

Date: September 28, 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-C)

- A. Action: Approval of Minutes of the regular meeting held on September 14, 2015 (Pages 1-6)
- B. Action: Approval of Warrants (Pages 7-25)

## V. ACTION/DISCUSSION ITEMS

- A. Information: Swear in Police Officer(s)
- B. Action: Adoption of Resolution: Continuation of the Proclamation of the Existence of a Local Drought Emergency for the City of Woodlake (Pages 26-30)
- C. Action: Adoption of Resolution: Reaffirm the Approval of Emergency Expenditures for the Development and Implementation of the City of Woodlake Well Project (Pages 31-34)
- D. Information: Ordinance Updates: Curfew, Graffiti, Mobile Food Vendors, Lawn Parking (Pages 35-60)

## 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

1. **PENDING LITIGATION** (Government Code § 54956.9). It is the intention of this governing body to meet in closed-session concerning:
  - Conference with legal counsel – ANTICIPATED LITIGATION (Government Code § 54956.9(d)).
    - Significant exposure to litigation** (Government Code § 54956.9(d)(2)).
      - Number of potential cases is:   1  .
      - Facts and circumstances clearly known to potential plaintiff (if any) that might result in litigation (Government Code § 54956.9(e)(2)) :

## 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

“Documents: If distributed to the Council less than 72 hours before a regular meeting, any public records which are subject to public inspection and pertain to an open-session item on the regular meeting agenda shall be available at the following address at the time they are distributed to a majority of the Council: 350 North Valencia Boulevard, Woodlake, California 93286. Public records distributed to the Council at a public meeting will be available to the public at such meeting if they were prepared by the City. Exemptions and details in Government Code § 54957.5 (a) shall apply.”

## VIII. ADJOURN

The next scheduled City Council meeting will be held on Monday, October 12, 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, Martinez & G. Gonzalez Jr.

**OTHERS:** Lara, Waters, Diaz, Marquez, Zacarias and Castillo

**ABSENT:** Ray

**FLAG SALUTE**

**PUBLIC COMMENT** - None

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

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

- A. Action: Approval of Minutes of the regular meeting held on August 24, 2015
- B. Action: Approval of Warrants
- C. Action: Adoption of Resolution: Approval of the August 2015 Monthly Report of Investments
- D. Action: Approval to Deny Claim Damage from Logan Heath
- E. Action: Adoption of Resolution: Approval of the Amendments to the Agreement Between the County of Tulare and the City of Woodlake for 24 Hour Emergency Dispatch and Communication Services

**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. Information: Presentation by Sol Nunez of Mid Valley Disposal  
Ms. Nunez reported the following: as of October 1, 2014, Mid Valley Disposal is the new owners of Sunset Waste Systems. Ms. Nunez is the representative for the City of Woodlake and has participated in many events and functions in the City of Woodlake. Ms. Nunez and her staff also completed an assessment of potential contamination of cans throughout the City and this allowed for her and staff to remind and educate the residents of how to properly dispose of waste. Mid Valley will also be visiting the pre-school and allowing the students to view and get a closer look at the truck. The Fall Clean Up is scheduled for October 22<sup>nd</sup>, 23<sup>rd</sup> and 24<sup>th</sup>. The information will be posted around town, posted on the city's webpage and also put on their water bill. There is a new law (AB 1826) effective January 1, 2016 which will require new guidelines for the recycling of food waste. Ms. Nunez will provide more information as it becomes available.
- B. Action: Adoption of Resolution: Approval of Expenditure Plan for Local Law Enforcement Funds as Authorized by Assembly Bill 3229  
Chief Marquez reported the following: Assembly Bill (AB) 3229 declares that there is a need for additional resources at the local level to fight crime and protect public safety. To do so, AB 3229 creates the Citizens Option for Public Safety (COPS) Program. The bill allocates money to cities and counties for law enforcement and public safety purposes. The City of Woodlake was awarded \$100,000 in COPS funds for the current fiscal

year. This amount will be used to enhance the city's current crime prevention programs such as: crime free multi-housing, business watch, neighborhood watch, traffic enforcement program, juvenile crime reduction programs and drug and gang task forces.

**PUBLIC HEARING OPENED: 6:42 PM**

**PUBLIC HEARING CLOSED: 6:43 PM**

Councilmember Ortiz asked if these funds would be used to hire new staff. Chief Marquez stated no, ½ funds will supplement the current patrol sergeant and ½ will supplement a police officer.

**ON A MOTION BY MARTINEZ, SECOND BY ORTIZ IT WAS VOTED TO ADOPT THE RESOLUTION AND APPROVE THE EXPENDITURE PLAN FOR AB 3229. APPROVED UNANIMOUSLY.**

C. Action: Adoption of Resolution: Nomination and Approval of the City of Woodlake Economic Development Board Members

City Administrator Lara reported the following: on August 10, 2015 the City Council approved the creation of an Economic Development Board and started accepting applications from those interested in serving on the Board. City staff will assume the duties of staffing the Economic Development Board. The Board will oversee and direct decisions being made on the promotion of economic development, while City staff will implement their ideas and help local business connect with resources. The Board will also help communicate the available amenities and events that the City of Woodlake has to offer.

The first meeting for nomination of Board members was held on August 27, 2015 at 10 a.m. at the City of Woodlake Council Chambers.

The proposed seven member Economic Development Board will be appointed as follows:

**Councilmember:** Will provide input regarding the interest of the City and report back to Council.

**WUSD Representative:** Will provide input regarding the interest of the WUSD and present back to the District.

**Two Local Business Owners:** Will provide input regarding the interest of local business owners and report back to all business owners.

**Private Industry:** Will provide input regarding the interest of the private industry and give feedback on how the City can better attract private industry.

**Service Club:** Will provide input regarding the interest of service clubs and report back to all service clubs.

**Member at Large:** Will provide input regarding the interest of the community and report to local residents.

The following individuals have submitted applications and applied for a specific Board seat:

**Councilmember:** On August 10, 2105 the City of Woodlake appointed Mayor Rudy Mendoza.

**WUSD Representative:** On September 9, 2015 the Woodlake Unified School District appointed Board member Ralph Chapman.

**Two Local Business Owners:** The following business owners have submitted an application. The Council must select two of them.

Gracie DeLaRosa – La Casa Verde

Ali Mohamed – Woodlake Drive Inn

**Private Industry:** The following private industry person has submitted an application. The Council must select one of them.

Sol Nunez – Midvalley Disposal

**Service Club:** The following service club members have submitted an application. The Council must select one of them.

Memo Valero – Woodlake Lions Club

**Member at Large:** The following members at large have submitted an application. The Council must select one of them.

Frances Mann

Mike Rivas, owner of Woodlake True Value Hardware also submitted an application to be nominated to the board. City Administrator Lara stated Council may choose to increase the board size to 8 members to allow Mr. Rivas to also be appointed as a local business owner.

**ON A MOTION BY MARTINEZ, SECOND BY ORTIZ, IT WAS VOTED TO ADOPT THE RESOLUTION AND NOMINATE AND APPROVE APPLICATIONS SUBMITTED FOR THE ECONOMIC DEVELOPMENT BOARD. APPROVED UNANIMOUSLY.**

- D. Action: Adoption of Resolution: Reaffirm the Approval of Emergency Expenditures for the Development and Implementation of the City of Woodlake Well Project

City Administrator Lara reported the following: the drilling of the new well should begin next week. Councilmember Martinez asked if the estimated cost was accurate. City Administrator Lara stated the city had estimated \$750,000 for cost of project but due to some unforeseen costs the project was closer to an estimated cost of somewhere between \$790,000 to \$800,000. Councilmember Martinez asked how much water the new well would pump. City Administrator Lara stated 1000 gallons per minute. Councilmember Martinez asked if we would need additional wells in the near future. City Administrator Lara stated with the installation of meters, less water will be used but we won't have a better idea of savings until next July.

**ON A MOTION BY MARTINEZ, SECOND BY G. GONZALEZ JR. IT WAS VOTED TO ADOPT THE RESOLUTION AND REAFFIRM THE APPROVAL OF EMERGENCY EXPENDITURES FOR THE DEVELOPMENT AND IMPLEMENTATION OF THE CITY OF WOODLAKE WELL PROJECT. APPROVED UNANIMOUSLY.**

- E. Action: Adoption of Resolution: Award the City of Woodlake Road Rehabilitation Project to the Lowest Responsive Bidder, Avison Construction, Inc

Ave. City Administrator Lara reported the following: the City of Woodlake has approximately \$175,000 in CDBG funding that will be spent on road rehabilitation and ADA ramps in low-income areas of the city. The remainder of the project will be funded with local street funds. The project will rehabilitate sections of Danielle Way, Holly St., and Whitney and Castle Rock St. The project was put out to bid as approved July 13, 2015 by the Council. Two interested contractors submitted bids. The bids were as follows:

Avison Construction, Inc.     \$284,484.00  
Lee's Paving, Inc.             \$433,329.76

The original budget was \$244,644.62. After review of the project the increased costs are based on labor demand and costs of materials. The City will use local street funds to make the project whole from a financial stand point. The project has a twenty five day construction period and will be completed approximately by November 6, 2015. Mayor Mendoza asked if chip seal would be used. City Administrator Lara stated yes.

**ON A MOTION BY ORTIZ, SECOND BY MARTINEZ IT WAS VOTED ADOPT THE RESOLUTION AND AWARD THE CITY OF WOODLAKE ROAD REHABILITATION PROJECT TO THE LOWEST RESPONSIBEL BIDDER AVISON CONSTRUCTION, INC. APPROVED UNANIMOUSLY.**

F. Information: Tulare County Regional Transportation Impact Fee  
City Administrator Lara reported the following: the fee would be used to pay for three key widening projects. Those projects are on SR-198, SR-99 and SR-190. The projects are considered to be regional and affect all the citizens of Tulare County. It is to be understood that without the fee the burden of new development impacts on transportation would fall on existing residents with increased traffic congestions and a need to find funds for future improvements. Mayor Mendoza stated if the fee schedule had been in effect when Rite Aid was thinking about coming to Woodlake, they would have had an additional \$28,000 in building fees and this would have been a big hit for them. Councilmember Martinez stated he believes the fees are not fair all the way around. City Attorney Diaz stated these fees are more beneficial in the metropolis areas.

## VI. OTHER BUSINESS

A. Information: Items from Staff

City Employee Waters – reported he will be attending a Council of Cities meeting next week.

City Administrator Lara – reported Rite-Aid is moving along and hopes to open early January. They hope to hire between 10-15 people for shift positions. They will forward information to us regarding employment as soon as it becomes available. There has been some concern from residents regarding the block wall. This is just a base. Rite Aid will have a nice brick finish. There has been a lot of activity around the Roundabout project. New water and gas lines were installed due to ruptures.

Chief Marquez – reported the Mariachifest at the park was a great success and there were no issues to report.

Student Representative Castillo – reported the following regarding sports; Volleyball and Tennis will play at home tomorrow, Cross Country is at Lindsay on Wednesday and Football play in Parlier on Friday. Seniors had their portraits taken today. The Miss Woodlake coronation is in November and a date for the event will be announced soon.

The candidates are: Karissa Castillo, Erica Diaz, Deanna Diaz, Lenae Hacobian and Brianne Holt.

B. Information: Items from Council

Vice-Mayor Ortiz – happy to see a little rain.

Councilmember Martinez – reported he will be attending the Council of Cities meeting this week. The Mariachifest was a great event and was well attended. Alumni Miranda Huerta was great.

Mayor Mendoza – reported he is a member of the SCE government advisory panel and there is an application for both iPhone and android users that will allow you to receive updates on SCE issues. He also traveled to Washington, DC and attended seminars regarding transportation and water issues and although there is no clear direction at this time, the answer appears to be to not raise fees. The Mariachifest was a great event and thank you to the clean-up crew. The park was very clean the next morning.

Lt. John Weller – apologized for his late arrival, there was confusion on the start time of the meeting. He is the current HQ patrol officer and stated they have enjoyed working with Chief Marquez and the City of Woodlake. They have a great relationship and look forward to many more years of continued service.

C. Request from Council Members for Future Agenda Items

## VII. CLOSED SESSION

1. **PENDING LITIGATION** (Government Code § 54956.9). It is the intention of this governing body to meet in closed-session concerning:  
Conference with legal counsel – ANTICIPATED LITIGATION (Government Code § 54956.9(d)).  
**Initiation of litigation** (Government Code § 54956.9(d) (4)).  
Number of potential cases is: 2.
  
2. **PENDING LITIGATION** (Government Code § 54956.9). It is the intention of this governing body to meet in closed-session concerning:  
Conference with legal counsel – ANTICIPATED LITIGATION (Government Code § 54956.9(d)).  
**Significant exposure to litigation** (Government Code § 54956.9(d) (2)).  
Number of potential cases is: 1.  
Facts and circumstances clearly known to potential plaintiff (if any) that might result in litigation (Government Code § 54956.9(e) (2)):

MEETING MOVED TO CLOSED SESSION AT 7:40 PM

MEETING RECONVENED AT 8:20 PM

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

## VIII. ADJOURN

The next scheduled City Council meeting will be held on Monday, September 28, 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 8:21 p.m.

Submitted by,

Irene Zacarias

City Clerk

**City of Woodlake**  
**Summary of Disbursements and Payroll**  
**City Council Meeting : September 28, 2015**

**PAYROLL**

9/4/15 (City)                      \$42,907.56  
 9/4/15 (Fire)                      \$20,298.29

<b>Gross Payroll</b>	<b>\$63,205.85</b>
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**DISBURSMENTS / WARRANTS**

9/24/2015                      \$379,259.75

<b>Total Disbursements</b>	<b>\$379,259.75</b>
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**WIRES**

PAYROLL TAX WIRE    CITY                      \$    9,171.26  
    FIRE                      \$    5,729.83

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

<b>Total Wire Amount Sent Out</b>	<b>\$                      14,901.09</b>
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<b>Amount to be Approved</b>	<b>\$                      457,366.69</b>
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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 28th day of September 2015.  
 by the following vote:**

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

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

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

BANK	VENDOR	CHECK#	DATE	AMOUNT
BANK BANK OF VISALIA				
001085	CA STATE DISURSE UNIT	60520	09/09/15	144.46
000494	STATE OF CA-EDD	60589	09/18/15	1,734.45
000799	STATE OF CALIFORNIA	60590	09/18/15	1,394.49
000034	A C S	60591	09/25/15	2,972.71
001086	ADSI	60592	09/25/15	1,200.00
000944	AMERIPRIDE UNIFORM SERVI	60593	09/25/15	518.55
001452	AVILA CONSULTING SERVICE	60594	09/25/15	600.00
000464	AWARDS & SIGNS UNLIMITED	60595	09/25/15	270.63
000334	BANK OF AMERICA	60596	09/25/15	8,356.88
001294	BEATWEAR, INC.	60597	09/25/15	60.62
001226	BENELECT	60598	09/25/15	565.00
001315	BILL WALL'S DIRECT APPRO	60599	09/25/15	184.55
000351	BSK ASSOCIATES	60600	09/25/15	995.00
.50903	C&C CALLAHAN INDUSTRIES	60601	09/25/15	100.00
001085	CA STATE DISURSE UNIT	60602	09/25/15	144.46
001089	CA TURF EQUIPMENT & SUPP	60603	09/25/15	2,280.04
001019	CENTRAL SANITARY SUPPLY	60604	09/25/15	142.85
001338	CHEM QUIP, INC.	60605	09/25/15	711.60
000069	CSJVRMA	60606	09/25/15	38,497.00
000646	DEARBORN NATIONAL LIFE I	60607	09/25/15	38,202.98
001432	EMMETT'S EXCAVATION INC	60608	09/25/15	182,326.09
000898	FOOTHILLS SUN-GAZETTE/TH	60609	09/25/15	45.93
000196	FRESNO OXYGEN	60610	09/25/15	36.48
000283	FRUIT GROWERS SUPPLY CO.	60611	09/25/15	1,533.56
000252	GIANT AUTO GROUP	60612	09/25/15	6,672.50
001339	HAMNER JEWELL ASSOCIATES	60613	09/25/15	76.00
000688	ISU INSURANCE SERVICES	60614	09/25/15	329.30
000542	K R C SAFETY CO., INC.	60615	09/25/15	83.25
000057	KAWAIAH COMMONWEALTH/THE	60616	09/25/15	352.25
000255	KELLER AND WEGLEY	60617	09/25/15	1,785.85
001450	LAW ENFORCEMENT SUPPLY	60618	09/25/15	41,385.90
001223	LEO'S NURSERY	60619	09/25/15	250.64
001362	MIDVALLEY DISPOSAL	60620	09/25/15	222.06
000530	MONARCH FORD	60621	09/25/15	47.72
000038	OFFICE DEPOT	60622	09/25/15	45,940.23
001087	PROTECTION ONE	60623	09/25/15	1,682.56
000022	QUAD - KNOFF	60624	09/25/15	196.00
001222	RAY MORGAN COMPANY	60625	09/25/15	10.00
001451	RCIS	60626	09/25/15	1,096.00
000116	SAFETY KLEEN CORP.	60627	09/25/15	77.66
001071	SAN JOAQUIN VALLEY AIR D	60628	09/25/15	734.84
001127	SANTA FE AGGREGATES, INC	60629	09/25/15	24,218.88
000949	SHRED-IT FRESNO	60630	09/25/15	125.43
000134	SIMMONS TIRE SERVICE	60631	09/25/15	1,496.00
000024	SOUTHERN CALIF EDISON CO	60632	09/25/15	
000910	TRANSACT TECHNOLOGIES, I	60633	09/25/15	
001158	TULARE REGIONAL MEDICAL	60634	09/25/15	
001210	US BANK	60635	09/25/15	

ACS FINANCIAL SYSTEM  
09/24/2015 11:

BANK VENDOR

BANK BANK OF VISALIA

001146 USA BLUE BOOK  
000292 VANTAGEPOINT TRAN AGENT-  
000863 WOODLAKE AUTO PARTS

BANK OF VISALIA

Check Register

GL540R-V07.27 PAGE 2

CHECK# DATE AMOUNT

60636 09/25/15 237.61  
60637 09/25/15 7,467.52  
60638 09/25/15 31.23

379,054.98 \*\*\*

ACS FINANCIAL SYSTEM  
09/24/2015 11:

BANK VENDOR

REPORT TOTALS:

Check Register      GL540R-V07.27 PAGE 3  
CITY OF WOODLAKE

CHECK#      DATE      AMOUNT

379,054.98

RECORDS PRINTED - 000281

VENDOR NAME DESCRIPTION	AMOUNT	ACCOUNT NAME	FUND & ACCOUNT	CLAIM	INVOICE	PO#	F/P ID LINE
A C S MONTHLY SERVICES 09/15	2,972.71	SPECIAL DEPARTMENT EXPEN	001.0410.060.029		1188302		430 00043
ADSI RCRDS MNGMNT 09/2015	1,200.00	CONTRACTURAL SERVICES	001.0411.060.028		6606		430 00022
AMERIPRIDE UNIFORM SERVI UNIFORM SERVICES 09/2015	230.92	SPECIAL DEPARTMENT EXPEN	001.0410.060.029		AUGUST 2015		430 00013
UNIFORM SERVICES 09/2015	4.39	UNIFORM ALLOWANCE	001.0415.050.011		AUGUST 2015		430 00014
UNIFORM SERVICE 09/2015	14.40	UNIFORM ALLOWANCE	001.0418.050.011		AUGUST 2015		430 00015
UNIFORM SERVICE 09/2015	8.78	UNIFORM ALLOWANCE	001.0421.050.011		AUGUST 2015		430 00016
UNIFORM SERVICES 09/2015	24.63	UNIFORM ALLOWANCE	001.0422.050.011		AUGUST 2015		430 00017
UNIFORM SERVICE 09/2015	1.80	UNIFORM ALLOWANCE	021.0424.050.011		AUGUST 2015		430 00018
UNIFORM SERVICE 09/2015	3.23	UNIFORM ALLOWANCE	029.0429.050.011		AUGUST 2015		430 00019
UNIFORM SERVICE 09/2015	170.23	UNIFORM ALLOWANCE	062.0462.050.011		AUGUST 2015		430 00020
UNIFORM SERVICE 09/2015	60.17	UNIFORM ALLOWANCE	063.0463.050.011		AUGUST 2015		430 00021
	518.55	*VENDOR TOTAL					
AVILA CONSULTING SERVICE AG CNSLTING ADVICE 9/15	600.00	SPECIAL DEPARTMENT EXPEN	001.0421.060.029		0001		430 00073
AWARDS & SIGNS UNLIMITED 5 PLAQUES 09/2015	270.63	SPECIAL DEPARTMENT EXPEN	001.0410.060.029		1495		430 00072
BANK OF AMERICA LUNCH VILLEGAS 09/2015	6.92	SPECIAL DEPARTMENT EXPEN	001.0411.060.029				430 00080
LUNCH VILLEGAS 09/2015	8.00	CONTRACTURAL SERVICES	001.0411.060.028				430 00081
LUNCH VILLEGAS 09/2015	10.29	SPECIAL DEPARTMENT EXPEN	001.0411.060.029				430 00082
WOODLAKE BOOKS 09/2015	212.84	MISCELLANEOUS SALES, ETC	001.0304.000.035				430 00083
LUNCH VILLEGAS 09/2015	9.94	SPECIAL DEPARTMENT EXPEN	001.0411.060.029				430 00084
POSTAGE 09/2015	9.99	POSTAGE	001.0411.060.022				430 00085
POSTAGE 09/2015	10.00	POSTAGE	001.0410.060.022				430 00086
WTR BILL POSTAGE 09/15	3.02	POSTAGE	061.0461.060.022				430 00087
WTR BILL POSTAGE 09/2015	3.02	POSTAGE	062.0462.060.022				430 00088
WTR BILL PSTGE 09/15	3.02	POSTAGE	063.0463.060.022				430 00089
WTR BILL PSTGE 09/15	4.48	POSTAGE	061.0461.060.022				430 00090
WTR BILL PSTGE 09/15	4.48	POSTAGE	062.0462.060.022				430 00091
WTR BILL PSTGE 09/15	4.48	POSTAGE	063.0463.060.022				430 00092
FINCE CHARGE 09/15	1.00	POSTAGE	001.0411.060.022				430 00093
HEADLAMPS 09/2015	957.42	SPECIAL DEPARTMENT EXPEN	062.0462.060.029				430 00094
STAIR FOODS 09/2015	23.95	SPECIAL DEPARTMENT EXPEN	001.0411.060.029				430 00095
FAMILY DOLLAR 09/2015	11.08	SPECIAL DEPARTMENT EXPEN	001.0411.060.029				430 00096
PD SHIRTS 09/2015	162.38	SPECIAL DEPARTMENT EXPEN	001.0411.060.029				430 00097
SUBWAY 09/2015	48.64	SPECIAL DEPARTMENT EXPEN	001.0411.060.029				430 00098
EARTHLINK 09/2015	12.90	SPECIAL DEPARTMENT EXPEN	001.0410.060.029				430 00099
BEST BUY 09/2015	497.93	SPECIAL DEPARTMENT EXPEN	001.0411.060.029				430 00100
TRAINING AGUAYO 09/15	18.58	TRAINING (POST REIMBURSE	001.0411.060.036				430 00101
TRAINING ORNELAS 09/15	9.29	TRAVEL, CONFERENCES & ME	062.0462.060.030				430 00102
TRAINING ORNELAS 09/15	9.29	TRAVEL, CONFERENCES & ME	063.0463.060.030				430 00103
TRAINING AGUAYO 09/15	9.15	TRAINING (POST REIMBURSE	001.0411.060.036				430 00104
TRAINING ORNELAS 09/15	4.58	TRAVEL, CONFERENCES & ME	062.0462.060.030				430 00105

VENDOR NAME  
DESCRIPTION

Schedule of Bills

VENDOR NAME DESCRIPTION	AMOUNT	ACCOUNT NAME	FUND & ACCOUNT	CLAIM INVOICE	PO#	F/P ID LINE
BANK OF AMERICA						
TRNING ORNELAS 09/15	4.58	SPECIAL DEPARTMENT EXPEN	063.0463.060.029			430 00106
TRNING AGUAYO 09/15	12.00	TRAINING (POST REIMBURSE	001.0411.060.036			430 00107
TRNING ORNELAS 09/15	6.00	TRAVEL, CONFERENCES & ME	062.0462.060.030			430 00108
TRNING AGUAYO 09/15	6.00	TRAVEL, CONFERENCES & ME	063.0463.060.030			430 00109
TRNING ORNELAS 09/15	16.20	TRAINING (POST REIMBURSE	001.0411.060.036			430 00110
TRNING ORNELAS 09/15	8.09	TRAVEL, CONFERENCES & ME	062.0462.060.030			430 00111
TRNING AGUAYO 09/15	8.10	TRAVEL, CONFERENCES & ME	063.0463.060.030			430 00112
TRNING ORNELAS 09/15	17.03	TRAINING (POST REIMBURSE	001.0411.060.036			430 00113
TRNING ORNELAS 09/15	8.52	TRAVEL, CONFERENCES & ME	062.0462.060.030			430 00114
TRNING ORNELAS 09/15	8.52	TRAVEL, CONFERENCES & ME	063.0463.060.030			430 00115
WOODLAKE BOOKS 09/15	100.16	MISCELLANEOUS SALES, ETC	001.0304.000.035			430 00116
TRNING AGUAYO 09/15	13.80	TRAINING (POST REIMBURSE	001.0411.060.036			430 00117
TRNING ORNELAS 09/15	6.90	TRAVEL, CONFERENCES & ME	062.0462.060.030			430 00118
TRNING ORNELAS 09/15	6.90	TRAVEL, CONFERENCES & ME	063.0463.060.030			430 00119
TRNING AGUAYO 09/15	13.86	TRAINING (POST REIMBURSE	001.0411.060.036			430 00120
TRNING ORNELAS 09/15	6.93	TRAVEL, CONFERENCES & ME	062.0462.060.030			430 00121
TRNING AGUAYO 09/15	6.93	TRAVEL, CONFERENCES & ME	063.0463.060.030			430 00122
TRNING ORNELAS 09/15	25.90	TRAINING (POST REIMBURSE	001.0411.060.036			430 00123
TRNING ORNELAS 09/15	12.94	TRAVEL, CONFERENCES & ME	062.0462.060.030			430 00124
TRNING ORNELAS 09/15	12.95	TRAVEL, CONFERENCES & ME	063.0463.060.030			430 00125
TRNING ORNELAS 09/15	13.23	TRAINING (POST REIMBURSE	001.0411.060.036			430 00126
TRNING ORNELAS 09/15	6.62	TRAVEL, CONFERENCES & ME	062.0462.060.030			430 00127
TRNING ORNELAS 09/15	6.61	TRAVEL, CONFERENCES & ME	063.0463.060.030			430 00128
TRNING AGUAYO 09/15	1,020.20	TRAINING (POST REIMBURSE	001.0411.060.036			430 00129
TRNING AGUAYO 09/15	10.44	TRAINING (POST REIMBURSE	001.0411.060.036			430 00130
TRNING ORNELAS 09/15	5.22	TRAVEL, CONFERENCES & ME	062.0462.060.030			430 00131
TRNING ORNELAS 09/15	5.22	TRAVEL, CONFERENCES & ME	063.0463.060.030			430 00132
TRNING AGUAYO 09/15	255.05	TRAINING (POST REIMBURSE	001.0411.060.036			430 00133
TRAINING PD 09/15	10.58	TRAINING (POST REIMBURSE	001.0411.060.036			430 00134
TRAINING PD 09/15	18.26	TRAINING (POST REIMBURSE	001.0411.060.036			430 00135
TRAINING AGUAYO 09/15	6.90	TRAVEL, CONFERENCES & ME	062.0462.060.030			430 00136
TRNING ORNELAS 09/15	3.45	TRAVEL, CONFERENCES & ME	063.0463.060.030			430 00137
TRNING ORNELAS 09/15	3.45	TRAVEL, CONFERENCES & ME	062.0462.060.029			430 00138
SUPPLIES 09/15	1.00	SPECIAL DEPARTMENT EXPEN	062.0462.060.029			430 00139
SUPPLIES 09/15	27.00	SPECIAL DEPARTMENT EXPEN	001.0410.060.029			430 00140
INTRNTIONAL FEE 09/15	79.98	SPECIAL DEPARTMENT EXPEN	001.0410.060.029			430 00141
FINANCE CHARGE 09/15	0.81	SPECIAL DEPARTMENT EXPEN	001.0410.060.029			430 00142
SUPPLIES 09/15	1.00	SPECIAL DEPARTMENT EXPEN	001.0410.060.029			430 00143
HOME DEPOT 09/15	122.74	SPECIAL DEPARTMENT EXPEN	001.0409.060.029			430 00144
HOME DEPOT 09/15	32.73	SPECIAL DEPARTMENT EXPEN	063.0463.060.029			430 00145
SUPPLIES 09/15	487.02	SPECIAL DEPARTMENT EXPEN	063.0463.060.029			430 00146
SUPPLIES 09/15	735.63	SPECIAL DEPARTMENT EXPEN	063.0463.060.029			430 00147
SERVICES 09/15	41.99	OFFICE SUPPLIES	001.0421.060.029			430 00148
SERVICES 09/2015	585.00	SPECIAL DEPARTMENT EXPEN	062.0462.060.029			430 00149
SERVICES 09/15	161.94	SPECIAL DEPARTMENT EXPEN	001.0411.060.029			430 00150
SERVICES 09/2015	313.64	SPECIAL DEPARTMENT EXPEN	062.0462.060.029			430 00151
SERVICES 09/15	38.52	SPECIAL DEPARTMENT EXPEN	001.0422.060.029			430 00152
FUEL 09/2015	14.75	VEHICLE MAINTENANCE/OPER	001.0422.060.032			430 00153
FUEL 09/2015	1.47	VEHICLE MAINTENANCE/OPER	001.0415.060.032			430 00153
FUEL 09/2015	20.63	VEHICLE MAINTENANCE/OPER	062.0462.060.032			430 00153



VENDOR NAME DESCRIPTION	AMOUNT	ACCOUNT NAME	FUND & ACCOUNT	CLAIM	INVOICE	PO#	F/P ID LINE
BENELECT							
ADMIN 09/2015	0.24	HEALTH INSURANCE	001.0402.050.008		OCTOBER 2015		430 00004
ADMIN 09/2015	0.97	HEALTH INSURANCE	001.0403.050.008		OCTOBER 2015		430 00004
ADMIN 09/2015	0.95	HEALTH INSURANCE	001.0404.050.008		OCTOBER 2015		430 00004
ADMIN 09/2015	0.48	HEALTH INSURANCE	001.0405.050.008		OCTOBER 2015		430 00004
ADMIN 09/2015	1.02	HEALTH INSURANCE	001.0415.050.008		OCTOBER 2015		430 00004
ADMIN 09/2015	0.43	HEALTH INSURANCE	001.0416.050.008		OCTOBER 2015		430 00004
ADMIN 09/2015	1.65	HEALTH INSURANCE	001.0418.050.008		OCTOBER 2015		430 00004
ADMIN 09/2015	0.68	HEALTH INSURANCE	001.0421.050.008		OCTOBER 2015		430 00004
ADMIN 09/2015	2.31	HEALTH INSURANCE	001.0422.050.008		OCTOBER 2015		430 00004
ADMIN 09/2015	1.34	HEALTH INSURANCE	061.0461.050.008		OCTOBER 2015		430 00004
ADMIN 09/2015	5.97	HEALTH INSURANCE	062.0462.050.008		OCTOBER 2015		430 00004
ADMIN 09/2015	5.49	HEALTH INSURANCE	063.0463.050.008		OCTOBER 2015		430 00004
ADMIN 09/2015	2.09	HEALTH INSURANCE	021.0424.050.008		OCTOBER 2015		430 00004
ADMIN 09/2015	0.91	HEALTH INSURANCE	029.0429.050.008		OCTOBER 2015		430 00004
ADMIN 09/2015	0.47	HEALTH INSURANCE	032.0440.050.008		OCTOBER 2015		430 00004
	565.00	*VENDOR TOTAL					
BILL WALL'S DIRECT APPRO TROUBLESHOOT 09/15	184.55	CONTRACTURAL SERVICES	001.0411.060.028		15119		430 00045
BSK ASSOCIATES							
BACTI 09/2015	180.00	SPECIAL DEPARTMENT EXPEN	063.0463.060.029		A519306		430 00047
BACTI 09/2015	630.00	CONTRACTURAL SERVICES	063.0463.060.028		A519613		430 00065
WEEKLY EFFLUENT 09/2015	185.00	CONTRACTURAL SERVICES	062.0462.060.028		A519645		430 00066
	995.00	*VENDOR TOTAL					
C&C CALLAHAN MINISTRIES DEPOSIT RETURN 09/15	100.00	DEPOSITS FORM OTHERS	001.0000.200.035				430 00213
CA STATE DISURSE UNIT EMPLEE W/HLDNG 09/15 EMPLOYEE W/HLDNG 09/15	144.46 144.46 288.92	GARNISHMENT OF WAGES WIT GARNISHMENT OF WAGES WIT *VENDOR TOTAL	001.0000.200.033 001.0000.200.033 001.0000.200.033		SEPT 2015 (2)		432 00002 430 00218
CA TURF EQUIPMENT & SUPP SERVICES 09/2015	2,280.04	SPECIAL DEPARTMENT EXPEN	001.0421.060.029		273071		430 00067
CENTRAL SANITARY SUPPLY SUPPLIES 09/2015	142.85	SPECIAL DEPARTMENT EXPEN	001.0418.060.029		641294		430 00034
CHEM QUIP, INC. DEPOSIT CREDIT 09/15 GAL CHLORINE 09/2015	210.00CR 921.60 711.60	SPECIAL DEPARTMENT EXPEN SPECIAL DEPARTMENT EXPEN *VENDOR TOTAL	063.0463.060.029 063.0463.060.029 063.0463.060.029		3372070 5402242		430 00041 430 00038
CSJVRMA							
BSNESS TRVL ACCDNT 9/15	6.00	INSURANCE & BONDING	001.0410.060.027		RMA-2016-0116		430 00060
CRIME SHLD PROGRM 9/15	735.00	INSURANCE & BONDING	001.0410.060.027		RMA-2016-0116		430 00061
LIABILITY PROG. 09/15	11,520.00	INSURANCE & BONDING	001.0410.060.027		RMA-2016-0116		430 00062
WRKERS COMP PROG. 9/15	327.69	WORKER'S COMPENSATION IN	001.0402.050.007		RMA-2016-0116		430 00063

VENDOR NAME DESCRIPTION	AMOUNT	ACCOUNT NAME	FUND & ACCOUNT	CLAIM	INVOICE	PO#	F/P ID LINE
CSJVRMA							
WRKRS COMP PROG. 9/15	601.46	WORKER'S COMPENSATION	IN 001.0403.050.007		RMA-2016-0116		430 00063
WRKRS COMP PROG. 9/15	877.85	WORKER'S COMPENSATION	IN 001.0404.050.007		RMA-2016-0116		430 00063
WRKRS COMP PROG. 9/15	300.58	WORKER'S COMPENSATION	IN 001.0405.050.007		RMA-2016-0116		430 00063
WRKRS COMP PROG. 9/15	11,591.87	WORKER'S COMPENSATION	IN 001.0411.050.007		RMA-2016-0116		430 00063
WRKRS COMP PROG. 9/15	295.81	WORKER'S COMPENSATION	IN 001.0415.050.007		RMA-2016-0116		430 00063
WRKRS COMP PROG. 9/15	250.58	WORKER'S COMPENSATION	IN 001.0416.050.007		RMA-2016-0116		430 00063
WRKRS COMP PROG. 9/15	837.08	WORKER'S COMPENSATION	IN 001.0418.050.007		RMA-2016-0116		430 00063
WRKRS COMP PROG. 9/15	332.72	WORKER'S COMPENSATION	IN 001.0421.050.007		RMA-2016-0116		430 00063
WRKRS COMP PROG. 9/15	1,017.30	WORKER'S COMPENSATION	IN 001.0422.050.007		RMA-2016-0116		430 00063
WRKRS COMP PROG. 9/15	803.66	WORKER'S COMPENSATION	IN 061.0461.050.007		RMA-2016-0116		430 00063
WRKRS COMP PROG. 9/15	3,812.58	WORKER'S COMPENSATION	IN 062.0462.050.007		RMA-2016-0116		430 00063
WRKRS COMP PROG. 9/15	3,144.88	WORKER'S COMPENSATION	IN 063.0463.050.007		RMA-2016-0116		430 00063
WRKRS COMP PROG. 9/15	1,046.29	WORKER'S COMPENSATION	IN 021.0424.050.007		RMA-2016-0116		430 00063
WRKRS COMP PROG. 9/15	403.43	WORKER'S COMPENSATION	IN 029.0429.050.007		RMA-2016-0116		430 00063
WRKRS COMP PROG. 9/15	592.22	WORKER'S COMPENSATION	IN 032.0440.050.007		RMA-2016-0116		430 00063
	38,497.00	*VENDOR TOTAL					
DEARBORN NATIONAL LIFE I							
CITY EMPLOYEES 09/2015	1.09	HEALTH INSURANCE	001.0402.050.008		OCTOBER 2015		430 00178
CITY EMPLOYEES 09/2015	5.67	HEALTH INSURANCE	001.0403.050.008		OCTOBER 2015		430 00178
CITY EMPLOYEES 09/2015	5.53	HEALTH INSURANCE	001.0404.050.008		OCTOBER 2015		430 00178
CITY EMPLOYEES 09/2015	2.83	HEALTH INSURANCE	001.0405.050.008		OCTOBER 2015		430 00178
CITY EMPLOYEES 09/2015	5.95	HEALTH INSURANCE	001.0415.050.008		OCTOBER 2015		430 00178
CITY EMPLOYEES 09/2015	2.53	HEALTH INSURANCE	001.0416.050.008		OCTOBER 2015		430 00178
CITY EMPLOYEES 09/2015	9.62	HEALTH INSURANCE	001.0418.050.008		OCTOBER 2015		430 00178
CITY EMPLOYEES 09/2015	4.01	HEALTH INSURANCE	001.0421.050.008		OCTOBER 2015		430 00178
CITY EMPLOYEES 09/2015	13.44	HEALTH INSURANCE	001.0422.050.008		OCTOBER 2015		430 00178
CITY EMPLOYEES 09/2015	7.80	HEALTH INSURANCE	061.0461.050.008		OCTOBER 2015		430 00178
CITY EMPLOYEES 09/2015	34.75	HEALTH INSURANCE	062.0462.050.008		OCTOBER 2015		430 00178
CITY EMPLOYEES 09/2015	32.00	HEALTH INSURANCE	063.0463.050.008		OCTOBER 2015		430 00178
CITY EMPLOYEES 09/2015	12.17	HEALTH INSURANCE	021.0424.050.008		OCTOBER 2015		430 00178
CITY EMPLOYEES 09/2015	5.33	HEALTH INSURANCE	029.0429.050.008		OCTOBER 2015		430 00178
CITY EMPLOYEES 09/2015	2.76	HEALTH INSURANCE	032.0440.050.008		OCTOBER 2015		430 00178
PD EMPLOYEES 09/15	57.50	HEALTH INSURANCE	001.0411.050.008		OCTOBER 2015		430 00179
	202.98	*VENDOR TOTAL					
EMMETT'S EXCAVATION INC.							
DWNTOWN RNDABT 09/15	161,413.29	CONSTRUCTION	020.0590.731.072		4		430 00206
DWNTWN RNDABT 09/15	20,912.80	CONSTRUCTION	023.0590.731.072		4		430 00207
	182,326.09	*VENDOR TOTAL					
FOOTHILLS SUN-GAZETTE/TH							
PUBLIC HEARNG NICE 9/15	45.93	SPECIAL DEPARTMENT EXPEN	001.0403.060.029		43410		430 00074
FRESNO OXYGEN							
MEDICAL SUPPLIES 09/15	36.48	MEDICAL SUPPLIES	004.0414.060.040		61711140		430 00026
FRUIT GROWERS SUPPLY CO.							
FERT WEED & FEED 09/15	91.14	SPECIAL DEPARTMENT EXPEN	001.0421.060.029		91688145		430 00182

VENDOR NAME  
DESCRIPTION

Schedule of Bills

VENDOR NAME DESCRIPTION	AMOUNT	ACCOUNT NAME	FUND & ACCOUNT	CLAIM	INVOICE	F/P	ID LINE
FRUIT GROWERS SUPPLY CO. PUMP WATER MANUEL 9/15	43.24	SPECIAL DEPARTMENT	063.0463.060.029		91690302		430 00183
SUPPLIES 09/2015	64.57	SPECIAL DEPARTMENT	063.0463.060.029		91690332		430 00184
CREDIT 09/2015	11.77CR	SPECIAL DEPARTMENT	063.0463.060.029		91690349		430 00185
COUPLER 09/15	7.61	SPECIAL DEPARTMENT	063.0463.060.029		91690351		430 00186
SUPPLIES 09/15	201.36	SPECIAL DEPARTMENT	062.0462.060.029		91690499		430 00187
SUPPLIES 09/15	233.40	SPECIAL DEPARTMENT	062.0462.060.029		91690822		430 00188
SUPPLIES 09/15	11.64	SPECIAL DEPARTMENT	062.0462.060.029		91691178		430 00189
SUPPLIES 09/2015	49.30	SPECIAL DEPARTMENT	062.0462.060.029		91691225		430 00205
CREDIT 09/2015	25.73CR	SPECIAL DEPARTMENT	062.0462.060.029		91691847		430 00190
SUPPLIES 09/15	23.15	SPECIAL DEPARTMENT	062.0462.060.029		91691852		430 00191
SUPPLIES 09/2015	58.81	SPECIAL DEPARTMENT	062.0462.060.029		91691897		430 00192
SUPPLIES 09/2015	32.26	SPECIAL DEPARTMENT	062.0462.060.029		91692080		430 00193
LABOR 09/2015	14.25	SPECIAL DEPARTMENT	062.0462.060.029		91692478		430 00194
SUPPLIES 09/2015	140.81	SPECIAL DEPARTMENT	062.0462.060.029		91692605		430 00196
SUPPLIES 09/2015	79.27	SPECIAL DEPARTMENT	062.0462.060.029		91692672		430 00195
SERVICES 09/2015	43.24	SPECIAL DEPARTMENT	063.0463.060.029		91692982		430 00197
SUPPLIES 09/2015	129.79	SPECIAL DEPARTMENT	062.0462.060.029		91693190		430 00198
SUPPLIES 09/2015	8.50	SPECIAL DEPARTMENT	062.0462.060.029		91693510		430 00203
SUPPLIES 09/2015	128.09	SPECIAL DEPARTMENT	062.0462.060.029		91693630		430 00199
SUPPLIES 09/2015	2.54	SPECIAL DEPARTMENT	062.0462.060.029		91693795		430 00200
SUPPLIES 09/2015	76.01	SPECIAL DEPARTMENT	062.0462.060.029		91694293		430 00201
SUPPLIES 09/2015	76.01	SPECIAL DEPARTMENT	063.0463.060.029		91694293		430 00202
FIRE GEAR 09/2015	56.08	FIRE GEAR	004.0414.060.058		916995233		430 00024
	1,533.56	*VENDOR TOTAL					
GIANT AUTO GROUP LAMP 09/2015	42.46	SPECIAL DEPARTMENT	001.0411.060.029		493227		430 00064
HAMNER JEWELL ASSOCIATES S. VAL ADA PROJ 09/15	6,672.50	CONTRACTURAL SERVICES	022.0590.734.028		7644		430 00054
ISU INSURANCE SERVICES VEHICLE INSURANCE 9/15	76.00	INSURANCE & BONDING	004.0414.060.027		7805		430 00025
K R C SAFETY CO., INC. ORANGE CONES 09/2015	329.30	SPECIAL DEPARTMENT	001.0422.060.029		21762		430 00039
KAWEAH COMMONWEALTH/THE PUBLIC NOTICE HRNG 9/15	83.25	SPECIAL DEPARTMENT	001.0403.060.029		16267		430 00075
KELLER AND WEGLEY SERVICES 09/2015	352.25	CONTRACTURAL SERVICES	063.0463.060.028				430 00071
LAW ENFORCEMENT SUPPLY SUPPLIES 09/2015	1,785.85	SPECIAL DEPARTMENT	001.0411.060.029		355563		430 00077
LEO'S NURSERY SUPPLIES 09/2015	103.68	SPECIAL DEPARTMENT	001.0421.060.029		15280		430 00048

VENDOR NAME DESCRIPTION	AMOUNT	ACCOUNT NAME	FUND & ACCOUNT	CLAIM	INVOICE	PO#	F/P ID LINE
MIDVALLEY DISPOSAL AUGUST REFUSE 09/2015	41,385.90	CONTRACTURAL SERVICES	061.0461.060.028		AUG-15		430 00049
MONARCH FORD SERVICES 09/2015	250.64	VEHICLE MAINTENANCE/OPER	001.0411.060.032		47022		430 00046
OFFICE DEPOT SUPPLIES 09/15	59.39	OFFICE SUPPLIES	001.0410.060.023		784132874001		430 00212
FILES A-Z 09/15	41.02	OFFICE SUPPLIES	001.0410.060.023		786938999001		430 00210
PENS/FEBREZE 09/15	14.76	OFFICE SUPPLIES	001.0410.060.023		786939108001		430 00211
PAPER 09/2015	86.38	OFFICE SUPPLIES	001.0410.060.023		789648164001		430 00208
SIGN ENGRVD PLOQ 09/15	20.51	OFFICE SUPPLIES	001.0410.060.023		789648353001		430 00209
	222.06	*VENDOR TOTAL					
PROTECTION ONE ALARM SERVICE 09/2015	47.72	CONTRACTURAL SERVICES	063.0463.060.028				430 00042
QUAD - KNOPE WDLK DWNTWN PLZA 9/15	4,676.08	CONTRACTURAL SERVICES	023.0590.739.028		81783		430 00055
S. VAL SMDLK PROJ 09/15	10,450.32	CONTRACTURAL SERVICES	023.0590.734.028		81784		430 00053
N. VAL PROJ. 09/2015	7,993.64	CONTRACTURAL SERVICES	022.0590.740.028		81785		430 00052
WDLK CMNTY CNTR 09/15	154.44	SPECIAL DEPARTMENT EXPEN	001.0421.060.029		81786		430 00056
DSGN SERV 2 WELLS 09/15	1,157.76	CONTRACTURAL SERVICES	063.0463.060.028		81787		430 00217
CASTLE RCK ST IMP 09/15	2,655.88	CONTRACTURAL SERVICES	022.0590.738.028		81788		430 00058
STE PLN REV BIONDI 9/15	388.08	CONTRACTURAL SERVICES	001.0416.060.028		81789		430 00051
2015 ST REHB PROJ 09/15	9,050.88	CONTRACTURAL SERVICES	022.0590.741.028		81790		430 00050
DWNTWN ENHNCMNT PH4 9/15	180.00	CONTRACTURAL SERVICES	020.0590.736.028		81791		430 00059
ROUNDABT PROJ 09/2015	9,233.15	CONTRACTURAL SERVICES	023.0590.731.028		81792		430 00057
	45,940.23	*VENDOR TOTAL					
RAY MORGAN COMPANY CITY COPY METER 09/15	1,223.39	SPECIAL DEPARTMENT EXPEN	001.0410.060.029		1006253		430 00180
PD COPY METER 09/2015	459.17	SPECIAL DEPARTMENT EXPEN	001.0411.060.029		1006253		430 00181
	1,682.56	*VENDOR TOTAL					
RCIS CROP INSURANCE 9/15	196.00	SPECIAL DEPARTMENT EXPEN	001.0421.060.029				430 00076
SAFETY KLEEN CORP. ANTIFREEZE SERVICE 9/15	10.00	SPECIAL DEPARTMENT EXPEN	001.0418.060.029		68049825		430 00040
SAN JOAQUIN VALLEY AIR D GENERATOR 09/2015	252.00	SPECIAL DEPARTMENT EXPEN	062.0462.060.029		S123101		430 00028
ENGINE PWR TRSH PMP 9/15	84.00	SPECIAL DEPARTMENT EXPEN	063.0463.060.029		S123101		430 00029
ELECTRCL GENRTR 09/2015	637.00	SPECIAL DEPARTMENT EXPEN	062.0462.060.029		S123101		430 00030
145 GENERATOR 09/2015	123.00	SPECIAL DEPARTMENT EXPEN	063.0463.060.029		S123101		430 00031
	1,096.00	*VENDOR TOTAL					
SANTA FE AGGREGATES, INC CRUSHER DUST 09/2015	64.58	SPECIAL DEPARTMENT EXPEN	062.0462.060.029		3392713		430 00035
CRUSHER DUST 09/2015	64.58	SPECIAL DEPARTMENT EXPEN	063.0463.060.029		3392713		430 00036

Schedule of Bills

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VENDOR NAME DESCRIPTION	AMOUNT	ACCOUNT NAME	FUND & ACCOUNT	CLAIM	INVOICE	PO#	F/P ID LINE
SANTA FE AGGREGATES, INC	129.16	*VENDOR TOTAL					
SHRED-IT FRESNO ON SITE SHRED 09/2015	77.66	SPECIAL DEPARTMENT EXPEN	001.0403.060.029		9407465162		430 00068
SIMMONS TIRE SERVICE SERVICE CALL 09/2015	87.39	SPECIAL DEPARTMENT EXPEN	063.0463.060.029		40835		430 00032
SERVICE CALL 09/2015	87.38	SPECIAL DEPARTMENT EXPEN	062.0462.060.029		40835		430 00033
SERVICE CALL 09/2015	280.03	SPECIAL DEPARTMENT EXPEN	063.0463.060.029		41006		430 00215
SERVICE CALLS 09/2015	280.04	SPECIAL DEPARTMENT EXPEN	062.0462.060.029		41006		430 00216
	734.84	*VENDOR TOTAL					
SOUTHERN CALIF EDISON CO CITY ADMIN BLDNG 09/2015	1,064.30	UTILITIES	001.0410.060.021				430 00005
WTR UTILITY 09/2015	10,194.00	UTILITIES	063.0463.060.021				430 00006
MAINT. SHOP 09/2015	385.09	UTILITIES	001.0418.060.021				430 00007
PARKS 09/2015	115.77	UTILITIES	001.0421.060.021				430 00008
SEWER UTILITY 09/2015	8,920.41	UTILITIES	062.0462.060.021				430 00009
AIRPORT 09/2015	130.62	UTILITIES	041.0441.060.021				430 00010
SUBDVSN LIGHTNG 9/15	164.56	UTILITIES	029.0429.060.021				430 00011
STREETS 09/2015	3,244.13	UTILITIES	001.0422.060.021				430 00012
	24,218.88	*VENDOR TOTAL					
STATE OF CA-EDD CITY ST TAX DEP 09/2015	1,734.45	WITHHOLDING TAX-STATE	001.0000.200.028				432 00003
STATE OF CALIFORNIA FIRE ST TAX DEP 09/15	394.49	WITHHOLDING TAX-STATE	004.0000.200.028				432 00001
TRANSACT TECHNOLOGIES, I REGISTER PAPER 09/2015	125.43	OFFICE SUPPLIES	001.0410.060.023		1243956		430 00023
TULARE REGIONAL MEDICAL SERVICES 09/2015	1,496.00	CONTRACTURAL SERVICES	001.0411.060.028				430 00069
US BANK COW COPY MACHINE 09/15	241.92	CONTRACTURAL SERVICES	001.0410.060.028		286729355		430 00044
USA BLUE BOOK SUPPLIES 09/2015	237.61	SPECIAL DEPARTMENT EXPEN	062.0462.060.029		741840		430 00037
VANTAGEPOINT TRAN AGENT- AUGUST 2015 9/2015	3,633.76	DEFERRED COMPENSATION	001.0000.200.040		AUGUST 2015		430 00078
SEPTEMBER 2015 9/2015	3,833.76	DEFERRED COMPENSATION	001.0000.200.040		SEPTEMBER 2015		430 00079
	7,467.52	*VENDOR TOTAL					
WOODLAKE AUTO PARTS ENGINE MAINT. 09/2015	31.23	VEHICLE MAINTENANCE/OPER	004.0414.060.032		615777		430 00027

VENDOR NAME  
DESCRIPTION

REPORT TOTALS:

379,054.98

Schedule of Bills

AMOUNT	ACCOUNT NAME	FUND & ACCOUNT	CLAIM	INVOICE	PO#	F/P	ID	LINE
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RECORDS PRINTED - 000281

Schedule of Bills

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

DATE .....

APPROVED BY .....

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ACS FINANCIAL SYSTEM  
09/24/2015 11:

Check Register

GL540R-V07.27 PAGE 1  
CITY OF WOODLAKE

BANK VENDOR

CHECK# DATE AMOUNT

BANK BANK OF VISALIA

001425 BRIGHT PEDIATRIC ECHO IN  
001233 QUEST DIAGNOSTICS LABS  
001346 OWEN/DOUGLAS  
001303 GONZALES/LYNN W.

13556 08/04/15 1.81  
13557 08/05/15 100.80  
13558 08/13/15 35.56  
13559 08/12/15 66.60

BANK OF VISALIA

204.77

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ACS FINANCIAL SYSTEM  
09/24/2015 11:

BANK VENDOR

REPORT TOTALS:

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

CHECK#	DATE	AMOUNT
		204.77

RECORDS PRINTED - 000018

VENDOR NAME DESCRIPTION	AMOUNT	ACCOUNT NAME	FUND & ACCOUNT	CLAIM	INVOICE	PO#	F/P	ID LINE
BRIGHT PEDIATRIC ECHO IN								
DR VISIT 09/2015	0.09	HEALTH INSURANCE	001.0402.050.008					433 00001
DR VISIT 09/2015	0.07	HEALTH INSURANCE	001.0403.050.008					433 00001
DR VISIT 09/2015	0.06	HEALTH INSURANCE	001.0404.050.008					433 00001
DR VISIT 09/2015	0.03	HEALTH INSURANCE	001.0405.050.008					433 00001
DR VISIT 09/2015	0.07	HEALTH INSURANCE	001.0415.050.008					433 00001
DR VISIT 09/2015	0.03	HEALTH INSURANCE	001.0416.050.008					433 00001
DR VISIT 09/2015	0.11	HEALTH INSURANCE	001.0418.050.008					433 00001
DR VISIT 09/2015	0.04	HEALTH INSURANCE	001.0421.050.008					433 00001
DR VISIT 09/2015	0.16	HEALTH INSURANCE	001.0422.050.008					433 00001
DR VISIT 09/2015	0.09	HEALTH INSURANCE	061.0461.050.008					433 00001
DR VISIT 09/2015	0.43	HEALTH INSURANCE	062.0462.050.008					433 00001
DR VISIT 09/2015	0.39	HEALTH INSURANCE	063.0463.050.008					433 00001
DR VISIT 09/2015	0.15	HEALTH INSURANCE	021.0424.050.008					433 00001
DR VISIT 09/2015	0.06	HEALTH INSURANCE	029.0429.050.008					433 00001
DR VISIT 09/2015	0.03	HEALTH INSURANCE	032.0440.050.008					433 00001
	1.81	*VENDOR TOTAL						
GONZALES/LYNN W.								
DR VISIT 09/2015	66.60	HEALTH INSURANCE	004.0414.050.008					433 00004
OWEN/DOUGLAS								
DR VISIT 09/2015	35.56	HEALTH INSURANCE	001.0411.050.008					433 00003
QUEST DIAGNOSTICS LABS								
LAB 09/2015	100.80	HEALTH INSURANCE	001.0411.050.008					433 00002

ACS FINANCIAL SYSTEM  
09/24/2015 11:44:06

VENDOR NAME  
DESCRIPTION

REPORT TOTALS:

Schedule of Bills

CITY OF WOODLAKE  
GL540R-V07.27 PAGE 2

AMOUNT	ACCOUNT NAME	FUND & ACCOUNT	CLAIM	INVOICE	PO#	F/P	ID	LINE
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204.77

RECORDS PRINTED - 000018

Schedule of Bills

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

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# City of Woodlake

## **AGENDA ITEM V-B**

**September 28, 2015**

**Prepared by Ramon Lara, City Staff**

### **SUBJECT:**

**Action:** Adoption of Resolution: Continuation of the Proclamation of the Existence of a Local Drought Emergency for the City of Woodlake

### **BACKGROUND:**

The California Government Code section 8630 empowers the City Council of the City of Woodlake to proclaim the existence of a local drought emergency when the City of Woodlake is threatened or likely to be threatened by the conditions of extreme peril to the safety of persons and property that are or are likely to be beyond the control of the services, personnel, equipment, and facilities of this City. The City of Woodlake declared a drought emergency on the 26<sup>th</sup> day of May 2015 by Resolution No. 15-45.

On January 17, 2014, the Governor of the State of California proclaimed a state of emergency in the State of California due to current drought conditions in the State. The Governor's proclamation acknowledged that the State of California is experiencing record dry conditions that have persisted since 2012, with 2014 projected to become the driest year on record and called upon all Californians to reduce their water usage by 20 percent.

### **DISCUSSION:**

The City of Woodlake water system is made up of five wells that are used as the only source to provide potable water to its residents. The wells have seen a consistent drop in groundwater level due to the drought and diversion of water, which has increased ground water pumping in the area. These conditions have created a situation where City wells will need to be updated or replaced. Due to the low water table, the wells have also become very inefficient. All these factors have created a burden on the City's water system.

The City has begun to request informal bids for the construction of a test well along the St. Johns River. Well contractors are in large demand and soliciting bids has been a challenge. Most contractors are booked for extended periods of time and will not be available until next calendar year. As the City's need for a new well increases, it will be key that the City is able to find a contractor that has the ability to construct a well immediately.

**RECOMMENDATIONS:**

Staff recommends that the City Council continue the proclamation by the City Council of the City of Woodlake, State of California, proclaiming existence of a local drought emergency for the City of Woodlake. The City Council would review the need for continuing the local drought emergency at least once every 30 days until the Council terminates the local drought emergency.

**FISCAL IMPACT:**

The City Water Fund has been largely depleted by the inefficiency, need of updating and replacement of City wells. City staff will continue to look for other funding sources to construct future wells.

**ATTACHMENTS:**

1. Resolution: Continuation of the Proclamation of the Existence of a Local Drought Emergency for the City of Woodlake

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

In the matter of:

CONTINUATION OF THE PROCLAMATION OF ) Resolution No.  
OF THE EXISTENCE OF A LOCAL DROUGHT )  
EMERGENCY FOR THE CITY OF WOODLAKE )

**WHEREAS**, California Government Code section 8630 empowers the City Council of the City of Woodlake to proclaim the existence of a local drought emergency when the City of Woodlake is threatened or likely to be threatened by the conditions of extreme peril to the safety of persons and property that are or are likely to be beyond the control of the services, personnel, equipment, and facilities of this City; and

**WHEREAS**, the City Council of the City of Woodlake declared a drought emergency on the 26<sup>th</sup> day of May 2015 by Resolution No. 15-45; and

**WHEREAS**, California Government Code section 8558(c) states that a “local emergency” means the duly proclaimed existence of conditions of extreme peril to the safety of persons and property within the territorial limits of the City caused by the drought; and

**WHEREAS**, pursuant to City Charter, the City Administrator has requested the City Council to proclaim the existence of a local emergency; and

**WHEREAS**, on January 17, 2014, the Governor of the State of California proclaimed a state of emergency in the State of California due to current drought conditions in the state; and

**WHEREAS**, the Governor’s proclamation acknowledged that the State of California is experiencing record dry conditions that have persisted since 2012; and

**WHEREAS**, the Governor’s proclamation also noted that the snowpack in California’s mountains is alarmingly below the normal average level for this date; and

**WHEREAS**, the Governor’s proclamation called upon all Californians to reduce their water usage by 20 percent; and

**WHEREAS**, the Governor’s proclamation called upon local water suppliers and municipalities to implement water shortage contingency plans immediately in order to avoid or forestall outright restrictions that could become necessary later in the drought season; and

**WHEREAS**, the current drought has negatively impacted local business, especially agricultural based business, of which City residents largely depend on; and

**WHEREAS**, the City of Woodlake depends on ground water to provide potable water to its residents; and,

**WHEREAS**, the City’s domestic wells have seen a consistent drop in groundwater levels, requiring that wells be updated and replaced, causing an economic burden on the City; and

**WHEREAS**, persistent drought conditions have negatively impacted and continue to threaten the City’s economy; and

**WHEREAS**, conditions of drought exacerbate already perilous fire conditions in the City; and

**WHEREAS**, on January 15, 2014, the Secretary of the United States Department of Agriculture designated 27 California counties, [*including Alameda, Alpine, Amador, Calaveras, Contra Costa, El Dorado, Fresno, Inyo, Kings, Kern, Los Angeles, Madera, Mariposa, Merced, Mono, Monterey, Sacramento, San Benito, San Bernardino, San Joaquin, San Luis Obispo, Santa Clara, Santa Barbara, Stanislaus, Tulare, Tuolumne, and Ventura*] as natural disaster areas due to drought which makes farm operators in the designated counties eligible to be considered for certain assistance including emergency loans from the U.S. Farm Service Agency for production losses; and

**WHEREAS**, on January 17, 2014, the California State Resources Control Board notified all water rights holders in California that, in the coming months, if dry weather conditions persist, the State

Water Board will notify water right holders in critically dry watersheds of the requirement to limit or stop diversions of water under their water right, based upon the priority of their right; and **WHEREAS**, these conditions are likely to be beyond the services, equipment, personnel and fiscal resources of the City of Woodlake.

**NOW, THEREFORE, BE IT RESOLVED AND PROCLAIMED** by the City Council of the City of Woodlake that for reasons set forth herein, wishes to extend the proclamation of the existence of a local drought emergency in the City of Woodlake; and

**BE IT FURTHER RESOLVED** that federal and state agencies are requested to provide financial and other assistance to residents, water suppliers, water rights holders, ranchers, farmers, business owners and local governments in the City of Woodlake to help them mitigate the persistent drought conditions; and

**BE IT FURTHER RESOLVED** that the City's water users heed the Governor's request to reduce water usage by 20 percent.

**BE IT FURTHER RESOLVED** that water suppliers and municipalities in the City of Woodlake heed the Governor's request to implement water shortage contingency plans immediately in order to avoid or forestall outright restrictions that could become necessary later in the drought season.

**BE IT FURTHER RESOLVED** that all city water associates, power companies, other involved agencies, utilities, and individuals do whatever they can to equitably allocate the available water to mitigate to the extent possible the hardships resulting from the lack of water during this extended drought period of recovery.

**BE IT FURTHER RESOLVED, PROCLAIMED AND ORDERED** that during the existence of this local drought emergency the powers, functions, and duties of the emergency organization of this City shall be those prescribed by state law, ordinances, and resolutions existing and passed in conjunction with this emergency, and that this emergency shall be deemed to continue to exist until the City Council of the City of Woodlake , State of California, proclaims its termination. Further, it is directed that this emergency proclamation be forwarded to the Director of the Governor's Office of Emergency Services and the Governor of the State of California.

**BE IT FURTHER RESOLVED, PROCLAIMED AND ORDERED** that the City Council of the City of Woodlake hereby authorizes the undertaking of all extraordinary police and planning powers in response to this local drought emergency including but not limited to the ability to modify, amend, or issue planning codes, building or safety codes, environmental health codes, and such other codes, orders, and regulations as determined necessary for the duration of the emergency.

**BE IT FURTHER RESOLVED, PROCLAIMED AND ORDERED** that public employees, officers, and governing bodies within the City are hereby granted full immunity to the extent allowed by law for actions undertaken in compliance with this proclamation.

**BE IT FURTHER RESOLVED, PROCLAIMED AND ORDERED** that during the existence of this local drought emergency, the City Administrator may request the City Council to amend this proclamation of a local drought emergency and, if this Council is not in session to amend this proclamation as necessary and, if this proclamation is amended by the City Administrator the Council shall take action to ratify the amendment within 30 days thereafter or the amendment shall have no further force or effect.

**BE IT FURTHER RESOLVED, PROCLAIMED AND ORDERED** that this City Council will review the need for continuing the local drought emergency at least once every 30 days until this Council terminates the local drought emergency. [Note: Government Code section 8630(c) requires the governing board to review the local emergency **at least once every 30 days** until the governing body terminates the local emergency.] **EXTENDED** this 28th day of September 2015.

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 Septmeber 28, 2015.

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

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

ATTEST:

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

# City of Woodlake

## **AGENDA ITEM V-C**

**September 28, 2015**

**Prepared by Ramon Lara, City Staff**

### **SUBJECT:**

**Action:** Adoption of Resolution: Reaffirm the Approval of Emergency Expenditures for the Development and Implementation of the City of Woodlake Well Project

### **BACKGROUND:**

The California Government Code section 8630 empowers the City Council of the City of Woodlake to proclaim the existence of a local drought emergency when the City of Woodlake is threatened or likely to be threatened by the conditions of extreme peril to the safety of persons and property that are or are likely to be beyond the control of the services, personnel, equipment, and facilities of this City. The Council declared a drought emergency on the 26<sup>th</sup> day of May 2015 by Resolution No. 15-45 and by Resolution No. 15-46 the Council approved an exemption pursuant to the California Environmental Quality Act (CEQA), and State CEQA Guidelines relating to the environmental evaluation of the City of Woodlake Water Well Project. On June 22, 2015 by Resolution No. 15-59 Council approved emergency expenditures for the development and implementation of the City of Woodlake Well Project.

The City of Woodlake water system is made up of five wells that are used as the only source to provide potable water to its residents. The wells have seen a consistent drop in groundwater level due to the drought and diversion of water, which has increased ground water pumping in the area. These conditions have created a situation where City wells will need to be updated or replaced. Due to the low water table, the wells have also become very inefficient. All these factors have created a burden on the City's water system.

### **DISCUSSION:**

With the continued drought and pumping of groundwater in the area, the City water system has begun to struggle to meet the demand of its customers. Water tables continue to fall and wells continue to become more inefficient. In an effort to protect the City's water resources, the City has taken the necessary steps towards drilling new City wells and is looking at options to make their current wells more efficient. Pervasive drought conditions have also significantly increased demand for well contractors, who now have very long waiting lists to drill wells and no incentive to engage a bidding process, thereby creating procurement challenges for local public agencies. The City has also implemented its Stage 4 water regulations and has made major cuts in the use of water at City facilities.

At this time the City is prepared to drill a test well along the St. John's River within the City Airport Property. This test well will help verify that a new well along the St. John's River would be beneficial to the City. If the test well shows that the St. Johns River location is conducive to a new well, the City will move forward with drilling a new well at that site. City staff believes that if a new, deeper well is not added to the current water system immediately, then the City may not have the ability to meet its customers' demands this summer.

The declaration of an emergency, when passed by four-fifths votes of its members, allows the expenditure of public money for a new City well, which will allow the City to meet its consumers' demands this summer and in the future. The declaration will help streamline the construction of the well by allowing the City to forego a competitive bid process as per the Public Contract Code. When the Council approves such action then the declaration of emergency will have to be re-approved by a four-fifths vote at every regularly scheduled meeting until the action is terminated.

**RECOMMENDATIONS:**

Staff recommends that the City Council approve the emergency expenditures of public money for the construction of a test well and new City well to meet the demands of its customers and to safeguard the health of City residents. At this time staff is requesting that Council approve \$186,000 in expenditures for the drilling of a 400ft deep hole and 16 inch wide steel casing as per the attached estimate. The City Council will review the need for continuing emergency expenditures at every scheduled Council meeting until the action is terminated.

**FISCAL IMPACT:**

The construction of a test well and new City well will be paid out of the Water Fund. Staff has currently allocated \$750,000 to the project.

**ATTACHMENTS:**

1. Resolution: Reaffirm the Approval of Emergency Expenditures for the Development and Implementation of the City of Woodlake Well Project
2. Attachment 1: Cost Estimate for Drilling of Well

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

In the matter of:

REAFFIRM THE APPROVAL OF EMERGENCY ) Resolution No.  
EXPENDITURES FOR THE DEVELOPMENT AND )  
IMPLEMENTATION OF THE CITY OF WOODLAKE )  
WELL PROJECT )

**WHEREAS**, California Government Code section 8630 empowers the City Council of the City of Woodlake to proclaim the existence of a local drought emergency when the City of Woodlake is threatened or likely to be threatened by the conditions of extreme peril to the safety of persons and property that are or are likely to be beyond the control of the services, personnel, equipment, and facilities of this City; and

**WHEREAS**, California Government Code section 8558(c) states that a “local emergency” means the duly proclaimed existence of conditions of extreme peril to the safety of persons and property within the territorial limits of the City caused by the drought; and

**WHEREAS**, the City Council of the City of Woodlake declared a drought emergency in the City of Woodlake on the 26<sup>th</sup> of May 2015 by Resolution No. 15-45; and

**WHEREAS**, on January 17, 2014, the Governor of the State of California proclaimed a state of emergency in the State of California due to current drought conditions in the state and said state of emergency remains in effect; and

**WHEREAS**, the Governor’s proclamation acknowledged that the State of California is experiencing record dry conditions that have persisted since 2012, with 2014 projected to become the driest year on record; and

**WHEREAS**, the Governor’s proclamation called upon local water suppliers and municipalities to implement water shortage contingency plans immediately in order to avoid or forestall outright restrictions that could become necessary later in the drought season; and

**WHEREAS**, the current drought has negatively impacted local business, especially agricultural based business, of which City residents largely depend on; and

**WHEREAS**, the City has implemented Stage 4 of its water conservation regulations, which restricts water use in the city; and

**WHEREAS**, the City of Woodlake depends on ground water to provide potable water to its residents; and,

**WHEREAS**, the City’s domestic wells have seen a consistent drop in groundwater levels, requiring that wells be updated and replaced, causing an economic burden on the City; and

**WHEREAS**, persistent drought conditions have negatively impacted and continue to threaten the City’s economy; and

**WHEREAS**, conditions of drought exacerbate already perilous fire conditions in the City; and

**WHEREAS**, these conditions are likely to be beyond the services, equipment, personnel and fiscal resources of the City of Woodlake.

**NOW, THEREFORE, BE IT RESOLVED AND PROCLAIMED** by the City Council of the City of Woodlake that for reasons set forth herein, emergency expenditures may take place in order to safeguard the health of City residents by the construction of a new City well; and

**BE IT FURTHER RESOLVED** that in case of an emergency the Public Contract Code section 20168 allows for the legislative body to pass a resolution by at least a four-fifths vote of its members declaring that the public interest and necessity demand the immediate expenditure of public money to safeguard life, health, or property allowing the City to forego competitive solicitations for bids, as the action is necessary to respond to the emergency; and

**BE IT FURTHER RESOLVED** that on the 26<sup>th</sup> day of May 2015 by Resolution NO. 15-46 the Council approved an exemption pursuant to the California Environmental Quality Act (CEQA), and State CEQA Guidelines relating to the environmental evaluation of the City of Woodlake Water Well Project.

**BE IT FURTHER RESOLVED** that on the 22nd day of June 2015 by Resolution NO. 15-59 the Council approved emergency expenditures for the development and implementation of the City of Woodlake Well Project.

**BE IT FURTHER RESOLVED** that water suppliers and municipalities in the City of Woodlake heed the Governor's request to implement water shortage contingency plans immediately in order to avoid or forestall outright restrictions that could become necessary later in the drought season.

**BE IT FURTHER RESOLVED** that all city water associates, power companies, other involved agencies, utilities, and individuals do whatever they can to equitably allocate the available water to mitigate to the extent possible the hardships resulting from the lack of water during this extended drought period of recovery.

**BE IT FURTHER RESOLVED, PROCLAIMED AND ORDERED** that during the existence of this local drought emergency the powers, functions, and duties of the emergency organization of this City shall be those prescribed by state law, ordinances, and resolutions existing and passed in conjunction with this emergency, and that this emergency shall be deemed to continue to exist until the City Council of the City of Woodlake, State of California, proclaims its termination. Further, it is directed that this emergency proclamation be forwarded to the Director of the Governor's Office of Emergency Services and the Governor of the State of California.

**BE IT FURTHER RESOLVED, PROCLAIMED AND ORDERED** that the City Council of the City of Woodlake hereby authorizes the undertaking of all extraordinary police and planning powers in response to this local drought emergency including but not limited to the ability to modify, amend, or issue planning codes, building or safety codes, environmental health codes, and such other codes, orders, and regulations as determined necessary for the duration of the emergency.

**BE IT FURTHER RESOLVED, PROCLAIMED AND ORDERED** that public employees, officers, and governing bodies within the City are hereby granted full immunity to the extent allowed by law for actions undertaken in compliance with this emergency action.

**BE IT FURTHER RESOLVED, PROCLAIMED AND ORDERED** that this City Council approves \$186,000 in expenditures and authorizes the City Administrator to enter into an agreement for the drilling of a 400ft deep hole and a 16 inch wide steel casing and that Council will review the need for continuing emergency expenditures at every regularly scheduled meeting hereafter until the drought emergency is terminated or no further emergency expenditures are necessary. [Note: Public Contract Code section 22050(c) requires the governing board to review the emergency expenditures at every regularly scheduled meeting until the governing body terminates the emergency expenditure or emergency no longer exists.] **DECLARED** this 28<sup>th</sup> day of September 2015.

The foregoing resolution was adopted upon a motion of Councilmember Martinez, and seconded by Councilmember \_\_\_\_\_, and carried by the following vote at the City Council meeting held on September 28, 2015.

AYES:

NOES:

ABSTAIN:

ABSENT:

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

ATTEST:

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

# City of Woodlake

## **AGENDA ITEM V-D**

**September 28, 2015**

**Prepared by Jason Waters, City Staff**

### **SUBJECT:**

**Information:** Ordinance Updates: Curfew, Graffiti, Mobile Food Vendors, Lawn Parking

### **BACKGROUND:**

The City of Woodlake is undergoing a review of local City Ordinances to see if there is a need to create or revise ordinances.

### **DISCUSSION:**

City Council has asked staff to review a number of City Ordinances. At the August 10<sup>th</sup> City Council meeting, staff presented proposed language for curfew, graffiti, mobile food vendor, and lawn parking ordinances. After reviewing Council's input, the City's attorneys have had an opportunity to provide input and updated versions of each ordinance are attached with this item. Staff is proposing a first reading of the updated ordinances in October.

### **ATTACHMENTS:**

1. Draft Curfew Ordinance
2. Draft Graffiti Ordinance
3. Draft Mobile Vending Ordinance
4. Draft Lawn Parking Ordinance

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE REPEALING CHAPTER 9.08 OF THE MUNICIPAL CODE OF THE CITY OF WOODLAKE, AND ENACTING CHAPTER 9.08 PERTAINING TO CURFEW REQUIREMENTS FOR MINORS AND THEIR PARENTS OR LEGAL GUARDIANS.

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

**Section 1. PURPOSE AND FINDINGS.**

(a) The provisions of this ordinance are intended ~~in order~~ to promote the public health, safety, comfort and general welfare, and to protect individuals under the age of eighteen (18) years. By enactment of this ordinance, the City Council desires to, among other objectives, encourage parents and legal guardians to exercise reasonable care, supervision and control over their minor children so as to prevent them from committing unlawful acts as well as to prevent them from becoming victims of crime.

(b) The City Council finds that a critical need exists for a juvenile curfew ordinance. Minors are under the age of eighteen years and possess a particular vulnerability to crime and harmful influence under certain circumstances or when not supervised or accompanied by a parent or legal guardian at night; such minors often lack the ability to make critical decisions in an informed and mature manner when exposed to nighttime influences. Furthermore, the presence of criminal street gang members in an environment where minors are present can have unsettling effects. Minors can be recruited into the gangs, may be exposed as witnesses to gang violence, or most severely, may become innocent victims of gang violence. A curfew ordinance can help to ensure that a minor's parent or legal guardian is able to play an important role in the minor's development and upbringing. State law limits the circumstances under which a peace officer can intervene to assist a minor who is in potential danger or need of assistance. In the absence of a curfew ordinance, peace officer will not have a clear guideline as to whether or not they may detain a minor to provide assistance. Accordingly, the City Council finds that this juvenile curfew ordinance is necessary. This ordinance is tailored

to promote the welfare of minors and promote and protect a parent's ability to play a role in the upbringing of their minor children.

(c) The City Council further finds that:

- 1) A significant number of individuals using the City's public streets or other public areas at night are members of criminal street gangs;
- 2) A consistent pattern of crime and violence has occurred in and about the City of Woodlake on public streets during nighttime hours, including crimes and violence by criminal street gang members;
- 3) Criminal street gang activity has been documented by the Woodlake Police Department; In one incident on February 2, 2013 at approximately 12:35 A.M. a minor member of a criminal street gang and an accomplice were on a public street with a firearm and ultimately shot and killed Richard Zepeda who was outside visiting with friends; In another incident on North Mulberry Street on March 13, 2015 at approximately 10:15 P.M., a seventeen year old minor was shot in the chest, cheek and back by individuals from a criminal street gang;
- 4) Numerous physical assaults and other cases of shootings have been documented during nighttime hours on or near public streets frequented by minors; and
- 5) The enactment of reasonable time, place and manner restrictions as provided herein will provide measures to reduce the potential for crime activity by or directed toward minors on public streets and other public property.

**Section 2.** CODE REPEAL. Chapter 9.08 within Title 9 of the Woodlake Municipal Code is hereby repealed in its entirety.

**Section 3.** CODE ADOPTION. Chapter 9.08 within Title 9 of the Woodlake Municipal Code is hereby enacted to read in its entirety as follows:

## CHAPTER 9.08 - CURFEW

### **SECTION 9.08.010: DEFINITIONS.**

For the purposes of this Chapter, the following definitions shall apply:

(a) **Curfew Hours:** Curfew hours refers to 10:00 P.M., local time on any Sunday, Monday, Tuesday, Wednesday, Thursday, Friday or Saturday, until 4:00 A.M. the following day.

(b) **Emancipated Minor:** An emancipated minor is a minor who has entered into a valid marriage, is on active duty with any of the armed forces, or has received a declaration of emancipation, as more fully set forth in California Family Code sections 7000 et seq.

(c) **Emergency:** An emergency means an unforeseen combination of circumstances which results in a reasonable necessity for immediate responsive or protective action, including but not limited seeking to obtain medical, police, fire or other reasonably urgent assistance. The term includes, but is not limited to, a fire, a natural disaster, an automobile accident or any situation requiring immediate action to prevent serious bodily injury, ~~or~~ loss of life or significant property damage.

(d) **Establishment:** Establishment means any privately owned place of business, operated for a profit, to which the public is invited, including but not limited to, any place of amusement or entertainment.

(e) **Express Parental Permission:** Express parental permission is the verifiable permission of a minor's parent or legal guardian for the minor to be in or on any public street, public park or any other public place during the curfew hours ~~of curfew~~ set forth in this Chapter. When stopped for a possible violation of this Chapter, it shall be the minor's responsibility to demonstrate that he or she has express written parental permission. The minor may satisfy this burden through any reasonably verifiable means including, but not limited to, signed and verifiable documentation from a parent or legal guardian specifying the date, time and purpose of permission or presentation of a form developed and administered by the Woodlake Police Department. Written verification shall not be required in the case of an emergency or when unforeseen circumstances arise which reasonably prevent the minor from obtaining prior written permission. If a minor is unable to demonstrate that he or she has express written parental permission and no other exception applies, the minor may be transferred to the Woodlake Police Department and shall not be subject to custodial interrogation for a violation of this Chapter. For minors who allege but are unable to demonstrate express parental permission, the peace officer with

custody of the minor at the station must promptly attempt to contact the minor's parent or legal guardian to determine if the minor has express parental permission. If the peace officer determines that the minor has express written parental permission and the minor is not being held for any other charges, the minor must be released promptly and returned to the place of initial detention as authorized by the minor's parent or legal guardian. If the peace officer does not determine that the minor has express parental permission, the minor shall be deemed to be in violation of the appropriate provision of this Chapter.

(f) **Legitimate Employment:** Legitimate employment is any lawful source of employment or self-employment in connection with a business, trade, profession or occupation.

(g) **Minor:** A minor is any person under the age of eighteen years.

(h) **Other Public Place:** Other public place includes all other public or private property, in addition to a public street, public alley or public park, which is outdoors and immediately accessible by the public in general, such as plazas, parking lots, doorways or breezeways; Not included in this definition is the residence of a minor or the minor's actual relative or the portion of street, sidewalk or yard adjoining such residences.

(i) **Operator:** Operator means any individual, firm, association, partnership or corporation operating, managing or conducting any establishment. The term includes the members or partners of an association or partnership and the officers of a corporation.

(j) **Parent or Legal Guardian:** A parent or legal guardian is a person or spouse of a person who has the legal custody or care of a particular minor. For purposes of this Chapter, parent or legal guardian also includes an adult who is accompanying a minor with the express written permission of the minor's parent or legal guardian.

(k) **Public Park:** Public park includes all grounds, roadways, squares, recreation facilities and other property placed under the control, management, and direction of the City of Woodlake Public Works Department.

(l) **Public Street:** Public street includes all public sidewalks, crosswalks, roadways, alleys and intersections, but not sidewalks that are adjoining to a minor's residence or the residence of the minor's actual relative.

(m) **Religious or Political Activity:** A religious or political activity includes, but is not limited to, a rally, demonstration, march, vigil, service or distribution of information which has as its primary focus political or religious purposes.

(n) **Remain:** Remain means to linger, stay or fail to leave the premises when requested to do so by a peace officer or the owner, operator or other person in control of the premises.

#### **SECTION 9.08.020: CURFEW PROHIBITIONS.**

(a) No minor shall remain in any public place or on the premises of any establishment within the City of Woodlake during curfew hours.

(b) No parent or guardian of a minor shall ~~knowingly~~ permit, or by insufficient control allow, any minor who is subject to their authority to remain in any public place or on the premises of any establishment within the City of Woodlake during curfew hours.

(c) No owner, operator, or employee of any establishment shall ~~knowingly~~ allow a minor to remain upon the premises of the establishment during curfew hours.

#### **SECTION 9.08.030: EXEMPTIONS; CONDUCT THAT DOES NOT VIOLATE CURFEW PROHIBITIONS.**

(a) It is a defense to prosecution under section 9.08.020 if the minor was:

1. Accompanied by the minor's parent or legal guardian.
2. On an errand at the written direction of the minor's parent or legal guardian, without any detour or stop.
3. Engaged in legitimate employment activity, or going to or returning home from a legitimate employment activity, without any detour or stop.
4. Involved in an emergency.
5. On the sidewalk abutting the minor's residence or abutting the residence of a next-door neighbor, if the neighbor did not complain to the Woodlake Police Department about the minor's presence.

6. Attending an official school, religious or other recreational activity supervised by adults and sponsored by the City of Woodlake, a local school district, a nonprofit charity, a locally recognized civic organization or another similar lawful entity that has taken responsibility for the minor, or going to or returning home from the same, without any detour or stop.

7. Exercising rights secured by the First Amendment of the Constitution of the United States of America in accordance with all valid and applicable time, place and manner regulations.

8. An emancipated minor.

(b) It is a defense to prosecution of a parent or legal guardian under section 9.08.020(b) if, at the time of the minor's violation, the parent or legal guardian reported to the Woodlake Police Department that the minor was out during curfew hours without permission, or the minor failed to obey an order of reporting parent or legal guardian to stay home during curfew hours.

(c) It is a defense to prosecution of owner, operator or employee of an establishment under section 9.08.020(c) if the prosecuted owner, operator or employee of an establishment promptly notified the Woodlake Police Department that a minor remained on the premises of the establishment during curfew hours after being asked by the establishment to leave.

#### **SECTION 9.08.040: ENFORCEMENT ACTION AND PROBABLE CAUSE.**

Before transporting a minor or taking any enforcement action for a violation of section 9.08.020, a peace officer must ask for the apparent offender's age and inquire into the minor's reason for being in the public place. The peace officer must not cite the apparent offender for violation of section 9.08.020, unless the peace officer reasonably believes that an offense under section 9.08.020 has occurred, and that none of the exemptions under section 9.08.030 are applicable. No provision within this Chapter shall authorize a peace officer to engage in custodial interrogation of a minor for a violation of section 9.08.020.

#### **SECTION 9.08.050: CONSEQUENCES FOR VIOLATION.**

(a) To the extent permitted by applicable law, including the terms of this section, all remedies prescribed in this section for a violation of section

9.08.020 shall be cumulative and not mutually exclusive, and are in addition to any other remedy or penalty authorized by law.

(b) In addition to any other authorized remedy, each violation of section 9.08.020 shall constitute a public nuisance that shall be subject to abatement through any lawful means.

(c) Violation of section 9.08.020 constitutes an infraction.

(d) Any person violating the provisions of section 9.08.020 shall be subject to the corresponding warning, fees and community service prescribed by Welfare and Institutions Code section 625.5(d) and (e) or its corresponding successor statute, if any, as amended from time to time. Any court order imposing community service upon a minor should not exceed any statutorily prescribed limits, including those in Welfare and Institutions Code section 258(a)(13), which as of the date of this ordinance limits community service by minors for violation of curfew to a total time of twenty (20) hours over a period not to exceed thirty (30) days. The Chief of Police or his/her designee is hereby authorized and charged with the responsibility to issue the notices described in Welfare and Institutions Code section 625.5(d).

(e) In order to facilitate the City's recovery of a fee, under Welfare and Institutions Code section 625.5(e), for actual costs of administrative and transportation services for the return of a minor to his or her place of residence, or to the custody of his or her parents or legal guardian, the City Council may from time to time enact a resolution setting forth the City's actual costs on an hourly or other reasonable basis. Such resolution may authorize City staff to calculate and collect the final fee without further approval from the City Council, and to conduct any hearing required by said statute and make any related findings and orders authorized thereunder including without limitation the imposition of community service, provided that any appeal thereof shall be heard by the City Council or its designee.

(f) In addition to fees and community service which may be imposed under this section, for a second and subsequent violation of section 9.08.020, the violator shall be subject to a fine not to exceed the amounts specified in section 1.12.010 for infractions.

(g) A minor whose violation of section 9.08.020 is not litigated in conjunction with a petition under sections 601 or 602 of the Welfare and Institutions Code may be heard and disposed of by a juvenile hearing officer pursuant to Welfare and Institutions Code section 256. A minor's

ability or inability to appeal a court's disposition is governed by Welfare and Institutions Code section 800, as amended from time to time. [In re K.S. (2003) 112 Cal. App. 4th 118.]

**Section 4. CEQA REVIEW.** The City Council hereby finds that this ordinance is not subject to review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15061(b)(3) [there is no possibility the activity in question may have a significant affirmative effect on the environment]. The City Manager is hereby directed to ensure that a *Notice of Exemption* is filed pursuant to CEQA Guidelines section 15062 [14 C.C.R. § 15062].

**Section 5. NO LIABILITY.** The provisions of this ordinance shall not in any way be construed as imposing any duty of care, liability or responsibility for damage to person or property upon the City of Woodlake, or any official, employee or agent thereof.

**Section 6. PENDING ACTIONS.** Nothing in this ordinance or in the codes hereby adopted shall be construed to affect any suit or proceeding pending or impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance or code repealed by this ordinance, nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

**Section 7. SEVERABILITY.** If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this ordinance, or its application to any person or circumstance, is for any reason held to be invalid or unenforceable, such invalidity or unenforceability shall not affect the validity or enforceability of the remaining sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases of this ordinance, or its application to any other person or circumstance. The City Council of the City of Woodlake hereby declares that it would have adopted each section, subsection, subdivision, paragraph, sentence, clause or phrase hereof, irrespective of the fact that any one or more other sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases hereof be declared invalid or unenforceable.

**Section 8. CONSTRUCTION.** The City Council intends this ordinance to supplement, not to duplicate or contradict, applicable state and federal law and this ordinance shall be construed in light of that intent. To the extent the provisions of the Woodlake Municipal Code as amended by this ordinance are substantially the same as provisions in the Woodlake Municipal Code existing prior to the effectiveness of this ordinance, then those amended provisions shall be construed as continuations of the earlier provisions and not as new enactments.

**Section 9. EFFECTIVE DATE.** The foregoing ordinance shall take effect thirty (30) days from the date of the passage hereof. Prior to the expiration of fifteen (15) days from the enactment hereof a certified copy of this ordinance shall be posted in the office of the City Clerk pursuant to Government Code section 36933(c)(1) and a summary shall be published once in the \_\_\_\_\_, a newspaper printed and published in the City of Woodlake, State of California, together with the names of the Council members voting for and against the same.

THE FOREGOING ORDINANCE was passed and adopted by the City Council of the City of Woodlake, State of California, on \_\_\_\_\_, 2015 at a regular meeting of said Council duly and regularly convened on said day by the following vote:

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

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RUDY MENDOZA  
Mayor, City of Woodlake

ATTEST:

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IRENE ZACARIAS  
City Clerk

## Graffiti Ordinance

### **Purpose.**

A. Graffiti Abatement. The purpose of this chapter is to provide for the prompt abatement of graffiti from public and private properties in the city; to provide for methods of controlling the unauthorized use of aerosol paint containers, wide-tipped marker pens, and paint sticks by minors; and to encourage citizens to report occurrences of graffiti vandalism within the city.

B. Nuisance Declared. Due to the increase of graffiti vandalism on both public and private property, a condition has arisen within the city which has resulted in a deterioration of property values and concern for the quality of life of the city's citizens. The city council finds and determines that graffiti constitutes a public nuisance which, left unabated, adversely affects the city's image, business development, retail sales, and residential housing costs. Allowing graffiti to remain on public or private property encourages additional unacceptable occurrences of graffiti, fuels fear among the community and is a factor which not only depreciates the value of the property which has been the target of such vandalism, but also depreciates the value of adjacent and surrounding properties.

C. Minimize Impact. The purpose of this chapter is, therefore, to minimize the impact which graffiti has on the city's quality of life, economic stability, environmental image, aesthetic standard, and the overall sense of feeling of safety and security of its citizens. Because the existence of graffiti tends to breed community discontent and criminal and gang-related activities, the chapter will serve to mitigate these problems through quick removal and control of graffiti vandalism.

### **Terms defined.**

For the purposes of this chapter, the following words and phrases shall have the meanings respectively ascribed to them by this section:

"Aerosol paint container" means any aerosol container, regardless of the material from which it is made, used for the purpose of spraying paint or other substance capable of defacing property.

"Felt tip marker" means any indelible marker or similar implement with a tip which, at its broadest width, is greater than one-eighth-inch but less than three-eighths of an inch, containing an transferable ink that is not water-soluble.

"Graffiti" defined as, but not limited to, any unauthorized inscription, work, figure or design that is marked, etched, scratched, drawn or painted on any surface.

"Graffiti implement" shall be defined as, but not limited to, aerosol containers of paint, any felt-tip marker, any paint stick, or any other item used to mark, etch, scratch, draw, or paint any unauthorized inscription, work, figure or design, in the same manner, and have the same meaning.

as "marking substance" is defined within California Penal Code § 594.2(c)(2), or any successor statute thereto, which may be amended from time to time.

...

"Minor" means a person under eighteen years of age.

"Paint stick" means a device containing a solid form of paint, chalk, epoxy, or other similar substance, capable of being applied to a surface by pressure, and upon application, leaving a mark at least one-eighth of an inch in width, visible from a distance of twenty feet, and not water-soluble.

### **Sale of graffiti implements to minors.**

It shall be unlawful for any person to sell, offer to sell or cause to be sold, any graffiti implements, including, but not limited to, ~~aerosol containers of paint~~, any felt tip marker pen, or any paint stick, to any person under the age of eighteen years who is not accompanied by a responsible adult.

### **Possession by minors—Prohibited.**

A. It is unlawful for any minor to possess any graffiti implement:

1. While upon public property; or
2. While upon private property, without the consent of the owner, or operator thereof. Such consent must be given in advance and must authorize the minor's presence while in the possession of a graffiti implement.

B. This section is not intended to conflict with California Penal Code Section 594.1 and shall not apply while a minor is attending, or traveling to or from a school, who has a dated permission slip from a parent or a teacher.

### **Signs, display requirement.**

A. Signs. Any person engaged in the retail sale of graffiti implements, including, but not limited to, any aerosol containers of paint, any felt tip marker pens, or paint sticks, shall display at the location of retail sales, a sign clearly visible and legible to employees and customers which states as follows:

1. It is unlawful for any person to sell, lend, or give to any individual under the age of eighteen years, who is not accompanied by a responsible adult, any aerosol container of paint or any felt tip marker pen or paint stick with a tip greater than one-eighth-inch.

B. Display Requirement. Every person or business engaged in a commercial enterprise shall display for sale, trade or exchange, any aerosol paint container or felt tip marker either: (1) in an area continuously observable, through direct visual observation or surveillance equipment, by employees of the retail establishment during the regular course of business; or (2) in an area not

accessible to the public in the regular course of business without employee assistance. Nothing herein shall relieve such person or business entity from, at all times, complying with the requirements of California Penal Code Section 594.1(c) by posting signs as described therein.

## Removal.

A. General. Any person applying graffiti within the city shall have the duty to remove same in a manner approved by the city and the property owner within twenty-four hours after notice by the city or public or private owner of the property involved. Failure of any person to so remove graffiti shall constitute an additional violation of this chapter. Consistent with Civil Code Section 1714.1 where graffiti is applied by minors, the parent or guardian shall be responsible for such removal or payment of costs thereof.

B. Public Property. Whenever the city administrator, or his/her designated representative, determines that graffiti exists upon property owned by the city, it shall be removed as soon as possible. When the property is owned by a public entity other than the city, the removal of the graffiti may be authorized by the city manager, or his/her designated representative, and removal undertaken by city only after securing written consent of the public entity having jurisdiction over the property. The public entity shall execute a release and waiver as approved by the city's risk manager.

C. Multiple Offenses. The city may, at its sole discretion, require any owner of property who has been cited two times or more for graffiti removal to, in addition to any other penalties/fines applicable under this chapter, plant vegetation or to take any other reasonable measures necessary to prevent or restrict the ability to create graffiti on the property in question.

### D. Notice of Affected Area; Requirement to Remove Graffiti.

1. Where graffiti is located upon private property and said graffiti is capable of being viewed by persons utilizing any public right-of-way or sidewalk within the city, it is the property owner's duty to remove said graffiti promptly from the property and to restore said property at least to the condition it was in prior to such act of vandalism. If the property owner fails to promptly remove said graffiti, the city shall cause a written notice to be served upon the owner of the affected property notifying the owner of the location and description of the graffiti and of the property owner's obligation to remove said graffiti. It shall be the responsibility of the property owner to commence removal of the graffiti described in the notice within ~~five~~ ten days ~~of~~ after the effective date of service or personal delivery of the notice, and to diligently and promptly pursue total removal of said graffiti; provided that an exception may exist in cases of undue hardship as established pursuant to subsection (D)(2) of this section. The service is complete at the time of deposit of the notice in the U.S. mail or by personal delivery of the notice to the owner of the property subject to removal of graffiti. The failure of any person to receive such notice shall not affect the validity of any proceeding.

2. Undue Hardship; Optional Procedure for Removal. In the event the property owner cannot comply with the requirement of subsection (D)(1) of this section, due to hardship, the property owner shall file a written request for waiver of the removal requirement with the city. The property owner shall explain his/her reason(s) for making such request. The written request shall be filed within the ~~five~~ten-day removal period stated in subsection (D)(1) of this section. In determining whether the request for waiver will be granted, and subsequent assistance provided to the property owner in removal of said graffiti, the city shall consider the following circumstances:

- a. The cost of restoration of the property to its original state prior to the imposition of the graffiti in proportion to the relative value of the property;
- b. The ability of the owner to pay for such removal;
- c. Whether or not the property has been the target of previous incidents of graffiti or whether a pattern of vandalism to such property exists.

The decision of the city in the form of a written decision by the city manager, as to whether or not to grant the waiver shall be final.

3. City's Release from Liability. A written request to waive the requirements of subsection (D)(1) of this section shall be accompanied by a "release from liability" form signed by the property owner which shall release the city and its authorized agents from any and all liability that may be caused or attributed to removal of graffiti from the owner's premises by persons acting under the authorization of the city.

4. Approval for City to Remove Graffiti. A written request to waive the requirements of subsection (D)(1) of this section accompanied by a signed "release from liability" form shall constitute an express approval by the property owner that the city or its authorized representatives may provide for the removal of the graffiti on owner's property by persons acting under the authorization of the city.

5. Failure to Remove Graffiti or Seek Waiver of Removal. In the event the owner fails to remove graffiti from his or her property and fails to request a waiver of such removal, the city may declare the property a public nuisance and the city may take any of the following courses of action:

- a. Administrative Procedure to Abate Nuisance. The city may direct the removal of graffiti from the property with the cost of work performed billed to the property owner who may select the option of direct payment of such costs. Failure to make direct payment for the abatement of graffiti shall constitute a special assessment against the respective lot or parcel plat to which it relates. The assessment may be collected at the same time and in the same manner as ordinary municipal taxes are collected and shall be subject to the same penalties and the same procedure and sale in case of delinquency as provided for ordinary municipal taxes. All laws applicable to the levy, collection and enforcement of municipal taxes shall be applicable to the special assessment. Upon completion of the graffiti abatement work, the city manager shall cause to be recorded in the office of the recorder of Tulare County, a "notice of completion of graffiti abatement proceedings" against a particular parcel involved. The

notice of completion of graffiti abatement proceedings shall have the effect when recorded of conclusively establishing that graffiti abatement proceedings have been completed and that all proceedings have been completed and that all necessary charges incurred on account thereof by the city are due and owing and constitute a special assessment against the subject real property. This notice shall specify the name of the current owner of the parcel as shown on the last equalized assessment rolls of the county of Tulare, and the Tulare County Assessor's parcel number for the parcel involved.

b. The city may commence criminal proceedings to abate a public nuisance under applicable Penal Code provisions.

## Responsibility.

Any individual who is found guilty of violating Section REMOVAL (A) of this chapter shall pay restitution to the property owner, in addition to authorized penalties. If the violator is a minor, the parent or guardian shall be responsible for payment of restitution. If unable to pay, the juvenile may be permitted to work off his/her payment under the direction of at least one parent by painting out graffiti.

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## Penalties.

A. It shall be unlawful and a misdemeanor to apply graffiti on any premises as described herein. Notwithstanding the classification of a violation of this chapter as a misdemeanor, at the time an action is commenced to enforce the provisions of this chapter, the trial court, upon recommendation of the prosecuting attorney, may reduce the charged offense from a misdemeanor to an infraction.

B. It shall be unlawful and a misdemeanor for a minor to possess any "graffiti implement" as described herein in violation of Section POSSESSION OF MINORS of this chapter.

Notwithstanding the classification of a violation of this chapter as a misdemeanor, at the time an action is commenced to enforce the provisions of this chapter, the trial court, upon recommendation of the prosecuting attorney, may reduce the charged offense from a misdemeanor to an infraction.

C. Any person convicted of a misdemeanor under this chapter shall be punished by: (1) a fine not to exceed five hundred dollars; and/or thirty days in the county jail for a first violation; (2) a fine not exceeding one thousand dollars and/or ninety days in the county jail for a second violation of this chapter within one year; and (3) a fine not exceeding two thousand five hundred dollars and/or six months in the county jail for each additional violation of this chapter within one year.

D. Any person convicted of an infraction under this chapter shall be punished by: (1) a fine not exceeding fifty dollars for a first violation; (2) a fine not exceeding one hundred dollars for the second violation of this chapter within one year; and (3) a fine not exceeding two hundred fifty

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dollars for each additional violation of this chapter within one year. Each day that a violation continues shall be regarded as a new and separate offense.

~~E. Community based probation officer probation program, community service with minimum hours and parental involvement.~~

~~F. If the person violating this chapter is a minor, the matter may be referred to the community based probation officer. The community based probation officer may request that a petition be filed to declare the minor to be a ward of the court pursuant to Section 602 of the Welfare and Institutions Code, or elect to refer the matter to the traffic hearing officer. In lieu of filing a petition, the probation officer may impose a program of informal supervision, not to exceed six months, pursuant to Section 654 of the Welfare and Institutions Code. The probation officer shall be authorized to order said minor to perform such community service the probation officer deems appropriate. The community service shall contain the following minimum elements:~~

- ~~1. The minor shall perform not less than twenty hours, nor more than one hundred hours of community service.~~
- ~~2. The entire period of community service shall be performed under the supervision of a community service provider approved by the community based probation officer.~~
- ~~3. The probation officer may require at least one of the custodial parents or guardians to be in attendance for up to fifty percent of the period of the assigned community service.~~

### **Alternative.**

Nothing in the foregoing sections shall be deemed to prevent the city from commencing a civil or criminal proceeding to abate a public nuisance under applicable Civil or Penal Code provisions as an alternative to the proceedings set forth herein.

### **Severability.**

If any section, subsection, sentence, clause, phrase, or portion of this chapter, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this chapter. The city council declares that it would have adopted each section, subsection, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, clauses, phrases or portions be declared invalid or unconstitutional.

## Mobile Vending

### **Purpose.**

The general purpose of this Chapter is to promote the health, safety, comfort, convenience, prosperity and general welfare of the citizens, businesses and visitors of the City of Woodlake by requiring that mobile vendors provide the community and customers with a minimum level of cleanliness, quality, safety and security. It is the purpose and intent of the City Council in enacting this Chapter, to provide mobile vendors with clear and concise regulations to prevent safety, traffic and health hazards, as well as to preserve the peace, safety and welfare of the community.

### **Definitions.**

A. "Mobile vending unit" shall mean any vehicle, trailer, pushcart, motorized food wagon, stand, tent; or structure; not affixed to a permanent foundation, with or without wheels, which may be moved from one place to another under its own power or by other means.

B. "Mobile vendor" shall mean any person engaged in the business of selling prepared, pre-packaged or unprepared, unpackaged food or foodstuffs of any kind, goods, wares, merchandise, or any other thing of value from a mobile vending unit on private or public property.

C. "Persons" shall mean any person, firm, partnership, association, corporation, or business entity, and includes, but is not limited to, owners, operators, drivers, lessors and lessees of a mobile vending unit.

D. "Vend" or "Vending" shall mean the sale of prepared, pre-packaged or unprepared, unpackaged food or foodstuffs of any kind, goods, wares, merchandise, or any other thing of value from a mobile vending unit on private or public property.

### **Permit required.**

No person may vend in the City without first obtaining and having in his or her possession a vendor permit issued by the City in accordance with this Chapter. No permit granted herein shall confer any vested right to any person or business for more than the permit period. All mobile vendors subject to this Chapter shall comply with the provisions of this Chapter as they may be amended hereafter.

### **Permit period.**

All vendor permits issued by the City to operate a mobile vending unit shall be limited to a permit period of one (1) year.

~~All vendor permits issued by the City to operate in designated locations pursuant to section **PENDING (A)** shall be limited to a permit period of 1 year.~~

### **Application for Permit to Operate.**

A person desiring to engage in a mobile vendor operation shall submit a written application for a Permit to Operate in a form acceptable to and with all supporting information required by the City Planning Department. Such application shall be

accompanied by a non-refundable, non-transferable application fee in an amount as established by resolution of the City Council. Any such permit shall be required to be renewed annually and a separate non-refundable, nontransferable application fee shall be paid yearly for such renewal application. Mobile vendors must have the permit in their possession when vending. Permits to Operate are nontransferable.

A. Every mobile vendor shall obtain a City of Woodlake Business License.

B. As part of the Permit to Operate application, the mobile vendor shall provide the following:

1. Mailing address for notification purposes. If during the term of the Permit, the permit holder has any change in the mailing address submitted on the original or renewal application; the permit holder shall notify the planning department of such change in writing within ten (10) business days thereafter. Failure to provide updated contact information shall be grounds for Permit suspension.
2. Legal names of the mobile vendor and all persons operating or vending out of the mobile vending unit.
3. Proof of current vehicle registration (for mobile vending unit if applicable).
4. Designation of period of operation (limited to one year).
5. Four photographs (showing different exterior views) of each mobile vending unit.
6. Dimensioned sample or rendering of proposed signage.
7. A copy of a current Tulare County Environmental Health permit, if operating a mobile food facility as defined in California Health and Safety Code § 113831~~A copy of a current Tulare County Environmental Health permit.~~
8. Proof of automobile insurance as required by the Vehicle Code (for mobile vending unit if applicable).
9. No person shall engage in, conduct or carry on the business of a mobile vendor unless there is on file with the city, in full force and effect at all times, documents issued by an insurance company authorized to do business in the State of California evidencing that the operator is insured under a liability insurance policy providing minimum coverage of \$1,000,000 for injury or death arising out of the operation of the mobile vending unit.
10. A signed indemnification agreement in favor of the City.

D. The following may constitute grounds for denial of a Permit to Operate or renewal application:

1. The proposed mobile vending activity does not comply with all applicable laws including, but not limited to, housing, fire, safety and health regulations;
2. The applicant is unable to obtain a business license ~~due~~;
3. The applicant has, within three (3) years immediately preceding the application filing date, had a permit to operate, vending license or similar permit suspended or revoked in another California jurisdiction;

4. The applicant has ~~knowingly~~ made a material misstatement in the application for a Permit to Operate;

5. Failure to obtain clearance from Tulare County Environmental Health.

6. Failure to maintain or provide the City with evidence of the insurance required by this Chapter.

7. Failure to provide the City with a signed indemnification agreement in favor of the City.

8. Failure to fully comply with any provision of this Chapter or any applicable laws and permit conditions.

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E. The Planning Commission shall be the decision making authority for any initial application of a Permit to Operate. The City Administrator or designee shall be the decision making authority for any renewal application of a Permit to Operate.

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### **Rules and Regulations.**

#### **A. Location:**

Mobile vendors may only operate in City approved mobile vending locations. These vending areas will be selected and approved by the Woodlake Planning Commission - but may be timely appealed to the City Council.

Within the approved mobile vending locations, the mobile vendor will be subject to the following conditions:

1. Permitted hours of operation are from 8:00 p.m. to 12:00 a.m.
2. Vendors shall not interfere with access, driveways, aisles, circulation or fire lanes and hydrants .
3. The mobile vendor shall display, in plain view and at all times, current permits and licenses.
4. While vending, drive wheels of the mobile vending unit shall be chocked in such a manner as to prevent movement.
5. The mobile vending unit shall be entirely self-sufficient in regards to gas, water and telecommunications. Should any utility hook-ups or connections to on-site utilities be used or required, the mobile vendor shall be required to apply for appropriate permits or receive approval by the appropriate City Department to ensure building and public safety and consistency with applicable building and zoning regulations.
6. The mobile vendor shall not discharge items onto the sidewalk, gutter, storm drainage inlets or streets.

#### **B. Appearance of Site:**

1. The site shall be maintained in a safe and clean manner at all times.
2. No tables, chairs, fences, shade structures or other site furniture, (permanent or otherwise) or any free standing signs shall be permitted in conjunction with the mobile vendor.
3. Any site improvements required for mobile vendor operations shall require application for the appropriate permits to ensure building and public safety and consistency with applicable building and zoning regulations.

4. Exterior storage of refuse, equipment or materials associated with ~~the~~ mobile food ~~vendor-facility~~ is prohibited.

D. Sanitation:

1. All mobile vendors operating a mobile food facility as defined by the Health and Safety Code shall operate out of a commissary pursuant to Health and Safety Code section 114295.

2. All mobile units shall be equipped with refuse containers large enough to contain all refuse generated by the operation of such a unit, and the vendor of the mobile unit shall pick up all refuse generated by such operation within a twenty-five (25)-foot radius of the vehicle before such unit is moved. No mobile vendor shall dispose of any trash or refuse in any such public or private trash receptacle other than a trash receptacle owned, operated or otherwise provided by and under the control of such vendor.

3. All mobile vendors operating a mobile food facility as defined by the Health and Safety Code shall comply with Health and Safety Code section 114315 regarding the availability of adequate toilet and handwashing facilities for use by food service personnel.

E. Safety and security:

1. No vending shall be permitted except after the mobile vending unit has been brought to a complete stop and parked in a lawful manner.

2. The mobile vendor shall install signage in a visible location on the mobile vending unit indicating that loitering is not permitted.

3. The mobile food vendor shall enforce the no loitering rule.

4. On-Street Operation: Pursuant to Vehicle Code § 22455, a mobile vendor may stop to conduct business from a mobile food facility at a location within the right-of-way of a public street within the City only when all of the following conditions are satisfied:

(i) The mobile food facility shall not constitute an encroachment on the highway.

(ii) The mobile food facility must be safely parked:

(a) At least one hundred (100) feet from any intersection, including intersections with public alleys;

(b) Where the applicable speed limit is 35 mph or slower;

(c) In such a manner that travel upon the street, vehicular access to any driveway, the view of drivers, or lawful movement of any vehicle on the public right-of-way is not impeded or obstructed;

(d) In such a manner that patrons are not permitted to do business with the mobile vendor from their vehicles;

(e) In such a manner that patrons of the mobile food facility may safely park on the same side of the road as the mobile food facility and walk to and from the mobile food facility using a sidewalk or other area away from the vehicular right-of-way; and

(f) In such a manner that the window for patrons is on the side of the mobile food facility away from the traffic.

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5. Off-Street Operation:

(1) A mobile food facility may be parked for conducting business at a location off the public street only when all of the following conditions are satisfied:

(a) The mobile food facility must be safely parked at least twenty (20) feet from the paved edge of the nearest public vehicular right-of-way and;

(b) The mobile food facility as parked must not impede or obstruct the view of drivers on any public road;

(c) Patrons of the mobile food facility must not be permitted to transact business with the mobile vendor from their vehicles;

(d) Patrons of the mobile food facility must be able to safely park on the same side of the road where the mobile food facility is parked and walk to and from the mobile food facility using a sidewalk or other area which is not part of the public vehicular right-of-way; and

(e) The window or other service area for patron transactions must be located on the side of the mobile food facility which faces away from vehicular traffic on the nearest public vehicular right-of-way.

**Exemptions.**

A. Any person engaged in vending where such person has been authorized by the City of Woodlake to engage in such activity by a special event permit or other entitlements issued by the City of Woodlake.

B. Any person delivering any goods by vehicle where such goods have been ordered in advance for such delivery from any business located at a permanent location and which goods are being delivered from such location to the customer by vehicle, regardless of the point of sale.

**VIOLATIONS**

Any violation of this Chapter by a mobile vendor shall constitute a public nuisance subject to abatement through any lawful means including, but not limited to, the procedures in Chapter 8.28. Additionally, any mobile vendor who violates the provisions of this Chapter shall be subject to the general penalty provisions of Chapter 1.12.

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING SECTION 17.04.080 OF, AND ADDING SECTION \_\_\_\_\_ TO, CHAPTER 4 OF TITLE 17 OF THE MUNICIPAL CODE OF THE CITY OF WOODLAKE, PROHIBITING THE PARKING OF MOTOR VEHICLES ON LAWNS AND OTHER NON-PAVED AREAS ON RESIDENTIAL USE LOTS.

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

**Section 1. PURPOSE.** The provisions of this ordinance are intended in order to promote the public health, safety, comfort and general welfare of the community by requiring a minimum level of maintenance of private property to protect the livability, appearance and social and economic stability of the City of Woodlake (“City”) and to protect the public from the health and safety hazards and the impairments of property values that result from the neglect and deterioration of property.

**Section 2. CODE ADOPTION.** Chapter 10.19 of Title 10 of the Woodlake Municipal Code is hereby enacted to read in its entirety as follows:

**CHAPTER 10.19 – RESIDENTIAL PARKING.**

**Residential Parking Restriction**

**Section 10.19.010 Purpose.**

The purpose of this chapter is to promote the public health, safety and welfare by requiring a minimum level of maintenance of private property to protect the livability, appearance and social and economic stability of the city and to protect the public from the health and safety hazards and the impairments of property values that result from the neglect and deterioration of property.

**Section 10.19.020 Definitions.**

A. "Boat" means a boat of any kind, whether self-propelled or propelled by any other means, including sailing vessels and all other structures adapted to be navigated on water from place to place for recreational purposes or for the transportation of merchandise or persons.

B. "Motor Vehicle" means a passenger vehicle, truck, recreational vehicle, motorcycle, motor scooter, golf cart, or other similar self-propelled vehicle.

C. "Motor vehicle" does not mean a motorized wheelchair, bicycle, tricycle or quadricycle.

ED. "Property" means any real property not owned by the City of Woodlake, the federal or state government or any political subdivision or agency thereof.

DE. "Recreational Vehicle" means a motor vehicle designed and equipped for human habitation.

**Section 10.19.030 Parking on unpaved surfaces prohibited.**

A. Notwithstanding any other ordinance of the City, on any improved parcel used for residential purposes, No person shall keep, store or park any trailer, recreational vehicle, boat or motor vehicle on any portion of a front yard or ~~corner lot~~ side yard which facing adjoins either a public street or a public sidewalk of a property designed or used as a residence, except on ~~an~~ unless the area ~~that~~ is paved in accordance with City standards.

B. No owner, tenant, manager, or occupant of ~~property used as a residence~~ any improved parcel used for residential purposes shall allow or suffer another person to keep, store or park any trailer, recreational vehicle, boat or motor vehicle on any portion of a front yard or ~~corner lot side yard facing a streetside yard which adjoins either a public street or a public sidewalk,~~ except on ~~an~~ unless the area ~~that~~ is paved in accordance with City standards.

**Section 10.19.040 Enforcement.**

A. The city administrator or designee is authorized to administer and enforce the provisions of this chapter. All enforcement officers to whom the city ~~manager~~ administrator has delegated enforcement responsibilities are authorized to inspect property and to take any other appropriate enforcement actions as may be ~~required or appropriate~~ reasonably necessary or convenient in order to carry out, administer or otherwise enforce the provisions of this chapter.

B. Any private person who violates any provision of this chapter shall be subject to enforcement procedures for each violation through any lawful

means available to the city, including without limitation, the administrative citation procedures or the general penalty provisions of Chapter 1.12.

C. A violation of this chapter by any private person shall constitute a public nuisance which, in addition to any other potential remedies available, shall be subject to abatement by any lawful means including, but not limited to, the procedures in Chapter 8.28.

**Section 3. CEQA REVIEW.** The City Council hereby finds that this ordinance is not subject to review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15061(b)(3) [there is no possibility the activity in question may have a significant affirmative effect on the environment]. The City Administrator is hereby directed to ensure that a *Notice of Exemption* is filed pursuant to CEQA Guidelines section 15062 [14 C.C.R. § 15062].

**Section 4. NO LIABILITY.** The provisions of this ordinance shall not in any way be construed as imposing any duty of care, liability or responsibility for damage to person or property upon the City of Woodlake, or any official, employee or agent thereof.

**Section 5. PENDING ACTIONS.** Nothing in this ordinance or in the codes hereby adopted shall be construed to affect any suit or proceeding pending or impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance or code repealed by this ordinance, nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

**Section 6. SEVERABILITY.** If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this ordinance, or its application to any person or circumstance, is for any reason held to be invalid or unenforceable, such invalidity or unenforceability shall not affect the validity or enforceability of the remaining sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases of this ordinance, or its application to any other person or circumstance. The City Council of the City of Woodlake hereby declares that it would have adopted each section, subsection, subdivision, paragraph, sentence, clause or phrase hereof, irrespective of the fact that any

one or more other sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases hereof be declared invalid or unenforceable.

**Section 7. CONSTRUCTION.** The City Council intends this ordinance to supplement, not to duplicate or contradict, applicable state and federal law and this ordinance shall be construed in light of that intent. To the extent the provisions of the Woodlake Municipal Code as amended by this ordinance are substantially the same as provisions in the Woodlake Municipal Code existing prior to the effectiveness of this ordinance, then those amended provisions shall be construed as continuations of the earlier provisions and not as new enactments.

**Section 8. EFFECTIVE DATE.** The foregoing ordinance shall take effect thirty (30) days from the date of the passage hereof. Prior to the expiration of fifteen (15) days from the enactment hereof a certified copy of this ordinance shall be posted in the office of the City Clerk pursuant to Government Code section 36933(c)(1) and a summary shall be published once in the \_\_\_\_\_, a newspaper printed and published in the City of Woodlake, State of California, together with the names of the Council members voting for and against the same.

THE FOREGOING ORDINANCE was passed and adopted by the City Council of the City of Woodlake, State of California, on \_\_\_\_\_, 2015 at a regular meeting of said Council duly and regularly convened on said day by the following vote:

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

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Rudy Mendoza  
Mayor, City of Woodlake

ATTEST: \_\_\_\_\_  
Irene Zacarias  
City Clerk

DRAFT