person who has the authority and ability to turn off the electronic sign promptly after a malfunction occurs. Any sign not properly functioning needs to be repaired to the city's satisfaction within 30 days of a written notice or be subject to CUP revocation process, with the possibility of an additional 30-day extension approved by the Community Development Director or City Manager.”
4. Electronic Billboards shall meet the same size and height requirements as standard Billboards, as noted above.

(E) Upgrades

The City Manager or his/her designee shall have the authority to administratively approve, an existing billboard that has been previously approved via a Conditional Use Permit, the issuance of a permit for the upgrade of an existing billboard, subject to design review, which meets all of the following requirements:

1. The applicant proposes to enhance, improve and modify an existing legal or legally non-conforming billboard for the purpose of modernizing and improving the aesthetic appearance of such billboard.
2. Upgrades shall be considered as follows:
  - a. If 50% or less of the area of a billboard face is being improved or increased, then it will be considered an upgrade and or;
  - b. If 50% or less of the support structure is being improved or increased, then it will be considered an upgrade.
3. The proposed upgrade will comply with the provisions of this ordinance.

4. An upgrade may allow a billboard to become legally conforming if not already at the time of the proposed upgrade, exempting all billboards located outside of the geographic location permitted within this ordinance.
5. All upgrades that exceed the 50% threshold shall be subject to the approval of a Conditional Use Permit.
6. Any work consisting of less than 50% threshold will be considered as maintenance of the existing billboard.

(F) Replacement, Relocation of Existing Billboard, and Maintenance

1. Administrative Approval: If a legally conforming billboard no longer conforms to placement requirements due to property development, road widening, etc., the billboard shall be relocated on the same property. The City Manager or his/her designee shall have the authority to administratively approve the issuance of a permit for the relocation of an existing billboard, subject to design review, which meets all of the following requirements:
  - (a) The billboard was legally permitted by the City of Selma or otherwise had legal non-conforming status with the City.
  - (b) The City or another public agency has required the relocation of the existing billboard, or it is otherwise physically necessary to relocate the billboard;
  - (c) The sign will be relocated on the same parcel or property it was originally located;
  - (d) The size of the new or relocated billboard will not exceed the size, area, height, length, width, shape and number of sides or faces of the existing billboard. If a modification to these parameters is desired, a Conditional Use Permit will be required as described in Section F-2 below.
  - (e) The relocated billboard will constitute an improvement in the aesthetic appearance of the original billboard structure;
  - (f) All proposed lighting for the new or relocated billboard shall be the same or similar to the lighting of the original billboard and, in any case, the new sign will not utilize display technology which creates a moving or changing image, of the illusion thereof and the new or relocated sign may not be electronic or LED unless proposed with a Use Permit; and
  - (g) All costs associated with the relocation and installation of the new or relocated billboard will be borne solely by the billboard owner or applicant. If a new structure is to be built, it must comply with all applicable Building Code and safety requirements.

- (h) Replacement billboards shall comply with all applicable federal, State, and local regulations.
- 2. Conditional Use Permit Approval: Replacement billboards shall also be permitted subject to the provisions of this ordinance when the following apply:
  - (a) The applicant completely demolishes and relocates an existing billboard, including a legal nonconforming billboard, to a more suitable location so as not to conflict with the proposed development or redevelopment of the property, or other valid reasons and complies with the development standards of Title XI, Chapter 28 of the Municipal Code of the City of Selma; or
  - (b) The applicant completely demolishes and relocates an existing billboard, including a legal nonconforming billboard, to a more suitable location that lessens the overall negative aesthetic impacts on the city and its residents and complies with the development standards of Title XI, Chapter 28 of the Municipal Code of the City of Selma; or
  - (c) The applicant has previously removed and completely demolished one or more billboards and maintains credits for such removal by the California Department of Transportation pursuant to California Business and Professions Code Section 5443.5; or
  - (d) The applicant proposes to enhance, improve and modify an existing billboard already established within a permitted zone for the purpose of modernizing and improving the aesthetic appearance of such billboard.
- 3. New billboards which replace existing billboards may feature electronic copy, subject to the approval of a Conditional Use Permit.
- 4. Maintenance
  - a. All billboards shall be maintained in a safe, presentable, and good structural condition at all times, including the replacement of defective parts, painting, repainting, cleaning, ensuring the sign facing is not dilapidated or faded, and other acts required for the maintenance of such billboard. Billboards not in conformance with these standards will be addressed utilizing the Public Nuisance process as detailed within Title 1, Chapter 21 of the Selma Municipal Code.”

SECTION 2. Severability. If any part of this Ordinance is held to be invalid for any reason, such decision shall not affect the validity of the remaining portions of this Ordinance, and the City Council hereby declares that it would have passed the remainder of this Ordinance, as if such invalid portion thereof had been deleted.

SECTION 3. This ordinance shall take effect thirty (30) days after its passage.

SECTION 4. The City Clerk is hereby ordered and directed to certify the passage of this Ordinance and to cause the same to be published once in a newspaper of general circulation, published in the County of Fresno.

I, REYNA RIVERA, City Clerk of the City of Selma, do hereby certify that the foregoing Ordinance was introduced at a regular meeting of the City Council of the City of Selma held on the 15<sup>th</sup> day of August 2022, and passed and adopted at a regular meeting of the City Council held on the \_\_\_\_\_ day of \_\_\_\_\_ 2022, by the following vote, to wit:

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

---

Scott Robertson  
Mayor, City of Selma

ATTEST:

---

Reyna Rivera  
City Clerk, City of Selma

APPROVED AS TO FORM:

---

Mary F. Lerner  
City Attorney

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ORDINANCE NO. 2022-\_\_

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SELMA AMENDING  
SECTION 11-28-8 OF TITLE XI OF THE SELMA MUNICIPAL CODE RELATING TO  
BILLBOARDS (OFF-SITE SIGNAGE)

---

THE CITY COUNCIL OF THE CITY OF SELMA DOES ORDAIN as follows:

SECTION 1. Section 8 of Chapter 28 of Title XI (11-28-8) of the Municipal Code of the City of Selma is hereby amended to read as follows:

11-28-8: Billboards (Off Premises Advertising Sign Structure)

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2. Expansion of billboard area or addition of faces to existing billboards: the vested rights held by existing billboards, whether conforming or nonconforming to this Chapter, do not allow expansion of billboard area or addition of billboard faces as a matter of right. No billboard shall have its area increased or have an additional face added unless all of the following conditions are met:
  - (a) A Conditional Use Permit is obtained by the applicant;
  - (b) The billboard meets the requirements of this Chapter;
  - (c) The applicant obtains all required building permits.
3. The City may permit a total of up to a total of 24 Billboards faces within City limits. Any existing legal nonconforming billboard in place at the time of the approval of this Ordinance, shall not count towards the total number of allowed Billboard sign faces.

(B) Placement:

1. Billboards shall only be permitted within two hundred feet (200') of Highway 99 and only in the M-1, and M-2 zone districts.
2. No billboards shall be permitted within five hundred feet (500') of property zoned or planned for residential uses. Uses across Highway 99 from a proposed billboard shall not be considered in this requirement.
3. No billboard shall be placed within five hundred feet (500') of another billboard or a freeway-oriented sign. No billboard with electronic message display shall be placed

within one thousand feet (1,000') of another billboard with electronic message display. Billboards and freeway-oriented signs across Highway 99 from a proposed billboard shall not be considered in this requirement.

(C) Design:

1. The total height of a billboard shall not exceed fifty feet (50') to the top of the structure.
2. Notwithstanding any other policy per the Selma Municipal Code, the height of the billboard shall not exceed fifty feet (50') to the top of the structure as measured from either the finished grade under the billboard or from the freeway, highway, State Route grade, whichever is higher; unless a variance is proposed.
3. The total area of a single sign face shall not exceed six hundred seventy-two (672) square feet.
4. The area shall be measured by the smallest square, rectangle, triangle, circle, or combination thereof, which will encompass the entire advertisement and is made based on the height and the length but not the depth of the advertising surface.
5. A Variance may be proposed only to deviate from the prescribed maximums, specific to size and height. The Variance will be approved by Planning Commission and processed consistently with Title XI, Chapter 22 – Variances of the City of Selma Municipal Code.

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9. The minimum height to the bottom of a billboard shall be twenty feet (20').
10. All visible sign support columns for electronic billboards shall be concealed with approved architectural embellishments. The materials used in the sign support embellishments shall be primarily natural stone, brick, approved masonry panels, stucco, or architectural metal.
11. Billboards may be illuminated provided no lighting is directed onto adjacent properties or public rights-of-way and, where applicable, and be reviewed by the California Highway Patrol and/or California Department of Transportation (Caltrans).
12. Electronic billboards shall have the City of Selma branding on each side that contains advertising.

(D) Electronic message display and LED billboard signs:

1. Electronic message display and LED billboard signs are permitted but must have clearance or necessary approvals in writing from Caltrans Outdoor Advertising. Electronic message rotation shall comply with Caltrans safety standards.
2. The owner of an LED billboard sign shall coordinate with the local authorities to display, when appropriate, emergency information important to the traveling public including, but not limited to Amber Alerts, alerts concerning terrorist attacks or natural

disasters. Emergency information messages shall remain in the advertising rotation according to the protocols of the agency that issues the information.

3. The owner of an LED billboard sign shall provide to the City of Selma Community Development Department 24-hour contact information for a person who has the authority and ability to turn off the electronic sign promptly after a malfunction occurs. Any sign not properly functioning needs to be repaired to the city's satisfaction within 30 days of a written notice or be subject to CUP revocation process, with the possibility of an additional 30-day extension approved by the Community Development Director or City Manager.”
4. Electronic Billboards shall meet the same size and height requirements as standard Billboards, as noted above.

#### (E) Upgrades

The City Manager or his/her designee shall have the authority to administratively approve, an existing billboard that has been previously approved via a Conditional Use Permit, the issuance of a permit for the upgrade of an existing billboard, subject to design review, which meets all of the following requirements:

1. The applicant proposes to enhance, improve and modify an existing legal or legally non-conforming billboard for the purpose of modernizing and improving the aesthetic appearance of such billboard.
2. Upgrades shall be considered as follows:
  - a. If 50% or less of the area of a billboard face is being improved or increased, then it will be considered an upgrade and or;
  - b. If 50% or less of the support structure is being improved or increased, then it will be considered an upgrade.
3. The proposed upgrade will comply with the provisions of this ordinance.
4. An upgrade may allow a billboard to become legally conforming if not already at the time of the proposed upgrade, exempting all billboards located outside of the geographic location permitted within this ordinance.
5. All upgrades that exceed the 50% threshold shall be subject to the approval of a Conditional Use Permit.
6. Any work consisting of less than 50% threshold will be considered as maintenance of the existing billboard.

#### (F) Replacement, Relocation of Existing Billboard, and Maintenance

1. Administrative Approval: If a legally conforming billboard no longer conforms to placement requirements due to property development, road widening, etc., the billboard shall be relocated on the same property. The City Manager or his/her designee shall have the authority to administratively approve the issuance of a permit for the relocation of an existing billboard, subject to design review, which meets all of the following requirements:
  - (a) The billboard was legally permitted by the City of Selma or otherwise had legal non-conforming status with the City.

- (b) The City or another public agency has required the relocation of the existing billboard, or it is otherwise physically necessary to relocate the billboard;
  - (c) The sign will be relocated on the same parcel or property it was originally located;
  - (d) The size of the new or relocated billboard will not exceed the size, area, height, length, width, shape and number of sides or faces of the existing billboard. If a modification to these parameters is desired, a Conditional Use Permit will be required as described in Section F-2 below.
  - (e) The relocated billboard will constitute an improvement in the aesthetic appearance of the original billboard structure;
  - (f) All proposed lighting for the new or relocated billboard shall be the same or similar to the lighting of the original billboard and, in any case, the new sign will not utilize display technology which creates a moving or changing image, of the illusion thereof and the new or relocated sign may not be electronic or LED unless proposed with a Use Permit; and
  - (g) All costs associated with the relocation and installation of the new or relocated billboard will be borne solely by the billboard owner or applicant. If a new structure is to be built, it must comply with all applicable Building Code and safety requirements.
  - (h) Replacement billboards shall comply with all applicable federal, State, and local regulations.
2. Conditional Use Permit Approval: Replacement billboards shall also be permitted subject to the provisions of this ordinance when the following apply:
- (a) The applicant completely demolishes and relocates an existing billboard, including a legal nonconforming billboard, to a more suitable location so as not to conflict with the proposed development or redevelopment of the property, or other valid reasons and complies with the development standards of Title XI, Chapter 28 of the Municipal Code of the City of Selma; or
  - (b) The applicant completely demolishes and relocates an existing billboard, including a legal nonconforming billboard, to a more suitable location that lessens the overall negative aesthetic impacts on the city and its residents and complies with the development standards of Title XI, Chapter 28 of the Municipal Code of the City of Selma; or
  - (c) The applicant has previously removed and completely demolished one or more billboards and maintains credits for such removal by the California Department of Transportation pursuant to California Business and Professions Code Section 5443.5; or
  - (d) The applicant proposes to enhance, improve and modify an existing billboard already established within a permitted zone for the purpose of modernizing and improving the aesthetic appearance of such billboard.
3. New billboards which replace existing billboards may feature electronic copy, subject to the approval of a Conditional Use Permit.



4. Maintenance

- a. All billboards shall be maintained in a safe, presentable, and good structural condition at all times, including the replacement of defective parts, painting, repainting, cleaning, ensuring the sign facing is not dilapidated or faded, and other acts required for the maintenance of such billboard. Billboards not in conformance with these standards will be addressed utilizing the Public Nuisance process as detailed within Title 1, Chapter 21 of the Selma Municipal Code.

SECTION 2. Severability. If any part of this Ordinance is held to be invalid for any reason, such decision shall not affect the validity of the remaining portions of this Ordinance, and the City Council hereby declares that it would have passed the remainder of this Ordinance, as if such invalid portion thereof had been deleted.

SECTION 3. This ordinance shall take effect thirty (30) days after its passage.

SECTION 4. The City Clerk is hereby ordered and directed to certify the passage of this Ordinance and to cause the same to be published once in a newspaper of general circulation, published in the County of Fresno.

I, REYNA RIVERA, City Clerk of the City of Selma, do hereby certify that the foregoing Ordinance was introduced at a regular meeting of the City Council of the City of Selma held on the 15<sup>th</sup> day of August 2022, and passed and adopted at a regular meeting of the City Council held on the \_\_\_\_\_ day of \_\_\_\_\_ 2022, by the following vote, to wit:

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

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Scott Robertson  
Mayor, City of Selma

ATTEST:

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Reyna Rivera  
City Clerk, City of Selma

APPROVED AS TO FORM:

---

Mary F. Lerner  
City Attorney



Outdoor Advertising Association of America

## Explanation of OAAA Recommended Brightness Guidelines

There are at least two ways to evaluate the brightness of a LED digital display. A preferred method uses a footcandle meter to determine the amount of light that reaches various points in front of the digital display. A second method uses a luminance meter (frequently called a nit gun) to determine the amount of light emitted by a light source.

### Explanation of Footcandles vs. Nits

A brightness standard measured in nits (candelas/square meter) typically contains a maximum value for daytime and nighttime. The footcandle standard has only one value but is measured from different distances based on display size.

An LED sign generates luminance at the source (measured in nits), but this raw source is not what the human eye sees from a distance. The human eye sees illuminance (measured in foot candles) from a point at a certain distance from the LED sign. Illuminance is greatly affected by ambient light and surrounding conditions. As such, it is usually preferred by regulators.

### Q: What is the definition of Luminance<sup>1</sup>?

lu·mi·nance/'lumənəns/ [loo-muh-nuhns]—noun

1. The state or quality of being luminous.
2. Also called luminosity, the quality or condition of radiating or reflecting light: the blinding luminance of the sun.
3. Optics - The quantitative measure of brightness of a light source or an illuminated surface, equal to luminous flux per unit solid angle emitted per unit projected area of the source or surface.

### Q: What is the definition of Illuminance?

/i'lumənəns/ Compare irradiance E v, Sometimes called: illumination the luminous flux incident on unit area of a surface. It is measured in lux<sup>2</sup>

### Q: What is a foot candle?

n. (Abbr. fc or ft-c)

[foot-kan-dl]

noun Optics.

A unit of illuminance or illumination, equivalent to the illumination produced by a source of one candle at a distance of one foot and equal to one lumen incident per square foot. Abbreviation: FC<sup>3</sup>

Also:

A unit of illuminance on a surface that is everywhere one foot from a point source of one candle<sup>4</sup>

<sup>1</sup> Dictionary.com <http://dictionary.reference.com/browse/luminance?s=t>

<sup>2</sup> Dictionary.com <http://dictionary.reference.com/browse/illuminance?s=ts>

<sup>3</sup> Dictionary.com <http://dictionary.reference.com/browse/foot+candle?s=t>

<sup>4</sup> TheFreeDictionary.com <http://www.thefreedictionary.com/Footcandle>

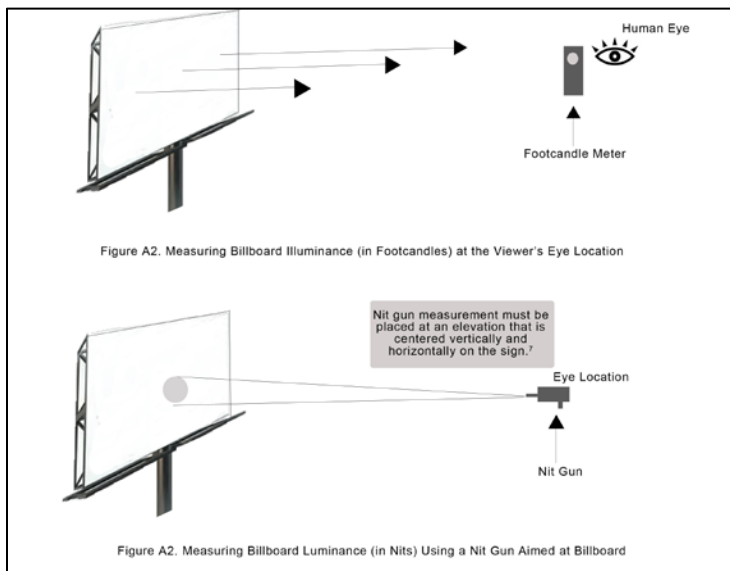
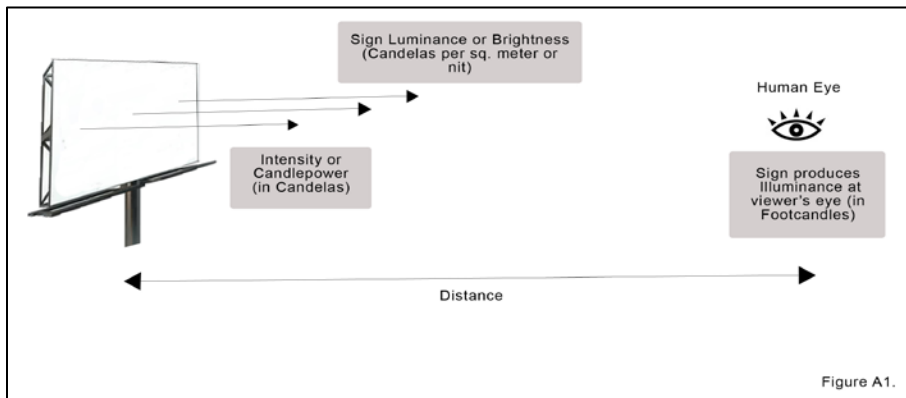
## Q: What is a nit?

A:

noun Physics.

a unit of luminous intensity equal to one candela per square meter. Abbreviation: nt<sup>5</sup>

-A unit of illuminative brightness equal to one candle per square meter, measured perpendicular to the rays of the source.<sup>6</sup>



<sup>5</sup> Dictionary.com <http://dictionary.reference.com/browse/nits?s=t>

<sup>6</sup> TheFreeDictionary.com <http://www.thefreedictionary.com/nit>

<sup>7</sup> Nit gun readings are most accurate when the readings are taken directly perpendicular from the light source. As a result, the best place to take Nit gun readings is from an elevated height perpendicular to the digital display. If this is not possible, moving back from the digital display 350' to 500' on the center line will minimize the loss of accuracy. However, the distance away from the digital display cannot cause the nit gun measurement circle to fall outside the lighted digital billboard face.

-Source: Dr. Ian Lewin, Ph.D. Lighting Sciences, Inc. Digital Billboard Recommendations and Comparisons to Conventional Billboards.

#### Why use Foot candles over Nits as a unit of measurement?

- Foot candles measure the variance from ambient light. This assures a government that the sign will not be too bright for conditions. At different parts of a day the ambient lighting can be significantly different with clouds or fog. Conversely, the same can be true about nighttime conditions when an adjacent commercial lot turns on or off their parking lot lighting. Regulation using Nits merely sets a maximum and minimum level for day and night time conditions. Using the foot candle standard will not allow the sign to be too bright under a variety of conditions. (See Figure A2)
- Nits measure the brightness of the light at its source, without regard to ambient light. Establishing a lighting standard that ignores the brightness of the area (ambient light) allows the digital billboard to be too bright in dark environments and too dim in highly illuminated areas. In other words, fixed nit standards can allow the digital to operate at significantly higher luminance than is needed over the course of a 24 hour period.
- Nits: To measure nits you need to be directly perpendicular to the sign to measure, and get an accurate measurement. This is factored horizontally and vertically. There is a little bit of leeway on angle. Nits are directional in nature and billboard signs are usually aimed directly at the middle of the roadway. This in many cases puts the person performing the measurement in the travel lanes. In addition, due to the height of the average digital billboard a truck with a man-lift may be required. There is no specified distance you must be away from the sign to measure. (See Figure A2)
- Footcandles: With the footcandle standard you should be as perpendicular to the face as you can, but you do not have to be, to get a valid, accurate measurement. Footcandles can be measured multi directionally. You can take measurements at an angle to the sign face and receive valid measurements. The distance from which to measure is set at 250 ft away from the sign face for 14 x 48 size. This gives a regulator more options on places to stand.
- This makes the footcandle standard superior in ease of implementation. But even if we assumed they are both different, but similar in this regard, other more important factors tip the scales.
  - The footcandle standard is more restrictive in terms of lighting allowed, in a variety of conditions. As such, is usually preferred by regulators once they are educated on the differences.
  - The industry footcandle standard is tied to a required light sensor and dimming software.
  - Footcandles measure what the driver sees through their windshield in terms of light, where his car is.
  - Nits measure the light emanating from the sign face, typically a few hundred feet away. Not necessarily what the driver is seeing.
- It also can benefit a government to use foot-candles instead of Nits as Nit guns are very expensive (estimated cost \$3,000.00). Light meters can cost as little as \$250.00.

#### There are 3 necessary components to insure a digital billboard will never be too bright for conditions.

1. Maximum brightness limits incorporating a footcandle standard
2. An ambient light sensor installed on the sign structure
3. Dimming software

The ambient light level of a digital billboard will not vary significantly from that of a traditional billboard display and, in many cases it will be less. The light output levels will be set to be appropriate for the surroundings.

OAAA recognized/member companies utilize a photocell on digital billboards so that the display will easily be seen by motorists under changing light conditions. Sophisticated dimming software constantly changes the brightness of the display in response to changing ambient lighting conditions. This insures a digital billboard will never be too bright for conditions.

The range of brightness varies greatly between daytime and nighttime conditions. In bright daylight, the unit must have higher intensity in order to be seen. During darkness conditions, the brightness can be set low and still be easily seen by motorists.

### **Why was 0.3 Footcandles chosen as the limit?**

The 0.3 footcandle maximum illuminance level was carefully derived from a report completed by a former president of the IESNA.<sup>8</sup> The recommended technique is based on accepted IESNA practice for “light trespass.”

The Outdoor Advertising Association of America (OAAA) commissioned Dr. Ian Lewin, in 2008 a principal at Lighting Sciences, Inc., Scottsdale, AZ, to recommend criteria for brightness levels on digital billboards<sup>9</sup>. The standards are designed to minimize the risk of glare or unreasonable driver distraction.

Footcandle measurements are commonly used throughout the United States. Footcandle measures are widely used in the lighting industry, photography, film, television, conservation lighting, and construction related engineering and building code regulations<sup>10</sup>. In addition, footcandles are frequently cited in OSHA regulations. The OAAA believes that these lighting standards reflect the best practices of the Out of Home Industry.

<sup>8</sup> IESNA – Illuminating Engineering Society of North America

<sup>9</sup> Digital Billboard Recommendations and Comparisons to Conventional Billboards, by Dr. Ian Lewin Ph.D., FIES, L.C. Lighting Sciences, Inc., 7826 East Evans Road, Scottsdale, Arizona 85260

<sup>10</sup> [wikipedia.org/wiki/Footcandles](https://en.wikipedia.org/wiki/Footcandle)

## Appendix

### OAAA Recommended Brightness Guidelines

#### Criteria #1 - Lighting Standards – Measurements:

The industry recommended criteria follows the lighting standards established by the Illuminating Engineering Society of North America (IESNA). The OAAA and member companies voluntarily adhere to the following guidance.

Recommended regulatory criteria:

Lighting levels should not exceed 0.3 foot candles (over ambient levels) as measured using a foot candle meter at a pre-set distance.

Pre-set distances to measure the foot candles impact vary with the expected viewing distances of each size sign. Measurements should be taken as close to perpendicular to the face as practical.

Measurement distance criteria:

Nominal Face Size	Distance to Measure From
12' x 24'	150'
10'6 x 36'	200'
14' x 48'	250'
20' x 60'	350'

Each display must have a light sensing device that will adjust the brightness as ambient light conditions change.

#### Criteria #2 - Alternate Regulatory Criteria

The brightness of light emitted from a changeable message sign should not exceed 0.3 foot candles over ambient light levels measured at a distance of one hundred fifty feet (150') feet for those sign faces less than or equal to three hundred square feet (300 sq. ft.), measured at a distance of two hundred feet (200 ft.), for those sign faces greater than three hundred square feet (300 sq. ft.) but less than or equal to three hundred eighty-five square feet (385 sq. ft.), measured at a distance of two hundred fifty feet (250 ft.), for those sign faces greater than three hundred eighty-five square feet (385 sq. ft.) and less than or equal to six hundred eighty square feet (680 sq. ft.), measured at a distance of three hundred fifty feet (350 ft.) for those sign faces greater than six hundred eighty square feet (680 sq. ft.)

Or use Alternate Table:

Sign Face Size	Distance of Measurement
681-1200 square feet	350 feet
385-680 square feet	250 feet
300-385 square feet	200 feet
200-300 square feet	150 feet

Each display must have a light sensing device that will adjust the brightness as ambient light conditions change.



**Criteria #3 - Optional Regulatory Addendum** - (If standardized distances cannot be achieved in compliance with MUTCD roadside work, or if the site conditions will not allow measurements from the previous distances.)

In the event it is found not to be practical to measure a digital billboard at the set distances prescribed above, a measurer may opt to measure the sign at any of the alternative measuring distances described in the applicable table set forth below. In the event the sign measurer chooses to measure the sign using an alternative measuring distance, the prescribed footcandle level above ambient light shall not exceed the prescribed level, to be determined based on the alternative measuring distances set forth in the following tables (A), (B), (C), and (D), as applicable:

(A) For changeable message signs less than or equal to 300 square feet:

Alternative Measuring Distance	Prescribed Foot Candle Level
100	0.68
125	0.43
150	0.3
200	0.17
250	0.11
275	0.09
300	0.08
325	0.06
350	0.06
400	0.04

(B) For changeable message signs greater than 300 square feet but less than or equal to 385 square feet:

Alternative Measuring Distance	Prescribed Foot Candle Level
100	1.2
125	0.77
150	0.53
200	0.3
250	0.19
275	0.16
300	0.13
325	0.11
350	0.1
400	0.08

(C) For changeable message signs greater than 385 square feet but less than or equal to 680 square feet:

Alternative Measuring Distance	Prescribed Foot Candle Level
100	1.88
125	1.2
150	0.83
200	0.47
250	0.3
275	0.25
300	0.21
325	0.18
350	0.15
400	0.12

(D) For changeable Message Sign greater than 680 square feet: Alternative Measuring Distance:  
Prescribed Foot Candle Level:

Alternative Measuring Distance	Prescribed Foot Candle Level
100	3.675
125	2.35
150	1.63
200	0.92
250	0.59
275	0.49
300	0.41
325	0.35
350	0.3
400	0.23
425	0.2
450	0.18
500	0.15

**State of California**

**VEHICLE CODE**

**Section 21466.5**

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21466.5. No person shall place or maintain or display, upon or in view of any highway, any light of any color of such brilliance as to impair the vision of drivers upon the highway. A light source shall be considered vision impairing when its brilliance exceeds the values listed below.

The brightness reading of an objectionable light source shall be measured with a  $1\frac{1}{2}$ -degree photoelectric brightness meter placed at the driver's point of view. The maximum measured brightness of the light source within 10 degrees from the driver's normal line of sight shall not be more than 1,000 times the minimum measured brightness in the driver's field of view, except that when the minimum measured brightness in the field of view is 10 foot-lamberts or less, the measured brightness of the light source in foot-lambert shall not exceed 500 plus 100 times the angle, in degrees, between the driver's line of sight and the light source.

The provisions of this section shall not apply to railroads as defined in Section 229 of the Public Utilities Code.

(Added by Stats. 1970, Ch. 968.)

**Notice of Exemption****Appendix E**

**To:** Office of Planning and Research  
P.O. Box 3044, Room 113  
Sacramento, CA 95812-3044

County Clerk

County of: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**From:** (Public Agency): \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

(Address)

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

Project Applicant: \_\_\_\_\_

Project Location - Specific:

Project Location - City: \_\_\_\_\_ Project Location - County: \_\_\_\_\_

Description of Nature, Purpose and Beneficiaries of Project:

Name of Public Agency Approving Project: \_\_\_\_\_

Name of Person or Agency Carrying Out Project: \_\_\_\_\_

Exempt Status: **(check one):**

- ☐ Ministerial (Sec. 21080(b)(1); 15268);
- ☐ Declared Emergency (Sec. 21080(b)(3); 15269(a));
- ☐ Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- ☐ Categorical Exemption. State type and section number: \_\_\_\_\_
- ☐ Statutory Exemptions. State code number: \_\_\_\_\_

Reasons why project is exempt:

Lead Agency \_\_\_\_\_

Contact Person: \_\_\_\_\_ Area Code/Telephone/Extension: \_\_\_\_\_

**If filed by applicant:**

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project?      Yes      No

Signature: \_\_\_\_\_ Date: \_\_\_\_\_ Title: \_\_\_\_\_

Signed by Lead Agency      Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code.  
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

Date Received for filing at OPR: \_\_\_\_\_



July 11, 2022

Mr. Trevor Stearns  
Senior Associate Planner  
QK Inc.  
601 Pollasky Ave, Suite 301  
Clovis, CA 93612

RE: Billboard Ordinance, Draft, Height, Size, Zoning for the City of Selma, Review of Meeting 6.10.22

Dear Mr. Stearns,

Thank you very much for hosting the most recent Billboard Ordinance review meeting.

Westcoast Billboards is in support of moving forward with the new Sign Ordinance proposed by Staff. We would like to suggest Staff change a few items within the proposed Ordinance.

(B) Placement – Measurements will be from the same side of the Freeway  
© Design – Height of billboard should be 55' as approved by the Planning Commission and not objected to by the City Council  
€ Upgrades – define what an upgrade is. That this does not include an upgrade from static to digital sign.

I would also like to bring to the attention of Staff, Planning Commission and City Council some of the items brought up by the participants.

Sun Outdoor once again spent time “muddying” the waters to stall the process. It was suggested by Sun Outdoor that the current Billboard Ordinance and proposed issue of On Premise signs be tied together. These two sign issues should remain separate and distinct issues.

Outfront continues to want to participate in the process but hasn't done any work since their original letter on October 28, 2021. They attended the June on-line meeting and stated that they would put a letter together with their thoughts and ideas.

To date, Westcoast has not seen any documents from Outfront or Sun. Westcoast believes in the best interest of the Industry and the City, that all participants should have an opportunity to see all materials submitted and to debate them in an additional on-line meeting.

Westcoast would like to remind all participants in the process that we support the following:

1. Height – 55' overall increases the visibility of the signs to the traveling public. It reduces the blockage caused by tractor trailers and other large vehicles. It's good for the advertisers who have complained in the past about cross read visibility. Lastly it anticipates that in the future Cal Trans could build sound walls and block existing signage that is lower than 55' overall
2. Size – 14' x 48' is a larger format and the standard for advertisers across the Country. It gives local business a bigger bang for the buck and makes them a larger presence on the freeway.
3. California Highway Patrol – remove the language that asks for "approval" from CHP. Westcoast would like this completely removed since there is no language to support this request in the Cal Trans Regs or Laws.
4. Variances – only as a last resort if these items can't be agreed upon.

Again, Westcoast would like to thank Staff for its thorough job on working with the Industry.

Sincerely,

Jeremy Gregory  
Westcoast Billboards

Cc: Selma City Council  
Selma Planning Commission  
Rob Terry – City of Selma  
Ethan Davis – qk  
Steve Brandt – qk

**From:** [Ann Schnitzer](#)  
**To:** [Trevor Stearns](#)  
**Cc:** [Steve Brandt](#); [Todd Hansen](#)  
**Subject:** [EXTERNAL]:RE: Billboard Ordinance Amendment  
**Date:** Monday, June 27, 2022 4:20:24 PM

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**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Trevor,

I wanted to write a quick note to express our disappointment with the newly proposed changes to the ordinance as reflected in our Friday meeting.. Once again, it seems clear to us that the playing field is being unfairly tilted against the existing billboard companies, who have a long history of supporting Selma and its businesses and citizens. For whatever reason, our concerns are not being seriously listened to. This entire process seems pre-determined and driven to provide special economic privilege, at whatever cost. We are perplexed at the level of control and influence being exerted. That said, in good faith, we will continue to participate in the process. However, we believe the public should be immediately notified of the proposed changes, so that they can share their views earlier than later.

In that regard, we are willing to participate in the immediate direct mailing of a notification to the public as we believe the current pressure being applied to increase both the number, size and height of billboards is highly unusual, to say the least. We participated in another jurisdiction by mailing a detailed explanation and notice to 30,000 registered voters explaining to them the merits of regulatory change. While we appreciate the inclusion of other billboard companies in the process, after all is said and done, it is the public who deserves to know in advance what is being proposed and to have their voices and opinions heard now. In our view, the intense pressure being placed on the City to modify their ordinance in a manner to benefit and facilitate this request is inappropriate.

Please let me know if you have any questions.

Regards

*Ann Schnitzer*  
*Sun Outdoor Advertising LLC*  
P. O. Box 2329  
Gig Harbor, WA 98335  
253.581.6611 – 253.581.6612 (fax)  
253-380-8802 (cell)  
[acs@rainiercapitalgroup.com](mailto:acs@rainiercapitalgroup.com)





July 8, 2022

Mr. Fernando Santillan City Manager  
Mr. Rob Terry Deputy City Manager  
Mr. Trevor Stearns, Contract City Planner  
1710 Tucker Street  
Selma, CA 93662

**RE: City of Selma Discussion Regarding Amending Section 11-28-8 of Title XI of the Selma Municipal Code Relating to Billboards (Off-Site Signage)**

Dear Mr. Santillan, Mr. Terry and Mr. Stearns,

Thank you for the opportunity to participate in the recent roundtable discussions with city staff and other members of the outdoor industry regarding the proposed changes to the City of Selma billboard ordinance. OUTFRONT Media, which has six structures/eight faces in the City of Selma, has appreciated the time and effort expended toward this issue.

At the beginning of this process, OUTFRONT did have questions/concerns as to the reasons the ordinance was being changed. So we are clear, the Council was considering an application to add two digital billboards on the northern edge of the city. After being vetted by the Planning Commission, this application was denied by the Council on a 3-2 vote on November 15, 2021. Under your own rules, this application died. We are not certain if your Council is aware of these rules, however it is clear to the industry that Council direction was to meet with the industry and develop an ordinance that balanced industry needs with the beautification of Selma. Under normal process, this new ordinance would go to the Planning Commission prior to it being presented to Council. We can only assume that staff is taking an incorrect position that this "new" ordinance is simply a modification of the original application submitted by West Coast.

Going back to the original direction from the Council, this ordinance that has been prepared accomplishes the exact opposite of Council direction. Your current policies allow for a finite number of Billboards on your freeway corridor. The ordinance that you are now proposing would create a proliferation of Billboards that would severely affect the aesthetic view of your city. This is ironic in that your Council believes that it is important to properly landscape your freeway entrances and exits only to be marginalized by future Billboards. This should not work for the City and it does not work for the industry. We also believe that the Selma business community and its citizens would not approve of such an ordinance that staff is recommending.

To this end, we are prepared to inform the citizens of Selma of what is about to occur without the input of the citizen appointed Planning Commission.

We are hereby requesting the following:

1. That staff initiate a good faith discussion as directed by the Council and that this item be taken off the agenda for August 1, 2022.
2. Consider simply staying with your existing policies regarding Billboards. Existing rules do not allow the proliferation that staff is proposing.
3. Request a City Attorney position of whether this new ordinance is required to go to the Planning Commission.

We do appreciate your efforts, however we do not believe that the Council direction was followed. An immediate response would be appreciated.

Sincerely,



Mark A. Duran  
Real Estate Representative

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**ITEM NO: 3.**

**SUBJECT:** Consideration of a Resolution Approving the Terms of a Private Placement, a Placement Agent and Authorizing Certain Other Actions in Connection with Issuance of Pension Obligation Bonds

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**DISCUSSION:** Over the past several months, the City Council has conducted several public workshops to consider the restructuring of its Unfunded Accrued Liability (UAL) associated with its CalPERS retirement plans. The workshops have been coordinated by Mr. Eric Scriven, Principal, with NHA Advisors, LLC, the City's contracted municipal advisor, and City staff.

The primary purpose in exploring the restructuring of the UAL is to in effect refinance the UAL debt at an interest rate lower than the interest rate (known as the "Discount Rate") assessed by CalPERS, presently set at 6.8%. The annual debt payments made to CalPERS toward the UAL have increased from \$690,000 in 2018 to approximately \$1,444,000 expected in 2022. Furthermore, it is anticipated that these payments will increase to \$2,090,000 by 2032. Overall, the City's UAL debt with CalPERS has grown from \$11.4 million to \$17.8 million over the last 7 years due to CalPERS investment underperformance and assumption changes. While the strong CalPERS investment returns in FY 2020-21 of 21.3% are expected to offset a discount rate (CalPERS' expected rate of return) reduction from 7.0% to 6.8% and bring the City's UAL down to about \$11.8 million, CalPERS' investment performance of negative 6.1% in FY 2021-22 is anticipated to bring the City's UAL back up to **approximately \$18.6 million** once reflected in the future Fall 2023 actuarial valuation reports. The projections have been updated and confirmed with CalPERS on Tuesday, August 10<sup>th</sup>.

At the regular meeting on January 18, 2022, the Council decided to approve the issuance of pension obligation bonds (POBs), the form of a trust agreement and the commencement of a validation action. With the validation period having completed successfully in July 2022, the City is now able to move forward with the issuance of POBs.

At the workshop on August 1, 2022, the Council received a presentation outlining considerations and potential savings impacts from a POB based on an indicative bank interest rate of 4.30%. This rate reflects favorable relationship pricing given that estimated POB interest rates in the public markets are currently well over 5.25%. This rate is contingent on a \$4 million relationship deposit with the bank. At the meeting, City Council voted 3-2 to move forward with the private placement execution.

Since that time, the City Manager and NHA Advisors have continued to work with CalPERS to get a more accurate projection of the UAL debt, as well as with Umpqua Bank to refine the terms of the financing. Based on the draft term sheet received by Umpqua Bank, the proposed terms are as follows:

- **Size:** Up to \$16.5 million
- **Term:** 20 to 24 years
- **Interest Rate:** 4.30%
- **Pre-Payment Terms:** 7 years @ no penalty; callable earlier than 7 years at a slight penalty

The attached Resolution, if approved by City Council, will approve the key terms of the Private Placement as outlined in the term sheet, as well as approve the retention of Brandis Tallman, a Division of Oppenheimer & Co. Inc. as Placement Agent for the POBs. For the issuance of bonds and securities (not including loans, per SEC guidance), it is a requirement to engage an “intermediary” firm that holds a broker-dealer license (Series 7 registration). For public offerings, this intermediary is called an “Underwriter” and for direct placements, a “Placement Agent.” Brandis Tallman is the most active firm in California in the private placement market, as well as the most active firm for POB private placements. As part of the interest rate bidding process, they have solicited bids from over 20 banks. No other bank was able to offer the low rate and flexible terms that Umpqua Bank has proposed.

### **Projected Savings Analysis and Recommended Option**

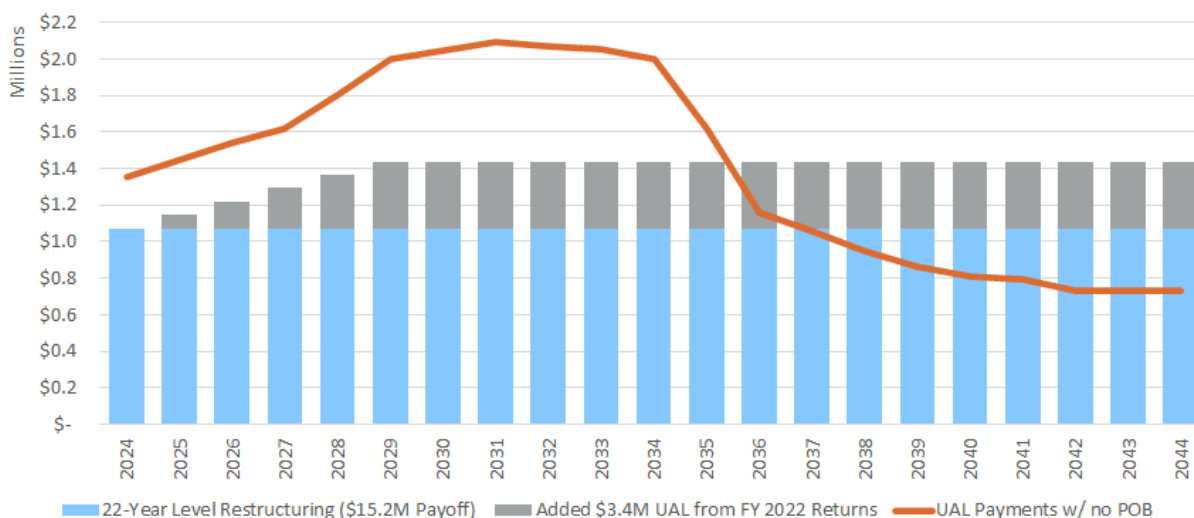
For the presentation on August 15<sup>th</sup>, NHA Advisors will walk through several sizing and term options for the City Council’s consideration and feedback. Two of the options (20- and 24-year term) will include only paying off \$11.8 million of UAL. Three other options will include paying off approximately \$15.2M of UAL, under 20-, 22- and 24-year term options. Given that the City’s UAL will be increasing to \$18.6M, NHA and the City Manager felt it was prudent to include a more refined/larger sizing option to “get ahead of” some of this new UAL debt that will be added next year – converting it from 6.8% CalPERS debt to 4.3% POB debt. A \$15.2 million size will bring the City’s funding ratios into the mid-90% range, while the smaller \$11.8 million option will increase the funding ratio to about 91%. It is not recommended sizing up all the way to \$18.6 million given the risk of overfunding (>100%), as well as the fact the City may be able to address the approximately \$3.4 million of UAL that will be remaining with CalPERS by applying Section 115 Trust funds in the future.

The presentation will provide detail & analysis for each option, with a summary of projected savings below.

Metrics	20-Year Restructuring (\$11.8M Payoff)	24-Year Restructuring (\$11.8M Payoff)	20-Year Restructuring (\$15.2M Payoff)	24-Year Restructuring (\$15.2M Payoff)	22-Year Level Restructuring (\$15.2M Payoff)
UAL Funded (\$)	\$11,814,830	\$11,814,830	\$15,218,915	\$15,218,915	\$15,218,915
Est. % UAL Funded (Post FY 2021 Returns & 6.8% Discount Rate)	100%	100%	100%	100%	100%
Est. Funded Ratio (Post FY 2021 Returns & 6.8% Discount Rate)	91%	91%	96%	96%	96%
Maturity	20 Years	24 Years	20 Years	24 Years	22 Years
Average Life	11.4 Years	14.0 Years	11.4 Years	14.0 Years	12.7 Years
All-In Interest Cost (AIC)	4.47%	4.44%	4.43%	4.41%	4.42%
Present Value Savings (%)	7.51%	7.38%	10.67%	10.55%	10.61%
Present Value Savings (\$)	\$886,850	\$872,286	\$1,624,090	\$1,605,266	\$1,614,489
Cumulative Savings	(\$590,872)	(\$1,874,852)	\$1,195,647	(\$452,973)	\$380,410
Savings (2024-2035)	\$4,379,899	\$5,565,367	\$4,642,967	\$6,165,568	\$5,479,978
Avg. Annual Savings (2024-2035)	\$364,992	\$463,781	\$386,914	\$513,797	\$456,665

Based on a thorough review of the options and savings estimates by NHA Advisors and the City Manager, the preliminary recommended option is the **\$15.2 million sizing at a 22-year term**. The larger options provide significantly more present value savings (\$1.6 million) vs. the smaller option (\$880K) and brings the funding ratios of each plan up to a higher 96% level. The 22-year term is a practical balance between the 20 and 24-year options – and corresponds to the 22-year term that CalPERS currently sets for the City’s UAL. Projected savings over the next 12 years under this option is about \$5.5M. Unlike the 24-year option which projects for negative cumulative savings, the 22-year option produces positive estimated (\$380K) cumulative savings.

A chart depicting payments for the \$15.2M 22-year POB (light blue bars), along with the unrefunded UAL (grey bars), is shown below. This is contrasted against the payments the City is projected to make to CalPERS if it does not move forward with a POB (shown in the orange line).



### **SCHEDULE:**

Assuming the City Council approves the resolution, the financing team will move forward with locking the interest rate set forth in the bank term sheet and proceed with the closing process for the financing. With timely execution, the financing would be expected to close on August 29, 2022.

### **RESOLUTION:**

The resolution being approved authorizes staff to complete the POB financing and approves the Umpqua Bank Term Sheet.

### **DOCUMENTS FOR REVIEW AND APPROVAL:**

Umpqua Bank Preliminary Term Sheet: The Term Sheet is a summary of agreement between the City and Umpqua Bank that identifies the key financing terms and conditions under which the POBs are to be issued. In addition to the key financing terms set forth in the proposed term sheet, the financing team expects the bank and its counsel to require certain provisions in the trust agreement for the POBs, including: reporting on the City budget, notice of any material litigation, restrictions on deposit withdrawals from the bank, and

representations and covenants regarding anti-corruption laws, no sovereign immunity, no material environmental matters, no dealings with terrorists or other restricted persons, waiver of jury trial and restrictions while the bank holds the POBs on amendments to the trust agreement.

**FISCAL IMPACT:**

The placement agent costs in connection with the issuance and delivery of the proposed pension obligation bonds are capped at \$20,000 and will be paid from bond proceeds, contingent upon closing, with no budgetary impact.

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**RECOMMENDATION:** 1) Adopt Resolution Approving the Terms of a Private Placement, a Placement Agent, and Authorizing Certain Other Actions in Connection Therewith; 2) Approve the Recommended POB Structure: \$15.2 Million of UAL Refinanced over a 22-Year Term

**ATTACHMENTS:**

- Resolution
  - Umpqua Bank Term Sheet
- 

Fernando Santillan, City Manager



**RESOLUTION NO. 2022 - \_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SELMA  
APPROVING THE TERMS OF A PRIVATE PLACEMENT, A PLACEMENT  
AGENT, AND AUTHORIZING CERTAIN OTHER ACTIONS IN  
CONNECTION THEREWITH**

**WHEREAS**, the City of Selma, California (the “City”) is a general law city and municipal corporation duly organized and existing under and pursuant to the Constitution and laws of the State of California; and

**WHEREAS**, the City Council of the City has previously approved by Resolution No. 2022-4R, adopted on January 18, 2022 (the “Authorizing Resolution”), the issuance and delivery of pension obligation bonds to refund certain outstanding obligations of the City to the California Public Employees’ Retirement System; and

**WHEREAS**, on July 21, 2022, the Superior Court of the State of California, County of Fresno issued its judgment in *City of Selma v. All Persons Interested et al.* (Case No. 22CECG00286) that, among other matters, the proposed pension obligation bonds and the trust agreement to be executed for such bonds are valid and legal, and were and are in conformity with applicable provisions of all laws; and

**WHEREAS**, the City has received a bid for a private placement with Umpqua Bank in connection with the proposed issuance of the pension obligation bonds;

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Selma as follows:

**Section 1.** The above recitals are true and correct and are incorporated herein by reference.

**Section 2.** The City Council hereby approves and accepts the attached Umpqua Bank term sheet for the proposed private placement of the pension obligation bonds, subject to the authorizations and limitations set forth herein and in the Authorizing Resolution.

**Section 3.** The City Council hereby approves Brandis Tallman, a Division of Oppenheimer & Co. Inc., as placement agent in connection with the issuance and delivery of the proposed pension obligation bonds and a placement agent agreement in form and substance approved by any Authorized Representative (as defined in the Authorizing Resolution), with compensation not to exceed \$20,000.

**Section 4.** All actions heretofore taken by any Authorized Representative or any officer, employee or agent of the City with respect to the issuance, sale and delivery of the pension obligation bonds or in connection with or related to any of the matters referred to herein, are hereby approved, confirmed and ratified.

**Section 5.** This Resolution may be executed with electronic signatures in accordance with Government Code of the State of California §16.5. Such electronic signatures will be treated in all respects as having the same effect as an original signature.

**Section 6.** The City Clerk shall certify to the adoption of this Resolution and that the same shall be in full force and effect.

**Section 7.** This Resolution becomes effective immediately upon adoption.

PASSED, APPROVED AND ADOPTED at a Regular Meeting of the City Council of the City of Selma on the 15<sup>th</sup> of August 2022, by the following roll call vote:

AYES: Council Members:

NOES: Council Members:

ABSTAIN: Council Members:

ABSENT: Council Members:

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Scott Robertson, Mayor

ATTEST:

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Reyna Rivera, City Clerk



**City of Selma**  
**2022 Taxable Pension Obligation Bond**  
**Term Sheet 8.10.2022**

Umpqua Bank ("Umpqua") would like to express its interest in underwriting and obtaining credit approval for the following loan (the "Credit Facility") for City of Selma (the "City") on the terms and conditions outlined below.

**Preface:** Umpqua's expression of interest in underwriting and obtaining credit approval for the Credit Facility is for discussion purposes only and does not constitute a commitment from Umpqua. Any commitment to lend that we might make is subject to the fulfillment of a number of conditions that include, but are not limited to, our normal credit approval process, an in-depth investigation of the purpose of the loan, the 'City', and collateral the results of which are deemed satisfactory to Umpqua in our sole discretion.

**Confidentiality:** Except as required by law, neither this expression of interest nor its contents will be disclosed publicly or privately except to those individuals who are your officers, employees or advisors who have a need to know as a result of being involved in the proposed financing. The foregoing confidentiality provisions shall not apply to the disclosure of the federal income tax structure or treatment of the proposed financing.

Loan Amount:	\$16,500,000 (Not to Exceed)
Structure/Security:	General Fund Obligation - the City covenants to appropriate debt service payments, in annual approved budget.
Purpose:	The purpose of the financing is to refund the City's obligations to CalPERS evidenced by the CalPERS Contract and thereby providing funds to CalPERS in payment of the Pension Obligation.
Loan Fee:	\$0.00.
Repayment Terms:	Annual principal payments, starting August 1 <sup>st</sup> , 2023, with semi-annual interest to be paid on February 1 <sup>st</sup> and August 1 <sup>st</sup> of each year, starting on August 1 <sup>st</sup> , 2023.
Term:	24 years
Indicative Rate:	Relationship Pricing <b>4.30%</b> - Taxable (includes \$4,000,000 deposit relationship)

The foregoing rate of 4.30% assumes that the City deposits at least \$4,000,000 in a money market account at Umpqua Bank that qualifies under the City's investment policy within 30 days of the Closing Date. If the funds are withdrawn from Umpqua Bank prior to the Bond being paid off, the interest rate on the Bond shall increase to 4.50% (ie., increase of 0.20%). The City may withdraw up to \$1,000,000 every 5<sup>th</sup> year as the principal balance of the Bond is reduced without impact on the interest rate.

*30/360 interest calculation*

Costs of Issuance: Documents to be reviewed by the Umpqua Bank's counsel Rudy Salo – Nixon Peabody, LLP, provided that any tax opinion and documents shall be prepared by the City's Bond Counsel. Legal fees and related fees for Nixon Peabody, LLP are \$15,000 at closing.

Reporting: The City shall provide to the Bank or post on the City's website copies of the City's annual audited financial statements, commencing with the financial statement for the fiscal year of the City ending June 30, 2022, within 270 days of each fiscal year end.

The City shall make each of its annual/biennial budgets, and all amendments thereto, available on the City's website or send to the Bank within 30 days after such budget is adopted or amended.

Closing Date: August 30<sup>th</sup>, 2022

Prepayment Provision: 7-years – Interest payment dates through December 31, 2025 at 103%, January 1, 2026 through December 31, 2027 at 102%, January 1, 2028 through December 31, 2029 at 101% and no prepayment penalty thereafter.

**Additional Conditions**

Periodic financial and collateral reporting by the 'City', as well as representations and warranties of the 'City' regarding its status and ability to repay and related matters, taxability gross-up, if allowable, and covenants and conditions that are appropriate for a Credit Facility of the scope and nature proposed herein will be determined as part of Umpqua Bank's normal underwriting and approval process. The proposed facility will be subject to a default rate equal to the proposed interest rate + 3.0, if allowable.

PDFs of all executed and other documents listed on the Closing Index shall be provided to the Bank no later than 24 hours before the time of the requested wire; provided, that if any documents can only be signed after receipt of the wire those documents shall be provided immediately after receipt of the wire.

Sincerely,



Vanessa Ryan  
SVP, Corporate Relationship Manager  
Municipal Banking Division

Please pursue underwriting and approval of a commitment for the described Credit Facility.

**Borrower**

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

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

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

**City of Selma**  
**2022 Taxable Pension Obligation Bonds**  
**(CalPERS UAL Restructuring)**



**Financing Schedule**  
**(As of August 10, 2022)**

*Issuer:* City of Selma (CITY)  
*Municipal Advisor:* NHA Advisors (MA)  
*Bond Counsel:* Norton Rose Fulbright (BC)  
*Placement Agent:* Brandis Tallman (PA)  
*Purchaser:* Umpqua Bank (BANK)  
*Trustee:* US Bank (TR)

May 2022							June 2022							July 2022							August 2022						
Su	M	Tu	W	Th	F	Sa	Su	M	Tu	W	Th	F	Sa	Su	M	Tu	W	Th	F	Sa	Su	M	Tu	W	Th	F	Sa
1	2	3	4	5	6	7				1	2	3	4						1	2		1	2	3	4	5	6
8	9	10	11	12	13	14	5	6	7	8	9	10	11	3	4	5	6	7	8	9	7	8	9	10	11	12	13
15	16	17	18	19	20	21	12	13	14	15	16	17	18	10	11	12	13	14	15	16	14	15	16	17	18	19	20
22	23	24	25	26	27	28	19	20	21	22	23	24	25	17	18	19	20	21	22	23	21	22	23	24	25	26	27
29	30	31					26	27	28	29	30			24/31	25	26	27	28	29	30	28	29	30	31			

Date	Activity	Participants
Monday, August 1	City Council Update on POB	CITY
Wednesday, August 10	Agenda Deadline for August 15, 2022 City Council Meeting (Staff Report and Financing Documents)	ALL
Thursday, August 11	Receive Updated Term Sheet	PA/BANK
Monday, August 15	Circulate Presentation Slides for 8/15 Council Meeting	MA
<b>Monday, August 15</b>	<b>City Council Approval of Financing</b>	<b>CITY</b>
Tuesday, August 16	Lock Interest Rate / Receive & Sign Final Term Sheet	BANK/CITY
Tuesday, August 16	Request Formal CalPERS Payoff Letters	MA
Friday, August 19	Circulate Final Numbers	MA
Tuesday, August 23	Circulate Draft Closing Documents	BC
Tuesday, August 23	Receive Final CalPERS Payoff Letters	MA
August 24-26	Obtain Final Credit Approval & Execute Closing Documents	ALL
Monday, August 29	Pre-Closing	ALL
Tuesday, August 30	Closing & Wire Funds to CalPERS	ALL

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

August 15, 2022

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**ITEM NO:** 4.

**SUBJECT:** Consideration of Designation of Voting Delegate for League Conference

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**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.

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

The League of California Cities annual conference is scheduled for September 7, 2022 – September 9, 2022 in Long Beach.

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**RECOMMENDATION:** Appoint a voting delegate and alternates for the League of California Cities annual conference by motion and roll call vote.

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Fernando Santillan, City Manager

<b>Council Action Advised by August 31, 2022</b>
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**DATE: June 1, 2022**

**TO: City Managers and City Clerks**

**RE: DESIGNATION OF VOTING DELEGATES AND ALTERNATES  
League of California Cities Annual Conference & Expo – September 7-9, 2022**

Cal Cities 2022 Annual Conference & Expo is scheduled for September 7-9, 2022 in Long Beach. An important part of the Annual Conference is the Annual Business Meeting (during General Assembly) on Friday, September 9. At this meeting, Cal Cities membership considers and acts on resolutions that establish Cal Cities 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 if the designated voting delegate is unable to serve in that capacity.

**Please complete the attached Voting Delegate form and return it to Cal Cities office no later than Friday, September 2. This will allow us time to establish voting delegate/alternate records prior to the conference.**

**Please view Cal Cities' [event and meeting policy](#) in advance of the conference.**

- **Action by Council Required.** Consistent with Cal Cities 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. Conference registration will open by June 1 on the [Cal Cities](#) website. 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 Long Beach Convention Center, will be open at the following times: Wednesday, September 7, 8:00 a.m. – 6:00 p.m.; Thursday, September 8, 7:00 a.m. – 4:00 p.m.; and Friday, September 9, 7:30 a.m.–12:30 p.m. The Voting Delegate Desk will also be open at the Business Meeting on Friday, but will be closed during roll calls and voting.

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

Once again, thank you for completing the voting delegate and alternate form and returning it to Cal Cities office by Friday, September 2. If you have questions, please call Darla Yacub at (916) 658-8254.

Attachments:

- Annual Conference Voting Procedures
- Voting Delegate/Alternate Form

## Annual Conference Voting Procedures

1. **One City One Vote.** Each member city has a right to cast one vote on matters pertaining to Cal Cities 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 Cal Cities 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 their 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.



**2022 ANNUAL CONFERENCE  
VOTING DELEGATE/ALTERNATE FORM**

**Please complete this form and return it to Cal Cities office by Friday, September 2, 2022. 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.**

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: \_\_\_\_\_

**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: \_\_\_\_\_ Email: \_\_\_\_\_

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

**Please complete and return by Friday, September 2, 2022 to:**

Darla Yacub, Assistant to the Administrative Services Director

E-mail: [dyacub@calcities.org](mailto:dyacub@calcities.org); Phone: (916) 658-8254

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**ITEM NO:** 5.

**SUBJECT:** Consider Resolution approving revisions to Master Salary Schedule relating to Economic Development Manager

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**BACKGROUND:** Pursuant to Section 36506 of the California Government Code, the City Council shall by Resolution or Ordinance, fix the compensation of all appointive officers and employees. In addition, pursuant to 570.5 of Title 2 of the California Code of Regulations, pay rates for City employees must be approved and adopted by the City Council in accordance with requirements of public meeting laws and be publicly available in a salary schedule which identifies position titles, pay rates, and the time base of compensation including whether the time base is hourly, daily, bi-weekly, monthly, bi-monthly, or annually. Furthermore, the California Public Employees' Retirement System (CalPERS), requests all CalPERS contracted employers to list their compensation levels in one document, approved and adopted by the governing body, in accordance with Title 2 of the California Code of Regulations.

As a result of the above statutory requirements, the City Council has adopted a Master Salary Schedule listing all job classifications approved by the City Council including corresponding pay rates and the time base of compensation.

**DISCUSSION:** The Resolution before the City Council would amend the Master Salary Schedule to reflect only the proposed title change of the Administrative Analyst (Economic Development Analyst) to Management Analyst (Economic Development Manager) to better reflect the duties and expectations of the position, with no impact to salary range, benefits, or bargaining unit representation.

Historically, this type of change can happen when the level of duties and responsibilities have not substantially changed to justify a change in pay, but the position may have evolved so that the current title no longer reflects the basic function or nature of work of the position.

Currently, the job description states that the job duties include highly responsible management which involves technical and analytical work within the department and serves as a liaison for the City at meetings and conferences with citizens, the media, community organizations, advisory boards, cities, etc. The job duties also require significant project management duties and responsibilities where the Economic Development Manager title would more accurately reflect the duties performed.

The City Manager has met with the Miscellaneous Mid-Management Bargaining Unit to consult on the proposed changes and received no concerns or feedback in opposition of the change.

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**RECOMMENDATION:** Staff recommends Council adopt resolution approving the revised Master Salary Schedule reflecting the title change for Administrative Analyst (Economic Development Analyst) to Management Analyst (Economic Development Manager).

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Fernando Santillan, City Manager

Attachments: Resolution

**RESOLUTION NO. 2022 – \_\_R**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SELMA,  
CALIFORNIA APPROVING CHANGES IN JOB TITLE FROM ADMINISTRATIVE  
ANALYST TO MANAGEMENT ANALYST**

**WHEREAS**, pursuant to Section 570.5 of Title 2 of the California Code of Regulation, pay rates shall be duly approved and adopted by the City Council in accordance with requirements of public meeting laws and be publicly available in a salary schedule which identifies the position title, the pay rate for each position, which may be stated as a single amount or as multiple amounts within a range, and that indicates the time base, including, but not limited to, whether the time base is hourly, daily, bi-weekly, monthly, bi-monthly, or annually; and

**WHEREAS**, the California Public Employees' Retirement System (CalPERS), requests all CalPERS contracted employers to list their compensation levels in one document, approved and adopted by the governing body, in accordance with Title 2, California Code of Regulations Section 570.5. and meeting all the requirements thereof; and

**WHEREAS**, the City Council desires to approve the title change of Administrative Analyst (Economic Development Analyst) to Management Analyst (Economic Development Manager), without any impact to salary, benefits, or bargaining unit representation.

**WHEREAS**, the City Council desires to approve the amended Master Salary Schedule to reflect the title change.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Selma as follows:

**Section 1.** The above recitals are true and correct and are incorporated herein by reference.

**Section 2.** The City Council hereby adopts a single consolidated Master Salary Schedule that meets all the requirements of Title 2 CCR Section 570.5.

**Section 4.** All prior resolutions concerning titles for City employees that conflict with this resolution or the attached Master Salary Schedule are hereby repealed.

**Section 5. Severability.** The provisions of this Resolution are severable and if any provision, clause, sentence, word or part thereof is held illegal, invalid, unconstitutional, or inapplicable to any person or circumstances, such illegality, invalidity, unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, sections, words or parts thereof of the Resolution or their applicability to other persons or circumstances.

**Section 6.**    **Effective Date.**    That the City Clerk shall certify to the adoption of this Resolution and that the same shall be in full force and effect.

**PASSED, APPROVED AND ADOPTED** at a Regular Meeting of the City Council of the City of Selma on the 15<sup>th</sup> of August 2022, by the following roll call vote:

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

\_\_\_\_\_  
Scott Robertson, Mayor

ATTEST:

\_\_\_\_\_  
Reyna Rivera, City Clerk

**CITY OF SELMA**  
**MASTER SALARY SCHEDULE**  
**EFFECTIVE August 15, 2022**

**DEPARTMENT HEADS-FLSA EXEMPT**

<b>Position</b>	<b>Frequency</b>	<b>Current Salary</b>				
City Manager	Monthly	15,667.00	Effective 12/08/2021			
	Biweekly	7,230.92				
	Hourly	90.39				
Community Development Director	Monthly	8,706.00				
	Biweekly	4,018.15				
	Hourly	50.23				
Community Services Director	Monthly	8,119.05	8,525.00	8,951.25	9,398.82	9,868.76
	Biweekly	3,747.25	3,934.62	4,131.35	4,337.91	4,554.81
	Hourly	46.84	49.18	51.64	54.22	56.94
Deputy City Manager	Monthly	11,250.00	11,813.00	12,404.00	13,024.00	13,674.50
	Biweekly	5,192.31	5,452.15	5,724.92	6,011.08	6,311.54
	Hourly	64.90	68.15	71.56	75.14	78.89
Director of Finance/Treasurer	Monthly	9,312.00	9,778.00	10,267.00	10,780.00	11,319.50
	Biweekly	4,297.85	4,512.92	4,738.62	4,975.38	5,224.15
	Hourly	53.72	56.41	59.23	62.19	65.30
Fire Chief	Monthly	9,731.04	10,217.59	10,728.47	11,264.90	11,828.14
	Biweekly	4,493.25	4,715.81	4,951.60	5,199.18	5,459.14
	Hourly	56.14	58.95	61.90	64.99	68.24
Police Chief	Monthly	10,626.57	11,157.90	11,715.81	12,301.59	12,916.67
	Biweekly	4,904.57	5,149.80	5,407.30	5,677.66	5,961.54
	Hourly	61.31	64.37	67.59	70.97	74.52
Public Works Director	Monthly	8,456.00	8,879.00	9,323.00	9,789.00	10,278.00
	Biweekly	3,902.77	4,098.00	4,302.92	4,518.00	4,743.69
	Hourly	48.78	51.23	53.79	56.48	59.30

**FIREFIGHTERS LOCAL 3716**

<b>Position</b>	<b>Frequency</b>	<b>Salary Schedule</b>				
		<b>A</b>	<b>B</b>	<b>C</b>	<b>D</b>	<b>E</b>
Fire Engineer	Monthly	4,748.00	4,985.00	5,234.00	5,496.00	5,771.00
	Biweekly	2,191.38	2,300.77	2,415.69	2,536.62	2,663.54
	Hourly*	19.57	20.54	21.57	22.65	23.78
Firefighter	Monthly	4,305.00	4,520.00	4,746.00	4,983.00	5,232.00
	Biweekly	1,986.92	2,086.15	2,190.46	2,299.85	2,414.77
	Hourly*	17.74	18.63	19.56	20.53	21.56

(\* 56 hours per week)

**FIREFIGHTERS LOCAL 3716 - Continued**

Position	Frequency	Salary Schedule				
		A	B	C	D	E
Non-Safety Paramedic (24) Effective 7/1/2022	Monthly	3,000.84	3,151.00	3,309.00	3,474.00	3,648.00
	Biweekly	1,385.00	1,454.31	1,527.23	1,603.38	1,683.69
	Hourly	17.31	18.18	19.09	20.04	21.05
Non-Safety EMT (24)	Monthly	2,678.00	2,812.00	2,953.00	3,101.00	3,256.00
	Biweekly	1,236.00	1,297.85	1,362.92	1,431.23	1,502.77
	Hourly	15.45	16.22	17.04	17.89	18.78
Non-Safety Paramedic (12) Effective 7/1/2022	Monthly	3,582.24	3,761.00	3,949.00	4,146.00	4,353.00
	Biweekly	1,653.34	1,735.85	1,822.62	1,913.54	2,009.08
	Hourly	20.67	21.70	22.78	23.92	25.11
Non-Safety EMT (12)	Monthly	2,678.00	2,812.00	2,953.00	3,101.00	3,256.00
	Biweekly	1,236.00	1,297.85	1,362.92	1,431.23	1,502.77
	Hourly	15.45	16.22	17.04	17.89	18.78

**FIRE MID-MANAGEMENT**

Position	Frequency	Salary Schedule				
		A	B	C	D	E
Fire Captain	Monthly	6,033.00	6,335.00	6,652.00	6,985.00	7,334.00
	Biweekly	2,784.46	2,923.85	3,070.15	3,223.85	3,384.92
	Hourly *	24.86	26.11	27.41	28.78	30.22
		(* 56 hours per week)				
Fire Division Chief (FLSA Exempt)	Monthly	7,681.00	8,065.00	8,468.00	8,891.00	9,336.00
	Biweekly	3,545.08	3,722.31	3,908.31	4,103.54	4,308.92
	Hourly	44.31	46.53	48.85	51.29	53.86
Fire Marshal	Monthly	6,033.00	6,335.00	6,652.00	6,985.00	7,334.00
	Biweekly	2,784.46	2,923.85	3,070.15	3,223.85	3,384.92
	Hourly	34.81	36.55	38.38	40.30	42.31

**MISCELLANEOUS MID-MANAGEMENT**

Position	Frequency	Salary Schedule				
		A	B	C	D	E
Accountant	Monthly	4,963.00	5,211.00	5,472.00	5,746.00	6,033.00
	Biweekly	2,290.62	2,405.08	2,525.54	2,652.00	2,784.46
	Hourly	28.63	30.06	31.57	33.15	34.81
Accounting Technician	Monthly	4,160.00	4,368.00	4,586.00	4,815.00	5,056.00
	Biweekly	1,920.00	2,016.00	2,116.62	2,222.31	2,333.54
	Hourly	24.00	25.20	26.46	27.78	29.17
City Clerk/Public Information Ofc	Monthly	5,903.00	6,198.00	6,508.00	6,833.00	7,175.00
	Biweekly	2,724.46	2,860.62	3,003.69	3,153.69	3,311.54
	Hourly	34.06	35.76	37.55	39.42	41.39



**Exhibit A**

Finance Department Manager	Monthly	5,211.00	5,472.00	5,746.00	6,033.00	6,335.00
	Biweekly	2,405.08	2,525.54	2,652.00	2,784.46	2,923.85
	Hourly	30.06	31.57	33.15	34.81	36.55
Fleet Maintenance Supervisor	Monthly	5,701.00	5,986.00	6,285.00	6,599.00	6,929.00
	Biweekly	2,631.23	2,762.77	2,900.77	3,045.69	3,198.00
	Hourly	32.89	34.53	36.26	38.07	39.98

**MISCELLANEOUS MID-MANAGEMENT Continued**

Position	Frequency	Salary Schedule				
		A	B	C	D	E
Human Resources Manager	Monthly	6,093.00	6,398.00	6,718.00	7,054.00	7,407.00
	Biweekly	2,812.15	2,952.92	3,100.62	3,255.69	3,418.62
	Hourly	35.15	36.91	38.76	40.70	42.73
Info System Coor/GIS Supervisor	Monthly	4,688.00	4,922.00	5,168.00	5,426.00	5,697.00
	Biweekly	2,163.69	2,271.69	2,385.23	2,504.31	2,629.38
	Hourly	27.05	28.40	29.82	31.30	32.87
Management Analyst	Monthly	5,179.00	5,438.00	5,710.00	5,996.00	6,296.00
	Biweekly	2,390.31	2,509.85	2,635.38	2,767.38	2,905.85
	Hourly	29.88	31.37	32.94	34.59	36.32
Planning & Development Manager	Monthly	7,196.00	7,556.00	7,934.00	8,331.00	8,748.00
	Biweekly	3,321.23	3,487.38	3,661.85	3,845.08	4,037.54
	Hourly	41.52	43.59	45.77	48.06	50.47
Police Records Supervisor	Monthly	4,383.00	4,602.00	4,832.00	5,074.00	5,328.00
	Biweekly	2,022.92	2,124.00	2,230.15	2,341.85	2,459.08
	Hourly	25.29	26.55	27.88	29.27	30.74
Principal Planner	Monthly	6,853.00	7,196.00	7,556.00	7,934.00	8,331.00
	Biweekly	3,162.92	3,321.23	3,487.38	3,661.85	3,845.08
	Hourly	39.54	41.52	43.59	45.77	48.06
Public Works Supervisor	Monthly	5,371.00	5,640.00	5,922.00	6,218.00	6,529.00
	Biweekly	2,478.92	2,603.08	2,733.23	2,869.85	3,013.38
	Hourly	30.99	32.54	34.17	35.87	37.67
Recreation Supervisor	Monthly	4,265.00	4,478.00	4,702.00	4,937.00	5,184.00
	Biweekly	1,968.46	2,066.77	2,170.15	2,278.62	2,392.62
	Hourly	24.61	25.83	27.13	28.48	29.91
Transit Maintenance Manager	Monthly	5,649.00	5,931.00	6,228.00	6,539.00	6,866.00
	Biweekly	2,607.23	2,737.38	2,874.46	3,018.00	3,168.92
	Hourly	32.59	34.22	35.93	37.73	39.61

**POLICE MID-MANAGEMENT**

Position	Frequency	Salary Schedule				
		A	B	C	D	E

**Exhibit A**

Police Commander	Monthly	8,295.00	8,710.00	9,146.00	9,603.00	10,083.00
	Biweekly	3,828.46	4,020.00	4,221.23	4,432.15	4,653.69
	Hourly	47.86	50.25	52.77	55.40	58.17
Police Sergeant	Monthly	6,662.00	6,995.00	7,345.00	7,712.00	8,098.00
	Biweekly	3,074.77	3,228.46	3,390.00	3,559.38	3,737.54
	Hourly	38.43	40.36	42.38	44.49	46.72
Supervisor Safety Dispatcher	Monthly	4,446.00	4,668.00	4,901.00	5,146.00	5,403.00
	Biweekly	2,052.00	2,154.46	2,262.00	2,375.08	2,493.69
	Hourly	25.65	26.93	28.28	29.69	31.17

**POLICE OFFICERS ASSOCIATION**

Position	Frequency	Salary Schedule				
		A	B	C	D	E
Community Services Officer	Monthly	3,075.00	3,229.00	3,390.00	3,560.00	3,738.00
	Biweekly	1,419.23	1,490.31	1,564.62	1,643.08	1,725.23
	Hourly	17.74	18.63	19.56	20.54	21.57
Police Officer	Monthly	5,231.00	5,493.00	5,768.00	6,056.00	6,359.00
	Biweekly	2,414.31	2,535.23	2,662.15	2,795.08	2,934.92
	Hourly	30.18	31.69	33.28	34.94	36.69
Property/Evidence Technician	Monthly	3,390.00	3,560.00	3,738.00	3,925.00	4,121.00
	Biweekly	1,564.62	1,643.08	1,725.23	1,811.54	1,902.00
	Hourly	19.56	20.54	21.57	22.64	23.78
Safety Dispatcher I	Monthly	3,301.00	3,466.00	3,639.00	3,821.00	4,012.00
	Biweekly	1,523.54	1,599.69	1,679.54	1,763.54	1,851.69
	Hourly	19.04	20.00	20.99	22.04	23.15
Safety Dispatcher II	Monthly	3,639.00	3,821.00	4,012.00	4,213.00	4,424.00
	Biweekly	1,679.54	1,763.54	1,851.69	1,944.46	2,041.85
	Hourly	20.99	22.04	23.15	24.31	25.52

**PUBLIC WORKS & TRANSIT MAINTENANCE EMPLOYEES**

Position	Frequency	Salary Schedule				
		A	B	C	D	E
Custodian	Monthly	2,943.00	3,090.00	3,245.00	3,407.00	3,577.00
	Biweekly	1,358.31	1,426.15	1,497.69	1,572.46	1,650.92
	Hourly	16.98	17.83	18.72	19.66	20.64
Equipment Mechanic III	Monthly	4,159.00	4,367.00	4,585.00	4,814.00	5,055.00
	Biweekly	1,919.54	2,015.54	2,116.15	2,221.85	2,333.08
	Hourly	23.99	25.19	26.45	27.77	29.16
Maintenance Worker I	Monthly	3,014.00	3,165.00	3,323.00	3,489.00	3,663.00
	Biweekly	1,391.08	1,460.77	1,533.69	1,610.31	1,690.62
	Hourly	17.39	18.26	19.17	20.13	21.13

**Exhibit A**

Maintenance Worker II	Monthly	3,356.00	3,524.00	3,700.00	3,885.00	4,079.00
	Biweekly	1,548.92	1,626.46	1,707.69	1,793.08	1,882.62
	Hourly	19.36	20.33	21.35	22.41	23.53
Maintenance Worker III	Monthly	3,833.00	4,025.00	4,226.00	4,437.00	4,659.00
	Biweekly	1,769.08	1,857.69	1,950.46	2,047.85	2,150.31
	Hourly	22.11	23.22	24.38	25.60	26.88
Transit Fleet Service Coordinator	Monthly	5,179.00	5,438.00	5,710.00	5,996.00	6,296.00
	Biweekly	2,390.31	2,509.85	2,635.38	2,767.38	2,905.85
	Hourly	29.88	31.37	32.94	34.59	36.32

**PUBLIC WORKS & TRANSIT MAINTENANCE EMPLOYEES - Continued**

Position	Frequency	Salary Schedule				
		A	B	C	D	E
Transit Mechanic I	Monthly	3,772.00	3,961.00	4,159.00	4,367.00	4,585.00
	Biweekly	1,740.92	1,828.15	1,919.54	2,015.54	2,116.15
	Hourly	21.76	22.85	23.99	25.19	26.45
Transit Mechanic II	Monthly	3,961.00	4,159.00	4,367.00	4,585.00	4,814.00
	Biweekly	1,828.15	1,919.54	2,015.54	2,116.15	2,221.85
	Hourly	22.85	23.99	25.19	26.45	27.77
Transit Mechanic III	Monthly	4,159.00	4,367.00	4,585.00	4,814.00	5,055.00
	Biweekly	1,919.54	2,015.54	2,116.15	2,221.85	2,333.08
	Hourly	23.99	25.19	26.45	27.77	29.16
Transit Shuttle Driver	Monthly	2,636.00	2,768.00	2,906.00	3,051.00	3,204.00
	Biweekly	1,216.62	1,277.54	1,341.23	1,408.15	1,478.77
	Hourly	15.21	15.97	16.77	17.60	18.48

**SECRETARIAL, TECHNICAL & CLERICAL**

Position	Frequency	Salary Schedule				
		A	B	C	D	E
Account Clerk II	Monthly	3,356.00	3,524.00	3,700.00	3,885.00	4,079.00
	Biweekly	1,548.92	1,626.46	1,707.69	1,793.08	1,882.62
	Hourly	19.36	20.33	21.35	22.41	23.53
Administrative Assistant	Monthly	3,596.00	3,776.00	3,965.00	4,163.00	4,371.00
	Biweekly	1,659.69	1,742.77	1,830.00	1,921.38	2,017.38
	Hourly	20.75	21.78	22.88	24.02	25.22
Arts Center Coordinator	Monthly	3,213.00	3,374.00	3,543.00	3,720.00	3,906.00
	Biweekly	1,482.92	1,557.23	1,635.23	1,716.92	1,802.77
	Hourly	18.54	19.47	20.44	21.46	22.53
Assistant Planner/ Rehab Housing Specialist	Monthly	4,535.00	4,762.00	5,000.00	5,250.00	5,513.00
	Biweekly	2,093.08	2,197.85	2,307.69	2,423.08	2,544.46
	Hourly	26.16	27.47	28.85	30.29	31.81

**Exhibit A**

Associate Planner	Monthly	5,205.58	5,465.86	5,739.15	6,026.11	6,327.42
	Biweekly	2,402.58	2,522.70	2,648.84	2,781.28	2,920.35
	Hourly	30.03	31.53	33.11	34.77	36.50
Building Inspector	Monthly	4,285.00	4,499.00	4,724.00	4,960.00	5,208.00
	Biweekly	1,977.69	2,076.46	2,180.31	2,289.23	2,403.69
	Hourly	24.72	25.96	27.25	28.62	30.05
Building-Planning Technician	Monthly	3,974.00	4,173.00	4,382.00	4,601.00	4,831.00
	Biweekly	1,834.15	1,926.00	2,022.46	2,123.54	2,229.69
	Hourly	22.93	24.08	25.28	26.54	27.87

**SECRETARIAL, TECHNICAL & CLERICAL - Continued**

Position	Frequency	Salary Schedule				
		A	B	C	D	E
Clerical Assistant II	Monthly	3,108.00	3,263.00	3,426.00	3,597.00	3,777.00
	Biweekly	1,434.46	1,506.00	1,581.23	1,660.15	1,743.23
	Hourly	17.93	18.83	19.77	20.75	21.79
Code Enforcement Officer	Monthly	3,754.00	3,942.00	4,139.00	4,346.00	4,563.00
	Biweekly	1,732.62	1,819.38	1,910.31	2,005.85	2,106.00
	Hourly	21.66	22.74	23.88	25.07	26.33
Code Enforcement Officer II	Monthly	4,652.00	4,885.00	5,129.00	5,385.00	5,654.00
	Biweekly	2,147.08	2,254.62	2,367.23	2,485.38	2,609.54
	Hourly	26.84	28.18	29.59	31.07	32.62
Engineering Technician	Monthly	4,271.00	4,485.00	4,709.00	4,944.00	5,191.00
	Biweekly	1,971.23	2,070.00	2,173.38	2,281.85	2,395.85
	Hourly	24.64	25.88	27.17	28.52	29.95
Fire Inspector/Code Enforcement	Monthly	4,048.00	4,250.00	4,463.00	4,686.00	4,920.00
	Biweekly	1,868.31	1,961.54	2,059.85	2,162.77	2,270.77
	Hourly	23.35	24.52	25.75	27.03	28.38
Information System Technician	Monthly	4,415.00	4,636.00	4,868.00	5,111.00	5,367.00
	Biweekly	2,037.69	2,139.69	2,246.77	2,358.92	2,477.08
	Hourly	25.47	26.75	28.08	29.49	30.96
Police Clerk I	Monthly	3,005.00	3,155.00	3,313.00	3,479.00	3,653.00
	Biweekly	1,386.92	1,456.15	1,529.08	1,605.69	1,686.00
	Hourly	17.34	18.20	19.11	20.07	21.08
Police Clerk II	Monthly	3,155.00	3,313.00	3,479.00	3,653.00	3,836.00
	Biweekly	1,456.15	1,529.08	1,605.69	1,686.00	1,770.46
	Hourly	18.20	19.11	20.07	21.08	22.13
Recreation Coordinator	Monthly	3,213.00	3,374.00	3,543.00	3,720.00	3,906.00
	Biweekly	1,482.92	1,557.23	1,635.23	1,716.92	1,802.77
	Hourly	18.54	19.47	20.44	21.46	22.53

**PART-TIME, SEASONAL, TEMPORARY AND UNREPRESENTED EMPLOYEES**

Exhibit A

Position	Frequency	Rate As of 1/1/2021	Rate As of 1/1/2022			
Art Instructor	Hourly	14.00	15.00			
Assistant Planner	Hourly	22.00	22.00			
Ballfield Maintenance	Hourly	14.00	15.00			
Clerical Assistant II	Hourly	17.41				
EMT - Per Diem	Hourly	15.00	15.00			
Executive Assistant to the City Manager	Monthly	4,357.00	4,575.00	4,804.00	5,044.00	5,296.00
	Biweekly	2,010.92	2,111.54	2,217.23	2,328.00	2,444.31
	Hourly	25.14	26.39	27.72	29.10	30.55
Fire Department Secretary	Hourly	15.30	15.30			
Human Resources Technician	Monthly	3,559.00	3,737.00	3,924.00	4,120.00	4,326.00
	Biweekly	1,642.62	1,724.77	1,811.08	1,901.54	1,996.62
	Hourly	20.53	21.56	22.64	23.77	24.96
Management Analyst	Monthly	5,193.31	5,452.98	5,725.62	6,011.91	6,312.50
	Biweekly	2,396.91	2,516.76	2,642.60	2,774.73	2,915.46
	Hourly	29.96	31.46	33.03	34.68	36.42
Maintenance Worker I	Hourly	14.00	15.00			
Office Assistant	Hourly	14.00	15.00			
Senior Accountant	Monthly	5,689.00	5,973.00	6,272.00	6,586.00	6,915.00
	Biweekly	2,625.69	2,756.77	2,894.77	3,039.69	3,191.54
	Hourly	32.82	34.46	36.18	38.00	39.89

**PART-TIME, SEASONAL AND TEMPORARY UNREPRESENTED EMPLOYEES - Continued**

Position	Frequency	Rate As of 1/1/2021	Rate As of 1/1/2022			
Paramedic - Per Diem	Hourly	19.00	26.00			
Police Cadet	Hourly		21.00	Effective 7/01/2022		
Recreation/Arts Coordinator	Hourly	14.00	15.00			
Safety Dispatcher	Hourly	33.72	<b>Effective 10/01/2021</b>			
Senior Center Activity Coordinator	Hourly	14.00	15.00			
Senior Center Nutrition Coordinator	Hourly	14.00	15.00			
Special Projects Manager	Hourly	50.00	95.00	125.00	150.00	175.00
Visual Arts Instructor	Hourly	14.00	15.00			

Exhibit A

Vocal Instructor	Hourly	14.00	15.00
Youth Services Coordinator	Hourly	14.00	15.00

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

August 15, 2022

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**ITEM NO:** 6.

**SUBJECT:** Consider Scheduling a Workshop for the Rockwell Pond Park Project at the Request of the owners of the Selma Grove Commercial Development Project

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**DISCUSSION:** The owners and developers of the Selma Grove commercial development project have met individually with all City Council members to discuss the potential economic synergies between their project and the City's planned Rockwell Pond Park Project. They are now seeking consensus from the City Council on whether to schedule a public workshop to discuss the Rockwell Pond Park Project, and if so, decide a date and time for such workshop.

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Fernando Santillan, City Manager