



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

AGENDA
MONDAY, SEPTEMBER 12, 2016 – 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: Hughson Ministerial Association

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.**

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:

- 2.1:** Conduct Interviews of Candidates for the Planning Commission.
- a. Hold Nominations and Make an Appointment.
 - b. Administer Oath of Office.
- 2.2:** City of Hughson Beautification Presentation.

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 Minutes of the Special Meeting of August 19, 2016.
- 3.2:** Approve the Minutes of the Regular Meeting of August 22, 2016.
- 3.3:** Approve the Minutes of the Special Meeting of August 25, 2016.
- 3.4:** Approve the Warrants Register.
- 3.5:** Approval of the Treasurer's Report: Investment Portfolio Report – May 2016.
- 3.6:** Approve the Treasurer's Report for May 2016.
- 3.7:** Consideration to Accept State of California Department of Transportation Active Transportation Program Grant and Authorize the City Manager to Execute the Grant Agreement for the Fox Road Sidewalk Infill Project.
- 3.8:** Consideration of the League of California Cities 2016 Annual Conference Resolution Packet.
- 3.9:** Approval of Industrial Waste Hauler Permit Applications.
- 3.10:** A Proclamation: Declaring September 18–24, 2016 as “Childhood Cancer Awareness Week”.

4. UNFINISHED BUSINESS:

4.1: Discuss and Provide Direction to City Staff on the Agricultural Lease Agreement with Mid Valley Nut Company for City Property Located on Leedom Road (Lower Ponds) Near the Waste Water Treatment Facility.

5. PUBLIC HEARING TO CONSIDER THE FOLLOWING: NONE.

6. NEW BUSINESS: NONE.

7. CORRESPONDENCE: NONE.

8. COMMENTS:

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

City Manager:

City Clerk:

Community Development Director:

Director of Finance:

Police Services:

City Attorney:

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

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

9. CLOSED SESSION TO DISCUSS THE FOLLOWING:

9.1: CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION
(Paragraph (1) of subdivision (d) of Section 54956.9)
Name of Case: David Chase v. San Joaquin Valley Risk Management Authority et al., Workers Compensation Appeals Board, Case No. WCAB No.: ADJ7139354.

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

One Case

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:

May 5 – Sept 29	▪ Hughson Farmers’ Market (Thursday), 5:00 P.M. – 9:00 P.M.
September 12	▪ City/School 2+2 Committee, City Hall Chambers, 5:30 P.M.
Sept 15 and Sept 17	▪ Hughson Concert Series, Thursday 5:30 P.M. – 8:00 P.M. (Downtown); Saturday 5:00 P.M. – 9:30 P.M. (Starn Park)
September 20	▪ Planning Commission Meeting, City Hall Chambers, 6:00 P.M.
September 26	▪ Economic Development Committee, City Hall Chambers, 5:30 P.M.
September 26	▪ City Council Meeting, City Hall Chambers, 7:00 P.M.
October 5-7	▪ League of California Cities Annual Conference, Long Beach, CA
October 12	▪ City/Fire 2+2 Committee, Hughson Fire Protection District, 5:30 P.M.
October 22	▪ Sierra Vista Southeast Stanislaus Advisory Board Harvest Celebration, The Rogers Family Center, St. Anthony’s Church, 6:00 P.M.
October 31	▪ Trunk or Tent and Treat Event @ Lebright Fields, 5:00 P.M. – 8:00 P.M.

AFFIDAVIT OF POSTING

DATE: September 8, 2016 **TIME:** 5:00 pm
NAME: Susana Diaz **TITLE:** Deputy City Clerk

**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.

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

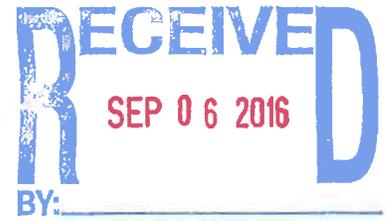
Any documents produced by the City and distributed to a majority of the City Council regarding any item on this Agenda will be made available at the City Clerk’s counter at City Hall located at 7018 Pine Street, Hughson, CA. 4

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



PLANNING COMMISSION APPLICATION

NAME: **Michael Ann Mitchell**

HOME ADDRESS: **7415 Deforest Court** ZIP CODE: **95326**

EMAIL: **starwars3434@att.net** PHONE NUMBER: **209-743-6783**

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 **1 year** IN HUGHSON **1 year** IN COUNTY **1 year**

CURRENT OCCUPATION: **Retired**

BUSINESS ADDRESS _____ PHONE: _____

EDUCATION (Highest level of education, degree(s), etc.): **Bachelor of Science—Nursing**

EMPLOYMENT HIGHLIGHTS: **Staff Nurse, Patient Educator, Coordinator and instructor for Merced Diabetes Care Center, Home Health Nurse Yuba City, PHN and Clinical Supervisor for State/Federal Program**

PRIOR PUBLIC SERVICE (If any): **Appointed by county supervisor to Council on Aging Committee-YC, Representative on Suicide Prevention Committee-Tuolumne,**

PRESENT AND PAST COMMUNITY ACTIVITIES (DO NOT LIST PARTISAN POLITICAL ACTIVITIES): **Participated in various activities for Interfaith and Red Cross, food & clothing distribution at Thanksgiving/Christmas, Gold Star mom activities,**

WHAT ARE THE MOST IMPORTANT ISSUES FACING HUGHSON? (Relative to the position being sought):

Update infrastructure to accommodate growth, continue improvements to soccer complex, flow of traffic and pavement markers, permanent bathroom at LeBright field, maintain small town atmosphere with growth only in downtown area.

CANDIDATE'S STATEMENT

As a Candidate for the PLANNING COMMISSION, I submit the following statement:

My name is: **Michael Ann Mitchell**

My education and qualifications are: **Bachelor of Science-Nursing from Cal-State University Long Beach, Certificate of Public Health from UCLA, National Certification Board for Diabetes Educators, Community College Instructor.**

During my career I have held various leadership positions which involved staff scheduling, developing program content, evaluations, assessments, interviews, maintaining confidentiality, consulting with medical advisor and coordinating patient care. My last position was as a Clinical Supervisor/PHN for MSSP State/Federal matching funded program. Along with the above duties I was responsible for managing all aspects of a budget of approx \$350,000 and a staff of 4 and case load of 55 frail elderly disabled clients. I am also familiar with the intricacy of following state mandated guidelines/timeframes and working with public and private agencies

>Continue Community Activities: Catholic Charities committee to assist VA housing/homeless solutions, Volunteer driver for Road to Recovery with Cancer Society

SIGNATURE: Michael Ann Mitchell DATE: September 6, 2016

MY REGISTERED VOTER ADDRESS IS: **7415 Deforest Court** **Hughson, Ca**

****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: Tuesday, September 6, 2016 BY 5:00PM



PLANNING COMMISSION APPLICATION

NAME: John Luis

HOME ADDRESS: 1517 Colbert Ct ZIP CODE: 95326

EMAIL: jlutu17@gmail.com PHONE NUMBER: 209-485-8349

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 18 Mos IN HUGHSON IN COUNTY 12 Years

CURRENT OCCUPATION: Educational Administration

BUSINESS ADDRESS 2209 Blue Gum Ave. Modesto, CA 95358 PHONE: 209-238-6701

EDUCATION (Highest level of education, degree(s), etc.): M.Ed., Administrative Services Credential,
B.S. Natural Resources Planning and Interpretation (Humboldt St. Univ)

EMPLOYMENT HIGHLIGHTS: Development and implementation of LIFE Academy (SCOE), Development
and implementation of attendance program in the Newman - Crows Landing USD, Child Welfare and
Attendance liaison, homeless liaison for NCLUSD

PRIOR PUBLIC SERVICE (If any): Coaching Hughson youth baseball and soccer

PRESENT AND PAST COMMUNITY ACTIVITIES (DO NOT LIST PARTISAN POLITICAL ACTIVITIES): Coaching youth sports

WHAT ARE THE MOST IMPORTANT ISSUES FACING HUGHSON? (Relative to the position being sought): Hughson needs to continue finding the balance between efficient and sustainable growth, both
physically within our city limits and economically.

CANDIDATE'S STATEMENT

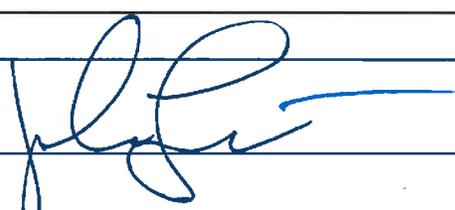
As a Candidate for the PLANNING COMMISSION, I submit the following statement:

My name is: John Luis

My education and qualifications are: I hold a Bachelor's of Science in Natural Resources Planning and Interpretation from Humboldt State University. While studying, I was able to research various communities that utilize a sustainable growth model. Though I changed direction in my career to teaching, I was able to teach a variety of subjects that related to such growth models.

Today, I am a Principal with the Stanislaus County Office of Education. We house students from a variety of cultural, economic and academic backgrounds and experience. We have implemented the L.I.F.E. Academy. The L.I.F.E. acronym stands for Leadership and Inspiration Focused Education. I call your attention to this academy because it is a direct example of taking kids from multiple backgrounds and giving them the exposure to leadership responsibilities. The idea behind this program is to help our youth to better understand the responsibilities and pride of "community". I feel this type of responsibility holds true for our appointed and elected officials. We build relationships and trust with our community by modeling what smart growth looks and feels like.

I feel that I am qualified to hold a position on the Hughson Planning Commission. I am not only a member of this fine community, but I am invested in our community and would like to take an active role in it's sustainability by joining an educated and sound decision making body.

SIGNATURE:  DATE: September 6, 2016

MY REGISTERED VOTER ADDRESS IS: 1517 Colbert Ct., Hughson, CA 95326

****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: Tuesday, September 6, 2016 BY 5:00PM**



RECEIVED

SEP 06 2016

City Clerk's Office
City of Hughson

PLANNING COMMISSION APPLICATION

NAME: Brian G. Evans

HOME ADDRESS: 6729 Metcalf Way ZIP CODE: 95326

EMAIL: brian@evans-mail.com PHONE NUMBER: 209-670-5794

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: N/A

LENGTH OF TIME AT: RESIDENCE 12 years IN HUGHSON 12 years IN COUNTY 42 years

CURRENT OCCUPATION: Contract Administrator

BUSINESS ADDRESS 265 Val Dervin Parkway Stockton, CA 95206 PHONE: 209-983-2364

EDUCATION (Highest level of education, degree(s), etc.): Bachelors in Business Management, Current completing a Master in Business Administration(MBA), expected completion date of October 2017.

EMPLOYMENT HIGHLIGHTS: Teichert Aggregates - Plant Clerk - 2001 thru 2006. George Reed, Inc - Executive Assistant - 2006 thru 2009. Private Business Consultant from 2010 thru 2013. Teichert Aggregates - Plant Clerk - 2011 until 2013. Teichert Construction - Contract Administrator - 2013 to present.

PRIOR PUBLIC SERVICE (If any): None

PRESENT AND PAST COMMUNITY ACTIVITIES (DO NOT LIST PARTISAN POLITICAL ACTIVITIES): Member of Modesto Covenant Church, Cubmaster of Pack 326 in Hughson from 2013 to present, participant and mentor with Team in Training with the Leukemia and Lymphoma Society, and Modesto Moves

WHAT ARE THE MOST IMPORTANT ISSUES FACING HUGHSON? (Relative to the position being sought): I feel the most important issues currently facing Hughson is, our future growth, increase in crime, plus public general safety.

Brian G. Evans, BS Business Management

6729 Metcalf Way Hughson, CA 95326

Cell: 209-670-5794

brian@evans-mail.com

OBJECTIVE:

I have over 20 years of business experience. This experience is a combination of both real life business education and traditional education. To further my experience and qualification I attended Humphrey School of Law for two years where my understanding regarding current business laws and/or statutes were expanded. During that time my particular focus was Contract Law. These skills have assisted me in contract negotiation and contract compliance. Currently I am completing an MBA with Western Governor University and expected to complete that program October 2017.. The combination of skills/education would allow me to perform the necessary duties and provide your organization with the professionalism it expects and deserves.

EXPERIENCES:

- **Accounting:**
 - A/P & A/R
 - G/L & P/L statements
 - Taxes
 - Sales/Use Tax
 - Social Security
 - Payroll
 - JD Edwards
 - Oracle
- **Contract:**
 - Contract Negotiations
 - Contract Administration
- **Notary:**
- **Federal / State Regulatory Reporting:**
 - Cal-OSHA & MSHA
- **Network / Software:**
 - **Microsoft CERTIFIED**
Professional
 - Excel
 - Access
 - Word
 - PowerPoint
 - Outlook
- **Additional Skills:**
 - Type 45-50 WPM
 - Experienced Public Speaking

EDUCATION:

- 2015 – Pres. Master of Business Administration (MBA) Western Governor University: **Expected Graduation October 2017**
- 2009- 2011 Juris Doctorate Humphreys School of Law.
- 2004- 2007 Bachelor of Science In Business Management, University of Phoenix, **Graduated 2007**
- 2002- 2003 Network Software Engineer, Institute of Technology, **Graduated 2003**
- 2002- 2003 Microsoft Certified Professional, Institute of Technology, **Completed 2003**
- 1989- 1993 Diploma, Oakdale High School, **Graduated 1993**

WORK HISTORY:

Contract Administrator

2013 - Current

Teichert Construction

As a Contract Administrator I create, review and negotiate all construction contract. I also negotiate any and all changes requested by a Subcontractor to a Teichert standard subcontract agreement. Additionally, I prepare prequalification statements for Teichert Construction. I also handle the preparing and submitting of Federal and State mandated reports required on Public Works contracts, plus the filing of preliminary notices on project. Finally, Teichert Construction upper management requires that all contract be approved by either myself or my counterpart before signing, therefore, this position is very demanding and vital to Teichert Construction operations.

- Contract Negotiation**
- Contract Compliance**
- Contract Preparation**
- Contract Management**

- Policy and Procedure Review and Implantation**
- Federal and State Reporting**
- Project Bidding both Public and Private**
- Dispute Resolution**

Plant Administrator **2011 - 2013** **Teichert Aggregates thru Appleone Staffing**

- Support Plant Manager
- Accounts Payables
- Payroll

- Safety reports both Federal and State
- Weighmaster
- Customer Service

Business Consultant: **2009 – 2013** **Brian Evans**

Experienced gain from contract negotiation to G/L reduction. Resolved a dispute between a surgical facility and a payee where surgical facility was owed over \$ 1 million dollars for unpaid procedures. Performed a billing audit where I was able to located \$2.5 Million in unbilled procedures, resulting in a 100% collection of the unbilled procedures. Performed reviews of vendor contracts used to renegotiate contract renewals. Prepared and reported all finding to company CEO's and CFO's.

- Contract Negotiation
- Contract Compliance
- Contract Preparation
- Dispute Resolution

- Policy and Procedure Review and Implantation
- Billing audit
- Budget Review
- G/L Reduction

Office Manager / Admin Asst: **2006 – 2008** **George Reed. Inc**

Assisted the Vice President and in-house Engineer at George Reed as their Administrative Assistant, as well as Office Manager of the Snelling Division, duties are listed below. This position required the ability to manage multiple offices, multiple schedules and required efficient budgeting of time to assure the success of project and timeline obligation.

- Budget Review, Audits and Creation
- Financial Reports including G/L & P/L, statements and a variety of Corporate Accounting Monthly/Quarterly/Annually
- Managed A/R, A/P & Payroll

- Processed Sales Tax, Use Tax, Social Security Tax and variety of other stated and federal report
- Processed Cal-OSHA and MSHA mandated reports
- Processed Union Due and Union Benefit payments

Plant Administrator **2001 – 2006** **A. Teichert & Sons Aggregates**

Administrative Assistant to the Plant Manager required that I handle responsibilities such as;

- Weightmaster
- Accounts Payables
- Payroll & Union Benefits for 30 plus employees
- Creation of Account Spreadsheets & Reports

- Prepared Federal and State Mandated Cal-OSHA and MSHA.
- Prepared and maintained three MSDA books.
- Prepared and Maintained Safety Records for all equipment

Technical Specialist **1999 – 2001** **Mensco, Inc**

Technical Support Specialist assisted in

- Designing Filtration Systems
- Customer Support for key customers

- Knowledge of Circuit Boards and Circuit Board

Customer Service Specialist **1998 – 1999** **California State Automobile Association**

Customer Service Support Specialist assisted customers in their roadside assistance needs. Duties included;

- Telephone Support
- Knowledge of Maps

- Ability to safely and effectively assist customers in dangerous and stressful situations
- Ability to handle multiple calls at one time and in continuous bases

Portfolio Manager **1997 – 1998** **Diversified Collection Services**

Portfolio Manager handled the collection of defaulted student loan accounts. Duties included

- Assisting defaulted borrowers with repayment options
- Diligent record keeping
- Proper tracking of defaulted accounts
- Prepare documentation for pending litigation

Call Traffic Coordinator **1994 – 1997** **G. C. Services / MCI Communication**

Call Traffic Coordinator duties included

Call traffic Coordinator duties included;

- Monitors call volume
- Split second decision making
- Schedule 600 operators for 24 hour 7 days a week shift

References and Accomplishments Available upon Request



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

Meeting Date: August 19, 2016
Subject: Approval of the City Council Minutes
Presented By: Susana Diaz, Deputy City Clerk

Approved By: _____

Staff Recommendation:

Approve the Minutes of the Special Meeting of August 19, 2016

Background and Overview:

The draft minutes of the August 19, 2016 meeting are prepared for the Council's review.



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

**MINUTES
FRIDAY, AUGUST 19, 2016 – 4:00 P.M.**

CALL TO ORDER: Mayor Pro Tem Young

ROLL CALL:

Present: Mayor Pro Tem Jeramy Young
Councilmember George Carr
Councilmember Harold Hill
Councilmember Jill Silva

Absent: Mayor Matt Beekman

Staff Present: Raul L. Mendez, City Manager
Susana Diaz, Deputy City Clerk
Daniel J. Schroeder, City Attorney
Jaylen French, Community Development Director
Larry Seymour, Chief of Police Services
Shannon Esenwein, Finance Director

FLAG SALUTE:

INVOCATION:

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

No public comment.

2. PRESENTATIONS: NONE.

3. CONSENT CALENDAR: NONE.

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.

4. UNFINISHED BUSINESS: NONE.

5. PUBLIC HEARING TO CONSIDER THE FOLLOWING: NONE.

6. NEW BUSINESS:

- 6.1:** Discussion and direction regarding the process for determining whether to continue with the November election since the number of nominations does not exceed the number of offices subject to the election Pursuant to Election Code Section 10229.

City Attorney Schroeder provided the legal options available to the Hughson City Council to determine whether to continue with the November election process since the number of nominations does not exceed the number of offices to be elected subject to the election pursuant to Election Code Section 10229. Council held discussion in favor of cancelling the election and will attempt to proceed with the option of appointing to the office of Mayor and Council Member the persons who have completed nomination papers by the specified deadline and appoint an eligible candidate to a vacant office of Council Member for which no nomination papers were received.

Mayor Pro Tem recused himself due to the perception of a conflict of interest; he exited the council chambers at 4:35 P.M. and returned to the council chambers at 4:49 P.M.

No action was taken on this item.

7. CORRESPONDENCE: NONE.

8. COMMENTS:

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

City Manager: NONE.

Community Development Director: NONE.

Director of Finance: NONE.

Police Services: NONE.

City Attorney: NONE.

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

Councilmember Carr: NONE.

Councilmember Silva: NONE.

Councilmember Hill: NONE.

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

Mayor Beekman: ABSENT.

9. CLOSED SESSION TO DISCUSS THE FOLLOWING: NONE.

10. REPORT FROM CLOSED SESSION: NONE.

ADJOURNMENT:

CARR/SILVA 4-0 (BEEKMAN – ABSENT) motion passes to adjourn the meeting at 4:50 P.M.

JERAMY YOUNG, Mayor Pro Tem

SUSANA DIAZ, Deputy City Clerk



**A PROCLAMATION
DECLARING SEPTEMBER 18–24, 2016 AS “CHILDHOOD CANCER
AWARENESS WEEK”**

WHEREAS, the American Cancer Fund for Children and Kids Cancer Connection report cancer is the leading cause of death by disease among U.S. children between infancy and age 15. This tragic disease is detected in nearly 16,000 of our country's young people each and every year.

WHEREAS, one in five of our nation's children loses his or her battle with cancer. Many infants, children and teens will suffer from long-term effects of comprehensive treatment, including secondary cancers; and

WHEREAS, founded over twenty years ago by Steven Firestein, a member of the philanthropic Max Factor cosmetics family, the American Cancer Fund for Children, Inc. and Kids Cancer Connection, Inc. are dedicated to helping these children and their families; and

WHEREAS, the American Cancer Fund for Children and Kids Cancer Connection provide a variety of vital patient psychosocial services to children undergoing cancer treatment at Lucile Packard Children's Hospital at Stanford in Palo Alto, UCSF Benioff Children's Hospital, as well as participating hospitals throughout the country, thereby enhancing the quality of life for these children and their families; and

WHEREAS, the American Cancer Fund for Children and Kids Cancer Connection also sponsor Courageous Kid Recognition Award ceremonies, community get well cards and hospital celebrations in honor of a child's determination and bravery to fight the battle against childhood cancer.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Hughson, declare the Week of September 18-24, 2016 as “Childhood Cancer Awareness Week”.

Presented on this 12th day of September, 2016

Mayor Matthew Beekman



CITY OF HUGHSON AGENDA ITEM NO. 3.2 SECTION 3: CONSENT CALENDAR

Meeting Date: August 22, 2016
Subject: Approval of the City Council Minutes
Presented By: Susana Diaz, Deputy City Clerk

Approved By: _____

Staff Recommendation:

Approve the Minutes of the Regular Meeting of August 22, 2016

Background and Overview:

The draft minutes of the August 22, 2016 meeting are prepared for the Council's review.



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

**MINUTES
MONDAY, AUGUST 22, 2016 – 7:00 P.M.**

CALL TO ORDER: Mayor Pro Tem Jeramy Young

ROLL CALL:

Present: Mayor Pro Tem Jeramy Young
Councilmember George Carr
Councilmember Harold Hill
Councilmember Jill Silva

Absent: Mayor Matt Beekman

Staff Present: Raul L. Mendez, City Manager
Susana Diaz, Deputy City Clerk
Daniel J. Schroeder, City Attorney
Jaylen French, Community Development Director
Larry Seymour, Chief of Police Services
Shannon Esenwein, Finance Director
Lisa Whiteside, Finance Manager
Sam Rush, Public Works Superintendent

FLAG SALUTE: Mayor Pro Tem Jeramy Young

INVOCATION: Hughson Ministerial Association

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

Heather Bailey from the Hughson Public Library provided information regarding the Summer Reading Program. She also informed Council that the Library will be holding an activity in making pneumatic sand. August 26, 2016 is National Love Your Dog Day. The Stanislaus County Library is sponsoring "On the Road to Citizenship" Program.

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 Minutes of the Regular Meeting of August 8, 2016.
- 3.2: Approve the Warrants Register.
- 3.3: Approve the formal response to the Stanislaus County Civil Grand Jury Stanislaus County Building Study – Report 16-15 GJ
- 3.4: Approve the request by the Hughson Concerts Series Committee to have alcohol at scheduled events in downtown Hughson on Thursday, September 15, 2016 and at Starn Park on Saturday, September 17, 2016.

YOUNG/SILVA 4-0 (BEEKMAN – ABSENT) motion passes to approve the Consent Calendar as presented.

4. UNFINISHED BUSINESS:

- 4.1: Adopt Resolution No. 2016-29, Appointing a City Treasurer for the City of Hughson.

City Manager Mendez presented the staff report on this item. Ms. Jaime Fountain was present to provide the City Council additional information.

SILVA/CARR 4-0 (BEEKMAN – ABSENT) motion passes to approve Resolution No. 2016-29, appointing a City Treasurer for the City of Hughson.

- 4.2: Consider the request by the Hughson Fire Protection District for one-time funding to assist with emergency dispatch costs for Fire for Fiscal Year 2016-2017.

City Manager Mendez presented the staff report on this item. Jeff Serpa from the Hughson Fire Protection District was in attendance and assisted City staff with answering questions from the City Council.

SILVA/YOUNG 4-0 (BEEKMAN – ABSENT) motion passes to direct staff to provide final budget adjustments using existing budget to fund the one time cost through the Fiscal Year 2016-17 General Fund budget and approve the request by the

Hughson Fire Protection District to assist with emergency dispatch costs for fire for Fiscal Year 2016-17.

5. PUBLIC HEARING TO CONSIDER THE FOLLOWING: NONE.

6. NEW BUSINESS: NONE.

7. CORRESPONDENCE: No action was taken on these items.

7.1: Planning Commission Minutes August 16, 2016.

8. COMMENTS:

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

City Manager:

City Manager Mendez provided the City Council with an update of recent events. Council Member Hill and City Manager Mendez attended the Lakewood Memorial Park Ribbon Cutting event for the new mausoleum. City Manager Mendez and Mayor Pro Tem Young attended the Hughson Historical Society Annual Dinner to recognize two Hughson families: The Genzoli and the Machado families.

Mayor Beekman will be returning to Hughson later this month.

September 5, 2016 City Hall will be closed for Labor Day.

Community Development Director:

Director French updated the Council on the Starn Park Basketball court project due to be completed in two weeks. The work on Tully Road and Whitmore Avenue by PG & E to relocate the gas line vaults will begin next Monday and should be completed within six to eight weeks. The Tully Road project will commence

following the relocation of the gas line vaults and should be completed within one to two weeks. Once roadway work is complete there will be an evaluation of the installation of a four-way stop.

Director of Finance: Director Esenwein informed the City Council that she will be attending the San Joaquin Valley Insurance Authority Board Meeting in Visalia on Friday, August 26, 2016. It is anticipated that the 2017 medical rates will be discussed, as well as the status of their cash flow issues. Finance staff is preparing for the audit scheduled for September 19, 2016. Final budget is scheduled to come before the City Council on September 26, 2016.

Police Services: Chief Larry Seymour provided the City Council with the latest Crime Statistic Report. Chief Seymour updated the City Council on the text message threat to a Emilie J Ross Middle School student. Several search warrants have been issued. Citizens are calling to assist with the investigation. The Police Department continues to work with the school on resolving the source of the text message threat.

City Attorney: City Attorney Dan Schroeder reminded the City Council of the special meeting to be held on Thursday, August 25, 2016 at 4:30 P.M. He stressed punctuality and reminded Council that they will have to make a decision on three items: 1. decide whether to cancel the election because it is uncontested and will save the expense to the City. 2. Appoint the individuals who submitted their nomination papers. 3. Appoint one individual to the position of council member where no one turned in nomination papers.

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

Councilmember Carr noted that he attended the 2+2 Fire District Committee meeting with Council member Hill the previous week. They will be receiving AFG grant funds, applied through the Cal Fire grant to assist in purchasing personnel equipment. There will be a Hughson FFA annual pulled pork sandwich dinner on October 1, 2016. The 20th Century Club craft fair will be coming up, fundraising will go to fund student scholarships. The Hughson Sports and Fitness Complex Italian Nite event will be held on November 5, 2016. The City of Hughson will be partnering with law enforcement and the Hughson Fire District for the annual Tent/trunk or Treat event to be held on October 31, 2016 at Lebright Park.

Councilmember Silva noted that she attended the StanCOG meeting. Supervisor Bill O'Brien serves on the San Joaquin Valley Air Pollution Control District and there are issues regarding the 2015 plans. Supervisor O'Brien will be visiting Hughson to educate the City Council on the issues pertaining to the San Joaquin Valley Air Pollution.

Councilmember Hill said that he attended the 2+2 Fire District Committee meeting. He also attended the Stan COG meeting, the Lakewood Memorial Ribbon Cutting event, and he will be attending the special council meeting on Thursday, August 25, 2016.

8.3: Mayor's Comments: (Information Only – No Action) – ABSENT.

9. CLOSED SESSION TO DISCUSS THE FOLLOWING: NONE.

10. REPORT FROM CLOSED SESSION: NONE.

ADJOURNMENT:

HILL/CARR 4-0 (BEEKMAN – ABSENT) motion passes to adjourn the meeting at 7:54 P.M.

JERAMY YOUNG, Mayor Pro Tem

SUSANA DIAZ, Deputy City Clerk



CITY OF HUGHSON AGENDA ITEM NO. 3.3 SECTION 3: CONSENT CALENDAR

Meeting Date: August 25, 2016
Subject: Approval of the City Council Minutes
Presented By: Susana Diaz, Deputy City Clerk

Approved By: _____

Staff Recommendation:

Approve the Minutes of the Special Meeting of August 25, 2016

Background and Overview:

The draft minutes of the August 25, 2016 meeting are prepared for the Council's review.



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

**MINUTES
THURSDAY, AUGUST 25, 2016 – 4:30 P.M.**

CALL TO ORDER: Councilmember Hill

ROLL CALL:

Present: Councilmember George Carr
Councilmember Harold Hill
Councilmember Jill Silva

Absent: Mayor Matt Beekman
Mayor Pro Tem Jeramy Young

Staff Present: Raul L. Mendez, City Manager
Susana Diaz, Deputy City Clerk
Daniel J. Schroeder, City Attorney
Jaylen French, Community Development Director
Larry Seymour, Chief of Police Services
Shannon Esenwein, Finance Director

FLAG SALUTE: Councilmember Hill

INVOCATION: Councilmember Hill

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

NONE.

2. PRESENTATIONS: NONE.

3. CONSENT CALENDAR: NONE.

4. UNFINISHED BUSINESS:

4.1: Consideration of Resolution No. 2016-30, a Resolution of the City Council of the City of Hughson, California Providing for the Appointment to the Offices of this City that were to be Elected on Tuesday, November 8, 2016 and Canceling the November 8, 2016 City Election.

City Attorney Dan J. Schroeder presented the staff report on this item.

SILVA/HILL 3-0 (BEEKMAN/YOUNG – ABSENT) motion passes to approve Resolution No. 2016-30, approving the City of Hughson City Council cancel the 2016 general municipal election and appoint to the offices of Mayor and City Council the persons who have filed nomination papers (Jeremy Young and Mark Fontana) and appoint Ramon Bawanana to fill the available City Council seat.

5. PUBLIC HEARING TO CONSIDER THE FOLLOWING: NONE.

6. NEW BUSINESS: NONE.

7. CORRESPONDENCE: NONE.

8. COMMENTS: NONE.

9. CLOSED SESSION TO DISCUSS THE FOLLOWING: NONE.

10. REPORT FROM CLOSED SESSION: NONE.

ADJOURNMENT:

HILL/CARR 3-0 (BEEKMAN/YOUNG – ABSENT) motion passes to adjourn the meeting at 4:38 P.M.

JERAMY YOUNG, Mayor Pro Tem

SUSANA DIAZ, Deputy City Clerk



CITY OF HUGHSON AGENDA ITEM NO. 3.4 SECTION 3: CONSENT CALENDAR

Meeting Date: September 12, 2016
Subject: Approval of Warrants Register
Enclosure: Warrants Register
Presented By: Shannon Esenwein, Director of Finance

Approved By: _____

Staff Recommendation:

Approve the Warrants Register as presented.

Background and Overview:

The warrants register presented to the City Council is a listing of all expenditures paid from August 18, 2016 through September 2, 2016.

Fiscal Impact:

There are reductions in various funds for payment of expenses.

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REPORT.: Sep 08 16 Thursday
RUN.....: Sep 08 16 Time: 14:30
Run By.: Lisa Whiteside

City of Hughson
Cash Disbursement Detail Report
Check Listing for 08-16 Bank Account.: 0100

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

Check Numbe	Check Date	Vendor Number	Vendor Name	Net Amount	Invoice #	Payment Information Description
48158	8/18/2016	POW01	POWELL, MARIROSE	\$ 100.00	B60818	HUGHSON FARMERS MARKET-ENTERTAINMENT
48159	8/25/2016	VOID	VOIDED CHECK			
48160	8/25/2016	VOID	VOIDED CHECK			
48161	8/25/2016	VOID	VOIDED CHECK			
48162	8/25/2016	VOID	VOIDED CHECK			
48163	8/25/2016	VOID	VOIDED CHECK			
48164	8/25/2016	VOID	VOIDED CHECK			
48165	8/25/2016	VOID	VOIDED CHECK			
48166	8/25/2016	VOID	VOIDED CHECK			
48167	8/25/2016	VOID	VOIDED CHECK			
48168	8/25/2016	VOID	VOIDED CHECK			
48169	8/25/2016	VOID	VOIDED CHECK			
48170	8/25/2016	VOID	VOIDED CHECK			
48171	8/25/2016	VOID	VOIDED CHECK			
48172	8/25/2016	VOID	VOIDED CHECK			
48173	8/25/2016	VOID	VOIDED CHECK			
48174	8/25/2016	VOID	VOIDED CHECK			
48175	8/25/2016	VOID	VOIDED CHECK			
48176	8/25/2016	VOID	VOIDED CHECK			
48177	8/25/2016	VOID	VOIDED CHECK			
48178	8/25/2016	VOID	VOIDED CHECK			
48179	8/25/2016	VOID	VOIDED CHECK			
48180	8/25/2016	VOID	VOIDED CHECK			
48181	8/25/2016	VOID	VOIDED CHECK			
48182	8/25/2016	VOID	VOIDED CHECK			
48183	8/25/2016	VOID	VOIDED CHECK			
48184	8/25/2016	VOID	VOIDED CHECK			
48185	8/25/2016	VOID	VOIDED CHECK			
48186	8/25/2016	VOID	VOIDED CHECK			
48187	8/25/2016	VOID	VOIDED CHECK			
48188	8/25/2016	VOID	VOIDED CHECK			
48189	8/25/2016	VOID	VOIDED CHECK			
48190	8/25/2016	VOID	VOIDED CHECK			
48191	8/25/2016	VOID	VOIDED CHECK			
48192	8/25/2016	VOID	VOIDED CHECK			
48193	8/25/2016	VOID	VOIDED CHECK			
48194	8/25/2016	VOID	VOIDED CHECK			
48195	8/25/2016	VOID	VOIDED CHECK			
48196	8/25/2016	VOID	VOIDED CHECK			
48197	8/25/2016	AFL01	AFLAC	\$ 796.67	B60822	AFLAC
48198	8/25/2016	ALL07	ALLEY INSURANCE SERVICE,	\$ 592.00	1021	HEALTH PLAN CONSULTING 9/16
48199	8/25/2016	AVA00	AVAYA, INC	\$ 112.01	733727593	PHONE
48200	8/25/2016	CLA03	CLARK'S PEST CONTROL	\$ 175.00	B60822	PEST CONTROL
48201	8/25/2016	COS01	COSTCO WHOLESALE	\$ 55.00	B60822	COSTCO MEMBERSHIP DUES
48202	8/25/2016	EXP00	EXPRESS PERSONNEL SERVICE	\$ 1,337.60	B60822	EXTRA HELP WEEKS OF 7/24 & 7/31/2016
48203	8/25/2016	GOV02	GovInvest INC.	\$ 900.00	B60825	GASB 68 CalPERS INDIVIUALIZED REPORTS

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48204	8/25/2016	HUG11	HUGHSON FARM SUPPLY	\$	3.54	H188085	MISC. TOOLS & SUPPLIES
				\$	8.60	H188161	MISC. TOOLS & SUPPLIES
				\$	8.38	H189014	MISC. TOOLS & SUPPLIES
				\$	17.21	H189015	MISC. TOOLS & SUPPLIES

			Check Total:	\$	37.73		
48205	8/25/2016	MCR01	MCR ENGINEERING, INC	\$	1,150.00	11825	WELL #7 DESIGN
48206	8/25/2016	OLV00	OLVERA, CLAUDIA	\$	100.00	B60822	DAMAGE DEPOSIT REFUND-PARK
48207	8/25/2016	PUR01	PURCHASE POWER	\$	449.46	B60822	POSTAGE REFILL
48208	8/25/2016	QUI03	QUICK N SAVE	\$	76.47	1-3280	FUEL
				\$	102.80	1-3344	FUEL

			Check Total:	\$	179.27		
48209	8/25/2016	Sep-00	SEPULVEDA, ALMA	\$	175.00	B60822	SR CENTER DAMAGE DEPOSIT REFUND
48210	8/25/2016	SHR02	SHRED-IT USA LLC	\$	135.81	B60822	SHREDDING
48211	8/25/2016	STA01	STANISLAUS COUNTY	\$	60,437.52	B60822	COUNTY PUBLIC FACILITIES FEES
48212	8/25/2016	STA02	STAPLES	\$	1,642.45	B60823	OFFICE SUPPLIES-7 DESK CHAIRS
48213	8/25/2016	TID01	TURLOCK IRRIGATION DIST.	\$	35,588.54	B60822	ELECTRIC
48214	8/25/2016	WAR00	WARDEN'S OFFICE	\$	248.70	19057500	OFFICE SUPPLIES
				\$	27.00	19057501	OFFICE SUPPLIES
				\$	8.42	19064610	OFFICE SUPPLIES
				\$	(17.81)	C19043220C	OFFICE SUPPLY RETURN

			Check Total:	\$	266.31		
48215	8/25/2016	WIL01	CORBIN WILLITS SYSTEM	\$	571.40	B60815	ENHANCEMENT & SERVICE FEE
48216	9/1/2016	VOID	VOIDED CHECK				
48217	9/1/2016	VOID	VOIDED CHECK				
48218	9/1/2016	VOID	VOIDED CHECK				
48219	9/1/2016	VOID	VOIDED CHECK				
48220	9/1/2016	VOID	VOIDED CHECK				
48221	9/1/2016	VOID	VOIDED CHECK				
48222	9/1/2016	VOID	VOIDED CHECK				
48223	9/1/2016	VOID	VOIDED CHECK				
48224	9/1/2016	VOID	VOIDED CHECK				
48225	9/1/2016	VOID	VOIDED CHECK				
48226	9/1/2016	VOID	VOIDED CHECK				
48227	9/1/2016	VOID	VOIDED CHECK				
48228	9/1/2016	VOID	VOIDED CHECK				
48229	9/1/2016	VOID	VOIDED CHECK				
48230	9/1/2016	VOID	VOIDED CHECK				
48231	9/1/2016	VOID	VOIDED CHECK				
48232	9/1/2016	VOID	VOIDED CHECK				
48233	9/1/2016	VOID	VOIDED CHECK				
48234	9/1/2016	VOID	VOIDED CHECK				
48235	9/1/2016	VOID	VOIDED CHECK				
48236	9/1/2016	VOID	VOIDED CHECK				
48237	9/1/2016	VOID	VOIDED CHECK				
48238	9/1/2016	VOID	VOIDED CHECK				
48239	9/1/2016	VOID	VOIDED CHECK				
48240	9/1/2016	VOID	VOIDED CHECK				
48241	9/1/2016	VOID	VOIDED CHECK				

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48242	9/1/2016	VOID	VOIDED CHECK						
48243	9/1/2016	VOID	VOIDED CHECK						
48244	9/1/2016	VOID	VOIDED CHECK						
48245	9/1/2016	VOID	VOIDED CHECK						
48246	9/1/2016	VOID	VOIDED CHECK						
48247	9/1/2016	VOID	VOIDED CHECK						
48248	9/1/2016	VOID	VOIDED CHECK						
48249	9/1/2016	VOID	VOIDED CHECK						
48250	9/1/2016	VOID	VOIDED CHECK						
48251	9/1/2016	\B012	SHAWN BARLOW	\$	51.02	000B60701	MQ CUSTOMER REFUND FOR BAR0043		
48252	9/1/2016	\H017	SHELBY HARKRADER	\$	47.12	000B60701	MQ CUSTOMER REFUND FOR HAR0040		
48253	9/1/2016	\O002	ROSA & ANDRES ORDURA	\$	0.47	000B60701	MQ CUSTOMER REFUND FOR ORD0001		
48254	9/1/2016	\R008	KATHERINE & PET. RESCHKE	\$	31.70	000B60701	MQ CUSTOMER REFUND FOR RES0004		
48255	9/1/2016	VOID	VOIDED CHECK						
48256	9/1/2016	VOID	VOIDED CHECK						
48257	9/1/2016	VOID	VOIDED CHECK						
48258	9/1/2016	VOID	VOIDED CHECK						
48259	9/1/2016	CAS09	CASSARA, MARIA	\$	100.00	B60826y	DAMAGE DEPOSIT-PARK		
48260	9/1/2016	CHA01	CHARTER COMMUNICATION	\$	191.81	B60830y	IP ADDRESS- PINE ST		
48261	9/1/2016	DEH01	DEHART PLUMBING HEATING	\$	894.00	W88520y	MOVE AC UNIT TO SERVER ROOM		
48262	9/1/2016	EZN00	EZ NETWORK SOLUTIONS	\$	1,662.82	31753y	HARDWARE/LED MOITORS		
				\$	1,479.84	31754y	INSTALL NEW UPS		
			Check Total:	\$	3,142.66				
48263	9/1/2016	FOU00	FOUNTAIN, JAIME	\$	42.00	B60830y	LIVE SCAN FEE REIMBURSEMENT		
48264	9/1/2016	FRA03	FRANTZ WHOLESALE NURSERY	\$	355.16	157730y	STREET TREE REPLACEMENT		
				\$	902.38	548621y	REPLACE DEAD LANDSCAPE TREES & PLANTS		
			Check Total:	\$	1,257.54				
48265	9/1/2016	FRE05	FRED PRYOR SEMINARS	\$	398.00	B60830y	MANAGEMENT SEMINARS		
48266	9/1/2016	GAR14	GARTON TRACTOR	\$	790.77	CT79522y	REPLACEMENT BAR FOR KUBOTA		
48267	9/1/2016	VOID	VOIDED CHECK						
48268	9/1/2016	GRO01	FERGUSON ENTERPRISES,INC	\$	157.72	1205097y	SUPPLIES/PARTS FOR WATER DEPARTMENT		
48269	9/1/2016	HIN00	HINDERLITER, dELLAMAS &	\$	477.20	0025813INy	CONTRACT SERVICES SALES TAX		
48270	9/1/2016	HUG03	HUGHSON CHRONICLE	\$	137.43	109199y	LEGAL#2527 PUBLIC NOTICE		
				\$	203.15	109470y	LEGAL #2105 PUBLIC NOTICE		
			Check Total:	\$	340.58				
48271	9/1/2016	HUG11	HUGHSON FARM SUPPLY	\$	254.59	H188737y	MISC. TOOLS & SUPPLIES		
				\$	12.70	H188768y	MISC. TOOLS & SUPPLIES		
				\$	1.08	H188770y	MISC. TOOLS & SUPPLIES		
				\$	27.95	H188826y	MISC. TOOLS & SUPPLIES		
				\$	4.42	H188971y	MISC. TOOLS & SUPPLIES		
				\$	(2.96)	H188976y	CREDIT MISC. TOOLS & SUPPLIES		
				\$	4.84	H189065y	MISC. TOOLS & SUPPLIES		
				\$	12.25	H189263y	MISC. TOOLS & SUPPLIES		
				\$	69.58	H189796y	MISC. TOOLS & SUPPLIES		

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		Check Total:	\$	384.45		
48272	9/1/2016	HUG28 HUGHSON TIRE	\$	400.00	B60830y	TIRE REPAIR
48273	9/1/2016	ICM00 ICMA	\$	1,113.59	B60830y	MEMBERSHIP DUES-
48274	9/1/2016	VOID VOIDED CHECK				
48275	9/1/2016	MEL00 MELLO TRUCK REPAIR CO	\$	657.69	59162y	REPAIR TO VAC TRUCK
48276	9/1/2016	MEN20 MENDEZ, RAUL	\$	790.25	B60830y	REIMB. FOR SUPPLIES
48277	9/1/2016	NEU01 NEUMILLER & BEARDSLEE	\$	1,600.00	279491y	LEGALSERVICES
			\$	600.00	279492y	LEGALSERVICES
			\$	6,783.99	279632y	LEGALSERVICES
		Check Total:	\$	8,983.99		
48278	9/1/2016	PRI03 PRICE FORD	\$	404.74	64411y	REPAIR CROWN VIC. WINDOW
48279	9/1/2016	QUI03 QUICK N SAVE	\$	36.30	1-0805y	FUEL
			\$	25.99	1-5023y	FUEL
		Check Total:	\$	62.29		
48280	9/1/2016	SAF01 SAFETLITE	\$	169.70	327935y	SAFETY FLARES FOR STREETS DEPARTMENT
48281	9/1/2016	SOL02 SOLARES, ANGELICA	\$	175.00	B60830y	SR CENTER DAMAGE DEPOSIT REFUND
48282	9/2/2016	STA01 STANISLAUS COUNTY	\$	2,666.73	FY16-17HUy	LAFCO ANNUAL FEES 16-17
48283	9/2/2016	STA27 STANISLAUS COUNCIL	\$	264.00	B60826y	CONTRACT SERVICES FOR 16-17
48284	9/2/2016	SUL00 SULLIVAN, STEPHANIE	\$	150.00	B60826y	DAMAGE DEPOSIT-PARK
48285	9/2/2016	TES00 TESCO CONTROLS, INC	\$	9,937.00	0060111INy	UPGRADE FOR REMOTE OPER. OF CITY WATER & WWTP SYST.
48286	9/2/2016	TID01 TURLOCK IRRIGATION DIST.	\$	360.98	B60830y	ELECTRIC
48287	9/2/2016	TOM02 TOMASETTI, RIKKI	\$	100.00	B60826y	DAMAGE DEPOSIT- PARK REFUND
48288	9/2/2016	TUR12 TURLOCK, CITY OF	\$	97.40	2017-0001y	FUEL
			\$	94.00	2017-0003y	FUEL
		Check Total:	\$	191.40		
48289	9/2/2016	WIL12 WILBUR-ELLIS COMPANY	\$	250.00	B60830y	DAMAGE DEPOSIT-PARK REFUND
48290	9/2/2016	WIL14 WILLDAN ENGINEERING	\$	217.50	20160816y	ENGINEERING SERVICES
48291	9/2/2016	WIL15 WILSON, KASSIE	\$	100.00	B60830y	DAMAGE DEPOSIT-PARK REFUND
		Cash Account Total:	\$	140,103.66		
		Total Disbursements:	\$	140,103.66		



CITY OF HUGHSON AGENDA ITEM NO. 3.5 SECTION 3: CONSENT CALENDAR

Meeting Date: September 12, 2016
Subject: Approval of the Treasurer's Report: Investment Portfolio Report – May 2016
Presented By: Jaime C. Fountain, City Treasurer
Approved By: _____

Staff Recommendation:

Review and approve the City of Hughson Treasurer's Report: Investment Portfolio Report for May 2016.

Summary:

The City Treasurer is required to review the City's investment practices and approve the monthly Treasurer's report. Enclosed is a summary of the City of Hughson's Investment Portfolio for May 2016 and is provided as a supplementary document to the monthly Treasurer's report. As of May 2016, the City of Hughson's investment total is \$2,632,135.22 and has a total cash and investment balance of \$13,715,738.48. All investment actions executed since the last report have been made in full compliance of the City of Hughson's Investment Policy. The City of Hughson meets its expenditure obligations for the next six months as required by California Government Code Section 53646 (b) (2) and (3) respectively.

Background and Overview:

The Investment Portfolio Report is intended to provide supplementary documentation of the City of Hughson's investment practices. According to the City of Hughson's Investment Policy, the City Treasurer shall submit to the City Council a quarterly investment report containing a complete description of the portfolio, the type of investments, the issuers, maturity dates, par and dollar values, and the current market values of each component of the portfolio. It is the goal of the City Treasurer however, to provide the investment report on a monthly basis as a supplement to the Treasurer's Report. Furthermore, when dealing with investment activities, the City of Hughson primary objectives, in order of priority, are safety, liquidity, and return on investments.

According to Michael DeGeeter, the City's MBS Account Executive, the City of Hughson utilizes a 5 year Certificate of Deposit (CD) laddering approach for its investment practices. This approach layers various CDs depending on interest rates and timing, which allows for reduced portfolio rates and a continuous stream of maturity dates. Mr. DeGeeter states that this CD approach has always spread positively for the City of Hughson and has had the highest yield of any spread thus far.

Enclosed is the City of Hughson's Treasurer's Report: Investment Portfolio Report for May 2016 along with supplementary graphs depicting the percentage of the City's portfolio of investments. After review and evaluation of the report, City staff submits the following detailed explanation for investments displaying significant variances:

L.A.I.F. Investments

The reported Local Agency Investment Fund (L.A.I.F.) investments reflect the City's most current balance statement as of April 20, 2016. The two L.A.I.F. accounts share a combined balance of \$79,000.33, comprising of only 3.00% of the City's total portfolio of investments. L.A.I.F. investments are reported on a quarterly basis. City Staff will continue to report the most recent L.A.I.F. investments and will proceed to update the funds on a quarterly basis.

Fiscal Impact:

As of May 2016, the total investments balance for the City of Hughson is \$2,632,135.22 accounting for 19.19% of the City's total cash and investments. The total cash and investment amount is \$13,715,738.48. Of the amounts invested, 0.92% is invested in Cash, Money, Funds, and Bank Deposits, 3.00% is invested in L.A.I.F. investments, and 96.08% is invested in CDs. As the year progresses and market values and interest rates increase, City Staff will continue to monitor and report the City of Hughson's investment practices.

**City of Hughson
Portfolio of Investments
May 2016**

	MONEY MARKET	GENERAL	REDEVELOPMENT**	TOTAL
Bank Statement Totals	\$ 9,951,939.08	\$ 1,223,102.62	\$ -	\$ 11,175,041.70
Adjustment-Direct Deposit Payroll		\$ -		\$ -
Outstanding Deposits +	\$ 27,852.22		\$ -	\$ 27,852.22
Outstanding Checks/transfers -		\$ (119,290.66)	\$ -	\$ (119,290.66)
ADJUSTED TOTAL	\$ 9,979,791.30	\$ 1,103,811.96	\$ -	\$ 11,083,603.26
Investments: Various				\$ 1,066,867.90
Multi-Bank WWTP				\$ 1,486,266.99
Investments: L.A.I.F.		\$ 39,563.08	\$ 39,437.25	\$ 79,000.33
Total Investments				\$ 2,632,135.22
Total Cash & Investments				\$ 13,715,738.48

All investment actions executed since the last report have been made in full compliance with the Investment Policy. The City of Hughson will meet its expenditure obligations for the next six months as required by California Government Code Section 53646 (b)(2) and (3) respectively.

Breakdown of Investments

Investments: Various - ***850									
Description	Maturity Dates	Quantity	Opening Balance	Closing Balance	Interest Accrued			% of Portfolio	
Cash, Money, Funds, and Bank Deposits:			\$ 3,657.50	\$ 9,108.26	\$ -			0.85%	
Total:			\$ 3,657.50	\$ 9,108.26	\$ -				
Fixed Income (Certificate of Deposits)									
Description	Maturity Dates	Quantity	Market Price	Market Value	Interest Accrued	Rate of Return	% of Portfolio		
Months til Maturity Statement Period (04/01/16 - 04/30/16)									
GE Cap Finl Inc Retail CTF Dep	09/30/11 - 09/30/16	= 5 mo.	\$ 115,000.00	\$ 100.4970	\$ 115,571.55	\$ 390.68	1.990%	10.83%	
Goldman Sachs BK USA New York CTF DEP DTD	11/16/11 - 11/16/16	= 6 mo.	\$ 53,000.00	\$ 100.6910	\$ 53,366.23	\$ 44.65	2.030%	5.00%	
GE Cap Inc Retail CTF Dep Program Book	05/04/12 - 05/04/17	= 12 mo.	\$ 100,000.00	\$ 100.9580	\$ 100,958.00	\$ 124.66	1.730%	9.46%	
American Express Centurion BK CTF DEP	05/09/13 - 05/09/18	= 24 mo.	\$ 100,000.00	\$ 100.5910	\$ 100,591.00	\$ 59.86	1.140%	9.43%	
Belmont SVGS BK Mass	11/13/14 - 11/13/18	= 30 mo.	\$ 27,000.00	\$ 101.6100	\$ 27,434.70	\$ 20.64	1.520%	2.57%	
Ally Bank Midvalue Utah CTF DEP ACT/365	01/28/16 - 01/28/19	= 32 mo.	\$ 76,000.00	\$ 101.3940	\$ 77,059.44	\$ 387.29	1.470%	7.22%	
State BK India York NY	09/11/14 - 09/11/19	= 40 mo.	\$ 55,000.00	\$ 102.3720	\$ 56,304.60	\$ 262.42	2.100%	5.28%	
American Express Fed SVGS BK CTF DEP	10/16/14 - 10/16/19	= 41 mo.	\$ 30,000.00	\$ 102.6760	\$ 30,802.80	\$ 79.52	2.090%	2.89%	
Discover BK Greenwood Del CTF	10/16/14 - 10/16/19	= 41 mo.	\$ 100,000.00	\$ 102.6760	\$ 102,676.00	\$ 265.07	2.090%	9.62%	
American Express Centurion BK CTF DEP	12/04/14 - 12/04/19	= 43 mo.	\$ 80,000.00	\$ 103.0650	\$ 82,452.00	\$ 863.12	2.130%	7.73%	
Capital One NATL ASSN MCLAN VA CTF	11/04/15 - 11/04/20	= 54 mo.	\$ 91,000.00	\$ 103.1720	\$ 93,886.52	\$ 144.73	2.080%	8.80%	
Capital One BK USA NATL ASSN Glen Allen	11/04/15 - 11/04/20	= 54 mo.	\$ 100,000.00	\$ 103.1720	\$ 103,172.00	\$ 159.04	2.080%	9.67%	
Discover BK Greenwood Del CTF	11/04/15 - 11/04/20	= 54 mo.	\$ 110,000.00	\$ 103.1680	\$ 113,484.80	\$ 179.01	2.130%	10.64%	
Total CDs					\$ 1,057,759.64	\$ 2,980.69			99.15%
Total Investments: Various Holdings					\$ 1,066,867.90	\$ 2,980.69			100.00%
Total Portfolio Investment									40.53%

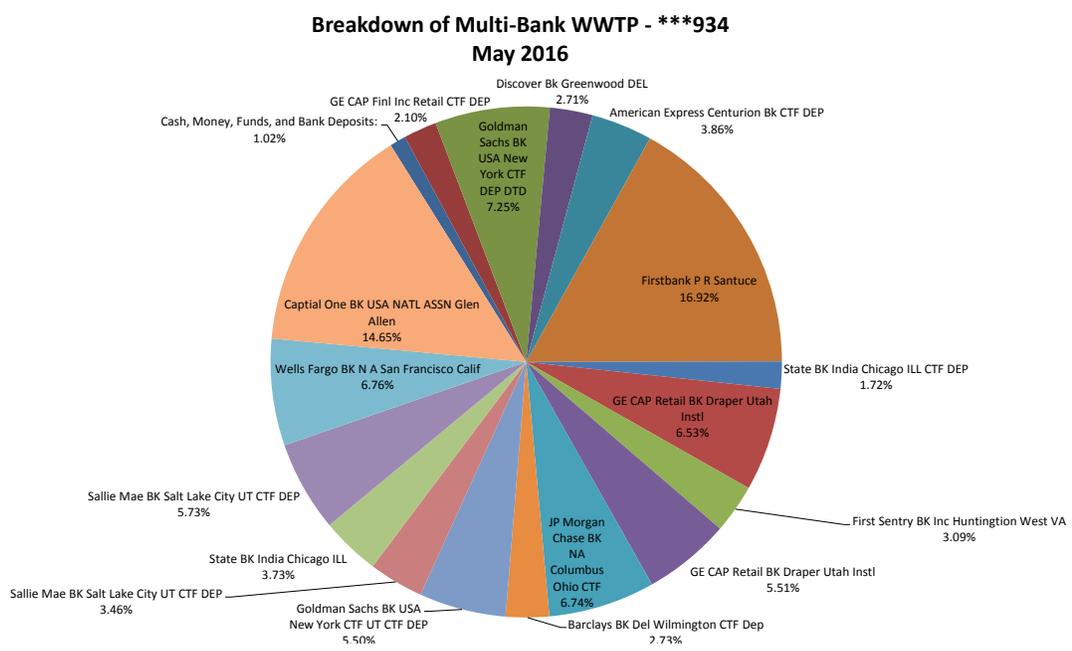
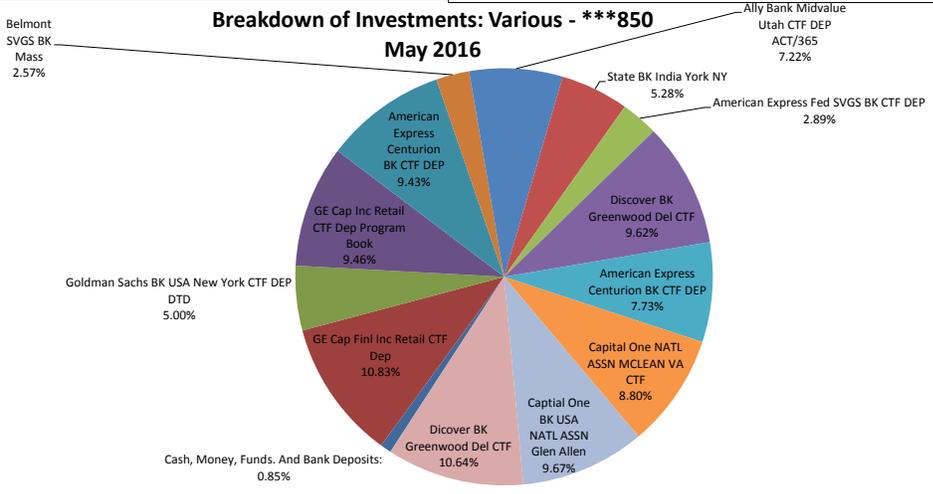
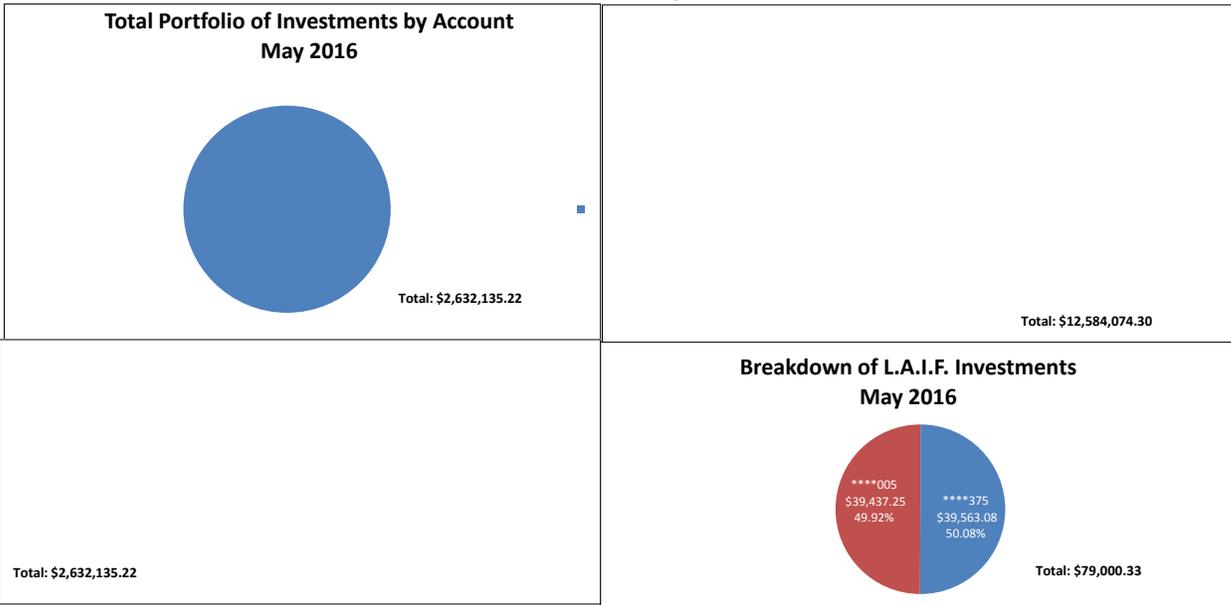
Multi-Bank WWTP - ***934									
Description	Maturity Dates	Quantity	Opening Balance	Closing Balance	Interest Accrued			% of Portfolio	
Cash, Money, Funds, and Bank Deposits:			\$ 10,468.88	\$ 15,202.45	\$ -			1.02%	
Total:			\$ 10,468.88	\$ 15,202.45	\$ -				
Fixed Income (Certificate of Deposits)									
Description	Maturity Dates	Quantity	Market Price	Market Value	Interest Accrued	Rate of Return	% of Portfolio		
Months til Maturity Statement Period (05/01/16 - 05/31/16)									
GE CAP Finl Inc Retail CTF DEP	09/30/11 - 09/30/16	= 4 mo.	\$ 31,000.00	\$ 100.4970	\$ 31,154.07	\$ 105.32	1.990%	2.10%	
Goldman Sachs BK USA New York CTF DEP DTD	11/23/11 - 11/23/16	= 6 mo.	\$ 107,000.00	\$ 100.7140	\$ 107,763.98	\$ 48.08	2.030%	7.25%	
Discover BK Greenwood DEL	05/08/13 - 05/08/18	= 24 mo.	\$ 40,000.00	\$ 100.5920	\$ 40,236.80	\$ 28.99	1.140%	2.71%	
American Express Centurion BK CTF DEP	05/09/13 - 05/09/18	= 24 mo.	\$ 57,000.00	\$ 100.5910	\$ 57,336.87	\$ 34.12	1.140%	3.86%	
Firstbank P R Santuce	05/10/13 - 05/10/18	= 24 mo.	\$ 250,000.00	\$ 100.5910	\$ 251,477.50	\$ 151.03	1.040%	16.92%	
State BK India Chicago ILL CTF DEP	12/18/13 - 12/18/18	= 31 mo.	\$ 25,000.00	\$ 102.1520	\$ 25,538.00	\$ 231.68	2.000%	1.72%	
GE CAP Retail BK Draper Utah Instl	01/10/14 - 01/10/19	= 32 mo.	\$ 95,000.00	\$ 102.1550	\$ 97,047.25	\$ 702.22	1.850%	6.53%	
First Sentry BK Inc Huntingtion West VA	03/08/13 - 03/08/19	= 34 mo.	\$ 46,000.00	\$ 99.9650	\$ 45,983.90	\$ 33.33	1.150%	3.09%	
GE CAP Retail BK Draper Utah Instl	03/21/14 - 03/21/19	= 34 mo.	\$ 80,000.00	\$ 102.2860	\$ 81,828.80	\$ 299.18	1.900%	5.51%	
JP Morgan Chase BK NA Columbus Ohio CTF	04/30/15 - 04/30/19	= 35 mo.	\$ 100,000.00	\$ 100.1760	\$ 100,176.00	\$ 4.11	1.490%	6.74%	
Barclays BK Del Wilmington CTF DEP	05/28/14 - 05/28/19	= 36 mo.	\$ 40,000.00	\$ 101.5730	\$ 40,629.20	\$ -	0.000%	2.73%	
Goldman Sachs BK USA New York CTF UT CTF DEP	06/04/14 - 06/04/19	= 37 mo.	\$ 80,000.00	\$ 102.1980	\$ 81,758.40	\$ 784.66	1.950%	5.50%	
Sallie Mae BK Salt Lake City UT CTF DEP	10/08/14 - 10/08/19	= 41 mo.	\$ 50,000.00	\$ 102.7060	\$ 51,353.00	\$ 156.10	2.090%	3.46%	
State BK India Chicago ILL	10/14/14 - 10/15/19	= 41 mo.	\$ 54,000.00	\$ 102.7110	\$ 55,463.94	\$ 146.02	2.040%	3.73%	
Sallie Mae BK Salt Lake City UT CTF DEP	10/22/14 - 10/22/19	= 41 mo.	\$ 83,000.00	\$ 102.6770	\$ 85,221.91	\$ 190.67	2.090%	5.73%	
Wells Fargo BK N A San Francisco Calif	04/30/15 - 04/30/20	= 47 mo.	\$ 100,000.00	\$ 100.4020	\$ 100,402.00	\$ 106.16	1.240%	6.76%	
Capital One BK USA NATL ASSN Glen Allen	11/04/15 - 11/04/20	= 53 mo.	\$ 211,000.00	\$ 103.1720	\$ 217,692.92	\$ 335.58	2.080%	14.65%	
Total CDs					\$ 1,471,064.54	\$ 3,357.25			98.98%
Total Multi-Bank WWTP Holdings					\$ 1,486,266.99	\$ 3,357.25			100.00%
Total Portfolio Investment									56.47%

L.A.I.F. Investments						
Account #	Quarter End Principal Balance as of 04/20/2016	Quarterly Interest Earned as of 04/20/2016	Interest Rate	Total	% of Investment	
****375	\$ 39,517.46	\$ 45.62	0.46%	\$ 39,563.08	50.08%	
****005	\$ 39,391.78	\$ 45.47	0.46%	\$ 39,437.25	49.92%	
Total L.A.I.F. Investments Holdings					\$ 79,000.33	100.00%
Total Portfolio Investment					3.00%	

Jaime C. Fountain, Treasurer

Date

Charts and Graphs





CITY OF HUGHSON AGENDA ITEM NO. 3.6 SECTION 3: CONSENT CALENDAR

Meeting Date: September 12, 2016
Subject: Approval of the Treasurer's Reports – May 2016
Presented By: Jaime C. Fountain, City Treasurer

Approved By: _____

Staff Recommendation:

Review and approve the City of Hughson Treasurer's Report for May 2016.

Summary:

The City Treasurer is required to review the City's investment practices and approve the monthly Treasurer's report. Enclosed is the City of Hughson's Treasurer's Report for May 2016. As of May 2016, the City of Hughson's total cash and investment balance is \$13,715,738.48 and is in compliance with the City's investment policy. The City has sufficient cash flow to meet the City's expected expenditures for the next six months.

Background and Overview:

The Treasurer report for May 2016 reflects the most current representation of the City's funds and investments and provides a necessary outlook for both past, present, and future investment and spending habits. While investments and funds differ from time to time, it is the goal of the City to maintain safety and stability with its funds, while additionally promoting prudence and growth.

Enclosed is the City of Hughson Treasurer's Report for May 2016 along with supplementary graphs depicting the percentage of the City's total funds, a breakdown of the May 2016 Developer Impact Fees, and an additional line plot graph further demonstrating the Developer Impact Fees. This graph depicts the Developer Impact Fees' actual balance for the past five years, and continues with a projection based on the average rate of change for each fund over the next few years. After review and evaluation of the report, City staff has researched funds with a significant deficit balance and submit the following detailed explanation:

Public Facilities Development Streets Fund:

The Public Facilities Development Streets Fund currently reflects a negative balance of (\$202,678.63), reflecting a positive difference of \$27,600.04 or an 11.99% increase from the previous year. The deficit is a result of the Euclid Bridge Project, which was constructed in Fiscal Year 2006/2007, for approximately \$1.3 million. The project was completed in anticipation of funding from Developer Impact Fees collected from new development. Unfortunately, the housing market declined significantly and the new development never materialized. As the economy strengthens and new building continues, the City can recognize additional developer impact fees and reduce the deficit more quickly.

Water Developer Impact Fee Fund:

The Water Developer Impact Fee Fund currently reflects a negative balance of (\$284,506.44), reflecting a positive difference of \$30,244.08 or a 9.61% increase from the previous year. After extensive review, City staff discovered that the remaining deficit is attributable to settlement arrangements that were made in Fiscal Year 2008/2009 and Fiscal Year 2009/2010 for the Water Tank on Fox Road near Charles Street. The Project Cost of the Water Tower Project was \$2,400,000. During that period, the City paid out \$650,000 in settlements. This account will be in a deficit position until additional development occurs and developer impact fees are collected to cover those unanticipated settlement costs.

Based on a review of Water Development and Street funds, City staff expects development in the Feathers Glen (42 units) and Euclid South (69 units) subdivisions, or about 110 units to be built to see a positive balance in the Water and Street Development funds. The Euclid North (50 units) subdivision is expected to follow shortly thereafter. These units reflect the areas that are most likely to see development within the City limits—with construction in Feathers Glen already in progress and under construction.

Transportation Capital and CDBG Street Project Fund:

The Transportation Capital Project Fund currently reflects a negative balance of (\$207,592.36), reflecting a positive difference of \$97,412.49 or a 31.94% increase from the previous year. The CDBG Street Project Fund currently reflects a negative balance of (\$60,929.17) reflecting a positive difference of \$155,642.10 or a 71.87% increase from the previous year. The City received \$148,271 in April for the Hughson Avenue project. The City received \$343,646 in May for the Tully Road project. As the City continues to produce transportation and street projects, these funds will likely continue to show a negative balance. City staff will continue to monitor and report the status of these reimbursements as the funds become available.

Fiscal Impact:

As of May 2016, the total cash and investments balance for the City of Hughson is \$13,715,738.48. This compares to May 2015's total cash and investments balance of \$12,624,727.02 demonstrating a \$1,091,011.46 or an 8.64% increase.

**City of Hughson
Treasurer's Report
May 2016**

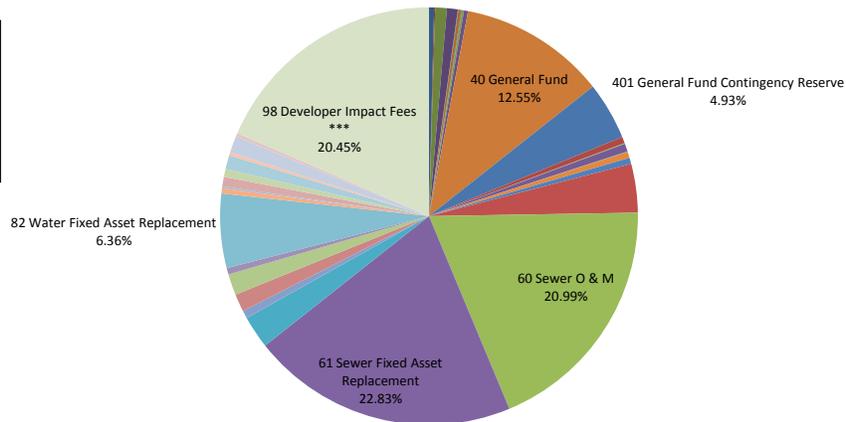
	MONEY MARKET	GENERAL	REDEVELOPMENT**	TOTAL	
Bank Statement Totals	\$ 9,951,939.08	\$ 1,223,102.62	\$ -	\$ 11,175,041.70	
Adjustment-Direct Deposit Payroll	\$ -	\$ -	\$ -	\$ -	
Outstanding Deposits +	\$ 27,852.22	\$ -	\$ -	\$ 27,852.22	
Outstanding Checks/transfers -	\$ -	\$ (119,290.66)	\$ -	\$ (119,290.66)	
ADJUSTED TOTAL	\$ 9,979,791.30	\$ 1,103,811.96	\$ -	\$ 11,083,603.26	
Investments: Various				\$ 1,066,867.90	
Multi-Bank WWTP				\$ 1,486,266.99	
Investments: L.A.I.F.		\$ 39,563.08	\$ 39,437.25	\$ 79,000.33	
TOTAL CASH & INVESTMENTS				\$ 13,715,738.48	
Books - All Funds	May 2015	May 2016	Difference	% of Variance	
2 Water/Sewer Deposit	55,363.21	59,593.15	4,229.94	7.64%	
8 Vehicle Abatement	12,501.53	12,095.11	-406.42	-3.25%	
11 Traffic Congestion Fund	135,793.34	136,326.33	532.99	0.39%	
13 Redevelopment - Debt Service	145,046.93	127,212.02	-17,834.91	-12.30%	
17 Federal Officer Grant	6,620.00	6,620.00	0.00	0.00%	
18 Public Safety Realignment	28,476.76	35,722.01	7,245.25	25.44%	
19 Asset Forfeiture	6,995.43	6,995.43	0.00	0.00%	
25 Gas Tax 2106	-9,180.49	533.08	9,713.57	-105.81%	
30 Gas Tax 2107	18,298.09	22,945.32	4,647.23	25.40%	
31 Gas Tax 2105	38,163.26	46,280.38	8,117.12	21.27%	
35 Gas Tax 2107.5	2,672.14	672.14	-2,000.00	-74.85%	
40 General Fund	1,568,114.32	1,721,943.92	153,829.60	9.81%	
401 General Fund Contingency Reserve	674,358.71	676,074.50	1,715.79	0.25%	
43 Trench Cut	75,728.20	76,443.60	715.40	0.94%	
48 Senior Community Center	9,814.23	8,448.09	-1,366.14	-13.92%	
49 IT Reserve	69,692.31	93,548.12	23,855.81	34.23%	
50 U.S.F. Resource Com. Center	690.60	4,690.13	3,999.53	579.14%	
51 Self-Insurance	73,703.49	73,303.49	-400.00	-0.54%	
53 SLESF (Supplemental Law Enforcement Services Fund)	2,806.67	71,468.82	68,662.15	2446.39%	
54 Park Project	547,223.58	571,756.83	24,533.25	4.48%	
60 Sewer O & M	2,230,354.87	2,879,020.71	648,665.84	29.08%	
61 Sewer Fixed Asset Replacement	2,672,891.89	3,131,534.21	458,642.32	17.16%	
66 WWTP Expansion 2008	8,144.71	-384,296.59	-392,441.30	-4818.36%	
69 LTF Non Motoriz	5,208.00	749.00	-4,459.00	-85.62%	
70 Local Transportation	135,675.63	90,351.33	-45,324.30	-33.41%	
71 Transportation	-305,004.85	-207,592.36	97,412.49	-31.94%	
100/200 LLD's and BAD's	187,408.40	248,480.39	61,071.99	32.59%	
80 Water O & M	280,943.30	-74,532.80	-355,476.10	-126.53%	
82 Water Fixed Asset Replacement	681,281.59	872,200.33	190,918.74	28.02%	
88 PW CDBG Street Project	-216,571.27	-60,929.17	155,642.10	-71.87%	
80 Water Reserve-USDA GRANT	21,524.50	21,524.50	0.00	0.00%	
90 Garbage/Refuse	110,730.31	111,728.64	998.33	0.90%	I hereby certify that the investment activity for this reporting period conforms with the Investment Policy adopted by the Hughson City Council, and the California Government Code Section 53601. I also certify that there are adequate funds available to meet the City of Hughson's budgeted and actual expenditures for the next six months.
92 98-EDBG-605 Small Bus. Loans	93,595.60	93,595.60	0.00	0.00%	
94 96-EDBG-438 Grant	403.43	403.43	0.00	0.00%	
95 94-STBG-799 Grant	159,868.43	162,221.79	2,353.36	1.47%	
96 HOME Program Grant (FTHB)	35,041.19	35,041.19	0.00	0.00%	
97 96-STBG-1013 Grant	195,380.01	198,048.13	2,668.12	1.37%	
98 HOME Rehabilitation Fund	40,000.00	40,000.00	0.00	0.00%	
Developer Impact Fees ***	2,824,968.94	2,805,517.68	-19,451.26	-0.69%	
TOTAL ALL FUNDS:	12,624,726.99	13,715,738.48	1,091,011.49	8.64%	
Break Down of Impact Fees ***					
10 Storm Drain	360,578.55	279,608.73	-80,969.82	-22.46%	
20 Community Enhancement	99,742.30	81,882.51	-17,859.79	-17.91%	
41 Public Facilities Development	1,427,094.24	1,448,459.30	21,365.06	1.50%	
42 Public Facilities Development-Streets	-230,278.67	-202,678.63	27,600.04	-11.99%	
55 Parks DIF	411,937.73	440,578.10	28,640.37	6.95%	
62 Sewer Developer Impact Fees	1,070,645.31	1,042,174.11	-28,471.20	-2.66%	
81 Water Developer Impact Fees	-314,750.52	-284,506.44	30,244.08	-9.61%	
Break Down of Impact Fees ***	2,824,968.94	2,805,517.68	-19,451.26	-0.69%	
Jaime C. Fountain, Treasurer					
			Date		

Treasurer's Report - Charts and Graphs

May 2016

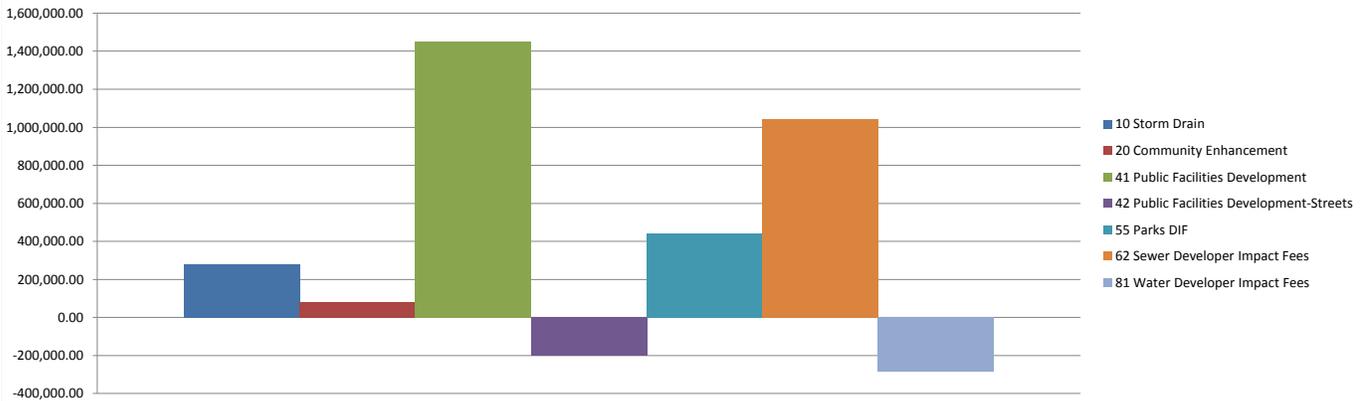
Percentage of all Funds for May 2016

Note:
Data displayed represents largest percentage of City funds. All other funds represent less than 5% of the City's total Cash and Investments.



- 2 Water/Sewer Deposit
- 8 Vehicle Abatement
- 11 Traffic Congestion Fund
- 13 Redevelopment - Debt Service
- 17 Federal Officer Grant
- 18 Public Safety Realignment
- 19 Asset Forfeiture
- 25 Gas Tax 2106
- 30 Gas Tax 2107
- 31 Gas Tax 2105
- 35 Gas Tax 2107.5
- 40 General Fund
- 401 General Fund Contingency Reserve
- 43 Trench Cut
- 48 Senior Community Center
- 49 IT Reserve
- 50 U.S.F. Resource Com. Center
- 51 Self-Insurance
- 53 SLESF (Supplemental Law Enforcement Services Fund)
- 54 Park Project
- 60 Sewer O & M
- 61 Sewer Fixed Asset Replacement
- 66 WWTP Expansion 2008
- 69 LTF Non Motoriz
- 70 Local Transportation
- 71 Transportation
- 100/200 LLD's and BAD's
- 80 Water O & M
- 82 Water Fixed Asset Replacement
- 88 PW CDBG Street Project
- 80 Water Reserve-USDA GRANT
- 90 Garbage/Refuse
- 92 98-EDBG-605 Small Bus. Loans
- 94 96-EDBG-438 Grant
- 95 94-STBG-799 Grant
- 96 HOME Program Grant (FTHB)
- 97 96-STBG-1013 Grant
- 98 HOME Rehabilitation Fund
- 98 Developer Impact Fees ***

May 2016 Breakdown of Developer Impact Fees



Note:
Calculated estimations are based on each fund's average annual rate of change.

Actual

Estimation



CITY COUNCIL AGENDA ITEM NO. 3.7

SECTION 3: CONSENT CALENDAR

Meeting Date: September 12, 2016

Subject: Consideration to Accept State of California Department of Transportation Active Transportation Program Grant and Authorize the City Manager to Execute the Grant Agreement for the Fox Road Sidewalk Infill Project

Enclosures:

1. Resolution No. 2016-31
2. ATP – Administering Agency-State Master Agreement No. 00498S
3. Supplemental Agreement No. 0064

Presented By: Jaylen French, Community Development Director

Approved By: _____

Staff Recommendations:

1. Approve State of California Department of Transportation Active Transportation Program (ATP) Grant; and
2. Adopt Resolution No. 2016-31, authorizing the City Manager to execute the ATP Grant Agreement for the Fox Road Sidewalk Infill Project.

Background and Overview:

The Active Transportation Program (ATP) was established by Senate Bill 99 (Chapter 359, Statutes of 2013) and Assembly Bill 101 (Chapter 354, Statutes of 2013) to encourage increased use of active modes of transportation, such as biking and walking. Prior to the ATP, the City pursued Safe Routes to School (SRTS) funding, under both the Federal and State programs, however was unsuccessful in the allotment of such funds. ATP consolidates funding for programs such as SRTS programs with other active transportation plans that promote increased proportions of walking and biking trips, increased safety and mobility of non-motorized users, enhanced public health, benefits to disadvantaged communities, and a broad spectrum to benefit many types of active transportation user.

In May 2014, City staff submitted a grant application to the Stanislaus Council of Governments (StanCOG) for the ATP Cycle 1 “Regional” Call for Projects. In March, the City submitted a grant application for the ATP Cycle 1 “State” Call for

Projects and missed being awarded funding at the State level by one (1) point. In late 2014, the City was notified that it had been awarded \$408,000 from the Regional pool of funds for Fiscal Year 2016-2017 for the Fox Road Sidewalk Infill Project.

The project will include the installation of curb, gutter and sidewalk on Fox Road between Tully Road and Charles Street and the installation of pedestrian and Americans with Disabilities Act (ADA) improvements at the intersections of Tully Road, 2nd and 3rd Streets. The project is part of a multi-year effort to install sidewalks in areas throughout the City with no sidewalks to improve connectivity, mobility and access for residents and visitors.

This item is to seek formal Council acceptance of the Cycle 1 ATP Grant and to adopt Resolution 2016-31, authorizing the City Manager to execute the Grant Agreement.

Fiscal Impact:

The City of Hughson was awarded \$408,000 in ATP funds for Fiscal Year 2016-2017. The funds were officially awarded on June 30, 2016 by the California Transportation Commission (CTC). The City of Hughson has six (6) months to award a contract and then two (2) years to expend the funds.

City staff intends to go out to bid on the Fox Road Sidewalk Infill Project in October 2016 and finalize details with the lowest responsible bidding contractor before the end of 2016.

CITY COUNCIL
CITY OF HUGHSON
RESOLUTION NO. 2016-31

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUGHSON
AUTHORIZING THE CITY MANAGER TO EXECUTE THE ADMINISTERING
AGENCY-STATE MASTER AGREEMENT NO. 00498S AND THE PROGRAM
SUPPLEMENTAL AGREEMENT 0064 FOR THE STATE ACTIVE
TRANSPORTATION PROGRAM GRANT AWARD**

WHEREAS, the Active Transportation Program (ATP) was established by Senate Bill 99 and Assembly Bill 101 to encourage increased use of active modes of transportation, such as biking and walking; and

WHEREAS, in May 2014, City staff submitted a grant application to the Stanislaus Council of Governments (StanCOG) for the ATP Cycle 1 “Regional” Call for Projects and later that year the City was notified that it had been awarded \$408,000 for Fiscal Year 2016-2017 for the Fox Road Sidewalk Infill Project; and

WHEREAS, the project will include the installation of curb, gutter and sidewalk on Fox Road between Tully Road and Charles Street and the installation of pedestrian and accessibility improvements at the intersections of Tully Road, 2nd and 3rd Streets and is part of a multi-year effort to install sidewalks in areas throughout the City with no sidewalks to improve connectivity, mobility and access for residents and visitors; and

WHEREAS, the State of California Department of Transportation requires that local agencies awarded funding attach an authorization resolution identifying the official authorized to execute the agreement.

NOW, THEREFORE, BE IT RESOLVED that the Hughson City Council does hereby authorize the City Manager to execute the Administeterin Agency-State Master Agreement No. 00498S and the Program Supplemental Ageement No. 0064 and all related documents.

PASSED AND ADOPTED by the City Council of the City of Hughson at its regularly scheduled meeting on this 12th day of September 2016 by the following roll call vote:

AYES: .

NOES: .

ABSTENTIONS: .

ABSENT:

MATT BEEKMAN, Mayor

ATTEST:

Susana Diaz, Deputy City Clerk

DEPARTMENT OF TRANSPORTATION

Division of Local Assistance
1120 N STREET
P.O. BOX 942874, MS# 1
Sacramento, CA 94274-0001
TTY 711
(916) 654-3883
Fax (916) 654-2408



August 8, 2016

File : 10-STA-0-HUSN

ATPL-5411(020)

Fox Road between Tully Road and
Charles Street

Mr. Jaylen French
Community Development Director / Public Works
City of Hughson
P.O. Box 9
Hughson, CA 95326

Dear Mr. French:

Enclosed are two originals for both the Administering Agency-State Master Agreement No. 00498S, and the Program Supplement Agreement No. 0064 Rev. 000 and an approved Finance Letter for the subject project. Please retain the signed Finance Letter for your records.

Please sign both originals of these two Agreements and return them to this office, Office of Local Programs - MS1 within 90 days from receipt of this letter. If the signed Agreements are not received back in this office within 90 days, funds will be disencumbered and/or deobligated. Alterations should not be made to the agreement language or funding. ATTACH YOUR LOCAL AGENCY'S CERTIFIED AUTHORIZING RESOLUTION THAT CLEARLY IDENTIFIES THE PROJECT AND THE OFFICIAL AUTHORIZED TO EXECUTE THE AGREEMENT. A fully executed copy of the agreements will be returned to you upon ratification by Caltrans. No invoices for reimbursement can be processed until the agreement is fully executed.

The State budget authority supporting the encumbered funds is only available for liquidation up to specific deadlines. These deadlines are shown on the attached Finance Letter as the "Reversion Date". Please ensure that your invoices are submitted at least 60 days prior to the reversion date to avoid any lapse of funds. If your agency is unable to seek reimbursement by this date you may request an extension through a Cooperative Work Agreement (CWA). A CWA is subject to the final approval of the State Department of Finance. If approved, the CWA may extend the deadline for up to two years.

Your prompt action is requested. If you have questions, please contact your District Local Assistance Engineer.

Sincerely,

A handwritten signature in blue ink, appearing to read "Winton Emmett".

WINTON EMMETT, Chief
Office of Project Implementation - North
Division of Local Assistance

Enclosures

c: OLP AE Project Files
(10) DLAE - Parminder Singh

DEPARTMENT OF TRANSPORTATION
 DIVISION OF ACCOUNTING
 LOCAL PROGRAM ACCOUNTING BRANCH

FINANCE LETTER

Date: 08/04/2016 EA No:
 D_CO_RT: 10-STA-0-HUSN
 Project No: ATPL-5411(020)

Attention: City of Hughson

Period of Performance End Date:
 Agreement End Date:

FINANCE ITEMS	PRO RATA OR LUMP SUM	TOTAL COST OF WORK	PART. COST	STATE - ATP
Contract Items: \$408,000				
Total: \$408,000		\$408,000.00	\$408,000.00	\$408,000.00
Construction		\$408,000.00	\$408,000.00	\$408,000.00
Totals:				

Participation Ratio: 100.00%

This Finance Letter was created based on specific financial information provided by the responsible local agency. The following encumbrance history is prepared by Local Assistance Accounting Office and is provided here for local agency's information and action.

Signature: 

Title: HQ Area Engineer

For questions regarding finance letter, contact:

Printed Name : David Giongco

Telephone No: 916-653-4797

Remarks: CON allocated at June 2016 CTC meeting

ACCOUNTING INFORMATION									
ADV. PROJECT ID	APPROP. UNIT	STATE PROG.	FED/STATE	APPROP. YEAR	EXPENDITURE AMOUNT	ENCUMBRANCE AMOUNT	REVERSION DATE	APPROVED AMOUNT	EXPIRATION DATE
1016000194	15108*	2030720100		1415	\$0.00	\$408,000.00	06/30/20		
						\$408,000.00			
									Cooperative Work Agreement

MASTER AGREEMENT
ADMINISTERING AGENCY-STATE AGREEMENT FOR
STATE-FUNDED PROJECTS

10 City of Hughson

District Administering Agency

Agreement No. 00498S

This AGREEMENT, is entered into effective this _____ day of _____, 20____, by and between the City of Hughson, hereinafter referred to as "ADMINISTERING AGENCY," and the State of California, acting by and through its Department of Transportation (Caltrans), hereinafter referred to as "STATE", and together referred to as "PARTIES" or individually as a "PARTY."

RECITALS:

1. WHEREAS, the Legislature of the State of California has enacted legislation by which certain State funds are made available for use on local transportation related projects of public entities qualified to act as recipients of these state funds; and
2. WHEREAS, ADMINISTERING AGENCY has applied to the California Transportation Commission (CTC) and/or STATE for funding from either the State Transportation Improvement Program (STIP), or other State-funded programs (herein referred to as STATE FUNDS), as defined in the Local Assistance Program Guidelines (LAPG), for use on local authorized transportation related projects as a local administered project(s), hereinafter referred to as "PROJECT"; and
3. WHEREAS, said PROJECT will not receive any federal funds; and
4. WHEREAS, before STATE FUNDS will be made available for PROJECT, ADMINISTERING AGENCY and STATE are required to enter into an agreement to establish terms and conditions applicable to the ADMINISTERING AGENCY when receiving STATE FUNDS for a designated PROJECT facility and to the subsequent operation and maintenance of that completed facility.

NOW, THEREFORE, the PARTIES agree as follows:

ARTICLE I - PROJECT ADMINISTRATION

1. This AGREEMENT shall have no force or effect with respect to any program project unless and until a project-specific Program Supplement to this AGREEMENT for state funded projects, hereinafter referred to as "PROGRAM SUPPLEMENT", has been fully executed by both STATE and ADMINISTERING AGENCY.
2. The State approved project-specific allocation letter designate the party responsible for implementing PROJECT, type of work and location of PROJECT.
3. The PROGRAM SUPPLEMENT sets out special covenants as a condition for the ADMINISTERING AGENCY to receive STATE FUNDS from/through STATE for designated PROJECT. The PROGRAM SUPPLEMENT shall also show these STATE FUNDS that have been initially encumbered for PROJECT along with the matching funds to be provided by ADMINISTERING AGENCY and/or others. Execution of PROGRAM SUPPLEMENT by the PARTIES shall cause ADMINISTERING AGENCY to adopt all of the terms of this AGREEMENT as though fully set forth therein in the PROGRAM SUPPLEMENT. Unless otherwise expressly delegated in a resolution by the governing body of ADMINISTERING AGENCY, and with written concurrence by STATE, the PROGRAM SUPPLEMENT shall be approved and managed by the governing body of ADMINISTERING AGENCY.
4. ADMINISTERING AGENCY agrees to execute and return each project-specific PROGRAM SUPPLEMENT within ninety (90) days of receipt. The PARTIES agree that STATE may suspend future allocations, encumbrances and invoice payments for any on-going or future STATE FUNDED PROJECT performed by ADMINISTERING AGENCY if any project-specific PROGRAM SUPPLEMENT is not returned within that ninety (90) day period unless otherwise agreed by STATE in writing.
5. ADMINISTERING AGENCY further agrees, as a condition to the release and payment of STATE FUNDS encumbered for the PROJECT described in each PROGRAM SUPPLEMENT, to comply with the terms and conditions of this AGREEMENT and all of the agreed-upon Special Covenants or Remarks incorporated within the PROGRAM SUPPLEMENT, and Cooperative/Contribution Agreement where appropriate, defining and identifying the nature of the specific PROJECT.
6. STATE FUNDS will not participate in any portion of PROJECT work performed in advance of the effective date of the executed PROGRAM SUPPLEMENT for said PROJECT.
7. Projects allocated with STATE FUNDS from the STIP will be administered in accordance with the current CTC STIP Guidelines, as adopted or amended and in accordance with Chapter 23 of the Local Assistance Program Guidelines (LAPG) published by STATE.
8. Projects allocated with STATE FUNDS not programmed in the STIP will be administered in accordance with the applicable chapter of the LAPG and/or any other instructions published by STATE.
9. ADMINISTERING AGENCY's eligible costs for preliminary engineering work includes all preliminary work directly related to PROJECT up to contract award for construction, including, but not limited to, environmental studies and permits (E&P), preliminary surveys and reports, laboratory work, soil investigations, the preparation of plans, specifications and estimates (PS&E), advertising for bids, awarding of a contract and project development contract administration.

10. ADMINISTERING AGENCY's eligible costs for construction engineering includes actual inspection and supervision of PROJECT construction work; construction staking; laboratory and field testing; and the preparation and processing of field reports, records, estimates, final reports, and allowable expenses of employees/consultants engaged in such activities.

11. Unless the PARTIES agree otherwise in writing, ADMINISTERING AGENCY's employees or its sub-contractor engineering consultant shall be responsible for all PROJECT engineering work.

12. ADMINISTERING AGENCY shall not proceed with final design of PROJECT until final environmental approval of PROJECT. Final design entails the design work necessary to complete the PS&E and other work necessary for a construction contract but not required earlier for environmental clearance of that PROJECT.

13. If PROJECT is not on STATE-owned right-of-way, PROJECT shall be constructed in accordance with Chapter 11 of the Local Assistance Procedures Manual (LAPM) that describes minimum statewide design standards for local agency streets and roads. The design standards for projects off the National Highway System (NHS) allow STATE to accept either the STATE's minimum statewide design standards or the approved geometric design standards of ADMINISTERING AGENCY. Additionally, for projects off the NHS, STATE will accept ADMINISTERING AGENCY-approved standard specifications, standard plans, materials sampling and testing quality assurance programs that meet the conditions described in the then current Local Assistance Procedures Manual.

14. If PROJECT involves work within or partially within STATE-owned right-of-way, that PROJECT shall also be subject to compliance with the policies, procedures and standards of the STATE Project Development Procedures Manual and Highway Design Manual and where appropriate, an executed cooperative agreement between STATE and ADMINISTERING AGENCY that outlines the PROJECT responsibilities and respective obligations of the PARTIES. ADMINISTERING AGENCY and its' contractors shall each obtain an encroachment permit through STATE prior to commencing any work within STATE rights of way or work which affects STATE facilities.

15. When PROJECT is not on the State Highway System (SHS) but includes work to be performed by a railroad, the contract for such work shall be prepared by ADMINISTERING AGENCY or by STATE, as the PARTIES may hereafter agree. In either event, ADMINISTERING AGENCY shall enter into an agreement with the railroad providing for future maintenance of protective devices or other facilities installed under the contract.

16. The Department of General Services, Division of the State Architect, or its designee, shall review the contract PS&E for the construction of buildings, structures, sidewalks, curbs and related facilities for accessibility and usability. ADMINISTERING AGENCY shall not award a PROJECT construction contract for these types of improvements until the State Architect has issued written approval stating that the PROJECT plans and specifications comply with the provisions of sections 4450 and 4454 of the California Government Code, if applicable. Further requirements and guidance are provided in Title 24 of the California Code of Regulations.

17. ADMINISTERING AGENCY shall provide or arrange for adequate supervision and inspection of each PROJECT. While consultants may perform supervision and inspection work for PROJECT with a fully qualified and licensed engineer, ADMINISTERING AGENCY shall provide a full-time employee to be in responsible charge of each PROJECT.

18. Unless otherwise provided in the PROGRAM SUPPLEMENT, ADMINISTERING AGENCY shall advertise, award, and administer the PROJECT construction contract or contracts.

19. The cost of maintenance, security, or protection performed by ADMINISTERING AGENCY or contractor forces during any temporary suspension of PROJECT or at any other time may not be charged to the PROJECT.

20. ADMINISTERING AGENCY shall submit PROJECT-specific award information, using Exhibit 23-A of the LAPG, to STATE's District Local Assistance Engineer, within sixty (60) days after contract award. A copy of Exhibit 23-A shall also be included with the submittal of the first invoice for a construction contract by ADMINISTERING AGENCY to: Department of Transportation, Division of Accounting Local Programs Accounting Branch, MS #33, PO Box 942874, Sacramento, California 94274-0001.

21. ADMINISTERING AGENCY shall submit the final report documents that collectively constitute a "Report of Expenditures" within one hundred eighty (180) days of PROJECT completion. Failure by ADMINISTERING AGENCY to submit a "Report of Expenditures" within 180 days of project completion will result in STATE imposing sanctions upon ADMINISTERING AGENCY in accordance Chapters 17 and 19 of the Local Assistance Procedures Manual.

22. ADMINISTERING AGENCY shall comply with the Americans with Disabilities Act (ADA) of 1990 that prohibits discrimination on the basis of disability and all applicable regulations and guidelines issued pursuant to the ADA.

23. The Governor and the Legislature of the State of California, each within their respective jurisdictions, have prescribed certain nondiscrimination requirements with respect to contract and other work financed with public funds. ADMINISTERING AGENCY agrees to comply with the requirements of the FAIR EMPLOYMENT PRACTICES ADDENDUM, attached hereto as Exhibit A and further agrees that any agreement entered into by ADMINISTERING AGENCY with a third party for performance of work connected with PROJECT shall incorporate Exhibit A (with third party's name replacing ADMINISTERING AGENCY) as parts of such agreement.

24. ADMINISTERING AGENCY shall include in all subcontracts awarded when applicable, a clause that requires each subcontractor to comply with California Labor Code requirements that all workers employed on public works aspects of any project (as defined in California Labor Code sections 1720-1815) be paid not less than the general prevailing wage rates predetermined by the Department of Industrial Relations as effective at the date of contract award by the ADMINISTERING AGENCY.

ARTICLE II - RIGHTS OF WAY

1. No contract for the construction of a STATE FUNDED PROJECT shall be awarded until all necessary rights of way have been secured. Prior to the advertising for construction of PROJECT, ADMINISTERING AGENCY shall certify and, upon request, shall furnish STATE with evidence that all necessary rights-of-way are available for construction purposes or will be available by the time of award of the construction contract.

2. The furnishing of rights of way by ADMINISTERING AGENCY as provided for herein includes, and is limited to, the following, unless the PROGRAM SUPPLEMENT provides otherwise.

(a) Expenditures to purchase all real property required for PROJECT free and clear of liens, conflicting easements, obstructions and encumbrances, after crediting PROJECT with the fair market value of any excess property retained and not disposed of by ADMINISTERING AGENCY.

(b) The cost of furnishing of right-of-way as provided for herein includes, in addition to real property required for the PROJECT, title free and clear of obstructions and encumbrances affecting PROJECT and the payment, as required by applicable law, of damages to owners of remainder real property not actually taken but injuriously affected by PROJECT.

(c) The cost of relocation payments and services provided to owners and occupants pursuant to Government Code sections 7260-7277 when PROJECT displaces an individual, family, business, farm operation or nonprofit organization.

(d) The cost of demolition and/or the sale of all improvements on the right-of-way after credit is recorded for sale proceeds used to offset PROJECT costs.

(e) The cost of all unavoidable utility relocation, protection or removal.

(f) The cost of all necessary hazardous material and hazardous waste treatment, encapsulation or removal and protective storage for which ADMINISTERING AGENCY accepts responsibility and where the actual generator cannot be identified and recovery made.

3. ADMINISTERING AGENCY agrees to indemnify and hold STATE harmless from any liability that may result in the event the right-of-way for a PROJECT, including, but not limited to, being clear as certified or if said right-of-way is found to contain hazardous materials requiring treatment or removal to remediate in accordance with Federal and State laws. ADMINISTERING AGENCY shall pay, from its own non-matching funds, any costs which arise out of delays to the construction of PROJECT because utility facilities have not been timely removed or relocated, or because rights-of-way were not available to ADMINISTERING AGENCY for the orderly prosecution of PROJECT work.

ARTICLE III - MAINTENANCE AND MANAGEMENT

1. ADMINISTERING AGENCY will maintain and operate the property acquired, developed, constructed, rehabilitated, or restored by PROJECT for its intended public use until such time as the parties might amend this AGREEMENT to otherwise provide. With the approval of STATE, ADMINISTERING AGENCY or its successors in interest in the PROJECT property may transfer this obligation and responsibility to maintain and operate PROJECT property for that intended public purpose to another public entity.

2. Upon ADMINISTERING AGENCY's acceptance of the completed construction contract or upon contractor being relieved of the responsibility for maintaining and protecting PROJECT, ADMINISTERING AGENCY will be responsible for the maintenance, ownership, liability, and the expense thereof, for PROJECT in a manner satisfactory to the authorized representatives of STATE and if PROJECT falls within the jurisdictional limits of another Agency or Agencies, it is the duty of ADMINISTERING AGENCY to facilitate a separate maintenance agreement(s) between itself and the other jurisdictional Agency or Agencies providing for the operation, maintenance, ownership and liability of PROJECT. Until those agreements are executed, ADMINISTERING AGENCY will be responsible for all PROJECT operations, maintenance, ownership and liability in a manner satisfactory to the authorized representatives of STATE. If, within ninety (90) days after receipt of notice from STATE that a PROJECT, or any portion thereof, is not being properly operated and maintained and ADMINISTERING AGENCY has not satisfactorily remedied the conditions complained of, the approval of future STATE FUNDED PROJECTS of ADMINISTERING AGENCY will be withheld until the PROJECT shall have been put in a condition of operation and maintenance satisfactory to STATE. The provisions of this section shall not apply to a PROJECT that has been vacated through due process of law with STATE's concurrence.

3. PROJECT and its facilities shall be maintained by an adequate and well-trained staff of engineers and/or such other professionals and technicians as PROJECT reasonably requires. Said operations and maintenance staff may be employees of ADMINISTERING AGENCY, another unit of government, or a contractor under agreement with ADMINISTERING AGENCY. All maintenance will be performed at regular intervals or as required for efficient operation of the complete PROJECT improvements.

ARTICLE IV - FISCAL PROVISIONS

1. All contractual obligations of STATE are subject to the appropriation of resources by the Legislature and the allocation of resources by the CTC.
 2. STATE'S financial commitment of STATE FUNDS will occur only upon the execution of this AGREEMENT, the execution of each project-specific PROGRAM SUPPLEMENT and/or STATE's approved finance letter.
 3. ADMINISTERING AGENCY may submit signed duplicate invoices in arrears for reimbursement of allowable PROJECT costs on a monthly or quarterly progress basis once the project-specific PROGRAM SUPPLEMENT has been executed by STATE.
 4. ADMINISTERING AGENCY agrees, as a minimum, to submit invoices at least once every six months commencing after the STATE FUNDS are encumbered on either the project-specific PROGRAM SUPPLEMENT or through a project-specific finance letter approved by STATE. STATE reserves the right to suspend future allocations and invoice payments for any on-going or future STATE FUNDED project performed by ADMINISTERING AGENCY if PROJECT costs have not been invoiced by ADMINISTERING AGENCY for a six-month period
 5. Invoices shall be submitted on ADMINISTERING AGENCY letterhead that includes the address of ADMINISTERING AGENCY and shall be formatted in accordance with Chapter 5 of the LAPM.
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6. Invoices must have at least one copy of supporting backup documentation for allowable costs incurred and claimed for reimbursement by ADMINISTERING AGENCY. Acceptable backup documentation includes, but is not limited to, agency's progress payment to the contractors, copies of cancelled checks showing amounts made payable to vendors and contractors, and/or a computerized summary of PROJECT costs.
 7. Payments to ADMINISTERING AGENCY can only be released by STATE as reimbursements of actual allowable PROJECT costs already incurred and paid for by ADMINISTERING AGENCY.
 8. An indirect cost allocation plan and related documentation are to be provided to STATE (Caltrans Audits & Investigations) annually for review and approval prior to ADMINISTERING AGENCY seeking reimbursement of indirect cost incurred within each fiscal year being claimed for reimbursement. The indirect cost allocation plan must be prepared in accordance with the requirements set forth in Office of Management and Budget Circular A-87 and Chapter 4 of the Local Assistance Procedures Manual.
 9. STATE will withhold the greater of either two (2) percent of the total of all STATE FUNDS encumbered for each PROGRAM SUPPLEMENT or \$40,000 until ADMINISTERING AGENCY submits the Final Report of Expenditures for each completed PROGRAM SUPPLEMENT PROJECT.
 10. The estimated total cost of PROJECT, the amount of STATE FUNDS obligated, and the required matching funds may be adjusted by mutual consent of the PARTIES with an allocation letter and finance letter. STATE FUNDING may be increased to cover PROJECT cost increases only if such additional funds are available and the CTC and/or STATE concurs with that increase in the form of an allocation and finance letter.

11. When such additional STATE FUNDS are not available, ADMINISTERING AGENCY agrees that any increases in PROJECT costs must be defrayed with ADMINISTERING AGENCY's own funds.
12. ADMINISTERING AGENCY shall use its own non STATE FUNDS to finance the local share of eligible costs and all PROJECT expenditures or contract items ruled ineligible for financing with STATE FUNDS. STATE shall make the final determination of ADMINISTERING AGENCY's cost eligibility for STATE FUNDED financing with respect to claimed PROJECT costs.
13. ADMINISTERING AGENCY will reimburse STATE for STATE's share of costs for work performed by STATE at the request of ADMINISTERING AGENCY. STATE's costs shall include overhead assessments in accordance with section 8755.1 of the State Administrative Manual.
14. STATE FUNDS allocated from the STIP are subject to the timely use of funds provisions enacted by Senate Bill 45, approved in 1997, and subsequent STIP Guidelines and State procedures approved by the CTC and STATE.
15. STATE FUNDS encumbered for PROJECT are available for liquidation only for five (5) years from the beginning of the State fiscal year when those funds were appropriated in the State Budget. STATE FUNDS not liquidated within these periods will be reverted unless a Cooperative Work Agreement (CWA) is submitted by ADMINISTERING AGENCY and approved by the California Department of Finance in accordance with Government Code section 16304. The exact date of fund reversion will be reflected in the STATE signed PROJECT finance letter.
16. Payments to ADMINISTERING AGENCY for PROJECT-related travel and subsistence (per diem) expenses of ADMINISTERING AGENCY forces and its contractors and subcontractors claimed for reimbursement or as local match credit shall not exceed rates authorized to be paid to rank and file STATE employees under current State Department of Personnel Administration (DPA) rules. If the rates invoiced by ADMINISTERING AGENCY are in excess of DPA rates, ADMINISTERING AGENCY is responsible for the cost difference, and any overpayments inadvertently paid by STATE shall be reimbursed to STATE by ADMINISTERING AGENCY on demand.
17. ADMINISTERING AGENCY agrees to comply with Office of Management and Budget (OMB) Circular A-87, Cost Principles for State and Local Governments, and 49 CFR, Part 18, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments.
18. ADMINISTERING AGENCY agrees, and will assure that its contractors and subcontractors will be obligated to agree that (a) Contract Cost Principles and Procedures, 48 CFR, Federal Acquisition Regulations System, Chapter 1, Part 31, et seq., shall be used to determine the allowability of individual PROJECT cost items and (b) those parties shall comply with federal administrative procedures in accordance with 49 CFR, Part 18, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments. Every sub-recipient receiving PROJECT funds as a contractor or sub-contractor under this AGREEMENT shall comply with Federal administrative procedures in accordance with 49 CFR, Part 18, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments. ADMINISTERING AGENCY agrees to comply with the provisions set

forth in 23 CFR Parts 140, 645 and 646 when contracting with railroad and utility companies.

19. Any PROJECT costs for which ADMINISTERING AGENCY has received payment or credit that are determined by subsequent audit to be unallowable under OMB Circular A-87, 48 CFR, Chapter 1, Part 31, 23 CFR Parts 140, 645 and 646 or 49 CFR, Part 18, are subject to repayment by ADMINISTERING AGENCY to STATE.

20. Upon written demand by STATE, any overpayment to ADMINISTERING AGENCY of amounts invoiced to STATE shall be returned to STATE.

21. Should ADMINISTERING AGENCY fail to refund any moneys due STATE as provided herein or should ADMINISTERING AGENCY breach this AGREEMENT by failing to complete PROJECT without adequate justification and approval by STATE, then, within thirty (30) days of demand, or within such other period as may be agreed to in writing between the PARTIES hereto, STATE, acting through the State Controller, the State Treasurer, the CTC or any other public entity or agency, may intercept, withhold and demand the transfer of an amount equal to the amount paid by or owed to STATE for each PROJECT, from future apportionments, or any other funds due ADMINISTERING AGENCY from the Highway Users Tax Fund or any other sources of funds, and/or may also withhold approval of future STATE FUNDED projects proposed by ADMINISTERING AGENCY.

~~22. Should ADMINISTERING AGENCY be declared to be in breach of this AGREEMENT or otherwise in default thereof by STATE, and if ADMINISTERING AGENCY is constituted as a joint powers authority, special district, or any other public entity not directly receiving funds through the State Controller, STATE is authorized to obtain reimbursement from whatever sources of funding are available, including the withholding or transfer of funds, pursuant to Article IV - 21, from those constituent entities comprising a joint powers authority or by bringing of an action against ADMINISTERING AGENCY or its constituent member entities, to recover all funds provided by STATE hereunder.~~

23. ADMINISTERING AGENCY acknowledges that the signatory party represents the ADMINISTERING AGENCY and further warrants that there is nothing within a Joint Powers Agreement, by which ADMINISTERING AGENCY was created, if any exists, that would restrict or otherwise limit STATE's ability to recover STATE FUNDS improperly spent by ADMINISTERING AGENCY in contravention of the terms of this AGREEMENT.

ARTICLE V

AUDITS, THIRD PARTY CONTRACTING, RECORDS RETENTION AND REPORTS

1. STATE reserves the right to conduct technical and financial audits of PROJECT work and records when determined to be necessary or appropriate and ADMINISTERING AGENCY agrees, and shall require its contractors and subcontractors to agree, to cooperate with STATE by making all appropriate and relevant PROJECT records available for audit and copying as required by paragraph three (3) of Article V.
2. ADMINISTERING AGENCY, its contractors and subcontractors shall establish and maintain an accounting system and records that properly accumulate and segregate incurred PROJECT costs and matching funds by line item for the PROJECT. The accounting system of ADMINISTERING AGENCY, its contractors and all subcontractors shall conform to Generally Accepted Accounting Principles, enable the determination of incurred costs at interim points of completion, and provide support for reimbursement payment vouchers or invoices sent to or paid by STATE.
3. For the purpose of determining compliance with Title 21, California Code of Regulations, Chapter 21, section 2500 et seq., when applicable, and other matters connected with the performance and costs of ADMINISTERING AGENCY's contracts with third parties pursuant to Government Code section 8546.7, ADMINISTERING AGENCY, ADMINISTERING AGENCY's contractors and subcontractors, and STATE shall each maintain and make available for inspection and audit all books, documents, papers, accounting records, and other evidence pertaining to the performance of such contracts, including, but not limited to, the costs of administering those various contracts. All of the above-referenced parties shall make such AGREEMENT and PROGRAM SUPPLEMENT materials available at their respective offices at all reasonable times during the entire PROJECT period and for three (3) years from the date of final payment to ADMINISTERING AGENCY under any PROGRAM SUPPLEMENT. STATE, the California State Auditor, or any duly authorized representative of STATE or the United States, shall each have access to any books, records, and documents that are pertinent to a PROJECT for audits, examinations, excerpts, and transactions and ADMINISTERING AGENCY shall furnish copies thereof if requested.
4. ADMINISTERING AGENCY is required to have an audit in accordance with the Single Audit Act of OMB Circular A-133 if it receives a total of \$500,000 or more in STATE FUNDS in a single fiscal year. The STATE FUNDS received under PROGRAM SUPPLEMENT are a part of the Catalogue of Federal Domestic Assistance (CFDA) 20.205, Highway Planning and Research.
5. ADMINISTERING AGENCY agrees to include all PROGRAM SUPPLEMENTS adopting the terms of this AGREEMENT in the schedule of projects to be examined in ADMINISTERING AGENCY'S annual audit and in the schedule of projects to be examined under its single audit prepared in accordance with OMB Circular A-133.
6. ADMINISTERING AGENCY shall not award a construction contract over \$10,000 or other contracts over \$25,000 [excluding professional service contracts of the type which are required to be procured in accordance with Government Code sections 4525 (d), (e) and (f)] on the basis of a noncompetitive negotiation for work to be performed under this AGREEMENT without the prior written approval of STATE. All contracts awarded by ADMINISTERING AGENCY intended or used as local match credit must meet the requirements set forth in this AGREEMENT regarding local match funds.

7. Any subcontract entered into by ADMINISTERING AGENCY as a result of this AGREEMENT shall contain all of the provisions of Article IV, FISCAL PROVISIONS, and this ARTICLE V, AUDITS, THIRD-PARTY CONTRACTING, RECORDS RETENTION AND REPORTS and shall mandate that travel and per diem reimbursements and third-party contract reimbursements to subcontractors will be allowable as PROJECT costs only after those costs are incurred and paid for by the subcontractors.

8. To be eligible for local match credit, ADMINISTERING AGENCY must ensure that local match funds used for a PROJECT meet the fiscal provisions requirements outlined in ARTICLE IV in the same manner that is required of all other PROJECT expenditures.

9. In addition to the above, the pre-award requirements of third-party contractor/consultants with ADMINISTERING AGENCY should be consistent with LOCAL ASSISTANCE PROCEDURES.

ARTICLE VI - MISCELLANEOUS PROVISIONS

1. ADMINISTERING AGENCY agrees to use all PROJECT funds reimbursed hereunder only for transportation purposes that are in conformance with Article XIX of the California State Constitution and other California laws.
 2. ADMINISTERING AGENCY shall conform to all applicable State and Federal statutes and regulations, and the Local Assistance Program Guidelines and Local Assistance Procedures Manual as published by STATE and incorporated herein, including all subsequent approved revisions thereto applicable to PROJECT unless otherwise designated in the project-specific executed PROJECT SUPPLEMENT.
 3. This AGREEMENT is subject to any additional restrictions, limitations, conditions, or any statute enacted by the State Legislature or adopted by the CTC that may affect the provisions, terms, or funding of this AGREEMENT in any manner.
 4. ADMINISTERING AGENCY and the officers and employees of ADMINISTERING AGENCY, when engaged in the performance of this AGREEMENT, shall act in an independent capacity and not as officers, employees or agents of STATE.
 5. Each project-specific PROGRAM SUPPLEMENT shall separately establish the terms and funding limits for each described PROJECT funded under this AGREEMENT and that PROGRAM SUPPLEMENT. No STATE FUNDS are obligated against this AGREEMENT.
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6. ADMINISTERING AGENCY certifies that neither ADMINISTERING AGENCY nor its principals are suspended or debarred at the time of the execution of this AGREEMENT, and ADMINISTERING AGENCY agrees that it will notify STATE immediately in the event a suspension or a debarment occurs after the execution of this AGREEMENT.
 7. ADMINISTERING AGENCY warrants, by execution of this AGREEMENT, that no person or selling agency has been employed or retained to solicit or secure this AGREEMENT upon an agreement or understanding for a commission, percentage, brokerage, or contingent fee, excepting bona fide employees or bona fide established commercial or selling agencies maintained by ADMINISTERING AGENCY for the purpose of securing business. For breach or violation of this warranty, STATE has the right to annul this AGREEMENT without liability, pay only for the value of the PROJECT work actually performed, or in STATE's discretion, to deduct from the price of PROGRAM SUPPLEMENT consideration, or otherwise recover, the full amount of such commission, percentage, brokerage, or contingent fee.
 8. In accordance with Public Contract Code section 10296, ADMINISTERING AGENCY hereby certifies under penalty of perjury that no more than one final unappealable finding of contempt of court by a federal court has been issued against ADMINISTERING AGENCY within the immediate preceding two (2) year period because of ADMINISTERING AGENCY's failure to comply with an order of a federal court that orders ADMINISTERING AGENCY to comply with an order of the National Labor Relations Board.
 9. ADMINISTERING AGENCY shall disclose any financial, business, or other relationship with STATE that may have an impact upon the outcome of this AGREEMENT or any individual PROJECT encompassed within a PROGRAM SUPPLEMENT. ADMINISTERING AGENCY shall also list current contractors who may have a financial interest in the outcome of a PROJECT undertaken pursuant to this AGREEMENT.

10. ADMINISTERING AGENCY hereby certifies that it does not now have nor shall it acquire any financial or business interest that would conflict with the performance of any PROJECT initiated under this AGREEMENT.

11. ADMINISTERING AGENCY warrants that this AGREEMENT was not obtained or secured through rebates, kickbacks or other unlawful consideration either promised or paid to any STATE employee. For breach or violation of this warranty, STATE shall have the right, in its sole discretion, to terminate this AGREEMENT without liability, to pay only for PROJECT work actually performed, or to deduct from a PROGRAM SUPPLEMENT price or otherwise recover the full amount of such rebate, kickback, or other unlawful consideration.

12. Any dispute concerning a question of fact arising under this AGREEMENT that is not disposed of by agreement shall be decided by the STATE's Contract Officer, who may consider any written or verbal evidence submitted by ADMINISTERING AGENCY. The decision of the Contract Officer, issued in writing, shall be conclusive and binding on the PARTIES on all questions of fact considered and determined by the Contract Officer.

13. Neither the pending of a dispute nor its consideration by the Contract Officer will excuse the ADMINISTERING AGENCY from full and timely performance in accordance with the terms of this AGREEMENT and each PROGRAM SUPPLEMENT.

14. Neither STATE nor any officer or employee thereof is responsible for any injury, damage or liability occurring by reason of anything done or omitted to be done by ADMINISTERING AGENCY under or in connection with any work, authority or jurisdiction of ADMINISTERING AGENCY arising under this AGREEMENT. It is understood and agreed that ADMINISTERING AGENCY shall fully defend, indemnify and save harmless STATE and all of its officers and employees from all claims and suits or actions of every name, kind and description brought forth under, including but not limited to, tortious, contractual, inverse condemnation or other theories or assertions of liability occurring by reason of anything done or omitted to be done by ADMINISTERING AGENCY under this AGREEMENT.

15. Neither ADMINISTERING AGENCY nor any officer or employee thereof is responsible for any injury, damage or liability occurring by reason of anything done or omitted to be done by, under or in connection with any work, authority or jurisdiction arising under this AGREEMENT. It is understood and agreed that STATE shall fully defend, indemnify and save harmless the ADMINISTERING AGENCY and all of its officers and employees from all claims, suits or actions of every name, kind and description brought forth under, including but not limited to, tortious, contractual, inverse condemnation and other theories or assertions of liability occurring by reason of anything done or omitted to be done by STATE under this AGREEMENT.

16. In the event of (a) ADMINISTERING AGENCY failing to timely proceed with effective PROJECT work in accordance with the project-specific PROGRAM SUPPLEMENT; (b) failing to maintain any applicable bonding requirements; and (c) otherwise materially violating the terms and conditions of this AGREEMENT and/or any PROGRAM SUPPLEMENT, STATE reserves the right to terminate funding for that PROJECT upon thirty (30) days' written notice to ADMINISTERING AGENCY.

17. No termination notice shall become effective if, within thirty (30) days after receipt of a Notice of Termination, ADMINISTERING AGENCY either cures the default involved or, if the default is not reasonably susceptible of cure within said thirty (30) day period the ADMINISTERING

AGENCY proceeds thereafter to complete that cure in a manner and time line acceptable to STATE.

18. Any such termination shall be accomplished by delivery to ADMINISTERING AGENCY of a Notice of Termination, which notice shall become effective not less than thirty (30) days after receipt, specifying the reason for the termination, the extent to which funding of work under this AGREEMENT and the applicable PROGRAM SUPPLEMENT is terminated and the date upon which such termination becomes effective, if beyond thirty (30) days after receipt. During the period before the effective termination date, ADMINISTERING AGENCY and STATE shall meet to attempt to resolve any dispute. In the event of such termination, STATE may proceed with the PROJECT work in a manner deemed proper by STATE. If STATE terminates funding for PROJECT with ADMINISTERING AGENCY for the reasons stated in paragraph sixteen (16) of ARTICLE VI, STATE shall pay ADMINISTERING AGENCY the sum due ADMINISTERING AGENCY under the PROGRAM SUPPLEMENT and/or STATE-approved finance letter prior to termination, provided, however, ADMINISTERING AGENCY is not in default of the terms and conditions of this AGREEMENT or the project-specific PROGRAM SUPPLEMENT and that the cost of any PROJECT completion to STATE shall first be deducted from any sum due ADMINISTERING AGENCY.

19. In the case of inconsistency or conflicts with the terms of this AGREEMENT and that of a project-specific PROGRAM SUPPLEMENT and/or Cooperative Agreement, the terms stated in that PROGRAM SUPPLEMENT and/or Cooperative Agreement shall prevail over those in this AGREEMENT.

20. Without the written consent of STATE, this AGREEMENT is not assignable by ADMINISTERING AGENCY either in whole or in part.

21. No alteration or variation of the terms of this AGREEMENT shall be valid unless made in writing and signed by the PARTIES, and no oral understanding or agreement not incorporated herein shall be binding on any of the PARTIES.

IN WITNESS WHEREOF, the parties have executed this AGREEMENT by their duly authorized officer.

STATE OF CALIFORNIA
DEPARTMENT OF TRANSPORTATION

City of Hughson

By _____

By _____

Chief, Office of Project Implementation
Division of Local Assistance

City of Hughson
Representative Name & Title
(Authorized Governing Body Representative)

Date _____

Date _____

EXHIBIT A - FAIR EMPLOYMENT PRACTICES ADDENDUM

1. In the performance of this Agreement, ADMINISTERING AGENCY will not discriminate against any employee for employment because of race, color, sex, sexual orientation, religion, age, ancestry or national origin, physical disability, medical condition, marital status, political affiliation, family and medical care leave, pregnancy leave, or disability leave. ADMINISTERING AGENCY will take affirmative action to ensure that employees are treated during employment without regard to their race, sex, sexual orientation, color, religion, ancestry, or national origin, physical disability, medical condition, marital status, political affiliation, family and medical care leave, pregnancy leave, or disability leave. Such action shall include, but not be limited to, the following: employment; upgrading; demotion or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. ADMINISTERING AGENCY shall post in conspicuous places, available to employees for employment, notices to be provided by STATE setting forth the provisions of this Fair Employment section.

2. ADMINISTERING AGENCY, its contractor(s) and all subcontractors shall comply with the provisions of the Fair Employment and Housing Act (Gov. Code, 1290-0 et seq.), and the applicable regulations promulgated thereunder (Cal. Code Regs., Title 2, 7285.0, et seq.). The applicable regulations of the Fair Employment and Housing Commission implementing Government Code section 12900(a-f), set forth in Chapter 5 of Division 4 of Title 2 of the California Code of Regulations are incorporated into this AGREEMENT by reference and made a part hereof as if set forth in full. Each of the ADMINISTERING AGENCY'S contractors and all subcontractors shall give written notice of their obligations under this clause to labor organizations with which they have a collective bargaining or other agreements, as appropriate.

3. ADMINISTERING AGENCY shall include the nondiscrimination and compliance provisions of this clause in all contracts and subcontracts to perform work under this AGREEMENT.

4. ADMINISTERING AGENCY will permit access to the records of employment, employment advertisements, application forms, and other pertinent data and records by STATE, the State Fair Employment and Housing Commission, or any other agency of the State of California designated by STATE, for the purposes of investigation to ascertain compliance with the Fair Employment section of this Agreement.

5. Remedies for Willful Violation:

(a) STATE may determine a willful violation of the Fair Employment provision to have occurred upon receipt of a final judgment to that effect from a court in an action to which ADMINISTERING AGENCY was a party, or upon receipt of a written notice from the Fair Employment and Housing Commission that it has investigated and determined that ADMINISTERING AGENCY has violated the Fair Employment Practices Act and had issued an order under Labor Code section 1426 which has become final or has obtained an injunction under Labor Code section 1429.

(b) For willful violation of this Fair Employment Provision, STATE shall have the right to terminate this Agreement either in whole or in part, and any loss or damage sustained by STATE in securing the goods or services thereunder shall be borne and paid for by ADMINISTERING AGENCY and by the surety under the performance bond, if any, and STATE may deduct from any moneys due

or thereafter may become due to ADMINISTERING AGENCY, the difference between the price named in the Agreement and the actual cost thereof to STATE to cure ADMINISTERING AGENCY's breach of this Agreement.

PROGRAM SUPPLEMENT NO. 064
to
ADMINISTERING AGENCY-STATE AGREEMENT
FOR STATE FUNDED PROJECTS NO 00498S

Adv Project ID **Date:** July 28, 2016
1016000194 **Location:** 10-STA-0-HUSN
Project Number: ATPL-5411(020)
E.A. Number:
Locode: 5411

This Program Supplement, effective 6/30/16 hereby adopts and incorporates into the Administering Agency-State Agreement No. 00498S for State Funded Projects which was entered into between the ADMINISTERING AGENCY and the STATE with an effective date of _____ and is subject to all the terms and conditions thereof. This PROGRAM SUPPLEMENT is executed in accordance with Article I of the aforementioned Master Agreement under authority of Resolution No. _____ approved by the ADMINISTERING AGENCY on _____ (See copy attached).

The ADMINISTERING AGENCY further stipulates that as a condition to the payment by the State of any funds derived from sources noted below encumbered to this project, Administering Agency accepts and will comply with the Special Covenants and remarks set forth on the following pages.

PROJECT LOCATION:

Fox Road between Tully Road and Charles Street

TYPE OF WORK: New Sidewalk

Estimated Cost	State Funds		Matching Funds	
	STATE		LOCAL	OTHER
\$408,000.00	\$408,000.00		\$0.00	\$0.00

CITY OF HUGHSON

By _____
Title _____
Date _____
Attest _____

STATE OF CALIFORNIA
Department of Transportation

By _____
Chief, Office of Project Implementation
Division of Local Assistance
Date _____

I hereby certify upon my personal knowledge that budgeted funds are available for this encumbrance:

Accounting Officer  Date 8/3/2016 \$408,000.00

Chapter	Statutes	Item	Year	Program	BC	Category	Fund Source	AMOUNT

SPECIAL COVENANTS OR REMARKS

1. A. This PROJECT will be administered in accordance with the applicable CTC STIP guidelines and the Active Transportation Program guidelines as adopted or amended, the Local Assistance Procedures Manual (LAPM), the Local Assistance Program Guidelines (LAPG), and this PROGRAM SUPPLEMENT.

B. This PROJECT is programmed to receive State funds from the Active Transportation Program (ATP). Funding may be provided under one or more components. A component(s) specific fund allocation is required, in addition to other requirements, before reimbursable work can occur for the component(s) identified. Each allocation will be assigned an effective date and identify the amount of funds allocated per component(s).

This PROGRAM SUPPLEMENT has been prepared to allow reimbursement of eligible PROJECT expenditures for the component(s) allocated. Unless otherwise determined, the effective date of the component specific allocation will constitute the start of reimbursable expenditures.

C. STATE and ADMINISTERING AGENCY agree that any additional funds made available by future allocations will be encumbered on this PROJECT by use of a STATE-approved Allocation Letter and STATE Finance Letter. ADMINISTERING AGENCY agrees that STATE funds available for reimbursement will be limited to the amount allocated by the California Transportation Commission (CTC) and/or the STATE.

D. Upon ADMINISTERING AGENCY request, the CTC and/or STATE may approve supplementary allocations, time extensions, and fund transfers between components. Funds transferred between allocated project components retain their original timely use of funds deadlines, but an approved time extension will revise the timely use of funds criteria for the component(s) and allocation(s) requested. Approved supplementary allocations, time extensions, and fund transfers between components made after the execution of this PROGRAM SUPPLEMENT will be documented and considered subject to the terms and conditions thereof. Documentation will consist of a STATE approved Allocation Letter, Fund Transfer Letter, Time Extension Letter, and Finance Letter, as appropriate.

E. This PROJECT is subject to the timely use of funds provisions enacted by the Active Transportation Program guidelines, as adopted or amended, and by approved CTC and State procedures as outlined below.

Funds allocated for the environmental & permits (E&P), plan specifications & estimate (PS&E), and right-of-way components are available for expenditure until the end of the second fiscal year following the year in which the funds were allocated.

Funds allocated for the construction component are subject to an award deadline and contract completion deadline. ADMINISTERING AGENCY agrees to award the contract within 6 months of the construction fund allocation and to complete and accept the construction within 36 months of award.

F. Award information shall be submitted by the ADMINISTERING AGENCY to the District

SPECIAL COVENANTS OR REMARKS

Local Assistance Engineer immediately after project contract award and prior to the submittal of the ADMINISTERING AGENCY'S first invoice for the construction contract. Failure to do so will cause a delay in the State processing of invoices for the construction phase.

G. The ADMINISTERING AGENCY shall invoice STATE for environmental & permits (E&P), plans specifications & estimate (PS&E), and right-of-way costs no later than 180 days after the end of last eligible fiscal year of expenditure. For construction costs, the ADMINISTERING AGENCY has 180 days after project completion or contract acceptance to make the final payment to the contractor prepare the final Report of Expenditures and final invoice, and submit to STATE for verification and payment.

H. ADMINISTERING AGENCY agrees to submit the final report documents that collectively constitute a "Report of Expenditures" within one hundred eighty (180) days of PROJECT completion. Failure of ADMINISTERING AGENCY to submit a "Final Report of Expenditures" within 180 days of PROJECT completion will result in STATE imposing sanctions upon ADMINISTERING AGENCY in accordance with the current LAPM and the Active Transportation Program (ATP) Guidelines.

I. ADMINISTERING AGENCY agrees to comply with Office of Management and Budget (OMB) Circular A-87, Cost Principles for State and Local Governments, and 49 CFR, Part 18, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments. Notwithstanding the foregoing, ADMINISTERING AGENCY will not be required to comply with 49 CFR, Part 18.36 (i), subsections (3), (4), (5), (6), (8), (9), (12), and (13).

J. By executing this PROGRAM SUPPLEMENT, ADMINISTERING AGENCY agrees to comply with all reporting requirements in accordance with the Active Transportation Program guidelines, as adopted or amended.



CITY OF HUGHSON AGENDA ITEM NO. 3.8

SECTION 3: CONSENT CALENDAR

Meeting Date: September 12, 2016
Subject: Consideration of the League of California Cities 2016 Annual Conference Resolution Packet
Presented By: Raul L. Mendez, City Manager
Approved By: _____

Staff Recommendation:

Consider and support the League of California Cities 2016 Annual Conference Resolution Packet pertaining to the Vision Zero Plan, to eliminate traffic deaths and severe injuries on our roadways, to make safety a top priority for transportation projects.

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, scheduled to be held in Long Beach on October 5-7, 2016 is an opportunity for such education, training and policy discussions.

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. Resolutions submitted to the General Assembly must be concurred in by five cities or by city officials from at least five or more cities.

On July 25, 2016, the Hughson City Council designated Mayor Pro Tem Jeremy Young as the voting delegate for the 2016 Annual Conference and Expo. The City of Hughson has received the Annual Conference Resolutions Packet which includes one resolution that was introduced by the required deadline. The following is a summary of the resolution with the actual packet attached for reference.

Summary of Analysis:

Resolution 1 – Committing the League of California Cities to Supporting Vision Zero, Toward Zero Deaths, and Other Programs or Initiatives to Make Safety a Top Priority for Transportation Projects and Policy Formulation, While Encouraging Cities to Pursue Similar Initiatives.

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

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

The LOCC supports additional funding for local transportation and other critical unmet infrastructure needs. One of its priorities is to support a consistent and continuous appropriation of new monies from various sources directly to cities and counties for the preservation, maintenance and rehabilitation of the local street and road system. The LOCC has significant existing policy in this area.

A Vision Zero City meets the following minimum standards:

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

Fiscal Impact:

The fiscal impact is unknown at this time. The costs to any particular city can vary tremendously depending on the level and scope of investment any particular city would seek to make to become a Vision Zero City.



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

August 16, 2016



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

RE: Annual Conference Resolutions Packet
Notice of League Annual Meeting

Enclosed please find the 2016 Annual Conference Resolutions Packet.

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

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

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

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

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

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

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



*Annual Conference
Resolutions Packet*

2016 Annual Conference Resolutions



Long Beach, California

October 5 – 7, 2016

INFORMATION AND PROCEDURES

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

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

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

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

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

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

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

GUIDELINES FOR ANNUAL CONFERENCE RESOLUTIONS

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

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

Guidelines for Annual Conference Resolutions

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

LOCATION OF MEETINGS

Policy Committee Meetings

Wednesday, October 5

Hyatt Regency Long Beach

200 South Pine Street, Long Beach

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

General Resolutions Committee

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

Hyatt Regency Long Beach

200 South Pine Street, Long Beach

Annual Business Meeting and General Assembly Luncheon

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

Long Beach Convention Center

300 East Ocean Boulevard, Long Beach

KEY TO ACTIONS TAKEN ON RESOLUTIONS

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

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

TRANSPORTATION, COMMUNICATION, AND PUBLIC WORKS POLICY COMMITTEE

		1	2	3
1	Vision Zero			

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

KEY TO ACTIONS TAKEN ON RESOLUTIONS *(Continued)*

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

KEY TO REVIEWING BODIES

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

KEY TO ACTIONS TAKEN

- A Approve
- D Disapprove
- N No Action
- R Refer to appropriate policy committee for study

ACTION FOOTNOTES

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

- 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

Procedural Note:

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

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

Source: City of San Jose

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

Referred to: Transportation, Communication and Public Works Policy Committees

Recommendation to General Resolution Committee:

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

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

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

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

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

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

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

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

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

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

////////

Background Information on Resolution to Support Transportation Safety Programs

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

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

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

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

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

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

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

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

////////

League of California Cities Staff Analysis on Resolution No. 1

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

Summary:

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

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

Background:

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

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

A Vision Zero City meets the following minimum standards:

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

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

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

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

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

Vision Zero – Samples:

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

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

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

San Francisco’s Vision Zero Categories:

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

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

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

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

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

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

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

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

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

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

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

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

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

Opposition: One individual

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

⁸ <http://safety.fhwa.dot.gov/tzd/>

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

Comment:

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

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

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

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

existing user based fee, such as the base \$0.18-cent gas tax is a declining revenue source. Collectively, we must have the political will to push for sustainable transportation revenues.

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

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

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

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

LETTERS OF CONCURRENCE

Resolution No. 1

VISION ZERO



Office of the Mayor

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

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

July 21, 2016

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

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

Dear President Michael,

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

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

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

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

Sincerely,

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

Bill Harrison
Mayor





CITY HALL
LOS ANGELES, CALIFORNIA 90012

August 2, 2016

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

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

Dear President Michael:

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

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

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

Sincerely,

ERIC GARCETTI
Mayor

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



OFFICE OF THE
CITY COUNCIL

CITY OF SACRAMENTO
CALIFORNIA

JAY SCHENIRER

COUNCILMEMBER
DISTRICT FIVE

July 27, 2016

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

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

Dear President Michael,

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

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

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

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

Sincerely,

Jay Schenirer, Council Member
Chair, Law & Legislation Committee



THE CITY OF SAN DIEGO

August 9, 2016

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

Dear President Michael:

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

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

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

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

Sincerely,

Kris McFadden
Director

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

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



Transportation & Storm Water Department

202 C Street, 9th Floor, MS 9A • San Diego, CA 92101

Tel (619) 236-6594 Fax (619) 236-6570



RESOLUTION NUMBER R- 310042

DATE OF FINAL PASSAGE NOV 03 2015

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

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

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

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

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

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

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

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

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

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

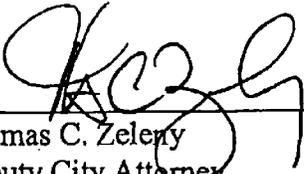
WHEREAS, Circulate San Diego is convening an Advisory Committee to advance Vision Zero Goals; NOW, THEREFORE,

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

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

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

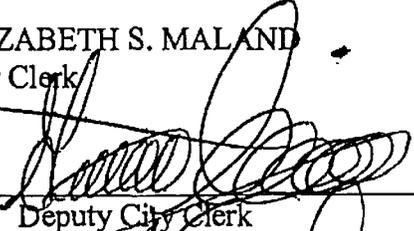
APPROVED: JAN I. GOLDSMITH, City Attorney

By 
Thomas C. Zeleny
Deputy City Attorney

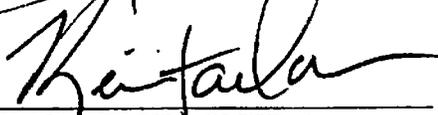
TCZ:cfq
September 24, 2015
Or.Dept:Envir. Comm.
Doc. No.: 1116742

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

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 11/2/15
(date)


KEVIN L. FAULCONER, Mayor

Vetoed: _____
(date)

KEVIN L. FAULCONER, Mayor

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

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

Date of final passage NOV 03 2015

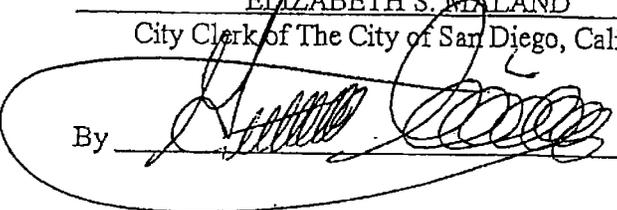
(Please note: When a resolution is approved by the Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)

AUTHENTICATED BY:

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

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

(Seal)

By , Deputy

Office of the City Clerk, San Diego, California

Resolution Number R- 310042



August 1, 2016

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

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

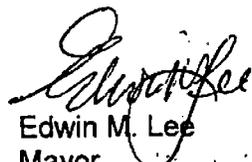
Dear President Michael,

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

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

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

Sincerely,


Edwin M. Lee
Mayor



City of
Santa Monica®

July 21, 2016

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

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

Dear President Michael:

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

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

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

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

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

Sincerely,


Tony Vazquez
Mayor

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



CITY OF WEST HOLLYWOOD

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

OFFICE OF THE CITY MANAGER

PAUL AREVALO
CITY MANAGER

July 21, 2016

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

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

Dear President Michael:

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

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

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

Sincerely,

Paul Arevalo,
CITY MANAGER

c: Honorable Members of the West Hollywood City Council





CITY OF HUGHSON AGENDA ITEM NO. 3.9

SECTION 3: CONSENT CALENDAR

Meeting Date: September 12, 2016
Subject: Approval of Industrial Waste Hauler Permit Applications
Presented By: Martha Serrato, Account Technician II

Approved: _____

Staff Recommendation:

Approve the Industrial Permit applications submitted by Gilton Solid Waste Management and Bertolotti Disposal.

Background:

Section 8.12.290 of the Hughson Municipal Code, states that the City Council may grant a permit for the collection of industrial refuse separately from the solid waste franchise agreement that the City currently holds with Gilton Solid Waste Management.

Upon approval of the permit by the Council, the permittees will be issued notice from the City that their applications are approved subject to the conditions of the Hughson Municipal Code, requiring them to submit all evidence of insurance, listing the City of Hughson as an additional insured. They are also required to pay an annual permit fee of \$100 and an amount equal to eight percent (8%) of the gross receipts derived from the furnishing of such industrial refuse collection services within the incorporated areas of the City. These permits will expire June 30, 2017, and must be renewed each fiscal year.

Fiscal Impact:

The permitted haulers are required to pay the City of Hughson 8% of their gross receipts from the prior Fiscal year annually, as well as an annual \$100 permit fee. This year, the total revenue generated by the two (2) industrial haulers is \$5,044.73.



APPLICATION FOR INDUSTRIAL WASTE COLLECTION PERMIT

(Please provide all relevant information in response to the following)

- A. Name and description of applicant Bertolotti Disposal Inc.
- B. Permanent home and business address and full local address of the applicant _____
231 Flamingo Drive, Modesto CA 95358/ P.O. Box 127, Ceres CA 95307
- C. Trade or Firm Name Same
- D. If applying for a permit renewal, total dollar amount and total tonnage collected in Hughson during previous permit period. \$ 25,052.94 138.58 Tons.
- E. If joint venture, a partnership, or limited partnership, the names of all partners and their permanent addresses. If a corporation, the names and permanent addresses of all the stockholders and the officers and the percentage of participation of each
Bert Bertolotti - 135 Bonita Circle, Modesto CA 100%
Steve Holloway- 2208 Christmas Tree Lane, CA Riverbank 100%
- F. A detailed explanation of the manner in which the applicant will conduct the activity for which the permit is requested Serve Industrial Customers with roll off boxes
- G. The applicant's arrangements for the disposal of all refuse collected or transported by him at an approved disposal site or his arrangements for other authorized disposal Transfer all refuse to Fink Road
Landfill or Bertolotti Transfer Station
- H. Facts showing that the applicant is able to render efficient refuse service have been providing
refuse service for over 44 years
- I. That the applicant owns or has under his control in good mechanical condition sufficient equipment to adequately conduct the business for which the permit is requested Currently provides service
to Modesto, Ceres, Patterson, Newman, and the Unincorporated Stanislaus County
- J. That his vehicles and equipment conform to all applicable provisions of this chapter conforming
- K. That the applicant shows to the satisfaction of the council that the issuance of a permit is in the public interest, and there is need for a permit to be issued to provide excellent service at competitive pricing

Submit evidence of insurance Naming City of Hughson as Additionally Insured, subject to each of the following:

1. One million dollars on account of bodily injuries to or death of one person;
2. One million dollars covering total liability of the franchise holder on account of bodily injuries to or death of more than one person as a result of any one accident;
3. Five hundred thousand dollars for one accident resulting in damage or destruction of property, whether the property of one or more than one claimant.
4. A liability insurance policy required by this section shall insure to the benefit of any persons who are injured or sustain damage to property proximately caused by the negligence of the franchise holder insured by the policy, his employees or agents.
5. Satisfactory evidence that the liability insurance required by this section is at all times in full force and effect shall be furnished the council by the franchise holder.
6. The policy of insurance shall contain certain provisions against cancellation except upon 10 days' prior written notice thereof to the city.

(Attach additional pages and information as needed)

**Gilton Solid Waste
Management, Inc.**

755 S. Yosemite Avenue
Oakdale, CA 95361
(209) 527-3781
FAX (209) 527-0422

August 2, 2016



Mr. Jaylen French
Community Development Director
City of Hughson
PO Box 9
Hughson, CA 95326

RE: RENEWAL - Permit to Collect Industrial Wastes

Dear Mr. French:

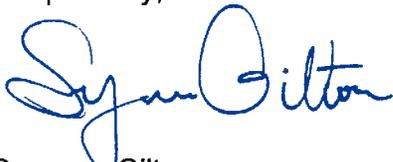
Enclosed with this letter are the following items in regards to renewing our Permit to Collect Industrial Wastes in the City of Hughson:

- Completed Renewal Application and Attachment
- A check in the amount of \$2,940.50 (FY 15-16 gross revenue of \$35,506.25 X 8%, plus \$100 permit fee)
- Certificate of Liability Insurance, as specified, naming the City of Hughson as co-insured
- Worker's Compensation Insurance Certificate

When the Permit documents are mailed, please send them to my attention at the address listed above. If you have questions, I can be reached at any of the following:

Phone: (209) 840-5662
FAX: (209) 527-0422
E-Mail: Syvannap@Gilton.com

Respectfully,



Syvanna Gilton
Environmental Affairs Specialist

Enclosures



APPLICATION FOR INDUSTRIAL WASTE COLLECTION PERMIT

(Please provide all relevant information and attach in response to the following)

- A. Name and description of Applicant Gilton Solid Waste Management, Inc.
- B. Permanent home and business address and full local address of the Applicant
755 S. Yosemite Avenue, Oakdale, CA 95361
- C. Trade or Firm Name Gilton Solid Waste Management, Inc.
- D. If applying for a permit renewal, total dollar amount and total tonnage collected in Hughson during previous permit period. \$ See Attached See Attached Tons.
- E. If joint venture, a partnership, or limited partnership, the names of all partners and their permanent addresses. If a corporation, the names and permanent addresses of all the stockholders and the officers and the percentage of participation of each
See Attached
- F. A detailed explanation of the manner in which the applicant will conduct the activity for which the permit is requested
See Attached
- G. The Applicant's arrangements for the disposal of all refuse collected or transported by him at an approved disposal site or his arrangements for other authorized disposal
See Attached
- H. Facts showing that the Applicant is able to render efficient refuse service
See Attached
- I. That the Applicant owns or has under his control in good mechanical condition sufficient equipment to adequately conduct the business for which the permit is requested
See Attached
- J. That his vehicles and equipment conform to all applicable provisions of this chapter
See Attached
- K. That the Applicant shows to the satisfaction of the council that the issuance of a permit is in the public interest, and there is need for a permit to be issued
See Attached

Submit evidence of insurance Naming City of Hughson as Additionally Insured, subject to each of the following:

1. One million dollars on account of bodily injuries to or death of one person;
2. One million dollars covering total liability of the franchise holder on account of bodily injuries to or death of more than one person as a result of any one accident;
3. Five hundred thousand dollars, for one accident resulting in damage or destruction of property, whether the property of one or more than one claimant.
4. A liability insurance policy required by this section shall insure to the benefit of any persons who are injured or sustain damage to property proximately caused by the negligence of the franchise holder insured by the policy, his employees or agents.
5. Satisfactory evidence that the liability insurance required by this section is at all times in full force and effect shall be furnished the council by the franchise holder.
6. The policy of insurance shall contain certain provisions against cancellation except upon 10 days' prior written notice thereof to the city.

ATTACHMENT

Responses In Support Of A Permit Renewal Application to the City of Hughson To Collect Industrial Wastes

Question D:

FY 15-16 Activity

Type	Tons	Charges
MSW	245.83	\$24,798.92
Wood	69.57	\$2,389.50
Concrete	34.88	\$1,155.00
Green waste	29.86	\$1,514.34
Prod destruction	45.82	\$4,123.80
Sheet Rock	.97	\$147.70
Rent, Haul, Move	-	\$1,376.99
	Total for FY 15-16	\$35,506.25

Question E:

Gilton Solid Waste Management, Inc. is a California Corporation. The current stockholders are:

- Richard Gilton - President / General Manager - 25% Ownership
12725 Sierra View Drive, Oakdale, CA 95361
- Tedford Gilton - Vice President - 25% Ownership
12724 Sierra View Drive, Oakdale, CA 95361
- Donna Love - Vice President / Secretary / Treasurer - 25% Ownership
2524 Beatrice Lane, Modesto, CA 95355
- Karen Gilton-Hardister - Vice President - 25% Ownership
6031 Skittone Road, Modesto, CA 95356

Question F:

Refuse is collected in 10 to 50 cubic yard boxes then transported to the Gilton Resource Recovery / Transfer Facility (GRR) or other fully permitted solid waste facilities for processing, recycling and/or disposal.

Question G:

Most of the refuse is delivered to the GRR facility for processing and recycling. Refuse and residuals requiring disposal are transported to public and private disposal facilities that have been fully approved and permitted by the California Integrated Waste Management Board. Solid Waste Facilities that may be used in the next twelve (12) months include:

Gilton Resource Recovery / Transfer Facility, Inc.
800 S. McClure Road, Modesto, CA

Bertolotti Disposal Transfer Station
231 Flamingo Drive, Modesto, CA

Turlock Transfer Facility
1020 S. Walnut, Turlock, CA

Lovelace Materials Recovery and Transfer Station
2323 E. Lovelace Road, Manteca, CA

Sacramento Recycling & Transfer Station
8491 Fruitridge Road, Sacramento, CA

Forward, Inc. Landfill
9999 S. Austin Road, Manteca, CA

Billy Wright Landfill
17173 S. Billy Wright Road, Los Banos, CA

Highway 59 Landfill
6040 N. Highway 59, Merced, CA

Fink Road Sanitary Landfill
4000 Fink Road, Crows Landing, CA

Gilton Resource Recovery / Compost Facility, Inc.
800 S. McClure Road, Modesto, CA

Modesto Co-Composting Facility
7007 Jennings Road, Modesto, CA

Covanta Waste-To-Energy Facility
4040 Fink Road, Crows Landing, CA

Question H:

Gilton Solid Waste Management, Inc. (GSW) has been providing fully integrated waste management service throughout the Central Valley since 1947. The current owners are the third generation of the family to own and operate the business and collectively have more than 100 years of experience in the field. GSW currently holds franchises and/or service agreements with eight (8) cities and three (3) counties. In addition we serve customers from as far south as Tulare County and jurisdictions north of Sacramento. GSW, along with her sister business, Gilton Resource Recovery / Transfer Facility, Inc. (GRR) provide fully integrated waste management services to all our customers including collection, transportation, reuse, recycling, composting and safe, environmentally approved disposal.

Questions I & J:

Trucks Used for Industrial Hauling

Truck Number	Vehicle Description	Year	VIN Number	License Number
368	FREIGHTLINER / ROLL OFF	1996	1FUJ3MCB3TP576894	7F85402
374	VOLVO / ROLL OFF	2011	4V5NC9EH0BN298720	28144B1
375	VOLVO / ROLL OFF	2011	4V5NC9EH2BN298721	07155A1
376	VOLVO / ROLL OFF	2011	4V5NC9EH4BN298722	98664C1
380	VOLVO / ROLL OFF	2011	4V5NC9EH0BN530801	27117J1
381	VOLVO / ROLL OFF	2011	4V5NC9EH9BN530800	27118J1
382	VOLVO / ROLL OFF	2014	4V4MC9EH0EN163984	53681N1
383	VOLVO / ROLL OFF	2014	4V4MC9EH9EN163983	53682N1
384	VOLVO / ROLL OFF	2015	4V5MC9EH8FN928596	28284J1
385	VOLVO / ROLL OFF	2015	4V5MC9EH7FN928606	28285J1
386	VOLVO / ROLL OFF	2015	4V5MC9EH3FN928599	52521N1
387	VOLVO / ROLL OFF	2015	4V5MC9EH1FN928598	52520N1
388	VOLVO / ROLL OFF	2015	4V5MC9EH1FN928603	53721N1
389	VOLVO / ROLL OFF	2015	4V5MC9EHXFN928602	53720N1
390	VOLVO / ROLL OFF	2015	4V5MC9EH3FN928604	29022J1
391	VOLVO / ROLL OFF	2015	4V5MC9EH8FN928601	29021J1
392	VOLVO / ROLL OFF	2015	4V5MC9EH5FN928605	29268J1
393	VOLVO / ROLL OFF	2015	4V5MC9EHXFN928597	29267J1
394	VOLVO / ROLL OFF	2015	4V5MC9EH9FN928607	07073L1
395	VOLVO / ROLL OFF	2015	4V5MC9EH6FN928600	07074L1

Drop Boxes Used for Industrial Hauling

SIZE	QUANTITY
10 CY	54
15 CY	2
18 CY	5
20 CY	47
25 CY	309
30 CY	51
35 CY	266
40 CY	14
50 CY	188

Question K:

Gilton Solid Waste Management, Inc. can provide value-added, cost competitive industrial waste management services to all of Hughson's residents and businesses. As a locally owned and operated company we can meet the individual, specialized needs of those in the City of Hughson. And, since we operate our own materials recovery facility and composting facility, we have the capability to assist the City in their efforts to meet the waste diversion goals required by AB 939, AB 341, and AB 1826.



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
6/30/2016

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Micheletti Insurance Services 99 Almaden Blvd Ste 800 San Jose CA 95113		CONTACT NAME: Linda Bordelon PHONE (A/C, No, Ext): 408-292-4900 FAX (A/C, No): 408-297-4949 E-MAIL ADDRESS: insure@michelettinsurance.com	
INSURED GILTSOL-01 Gilton Solid Waste Management, Inc. 755 S. Yosemite Ave. Oakdale CA 95361		INSURER(S) AFFORDING COVERAGE NAIC #	
		INSURER A: Star Indemnity and Liability Compan	
		INSURER B: Endurance Risk Solutions Assurance 43630	
		INSURER C: American Fire & Casualty Company 24066	
		INSURER D:	
		INSURER E:	
		INSURER F:	

COVERAGES **CERTIFICATE NUMBER:** 862835968 **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:			1000066261161	7/1/2016	7/1/2017	EACH OCCURRENCE \$1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$300,000 MED EXP (Any one person) \$5,000 PERSONAL & ADV INJURY \$1,000,000 GENERAL AGGREGATE \$2,000,000 PRODUCTS - COMP/OP AGG \$2,000,000 \$
A	AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS			1000198925161	7/1/2016	7/1/2017	COMBINED SINGLE LIMIT (Ea accident) \$1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
B	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> DED <input checked="" type="checkbox"/> RETENTION \$0			EXC30000134200	7/1/2016	7/1/2017	EACH OCCURRENCE \$5,000,000 AGGREGATE \$5,000,000 \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below		Y/N N/A				<input type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$
C	<input checked="" type="checkbox"/> Excess Umbrella <input checked="" type="checkbox"/> Pollution/Environmental Liability			ECO1757400033 1000066261161	7/1/2016 7/1/2016	7/1/2017 7/1/2017	Excess Liability Limit 4,000,000 Deductible 1,000,000 20,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Evidence for permit to collect industrial waste.

CERTIFICATE HOLDER **CANCELLATION**

City of Hughson 7018 Pine Street Hughson CA 95326 USA	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE
--	--



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

2/24/2016

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Owen-Dunn Insurance Services 1455 Response Road, Suite 260 Sacramento, CA 95815 www.owendunn.com 0522677	CONTACT NAME: PHONE (A/C, No, Ext): (916) 993-2700 FAX (A/C, No): (916) 993-2683 E-MAIL ADDRESS:	
	INSURER(S) AFFORDING COVERAGE NAIC #	
INSURED Gilton Solid Waste Management, Inc. Gilton Resource Recovery Trans Fac. Inc. 755 South Yosemite Ave Oakdale CA 95361	INSURER A : National Union Fire Ins Co of Pittsburgh PA 19445	
	INSURER B :	
	INSURER C :	
	INSURER D :	
	INSURER E :	
	INSURER F :	

COVERAGES

CERTIFICATE NUMBER: 28704102

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
	COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:						EACH OCCURRENCE \$ DAMAGE TO RENTED PREMISES (Ea occurrence) \$ MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$ GENERAL AGGREGATE \$ PRODUCTS - COMP/OP AGG \$ \$
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> NON-OWNED AUTOS						COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	UMBRELLA LIAB <input type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$ \$
A	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory In NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A	080756412	3/1/2016	3/1/2017	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Waiver of Subrogation applies to Workers' Compensation, if required by written contract, per form WC 04 03 61 attached.

CERTIFICATE HOLDER**CANCELLATION**
 City of Hughson
 7018 Pine Street
 Hughson CA 95326

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Barbara OHara

© 1988-2014 ACORD CORPORATION. All rights reserved.

BLANKET WAIVER OF OUR RIGHT TO RECOVER FROM OTHERS ENDORSEMENT - CALIFORNIA

This endorsement changes the policy to which it is attached effective on the inception date of the policy unless a different date is indicated below.

(The following "attaching clause" need be completed only when this endorsement is issued subsequent to preparation of the policy).

This endorsement, effective 12:01 AM 3/1/2016

forms a part of Policy No.080756412

Issued to Gilton Solid Waste Management, Inc.

By

We have a right to recover our payments from anyone liable for an injury covered by this policy. We will not enforce our right against any person or organization with whom you have a written contract that requires you to obtain this agreement from us, as regards any work you perform for such person or organization.

The additional premium for this endorsement shall be _____ % of the total estimated workers compensation premium for this policy.

WC 04 03 61
(Ed. 11-90)

Countersigned by _____



Authorized Representative



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
6/27/2016

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an **ADDITIONAL INSURED**, the policy(ies) must be endorsed. If **SUBROGATION IS WAIVED**, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

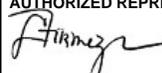
PRODUCER Andreini & Company-San Mateo 220 West 20th Ave San Mateo CA 94403	CONTACT NAME: PHONE (A/C, No, Ext): 650-573-1111	FAX (A/C, No): 650-378-4361
	E-MAIL ADDRESS:	
INSURER(S) AFFORDING COVERAGE		NAIC #
INSURED BERTO-2 Bertolotti Disposal, Inc., Bertolotti Ceres, Inc Bertolotti Transfer Station, I Bertolotti Newman Disposal, Inc. P.O. Box 127 Ceres CA 95307	INSURER A: Greenwich Insurance Company	22322
	INSURER B: XL Specialty Insurance Company	37885
	INSURER C:	
	INSURER D:	
	INSURER E:	
	INSURER F:	

COVERAGES **CERTIFICATE NUMBER: 867648000** **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:	Y		GEC300010903	7/1/2016	7/1/2017	EACH OCCURRENCE \$1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$100,000 MED EXP (Any one person) \$5,000 PERSONAL & ADV INJURY \$1,000,000 GENERAL AGGREGATE \$2,000,000 PRODUCTS - COMP/OP AGG \$2,000,000 \$
B	<input checked="" type="checkbox"/> AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> NON-OWNED AUTOS			AEC004149803	7/1/2016	7/1/2017	COMBINED SINGLE LIMIT (Ea accident) \$1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
B	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> DED <input checked="" type="checkbox"/> RETENTION \$10,000			UEC004150203	7/1/2016	7/1/2017	EACH OCCURRENCE \$4,000,000 AGGREGATE \$ \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A				<input type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
Certificate holder requested to be included as an Additional Insured as respects General Liability per attached endorsement form#:CG 20 10 0704.

CERTIFICATE HOLDER City of Hughson PO Box 9 7018 Pine Street Hughson CA 95326	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE 
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CITY COUNCIL AGENDA ITEM NO. 4.1

SECTION 4: UNFINISHED BUSINESS

Meeting Date: September 12, 2016
Subject: Discussion and Direction on the Agricultural Lease Agreement with Mid Valley Nut Company for City Property Located on Leedom Road (Lower Ponds) near the Waste Water Treatment Facility
Presented By: Raul L. Mendez, City Manager

Approved By: _____

Staff Recommendation:

Discuss and provide direction to City staff on the agricultural lease agreement with Mid Valley Nut Company for City property located on Leedom Road (Lower Ponds) near the Waste Water Treatment Facility.

Background and Overview:

On July 25, 2016, the Hughson City Council awarded the Request for Proposals for reuse of City Property located on Leedom Road (Lower Ponds) near the Waste Water Treatment Facility to Mid Valley Nut Company. At that time, City staff was directed to negotiate an agricultural lease agreement with Mid Valley Nut Company for the subject property of approximately 35 acres. During the meeting, and upon the request of Mr. John Casazza, Owner, the City Attorney was also directed to determine whether a provision could be incorporated into the agricultural lease that would allow for the purchase of the property at the conclusion of the term.

This action was done after necessary work was completed by the City, based on prior City Council direction, to explore reuse options for the underutilized subject property with the goal of maximizing revenue generation that would go back into operations. A large component of the work completed included an environmental assessment conducted by Condor Earth Technologies to best determine any restrictions with the property that may limit future use and to identify any associated mitigation that may be necessary. With the exception of the small portion of the property that was used as a landfill and gun range (and would remain restricted), the balance of the acreage was available for reuse.

Request for Proposals for Reuse Options

Based on the results of the full environmental work conducted by Condor Earth Technologies, City staff recommended proceeding forward with a Request for Proposals (RFP) to solicit proposals from parties interested in leasing the subject property for viable and creative reuse. Some of the options contemplated by City staff included agriculture, recreation, education, solar, etc.

Following City Council direction on April 25, 2016, an RFP was finalized, with assistance by the City Attorney, and released on May 2, 2016. Four proposals were received by the City by the June 17, 2016 deadline and all were determined to be responsive. City staff consisting of the City Manager and Community Development Director conducted an evaluation of the proposals based on reuse plan viability, qualifications, experience, revenue generation capability, etc.

Evaluation of Proposals

Based on the merits of the proposal received, City staff ranked them accordingly as follows.

1. Mid Valley Nut Company
2. Growers Direct Nut Company
3. Noeller Farms
4. Owens Livestock

Following City Council approval, the City Attorney began crafting two associated documents for execution—1) an access license agreement that would allow Mid Valley Nut Company to do some preliminary inspection and testing of the property to determine its suitability for agricultural purposes; and 2) an agricultural lease for the property consistent with the terms and conditions of the proposal submitted.

Update on Agricultural Lease Agreement and Direction to City Staff

Since Council approval, City staff has been working with the City Attorney to complete the necessary legal documents (access license agreement and agricultural lease). An Access License Agreement was executed on August 5, 2016 and City staff has made necessary arrangements to provide access to Mr. Casazza to assess the property for suitability. Additionally, a draft agricultural lease agreement was prepared that captured the various elements of the submitted proposal. During the preparation of the lease agreement, the City Attorney determined that a provision to allow for the purchase of the property at the conclusion of the term was not possible since the City, as a public agency, is subject to the State of California's surplus property rules. With only that provision as the exception, the other major elements described in the Request for Proposals or Mid Valley Nut Proposal were incorporated into the draft and summarized below:

- Lessee: Mid Valley Nut Company although Mr. Casazza has expressed interest in executing the lease under The B.A.M. Limited Partnership.

- Term: Period of 30 years, commencing on October 1, 2016 and will terminate after crops are harvested in the year 2046, but no later than December 31, 2046 unless terminated earlier as provided in the Lease.
- **Annual Cash Rent: \$350 per farmable acre annually during the initial five years. Total farmable acreage to be determined.**
- Percentage Cash Rent: Commencing in 2021, and continuing until the termination of the Lease, the greater of an amount equal to 20% of the walnut crops produced and proceeds received from crop insurance and the annual cash rent.
- Cost of Orchard Development/Operation: Sole cost of the Lessee.
- Restrictions and Access: the restricted area identified (landfill and gun range) and that allows the City to access existing and install new monitoring wells as required by the State of California.

On September 8, 2016, City staff met with Mr. Casazza to discuss the draft agricultural lease agreement as prepared by the City Attorney. Mr. Casazza shared a few items of concern but most notably, from his perspective, the inability to incorporate the provision that would allow him to purchase the property at the conclusion of the term. Based on his evaluation of the site, the restricted areas and other limitations, and the significant initial cost of orchard development, he was concerned that there would be considerable investment made on his part to get the orchard developed and operational without the ability to purchase the property at the conclusion of the lease. According to Mr. Casazza, the absence of the purchase option makes it a less desirable project to undertake given the associated costs and risk. Given the merits of the proposal and the opportunity for the City to develop the property to a viable use that would generate revenue long term, a discussion ensued about trying to reach some middle ground in the negotiations to avoid the withdrawal of the Mid Valley Nut Company proposal. Understanding that the purchase option is not possible, Mr. Casazza requested consideration of removing the annual cash rent component in the initial years based on the understanding that significant investment will be required at his expense to develop the orchard and make it operational.

City staff indicated to Mr. Casazza that it would share his request with the City Council for consideration. City staff stated that in the event that agreement on the terms could not be reached or Mr. Casazza withdrew his proposal, the City has the option to move on to the next proposer based on the ranking. The ranking of the proposals is provided as an exhibit for reference and the City Council will note that even with the initial annual cash rent removed; the Mid Valley Nut Company proposal is still very competitive and in staff's opinion the most viable option.

Fiscal Impact:

The Mid Valley Nut Company proposal incorporated an annual cash rent element that would pay the City \$350 per farmable acres annually for the initial five years and approximately 20% of the proceeds from the walnut crops (estimated at \$27,000 annually in today's dollars) in additional years during the term of the agreement. Based on staff' assessment, the farmable acres on the subject property is estimated at 30 acres.

**EXHIBIT A
SITE MAP**

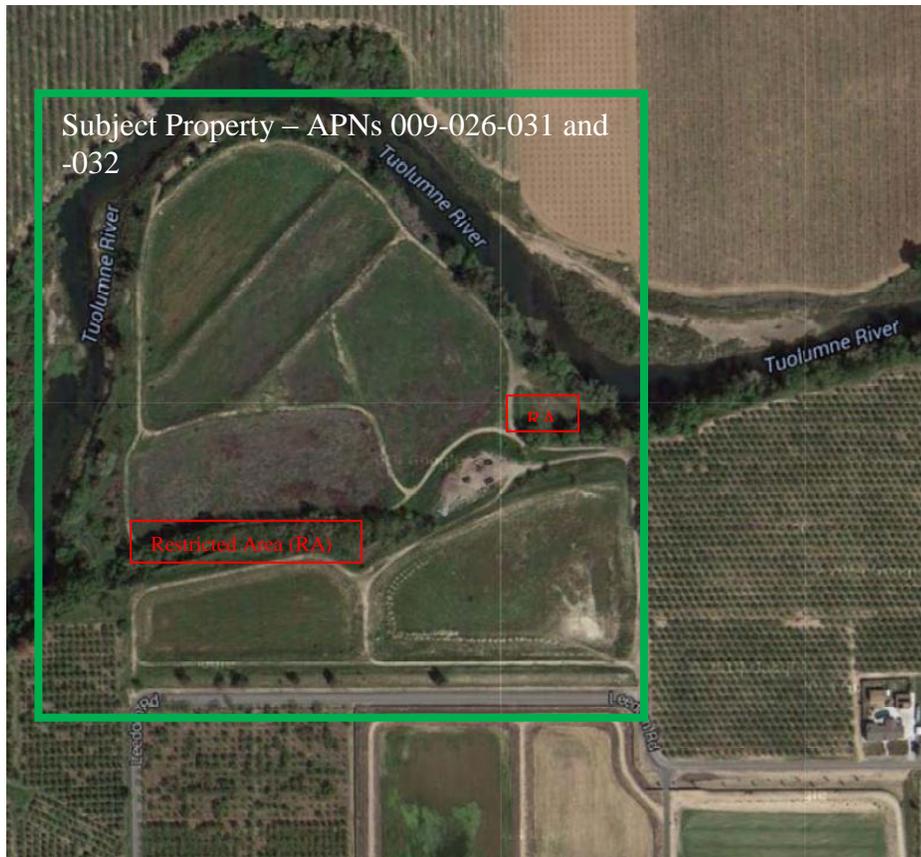


EXHIBIT B
RFP PROPOSALS COMPARISON

	Firm	Owner(s)	Reuse Proposal	Experience	Terms	Other	Rank
Proposer 1	Owens Livestock	Richard Ayala	Grazing, feeding and holding livestock (cattle)	Currently rents irrigated pasture in Riverbank area. Involved with livestock for 40+ years.	\$300/month for entire property or \$3,600/year. Requesting 5-10 year lease.	Without irrigation there would only be minimal seasonal grass and would require supplementary feeding or moving of livestock.	4
Proposer 2	Grower Direct Nut Company	Ron Martella	Agricultural use, storage of farm products and possible composting and almond orchard.	Commercial walnut harvesting, shelling, hulling and dehydration for 50 years.	\$5,200/year for first 5 years. 5% increase at each 5 year increment. If almond orchard is installed, percentage of gross income. Requesting 20 year lease with two 5 year extensions.	Composting of almond shells would be explored.	2
Proposer 3	Noeller Farms	Michael and Brian Noeller	Cling peach orchard.	Currently farming City property adjacent to Waste Water Treatment Facility (~12 acres).	15% gross proceeds based on the value of the crop delivered. Requesting 25 year lease. After five years, estimate City portion to be approximately \$40,000.	Due to cost of preparing the land for farming anticipating \$200,000 initial investment and looking to share equally in that cost with the City.	3
Proposer 4	Mid Valley Nut Company	John Casazza	Walnut orchard.	Walnut processing business started in 1970. Currently, in shell walnuts sacked for export to private label cello packs ready for snacking.	Cash rent of \$350 per farmable acres (\$12,250 for 35 acres annually) for 5 years. After 5 years, rent will be 20% of gross income annually (estimated at \$27,000). Requesting 30 year lease.	Proposer would like the right to buy the property at the end of the lease.	1