



CITY OF HUGHSON
CITY COUNCIL MEETING
CITY HALL COUNCIL CHAMBERS
7018 Pine Street, Hughson, CA

AGENDA
MONDAY, OCTOBER 14, 2013 – 7:00 P.M.

CALL TO ORDER: Mayor Matt Beekman

ROLL CALL: Mayor Matt Beekman
Mayor Pro Tem Jeramy Young
Councilmember Jill Silva
Councilmember George Carr
Councilmember Harold Hill

FLAG SALUTE: Mayor Matt Beekman

INVOCATION:

1. PUBLIC BUSINESS FROM THE FLOOR (No Action Can Be Taken):

Members of the audience may address the City Council on any item of interest to the public pertaining to the City and may step to the podium, state their name and city of residence for the record (requirement of name and city of residence is optional) and make their presentation. Please limit presentations to five minutes. Since the City Council cannot take action on matters not on the agenda, unless the action is authorized by Section 54954.2 of the Government Code, items of concern, which are not urgent in nature can be resolved more expeditiously by completing and submitting to the City Clerk a "Citizen Request Form" which may be obtained from the City Clerk.

2. PRESENTATIONS: None.

3. CONSENT CALENDAR:

All items listed on the Consent Calendar are to be acted upon by a single action of the City Council unless otherwise requested by an individual Councilmember for special consideration. Otherwise, the recommendation of staff will be accepted and acted upon by roll call vote.

3.1: Approve the September 23, 2013 Regular Meeting Minutes.

3.2: Approve the Warrants Register.

ADJOURNMENT:

WAIVER WARNING

If you challenge a decision/direction of the City Council in court, you may be limited to raising only those issues you or someone else raised at a public hearing(s) described in this Agenda, or in written correspondence delivered to the City of Hughson at or prior to, the public hearing(s).

UPCOMING EVENTS:

October 15	▪ Planning Commission Meeting, City Hall Chamber Room, 6:00p.m.
October 28	▪ City Council Meeting, City Hall Chamber Room, 7:00p.m.
October 31	▪ Trunk or Tent & Treat Event, LeBright Fields, 5:00 p.m.- 9:00 p.m.
November 5	▪ Election Day
November 11	▪ Veterans Day- Holiday- City Hall will be Closed.
November 12	▪ City Council Meeting, City Hall Chamber Room, 7:00p.m. (Tuesday)
November 14	▪ Congressman Jeff Denham’s Mobile Office, City Hall, 11-12 p.m.
November 19	▪ Planning Commission Meeting, City Hall Chamber Room, 6:00p.m.
November 25	▪ City Council Meeting, City Hall Chamber Room, 7:00p.m.
November 23-24	▪ 20 th Century Arts & Crafts Faire, Hughson High School, 9a.m.- 4p.m.
November 28-29	▪ Thanksgiving- Holiday- City Hall will be Closed.
November 30	▪ Downtown Christmas Festival

RULES FOR ADDRESSING CITY COUNCIL

Members of the audience who wish to address the City Council are requested to complete one of the forms located on the table at the entrance of the Council Chambers and submit it to the City Clerk. **Filling out the card is voluntary.**

**AMERICANS WITH DISABILITIES ACT/CALIFORNIA BROWN ACT
NOTIFICATION FOR THE CITY OF HUGHSON**

This Agenda shall be made available upon request in alternative formats to persons with a disability; as required by the Americans with Disabilities Act of 1990 (42 U.S.C. Section 12132) and the Ralph M. Brown Act (California Government Code Section 54954.2).

Disabled or Special needs Accommodation: In compliance with the Americans with Disabilities Act, persons requesting a disability related modification or accommodation in order to participate in the meeting and/or if you need assistance to attend or participate in a City Council meeting, please contact the City Clerk’s office at (209) 883-4054. Notification at least 48-hours prior to the meeting will assist the City Clerk in assuring that reasonable accommodations are made to provide accessibility to the meeting.

AFFIDAVIT OF POSTING

DATE: October 11, 2013 **TIME:** 5:00pm
NAME: Dominique Spinale **TITLE:** Deputy City Clerk

Notice Regarding Non-English Speakers:

Pursuant to California Constitution Article III, Section IV, establishing English as the official language for the State of California, and in accordance with California Code of Civil Procedures Section 185, which requires proceedings before any State Court to be in English, notice is hereby given that all proceedings before the City of Hughson City Council shall be in English and anyone wishing to address the Council is required to have a translator present who will take an oath to make an accurate translation from any language not English into the English language.

General Information: The Hughson City Council meets in the Council Chambers on the second and fourth Mondays of each month at 7:00 p.m., unless otherwise noticed.

Council Agendas: The City Council agenda is now available for public review at the City's website at www.hughson.org and City Clerk's Office, 7018 Pine Street, Hughson, California on the Friday, prior to the scheduled meeting. Copies and/or subscriptions can be purchased for a nominal fee through the City Clerk's Office.

Questions: Contact the City Clerk at (209) 883-4054.



CITY OF HUGHSON AGENDA ITEM NO. 3.1 SECTION 3: CONSENT CALENDAR

Meeting Date: October 14, 2013
Subject: Approval of the City Council Minutes
Presented By: Dominique Spinale, Deputy City Clerk

Approved By: _____

Staff Recommendation:

Approve the Regular Meeting Minutes September 23, 2013 as presented.

Background and Overview:

The Draft Minutes of the September 23, 2013 meetings are prepared for the City Council's review.



CITY OF HUGHSON
CITY COUNCIL MEETING
CITY HALL COUNCIL CHAMBERS
7018 Pine Street, Hughson, CA

MINUTES
MONDAY, SEPTEMBER 23, 2013 – 7:00 P.M.

CALL TO ORDER: Mayor Matt Beekman

ROLL CALL:

Present: Mayor Matt Beekman
Councilmember Jill Silva
Councilmember George Carr
Councilmember Harold Hill

Absent: Mayor Pro Tem Jeramy Young

Staff Present: Raul Mendez, City Manager
Daniel J. Schroeder, City Attorney
Darin Gharat, Chief of Police Services
Dominique Spinale, Management Analyst/Deputy City Clerk
Lisa Whiteside, Finance Manager
Sam Rush, Public Works Superintendent

FLAG SALUTE: Mayor Matt Beekman

INVOCATION: Mayor Matt Beekman

1. PUBLIC BUSINESS FROM THE FLOOR (No Action Can Be Taken):

Hughson Library Branch Manager Heather Bailey provided an update on the events that took place at the Library last month and advised the Council of upcoming events for October.

Jean Henley with the Hughson United Methodist Church spoke to the Council concerning the water fee the church is paying for fire protection water service. Mayor Beekman directed staff to research her concerns and provide a response to Ms. Henley.

2. PRESENTATIONS:

- 2.1:** The Tuolumne River Regional Park, by the Hispanic Youth Leadership Council.

The Hispanic Youth Leadership presented a PowerPoint. Each member of the leadership council was presented with a city pin from the City Manager for their participation in the City Council meeting.

3. CONSENT CALENDAR:

All items listed on the Consent Calendar are to be acted upon by a single action of the City Council unless otherwise requested by an individual Councilmember for special consideration. Otherwise, the recommendation of staff will be accepted and acted upon by roll call vote.

- 3.1:** Approve the September 9, 2013 Regular Meeting and the September 16, 2013 Special Meeting Minutes.
- 3.2:** Approve the Warrants Register.
- 3.3:** Approve a Compressed Natural Gas Fueling Agreement between the City of Hughson and the City of Turlock and Authorize the City Manager to Execute the Agreement.

Beekman/Silva 4-0-0-1 (Young – Absent) motion passes to approve the Consent Calendar as presented.

4. UNFINISHED BUSINESS:

- 4.1:** Review and Approve the Fiscal Year 2013-2014 Final Budget.

Director Souza presented this item and reviewed it with the Council.

Silva/Carr 4-0-0-1 (Young-Absent) motion passes to approve the FY 2013-2014 Final Budget.

Beekman/Carr 4-0-0-1 (Young-Absent) motion passes to adopt Resolution No. 2013-29, approving the FY 2013-2014 Final Budget.

- 4.2:** Update on the City of Hughson Lighting and Landscaping Districts and Benefit Assessment Districts.

City Manager Mendez presented the staff report on this item. Dave Ketcham, Director of NBS Government Solutions was present to discuss and provide feedback on this item with the Council and City staff.

5. PUBLIC HEARING TO CONSIDER THE FOLLOWING: None.

6. NEW BUSINESS:

- 6.1:** Review and Approve the Expansion of the Hughson Business Assistance Programs and Technical Support for Implementation.

City Manager Mendez presented the Staff Report on this item.

Hill/Beekman 4-0-0-1 (Young-Absent) motion passes to approve the expansion of the Hughson Business Assistance Programs and Technical Support for Implementation. This action includes; 1) Approving the expansion of the Hughson business assistance programs through the creation of a new incentive program for existing and new businesses, 2) Authorizing the City Manager to develop the application process and program guidelines for the incentive program to be utilized by the Economic Development Committee, and 3) Authorizing the City Manager to execute an amendment to the agreement with the Stanislaus Economic Development and Workforce Alliance to include a component for increased support of the Hughson business assistance programs by the Alliance Small Business Development Center.

7. CORRESPONDENCE: None.**8. COMMENTS:**

- 8.1:** Staff Reports and Comments: (Information Only – No Action)

City Manager: City Manager Mendez updated the Council on the League of CA Cities Conference, the Hughson Harvest Festival, and the Hughson Family Resource Center Dinner scheduled for September 24.

City Clerk: City Clerk Spinale updated the Council on the purchase of IPADS for Council and Staff, the status of the Planning Commission vacancy, and audio repairs made to the City Chambers.

Community Development Director: Director Clark updated the Council on the PG&E Project.

Director of Finance:

Police Services: Chief Gharat updated the Council on the Hughson Harvest Festival.

City Attorney:

8.2: Council Comments: (Information Only – No Action)

Councilmember Carr updated the Council on his attendance at the Mosquito Abatement District meeting and then thanked Mayor Pro Tem Young, the Chamber of Commerce, and the deputies for their work on the Harvest Festival.

Councilmember Silva updated the Council on her attendance at the IRWMP meeting and the Harvest Festival.

Councilmember Hill updated the Council on his attendance at the League of CA Cities quarterly dinner.

8.3: Mayor’s Comments: (Information Only – No Action)

Mayor Beekman updated the Council on his attendance at the StanCOG meeting and the Economic Development Committee discussion.

9. CLOSED SESSION TO DISCUSS THE FOLLOWING: 8:50 P.M.

9.1: CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
Initiation of litigation pursuant to subdivision (c) of Section 54956.9:

One (1) potential case

10. REPORT FROM CLOSED SESSION: 8:56 P.M.

No reportable action was taken.

ADJOURNMENT:

Councilmember Silva, followed by Councilmember Hill motioned to adjourn the meeting. The meeting adjourned at 8:56 P.M.

MATT BEEKMAN, Mayor

DOMINIQUE SPINALE, Deputy City Clerk



CITY OF HUGHSON AGENDA ITEM NO. 3.2

SECTION 3: CONSENT CALENDAR

Meeting Date: October 14, 2013
Subject: Approval of Warrants Register
Enclosures: Warrant Register
Presented By: Lisa Whiteside, Finance Manager

Approved By: _____

Staff Recommendation:

Approve the Warrants Register as presented.

Background and Overview:

The warrant register presented to the City Council is a listing of all expenditures paid from October 3, 2013 through October 10, 2013.

Fiscal Impact:

There are reductions in various funds for payment of expenses.

REPORT.: Oct 10 13 Thursday
 RUN....: Oct 10 13 Time: 16:30
 Run By.: MARTHA SERRATO

City of Hughson
 Cash Disbursement Detail Report
 Check Listing for 10-13 Bank Account.: 0100

PAGE: 001
 ID #: PY-DP
 CTL.: HUG

lw

Check Number	Check Date	Vendor Number	Name	Net Amount	Invoice #	-----Payment Information----- Description
44370	10/3/2013	ATT01	AT&T	1831.56	B31002	PHONE
44371	10/3/2013	ATT03	AT&T	14.32	B31003	PHONE
44372	10/3/2013	BRE01	W.H. BRESHEARS	2414.39	241093	UNL ETH FUEL
44373	10/3/2013	CAL44	CALIFORNIA CONTRACTORS	195.44	85400	SAFETY TAPE
44374	10/3/2013	CHA01	CHARTER COMMUNICATION	84.99	B31002	IP ADDRESS 10/13
44375	10/3/2013	EXP00	EXPRESS PERSONNEL SERVICE	1344.99	130167133	EXTRA HELP WEEK ENDING
44376	10/3/2013	FRA03	FRANTZ WHOLESALE NURSERY	161.44 121.08 77.49	526771 526829 526860	REPLACEMENT TREE PLANTS CRUSHED ROCK
			Check Total:	360.01		
44377	10/3/2013	GEO01	GEOANALYTICAL LABS.	40.00 40.00	Z311706 Z311818	BACTI TEST NEW LINE BACTI TEST NEW LINE
			Check Total:	80.00		
44378	10/3/2013	GIB00	GIBBS MAINTENANCE CO	2350.00	15179	JANITOR SERVICES, STRIP & WAX FLOORS
44379	10/3/2013	GRA09	GRANT WRITING USA	425.00	B31002	GRANT WRITING CLASS D.SPI NALE
44380	10/3/2013	HUG08	CITY OF HUGHSON	4729.69	B31003	LLD WATER SERVICE
44381	10/3/2013	MEN20	MELENDEZ, RAUL	337.70	B31002	REIMB MEETING EXP LEAGUE OF CA CITIES
44382	10/3/2013	NBS00	NBS LOCAL GOVERNMENT SOL.	4606.50	6130099	LMD & BAD ADMIN FEES
44383	10/3/2013	PGE01	PG & E	216.22	B31002	UTILITIES
44384	10/3/2013	STA13	STATE WATER RESOURCES	230.00	B31002	GRADE II RENEWAL J.VELAZQUEZ
44385	10/3/2013	TES00	TESCO CONTROLS, INC	2520.20	52653IN	PLC & SCADA PROGRAM MODIFICATIONS
44386	10/3/2013	THA04	THALES CONSULTING, INC	1200.00	715	ANNUAL STREET REPORT
44387	10/3/2013	TRA00	TRACTOR SUPPLY CREDIT	263.66	2193132	SAFETY BOOTS FOR PUBLIC WORKS
44388	10/3/2013	TUL00	TULARE, CITY OF	1102.21	B31003	SHARE OF LEGAL FEES - AB
44389	10/3/2013	USA01	USA BLUE BOOK	360.89	154999	LAB SUPPLIES
44390	10/10/2013	ALL05	ALLIED ADMINISTRATORS	2095.45	B31004	DELTA DENTAL 11/13
44391	10/10/2013	ATT01	AT&T	20.88	B31010	PHONE
44392	10/10/2013	ATT02	AT&T MOBILITY	113.09	B31010	PHONE.
44393	10/10/2013	BAR02	BARTLE WELLS ASSOCIATES	2725.00	BWA443L	SERVICES THRU 8/30/13
44394	10/10/2013	CDP00	CALIFORNIA DEPARTMENT OF	5078.94	1360660	WATER SYSTEM FEES (7/1/12-6/30/13)
44395	10/10/2013	CEN30	CENTRAL CALIFORNIA GENER.	1686.97 957.62 226.06	682 683 684	REPLACE WATER PUMP AT THE WELL #6 GENERATOR REPAIR TO GEN. AT THE WATER TANK REPLACE BATTERY AT WELL #4 GENERATOR
			Check Total:	2870.65		
44396	10/10/2013	CON14	CONDOR EARTH TECHNOLOGIES	211.25	67101	GROUND WATER MONITORING
44397	10/10/2013	DUR00	DURON, LUIS	210.00	B31010	DAMAGE DEPOSIT REFUND
44398	10/10/2013	ENV02	ENVIRONMENTAL SYSTEMS	1788.93	26645	ENVIRONMENTAL SYSTEMS

REPORT.: Oct 10 13 Thursday
 RUN....: Oct 10 13 Time: 16:30
 Run By.: MARTHA SERRATO

City of Hughson
 Cash Disbursement Detail Report
 Check Listing for 10-13 Bank Account.: 0100

PAGE: 001
 ID #: PY-DP
 CTL: HUG

Check Number	Check Date	Vendor Number	Name	Net Amount	Invoice #	-----Payment Information----- Description
44399	10/10/2013	ENV03	ENVIRONMENTAL SCIENCE ASS.	5526.06	104358	CLIMATE ACTION PLAN (6/1/13-8/31/13)
44400	10/10/2013	EXP00	EXPRESS PERSONNEL SERVICE	625.20 672.08	130845175 131175457	WEEK ENDING 9/22/13 WEEK ENDING 9/29/13
Check Total:				1297.28		
44401	10/10/2013	EZN00	EZ NETWORK SOLUTIONS	1612.87	TS26925	IT SERVICES
44402	10/10/2013	FRA03	FRANTZ WHOLESALE NURSERY	343.32	527052	REPLACEMENT OF TREES FOR STERLING GLENN II
44403	10/10/2013	HOM01	THE HOME DEPOT CRC	348.71	B31010	ROTARY HAMMER & UMBRELLAS FOR HUGHSON AVE
44404	10/10/2013	HUG03	HUGHSON CHRONICLE	189.05	102438390	ORDINANCE NO. 2013-014 WE EK OF 9/24/13
44405	10/10/2013	IND05	INDUSTRIAL ELECTRICAL CO	2713.63 360.00	1046600 1046610	REPLACE TRANSMITTER AT WELL #3 & VFD AT STARN PARK TROUBLE SHOOT TULLY RD LI FB STATION
Check Total:				3073.63		
44406	10/10/2013	LEG01	LEGAL SHIELD	51.80	B31010	LEGAL SERVICES
44407	10/10/2013	MIS01	MISSION UNIFORM SERVICE	562.17	831004	UNIFORM SERVICE
44408	10/10/2013	OPE01	OPERATING ENGINEERS LOCAL	360.00	B31010	LOCAL UNION #3 DUES
44409	10/10/2013	RAN01	RANDIK PAPER COMPANY	119.86 893.49	58960 58963	MISC SANITARY SUPPLIES MISC. SANITARY SUPPLIES
Check Total:				1013.35		
44410	10/10/2013	REG00	REGIONAL GOVERNMENT SERV.	3733.84	3638	CONTRACT SERVICES
44411	10/10/2013	SAN05	SAN JOAQUIN VALLEY	34.00	N100669	PERMITS TO OPERATE
44412	10/10/2013	STA40	STATE CHEMICAL	293.07	96451446	SPECIAL WAX FOR STREET SIGNS
44413	10/10/2013	STA47	STANISLAUS COUNTY SHERIFF	3372.72	1314-046	VEHICLE CHARGES 8/13
44414	10/10/2013	TRO00	TROPHY WORKS	125.92	77524	MAGNETIC NAME BADGES
44415	10/10/2013	USA02	USA MOBILITY	41.98	W0190776J	PAGER SERVICE
44416	10/10/2013	WAR00	WARDEN'S OFFICE	332.49 28.04	1801582-0 1801582-1	OFFICE SUPPLIES OFFICE SUPPLIES
Check Total:				360.53		
44417	10/10/2013	WIL05	WILLE ELECTRIC	362.37	S1544782	STREET LIGHT REPAIR SUPPLIES
Cash Account Total:				62484.63		
Total Disbursements:				62484.63		



CITY OF HUGHSON AGENDA ITEM NO. 3.3

SECTION 3: CONSENT CALENDAR

Meeting Date: October 14, 2013
Subject: Planning Commission Interviews and Appointments
Presented By: Dominique Spinale, Deputy City Clerk

Approved By: _____

Staff Recommendation:

Appoint Miguel Oseguera to the Hughson Planning Commission.

Background and Overview:

On August 26, 2013, the City Council authorized staff to advertise the vacant seat on the Hughson Planning Commission. This seat became available when Commissioner Davis resigned on August 18, 2013. Staff has advertised the vacancy in the City newsletter, local newspaper, facebook, and on the City website since August, and only received one application.

The application received was from former planning commissioner Miguel Oseguera. Miguel served on the Planning Commission in 2009 and 2010, but resigned when he joined the Air Force Reserve. Now that he is home, he is interested in re-joining the Planning Commission. If appointed, Miguel's term would expire December 31, 2014.

Fiscal Impact:

Hughson Planning Commissioners received \$50 per meeting. This expense is included as part of the City's Annual Budget.



RECEIVED

OCT 02 2013

BY

CITY OF HUGHSON
PLANNING/BUILDING

PLANNING COMMISSION APPLICATION

****DELIVER TO: THE CITY CLERK'S OFFICE, CITY HALL, 7018 PINE STREET, HUGHSON**

****MAIL TO: CITY CLERK, P.O. BOX 9, HUGHSON, CA 95326**

Questions? Contact City Hall at 883-4054

DEADLINE FOR FILING: Friday, September 27, 2013 BY 5:00PM

NAME: Miguel Oseguera

HOME ADDRESS: _____ ZIP CODE: 95326

EMAIL: _____ PHONE NUMBER: 209

LIVE WITHIN CITY LIMITS? YES NO _____ REGISTERED VOTER? YES NO _____

ARE YOU RELATED TO CURRENT CITY EMPLOYEE? NO IF YES, PERSON'S NAME AND RELATIONSHIP: _____

LENGTH OF TIME AT: RESIDENCE 20 IN HUGHSON 20 IN COUNTY 20

CURRENT OCCUPATION: Currency Pharmacy

BUSINESS ADDRESS _____ PHONE: _____

EDUCATION (Highest level of education, degree(s), etc.): High school

EMPLOYMENT HIGHLIGHTS: Working for the Air National Guard 144FW

PRIOR PUBLIC SERVICE (If any): Vice Chair Planning Commission

PRESENT AND PAST COMMUNITY ACTIVITIES (DO NOT LIST PARTISAN POLITICAL ACTIVITIES): Hughson Fire Dept Volunteer

WHAT ARE THE MOST IMPORTANT ISSUES FACING HUGHSON? (Relative to the position being sought): Making sure we have the right fees in place to cover maintenance of streets, sewer, lights, police.



CITY OF HUGHSON AGENDA ITEM NO. 4.1

SECTION 4: UNFINISHED BUSINESS

Meeting Date: October 14, 2013
Subject: Progress Report on the City of Hughson Lighting and Landscaping Districts and Benefit Assessment Districts
Presented By: Raul L. Mendez, City Manager
Approved By: _____

Staff Recommendation:

Accept the progress report on the City of Hughson Lighting and Landscaping Districts and Benefit Assessment Districts.

Background:

On August 12, 2013, the City Council held a public hearing to consider the annual review of special assessment districts for Fiscal Year 2013-2014. After the public hearing, the City adopted resolutions approving the annual report, confirming the assessment and ordering the levy for the City of Hughson Lighting and Landscaping Districts and Benefit Assessment Districts for Fiscal Year 2013-2014.

The City of Hughson ("City") utilizes special financing districts to provide various services and improvements to the property owners within the City. These are currently comprised of two types of assessments, Lighting and Landscaping Districts and Benefit Assessment Districts. Each Lighting and Landscaping District (LLD) was formed and the annual assessments are levied pursuant to the Lighting and Landscaping Act of 1972, Part 2 of Division 15 of the California Streets and Highways Code (the "1972 Act"). Each Benefit Assessment District (BAD) was formed and the annual assessments are levied pursuant to the Benefit Assessment Act of 1982 (the "1982 Act"), Part 1 of Division 2 of the California Government Code.

During the August 12, 2013 public hearing and a subsequent special meeting held on September 16, 2013, the City Council expressed concerns regarding the condition of the City's special assessment districts. Specifically, those special assessment districts with low or negative reserve balances were discussed at length along with others with structural operating deficits. The Council directed staff to develop a short term and long term strategy to strengthen the fiscal stability of each district. During the September 23, 2013 regular meeting, the City Council had an opportunity to discuss concerns with NBS Local Government Solutions who

has been working with the City of Hughson since 2005. At that meeting, information was shared by NBS Local Government Solutions regarding the preparation and work needed to develop the required Engineer's Report and the process for establishing the annual assessments. The dialogue focused on the Engineer's Reports not only establishing the appropriate assessment level as provided for by State law but also being an accurate depiction of the fiscal condition of each respective district. The City Manager indicated that the special assessment districts would be a priority moving forward and staff would work on a variety of improvement areas. Technical administrative and engineering support was also discussed and City staff was directed to explore other options including working with Stanislaus County through a memorandum of understanding given their expertise with Lighting District, Landscape and Lighting Districts and County Service Areas.

Progress Report:

A progress report will be provided at each regular meeting until such time as the City Council directs otherwise. The following is a summary of the work done by staff on the City's special assessment districts since the last reporting.

Administrative and Engineering Assistance – City Manager discussed with the Stanislaus County Public Works the possibility of a partnership for technical assistance and support with the City's special assessment districts. It was indicated by the Stanislaus County Public Works that they have the internal expertise based on services currently provided for their Lighting and Landscape and Lighting Districts and County Service Areas and are receptive to partnering with the City of Hughson. Additionally, it was stated that the Deputy County Counsel assigned to County Public Works stays current with changes in State laws, regulations, and court cases relative to assessment districts. Stanislaus County Public Works indicated that they currently spend less than \$500 annually on their respective districts which includes preparation, review, and stamping of required Engineer's Report by the Director of Public Works and access to geographic information systems mapping. Based on the local expertise and cost-effectiveness, City Manager recommends advancing discussions with Stanislaus County Public Works to formalize arrangement for necessary administrative and engineering assistance following the formal termination of the current relationship with NBS Local Government Solutions.

General and Special Benefit Analysis – City Attorney is researching formation documents for City special assessment districts and will advise accordingly relative to General and Special Benefit discussion. It appears that there may be different tiers of benefits that have more impact than others and so legal counsel is exploring the process for incorporating the tiers via the Engineer's Report and Proposition 218 requirements in the future. Legal counsel has expertise in this area given past experience with other local agencies.

Labor and Material Costs – City Public Works has spent a considerable amount of time revisiting labor hour and material cost allocations to the special assessment districts for the current fiscal year. Figures are being evaluated and refined to ensure that they have been applied accurately. Adjustments will result in a clear

depiction of actual expenses in the current year for monitoring, tracking and planning purposes.

Utility Efficiencies – City Public Works is exploring a Light Emitting Diode (LED) retrofit program that will result in long-term energy efficiency savings. Also, working with City Finance, City Public Works have conducted an audit of lights in respective lighting and landscaping districts to ensure that the Turlock Irrigation District (TID) is charging electrical costs per the appropriate wattage. As indicated previously, TID was charging certain districts based on incorrect inventory which should result in a material savings in the current fiscal year and moving forward. Additionally, effective this fiscal year and in the future, Public Works will shut off water service in the fall/winter months which will result in water charge savings to respective districts.

Special Assessment Districts Borrowing/Loans – City Attorney is exploring provision in State law allowing Lighting and Landscaping Districts to borrow funds for improvement needs for a period not to exceed 10 years. The General Fund is a possible source of funding for this purpose. City Attorney is also reviewing State law regarding borrowing between districts which may be a viable solution to correcting any deficits that exist in the Fontana Ranch North and South subdivisions.

Miscellaneous – As part of this in-depth review of the special assessment districts, it was discovered that the two new lots in the Fontana Ranch North subdivision that were created after the City sold the park site back to the developer needed to be included in the corresponding Lighting and Landscaping District and Benefit Assessment District. The City Attorney is exploring the correct mechanism for doing this to ensure that it occurs prior to the transfer of ownership.

Fiscal Impact:

The current Lighting and Landscaping Districts and Benefit Assessment Districts provide the City of Hughson with funding annually to provide specific services and improvements to properties within their respective approved boundaries. For Fiscal Year 2013-2014, annual assessments are expected to generate a total of \$199,295.42, an increase of 5% when compared to the prior fiscal year, for associated labor, administration, utilities, equipment, materials, and preparation of the annual Engineer's Report.



CITY OF HUGHSON AGENDA ITEM NO. 4.2

SECTION 4: UNFINISHED BUSINESS

Meeting Date: October 14, 2013
Subject: Progress Report on the 2013 League of California Cities Annual Conference and Exposition
Enclosures: Attachment A – Final Report Approved Resolutions
Attachment B – Concurrent Sessions Handouts (Select)
Presented By: Raul L. Mendez, City Manager

Approved By: _____

Staff Recommendation:

Accept the progress report on the 2013 League of California Cities Annual Conference and Exposition.

Background:

The League of California Cities (LOCC) is an association of California city officials who work together to enhance their knowledge and skills, exchange information, and combine resources so that they may influence policy decisions that affect cities. The Vision of the LOCC is to be recognized and respected as the leading advocate for the common interests of California's cities. Its Mission is to expand and protect local control for cities through education and advocacy to enhance the quality of life for all Californians.

The League of California Cities is the state leader in local government education – with a focus on networking, legal, legislative, new technologies, best practices and organizational improvement. The LOCC offers innovative and integrated approaches to education conferences and alternative forms of learning that addresses the needs of local elected officials, city department heads, city staff and partners alike. The Annual Conference and Expo, was held in Sacramento on September 18-20, 2013 and provided an opportunity for such education, training and policy discussions. Mayor Pro Tem Jeremy Young and City Manager Raul Mendez represented the City of Hughson at this year's event.

The LOCC bylaws provide that resolutions submitted by a member 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. Respective cities are encouraged to consider the resolutions and to determine a position so that the voting delegate can represent the city's position on each

resolution. New this year to the resolution process, resolutions submitted to the General Assembly must be concurred in by five cities or by city officials from at least five or more cities.

Final Report Resolutions Approved

On June 10, 2013, the Hughson City Council designated Mayor Pro Tem Jeramy Young as the voting delegate for the 2013 Annual Conference and Expo. The City of Hughson shortly thereafter received the Annual Conference Resolutions Packet which included two resolutions that were introduced by the required deadline:

Resolution 1 – Water Bond Funds: A Resolution calling upon the Governor and Legislature to work with the League of California Cities in providing adequate funding and to prioritize water bonds to assist local government in water conservation, ground water recharge and reuse of storm water and urban runoff programs. Referred to Environmental Quality Policy Committee. Source: Los Angeles County Division.

Resolution 2 – Public Safety Realignment: A Resolution calling upon the Governor and Legislature to enter into discussions with the League and California Police Chiefs' Association representatives to identify and enact strategies that will ensure the success of public safety realignment from a local municipal law enforcement perspective. Referred to Public Safety Policy Committee. Source: Public Safety Committee.

The General Resolutions Committee met on September 19, 2013 and considered and approved the resolutions. The Final Report provided by the League of California Cities is included for reference (Attachment A).

Networking Opportunities/Concurrent Sessions

Attendees at the Annual Conference and Exposition had an opportunity to attend a host of networking opportunities and concurrent sessions. The concurrent sessions provided information on the League of California Cities current initiatives as well as important public policy impacting local government. Like past events, the handouts are made available for reference on the League of California Cities web site.

Although Mayor Pro Tem Young and City Manager Mendez weren't able to attend all concurrent sessions, as much as possible they tried to attend different sessions to be able to bring back more information to the City Council and City staff. The following sessions were examples of some of the sessions attended along with the handouts provided (Attachment B).

- Re-engaging our Citizenry and Making Government More Effective;
- Burning Issues for Your City Budget;
- The Top 10 Ways Cities Waste Money;
- Rosenberg's Rules of Order;
- Infrastructure Financing in the Post-Redevelopment World; and

- Sales Tax...the Future.

In summary, the networking opportunities through the receptions and exposition and the concurrent sessions provided City representatives with valuable information regarding the issues facing local governments and some of the initiatives undertaken by municipalities to address them accordingly. The League of California Cities Annual Conference and Exposition provides City leaders an opportunity to learn from one another and gather knowledge and tools that can be brought back to respective municipalities. Next year's event is scheduled to be held in Los Angeles on September 3-5, 2014.

Fiscal Impact:

Registration costs associated with the 2013 League of California Cities Annual Conference and Exposition totaled \$1,025 and are included as part of the City's budget on an annual basis to ensure City representation.

CITY OF HUGHSON
OCT 09 2013
RECEIVED



***FINAL REPORT
RESOLUTIONS APPROVED***

2013 Annual Conference



***Sacramento
September 20, 2013***

FINAL REPORT ON RESOLUTIONS
September 2013

The 2013 League of California Cities Annual conference was held September 18-20, 2013, in Sacramento. On Wednesday, September 18, two League policy committees met and considered the resolutions that were assigned to them.

The General Resolutions Committee met on Thursday, September 19, and considered the two resolutions before them. A chart on pages 2 and 3 of this packet includes a summary of the actions taken on the resolutions by the policy committees and the General Resolutions Committee.

The resolutions contained in this packet are only those that were approved by the General Assembly on September 20. Those resolutions are numbered 1 and 2. Also included in this packet, on page 8, is a status report on the implementation of the resolutions approved at last year's 2012 Annual Conference.

We thank those city officials who served as members of policy committees, the General Resolutions committee and those city officials who participated in the General Assembly.

Additional copies of this report are available on the League's website at:
www.cacities.org/resolutions

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

ENVIRONMENTAL QUALITY POLICY COMMITTEE

		1	2	3
1	Water Bond Funds	Aa	A	A

PUBLIC SAFETY POLICY COMMITTEE

		1	2	3
2	Public Safety Realignment	Aa	Aa	A

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

+Note: Petitioned Resolutions may not be amended by the General Resolutions Committee.

Resolutions that are approved by the General Resolutions Committee, as well as all qualified petitioned resolutions, are reported to the General Assembly. In addition, League policy provides the following procedure for resolutions approved by League policy committees but *not* approved by the General Resolutions Committee.

Every resolution initially recommended for approval and adoption by all the League policy committees to which the resolution is assigned, but subsequently recommended for disapproval, referral or no action by the General Resolutions Committee, shall then be placed on a consent agenda for consideration by the General Assembly. The consent agenda shall include a brief description of the basis for the recommendations by both the policy committee(s) and General Resolutions Committee, as well as the recommended action by each. Any voting delegate may make a motion to pull a resolution from the consent agenda in order to request the opportunity to fully debate the resolution. If, upon a majority vote of the General Assembly, the request for debate is approved, the General Assembly shall have the opportunity to debate and subsequently vote on the resolution.

APPROVED 2013 ANNUAL CONFERENCE RESOLUTIONS

1. RESOLUTION CALLING UPON THE GOVERNOR AND THE LEGISLATURE TO WORK WITH THE LEAGUE OF CALIFORNIA CITIES IN PROVIDING ADEQUATE FUNDING AND TO PRIORITIZE WATER BONDS TO ASSIST LOCAL GOVERNMENT IN WATER CONSERVATION, GROUND WATER RECHARGE AND REUSE OF STORMWATER AND URBAN RUNOFF PROGRAMS.

Source: Los Angeles County Division

Concurrence of five or more cities/city officials: Cities of Alhambra; Cerritos; Claremont; Glendora; Lakewood; La Mirada; La Verne; Norwalk; Signal Hill; Mary Ann Lutz, Mayor, city of Monrovia.

Referred to: Environmental Quality Policy Committee

WHEREAS, local governments play a critical role in providing water conservation, ground water recharge and reuse of stormwater infrastructure, including capture and reuse of stormwater for their citizens, businesses and institutions; and

WHEREAS, local governments support the goals of the Clean Water Act to ensure safe, clean water supply for all and the U.S. Environmental Protection Agency has encouraged local governments to implement programs to capture, infiltrate and treat stormwater and urban runoff with the use of low impact development ordinances, green street policies and programs to increase the local ground water supply through stormwater capture and infiltration programs; and

WHEREAS, local governments also support the State's water quality objectives, specifically Section 13241 of the Porter-Cologne Water Quality Control Act, on the need to maximize the use of reclaimed and water reuse and the Regional Water Quality Control Boards and the State Water Resources Board encourage rainwater capture efforts; and

WHEREAS, the State's actions working through the water boards, supported by substantial Federal, State and local investments, have led to a dramatic decrease in water pollution from wastewater treatment plants and other so-called "point sources" since 1972. However, the current threats to the State's water quality are far more difficult to solve, even as the demand for clean water increases from a growing population and an economically important agricultural industry; and

WHEREAS, the State's Little Hoover Commission found in 2009 that more than 30,000 stormwater discharges are subject to permits regulating large and small cities, counties, construction sites and industry. The Commission found that a diverse group of water users – the military, small and large businesses, home builders and local governments and more – face enormous costs as they try to control and limit stormwater pollution. The Commission concluded that the costs of stormwater clean up are enormous and that the costs of stormwater pollution are greater, as beach closures impact the State's economy and environmental damage threatens to impair wildlife; and

WHEREAS, at the same time that new programs and projects to improve water quality are currently being required by the U.S. EPA and the State under the National Pollution Discharge Elimination System (NPDES) permits and the Total Daily Maximum Load (TMDL) programs, many local governments find that they lack the basic infrastructure to capture, infiltrate and reuse stormwater and cities are facing difficult economic challenges while Federal and State financial assistance has been reduced due to the impacts of the recession and slow economic recovery; and

WHEREAS, cities have seen their costs with the new NPDES permit requirements double and triple in size in the past year, with additional costs anticipated in future years. Additionally, many local businesses have grown increasingly concerned about the costs of retrofitting their properties to meet stormwater and runoff requirements required under the NPDES permits and TMDL programs; and

WHEREAS, the League of California Cities adopted water polices in March of 2012, recognizing that the development and operation of water supply, flood control and storm water management, among other water functions, is frequently beyond the capacity of local areas to finance and the League found that since most facilities have widespread benefits, it has become the tradition for Federal, State and local governments to share their costs (XIV, Financial Considerations); and the League supports legislation providing funding for stormwater and other water programs; and

WHEREAS, the Governor and the Legislature are currently contemplating projects for a water bond and a portion of the bond could be directed to assist local government in funding and implementing the goals of the Clean Water Act and the State's water objectives of conserving and reusing stormwater in order to improve the supply and reliability of water supply; and

NOW, THEREFORE, BE IT RESOLVED by the General Assembly of the League of California Cities, assembled in Sacramento on September 20, 2013, that the League calls for the Governor and the Legislature to work with the League and other stakeholders to address the League's adopted water policies, to provide adequate funding for water conservation, ground water recharge, capture and reuse of stormwater and runoff and compliance with the Clean Water Act stormwater requirements and watershed restoration in the water bond and to prioritize future water bonds to assist local governments in funding these programs. The League will work with its member cities to educate federal and state officials to the challenges facing local governments in providing for programs to capture, infiltrate and reuse stormwater and urban runoff.

//////////

2. A RESOLUTION OF THE LEAGUE OF CALIFORNIA CITIES CALLING UPON THE GOVERNOR AND LEGISLATURE TO ENTER INTO DISCUSSION WITH LEAGUE AND CALIFORNIA POLICE CHIEFS' ASSOCIATION REPRESENTATIVES TO IDENTIFY AND ENACT STRATEGIES THAT WILL ENSURE THE SUCCESS OF PUBLIC SAFETY REALIGNMENT FROM A LOCAL MUNICIPAL LAW ENFORCEMENT PERSPECTIVE.

Source: Public Safety Policy Committee

Concurrence of five or more cities/city officials: Cities of Arroyo Grande, Covina; Fontana; Glendora; Monrovia; Ontario; Pismo Beach; and Santa Barbara

Referred to: Public Safety Policy Committee

THE LEAGUE OF CALIFORNIA CITIES DOES HEREBY RESOLVE AS FOLLOWS:

WHEREAS, in October 2011 the Governor proposed the realignment of public safety responsibilities from state prisons to local government as a way to address recent court orders in response to litigation related to state prison overcrowding, and to reduce state expenditures; and

WHEREAS, the Governor stated that realignment needed to be fully funded with a constitutionally protected source of funds if it were to succeed; and

WHEREAS, the Legislature enacted the realignment measures, AB 109 and AB 117, and the Governor signed them into law without full constitutionally protected funding and liability protection for stakeholders; and

WHEREAS, California currently has insufficient jail space, probation officers, housing and job placement programs, medical and mental health facilities, lacks a uniform definition of recidivism; and utilizes inappropriate convictions used to determine inmate eligibility for participation in the realignment program; and

WHEREAS, since the implementation of realignment there have been numerous issues identified that have not been properly addressed that significantly impact municipal police departments' efforts to successfully implement realignment; and

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

WHEREAS, an estimated 30 counties were operating under court-ordered or self-imposed population caps before realignment, and the current lack of bed space in county jails has since led to many convicted probationers being released early after serving a fraction of their time; with inadequate to no subsequent supervision, leaving them free to engage in further criminal offenses in our local cities; and

WHEREAS, there is increasing knowledge among the offender population which offenses will and will not result in a sentence to state prison, and many offenders, if held in custody pending trial, that would be sentenced to county jail are ultimately sentenced to time served due to overcrowding in county facilities; and

WHEREAS, there are inadequate data bases allowing local police departments to share critical offender information among themselves, with county probation departments, and with other county and state law enforcement entities; and

WHEREAS, local police departments have not received adequate funding to properly address this new population of offenders who are victimizing California communities; and

NOW, THEREFORE, BE IT RESOLVED by the General Assembly of the League of California Cities, assembled in Sacramento on September 20, 2013, to request the Governor and State Legislature to immediately enter into discussions with League representatives and the California Police Chiefs' Association to address the following issues:

1. The need to fully fund municipal police departments, including those under contract with a county sheriff's department, with constitutionally protected funding to appropriately address realignment issues facing front line law enforcement. This funding would not diminish current revenue streams flowing to counties for this purpose, and would augment the ability of local law enforcement in general to monitor offenders. Since county realignment funding would not be affected, contract cities who have law enforcement services provided to them by county agencies would not suffer any reduction in service;
2. Amend appropriate sections of AB 109 to change the criteria justifying the release of non-violent, non-serious, non-sex offender inmates (N3) inmates to include their total criminal and mental health history instead of only their last criminal conviction;
3. Establish a uniform definition of recidivism with the input of all criminal justice stakeholders throughout the state;
4. Enact legislation that will provide local law enforcement the option for city police officers assigned to make compliance checks on AB 109 offenders to independently authorize flash incarceration for offenders on post-release community supervision. Flash incarceration shall be for up to 96 hours in Type I municipal jails, as specified by AB 986 (Bradford), or for up to 10 days in Type II county jails.
5. Establish oversight procedures to encourage transparency and accountability over the use of realignment funding;
6. Implement the recommendations identified in the California Little Hoover Commission Report #216 dated May 30, 2013;
7. Provide for greater representation of city officials on the local Community Corrections Partnerships. Currently AB 117 provides for only one city official (a police chief) on the 7-member body, 6 of which are aligned with the county in which the partnership has been established. As a result, the counties dominate the committees and the subsequent distribution of realignment funds.
8. Provide, either administratively or by legislation, an effective statewide data sharing mechanism allowing state and local law enforcement agencies to rapidly and efficiently share offender information to assist in tracking and monitoring the activities of AB 109 and other offenders.

APPROVED 2012 ANNUAL CONFERENCE RESOLUTIONS IMPLEMENTATION REPORT

No.	Title	Required Action	Status
1.	<p>Call upon the Governor and Legislature to Enact Legislation that Would Correct Inefficiencies in the Audit System, Distribution System, and Inequities in the formulas for Distributing Court Ordered Arrest and Citation Fines, Fees and Assessments Generated by Local Government</p>	<p>The League will call upon the State Legislature and Governor to:</p> <ol style="list-style-type: none"> 1. Create an efficient system to provide cities with clear authority to audit the distribution of fines, fees, assessments and administrative costs for criminal and traffic violations; 2. Enact Legislation that changes the "Priority Distribution" mandate so cities receive the total cost of issuing, processing and testifying in court on criminal cases and traffic violations; and 3. Equally distribute from the total fine imposed, not just from the city base fine, any reduction in fines, fees, assessments or costs. 	<p>The League has initiated a dialogue with the Judicial Council on the issue of inconsistent application of fines and fees, and discrepancies in regard to waivers and reductions of fines associated with traffic citations by trial courts.</p> <p>The Judicial Council has asserted that its Administrative Office of the Courts has provided regional training regarding its Uniform Bail and Penalty Schedule earlier this year. Further discussions are pending (October 2013) to pinpoint whether the policy on waiving or reducing fines without waiving penalties has been misunderstood by locals.</p>
2.	<p>Raising Public Awareness and Supporting Tougher Laws Related to Internet Crimes Against Children</p>	<p>The League will:</p> <ol style="list-style-type: none"> 1. Desire to increase public awareness and educate others about the critical issue of internet crimes against children statewide; 2. Advocate for the State Legislature to adopt tougher laws for child pornographers that use the internet or online tools in the commission of their crime; and 3. Advocate for additional and more permanent funding for Internet Crimes Against Children Task forces (ICAC) statewide. 	<p>The League provided research, helped draft language and then supported related legislation [AB 20 (Waldron), Chapter 143, Statutes of 2013] that arose from this League-sponsored resolution. AB 20 creates an additional fine of up to \$2,000 to be levied against offenders convicted of committing specified child pornography offenses involving the use of a government-owned computer or computer network to view prohibited obscene material.</p>
5.	<p>Calling for the Promotion of Disaster Resilient California Cities</p>	<p>The League will encourage cities to:</p> <ol style="list-style-type: none"> 1. Develop and implement employee and resident emergency preparedness plans; and 2. Promote emergency family plans that emphasize self-reliance for food and water supplies. 	<p>The League supported related federal legislation, H.R. 1859 by Representative Schiff, the Disaster Declaration Improvement Act, which sought to alter the dollar-per-capita criteria in assessing disaster-related damages and qualifying for disaster relief. This criteria disadvantages heavily populated states such as California.</p>

Civic Innovation

Re-engaging our Citizenry and Making Government More Effective

September 2013





The San Diego Foundation
A foundation for your passion

City of VALLEJO
California

CALIFORNIA CIVIC INNOVATION PROJECT

PEPPERDINE UNIVERSITY
School of Public Policy

DAVENPORT INSTITUTE
for Public Engagement and Civic Leadership





OUR GREATER SAN DIEGO VISION

Our Greater San Diego Vision
an effort which engaged more than 30,000 San Diego County residents to identify their priorities for the future of the region.

Your Vision. Our Future

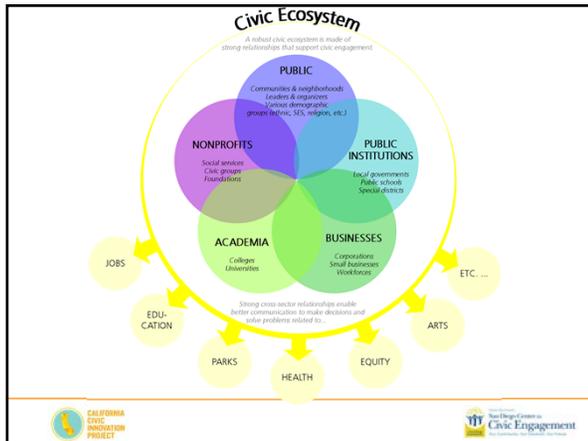


Three minutes at the microphone



Retrieved from Cincinnati.com, July 27, 2012





"Cities are the new laboratories of democracy."



-Bloomberg Philanthropies



“Civic Innovation”: An Oxymoron?

“This decade of local government will be a time of ‘creative destruction’ that will produce an unprecedented amount of innovation...Local governments increasingly will be expected to ‘go it alone,’ with little help from Washington or their state governments. Cross-sector strategies will be the norm. Performance and results -- not just inputs and outputs -- increasingly will matter.

- Bob O’Neill/ICMA in GOVERNING, May 2013



“Civic Innovation”: 3 Main Elements

1. Collaboration: Inside Government
2. Engagement: Outside Government
3. Technology: Either in Communication or Evaluation



“Civic Innovation”: Why Now?

1. Fiscal Crisis
2. Demographic Crisis
3. Crisis in Trust
4. Explosion of “2.0” Technology



Why Now?: Fiscal Crisis

“Throughout the United States and much of the developed world, governments are on the brink of crisis. They need answers to a paradoxical challenge—how to spur economic growth while simultaneously reducing spending. This can be done only when we find novel solutions to the real problems that we have relied on government to solve.”

– “Unleashing Breakthrough Innovation in Government”,
Stanford Social Innovation Review, Summer 2013



The Good...of Citizen Engagement



- **85%** of respondents say “their views on public engagement have changed since their careers began.”
- **77%** of respondents “are interested in hearing more about public engagement practices that have worked in other places.”
- *“Testing the Waters” – 2013 Survey Report of California Public Officials (DI, Inst for Local Gov’t, Public Agenda, Irvine Fdtn)*



The Bad...and the Ugly



- **76%** say their public meetings are “typically dominated with narrow agendas”
- **64%** say their public hearings “typically attract complainers and ‘professional citizens’”
- **69%** say a “lack of resources and staff could stand in the way of a deliberative public engagement approach.”



The Public Engagement “Trilemma”

1. Know we have to
2. Don't like who we have to
3. Not sure we have the resources or the skills to



Concepts that Work in Promoting Public Engagement

- Is it the public or the process?
- Control the process, not the outcome
- Pick your spots...
- Public engagement is a “leadership skill”



Participatory Budgeting

Real Money, Real Power



Marti Brown, Councilwoman, City of Vallejo



What is participatory budgeting?

A democratic process in which community members directly decide how to spend a discretionary portion of a budget (usually public).

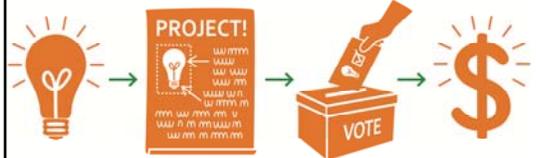


What is participatory budgeting?

- Making **real decisions about real money** (NOT a consultation)
- **An annual cycle** (NOT a one-off event)
- Usually for **part of a budget** (NOT the whole budget)



How does it work?



Residents brainstorm ideas → Delegates develop proposals → Residents vote → The top projects win funding



Public assemblies

Brainstorm ideas and select delegates



Delegate meetings

Develop proposals



Vote on proposals



Implement projects



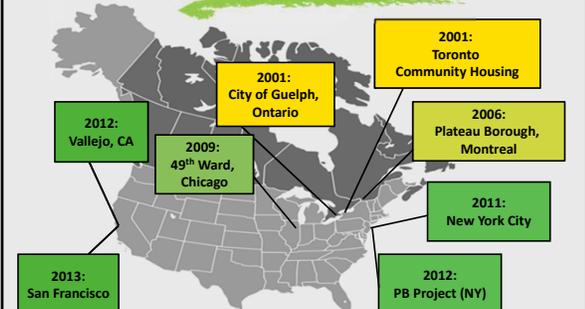
Where has participatory budgeting worked?

1,500+ PB processes in the world!

Cities,
States,
Counties,
Public housing,
Schools,
Community organizations



Participatory budgeting in North America



Thanks!



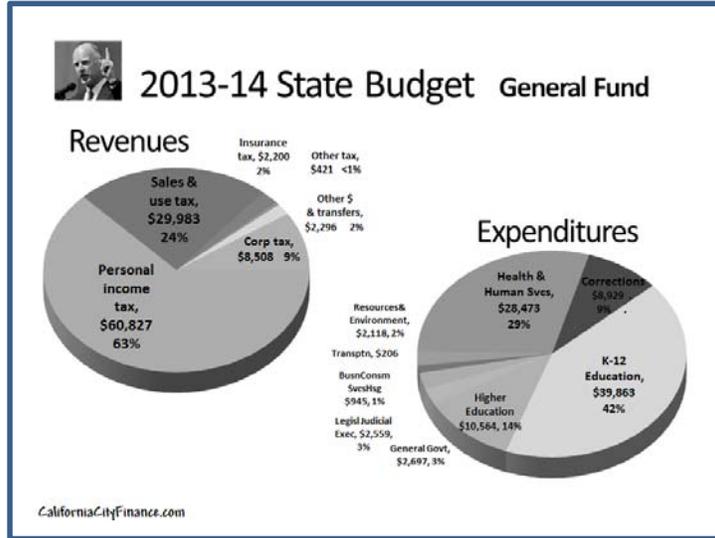


League of California Cities Annual Conference • Sacramento, California • September 20, 2013

Burning Issues for Your City Budget

Michael Coleman

I. The State Budget Update: Implications for Cities



II. Is it Time to Change Voter Approval Thresholds?

Taxes and Fees/etc. Approval Requirements (California Constitution)



	TAX- General	TAX- Parcel or Special (earmarked)	G.O.BOND (w/tax)	Fee / fine / rent
City / County	Majority voter approval	Two-thirds voter approval	Two-thirds voter approval	Majority of the governing board.*
Special District	n/a	Two-thirds voter approval	Two-thirds voter approval	Majority of the governing board.*
K-14 School	n/a	Two-thirds voter approval (parcel tax)	55% voter approval*	Majority of the governing board.*
State	For any law that will increase the taxes of any taxpayer, two-thirds of each house of the Legislature ...or approval of majority of statewide voters.		Statewide majority voter approval	Majority of each house.

CaliforniaCityFinance.com

Reduce 2/3 Vote Thresholds?



Local Tax Measures: Passage Rates

Cities, Counties, Special Districts and K-14 Schools Since 2001

Threshold	Pass	Fail
Majority Vote	418	194
55% Vote	528	119
2/3 Vote	477	478

CaliforniaCityFinance.com

III. The fiscal condition of cities – fiscal challenges and pitfalls

Fiscal Challenges California Cities and Counties

<i>Chronic / widespread</i>	<i>Acute / varying</i>
1. Unsustainable employee compensation levels • Especially public safety retirement & retiree health	Economic Downturn More severe and lasting in central valley and inland empire
2. Risk / uncertainty of state actions – especially revenue shifts	
3. Tax structures out of step with changing society. • sales tax, • hotel tax, • gas tax	Risky Fiscal Strategies
4. Fragmentation of local finance and governance among overlapping governments • inefficient resource allocation • lack of local flexibility / choice • added pressure for higher taxes	
5. Disconnect between service costs & revenues in urban development	
	Turbulent politics, intractable players

CaliforniaCityFinance.com

Pitfalls in Seriously Troubled Cities

- ⌘ Unsustainable decline in core revenues
- ⌘ Hit especially hard by the recession
- ⌘ Over-reliance on land development revenues
- ⌘ Over-reliance on redevelopment revenues
- ⌘ Risky financing schemes

- ⌘ Unsustainable & intractable employee compensation levels especially public safety pension & retiree healthcare
- ⌘ Ceding of management and policy choices to others



CaliforniaCityFinance.com

IV. An overview of the League’s new Municipal Fiscal Health Diagnostic

Defining Municipal Fiscal Health

Solvency

1. cash solvency - ability to meet immediate financial obligations; i.e. over next 30 or 60 days (accts payable, payroll).
2. budgetary solvency - ability to meet all financial obligations during a budget year.
3. long-run solvency – ability to meet all financial obligations into the future.
4. service-level solvency – ability to provide the desired level of services for the general health and welfare of the community.

CaliforniaCityFinance.com



The Top 10 Ways Cities Waste Money

ZANE H. JOHNSTON
CITY OF TRACY (RETIRED)
2003 CSMFO PRESIDENT

220 Survey Responses Received

- Responses were anonymous, provided without fear of retribution
- Responses are from those working in the field of fiscal administration of cities and districts – some might say the true “experts”
- Responses are from real people and have not been filtered by management or politics

To Make the Top 10

- Suggestions could not be to drop a specific program or service
- Suggestions had to be something that were capable of being implemented within the scope and power of city
- The Top 10 is not in any particular order except for #1 and #2 which represent greatest potential and frequency of response

#10 Organizational Structure

- The idea is to reduce the number of management positions (top and middle) primarily through reduction in number of departments
- City of Tracy saved \$750,000 by reducing 9 departments to 6
- As organizations reduced the number of employees there should be a proportionate reduction in the number of management employees (compute ratio)
- Manager's rarely put their own jobs on the line
- To be successful take advantage of skills & experience of the existing workforce (untapped potential)
- Be prepared to invest in training

#9 No One Wants to Say "NO"

62% of survey responders "strongly agreed" or "agreed" with:

In my organization, Finance often has to disapprove an item or matter that should have been disapproved by management staff of the originating department

#8 Greasing the Squeaky Wheel

Characteristics of a Squeaky Wheel

- Constantly complains about non-real/trivial problems
- Receives a disproportionate share of agency resources
- Rarely satisfied
- Their community influence is overrated

Solution

- Political leaders need to have some back bone
- Staff can develop a process or policy with graduated steps
- Place some burden (time, money, etc.) on squeaky wheel to legitimize issue
- Success example "Traffic Calming" policy from City of Tracy
<http://www.ci.tracy.ca.us/?navid=1442>

#7 Poor Performing Employees

"We have many deadbeat employees who don't perform"

"Eliminate staff who are not working to their job classification & pay, downgrade their pay to match level that they are capable of working"

"I would eliminate unnecessary positions. Of course that would require the layoff or firing and probably not be possible because of the union."

SLIGHTLY OVER 50% OF RESPONDENTS INDICATED THAT IN THEIR AGENCY DURING THE LAST 4 YEARS THERE HAVE BEEN NON-PERFORMING EMPLOYEES WHO HAVE RECEIVED COMPENSATION TO RESOLVE A MATTER. ONLY 5% WERE ORDERED TO DO SO BY AN ARBITRATOR

- Problem is widespread
- You can do something about this problem
- Blame union or management?
- If management can't correct, it is still management's responsibility to document & pursue discipline
- STOP REWARDING BAD PERFORMANCE

#6 Right Hand vs. Left Hand

72% STRONGLY AGREED/AGREED

IN MY ORGANIZATION EFFORTS OF ONE DEPARTMENT CAN HAVE CONFLICTS WITH GOALS OR PROGRAMS OF ANOTHER DEPARTMENT

- Very strong response – much work needs to be done
- Hardest issue on Top 10 list to correct
- What are some of the classic conflicts within your city?
- Success example City of Tracy strategic priority process (walk-about)
- Eliminate conflicts BEFORE allocating resources

#5 Programs in Search of an Audience

"ONE THING CITIES DO REALLY WELL IS CREATE PROGRAMS AND THE UNDERLYING PASSION OF THOSE THAT WORK FOR CITIES SOMETIMES GETS MISDIRECTED INTO THE CREATION OF A PROGRAM FOR WHICH THERE REALLY WAS NO NEED." – ZANE JOHNSTON

#4 No Evaluation of Programs

<p>Only 25% said yes: Does your organization have a regular process to measure the effectiveness of various programs it provides or funds?</p>	<p>84% answered true: The only programs eliminated by my agency during the past 4 years were primarily due to budget cutting and not for other reasons</p>
<ul style="list-style-type: none"> A whopping 75% of us never evaluate programs Need to ask critical questions Develop program-specific criteria, scores, etc. before applying to specific program Be flexible in how to bring a program to a close 	<ul style="list-style-type: none"> Why is a lack of money the only reason to examine programs? Do stable budget times result in a free pass for poor outcomes or performance? 84% was the highest concentrated response from the survey Do not repeat the sins of the past An ineffective program is always ineffective - use the money elsewhere

#3 New Definition of Success

<p>We are frightened by anything that could be labeled a failure.</p>	<p>If an event/program fails to stay within financial targets...</p>
<p>The result is an obsession in declaring everything we do a success (even if it wasn't)</p>	<p>It is not a SUCCESSFUL program - at best it is a SALVAGED one</p>
<p>60% strongly agreed/agreed: The dept. responsible for an event/program often declares it a "success" even if the event or program did not meet any of its financial targets or other financial parameters.</p>	<p>"The trouble with management inaccurately declaring something a success is that the organization begins to fool itself into believing its own spin. Unfortunately this will result in unsuccessful things being repeated." - Zane Johnston</p>

#2 Police Services

<p>"The Police Department spending is hardly scrutinized and no one ever speaks out on a questionable purchase"</p> <p>"Police has way too much power when it comes to making expensive requests"</p> <p>"The resistance to public safety changes is very great, from Council Members to the newest officer on the street"</p> <p>77% strongly agreed/agreed: The cost of Public Safety overtime remains a budget concern for my organization</p> <p>33% of respondents indicated 4/10 schedule still in use</p>	<ul style="list-style-type: none"> Survey responders were brutal in their assessment of Police budgets – true? No blank check. The most important or highest cost services should receive the greatest review More O.T. to solve a "problem" is self-serving Use a more efficient schedule than a 4/10 Other innovations are possible
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#1 Fire Services

Survey responses indicated three major areas of concern

Vehicles used in responding to calls

Staffing levels vs. calls for service and time of day

Possible regionalization of fire services

- 75%/80% calls are medical yet entire company in large fire engine respond
- Large vehicle is expensive and adds to response time navigating traffic
- We do not use years of call data to staff accordingly – result is overstaffing – do not need everyone 24 hours
- Dedicated professionals deserve good pay/benefits but they are only possible long-term if they are used efficiently
- Share services across boundary lines – spread out fixed costs

Summary

- No one is going to look out for long-term fiscal condition except you
- Politics/Labor are inherently short-sighted
- The views of over 220 of your colleagues validate your own observations
- By advocating for change represented in the items from this Top 10 list – you can be armed with new ammunition or a renewed sense of enthusiasm to continue to move your agency toward long term fiscal sustainability



Rosenberg's Rules of Order

REVISED 2011

Simple Rules of Parliamentary Procedure for the 21st Century

By Judge Dave Rosenberg



MISSION AND CORE BELIEFS

To expand and protect local control for cities through education and advocacy to enhance the quality of life for all Californians.

VISION

To be recognized and respected as the leading advocate for the common interests of California's cities.

About the League of California Cities

Established in 1898, the League of California Cities is a member organization that represents California's incorporated cities. The League strives to protect the local authority and autonomy of city government and help California's cities effectively serve their residents. In addition to advocating on cities' behalf at the state capitol, the League provides its members with professional development programs and information resources, conducts education conferences and research, and publishes Western City magazine.

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ABOUT THE AUTHOR

Dave Rosenberg is a Superior Court Judge in Yolo County. He has served as presiding judge of his court, and as presiding judge of the Superior Court Appellate Division. He also has served as chair of the Trial Court Presiding Judges Advisory Committee (the committee composed of all 58 California presiding judges) and as an advisory member of the California Judicial Council. Prior to his appointment to the bench, Rosenberg was member of the Yolo County Board of Supervisors, where he served two terms as chair. Rosenberg also served on the Davis City Council, including two terms as mayor. He has served on the senior staff of two governors, and worked for 19 years in private law practice. Rosenberg has served as a member and chair of numerous state, regional and local boards. Rosenberg chaired the California State Lottery Commission, the California Victim Compensation and Government Claims Board, the Yolo-Solano Air Quality Management District, the Yolo County Economic Development Commission, and the Yolo County Criminal Justice Cabinet. For many years, he has taught classes on parliamentary procedure and has served as parliamentarian for large and small bodies.



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INTRODUCTION

The rules of procedure at meetings should be simple enough for most people to understand. Unfortunately, that has not always been the case. Virtually all clubs, associations, boards, councils and bodies follow a set of rules — *Robert's Rules of Order* — which are embodied in a small, but complex, book. Virtually no one I know has actually read this book cover to cover. Worse yet, the book was written for another time and for another purpose. If one is chairing or running a parliament, then *Robert's Rules of Order* is a dandy and quite useful handbook for procedure in that complex setting. On the other hand, if one is running a meeting of say, a five-member body with a few members of the public in attendance, a simplified version of the rules of parliamentary procedure is in order.

Hence, the birth of *Rosenberg's Rules of Order*.

What follows is my version of the rules of parliamentary procedure, based on my decades of experience chairing meetings in state and local government. These rules have been simplified for the smaller bodies we chair or in which we participate, slimmed down for the 21st Century, yet retaining the basic tenets of order to which we have grown accustomed. Interestingly enough, *Rosenberg's Rules* has found a welcoming audience. Hundreds of cities, counties, special districts, committees, boards, commissions, neighborhood associations and private corporations and companies have adopted *Rosenberg's Rules* in lieu of *Robert's Rules* because they have found them practical, logical, simple, easy to learn and user friendly.

This treatise on modern parliamentary procedure is built on a foundation supported by the following four pillars:

1. **Rules should establish order.** The first purpose of rules of parliamentary procedure is to establish a framework for the orderly conduct of meetings.
2. **Rules should be clear.** Simple rules lead to wider understanding and participation. Complex rules create two classes: those who understand and participate; and those who do not fully understand and do not fully participate.
3. **Rules should be user friendly.** That is, the rules must be simple enough that the public is invited into the body and feels that it has participated in the process.
4. **Rules should enforce the will of the majority while protecting the rights of the minority.** The ultimate purpose of rules of procedure is to encourage discussion and to facilitate decision making by the body. In a democracy, majority rules. The rules must enable the majority to express itself and fashion a result, while permitting the minority to also express itself, but not dominate, while fully participating in the process.

Establishing a Quorum

The starting point for a meeting is the establishment of a quorum. A quorum is defined as the minimum number of members of the body who must be present at a meeting for business to be legally transacted. The default rule is that a quorum is one more than half the body. For example, in a five-member body a quorum is three. When the body has three members present, it can legally transact business. If the body has less than a quorum of members present, it cannot legally transact business. And even if the body has a quorum to begin the meeting, the body can lose the quorum during the meeting when a member departs (or even when a member leaves the dais). When that occurs the body loses its ability to transact business until and unless a quorum is reestablished.

The default rule, identified above, however, gives way to a specific rule of the body that establishes a quorum. For example, the rules of a particular five-member body may indicate that a quorum is four members for that particular body. The body must follow the rules it has established for its quorum. In the absence of such a specific rule, the quorum is one more than half the members of the body.

The Role of the Chair

While all members of the body should know and understand the rules of parliamentary procedure, it is the chair of the body who is charged with applying the rules of conduct of the meeting. The chair should be well versed in those rules. For all intents and purposes, the chair makes the final ruling on the rules every time the chair states an action. In fact, all decisions by the chair are final unless overruled by the body itself.

Since the chair runs the conduct of the meeting, it is usual courtesy for the chair to play a less active role in the debate and discussion than other members of the body. This does not mean that the chair should not participate in the debate or discussion. To the contrary, as a member of the body, the chair has the full right to participate in the debate, discussion and decision-making of the body. What the chair should do, however, is strive to be the last to speak at the discussion and debate stage. The chair should not make or second a motion unless the chair is convinced that no other member of the body will do so at that point in time.

The Basic Format for an Agenda Item Discussion

Formal meetings normally have a written, often published agenda. Informal meetings may have only an oral or understood agenda. In either case, the meeting is governed by the agenda and the agenda constitutes the body's agreed-upon roadmap for the meeting. Each agenda item can be handled by the chair in the following basic format:



First, the chair should clearly announce the agenda item number and should clearly state what the agenda item subject is. The chair should then announce the format (which follows) that will be followed in considering the agenda item.

Second, following that agenda format, the chair should invite the appropriate person or persons to report on the item, including any recommendation that they might have. The appropriate person or persons may be the chair, a member of the body, a staff person, or a committee chair charged with providing input on the agenda item.

Third, the chair should ask members of the body if they have any technical questions of clarification. At this point, members of the body may ask clarifying questions to the person or persons who reported on the item, and that person or persons should be given time to respond.

Fourth, the chair should invite public comments, or if appropriate at a formal meeting, should open the public meeting for public input. If numerous members of the public indicate a desire to speak to the subject, the chair may limit the time of public speakers. At the conclusion of the public comments, the chair should announce that public input has concluded (or the public hearing, as the case may be, is closed).

Fifth, the chair should invite a motion. The chair should announce the name of the member of the body who makes the motion.

Sixth, the chair should determine if any member of the body wishes to second the motion. The chair should announce the name of the member of the body who seconds the motion. It is normally good practice for a motion to require a second before proceeding to ensure that it is not just one member of the body who is interested in a particular approach. However, a second is not an absolute requirement, and the chair can proceed with consideration and vote on a motion even when there is no second. This is a matter left to the discretion of the chair.

Seventh, if the motion is made and seconded, the chair should make sure everyone understands the motion.

This is done in one of three ways:

1. The chair can ask the maker of the motion to repeat it;
2. The chair can repeat the motion; or
3. The chair can ask the secretary or the clerk of the body to repeat the motion.

Eighth, the chair should now invite discussion of the motion by the body. If there is no desired discussion, or after the discussion has ended, the chair should announce that the body will vote on the motion. If there has been no discussion or very brief discussion, then the vote on the motion should proceed immediately and there is no need to repeat the motion. If there has been substantial discussion, then it is normally best to make sure everyone understands the motion by repeating it.

Ninth, the chair takes a vote. Simply asking for the “ayes” and then asking for the “nays” normally does this. If members of the body do not vote, then they “abstain.” Unless the rules of the body provide otherwise (or unless a super majority is required as delineated later in these rules), then a simple majority (as defined in law or the rules of the body as delineated later in these rules) determines whether the motion passes or is defeated.

Tenth, the chair should announce the result of the vote and what action (if any) the body has taken. In announcing the result, the chair should indicate the names of the members of the body, if any, who voted in the minority on the motion. This announcement might take the following form: “The motion passes by a vote of 3-2, with Smith and Jones dissenting. We have passed the motion requiring a 10-day notice for all future meetings of this body.”

Motions in General

Motions are the vehicles for decision making by a body. It is usually best to have a motion before the body prior to commencing discussion of an agenda item. This helps the body focus.

Motions are made in a simple two-step process. First, the chair should recognize the member of the body. Second, the member of the body makes a motion by preceding the member’s desired approach with the words “I move . . .”

A typical motion might be: “I move that we give a 10-day notice in the future for all our meetings.”

The chair usually initiates the motion in one of three ways:

1. **Inviting the members of the body to make a motion**, for example, “A motion at this time would be in order.”
2. **Suggesting a motion to the members of the body**, “A motion would be in order that we give a 10-day notice in the future for all our meetings.”
3. **Making the motion**. As noted, the chair has every right as a member of the body to make a motion, but should normally do so only if the chair wishes to make a motion on an item but is convinced that no other member of the body is willing to step forward to do so at a particular time.

The Three Basic Motions

There are three motions that are the most common and recur often at meetings:

The basic motion. The basic motion is the one that puts forward a decision for the body’s consideration. A basic motion might be: “I move that we create a five-member committee to plan and put on our annual fundraiser.”

The motion to amend. If a member wants to change a basic motion that is before the body, they would move to amend it. A motion to amend might be: “I move that we amend the motion to have a 10-member committee.” A motion to amend takes the basic motion that is before the body and seeks to change it in some way.

The substitute motion. If a member wants to completely do away with the basic motion that is before the body, and put a new motion before the body, they would move a substitute motion. A substitute motion might be: “I move a substitute motion that we cancel the annual fundraiser this year.”

“Motions to amend” and “substitute motions” are often confused, but they are quite different, and their effect (if passed) is quite different. A motion to amend seeks to retain the basic motion on the floor, but modify it in some way. A substitute motion seeks to throw out the basic motion on the floor, and substitute a new and different motion for it. The decision as to whether a motion is really a “motion to amend” or a “substitute motion” is left to the chair. So if a member makes what that member calls a “motion to amend,” but the chair determines that it is really a “substitute motion,” then the chair’s designation governs.

A “friendly amendment” is a practical parliamentary tool that is simple, informal, saves time and avoids bogging a meeting down with numerous formal motions. It works in the following way: In the discussion on a pending motion, it may appear that a change to the motion is desirable or may win support for the motion from some members. When that happens, a member who has the floor may simply say, “I want to suggest a friendly amendment to the motion.” The member suggests the friendly amendment, and if the maker and the person who seconded the motion pending on the floor accepts the friendly amendment, that now becomes the pending motion on the floor. If either the maker or the person who seconded rejects the proposed friendly amendment, then the proposer can formally move to amend.

Multiple Motions Before the Body

There can be up to three motions on the floor at the same time. The chair can reject a fourth motion until the chair has dealt with the three that are on the floor and has resolved them. This rule has practical value. More than three motions on the floor at any given time is confusing and unwieldy for almost everyone, including the chair.

When there are two or three motions on the floor (after motions and seconds) at the same time, the vote should proceed *first* on the *last* motion that is made. For example, assume the first motion is a basic “motion to have a five-member committee to plan and put on our annual fundraiser.” During the discussion of this motion, a member might make a second motion to “amend the main motion to have a 10-member committee, not a five-member committee to plan and put on our annual fundraiser.” And perhaps, during that discussion, a member makes yet a third motion as a “substitute motion that we not have an annual fundraiser this year.” The proper procedure would be

as follows:

First, the chair would deal with the *third* (the last) motion on the floor, the substitute motion. After discussion and debate, a vote would be taken first on the third motion. If the substitute motion *passed*, it would be a substitute for the basic motion and would eliminate it. The first motion would be moot, as would the second motion (which sought to amend the first motion), and the action on the agenda item would be completed on the passage by the body of the third motion (the substitute motion). No vote would be taken on the first or second motions.

Second, if the substitute motion *failed*, the chair would then deal with the second (now the last) motion on the floor, the motion to amend. The discussion and debate would focus strictly on the amendment (should the committee be five or 10 members). If the motion to amend *passed*, the chair would then move to consider the main motion (the first motion) as *amended*. If the motion to amend *failed*, the chair would then move to consider the main motion (the first motion) in its original format, not amended.

Third, the chair would now deal with the first motion that was placed on the floor. The original motion would either be in its original format (five-member committee), or if *amended*, would be in its amended format (10-member committee). The question on the floor for discussion and decision would be whether a committee should plan and put on the annual fundraiser.

To Debate or Not to Debate

The basic rule of motions is that they are subject to discussion and debate. Accordingly, basic motions, motions to amend, and substitute motions are all eligible, each in their turn, for full discussion before and by the body. The debate can continue as long as members of the body wish to discuss an item, subject to the decision of the chair that it is time to move on and take action.

There are exceptions to the general rule of free and open debate on motions. The exceptions all apply when there is a desire of the body to move on. The following motions are not debatable (that is, when the following motions are made and seconded, the chair must immediately call for a vote of the body without debate on the motion):

Motion to adjourn. This motion, if passed, requires the body to immediately adjourn to its next regularly scheduled meeting. It requires a simple majority vote.

Motion to recess. This motion, if passed, requires the body to immediately take a recess. Normally, the chair determines the length of the recess which may be a few minutes or an hour. It requires a simple majority vote.

Motion to fix the time to adjourn. This motion, if passed, requires the body to adjourn the meeting at the specific time set in the motion. For example, the motion might be: “I move we adjourn this meeting at midnight.” It requires a simple majority vote.

Motion to table. This motion, if passed, requires discussion of the agenda item to be halted and the agenda item to be placed on “hold.” The motion can contain a specific time in which the item can come back to the body. “I move we table this item until our regular meeting in October.” Or the motion can contain no specific time for the return of the item, in which case a motion to take the item off the table and bring it back to the body will have to be taken at a future meeting. A motion to table an item (or to bring it back to the body) requires a simple majority vote.

Motion to limit debate. The most common form of this motion is to say, “I move the previous question” or “I move the question” or “I call the question” or sometimes someone simply shouts out “question.” As a practical matter, when a member calls out one of these phrases, the chair can expedite matters by treating it as a “request” rather than as a formal motion. The chair can simply inquire of the body, “any further discussion?” If no one wishes to have further discussion, then the chair can go right to the pending motion that is on the floor. However, if even one person wishes to discuss the pending motion further, then at that point, the chair should treat the call for the “question” as a formal motion, and proceed to it.

When a member of the body makes such a motion (“I move the previous question”), the member is really saying: “I’ve had enough debate. Let’s get on with the vote.” When such a motion is made, the chair should ask for a second, stop debate, and vote on the motion to limit debate. The motion to limit debate requires a two-thirds vote of the body.

NOTE: A motion to limit debate could include a time limit. For example: “I move we limit debate on this agenda item to 15 minutes.” Even in this format, the motion to limit debate requires a two-thirds vote of the body. A similar motion is a *motion to object to consideration of an item*. This motion is not debatable, and if passed, precludes the body from even considering an item on the agenda. It also requires a two-thirds vote.

Majority and Super Majority Votes

In a democracy, a simple majority vote determines a question. A tie vote means the motion fails. So in a seven-member body, a vote of 4-3 passes the motion. A vote of 3-3 with one abstention means the motion fails. If one member is absent and the vote is 3-3, the motion still fails.

All motions require a simple majority, but there are a few exceptions. The exceptions come up when the body is taking an action which effectively cuts off the ability of a minority of the body to take an action or discuss an item. These extraordinary motions require a two-thirds majority (a super majority) to pass:

Motion to limit debate. Whether a member says, “I move the previous question,” or “I move the question,” or “I call the question,” or “I move to limit debate,” it all amounts to an attempt to cut off the ability of the minority to discuss an item, and it requires a two-thirds vote to pass.

Motion to close nominations. When choosing officers of the body (such as the chair), nominations are in order either from a nominating committee or from the floor of the body. A motion to close nominations effectively cuts off the right of the minority to nominate officers and it requires a two-thirds vote to pass.

Motion to object to the consideration of a question. Normally, such a motion is unnecessary since the objectionable item can be tabled or defeated straight up. However, when members of a body do not even want an item on the agenda to be considered, then such a motion is in order. It is not debatable, and it requires a two-thirds vote to pass.

Motion to suspend the rules. This motion is debatable, but requires a two-thirds vote to pass. If the body has its own rules of order, conduct or procedure, this motion allows the body to suspend the rules for a particular purpose. For example, the body (a private club) might have a rule prohibiting the attendance at meetings by non-club members. A motion to suspend the rules would be in order to allow a non-club member to attend a meeting of the club on a particular date or on a particular agenda item.

Counting Votes

The matter of counting votes starts simple, but can become complicated.

Usually, it’s pretty easy to determine whether a particular motion passed or whether it was defeated. If a simple majority vote is needed to pass a motion, then one vote more than 50 percent of the body is required. For example, in a five-member body, if the vote is three in favor and two opposed, the motion passes. If it is two in favor and three opposed, the motion is defeated.

If a two-thirds majority vote is needed to pass a motion, then how many affirmative votes are required? The simple rule of thumb is to count the “no” votes and double that count to determine how many “yes” votes are needed to pass a particular motion. For example, in a seven-member body, if two members vote “no” then the “yes” vote of at least four members is required to achieve a two-thirds majority vote to pass the motion.

What about tie votes? In the event of a tie, the motion always fails since an affirmative vote is required to pass any motion. For example, in a five-member body, if the vote is two in favor and two opposed, with one member absent, the motion is defeated.

Vote counting starts to become complicated when members vote “abstain” or in the case of a written ballot, cast a blank (or unreadable) ballot. Do these votes count, and if so, how does one count them? The starting point is always to check the statutes.

In California, for example, for an action of a board of supervisors to be valid and binding, the action must be approved by a majority of the board. (California Government Code Section 25005.) Typically, this means three of the five members of the board must vote affirmatively in favor of the action. A vote of 2-1 would not be sufficient. A vote of 3-0 with two abstentions would be sufficient. In general law cities in



California, as another example, resolutions or orders for the payment of money and all ordinances require a recorded vote of the total members of the city council. (California Government Code Section 36936.) Cities with charters may prescribe their own vote requirements. Local elected officials are always well-advised to consult with their local agency counsel on how state law may affect the vote count.

After consulting state statutes, step number two is to check the rules of the body. If the rules of the body say that you count votes of “those present” then you treat abstentions one way. However, if the rules of the body say that you count the votes of those “present and voting,” then you treat abstentions a different way. And if the rules of the body are silent on the subject, then the general rule of thumb (and default rule) is that you count all votes that are “present and voting.”

Accordingly, under the “present and voting” system, you would **NOT** count abstention votes on the motion. Members who abstain are counted for purposes of determining quorum (they are “present”), but you treat the abstention votes on the motion as if they did not exist (they are not “voting”). On the other hand, if the rules of the body specifically say that you count votes of those “present” then you **DO** count abstention votes both in establishing the quorum and on the motion. In this event, the abstention votes act just like “no” votes.

How does this work in practice?

Here are a few examples.

Assume that a five-member city council is voting on a motion that requires a simple majority vote to pass, and assume further that the body has no specific rule on counting votes. Accordingly, the default rule kicks in and we count all votes of members that are “present and voting.” If the vote on the motion is 3-2, the motion passes. If the motion is 2-2 with one abstention, the motion fails.

Assume a five-member city council voting on a motion that requires a two-thirds majority vote to pass, and further assume that the body has no specific rule on counting votes. Again, the default rule applies. If the vote is 3-2, the motion fails for lack of a two-thirds majority. If the vote is 4-1, the motion passes with a clear two-thirds majority. A vote of three “yes,” one “no” and one “abstain” also results in passage of the motion. Once again, the abstention is counted only for the purpose of determining quorum, but on the actual vote on the motion, it is as if the abstention vote never existed — so an effective 3-1 vote is clearly a two-thirds majority vote.

Now, change the scenario slightly. Assume the same five-member city council voting on a motion that requires a two-thirds majority vote to pass, but now assume that the body **DOES** have a specific rule requiring a two-thirds vote of members “present.” Under this specific rule, we must count the members present not only for quorum but also for the motion. In this scenario, any abstention has the same force and effect as if it were a “no” vote. Accordingly, if the votes were three “yes,” one “no” and one “abstain,” then the motion fails. The abstention in this case is treated like a “no” vote and effective vote of 3-2 is not enough to pass two-thirds majority muster.

Now, exactly how does a member cast an “abstention” vote?

Any time a member votes “abstain” or says, “I abstain,” that is an abstention. However, if a member votes “present” that is also treated as an abstention (the member is essentially saying, “Count me for purposes of a quorum, but my vote on the issue is abstain.”) In fact, any manifestation of intention to vote either “yes” or “no” on the pending motion may be treated by the chair as an abstention. If written ballots are cast, a blank or unreadable ballot is counted as an abstention as well.

Can a member vote “absent” or “count me as absent?” Interesting question. The ruling on this is up to the chair. The better approach is for the chair to count this as if the member had left his/her chair and is actually “absent.” That, of course, affects the quorum. However, the chair may also treat this as a vote to abstain, particularly if the person does not actually leave the dais.

The Motion to Reconsider

There is a special and unique motion that requires a bit of explanation all by itself; the motion to reconsider. A tenet of parliamentary procedure is finality. After vigorous discussion, debate and a vote, there must be some closure to the issue. And so, after a vote is taken, the matter is deemed closed, subject only to reopening if a proper motion to consider is made and passed.

A motion to reconsider requires a majority vote to pass like other garden-variety motions, but there are two special rules that apply only to the motion to reconsider.

First, is the matter of timing. A motion to reconsider must be made at the meeting where the item was first voted upon. A motion to reconsider made at a later time is untimely. (The body, however, can always vote to suspend the rules and, by a two-thirds majority, allow a motion to reconsider to be made at another time.)

Second, a motion to reconsider may be made only by certain members of the body. Accordingly, a motion to reconsider may be made only by a member who voted in the majority on the original motion. If such a member has a change of heart, he or she may make the motion to reconsider (any other member of the body — including a member who voted in the minority on the original motion — may second the motion). If a member who voted in the minority seeks to make the motion to reconsider, it must be ruled out of order. The purpose of this rule is finality. If a member of minority could make a motion to reconsider, then the item could be brought back to the body again and again, which would defeat the purpose of finality.

If the motion to reconsider passes, then the original matter is back before the body, and a new original motion is in order. The matter may be discussed and debated as if it were on the floor for the first time.

Courtesy and Decorum

The rules of order are meant to create an atmosphere where the members of the body and the members of the public can attend to business efficiently, fairly and with full participation. At the same time, it is up to the chair and the members of the body to maintain common courtesy and decorum. Unless the setting is very informal, it is always best for only one person at a time to have the floor, and it is always best for every speaker to be first recognized by the chair before proceeding to speak.

The chair should always ensure that debate and discussion of an agenda item focuses on the item and the policy in question, not the personalities of the members of the body. Debate on policy is healthy, debate on personalities is not. The chair has the right to cut off discussion that is too personal, is too loud, or is too crude.

Debate and discussion should be focused, but free and open. In the interest of time, the chair may, however, limit the time allotted to speakers, including members of the body.

Can a member of the body interrupt the speaker? The general rule is “no.” There are, however, exceptions. A speaker may be interrupted for the following reasons:

Privilege. The proper interruption would be, “point of privilege.” The chair would then ask the interrupter to “state your point.” Appropriate points of privilege relate to anything that would interfere with the normal comfort of the meeting. For example, the room may be too hot or too cold, or a blowing fan might interfere with a person’s ability to hear.

Order. The proper interruption would be, “point of order.” Again, the chair would ask the interrupter to “state your point.” Appropriate points of order relate to anything that would not be considered appropriate conduct of the meeting. For example, if the chair moved on to a vote on a motion that permits debate without allowing that discussion or debate.

Appeal. If the chair makes a ruling that a member of the body disagrees with, that member may appeal the ruling of the chair. If the motion is seconded, and after debate, if it passes by a simple majority vote, then the ruling of the chair is deemed reversed.

Call for orders of the day. This is simply another way of saying, “return to the agenda.” If a member believes that the body has drifted from the agreed-upon agenda, such a call may be made. It does not require a vote, and when the chair discovers that the agenda has not been followed, the chair simply reminds the body to return to the agenda item properly before them. If the chair fails to do so, the chair’s determination may be appealed.

Withdraw a motion. During debate and discussion of a motion, the maker of the motion on the floor, at any time, may interrupt a speaker to withdraw his or her motion from the floor. The motion is immediately deemed withdrawn, although the chair may ask the person who seconded the motion if he or she wishes to make the motion, and any other member may make the motion if properly recognized.

Special Notes About Public Input

The rules outlined above will help make meetings very public-friendly. But in addition, and particularly for the chair, it is wise to remember three special rules that apply to each agenda item:

Rule One: Tell the public what the body will be doing.

Rule Two: Keep the public informed while the body is doing it.

Rule Three: When the body has acted, tell the public what the body did.



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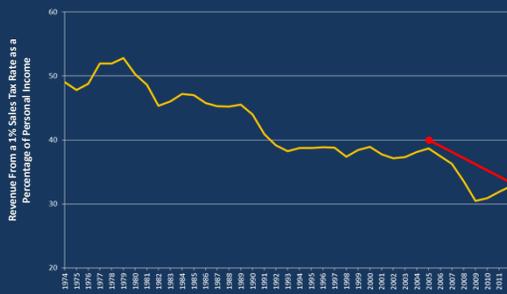


SALES TAX...THE FUTURE

League of California Cities
Annual Conference
September 19, 2013

THE PROBLEM THAT NO ONE IS TALKING ABOUT...

Sales Tax Collections as a Percentage of Personal Income

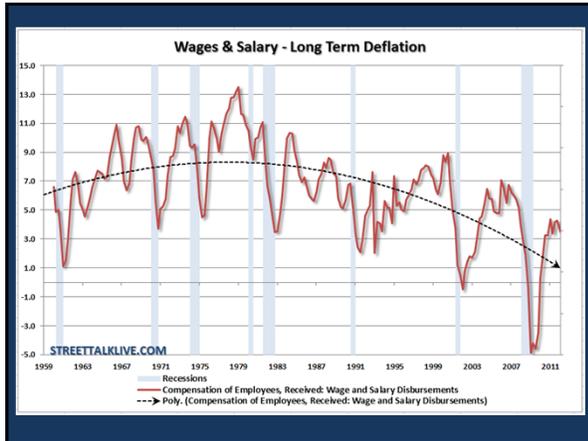


SPENDING PRIORITIES ARE MOVING AWAY FROM TAXABLE GOODS.....

📊 27% Increase in Household Spending 2000 -2010:

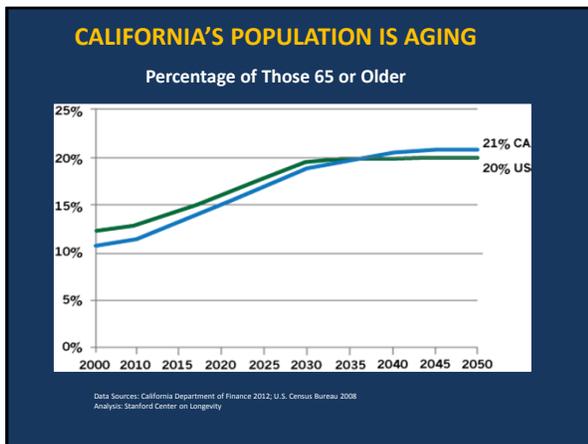
- ✓ Housing
- ✓ Healthcare
- ✓ Food
- ✓ Entertainment
- ✓ Education

📊 Entire gain by top 20% income Households – Household spending by remaining 80% declined.

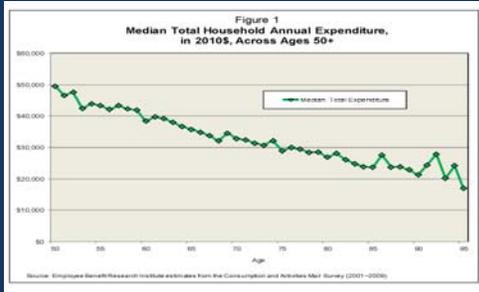


Declining Prices of Tangible Goods

- 🌸 Technology reducing cost of goods – autos, apparel, electronics.
- 🌸 On-line shopping forcing increased price competition.
- 🌸 Shopping Habits of Affluent shifting downward.



TAXABLE SPENDING DECLINES WITH AGE





After the Aging Baby Boomers Come the Cheapskates.....

The Millennials (Generation Y)

- Lower Financial Expectations
- Urban Dwellers
- Education & Social Networking over Stuff
- Traders, Renters, Borrowers, Recyclers

THEIR FUTURE IS ONLINE.....

Percentage of people willing to give up a key lifestyle habit, instead of the Internet for a year

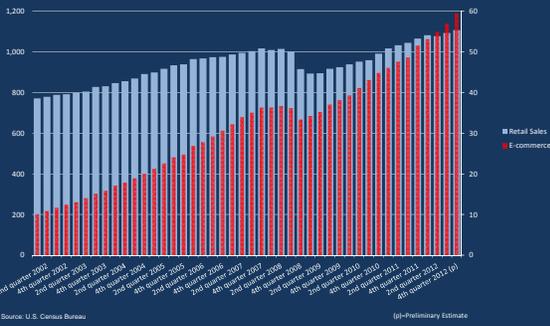


Source: Boston Consulting Group, Fall Company Design

TECHNOLOGY IS CHANGING HOW WE SHOP

- ✿ 8% of retail transactions on-line, projected to grow to 10% by 2016...shift of tax to location of fulfillment distribution centers rather than stores.
- ✿ Food Trucks a \$2.7 Billion industry by 2017. Shift of tax from brick and mortar restaurants to pools.
- ✿ No tax on electronic downloads of books, movies, music...anyone remember when photos required film for the camera?

Percentage Growth in E-Commerce Sales versus Total Retail Sales (Billions of Dollars)



SHRINKING "POINTS OF SALE" FROM BRICK AND MORTAR RETAILERS....

- ✿ Stores downsizing to become Touch & Feel showrooms for online sales.
- ✿ Focus on shopping environment & experience rather than large inventories.
- ✿ Increased market saturation with smaller, low overhead stores and kiosks in more or temporary locations.



SALES TAX KICKBACKS & THE SHRINKING PIE.....

- ❁ Bidding of kickbacks for “points of sale” at an all time high... 85% To Owens & Minor, 80% to Kohl’s, 75% to Home Depot, 70% to Office Depot, 65% to CDW, 50% to CEMEX, etc., etc.
- ❁ 20% to 30% of Bradley-Burns revenue pie rebated back to corporate bottom lines.
- ❁ The smaller the pie, the more desperate the bidding....expect sales tax to shrink even more.

CITIES WITH TRANSACTIONS TAX DISTRICTS—APRIL 2013

Albany	El Cajon	La Mirada	Paso Robles	San Luis Obispo	Tracy
Arcata	El Cerrito	Lakeport	Pico Rivera	San Mateo	Trinidad
Arroyo Grande	El Monte	Lathrop	Pine	San Pablo	Tulare
Arvin	Eureka	Los Banos	Pismo Beach	San Rafael	Tulare
Avalon	Fairfax	Mammoth Lakes	Pittsburg	Sand City	Ukiah
Calico	Fairfield	Manteca	Placerville	Sanger	Union City
Campbell	Farmersville	Marina	Point Arena	Santa Cruz	Vacaville
Capitola	Fort Bragg	Merced	Port Hueneeme	Santa Maria	Vallejo
Carmel	Galt	Montclair	Porterville	Santa Monica	Visalia
Cathedral City	Grass Valley	Moraga	Reedley	Santa Rosa	Vista
Ceres	Greenfield	Moro Bay	Richmond	Seaside	Watsonville
Clearlake	Grover Beach	Mount Shasta	Ridgecrest	Sebastopol	West Sacramento
Commerce	Gustine	National City	Rio Vista	Selma	Wheatland
Concord	Half Moon Bay	Nevada City	Rollerst Park	Soledad	Williams
Cotati	Healdsburg	Novato	Sacramento	Sonoma	Willits
Culver City	Hercules	Oakdale	Salinas	Sonoma	Woodland
Davis	Hollister	Orinda	San Bernardino	South El Monte	
Del Rey Oaks	Inglewood	Oxnard	San Francisco	South Gate	
Delano	La Habra	Pacific Grove	San Juan Bautista	South Lake Tahoe	
Dinuba	La Mesa	Palm Springs	San Leandro	Stockton	



So.....

- ❁ Demographics and social changes reducing amount of tangible purchases.
- ❁ Technology converting purchases from tangible to non-taxable intangible goods.
- ❁ Prices of remaining tangible goods declining.
- ❁ Future tax growth shifting to Distribution Centers.
- ❁ Majority of taxes from distribution centers kicked back to corporations instead of public services.

.....What do we do?



For the Answers....
Dr. Annette Nellen
Paul Arevalo

(909) 861-4335
www.hdlcompanies.com
Lloyd de Llamas 9/19/13



CITY OF HUGHSON AGENDA ITEM NO. 6.1

SECTION 6: NEW BUSINESS

Meeting Date: October 14, 2013
Subject: Approval of a Revised Electronic Communications, Devices, and Internet Access Policy
Presented By: Dominique Spinale, Management Analyst

Approved By: _____

Staff Recommendation:

Review the revised Electronic Communications, Devices, and Internet Access Policy and approve the policy by adopting Resolution No. 2013-30.

Background and Overview:

In 2003, the City Council adopted Resolution No. 03-16 which approved what was referred to as "An Electronic Communications and Internet Access Policy". This was meant to address the use of the e-mail and internet access on City computers for work purposes. This policy was brought back to the City Council in 2006 for additional review and feedback, and was then amended and re-adopted by Resolution No. 06-40.

City staff and Legal Counsel have reviewed the policy and have made changes and updates, including the addition of language that clearly defines City elected officials as well as staff, and the use of equipment and devices. These changes are quite minuet, bringing the policy up to date by acknowledging both employees and City officials, as well as specific language for the use of equipment and devices (such as IPADS). Other updated language advises that all equipment and devices must be returned in the event that the employee and/or City official is no longer an employee of the City of Hughson.

The City Council may wish to discuss additional items contained herein or may recommend changes to the language used in the policy.

**CITY OF HUGHSON
CITY COUNCIL
RESOLUTION NO. 2013-30**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUGHSON
AMENDING THE ELECTRONIC COMMUNICATIONS, DEVICES, AND INTERNET
ACCESS POLICY**

WHEREAS, the City of Hughson established guidelines for the use of computer systems, electronic mail (E-mail) and Internet Access on the City of Hughson computer network on April 28, 2003, by adoption of Resolution No. 03-16;and,

WHEREAS, in 2006 the City of Hughson reviewed and amended this policy bring it up to date with current policies and procedures by Resolution No. 06-40; and,

WHEREAS, the City's computer systems, equipment and devices, e-mail, and internet access are business tools which shall be used in accordance with generally accepted business practices and current law reflected in the California Public Records Act; and,

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Hughson that:

1. The amended Electronic Communications, Devices, and Internet Access Policy be added to the Personnel Rules of the City of Hughson.
2. Each employee/city official shall receive a copy of the amended policy and shall execute the "Employee/City Official Acknowledgement" form, indicating that he/she has received and read said policy.
3. A copy of each executed "Employee/City Official Acknowledgement" form be filed in each employee's personnel file for record keep purposes.

PASSED AND ADOPTED by the Hughson City Council at a regular meeting thereof held on October 14, 2013, by the following roll call vote:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

MATT BEEKMAN, Mayor

ATTEST:

DOMINIQUE SPINALE, Deputy City Clerk

CITY OF HUGHSON
ELECTRONIC COMMUNICATIONS, DEVICES, AND
INTERNET ACCESS POLICY

Purpose:

The purpose of this policy is to establish guidelines for the use of computer systems, devices/equipment, electronic mail (hereinafter "E-mail") and Internet Access on the City of Hughson's (hereinafter "City") computer network. The City's computer systems devices/equipment, E-mail and Internet Access are business tools which will be used in accordance with generally accepted business practices and current law reflected in the California Public Records Act to provide an efficient and effective means of City communications.

Application:

This policy, as approved by the City Council on April 28, 2003, shall apply to all City officials (elected, appointed or otherwise)(hereinafter "City officials"), appointees, employees, volunteers, consultants and any other non-employees utilizing general application computer systems, devices/equipment, and electronic communications owned, managed, supervised, controlled or operated by the City of Hughson.

Provisions:

Information technology facilitates electronic communication between staff, residents and other organizations. Computer systems and electronic communications are for business-related purposes only. The data created, stored on, or transmitted using City computer systems or devices/equipment is the property of the City, except as otherwise required by law. City Management reserves the right to access all data stored on or transmitted using its computers, IPADS, cell phones, and other systems. The City respects the individual privacy of City officials and its employees, however, employees and City officials do not have the right to privacy concerning work-related conduct, use of City owned equipment or supplies, or electronic communications that are sent or received from the City. Consequently, ***E-mail and Internet Access users shall have no reasonable expectation of privacy in communications sent over the City's general application computer network as such communications are not confidential.*** The City reserves the right to lawfully inspect and service all aspects of its computer system and devices/equipment.

The determination of those department employees who will be provided or denied E-mail and/or Internet access shall be at the sole discretion of the City Manager.

In addition to existing systems and services, this Administrative Policy is intended to apply to new computer based systems, devices/equipment, and services as implemented in the future.

A. **PROPER USE OF COMPUTER SYSTEMS AND ELECTRONIC COMMUNICATIONS**

1. The use of E-mail and Internet access is for City Business activities. Some incidental and occasional personal use of the E-mail system is permitted as long as such use is kept to a minimum. Personal messages are not confidential and subject to access and disclosure pursuant to the provisions of this policy.
2. Users of E-mail are responsible for the management of data and messages. Data stored on the network server will be backed up regularly. Sensitive and confidential data shall be protected with passwords.
3. Employees and City officials shall protect all computer equipment against viruses, physical abuse and unauthorized use. Specifically, employees shall use and not disable virus protection software and not willfully introduce virus-infected files.
4. Employees and City officials shall notify City Management of any updates or changes in user ID's, passwords, or any other changes to the set up of devices/equipment or computer systems.
5. Employees and City officials shall notify City Management of any possible viruses, malfunctions, or if their device/equipment becomes compromised, or is lost or stolen.

B. PROHIBITED USES OF E-MAIL AND INTERNET ACCESS

Unless otherwise permitted by law, the following constitutes abuse of the City's computer systems and electronic communications and are prohibited:

1. Messages that disrupt or threaten to disrupt the efficient operation of City business or administration are prohibited. Messages prohibited in this section include, but are not limited to:
 - a. Messages that publicize a personal dispute, other than according to an approved grievance procedure.
 - b. Messages that constitute or counsel insubordination.
 - c. Messages that may harm close working relationships
 - d. Messages that harm the integrity of the computer system or network.
2. Messages that violate law, violate individual rights, create potential liability for the City, or violate public policy are prohibited. These prohibited messages include, but are not limited to:
 - a. Any message that would be in conflict with the City's Harassment Policy and/or comments or images (including screen savers and wallpaper) that could offend on any basis protected by law such as, but not limited to, race, color, religion, sex, national origin, ancestry, age, physical disability, mental disability, medical condition, veteran status, marital status, sexual orientation or any other status protected by local, state or federal law.

- b. Any message or comment containing disparaging remarks concerning elected officials, appointed officials, employees, volunteers, consultants or other non-employees of the City.
 - c. Any E-mail message, any Internet site or screen saver, including wallpaper, which any reasonable person would find to be defamatory, offensive, harassing, derogatory or disruptive.
 - d. Messages that may undermine the City's ability to provide public services through its employees.
 - e. Messages that are pornographic, obscene, indecent, or sexually explicit.
 - f. Messages that contain the use of racial, religious, or ethnic slurs.
 - g. Messages intended to harass or annoy, including derogatory, vulgar, defamatory, or hate messages.
 - h. Messages that contain threats to personal safety.
3. Messages that contain confidential, privileged or otherwise private information except when such messages are transmitted for an authorized purpose and are transmitted in an appropriately secure manner. These messages include, but are not limited to:
- 1. Personnel, payroll and medical files or confidential information from these files.
 - 2. Financial or account codes, numbers or authorizations that could be misused if intercepted by or disclosed to unauthorized persons or that may otherwise lead to unauthorized financial obligations to the City.
 - 3. Privileged or confidential communications or documents from or to legal counsel.
4. Personal messages which include, but are not limited to:
- 1. Messages for personal gain or profit or for private or non-City commercial activity including personal research or surveys.
 - 2. Messages to promote, distribute materials, or solicit individuals on behalf of commercial ventures, political causes (unless specifically authorized), religious causes, charitable organizations or other organizations in which the user is involved.
 - 3. Chain letters.
 - 4. Junk mail sent via distribution lists that concern non-City business related topics.

5. Participation in non-business related "chat-room" discussions.
5. Using someone's passwords or codes without proper authorization.
6. Disclosing anyone's passwords or codes including the employee's or city official's own without authorization.
7. Use of the Internet or E-mail system for gambling.
8. Messages sent anonymously or with fictitious names.

C. STATUS OF ELECTRONIC DATA AND MESSAGES

1. E-mail communications are ***not confidential*** and are subject to review by authorized personnel, as designated by the City Manager or authorized personnel, and disclosure to the public.
2. E-mail communications may be subpoenaed or requested under the California Public Records Act and/or may be used as evidence in court or as part of an investigation. The content of E-mail may be subject to disclosure within or outside of the City without employee permission or knowledge.
3. The City, through its authorized personnel, has the authority to access communications in the E-mail system at any time for any lawful City business-related reason.
4. The City has unlimited access to protect system security or the City's property rights. However, the City does not routinely monitor E-mail communications or Internet usage and expects that employees will voluntarily abide by this policy. With the approval of the City Manager, authorized personnel may establish rules for the retention/storage/deletion of electronic mail in order to preserve the integrity of the file server and system.

D. RECORDS MANAGEMENT

1. E-mail messages which are intended to be retained in the ordinary course of the City's business are recognized as official records that need protection/retention in accordance with the California Public Records Act. Because the E-mail system is not designed for long term storage, E-mail communications which are intended to be retained as an official record should be stored in appropriate electronic form or printed out and the hard copy filed in the appropriate subject file.
2. The City will maintain E-mail messages designated as official records for a minimum of two (2) years or as otherwise designated in the City's records management schedule. These E-mail messages are subject to public disclosure, even if they are drafts or informal notes, unless the need to retain their confidentiality outweighs the need for disclosure, or the E-mail message is otherwise exempt under any provision of the Public Records Act or other state or federal law.

3. E-mail communications that are not intended to be retained and which serve no useful purpose to the City should be deleted from the system.

E. E-MAIL PROCEDURES/ETIQUETTE

Employees who are granted E-mail and Internet access are required to abide by the following procedures and etiquette. Employees and city officials are to:

1. Remember they are representing the City through their communications both internally and externally, and it is critical that they maintain a positive image for both themselves and the City.
2. As a good business practice, E-mail is to be checked at least once each work day and messages responded to promptly.
3. Be certain that their messages are addressed to the proper person. The list of persons being E-mailed when choosing a "REPLY ALL" function must be checked prior to sending the E-mail message. E-mail should not be used for broadcast purposes unless the message is of interest to all users.
4. Capitalize words only to emphasize an important point or to distinguish a title or heading. Capitalizing whole words that are not titles is generally interpreted as shouting.
5. Be professional and careful of what is said about others. E-mail is easily forwarded and blind copied.
6. Be cautious when using sarcasm and humor. Without face to face communication, humor may be viewed as criticism. By the same token, E-Mail users must carefully read what others write. The perceived tone may easily be misinterpreted.
7. Be aware that deleting or erasing information, documents, or messages maintained on the City's network is, in many cases, ineffective. Information kept on the City's system may be electronically recalled or recreated regardless of whether it may have been erased or deleted by an employee. Further, since the City may periodically back-up files and messages, and because of the way in which computers re-use file storage space, files and messages may exist even after a user assumes they are deleted. Finally, information or messages may still exist in the storage areas of other users. Therefore, employees who delete or erase information or messages should not assume that such information or messages are confidential.

F. PENALTIES FOR MISUSE OF E-MAIL OR INTERNET ACCESS

1. All E-mail and Internet Access users will be provided a copy of this regulation, upon the granting of access to the computer network. Each such person shall be required to complete an "Employee/City Official Acknowledgement" in substantially the form attached hereto as Attachment A. One copy of the form shall be given to the employee/City official, and another shall be kept in the employee's personnel file with the

City Clerk.

2. Failure on the part of any employee/city official to comply with the provisions of this policy may result in suspension or revocation of the privilege of using or accessing E-mail and Internet Access, as well as disciplinary action up to, and including, termination of employment.
3. Failure on the part of any contractor or consultant to comply with the provisions of this policy will constitute grounds for termination of their contract with the City.

CITY OF HUGHSON

EMPLOYEE/CITY OFFICIAL ACKNOWLEDGMENT

ELECTRONIC COMMUNICATIONS, DEVICES, AND INTERNET ACCESS POLICY

I hereby acknowledge receiving and reading a copy of Administrative Policy **ELECTRONIC COMMUNICATIONS, DEVICES, AND INTERNET ACCESS POLICY**. I also understand that any questions concerning the policy may be addressed to the City Manager and/or authorized personnel.

I understand that the City ' s E-mail and Internet access system and computer network are for City business only. I further understand that all information contained on or communicated through the E-mail and Internet access system and computer network is subject to monitoring, review and disclosure.

(Initial)

I understand that in the event that I am no longer an employee of the City of Hughson, I must return any and all City owned devices, equipment, etc, that were issued for my use.

(Initial)

Consequently, I have no expectation of privacy in communications stored on, or communicated through, any City computer system or network as such communications are **not** private or confidential.

(Initial)

Finally, as an employee/city official, I understand that violation of this Administrative Policy may result in disciplinary action, up to and including dismissal.

(Initial)

Name (printed or typed): _____

Signature: _____ Date: _____



Sheriff Adam Christianson

Hughson Police Services

Stanislaus County Sheriff
7018 Pine Street – Hughson CA 95326
(209) 883-4052 • Fax (209) 883-2049



Chief Darin Gharat

October 01, 2013

3rd Quarter Police Services Report

General Crime Statistics

	Total for 3rd Quarter 2012	Total for 3rd Quarter 2013	% Change
Homicide	1	0	-100
Robbery	0	1	100
Assault	9	11	22
Rape	0	0	0
Burglary	12	18	50
Larceny	*13	*12	-7
Auto Theft	2	4	100
Weapon Offenses	2	2	0
Domestic Violence	4	4	0
DUI	2	2	0
Drug Offenses	3	10	233
Traffic Collisions (Non Injury)	6	6	0
Traffic Collisions (Injury)	5	1	-80
Traffic Citations	*141	*298	173

*

2012 Larceny rate includes 10 petty thefts
2013 Larceny rate includes 11 petty thefts

2012 Traffic Citations include;

- 51 Moving Violations
- 31 Non-moving violations
- 52 Parking Violations
- 7 Mechanical Violations

2013 Traffic Citations include;

- 125 Moving Violations
- 56 Non-moving Violations
- 25 Parking Citations
- 9 Mechanical Violations

In the 3rd Quarter of 2012, your police department responded to 1,098 calls for service. 104 Adults were arrested for various crimes, 86 of which were cited and 18 were booked. 11 of those arrested were for felonies.

In the 3rd Quarter of 2013, your police department responded to 1,236 calls for service. 206 Adults were arrested for various crimes, 178 of which were cited and 28 were booked. 21 of those arrested were for felonies. We had 5 juvenile arrests.