

EXECUTIVE DIRECTOR'S REPORT

BOARD OF DIRECTOR'S MEETING DATE: September 6, 2016

ITEM NO: 1.
SUBJECT:

Consideration and Necessary Action on Resolution Continuing from September 6, 2016, to October 3, 2016, the public hearing to determine whether the Authority should proceed with the formation of the Community Facilities District No. 2016-1, issue bonds of the District to pay for the facilities and authorize the rate and method of a special tax to be levied within the Community Facilities District No. 2016-1 for the purposes described in the Resolution of Intention.

DISCUSSION:

To allow for the election of the land owners to authorize the issuance of bonds to construct the facilities contemplated by the formation of this Community Facilities District (CFD) by mailed ballots to be counted and determined by this Council, as opposed to conducting a more expensive and time consuming election proceeding similar to a Proposition 218 majority protest proceeding, Staff has been involved in an effort to procure from 100% of the property owners affected an executed petition for formation of a Community Facilities District, including waivers.

There are 16 separate parcels in the primary zone of benefit for the CFD improvements that are contemplated as the initial project of this CFD, consisting of the installation of a sewer trunk line. The 16 parcels are owned by 7 different property owners. One property owner holding approximately 40% of the land in the primary zone of benefit for this improvement raised certain objections to what the authority had planned and through a series of negotiations, the authority has reached an agreement with this property owner which involves altering the nature of the contemplated project and the resulting special tax to be assessed against property in the primary zone of benefit in order to fund the debt service on bonds that would be issued to pay for this improvement.

The improvement originally contemplated was a sewer trunk line that extended from Goldenstate to McCall Avenue. The Authority has, subject to approval of this Board, tentatively reached an agreement to extend the trunk line approximately one-half mile to Dockery Street. Extension of the line, of course, increases the cost of the improvement and the resulting special tax against the properties within the primary zone of benefit.

Government Code §53325 authorizes the continuance of the hearing on establishment of the Community Facilities District and the issuance of the bonds to a date that within six months of the original hearing date, which in this case was June 6, 2016.

Accordingly, the matter can be continued out to December 5, 2016, at the latest. The objections raised by the aforementioned property were a complication with property owners affected by the proposed special tax within the meaning of the Government Code and, therefore, authorizes a continuance of the hearing for up to six months.

To allow for redesign of the project, calculation of the cost necessary to install the extended sewer line, and calculation of the resulting special tax, staff is proposing that the matter presently be continued for an additional month to October 3, 2016, to allow for these necessary activities to occur.

COST		BUDGET IMPACT
None.		Not applicable.
FUNDING		ON-GOING COST
Not applicable.		Not applicable.

RECOMMENDATION: Adopt Resolution continuing hearing on formation of CFD and other actions to October 3, 2016.

ATTACHMENTS:

Date: September 2, 2016 /s/ Neal E. Costanzo
 Neal E. Costanzo
 Authority Attorney

Date: September 2, 2016 /s/ Greg Garner
 Greg Garner, Interim Executive Officer

RESOLUTION NO. ____

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NORTH SELMA SEWER FINANCING AUTHORITY MAKING FINDINGS AND DETERMINATIONS OF COMPLEXITY OF THE PROPOSED COMMUNITY FACILITIES DISTRICT AND CONTINUING PUBLIC HEARING ON FORMATION OF COMMUNITY FACILITIES DISTRICT NO. 2016-1, TO ISSUE BONDS OF THE DISTRICT TO PAY FOR FACILITIES AND TO TAKE OTHER ACTIONS RELATED THERETO

WHEREAS, on May 2, 2016, this Board of Directors (the “Board”) of the North Selma Sewer Financing Authority, California (the “Authority”), pursuant to the Mello-Roos Community Facilities Act of 1982, as amended, Chapter 2.5 (commencing with Section 53311) of Part 1 of Division 2 of Title 5 of the California Government Code (the “Act”), adopted Resolution No. 2016-1 NSSFA entitled “A Resolution of the Board of Directors of the North Selma Sewer Financing Authority Declaring its Intent to Establish the City of Selma, Community Facilities District No. 2016-1 (North Selma Sewer Main Project) and To Authorize the Levy of a Special Tax Within Said District” (the “Resolution of Intention to Establish CFD No. 2016-1”) stating its intention to form the “City of Selma, Community Facilities District No. 2016-1 (North Selma Sewer Main Project)” (the “Community Facilities District No. 2016-1” or the “District”)

WHEREAS, on May 2, 2016, the Board of Directors also adopted its Resolution of Intention to Incur Indebtedness of CFD No. 2016-1 (“Resolution of Intention to Incur Indebtedness” and, together with the Resolution of Intention to Establish CFD No. 2016-1, the “Resolution of Intention”) stating its intention to incur bonded indebtedness within proposed Community Facilities District No. 2016-1 in an amount not to exceed \$9,000,000, to finance the purchase, construction, modification, expansion, improvement or rehabilitation of the facilities identified in Attachment “B” to Resolution of Intention to Establish CFD No. 2016-1, including the incidental expenses related thereto, and incorporated herein by this reference (collectively, the “Facilities”); and

WHEREAS, notice was published as required by law relative to the intention of the Board of Directors to form proposed Community Facilities District No. 2016-1, to

incur bonded indebtedness within Community Facilities District No. 2016-1, and of the time and place of the public hearing; and

WHEREAS, on June 6, 2016, the Board of Directors conducted and then continued to July 5, 2016, the public hearing to determine whether it should proceed with the formation of the Community Facilities District No. 2016-1, issue bonds of the District to pay for the Facilities and authorize the rate and method of apportionment (the "Rate and Method") of a special tax to be levied within the Community Facilities District No. 2016-1 for the purposes described in the Resolution of Intention; and

WHEREAS, on July 5, 2016 the Board of Directors again continued the public hearing to August 1, 2016 because of complexities that have arisen relative to procuring from 100% of the property owners the executed petitions to create the Community Facilities District; and

WHEREAS, on August 1, 2016, because of complexities that have arisen relative to procuring from 100% of the property owners the executed petitions to create a Community Facilities District, the Board again continued the public hearing to September 6, 2016; and

WHEREAS, a complexity of the proposed District within the meaning of Government Code §53325 has arisen and continues to exist relative to procuring from 100% of persons owning property within the District the executed petition to create a Community Facilities District (including waivers) which requires a further continuance of the aforementioned public hearing.

NOW, THEREFORE, be it resolved as follows:

1. The foregoing recitals are true and correct.
2. Pursuant to the provisions of Government Code §53325, the Board of Directors finds and determines that there is a complexity relating to the proposed District and/or a need for public participation which requires additional time, for the reasons referred to in the incorporated recitals of this resolution, and on that basis, this Board continues the public hearing to determine whether it should proceed with the

formation of the Community Facilities District No. 2016-1, issue bonds of the District to pay for the Facilities and authorize the Rate and Method of a special tax to be levied in the Community Facilities District for purposes described in the Resolution of Intention.

3. The Board of Directors continues the aforementioned public hearing from September 6, 2016, to October 3, 2016.

The foregoing Resolution was duly approved by the Board of Directors of the North Selma Sewer Financing Authority at a regular meeting held on the 6th day of September, 2016 by the following vote, to wit:

AYES: BOARD MEMBERS
NOES: BOARD MEMBERS
ABSTAIN: BOARD MEMBERS
ABSENT: BOARD MEMBERS

Scott Robertson, Chairman

ATTEST:

By: _____
Reyna Rivera, Secretary

**CITY OF SELMA
JOINT WORKSHOP/PRE-COUNCIL MEETING
WITH THE SUCCESSOR AGENCY TO THE DISSOLVED SELMA
REDEVELOPMENT AGENCY
August 15, 2016**

The joint Workshop/ pre-Council meeting of the Selma City Council and Board members was called to order at 5:00 p.m. in the Council Chambers. Council/Board members answering roll call were: Derr, Montijo, Rodriguez, Mayor Pro Tem Avalos and Mayor Robertson.

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

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

EXECUTIVE SESSION: At 5:02 p.m., Mayor Robertson recessed the meeting into Executive Session to discuss the following: one item of Public Employment, pursuant to Government Code Section 54957 – Title: City Manager; three cases of pending litigation pursuant to Government Code Section 54956.9: City of Selma (and Successor to RDA) v. Matosantos et.al., Sacramento Co. Case No. 34-2013-80001397, City of Selma v. Yee, Sacramento Co. Case No. 34-2015-80002196, City of Selma v. Walmart Stores Inc.; a Conference with Labor Negotiator pursuant to Government Code Section 54957.6: the Agency Negotiator is Greg Garner, Interim City Manager regarding all Employee Organizations.

The meeting reconvened at 6:05 p.m., with no reportable action to declare.

ADJOURNMENT: There being no further business, the meeting was adjourned at 6:06 p.m.

Respectfully submitted,

Reyna Rivera
City Clerk

Scott Robertson
Mayor of the City of Selma

**CITY OF SELMA
REGULAR COUNCIL MEETING
August 15, 2016**

The regular meeting of the Selma City Council was called to order at 6:07 p.m. in the Council Chambers. Council members answering roll call were: Derr, Montijo, Rodriguez, Mayor Pro Tem Avalos, and Mayor Robertson.

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

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

INVOCATION: Pastor Maria Tafoya, First Christian Church led the invocation.

SELMA’S CANCER SUPPORT RECOGNITION: Ms. Char Tucker stepped forward and provided a power point presentation recognizing the Selma Police and Fire Departments for their recent participation with the Selma Cancer Support Organization.

ORAL COMMUNICATIONS: Mr. Ken Maxey, District Manager for Waste Management stepped forward to introduce Ms. Alexandra Hodoian, Route Manager for Waste Management who is assisting with the transition.

CONSENT CALENDAR: Mayor Pro Tem Avalos requested that agenda items 1.d. be pulled for separate consideration. Mayor Pro Tem Avalos motioned to approve the remainder of the Consent Calendar as read. The motion was seconded by Council member Derr, and carried with the following vote:

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

- a. Minutes of the July 26, 2016 special workshop meeting, approved as written.
- b. Minutes of the August 1, 2016 workshop/pre-Council meeting, approved as written.
- c. Minutes of the August 1, 2016 regular Council meeting, approved as written.
- d. Pulled for separate consideration.

AGENDA ITEM 1.d. CONSIDERATION AND NECESSARY ACTION ON CHECK REGISTER DATED AUGUST 10, 2016: After discussion, motion to approve Check Register dated August 10, 2016 was made by Mayor Pro Tem Avalos and seconded by Council member Montijo. Motion carried by the following vote:

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

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

Public Hearing and Adoption: Finance Manager Moreno discussed the changes for Council, and further stated that the fees are reviewed on an annual basis.

Mayor Robertson requested the amount totals received from all the user fees for last fiscal year.

Mayor Robertson opened the public hearing at 6:18 p.m., with no one to speak on the matter; the hearing was closed at 6:19 p.m.

After further discussion, motion to approve RESOLUTION NO. 2016-61R, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SELMA AMENDING THE SCHEDULE OF FEES AND CHARGES FOR CITY SERVICES (USER FEES) was made by Council member Rodriguez and seconded by Council member Montijo. Motion carried with the following vote:

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

CONSIDERATION AND NECESSARY ACTION ON RESOLUTION APPROVING A CERTIFIED LIST OF ALL PARCELS SUBJECT TO A SPECIAL TAX LEVY PURSUANT TO THE CITY OF SELMA COMMUNITY FACILITIES DISTRICT NO. 2006-1 NOTICE OF SPECIAL TAX LIEN SETTING THE AMOUNT OF THE SPECIAL TAX TO BE LEVIED ON EACH SUCH PARCEL FOR THE 2016-17 TAX

YEAR: Finance Manager Moreno discussed and distributed a corrected exhibit to the Resolution. Finance Manager Moreno provided the history of adopted Notice of Special Tax Lien, which authorizes the City to levy for the purpose of financing the cost of service for the City. He further discussed the annual escalation factor, and the trigger for implementation.

After much discussion motion to approve RESOLUTION NO. 2016 – 62R, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SELMA APPROVING A CERTIFIED LIST OF ALL PARCELS SUBJECT TO A SPECIAL TAX LEVY PURSUANT TO THE CITY OF SELMA COMMUNITY FACILITIES DISTRICT NO. 2006-1 NOTICE OF SPECIAL TAX LIEN SETTING THE AMOUNT OF THE SPECIAL TAX TO BE LEVIED ON EACH SUCH PARCEL FOR THE 2016-17 TAX YEAR was made by Mayor Pro Tem Avalos and seconded by Council member Derr. Motion carried by the following vote:

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

DEPARTMENT REPORTS: Fire Chief Kain stepped forward to discuss SB 897 and the increase of costs associated with the proposed legislation.

Public Works Director Shiplee reported on current discussions with PG&E regarding upgrading streetlights to LED lighting, and the status of the Arrants Street Improvement Project.

Community Services Director Kirchner discussed the Heathers Play and the Pickleball Courts.

COUNCIL REPORTS: Council member Derr reported on the upcoming auditions for the Arts Center Play, attending a recent Arts Council meeting and the Rib Cook Off Event at Pioneer Village.

Council member Montijo reported on the upcoming Concert in the Park, attending the CASA Conference in her capacity as Selma Kingsburg Fowler County Sanitation District Board member, and that she is researching the implementation of solar for the City of Selma.

Mayor Pro Tem Avalos reported on attending the National Night Out, Health Care District meeting, and thanked staff and citizens of Selma.

Mayor Robertson reported on attending the following: National Night Out, Concerts in the Park, and Pancakes for Paws. He reported on receiving concerns from: Church of the Nazarene regarding ADA accessibility, Resident from Leebar Village, and a concerned citizen. He also discussed an upcoming American Legion meeting.

ORAL COMMUNICATION: Mr. Larry Raven stepped forward to distribute and discuss a handout for City Attorney Costanzo regarding outstanding issues between the Raven Company and the City of Selma.

City Attorney Costanzo responded to Mr. Raven and briefly reviewed and discussed the handout for Council.

ADJOURNMENT: There being no further business, the meeting was adjourned at 6:56 p.m.

Respectfully submitted,

Reyna Rivera
City Clerk

Scott Robertson
Mayor of the City of Selma

agenda item 2.c.

**CITY OF SELMA
SPECIAL MEETING
August 22, 2016**

The Special meeting of the Selma City Council was called to order at 5:00 p.m. in the Council Chambers. Council members answering roll call were: Montijo, Rodriguez, Mayor Pro Tem Avalos and Mayor Robertson. Council member Derr was absent

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

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

EXECUTIVE SESSION: Mayor Robertson recessed the meeting into Executive Session at 5:14 p.m., to discuss Public Employment-Title: City Manager, pursuant to Government Code Section 54957.

The meeting reconvened from Executive Session at 5:35 p.m., with no reportable action.

ADJOURNMENT: There being no further business, the meeting was adjourned at 5:36 p.m.

Respectfully submitted,

Reyna Rivera
City Clerk

Scott Robertson
Mayor of the City of Selma

ITEM NO: 2.d.

SUBJECT: Consider recommendation for the Selma Youth Girls Softball League (SYGSL) to operate the Shafer Park Concession and enter into an agreement with the City of Selma.

BACKGROUND: The Recreation Commission has recommended the Selma Youth Girls Softball League (SYGSL) operate the Shafer Park Concession.

DISCUSSION: Jessica Hernandez who currently has an agreement to operate the Shafer Park concession stand with the City of Selma has submitted a letter of resignation effective December 31, 2016. The Concession is operated under an agreement, Attachment A, with the City of Selma and the concessionaire is required to pay the City of Selma 15% from the gross receipts. Staff opened up a community application process to the community to recruit potential individuals/organizations that would be interested in operating the concession stand.

The Recreation Commission at their August 17, 2016 reviewed two applications. Staff received one from the SYGSL and the other from Irene Haro. Irene Haro had worked and assisted in the past with the Little League, Babe Ruth and Selma High School Baseball concession stands. Following discussion, the Recreation Commission voted unanimously the SYGSL be recommended to take over the concession stand, Attachment B. For the past six years the SYGSL has operated the concession stand during their games on Saturdays, while Jessica Hernandez operated it for all other leagues and tournaments, so SYGSL is familiar with the concession and Shafer Park. By agreeing to become the Concessionaire, the SYGSL will continue to operate the concession during all leagues, games and tournaments throughout the year as outlined in the agreement.

Staff has invited the SYGSL representatives to the meeting to answer any questions if needed. Otherwise, staff will be providing a report and is recommending City Council consider the recommendation made by the Recreation Commission.

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

RECOMMENDATION: Consider recommendation for the Selma Youth Girls Softball League (SYGSL) to operate the Shafer Park Concession and enter into an agreement with the City of Selma.


 Mikal Kirchner, Recreation Director

9-1-16
 Date


 Greg Garner, Interim City Manager

9/1/16
 Date

**CONCESSION AGREEMENT FOR
SHAFFER PARK**

THIS AGREEMENT, made and entered into this ____ day of _____, 2017, by and between the CITY OF SELMA, a municipal corporation (herein "City"), and Selma Youth Girls Softball League (SYGSL).

WITNESSETH:

WHEREAS, City owns a public park commonly known as Shafer Park (herein "Park") which has a baseball/softball facility within a portion of said Park; and

WHEREAS, City desires to enter into a contract with an independent third party for the operation and use of a concession stand (herein "Stand") for the provision of refreshments to serve said Park during normal hours of operation, which hours, for the purpose of this Agreement, may be established from time to time by the Director of Department of Recreation and Community Services of City; and

WHEREAS, City has determined that it is economically desirable and in the public interest and benefit to contract for the operation and use of the Stand for said purpose; and

WHEREAS, Concessionaire is willing and able to operate and use said Stand for said purpose and is willing to enter into a contract with the City for said purpose.

NOW, THEREFORE, IT IS MUTUALLY AGREED BY AND BETWEEN THE PARTIES AS FOLLOWS:

1. License.

a. City does hereby license and give Concessionaire and Concessionaire hereby accepts an exclusive privilege and right to operate a food and beverage concession in the Park. (*Exception: Selma Youth Girls Softball League games and tournament*). Concessionaire shall confine activities to the Stand except as from time to time may be specifically authorized in writing by the City.

b. Concessionaire shall use no other location for concession purposes without the express prior written consent of City.

2. Term.

a. The term of this Agreement shall be for a period of one (1) year from _____, 2017. City and Concessionaire may, by mutual agreement in writing, extend this Agreement from time to time for an additional one (1) year period at the beginning of each season. The City Manager is hereby authorized to extend this Agreement on behalf of the City.

b. Should Concessionaire hold over after the expiration of the term of this Agreement with the expressed or implied consent of City, such holding over shall be deemed to be a tenancy from month-to-month, subject otherwise to all the terms and conditions of this Agreement. At the expiration or termination of this Agreement, as herein provided, the Concessionaire shall, within thirty (30) days thereafter, remove from said premises or otherwise dispose of, in a manner satisfactory to City, all personal property belonging to Concessionaire located on said premises. Should Concessionaire fail to remove or dispose of Concessionaire's property as herein provided, City may, at its election, consider such property abandoned and may dispose of same at Concessionaire's expense. Also, at the expiration or termination of this Agreement, the Concessionaire shall quit and surrender the said premises in a good state of repair. Damage to matters over which Concessionaire has no control is excepted provided that such exculpatory provisions shall not be extended to any risk which Concessionaire is required to insure against as herein provided.

3. Condition of Premises. In taking possession of the Stand, Concessionaire agrees to accept said Stand in its presently existing condition. Concessionaire may, at Concessionaire's own expense, refurbish or make minor modifications, as approved by City, to enhance occupancy, but the City shall not be obligated to make any alterations, additions or betterments thereto.

4. Rental.

a. Concessionaire agrees to pay City as compensation for this concession and use of the Stand the sum of fifteen percent (15%) of the total gross receipts monthly in arrears by the 15th of the following month, up to \$11,000 annually, from all sources of revenue derived from the operation and maintenance of the Stand. Any special activities authorized in writing by City as provided in Section 1.a. hereof shall declare whether revenue there from is part of the total gross receipts of the Stand.

b. Commencing with the 15th day of the second month of the term of this Agreement, and on the 15th day of each month thereafter, Concessionaire shall furnish to City a verified statement of its cumulative total gross receipts for the preceding month. Concessionaire shall, at the same time, also furnish to City a year-to-date total of gross receipts.

c. Payments to City by Concessionaire shall be made to the order of the City of Selma and shall be delivered either by mail or in person to 1710 Tucker Street, Selma, California. With the approval of the Finance Director of the City, such lease/rental payment(s) may be made quarterly, semi annually or annually.

d. Concessionaire shall keep true and accurate books and records showing all of Concessionaire's business transactions and records of account for the concession in a manner acceptable to City and City shall have the right, through its Finance Director, at reasonable time(s), to inspect such books and records, including State of California tax return records; and Concessionaire hereby agrees that all such records and instruments shall be available to City.

e. Concessionaire shall submit to City annually no later than thirty (30) days after the annual term of this Agreement a signed statement of Concessionaire stating that all gross receipts during the yearly accounting period shall have been duly and properly reported to City.

f. The term "gross receipts," wherever used in this Agreement, is intended to and shall mean all monies, property or any other thing of value received by Concessionaire through the operation of the Stand (or from any other business carried therewith by Concessionaire, with or without further permission from City as is required herein), without any deduction or deductions, it being understood, however, that the term, "gross receipts" shall not include any sales or excise taxes imposed by any governmental entity and collected by Concessionaire. Reporting as required herein and payment in accordance herewith shall not excuse or remove the requirement of written authorization hereunder.

5. Use of Premises.

a. The Stand shall be used by Concessionaire for the operation of concession services as specified above. These services shall be provided between April 1 and December 31 and at such hours (and such other times) as are agreed upon by Concessionaire and City during each year of the Agreement. In the event City deems hours and dates of operation inadequate for proper services to the public, City may require Concessionaire to reasonably adjust hours and

7. Title to Improvements. Concessionaire hereby acknowledges the title of City in and to the premises in this Agreement, including real property improvements erected thereon, and hereby covenants and agrees never to challenge, contest or resist said title.

8. Personal Property Improvements. Title to all personal property provided by Concessionaire shall remain vested in Concessionaire; personal property being all property owned by Concessionaire placed on City-owned or licensed property for purpose of this Agreement.

9. Utilities and Services. City shall be responsible for the provision and/or payment for water, sewer and reasonable solid waste services currently provided to the Stand.

10. Equipment. Concessionaire, at Concessionaire's own expense, shall provide the furniture, fixtures and equipment not currently provided or available at the Stand and necessary for the purpose of this Agreement. Concessionaire shall keep and maintain such furniture, fixtures and equipment in a reasonable, business appropriate manner throughout the term of this Agreement. City reserves the right and privilege to inspect and approve any and all such furniture, fixtures and equipment and any Stand improvements to ensure the enjoyment, safety and protection of the public as related to said furniture, fixtures, equipment and improvements.

11. Signs, Advertising and Approval of Name. No signs, names or placards or advertising matter shall be inscribed, painted or affixed upon the Stand or circulated on or off the Stand premises without written consent of the Director of Recreation and Community Services being first obtained.

12. Sound Devices. No sound producing device or loud speakers may be used by Concessionaire within the park for the purpose of this Agreement without the prior written approval of the Director of Recreation and Community Services.

13. Quality of Services and Control of Rates and Charges.

a. Concessionaire agrees that Concessionaire will operate and manage the Stand in a responsible business manner, including but not limited to the food and beverages offered.

b. Prices for merchandise shall be set by the Concessionaire with approval of the Director of Recreation and Community Services providing they are within the range of prices in this community for the same or similar articles at a similar establishment. City shall have access to and the right to inspect the schedule of prices and rates of goods sold or services rendered or performed upon the subject premises and menus, lists, portion schedules and schedules of prices. Price changes shall be submitted to City in writing not less than forty-eight (48) hours prior to said change. City may require Concessionaire to reduce prices. Concessionaire shall post rates and prices for all goods and services in such places as may be designated by City.

c. City reserves the right to prohibit the sale or rental of an item which it deems objectionable or beyond the scope of merchandise deemed necessary for proper service to the public.

d. All foods and beverages sold directly shall be sold in disposable paper containers, except that Concessionaire may sell beverages in aluminum and/or styrofoam containers.

e. A competent person shall be on the premises at all times while the Stand is in operation.

14. Hold Harmless Agreement. Concessionaire hereby agrees to indemnify and hold City and its officers, agents, employees and assigns harmless from any liability imposed for injury, whether arising before, after or during the term of this Agreement, or in any manner directly or indirectly caused, occasioned or contributed to, in whole or in part, by reason of any act or omission, of Concessionaire, or of anyone acting under Concessionaire's direction or control or on its behalf, in connection with or incident to or arising out of the performance of this Agreement.

It is the intent of the parties that Concessionaire will indemnify, defend and hold harmless City and its officers, agents, employees and assigns, from any and all claims, demands, costs, suits or actions as set forth above,

This indemnity and hold harmless provision, insofar as it may be adjudged to be against public policy, shall be void and unenforceable only to the minimum extent necessary so that the remaining terms of this indemnity and hold harmless provision may be within public policy and enforceable.

15. Taxes.

a. Concessionaire agrees to pay all lawful taxes, assessments, or charges which at any time may be levied by the State, county, city or any tax or assessment levying body upon any interest in this Agreement or any possessory right which Concessionaire may have in or to the premises covered hereby or the improvements thereon by reason of its use or occupancy thereof or otherwise, as well as all taxes, assessments and charges on goods, merchandise, fixtures, appliances, equipment and property owned by it in or about said premises.

b. Concessionaire shall comply with all laws, regulations and ordinances regarding the collecting of taxes due a local government agency and otherwise administer the same. Possessory interest taxes, if any, shall be prorated on the basis of the occupancy of the premises.

16. Park Inspection and Maintenance. City reserves the right of ingress and egress to inspect, investigate and survey said Stand and immediate environs as deemed necessary by City, and the right to do any and all work of any nature necessary for preservation, maintenance and operation of the Stand. Concessionaire shall be given reasonable notice when such work may

become necessary and will adjust concession operations in such a manner that City may proceed expeditiously.

17. Notification. Other than payment to City as provided in paragraph 4 above, any notices herein provided to be given or which may be given either party to the other, shall be deemed to have been fully given when made in writing and deposited in the United States mail, postage prepaid and addressed as follows:

To Concessionaire:	To Be Named Later
To City:	1710 Tucker Street Selma, CA 93662

The address to which notices shall or may be mailed as aforesaid by either party, shall or may be changed by written notice given by such party to the other as hereinbefore provided, but nothing herein contained shall preclude the giving of any such notice by personal service.

18. Interpretation of Agreement. This Agreement is made under and is subject to the laws of the State of California and ordinances of the City in all respects as to interpretation, construction, operation, effect and performance.

19. Waiver of Agreement Terms. No waiver of either party at any time of any of the terms, conditions or covenants of this Agreement shall be deemed as a waiver at any time thereafter of the same or of any other terms, conditions or covenants herein contained, nor of the strict and prompt performance thereof. No delay, failure or omission of City to re-enter the premises or to exercise any right, power to or privilege or option arising from any default, nor any subsequent acceptance of rent then or thereafter accrued shall impair any such right, power, privilege or option to be construed as a waiver of such default or a relinquishment of any right or acquiescence therein. No notice to the Concessionaire shall be required to restore or revive time as of the essence after the waiver by City of any default. No option, right, power, remedy or privilege of City shall be construed as being exhausted by the exercise thereof in one or more instances. The rights, powers, options and remedies given to City by this Agreement shall be deemed cumulative.

20. Modification of Agreement. Notwithstanding any of the provisions of this Agreement, the parties may hereafter, by mutual consent, agree to modifications thereof or additions thereto in writing which are not forbidden by law. City shall have the right to grant reasonable extensions of time to Concessionaire for any purpose or for the performance of any obligation of Concessionaire hereunder.

21. Breach of Agreement.

a. This Agreement is made upon the condition that, if rents or other sums which Concessionaire herein agrees to pay or any part thereof shall be unpaid on the date on which the same shall become due, or if default be made in any of the terms, agreements, conditions or covenants herein contained on the part of the Concessionaire, or should

Concessionaire become insolvent, or bankrupt, either voluntarily or involuntarily, then, and in such event at the option of the City, this Agreement shall cease and terminate; and City may enter upon the premises.

b. Notwithstanding any of the above breach of agreement provisions, should Concessionaire create or allow to be created a nuisance on the premises described herein, City, at its sole discretion, may immediately declare this Agreement and all rights therein terminated. Further, Concessionaire or City may terminate this Agreement upon the giving of thirty (30) days written notice prior to the end of any "operational year." Or, the Agreement may be terminated by mutual consent of the parties hereto.

22. Waiver of Claims. The Concessionaire hereby waives any claim against City, its officers, agents or employees for damage or loss caused by any suit or proceeding directly or indirectly attacking the validity of this Agreement, or any part thereof or by any judgment or award in any suit or proceeding declaring this Agreement null, void or voidable or delaying the same or any part thereof from being carried out.

23. Severability. Concessionaire will be responsible for security of Concessionaire's personal property at all times during the term of this Agreement. Concessionaire shall not hold City responsible for loss or damage due to mischievous action on the part of the public.

24. Right of Entry as Agent. In any case in which provisions are made herein for the termination of this Agreement by City or in the case of abandonment or vacating of the Stand by Concessionaire, City, in lieu of declaring forfeiture, may enter upon the premises. To such end, Concessionaire hereby irrevocably appoints City or City's agents to remove any and all persons and property on, in or around said Stand and place any such property in storage for the account of and at the expense of Concessionaire. In such case, City may relet the premises upon such terms as it may deem proper, and if a sufficient sum shall not be realized thereby, after paying expenses of such reletting, to satisfy the rent and other sums herein agreed to by Concessionaire, Concessionaire agrees to save City harmless from any loss, damage or claim arising out of the action of City in pursuance of this paragraph.

25. Terms Binding on Successors. All the terms, covenants and conditions of this Agreement shall insure to the benefit of and be binding upon the successors and assigns of the parties hereto. The provisions of this paragraph shall not be deemed as a waiver of any of the conditions against assignment hereinbefore set forth.

26. Duration of Public Facilities. By entering into this Agreement, City makes no stipulation as to the type, size, location or duration of public facilities to be maintained at Shafer Park, or the continuation of City ownership thereof.

27. Time of Essence. Time shall be of the essence in the performance of this Agreement.

28. Hazardous Substances. No goods, merchandise or material shall be kept, stored or sold in, on or about said Stand which are in any way explosive or hazardous; and no offensive

or dangerous trade, business or occupation shall be carried on therein or thereon, and nothing shall be done on said premises, other than as is provided for in this Agreement, and no machinery or apparatus shall be used or operated in, on or about said Stand which will in any way injure said Stand or adjacent buildings and premises; provided, however, that nothing in this paragraph contained shall preclude Concessionaire from bringing, keeping or using in, on or about said Stand such materials, supplies, equipment and machinery as are appropriate or customary in carrying on the purpose of this Agreement or from carrying on its business in all respects as is general or usual.

29. Nondiscrimination.

a. Concessionaire and Concessionaire's employees shall not discriminate because of race, religion, color, ancestry, sex or national origin, against any person by refusing to furnish such person any accommodation, facility, service or privilege offered to or enjoyed by the general public. Nor shall the Concessionaire or Concessionaire's employees publicize the accommodations, facilities, services or privileges in any manner that would directly or indirectly reflect upon or question the acceptability of the patronage of any person because of race, religion, color, ancestry, sex or national origin, al subject to reasonable orders of City.

b. In the performance of this Agreement, the Concessionaire will not discriminate against any employee or applicant for employment because of race, color, religion, ancestry, sex or national origin. The Concessionaire will take affirmative action to ensure that applicants are employed and that employees are treated during employment without regard to their race, color, religion, ancestry, sex or national origin. Such action shall include but not be limited to the following:

Employment, upgrading, demotion or transfer, recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. Concessionaire shall post in conspicuous places, available to employees and applicants for employment, notices to be provided by the State setting forth these provisions.

30. Possible Taxable Interest. Under this Agreement, a possessory interest subject to property taxation may be created. Notice is hereby given pursuant to the Revenue and Taxation Code of the State of California that such possessory interest may be subject to property taxation and that the party in whom the possessory interest is vested may be subject to the payment of property taxes levied on such interest.

31. Maintenance of Improvements. Should Concessionaire fail to perform any maintenance specified herein and City deems such maintenance necessary for operation, then said maintenance shall be performed by City staff. Concessionaire agrees to pay City for such maintenance at City's personnel cost ten (10) days after request for payment is made. This provision is auxiliary to and not in place of any other provisions regarding maintenance herein.

IN WITNESS WHEREOF, the parties hereto have caused this instrument to be signed the day and year first written above.

CITY:

CITY OF SELMA

By: _____
Greg Garner, Interim City Manager

ATTEST:

Reyna Rivera, City Clerk

CONCESSIONAIRE:

By: _____
Selma Youth Girls Softball President

By: _____
Printed Name

RECREATION AND COMMUNITY SERVICES COMMISSION

August 17, 2016
Meeting Minutes

Commissioners Beverly Cho and Ken Robison were sworn-in.

The meeting was called to order at 7:02 p.m. by Vice-Chairperson Larry Teixeira in the City of Selma City Hall Council Chamber, 1710 Tucker Street.

ROLL CALL: Present: Commissioners: Teixeira, Navarro, Cho and Robison.
Absent: Rivera, Ocegüera and Haro.

APPROVAL OF MINUTES:

A motion was made to accept the February 24, 2016 minutes, motion by Commissioner Robison and seconded by Commissioner Cho minutes as read, motion carried unanimously.

Public Comment: None.

REGULAR BUSINESS:

Agenda Item A. Chairperson Election – Staff opened up the nomination and election for Chairperson for this Fiscal Year. Commissioner Teixeira made a motion for Commissioner Haro, Commissioner Navarro seconded the nomination, seeing no other, nominations were closed. Commissioner Cho made a motion for Commissioner Haro, seconded by Commissioner Navarro, to appoint Commissioner Haro Chairperson, motion carried with the following vote:

Ayes: Cho, Navarro, Robison and Teixeira.
Noes: None.
Abstain: None.
Absent: Rivera, Ocegüera and Haro.

Vice-Chairperson Election - Staff opened up the nomination and election for Vice-Chairperson for this Fiscal Year. Commissioner Navarro made a motion for Commissioner Teixeira, Commissioner Robison seconded the nomination, seeing no other, nominations were closed. Commissioner Navarro made a motion for Commissioner Teixeira, seconded by Commissioner Cho, to appoint Commissioner Teixeira Vice-Chairperson, motion carried with the following vote:

Ayes: Navarro, Cho, Robison and Teixeira.
Noes: None.
Abstain: None.
Absent: Rivera, Ocegüera and Haro.



Agenda Item B. Shafer Park Concession Stand - The current operator of the Shafer Park Concession submitted a resignation letter to the City of Selma effective December 31, 2016. An application process to recruit vendors was conducted and two applications were received, one from the Selma Youth Girls Softball League (SYGSL) and Irene Haro. Following a review of each application, a motion was made by Commissioner Robison and seconded by Commissioner Navarro to recommend to City Council that the SYGSL be considered to take over the Shafer Park Concession, beginning January 2, 2017 and adhere to the agreement with the City of Selma, motion carried with the following vote:

Ayes: Robison, Navarro, Cho and Teixeira.
Noes: None.
Abstain: None.
Absent: Rivera, Ocegüera and Haro.

Department Report: Director of Recreation and Community Services Mikal Kirchner informed the Commission on a variety of programs and updated the Commission on upcoming projects.

Adjourn

The meeting was adjourned at 7:44 p.m.

Respectfully submitted by:

Mikal Kirchner, Director of Recreation and Com. Services

Check Register Report

agenda 2.e.

Date: 08/31/2016

Time: 3:43 pm

Page: 1

City of Selma

BANK: UNION BANK

Check Number	Check Date	Status	Void/Stop Date	Vendor Number	Vendor Name	Check Description	Amount
UNION BANK Checks							
67474	08/09/2016	Printed		10670.260	FRESNO CO RECORDER	RECORDING FEES	553.00
67475	08/18/2016	Printed		10110.020	ABBEY DOOR SERVICE	REPAIR ROLL UP DOOR-CITY YARD	1,095.00
67476	08/18/2016	Printed		10170.073	AIR LIQUIDE HEALTHCARE AMERICA	OXYGEN CYLINDER RENTALS	153.07
67477	08/18/2016	Printed		10180.350	ALERT-O-LITE	TRAFFIC ZONE-ARRANTS	3,454.79
67478	08/18/2016	Printed		10190.063	AMERICAN AMBULANCE	CPR CARDS	233.00
67479	08/18/2016	Printed		10340.385	AT&T MOBILITY	TELEPHONE-MDT'S	1,909.72
67480	08/18/2016	Printed		10230.030	CESAR BEJARANO	POST TRAINING PER DIEM	24.00
67481	08/18/2016	Printed		10230.130	BENNETT & BENNETT, INC.	SPRINKLER SUPPLIES	9.55
67482	08/18/2016	Printed		10310.400	CALIFORNIA PUBLIC EMPLOYEES	GASB-68 REPORTS	3,250.00
67483	08/18/2016	Printed		10310.455	CALIFORNIA WATER SERVICE	WATER SERVICE	16,795.31
67484	08/18/2016	Printed		10340.610	CITY OF FRESNO-POLICE DEPT.	POST TRAINING 8/16-8/18/16	2,046.00
67485	08/18/2016	Printed		11140.470	CITY OF KINGSBURG	FIREFIGHTERS PROCEDURAL	707.50
67486	08/18/2016	Printed		10370.375	COMCAST	INTERNET SERVICE	1,060.00
67487	08/18/2016	Printed		10370.953	COOL AIR SPECIALTY	REPAIR COMPRESSOR-PD TRAILER	2,740.00
67488	08/18/2016	Printed		10370.969	CORELOGIC SOLUTIONS LLC	REALQUEST SERVICE	481.25
67489	08/18/2016	Printed		10410.094	DAVE KNOLL PLUMBING	SENIOR CENTER SEWER CLEANOUT	95.00
67490	08/18/2016	Printed		10418.130	DAWSON-MAULDIN	PROG PAY#2 CDBG 14651	19,976.13
67491	08/18/2016	Printed		10430.071	DEPARTMENT OF JUSTICE	BLOOD ALCHOHOL ANALYSIS	1,139.00
67492	08/18/2016	Printed		10420.309	JEANNETTE DERR	HEATHERS COSTUME REIMBURSEMENT	539.73
67493	08/18/2016	Printed		10400.200	DLT SOLUTIONS INC.	AUTOCAD RENEWAL	517.80
67494	08/18/2016	Printed		10450.140	DOOLEY ENTERPRISES, INC.	AMMUNITION	2,266.62
67495	08/18/2016	Printed		10560.250	EMPLOYMENT DEVELOPMENT DEPT.	SUI QTRLY PMT 4/1-6/30/16	1,113.00
67496	08/18/2016	Printed		10640.345	ETHAN KEALOHA FOSTER	HEATHERS BAND ACCOMPANIMENT	200.00
67497	08/18/2016	Printed		10670.050	FRESNO BEE	ADS FOR HEATHERS	493.00
67498	08/18/2016	Printed		10670.260	FRESNO CO RECORDER	LIEN RELEASE 1964 MCCALL	17.00
67499	08/18/2016	Printed		10670.270	FRESNO CO TREASURER-SHERIFF	RMS/JMS/CAD ACCESS FEES	496.88
67500	08/18/2016	Printed		10670.292	FRESNO COUNTY AUDITOR'S OFFICE	COUNTY PARKING	50.00
67501	08/18/2016	Printed		10670.160	FRESNO COUNTY CLERK	2016-36 2135 MCCALL CUP	50.00
67502	08/18/2016	Printed		10670.520	FRESNO-MADERA AAA	SENIOR MEALS	316.54
67503	08/18/2016	Printed		10670.583	FRUSA EMS	AMBULANCE BILLING	4,657.88
67504	08/18/2016	Void	08/18/2016			Void Check	0.00
67505	08/18/2016	Void	08/18/2016			Void Check	0.00
67506	08/18/2016	Printed		10700.080	G&K SERVICES	LINEN/UNIFORM SERVICE	592.86
67507	08/18/2016	Printed		10710.695	RENE GARZA	POST PER DIEM	24.00
67508	08/18/2016	Printed		10735.149	GODBE CORPORATION DBA GODBE	BALLOT DRAFTING & REVIEW	500.00
67509	08/18/2016	Printed		10810.749	ANDREA HAWKINS	HEATHERS BAND ACCOMPANIMENT	200.00
67510	08/18/2016	Printed		10820.020	HEALTHEDGE ADMINISTRATORS INC.	DENTAL CLAIMS	255.50
67511	08/18/2016	Printed		10820.020	HEALTHEDGE ADMINISTRATORS INC.	DENTAL 8/10/16	2,189.17
67512	08/18/2016	Printed		10820.020	HEALTHEDGE ADMINISTRATORS INC.	ADMINISTRATIVE FEES	635.51
67513	08/18/2016	Printed		10820.034	HEALTHWISE SERVICES	KIOSK MEDICAL WASTE	150.00
67514	08/18/2016	Printed		10820.702	HEWLETT-PACKARD FINANCIAL	LEASES	3,824.80
67515	08/18/2016	Printed		10830.245	JON HISSONG	POST PER DIEM	24.00
67516	08/18/2016	Printed		10840.687	KAI HOWARD	HEATHERS BAND ACCOMPANIMENT	200.00
67517	08/18/2016	Printed		10900.281	I LOVE TO CREATE	CERAMIC SUPPLIES-SC	90.86
67518	08/18/2016	Printed		10900.362	INDUSTRIAL HEALTH CARE	PRE EMPLOYMENT DRUG TESTING	35.00
67519	08/18/2016	Printed		11000.150	J'S COMMUNICATION INC.	SERVICE AGREEMENT	1,338.00

Check Register Report

Date: 08/31/2016
 Time: 3:43 pm
 Page: 2

City of Selma

BANK: UNION BANK

Check Number	Check Date	Status	Void/Stop Date	Vendor Number	Vendor Name	Check Description	Amount
UNION BANK Checks							
67520	08/18/2016	Printed		11050.650	JUDICIAL DATA SYSTEM	PARKING CITATIONS	35.56
67521	08/18/2016	Printed		11080.124	K AUDIO	BUSINESS LIC OVERPAYMENT REIMB	9.00
67522	08/18/2016	Printed		11170.343	KOSMONT & ASSOCIATES INC	CONTRACT PAYMENT	15,000.00
67523	08/18/2016	Printed		11200.150	L.N. CURTIS & SONS	COUPLING	1,031.31
67524	08/18/2016	Printed		11220.027	LEE CENTRAL CALIFORNIA	CUP FLORAL FREEWAY SIGN	768.27
67525	08/18/2016	Printed		11220.809	TERRY LEWIS	BIG FISH ACCOMPANIST	120.00
67526	08/18/2016	Printed		11250.802	KYLE SEAN LOWE	HEATHERS BAND ACCOMPANIMENT	200.00
67527	08/18/2016	Printed		11360.507	MONARCH GLASS	REPLACED WINDOW-WEED N SEED	140.75
67528	08/18/2016	Printed		11324.245	MUNICIPAL EMERGENCY SERVICES	HANDHELD THERMAL IMAGERS	1,304.70
67529	08/18/2016	Printed		11360.909	ROBERT MUSSO	POST TRAINING PER DIEM	24.00
67530	08/18/2016	Printed		11380.300	MYERS STEVENS & TOOHEY & CO.	PD EMP LIFE INS	1,460.00
67531	08/18/2016	Printed		11503.638	MATTHEW NYGREN	HEATHERS BAND ACCOMPANIMENT	200.00
67532	08/18/2016	Printed		11530.100	OFFICE DEPOT, INC.	OFFICE SUPPLIES	789.14
67533	08/18/2016	Printed		11610.243	MADISEN PADILLA	HEATHERS PROP REIMBURSEMENT	56.92
67534	08/18/2016	Printed		11620.115	LANCE PEARCE	POST TRAINING PER DIEM	24.00
67535	08/18/2016	Printed		11630.500	PHYSIO-CONTROL, INC	QTRLY BILLING LIFE PACK MAINT	3,112.92
67536	08/18/2016	Printed		11670.183	PUBLIC AGENCY TRAINING COUNCIL	FIRE/ARSON ACADEMY	525.00
67537	08/18/2016	Printed		11750.320	QUILL CORPORATION	OFFICE SUPPLIES	140.80
67538	08/18/2016	Printed		11810.361	RAY MORGAN COMPANY INC	MAINT/COPY AGREEMENT	583.96
67539	08/18/2016	Printed		11820.747	TERRY REID	POST PER DIEM	24.00
67540	08/18/2016	Printed		11945.298	SELMA DISPOSAL	GARBAGE	112,725.53
67541	08/18/2016	Printed		11965.406	SOUND CONTRACTING	NEW LIGHTS FOR CONSOLE	340.00
67542	08/18/2016	Printed		11900.389	SPARKLETTS	WATER SERVICE	135.00
67543	08/18/2016	Printed		12010.108	TAG-AMS, INC.	EMPLOYEE DRUG TESTING	234.00
67544	08/18/2016	Printed		12010.528	TASER INTERNATIONAL	CARTRIDGES SII447267	782.46
67545	08/18/2016	Printed		11800.600	THE RADAR SHOP, INC.	RADAR RECERT/REPAIR	198.00
67546	08/18/2016	Printed		12030.137	THIRD ALARM FIRE EQUIPMENT CO	SCBA TANKS AND VALVES	13,881.11
67547	08/18/2016	Printed		12060.210	TRANS UNION CORPORATION	PRE EMPLOYMENT CREDIT CHECK	27.08
67548	08/18/2016	Printed		12070.120	TULARE CO JAIL INDUSTRIES	STICKERS FOR CHIEF'S CAR	27.00
67549	08/18/2016	Printed		12100.045	U.S. BANK	2014 BOND TRUSTEE FEE	1,925.00
67550	08/18/2016	Printed		12234.168	TREVOR VAN DE VELDE	HEATHERS BAND ACCOMPANIMENT	200.00
67551	08/18/2016	Printed		12350.455	WILLEMS COMMERCIAL PRINTING	HEATHERS PROGRAMS	1,038.96
67552	08/24/2016	Printed		10696.000	FUTURE FORD OF CLOVIS	2016 FORD FOCUS ELECTRIC	31,297.96
67553	08/24/2016	Printed		12050.117	TOP DOG TRAINING CENTER	PURCHASE NEW K9	7,306.88

Total Checks: 80 **Checks Total (excluding void checks): 272,169.78**

Total Payments: 80 **Bank Total (excluding void checks): 272,169.78**

Total Payments: 80 **Grand Total (excluding void checks): 272,169.78**

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

September 6, 2016

ITEM NO: 3.

SUBJECT: Ordinance amending the 2035 General Plan Land Use Designation, Zoning, and McCall Specific Plan on 3495 Highland Avenue, Selma, (APN: 348-320-35) – *introduction, first reading, and public hearing*

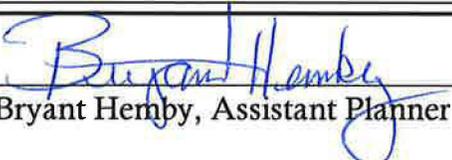
DISCUSSION: This is the introduction, first reading, and public hearing of an Ordinance changing the Zoning District and Land Use Designations of the above parcel, commonly known as 3495 Highland Avenue, Selma, California. This ordinance is being initiated to change the zoning and bring this parcel into compliance with the General Plan Map. The proposed zone change is initiated by the property owner.

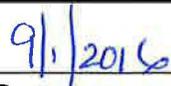
The property owner is requesting the ability to store HVAC units in an accessory building at his residence, 3495 Highland Avenue. The project site is located north of Whitson Street on the west side of Highland Avenue. The parcel is approximately 40,600 square feet in size with a single family residence and oversized metal garage. Currently the parcel is zoned R-1-7 Residential with a Medium Low Density General Plan Land Use Designation. This Land Designation and Zoning will allow offices, however a Home Occupation Permit does not allow for the business to have employees.

The Land Use Designation will be changed from Medium Low Density Residential to Commercial Office and rezoned from R-1-7 to CO, to allow for the applicant's request. This project is consistent with Selma 2035 General Plan Goals and Objectives. The parcel is adjacent to residential uses and a Light Manufacturing Zone that is being used as a mini-storage facility.

The Planning Commission heard this item at their June 27, 2016 meeting and recommended approval of the entitlements to the City Council. The project was noticed as prescribed by law and the adjacent property owners within 300 feet were noticed. No comments were received.

RECOMMENDATION: Conduct Public Hearing and schedule the second reading of an Ordinance amending the 2035 General Plan Land Use Designation and Zoning on 3495 Highland Avenue, Selma, (APN: 348-320-35).


Bryant Hemby, Assistant Planner


Date

/s/ Neal E. Costanzo
Neal E. Costanzo, City Attorney

09/02/16
Date


Greg Garner, Interim City Manager


Date

ORDINANCE NO. 2016 -

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SELMA AMENDING THE GENERAL PLAN 2035 LAND USE DESIGNATION, AND ZONING ON 3495 HIGHLAND AVENUE, SELMA, CA. (APN NO. 348-320-35)

WHEREAS, the City of Selma adopted its General Plan 2035 which designates land use within the planning area of the City of Selma; and

WHEREAS, Title XI of the City Code of the City of Selma titled "Zoning" serves as a guide for the orderly growth and development of the City of Selma to promote and protect the public health, safety, comfort and general welfare, and to implement the General Plan; and

WHEREAS, Chapter 2 of Title XI of the City Code requires that the City maintain a map of the zoning boundaries; and

WHEREAS, on June 27, 2016, the Planning Commission of the City of Selma, recommend that the applicant go before the City Council to request approval of Selma General Plan 2035 Land Use Designation Map to change the Land Use Designation for 3495 Highland Avenue, (APN No. 348-320-35) from Medium Low Density Residential to Commercial Office; and

WHEREAS, on June 27, 2016, the Planning Commission of the City of Selma, recommend that the applicant go before the City Council to request approval of a Zone Change changing the zoning of Assessor Parcel No. 348-320-35 from Medium Low Density Residential (R-I-7) to Commercial Office (CO); and

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

Section 1. Based upon the testimony and information presented at the public hearing on September 6, 2016, and upon review and consideration of the environmental documentation provided, the City Council of the City of Selma finds, in accordance with its own independent judgment finds there is no substantial evidence in the record that:

(A) The amendment of the City of Selma General Plan 2035 Land Use Designation Map by re-designating Assessment Parcel No. 348-320-35, located at 3495 Highland Avenue, from Medium Low Density Residential to Commercial Office; an amended General Plan 2035 Land Use Map is attached hereto and incorporated herein by this reference as Attachment A; and

(B) Amending the City's Zoning Map by rezoning Assessor Parcel No. 348-320-35, located at 3495 Highland Avenue, from Medium Low Density Residential (R-1-7) to Commercial Office (CO);

None of the above stated amendments have any significant effects on the environment that were not identified in the City of Selma General Plan Update 2035 and that said amendments to the General Plan 2035 Land Use Designation Map, and Zoning Map (Submittal No. 20150054) are consistent with the CEQA Guidelines for a categorically exempt (Sec. 15061(b)(3)) Project.

Section 2. The City Council of the City of Selma hereby amends the City of Selma General Plan 2035 Land Use Designation as follows: Assessment Parcel No. 348-320-35, located at 3495 Highland Avenue from Medium-Low Density Residential to Commercial Office.

Section 3. The City Council of the City of Selma hereby amends the City's Zoning Map as follows: Rezoning Assessment Parcel No. 348-320-35, located at 3495 Highland Avenue from Medium Low Density Residential (R-1-7) to Commercial Office (CO).

Section 4. This Ordinance shall become effective and in full force 30 days after its passage.

Section 5. Severability: If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid or unconstitutional, the decision shall not affect the validity of the remaining portions of the Ordinance. The City Council hereby declares that it would have passed this Ordinance, and each section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases have been declared invalid or unconstitutional.

I, Reyna Rivera, City Clerk of the City of Selma, do hereby certify that the foregoing Ordinance was introduced on the 6th day of September, 2016 and duly adopted on ___ day of September 2016, at a regular Selma City Council meeting by the following vote, to wit:

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

Scott Robertson, Mayor of the City of Selma

ATTEST:

Reyna Rivera
City Clerk of the City of Selma

APPROVED AS TO FORM:

Neal E. Costanzo, City Attorney



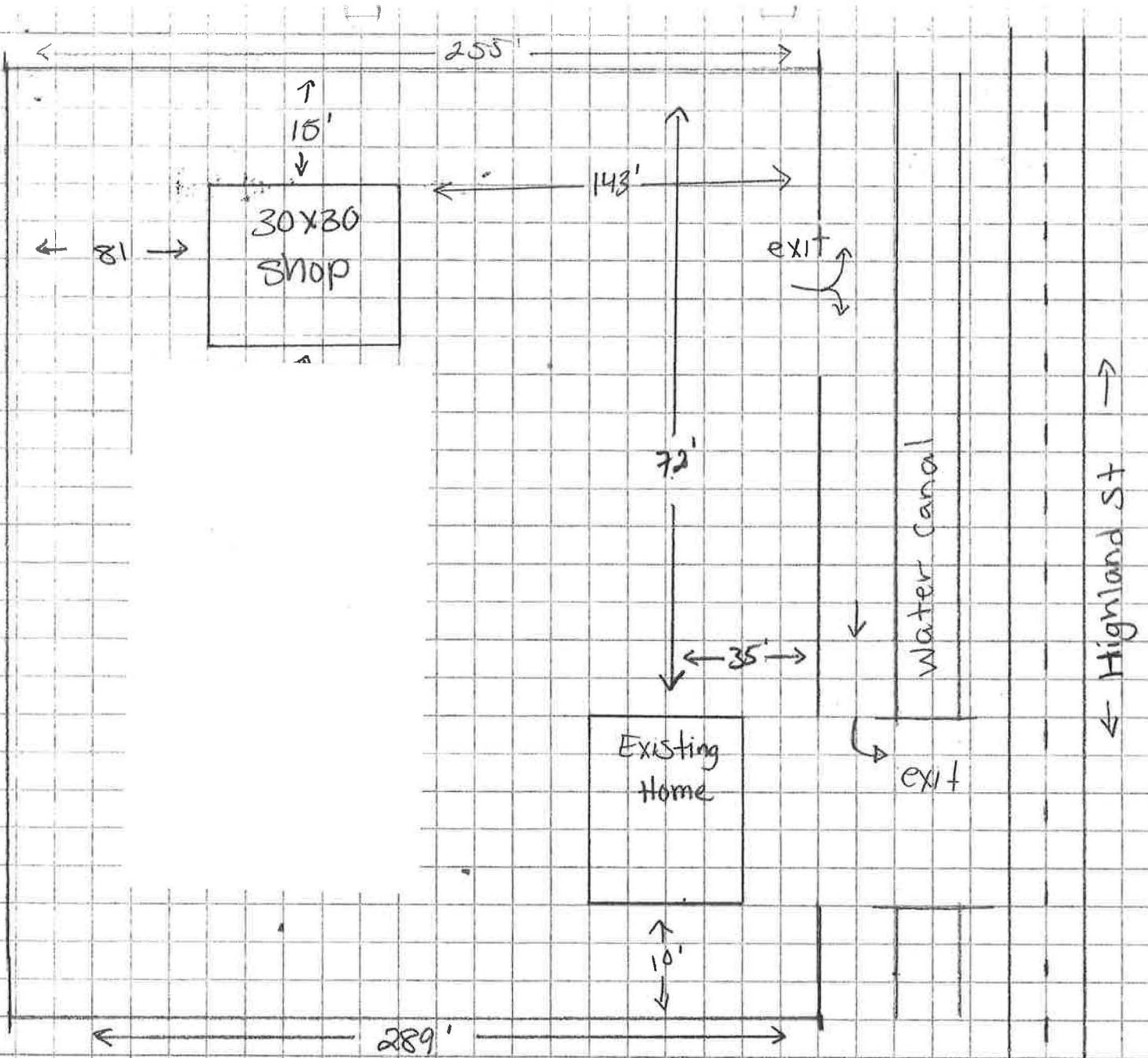
SUBJECT PROPERTY

**3495 S. Highland
HVAC buiness**



**CITY OF SELMA
COMMUNITY DEVELOPMENT
DEPARTMENT**





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

September 6, 2016

ITEM NO: 4.

SUBJECT: Consideration and necessary action on request from Selma Chamber of Commerce to waive fees for the annual Car Show.

DISCUSSION: The Selma Chamber of Commerce has submitted a request to waive fees associated with the annual Car Show.

Fees associated with this event include Special Events Permit, Sound Permit, Park Rental which total approximately \$205. This does not include any Staff time, Public Works man hours or Police overtime.

This event will take place on September 17, 2016. City Council may consider waiving fees for this event on a year to year basis or consider an ongoing fee waiver, with an option to review at any point of time.

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

RECOMMENDATION: Consider request from the Selma District Chamber of Commerce to Waive fees for the Annual Raisin Festival.

/s/ Greg Garner
Greg Garner, Interim City Manager

09/02/2016
Date

ITEM NO: 5.

SUBJECT: Consideration and Necessary Action on Resolution Authorizing Staff to Submit Application for California Youth Soccer Grant and for City Manager to Execute Grant Agreement.

DISCUSSION:

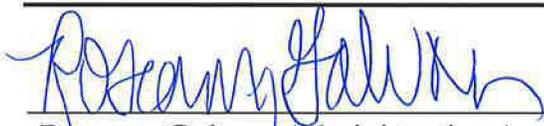
The City of Selma Recreation/Community Services Department has been working on development of additional parks in the community in recent years. The California Department of Parks and Recreation has unused Proposition 84 grant funds that are available to be distributed as the California Youth Soccer and Recreation Development Program. The intent of the Program is to award grants on a competitive basis for “fostering the development of new youth soccer, baseball, softball and basketball recreation opportunities...(in) heavily populated, low-income urban areas with a high youth crime and unemployment rate”. The grant request for proposal is available and the deadline for applications is November 1, 2016. The maximum grant funding available is \$1,000,000 and there is no match required, however if no match is committed the application will receive reduced points. In addition, projects must have an emphasis on creating new opportunities along with water conservation measures. The decision of projects to fund and contracting for projects will take place starting in July 2017.

The attached Resolution authorizes staff to submit the grant application as well as authorizing the City Manager to execute the grant agreement if the project is funded.

<u>COST:</u> <i>(Enter cost of item to be purchased in box below)</i>		<u>BUDGET IMPACT:</u> <i>(Enter amount this non-budgeted item will impact this years’ budget in box below – if budgeted, enter NONE).</i>
There is no cost to submit an application other than CEQA documents which are required for annexation of the land.		Grant will not be received if funded until July 2017 so it will be part of next year’s budget if funded.
<u>FUNDING:</u> <i>(Enter the funding source for this item in box below – if fund exists, enter the balance in the fund).</i>		<u>ON-GOING COST:</u> <i>(Enter the amount that will need to be budgeted each year in box below – if one-time cost, enter NONE).</i>

Funding Source: California Youth Soccer Grant		There will be costs to maintain park once it is developed. There are no estimates available regarding such costs.
Fund Balance: N/A		

RECOMMENDATION: Adopt resolution allowing staff to submit application for the California Youth Soccer Grant and City Manager to execute the necessary grant documents if funded.



 Roseann Galvan, Administrative Analyst

08/31/2016

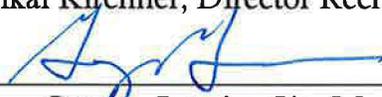
 Date

/s/ Mikal Kirchner

 Mikal Kirchner, Director Recreation/Comm. Svcs.

09/02/2016

 Date



 Greg Garner, Interim City Manager

9/1/16

 Date

Resolution No: 2016-

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SELMA
APPROVING THE APPLICATION FOR YOUTH SOCCER AND RECREATION DEVELOPMENT
PROGRAM GRANT FUNDS**

WHEREAS, the State Department of Parks and Recreation has been delegated the responsibility by the Legislature of the State of California for the administration of the Youth Soccer and Recreation Development Program, setting up necessary procedures governing the application; and

WHEREAS, said procedures established by the State Department of Parks and Recreation require the Applicant to certify by resolution the approval of application before submission of said application to the State; and

WHEREAS, successful Applicants will enter into a contract with the State of California to complete the Grant Scope project;

NOW, THEREFORE, BE IT RESOLVED that the Selma City Council hereby:
Approves the filing of an application for the Rockwell Park Project, and

1. Certifies that said Applicant has or will have available, prior to commencement of any work on the project included in this application, the sufficient funds to complete the project; and
2. Certifies that if the project is awarded the Applicant has or will have sufficient funds to operate and maintain the project, and
3. Certifies that the Applicant has reviewed, understands, and agrees to the General Provisions contained in the contract shown in the Grant Administration Guide; and
4. Delegates the authority to City Manager to conduct all negotiations, sign and submit all documents, including, but not limited to applications, agreements, amendments, and payment requests, which may be necessary for the completion of the Grant Scope; and
5. Agrees to comply with all applicable federal, state and local laws, ordinances, rules, regulations and guidelines.

Approved and adopted the 6th day of September, 2016

This foregoing resolution is hereby approved and adopted this 6th day of September, 2016, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Scott Robertson, Mayor

ATTEST:

Reyna Rivera, City Clerk

ITEM NO: 6.

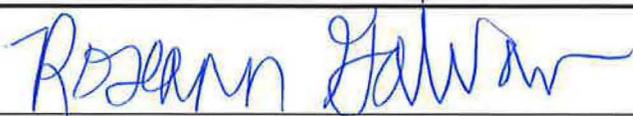
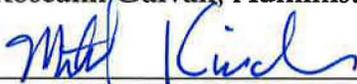
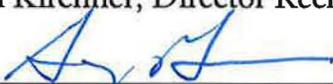
SUBJECT: Consideration and Necessary Action on Resolution Authorizing City Manager to Execute Contract with Compliance Solutions to Develop CEQA Document for Park Annexation/Grants

DISCUSSION: The City of Selma Recreation/Community Services Department has been working on development of a new park in the northwest part of Selma. Part of the process requires development of a CEQA Mitigated Negative Declaration Document that will be used for land annexation as well as grant applications (required). The proposed Resolution approves a contract for preparation of studies, Phase 1 ESA as well as a Mitigated Negative Declaration and allows the City Manager to negotiate and make price neutral modifications not to exceed \$33,040. City staff has worked in researching the requirements such as botanical surveys, inventory, cultural research clearance and species surveys necessary to complete the above mentioned Declarations. During the course of this research, it has been determined by City staff that in order to achieve its goals, the City must enter into an agreement with a contractor with the knowledge, experience, and certifications necessary to conduct the study for the land annexation as well as the grant applications. This requires specific certifications and expertise that City staff does not have. In addition, contractor has already conducted studies next to the property which has an impact on the cost. Park development fees will be used to pay for this study.

<i>COST:</i> (Enter cost of item to be purchased in box below)		<i>BUDGET IMPACT:</i> (Enter amount this non-budgeted item will impact this years' budget in box below – if budgeted, enter NONE).
Cost not to exceed \$33,040.		Expense will be paid out of Park Development fees-no impact to General Fund.
<i>FUNDING:</i> (Enter the funding source for this item in box below – if fund exists, enter the balance in the fund).		<i>ON-GOING COST:</i> (Enter the amount that will need to be budgeted each year in box below – if one-time cost, enter NONE).

Funding Source:	Park Development Fees		Not applicable.
Fund Balance:	\$600,164.72		

RECOMMENDATION: Adopt Resolution Authorizing City Manager to finalize agreement with Compliance Solutions to conduct CEQA Mitigated Negative Declaration study for new park at Rockwell Pond area that will be used for land annexation, grant applications.

	8/31/2016
_____ Roseann Galvan, Administrative Analyst	_____ Date
	8/31/16
_____ Mikal Kirchner, Director Recreation/C Svcs.	_____ Date
	9/1/16
_____ Greg Garner, Interim City Manager	_____ Date

We  and 

 Greg Garner, City Manager Isaac Moreno, Finance Manager

do hereby agree that the funding for the above is correct and that enough funds exist to cover the expenditure.

RESOLUTION NO. 2016-XXX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SELMA, ADOPTING RESOLUTION NO. 2016-XXX AUTHORIZING THE CITY MANAGER TO NEGOTIATE A CONTRACT FOR PREPARATION OF A MITIGATED NEGATIVE DECLARATION, LEVEL ONE ENVIRONMENTAL AND OTHER RELATED STUDIES FOR CEQA ANALYSIS ON NEW PARK LAND AT ROCKWELL POND AND ADJACENT PROPERTY

WHEREAS, in anticipation of annexation of land for a new park and development of grant applications which require CEQA analysis the City of Selma requires a consultant that can complete the document before the first grant application is due on November 1, 2016; and

WHEREAS, Compliance Solutions has already conducted studies in the adjacent area which will assist with completion of the analysis to meet the deadlines required and prior studies have decreased costs of the project; and

WHEREAS, City staff do not have the certifications and expertise required to conduct this study for the land annexation as well as the grant applications; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF SELMA AS FOLLOWS:

1. The City of Selma intends to contract with Compliance Solutions Inc. to prepare the CEQA documents for the new park project at a cost not to exceed \$33,004.00.
2. The study needs to be completed and submitted to the City of Selma so it can be included in a grant application that will be sent on October 31 so it is received on November 1, 2016 by the State of California.

This foregoing resolution is hereby approved and adopted this 6th day of September, 2016, by the following vote, to wit:

AYES:

NOES:

ABSTAIN:

ABSENT:

Scott Robertson, Mayor

ATTEST:

Reyna Rivera, City Clerk

Compliance Solutions Inc.
 1865 Herndon Ave Ste K357
 Clovis, CA 93611

Estimate

Date	Estimate #
8/30/2016	1270

Name / Address
City of Selma 1710 Tucker Street Selma, CA 93662

Project

Description	Qty	Rate	Total
Task 1.1 In Office Research	12	95.00	1,140.00
Task 1.2 Botanical Surveys and Inventory	40	95.00	3,800.00
Task 1.3 Species Surveys	40	95.00	3,800.00
Task 1.4 Phase I ESA and Report	1	4,500.00	4,500.00
Task 1.5 Cultural Resource Clearance (HPSR and ASR as required)	1	6,300.00	6,300.00
Task 1.6 Prepare Bio Resources Report and Findings	1	2,500.00	2,500.00
Task 1.7 Submit Report and address comments City of Selma	20	95.00	1,900.00
Task 1.8 Prepare Draft Initial Study/Mitigated Negative Declaration CEQA	80	95.00	7,600.00
Task 1.9 Submit Draft Negative Declaration Determination (17 copies)	1	1,500.00	1,500.00
Cost Assumptions: Project Does Not have any Federal or State Listed Species City of Selma Multi-Rec Sports Complex Project Selma, CA			
Subtotal			\$33,040.00
Sales Tax (0.0%)			\$0.00
Total			\$33,040.00

Phone #	Fax #	E-mail	Web Site
(559) 325-9583	(559) 325-6231	jenny@gocompl.com	www.gocompl.com

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

September 6, 2016

ITEM NO: 7.

SUBJECT: Designation of voting delegate for League Conference

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

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

The League of California Cities annual conference is scheduled for October 5, 2016 - October 7, 2016 in Long Beach.

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

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

/s/ Greg Garner
Greg Garner, City Manager

09/02/2016
Date



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

August 16, 2016

TO: Mayors, City Managers and City Clerks
League Board of Directors

RE: Annual Conference Resolutions Packet
Notice of League Annual Meeting

Enclosed please find the 2016 Annual Conference Resolutions Packet.

Annual Conference in Long Beach. This year's League Annual Conference will be held October 5 – 7 in Long Beach. The conference announcement has previously been sent to all cities and we hope that you and your colleagues will be able to join us. More information about the conference is available on the League's Web site at www.cacities.org/ac. We look forward to welcoming city officials to the conference.

Closing Luncheon/General Assembly - Friday, October 7, 12:00 p.m. The League's General Assembly Meeting will be held at the Long Beach Convention Center.

Resolutions Packet. At the Annual Conference, the League will consider one resolution introduced by the deadline, Saturday, August 6, 2016, midnight. The resolution is included in this packet. Resolutions submitted to the General Assembly must be concurred in by five cities or by city officials from at least five or more cities. These letters of concurrence are included with this packet. We request that you distribute this packet to your city council.

We encourage each city council to consider this resolution and to determine a city position so that your voting delegate can represent your city's position on the resolution. A copy of the resolution packet is posted on the League's website for your convenience: www.cacities.org/resolutions.

The resolutions packet contains additional information related to consideration of the resolution at the Annual Conference. This includes the date, time and location of the meetings at which the resolution will be considered.

Voting Delegates. Each city council is encouraged to designate a voting delegate and two alternates to represent their city at the General Assembly Meeting. A letter asking city councils to designate their voting delegate and two alternates has already been sent to each city. If your city has not yet appointed a voting delegate, please contact Meg Desmond at (916) 658-8224 or email: mdesmond@cacities.org.

**Please Bring This Packet to the Annual Conference
October 5 – 7, Long Beach**



***Annual Conference
Resolutions Packet***

2016 Annual Conference Resolutions



Long Beach, California

October 5 – 7, 2016

INFORMATION AND PROCEDURES

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

This year, one resolution has been introduced for consideration by the Annual Conference and referred to the League policy committees.

POLICY COMMITTEES: One policy committee will meet at the Annual Conference to consider and take action on the resolution referred to them. The committee is Transportation, Communication and Public Works. The committee will meet 9:00 – 10:30 a.m. on Wednesday, October 5, 2016, at the Hyatt Regency. The sponsor of the resolution has been notified of the time and location of the meeting.

GENERAL RESOLUTIONS COMMITTEE: This committee will meet at 1:00 p.m. on Thursday, October 6, at the Hyatt Regency in Long Beach, to consider the report of the policy committee regarding the resolution. This committee includes one representative from each of the League's regional divisions, functional departments and standing policy committees, as well as other individuals appointed by the League president. Please check in at the registration desk for room location.

ANNUAL LUNCHEON/BUSINESS MEETING/GENERAL ASSEMBLY: This meeting will be held at 12:00 p.m. on Friday, October 7, at the Long Beach Convention Center.

PETITIONED RESOLUTIONS: For those issues that develop after the normal 60-day deadline, a resolution may be introduced at the Annual Conference with a petition signed by designated voting delegates of 10 percent of all member cities (48 valid signatures required) and presented to the Voting Delegates Desk at least 24 hours prior to the time set for convening the Annual Business Meeting of the General Assembly. This year, that deadline is 12:00 p.m., Thursday, October 6. Resolutions can be viewed on the League's Web site: www.cacities.org/resolutions.

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

GUIDELINES FOR ANNUAL CONFERENCE RESOLUTIONS

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

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

Guidelines for Annual Conference Resolutions

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

LOCATION OF MEETINGS

Policy Committee Meetings

Wednesday, October 5

Hyatt Regency Long Beach

200 South Pine Street, Long Beach

9:00 – 10:30 a.m.: Transportation, Communication & Public Works

General Resolutions Committee

Thursday, October 6, 1:00 p.m.

Hyatt Regency Long Beach

200 South Pine Street, Long Beach

Annual Business Meeting and General Assembly Luncheon

Friday, October 7, 12:00 p.m.

Long Beach Convention Center

300 East Ocean Boulevard, Long Beach

KEY TO ACTIONS TAKEN ON RESOLUTIONS

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

Number	Key Word Index	Reviewing Body Action		
		1	2	3

1 - Policy Committee Recommendation to General Resolutions Committee
 2 - General Resolutions Committee
 3 - General Assembly

TRANSPORTATION, COMMUNICATION, AND PUBLIC WORKS POLICY COMMITTEE

		1	2	3
1	Vision Zero			

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

KEY TO ACTIONS TAKEN ON RESOLUTIONS *(Continued)*

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

KEY TO REVIEWING BODIES

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

KEY TO ACTIONS TAKEN

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

ACTION FOOTNOTES

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

Procedural Note:

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

1. RESOLUTION COMMITTING THE LEAGUE OF CALIFORNIA CITIES TO SUPPORTING VISION ZERO, TOWARD ZERO DEATHS, AND OTHER PROGRAMS OR INITIATIVES TO MAKE SAFETY A TOP PRIORITY FOR TRANSPORTATION PROJECTS AND POLICY FORMULATION, WHILE ENCOURAGING CITIES TO PURSUE SIMILAR INITIATIVES

Source: City of San Jose

Concurrence of five or more cities/city officials: Cities: Fremont; Los Angeles; Sacramento; San Diego; San Francisco; Santa Monica; and West Hollywood

Referred to: Transportation, Communication and Public Works Policy Committees

Recommendation to General Resolution Committee:

WHEREAS, each year more than 30,000 people are killed on streets in the United States in traffic collisions; and

WHEREAS, traffic fatalities in America hit a seven-year high in 2015 and is estimated to have exceeded 35,000 people; with pedestrians and cyclists accounting for a disproportionate share; and

WHEREAS the Centers for Disease Control recently indicated that America’s traffic death rate per person was about double the average of peer nations; and

WHEREAS Vision Zero and Toward Zero Deaths are comprehensive strategies to eliminate all traffic fatalities and severe injuries using a multi-disciplinary approach, including education, enforcement and engineering measures; and

WHEREAS a core principal of Vision Zero and Toward Zero Deaths is that traffic deaths are preventable and unacceptable; and

WHEREAS cities across the world have adopted and implemented Vision Zero and Toward Zero Deaths strategies and successfully reduced traffic fatalities and severe injuries occurring on streets and highways; and

WHEREAS safe, reliable and efficient transportation systems are essential foundations for thriving cities.

RESOLVED that the League of California Cities commits to supporting Vision Zero, Toward Zero Deaths, and other programs, policies, or initiatives that prioritize transportation safety;

AND encourage cities throughout California to join in these traffic safety initiatives to pursue the elimination of death and severe injury crashes on our roadways;

AND encourage the State of California to consider adopting safety as a top priority for both transportation projects and policy formulation.

//////////

Background Information on Resolution to Support Transportation Safety Programs

Each year more than 30,000 people are killed on streets in the United States in traffic collisions. Traffic fatalities in America hit a seven-year high in 2015 and are estimated to have exceeded 35,000 people, with children, seniors, people of color, low-income and persons with disabilities accounting for a disproportionate share. The Centers for Disease Control recently reported that the traffic death rate per

person in the United States was about double the average of peer nations, with close to 10% of these deaths occurring in California (3,074 in 2014). California's largest city, Los Angeles, has *the* highest rate of traffic death among large U.S. cities, at 6.27 per 100,000 people.

Cities around the world have adopted traffic safety projects and policies that underscore that traffic deaths are both unacceptable and preventable. In 1997, Sweden initiated a program called Vision Zero that focused on the idea that "Life and health can never be exchanged for other benefits within the society." The World Health Organization has officially endorsed Vision Zero laying out traffic safety as an international public health crisis and the United Nations General Assembly introduced the Decade of Action for Road Safety 2011-2020 and set the goal for the decade: "to stabilize and then reduce the forecast level of road traffic fatalities around the world" by 50% by 2020.

As of this writing, 18 U.S. cities have adopted Vision Zero programs (including New York City, Boston, Ft. Lauderdale, Austin, San Antonio, Washington DC, and Seattle) to reduce the numbers of fatal crashes occurring on their roads (<http://visionzeronetWORK.org/map-of-vision-zero-cities/>). California cities lead the way, with the cities of San Jose, San Francisco, San Mateo, San Diego, Los Angeles, Long Beach and Fremont having adopted Vision Zero strategies and many others are actively considering adoption.

In 2009 a national group of traffic safety stakeholders launched an effort called "Toward Zero Deaths: A National Strategy on Highway Safety". This initiative has been supported by the Federal Highway Administration (FHWA) (<http://safety.fhwa.dot.gov/tzd/>) and states throughout the United States, including California (http://www.ots.ca.gov/OTS_and_Traffic_Safety/About_OTs.asp).

This past January the U.S. Department of Transportation launched its "Mayors' Challenge for Safer People and Safer Streets." This effort calls on elected officials to partner with the USDOT and raise the bar for safety for people bicycling and walking by sharing resources, competing for awards, and taking action. The California cities of Beverly Hills, Davis, Maywood, Cupertino, Culver City, Rialto, Santa Monica, Porterville, Los Angeles, San Jose, Monterey, Glendale, Irvine, Oakland, Palo Alto, Alameda, West Hollywood and Fullerton signed on to this effort. Additionally, the Institute of Transportation Engineers (ITE), a leading organization for transportation professionals, recently launched a new initiative to aggressively advance the Vision Zero and Towards Zero Deaths movements (<http://library.ite.org/pub/ed59a040-caf4-5300-8ffc-35deb33ce03d>).

Ultimately all of these programs share the fundamental belief that a data-driven, systems-level, interdisciplinary approach can prevent severe and fatal injuries on our nation's roadways. They employ proven strategies, actions, and countermeasures across education, enforcement and engineering. Support for many of these life-saving programs extends far beyond government agencies, and includes National Association of City Transportation Officials (NACTO), American Association of State Highway and Transportation Officials (AASHTO), Kaiser Permanente, AARP, the National Safe Routes to School Partnership, and the International Association of Chiefs of Police, among many others.

There is wide-spread recognition that cities and towns need safe, efficient transportation systems to be economically prosperous. A resolution by the League of California Cities to support transportation safety policies like Vision Zero and Toward Zero Deaths, and encourage implementation of projects and programs that prioritize safety will help California elevate the health and safety of its residents and position us as a leader in national efforts to promote a culture of safe mobility for all.

//////////

League of California Cities Staff Analysis on Resolution No. 1

Staff: Rony Berdugo
Committee: Transportation, Communication, and Public Works

Summary:

The resolved clauses in Resolution No. 1: commits the League of California Cities to:

- 1) Supporting Vision Zero, Toward Zero Deaths, and other programs, policies, or initiatives that prioritize transportation safety;
- 2) Encouraging cities throughout California to join in these traffic safety initiatives to pursue the elimination of death and severe injury crashes on our roadways; and
- 3) Encouraging the State to consider adopting transportation safety as a top priority for transportation projects and policy formulation.

Background:

The City of San Jose notes national and international efforts to reduce fatal and severe injury traffic collisions through systematic data driven approaches, such as Vision Zero and Toward Zero Deaths. According to the World Health Organization (WHO), "Vision Zero is a traffic safety policy, developed in Sweden in the late 1990s and based on four elements: ethics, responsibility, a philosophy of safety, and creating mechanisms for change."¹ Below is a summary of each Vision Zero element, according to WHO:

1. Ethics – Life and health trump all other transportation benefits, such as mobility.
2. Responsibility – Responsibility for crashes and injuries is shared between the providers of the system and the road users.
3. Safety Philosophy – Asserts that a transportation system should account for the unstable relationship of human error with fast/heavy machinery to avoid deaths/serious injury, but accept crashes/minor injuries.
4. Driving Mechanisms for Change – Asserts that road users and providers must both work to guaranteeing road safety, taking measures such as: improving levels of seat belt use, installing crash-protective barriers, wider use of speed camera technology, increasing random breathalyzer tests, and promoting safety in transportation project contracts.

A Vision Zero City meets the following minimum standards:

- Sets clear goal of eliminating traffic fatalities and severe injuries
- Mayor has publicly, officially committed to Vision Zero
- Vision Zero plan or strategy is in place, or Mayor has committed to doing so in clear time frame
- Key city departments (including police, transportation and public health) are engaged

List of cities that meet the minimum Vision Zero standards nationally include: Anchorage, AK; Austin, TX; Boston, MA; Cambridge, MA; Denver, CO; Eugene, OR; Fort Lauderdale, FL; Fremont, CA; Los Angeles, CA; New York, NY; Portland, OR; Sacramento, CA; San Antonio, TX; San Diego, CA; San Francisco, CA; San Jose, CA; Seattle, WA; Washington, DC

List of cities that are considering adoption of Vision Zero nationally include: Ann Arbor, MI; Bellevue, OR; Bethlehem, PA; Chicago, IL; Columbia, MO; Houston, TX; Long Beach, CA;

¹ http://who.int/violence_injury_prevention/publications/road_traffic/world_report/chapter1.pdf

New Orleans, CA; Philadelphia, PA; Pittsburgh, PA; San Mateo, CA; Santa Ana, CA; Santa Cruz, CA; Santa Monica, CA; St. Paul, MN; Tampa, FL²

Vision Zero – Samples:

1. San Francisco – In 2015, the City established a two-year action strategy that outlines the projects and policy changes to implement its Vision Zero goal of zero traffic deaths by 2024. The strategy adopts five core principles, such as: 1) traffic deaths are preventable and unacceptable; 2) safety for all road modes and users is the highest priority; 3) transportation system design should anticipate inevitable human error; 4) education, enforcement, and vehicle technology contribute to a safe system; and 5) transportation systems should be designed for speeds that protect human life.³ The strategy focuses on engineering, enforcement, education, evaluation, and policy changes that can be made to achieve their goals. The City is working on projects, such as:
 - a. Creating protected bike lanes
 - b. Building wider sidewalks
 - c. Reducing traffic speeds⁴

The City is also exploring policy changes to state law that will allow the City to place traffic cameras near schools and senior centers to cite speeding drivers through automated speed enforcement.⁵

2. Los Angeles – the City has established a commitment to eliminate all traffic deaths by 2025. They have identified a network of streets, known as the High Injury Network (HIN)⁶, which maps out their areas of concern where they plan on making strategic investments in reducing deaths/severe injury. According to the City, only 6% of their city streets account for 2/3 of all deaths/severe injury for pedestrians. The City highlights the three following projects as part of their Vision Zero efforts⁷:
 - a. Installation of 22 new Leading Pedestrian Intervals (LPis) at signals throughout the city, which gives pedestrians a head start against right-turning vehicles when crossing
 - b. Installation of a pedestrian scramble at the intersection of Hollywood and Highland, which stops traffic in all four-directions during pedestrian crossing.
 - c. Installation of curb extensions along Cesar E. Chavez Avenue in their HIN, which reduces the crossing distance for pedestrians, narrows the intersections, and reduces speed for turning vehicles.

San Francisco’s Vision Zero Categories:

1. Engineering – implement treatments and redesign streets to reduce the frequency and severity of collisions (i.e. using/implementing: high injury network maps, signal timing, high visibility crosswalks, bus stop lengths, etc.)
2. Enforcement – use data driven approach to cite and focus on violations of the California Vehicular Code and S.F. Transportation Code that identify as causative in severe and fatal collisions (i.e. explore implementation of E-citation Pilot, reporting on traffic collision data, police training, etc.)

² <http://visionzeronet.org/wp-content/uploads/2016/02/VZ-map-April-20-2016-4.jpg>

³ <http://www.joomag.com/magazine/vision-zero-san-francisco/0685197001423594455?short>

⁴ <http://visionzerosf.org/vision-zero-in-action/engineering-streets-for-safety/>

⁵ <http://visionzerosf.org/vision-zero-in-action/public-policy-for-change/>

⁶ <http://ladot.maps.arcgis.com/apps/MapJournal/index.html?appid=488062f00db44ef0a29bf481aa337cb3>

⁷ <http://visionzero.lacity.org/actions/>

3. Education – coordinate among city departments to create citywide strategy for outreach and safety programs, such as Safe Routes to Schools. (i.e. education campaign includes – Safe Streets SF, large vehicle safe driving for municipal vehicles, etc.)
4. Evaluation – evaluate the impact of engineering, enforcement, education and policy efforts to provide recommendations for refinement (i.e. use of web-based data sharing and tracking systems for transparency and accountability).
5. Policy – support and mobilize local and state policy initiatives that advance Vision Zero (i.e. Advance Automated Safety Enforcement initiative at the state level, in-vehicle technology usage, partnering with state and federal agencies on administrative and legal issues, etc.)

In its annual reporting, the City has established the following measures for successful benchmarks:

- Decreasing total severe and fatal injuries
- Decreasing the proportion of severe and fatal injuries in communities of concern to address social inequities
- Decreasing medical costs at SF General Hospital relating to collisions
- Increasing the number of engineering projects and miles of streets receiving safety improvements
- Decreasing the speeds on SF streets
- Increasing investigation and prosecution of vehicular manslaughter
- Increasing public awareness of Vision Zero and traffic safety laws
- Increasing policy changes made at the state and local levels to advance Vision Zero

Toward Zero Deaths – The Federal Highway Administration (FHWA) within the United States Department of Transportation (USDOT) is committed to the vision of eliminating fatalities and serious injuries on national roadways. FHWA has a strategic goal of ensuring the “nation’s highway system provides safe, reliable, effective, and sustainable mobility for all users.”⁸ It is essentially the national version of Vision Zero administered primarily through the Highway Safety Improvement Program (HSIP).

At the state level, the California Office of Traffic Safety (OTS) has a mission to “effectively and efficiently administer traffic safety grant funds to reduce traffic deaths, injuries, and economic losses.”⁹ They make available grants to local and state public agencies for traffic law enforcement, public traffic safety education, and other programs aimed at reducing fatalities, injuries, and economic loss from collisions.

Support: City of Fremont, City of Los Angeles, City of Sacramento, City of San Francisco, City of San Jose, City of Santa Monica, and City of West Hollywood

Opposition: One individual

Fiscal Impact: Unknown. The costs to any particular city can vary tremendously depending on the level and scope of investment any particular city would seek to make. For example, the City of San Francisco has Vision Zero project costs ranging from \$30,000 for pedestrian safety treatments up to \$12,000,000 for a Streetscape project. The cost of any particular effort could be well below, above, and anywhere between those ranges for Vision Zero implementation.

⁸ <http://safety.fhwa.dot.gov/tzd/>

⁹ http://www.ots.ca.gov/OTS_and_Traffic_Safety/About_OTs.asp

Comment:

- 1) Policy committee members are encouraged to consider carefully how the adoption of the resolved clause in this resolution may affect the League's future policy when it comes to advocating for transportation funding and other existing priorities. While the clause "encouraging cities throughout California to join in these traffic safety initiatives to pursue the elimination of death and severe injury crashes on our roadways" provides an opportunity to highlight strategies that can be considered to improve transportation safety, two other aspects of the resolved appear to establish new policy for the organization in that it would "commit" the League to:
 - Supporting Vision Zero, Toward Zero Deaths, and other programs, policies, or initiatives that prioritize transportation safety.
 - Encouraging the State to consider adopting transportation safety as a top priority for transportation projects and policy formulation.
- 2) Effects of various strategies to improve transportation safety can vary. According to an article published in the San Francisco Chronicle on March 26, 2016, deaths in San Francisco traffic were not falling despite Vision Zero efforts.¹⁰ The article notes that there were seven deaths in 2016, while there was only one in the first 10 weeks of 2015 and seven in 2014 during the same period. The San Francisco Department of Public Health commented that despite these incidents, it's too early to make any conclusions about Vision Zero's effectiveness. In Los Angeles, however, the city has cited significant decreases in severe and fatal injuries with implementation of certain technologies, such as installation of pedestrian scrambles. The success of Vision Zero in any particular city will likely depend on the level of investment and scope of the project(s) as the projects can vary widely.
- 3) In the fifth "Whereas" clause from the top, the word "principal" should be "principle."

Existing League Policy: "The League supports additional funding for local transportation and other critical unmet infrastructure needs. One of the League's priorities is to support a consistent and continuous appropriation of new monies from various sources directly to cities and counties for the preservation, maintenance and rehabilitation of the local street and road system. New and additional revenues should meet the following policies:

- System Preservation and Maintenance. Given the substantial needs for all modes of transportation, a significant portion of new revenues should be focused on system preservation. Once the system has been brought to a state of good repair, revenues for maintenance of the system would be reduced to a level that enables sufficient recurring maintenance.
- Commitment to Efficiency. Priority should be given to using and improving current systems. Recipients of revenues should incorporate operational improvements and new technology in projects.
- All Users Based System. New revenues should be borne by all users of the system from the traditional personal vehicle that relies solely on gasoline, to those with new hybrid or electric technology, to commercial vehicles moving goods in the state, and even transit, bicyclists, and pedestrians who also benefit from the use of an integrated transportation network.
- Alternative Funding Mechanisms. Given that new technologies continue to improve the efficiency of many types of transportation methods, transportation stakeholders must be open to new alternative funding mechanisms. Further, the goal of reducing greenhouse gases is also expected to affect vehicle miles traveled, thus further reduce gasoline consumption and revenue from the existing gas tax. The

¹⁰ <http://www.sfchronicle.com/bayarea/article/Deaths-in-S-F-traffic-not-falling-despite-Vision-7182486.php>

existing user based fee, such as the base \$0.18-cent gas tax is a declining revenue source.

Collectively, we must have the political will to push for sustainable transportation revenues.

- Unified Statewide Solution. For statewide revenues, all transportation stakeholders must stand united in the search for new revenues. Any new statewide revenues should address the needs of the entire statewide transportation network, focused in areas where there is defensible and documented need.
- Equity. New revenues should be distributed in an equitable manner, benefiting both the north and south and urban, suburban, and rural areas as well as being equally split between state and local projects.
- Flexibility. Needs vary from region to region and city to city. New revenues and revenue authority should provide the flexibility for the appropriate level of government to meet the goals of the constituents.
- Accountability. All tax dollars should be spent properly, and recipients of new revenues should be held accountable to the taxpayers, whether at the state or local level.”¹¹

Additionally, the League adopted to “Increase Funding for Critical Transportation and Water Infrastructure” as its number one strategic goal for 2016. It reads, “Provide additional state and federal financial assistance and new local financing tools to help meet the critical transportation (streets, bridges, active transportation, and transit) and water (supply, sewer, storm water, flood control, etc.) infrastructure maintenance and construction needs throughout California’s cities.”¹²

¹¹ <http://www.cacities.org/Resources-Documents/Policy-Advocacy-Section/Policy-Development/2016-Summary-of-Existing-Policy-and-Guiding-Princi.aspx>

¹² <http://www.cacities.org/Secondary/About-Us/Strategic-Priorities>

LETTERS OF CONCURRENCE

Resolution No. 1

VISION ZERO



Office of the Mayor

3300 Capitol Avenue, Building A | P.O. Box 5006, Fremont, CA 94537-5006

510 284-4011 *ph* | 510 284-4001 *fax* | www.fremont.gov

July 21, 2016

The Honorable Dennis Michael, President
League of California Cities
1400 K Street
Sacramento, California 95814

RE: A RESOLUTION OF THE LEAGUE OF CALIFORNIA CITIES SUPPORTING THE ADOPTION AND IMPLEMENTATION OF INITIATIVES TO PRIORITIZE TRAFFIC SAFETY THROUGHOUT CALIFORNIA

Dear President Michael,

The City of Fremont enthusiastically endorses the proposed resolution to support the implementation of initiatives to eliminate traffic deaths and severe injuries on our roadways. Fremont is among the early adopters of the Vision Zero traffic safety strategy. With City Council's approval of our Fremont Vision Zero 2020 action plan in March 2016, we are already seeing the benefits of building a safety first culture in our community.

I strongly encourage other California cities to join a growing coalition of support for Vision Zero. Accordingly, we concur in the submission of the resolution for consideration by the League of Cities General Assembly at its annual meeting on October 5, 2016.

Traffic fatalities in America hit a seven-year high in 2015 and is estimated to have exceeded 35,000 people. This is about double the average of peer nations and must be addressed. Safety of our residents and visitors is paramount and this is especially true on the roads and streets of our cities. We must put safety as the top priority for all users of our streets. It is fundamental for the prosperity of California cities as safe, efficient, organized transportation systems are essential for economically vibrant and sustainable communities.

The City of Fremont has embraced Vision Zero and we are in strong support of expanded transportation safety in California cities and support the proposed Resolution.

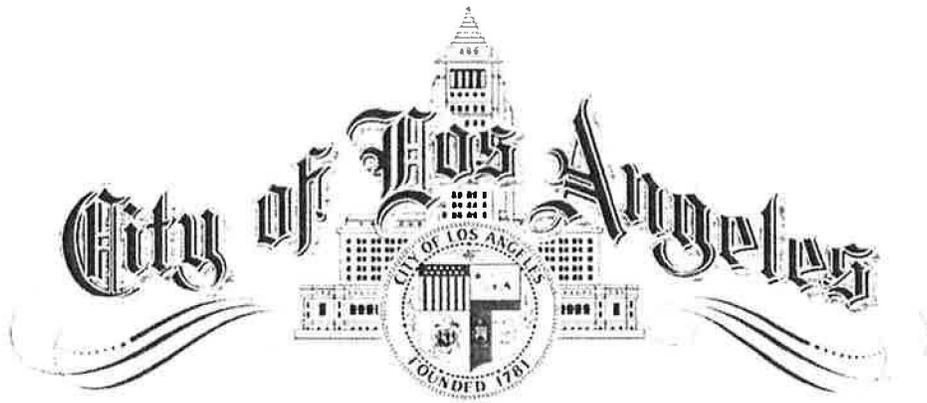
Sincerely,

A handwritten signature in black ink that reads "Bill Harrison".

Bill Harrison

Mayor





CITY HALL
LOS ANGELES, CALIFORNIA 90012

August 2, 2016

The Honorable Dennis Michael
President
League of California Cities
1400 K Street
Sacramento, California 95814

RE: League of California Cities Resolution Supporting Initiatives to Prioritize Traffic Safety

Dear President Michael:

We write in support of the proposed resolution to support the adoption and implementation of Vision Zero initiatives throughout California to eliminate traffic fatalities and injuries. Vision Zero and Towards Zero Deaths strategies have been adopted in cities throughout California, including the City of Los Angeles. Accordingly, we concur in the submission of the resolution for consideration by the League of Cities General Assembly at its annual meeting on October 5, 2016.

Every year, more than 200 people are killed while trying to move around Los Angeles. Nearly half of the people who die on Los Angeles streets are people walking and bicycling, and an alarming number of them are children and older adults. The safety of our residents and visitors is paramount. If we can realize Vision Zero throughout California, children will be safer walking to school, families will be safer going to the park, and commuters will be safer getting to work.

The City of Los Angeles adopted Vision Zero as part of its Transportation Strategic Plan, and an executive directive was issued in 2015 directing its implementation. We are in strong support of Vision Zero in California, and we support the proposed Resolution.

Sincerely,

ERIC GARCETTI
Mayor

JOE BUSCAINO
Councilmember, 15th District
League of California Cities Representative



OFFICE OF THE
CITY COUNCIL

CITY OF SACRAMENTO
CALIFORNIA

JAY SCHENIRER

COUNCILMEMBER
DISTRICT FIVE

July 27, 2016

The Honorable Dennis Michael, President
League of California Cities
1400 K Street
Sacramento, California 95814

RE: RESOLUTION OF THE LEAGUE OF CALIFORNIA CITIES SUPPORTING THE ADOPTION
AND IMPLEMENTATION OF INITIATIVES TO PRIORITIZE TRAFFIC SAFETY
THROUGHOUT CALIFORNIA

Dear President Michael,

The City of Sacramento supports the proposed resolution to support the adoption and implementation of initiatives to prioritize transportation safety toward eliminating death and severe injuries on our roadways. **Vision Zero** and **Towards Zero Deaths** strategies have been adopted in many cities and Sacramento is currently developing its own **Vision Zero Action Plan**.

Accordingly, we concur in the submission of the resolution for consideration by the League of Cities General Assembly at its annual meeting on October 5, 2016.

Traffic fatalities in America hit a seven-year high in 2015 and are estimated to have exceeded 35,000 people. This is about double the average of peer nations and must be addressed. Safety of our residents and visitors is paramount and this is especially true on roads and streets of our cities. We must put safety as a top priority for all users of our streets. It is fundamental for prosperity of California cities as safety, efficient, organized transportation systems are essential for economically vibrant and sustainable communities.

The City of Sacramento is in strong support of prioritized and expanded transportation safety in California cities and supports the proposed Resolution.

Sincerely,

Jay Schenirer, Council Member
Chair, Law & Legislation Committee



THE CITY OF SAN DIEGO

August 9, 2016

The Honorable Dennis Michael, President
League of California Cities
1400 K Street
Sacramento, CA 95814

Dear President Michael:

RE: A resolution of the league of California Cities Supporting the Adoption and Implementation of Initiatives to Prioritize Traffic Safety throughout California

The City of San Diego Transportation & Storm Water Department supports the proposed resolution to support the adoption and implementation of initiatives to eliminate death and severe injuries on our roadways. Vision Zero and Towards Zero Deaths strategies have been adopted in numerous cities throughout California, including the City of San Diego (Attachment 1). Accordingly, we concur in the submission of the resolution for consideration by the League of Cities General Assembly at its annual meeting on October 5, 2016.

Traffic fatalities in America hit a seven-year high in 2015 and is estimated to have exceeded 35,000 people. This is about double the average of peer nations and must be addressed. Safety of our residents and visitors is paramount and this is especially true on the roads and streets of our cities. We must put safety as the top priority for all users of our streets. It is fundamental for the prosperity of California cities as safe, efficient, organized transportation systems are essential for economically vibrant and sustainable communities.

The City of San Diego Transportation & Storm Water Department has embraced Vision Zero/Towards Zero Death and I am in strong support of expanded transportation safety in California cities and support the proposed Resolution.

Sincerely,

Kris McFadden
Director

Attachment: A Resolution of the Council of the City of San Diego Adopting a Vision Zero Plan to Eliminate Traffic Fatalities and Serious Injuries in the Next Ten Years

cc: Katherine Johnston, Director of Infrastructure and Budget Policy, Office of the Mayor
Kristin Tillquist, Director of State Government Affairs, Office of the Mayor
Vic Bienes, Assistant Director, Transportation & Storm Water Department
Linda Marabian, Deputy Director, Traffic Engineering Operations



Transportation & Storm Water Department

202 C Street, 9th Floor, MS 9A • San Diego, CA 92101
September 6, 2016 Council Packet

RESOLUTION NUMBER R- 310042

DATE OF FINAL PASSAGE NOV 03 2015

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO ADOPTING A VISION ZERO PLAN TO ELIMINATE TRAFFIC FATALITIES AND SERIOUS INJURIES IN THE NEXT TEN YEARS.

WHEREAS, on average one person each day is seriously injured or killed on the road while walking, bicycling, or driving the streets of San Diego; and,

WHEREAS, the City has adopted numerous studies and plans that outline design concepts to improve safety for people walking and biking in the City including a Pedestrian Master Plan and Bicycle Master Plan; and,

WHEREAS, the City of San Diego's draft Climate Action Plan proposes to achieve 50 percent of commuter mode share for walking, biking and transit use in transit priority areas by 2050 and safer conditions for walking and biking can help implement this Plan; and,

WHEREAS, the City will increase in population by approximately 30 percent by 2050 and the majority of growth will result from infill development thereby increasing demand for safe walking and bicycling; and,

WHEREAS, communities in San Diego have prioritized infrastructure projects that improve walking and biking safety among other project types as represented by the Community Planning Committee report to Infrastructure Committee in November 2013; and,

WHEREAS, the City incurs costs to respond to lawsuits alleging the City's failure to provide safer streets; and,

WHEREAS, restoring infrastructure in the City is a priority of the Council and Mayor; and,

WHEREAS, Vision Zero provides a framework for reducing traffic deaths to zero through a combination of safe engineering measures, education, and enforcement practices; and,

WHEREAS, Vision Zero has been adopted in many cities throughout the country, most notably in New York City which has seen the lowest number of pedestrian fatalities in its first year of implementation since documentation began in 1910; and,

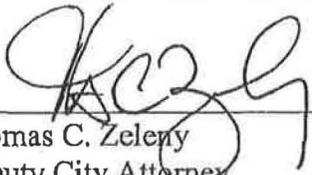
WHEREAS, Circulate San Diego is convening an Advisory Committee to advance Vision Zero Goals; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that it hereby adopts a goal of eliminating traffic deaths and serious injuries by 2025; and

BE IT FURTHER RESOLVED, by the Council of the City of San Diego, that it urges City staff from the Mayor's office, Transportation and Stormwater Department, San Diego Police Department, and a representative of the City's Bicycle Advisory Committee to attend meetings of Circulate San Diego's Vision Zero Advisory Committee for a limited time to develop a traffic safety plan that will help the City reach the goal of zero traffic deaths and serious injuries; and

BE IT FURTHER RESOLVED, that the traffic safety plan will be guided by innovative engineering solutions to improve road safety for all users, especially the most vulnerable; will measure and evaluate performance annually; and will include enforcement and education strategies to prevent the most dangerous behaviors that cause public harm, especially along the corridors where collisions are most frequent.

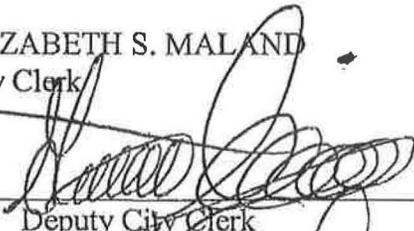
APPROVED: JAN I. GOLDSMITH, City Attorney

By 
Thomas C. Zeleny
Deputy City Attorney

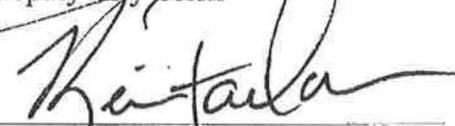
TCZ:cfq
September 24, 2015
Or.Dept:Envir. Comm.
Doc. No.: 1116742

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of OCT 27 2015

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 11/2/15
(date)


KEVIN L. FAULCONER, Mayor

Vetoed: _____
(date)

KEVIN L. FAULCONER, Mayor

Passed by the Council of The City of San Diego on OCT 27 2015, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Sherri Lightner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lorie Zapf	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Todd Gloria	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Myrtle Cole	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mark Kersey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Cate	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott Sherman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
David Alvarez	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Marti Emerald	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage NOV 03 2015

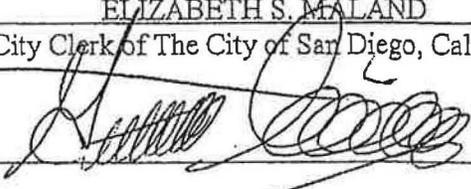
(Please note: When a resolution is approved by the Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)

AUTHENTICATED BY:

KEVIN L. FAULCONER
Mayor of The City of San Diego, California.

ELIZABETH S. MALAND
City Clerk of The City of San Diego, California.

(Seal)

By , Deputy

Office of the City Clerk, San Diego, California

Resolution Number R- 310042



August 1, 2016

The Honorable Dennis Michael
President, League of California Cities
1400 K Street
Sacramento, CA 95814

Re: Resolution of the League of California Cities Supporting the Adoption and Implementation of Initiatives to Prioritize Traffic Safety Throughout California

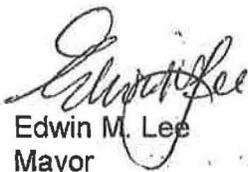
Dear President Michael,

On behalf of the City and County of San Francisco, I am writing to express my support for the proposed resolution to support the adoption and implementation of initiatives to eliminate death and severe injuries on our roadways. Vision Zero and Towards Zero Deaths strategies have been adopted in numerous cities throughout California including San Francisco, San Jose, San Mateo, San Diego, Los Angeles, Santa Barbara, and Santa Monica. Accordingly, I encourage the submission of the resolution to support Vision Zero, Toward Zero Deaths, and other initiatives that make traffic safety a priority, which will be considered by the League of Cities General Assembly at its annual meeting on October 5, 2016.

Every year in San Francisco, approximately 30 people lose their lives and over 200 more are seriously injured while traveling on our streets. These deaths and injuries are unacceptable and preventable, and the City is strongly committed to stopping further loss of life. San Francisco adopted Vision Zero as a policy in 2014, committing to build better and safer streets, educate the public on traffic safety, enforce traffic laws, and adopt policy changes that save lives. Our goal is to create a culture that prioritizes traffic safety and to ensure that mistakes on our roadways do not result in serious injuries or deaths. The safety of our residents and the over 18 million visitors that use our streets each year is paramount, and the same holds true for cities across the California, which need safe, efficient, and organized transportation systems to support economically vibrant and sustainable communities.

The City and County of San Francisco has embraced Vision Zero, and I am in strong support of expanded transportation safety in California cities and, in turn, the proposed Resolution.

Sincerely,


Edwin M. Lee
Mayor



City of
Santa Monica®

Mayor Tony Vazquez
Mayor Pro Tempore Ted Winterer

Councilmembers

Gleam Davis
Sue Himmelrich
Kevin McKeown
Pam O'Connor
Terry O'Day

July 21, 2016

The Honorable Dennis Michael, President
League of California Cities
1400 K Street
Sacramento, California 95814

RE: THE LEAGUE OF CALIFORNIA CITIES CONSIDERATION OF INITIATIVES TO PRIORITIZE TRAFFIC SAFETY THROUGHOUT CALIFORNIA

Dear President Michael:

The City of Santa Monica supports initiatives to eliminate death and severe injuries on our roadways. Vision Zero and Towards Zero Deaths strategies have been adopted in numerous cities throughout California, leading to the submission of the resolution for consideration by the League of Cities General Assembly at its annual meeting on October 5, 2016.

The City of Santa Monica embraced Secretary Anthony Foxx's Mayor's Challenge for *Safer People, Safer Streets* in March 2015. Simultaneously, the Council directed staff to initiate work on Vision Zero and 8-80 cities – a movement created by Gil Penalosa, to make cities that work for people aged 8 to 80. Combined, these two efforts aim to create streets that are safe and comfortable for people in all modes and of all abilities. In February 2016 the Santa Monica City Council adopted a Vision Zero target in our first Pedestrian Action Plan. We are now actively working to incorporate these visionary targets into City operations.

Our City cares deeply about the safety of our people, and their ability to access good, services, education, social networks and employment. Creating a New Model for Mobility is one of the Council's Five Strategic Goals, identified to organize and advance work on our top priorities. A safe mobility network supports our urgent need to provide transportation options that reduce greenhouse gas emissions, and provide equitable access to places and activities that support community Wellbeing. Reducing and ultimately eliminating severe injury and fatal crashes part of a resilient, safe and prosperous community.

Traffic fatalities in America hit a seven-year high in 2015 and is estimated to have exceeded 35,000 people. This is about double the average of peer nations and must be addressed. Safety of our residents and visitors is paramount and this is especially true on the roads and streets of our cities. We must put safety as the top priority for all users of our streets. It is fundamental for the prosperity of California cities as safe, efficient, organized transportation systems are essential for economically vibrant and sustainable communities.

The City of Santa Monica has embraced **Vision Zero/Towards Zero Deaths** and I am in strong support of expanded transportation safety in California cities.

Sincerely,


Tony Vazquez
Mayor

1685 Main Street • PO Box 2200 • Santa Monica • CA 90407-2200
tel: 310 458-8201 • fax: 310 458-1621 • e-mail: council@smgov.net



CITY OF WEST HOLLYWOOD

CITY HALL
3300 SANTA MONICA BLVD.
WEST HOLLYWOOD, CA
90069-6216
TEL: (323) 848-6460
FAX: (323) 848-6562

OFFICE OF THE CITY MANAGER

PAUL AREVALO
CITY MANAGER

July 21, 2016

The Honorable L. Dennis Michael, President
League of California Cities
1400 K Street
Sacramento, California 95814

RESOLUTION OF THE LEAGUE OF CALIFORNIA CITIES SUPPORTING THE ADOPTION AND IMPLEMENTATION OF INITIATIVES TO PRIORITIZE TRAFFIC SAFETY THROUGHOUT CALIFORNIA - SUPPORT

Dear President Michael:

The City of West Hollywood supports the proposed resolution to support the adoption and implementation of initiatives to eliminate death and severe injuries on our roadways. *Vision Zero* and *Towards Zero Deaths* strategies have been adopted in numerous cities throughout California. Accordingly, we concur in the submission of the resolution for consideration by the League of Cities General Assembly at its annual meeting on October 5, 2016.

Traffic fatalities in America hit a seven-year high in 2015, and it is estimated to have exceeded 35,000 people. This is about double the average of peer nations and must be addressed. Safety of our residents and visitors is paramount and this is especially true on the roads and streets of our cities. We must put safety as the top priority for all users of our streets. It is fundamental for the prosperity of California cities as safe, efficient, organized transportation systems are essential for economically vibrant and sustainable communities.

The City of West Hollywood is in strong support of expanded transportation safety in California cities and support the proposed Resolution.

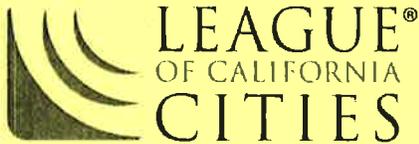
Sincerely,

Paul Arevalo,
CITY MANAGER

c: Honorable Members of the West Hollywood City Council

Annual Conference Voting Procedures

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



CITY: _____

2016 ANNUAL CONFERENCE
VOTING DELEGATE/ALTERNATE FORM

Please complete this form and return it to the League office by Friday, September 23, 2016. Forms not sent by this deadline may be submitted to the Voting Delegate Desk located in the Annual Conference Registration Area. Your city council may designate one voting delegate and up to two alternates.

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

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

1. VOTING DELEGATE

Name: _____

Title: _____

2. VOTING DELEGATE - ALTERNATE

Name: _____

Title: _____

3. VOTING DELEGATE - ALTERNATE

Name: _____

Title: _____

PLEASE ATTACH COUNCIL RESOLUTION DESIGNATING VOTING DELEGATE AND ALTERNATES.

OR

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

Name: _____ E-mail _____

Mayor or City Clerk _____ Phone: _____
(circle one) (signature)

Date: _____

Please complete and return by Friday, September 23, 2016

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

FAX: (916) 658-8240
E-mail: kgibson@cacities.org
(916) 658-8247