

Date: February 23, 2015 (Monday)  
Time: 6:30 p.m.  
Place: City Council Chambers  
350 North Valencia Blvd.  
Woodlake, CA 93286

In compliance with the Americans with Disabilities Act and the California Ralph M. Brown Act, if you need special assistance to participate in this meeting, including auxiliary aids, translation requests, or other accommodations, or to be able to access this agenda and documents in the agenda packet, please contact City Hall at 559-564-8055 at least 3 days prior to the meeting.

The full agenda including staff reports and supporting materials are available at City Hall.

- I. CALL TO ORDER & WELCOME
- II. PLEDGE OF ALLEGIANCE
- III. PUBLIC COMMENTS

This portion of the meeting is reserved for persons wishing to address the Council on items within its jurisdiction but not on this agenda. NOTE: Prior to action by the Council on any item on this agenda, the public may comment on that item. Unscheduled comments may be limited to 3 minutes.

All items on the Consent Agenda are considered to be routine and non-controversial by City staff and will be approved by one motion if no member of the Council or public wishes to comment or ask questions. Items pulled from the Calendar will be considered separately.

- IV. CONSENT CALENDAR –ACTION AND INFORMATION ITEMS  
Request Approval of the Consent Calendar Action Items (IV. A-G)

- A. Action: Approval of Minutes of the regular meeting held on February 9, 2015 (Pages 1-5)
- B. Action: Approval of Warrants (Pages 6-33)
- C. Action: Adoption of Resolution: Approval of Salary Ranges and Compensation Plan for City of Woodlake Unrepresented Employees (Pages 34-40)

- D. Action: Adoption of Resolution: Approval of Salary Ranges and Compensation Plan for City of Woodlake Management/Department Heads (Pages 41-45)
- E. Action: Adoption of Resolution: Approval of the Memorandum of Understanding Between the Woodlake Police Officers' Association and the City of Woodlake (Pages 46-61)
- F. Action: Adoption of Resolution: Requesting the Use of State Route 245 and/or State Route 216, for the Woodlake Unified School District, Woodlake Valley Chamber of Commerce, Kiwanis of Woodlake, Woodlake Lions Club, Woodlake Rotary and the Homegrown Project Events (Pages 62-65)
- G. Action: Adoption of Resolution: Amendment of Personnel Policy Rule No 29.5, Drug and Alcohol Testing Policy (Pages 66-95)

#### V. ACTION/DISCUSSION ITEMS

- A. Action: Adoption of Resolution: Discuss and Receive Comments Related to the Proposed Amendment to the 12-CDBG-8423 Standard Agreement Which will Add Supplemental Activities to be Undertaken with Community Development Block Grant (CDBG) Program Income (PI) Funds **Public Hearing** (Pages 96-98)
- B. Action: Approval of Proclamation: Recognize the Week of March 2, 2015 thru March 6, 2015 as NEA Read Across America Week (Pages 99-100)
- C. Action: Adoption of Resolution: Uphold the Woodlake Planning Commission's Recommendations on Annexation 14-01, General Plan Amendment 14-01 and Zoning Ordinance 14-01(Pages 101-115)
- D. Action: Adoption of Resolution: Approval of the Grant Deed and Right of Way Agreement for the Property with APN 061-160-021 (Mariscal) as Associated with the Construction of the City of Woodlake Plaza Project (Pages 116-128)
- E. Action: Adoption of Resolution: Approval to Appoint a Member to the San Joaquin Valley Air Pollution Control District (Pages 129-135)

#### VI. OTHER BUSINESS

- A. Information: Items from Staff
- B. Information: Items from Council Members
- C. Request from Council Members for Future Agenda Items

#### VII. CLOSED SESSION

#### NOTICE TO THE PUBLIC

As provided in the Ralph M. Brown Act, Government Code sections 54950 et seq., the Governing Board may meet in closed session with members of its staff and its attorneys. These sessions are not open to the public and may not be attended by members of the public. The matters the Council will meet on in closed session are identified below or are those matters appropriately identified in open session as requiring immediate attention and arising after the posting of the agenda. Any public reports of action taken in the closed session will be made in accordance with Government Code sections 54957.1

## VIII. ADJOURN

The next scheduled City Council meeting will be held on Monday, March 9, 2015 at 6:30 p.m. at City Council Chambers located at 350 North Valencia Boulevard, Woodlake, CA 93286.

City Council:

Rudy Mendoza - Mayor

Frances Ortiz - Vice Mayor

Chuck Ray - Councilmember

Greg Gonzalez Jr. - Councilmember

Jose L. Martinez - Councilmember

**PRESENT:** Councilmembers Mendoza, Ortiz, G. Gonzalez Jr., Martinez & Ray

**OTHERS:** Lara, Waters, Zacarias, Farley & Keller

**ABSENT:**

**FLAG SALUTE**

Mayor Mendoza asked for a moment of silence to honor fallen Officer Daniel Greene of the Exeter Police Department.

**PUBLIC COMMENTS** – None

**IV. CONSENT CALENDAR –ACTION AND INFORMATION ITEMS**

Request Approval of the Consent Calendar Action Items (IV. A-C)

- A. Action: Approval of Minutes of the regular meeting held on January 26, 2015
- B. Action: Approval of Warrants
- C. Action: Adoption of Resolution: Approval of the January 2015 Monthly Report of Investments

**ON A MOTION BY ORTIZ, SECOND BY G. GONZALEZ JR. IT WAS VOTED TO APPROVE THE CONSENT CALENDAR. APPROVED UNANIMOUSLY.**

**V. ACTION/DISCUSSION ITEMS**

- A. Action: Adoption of Resolution: Authorization to Go Out to Bid for Water Meter Project Design and Engineering  
City Employee Waters reported the following: The City of Woodlake has received authorization from USDA to begin the design and engineering portion of the City's water meter project. To complete this process, the City will hire a qualified engineering firm to prepare the final engineering designs, including drawings and specifications, for the installation of water meters for each connection in the city. Engineering services for pipeline replacement, chlorination units, sand separator and SCADA system will also be part of the services provided by the consultant. City staff seeks authorization to begin the RFP process in order to hire the consulting firm. Staff is recommending April 13, 2015 as the date to award the contract.

**ON A MOTION BY MARTINEZ, SECOND BY RAY IT WAS VOTED TO ADOPT THE RESOLUTION AND AUTHORIZE STAFF TO GO OUT TO BID FOR WATER METER PROJECT DESIGN AND ENGINEERING. APPROVED UNANIMOUSLY.**

- B. Action: Adoption of Resolution: Authorization to Initiate the Proposition 218 Process (Rate Increase for Water Services), Set a Public Hearing Date, and Approve Requirements for the Submission and Tabulation of Protests  
City Employee Waters reported the following: As part of the City's water meter project, the City was required to complete a rate study that determined the appropriate water rate fees. The rate study determined that

the City would eventually need to increase the cost of water services for residential customers to approximately \$37.00 by 2020. Because the \$37.00 rate is an increase from the current rate, the City is required to undergo a Proposition 218 process.

The City's process for adopting the rate increase is as follows:

- The first step is providing staff the direction to initiate the process. An affirmative vote on this agenda item tonight does not raise the water rates; it simply directs staff to proceed with the process.
- Mail notices at least 45 days before public hearing. The second step in the process of adjusting rates is to mail notices to all water customers within the City's service area. A standard letter will be sent out describing the amount of the rate adjustment, stating the effective date of the adjustment if approved, advising the customer of the protest procedure, and stating the date of the Public Hearing. Those who wish to protest must submit a written protest.
- Hold Public Hearing. On the appointed date (tentatively April 13<sup>th</sup>), the City Council will hold a public hearing and receive testimony on the matter of the proposed rate adjustment.
- Approval of resolution at same meeting as hearing. Following the Public Hearing, if a majority protest has not occurred and the City Council approves of the rate increase, the City Council will approve a resolution pursuant to Woodlake Municipal Code section 13.04.010 with the adjusted rates.

Councilmember Ray asked what would happen if the City chooses to not install water meters. City Administrator Lara stated the state may impose fines and/or other restrictions on our water system. Councilmember Ortiz asked what our current rate for water is. City Administrator Lara stated \$28.50 for a flat rate and will increase to \$37.00 over a five year time frame and each household will be allowed 10,000 gallons of water a month. After the first 10,000 gallons, residents will pay a fee per every 10,000 gallons of water used. Mayor Mendoza stated he was happy to see the funding of this project to be 59% loan and 41% grants.

Councilmember Ray stated the City has water that does not need to be treated and that is a good thing. Mayor Mendoza stated he appreciates the reserve the City is creating and also asked staff to continue to educate the residents regarding the installation of the water meters.

**ON A MOTION BY MARTINEZ, SECOND BY G. GONZALEZ JR., IT WAS VOTED TO ADOPT THE RESOLUTION AND AUTHORIZE THE INITIATION OF THE PROPOSITION 218 PROCESS.**

**APPROVED UNANIMOUSLY.**

- C. Action: Adoption of Resolution: Enter Into a Supplemental Agreement with the Tulare County Transportation Authority (TCTA) for the Preliminary Engineering (PE) and Right of Way (ROW) Services of the Woodlake North Valencia Project and Authorize the Mayor of the City of Woodlake to Sign the Supplemental Agreement

City Administrator Lara reported the following: as part of continued city-wide improvements, staff has been looking at ways to secure funds to add curb, gutter and sidewalks between Whitney Ave. and Sierra Ave. on Valencia Blvd. This section of road runs parallel with the Woodlake Unified School District and gets lots of pedestrian traffic from students

going and coming from school. The City would like to initiate the preliminary engineering and right-of-way for the Woodlake North Valencia Project and has requested funding from the Tulare County Transportation Authority to pay for the project's preliminary engineering and right-of-way. The cost of the preliminary engineering is estimated to be \$83,000 and the cost for right-of-way is \$32,000 for a total of \$115,000. The funding would come from the City of Woodlake Bike/Pedestrian Tier 2 section of Measure R. The overall cost of the project is estimated to be \$920,000. The project will be funded with Measure R and local funds. City staff will also apply for ATP funds in April to minimize the amount of Measure R and local funds being used. Councilmember Ortiz asked if this project would be on both sides of Valencia. City Administrator stated yes.

**ON A MOTION BY RAY, SECOND BY ORTIZ IT WAS VOTED TO ADOPT THE RESOLUTION AND ENTER INTO AN AGREEMENT WITH TCTA FOR THE PE AND ROW SERVICES OF THE WOODLAKE NORTH VALENCIA PROJECT. APPROVED UNANIMOUSLY.**

- D. Action: Adoption of Resolution: Approval of the City of Woodlake's Fiscal Year 2014-2015 Budget Amendment No. 2  
City Administrator Lara reported the following: for Fiscal Year 2014/2015 the City of Woodlake General Fund saw an increase in budgeted revenues from \$1,769,920 to \$1,903,920. The increase was in the amount of \$134,000 and was due to an increase in Property Tax, Sales and Use Tax, Business Licenses and Building Permits. The increases can be attributed to revenues generated to the addition of downtown businesses, Family Dollar, Dollar General and the future addition of Rite-Aid. For the same Fiscal Year budgeted expenses are expected to increase from \$1,667,538 to \$1,832,747. The increase is in the amount of \$165,209 and was due to increases in Planning and Zoning, Community Promotion and Parks and Grounds. The increases can be directly attributed to time spent on the development of the Rite-Aid and Self Help Development, Murals and City of Woodlake Plaza Project. Councilmember Ortiz asked if Self-Help is building new homes in Woodlake. City Administrator Lara stated yes, Self-Help is currently planning on new homes on the vacant lot at Wutchumna and Valencia. The plans are for 70 homes and a park. Mayor Mendoza stated the increase in building permits shows growth for the City of Woodlake.  
**ON A MOTION BY MARTINEZ, SECOND BY G. GONZALEZ JR. IT WAS VOTED TO ADOPT THE RESOLUTION AND APPROVE THE CITY OF WOODLAKE'S FISCAL YEAR 2014-2015 BUDGET AMENDMENT NO. 2. APPROVED UNANIMOUSLY.**

## VI. OTHER BUSINESS

### A. Information: Items from Staff

City Administrator Lara – reported the City will go out to bid for the roundabout CMRE and construction. There was an incident on Friday night where a person lost their life. The police department is currently working on this case. Chief of Police Mike Marquez was named Man of the Year, City Clerk Irene Zacarias was named Woman of the Year, Student Representative Quinn Keller was named Female Youth of the Year and The Homegrown Project was named Community Service Group of the Year. They will all be honored at the Kiwanis awards banquet on March 6<sup>th</sup>.

Student Representative Keller – reported the high school had a guest speaker, a Holocaust survivor. The students all appreciated her story. Senior Night will be celebrated this week for the following sports: boy’s soccer and girl’s basketball on Thursday night and girl’s soccer on Tuesday night.

City Clerk Zacarias – presented Student Representative Quinn Keller with flowers on behalf of staff for her Female Youth of the Year award. Congratulations!

B. Information: Items from Council Members

Councilmember Ortiz – stated she is happy for the recent rain and the wonderful City she lives in.

Councilmember Martinez – stated the incident that happened last Friday was a scary one but we are still a beautiful and safe town. There will be a Council of Cities meeting on February 24<sup>th</sup>.

Councilmember Ray – stated he was also happy for the rain.

Mayor Mendoza – reported he had attended a water meeting and it was reported that Three Rivers received 1.42 inches of rain this last weekend. There are now 911 wells that have gone dry in Tulare County and 500 of those are in the East Porterville area.

C. Request from Council Members for Future Agenda Items

## VII. CLOSED SESSION

### CONFERENCE WITH LABOR NEGOTIATORS

Employee Organization: Woodlake Police Officers, Administration, Non Represented

Labor Negotiator: Ramon Lara, City Administrator

Pursuant to Government Code Section 54957.6

### NOTICE TO THE PUBLIC

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MEETING MOVED TO OPEN SESSION AT 7:32 PM

MEETING RECONVENED AT 7:50 PM

Mayor Mendoza stated there was nothing to report and no action was taken.

## VIII. ADJOURN

The next scheduled City Council meeting will be held on Monday, February 23, 2015 at 6:30 p.m. at City Council Chambers located at 350 North Valencia Boulevard, Woodlake, CA 93286.

City Council:

Rudy Mendoza - Mayor

Frances Ortiz - Vice Mayor

Chuck Ray - Councilmember

Greg Gonzalez Jr. - Councilmember

Jose L. Martinez - Councilmember

Meeting adjourned at 7:51 p.m.

Submitted by,

Irene Zacarias

City Clerk

**City of Woodlake**  
**Summary of Disbursements and Payroll**  
**City Council Meeting : February 23, 2015**

**PAYROLL**

2/6/2015      \$49,111.83

|                      |                    |
|----------------------|--------------------|
| <b>Gross Payroll</b> | <b>\$49,111.83</b> |
|----------------------|--------------------|

**DISBURSMENTS / WARRANTS**

2/19/2015      \$677,061.08

|                            |                     |
|----------------------------|---------------------|
| <b>Total Disbursements</b> | <b>\$677,061.08</b> |
|----------------------------|---------------------|

**WIRES**

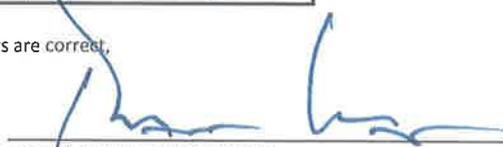
|                  |      |    |          |
|------------------|------|----|----------|
| PAYROLL TAX WIRE | CITY | \$ | 7,284.80 |
|                  | FIRE | \$ | 1,503.67 |

USDA - Water Loan  
USDA - Sewer Loan  
USDA - Airport Loan  
USDA - Fire Truck Loan

|                                   |           |                 |
|-----------------------------------|-----------|-----------------|
| <b>Total Wire Amount Sent Out</b> | <b>\$</b> | <b>8,788.47</b> |
|-----------------------------------|-----------|-----------------|

|                              |           |                   |
|------------------------------|-----------|-------------------|
| <b>Amount to be Approved</b> | <b>\$</b> | <b>734,961.38</b> |
|------------------------------|-----------|-------------------|

I, Ramon Lara, certify under penalty of perjury that the above listed accounts are correct, due and payable to the best of my knowledge.

  
\_\_\_\_\_  
City Administrator, Ramon Lara

**Passed and adopted at a regular meeting of the City Council of the  
City of Woodlake on the 23rd day of February 2015.  
by the following vote:**

**Ayes:**  
**Noes:**  
**Absent:**  
**Abstain:**

\_\_\_\_\_  
Mayor, Rudy Mendoza

\_\_\_\_\_  
City Clerk, Irene Zacarias

PERIOD 1 DATING 1/18/2015- 1/31/2015 CHECK DATE 2/06/2015  
DIRECT DEPOSIT IS TURNED ON

| CHECK<br>NUMBER | CHECK<br>AMOUNT | CODE | CHECK<br>SEQ |
|-----------------|-----------------|------|--------------|
| 20614           | 3,223.27        | 208  | 1 STUB ONLY  |
| 20615           | 1,797.31        | 210  | 1 STUB ONLY  |
| 20616           | 1,026.37        | 206  | 1 STUB ONLY  |
| 20617           | 1,919.14        | 212  | 1 STUB ONLY  |
| 20618           | 1,752.93        | 207  | 1 STUB ONLY  |
| 20619           | 1,009.05        | 173  | 1 STUB ONLY  |
| 20620           | 2,687.95        | 511  | 1 STUB ONLY  |
| 20621           | 2,103.63        | 528  | 1 STUB ONLY  |
| 20622           | 1,301.38        | 546  | 1 STUB ONLY  |
| 20623           | 1,612.44        | 539  | 1 STUB ONLY  |
| 20624           | 2,444.09        | 549  | 1 STUB ONLY  |
| 20625           | 1,604.81        | 554  | 1 STUB ONLY  |
| 20626           | 2,218.35        | 522  | 1 STUB ONLY  |
| 20627           | 1,551.63        | 552  | 1 STUB ONLY  |
| 20628           | 888.63          | 555  | 1 STUB ONLY  |
| 20629           | 1,242.95        | 553  | 1 STUB ONLY  |
| 20630           | 827.92          | 551  | 1 STUB ONLY  |
| 20631           | 1,354.75        | 107  | 1 STUB ONLY  |
| 20632           | 614.55          | 213  | 1 STUB ONLY  |
| 20633           | 1,494.26        | 134  | 1 STUB ONLY  |
| 20634           | 1,047.13        | 205  | 1 STUB ONLY  |
| 20635           | 1,176.49        | 187  | 1 STUB ONLY  |
| 20636           | 1,109.20        | 159  | 1 STUB ONLY  |
| 20637           | 1,894.44        | 209  | 1 STUB ONLY  |
| 20638           | 1,656.19        | 211  | 1 STUB ONLY  |
| 20639           | 1,552.69        | 199  | 1 STUB ONLY  |
| 20640           | 1,627.99        | 188  | 1 STUB ONLY  |
| 20641           | 3,906.73        | 4018 | 1 STUB ONLY  |
| 20642           | 1,565.70        | 4022 | 1 STUB ONLY  |
| 20643           | 899.86          | 4035 | 1 STUB ONLY  |

PERIOD 1 DATING 1/18/2015- 1/31/2015 CHECK DATE 2/06/2015

| EMPLOYER<br>CODE | FUND<br>CODE | HOME<br>TOTALS | WORKED<br>TOTALS | WORKED<br>DIR DEP |
|------------------|--------------|----------------|------------------|-------------------|
|------------------|--------------|----------------|------------------|-------------------|

GRAND TOTALS

| NEGOTIABLE CHECKS              | COUNTS |
|--------------------------------|--------|
| 0.00 *EMPLOYEE CHECKS          | 0      |
| 0.00 *VENDOR CHECKS            | 0      |
| 0.00 *BANK CHECKS              | 0      |
| 0.00 **TOTAL NEGOTIABLE CHECKS | 0      |

OTHER CHECKS

|                        |   |
|------------------------|---|
| 0.00 *MANUAL CHECKS    | 0 |
| 0.00 *CANCELLED CHECKS | 0 |
| 0.00 ***GRAND TOTAL    |   |

NON-NEGOTIABLE CHECKS

|                                 |    |
|---------------------------------|----|
| 49,111.83 *DIRECT DEPOSIT STUBS | 30 |
| 0.00 *VENDOR DIR DEP STUBS      | 0  |

|   |    |
|---|----|
| 49,111.83 **TOTAL NON-NEGOTIABLE CHECKS | 30 |
|---|----|

NEGOTIABLE CHECKS/NON-NEGOTIABLE CHECKS

|                                 |    |
|---------------------------------|----|
| 0.00 *EMPLOYEE CHECKS           | 0  |
| 0.00 *VENDOR CHECKS             | 0  |
| 0.00 *BANK CHECKS               | 0  |
| 49,111.83 *DIRECT DEPOSIT STUBS | 30 |
| 0.00 *VENDOR DIR DEP STUBS      | 0  |

|   |    |
|---|----|
| 49,111.83 ***TOTAL NEGOTIABLE & NON-NEGOT | 30 |
|---|----|

|                    |   |
|--------------------|---|
| 0.00 *OTHER CHECKS | 0 |
|--------------------|---|

|   |  |
|---|--|
| 49,111.83 ***TOTAL NEG, NON-NEG, OTHER CHECKS |  |
|---|--|

|                     |   |
|---------------------|---|
| TOTAL SEQ 1 FEMALES | 5 |
|---------------------|---|

PAY INFORMATION

GROSS PAY

FEATURE DISTRIBUTION

01/18/15 TO 01/31/15 - PAY DAY 02/06/15

RUN- 2/05/2015 10:23:26 PAGE 1  
PR4B0R-V13.04 ACS Paymate

| EMP #                | GROSS PAYROLL | CUR AMT  | CUR HRS  |
|----------------------|---------------|----------|----------|
| 511                  | 3,245.31      | 80.00    | 80.00    |
| 213                  | 2,732.00      | 46.00    | 46.00    |
| 199                  | 2,630.76      | 80.00    | 80.00    |
| 528                  | 2,759.15      | 83.50    | 83.50    |
| 546                  | 1,669.85      | 80.00    | 80.00    |
| 159                  | 1,462.15      | 80.00    | 80.00    |
| 539                  | 2,558.00      | 82.00    | 82.00    |
| 188                  | 2,300.42      | 81.50    | 81.50    |
| 209                  | 2,278.16      | 80.00    | 80.00    |
| 208                  | 4,415.07      | 80.00    | 80.00    |
| 173                  | 1,626.92      | 80.00    | 80.00    |
| 549                  | 3,698.77      | 80.00    | 80.00    |
| 554                  | 1,930.00      | 91.00    | 91.00    |
| 522                  | 2,554.77      | 80.00    | 80.00    |
| 210                  | 2,471.07      | 80.00    | 80.00    |
| 211                  | 2,066.31      | 80.00    | 80.00    |
| 206                  | 1,437.68      | 82.00    | 82.00    |
| 4018                 | 4,523.67      | 176.00   | 176.00   |
| 205                  | 1,375.85      | 80.00    | 80.00    |
| 4022                 | 1,866.12      | 144.00   | 144.00   |
| 552                  | 2,136.41      | 99.00    | 99.00    |
| 555                  | 1,150.62      | 80.00    | 80.00    |
| 134                  | 2,223.57      | 87.00    | 87.00    |
| 4035                 | 1,562.29      | 144.00   | 144.00   |
| 553                  | 1,660.00      | 82.00    | 82.00    |
| 107                  | 2,108.40      | 80.50    | 80.50    |
| 212                  | 2,471.08      | 80.00    | 80.00    |
| 187                  | 1,382.30      | 80.00    | 80.00    |
| 207                  | 2,630.77      | 80.00    | 80.00    |
| 551                  | 1,575.23      | 80.00    | 80.00    |
| PAGE TOTALS ***----- | 66,502.70     | 2,638.50 | 2,638.50 |
| FEATURE TOTALS *     |               |          |          |

30 EMPLOYEES

30 EMPLOYEES

PAY INFORMATION  
 O/T T-1/2 03

F E A T U R E D I S T R I B U T I O N

RUN- 2/05/2015 10:22:55 PAGE 1  
 PR4B0R-V13.04 ACS Paymate

01/18/15 TO 01/31/15 - PAY DAY 02/06/15

OVERTIME REPORT

| EMP #       | CUR AMT  | CUR HRS |
|-------------|----------|---------|
| 528         | 169.92   | 3.50    |
| 539         | 92.46    | 2.00    |
| 188         | 54.04    | 1.50    |
| 554         | 330.00   | 11.00   |
| 4018        | 575.04   | 16.00   |
| 552         | 561.18   | 19.00   |
| 134         | 252.18   | 7.00    |
| 553         | 60.00    | 2.00    |
| 8 EMPLOYEES | 2,094.82 | 62.00   |
| 8 EMPLOYEES | 2,094.82 | 62.00   |

PAGE TOTALS \*\*\*

FEATURE TOTALS \*

| BANK                 | VENDOR                    | CHECK# | DATE     | AMOUNT     |
|----------------------|---------------------------|--------|----------|------------|
| BANK BANK OF VISALIA |                           |        |          |            |
| 000494               | STATE OF CA-EDD           | 59714  | 02/06/15 | 1,481.49   |
| 000799               | STATE OF CALIFORNIA       | 59715  | 02/06/15 | 300.16     |
| 50205                | CROP PRODUCTION SERVICES  | 59716  | 02/10/15 | 453.60     |
| 000029               | LEAGUE OF CALIF CITIES    | 59717  | 02/10/15 | 50.00      |
| 001375               | MITCHELL S. DUNSHEE APPR  | 59718  | 02/11/15 | 5,000.00   |
| 000034               | A C S                     | 59722  | 02/20/15 | 2,972.71   |
| 000944               | AMERIPRIDE UNIFORM SERVI  | 59723  | 02/20/15 | 569.70     |
| 000334               | BANK OF AMERICA           | 59724  | 02/20/15 | 8,403.77   |
| 001226               | BENELECT                  | 59725  | 02/20/15 | 8,775.00   |
| 000351               | BSK ASSOCIATES            | 59726  | 02/20/15 | 241.00     |
| 001376               | CENTRAL VALLEY REFRIGERA  | 59727  | 02/20/15 | 2,384.20   |
| 000124               | COLLINS & SCHOTTLE        | 59728  | 02/20/15 | 1,800.00   |
| 000733               | CRUZ-TA WELDING SHOP      | 59729  | 02/20/15 | 10.54      |
| 000646               | DEARBORN NATIONAL LIFE I  | 59730  | 02/20/15 | 271.98     |
| 000753               | DEPARTMENT OF JUSTICE     | 59731  | 02/20/15 | 70.00      |
| 001192               | DUNN'S SAND               | 59732  | 02/20/15 | 19,214.38  |
| 000196               | FRESNO OXYGEN             | 59733  | 02/20/15 | 19.96      |
| 000283               | FRUIT GROWERS SUPPLY CO.  | 59734  | 02/20/15 | 1,269.89   |
| 000861               | GROENIGER & CO.           | 59735  | 02/20/15 | 2,014.47   |
| 001343               | HEALTH WISE SERVICES      | 59736  | 02/20/15 | 150.00     |
| 000181               | KIWANIS OF WOODLAKE       | 59737  | 02/20/15 | 198.00     |
| 001010               | LOULE'S AUTO PARTS        | 59738  | 02/20/15 | 95.55      |
| 001377               | MID-CAL TRANS PARTS       | 59739  | 02/20/15 | 196.52     |
| 000013               | MINERAL KING PUBLISHING   | 59740  | 02/20/15 | 75.15      |
| 000189               | MOTOROLA                  | 59741  | 02/20/15 | 31,879.01  |
| 001378               | MY BINDING                | 59742  | 02/20/15 | 2,592.96   |
| 000038               | OFFICE DEPOT              | 59743  | 02/20/15 | 6,610.53   |
| 000776               | PABLO'S MAINTENANCE CLEA  | 59744  | 02/20/15 | 350.00     |
| 001087               | PROTECTION ONE            | 59745  | 02/20/15 | 46.72      |
| 001206               | REYNOSO BUILDERS          | 59746  | 02/20/15 | 2,000.00   |
| 001127               | SANTA FE AGGREGATES, INC  | 59747  | 02/20/15 | 812.84     |
| 001379               | SC COMMUNICATIONS INC     | 59748  | 02/20/15 | 1,103.49   |
| 000023               | SELF HELP ENTERPRISES IN  | 59749  | 02/20/15 | 55,873.00  |
| 001353               | SIERRA RANGE CONSTRUCTIO  | 59750  | 02/20/15 | 100,372.23 |
| 000134               | SIMMONS TIRE SERVICE      | 59751  | 02/20/15 | 319.80     |
| 000519               | SO. CA. EDISON            | 59752  | 02/20/15 | 160,000.00 |
| 001380               | SOUTHERN CA EDISON (TULAR | 59753  | 02/20/15 | 233,225.66 |
| 000024               | SOUTHERN CALIF EDISON CO  | 59754  | 02/20/15 | 18,269.40  |
| 40718                | ST. JOHN'S RIVER MUTUAL   | 59755  | 02/20/15 | 300.00     |
| 001015               | TRUCK PARTS AND SERVICE   | 59756  | 02/20/15 | 113.91     |
| 000951               | TULARE COUNTY FIRE DEPAR  | 59757  | 02/20/15 | 393.75     |
| 001158               | TULARE REGIONAL MEDICAL   | 59758  | 02/20/15 | 1,037.00   |
| 001210               | US BANK                   | 59759  | 02/20/15 | 264.32     |
| 000072               | VALERO BROS.              | 59760  | 02/20/15 | 35.10      |
| 001244               | VOYAGER FLEET SYSTEMS IN  | 59761  | 02/20/15 | 6,371.19   |
| 001327               | WIRELESS INTERNET SERVIC  | 59762  | 02/20/15 | 1,199.00   |
| 000331               | WOODLAKE FIRE DISTRICT    | 59763  | 02/20/15 | 4,225.00   |
| 000027               | WOODLAKE GROWERS SUPPLY   | 59764  | 02/20/15 | 4,126.50   |

ACS FINANCIAL SYSTEM  
02/19/2015 15:

BANK VENDOR  
BANK BANK OF VISALIA

000028 WOODLAKE HARDWARE CO  
BANK OF VISALIA

Check Register GL540R-V07.27 PAGE 2 CITY OF WOODLAKE

CHECK# DATE AMOUNT

59765 02/20/15 16.17

674,555.65 \*\*\*





| VENDOR NAME<br>DESCRIPTION | AMOUNT   | ACCOUNT NAME       | FUND & ACCOUNT   | CLAIM | INVOICE    | PO# | F/P ID LINE |
|----------------------------|----------|--------------------|------------------|-------|------------|-----|-------------|
| BANK OF AMERICA            |          |                    |                  |       |            |     |             |
| STAPLES FURNITURE 2/15     | 1,403.99 | SPECIAL DEPARTMENT | 001.0410.060.029 |       | MARCH 2015 |     | 040 00125   |
| VILLEGAS LUNCH 02/15       | 8.00     | SPECIAL DEPARTMENT | 001.0411.060.029 |       | MARCH 2015 |     | 040 00126   |
| CREDIT P/MICHAL 02/15      | 33.79CR  | SPECIAL DEPARTMENT | 001.0421.060.029 |       | MARCH 2015 |     | 040 00161   |
|                            | 8,403.77 | *VENDOR TOTAL      |                  |       |            |     |             |
| BENELECT                   |          |                    |                  |       |            |     |             |
| EMPLOYEES & RTREES 02/15   | 16.39    | HEALTH INSURANCE   | 001.0403.050.008 |       | MARCH 2015 |     | 040 00127   |
| EMPLOYEES & RTREES 02/15   | 15.97    | HEALTH INSURANCE   | 001.0404.050.008 |       | MARCH 2015 |     | 040 00127   |
| EMPLOYEES & RTREES 02/15   | 8.19     | HEALTH INSURANCE   | 001.0405.050.008 |       | MARCH 2015 |     | 040 00127   |
| EMPLOYEES & RTREES 02/15   | 17.19    | HEALTH INSURANCE   | 001.0415.050.008 |       | MARCH 2015 |     | 040 00127   |
| EMPLOYEES & RTREES 02/15   | 7.30     | HEALTH INSURANCE   | 001.0416.050.008 |       | MARCH 2015 |     | 040 00127   |
| EMPLOYEES & RTREES 02/15   | 27.79    | HEALTH INSURANCE   | 001.0418.050.008 |       | MARCH 2015 |     | 040 00127   |
| EMPLOYEES & RTREES 02/15   | 11.58    | HEALTH INSURANCE   | 001.0421.050.008 |       | MARCH 2015 |     | 040 00127   |
| EMPLOYEES & RTREES 02/15   | 38.81    | HEALTH INSURANCE   | 001.0422.050.008 |       | MARCH 2015 |     | 040 00127   |
| EMPLOYEES & RTREES 02/15   | 22.53    | HEALTH INSURANCE   | 061.0461.050.008 |       | MARCH 2015 |     | 040 00127   |
| EMPLOYEES & RTREES 02/15   | 100.33   | HEALTH INSURANCE   | 062.0462.050.008 |       | MARCH 2015 |     | 040 00127   |
| EMPLOYEES & RTREES 02/15   | 92.39    | HEALTH INSURANCE   | 063.0463.050.008 |       | MARCH 2015 |     | 040 00127   |
| EMPLOYEES & RTREES 02/15   | 35.15    | HEALTH INSURANCE   | 021.0424.050.008 |       | MARCH 2015 |     | 040 00127   |
| EMPLOYEES & RTREES 02/15   | 15.41    | HEALTH INSURANCE   | 029.0429.050.008 |       | MARCH 2015 |     | 040 00127   |
| EMPLOYEES & RTREES 02/15   | 7.97     | HEALTH INSURANCE   | 032.0440.050.008 |       | MARCH 2015 |     | 040 00127   |
| EMPLOYEES & RTREES 02/15   | 3.00     | HEALTH INSURANCE   | 001.0402.050.008 |       | MARCH 2015 |     | 040 00127   |
| PD EXPENSE 02/2015         | 240.00   | HEALTH INSURANCE   | 001.0411.050.008 |       | MARCH 2015 |     | 040 00128   |
| FIRE DEPT 02/2015          | 90.00    | HEALTH INSURANCE   | 004.0414.050.008 |       | MARCH 2015 |     | 040 00129   |
| ADMIN 02/2015              | 0.97     | HEALTH INSURANCE   | 001.0403.050.008 |       | MARCH 2015 |     | 040 00130   |
| ADMIN 02/2015              | 0.95     | HEALTH INSURANCE   | 001.0404.050.008 |       | MARCH 2015 |     | 040 00130   |
| ADMIN 02/2015              | 0.48     | HEALTH INSURANCE   | 001.0405.050.008 |       | MARCH 2015 |     | 040 00130   |
| ADMIN 02/2015              | 1.02     | HEALTH INSURANCE   | 001.0415.050.008 |       | MARCH 2015 |     | 040 00130   |
| ADMIN 02/2015              | 0.43     | HEALTH INSURANCE   | 001.0416.050.008 |       | MARCH 2015 |     | 040 00130   |
| ADMIN 02/2015              | 1.65     | HEALTH INSURANCE   | 001.0418.050.008 |       | MARCH 2015 |     | 040 00130   |
| ADMIN 02/2015              | 0.68     | HEALTH INSURANCE   | 001.0421.050.008 |       | MARCH 2015 |     | 040 00130   |
| ADMIN 02/2015              | 2.31     | HEALTH INSURANCE   | 001.0422.050.008 |       | MARCH 2015 |     | 040 00130   |
| ADMIN 02/2015              | 1.34     | HEALTH INSURANCE   | 061.0461.050.008 |       | MARCH 2015 |     | 040 00130   |
| ADMIN 02/2015              | 5.97     | HEALTH INSURANCE   | 062.0462.050.008 |       | MARCH 2015 |     | 040 00130   |
| ADMIN 02/2015              | 5.49     | HEALTH INSURANCE   | 063.0463.050.008 |       | MARCH 2015 |     | 040 00130   |
| ADMIN 02/2015              | 2.09     | HEALTH INSURANCE   | 021.0424.050.008 |       | MARCH 2015 |     | 040 00130   |
| ADMIN 02/2015              | 0.91     | HEALTH INSURANCE   | 029.0429.050.008 |       | MARCH 2015 |     | 040 00130   |
| ADMIN 02/2015              | 0.47     | HEALTH INSURANCE   | 032.0440.050.008 |       | MARCH 2015 |     | 040 00130   |
| ADMIN 02/2015              | 0.24     | HEALTH INSURANCE   | 001.0402.050.008 |       | MARCH 2015 |     | 040 00130   |
|                            | 775.00   | *VENDOR TOTAL      |                  |       |            |     |             |
| BSK ASSOCIATES             |          |                    |                  |       |            |     |             |
| WEEKLY EFFLUENT 02/15      | 61.00    | SPECIAL DEPARTMENT | 062.0462.060.029 |       | A502659    |     | 040 00007   |
| BACTI 02/2015              | 90.00    | SPECIAL DEPARTMENT | 063.0463.060.029 |       | A502782    |     | 040 00012   |
| BACTI 02/2015              | 90.00    | SPECIAL DEPARTMENT | 063.0463.060.029 |       | A503081    |     | 040 00069   |
|                            | 241.00   | *VENDOR TOTAL      |                  |       |            |     |             |
| CENTRAL VALLEY REFRIGERA   |          |                    |                  |       |            |     |             |
| RUN WAY CAFE 02/2015       | 1,750.00 | SPECIAL DEPARTMENT | 041.0441.060.029 |       | 46401      |     | 040 00046   |



VENDOR NAME  
DESCRIPTION

Schedule of Bills

| VENDOR NAME<br>DESCRIPTION                        | AMOUNT   | ACCOUNT NAME             | FUND & ACCOUNT   | CLAIM | INVOICE    | PO# | F/P ID | LINE  |
|---|----------|--------------------------|------------------|-------|------------|-----|--------|-------|
| FRUIT GROWERS SUPPLY CO.<br>COUPLER PVC 02/2015   | 11.76    | SPECIAL DEPARTMENT       | 001.0421.060.029 |       | 91625663   |     | 040    | 00143 |
| SUPPLIES 02/2015                                  | 46.90    | SPECIAL DEPARTMENT       | 062.0462.060.029 |       | 91625811   |     | 040    | 00147 |
| SPRINKLER 02/2015                                 | 6.54     | SPECIAL DEPARTMENT       | 001.0421.060.029 |       | 91625901   |     | 040    | 00145 |
| ELBOW PVC 02/2015                                 | 6.24     | SPECIAL DEPARTMENT       | 001.0421.060.029 |       | 91626178   |     | 040    | 00146 |
| PIPE/CEMENT 02/2015                               | 38.63    | SPECIAL DEPARTMENT       | 001.0421.060.029 |       | 91626717   |     | 040    | 00153 |
| PEST CUTRINE 02/2015                              | 80.47    | SPECIAL DEPARTMENT       | 062.0462.060.029 |       | 91626734   |     | 040    | 00154 |
| COUPLER PVC 02/2015                               | 20.00    | SPECIAL DEPARTMENT       | 001.0421.060.029 |       | 91627086   |     | 040    | 00152 |
| SUPPLIES 02/2015                                  | 41.93    | SPECIAL DEPARTMENT       | 001.0421.060.029 |       | 91627939   |     | 040    | 00150 |
| COUPLER DRESSER 02/15                             | 87.94    | SPECIAL DEPARTMENT       | 063.0463.060.029 |       | 91628166   |     | 040    | 00139 |
| COUPLER DRESSER 02/15                             | 87.94    | SPECIAL DEPARTMENT       | 063.0463.060.029 |       | 91628186   |     | 040    | 00138 |
| TEE PVC/COUPLER 02/15                             | 13.76    | SPECIAL DEPARTMENT       | 001.0421.060.029 |       | 91628198   |     | 040    | 00148 |
| RAKES 02/2015                                     | 152.60   | SPECIAL DEPARTMENT       | 001.0421.060.029 |       | 91628331   |     | 040    | 00151 |
| ROUNDUP/FERT 02/2015                              | 244.29   | SPECIAL DEPARTMENT       | 001.0421.060.029 |       | 91629367   |     | 040    | 00149 |
| CHEM RESIST 02/2015                               | 25.39    | SPECIAL DEPARTMENT       | 062.0462.060.029 |       | 91630131   |     | 040    | 00134 |
| SUPPLIES 02/2015                                  | 4.15     | SPECIAL DEPARTMENT       | 001.0421.060.029 |       | 91630230   |     | 040    | 00140 |
| CUTTER PVC PIPE 02/15                             | 48.83    | SPECIAL DEPARTMENT       | 063.0463.060.029 |       | 91630526   |     | 040    | 00137 |
| SUPPLIES 02/2015                                  | 126.10   | SPECIAL DEPARTMENT       | 062.0462.060.029 |       | 91630950   |     | 040    | 00136 |
| SUPPLIES 02/2015                                  | 33.73    | SPECIAL DEPARTMENT       | 063.0463.060.029 |       | 91631961   |     | 040    | 00135 |
|   | 1,269.89 | *VENDOR TOTAL            |                  |       |            |     |        |       |
| GRONIGER & CO.<br>CREDIT 02/2015                  | 398.74CR | SPECIAL DEPARTMENT       | 063.0463.060.029 |       | CM087280   |     | 040    | 00003 |
| SUPPLIES 02/2015                                  | 849.23   | SPECIAL DEPARTMENT       | 063.0463.060.029 |       | 1060647    |     | 040    | 00002 |
| SUPPLIES 02/2015                                  | 1,164.38 | SPECIAL DEPARTMENT       | 063.0463.060.029 |       | 1061067    |     | 040    | 00004 |
| FITTINGS 02/2015                                  | 399.60   | SPECIAL DEPARTMENT       | 063.0463.060.029 |       | 1062737    |     | 040    | 00063 |
|   | 2,014.47 | *VENDOR TOTAL            |                  |       |            |     |        |       |
| HEALTH WISE SERVICES<br>SHARPS KIOSK 02/2015      | 150.00   | SPECIAL DEPARTMENT       | 062.0462.060.029 |       | 0000006865 |     | 040    | 00016 |
| KIWANIS OF WOODLAKE<br>FIRE PREV. AD 02/2015      | 198.00   | FIRE PREVENTION          | 004.0414.060.041 |       | 201501075  |     | 040    | 00081 |
| LEAGUE OF CALIF CITIES<br>GENERAL MEMBERSHIP 2/15 | 50.00    | TRAVEL, CONFERENCES & ME | 001.0401.060.030 |       |            |     | 041    | 00001 |
| LOUIE'S AUTO PARTS<br>FUEL FILTER/HOSE 02/15      | 17.76    | SPECIAL DEPARTMENT       | 062.0462.060.029 |       | 358222     |     | 040    | 00039 |
| SUPPLIES 02/15                                    | 23.93    | SPECIAL DEPARTMENT       | 001.0418.060.029 |       | 358223     |     | 040    | 00040 |
| DISC PAD SET 02/15                                | 53.86    | SPECIAL DEPARTMENT       | 001.0411.060.029 |       | 358272     |     | 040    | 00038 |
|   | 95.55    | *VENDOR TOTAL            |                  |       |            |     |        |       |
| MID-CAL TRANS PARTS<br>SERV & FLSH TRSNS 02/15    | 196.52   | SPECIAL DEPARTMENT       | 001.0411.060.029 |       | 13663      |     | 040    | 00041 |
| MINERAL KING PUBLISHING<br>PUBLIC NOTICE 02/15    | 75.15    | ADVERTISING & PUBLICATIO | 001.0405.060.031 |       | 42471      |     | 040    | 00076 |



VENDOR NAME  
DESCRIPTION

Schedule of Bills

| VENDOR NAME<br>DESCRIPTION  | AMOUNT   | ACCOUNT NAME   | FUND & ACCOUNT   | CLAIM   | INVOICE   | PO# | F/P ID LINE                                      |
|---|--|--|--|---|---|-----|--|
| SIERRA RANGE CONSTRUCTIO<br>DWN TWN PH. 4 02/2015<br>DWN TWN PH. 4 02/2015  | 11,512.69<br>88,859.54<br>100,372.23   | CONSTRUCTION SERVICES<br>*VENDOR TOTAL   | 023.0590.736.072<br>020.0590.736.072   | 5<br>5  | 5<br>5  |     | 040 00162<br>040 00163                           |
| SIMMONS TIRE SERVICE<br>SERVICES 02/2015<br>SERVICES 02/2015<br>SERVICE CALL 02/2015<br>SERVICE CALL 02/2015  | 96.15<br>96.15<br>63.75<br>63.75<br>319.80   | SPECIAL DEPARTMENT EXPEN<br>SPECIAL DEPARTMENT EXPEN<br>SPECIAL DEPARTMENT EXPEN<br>SPECIAL DEPARTMENT EXPEN<br>*VENDOR TOTAL      | 063.0463.060.029<br>062.0462.060.029<br>062.0462.060.029<br>063.0463.060.029   | 39235<br>39235<br>39324<br>39324                            |   |     | 040 00025<br>040 00026<br>040 00023<br>040 00024 |
| SO. CA. EDISON<br>ADV. PROJ PMNT 02/15<br>ADV. PRJ PMNT 02/15   | 141,648.00<br>18,352.00<br>160,000.00  | CONSTRUCTION<br>CONSTRUCTION<br>*VENDOR TOTAL  | 020.0590.731.072<br>023.0590.731.072   | 920<br>920  | WOODLK NRJ<br>WOODLK NRJ  |     | 040 00070<br>040 00071                           |
| SOUTHER CA EDISON (TULAR<br>VLCIA/NRNJ XSTRT 02/15<br>VLCIA/NRNJO XSTRT 02/15<br>VAL/NRNJO XSTRT 02/15<br>VAL/NRNJO XSTRT 02/15   | 57,021.90<br>7,387.79<br>19,363.19<br>149,452.78<br>233,225.66   | CONTRACTURAL SERVICES<br>CONTRACTURAL SERVICES<br>CONSTRUCTION<br>CONSTRUCTION<br>*VENDOR TOTAL                                    | 020.0590.731.028<br>023.0590.731.028<br>020.0590.731.072<br>023.0590.731.072   | 196042<br>196042<br>196043<br>196043                        |   |     | 040 00159<br>040 00160<br>040 00157<br>040 00158 |
| SOUTHERN CALIF EDISON CO<br>CITY ADMIN BLDG 02/15<br>WATER UTILITY 02/2015<br>MAINT. SHOP 02/2015<br>PARKS 02/2015<br>SEWER UTILITY 02/2015<br>AIRPORT 02/2015<br>SUBDVSION LIGHT 02/2015<br>STREETS 02/2015<br>FIRE DIST 02/2015 | 641.31<br>8,031.16<br>283.37<br>101.07<br>5,595.50<br>71.25<br>256.12<br>3,080.53<br>209.09<br>18,269.40 | UTILITIES<br>UTILITIES<br>UTILITIES<br>UTILITIES<br>UTILITIES<br>UTILITIES<br>UTILITIES<br>UTILITIES<br>UTILITIES<br>*VENDOR TOTAL | 001.0410.060.021<br>063.0463.060.021<br>001.0418.060.021<br>001.0421.060.021<br>062.0462.060.021<br>041.0441.060.021<br>029.0429.060.021<br>001.0422.060.021<br>004.0414.060.021 | 040<br>040<br>040<br>040<br>040<br>040<br>040<br>040<br>040 | 00082<br>00083<br>00084<br>00085<br>00086<br>00087<br>00088<br>00089<br>00090 |     |  |
| ST. JOHN'S RIVER MUTUAL<br>ASSESSMENT 673 02/2015   | 300.00   | UTILITIES  | 001.0421.060.021   | 21  |   |     | 040 00009  |
| STATE OF CA-EDD<br>CITY ST TAX DEPOSIT 2/15   | 1,481.49   | WITHHOLDING TAX-STATE  | 001.0000.200.028   |   |   |     | 041 00003  |
| STATE OF CALIFORNIA<br>FIRE ST TAX DEPOSIT 2/15   | 300.16   | WITHHOLDING TAX-STATE  | 004.0000.200.028   |   |   |     | 041 00002  |
| TRUCK PARTS AND SERVICE<br>SERVICES 02/2015   | 113.91   | SPECIAL DEPARTMENT EXPEN   | 004.0414.060.029   | 32837   |   |     | 040 00018  |
| TULARE COUNTY FIRE DEPAR<br>FOAM REPLACEMNT 02/15   | 393.75   | FIRE GEAR  | 004.0414.060.058   |   |   |     | 040 00072  |

| VENDOR NAME<br>DESCRIPTION                          | AMOUNT   | ACCOUNT NAME             | FUND & ACCOUNT   | CLAIM | INVOICE   | PO# | F/P ID LINE |
|---|----------|--------------------------|------------------|-------|-----------|-----|-------------|
| TULARE REGIONAL MEDICAL<br>LAB SERVICES 02/2015     | 1,037.00 | CONTRACTURAL SERVICES    | 001.0411.060.028 |       |           |     | 040 00017   |
| US BANK<br>COW PRINTER 02/2015                      | 264.32   | LEASED EQUIPMENT & PROGR | 001.0410.060.042 |       | 271644569 |     | 040 00062   |
| VALERO BROS.<br>PROPANE 02/2015                     | 35.10    | SPECIAL DEPARTMENT EXPEN | 001.0418.060.029 |       | 2170      |     | 040 00001   |
| VOYAGER FLEET SYSTEMS IN<br>PD FUEL 02/2015         | 2,686.33 | VEHICLE GASOLINE         | 001.0411.060.035 |       |           |     | 040 00019   |
| CITY FUEL 02/2015                                   | 57.91    | VEHICLE MAINTENANCE/OPER | 001.0415.060.032 |       |           |     | 040 00020   |
| CITY FUEL 02/2015                                   | 810.76   | VEHICLE MAINTENANCE/OPER | 062.0462.060.032 |       |           |     | 040 00020   |
| CITY FUEL 02/2015                                   | 810.76   | VEHICLE MAINTENANCE/OPER | 063.0463.060.032 |       |           |     | 040 00020   |
| CITY FUEL 02/2015                                   | 57.91    | VEHICLE MAINTENANCE/OPER | 001.0421.060.032 |       |           |     | 040 00020   |
| CITY FUEL 02/2015                                   | 579.13   | VEHICLE MAINTENANCE/OPER | 001.0422.060.032 |       |           |     | 040 00020   |
| TRANSIT FUEL 02/2015                                | 666.57   | VEHICLE MAINT/OPERATIONS | 021.0424.060.032 |       |           |     | 040 00021   |
| FIRE FUEL 02/2015                                   | 701.82   | VEHICLE GASOLINE         | 004.0414.060.035 |       |           |     | 040 00021   |
|   | 6,371.19 | *VENDOR TOTAL            |                  |       |           |     | 040 00022   |
| WIRELESS INTERNET SERVIC<br>WRLSS INTRNT ACCSS 2/15 | 199.00   | TELEPHONE                | 001.0410.060.020 |       | 1150466   |     | 040 00008   |
| WOODLAKE FIRE DISTRICT<br>MAINT & TEST HYD. 2/15    | 4,225.00 | SPECIAL DEPARTMENT EXPEN | 063.0463.060.029 |       |           |     | 040 00080   |
| WOODLAKE GROWERS SUPPLY<br>STATION MAINT. 02/2015   | 27.02    | FIRE STATION MAINTENANC  | 004.0414.060.034 |       |           |     | 040 00075   |
| CREDIT 02/2015                                      | 32.76CR  | SPECIAL DEPARTMENT EXPEN | 062.0462.060.029 |       |           |     | 040 00091   |
| BRUSH 02/2015                                       | 2.91     | SPECIAL DEPARTMENT EXPEN | 001.0418.060.029 |       | 209685    |     | 040 00044   |
| PANTS RICHARD 02/15                                 | 64.66    | SPECIAL DEPARTMENT EXPEN | 062.0462.060.029 |       | 210189    |     | 040 00042   |
| RITCHIE UNIFORM 02/2015                             | 64.67    | SPECIAL DEPARTMENT EXPEN | 063.0463.060.029 |       | 210189    |     | 040 00043   |
|   | 126.50   | *VENDOR TOTAL            |                  |       |           |     |             |
| WOODLAKE HARDWARE CO<br>STATION MAINT. 02/2015      | 16.17    | FIRE STATION MAINTENANC  | 004.0414.060.034 |       |           |     | 040 00074   |

ACS FINANCIAL SYSTEM  
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VENDOR NAME  
DESCRIPTION

REPORT TOTALS:

Schedule of Bills

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CITY OF WOODLAKE

| AMOUNT | ACCOUNT NAME | FUND & ACCOUNT | CLAIM | INVOICE | PO# | F/P | ID | LINE |
|--------|--------------|----------------|-------|---------|-----|-----|----|------|
|--------|--------------|----------------|-------|---------|-----|-----|----|------|

674,555.65

RECORDS PRINTED - 000216

Schedule of Bills

THE PRECEDING LIST OF BILLS PAYABLE WAS REVIEWED AND APPROVED FOR PAYMENT.

DATE ..... APPROVED BY .....  
.....  
.....

| BANK                 | VENDOR                   | CHECK# | DATE     | AMOUNT   |
|----------------------|--------------------------|--------|----------|----------|
| BANK BANK OF VISALIA |                          |        |          |          |
| 001303               | GONZALES/LYNN W.         | 13370  | 02/18/15 | 73.80    |
| 001242               | KAWEAH DELTA MEDICAL CEN | 13371  | 02/18/15 | 607.53   |
| 000619               | VISALIA MEDICAL CLINIC   | 13372  | 02/18/15 | 37.31    |
| 001232               | GREGORY D. MONROE        | 13373  | 02/18/15 | 108.00   |
| 001236               | LAB CORP. OF AMERICA     | 13374  | 02/18/15 | 18.00    |
| 001262               | DANIEL KAWATO DC         | 13375  | 02/18/15 | 148.02   |
| 000804               | TULARE COUNTY TREASURER- | 59139  | 02/18/15 | 831.43   |
| .50206               | HOMEROWN PROJECT         | 59155  | 02/18/15 | 500.00   |
| BANK OF VISALIA      |                          |        |          |          |
|                      |                          |        |          | 2,324.09 |
|                      |                          |        |          | ***      |



VENDOR NAME  
DESCRIPTION

| VENDOR NAME<br>DESCRIPTION                   | AMOUNT | ACCOUNT NAME     | FUND & ACCOUNT   | CLAIM INVOICE | PO# | F/P ID LINE |
|--|--------|------------------|------------------|---------------|-----|-------------|
| DANIEL KAWATO DC<br>CHIROPRACTIC SERV. 02/15 | 148.02 | HEALTH INSURANCE | 001.0411.050.008 |               |     | 044 00008   |
| GONZALES/LYNN W.<br>OUTPNT VISIT 02/2015     | 73.80  | HEALTH INSURANCE | 004.0414.050.008 |               |     | 044 00001   |
| GREGORY D. MONROE<br>CHIROPRACTIC SERV 02/15 | 4.21   | HEALTH INSURANCE | 001.0403.050.008 |               |     | 044 00006   |
| CHIROPRACTIC SERV 02/15                      | 4.10   | HEALTH INSURANCE | 001.0404.050.008 |               |     | 044 00006   |
| CHIROPRACTIC SERV 02/15                      | 2.10   | HEALTH INSURANCE | 001.0405.050.008 |               |     | 044 00006   |
| CHIROPRACTIC SERV 02/15                      | 4.42   | HEALTH INSURANCE | 001.0415.050.008 |               |     | 044 00006   |
| CHIROPRACTIC SERV 02/15                      | 1.87   | HEALTH INSURANCE | 001.0416.050.008 |               |     | 044 00006   |
| CHIROPRACTIC SERV 02/15                      | 7.14   | HEALTH INSURANCE | 001.0418.050.008 |               |     | 044 00006   |
| CHIROPRACTIC SERV 02/15                      | 2.97   | HEALTH INSURANCE | 001.0421.050.008 |               |     | 044 00006   |
| CHIROPRACTIC SERV 02/15                      | 9.98   | HEALTH INSURANCE | 001.0422.050.008 |               |     | 044 00006   |
| CHIROPRACTIC SERV 02/15                      | 5.79   | HEALTH INSURANCE | 061.0461.050.008 |               |     | 044 00006   |
| CHIROPRACTIC SERV 02/15                      | 25.80  | HEALTH INSURANCE | 062.0462.050.008 |               |     | 044 00006   |
| CHIROPRACTIC SERV 02/15                      | 23.75  | HEALTH INSURANCE | 063.0463.050.008 |               |     | 044 00006   |
| CHIROPRACTIC SERV 02/15                      | 9.03   | HEALTH INSURANCE | 021.0424.050.008 |               |     | 044 00006   |
| CHIROPRACTIC SERV 02/15                      | 3.96   | HEALTH INSURANCE | 029.0429.050.008 |               |     | 044 00006   |
| CHIROPRACTIC SERV 02/15                      | 2.05   | HEALTH INSURANCE | 032.0440.050.008 |               |     | 044 00006   |
| CHIROPRACTIC SERV 02/15                      | 0.83   | HEALTH INSURANCE | 001.0402.050.008 |               |     | 044 00006   |
|  | 108.00 | *VENDOR TOTAL    |                  |               |     |             |

HOMEGROWN PROJECT  
DONATION 02/2015

| HOMEGROWN PROJECT<br>DONATION 02/2015 | AMOUNT | ACCOUNT NAME        | FUND             | CLAIM INVOICE | PO# | F/P ID LINE |
|---------------------------------------|--------|---------------------|------------------|---------------|-----|-------------|
| HOMEGROWN PROJECT<br>DONATION 02/2015 | 500.00 | COMMUNITY PROMOTION | 001.0409.060.066 |               |     | 044 00009   |

KAWEAH DELTA MEDICAL CEN

| KAWEAH DELTA MEDICAL CEN | AMOUNT | ACCOUNT NAME     | FUND             | CLAIM INVOICE | PO# | F/P ID LINE |
|--------------------------|--------|------------------|------------------|---------------|-----|-------------|
| EMR 02/2015              | 5.99   | HEALTH INSURANCE | 001.0403.050.008 |               |     | 044 00002   |
| EMR 02/2015              | 5.84   | HEALTH INSURANCE | 001.0404.050.008 |               |     | 044 00002   |
| EMR 02/2015              | 3.00   | HEALTH INSURANCE | 001.0405.050.008 |               |     | 044 00002   |
| EMR 02/2015              | 6.29   | HEALTH INSURANCE | 001.0415.050.008 |               |     | 044 00002   |
| EMR 02/2015              | 2.67   | HEALTH INSURANCE | 001.0416.050.008 |               |     | 044 00002   |
| EMR 02/2015              | 10.17  | HEALTH INSURANCE | 001.0418.050.008 |               |     | 044 00002   |
| EMR 02/2015              | 4.24   | HEALTH INSURANCE | 001.0421.050.008 |               |     | 044 00002   |
| EMR 02/2015              | 14.20  | HEALTH INSURANCE | 001.0422.050.008 |               |     | 044 00002   |
| EMR 02/2015              | 8.24   | HEALTH INSURANCE | 061.0461.050.008 |               |     | 044 00002   |
| EMR 02/2015              | 36.72  | HEALTH INSURANCE | 062.0462.050.008 |               |     | 044 00002   |
| EMR 02/2015              | 33.81  | HEALTH INSURANCE | 063.0463.050.008 |               |     | 044 00002   |
| EMR 02/2015              | 12.86  | HEALTH INSURANCE | 021.0424.050.008 |               |     | 044 00002   |
| EMR 02/2015              | 5.64   | HEALTH INSURANCE | 029.0429.050.008 |               |     | 044 00002   |
| EMR 02/2015              | 2.91   | HEALTH INSURANCE | 032.0440.050.008 |               |     | 044 00002   |
| EMR 02/2015              | 1.14   | HEALTH INSURANCE | 001.0402.050.008 |               |     | 044 00002   |
| HPO 02/2015              | 4.22   | HEALTH INSURANCE | 001.0403.050.008 |               |     | 044 00002   |
| HPO 02/2015              | 4.11   | HEALTH INSURANCE | 001.0404.050.008 |               |     | 044 00002   |
| HPO 02/2015              | 2.11   | HEALTH INSURANCE | 001.0405.050.008 |               |     | 044 00002   |
| HPO 02/2015              | 4.42   | HEALTH INSURANCE | 001.0415.050.008 |               |     | 044 00002   |
| HPO 02/2015              | 1.88   | HEALTH INSURANCE | 001.0416.050.008 |               |     | 044 00002   |
| HPO 02/2015              | 7.15   | HEALTH INSURANCE | 001.0418.050.008 |               |     | 044 00002   |
| HPO 02/2015              | 2.98   | HEALTH INSURANCE | 001.0421.050.008 |               |     | 044 00002   |
| HPO 02/2015              | 9.99   | HEALTH INSURANCE | 001.0422.050.008 |               |     | 044 00002   |

ACS FINANCIAL SYSTEM  
02/19/2015 16:40:23

VENDOR NAME  
DESCRIPTION

Schedule of Bills

GL540R-V07.27 PAGE 2  
CITY OF WOODLAKE

| VENDOR NAME<br>DESCRIPTION | AMOUNT | ACCOUNT NAME             | FUND & ACCOUNT   | CLAIM INVOICE | PO# | F/P ID LINE |
|----------------------------|--------|--------------------------|------------------|---------------|-----|-------------|
| KAWEAH DELTA MEDICAL CEN   |        |                          |                  |               |     |             |
| HPO 02/2015                | 5.80   | HEALTH INSURANCE         | 061.0461.050.008 |               |     | 044 00003   |
| HPO 02/2015                | 25.83  | HEALTH INSURANCE         | 062.0462.050.008 |               |     | 044 00003   |
| HPO 02/2015                | 23.79  | HEALTH INSURANCE         | 063.0463.050.008 |               |     | 044 00003   |
| HPO 02/2015                | 9.05   | HEALTH INSURANCE         | 021.0424.050.008 |               |     | 044 00003   |
| HPO 02/2015                | 3.96   | HEALTH INSURANCE         | 029.0429.050.008 |               |     | 044 00003   |
| HPO 02/2015                | 2.05   | HEALTH INSURANCE         | 032.0440.050.008 |               |     | 044 00003   |
| HPO 02/2015                | 0.82   | HEALTH INSURANCE         | 001.0402.050.008 |               |     | 044 00003   |
| HPO 02/2015                | 345.65 | HEALTH INSURANCE         | 001.0411.050.008 |               |     | 044 00004   |
|                            | 607.53 | *VENDOR TOTAL            |                  |               |     |             |
| LAB CORP. OF AMERICA       |        |                          |                  |               |     |             |
| OUT OF NETWRK 02/15        | 18.00  | HEALTH INSURANCE         | 001.0411.050.008 |               |     | 044 00007   |
| TULARE COUNTY TREASURER-   |        |                          |                  |               |     |             |
| WDLK RNCH PROP TX 2/15     | 831.43 | SPECIAL DEPARTMENT EXPEN | 001.0421.060.029 |               |     | 044 00010   |
| VISALIA MEDICAL CLINIC     |        |                          |                  |               |     |             |
| LAB 02/2015                | 37.31  | HEALTH INSURANCE         | 001.0411.050.008 |               |     | 044 00005   |

VENDOR NAME  
DESCRIPTION

REPORT TOTALS:

Schedule of Bills

| AMOUNT   | ACCOUNT NAME | FUND & ACCOUNT | CLAIM | INVOICE | PO# | F/P | ID | LINE |
|----------|--------------|----------------|-------|---------|-----|-----|----|------|
| 2,324.09 |              |                |       |         |     |     |    |      |

RECORDS PRINTED - 000052

Schedule of Bills

CITY OF WOODLAKE  
GL060S-V07.27 RECAPPAGE  
GL540R

THE PRECEDING LIST OF BILLS PAYABLE WAS REVIEWED AND APPROVED FOR PAYMENT.

DATE ..... APPROVED BY .....  
.....  
.....

ACS FINANCIAL SYSTEM  
02/19/2015 16:

Check Register

GL540R-V07.27 PAGE 1  
CITY OF WOODLAKE

| BANK                 | VENDOR                   | CHECK# | DATE     | AMOUNT |
|----------------------|--------------------------|--------|----------|--------|
| BANK BANK OF VISALIA |                          |        |          |        |
| 000619               | VISALIA MEDICAL CLINIC   | 13460  | 01/19/15 | 20.07  |
| 001278               | TRI COUNTY FAMILY MEDICA | 13461  | 01/19/15 | 22.80  |
| 001374               | FLAHERTY AND FLOREK FOOT | 13462  | 01/19/15 | 127.98 |
| 001233               | QUEST DIAGNOSTICS LABS   | 13463  | 02/23/15 | 10.49  |
| BANK OF VISALIA      |                          |        |          | 181.34 |

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VENDOR NAME  
DESCRIPTION

Schedule of Bills

| VENDOR NAME<br>DESCRIPTION                         | AMOUNT | ACCOUNT NAME     | FUND & ACCOUNT   | CLAIM | INVOICE | PO# | F/P | ID LINE   |
|--|--------|------------------|------------------|-------|---------|-----|-----|-----------|
| FLAHERTY AND FLOREK FOOT<br>OUT OF NETWORK 02/2015 | 127.98 | HEALTH INSURANCE | 001.0411.050.008 |       |         |     |     | 042 00010 |
| QUEST DIAGNOSTICS LABS<br>LAB DIAGNOSTIC 02/2015   | 10.49  | HEALTH INSURANCE | 004.0414.050.008 |       |         |     |     | 042 00001 |
| TRI COUNTY FAMILY MEDICA<br>SERVICES 02/2015       | 22.80  | HEALTH INSURANCE | 001.0411.050.008 |       |         |     |     | 042 00011 |
| VISALIA MEDICAL CLINIC<br>LAB/DIAGNOSITC 02/15     | 0.78   | HEALTH INSURANCE | 001.0403.050.008 |       |         |     |     | 042 00012 |
| LAB/DIAGNOSITC 02/15                               | 0.76   | HEALTH INSURANCE | 001.0404.050.008 |       |         |     |     | 042 00012 |
| LAB/DIAGNOSITC 02/15                               | 0.39   | HEALTH INSURANCE | 001.0405.050.008 |       |         |     |     | 042 00012 |
| LAB/DIAGNOSITC 02/15                               | 0.82   | HEALTH INSURANCE | 001.0415.050.008 |       |         |     |     | 042 00012 |
| LAB/DIAGNOSITC 02/15                               | 0.34   | HEALTH INSURANCE | 001.0416.050.008 |       |         |     |     | 042 00012 |
| LAB/DIAGNOSITC 02/15                               | 1.32   | HEALTH INSURANCE | 001.0418.050.008 |       |         |     |     | 042 00012 |
| LAB/DIAGNOSITC 02/15                               | 0.55   | HEALTH INSURANCE | 001.0421.050.008 |       |         |     |     | 042 00012 |
| LAB/DIAGNOSITC 02/15                               | 1.85   | HEALTH INSURANCE | 001.0422.050.008 |       |         |     |     | 042 00012 |
| LAB/DIAGNOSITC 02/15                               | 1.07   | HEALTH INSURANCE | 061.0461.050.008 |       |         |     |     | 042 00012 |
| LAB/DIAGNOSITC 02/15                               | 4.79   | HEALTH INSURANCE | 062.0462.050.008 |       |         |     |     | 042 00012 |
| LAB/DIAGNOSITC 02/15                               | 4.41   | HEALTH INSURANCE | 063.0463.050.008 |       |         |     |     | 042 00012 |
| LAB/DIAGNOSITC 02/15                               | 1.67   | HEALTH INSURANCE | 021.0424.050.008 |       |         |     |     | 042 00012 |
| LAB/DIAGNOSITC 02/15                               | 0.73   | HEALTH INSURANCE | 029.0429.050.008 |       |         |     |     | 042 00012 |
| LAB/DIAGNOSITC 02/15                               | 0.38   | HEALTH INSURANCE | 032.0440.050.008 |       |         |     |     | 042 00012 |
| LAB/DIAGNOSITC 02/15                               | 0.21   | HEALTH INSURANCE | 001.0402.050.008 |       |         |     |     | 042 00012 |
|  | 20.07  | *VENDOR TOTAL    |                  |       |         |     |     |           |

ACS FINANCIAL SYSTEM  
02/19/2015 16:33:52

VENDOR NAME  
DESCRIPTION

REPORT TOTALS:

Schedule of Bills

GL540R-V07.27 PAGE 2  
CITY OF WOODLAKE

| AMOUNT | ACCOUNT NAME | FUND & ACCOUNT | CLAIM | INVOICE | PO# | F/P | ID | LINE |
|--------|--------------|----------------|-------|---------|-----|-----|----|------|
|--------|--------------|----------------|-------|---------|-----|-----|----|------|

181.34

RECORDS PRINTED - 000018

Schedule of Bills

CITY OF WOODLAKE  
GL060S-V07.27 RECAPPAGE  
GL540R

THE PRECEDING LIST OF BILLS PAYABLE WAS REVIEWED AND APPROVED FOR PAYMENT.

DATE ..... APPROVED BY .....  
.....  
.....

# City of Woodlake

## **AGENDA ITEM IV-C**

**February 23, 2015**

**Prepared by Ramon Lara, City Staff**

### **SUBJECT:**

**Action:** Adoption of Resolution: Approval of Salary Ranges and Compensation Plan for City of Woodlake Unrepresented Employees

### **BACKGROUND:**

On January 14, 2013, the Council, of the City of Woodlake, through Resolution No. 13-3 approved salary ranges and compensation plan for all City of Woodlake unrepresented employees through June 30, 2015. The salary ranges and compensation plan was set based on consideration of a salary survey that looked at all other small cities in Tulare County and the financial standing of the City of Woodlake at the time.

### **DISCUSSION:**

For Fiscal Years 2015/2016 and 2016/2017 the City Administrator completed a salary survey that led to a compensation package that allowed the City of Woodlake to remain solvent, while providing affordable benefits and fair compensation to its unrepresented employees. After meeting with these employees and receiving their input, a mutually beneficial compensation plan was developed for the following classifications: Account Clerks, Clerks, Bus Drivers, Building Inspectors, Code Enforcement, Mechanic, Maintenance Staff and Water/Waste Water Operators. This recognition does not include all management employees, temporary employees and part-time employees. The plan will be in effect from July 1, 2015 through June 30, 2017.

#### **Salary Ranges:**

Effective July 1, 2015 the base monthly salary of employees covered in the attached resolution will be as follows:

| Classification     | Step | A       | B       | C       | D       | E       |
|--------------------|------|---------|---------|---------|---------|---------|
| Account Clerk 2    |      | \$3,016 | \$3,167 | \$3,325 | \$3,491 | \$3,666 |
| Account Clerk 1    |      | \$2,575 | \$2,704 | \$2,839 | \$2,981 | \$3,130 |
| Clerk              |      | \$2,568 | \$2,696 | \$2,831 | \$2,973 | \$3,121 |
| Transit Driver     |      | \$2,684 | \$2,818 | \$2,959 | \$3,107 | \$3,263 |
| Building Inspector |      | \$3,528 | \$3,704 | \$3,889 | \$4,084 | \$4,288 |

|                     |         |         |         |         |         |
|---------------------|---------|---------|---------|---------|---------|
| Mechanic            | \$3,528 | \$3,704 | \$3,889 | \$4,084 | \$4,288 |
| Maintenance II      | \$2,704 | \$2,839 | \$2,981 | \$3,130 | \$3,286 |
| Maintenance I       | \$2,250 | \$2,362 | \$2,480 | \$2,604 | \$2,734 |
| Water/Waste Water 2 | \$3,562 | \$3,740 | \$3,927 | \$4,123 | \$4,330 |
| Water/Waste Water 1 | \$3,211 | \$3,371 | \$3,540 | \$3,717 | \$3,903 |
| Code Enforcement    | \$2,953 | \$3,101 | \$3,256 | \$3,418 | \$3,589 |

**Certificates:**

Employees possessing a certificate that is not required by their job classification and enhances the employees' duties shall be compensated Fifty Dollars (\$50) a month.

**Stand-By and Call Outs:**

Employees will participate in a stand-by rotation at the discretion of the department head. Employees will be compensated One Hundred and Fifty Dollars (\$150.00) per week to be on stand-by. If an employee is to take a day off during their stand-by schedule, that employee will need to coordinate with a co-worker and the department head for coverage. Employees are not allowed to take a day off and cover stand-by. The department head will decide if coverage is needed when an employee needs time off during their stand-by.

Call out time is defined as: when an employee is called back to work after the completion of a normal work day, to perform work for the Department, except when an employee is called to work one hour or less prior to the employee's work schedule. When an employee is called out to work, the employee shall receive, at the employee's option: a minimum of one and one-half (1.5) hours pay, or compensatory time off, at the rate of one and one-half (1.5) the employee's regular rate of pay.

**Clothing and Equipment**

The City shall provide uniforms as needed, at the discretion of the department head. An annual boot allowance shall be granted to all public works employees, covered by the attached resolution, in the amount of One Hundred and Fifty Dollars (\$150.00). The amount will be payable July 1 of each year on a reimbursable basis. New employees will receive a boot allowance on a pro-rated basis.

The City shall provide equipment as needed, at the discretion of the department head. Vehicles may be assigned to individual employees as necessary. Employees may take vehicles home when on stand-by. Employees may also take their vehicles home during their thirty (30) minute lunch period. Lunch period is to be taken between 12:00 p.m. and 1:30 p.m.

## **Health Plan**

Effective July 1, 2015, the City will provide health, dental, vision, and life insurance plans for unrepresented employees through private providers.

The City and unrepresented employees understand that the insurance rates are based on: member, member plus 1, and member plus 2 or more.

The City will pay the member's health, dental, vision, and life insurance premiums less \$100.00 per month for member plus 1, or less \$200.00 per month for member plus 2 enrollments towards member health insurance costs. If a member waives their insurance benefits, any unused amounts can be applied towards the member's Deferred Compensation Section 457 program.

## **Retirement:**

Employees shall be provided retirement benefits under the State Public Employees Retirement System (PERS) as follows:

Non-Safety Employees            2% @ 55 formula

Non-Safety Employees            2% @ 62 formula beginning January 1, 2013 for new hires.

The employee is responsible for their PERS contribution.

## **Overtime Provisions and Hours of Work:**

Each week of service shall consist of forty (40) work hours. All scheduling will be done at the discretion of the department head.

Employees will receive overtime compensation for all hours worked over forty (40) in a week. All overtime hours worked must be approved by a supervisor or department head.

Employees working overtime hours will be compensated in one of two ways: overtime pay, which is paid at 1-1/2 times the regular rate of pay or compensatory time off, which is accrued at 1-1/2 hours for each hour worked.

Employees can accrue compensatory time off for overtime hours worked. Employees shall submit compensatory time off requests as far in advance as possible. Employees may accrue up to 60 hours of compensatory time off. In order to maintain a balance below the maximum of 60 hours, department heads may request that the employee use accrued compensatory time.

## **RECOMMENDATIONS:**

Staff recommends the approval of salary ranges and compensation plan for City of Woodlake unrepresented employees as presented. The new plan allows for the City of Woodlake to remain solvent, while providing affordable benefits and fair compensation to unrepresented employees.

**FISCAL IMPACT:**

The salary range and compensation increases will be covered by increased revenues. The increase is estimated to add \$32,000 in total expenditures.

**ATTACHMENTS:**

1. Resolution: Approval of Salary Ranges and Compensation Plan for City of Woodlake Unrepresented Employees

BEFORE THE CITY COUNCIL  
OF THE CITY OF WOODLAKE  
COUNTY OF TULARE  
STATE OF CALIFORNIA

In the matter of:

APPROVAL OF SALARY )  
RANGES AND COMPENSATION ) Resolution No.  
PLAN FOR CITY OF WOODLAKE )  
UNREPRESENTED EMPLOYEES )

Councilmember \_\_\_\_\_, offered the following resolution and moved its adoption. Approval of salary ranges and compensation plan for City of Woodlake unrepresented employees.

WHEREAS, the City of Woodlake wishes to offer a compensation package that allows the City to remain solvent, while providing affordable benefits and fair compensation to its unrepresented employees; and

WHEREAS, the City Council of the City of Woodlake has adopted the following salary ranges and compensation plan for City unrepresented employees.

NOW, THEREFORE, THE CITY OF WOODLAKE DOES RESOLVE that the following salary ranges and compensation plan will be in effect from July 1, 2015 through June 30, 2017.

**Salary Ranges:**

Effective July 1, 2015 the base monthly salary of employees covered in this resolution will be as follows:

| Classification      | Step | A       | B       | C       | D       | E       |
|---------------------|------|---------|---------|---------|---------|---------|
| Account Clerk 2     |      | \$3,016 | \$3,167 | \$3,325 | \$3,491 | \$3,666 |
| Account Clerk 1     |      | \$2,575 | \$2,704 | \$2,839 | \$2,981 | \$3,130 |
| Clerk               |      | \$2,568 | \$2,696 | \$2,831 | \$2,973 | \$3,121 |
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| Building Inspector  |      | \$3,528 | \$3,704 | \$3,889 | \$4,084 | \$4,288 |
| Mechanic            |      | \$3,528 | \$3,704 | \$3,889 | \$4,084 | \$4,288 |
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|                  |         |         |         |         |         |
|------------------|---------|---------|---------|---------|---------|
| Code Enforcement | \$2,953 | \$3,101 | \$3,256 | \$3,418 | \$3,589 |
|------------------|---------|---------|---------|---------|---------|

**Certificates:**

Employees possessing a certificate that is not required by their job classification and enhances the employees' duties shall be compensated Fifty Dollars (\$50) a month.

**Stand-By and Call Outs:**

Employees will participate in a stand-by rotation at the discretion of the department head. Employees will be compensated One Hundred and Fifty Dollars (\$150.00) per week to be on stand-by. If an employee is to take a day off during their stand-by schedule, that employee will need to coordinate with a co-worker and the department head for coverage. Employees are not allowed to take a day off and cover stand-by. The department head will decide if coverage is needed when an employee needs time off during their stand-by.

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**Clothing and Equipment**

The City shall provide uniforms as needed, at the discretion of the department head. An annual boot allowance shall be granted to all public works employees, covered by this resolution, in the amount of One Hundred and Fifty Dollars (\$150.00). The amount will be payable July 1 of each year on a reimbursable basis. New employees will receive a boot allowance on a pro-rated basis.

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**Health Plan**

Effective July 1, 2015, the City will provide health, dental, vision, and life insurance plans for members of this bargaining unit through private providers.

The City and unrepresented employees understand that the insurance rates are based on: member, member plus 1, and member plus 2 or more.

The City will pay the member's health, dental, vision, and life insurance premiums less \$100.00 per month for member plus 1, or less \$200.00 per month for member plus 2 enrollments towards member health insurance costs. If a member waives their insurance benefits, any unused amounts can be applied towards the member's Deferred Compensation Section 457 program.

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Employees can accrue compensatory time off for overtime hours worked. Employees shall submit compensatory time off requests as far in advance as possible. Employees may accrue up to 60 hours of compensatory time off. In order to maintain a balance below the maximum of 60 hours, department heads may request that the employee use accrued compensatory time.

The foregoing resolution was adopted upon a motion of Councilmember \_\_\_\_\_, and seconded by Councilmember \_\_\_\_\_, and carried by the following vote at the City Council meeting held on February 23, 2015.

- AYES:
- NOES:
- ABSTAIN:
- ABSENT:

\_\_\_\_\_  
Rudy Mendoza, Mayor

ATTEST:

\_\_\_\_\_  
Irene Zacarias, City Clerk

# City of Woodlake

## **AGENDA ITEM IV-D**

**February 23, 2015**

**Prepared by Ramon Lara, City Staff**

### **SUBJECT:**

**Action:** Adoption of Resolution: Approval of Salary Ranges and Compensation Plan for City of Woodlake Management/Department Heads

### **BACKGROUND:**

On January 14, 2013, the Council, of the City of Woodlake, through Resolution No. 13-4 approved salary ranges and compensation plan for all City of Woodlake management/department heads through June 30, 2015. The salary ranges and compensation plan was set based on consideration of a salary survey that looked at all other small cities in Tulare County and the financial standing of the City of Woodlake at the time.

### **DISCUSSION:**

For Fiscal Years 2015/2016 and 2016/2017 the City Administrator completed a salary survey that led to a compensation package that allowed the City of Woodlake to remain solvent, while providing affordable benefits and fair compensation to its management/department heads. After meeting with these employees and receiving their input, a mutually beneficial compensation plan was developed for the following classifications: City Administrator, City Clerk, Police Chief, Lieutenant, Community Services Director, Accountant, Public Works Supervisor and Waste Water Operator. This recognition does not include all unrepresented employees, temporary employees and part-time employees. The plan will be in effect from July 1, 2015 through June 30, 2017.

#### **Salary Ranges:**

Effective July 1, 2015 the base monthly salary of employees covered in the attached resolution will be as follows:

| Classification     | Step | A        | B | C       | D | E       |
|--------------------|------|----------|---|---------|---|---------|
| City Administrator |      | \$10,534 |   |         |   |         |
| Police Chief       |      | \$7,420  |   | \$7,939 |   | \$8,495 |
| Police Lieutenant  |      | \$6,360  |   | \$6,805 |   | \$7,282 |
| City Clerk         |      | \$4,758  |   | \$5,234 |   | \$5,757 |

|                      |         |         |         |
|----------------------|---------|---------|---------|
| PW Supervisor        | \$4,386 | \$4,824 | \$5,307 |
| Waste Water Operator | \$4,386 | \$4,824 | \$5,307 |
| CSD                  | \$4,868 | \$5,354 | \$5,890 |
| Accountant           | \$4,779 | \$5,257 | \$5,783 |

**Education Pay**

Employees covered by this resolution and not required to have a degree, shall receive, in addition to their normal compensation, Seventy-Five (\$75.00) per month for possessing an Associate Degree and One-Hundred and Fifty (\$150.00) per month for possessing a Bachelor’s Degree.

**Health Plan**

Effective July 1, 2015, the City will provide health, dental, vision, and life insurance plans for management/department heads through private providers.

The City and its employees understand that the insurance rates are based on: member, member plus 1, and member plus 2 or more.

The City will pay the member’s health, dental, vision, and life insurance premiums less \$100.00 per month for member plus 1, or less \$200.00 per month for member plus 2 enrollments towards member health insurance costs. If a member waives their insurance benefits, any unused amounts can be applied towards the member's Deferred Compensation Section 457 program.

**Retirement:**

Employees shall be provided retirement benefits under the State Public Employees Retirement System (PERS) as follows:

- Safety Employees                    2% @ 55 formula
- Safety Employees                    2% @ 57 formula beginning January 1, 2013 for new hires.
- Non-Safety Employees                2% @ 55 formula
- Non-Safety Employees                2% @ 62 formula beginning January 1, 2013 for new hires.

The employee is responsible for their PERS contribution.

**RECOMMENDATIONS:**

Staff recommends the approval of salary ranges and compensation plan for City of Woodlake management/department heads as presented. The new plan allows for the City of Woodlake to remain solvent, while providing affordable benefits and fair compensation to management/department heads.

**FISCAL IMPACT:**

The plan will increase expenditures by \$11,000 and will be covered by increased revenues and salary saving from eliminating the Public Works Superintendent position.

**ATTACHMENTS:**

1. Resolution: Approval of Salary Ranges and Compensation Plan for City of Woodlake Management/Department Heads

BEFORE THE CITY COUNCIL  
OF THE CITY OF WOODLAKE  
COUNTY OF TULARE  
STATE OF CALIFORNIA

In the matter of:

|                           |   |                |
|---------------------------|---|----------------|
| APPROVAL OF SALARY        | ) |                |
| RANGES AND COMPENSATION   | ) | Resolution No. |
| PLAN FOR CITY OF WOODLAKE | ) |                |
| MANAGEMENT/DEPARTMENT     | ) |                |
| HEADS                     | ) |                |

Councilmember \_\_\_\_\_, offered the following resolution and moved its adoption. Approval of salary ranges and compensation plan for City of Woodlake management/department heads.

WHEREAS, the City of Woodlake wishes to offer a compensation package that allows the City to remain solvent, while providing affordable benefits and fair compensation to its management/department heads; and

WHEREAS, the City Council of the City of Woodlake has adopted the following salary ranges and compensation plan for City management/department heads.

NOW, THEREFORE, THE CITY OF WOODLAKE DOES RESOLVE that the following salary ranges and compensation plan will be in effect from July 1, 2015 through June 30, 2017.

**Salary Ranges:**

Effective July 1, 2015 the base monthly salary of employees covered in this resolution will be as follows:

| Classification       | Step | A        | B | C       | D | E       |
|----------------------|------|----------|---|---------|---|---------|
| City Administrator   |      | \$10,534 |   |         |   |         |
| Police Chief         |      | \$7,420  |   | \$7,939 |   | \$8,495 |
| Police Lieutenant    |      | \$6,360  |   | \$6,805 |   | \$7,282 |
| City Clerk           |      | \$4,758  |   | \$5,234 |   | \$5,757 |
| PW Supervisor        |      | \$4,386  |   | \$4,824 |   | \$5,307 |
| Waste Water Operator |      | \$4,386  |   | \$4,824 |   | \$5,307 |
| CSD                  |      | \$4,868  |   | \$5,354 |   | \$5,890 |
| Accountant           |      | \$4,779  |   | \$5,257 |   | \$5,783 |

## **Education Pay**

Employees covered by this resolution and not required to have a degree, shall receive, in addition to their normal compensation, Seventy-Five (\$75.00) per month for possessing an Associate Degree and One-Hundred and Fifty (\$150.00) per month for possessing a Bachelor's Degree.

## **Health Plan**

Effective July 1, 2015, the City will provide health, dental, vision, and life insurance plans for management/department heads through private providers.

The City and its employees understand that the insurance rates are based on: member, member plus 1, and member plus 2 or more.

The City will pay the member's health, dental, vision, and life insurance premiums less \$100.00 per month for member plus 1, or less \$200.00 per month for member plus 2 enrollments towards member health insurance costs. If a member waives their insurance benefits, any unused amounts can be applied towards the member's Deferred Compensation Section 457 program.

## **Retirement:**

Employees shall be provided retirement benefits under the State Public Employees Retirement System (PERS) as follows:

- |                      |  |
|----------------------|--|
| Safety Employees     | 2% @ 55 formula  |
| Safety Employees     | 2% @ 57 formula beginning January 1, 2013 for new hires. |
| Non-Safety Employees | 2% @ 55 formula  |
| Non-Safety Employees | 2% @ 62 formula beginning January 1, 2013 for new hires. |

The employee is responsible for their PERS contribution.

The foregoing resolution was adopted upon a motion of Councilmember \_\_\_\_\_, and seconded by Councilmember \_\_\_\_\_, and carried by the following vote at the City Council meeting held on February 23, 2015.

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

\_\_\_\_\_  
Rudy Mendoza, Mayor

ATTEST:

\_\_\_\_\_  
Irene Zacarias, City Clerk

# City of Woodlake

## **AGENDA ITEM IV-E**

**February 23, 2015**

**Prepared by Ramon Lara, City Staff**

### **SUBJECT:**

**Action:** Adoption of Resolution: Approval of the Memorandum of Understanding(MOU) Between the Woodlake Police Officers' Association(WPOA) and the City of Woodlake

### **BACKGROUND:**

The Woodlake Police Officers' Association has a current MOU that is in effect until June 30, 2015. The salary ranges and compensation plan was set based on consideration of a salary survey that looked at all other small cities in Tulare County and the financial standing of the City of Woodlake at the time.

### **DISCUSSION:**

For Fiscal Years 2015/2016 and 2016/2017 the City Administrator completed a salary survey that led to a compensation package that allowed the City of Woodlake to remain solvent, while providing affordable benefits and fair compensation to its police officers and sergeants. After meeting with these employees and receiving their input, a mutually beneficial compensation plan was developed for the following classifications: Sergeant and Police Officer. This recognition does not include all management, unrepresented employees, temporary employees and part-time employees. The plan will be in effect from July 1, 2015 through June 30, 2017.

#### **Salary Ranges:**

Effective July 1, 2015 the base monthly salary of employees covered in the attached resolution will be as follows:

| Classification  | Step | A       | B       | C       | D       | E       |
|-----------------|------|---------|---------|---------|---------|---------|
| Police Sergeant |      | \$4,938 | \$5,185 | \$5,444 | \$5,716 | \$6,002 |
| Police Officer  |      | \$3,618 | \$3,835 | \$4,065 | \$4,309 | \$4,740 |

Please see attached MOU for explanation of total compensation package.

**RECOMMENDATIONS:**

Staff recommends the approval of the MOU between the Woodlake Police Officers' Association and the City of Woodlake as presented. The new MOU allows for the City of Woodlake to remain solvent, while providing affordable benefits and fair compensation to sergeants and police officers.

**FISCAL IMPACT:**

The MOU will increase expenditures by \$30,000 and will be covered by increased revenues.

**ATTACHMENTS:**

1. Resolution: Approval of the Memorandum of Understanding Between the Woodlake Police Officers' Association and the City of Woodlake

BEFORE THE CITY COUNCIL  
OF THE CITY OF WOODLAKE  
COUNTY OF TULARE  
STATE OF CALIFORNIA

In the matter of:

APPROVAL OF THE MEMORANDUM )  
OF UNDERSTANDING(MOU) BETWEEN ) Resolution No.  
THE WOODLAKE POLICE OFFICERS' )  
ASSOCIATION(WPOA) AND THE CITY )  
OF WOODLAKE )

Councilmember \_\_\_\_\_, offered the following resolution and moved its adoption. Approval of the Memorandum of Understanding between the Woodlake Police Officers' Association and the City of Woodlake.

WHEREAS, the City of Woodlake wishes to offer a compensation package that allows the City to remain solvent, while providing affordable benefits and fair compensation to its sergeants and police officers; and

WHEREAS, the City Council of the City of Woodlake has adopted the following salary ranges and compensation plan for City sergeants and police officers.

**Salary Ranges:**

Effective July 1, 2015 the base monthly salary of employees covered in this resolution will be as follows:

| Classification  | Step | A       | B       | C       | D       | E       |
|-----------------|------|---------|---------|---------|---------|---------|
| Police Sergeant |      | \$4,938 | \$5,185 | \$5,444 | \$5,716 | \$6,002 |
| Police Officer  |      | \$3,618 | \$3,835 | \$4,065 | \$4,309 | \$4,740 |

NOW, THEREFORE, THE CITY OF WOODLAKE DOES RESOLVE to adopt the attached Memorandum of Understanding between the Woodlake Police Officers' Association and the City of Woodlake

The foregoing resolution was adopted upon a motion of Councilmember \_\_\_\_\_, and seconded by Councilmember \_\_\_\_\_, and carried by the following vote at the City Council meeting held on February 23, 2015.

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

\_\_\_\_\_  
Rudy Mendoza, Mayor

ATTEST:

\_\_\_\_\_  
Irene Zacarias, City Clerk

Memorandum of Understanding between  
Woodlake Police Officers' Association  
Affiliated with Teamsters Union Local 856  
And  
The City of Woodlake

**ARTICLE 1  
INTRODUCTION**

**Section 1 - Purpose**

This Memorandum of Understanding, hereinafter referred to as "MOU", entered into by the City of Woodlake, hereinafter referred to as "City", and the Woodlake Police Officers Association-affiliated with Teamsters Union Local 856, hereinafter referred to as "Union", has as its purpose the setting forth of the full and entire understanding of the parties regarding the matters set forth herein, reached as a result of good faith negotiations regarding wages, hours, and other terms and conditions of employment of the employees covered hereby. Pursuant to Government Code section 3505.1, this MOU is jointly submitted to the City Council and recommended for approval.

**Section 2 - Full Understanding, Modifications, Waiver**

A. This Memorandum of Understanding sets forth the full and entire understanding of the parties regarding the matters set forth herein and any other prior or existing understanding or MOU's by the parties whether formal or informal, regarding any such matters are hereby superseded or terminated in their entirety.

B. Except as specifically provided herein, it is agreed and understood that each party hereto voluntarily and unqualifiedly waives its right and agrees that the other shall not be required to negotiate with respect to any subject or matter covered herein during the term of this MOU.

C. No agreement, alteration, understanding, variation, waiver, or modification of any of the terms or provisions contained herein shall in any manner be binding upon the parties hereto unless made and executed in writing by all parties hereto and, if required, approved by the City Council.

D. The waiver or breach of any term or condition of this MOU by either party shall not constitute a precedent in future enforcement of all its terms and provisions.

E. Existing practices and/or benefits within the scope of representation per the Meyers Miliias-Brown Act (Government Code §3500, et seq.), which are not referenced in this Memorandum of Understanding, shall continue without change unless modified or abolished pursuant to the meet and confer process.

Memorandum of Understanding between  
Woodlake Police Officers' Association  
Affiliated with Teamsters Union Local 856  
And  
The City of Woodlake

**ARTICLE 2  
NON-DISCRIMINATION**

The City and the Union agree that each shall not discriminate in any aspect of employment or membership based on political affiliation, race, religious creed, color, national origin, ancestry, sex, marital status, sexual orientation, age, medical condition or physical disability.

**ARTICLE 3  
RECOGNITION**

**Section 1 - Definition of Bargaining Unit**

The City hereby recognizes The Woodlake Police Officers' Association - affiliated with Teamsters Union Local 856, as the sole and exclusive collective bargaining agent for the unit consisting of all Police Officers and Sergeants within the Woodlake Police Department. This recognition does not include all management employees, clerks, temporary employees and part-time employees.

**Section 2 - New and/or Changed Classifications**

If new classifications are established by the City and added to the bargaining unit or if the duties of existing classifications are substantially changed, a proposed wage scale shall be assigned thereto, and the City shall forward the new or changed class and proposed wage to the Union for review. The MOU will then be subject to reopening for the sole purpose of negotiating a wage for the class, and only if so requested by the Union.

**ARTICLE 4  
UNION SECURITY**

**Section 1**

It is agreed that upon the City Council's approval of this MOU, Association dues and other deductions, as may be properly requested, and lawfully permitted, shall be deducted in accordance with the provisions of applicable State law on a bi-weekly basis by the City from the salary of each employee within the unit who files with the City a written authorization requesting the deductions be made. Remittance of the aggregate amount of all Association deductions made from salaries of employees within the unit shall normally be made to the Association by the City within fifteen (15) days after the end of the month.

**Section 2**

During the term of this MOU, the City agrees that it will not lock out employees, and Union agrees that it will not engage in, encourage, or approve any strike, slowdown, sickout or other work stoppage growing out of any dispute relating to the terms of the MOU. Union will take

Memorandum of Understanding between  
Woodlake Police Officers' Association  
Affiliated with Teamsters Union Local 856  
And  
The City of Woodlake

whatever lawful and reasonable steps necessary to prevent any interruption of work in violation of this MOU, recognizing with City that all matters of controversy within the scope of the MOU shall be settled by the grievance procedure contained in City's Personnel Rules.

**ARTICLE 5**  
**RIGHTS OF PARTIES**

**Section 1 - Employee Rights**

- A. Employees shall also have the right to refuse to join or participate in any employee organization.
- B. No person, in the City or Union, shall directly or indirectly interfere with, restrain, coerce, or discriminate against any employee or group of employees in the free exercise of their right to organize and designate representatives of their own choosing for the purpose of collective bargaining in accordance with the Meyers Milius-Brown Act, or in the free exercise of any other right under this MOU.
- C. The provisions of this MOU shall be applied equally to all employees without discrimination as to age, sex, disability, marital status, religion, race, color, creed, or national origin.
- D. Any reference in this document to gender is to be construed as applying to both female and male employees.
- E. No person shall directly or indirectly interfere with, restrain, coerce, or discriminate against any employee in the free and lawful exercise of their right of free speech except when acting as an agent or employee of the City in areas deemed confidential by law.

**Section 2 - Employer Rights**

- A. Determine the mission of the Police Department.
- B. Set standards of service.
- C. Determine the standards of selection for employment.
- D. Direct employees.
- E. Take for cause disciplinary action against employees.
- F. Determine the means, methods and personnel of which operations are to be conducted.
- G. Exercise management, control and discretion over the organization and its employees.
- H. Exercise control and management over all information technology and any other City equipment.

Memorandum of Understanding between  
Woodlake Police Officers' Association  
Affiliated with Teamsters Union Local 856  
And  
The City of Woodlake

**ARTICLE 6  
UNION BUSINESS**

**Section 1 – Union Activity**

Members of the bargaining unit selected to serve as authorized representatives of the Union shall be certified in writing to the City. Each representative will be expected to perform their duties as a representative of the Union on their own time. However, it is recognized that from time to time it may be necessary for Union activities to be carried on during working hours. Where such activities are necessarily or reasonably to be performed during working hours, they may be done without loss of pay to the representative involved, provided the representative notifies his on-duty supervisor, prior to taking time from duty to engage in Union activity. All Union activity will be reported on an appropriate time reporting form provided by Management.

**Section 2 - Negotiating Team**

Not more than two (2) members of the Union's negotiating team shall be allowed to attend and travel to and from collective bargaining negotiations. If a negotiations session is scheduled on the regular workday of a member, the member may request time off duty to attend the session.

**Section 3 - Management-Labor Meetings**

The Police Chief, or designee, shall meet quarterly, if necessary, with representatives of the Union. The purpose of said meetings is to informally discuss matters of concern and/or interest to either party. One union representative shall be permitted on-duty time for these brief meetings at the discretion of the Chief of Police.

**Section 4 - Attendance at Hearings**

If a hearing is scheduled on the regular workday of a member, the member may request time off-duty to attend the session.

**ARTICLE 7  
ACCESS TO CITY FACILITIES AND INFORMATION**

**Section 1 - Access by Non-Employee Union Representatives**

Authorized non-employee Union representatives may be given access to non-secure work locations during working hours to investigate and process grievances or post bulletins on the bulletin board(s) without unreasonable interference with employee work. The Union shall give the department head and the City Administrator a written list of such authorized Union Representatives. Only those people whose names appear on the current list shall be granted access under this provision.

Memorandum of Understanding between  
Woodlake Police Officers' Association  
Affiliated with Teamsters Union Local 856  
And  
The City of Woodlake

**Section 2 - Access to Recruits**

The Union Representative may request off-duty time to meet with the new bargaining unit member to provide education to each employee of the rights and benefits under the MOU, as well as other Union benefits.

**Section 3 - Access to City Information**

The City shall make available to the Union, upon its reasonable request, any existing information, statistics and records relevant to negotiations or necessary for proper enforcement of the terms of this MOU.

**Section 4 - Access to City Communications System**

The City's interdepartmental email service may not be used for communication between employees who are represented by the Union and the paid staff of the Union's officers or officials.

**Section 5 - Notice of City Council Meetings**

The City will make available to the Union a copy of each of the City Council's regular public meeting agendas in advance of the regular Council meeting.

**Section 6 - Ballot Boxes**

The Union may be permitted, with the prior notification to and approval of the Chief of Police, to place ballot boxes at Police Headquarters for the purpose of collecting members' ballots on all Union issues subject to ballot, except those regarding job actions. Such boxes shall be the property of the Union and neither the ballot boxes nor the ballots shall be subjected to the City's review.

**ARTICLE 8  
DISCIPLINE AND DISCHARGE**

The City of Woodlake Employee Handbook Personnel Rule No. 13 Discipline and Discharge, is incorporated herein by reference as though it was fully set out within this Article 8.

**ARTICLE 9  
SENIORITY**

**Section 1 - Overall Seniority**

"Seniority" for the purposes of vacation accrual shall be computed on the basis of total uninterrupted length of continuous service with the City. Such seniority shall hereinafter be defined as "Department Seniority."

## **Section 2 - Department Seniority**

Department seniority is defined as an employee's most recent period of unbroken, continuous service with the Police Department. Officers shall not attain department seniority until completion of the required probationary period, at which time department seniority shall relate back to the commencement of the most recent period of continuous employment with the Police Department.

## **Section 3 - Classification Seniority**

Classification seniority is defined as the period of most recent continuous service in the officer's classification. Officers shall not attain classification seniority until completion of the probationary period in the classification, at which time classification seniority shall relate back to the most recent date of appointment to such classification.

## **Section 4 - Ties in Seniority**

Whenever two (2) or more officers have the same hire date, the order of seniority shall be determined by lottery selection. The names of all officers having the same hire date will be drawn at random, one (1) name at a time until all names are drawn. The order of selection shall determine the order of seniority, with the officer whose name is drawn first having the greater seniority. Lottery selection will be made by the Chief or his/her representative in the presence of a Union representative.

## **Section 5 - Forfeiture of Seniority**

An officer shall forfeit seniority rights only for the following reasons:

- A. The officer resigned and has not been reinstated within one (1) year of the date of resignation;
- B. The officer is dismissed and is not reinstated;
- C. The officer is absent without leave for a period of five (5) scheduled working days or more. Exceptions to this may be made by the City on the grounds of good cause for failure to report;
- D. The officer retires on a regular service retirement;
- E. If following a layoff, the officer fails or refuses to notify the Department of his/her intention to return to work within ten (10) calendar days from the date written notice of such recall is sent, by certified mail, to their last known address on record with the Department or having notified the Department of their intent to return to work, fails to report for duty on or before said tenth calendar day or effective day of the notice to return to work whichever is later. Exceptions to this may be made by the City on the grounds of good cause for failure to notify or report. The officer will be

Memorandum of Understanding between  
Woodlake Police Officers' Association  
Affiliated with Teamsters Union Local 856  
And  
The City of Woodlake

advised during layoff processing of the necessity of a current address on record with the Department.

**Section 6 - Seniority Credits**

A. In computing seniority, credit shall be given for all classified service in the Police Department except that a resignation or discharge shall be considered a break in service and seniority credit shall not be given for any service rendered prior to that break.

B. Seniority credits for periods of absence from one class in order to temporarily fill in another position shall be credited in the former position.

C. Seniority credit shall be allowed upon return from absence, from a position in the classified service, as a result of disability retirement, not to exceed three years. This seniority credit shall be used only in the computation of shift selection, days off, annual leave selection, layoffs and seniority points on promotion.

D. In the event an officer is separated from the Department as a result of disciplinary action and subsequently reinstated to his/her position, as a result of arbitration, commission or court decisions, his/her seniority shall be maintained from the original date of hire unless the arbitrator, commission or court orders otherwise.

**ARTICLE 10  
COMPENSATION**

**Section 1 – Salaries**

Effective July 1, 2015 through June 30, 2017 the base salary of employees covered in this MOU shall be as follows:

| Step            | A       | B       | C       | D       | E       |
|-----------------|---------|---------|---------|---------|---------|
| Sergeants       | \$4,938 | \$5,185 | \$5,444 | \$5,716 | \$6,002 |
| Police Officers | \$3,618 | \$3,835 | \$4,065 | \$4,309 | \$4,740 |

**Section 2 - Bilingual Pay**

Any Sergeant or Police Officer who passes a written and verbal bilingual pay certification exam for the Spanish language will be compensated (\$50) per month.

Memorandum of Understanding between  
Woodlake Police Officers' Association  
Affiliated with Teamsters Union Local 856  
And  
The City of Woodlake

**Section 3 - Detective Pay**

Those employees regularly assigned to Investigations shall receive One Hundred and Fifty Dollars (\$150.00) per month in addition to their regular pay.

**Section 4 – K-9 Unit Officers**

Those employees regularly assigned as an acting K-9 Unit Police Officer, shall receive One Hundred and Fifty Dollars (\$150.00) per month in addition to their regular pay.

**Section 5 - Life Insurance**

A (\$50,000) Life Insurance policy shall be provided to each employee, the cost of which shall be borne by the City.

**Section 6 – Deferred Compensation**

The City of Woodlake will match up to (\$25) a month towards employees Deferred Compensation Section 457 program.

**Section 7 – Field Training Officer Pay**

Those employees, certified for Field Training Officer duty, shall receive (\$100) per new assigned trainee, to a maximum pay limit of five trainees per fiscal year. Payment should be included in the first paycheck after training has been conducted.

**ARTICLE 11  
COURT APPEARANCES AND CALLBACKS**

**Section 1 - Court Appearances**

When an employee is required to appear in court as a result of his or her official duties, during the employee's non-scheduled work period, the employee shall receive, at the employee's option, a minimum of two (2) hours pay or compensatory time off at the rate of one and one-half (1.5) the employee's regular rate of pay.

**Section 2 - Call Out Time**

Call out time is defined as when an employee is called back to work after the completion of a normal work day to perform work for the Department, except when an employee is called to work one hour or less prior to the employee's work schedule. When an employee is called out to work, the employee shall receive, at the employee's option, a minimum of two (2) hours pay or compensatory time off at the rate of one and one-half (1.5) the employee's regular rate of

Memorandum of Understanding between  
Woodlake Police Officers' Association  
Affiliated with Teamsters Union Local 856  
And  
The City of Woodlake

pay.

**ARTICLE 12  
CLOTHING and EQUIPMENT**

**Section 1**

The City shall provide an initial set of uniforms and equipment as needed for all newly hired officers, covered in this MOU, at the discretion of the Chief of Police. Effective July 1, 2015, an allowance shall be paid to all current full time employees covered by this MOU, in the amount of One Thousand Dollars (\$1,000.00). Any employee with less than one year of continuous service by January 1, 2016, with the City of Woodlake, shall be paid an allowance on a pro-rated basis.

A. A \$500 check to be issued in January and a \$500 check to be issued in June, for a fiscal year total of \$1,000, to each employee covered in this memorandum.

**Section 2**

The City agrees to repair or replace both personal and City-owned uniforms, equipment and property damaged or destroyed on duty, unless gross negligence can be shown on the part of the officer. Repair or replacement expenses shall not exceed usual and customary costs; receipts will be required prior to payment by the City.

**Section 3**

Body armor shall be provided by the City to Safety Employees and replaced upon expiration date or damage not caused by gross negligence of the employee.

**ARTICLE 13  
HEALTH PLAN**

Effective July 1, 2015, the City will provide health, dental, vision, and life insurance plans for members of this bargaining unit through private providers.

The City and Union understand that the insurance rates are based on member, member plus 1, and member plus 2 or more.

The City will pay the member's health, dental, vision, and life insurance premiums less \$100.00 per month for member plus 1, or less \$200.00 per month for member plus 2 enrollments towards member health insurance costs. If a member waives his/her insurance benefits, any unused amounts can be applied towards the member's Deferred Compensation Section 457 program.

Memorandum of Understanding between  
Woodlake Police Officers' Association  
Affiliated with Teamsters Union Local 856  
And  
The City of Woodlake

**ARTICLE 14  
RETIREMENT**

Employees shall be provided retirement benefits under the State Public Employees Retirement System (PERS) as follows:

- Public Safety Employees      2% @ 55 formula
- Public Safety Employees      2% @ 57 formula beginning January 1, 2013 for new hires.
- Non-Safety Employees        2% @ 55 formula
- Non-Safety Employees        2% @ 62 formula beginning January 1, 2013 for new hires.

The employee is responsible for their PERS contribution.

**ARTICLE 15  
HOLIDAYS**

The City of Woodlake Employee Handbook Personnel Rule No. 17 Holidays, is incorporated herein by reference as though it was fully set out within this Article 15. In the event the City is unable to schedule holidays and an employee is subject to loss of accrued earnings, the employee shall be allowed to be compensated for the earnings before the end of the fiscal year.

**ARTICLE 16  
VACATION**

The City of Woodlake Employee Handbook Personnel Rule No. 18 Vacation, is incorporated herein by reference as though it was fully set out within this Article 16.

**ARTICLE 17  
OVERTIME PROVISIONS**

**Section 1 - Overtime Hours**

Employees will receive overtime compensation for all hours worked over eighty (80) in a pay period, except for provisions stated previously in Article 11, Section 1 Court Appearances. All overtime hours worked must be approved by a supervisor.

Those employees assigned to an alternate work schedule, such as 3/12 and a 4/11 in a two week pay period will be compensated overtime pay at 1 ½ times for hours worked over a 80 hours in a two (2) week pay period.

**Section 2 - Overtime Compensation**

Memorandum of Understanding between  
Woodlake Police Officers' Association  
Affiliated with Teamsters Union Local 856  
And  
The City of Woodlake

Employees working overtime hours will be compensated in one of two ways: overtime pay or compensatory time off. They both will be paid at 1-1/2 times the regular pay rate or compensatory time off rate for each hour worked.

Employees may choose to take either Compensatory Time Off or Overtime Pay for all hours worked in excess of eighty hours (80) in a pay period.

**Section 3 - Compensatory Time Off**

Employees can accrue compensatory time off for overtime hours worked. Employees shall submit compensatory time off requests as far in advance as possible. Employees may accrue up to 60 hours of compensatory time off. In order to maintain a balance below the maximum of 60 hours, the Police Chief may require the employee to use accrued compensatory time.

**ARTICLE 18  
HOURS OF WORK**

Each week of service shall consist of five (5) eight (8)-hour workdays, or four (4) ten (10)-hour workdays, or four (4) eleven (11)-hour workdays, or three (3) twelve (12)-hour workdays or one week with three (3) twelve (12)-hour workdays alternating with a week consisting of two (2) twelve (12)-hour workdays and two (2) ten (10)-hour workdays. Significant efforts shall be made by the City to ensure continuous days off when possible. The Chief shall have authority to modify any of these schedules where necessary to meet the Department's needs.

**ARTICLE 19  
SEVERABILITY OF PROVISIONS**

In the event that any provision of this MOU is declared by a court of competent jurisdiction to be illegal or unenforceable, that provision of the MOU shall be null and void but such nullification shall not affect any other provision of this MOU, all of which shall remain in full force and effect.

Memorandum of Understanding between  
Woodlake Police Officers' Association  
Affiliated with Teamsters Union Local 856  
And  
The City of Woodlake

**ARTICLE 20**  
**TERM OF AGREEMENT**

**Section 1**

This Memorandum of Understanding is made this 23rd day of February 2015, by the City of Woodlake and the Woodlake Police Officers' Association - affiliated with Teamsters Union Local 856.

**Section 2**

The term of this MOU shall be July 1, 2015, through June 30, 2017. This MOU shall apply to employees within job classifications covered by this MOU and in the City's active employment on the effective date of this MOU and thereafter.

**Section 3**

Ninety (90) days prior to the termination of this MOU, the Union or City shall notify the other party in writing if it wishes to modify the MOU. In the event that such notice is given, negotiations shall begin as soon as possible after the notice but not later than March 1, 2017. This Agreement shall remain in full force and be effective during the period of negotiations and until written notice of termination of this MOU is provided to the other party.

Ratified by the members of the Woodlake Police Officers' Association on \_\_\_\_\_,

For WPOA/Teamsters Union Local 856:

For the City of Woodlake:

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

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

# City of Woodlake

## AGENDA ITEM IV-F

February 23, 2015

Prepared by Irene Zacarias, City Staff

### SUBJECT:

**Action:** Adoption of Resolution: Requesting the Use of State Route 245 and/or State Route 216 for the Woodlake Unified School District, Woodlake Valley Chamber of Commerce, Kiwanis of Woodlake, Woodlake Lions Club, Woodlake Rotary and The Homegrown Project Events.

### BACKGROUND:

Traditionally the City of Woodlake allows various service groups to hang a banner displaying their event's information and/or close down SR-245 and SR-216 when requested.

### DISCUSSION:

The City of Woodlake will need to apply for encroachment permits with Caltrans to allow the display of banners and temporary shutdown of SR-245 and SR-216 on the following dates:

| <u>EVENT</u>   | <u>DATE OF HIGHWAY CLOSURE</u> | <u>INSTALLATION OF BANNER</u>                          |
|--|--------------------------------|--|
| Kiwanis Soap Box Car Derby   | May 6, 2015                    | None   |
| Woodlake Lions Club Parade   | May 9, 2015                    | April 23 <sup>rd</sup> – May 15 <sup>th</sup>          |
| Homegrown Mariachi Fest  | September 13, 2015             | September 7 <sup>th</sup> – September 16 <sup>th</sup> |
| Woodlake Lions Club Brewfest                                       | October 10, 2015               | October 5 <sup>th</sup> – October 12 <sup>th</sup>     |
| Woodlake Rotary Club<br>National Child Abuse<br>(Prevention Month) | None                           | March 30 <sup>th</sup> – April 30 <sup>th</sup>        |
| July 3 <sup>rd</sup> Blast   | July 3, 2015                   | June 30 <sup>th</sup> – July 6 <sup>th</sup>           |
| Christmas Decoration   | None                           | December 1 <sup>st</sup> – January 5 <sup>th</sup>     |
| Homegrown Christmas Parade   | December 12, 2015              | November 21 <sup>st</sup> – December 15 <sup>th</sup>  |

### RECOMMENDATIONS:

Staff recommends that the City adopt the resolution and allow for staff to apply for the necessary encroachment permits.

### FISCAL IMPACT:

There is no fiscal impact.

**ATTACHMENTS:**

1. Resolution: Requesting the Use of State Route 245 and/or State Route 216 for the Woodlake Unified School District, Woodlake Valley Chamber of Commerce, Kiwanis of Woodlake, Woodlake Lions Club, Woodlake Rotary Club and The Homegrown Project Events

BEFORE THE CITY COUNCIL  
OF THE CITY OF WOODLAKE  
COUNTY OF TULARE  
STATE OF CALIFORNIA

In the matter of:

REQUESTING THE USE OF STATE ROUTE 245            )  
AND/OR SR 216 FOR THE WOODLAKE UNIFIED        )  
SCHOOL DISTRICT, WOODLAKE VALLEY            )  
CHAMBER OF COMMERCE, KIWANIS OF            )  
WOODLAKE, WOODLAKE LIONS CLUB,            )  
WOODLAKE ROTARY AND THE HOMEGROWN        )  
PROJECT    )

Resolution No.

Councilmember \_\_\_\_\_, offered the following resolution and moved its adoption. Request the use of State Route 245 and/or State Route 216 for the Woodlake Unified School District, Woodlake Valley Chamber of Commerce, Kiwanis of Woodlake, Woodlake Lions Club, Woodlake Rotary and The Homegrown Project events.

WHEREAS, the City of Woodlake allows various service groups to hang a banner displaying their event’s information; and

WHEREAS, the City of Woodlake must apply for encroachment permits with Caltrans to allow the display of banners; and

WHEREAS, the City of Woodlake must apply for encroachment permits with Caltrans to allow the temporary closure of state routes; and

WHEREAS, the City Council of the City of Woodlake hereby request’s permission of the California Division of Highways to conduct the following events on SR 245 and/or SR 216 in the City of Woodlake on the following dates and time:

| <u>EVENT</u>                               | <u>DATE OF HIGHWAY CLOSURE</u> | <u>INSTALLATION OF BANNER</u>                          |
|--|--------------------------------|--|
| Kiwanis Soap Box Car Derby                 | May 6, 2015                    | None   |
| Woodlake Lions Club Parade                 | May 9, 2015                    | April 23 <sup>rd</sup> – May 15 <sup>th</sup>          |
| Homegrown MariachiFest                     | September 13, 2015             | September 7 <sup>th</sup> – September 16 <sup>th</sup> |
| Woodlake Lions Brewfest                    | October 10, 2015               | October 5 <sup>th</sup> – October 12 <sup>th</sup>     |
| Woodlake Rotary Club                       |                                |  |
| National Child Abuse<br>(Prevention Month) | None                           | March 30 <sup>th</sup> – April 30 <sup>th</sup>        |
| July 3 <sup>rd</sup> Blast                 | July 3, 2015                   | June 22 <sup>nd</sup> – July 6 <sup>th</sup>           |
| Christmas Decoration                       | None                           | December 1 <sup>st</sup> – January 5 <sup>th</sup>     |
| Woodlake Christmas Parade                  | December 12, 2015              | November 23 <sup>rd</sup> - December 14 <sup>th</sup>  |

The foregoing resolution was adopted upon a motion of Councilmember  
and seconded by Councilmember ., and carried by the following vote  
at the City Council meeting held on February 23, 2015.

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

-----  
Rudy Mendoza, Mayor

ATTEST:

-----  
Irene Zacarias, City Clerk

# City of Woodlake

## **AGENDA ITEM IV-G**

**February 23, 2015**

**Prepared by Irene Zacarias, City Staff**

### **SUBJECT:**

**Action:** Adoption of Resolution: Amendment of Personnel Policy Rule No 29.5, Zero Tolerance Drug and Alcohol Testing Policy

### **BACKGROUND:**

The City of Woodlake needs to comply with the United States Department of Transportation regulations implementing the Federal Omnibus Transportation Employee Testing Act of 1991. Specifically, the City needs to comply with the regulations of the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA). Adoption of policy is one of the City's obligations under the regulations.

### **DISCUSSION:**

The City of Woodlake is dedicated to providing a safe drug and alcohol-free work environment. The City of Woodlake will also ensure that the workplace remains free from the effects of drugs and alcohol in order to promote the health and safety of employees and the general public. The City of Woodlake declares that the unlawful manufacture, distribution, dispense, possession, or use of controlled substance or misuse of alcohol is prohibited for all employees.

The City of Woodlake encourages employees to seek professional assistance anytime personal problems, including alcohol or drug dependency; adversely affect their ability to perform their assigned duties.

Employees shall refer any questions regarding his/her rights and obligations under this policy or under the new regulation to the Personnel Officer or his/her designee.

### **RECOMMENDATIONS:**

Staff recommends that Council approve the resolution amending the Personnel Policy Rule No. 29.5, Zero Tolerance Drug and Alcohol Testing Policy.

### **FISCAL IMPACT:**

There is no fiscal impact.

**ATTACHMENTS:**

1. Resolution: Approval of Amendment to Personnel Policy Rule No 29.5, Zero Tolerance Drug and Alcohol Testing Policy
2. Personnel Rule No. 29.5, Zero Tolerance Drug and Alcohol Testing Policy

BEFORE THE CITY COUNCIL  
OF THE CITY OF WOODLAKE  
COUNTY OF TULARE  
STATE OF CALIFORNIA

In the matter of:

|                           |   |                |
|---------------------------|---|----------------|
| APPROVAL OF RESOLUTION    | ) | Resolution No. |
| AMENDMENT OF PERSONNEL    | ) |                |
| POLICY RULE NO. 29.5 ZERO | ) |                |
| TOLERANCE ALCOHOL         | ) |                |
| TESTING POLICY            | ) |                |

Councilmember \_\_\_\_\_, offered the following resolution and moved its adoption. Amendment of Personnel Policy Rule No. 29.5, Zero Tolerance Drug and Alcohol Testing Policy.

WHEREAS, the City of Woodlake is dedicated to providing safe, dependable and economical employees to the citizens of Woodlake;

WHEREAS, the City of Woodlake assures that employees are not impaired in their ability to perform assigned duties in a safe, productive and healthy manner;

WHEREAS, the City of Woodlake creates a work place environment free from the adverse effects of drug and alcohol substance abuse;

WHEREAS, the City of Woodlake encourages employees to seek professional assistance anytime personal problems, including alcohol or drug dependency; adversely affect their ability to perform their assigned duties.

NOW, THEREFORE, THE CITY OF WOODLAKE DOES RESOLVE to approve the resolution amending the Personnel Policy Rule No. 29.5, Zero Tolerance Drug and Alcohol Testing Policy.

The foregoing resolution was adopted upon a motion of Councilmember \_\_\_\_\_, and seconded by Councilmember \_\_\_\_\_, and carried by the following vote at the City Council meeting held on February 23, 2015.

- AYES:
- NOES:
- ABSTAIN:
- ABSENT:

\_\_\_\_\_  
Rudy Mendoza, Mayor

ATTEST:

\_\_\_\_\_  
Irene Zacarias, City Clerk

**ZERO TOLERANCE  
DRUG AND ALCOHOL TESTING POLICY  
City of Woodlake  
Adopted as of February 23, 2015**

**A. PURPOSE**

- 1) The City of Woodlake provides public transit and paratransit services for the residents of *the City of Woodlake*. Part of our mission is to ensure that this service is delivered safely, efficiently, and effectively by establishing a drug and alcohol-free work environment, and to ensure that the workplace remains free from the effects of drugs and alcohol in order to promote the health and safety of employees and the general public. In keeping with this mission, the City of Woodlake declares that the unlawful manufacture, distribution, dispense, possession, or use of controlled substances or misuse of alcohol is prohibited for all employees.
- 2) Additionally, the purpose of this policy is to establish guidelines to maintain a drug and alcohol-free workplace in compliance with the Drug-Free Workplace Act of 1988, and the Omnibus Transportation Employee Testing Act of 1991. This policy is intended to comply with all applicable Federal regulations governing workplace anti-drug and alcohol programs in the transit industry. Specifically, the Federal Transit Administration (FTA) of the U.S. Department of Transportation has published 49 CFR Part 655, as amended, that mandates urine drug testing and breath alcohol testing for safety-sensitive positions, and prohibits performance of safety-sensitive functions when there is a positive test result. The U. S. Department of Transportation (USDOT) has also published 49 CFR Part 40, as amended, that sets standards for the collection and testing of urine and breath specimens.
- 3) Any provisions set forth in this policy that are included under the sole authority of the City of Woodlake and are not provided under the authority of the above named Federal regulations are underlined. Tests conducted under the sole authority of the City of Woodlake will be performed on non-USDOT forms and will be separate from USDOT testing in all respects.

**B. APPLICABILITY**

This Drug and Alcohol Testing Policy applies to all safety-sensitive employees (full- or part-time) when performing safety sensitive duties the City of Woodlake employees that do not perform safety-sensitive functions are also covered under this policy under the sole authority of the City of Woodlake. See Attachment A for a list of employees and the authority under which they are included.

A safety-sensitive function is operation of public transit service including the operation of a revenue service vehicle (whether or not the vehicle is in revenue service), maintenance of a revenue service vehicle or equipment used in revenue service, security personnel who carry firearms, dispatchers or persons controlling the movement of revenue service vehicles and any transit employee who operates a vehicle that requires a Commercial Drivers License to operate. Maintenance functions include the repair, overhaul, and rebuild of engines, vehicles and/or equipment used in revenue service. A list of safety-sensitive positions who perform one or more of the above mentioned duties is provided in Attachment A. Supervisors are only safety sensitive if they perform one of the above functions. Volunteers are considered safety sensitive and subject to testing if they are required to hold a CDL, or receive remuneration for service in excess of actual expense.

### **C. DEFINITIONS**

*Accident:* An occurrence associated with the operation of a vehicle even when not in revenue service, if as a result:

- a. An individual dies;
- b. An individual suffers a bodily injury and immediately receives medical treatment away from the scene of the accident; or,
- c. One or more vehicles incur disabling damage as the result of the occurrence and is transported away from the scene by a tow truck or other vehicle. For purposes of this definition, *disabling damage* means damage which precludes departure of any vehicle from the scene of the occurrence in its usual manner in daylight after simple repairs. Disabling damage includes damage to vehicles that could have been operated but would have been further damaged if so operated, but does not include damage which can be remedied temporarily at the scene of the occurrence without special tools or parts, tire disablement without other damage even if no spare tire is available, or damage to headlights, taillights, turn signals, horn, or windshield wipers that makes them inoperative.

*Adulterated specimen:* A specimen that has been altered, as evidenced by test results showing either a substance that is not a normal constituent for that type of specimen or showing an abnormal concentration of an endogenous substance.

*Alcohol:* The intoxicating agent in beverage alcohol, ethyl alcohol, or other low molecular weight alcohols contained in any beverage, mixture, mouthwash, candy, food, preparation or medication.

*Alcohol Concentration:* Expressed in terms of grams of alcohol per 210 liters of breath as indicated by a breath test under 49 CFR Part 40.

*Aliquot:* A fractional part of a specimen used for testing, It is taken as a sample representing the whole specimen.

*Canceled Test:* A drug or alcohol test that has a problem identified that cannot be or has not been corrected, or which is cancelled. A canceled test is neither positive nor negative.

*Confirmatory Drug Test:* A second analytical procedure performed on a different aliquot of the original specimen to identify and quantify the presence of a specific drug or metabolite.

*Confirmatory Validity Test:* A second test performed on a different aliquot of the original urine specimen to further support a validity test result.

*Covered Employee Under FTA Authority:* An employee who performs a safety-sensitive function including an applicant or transferee who is being considered for hire into a safety-sensitive function (See Attachment A for a list of covered employees).

*Covered Employee Under Company Authority:* An employee, applicant, or transferee that will not perform a safety-sensitive function as defined by FTA but is included under the company's own authority. (See Attachment A).

*Designated Employer Representative (DER):* An employee authorized by the employer to take immediate action to remove employees from safety-sensitive duties and to make required decisions in testing. The DER also receives test results and other communications for the employer, consistent with the requirements of 49 CFR Parts 40 and 655.

*Department of Transportation (DOT):* For the purposes of Drug and Alcohol regulatory oversight, DOT is the department of the federal government which includes the, Federal Transit Administration, Federal Railroad Administration, Federal Highway Administration, Federal Motor Carriers' Safety Administration, Pipeline & Hazardous Materials Safety Administration, United States Coast Guard, and the Office of the Secretary of Transportation.

*Dilute specimen:* A urine specimen with creatinine and specific gravity values that are lower than expected for human urine.

*Disabling damage:* Damage which precludes departure of any vehicle from the scene of the occurrence in its usual manner in daylight after simple repairs.

Disabling damage includes damage to vehicles that could have been operated but would have been further damaged if so operated, but does not include damage which can be remedied temporarily at the scene of the occurrence without special tools or parts, tire disablement without other damage even if no spare tire is available, or damage to headlights, taillights, turn signals, horn, or windshield wipers that makes them inoperative.

*Evidentiary Breath Testing Device (EBT):* A Device approved by the NHTSA for the evidential testing of breath at the 0.02 and the 0.04 alcohol concentrations. Approved devices are listed on the National Highway Traffic Safety Administration (NHTSA) conforming products list.

*Initial Drug Test: (Screening Drug Test)* The test used to differentiate a negative specimen from one that requires further testing for drugs or drug metabolites.

*Initial Specimen Validity Test:* The first test used to determine if a urine specimen is adulterated, diluted, substituted, or invalid

*Invalid Result:* The result reported by an HHS-certified laboratory in accordance with the criteria established by the HHS Mandatory Guidelines when a positive, negative, adulterated, or substituted result cannot be established for a specific drug or specimen validity test.

*Laboratory:* Any U.S. laboratory certified by HHS under the National Laboratory Certification program as meeting standards of Subpart C of the HHS Mandatory Guidelines for Federal Workplace Drug Testing Programs; or, in the case of foreign laboratories, a laboratory approved for participation by DOT under this part.

*Limit of Detection (LOD):* The lowest concentration at which a measurand can be identified, but (for quantitative assays) the concentration cannot be accurately calculated.

*Limit of Quantitation:* For quantitative assays, the lowest concentration at which the identity and concentration of the measurand can be accurately established.

*Medical Review Officer (MRO):* A licensed physician (medical doctor or doctor of osteopathy) responsible for receiving laboratory results generated by the drug testing program who has knowledge of substance abuse disorders, and has appropriate medical training to interpret and evaluate an individual's confirmed positive test result, together with his/her medical history, and any other relevant bio-medical information.

*Negative Dilute:* A drug test result which is negative for the five drug/drug metabolites but has a specific gravity value lower than expected for human urine.

*Negative result:* The result reported by an HHS-certified laboratory to an MRO when a specimen contains no drug or the concentration of the drug is less than the cutoff concentration for the drug or drug class and the specimen is a valid specimen.

*Non-negative test result:* A urine specimen that is reported as adulterated, substituted, invalid, or positive for drug/drug metabolites.

*Oxidizing Adulterant:* A substance that acts alone or in combination with other substances to oxidize drugs or drug metabolites to prevent the detection of the drug or metabolites, or affects the reagents in either the initial or confirmatory drug test.

*Performing (a safety-sensitive function):* A covered employee is considered to be performing a safety-sensitive function and includes any period in which he or she is actually performing, ready to perform, or immediately available to perform such functions.

*Positive result:* The result reported by an HHS- Certified laboratory when a specimen contains a drug or drug metabolite equal or greater to the cutoff concentrations.

*Prohibited drug:* Identified as marijuana, cocaine, opiates, amphetamines (including ecstasy), or phencyclidine at levels above the minimum thresholds specified in 49 CFR Part 40, as amended.

*Reconfirmed:* The result reported for a split specimen when the second laboratory is able to corroborate the original result reported for the primary specimen.

*Rejected for Testing:* The result reported by an HHS- Certified laboratory when no tests are performed for specimen because of a fatal flaw or a correctable flaw that has not been corrected.

*Revenue Service Vehicles:* All transit vehicles that are used for passenger transportation service.

*Safety-sensitive functions:* Employee duties identified as:

- (1) The operation of a transit revenue service vehicle even when the vehicle is not in revenue service.

- (2) The operation of a non-revenue service vehicle by an employee when the operation of such a vehicle requires the driver to hold a Commercial Drivers License (CDL).
- (3) Maintaining a revenue service vehicle or equipment used in revenue service.
- (4) Controlling the movement of a revenue service vehicle and
- (5) Carrying a firearm for security purposes.

**Split Specimen Collection:** A collection in which the urine collected is divided into two separate bottles, the primary specimen (Bottle A) and the split specimen (Bottle B).

**Substance Abuse Professional (SAP):** A licensed physician (medical doctor or doctor of osteopathy) or licensed or certified psychologist, social worker, employee assistance professional, state-licensed marriage and family therapist, or drug and alcohol counselor (certified by the National Association of Alcoholism and Drug Abuse Counselors Certification Commission or by the International Certification Reciprocity Consortium/Alcohol and other Drug Abuse(ICRC) or by the National Board for Certified Counselors, Inc. and Affiliates/Master Addictions Counselor (NBCC)) with knowledge of and clinical experience in the diagnosis and treatment of drug and alcohol related disorders.

**Substituted specimen:** A urine specimen with creatinine and specific gravity values that are so diminished or so divergent that they are not consistent with normal human urine.

**Test Refusal:** The following are considered a refusal to test if the employee:

- (1) Fails to appear for any test (excluding pre-employment) within a reasonable time, as determined by the employer, after being directed to do so by the employer
- (2) Fails to remain at the testing site until the testing process is complete
- (3) Fails to provide a urine or breath specimen for any drug or alcohol test required by Part 40 or DOT agency regulations
- (4) In the case of a directly observed or monitored collection in a drug test, fails to permit the observation or monitoring of your provision of a specimen
- (5) Fails to provide a sufficient amount of urine or breath when directed, and it has been determined, through a required medical evaluation, that there was no adequate medical explanation for the failure
- (6) Fails or declines to take a second test the employer or collector has directed you to take

- (7) Fails to undergo a medical examination or evaluation, as directed by the MRO as part of the verification process, or as directed by the DER as part of the "shy bladder" or "shy lung" procedures
- (8) Fails to cooperate with any part of the testing process (e.g., refuse to empty pockets when so directed by the collector, behave in a confrontational way that disrupts the collection process)
- (9) If the MRO reports that there is verified adulterated or substituted test result
- (10) Failure or refusal to sign Step 2 of the alcohol testing form
- (11) Failure to follow the observer's instructions during an observed collection including instructions to raise your clothing above the waist, lower clothing and underpants, and to turn around to permit the observer to determine if you have any type of prosthetic or other device that could be used to interfere with the collection process.
- (12) Possess or wear a prosthetic or other device that could be used to interfere with the collection process
- (13) Admit to the collector or MRO that you adulterated or substituted the specimen.

*Vehicle:* A bus, electric bus, van, automobile, rail car, trolley car, trolley bus, or vessel. A public transit vehicle is a vehicle used for public transportation or for ancillary services.

*Verified negative test:* A drug test result reviewed by a medical review officer and determined to have no evidence of prohibited drug use above the minimum cutoff levels established by the Department of Health and Human Services (HHS).

*Verified positive test:* A drug test result reviewed by a medical review officer and determined to have evidence of prohibited drug use above the minimum cutoff levels specified in 49 CFR Part 40 as revised.

*Validity testing:* The evaluation of the specimen to determine if it is consistent with normal human urine. Specimen validity testing will be conducted on all urine specimens provided for testing under DOT authority. The purpose of validity testing is to determine whether certain adulterants or foreign substances were added to the urine, if the urine was diluted, or if the specimen was substituted.

#### **D. EDUCATION AND TRAINING**

- 1) Every covered employee will receive a copy of this policy and will have ready access to the corresponding federal regulations including 49 CFR Parts 655 and 40, as amended. In addition, all covered employees will

undergo a minimum of 60 minutes of training on the signs and symptoms of drug use including the effects and consequences of drug use on personal health, safety, and the work environment. The training also includes manifestations and behavioral cues that may indicate prohibited drug use.

- 2) All supervisory personnel or company officials who are in a position to determine employee fitness for duty will receive 60 minutes of reasonable suspicion training on the physical, behavioral, and performance indicators of probable drug use and 60 minutes of additional reasonable suspicion training on the physical, behavioral, speech, and performance indicators of probable alcohol misuse.

## **E. PROHIBITED SUBSTANCES**

- 1) Prohibited substances addressed by this policy include the following.
  - a. Illegally Used Controlled Substance or Drugs Under the Drug-Free Workplace Act of 1988 any drug or any substance identified in Schedule I through V of Section 202 of the Controlled Substance Act (21 U.S.C. 812), and as further defined by 21 CFR 1300.11 through 1300.15 is prohibited at all times in the workplace unless a legal prescription has been written for the substance. This includes, but is not limited to: marijuana, amphetamines (including methamphetamine and ecstasy), opiates (including heroin), phencyclidine (PCP), and cocaine, as well as any drug not approved for medical use by the U.S. Drug Enforcement Administration or the U.S. Food and Drug Administration. Illegal use includes use of any illegal drug, misuse of legally prescribed drugs, and use of illegally obtained prescription drugs. Also, the medical use of marijuana, or the use of hemp related products, which cause drug or drug metabolites to be present in the body above the minimum thresholds is a violation of this policy

Federal Transit Administration drug testing regulations (49 CFR Part 655) require that all employees covered under FTA authority be tested for marijuana, cocaine, amphetamines (including methamphetamine and ecstasy), opiates (including heroin), and phencyclidine as described in Section H of this policy. Employees covered under company authority will also be tested for these same substances. Illegal use of these five drugs is prohibited at all times and thus, covered employees may be tested for these drugs anytime that they are on duty.

- b. Legal Drugs: The appropriate use of legally prescribed drugs and non-prescription medications is not prohibited. However, the use of any substance which carries a warning label that indicates that mental functioning, motor skills, or judgment may be adversely affected must be reported to a City of Woodlake supervisor and the employee is required to provide a written release from his/her doctor or pharmacist indicating that the employee can perform his/her safety-sensitive functions.
- c. Alcohol: The use of beverages containing alcohol (including any mouthwash, medication, food, candy) or any other substances such that alcohol is present in the body while performing safety-sensitive job functions is prohibited. A random or reasonable suspicion alcohol test can only be performed on a covered employee under 49 CFR Part 655 just before, during, or just after the performance of safety-sensitive job functions. Under the City of Woodlake authority, a non-DOT alcohol test can be performed any time an a covered employee is on duty.

## **F. PROHIBITED CONDUCT**

- 1) All covered employees are prohibited from reporting for duty or remaining on duty any time there is a quantifiable presence of a prohibited drug in the body above the minimum thresholds defined in 49 CFR PART 40, as amended.
- 2) Each covered employee is prohibited from consuming alcohol while performing safety-sensitive job functions or while on-call to perform safety-sensitive job functions. If an on-call employee has consumed alcohol, they must acknowledge the use of alcohol at the time that they are called to report for duty. The covered employee will subsequently be relieved of his/her on-call responsibilities and subject to discipline for not fulfilling his/her on-call responsibilities.
- 3) The Transit Department shall not permit any covered employee to perform or continue to perform safety-sensitive functions if it has actual knowledge that the employee is using alcohol
- 4) Each covered employee is prohibited from reporting to work or remaining on duty requiring the performance of safety-sensitive functions while having an alcohol concentration of 0.02 or greater regardless of when the alcohol was consumed.

- 5) No covered employee shall consume alcohol for eight (8) hours following involvement in an accident or until he/she submits to the post-accident drug/alcohol test, whichever occurs first.
- 6) No covered employee shall consume alcohol within four (4) hours prior to the performance of safety-sensitive job functions.
- 7) The City of Woodlake, under its own authority, also prohibits the consumption of alcohol at all times the employee is on duty, or anytime the employee is in uniform.
- 8) Consistent with the Drug-free Workplace Act of 1988, all City of Woodlake employees are prohibited from engaging in the unlawful manufacture, distribution, dispensing, possession, or use of prohibited substances in the work place including transit system premises and transit vehicles.

#### **G. DRUG STATUTE CONVICTION**

Consistent with the Drug Free Workplace Act of 1998, all employees are required to notify the City of Woodlake management of any criminal drug statute conviction for a violation occurring in the workplace within five days after such conviction. Failure to comply with this provision shall result in disciplinary action as defined in Section Q of this policy.

#### **H. TESTING REQUIREMENTS**

- 1) Analytical urine drug testing and breath testing for alcohol will be conducted as required by 49CFR part 40 as amended. All employees covered under FTA authority shall be subject to testing prior to performing safety-sensitive duty, for reasonable suspicion, following an accident, and random as defined in Section K, L, M, and N of this policy, and return to duty/follow-up. All employees covered under company authority will also be subject to testing for reasonable suspicion, post-accident, random and return to duty/follow-up using non-DOT testing forms.
- 2) A drug test can be performed any time a covered employee is on duty. A reasonable suspicion and random alcohol test can be performed just before, during, or after the performance of a safety-sensitive job function. Under the City of Woodlake authority, a non-DOT alcohol test can be performed any time a covered employee is on duty.

- 3) All covered employees will be subject to urine drug testing and breath alcohol testing as a condition of ongoing employment with City of Woodlake. Any safety-sensitive employee who refuses to comply with a request for testing shall be removed from duty and subject to discipline as defined in Section Q of this policy.

## **I. DRUG TESTING PROCEDURES**

- 1) Testing shall be conducted in a manner to assure a high degree of accuracy and reliability and using techniques, equipment, and laboratory facilities which have been approved by the U.S. Department of Health and Human Service (HHS). All testing will be conducted consistent with the procedures set forth in 49 CFR Part 40, as amended. The procedures will be performed in a private, confidential manner and every effort will be made to protect the employee, the integrity of the drug testing procedure, and the validity of the test result.
- 2) The drugs that will be tested for include marijuana, cocaine, opiates (including heroin), amphetamines (including methamphetamine and ecstasy), and phencyclidine. After the identity of the donor is checked using picture identification, a urine specimen will be collected using the split specimen collection method described in 49 CFR Part 40, as amended. Each specimen will be accompanied by a DOT Chain of Custody and Control Form and identified using a unique identification number that attributes the specimen to the correct individual. The specimen analysis will be conducted at a HHS certified laboratory. An initial drug screen and validity test will be conducted on the primary urine specimen. For those specimens that are not negative, a confirmatory Gas Chromatography/Mass Spectrometry (GC/MS) test will be performed. The test will be considered positive if the amounts of the drug(s) and/or its metabolites identified by the GC/MS test are above the minimum thresholds established in 49 CFR Part 40, as amended.
- 3) The test results from the HHS certified laboratory will be reported to a Medical Review Officer. A Medical Review Officer (MRO) is a licensed physician with detailed knowledge of substance abuse disorders and drug testing. The MRO will review the test results to ensure the scientific validity of the test and to determine whether there is a legitimate medical explanation for a confirmed positive, substitute, or adulterated test result. The MRO will attempt to contact the employee to notify the employee of the non-negative laboratory result, and provide the employee with an opportunity to explain the confirmed laboratory test result. The MRO will subsequently review the employee's medical history/medical records as appropriate to determine whether there is a legitimate medical explanation

for a non-negative laboratory result. If no legitimate medical explanation is found, the test will be verified positive or refusal to test and reported to the City of Woodlake Drug and Alcohol Program Manager (DAPM). If a legitimate explanation is found, the MRO will report the test result as negative to the DAPM.

- 4) If the test is invalid without a medical explanation, a retest will be conducted under direct observation. Employees do not have access to a test of their split specimen following an invalid result.
- 5) Any covered employee who questions the results of a required drug test under paragraphs L through P of this policy may request that the split sample be tested. The split sample test must be conducted at a second HHS-certified laboratory. The test must be conducted on the split sample that was provided by the employee at the same time as the primary sample. The method of collecting, storing, and testing the split sample will be consistent with the procedures set forth in 49 CFR Part 40, as amended. The employee's request for a split sample test must be made to the Medical Review Officer within 72 hours of notice of the original sample verified test result. Requests after 72 hours will only be accepted at the discretion of the MRO if the delay was due to documentable facts that were beyond the control of the employee. City of Woodlake will ensure that the cost for the split specimen are covered in order for a timely analysis of the sample, however City of Woodlake will seek reimbursement for the split sample test from the employee.
- 6) If the analysis of the split specimen fails to confirm the presence of the drug(s) detected in the primary specimen, if the split specimen is not able to be analyzed, or if the results of the split specimen are not scientifically adequate, the MRO will declare the original test to be canceled. If the split specimen is not available to analyze the MRO will direct the City of Woodlake to retest the employee under direct observation.
- 7) The split specimen will be stored at the initial laboratory until the analysis of the primary specimen is completed. If the primary specimen is negative, the split will be discarded. If the primary specimen is positive, it will be retained in frozen storage for one year and the split specimen will also be retained for one year. If the primary is positive, the primary and the split will be retained for longer than one year for testing if so requested by the employee through the Medical Review Officer, or by the employer, by the MRO, or by the relevant DOT agency.
- 8) Observed collections

- a. Consistent with 49 CFR part 40, as amended, collection under direct observation (by a person of the same gender) with no advance notice will occur if:
  - i. The laboratory reports to the MRO that a specimen is invalid, and the MRO reports to the City of Woodlake that there was not an adequate medical explanation for the result;
  - ii. The MRO reports to the City of Woodlake that the original positive, adulterated, or substituted test result had to be cancelled because the test of the split specimen could not be performed;
  - iii. The laboratory reported to the MRO that the specimen was negative-dilute with a creatinine concentration greater than or equal to 2 mg/dL but less than or equal to 5 mg/dL, and the MRO reported the specimen to you as negative-dilute and that a second collection must take place under direct observation (see §40.197(b)(1)).
  - iv. The collector observes materials brought to the collection site or the employee's conduct clearly indicates an attempt to tamper with a specimen;
  - v. The temperature on the original specimen was out of range;
  - vi. Anytime the employee is directed to provide another specimen because the original specimen appeared to have been tampered with.
  - vii. All follow-up-tests; or
  - viii. All return-to-duty tests

## **J. ALCOHOL TESTING PROCEDURES**

- 1) Tests for breath alcohol concentration will be conducted utilizing a National Highway Traffic Safety Administration (NHTSA)-approved Evidential Breath Testing device (EBT) operated by a trained Breath Alcohol Technician (BAT). Alcohol screening tests may be performed using a non-evidential testing device which is also approved by NHSTA. If the initial test indicates an alcohol concentration of 0.02 or greater, a second test will be performed to confirm the results of the initial test. The

confirmatory test must occur on an EBT. The confirmatory test will be conducted no sooner than fifteen minutes after the completion of the initial test. The confirmatory test will be performed using a NHTSA-approved EBT operated by a trained BAT. The EBT will identify each test by a unique sequential identification number. This number, time, and unit identifier will be provided on each EBT printout. The EBT printout, along with an approved alcohol testing form, will be used to document the test, the subsequent results, and to attribute the test to the correct employee. The test will be performed in a private, confidential manner as required by 49 CFR Part 40, as amended. The procedure will be followed as prescribed to protect the employee and to maintain the integrity of the alcohol testing procedures and validity of the test result.

- 2) An employee who has a confirmed alcohol concentration of 0.04 or greater will be considered a positive alcohol test and in violation of this policy. The consequences of a positive alcohol test are described in Section Q. of this policy. Even though an employee who has a confirmed alcohol concentration of 0.02 to 0.039 is not considered positive, the employee shall still be removed from duty for at least eight hours or for the duration of the work day whichever is longer and will be subject to the consequences described in Section Q of this policy. An alcohol concentration of less than 0.02 will be considered a negative test.
- 3) The City of Woodlake affirms the need to protect individual dignity, privacy, and confidentiality throughout the testing process. If at any time the integrity of the testing procedures or the validity of the test results is compromised, the test will be canceled. Minor inconsistencies or procedural flaws that do not impact the test result will not result in a cancelled test.
- 4) The alcohol testing form (ATF) required by 49 CFR Part 40 as amended, shall be used for all FTA required testing. Failure of an employee to sign step 2 of the ATF will be considered a refusal to submit to testing.

#### **K. PRE-EMPLOYMENT TESTING**

- 1) All applicants for covered transit positions shall undergo urine drug testing prior to performance of a safety-sensitive function.
  - b. All offers of employment for covered positions shall be extended conditional upon the applicant passing a drug test. An applicant will not be allowed to perform safety-sensitive functions unless the applicant takes a drug test with verified negative results.

- c. An employee shall not be placed, transferred or promoted into a position covered under FTA authority or company authority until the employee takes a drug test with verified negative results.
- d. If an applicant fails a pre-employment drug test, the conditional offer of employment shall be rescinded and the applicant will be referred to a Substance Abuse Professional. Failure of a pre-employment drug test will disqualify an applicant for employment for a period of at least one year. Before being considered for future employment the applicant must provide the employer proof of having successfully completed a referral, evaluation and treatment plan as described in section 655.62 of subpart G. The cost for the assessment and any subsequent treatment will be the sole responsibility of the applicant.
- e. When an employee being placed, transferred, or promoted from a non-covered position to a position covered under FTA authority or company authority submits a drug test with a verified positive result, the employee shall be subject to disciplinary action in accordance with Section Q herein.
- f. If a pre-employment test is canceled, the City of Woodlake will require the applicant to take and pass another pre-employment drug test.
- g. In instances where a FTA covered employee does not perform a safety-sensitive function for a period of 90 consecutive days or more regardless of reason, and during that period is not in the random testing pool the employee will be required to take a pre-employment drug test under 49 CFR Part 655 and have negative test results prior to the conduct of safety-sensitive job functions.
- h. Following a negative dilute the employee will be required to undergo another test. Should this second test result in a negative dilute result, the test will be considered a negative and no additional testing will be required unless directed to do so by the MRO.
- i. Applicants are required (even if ultimately not hired) to provide City of Woodlake with signed written releases requesting FTA drug and alcohol records from all previous, DOT-covered, employers that the applicant has worked for within the last two years. Failure to do so will result in the employment offer being rescinded. *The City of Woodlake* is required to ask all applicants (even if ultimately not

hired) if they have tested positive or refused to test on a pre-employment test for a DOT covered employer within the last two years. If the applicant has tested positive or refused to test on a pre-employment test for a DOT covered employer, the applicant must provide the City of Woodlake proof of having successfully completed a referral, evaluation and treatment plan as described in section 655.62 of subpart G.

#### **L. REASONABLE SUSPICION TESTING**

- 1) All City of Woodlake FTA covered employees will be subject to a reasonable suspicion drug and/or alcohol test when the employer has reasonable suspicion to believe that the covered employee has used a prohibited drug and/or engaged in alcohol misuse. Reasonable suspicion shall mean that there is objective evidence, based upon specific, contemporaneous, articulable observations of the employee's appearance, behavior, speech or body odor that are consistent with possible drug use and/or alcohol misuse. Reasonable suspicion referrals must be made by one or more supervisors who are trained to detect the signs and symptoms of drug and alcohol use, and who reasonably concludes that an employee may be adversely affected or impaired in his/her work performance due to possible prohibited substance abuse or alcohol misuse. A reasonable suspicion alcohol test can only be conducted just before, during, or just after the performance of a safety-sensitive job function. However, under City of Woodlake's authority, a non-DOT reasonable suspicion alcohol test may be performed any time the covered employee is on duty. A reasonable suspicion drug test can be performed any time the covered employee is on duty. All employees covered under the sole authority of the City of Woodlake will also be subject to non-USDOT reasonable suspicion testing procedures modeled off the provisions in 49 CFR Part 40.
  
- 2) The City of Woodlake shall be responsible for transporting the employee to the testing site. Supervisors should avoid placing themselves and/or others into a situation which might endanger the physical safety of those present. The employee shall be placed on administrative leave pending disciplinary action described in Section Q of this policy. An employee who refuses an instruction to submit to a drug/alcohol test shall not be permitted to finish his or her shift and shall immediately be placed on administrative leave pending disciplinary action as specified in Section Q of this policy.

- 3) A written record of the observations which led to a drug/alcohol test based on reasonable suspicion shall be prepared and signed by the supervisor making the observation. This written record shall be submitted to the City of Woodlake
- 4) When there are no specific, contemporaneous, articulable objective facts that indicate current drug or alcohol use, but the employee (who is not already a participant in a treatment program) admits the abuse of alcohol or other substances to a supervisor in his/her chain of command, the employee shall be referred for assessment and treatment consistent with Section Q of this policy. The City of Woodlake shall place the employee on administrative leave in accordance with the provisions set forth under Section Q of this policy. Testing in this circumstance would be performed under the direct authority of the City of Woodlake. **Since the employee self-referred to management, testing under this circumstance would not be considered a violation of this policy or a positive test result under Federal authority.** However, self-referral does not exempt the covered employee from testing under Federal authority as specified in Sections L through N of this policy or the associated consequences as specified in Section Q.

#### **M. POST-ACCIDENT TESTING**

- 1) FATAL ACCIDENTS - All covered employees will be required to undergo urine and breath testing if they are involved in an accident with a transit vehicle regardless of whether or not the vehicle is in revenue service that results in a fatality. This includes all surviving covered employees that are operating the vehicle at the time of the accident and any other whose performance could have contributed to the accident.
- 2) NON-FATAL ACCIDENTS - A post-accident test of the operator will be conducted if an accident results in injuries requiring immediate transportation to a medical treatment facility; or one or more vehicles incurs disabling damage, unless the operator's performance can be completely discounted as a contributing factor to the accident.
  - a. As soon as practicable following an accident, as defined in this policy, the transit supervisor investigating the accident will notify the transit employee operating the transit vehicle and all other covered employees whose performance could have contributed to the accident of the need for the test. The supervisor will make the determination using the best information available at the time of the decision.

- b. The appropriate transit supervisor shall ensure that an employee, required to be tested under this section, is tested as soon as practicable, but no longer than eight (8) hours of the accident for alcohol, and no longer than 32 hours for drugs. If an alcohol test is not performed within two hours of the accident, the Supervisor will document the reason(s) for the delay. If the alcohol test is not conducted within (8) eight hours, or the drug test within 32 hours, attempts to conduct the test must cease and the reasons for the failure to test documented.
- c. Any covered employee involved in an accident must refrain from alcohol use for eight (8) hours following the accident or until he/she undergoes a post-accident alcohol test.
- d. An employee who is subject to post-accident testing who fails to remain readily available for such testing, including notifying a supervisor of his or her location if he or she leaves the scene of the accident prior to submission to such test, may be deemed to have refused to submit to testing.
- e. Nothing in this section shall be construed to require the delay of necessary medical attention for the injured following an accident, or to prohibit an employee from leaving the scene of an accident for the period necessary to obtain assistance in responding to the accident, or to obtain necessary emergency medical care.
- f. In the rare event that the City of Woodlake is unable to perform an FTA drug and alcohol test (i.e., employee is unconscious, employee is detained by law enforcement agency), the City of Woodlake may use drug and alcohol post-accident test results administered by local law enforcement officials in lieu of the FTA test. The local law enforcement officials must have independent authority for the test and the employer must obtain the results in conformance with local law.

## **N. RANDOM TESTING**

- 1) All covered employees will be subjected to random, unannounced testing. The selection of employees shall be made by a scientifically valid method of randomly generating an employee identifier from the appropriate pool of safety-sensitive employees. Employees covered under company authority will be selected from a pool of non-DOT-covered employees.

- 2) The dates for administering unannounced testing of randomly selected employees shall be spread reasonably throughout the calendar year, day of the week and hours of the day.
- 3) The number of employees randomly selected for drug/alcohol testing during the calendar year shall be not less than the percentage rates established by Federal regulations for those safety-sensitive employees subject to random testing by Federal regulations. The current random testing rate for drugs established by FTA equals twenty-five percent of the number of covered employees in the pool and the random testing rate for alcohol established by FTA equals ten percent of the number of covered employees in the pool.
- 4) Each covered employee shall be in a pool from which the random selection is made. Each covered employee in the pool shall have an equal chance of selection each time the selections are made. Employees will remain in the pool and subject to selection, whether or not the employee has been previously tested. There is no discretion on the part of management in the selection.
- 5) Covered transit employees that fall under the Federal Transit Administration regulations will be included in one random pool maintained separately from the testing pool of non-safety-sensitive employees that are included solely under the City of Woodlake authority.
- 6) Random tests can be conducted at any time during an employee's shift for drug testing. Alcohol random tests can be performed just before, during, or just after the performance of a safety sensitive duty. However, under the City of Woodlake's authority, a non-DOT random alcohol test may be performed any time the covered employee is on duty. Testing can occur during the beginning, middle, or end of an employee's shift.
- 7) Employees are required to proceed immediately to the collection site upon notification of their random selection.

#### **O. RETURN-TO-DUTY TESTING**

The City of Woodlake will terminate the employment of any employee that tests positive or refuses a test as specified in section Q of this policy. However, in the rare event an employee is reinstated with court order or other action beyond the control of the transit system, the employee must complete the return-to-duty process prior to the performance of safety-sensitive functions. All covered

employees who previously tested positive on a drug or alcohol test or refused a test, must test negative for drugs, alcohol (below 0.02 for alcohol), or both and be evaluated and released by the Substance Abuse Professional before returning to work. For an initial positive drug test a Return-to-Duty drug test is required and an alcohol test is allowed. For an initial positive alcohol test a Return-to-Duty alcohol test is required and a drug test is allowed. Following the initial assessment, the SAP will recommend a course of rehabilitation unique to the individual. The SAP will recommend the return-to-duty test only when the employee has successfully completed the treatment requirement and is known to be drug and alcohol-free and there are no undo concerns for public safety.

#### **P. FOLLOW-UP TESTING**

Covered employees that have returned to duty following a positive or refused test will be required to undergo frequent, unannounced drug and/or alcohol testing following their return-to-duty test. The follow-up testing will be performed for a period of one to five years with a minimum of six tests to be performed the first year. The frequency and duration of the follow-up tests (beyond the minimums) will be determined by the SAP reflecting the SAP's assessment of the employee's unique situation and recovery progress. Follow-up testing should be frequent enough to deter and/or detect a relapse. Follow-up testing is separate and in addition to the random, post-accident, reasonable suspicion and return-to-duty testing.

In the instance of a self-referral or a management referral, the employee will be subject to non-USDOT follow-up tests and follow-up testing plans modeled using the process described in 49 CFR Part 40. However, all non-USDOT follow-up tests and all paperwork associated with an employee's return-to-work agreement that was not precipitated by a positive test result (or refusal to test) does not constitute a violation of the Federal regulations will be conducted under company authority and will be performed using non-DOT testing forms.

#### **Q. RESULT OF DRUG/ALCOHOL TEST**

- 1) Any covered employee that has a verified positive drug or alcohol test, or test refusal, will be removed from his/her safety-sensitive position, informed of educational and rehabilitation programs available, referred to a Substance Abuse Professional (SAP) for assessment, and will be terminated.
- 2) Following a negative dilute the employee will be required to undergo another test. Should this second test result in a negative dilute result, the

test will be considered a negative and no additional testing will be required unless directed to do so by the MRO.

a.

3) Refusal to submit to a drug/alcohol test shall be considered a positive test result and a direct act of insubordination and shall result in termination and referral to an SAP. A test refusal includes the following circumstances:

- a. Fails to appear for any test (excluding pre-employment) within a reasonable time, as determined by the employer, after being directed to do so by the employer
- b. Fails to remain at the testing site until the testing process is complete
- c. Fails to provide a urine or breath specimen for any drug or alcohol test required by Part 40 or DOT agency regulations
- d. In the case of a directly observed or monitored collection in a drug test, fails to permit the observation or monitoring of your provision of a specimen
- e. Fails to provide a sufficient amount of urine or breath when directed, and it has been determined, through a required medical evaluation, that there was no adequate medical explanation for the failure
- f. Fails or declines to take a second test the employer or collector has directed you to take
- g. Fails to undergo a medical examination or evaluation, as directed by the MRO as part of the verification process, or as directed by the DER as part of the "shy bladder" or "shy lung" procedures
- h. Fails to cooperate with any part of the testing process (e.g., refuse to empty pockets when so directed by the collector, behave in a confrontational way that disrupts the collection process)
- i. If the MRO reports that there is verified adulterated or substituted test result
- j. Failure or refusal to sign Step 2 of the alcohol testing form
- k. Failure to follow the observer's instructions during an observed collection including instructions to raise your clothing above the waist, lower clothing and underpants, and to turn around to permit the observer to determine if you have any type of prosthetic or other device that could be used to interfere with the collection process.
- l. Possess or wear a prosthetic or other device that could be used to interfere with the collection process
- m. Admit to the collector or MRO that you adulterated or substituted the specimen.

- 4) An alcohol test result of  $\geq 0.02$  to  $\leq 0.039$  BAC shall result in the removal of the employee from duty for eight hours or the remainder or the work day whichever is longer. The employee will not be allowed to return to safety-sensitive duty for his/her next shift until he/she submits to an alcohol test with a result of less than 0.02 BAC.
- 5) In the instance of a self-referral or a management referral, disciplinary action against the employee shall include:
  - a. Mandatory referral for an assessment by an employer approved counseling professional for assessment, formulation of a treatment plan, and execution of a return to work agreement;
  - b. Failure to execute, or remain compliant with the return-to-work agreement shall result in termination from City of Woodlake employment.
    - i. Compliance with the return-to-work agreement means that the employee has submitted to a drug/alcohol test immediately prior to returning to work; the result of that test is negative; the employee is cooperating with his/her recommended treatment program; and, the employee has agreed to periodic unannounced follow-up testing as described in Section P of this policy; however, all follow-up testing performed as part of a return-to-work agreement required under section Q of this policy is under the sole authority of the City of Woodlake and will be performed using non-DOT testing forms.
  - c. Refusal to submit to a periodic unannounced follow-up drug/alcohol test shall be considered a direct act of insubordination and shall result in termination. **All tests conducted as part of the return to work agreement will be conducted under company authority and will be performed using non-DOT testing forms.**
  - d. **A self-referral or management referral to the employer's counseling professional that was not precipitated by a positive test result does not constitute a violation of the Federal regulations and will not be considered as a positive test result in relation to the progressive discipline defined in Section Q of this policy.**
  - e. Periodic unannounced follow-up drug/alcohol test conducted as a result of a self-referral or management referral which results in a verified positive shall be considered a positive test result in relation to the progressive discipline defined in Section Q of this policy.
  - f. A Voluntary Referral does not shield an employee from disciplinary action or guarantee employment with the City of Woodlake.

- g. A Voluntary Referral does not shield an employee from the requirement to comply with drug and alcohol testing.
- 6) Failure of an employee to report within five days a criminal drug statute conviction for a violation occurring in the workplace shall result in termination.

#### **R. GRIEVANCE AND APPEAL**

The consequences specified by 49 CFR Part 40.149 (c) for a positive test or test refusal is not subject to arbitration.

#### **S. PROPER APPLICATION OF THE POLICY**

The City of Woodlake is dedicated to assuring fair and equitable application of this substance abuse policy. Therefore, supervisors/managers are required to use and apply all aspects of this policy in an unbiased and impartial manner. Any supervisor/manager who knowingly disregards the requirements of this policy, or who is found to deliberately misuse the policy in regard to subordinates, shall be subject to disciplinary action, up to and including termination.

#### **T. INFORMATION DISCLOSURE**

- 1) Drug/alcohol testing records shall be maintained by the City of Woodlake Drug and Alcohol Program Manager and, except as provided below or by law, the results of any drug/alcohol test shall not be disclosed without express written consent of the tested employee.
- 2) The employee, upon written request, is entitled to obtain copies of any records pertaining to their use of prohibited drugs or misuse of alcohol including any drug or alcohol testing records. Covered employees have the right to gain access to any pertinent records such as equipment calibration records, and records of laboratory certifications. Employees may not have access to SAP follow-up testing plans.
- 3) Records of a verified positive drug/alcohol test result shall be released to the Drug and Alcohol Program Manager, and other transit system management personnel on a need to know basis.
- 4) Records will be released to a subsequent employer only upon receipt of a written request from the employee.

- 5) Records of an employee's drug/alcohol tests shall be released to the adjudicator in a grievance, lawsuit, or other proceeding initiated by or on behalf of the tested individual arising from the results of the drug/alcohol test. The records will be released to the decision maker in the proceeding.
- 6) Records will be released to the National Transportation Safety Board during an accident investigation.
- 7) Information will be released in a criminal or civil action resulting from an employee's performance of safety-sensitive duties, in which a court of competent jurisdiction determines that the drug or alcohol test information is relevant to the case and issues an order to the employer to release the information. The employer will release the information to the decision maker in the proceeding with a binding stipulation that it will only be released to parties of the proceeding.
- 8) Records will be released to the DOT or any DOT agency with regulatory authority over the employer or any of its employees.
- 9) Records will be released if requested by a Federal, state or local safety agency with regulatory authority over the City of Woodlake or the employee.
- 10) If a party seeks a court order to release a specimen or part of a specimen contrary to any provision of Part 40 as amended, necessary legal steps to contest the issuance of the order will be taken
- 11) In cases of a contractor or sub-recipient of a state department of transportation, records will be released when requested by such agencies that must certify compliance with the regulation to the FTA.

This Policy was adopted by the City Council of the City of Woodlake on February 23, 2015.

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

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Rudy Mendoza, Mayor

ATTEST:

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Irene Zacarias, City Clerk

**Attachment A**

Job Title                      Job Duties                      Testing Authority

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## **Attachment B Contacts**

Any questions regarding this policy or any other aspect of the substance abuse policy should be directed to the following individual(s).

### **City of Woodlake Drug and Alcohol Program Manager**

Name: Irene Zacarias

Title: City Clerk

Address: 350 N. Valencia Blvd.

Telephone Number: 559-564-8055

### **Medical Review Officer**

Name:

Title:

Address:

Telephone Number:

### **Substance Abuse Professional**

Name:

Title:

Address:

Telephone Number:

### **HHS Certified Laboratory Primary Specimen**

Name:

Address:

Telephone Number:

### **HHS Certified Laboratory Split Specimen**

Name:

Address:

Telephone Number:

# City of Woodlake

## **AGENDA ITEM V-A**

**February 23, 2015**

**Prepared by Jason Waters, City Staff**

### **SUBJECT:**

**Action:** Adoption of Resolution: Discuss and Receive Comments Related to the Proposed Amendment to the 12-CDBG-8423 Standard Agreement Which will Add Supplemental Activities to be Undertaken with Community Development Block Grant (CDBG) Program Income (PI) Funds **Public Hearing**

### **BACKGROUND:**

The purpose of this hearing is to allow the citizens of Woodlake the opportunity to review and make comments on the following subjects:

- Amendment to add supplemental activities to the City's 2012 CDBG grant

Public Hearing notices in both English and Spanish have been published in The Kaweah Commonwealth and posted in the usual locations.

### **DISCUSSION:**

The purpose of this public hearing is to give citizens an opportunity to make their comments known regarding what types of eligible activities the City of Woodlake should add as supplemental activities. A separate public hearing will be held to discuss and approve the supplemental activities prior to submittal to the State.

Eligible activities consist of: Homeownership Assistance and Housing Rehabilitation programs; Public Facility and Public Improvements projects (including Public Improvements in Support of New Housing Construction); Economic Development Business Assistance and Microenterprise activities. Eligible activities paid for with State CDBG funds must meet one or more of the three national objectives listed in CDBG Federal statutes as follows: benefit to low income households or persons; elimination of slums and blight; or meeting urgent community development need.

Citizens are encouraged to make comments to the City regarding any aspect of the CDBG Program. Citizens also are invited to submit written comments. Citizens may inspect the citizen participation supporting documents on file at City Hall. Write to or contact Jason Waters at City Hall located at 350 North Valencia, Woodlake, CA 93286

### **RECOMMENDATIONS:**

City staff recommends that Council discuss and receive comments related to the proposed amendment to the 12-CDBG-8423 Standard Agreement which will add supplemental activities to be undertaken with Community Development Block Grant (CDBG) Program Income (PI) funds

**FISCAL IMPACT:**

None

**ATTACHMENTS:**

1. Resolution: Discuss and Receive Comments Related to the Proposed Amendment to the 12-CDBG-8423 Standard Agreement Which will Add Supplemental Activities to be Undertaken with Community Development Block Grant (CDBG) Program Income (PI) Funds

BEFORE THE CITY COUNCIL  
OF THE CITY OF WOODLAKE  
COUNTY OF TULARE  
STATE OF CALIFORNIA

In the matter of:

|                                     |                |
|-------------------------------------|----------------|
| DISCUSSING AND RECEIVING COMMENTS ) |                |
| RELATED TO THE PROPOSED )           | Resolution No. |
| AMENDMENT TO THE 12-CDBG-8423 )     |                |
| STANDARD AGREEMENT WHICH WILL )     |                |
| ADD SUPPLEMENTAL ACTIVITIES TO BE ) |                |
| UNDERTAKEN WITH COMMUNITY )         |                |
| DEVELOPMENT BLOCK GRANT (CDBG) )    |                |
| PROGRAM INCOME (PI) FUNDS )         |                |

Councilmember \_\_\_\_\_, offered the following resolution and moved its adoption. Discuss and receive comments related to the proposed amendment to the 12-CDBG-8423 Standard Agreement which will add supplemental activities to be undertaken with Community Development Block Grant (CDBG) Program Income (PI) funds

WHEREAS, the City of Woodlake receives Community Development Block Grant (CDBG) funding; and

WHEREAS, the City of Woodlake wishes to make an amendment to add supplemental activities to the City's 2012 CDBG grant; and

WHEREAS, the City of Woodlake held a public hearing at the February 23, 2015 City Council meeting to receive comments regarding which types of eligible activities the City of Woodlake should add as supplemental activities.

NOW, THEREFORE, THE CITY OF WOODLAKE DOES RESOLVE to discuss and receive comments related to the proposed amendment to the 12-CDBG-8423 Standard Agreement which will add supplemental activities to be undertaken with Community Development Block Grant (CDBG) Program Income (PI) funds.

The foregoing resolution was adopted upon a motion of Councilmember \_\_\_\_\_, and seconded by Councilmember \_\_\_\_\_, and carried by the following vote at the City Council meeting held on February 23, 2015.

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

\_\_\_\_\_  
Rudy Mendoza, Mayor

ATTEST:

\_\_\_\_\_  
Irene Zacarias, City Clerk

# City of Woodlake

## **AGENDA ITEM V-B**

**February 23, 2015**

**Prepared by Woodlake Resource Center Staff**

### **SUBJECT:**

**Action:** Approval of Proclamation: Recognize the Week of March 2, 2015 thru March 6, 2015 as the National Education Association's Read Across America

### **BACKGROUND:**

In May 1997, a small reading task force at National Education Association came up with a big idea to create a day to celebrate reading. Motivating children to read is an important factor in student achievement and creating lifelong successful readers. Research has shown that children who are motivated spend more time reading does better in school. The task force decided to celebrate this day on Dr. Seuss's birthday and so on March 2, 1998; the largest celebration of reading this country has ever seen was born.

### **DISCUSSION:**

In cities and towns across the nation, teacher, teenagers, librarians, politicians, actors, athletes, parents, grandparents, and others develop NEA's Read Across America activities to bring reading excitement to children of all ages. Governors, mayors, and other elected officials recognize the role reading plays in their communities with proclamations and floor statements. Athletes and actors issue reading challenges to young readers and teachers and principals seem to be more than happy to dye their hair green or be duct-taped to a wall if it boosts their students' reading.

### **RECOMMENDATIONS:**

Staff recommends that Council approve the proclamation recognizing the week of March 2, 2015 thru March 6, 2015 as NEA's Read Across America

### **FISCAL IMPACT:**

There is no fiscal impact.

### **ATTACHMENTS:**

1. Proclamation: Approval of Proclamation Recognizing the Week of March 2, 2015 thru March 6, 2015 as NEA's Read Across America

*PROCLAMATION  
RECOGNIZING THE WEEK OF MARCH 2, 2015 THRU  
MARCH 6, 2015 AS  
NEA READ ACROSS AMERICA*

*WHEREAS*, the citizens of Woodlake stand firmly committed to promoting reading as the catalyst for our students' future academic success, their preparation for America's jobs of the future, and their ability to compete in a global economy; and

*WHEREAS*, Path to literacy Consortium has provided significant leadership in the area of community involvement in the education of our youth, grounded in the principle that educational investment is key to the community's well being and long-term quality of life; and

*WHEREAS*, "**NEA's Read Across America**," a national celebration of Dr. Seuss's 111th birthday on March 2, 2015, promotes reading and adult involvement in the education of our community's students;

*THEREFORE, BE IT RESOLVED that*, the Woodlake City Council proclaims the week of March 2, 2015 thru March 6, 2015 to be **NEA's Read Across America**

*AND BE IT FURTHER RESOLVED* that the Woodlake City Council enthusiastically endorses "**NEA's Read Across America**" and recommits our community to engage in programs and activities to make America's children the best readers in the world.

*Dated: February 23, 2015*

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*Rudy Mendoza, Mayor*

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*Frances Ortiz, Vice-Mayor*

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*Jose L. Martínez, Councilmember*

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*Greg Gonzalez Jr., Councilmember*

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*Chuck Ray, Councilmember*

# City of Woodlake

## AGENDA ITEM V-C

February 23, 2015

Prepared by Greg Collins, City Staff

### SUBJECT:

**Action:** Adoption of Resolution: Uphold the Woodlake Planning Commission's Recommendation on Annexation 14-01, General Plan Amendment 14-01 and Zoning Ordinance Amendment 14-01

### BACKGROUND:

**A. Uphold the Planning Commission's recommendation on Annexation 14-01 by passing Resolution No. 15 - initiating** annexation of approximately 46.74 acres on the east side of Woodlake (see Exhibit A, map and legal description), and detachment from the County of Tulare, County Service Areas No. 1 and No. 2.

**B. Uphold the Planning Commission's recommendation on General Plan Amendment 14-01 by passing Pass Resolution No. 15 - amending** the Woodlake General Plan from service commercial to very low density residential, neighborhood commercial, agriculture and open space (see Exhibit B, General Plan Amendment 14-01).

**C. Uphold the Planning Commission's recommendation on Zoning Ordinance Amendment 14-01 by introducing Ordinance No.** amending the Woodlake Zoning Ordinance reclassifying approximately 46.76 acres from the county's A-1 (county) district to Woodlake's CN (neighborhood commercial), RA (rural residential), A (agricultural) and O (open space) districts (see Exhibit C, Zoning Ordinance Amendment 14-01).

### DISCUSSION:

The applicant, City of Woodlake, is requesting review and approval of three planning requests: annexation, general plan amendment and zoning ordinance amendment. The City of Woodlake will be responsible for making the final decision on two of the planning requests - the general plan and zoning ordinance amendments. Tulare County Local Agency Formation Commission (LAFCO) will be the final decision-making body on the annexation of 46.76 acres of land into the Woodlake city limits.

The Woodlake Planning Commission held a public hearing on the above applications at their 12-18-14 meeting. The Commission took public testimony both for and against. Most of the public comments centered on "how can they use their property going forward?" and "will anything change when I'm annexed into the city?" Staff responded by indicating that most of the 46.76 acres will be zoned to the RA district. This permits large-lot residential lots as well as limited livestock use. This explanation seemed to be suitable for persons attending the Commission meeting. Staff also explained that being inside the city limits instead of being the county did not have any affect on their property taxes, however, it did permit persons to connect to the city's sewer and water systems, if needed. Further, that all land use requests would be processed

through the city rather than the county.

Upon concluding the public hearing the Commission voted 4-0 to recommend approval of initiation of Annexation 14-01 and approval of General Plan and Zoning Ordinance Amendments 14-01.

## **Background**

A detailed explanation of each planning application is provided below.

### Annexation of 46.74 acres into the Woodlake city limits

The subject territory is located in the southeast quadrant of the City of Woodlake. The subject properties are located on the south side of State Highway 216 generally situated between the southerly extension of Castle Rock Street and St. Johns Street (Road 220). The subject territory is situated on the east side of Woodlake just north of Bravo Lake.

The APNs for the subject territories are APNs 061-070-008; 061-070-034, 033, 011, 027, and 028; 061-070-013; and a portion of the abandoned Visalia Railroad right-of-way.

The city council will be responsible for initiating the annexation of the subject territory. After initiation, the annexation will be forwarded to the Tulare County Local Agency Formation Commission for their final action. Should LAFCO approve the proposed annexation, the map and legal description of the property will be sent to the State Board of Equalization for recording.

The proposed annexation will add city-owned land into the Woodlake city limits. A segment of an abandoned railroad right-of-way (old Visalia Electric Railroad) and a recently purchased citrus grove (14.9 acres) are both owned by the City and are outside the city limits. This annexation will resolve this condition.

Conversation with LAFCO officials resulted in staff sending out two survey forms to persons in Wells Tract (a disadvantaged community), one to property owners and one to registered voters. The forms were in Spanish and English. The surveys were seeking the interest of person's wishing to annex into the City of Woodlake. The results of the property owners survey are attached to this report. The registered voters survey had not been returned as of the date of this report.

The property owners survey indicated that a majority of property owners did not have an interest in annexing into the City.

Once the land is annexed into the city, services will be provided to the territory by the City of Woodlake. In addition, persons will be permitted to connect to city sewer and water subject to paying a connection fee, and connecting to the line consistent with the city's improvement standards.

### Amend the Woodlake General Plan

The City wishes to amend its general plan to redesignate the subject territory from the service commercial designation to the very low density residential, neighborhood commercial,

agriculture and open space designations. The neighborhood commercial designation would be applied to the small grocery store that exists on the west end of the subject territory. The railroad right-of-way, which contain a portion of the Bravo Lake Botanical Garden, will be designated O (open space), and the city-owned citrus grove will be designated A (agriculture). The balance of the subject territory encompasses five parcels, containing 26.56 acres, will be designated very low density residential. This land use designation is generally consistent with the existing land use just north of the subject property. Staff feels that the service commercial designation currently applied to the subject territory would generate a number of unsightly uses that would line Woodlake's eastern entryway. Furthermore, potential service commercial uses could conflict with the existing residential uses on the north side of State Highway 216.

#### Amend the Woodlake Zoning Ordinance

The City wishes to amend its zoning ordinance to reclassify the subject property from the county's A-1 (agriculture, 5-acre minimum) zone district to Woodlake's CN (neighborhood commercial), RA (rural residential), A (agricultural) and O (open space) districts (see Exhibit C, Zoning Ordinance Amendment 14-01). The CN district would be applied to property that currently contains a small neighborhood store that has existed at the current location for over 40 years. The RA district would be applied to five parcels, containing 26.56 acres. Three of the parcels contain single-family residences; two of the parcels are vacant and free of structures. Potentially, these parcels could be divided into smaller rural residential parcels; however, they would be required to connect to city sewer and water. Further, they may have to install on-site roadway improvements depending upon the number of home sites being proposed.

The two city-owned parcels - the 4.94 acres of railroad right-of-way and the 14.9-acre citrus grove - will be used open space uses. The railroad right-of-way is part of the Bravo Lake Botanical Garden and the citrus grove will be integrated into the Garden as a working farm. The railroad right-of-way will be zoned O (open space) while the recently purchased citrus grove will be zoned A (agriculture).

#### Approve Negative Declaration

A negative declaration has been prepared on the project, which describes all three planning applications. A public notice has been published in the local newspaper indicating that the document is available for review and comment. In addition, a copy of the negative declaration has been distributed to local agencies and organizations and interested parties for review and comment.

#### Conclusion

The Planning Commission is recommending approval of the above planning requests based on the following findings:

1. The subject territory is within Woodlake's Sphere of Influence and its Urban Development Boundary line.
2. The subject territory is adjacent to Woodlake's city limits.
3. A portion of the subject territory is owned by the City of Woodlake.

4. Only three residential units exist within the subject territory.
5. A negative declaration was approved indicating that the project would not have an adverse impact on the environment.
6. The annexation, redesignation and rezoning of the subject property will not have an adverse impact on the public's health and safety.

**FISCAL IMPACT:**

Annexation of the East Naranjo area will increase calls for service from the police department as well as some increased costs associated with general government services

## FACTS

Applicant: City of Woodlake  
350 North Valencia  
Woodlake, Ca. 93286

Location: The subject territory is located in the southeast quadrant of the City of Woodlake. The subject properties are located on the south side of State Highway 216 generally situated between the southerly extension of Castle Rock Street and St. Johns Street (Road 220). The subject territory is situated on the east side of Woodlake just north of Bravo Lake.

The APNs for the subject territories are APNs 061-070008; 061-070-034, 033, 011, 027, and 028; 061-070-013; and a portion of the abandoned Visalia Railroad right-of-way.

Request: The applicant is seeking approval of three planning requests. They are:

1. Initiate the annexation of approximately 46.74 acres of land in the eastern part of Woodlake (see Exhibit A, map and legal description).
2. Amend the Woodlake General Plan to redesignate the subject territory from the service commercial designation to the very low density residential, neighborhood commercial, agriculture and open space designations. The very low-density designation would be applied to five parcels containing 26.56 acres. The neighborhood commercial designation would be applied to an existing grocery store that occupies a parcel smaller than a quarter of an acre. The open space designation would be applied to the railroad right-of-way and the agriculture designation would be applied to the 14.9-acre parcel containing a citrus grove.
3. Amend the Woodlake Zoning Ordinance, reclassifying approximately 46.74 acres from the county's A-1 (agriculture, 5-acre minimum) zone district to Woodlake's CN (neighborhood commercial), RA (rural residential), A (agricultural) and O (open space) districts.

Site: The subject territory contains 46.74 acres. It is triangular in shape minus the tip of the triangle and stretches from the southerly extension of Castlerock to St. Johns Street along the south side of State Highway 216.

## PROJECT SITE



**Sewer:** Sewer is available to the subject territory but future users would be required to bore under the state highway and tap into the city's sewer line that runs along the north side of the highway.

**Water:** Water is available to the subject territory but future users would be required to bore under the state highway to tap into the water line.

**Road Imp.** State Highway 216, a 2-lane paved road with a right-of-way width of 50 feet, provides access to the territory. The most easterly parcel in the territory also has access to St. Johns Road, a 2-lane county maintained roadway with a right-of-way width of 40 feet.

**Zone:** The subject territory is zoned A-1 at this time. The City of Woodlake is requesting that the subject property be rezoned to four districts: CN, RA, O and A. Surrounding zone classifications are as follows:

North: RA (rural residential, county zoning)

South: O (open space)

West: R-1-7 (single family residential, one unit per 7,000 square feet)

East: AE-20 (extensive agriculture, minimum parcel size 20 acres)

Gen. Plan: The Woodlake Land Use Element designates the subject territory as service commercial. The Circulation Element designates State Highway 216 as an arterial roadway.

Land Use: The subject territory contains three residential structures and an assortment of outbuildings, a small grocery store, water retention ponds, grazing land and a 14.9-acre citrus grove.

North: Wells Tract, containing approximately 60 homes, and row crops

South: Woodlake Bravo Lake and olives

East: citrus

West: residential development

Access: Access to the site is provided State Highway 216 and St. Johns Road.

Services: Police protection is provided by the City of Woodlake and fire protection by the Woodlake Fire District.

CEQA: As proposed, the project will not have a significant impact on the environment. A negative declaration has been prepared on this project.

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODLAKE  
INITIATING ANNEXATION 14-01 (KNOWN AS THE CITY OF WOODLAKE  
ANNEXATION) TO ANNEX 46.74 ACRES TO THE CITY OF WOODLAKE AND  
DETACHMENT FROM COUNTY SERVICE AREAS NO. 1 AND NO.2**

WHEREAS, an application for annexation consistent with regulations contained in Government Code Section 56000, the Knox-Cortese-Hertsberg Local Government Reorganization Act of 2000, was filed by City of Woodlake for 46.74 acres located on the south side of State Highway 216 and west of St. Johns Street (Road 220) in Woodlake, and

WHEREAS, the APNs for the subject territory are 061-070-034, 061-070-033, 061-070-011, 061-070-027 and 061-070-028 (proposed for RA zoning), 061-070-008 (proposed for CN zoning and 061-070-013 (proposed for A zoning), and

WHEREAS, the City of Woodlake owns approximately 19.84 acres of the subject territory while the balance of the territory is owned by private property owners, and

WHEREAS, the subject territory contains an assortment of land uses including a botanical garden contained in the railroad right-of-way, 15 acres of citrus, rural residential uses on large lots, a neighborhood store and 5.75 acres of ponds, and

WHEREAS, the City of Woodlake intends to integrate 19.84 acres into the Bravo Lake Botanical Garden; the balance of the property will be zoned and eventually developed to rural residential uses; and

WHEREAS, the City of Woodlake wishes to initiated annexation of the subject property into the city and detachment from the County of Tulare, Service Areas No. 1 and No. 2, and

WHEREAS, the subject territory is within the Woodlake sphere of influence and the Woodlake Fire District service area, and

WHEREAS, 5.28 acres of the 46.74 acre proposed annexation is within the County Service Area No. 2 (Wells Tract), and

WHEREAS, persons within 300 feet of the subject site were notified of the meeting and a public hearing notice was published ten (10) days prior to the City Council's meeting of February 23, 2015, and

WHEREAS, the Planning Commission held a public hearing on Annexation 14-01, reviewed the staff report and accepted testimony, and

WHEREAS, the Planning Commission recommended approval of the initiation of Annexation 14-01 to the Woodlake City Council, and

WHEREAS, the Planning Department has prepared a staff report on said annexation, and

WHEREAS, a negative declaration on the proposed amendments and annexation has been prepared consistent with the CEQA Guidelines.

NOW, THEREFORE, BE IT RESOLVED that the City Council, after considering all the evidence presented determined the following findings were relevant in evaluating this annexation.

1. The subject territory is inside Woodlake's sphere of influence (SOI) and the Woodlake Fire District.
2. The City of Woodlake owns about 19.84 acres of the 46.74 acres proposed for annexation; the balance of the subject territory is privately owned, and
3. A negative declaration has been prepared on the project indicating that it will not have an adverse impact on the environment.
4. The project will not have an adverse impact on the public's health, safety or welfare.

BE IT FURTHER RESOLVED that the City Council hereby upholds the Planning Commission's recommendation on this matter and initiates Annexation 14-01 to the Local Agency Formation Commission.

The foregoing resolution was adopted upon a motion of Council member \_\_\_\_\_, second by Council member \_\_\_\_\_ at a regular meeting of the Woodlake City Council on the 23rd day of February 2015, by the following roll call vote:

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

\_\_\_\_\_  
Rudy Mendoza, Mayor

\_\_\_\_\_  
Irene Zacarias, City Clerk

EXHIBIT A

ANNEXATION 14-01

Sunrise Ln

E Naranjo Blvd

Webb St

Vells St



**RESOLUTION NO. 15 -**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODLAKE  
APPROVING GENERAL PLAN AMENDMENT 14-01, CITY OF WOODLAKE**

WHEREAS, the City of Woodlake is wishing to consider approval of three planning requests - annexation, general plan amendment and zoning ordinance amendment - on property located on the south side of State Highway 216 generally situated between the southerly extension of Castle Rock Street and St. Johns Street (Road 220), and

WHEREAS, the APNs for the subject territories are APNs 061-070-008; 061-070-034, 033, 011, 027, and 028; 061-070-013; and a portion of the abandoned Visalia Railroad right-of-way, and

WHEREAS, the City of Woodlake is requesting the following:

Amendment to the Woodlake General Plan to redesignate the subject territory from the service commercial designation to the very low density residential, neighborhood commercial, agriculture and open space designations. The very low-density designation would be applied to five parcels containing 26.56 acres. The neighborhood commercial designation would be applied to an existing grocery store that occupies a parcel smaller than a quarter of an acre. The open space designation would be applied to the railroad right-of-way and the agriculture designation would be applied to the 14.9-acre parcel containing a citrus grove (see Exhibit B, General Plan amendment 14-01),

WHEREAS, the City of Woodlake owns approximately 20 acres of the subject property while the balance of the territory is privately owned, and

WHEREAS, the subject territory contains a small neighborhood store, three residences situated on large rural parcels, a 14.9 acre citrus grove, five acres of retention ponds, and a portion of Bravo Lake Botanical Garden that is located on an abandoned railroad right-of-way, and

WHEREAS, the City of Woodlake intends to provide services to the project territory once LAFCO approves the annexation, and

WHEREAS, persons within 300 feet of the subject site were notified of the meeting and a public hearing notice was published ten (10) days prior to the City Council's meeting of February 23, 2015, and

WHEREAS, the Planning Department has prepared a staff report on the aforementioned planning requests, and

WHEREAS, the Planning Commission held a public hearing on planning requests, reviewed the staff report and negative declaration, and accepted public testimony, and

WHEREAS, the Planning Commission approved General Plan Amendment 14-01 with a recommendation that the City Council also approve General Plan Amendment 14-01.

NOW, THEREFORE, BE IT RESOLVED that the City Council, after considering all the evidence presented, determined the following findings were relevant in evaluating this general plan amendment:

1. The property is inside Woodlake's sphere of influence and urban development boundary line.
2. The 20 acres owned by the City of Woodlake will be used for open space uses.
3. The City of Woodlake has initiated annexation of the subject territory.
4. A negative declaration has been prepared on the project indicating that it will not have an adverse impact on the environment.
5. The project will not have an adverse impact on the public's health, safety or welfare.

BE IT FURTHER RESOLVED that the City Council hereby upholds the Planning Commission's recommendation on General Plan Amendment 14-01.

The foregoing resolution was adopted upon a motion of Council member, second by Council member \_\_\_\_\_ at a regular meeting of the Woodlake City Council on the 23rd day of February 2015, by the following roll call vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

\_\_\_\_\_  
Rudy Mendoza, Mayor

\_\_\_\_\_  
Irene Zacarias, City Clerk

EXHIBIT B

GENERAL PLAN AMENDMENT 14-01

Sunrise Ln

F Naranjo Blvd

Webb St

Vells St

Neighborhood  
commercial

Rural residential

Open space

agriculture

AN ORDINANCE OF THE CITY OF WOODLAKE, COUNTY OF TULARE, STATE OF CALIFORNIA, AMENDING ORDINANCE NO. 287, THE WOODLAKE ZONING ORDINANCE, RECLASSIFYING LAND IN WOODLAKE FROM THE COUNTY'S A-1 (AGRICULTURE, 5-ACRE MINIMUM) TO WOODLAKE'S CN (NEIGHBORHOOD COMMERCIAL), RA (RURAL RESIDENTIAL), A (AGRICULTURAL) AND O (OPEN SPACE) DISTRICTS

THE CITY COUNCIL OF THE CITY OF WOODLAKE DOES ORDAIN AS FOLLOWS:

Section 1. Ordinance No. 287 of the City of Woodlake is hereby amended by reclassifying 46.74 acres from the county's A-1 (agriculture, 5-acre minimum) zone district to Woodlake's CN (neighborhood commercial), RA (rural residential), A (agricultural) and O (open space) districts (see Exhibit C, Zoning Ordinance Amendment 14-01).

Section 2. This Ordinance shall become effective on the \_\_\_\_ of \_\_\_\_\_, 2015. Within fifteen (15) days from the passage thereof, this Ordinance shall be published once in the Kaweah Commonwealth, a newspaper of general circulation published in the City of Woodlake, together with the names of the members of the City Council voting for and against it.

Passed, approved and adopted during a regular meeting of the City Council of the City of Woodlake, upon motion of council person \_\_\_\_\_, and seconded by council person \_\_\_\_\_, on this 23<sup>rd</sup> day of February of 2015, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

\_\_\_\_\_  
Rudy Mendoza, Mayor

\_\_\_\_\_  
Irene Zacarias, City Clerk

EXHIBIT C

ZONING ORDINANCE AMENDMENT  
14-01

Sunrise Ln

E Naranjo Blvd

Webb St

Vells St

CN

RA

O

A

# City of Woodlake

## **AGENDA ITEM V-D**

**February 23, 2015**

**Prepared by Ramon Lara, City Staff**

### **SUBJECT:**

**Action:** Adoption of Resolution: Approval of the Grant Deed and Right of Way Agreement for the Property with APN 061-160-021 (Mariscal) as Associated with the Construction of the City of Woodlake Plaza Project

### **BACKGROUND:**

At the October 13, 2014 City Council meeting staff presented to Council the preliminary steps being taken for the possible development of a plaza in Downtown Woodlake on Magnolia St. The project was then approved at the November 24, 2014 City Council meeting. One of the first steps towards the development of the project is to acquire five properties that are privately owned. Staff had appraisals performed on all five of the properties and the properties were presented to Council at the November 10, 2014 City Council meeting.

### **DISCUSSION:**

The City has acquired four of the five necessary properties to complete the Plaza Project. The fourth property is the Mariscal Property with APN 061-160-021. The property appraised for sixty thousand dollars. Unfortunately, the property has an outstanding note that is more than its appraised value. The owners of the property have signed a Right of Entry Form as presented by the City of Woodlake. This allows the City to enter their property for the purpose of constructing the plaza, but does not serve as a waiver in any way for their right of compensation. The City's real estate agent Hamner, Jewell & Associates will work with the lender that is carrying the note on a short sale to attempt to acquire the property at appraised value. If the lender does not agree on a short sale then the property owner will have to engage the City to negotiate any amount over appraised value.

### **RECOMMENDATIONS:**

City staff recommends that Council approve the Grant Deed and Right of Way Agreement for the property with APN 061-160-021 (Mariscal) as associated with the construction of the City of Woodlake Plaza Project and gives the City Administrator the authority to sign the above mentioned Grant Deed and Right of Away Agreement.

### **FISCAL IMPACT:**

The property will be purchased from the City's General Fund. The City continues to work with the Department of Housing and Community Development and the Tulare County Transportation Authority to secure funding for the development and implementation of the City of Woodlake Plaza.

**ATTACHMENTS:**

1. Resolution: Approval of the Grant Deed and Right of Way Agreement for the Property with APN 061-160-021 (Mariscal) as Associated with the Construction of the City of Woodlake Plaza Project
2. Grant Deed and Right of Way Agreement for APN 061-160-021 (Mariscal)

BEFORE THE CITY COUNCIL  
OF THE CITY OF WOODLAKE  
COUNTY OF TULARE  
STATE OF CALIFORNIA

In the matter of:

APPROVAL OF THE GRANT DEED AND ) Resolution No.  
RIGHT OF WAY AGREEMENT FOR THE )  
PROPERTY WITH APN 061-160-021 (MARISCAL) )  
AS ASSOCIATED WITH THE CONSTRUCTION OF )  
THE CITY OF WOODLAKE PLAZA PROJECT )

Councilmember \_\_\_\_\_, offered the following resolution and moved its adoption. Approve the Grant Deed and Right of Way Agreement for the property with APN 061-160-021 (Mariscal) as associated with the construction of the City of Woodlake Plaza Project and grant the City Administrator the authority to sign the Grant Deed and Right of Way Agreement.

WHEREAS, the City of Woodlake wishes to provide adequate amenities to its residents in the form of a City of Woodlake Plaza; and

WHEREAS, the City of Woodlake City Council authorized the development and implementation of the Woodlake Plaza Project on November 24, 2014; and

WHEREAS, the Grant Deed and Right of Way Agreement allows the City to enter their property for the purpose of constructing the plaza, but does not serve as a waiver in any way for their right of compensation to the property owner.

NOW, THEREFORE, THE CITY OF WOODLAKE DOES RESOLVE to approve the Grant Deed and Right of Way Agreement for the property with APN 061-160-021 (Mariscal) as associated with the construction of the City of Woodlake Plaza Project and grant the City Administrator the authority to sign the Grant Deed and Right of Way Agreement.

The foregoing resolution was adopted upon a motion of Councilmember \_\_\_\_\_, and seconded by Councilmember \_\_\_\_\_, and carried by the following vote at the City Council meeting held on February 23, 2015.

- AYES:
- NOES:
- ABSTAIN:
- ABSENT:

\_\_\_\_\_  
Rudy Mendoza, Mayor

ATTEST:

\_\_\_\_\_  
Irene Zacarias, City Clerk

**RECORDED REQUESTED BY:**  
Hamner, Jewell & Associates  
Government Real Estate Services

**AND WHEN RECORDED, MAIL TO:**  
City of Woodlake  
Attn: City Administrator  
350 N. Valencia Boulevard  
Woodlake, CA 93286

APN: 061-160-021

SPACE ABOVE THIS LINE FOR RECORDER'S USE  
No fee pursuant to Government Code § 6103  
No Documentary Transfer Tax per R&T Code § 11922  
No Recording Fee per Government Code § 27383

## GRANT DEED

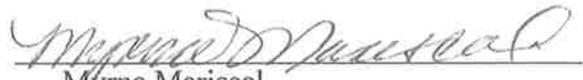
FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, Ramon Mariscal and Myrna Mariscal, husband and wife as community property, ("Grantors"), hereby grant to the City of Woodlake, a Municipal Corporation, State of California, ("Grantee"), all that real property in the City of Woodlake, County of Tulare, State of California, described as:

FOR LEGAL DESCRIPTION, SEE EXHIBIT "A"  
ATTACHED HERETO AND MADE A PART HEREOF.

Executed this 25 day of January, 2015

GRANTOR:

  
Ramon Mariscal

  
Myrna Mariscal

**ACKNOWLEDGMENT**

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California  
County of Tulare

On 1-25-2015 before me, Giovanni Morales, Notary Public, personally appeared Ramon Mariscal, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Giovanni Morales (Seal)



**ACKNOWLEDGMENT**

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California  
County of Tulare

On 1-25-2015 before me, Giovanni Morales, Notary Public, personally appeared Myrna Mariscal, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Giovanni Morales (Seal)



**CERTIFICATE OF ACCEPTANCE, GOV'T CODE SECTION 27281**

This is to certify that the City of Woodlake, grantee herein, hereby accepts for public purposes the real property, or interest therein, described in the within deed from Ramon Mariscal and Myrna Mariscal and consents to the recordation thereof.

In Witness Whereof, I have hereunto set my hand this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

City of Woodlake

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

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

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

City of Woodlake – Woodlake Downtown Plaza Project – Mariscal  
APN 061-160-021  
Legal Description

## **EXHIBIT A**

### **LEGAL DESCRIPTION**

Real property in the City of Woodlake, County of Tulare, State of California, described as follows:

THE WEST 1/2 OF LOT 20, IN BLOCK 30, IN THE TOWN OF WOODLAKE, COUNTY OF TULARE,  
STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 11, PAGE 23 OF MAPS, IN THE  
OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

APN: 061-160-021

**PARCEL NO.:** APN: 061-160-021 (Mariscal)

**PROJECT:** City of Woodlake – Woodlake Downtown Plaza Project

**RIGHT OF WAY AGREEMENT  
(WITH ESCROW INSTRUCTIONS)**

THIS AGREEMENT is made and entered into by and between

Ramon Mariscal and Myrna Mariscal, husband and wife as community property,  
hereinafter called collectively "Grantor", and

City of Woodlake, a Municipal Corporation,  
hereinafter called "City."

An instrument in the form of a Grant Deed ("Deed"), covering the property particularly described therein, has been executed concurrently with this Agreement and delivered to City representatives.

In consideration of which, and other considerations hereinafter set forth, it is mutually agreed as follows:

1. The parties have herein set forth the whole of their agreement. The performance of this Agreement constitutes the entire consideration for said document and shall relieve the City of all further obligation or claims on this account, or on account of the location, grade or construction of the proposed Woodlake Downtown Plaza Project.

2. The City shall:

A. PAYMENT - Pay to the order of the Grantor the sum of \$60,000 (Sixty Thousand Dollars) as consideration in full for the herein real property interests and for entering into this Agreement. Said sum shall be paid upon the close of escrow, which shall occur when title to said real property has vested in City free and clear of all liens, encumbrances, assessments, easements and leases recorded or unrecorded, except for recorded public utility easements and public right of way.

B. RECORDATION OF INSTRUMENT - Accept the Deed herein referenced and cause the same to be recorded in the office of the Tulare County Recorder at such time as when clear title can be conveyed.

C. MISCELLANEOUS COSTS - Pay all escrow, title insurance, and recording fees incurred in this transaction.

D. CLEARANCE OF BONDS, ASSESSMENTS, OR DELINQUENT TAXES - Have the authority to deduct and pay from the amount shown in Clause 2.A. above any amount necessary to satisfy any bond demands and delinquent taxes due in any year except the year in which this escrow closes, together with penalties and interest thereon, and/or delinquent and unpaid non-delinquent assessments which have become a lien at the close of escrow.

3. The Grantor:

A. PAYMENT ON MORTGAGE OR DEED OF TRUST - Agrees that any or all monies payable under this Agreement up to and including the total amount of the unpaid principal and interest on the note(s) secured by mortgage(s) or deed(s) of trust, if any, and all other amounts due and payable in accordance with the terms and conditions of said mortgage(s) or deed(s) of trust, shall upon demand(s) be made payable to the mortgagee(s) or beneficiary(s) entitled thereunder.

B. Assignment Of Funds - Agrees to assign \$1,000.00 payable to Eagle Real Estate for all services rendered. City and Grantor are not liable to Eagle Real Estate for any commission or other payment under this assignment or Agreement.

C. LEASE INDEMNIFICATION - Warrants there are no oral or written leases on all or any portion of the herein referenced real property exceeding a period of one month, or if there are such leases, Grantor agrees to hold the City harmless and reimburse City for any and all of its losses and expenses occasioned by reason of any lease of said property held by tenant of Grantor for a period exceeding one month.

D. POSSESSION - Except as provided herein, shall retain possession of the property conveyed up to and including the date of recording of the Instrument conveying title to City, upon which date possessory rights shall pass to City.

E. PERMISSION TO ENTER - Hereby grants to the City, its agents and contractors, permission to enter upon the subject lands prior to the close of escrow for the purposes of preparation for and construction of the City's facilities, subject to all applicable terms and conditions contained in this Agreement and the associated Deed.

F. HAZARDOUS SUBSTANCES - Represents and warrants, to the best of Grantor's knowledge, and after reasonable inquiry, the following:

During Grantor's ownership of the real property described in Exhibit A ("Real Property"), Grantor knows of no disposal, releases, or threatened releases of hazardous substances on, from, or under the Real Property. Grantor further represents and warrants that Grantor has no knowledge of disposal, release, or threatened release of hazardous substances on, from, or under the Real Property which may have occurred prior to Grantor taking title to the portion of the Real Property purchased hereunder.

There is no pending claim, lawsuit, agency proceeding, or any administrative challenge concerning the presence or use of hazardous substances on the Real Property.

Grantor has not used the Real Property for any industrial operations that use hazardous substances. Grantor is not aware of any such prior use of the Real Property. Grantor has not installed any underground storage tanks, above ground storage tanks, barrels, sumps, impoundments or other containers used to contain hazardous substances on any part of the Real Property. Grantor is not aware of any such prior installations.

4. The Parties agree:

A. ESCROW - At City's option, to open an escrow in accordance with this Agreement at First American Title Company. This Agreement constitutes the joint escrow instructions of City and Grantor, and Escrow Agent to whom these instructions are delivered is hereby empowered to act under this Agreement. The parties hereto agree to do all acts necessary to close this escrow in the shortest possible time.

As soon as possible after opening of escrow, City will deposit the executed Deed by Grantor, with Certificate of Acceptance attached, with Escrow Agent on Grantor's behalf. City agrees to deposit the purchase price upon demand of Escrow Agent. City and Grantor agree to deposit with Escrow Agent all additional instruments as may be necessary to complete this transaction. All funds received in this escrow shall be deposited with other escrow funds in a general escrow fund account(s) and may be transferred to any other such escrow trust account in any State or National Bank doing business in the State of California. All disbursements shall be made by check or wire transfer from such account.

- i) ESCROW AGENT DIRECTIVES - Escrow Agent is authorized to, and shall:
- a. Pay and charge Grantor for any unpaid delinquent taxes and/or any penalties and interest thereon, and for any delinquent assessments or bonds against that portion of Grantor's property subject to this transaction as required to convey clear title;
  - b. Pay and charge City for any escrow fees, charges and costs payable under Paragraph 2.C. of this Agreement;
  - c. Disburse funds and deliver and record Deed only when conditions of this escrow have been fulfilled by City and Grantor.
  - d. Following recording of the Deed from Grantor, provide City with a CLTA Standard Coverage Policy of Title Insurance in the amount of \$60,000 issued by First American Title Company showing that title to the herein real property is vested in City, subject only to the following exceptions, and the printed exceptions and stipulations in said policy:
    - i. Real Property Taxes for the fiscal year in which escrow closes.
    - ii. Item Nos. 2,3 of the preliminary title report issued by First American Title Company, dated December 16, 2014, referenced as Order No. 4001-479-0337.

- ii) CLOSE OF ESCROW - The term "close of escrow," if and where written in these instructions, shall mean the date necessary instruments of conveyance are recorded in the office of the County Recorder. Recordation of instruments delivered through this escrow is hereby authorized.

B. JUDGMENT IN LIEU OF DEED - In the event Grantor is unable to deliver title in a reasonable time under the terms of the Agreement, the City may file an action in eminent domain to pursue the acquisition of the real property interests described in the referenced Deed and this Agreement shall constitute a stipulation which may be filed in said proceedings as final and conclusive evidence of the total amount of damages for the taking, including all of the items listed in Section 1260.230 of the Code of Civil Procedure, regarding said property rights.

C. ARTICLE HEADINGS - Article headings in this Agreement are for convenience only and are not intended to be used in interpreting or construing the terms, covenants and conditions of this Agreement.

D. COMPLETE UNDERSTANDING - This Agreement constitutes the entire understanding between the parties with respect to the subject matter hereof, superseding all negotiations, prior discussions, and preliminary agreements or understandings, written or oral. This Agreement may not be amended except in writing by the parties hereto or their successors or assigns.

E. CITY COUNCIL APPROVAL - This Agreement is subject to and conditioned upon approval and ratification by the Woodlake City Council. This Agreement is not binding upon the City until executed by the appropriate City official(s) acting in their authorized capacity.

F. NO THIRD-PARTY BENEFICIARIES INTENDED - Unless specifically set forth, the parties to this Agreement do not intend to provide any other party with any benefit or enforceable legal or equitable right or remedy.

G. BINDING EFFECT - This Agreement shall inure to the benefit of and constitute a binding obligation upon the successors and assigns of the parties hereto.

H. COUNTERPARTS - This Agreement may be executed in counterparts, each of which so executed shall irrespective of the date of its execution and delivery be deemed an original, and all such counterparts together shall constitute one and the same document

**No Obligation Other Than Those Set Forth Herein Will Be Recognized.**

Dated: 1-25-2015

GRANTOR'S MAILING ADDRESS:  
171 East Antelope Avenue  
Woodlake, CA 93286

GRANTOR:

By   
Ramon Mariscal

By   
Myrna Mariscal

APPROVED AS TO FORM:

By \_\_\_\_\_  
Name:  
Title:

MAILING ADDRESS OF CITY:

350 N. Valencia Boulevard  
Woodlake, CA 93286

ATTEST:

By \_\_\_\_\_  
City Clerk

APPROVED AS TO CONTENT:

By \_\_\_\_\_  
Name:  
Title:

CITY OF WOODLAKE

By \_\_\_\_\_  
Name:  
Title:

City of Woodlake – Woodlake Downtown Plaza Project – Mariscal  
APN 061-160-021  
Legal Description

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APN: 061-160-021

# City of Woodlake

## **AGENDA ITEM V-F**

**February 23, 2015**

**Prepared by Irene Zacarias, City Staff**

### **SUBJECT:**

**Action:** Approval of Resolution: Approval to Appoint a Member to the San Joaquin Valley Air Pollution Control District.

### **BACKGROUND:**

Health and Safety Code Section 40600.5 created a Special City Selection Committee for the appointment of city members of the San Joaquin Valley Air Pollution Control District (District) Governing Board.

### **DISCUSSION:**

The Special City Selection Committee has adopted procedures and a rotation schedule for making their appointments, and based upon the adopted rotation schedule a city council member representing a “small” city with a population of less than 100,000 from Tulare County shall be appointed to the District Governing Board.

### **RECOMMENDATIONS:**

Staff recommends that the City adopt the resolution and allow for an appointment to the San Joaquin Valley Air Pollution Control District.

### **FISCAL IMPACT:**

There is no fiscal impact.

### **ATTACHMENTS:**

1. Resolution: Approval to Appoint a Member to the San Joaquin Valley Air Pollution Control District.

BEFORE THE CITY COUNCIL  
OF THE CITY OF WOODLAKE  
COUNTY OF TULARE  
STATE OF CALIFORNIA

In the matter of:

APPROVAL OF THE APPOINTMENT TO THE ) Resolution No.  
GOVERNING BOARD OF THE SAN JOAQUIN VALLEY )  
AIR POLLUTION CONTROL DISTRICT )

Councilmember \_\_\_\_\_, offered the following resolution and moved its adoption. Approving the appointment of \_\_\_\_\_ to the San Joaquin Valley Air Pollution Control District.

WHEREAS, Health and Safety Code Section 40600.5 created a Special City Section Committee for the appointment of city members of the San Joaquin Valley Air Pollution Control District Governing Board, and;

WHEREAS, the Special City Selection Committee has adopted procedures and a rotation schedule for making their appointments, and based upon the adopted rotation schedule a city council member representing a ‘small’ city with a population of less than 100,000 from Tulare County shall be appointed to the District Governing Board, and;

WHEREAS, in selecting a nominee for appointment by the Special City Selection Committee to the District Governing Board, the City Council considered the application materials from the eligible candidates, and

WHEREAS, the vote to select a nominee took place as an item on the publicly noticed agenda and was discussed during the normal city council meeting with time for public comment.

NOW, THEREFORE, BE IT RESOLVED that the City of Woodlake nominates, Woodlake City \_\_\_\_\_, \_\_\_\_\_, to the Special City Selection Committee for appointment to the District Governing Board.

The foregoing resolution was adopted upon a motion of Councilmember \_\_\_\_\_, and seconded by Councilmember \_\_\_\_\_, and carried by the following vote at the City Council meeting held on February 23, 2015.

- AYES:
- NOES:
- ABSTAIN:
- ABSENT:

\_\_\_\_\_  
Rudy Mendoza, Mayor

ATTEST:

\_\_\_\_\_  
Irene Zacarias, City Clerk



**San Joaquin Valley**  
AIR POLLUTION CONTROL DISTRICT

RECEIVED

APPLICATION FOR APPOINTMENT AS A CITY REPRESENTATIVE  
ON GOVERNING BOARD OF  
THE SAN JOAQUIN VALLEY AIR POLLUTION CONTROL DISTRICT

IAN 14 2015  
CLERK OF THE BOARDS  
SJVAPCD

**Current Vacancies**

**Small City:** One member representing the cities with a population less than 100,000 from Tulare County. Councilmembers from Dinuba, Exeter, Farmersville, Lindsay, Porterville, Tulare and Woodlake are eligible to apply.

If you are an elected official on the council of the cities identified above, you may submit an application for appointment to the Governing Board of the San Joaquin Valley Air Pollution Control District.

|  |                                     |                        |
|--|-------------------------------------|------------------------|
| <b>Applicant Name:</b>   | RUDY MENDOZA                        |                        |
| <b>Residence Address (Must live within the boundaries of the San Joaquin Valley APCD):</b> | 369 LEMONA STREET WOODLAKE CA 93286 |                        |
| <b>Mailing Address:</b>  |                                     |                        |
| <b>Telephone:</b>  | (559) 303-4860<br>Primary           | (559) 564-8055<br>Alt. |
| <b>Email Address:</b>  | RUDY4WOODLAKE@YAHOO.COM             |                        |
| <b>Applicant Signature:</b>  |                                     | <b>Date:</b> 1-9-15    |

Please submit this form along with any other pertinent information (e.g., resume, candidate statement, education, experience) that you desire to be considered to the address below. **Please limit candidate statement to no more than one page.** Please complete this application and return it by **January 15, 2015** to:

Seyed Sadredin  
Air Pollution Control Officer  
San Joaquin Valley APCD  
1990 E. Gettysburg Avenue, Fresno, CA, 93726

### **City of Woodlake - Mayor**

First elected to the Woodlake City Council In 2008, Mr. Mendoza is currently serving on his second term and has been reappointed as Mayor for the second consecutive two year term by his peers. The City of Woodlake is a Charter city with a population of 7,711 residents and an annual overall budget of twelve million dollars. The City of Woodlake provides Police protection with an independent fire district providing fire protection. The City of Woodlake currently employs 33 employees.

### **Tulare County Association of Governments – Recent Past Vice Chairman Board of Governors**

The Tulare County Association of Governments (TCAG) is responsible for overseeing and planning transportation projects with the county and each of its cities, helping to bring tax money back home to fund bus service, road improvements, highway 99 widening and projects that will improve our air quality, and more.

### **San Joaquin Valley Regional Policy Council – Member**

The Policy Council provides guidance on common interregional policy issues and also represents the San Joaquin Valley at public forums such as the California Transportation Commission, the Governor and his administration, and State and Federal legislative bodies that require a common voice from the San Joaquin Valley. The San Joaquin Valley Regional Policy Council consists of two elected officials and one alternate appointed from each of the regional planning agencies policy boards in the San Joaquin Valley.

### **Tulare County Water Commission - Commissioner**

The Tulare County Water Commission is designed to examine a wide variety of water issues that impact Tulare County. The Water Commission serves as an advisory body to the Tulare County Board of Supervisors. The Commission is made up of local water experts including engineers, water district managers, elected officials and community activists.

### **California Van Pool Authority – Board of Directors**

CalVans is a Joint Powers Public Transportation Agency comprised of a number of Local Transportation Planning Agencies. Each of the agencies appoints a representative to sit on the CalVans Board and represent their area. The Board Members serve as local representatives providing input and direction to the Agency.

#### **Local Area Formation Commission – Current Vice Chairman**

The Tulare County LAFCO is responsible for coordinating logical and timely changes in local governmental boundaries, conducting special studies which review ways to reorganize, simplify, and streamline governmental structure and preparing Spheres of Influence for each city and special district within each county. The Commission's efforts are directed to seeing that services are provided efficiently and economically while agricultural and open-space lands are protected.

#### **Small Business Development Center - Advisor**

The Fresno State Small Business Development Center (SBDC) provides one-on-one business consulting, workshops, research, and online learning services. The SBDC provides entrepreneurs and small businesses with high-quality education, consulting, support for innovation, access to information, and tools necessary to build successful sustainable businesses. The Visalia SBDC is affiliated with the Fresno State SBDC which is part of the UC Merced SBDC regional network.



**San Joaquin Valley**  
AIR POLLUTION CONTROL DISTRICT

Received

JAN 14 2015

Executive Office  
SJVAPCD

**APPLICATION FOR APPOINTMENT AS A CITY REPRESENTATIVE  
ON GOVERNING BOARD OF  
THE SAN JOAQUIN VALLEY AIR POLLUTION CONTROL DISTRICT**

**Current Vacancies**

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If you are an elected official on the council of the cities identified above, you may submit an application for appointment to the Governing Board of the San Joaquin Valley Air Pollution Control District.

|  |  |                        |
|--|--|------------------------|
| <b>Applicant Name:</b>   | Virginia Gurrola                         |                        |
| <b>Residence Address (Must live within the boundaries of the San Joaquin Valley APCD):</b> | 1441 W. Brian Ln, Porterville, CA. 93257 |                        |
| <b>Mailing Address:</b>  | SAME                                     |                        |
| <b>Telephone:</b>  | (559) 359-5632<br>Primary                | (559) 781-2704<br>Alt. |
| <b>Email Address:</b>  | Virginiagurrola@portervilleca.gov        |                        |
| <b>Applicant Signature:</b>  |  | <b>Date:</b> 1-12-15   |

Please submit this form along with any other pertinent information (e.g., resume, candidate statement, education, experience) that you desire to be considered to the address below. **Please limit candidate statement to no more than one page.** Please complete this application and return it by **January 15, 2015** to:

Seyed Sadredin  
Air Pollution Control Officer  
San Joaquin Valley APCD  
1990 E. Gettysburg Avenue, Fresno, CA, 93726

## **San Joaquin Valley Air Pollution Control District Candidate Statement** **Virginia Gurrola, Councilmember for the City of Porterville**

I am submitting this notice of interest for the position as a city representative on the Governing Board of the San Joaquin Valley Air Pollution Control District. It will be a privilege to serve on the board representing the cities of Tulare County and humbly ask for your support. For your convenience I've provided a statement with my background and experience.

I was born and raised in Lindsay. Married for forty five years to Sal Gurrola and are the proud parents to three sons and nine grandchildren. Our family has lived in Porterville for over 30 years.

I graduated from Lindsay High School in 1969. At this time a college education was not attainable due to the cost of enrollment. In 1976 I enrolled at Porterville College and graduated with an AA degree, then began the commute to Cal State Bakersfield completing my BA degree in Public Administration.

Pursuing a career in education began as an instructional aide for Lindsay Unified School District before moving on to start my thirty seven years with Porterville College. Here I held various directorship positions with the Extended Opportunity Program and Services (EOPS); Financial Aid Department; Executive Director of the Porterville College Foundation; Matriculation Services; Admissions and Records. My advice to students is "an education is something that can never be taken from you!" I retired from Porterville College in 2013.

In 1995 I was elected on the Porterville City Council serving as Councilmember, Vice Mayor and Mayor until 2003. In 2012 I was elected back on to the city council and appointed Mayor. I currently serve as a councilmember. During my terms on council it's been a privilege to see the completion of the Sports Complex; widening of Main and Plano Street Bridges; the Heritage Center; the revitalization of the Orange-Date Street corridor; and the opening of Panera Bread.

My community involvement includes serving as Past President for the Family Crises Center (FCC). As a board member I am commitment to changing the lives of children who have been affected by issues of domestic violence, homelessness and substance abuse through my involvement on the FCC board. In addition I serve as the Vice President to the American Association of University Women (AAUW). The AAUW is an organization committed to the support of breaking through educational and economic barriers for women and girls to advance higher education.

### **Currently a member on:**

San Joaquin Valley Special City Selection Committee  
Tulare County Transportation Planning Agency  
Tulare County Association of Governments

- Tulare County Mitigation Committee
- Rail Advisory Committee

### **Served as a member on:**

President of the Comision Honorifica  
Secretary and member to Tulare County Integrated Waste Management Joint Powers  
League of California Cities State Policy Committee on Housing, Community, and Economic Development  
Tulare County Council of Cities  
Tulare County Business Incentive Zone Council  
City of Porterville Joint City/School Committee  
California Community College State Committees