Minutes
CITY COUNCIL/SUCCESSOR AGENCY/PUBLIC FINANCE AUTHORITY MEETING AGENDA
August 15 2013

1. CALL TO ORDER

Mayor Lander called the August 15, 2013 City Council Meeting to Order at 6:00 PM, PDT. He led the Council in the Pledge of Allegiance.

Council Members Present: Keough, Ramsey, Garcia, Lander (Oxborrow late)

City Clerk Wanda Earls
City Treasurer Olga Keough

Others Present: City Manager Rene Ramirez, City Attorney Laurie Avedisian, Police Chief Cal Minor, HR Director Marissa Chavez, City Finance Director Mari Jimenez, Assistant Community Development Director Sean Brewer, Administrative Analyst Mercedes Garcia, Economic Development Assistant Shannon Jensen, Police Lieutenant Scott Ingram

Mrs. Sharon Spurgeon, CRMC Administrator said she just received notification from the Department of Health Care Services that rural hospitals will be exempt from the Skilled Nursing Mandate. She wants to thank everyone within this community for their support and everything you did to get us through this hurdle. There is still a call back-item to be addressed, but at this point the 2008 freeze will be lifted and the rates will be adjusted and we will not have a rate reduction going forward.

2. AWARDS, PRESENTATIONS, APPOINTMENTS AND PROCLAMATIONS (NONE)

Mayor Lander announced the presentation of the Bronze Award Pins to the Girl Scouts. Five young ladies are the recipients of this Bronze Award. A mother called the Mayor to ask what these young girls can do to participate in helping the community to be a better place. The other young ladies came to the Barbershop .

The Junior Cadet Group 2930 went on a journey in order to complete their Bronze Award. The goal was to complete the Bronze Award which is the highest achievement a Junior Girl Scout can earn. The process takes many steps. The girls learned many things this year in their attempt to make an impact on their community. They talked in depth about topics affecting them in school like bulling, stereotyping and how to step out of their own comfort zone to help a fellow student. They ended their journey with a play that was performed in Frame Park.

The Bronze Award Project came up during a regular meeting and the girls decided they were going to make a difference. Each girl came up with an idea they felt would better help their community; like a creek bed cleanup, a food drive, making blankets for Valley Children's Hospital, doing a fund raiser for a woman's shelter and collecting clothes for foster children. Each girl wanted to be fair to her sister scouts so they decided "heads-up seven-up" would be the only way to choose what projects would win. That is how "Helping Hands" was started. Each girl was separated in a community of her choosing and given a task of making letters to give to businesses, flyers, contracts, etc.

To earn the Bronze Award the girls had to met specific regulations. They had to complete a journal, create their time for the community for a project that was needed, make a plan, put it into action, spread the word and complete a minimum of 20 hours of community service. The result was amazing; they collect approximately 10 bins of donated clothing, 4 bins of miscellaneous items including school items, shoes and bedding and two bags of toys.

The girls received their Bronze Award Certificates from Mayor Lander.

3. CITIZEN COMMENTS

4. PUBLIC HEARINGS (NONE)

5. CONSENT CALENDAR (NONE)

6. ORDINANCE PRESENTATION, DISCUSSION AND POTENTIAL ACTION ITEMS

1. Council Consideration of a request from Warthan Place Apartments Investors, LP for Financial Assistance for the Warthan Place Apartments Multi-Family Housing Project

   Sean Brewer, Assistant Community Development Director

Assistant Community Development Director Sean Brewer:

Based on previous discussions at previous Council Meetings, staff has been working with the developer of the Warthan Place Apartments to prepare an official request to the Council to consider the discussions the Council has had regarding the bond proceeds as well as the residual receipts loan which was previously requested.

The staff report is similar to previous meetings. John wanted to have an opportunity to provide an official request to consider, based on previous discussions, and based on the financial situation of his previous applications and future applications. Staff has provided updated financial information as well as performance scope for the project. If the Council should choose to move forward you would need to take action at the next Council Meeting to obligate the RDA bond proceeds as well as execute an agreement for the residual receipts loan.

Council Member Keough said he has questions for John.

You know where he stands, he has made his statement. He does want to say something before we vote tonight. In looking through items about the project it makes him think back to one of the past conversations. You explained what kind of folks would be renting these units. He thought you said librarian, firefighters, etc. did he understand that correctly?

Mr. John Cicerone said the Warthan Place Apartments are considered to be a workforce housing project. By that we mean it will be open to tenants who earn between 30% and 50% of the area median income. That is enforced through a regulation agreement which is recorded on the property. There would be two agreements; one with the City and one with the State. Each year there is a form published by the California Tax Credit Allocation Committee (it is on their website) the income is determined by the number of people who live in the household. The form he has is for 2013. For someone earning 50% of the area median income in Fresno County, with five people in the household, the income would be $31,300.

Council Member Keough said he has $46,000 as the median household income; by his records 50% would be $23,000. Doing a basic Google search it says $46,000 for this area is median household income. When you were explaining the types of people who would be coming here, he does not see that as being possible. He does not think librarians, firefighters, etc. make $23,000.

Mr. Cicerone said we would be at 50% of the area median income. He is not certain where you are getting your information. He is telling you that the income levels they have to operate by are the ones shown on this report. If they earn in the low $30,000's level they would be ineligible. A six person household at 50% is $33,600. He can absolutely tell you that those incomes are correct. There is a regulatory agreement which will obligate me to meet these levels for 2013. It will change again in 2014.

Council Member Keough asked is $33,000 what firefighters make per year.

Council Member Garcia said that would be possible in smaller cities; not for Coalinga.

Mr. Cicerone indicated it is for entry level workforce housing.

Council Member Keough said you named certain jobs so you gave that impression. Before the Council votes he thinks it only fair that it is very clear that the impression is not exactly right. It is a little misleading; it is not firefighters, librarians, etc.

Mr. Cicerone said your comment is absolutely right but he doesn't think he said that. He doesn't have the minutes before him and he was talking about entry workforce housing. He thinks he read the number from the income level. He doesn't recall that he mentioned those specific jobs.

Council Member Keough said he would let the Council decide. It says you intend to put a pool in Phase 1. Intentions are not good enough.

Mr. Cicerone said he will put in a pool. There are two amenities he plans to put in, a nice playground, which cost more than the pool. At full buildout he will build two community buildings. Each community building will be the heart of the community with a large entertainment room with high definition TV, games and classroom offering free social services to the tenants.

Council Member Keough vertified that the librarians and the firefighters would have a pool.

RECOMMENDATION:
Council consideration of a financial request by the Warthan Place Apartment Investors, LP to allocate $1.5 million in Successor Agency Housing Bond Proceeds and a deferral as a residual receipts loan of $964,737 in impact fees for the Warthan Place Apartments Multi-Family Housing Project in Coalinga. Staff is recommending APPROVAL of this request

*Motion to Approve an Impact Fee Deferral Loan Agreement for $964,737.00 Between the City of Coalinga and CFY Development, Inc. and the allocation of $1.5M of successor housing bond proceeds to be allocated to the Warthan Place Apartments Project. Made by Council Member Garcia, Seconded by Council Member Ramsey and **Approved** by a Roll-call (3/1) Vote: Garcia, Ramsey, Lander (Keough against) (Oxborrow Absent)*

2. Provide Direction to the City's Voting Delegate and Alternate Delegate on League of California Resolutions

   Rene A. Ramirez, City Manager

City Manager Rene Ramirez reported the League of California Cities Meeting will be in Sacramento the latter part of September. The direction made the past month was that the mayor and city manager would be representing the City. Part of the Annual League Conference is they have actions for which they ask for support. In this particular case, they are asking each of the cities to vote to gain a sense of support for the resolutions. One is a water matter and the other has to do with public safety.

The vote will be turned in by those attending the conference.

League of California Cities Resolutions:

Voting Choices

2012

1. Resolution Calling Upon the Governor and the Legislature to work with the League of California Cities and to prioritize Water Bonds to Assist Local Government in Water Conservation, Ground Water Recharge and Reuse of Storm Water and Urban Runoff Programs.

Lander	Oxborrow	Garcia	Ramsey	Keough
Yes	Absent	Yes	Yes	Yes

2. Resolution Calling upon the Governor and Legislature to Enter into Discussions with the League and California Police Chiefs' Association Representatives to Identify and Enact Strategies that will Ensure the Success of Public Safety Realignment from a Local Municipal Law Enforcement Perspective.

Lander	Oxborrow	Garcia	Ramsey	Keough
Yes	Absent	Yes	Yes	Yes

Council Member Ramsey said they attended an ACCAP Meeting several days ago and they talked about the second resolution. A lot of cities are sending letters in support and ACCAP is writing a letter. He would solicit that Coalinga write a letter. The Council agreed.

3. Consideration of Bid Award for the Coalinga Plaza Street Reconstruction Project
Sean Brewer, Assistant Community Development Director

Assistant Community Development Director Sean Brewer:

This has been a longtime coming,

Staff is recommending that the Coalinga City Council award a construction contract in the amount of $1,449,223.90 to Lee's Paving Inc., 1212 N. Plaza Drive, Visalia, CA 93291 for the Coalinga Plaza Street Reconstruction Project.

Background information is in his staff report. There has been discussion and workshops over several years. He wants to identify the fiscal impact. He really wants to let you know that our bid came in higher than anticipated engineer's cost estimate. We are used to seeing these bids coming in 20-30% lower; he thinks this identifies that the economy is changing a little and picking up. We have a tight window as to construction due to the fact we want to have the least amount of disturbance to the businesses on the Plaza.

Lee's Paving from Visalia has been used before on a previous project. Our construction management has worked on two projects with Lee's and had very successful projects.

We are working with a sign company; we have released the RFP and have chosen a sign company to work with. We should be bringing something back at the September meeting for approval of the design and award of the contract and the way-findings for the kiosk at Frame Park..

Motion to Award a Construction Contract in the amount of $1,449.223.90 to Lee's Paving Inc., 1212 Plaza Drive, Visalia, CA for the Coalinga Plaza Street Reconstruction Project Made by Council Member Ramsey, Seconded by Council Member Garcia. Motion ***Approved*** *by a Roll-call (4/0) Vote: Ramsey, Garcia, Keough, Lander (Oxborrow absent).*

7. ANNOUNCEMENTS

Mayor Lander reported he was invited to attend the AERA Energy LLC 100th Year Anniversary which was held at the proposed auto museum. There were many presentations by state, county and federal officials and a nice presentation by the CEO of AERA Energy. He learned a lot about Shell Oil Company which he did not know. He was very pleased to be a part of it. One of the original oil wells is still producing oil at 1.4 barrels per day.

Council Member Keough said he attended the Latino Water Summit two weeks in a row at Fresno State. There were many Valley legislators present. It was a good experience to learn of the water situation in the Valley. He was able to go out with COG to tour the proposed Temperance Flat Reservoir. He learned a lot about the upcoming water bond and what has happened the past 10 years. If and when this water bond is approved it is a 10 or 15 year project. Without water we are not going to grow or improve. This goes back when he asked the Council for a letter to Diane Feinstein to support this program. He appreciates the Council getting behind this. He has been representing Coalinga, on his days off, and bringing back home what he has learned.

City Manager Ramirez:

On July 11th the Council meet in a workshop setting providing us some direction to get an appraisal on the EDA buildings being converted to Condo's. Shannon Jensen and Sean Brewer have been working with an appraiser; he has completed his initial work and is in the process of preparing the report and we anticipate receiving that appraisal within two weeks. Once we receive that appraisal we will present it at a workshop or meeting to discuss the findings. We want to have a discussion as to where we set the fees, rates or sales prices for those buildings.

At the last Council meeting, he mentioned that at your next regularly scheduled meeting on September 5th, we would talk about having a workshop to introduce the Zoning Ordinance Update the Planning Commission has been working on. It is in the process of being reviewed by our legal attorneys Laura Avedisian and Dale Bajacalupi. We think the September 5 meeting is a little premature because we want our attorneys to do a good review of that document. Our goal is to get it into your hands by mid-September and, hopefully, by the October meeting to have a workshop. We want to give the Council as much time as needed for your review. It is a very important document as to planning for the community and we don't want to rush anything.

In reference to the NOVUS process, it was brought to his attention that we are not seeing any minutes to meetings. You should be able to see the minutes, going back to the first meeting that has been in NOVUS. Our Clerk Ms. Earls has done her job preparing the minutes. There is a formatting issue which Sean has been working on. They believe they have a handle on it. What happened when the minutes were prepared is there are some discussion items where the Council had not required a motion. What NOVUS was doing was placing everything in a format and it was indicating a motion was made and a vote, etc. It is confusing and they are fixing these things. The minutes have not been brought to you for approval but they are readily available to read. We want to correct this formatting issue.

On August 5th Chief Minor and HR Director Chavez and he had a conference call with a substance abuse program provider. They are located within the State. We are doing this as part of our due diligence. Those folks are going to provide for us a concept paper on their substance abuse program and also give us an idea of the costs. We are awaiting that and once received we probably will have addition conversation with them and, hopefully, some others.

The other things we did last week was to go to the Corcoran State Prison and they gave us a tour inside their substance abuse program. It is within the prison but outside the confines of the general population. They are behind razor wire and behind an electrified fence. There are approximately eighty inmates there. It was an opportunity to see the program at work. What was interesting to him was there were a couple of "lifers" inmates in there for life. They were providing counseling. They went through a program with the State and received something like 700 hours of training to counsel inmates on substance abuse and some mental health issues. It is part of our due diligence to find out what might be right for our facility out there.

8. FUTURE AGENDA ITEMS

Council Member Keough said he had brought up, at the July 11 meeting, that he would like to see something done about the Sports Complex on Cambridge Avenue.

City Manager Ramirez said Mercedes Garcia and he have been working on this for you. We are at a point with some information that we just want to clarify with the city attorney's office. We are hoping to place it on the meeting agenda in September. They had a conversation with the park's personnel so they are not caught by surprise.

9. CLOSED SESSION

1. Conference with Legal Counsel - Potential Litigation - Significant exposure to litigation pursuant to Government Code 54956.9(b). 1 case.

2. Conference with Legal Counsel - Existing Litigation Government Code 54956.9(d). Deborah S. Ireland v. City of Coalinga, Case No. 12CECG00171.

3. Conference with Labor Negotiator Government Code 54957.6. CITY NEGOTIATORS: Rene A. Ramirez, City Manager; Marissa Chavez, Human Resources Director; Laurie Avedisian, City Attorney. EMPLOYEE (ORGANIZATION): General Employees; Coalinga Police Officer's Association; Non-Represented Employees;

10. ADJOURNMENT

Mayor Lander adjourned the meeting at 6:35 PM, PDT.

____
Ron Lander, Mayor

____
City Clerk/Deputy Clerk

____
Date

WARTHAN PLACE APARTMENT INVESTORS, LP

July 29, 2013

Mr. Sean Brewer
City of Coalinga
155 W Durian
Coalinga, CA 93210
phone (559) 935-1533

Re: Request for $1.5 million Allocation of Housing Bond Proceeds & Deferment of Impact Fees for the first phase of 80 units of Warthan Place Apartments

Dear Mr. Brewer:

We respectfully request that the City of Coalinga consider financing for the first phase of 80 rental units at Warthan Place Apartments consisting of an allocation of Housing Bond Proceeds of $1.5 million and deferral of impact fees estimated to be $964,737.

We intend to finance Warthan Place Apartments with 9% tax credit equity, a conventional section 538 mortgage, City bond Proceeds, City deferred impact fees and deferred developer fee.

We request that the Housing Bond Proceeds and impact fee deferral be loaned to our partnership on substantially the same terms and conditions as the previously approved but now void RDA loan to the project consisting of a residual receipts repayment from available cash flow with a term of 55 years, and a below market interest rate of 1%, secured by a Deed of Trust subordinate to senior regulatory agreements and financing, be repaid on a residual receipts basis commencing after repayment of deferred developer fee from available cash flow split of 50% to repay City Loans and 50% to the general partner.

We request the approval to be valid through the decisions for the second round of 9% tax credit applications in 2014. Though a 2014 schedule has not yet been published, the second round 9% award decisions should be announced by September or October 2014. If the project fails to win an award for the second round 9% tax credit applications, then the financing approvals requested by this letter would terminate.   If the project wins an award, then the approvals would extend to the "Readiness" deadline for tax credit projects which is 180 days from the tax credit award letter. By the "Readiness" deadline the project must have closed on construction financing, syndication proceeds and building permits. We have never won tax credits and not closed by Readiness. We believe the Readiness closing, though complicated, is assured.

1006 FOURTH STREET SUITE 701 • SACRAMENTO, CA • 95814
PHONE: 916-446-4040 • FAX: 916-446-4044

The transaction would be memorialized by documents customary for such a transaction including a subordinate Deed of Trust recorded against the first phase apartment site, Promissory Note, Regulatory Agreement, Owner Participation and Loan Agreement, and Notice of Affordability; similar in form to the documents prepared in 2009 for the City RDA loan.

Workforce Housing

Warthan Place aims to fill the demand for entry level workforce housing. The 80 units will be restricted to tenants earning between 30% and 50% of area medium income with 10% of the units at 30% of area median, 10% at 40% and the balance at 50% 50% AMI.

Affordability Allocation

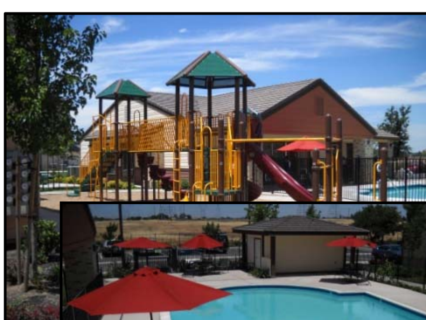
	Percent of AMI			
Unit	**30.00%**	**40.00%**	**50.00%**	**Total**
2BR	3	3	34	40
3BR	4	4	24	32
4BR	1	1	6	8
Total	8	8	64	80

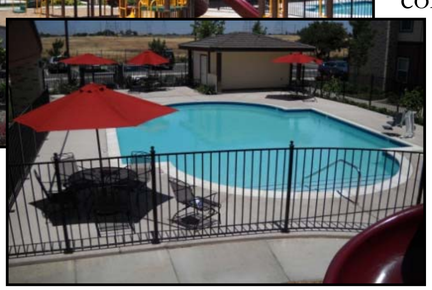
The Warthan Place Apartments will satisfy a significant portion of the state's Regional Housing Needs Assessment (RHNA) mandates of the City of Coalinga. The affordability may change to meet state/federal requirements.

Energy Efficient and Green Design

We anticipate that Warthan Place will be designed to a high level of energy efficiency including solar PV to service the units.

Our design features large units with open, large floor plans and spacious bedrooms sized to accommodate bed and furniture. At 1,350 square feet, our 4 bedroom units are the size of a small house.





Social Services, Management and Community Building

Workforce housing requires engaged management for success. That is why we are a vertically integrated community developer who manages our own properties. Our managers will be on site 24 hours/7 days a week. In addition to the manager, each 80 units will employ an assistant manager, a janitor and a maintenance person.

The community building serves as the focal point for the community. The community building will provide onsite laundry facilities and management offices.

It will have a great room with pool table, high definition TV and meeting areas in which the tenants can hold parties. There will also be an aerobics room.

Conveniently located adjacent to the community building we will have family oriented amenities such as a playground or a pool. As the project will ultimately have two community buildings, we intend to build a pool adjacent to one community building and the playground adjacent to the other. We intend to build the pool with the first phase.

Equally important for workforce housing will be social services free to all tenants. The services will be conducted by Life Steps and will be tailored specific to the needs of the tenants. The services may include computer training, English as a second language or after school homework help for school age tenants.

Financing – Successful Track Record

We have a successful track record of tax credit development. We are a committed community developer with over 20 years experience and thirty projects acquiring, developing, building and rehabilitating affordable housing. In all our projects, my partners and I remain as Co-General Partners. As owners, we have a long term commitment to the success of the project. We have financed multiple tax credit projects in other cities since we began work on Warthan Place.

We believe that the level of support requested will enable Warthan Place to compete effectively in the tax credit competition where awards are won and lost based on the amount of public financing a community receives.

We intend to finance Warthan Place Apartments with 9% tax credit equity, a conventional section 538 mortgage, City housing bond Proceeds, City deferred impact fees and deferred developer fee.

Permanent Sources of Funds ($ millions)	
Total Development Costs	$15.159
Tax Credit Equity Proceeds	$8.952
Sec 538 Mortgage	$3.244
City Loan/1%/55 yrs.	$1.500
City Fees/1%/55 years	$0.965
Deferred Developer Fee	$0.499

Pro Forma estimates of the Development Budget together with projections of the Cash Flow and Construction Sources of Funds and Permanent Sources of Funds are attached.

Schedule

We ask the City to apply for Department of Finance approval on the housing bond allocation at the next opportunity anticipated to occur in September.

We would then apply at the next available tax credit application for 9% tax credits anticipated in February or March 2014 and the subsequent round until the project wins a tax credit award or the City's financing approval expires.

As an affordable housing developer active in Coalinga since 2007, we hope that the City values our perseverance in financing Warthan Place. As a further sign of our commitment to the project we have purchased the property.

Sincerely,

John Cicerone

Encl: Construction & Permanent Sources of Funds
Cash Flow
Development Budget

PART VII. PROJECT FINANCING (Sources of Funds)

A. Construction Financing

List Below All Projected Sources Required to Complete Construction.

Name of Lender/Source	*Terms in Months*	*Interest Rate*	*Amount of Funds*
Construction Lender	24	6.500%	8,094,333
City Fees/1%/55 years			964,737
City Loan/1%/55 yrs.			1,500,000
Developer Fee			1,914,414
Investor's Equity			2,685,493
Total Funds for Construction			**15,158,978**

1. Name of Lender/Source __________
   Street Address __________ Contact Name __________
   City __________ State CA Phone Number __________
   Type of Financing Construction Loan

   ☐ Commited ☐ Not Committed

2. Name of Lender/Source __________
   Street Address __________ Contact Name __________
   City __________ State _____ Phone Number __________
   Type of Financing __________

   ☐ Commited ☐ Not Committed

3. Name of Lender/Source __________
   Street Address __________ Contact Name __________
   City __________ State CA Phone Number __________
   Type of Financing __________

   ☐ Commited ☐ Not Committed

4. Name of Lender/Source __________
   Street Address __________ Contact Name __________
   City __________ State CA Phone Number __________
   Type of Financing __________

   ☐ Commited ☐ Not Committed

B. Permanent Financing

List Below All Projected Sources Of Funds, Including Grants, Land donations, deferred fees, owner equity, etc.

Name of Lender/Source	***Term in Months***	***Interest Rate***	***Amount of Funds***	*Annual Debt Service*	*Residual Receipts/ Deferred Pymt.*
Bonneville Mortage	480	5.250%	$ 3,243,611	194,177	
City Loan/1%/55 yrs.	480	1.000%	1,500,000		residual receipts
City Fees/1%/55 years	480	1.000%	$ 964,737		residual receipts
Deferred Developer Fees		1.00%	$ 498,986		priorty repaymen
			$ 0		
			$ 0		
Total Permanent Financing			**$ 6,207,334**		
Total Tax Credit Equity			**$ 8,951,644**		
Total Sources of Project Funds			**$ 15,158,978**		

1. Name of Lender/Source Bonneville Mortgage
   Street Address 111 East Broadway #1250 Contact Name Rob Hall
   City Salt Lake City State UT Phone Number 801-323-1000
   Type of Financing Perm

   ☐ Commited ☐ Not Committed

2. Name of Lender/Source
   Street Address Contact Name
   City State CA Phone Number
   Type of Financing

   ☐ Commited ☐ Not Committed

3. Name of Lender/Source City of Coalinga
   Street Address Contact Name
   City State CA Phone Number
   Type of Financing Residual Receipts Loan

   ☒ Commited ☐ Not Committed

Name of Lender/Source
Street Address Contact Name
City State CA Phone Number
Type of Financing

☐ Commited ☐ Not Committed

A. Development Budget

	TOTAL PROJECT COST	RESIDENTIAL COST	COMMERCIAL COST	*PERMANENT SOURCES* Tax Credit Equity	1. Perm USDA 538	City Loan & Solar Rebate	3. Deferred Developer Fees	70% PVC for New Construction/ Rehabilitation	30% PVC for Acquisition
LAND COST/ACQUISITION									
Land Cost or Value	200,000	200,000		200,000				XXXXXXXX	XXXXXXXX
Demolition	0	0						XXXXXXXX	XXXXXXXX
Legal		0		0				XXXXXXXX	XXXXXXXX
Total Land Cost or Value	**$200,000**	**$200,000**	**$0**	**$200,000**	**$0**	**$0**	**$0**	XXXXXXXX	XXXXXXXX
Existing Improvements Value	0	0						XXXXXXXX	0
Off-Site Improvements	0	0		0				0	
Total Acquisition Cost	**$0**	**$0**	**$0**	**$0**	**$0**	**$0**	**$0**	**$0**	**$0**
REHABILITATION									
Site Work	0	0						0	
Structures	0	0						0	
General Requirements	0	0						0	
Contractor Overhead	0	0						0	
Contractor Profit	0	0						0	
Prevailing Wages	0	0						0	
General Liability Insurance	0	0						0	
Total Rehab. Costs	**$0**	**$0**	**$0**	**$0**	**$0**	**$0**	**$0**	**$0**	**$0**
Total Relocation Expenses	**$0**	**$0**	**$0**	**$0**	**$0**	**$0**	**$0**	**$0**	**$0**
NEW CONSTRUCTION									
Site Work	1,760,000	1,760,000		1,760,000				1,760,000	
Structures	6,133,093	6,133,093		1,389,482	3,243,611	1,500,000		6,133,093	
General Requirements	507,606	507,606		507,606				507,606	
Contractor Overhead	169,202	169,202		169,202				169,202	
Contractor Profit	507,606	507,606		507,606				507,606	
Solar	567,000	567,000		567,000				567,000	
P&P Bond		0		0				0	
General Liability Insurance	50,000	50,000		50,000				50,000	
Total New Construction Costs	**$9,694,507**	**$9,694,507**	**$0**	**$4,950,896**	**$3,243,611**	**$1,500,000**	**$0**	**$9,694,507**	**$0**

	TOTAL PROJECT COST	RESIDENTIAL COST	COMMERCIAL COST	Tax Credit Equity	**1. Perm USDA 538**	**City Loan & deferred impact fees**	**3. Deferred Developer Fees**	70% PVC for New Construction/ Rehabilitation	30% PVC for Acquisition
ARCHITECTURAL FEES									
Design	100,000	100,000		100,000				100,000	
Supervision	0	0		0				0	
Total Architectural Costs	**$100,000**	**$100,000**	**$0**	**$100,000**	**$0**	**$0**	**$0**	**$100,000**	**$0**
Total Survey & Engineering	**$200,000**	**$200,000**		**$200,000**				**$200,000**	
CONST. INTEREST & FEES									
Const. Loan Interest	200,000	200,000		200,000				200,000	
Origination Fee	82,000	82,000		82,000				82,000	
Credit Enhance. & App. Fee	25,000	25,000		25,000				25,000	
Taxes	15,000	15,000		15,000				15,000	
Insurance	50,000	50,000		50,000				50,000	
Title And Recording	35,000	35,000		35,000				35,000	
Total Const. Interest & Fees	**$407,000**	**$407,000**	**$0**	**$407,000**	**$0**	**$0**	**$0**	**407,000**	**0**
PERMANENT FINANCING									
Loan Origination Fee	30,000	30,000		30,000				XXXXXXXX	XXXXXXXX
USDA Fee	20,000	20,000		20,000				XXXXXXXX	XXXXXXXX
Title and Recording		0						XXXXXXXX	XXXXXXXX
Other	0	0						XXXXXXXX	XXXXXXXX
Total Perm. Financing Costs	**$50,000**	**$50,000**	**$0**	**$50,000**	**$0**	**$0**	**$0**	XXXXXXXX	XXXXXXXX
LEGAL FEES									
Lender Legal Pd. by Applicant	40,000	40,000		40,000				40,000	
Other (Specify) Borrower Atty	100,000	100,000		100,000				100,000	
Total Attonney Costs	**$140,000**	**$140,000**	**$0**	**$140,000**	**$0**	**$0**	**$0**	**$140,000**	**$0**
RESERVES									
Rent Reserves		0		0				XXXXXXXX	XXXXXXXX
Capitalized Replacement Reserves		0		0				XXXXXXXX	XXXXXXXX
* 3-Month Operating Reserves	137,327	137,327		137,327					
Total Reserve Costs	**$137,327**	**$137,327**	**$0**	**$137,327**	**$0**	**$0**	**$0**	XXXXXXXX	XXXXXXXX
Total Appraisal Costs	**$10,000**	**$10,000**		**$10,000**				**$10,000**	

Note: Syndication Costs may not be included as a project cost. *Operating Reserve is required - Regulation Section 10327(c)(8)(C).

	TOTAL PROJECT COST	RESIDENTIAL COST	COMMERCIAL COST	Tax Credit Equity	1. Perm USDA 538	City Loan & deferred impact City Loan	3. Deferred Developer Fees	70% PVC for New Construction/ Rehabilitation	30% PVC for Acquisition
TOTAL CONSTRUCTION CONTINGENCY COSTS	**$453,875**	**$453,875**		**453,875**				**$453,875**	
OTHER									
TCAC App/Alloc/Monitor Fees	64,474	64,474		64,474				XXXXXXXX	XXXXXXXX
Environmental Audit	7,500	7,500		7,500				7,500	
Local Dev. Impact Fees	1,514,880	1,514,880		550,143		964,737		1,514,880	
Permit Processing Fees	90,000	90,000		90,000				90,000	
Soft Cost Contingency	75,000	75,000		75,000				75,000	
Marketing	30,000	30,000		30,000				XXXXXXXX	XXXXXXXX
Furnishings	40,000	40,000		40,000				40,000	
Market Study	15,000	15,000		15,000				15,000	
Other (Specify) Cons Audit	15,000	15,000		15,000				15,000	
Total Other Costs	**$1,851,854**	**$1,851,854**	**$0**	887,117	**$0**	**$964,737**	**$0**	**$1,757,380**	**$0**
Subtotals	**$13,244,563**	**$13,244,563**	**$0**			**Subtotal Eligible Basis***		**12,762,762**	**0**
	Total Project Cost	**Total Residential**	**Total Commercial**						
DEVELOPER COSTS									
Developer Overhead/Profit	1,914,414	1,914,414		1,415,429			498,986	1,400,000	$0
Consultant/Processing Agent	0	0						0	
Project Administration	0	0						0	
Syndicator Consulting Fees	0								
Personal Guarantee Fees									
Construction Management Oversight by Developer	0								
Other (specify)	0	0						0	
Total Developer Costs	**$1,914,414**	**$1,914,414**	**$0**	**$1,415,429**	**$0**	**$0**	**$498,986**	**$1,400,000**	**$0**
TOTAL PROJECT COSTS	**$15,158,978**	**$15,158,978**	**$0**	**$8,951,644**	**$3,243,611**	**$2,464,737**	**$498,986**	**$14,162,762**	**$0**
							Bridge Loan Expense During Construction		
							Total Eligible Basis	**$14,162,762**	**$0**
				-8,951,644	-3,243,611	-2,464,737			

Note: Syndication Costs may not be included as a project cost.

*Calculate Maximum Developer Fee pursuant to Regulation 10327(c)(2) using these eligible basis subtotals. Reminder: Developer cost limits are different than basis limits.

Development Name: Warthan Place Apartments
Total Number of Units: 81 Family

RENTAL INCOME	Monthly Rent	No. of Units	Annual Increase	Year-1	Year-2	Year-3	Year-4	Year-5
2BR	371	3	2.50%	13,356	13,690	14,032	14,383	14,743
2BR	502	3	2.50%	18,072	18,524	18,987	19,462	19,948
2BR	632	34	2.50%	257,856	264,302	270,910	277,683	284,625
		0	2.50%	0	0	0	0	0
3BR	426	4	2.50%	20,448	20,959	21,483	22,020	22,571
3BR	577	4	2.50%	27,696	28,388	29,098	29,826	30,571
3BR	728	24	2.50%	209,664	214,906	220,278	225,785	231,430
		0	2.50%	0	0	0	0	0
4BR	474	1	2.50%	5,688	5,830	5,976	6,125	6,278
4BR	642	1	2.50%	7,704	7,897	8,094	8,296	8,504
4BR	810	6	2.50%	58,320	59,778	61,272	62,804	64,374
		0	2.50%	0	0	0	0	0
3BR Mgr	0	1	2.50%	0	0	0	0	0
TOTAL RENTAL INCOME		81		618,804	634,274	650,131	666,384	683,044

OTHER INCOME	Income	Units	Increase	Year-1	Year-2	Year-3	Year-4	Year-5
Other Income 1 (Laundry)	16	81	2.50%	15,552	15,941	16,339	16,748	17,166
Other Income 2 (Vending, Interest)	3	81	2.50%	2,916	2,989	3,064	3,140	3,219
Other Income 3		81	2.50%	0	0	0	0	0
TOTAL OTHER INCOME				18,468	18,930	19,403	19,888	20,385

TOTAL INCOME				637,272	653,204	669,534	686,272	703,429
Less Vacancy Allowance			5.00%	-31,864	-32,660	-33,477	-34,314	-35,171
GROSS INCOME				605,408	620,544	636,057	651,959	668,258

OPERATING EXPENSES	Per Unit	%AGI	Incr/yr	Year-1	Year-2	Year-3	Year-4	Year-5
Management Fees	$40	6.42%	3.50%	38,880	40,241	41,649	43,107	44,616
Administration		5.29%	3.50%	32,000	33,120	34,279	35,479	36,721
Payroll		16.02%	3.50%	97,000	100,395	103,909	107,546	111,310
Maintenance	99	15.69%	3.50%	95,000	98,325	101,766	105,328	109,015
Utilities	45	7.29%	3.50%	44,120	45,664	47,262	48,917	50,629
Insurance	19	2.97%	3.50%	18,000	18,630	19,282	19,957	20,655
Service Amenities	21	3.37%	3.50%	20,412	21,126	21,866	22,631	23,423
Property Taxes	10	1.61%	2.00%	9,720	9,914	10,113	10,315	10,521
TTL OPER. EXPENSES	$4,384			355,132	367,416	380,127	393,279	406,889

$324,000 CTCAC req $4,000/unit min

NET OPERATING INCOME				250,276	253,128	255,931	258,679	261,368

Replacement Reserve Deposit	$333			26,973	26,973	26,973	26,973	26,973
Operating Reserve Deposit				0	0	0	0	0
Cash Flow Available for Debt Service				223,303	226,155	228,958	231,706	234,395

DEBT SERVICE	Amount			Year-1	Year-2	Year-3	Year-4	Year-5
Sec.538. Loan 40 yrs. @ 5.25%	3,243,611	DSR=	1.15	194,177	194,177	194,177	194,177	194,177
Cash Flow for Residual Receipts				29,127	31,978	34,781	37,529	40,218
Deferred Dev. Fee	498,986	AFR	1.00%	29,127	31,978	34,781	37,529	40,218
City Loan		Split	50.00%	0	0	0	0	0
GP Distribution				0	0	0	0	0
NET CASH FLOW				0	0	0	0	0

Development Name:
Total Number of Units:

RENTAL INCOME	Year-6	Year-7	Year-8	Year-9	Year-10	Year-11	Year-12	Year-13
2BR	15,111	15,489	15,876	16,273	16,680	17,097	17,524	17,962
2BR	20,447	20,958	21,482	22,019	22,569	23,134	23,712	24,305
2BR	291,740	299,034	306,510	314,172	322,027	330,077	338,329	346,788
	0	0	0	0	0	0	0	0
3BR	23,135	23,713	24,306	24,914	25,537	26,175	26,830	27,500
3BR	31,335	32,119	32,922	33,745	34,589	35,453	36,340	37,248
3BR	237,216	243,146	249,225	255,455	261,842	268,388	275,097	281,975
	0	0	0	0	0	0	0	0
4BR	6,435	6,596	6,761	6,930	7,104	7,281	7,463	7,650
4BR	8,716	8,934	9,158	9,387	9,621	9,862	10,108	10,361
4BR	65,984	67,633	69,324	71,057	72,834	74,655	76,521	78,434
	0	0	0	0	0	0	0	0
3BR Mgr	0	0	0	0	0	0	0	0
TOTAL RENTAL INCOME	700,120	717,623	735,563	753,953	772,801	792,121	811,924	832,223

OTHER INCOME	Year-6	Year-7	Year-8	Year-9	Year-10	Year-11	Year-12	Year-13
Other Income 1 (Laundry)	17,596	18,036	18,486	18,949	19,422	19,908	20,406	20,916
Other Income 2 (Vending, Interest)	3,299	3,382	3,466	3,553	3,642	3,733	3,826	3,922
Other Income 3	0	0	0	0	0	0	0	0
TOTAL OTHER INCOME	20,895	21,417	21,953	22,501	23,064	23,641	24,232	24,837

T O T A L I N C O M E	721,015	739,040	757,516	776,454	795,865	815,762	836,156	857,060
Less Vacancy Allowance	-36,051	-36,952	-37,876	-38,823	-39,793	-40,788	-41,808	-42,853
GROSS INCOME	684,964	702,088	719,640	737,631	756,072	774,974	794,348	814,207

OPERATING EXPENSES	Year-6	Year-7	Year-8	Year-9	Year-10	Year-11	Year-12	Year-13
Management Fees	46,177	47,793	49,466	51,198	52,989	54,844	56,764	58,750
Administration	38,006	39,336	40,713	42,138	43,613	45,139	46,719	48,354
Payroll	115,206	119,238	123,411	127,730	132,201	136,828	141,617	146,574
Maintenance	112,830	116,779	120,867	125,097	129,475	134,007	138,697	143,552
Utilities	52,401	54,235	56,133	58,098	60,131	62,236	64,414	66,668
Insurance	21,378	22,127	22,901	23,703	24,532	25,391	26,279	27,199
Service Amenities	24,243	25,092	25,970	26,879	27,819	28,793	29,801	30,844
Property Taxes	10,732	10,946	11,165	11,389	11,616	11,849	12,086	12,327
TTL OPER. EXPENSES	420,973	435,546	450,626	466,230	482,377	499,086	516,377	534,269

NET OPERATING INCOME	263,991	266,542	269,015	271,401	273,695	275,888	277,972	279,938

Replacement Reserve Deposit	26,973	26,973	26,973	26,973	26,973	26,973	26,973	26,973
Operating Reserve Deposit	0	0	0	0	0	0	0	0
Cash Flow Available for Debt Service	237,018	239,569	242,042	244,428	246,722	248,915	250,999	252,965

DEBT SERVICE	Year-6	Year-7	Year-8	Year-9	Year-10	Year-11	Year-12	Year-13
Sec.538. Loan 40 yrs. @ 5.25%	194,177	194,177	194,177	194,177	194,177	194,177	194,177	194,177
Cash Flow for Residual Receipts	42,841	45,392	47,865	50,251	52,545	54,738	56,822	58,789
Deferred Dev. Fee	42,841	45,392	47,865	50,251	52,545	54,738	56,822	12,178
City Loan	0	0	0	0	0	0	0	23,305
GP Distribution	0	0	0	0	0	0	0	23,305
NET CASH FLOW	0	0	0	0	0	0	0	0

Development Name: 29-Jul-13

Total Number of Units:

RENTAL INCOME	Year-14	Year-15	Year-16	Year-17	Year-18	Year-19	Year-20
2BR	18,411	18,872	19,343	19,827	20,323	20,831	21,352
2BR	24,912	25,535	26,174	26,828	27,499	28,186	28,891
2BR	355,457	364,344	373,452	382,789	392,358	402,167	412,222
	0	0	0	0	0	0	0
3BR	28,188	28,892	29,615	30,355	31,114	31,892	32,689
3BR	38,179	39,134	40,112	41,115	42,143	43,196	44,276
3BR	289,024	296,250	303,656	311,247	319,029	327,004	335,179
	0	0	0	0	0	0	0
4BR	7,841	8,037	8,238	8,444	8,655	8,871	9,093
4BR	10,620	10,886	11,158	11,437	11,723	12,016	12,316
4BR	80,395	82,405	84,465	86,576	88,741	90,959	93,233
	0	0	0	0	0	0	0
3BR Mgr	0	0	0	0	0	0	0
TOTAL RENTAL INCOME	853,028	874,354	896,213	918,618	941,583	965,123	989,251

OTHER INCOME	Year-14	Year-15	Year-16	Year-17	Year-18	Year-19	Year-20
Other Income 1 (Laundry)	21,439	21,975	22,524	23,087	23,664	24,256	24,862
Other Income 2 (Vending, Interest)	4,020	4,120	4,223	4,329	4,437	4,548	4,662
Other Income 3	0	0	0	0	0	0	0
TOTAL OTHER INCOME	25,458	26,095	26,747	27,416	28,101	28,804	29,524

T O T A L I N C O M E	878,486	900,449	922,960	946,034	969,685	993,927	1,018,775
Less Vacancy Allowance	-43,924	-45,022	-46,148	-47,302	-48,484	-49,696	-50,939
GROSS INCOME	834,562	855,426	876,812	898,732	921,200	944,230	967,836

OPERATING EXPENSES	Year-14	Year-15	Year-16	Year-17	Year-18	Year-19	Year-20
Management Fees	60,807	62,935	65,138	67,417	69,777	72,219	74,747
Administration	50,047	51,798	53,611	55,488	57,430	59,440	61,520
Payroll	151,704	157,013	162,509	168,197	174,084	180,176	186,483
Maintenance	148,576	153,776	159,158	164,729	170,494	176,461	182,638
Utilities	69,002	71,417	73,916	76,503	79,181	81,952	84,821
Insurance	28,151	29,137	30,156	31,212	32,304	33,435	34,605
Service Amenities	31,923	33,041	34,197	35,394	36,633	37,915	39,242
Property Taxes	12,574	12,825	13,082	13,343	13,610	13,883	14,160
TTL OPER. EXPENSES	552,783	571,942	591,767	612,283	633,513	655,482	678,215

NET OPERATING INCOME	281,779	283,484	285,044	286,449	287,688	288,749	289,621

Replacement Reserve Deposit	26,973	26,973	26,973	26,973	26,973	26,973	26,973
Operating Reserve Deposit	0	0	0	0	0	0	0
Cash Flow Available for Debt Service	254,806	256,511	258,071	259,476	260,715	261,776	262,648

DEBT SERVICE	Year-14	Year-15	Year-16	Year-17	Year-18	Year-19	Year-20
Sec.538. Loan 40 yrs. @ 5.25%	194,177	194,177	194,177	194,177	194,177	194,177	194,177
Cash Flow for Residual Receipts	60,629	62,335	63,895	65,299	66,538	67,599	68,471
Deferred Dev. Fee	122	1	0	0	0	0	0
City Loan	30,254	31,167	31,947	32,650	33,269	33,800	34,236
GP Distribution	30,254	31,167	31,947	32,650	33,269	33,800	34,236
NET CASH FLOW	0	0	0	0	0	0	0

RESOLUTION NO. RA-259

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE REDEVELOPMENT AGENCY OF THE CITY OF COALINGA APPROVING A LOAN AGREEMENT AND REGULATORY AGREEMENT BETWEEN THE REDEVELOPMENT AGENCY OF THE CITY OF COALINGA AND CFY DEVELOPMENT, INC. FOR THE ACQUISITION AND CONSTRUCTION OF AN AFFORDABLE HOUSING PROJECT IN THE CITY OF COALINGA REDEVELOPMENT PROJECT AREA

WHEREAS, the Redevelopment Agency ("Agency") of the City of Coalinga is required to set aside 20% of its Tax Increment Funds to increase, improve and preserve housing affordable to very low, low, and/or moderate income persons in the community; and

WHEREAS, the developer, CFY Development, Inc. has approached the Agency seeking a $990,000 loan to assist in the acquisition and construction of Warthan Place (the "Project") an affordable housing project; and

WHEREAS, the Agency has received and reviewed all documents, including loan documents and developer agreements (Exhibit A) between the Redevelopment Agency of the City of Coalinga and CFY Development, Inc. relating to the amount not to exceed $990,000 for the development of an affordable housing building; and

WHEREAS, the Loan Agreement and Regulatory Agreement (Exhibit A) are consistent with the City of Coalinga Redevelopment Plan and City General Plan. The Loan Agreement and Regulatory Agreement will specifically further the attainment of the following Redevelopment Plan goals: (1) the construction of affordable housing would be an asset to the City of Coalinga by providing new construction in the City's Redevelopment Area and downtown; and (2) providing 80 restricted rental units for 1 person in the extremely low, low and/or very low income category which will support the City's housing goals and meet Redevelopment Area goals.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Directors of the Redevelopment Agency of the City of Coalinga as follows:

1. The Agency hereby authorizes a loan to CFY Development, Inc. in an amount not to exceed $990,000 from Redevelopment Agency Low/Mod Housing Set-aside Funds to assist CFY Development, Inc. in the acquisition and construction of the affordable Warthan Place project, subject to the terms and conditions set forth in Section 2, below and Loan Agreement (Exhibit A).

2. The Executive Director is hereby authorized and directed, in consultation with Agency Counsel, to prepare and enter into a loan agreement, affordable housing covenant, and all other agreements and documents as are necessary to provide the Agency loan to CFY Development, Inc. subject to the following terms and conditions:

a. The Agency loan shall not exceed $990,000 to be funded from the Agency's Low/Mod Housing Set-aside Funds;

b. The Agency loan shall be repaid, with simple interest at the rate of 3% per annum. Annual payments shall be made from residual receipts from the project, with the entire remaining outstanding balance due in 55 years. The Agency loan shall be evidenced by a note, and secured by a deed of trust to be recorded against the project as a condition to funding of the loan;

c. Funding of the agency loan shall be conditioned on the execution and delivery by CFY Development, Inc. of a 55-year affordable housing covenant, to be recorded against the project;

d. The Agency loan shall be used by CFY Development, Inc. solely to pay a portion of the costs for the senior affordable residential construction of the project; and

e. The loan agreement, affordable housing covenant and other related documents shall contain such other terms and conditions as are deemed appropriate by the Executive Director, in consultation with Agency Counsel.

3. The approval given by this Resolution, hereby, shall be valid through December 31, 2010.

4. A copy of the Loan Documents and Development Agreement is available and on file in the City Clerk's Office and incorporated herein by reference and made a part of this Resolution.

The foregoing resolution was approved and adopted at a regular meeting of the Board of Directors of the Redevelopment Agency of the City of Coalinga held on the 7th day of May, 2009, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

APPROVED:

____
Ron Lander, Chairperson
Coalinga Redevelopment Agency

ATTEST:

____
Cindy Johnson, Deputy City Clerk

STAFF REPORT - CITY COUNCIL/SUCCESSOR AGENCY/PUBLIC FINANCE AUTHORITY

Subject:	Council Consideration of a request from Warthan Place Apartments Investors, LP for Financial Assistance for the Warthan Place Apartments Multi-Family Housing Project
Meeting Date:	August 15, 2013
From:	Rene A. Ramirez, City Manager
Prepared by:	Sean Brewer, Assistant Community Development Director

---

I. RECOMMENDATION:

Council consideration of a financial request by the Warthan Place Apartment Investors, LP to allocate $1.5 million in Successor Agency Housing Bond Proceeds and a deferral as a residual receipts loan of $964,737 in impact fees for the Warthan Place Apartments Multi-Family Housing Project in Coalinga.

Staff is recommending APPROVAL of this request.

II. BACKGROUND:

On July 19, 2012 the City Council selected the Warthan Place Apartment Project to be the beneficiary of HOME funding should the City of Coalinga be successful in it's application. The City submitted an application and was not successful in obtaining HOME funds but this is common for a jurisdiction's first attempt. Staff had been working with the developer in preparing a request to the Council for yet another submission and discovered that in the 2013 Notice of Funding Availability (NOFA), 9% tax credit deals are no longer eligible for HOME funding. Only 4% tax credit deals are eligible for HOME funding. This change in eligibility has eliminated their ability to finance the project using HOME funds as the local contribution must be increased to make a 4% bond deal work.

III. DISCUSSION:

Due to the recent changes, the developer has submitted an official financing plan and request for local assistance that, in staff's opinion, is sound.

The Warthan Place Apartments Developers are requesting that the City allocate $1.5 million in Successor Agency Housing Bond Proceeds and a deferral as a residual receipts loan of $964,737 in impact fees. The Developer is seeking similar terms related to the impact fee deferral as approved by the City Council in 2009. This commitment by the Council would last through the 2014 tax credit rounds.

These types of applications are extremely competitive and should the developer be unsuccessful, the funding obligations would revert back to the City in accordance with the proposed agreement.

Utilizing these funds to assist this type of project is appropriate and very common as workforce housing cannot be funded without the assistance of the local jurisdictions. Historically throughout the state, workforce housing projects receive approximately 32% of the project costs through local assistance. The City would be contributing significantly less with a good chance of producing (81) affordable units. This use of the Housing Bond Proceeds would provide the City a great opportunity to provide affordable/workforce housing, assisting in meeting our Regional Housing Needs Assessment (RHNA) and creating new residential units within the City at an affordable level. The investment per unit would be approximately $18,500.00 in Bond Proceeds.

Staff has attached the financial request and financing plan provided by the Warthan Place Apartment Investors, LP, for your review and consideration.

If Council chooses to support the Warthan Place Apartments request, council shall direct staff to bring back

the following at their September 5, 2013 Meeting for approval:
· A Resolution allocating $1.5 million in RDA Housing Bond Proceeds to be placed on the next Recognized Obligation Payment Schedule (ROPS) for State Department of Finance review and approval (this approval by Sucssor Agency must occur no later than September 1, 2013 in order to be placed on the next ROPS).· Draft agreement for the differed impact fee residual receipts loan in an amount not to exceed $964,737.

IV. ALTERNATIVES:

Do not approve the request by the Warthan Place Apartment Investors, LP.

V. FISCAL IMPACT:

The current balance of the Housing Bond Proceeds is approximately $2.1 Million. There is a yearly fee of approximately $8,500 for Self Help Enterprises ongoing assistance with our outstanding RDA loans.

ATTACHMENTS:

File Name	Description
Warthan_Place_Apt_Official_Request_(7-29-2013).PDF	Official Request Dated July 29, 2013
RDA_Resolution_for_WPA_2009.doc	2009 RDA Loan Resolution

LEAGUE OF CALIFORNIA CITIES RESOLUTIONS
VOTING CHOICES
2013

RESOLUTION NUMBER	LANDER	OXBORROW	GARCIA	RAMSEY	KEOUGH
1. Resolution Calling Upon the Governor and the Legislature to Work with the League of California Cities in Providing Adequate Funding and to Prioritize Water Bonds to Assist Local Government in Water Conservation, Ground Water Recharge and Reuse of Storm water and Urban Runoff Programs.					
2. Resolution Calling Upon the Governor and Legislature to Enter into Discussions with the League and California Police Chiefs' Association Representatives to Identify and Enact Strategies that will Ensure the Success of Public Safety Realignment from a Local Municipal Law Enforcement Perspective.					

1400 K Street
Sacramento, CA 95814
ph: (916) 658-8200
fx: (916) 658-8240

LEAGUE OF CALIFORNIA CITIES

www.cacities.org

RECEIVED
JUL 29 2013
BY:

July 23, 2013

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

RE: Annual Conference Resolutions Packet
Notice of League Annual Meeting

Enclosed please find the 2013 Annual Conference Resolutions Packet.

Annual Conference in Sacramento. This year's League Annual Conference will be held September 18 - 20 in Sacramento. The conference announcement has previously been sent to all cities and we hope that you and your colleagues will be able to join us. More information about the conference is available on the League's Web site at www.cacities.org/ac. We look forward to welcoming city officials to the conference.

Annual Luncheon/Business Meeting - Friday, September 20, 12:00 p.m. The League's Annual Business Meeting will be held at the Hyatt Regency Hotel.

Resolutions Packet. At the Annual Conference, the League will consider the two resolutions introduced by the deadline, Saturday, July 20, 2013, midnight. These resolutions are included in this packet. New this year, resolutions submitted to the General Assembly must be concurred in by five cities or by city officials from at least five or more cities. These letters of concurrence are included with this packet. We request that you distribute this packet to your city council.

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

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

Voting Delegates. Each city council is encouraged to designate a voting delegate and two alternates to represent their city at the Annual Business Meeting. A letter asking city councils to designate their voting delegate and two alternates has already been sent to each city. Copies of the letter, voting delegate form, and additional information are also available at: www.cacities.org/resolutions.

**Please Bring This Packet to the Annual Conference
September 18 - 20 — Sacramento**

LEAGUE® OF CALIFORNIA CITIES

Annual Conference Resolutions Packet

115th Annual Conference

2013 ANNUAL CONFERENCE LEAGUE OF CALIFORNIA CITIES SACRAMENTO SEPTEMBER 18-20

Sacramento
September 18 - 20, 2013

ANNUAL CONFERENCE MEETING SCHEDULE FOR RESOLUTIONS

1. Policy Committee Meetings

Wednesday, September 18, 2013
Sheraton Grand Hotel
1230 J Street, Sacramento

Public Safety: 9:00 a.m. – 10:30 a.m.
Environmental Quality: 10:30 a.m. – 12:00 p.m.

2. General Resolutions Committee

Thursday, September 19, 2013, 1:00 p.m.
Sacramento Convention Center
1400 J Street, Sacramento

3. Annual Business Meeting and General Assembly Luncheon

Friday, September 20, 2013, 12:00 p.m.
Hyatt Regency Hotel
1209 L Street, Sacramento

INFORMATION AND PROCEDURES

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

This year, two resolutions have been introduced for consideration by the Annual Conference and referred to the League policy committees.

POLICY COMMITTEES: Two policy committees will meet at the Annual Conference to consider and take action on resolutions referred to them. The committees are Environmental Quality and Public Safety. These committees will meet on Wednesday, September 18, 2013, at the Sheraton Grand Hotel in Sacramento. The sponsors of the resolutions have been notified of the time and location of the meetings.

GENERAL RESOLUTIONS COMMITTEE: This committee will meet at 1:00 p.m. on Thursday, September 19, at the Sacramento Convention Center, to consider the reports of the two policy committees regarding the two resolutions. This committee includes one representative from each of the League's regional divisions, functional departments and standing policy committees, as well as other individuals appointed by the League president. Please check in at the registration desk for room location.

ANNUAL LUNCHEON/BUSINESS MEETING/GENERAL ASSEMBLY: This meeting will be held at 12:00 p.m. on Friday, September 20, at the Hyatt Regency Hotel.

PETITIONED RESOLUTIONS: For those issues that develop after the normal 60-day deadline, a resolution may be introduced at the Annual Conference with a petition signed by designated voting delegates of 10 percent of all member cities (47 valid signatures required) and presented to the Voting Delegates Desk at least 24 hours prior to the time set for convening the Annual Business Session of the General Assembly. This year, that deadline is 12:00 p.m., Thursday, September 19. If the petitioned resolution is substantially similar in substance to a resolution already under consideration, the petitioned resolution may be disqualified by the General Resolutions Committee.

Resolutions can be viewed on the League's Web site: www.cacities.org/resolutions.

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

GUIDELINES FOR ANNUAL CONFERENCE RESOLUTIONS

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

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

<u>Guidelines for Annual Conference Resolutions</u>

1. Only issues that have a direct bearing on municipal affairs should be considered or adopted at the Annual Conference.

2. The issue is not of a purely local or regional concern.

3. The recommended policy should not simply restate existing League policy.

4. The resolution should be directed at achieving one of the following objectives:

    (a) Focus public or media attention on an issue of major importance to cities.

    (b) Establish a new direction for League policy by establishing general principals around which more detailed policies may be developed by policy committees and the board of directors.

    (c) Consider important issues not adequately addressed by the policy committees and board of directors.

    (d) Amend the League bylaws (requires 2/3 vote at General Assembly).

LOCATION OF MEETINGS

Policy Committee Meetings

Wednesday, September 18, 2013
Sheraton Grand Hotel
1230 J Street, Sacramento

Public Safety:	9:00 a.m. – 10:30 a.m.
Environmental Quality:	10:30 a.m. – 12:00 p.m.

General Resolutions Committee

Thursday, September 19, 2013, 1:00 p.m.
Sacramento Convention Center
1400 J Street, Sacramento

Annual Business Meeting and General Assembly Luncheon

Friday, September 20, 2013, 12:00 p.m.
Hyatt Regency Hotel
1209 L Street, Sacramento

KEY TO ACTIONS TAKEN ON RESOLUTIONS

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

Number	Key Word Index	Reviewing Body Action		
		1	2	3

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

ENVIRONMENTAL QUALITY POLICY COMMITTEE

		1	2	3
1	Water Bond Funds			

PUBLIC SAFETY POLICY COMMITTEE

		1	2	3
2	Public Safety Realignment			

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

KEY TO ACTIONS TAKEN ON RESOLUTIONS *(Continued)*

KEY TO REVIEWING BODIES

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

Action Footnotes

* Subject matter covered in another resolution

** Existing League policy

*** Local authority presently exists

KEY TO ACTIONS TAKEN

A - Approve

D - Disapprove

N - No Action

R - Refer to appropriate policy committee for study

a - Amend

Aa - Approve as amended

Aaa - Approve with additional amendment(s)

Ra - Amend and refer as amended to appropriate policy committee for study

Raa - Additional amendments and refer

Da - Amend (for clarity or brevity) and Disapprove

Na - Amend (for clarity or brevity) and take No Action

W - Withdrawn by Sponsor

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

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

2013 ANNUAL CONFERENCE RESOLUTIONS

RESOLUTION REFERRED TO ENVIRONMENTAL QUALITY POLICY COMMITTEE

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

Source: Los Angeles County Division
Concurrence of five or more cities/city officials: Cities of Alhambra; Cerritos; Claremont; Glendora; Lakewood; La Mirada; La Verne; Norwalk; Signal Hill; Mary Ann Lutz, Mayor, city of Monrovia.
Referred to: Environmental Quality Policy Committee
Recommendations to General Resolutions Committee: Approve

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

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

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

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

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

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

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

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

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

RESOLVED by the General Assembly of the League of California Cities, assembled in Sacramento on September 20, 2013, that the League calls for the Governor and the Legislature to work with the League and other stakeholders to provide adequate funding for water conservation, ground water recharge and capture and reuse of stormwater and runoff in the water bond issue and to prioritize future water bonds to assist local governments in funding these programs. The League will work with its member cities to educate federal and state officials to the challenges facing local governments in providing for programs to capture, infiltrate and reuse stormwater and urban runoff.

/////////

Background Information on Resolution No. 1

Source: Los Angeles County Division

Background:
In order to meet the goals of both the Federal Clean Water Act and the State's Porter-Cologne Water Quality Control Act, which seek to ensure safe clean water supplies, cities provide critical water conservation, ground water recharge and reuse of stormwater infrastructure, including capture and reuse of stormwater for their citizens, businesses and institutions.

Working with the State's Regional Water Quality Control Boards and the State Water Resources Board through the National Pollution Discharge Elimination System (NPDES) permitting process and Total Maximum Daily Load (TMDL) Programs, California's cities implement programs to capture, infiltrate and treat stormwater and urban runoff with the use of low impact development ordinances, green streets policies and other programs to increase the local ground water supply.

These actions have led to a dramatic decrease in water pollution from wastewater treatment plants and other so-called "point sources" since the adoption of the Clean Water Act in 1972. However, current threats to the State's "non-point sources " of pollution, such as stormwater and urban runoff are far more difficult to solve, even as the demand for clean water increases from a growing population and an economically important agricultural industry.

Current Problem Facing California's Cities

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

Additionally, new programs and projects to improve water quality are currently being required by the U.S. EPA and the State under the NPDES permits and the TMDL programs. Many local governments find that they lack the basic infrastructure to capture, infiltrate and reuse stormwater and the cities are facing difficult economic challenges while Federal and State financial assistance has been reduced due to the impacts of the recession and slow economic recovery.

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

In Los Angeles County alone, reports commissioned by the Los Angeles County Flood Control District estimate the costs of achieving region-wide compliance for implementing TMDL programs in the NPDES permits required by the Los Angeles Regional Water Quality Control Board (LARWQCB) will be in the tens of billions of dollars over the next twenty years. Additionally, failure to comply with the LARWQCB's terms could result in significant Clean Water Act fines, state fines and federal penalties anywhere from $3,000- $37,500 per day. Violations can also result in third-party litigation. Such costs are not confined to Los Angeles County and are being realized statewide.

Clearly, compliance with the NPDES permit and TMDL programs will be expensive for local governments over a long period of time and cities lack a stable, long-term, dedicated local funding source to address this need. Many cities are faced with the choice of either cutting existing services or finding new sources of revenue to fund the NPDES and TMDL programs.

Los Angeles County Division Resolution

The Division supports strong League education and advocacy at both the State and Federal levels to help cities face the challenges in providing programs to capture, infiltrate and reuse stormwater and urban runoff. While Los Angeles County cities and other regions seek to secure local funding sources to meet the Clean Water Act and the State's water objectives, it will simply not be enough to meet the enormous costs of compliance. The Los Angeles County Division strongly believes that State and Federal cooperation are necessary to fund programs to secure and reuse stormwater in order to improve water supply and reliability throughout the state.

The Division calls for the League to engage in discussions on 2014 State Water Bond to assist cities in funding and implementing the goals of the Clean Water Act and the State's Water objectives. This resolution does not support the 2014 bond issue, since the League and individual cities will need to make this decision at a later time upon review of the final language. However, the Governor and Legislature have reopened discussions for the 2014 water bond and funding of urban runoff and stormwater programs has taken a back seat in past bond issues, such as Proposition 84. In May, Assembly Speaker John Perez appointed a Water Bond Working Group which recently outlined a new set of Priorities and Accountability Measures for developing a water bond that would gain the support of 2/3 of the Legislature and voters. One of the priorities identified by the committee included, "Regional Self Reliance/Integrated Regional Water

Management," posing the question if stormwater capture should be included in any future bonds. The Division believes the opportunity to advocate for funding in the bond is now.

/////////

League of California Cities Staff Analysis on Resolution No. 1

Staff: Jason Rhine; (916) 658-8264
Committee: Environmental Quality

Summary:
This resolution seeks to call upon the Governor and the Legislature to work with the League of California Cities in providing adequate funding and to prioritize water bonds to assist local governments in water conservation, ground water recharge and reuse of stormwater and urban runoff programs.

Background:
In 2009, the State Legislature passed and Governor Arnold Schwarzenegger signed a package of legislation that included four policy bills and an $11.1 billion water bond (The Clean, and Reliable Drinking Water Supply Act). The water bond included the following major spending proposals:

- $455 million for drought relief projects, disadvantaged communities, small community wastewater treatment improvements and safe drinking water revolving fund
- $1.4 billion for "integrated regional water management projects"
- $2.25 billion for projects that "support delta sustainability options"
- $3 billion for water storage projects
- $1.7 billion for ecosystem and watershed protection and restoration projects in 21 watersheds
- $1 billion for groundwater protection and cleanup
- $1.25 billion for "water recycling and advanced treatment technology projects"

The $11.1 billion bond also included nearly $2 billion in earmarks. Projects slated for funding included:

- $40 million to educate the public about California's water
- $100 million for a Lake Tahoe Environmental Improvement Program for watershed restoration, bike trails and public access and recreation projects
- $75 million for the Sierra Nevada Conservancy, for public access, education and interpretive projects
- $20 million for the Baldwin Hills Conservancy to be used to buy more land
- $20 million for the Bolsa Chica Wetlands for interpretive projects for visitors

The water bond was originally scheduled to appear on the 2010 ballot as Proposition 18. However, due to significant criticism over the size of the bond, the amount of earmarked projects, and a lack of public support, the Legislature has voted twice to postpone the ballot vote. The water bond is now slated for the November 4, 2014 ballot.

It is unclear whether or not the water bond will actually appear on the November 2014 ballot. In recent months, pressure has been mounting to postpone the water bond yet again or significantly rewrite the water bond to drastically reduce the overall size of the bond and remove all earmarks. The Legislature has until the summer of 2014 to act.

Fiscal Impact:
Unknown. This resolution does not seek a specified appropriation from a water bond.

Existing League Policy:
In 2008, the League formed a new Water Task Force to consider updates and revision to the Water Guidelines the League drafted and adopted 20 years earlier. These new Guidelines were formally approved by the League board of directors in Feb. 2010. Below are the most pertinent policy and guiding principles related to the proposed resolution. To view the entire water policy guidelines, go to www.cacities.org/waterpolicyguidelines.

General Principles

- The League supports the development of additional groundwater and surface water storage, including proposed surface storage projects now under study if they are determined to be feasible, including but not limited to: environmentally, economically, and geographically relating to point of origin. Appropriate funding sources could include, but are not limited to user fees, bonds and federal funding.
- The League supports state water policy that allows undertaking aggressive water conservation and water use efficiency while preserving, and not diminishing, public and constitutional water rights.

Water Conservation

- The League supports the development of a statewide goal to reduce water use by 20% by 2020 through the implementation of fair and equitable measures consistent with these principles.
- Accomplishing water conservation and water use efficiency goals will require statewide action by all water users, including residential, commercial, industrial and agricultural water users, local and regional planning agencies, state and federal agencies, chambers of commerce, and business, commercial and industrial professional and trade associations.

Water Recycling

- Wherever feasible, water recycling should be practiced in urban, industrial and agricultural sectors. This includes increasing the use of recycled water over 2002 levels by at least one million acre-feet/year (afy) by 2020 and by at least two million afy by 2030.
- Increased recycling, reuse and other refinements in water management practices should be included in all water supply programs.

Water Storage

- The development of additional surface facilities and use of groundwater basins to store surface water that is surplus to that needed to maintain State Water Resource Control Board (SWRCB) Bay-Delta estuary water quality standards should be supported.

Groundwater

- The principle that local entities within groundwater basins (i.e., cities, counties, special districts, and the regional water quality control boards) working cooperatively should be responsible for and involved in developing and implementing basin wide groundwater, basin management plans should be supported. The plans should include, but not be limited to: a) protecting groundwater quality; b) identifying means to correct groundwater overdraft; c) implementing better irrigation techniques; d) increasing water reclamation and reuse; and e) refining water conservation and other management practices.
- Financial assistance from state and federal governments should be made available to requesting local agencies to develop and implement their groundwater management plans.

Financial Considerations

- It is recognized that the development and operation of water supply, water conveyance, flood control and stormwater management, water storage, and wastewater treatment facilities is frequently beyond the capability of local areas to finance;

- The League supports legislation to provide funding for stormwater, water and wastewater programs, including a constitutional amendment which would place stormwater fees in the category of water and wastewater fees, for the purposes of Proposition 218 compliance.

Support:
New this year, any resolutions submitted to the General Assembly must be concurred in by five cities or by city officials from at least five or more cities. Those submitting resolutions were asked to provide written documentation of concurrence. The following letters of concurrence were received: cities of Alhambra; Cerritos; Claremont; Glendora; Lakewood; La Mirada; La Verne; Norwalk; Signal Hill; and Mary Ann Lutz, Mayor, city of Monrovia. A letter of support was also received from the California Contract Cities Association.

RESOLUTION REFERRED TO PUBLIC SAFETY POLICY COMMITTEE

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

Source: Public Safety Policy Committee
Concurrence of five or more cities/city officials: Cities of Arroyo Grande, Covina; Fontana; Glendora; Monrovia; Ontario; Pismo Beach; and Santa Barbara
Referred to: Public Safety Policy Committee
Recommendation to General Resolutions Committee: Approve

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

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

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

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

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

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

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

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

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

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

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

1. The need to fully fund municipal police departments with constitutionally protected funding to appropriately address realignment issues facing front-line law enforcement;

2. Amend appropriate sections of AB 109 to change the criteria justifying the release of non-violent, non-serious, non-sex offender inmates (N3) inmates to include their total criminal and mental history instead of only their last criminal conviction;

3. Establish a uniform definition of recidivism with the input of all criminal justice stakeholders throughout the state;

4. Enact legislation that will accommodate the option for city police officers to make ten (10) day flash incarcerations in city jails for probationers who violate the conditions of their probation;

5. Establish oversight procedures to encourage transparency and accountability over the use of realignment funding;

6. Implement the recommendations identified in the California Little Hoover Commission Report #216 dated May 30, 2013;

7. Provide for greater representation of city officials on the local Community Corrections Partnerships. Currently AB 117 provides for only one city official (a police chief) on the seven-member body, six of which are aligned with the county in which the partnership has been established. As a result, the counties dominate the committees and the subsequent distribution of realignment funds.

8. Provide, either administratively or by legislation, an effective statewide data sharing mechanism allowing state and local law enforcement agencies to rapidly and efficiently share offender information to assist in tracking and monitoring the activities of AB 109 and other offenders.

/////////

Background Information on Resolution No. 2

Source: Public Safety Policy Committee

Background:
In October 2011 the Governor proposed the realignment of public safety tasks from State Prisons to local government as a way to address certain judicial orders dealing with State prison overcrowding and to reduce State expenditures. This program shifts the prisoner burden from State prisons to local counties and cities.

When the Governor signed into law realignment he stated that realignment needed to be fully funded with constitutionally protected source of funds to succeed. Nonetheless, the law was implemented without full constitutional protected funding for counties and cities; insufficient liability protections to local agencies; jail space; probation officers; housing and job placement programs; medical and mental health facilities; and with an inappropriate definition of N3 (non-serious, non-sexual, non-violent) criminal convictions used to screen inmates for participation in the program.

Two-thirds of California's 58 counties are already under some form of mandated early release. Currently, 20 counties have to comply with maximum population capacity limits enforced by court order, while another 12 counties have self-imposed population caps to avoid lawsuits.

At this time no one knows what the full impact of realignment will ultimately be on crime. We hope that crime will continue to drop, but with the current experience of the 40,000 offenders realigned since October 2011, and an estimated additional 12,000 offenders being shifted from State prison to local jails and community supervision by the end of fiscal year 2013-14, it will be very difficult to realize lower crime rates in the future.

Beginning in October 2011, California State prisons began moving N3 offenders into county jails, the county probation and court systems, and ultimately funneled them into community supervision or alternative sentencing program in cities where they will live, work, and commit crime.

Note: There is currently no uniform definition of recidivism throughout the state and no database that can deliver statistical information on the overall impact realignment has had on all cities in California. Because of this problem we have used data from Los Angeles County.

The March 4, 2013 report to the Los Angeles County Criminal Justice Coordination Committee (CCJCC) shows a strong effort and progress in addressing the realignment mandate. However, there is insufficient funding.

The report also states the jail population continues to be heavily influenced by participants housed locally. On September 30, 2012, the inmate count in the Los Angeles County Jail was 15,463; on January 31, 2013, the count was 18,864. The realignment population accounted for 32% of the Jail population; 5,743 offenders sentenced per Penal Code Section 1170 (h) and 408 parole violations.

By the end of January 2013, 13,535 offenders were released on Post Release Community Supervision (PRCS) to Los Angeles County including prisoners with the highest maintenance costs because of medical and drug problems and mental health issues costing counties and local cities millions of dollars in unfunded mandates since the beginning of the program. Prisoners with prior histories of violent crimes are also being released without proper supervision. That is why sections of **AB 109 must be amended to change the criteria used to justify the release of N3 inmates to include an offender's total criminal and mental history instead of only their last criminal conviction.** Using the latter as the key criteria does not provide an accurate risk assessment of the threat these offenders pose to society if they are realigned to county facilities, or placed on Post Release Community Supervision.

Chief Jerry Powers from the Los Angeles County Probation Department recently stated the release criteria for N3 offenders "has nothing to do with reality." He said initially the State estimated the population of released PRCS offenders would be 50% High Risk, 25% Medium Risk and 25% Low Risk. The reality is 3% are Very High Risk, 55% are High Risk, 40% are Medium Risk and only 2% are Low Risk offenders. He said the High Risk and serious mentally ill offenders being released "are a very scary population." One of the special needs offenders takes the resources of 20-30 other offenders.
Assistant Sheriff Terri McDonald who is the county Jail Administrator recently stated the Jail has only 30 beds for mentally ill offenders being released – when in fact she actually needs 300 beds to accommodate the volume of serious mentally ill offenders being released that require beds.

Los Angeles County data shows 7,200 released offenders have had some sort of revocation. This number is expected to increase because of a significant increase in the first four months of year two of realignment that totals 83% of the entire first year of the program; 4,300 warrants were issued for offenders; 6,200 offenders have been rearrested; and 1,400 prosecuted. Data reveals one in 10 offenders will test positive for drugs during the first 72 hours after being released knowing they are required to report to a probation officer during that time. Only one in three offenders will successfully complete probation.

There are more than 500 felony crimes that qualify State prison inmates for release under realignment. They will be spending their time in cities with little, if any, supervision.

/////////

League of California Cities Staff Analysis on Resolution No. 2

Staff: Tim Cromartie (916) 658-8252
Committee: Public Safety Policy Committee

Summary:
This Resolution seeks to outline the deficiencies in the State's current public safety realignment policy, as implemented in 2011 by AB 109, and to identify policy changes that will assist State, county and municipal law enforcement entities to cope with the expanded universe of offenders that are now being directed to county facilities, resulting in increased related impacts on both local communities and municipal law enforcement.

Background:
This resolution was brought to the Public Safety Policy Committee by individual members of that committee who are increasingly concerned about municipal public safety impacts resulting from county jail overcrowding, a problem that has intensified with realignment, resulting in certain categories of offenders doing no jail time or being sentenced to time served. This has created a climate in which some offenses receive little or no jail time, accompanied by a growing body of anecdotal evidence that property crimes have correspondingly increased, with some, such as auto theft, being committed in serial fashion. Increased criminal activity has strained the resources of many local police departments already struggling to more closely coordinate information sharing with county probation offices to effectively monitor offenders on post-community release supervision.

In addition, there is growing concern about the criteria established for determining which offenders are eligible for post-release community supervision (the non-violent, non-serious, non-sex offenders). There is so much concern that a May 2013 report of California's Little Hoover Commission recommended adjusting the criteria to examine an offender's total criminal history rather than merely his or her last known offense, as a means of more accurately assessing the risk he or she might pose to the community.

Implementation of the realignment policy is handled in part by the Community Corrections Partnerships established by AB 109, which currently have only one city representative, compared to at least four county-level representatives.

Fiscal Impact:

Unknown impact on the State General Fund. This resolution seeks to establish increased and constitutionally protected funding for city police departments (and county sheriff's departments, to the degree they are contracted to provide police services for cities), but does not specify a dollar amount for the revenue stream. At a minimum, it would entail an annual revenue stream of at least the amount provided for cities for front-line law enforcement in the State's 2013-14 Budget, $27.5 million, indefinitely – although that revenue stream has never been formally identified by the Brown Administration as having any direct connection to realignment.

Existing League Policy:

Related to this resolution, existing policy provides:

- The League supports policies establishing restrictions on the early release of state inmates for the purpose of alleviating overcrowding, and limiting parole hearing opportunities for state inmates serving a life sentence, or paroled inmates with a violation.

- The League supports increasing municipal representation on and participation in the Community Corrections Partnerships, which are charged with developing local corrections plans.

- In addition, the Strategic Priorities for 2012, as adopted by the League Board of Directors, included the promotion of local control for strong cities. The resolution's objectives of locking in ongoing funding for front-line municipal law enforcement, and increasing city participation in the Community Corrections Partnerships, are consistent with promoting local control.

Support:

New this year, any resolutions submitted to the General Assembly must be concurred in by five cities or by city officials from at least five or more cities. Those submitting resolutions were asked to provide written documentation of concurrence. The following cities/city officials have concurred: cities of Arroyo Grande; Covina; Fontana; Glendora; Monrovia; Ontario; Pismo Beach; and Santa Barbara.

LETTERS OF CONCURRENCE

Resolution #1

Water Bond Funds

City of Alhambra
Office of the Mayor and City Council

Gateway
to the
San Gabriel Valley

111
South First Street
Alhambra
California
91801

626
570-5010

FAX
281-2248

July 1, 2013

Bill Bogaard
President
League of California Cities
1400 K Street, Suite 400
Sacramento, CA 95814

RE: Los Angeles County Division Annual Conference Resolution

Dear President Bogaard:

The City of Alhambra supports the Los Angeles County Division's effort to submit a resolution for consideration by the General Assembly at the League's 2013 Annual Conference in Sacramento.

The Division's resolution seeks to address a critical funding need for cities working to meet the State's water quality objectives and storm water management plans by providing direction for the League to educate state leaders and advocate for funding during discussions on the 2014 Water Bond. The City of Alhambra is anticipating spending $24,101.96 this year to start the development of the Enhanced Watershed Plan and monitoring plan. Prior to 2016, the City anticipates spending $1,169,000 for full capture device on our storm drain catch basins. In the future, it is estimated the city may need $34 million dollars to finance the required infrastructure to meet the new permit guidelines. We also anticipate needing to hire additional staff to monitor and maintain the program. None of these costs have a dedicated funding source.

As members of the League, our city values the policy development process provided to the General Assembly. We appreciate your time on this issue. Please feel free to contact Mary Chavez, Director of Public Works, at (626) 570-5067 if you have any questions.

Very truly yours,

Steven Placido, DDS
Mayor

cc: Jennifer Quan, League of California Cities

CITY OF CERRITOS

CIVIC CENTER • 18125 BLOOMFIELD AVENUE
P.O. BOX 3130 • CERRITOS, CALIFORNIA 90703-3130
PHONE: (562) 916-1310 • FAX: (562) 468-1095
CELL PHONE: (562) 547-1732
E-mail: bbarr90703@aol.com
WWW.CERRITOS.US

Cerritos
All-America City
2008

OFFICE OF THE MAYOR
BRUCE W. BARROWS

July 8, 2013

Bill Bogaard
President
League of California Cities
1400 K Street, Suite 400
Sacramento, CA 95814

RE: Los Angeles County Division Annual Conference Resolution

President ~~Bogaard~~: Bill

The City of Cerritos supports the Los Angeles County Division's effort to submit a resolution for consideration by the General Assembly at the League's 2013 Annual Conference in Sacramento.

The Division's resolution seeks to address a critical funding need for cities working to meet the State's water quality objectives and storm water management plans by providing direction for the League to educate state leaders and advocate for funding during discussions on the 2014 Water Bond. The City of Cerritos expended $866,000 in the Fiscal Year 2011-2012 for compliance with required stormwater programs. Future expenditures are expected to be over $1.5 million annually, as the City will be required to begin construction of costly stormwater capital improvements.

As members of the League our city values the policy development process provided to the General Assembly. We appreciate your time on this issue. Please feel free to contact Art Gallucci, City Manager at (562)916-1301 or agallucci@cerritos.us, if you have any questions.

Sincerely,

Bruce W. Barrows
MAYOR

cc: Ling-Ling Chang, President, Los Angeles County Division c/o
Robb Korinke, Executive Director, Los Angeles County Division, robb@lacities.org

CITY OF CLAREMONT

City Hall
207 Harvard Avenue
P.O. Box 880
Claremont, CA 91711-0880
Fax: (909) 399-5492
Website: www.ci.claremont.ca.us
Email: contact@ci.claremont.ca.us

City Council • (909) 399-5444
Corey Calaycay
Joseph M. Lyons
Opanyi K. Nasiali
Sam Pedroza
Larry Schroeder

July 1, 2013

Bill Bogaard
President
League of California Cities
1400 K Street, Suite 400
Sacramento, CA 95814

President Bogaard:

RE: Los Angeles County Division Proposed Resolution for LCC Approval At The 2013 Annual Conference

The City of Claremont supports the Los Angeles County Division's effort to submit a resolution for consideration by the General Assembly at the League's 2013 Annual Conference in Sacramento.

The Division's resolution seeks to address a critical funding need for cities working to meet the State's water quality objectives and storm water management plans by providing direction for the League to educate state leaders and advocate for funding during discussions on the 2014 Water Bond.

As members of the League, our City values the policy development process provided to the General Assembly and appreciates your time on this issue. If you have any questions, please feel free to contact Tony Ramos, City Manager, at (909) 399-5441.

Sincerely,

OKNasiali

Opanyi Nasiali
Mayor

c: Jennifer Quan, League of California Cities

v:/TMoreno/City Council/Letters/LCC Annual Conf Approval Ltr-ON-July'13

CITY OF GLENDORA CITY HALL (626) 914-8200
116 East Foothill Blvd., Glendora, California 91741
www.ci.glendora.ca.us

July 15, 2013

Bill Bogaard, President
League of California Cities
1400 K Street, Suite 400
Sacramento, CA 95814

RE: Los Angeles County Division Annual Conference Resolution

President Bogaard:

The City of Glendora supports the Los Angeles County Division's effort to submit a resolution for consideration by the General Assembly at the League's 2013 Annual Conference in Sacramento.

The Division's resolution seeks to address a critical funding need for cities working to meet the State's water quality objectives and storm water management plans by providing direction for the League to educate state leaders and advocate for funding during discussions on the 2014 Water Bond.

As members of the League our city values the policy development process provided to the General Assembly. We appreciate your time on this issue. Please feel free to contact me, if you have any questions.

Sincerely,

Joe Santoro

Joe Santoro, Mayor

cc: Ling-Ling Chang, President, Los Angeles County Division c/o Robb Korinke, Executive Director, Los Angeles County Division, robb@lacities.org
Jennifer Quan, Regional Public Affairs Manager, League of California Cities – jquan@cacities.org

PRIDE OF THE FOOTHILLS

Todd Rogers
Vice Mayor

Diane DuBois
Council Member

CITY OF LAKEWOOD
CALIFORNIA

Steve Croft
Mayor

Jeff Wood
Council Member

Ron Piazza
Council Member

July 2, 2013

Mr. Bill Bogaard
President
League of California Cities
1400 K Street, Suite 400
Sacramento, California 95814

RE: Los Angeles County Division Annual Conference Resolution - Support

Dear President Bogaard:

The City of Lakewood supports the Los Angeles County Division's effort to submit a resolution for consideration by the General Assembly at the League's 2013 Annual Conference in Sacramento.

The Division's resolution seeks to address a critical funding need for cities working to meet the State's water quality objectives and storm water management plans by providing direction for the League to educate state leaders and advocate for funding during discussions on the 2014 Water Bond.

For Lakewood, the initial cost alone to prepare the Watershed Management Plan (WMP), Coordinated Integrated Management Plan (CIMP), and Reasonable Assurance Modeling for the three watersheds that Lakewood is a part of is estimated to be $153,167. This cost does not include administration costs, monitoring costs, construction costs, or inspection costs, which are estimated to be in the millions of dollars.

As members of the League our city values the policy development process provided to the General Assembly. We appreciate your time on this issue. Please feel free to contact Paolo Beltran, Senior Management Analyst, at (562) 866-9771, extension 2140, or email at pbeltran@lakewoodcity.org, if you have any questions.

Sincerely,

Steve Croft
Mayor

cc: Ling-Ling Chang, President, Los Angeles County Division c/o
Robb Korinke, Executive Director, Los Angeles County Division,
robb@lacities.org

CITY OF LA MIRADA
DEDICATED TO SERVICE

13700 La Mirada Boulevard
La Mirada, California 90638
P.O. Box 828
La Mirada, California 90637-0828
Phone: (562) 943-0131 Fax: (562) 943-1464
www.cityoflamirada.org

July 15, 2013

LETTER OF SUPPORT

Bill Bogaard
President
League of California Cities
1400 K Street, Suite 400
Sacramento, CA 95814

SUBJECT: LOS ANGELES COUNTY DIVISION ANNUAL CONFERENCE RESOLUTION

Dear President Bogaard:

On behalf of the City of La Mirada, I am writing to express support for the League of California Cities, Los Angeles County Division's effort to submit a resolution for consideration by the League's General Assembly at the September 2013 Annual Conference in Sacramento.

The Division's resolution seeks to address a critical funding need for local governments working to meet Federal and State objectives to protect water resources and storm water management plans. The resolution also provides direction for the League to educate State leaders and advocates for the inclusion of storm water funding in the State's proposed 2014 Water Bond.

Like many cities, the City of La Mirada does not have the basic infrastructure to capture, filter, and reuse storm water, and Federal and State funding to assist in providing this infrastructure has been reduced in recent years as a result of the economic recession. Compliance with the MS-4 permit and other storm water regulations could cost the City millions, and reduce funding for other vital City services such as infrastructure and public safety. The City could also face steep fines, penalties, and third party lawsuits if it is unable to meet the National Pollutant Discharge Elimination Systems (NPDES) permit requirements. Receiving State funding could help alleviate the financial burden placed on local governments to meet storm water requirements.

As a member of the League, our City values the policy development process provided to the General Assembly. Please contact Jeff Boynton, Deputy City Manager, at (562) 943–0131 if you have any questions.

Sincerely,

CITY OF LA MIRADA

Steve De Ruse
Mayor

TER:jb:vdr

cc: Ling-Ling Chang, President, Los Angeles County Division
Robb Korinke, Executive Director, Los Angeles County Division

CITY OF LA VERNE
CITY HALL

3660 "D" Street, La Verne, California 91750-3599
www.ci.la-verne.ca.us

July 2, 2013

Bill Bogaard, President
League of California Cities
1400 K Street, Suite 400
Sacramento, CA 95814

RE: Los Angeles County Division Annual Conference Resolution

President Bogaard:

The City of La Verne supports the Los Angeles County Division's effort to submit a resolution for consideration by the General Assembly at the League's 2013 Annual Conference in Sacramento.

The Division's resolution seeks to address a critical funding need for cities working to meet the State's water quality objectives and storm water management plans by providing direction for the League to educate state leaders and advocate for funding during discussions on the 2014 Water Bond. While the City is still in the process of identifying the costs associated with meeting the new requirements of the MS-4 PERMIT, it is expected these measures will far exceed existing local resources.

As members of the League, our city values the policy development process provided to the General Assembly. We appreciate your time on this issue. Please feel free to contact our City Manager, Bob Russi at 909-596-8726, if you have any questions.

Sincerely,

Don Kendrick

Don Kendrick
Mayor

cc: Jennifer Quan, League of California Cities
JR Ranells, Senior Management Analyst

U:\My Documents\CITY COUNCIL\D KENDRICK\Support 2013 League Conf Reso.doc

SISTER CITIES
Acámbaro, Mexico
Etchmiadzin, Armenia
Skopelos, Greece

General Administration 909/596-8726 • Water Customer Service 909/596-8744 • Parks & Community Services 909/596-8700
Public Works 909/596-8741 • Finance 909/596-8716 • Community Development 909/596-8706 • Building 909/596-8713
Police Department 909/596-1913 • Fire Department 909/596-5991 • General Fax 909/596-8737

LUIGI VERNOLA
Mayor
MARCEL RODARTE
Vice Mayor
CHERI KELLEY
Councilmember
MICHAEL MENDEZ
Councilmember
LEONARD SHRYOCK
Councilmember
MICHAEL J. EGAN
City Manager

City of NORWALK

12700 NORWALK BLVD., P.O. BOX 1030, NORWALK, CA 90651-1030 * PHONE: 562/929-5700 * FACSIMILE: 562/929-5773 * WWW.NORWALKCA.GOV

July 2, 2013

Bill Bogaard, President
League of California Cities
1400 K Street, Suite 400
Sacramento, CA 95814

RE: Los Angeles County Division Annual Conference Resolution

Dear President Bogaard:

The city of Norwalk supports the Los Angeles County Division's effort to submit a resolution for consideration by the General Assembly at the League's 2013 Annual Conference in Sacramento.

The Division's resolution seeks to address a critical funding need for cities working to meet the State's water quality objectives and storm water management plans by providing direction for the League to educate state leaders and advocate for funding during discussions on the 2014 Water Bond. The cost of compliance with the new storm water permit is in the millions of dollars. The Watershed Management Plan alone will cost close to $1M. Implementation of projects in the near future based on that Watershed Management Plan could potentially cost the City of Norwalk $5 - $10 million annually.

As members of the League our City values the policy development process provided to the General Assembly. We appreciate your time on this issue. Please feel free to contact Mike Egan, City Manager, at (562) 929-5772 if you have any questions.

Sincerely,

Luigi Vernola
Mayor

cc: Ling-Ling Chang, President, Los Angeles County Division c/o
Robb Korinke, Executive Director, Los Angeles County Division, robb@lacities.org

CITY OF SIGNAL HILL

2175 Cherry Avenue • Signal Hill, California 90755-3799

June 27, 2013

Bill Bogaard
President
League of California Cities
1400 K Street, Suite 400
Sacramento, CA 95814

RE: Los Angeles County Division Annual Conference Resolution

President Bogaard:

The city of Signal Hill supports the Los Angeles County Division's effort to submit a resolution for consideration by the General Assembly at the League's 2013 Annual Conference in Sacramento.

The Division's resolution seeks to address a critical funding need for cities working to meet the State's water quality objectives and storm water management plans by providing direction for the League to educate state leaders and advocate for funding during discussions on the 2014 Water Bond. The city of Signal Hill currently budgets for $755,000 annually for compliance with required stormwater programs, which represents over 4% of the entire General Fund. Future expenditures are expected to be over $1.5 million annually, as the City will be required to begin construction of costly stormwater capital improvements.

As members of the League our city values the policy development process provided to the General Assembly. We appreciate your time on this issue. Please feel free to contact Ken Farfsing, City Manager at (562) 989-7302 or kfarfsing@cityofsignal.org, if you have any questions.

Sincerely,

Michael J. Noll
Mayor

CC: Ling-Ling Chang, President, Los Angeles County Division c/o
Robb Korinke, Executive Director, Los Angeles County Division, robb@lacities.org

City of MONROVIA 1887

All-America City

Office of the Mayor and the City Council

July 2, 2013

Bill Bogaard
President
League of California Cities
1400 K Street, Suite 400
Sacramento, CA 95814

SUBJECT: Los Angeles County Division Annual Conference Resolution

Dear President Bogaard:

As Mayor of the City of Monrovia, I support the Los Angeles County Division's effort to submit a resolution for consideration by the General Assembly at the League's 2013 Annual Conference in Sacramento.

The Division's resolution seeks to address a critical funding need for cities working to meet the State's water quality objectives and storm water management plans by providing direction for the League to educate state leaders and advocate for funding during discussions on the 2014 Water Bond. The City is anticipating millions of dollars in stormwater permit compliance costs over the next five years – funds the City currently does not have available. Funding assistance is vital in order for the City to meet stormwater permit requirements.

As members of the League, our City values the policy development process provided to the General Assembly. We appreciate your time on this issue. Please feel free to contact Heather Maloney, Senior Management Analyst, at (626) 932-5577 or hmaloney@ci.monrovia.ca.us, if you have any questions.

Sincerely,

Mary Ann Lutz

Mary Ann Lutz,
Mayor

cc: City Council
Ling-Ling Chang, President, Los Angeles County Division c/o
Robb Korinke, Executive Director, Los Angeles County Division, robb@lacities.org
Laurie K. Lile, City Manager
Ron Bow, Director of Public Works

415 South Ivy Avenue • Monrovia, California 91016-2888 • (626) 932-5550 • FAX (626) 932-5520

June 20, 2013

Bill Bogaard
President
League of California Cities
1400 K Street, Suite 400
Sacramento, CA 95814

RE: Los Angeles County Division Annual Conference Resolution

President Bogaard:

The California Contract Cities Association supports the Los Angeles County Division's effort to submit a resolution for consideration by the General Assembly at the League's 2013 Annual Conference in Sacramento.

The Division's resolution seeks to address a critical funding need for cities working to meet the State's water quality objectives and storm water management plans by providing direction for the League to educate state leaders and advocate for funding during discussions on the 2014 Water Bond. All of the 58 cities we represent can ill afford this increasingly expensive ongoing cost.

As members of the League our association values the policy development process provided to the General Assembly. We appreciate your time on this issue. Please feel free to contact our office at (562) 622-5533 if you have any questions.

Sincerely,

Steve Tye

Steve Tye
CCCA President

CC: Ling-Ling Chang, President, Los Angeles County Division c/o
Robb Korinke, Executive Director, Los Angeles County Division, robb@lacities.org

LETTERS OF CONCURRENCE
Resolution #2
Public Safety Realignment

OFFICE OF THE
MAYOR

CITY OF
ARROYO GRANDE
CALIFORNIA

300 East Branch Street
Arroyo Grande, CA 93420
Phone: (805) 473-5400
FAX: (805) 473-0386
agcity@arroyogrande.org
www.arroyogrande.org

July 17, 2013

Bill Bogaard, President
League of California Cities
1400 K Street, Suite 400
Sacramento, CA 95814

RE: Public Safety Realignment Resolution

Dear President Bogaard:

On behalf of the City of Arroyo Grande, I am writing to express support for the League of California Cities' Public Safety Resolution, which will be submitted for consideration by the League's General Assembly at the September 2013 Annual Conference in Sacramento.

The League's Resolution seeks to highlight a number of deficiencies with the current public safety realignment policy, and what funding and policy changes need to occur in response. The resolution specifically calls out the need for ongoing local law enforcement funding related to realignment, as well as modification of the criteria for which offenders are eligible for post-release community supervision, i.e. a non-violent, non-serious, non-sex offender criteria that focuses on total criminal history rather than merely the last recorded offense.

As a member of the League, our City values the policy development process provided to the General Assembly. Please contact our City Manager, Steve Adams, at (805)473-5404, if you have any questions.

Sincerely,

Tony Ferrara

Mayor, City of Arroyo Grande

CITY OF COVINA

125 East College Street • Covina, California 91723-2199
www.covinaca.gov

July 17, 2013

Bill Bogaard, President
League of California Cities
1400 K Street, Suite 400
Sacramento, California 95814

RE: Public Safety Realignment Resolution

Dear President Bogaard:

On behalf of the City of Covina, I am writing to express support for the League of California Cities' Public Safety Resolution, which will be submitted for consideration by the League's General Assembly at the September 2013 Annual Conference in Sacramento.

The League's Resolution seeks to highlight a number of deficiencies with the current public safety realignment policy, and what funding and policy changes need to occur in response. The resolution specifically calls out the need for ongoing local law enforcement funding related to realignment, as well as modification of the criteria for which offenders are eligible for post-release community supervision, i.e. a non-violent, non-serious, non-sex offender criteria that focuses on total criminal history rather than merely the last recorded offense.

As a member of the League, our City values the policy development process provided to the General Assembly. Please contact Daryl Parrish, City Manager, at (626) 384-5410, if you have any questions.

Sincerely,

Walter Allen III
Mayor, City of Covina

The City of Covina provides responsive municipal services and manages public resources to enhance the quality of life for our community.

Mayor Acquanetta Warren

July 17, 2013

Bill Bogaard, President
League of California Cities
1400 K Street, Suite 400
Sacramento, California 95814

RE: Public Safety Realignment Resolution

Dear President Bogaard:

On behalf of the City of Fontana, I am writing to express support for the League of California Cities' Public Safety Resolution, which will be submitted for consideration by the League's General Assembly at the September 2013 Annual Conference in Sacramento.

The League's Resolution seeks to highlight a number of deficiencies with the current public safety realignment policy, and what funding and policy changes need to occur in response. The resolution specifically calls out the need for ongoing local law enforcement funding related to realignment, as well as modification of the criteria for which offenders are eligible for post-release community supervision, i.e. a non-violent, non-serious, non-sex offender criteria that focuses on total criminal history rather than merely the last recorded offense.

As a member of the League, our City values the policy development process provided to the General Assembly. Please contact Ken Hunt City Manager, at (909)350-7654, if you have any questions.

Sincerely,

Mayor, City of Fontana

AW/ac

8353 SIERRA AVENUE, FONTANA, CALIFORNIA 92335 (909) 350-7606 FAX (909) 350-6613 www.fontana.org

CITY OF GLENDORA CITY HALL (626) 914-8201

116 East Foothill Blvd., Glendora, California 91741
FAX (626) 914-8221
www.ci.glendora.ca.us

OFFICE OF THE MAYOR

July 19, 2013

Bill Bogaard, President
League of California Cities
1400 K Street, Suite 400
Sacramento, California 95814

RE: Public Safety Realignment Resolution

Dear President Bogaard:

On behalf of the City of Glendora, I am writing to express support for the League of California Cities' Public Safety Resolution, which will be submitted for consideration by the League's General Assembly at the September 2013 Annual Conference in Sacramento.

The League's Resolution seeks to highlight a number of deficiencies with the current public safety realignment policy, and what funding and policy changes need to occur in response. The resolution specifically calls out the need for ongoing local law enforcement funding related to realignment, as well as modification of the criteria for which offenders are eligible for post-release community supervision, i.e. a non-violent, non-serious, non-sex offender criteria that focuses on total criminal history rather than merely the last recorded offense.

As a member of the League, our City values the policy development process provided to the General Assembly. Please contact Chris Jeffers, City Manager, at cjeffers@ci.glendora.ca.us or (626) 914-8201, if you have any questions.

Sincerely,

City of Glendora

Joe Santoro

Joe Santoro
Mayor

PRIDE OF THE FOOTHILLS

City of MONROVIA 1887

All-America City

Office of the Mayor and the City Council

July 19, 2013

Bill Bogaard, President
League of California Cities
1400 K Street, Suite 400
Sacramento, California 95814

RE: PUBLIC SAFETY REALIGNMENT RESOLUTION

Dear President Bogaard:

As Mayor of the City of Monrovia, I am writing to express support for the League of California Cities' Public Safety Resolution, which will be submitted for consideration by the League's General Assembly at the September 2013 Annual Conference in Sacramento.

The League's Resolution seeks to highlight a number of deficiencies with the current public safety realignment policy, and what funding and policy changes need to occur in response. The resolution specifically calls out the need for ongoing local law enforcement funding related to realignment, as well as modification of the criteria for which offenders are eligible for post-release community supervision, i.e. a non-violent, non-serious, non-sex offender criteria that focuses on total criminal history rather than merely the last recorded offense.

As a member of the League, our City values the policy development process provided to the General Assembly. Please contact Laurie Lile, City Manager, at (626) 932-5501, if you have any questions.

Sincerely,

Mary Ann Lutz
Mayor

cc: City Council
James Hunt, Police Chief

415 South Ivy Avenue • Monrovia, California 91016-2888 • (626) 932-5550 • FAX (626) 932-5520

CITY OF ONTARIO

303 EAST "B" STREET, CIVIC CENTER ONTARIO CALIFORNIA 91764-4105 (909) 395-2000
FAX (909) 395-2070

PAUL S. LEON
MAYOR

JIM W. BOWMAN
MAYOR PRO TEM

ALAN D. WAPNER
DEBRA DORST-PORADA
PAUL VINCENT AVILA
COUNCIL MEMBERS

CHRIS HUGHES
CITY MANAGER

MARY E. WIRTES, MMC
CITY CLERK

JAMES R. MILHISER
TREASURER

July 18, 2013

Bill Bogaard, President
League of California Cities
1400 K Street, Suite 400
Sacramento, California 95814

RE: Public Safety Realignment Resolution

Dear President Bogaard:

On behalf of the City of Ontario, I am writing to express support for the League of California Cities' Public Safety Resolution, which will be submitted for consideration by the League's General Assembly at the September 2013 Annual Conference in Sacramento.

The League's Resolution seeks to highlight a number of deficiencies with the current public safety realignment policy, and what funding and policy changes need to occur in response. The resolution specifically calls out the need for ongoing local law enforcement funding related to realignment, as well as modification of the criteria for which offenders are eligible for post-release community supervision; i.e., a non-violent, non-serious, non-sex offender criteria that focuses on total criminal history rather than merely the last recorded offense.

As a member of the League, our City values the policy development process provided to the General Assembly. Please contact Chris Hughes, City Manager, at (909) 395-2010, if you have any questions.

Sincerely,

Paul S. Leon

PAUL S. LEON
Mayor

From the Office of the Mayor
Shelly Higginbotham
760 Mattie Road
Pismo Beach, CA 93449
(805) 235-6604
shigginbotham@pismobeach.org

July 18, 2013

Bill Bogaard, President
League of California Cities
1400 K Street, Suite 400
Sacramento, California 95814

RE: Public Safety Realignment Resolution

Dear President Bogaard:

On behalf of the City of Pismo Beach, I am writing to express support for the League of California Cities' Public Safety Resolution, which will be submitted for consideration by the League's General Assembly at the September 2013 Annual Conference in Sacramento.

The League's Resolution seeks to highlight a number of deficiencies with the current public safety realignment policy, and what funding and policy changes need to occur in response. The resolution specifically calls out the need for ongoing local law enforcement funding related to realignment, as well as modification of the criteria for which offenders are eligible for post-release community supervision, i.e. a non-violent, non-serious, non-sex offender criteria that focuses on total criminal history rather than merely the last recorded offense.

As a member of the League, our City values the policy development process provided to the General Assembly. Please contact James R. Lewis, City Manager, at (805) 773-7007, if you have any questions.

Sincerely,
Shelly Higginbotham
Shelly Higginbotham
Mayor

City of Santa Barbara

Office of Mayor

HSchneider@SantaBarbaraCA.gov
www.SantaBarbaraCA.gov

Helene Schneider
Mayor

City Hall
735 Anacapa Street
Santa Barbara, CA
93101-1990

Mailing Address:
P.O. Box 1990
Santa Barbara, CA
93102-1990

Tel: 805.564.5323
Fax: 805.564.5475

July 19, 2013

Bill Bogaard, President
League of California Cities
1400 K Street, Suite 400
Sacramento, California 95814

RE: Public Safety Realignment Resolution

Dear President Bogaard:

On behalf of the City of Santa Barbara, I am writing to express support for the League of California Cities' Public Safety Resolution, which will be submitted for consideration by the League's General Assembly at the September 2013 Annual Conference in Sacramento.

The League's Resolution seeks to highlight a number of deficiencies with the current public safety realignment policy, and what funding and policy changes need to occur in response. The resolution specifically calls out the need for ongoing local law enforcement funding related to realignment, as well as modification of the criteria for which offenders are eligible for post-release community supervision, i.e. a non-violent, non-serious, non-sex offender criteria that focuses on total criminal history rather than merely the last recorded offense.

It is important to our City, that such state-mandated programs remain fully-funded and that the regulations do not impede our law enforcement officers' ability to use their professional discretion in protecting our community.

As a member of the League, our City values the League's leadership and policy direction on this issue.

Sincerely,

Helene Schneider,
Mayor

cc: Dave Mullinax, League of California Cities

STAFF REPORT - CITY COUNCIL/SUCCESSOR AGENCY/PUBLIC FINANCE AUTHORITY

Subject:	Provide Direction to the City's Voting Delegate and Alternate Delegate on League of California Resolutions
Meeting Date:	August 15, 2013
From:	Rene A. Ramirez, City Manager
Prepared by:	Cindy Johnson, Asst. to the City Manager/Deputy City Clerk

---

I. RECOMMENDATION:

It is recommended by the City Manager that the City Council provide direction to the City's Voting Delegate and Alternate Delegate as how they should vote on the Resolutions at the Business Meeting at the Annual League of California Cities Conference to be held September 18th through 20th in Sacramento.

II. BACKGROUND:

For the last couple of years, at the League of California Cities Conference, Resolutions have been presented to each of the attending delegates for voting purposes. This year again, Resolutions will be on the floor for a vote. The League has provided each City a Briefing of the Resolutions that will be discussed and voted upon at the upcoming conference. A copy of the League's explanation and brief of each Resolution of attached to this staff report.

It would be appropriate for the City Council to discuss the Resolutions and provide direction to the City's Voting Delegate and to the Alternate as to the direction the City of Coalinga present, for the record, when the Resolutions are voted on at the Conference.

There are two (two) Resolutions in all, and the League has indicted their position on each. However, before each Resolution is voted upon, there will be an opportunity for any of the voting delegates from around the State to have a chance to speak on the particular Resolution before votes are casted.

III. DISCUSSION:

Formal action is for the Council to provide direction to the City's Voting Delegate regarding the City's position o the two (2) Resolutions to be voted upon at the upcoming League of California Cities Conference.

IV. ALTERNATIVES:

The only alternative is to not direct the Voting Delegate and the Alternate on how the City Council wants to vote.

V. FISCAL IMPACT:

There is no known fiscal impact at this time.

ATTACHMENTS:

File Name	Description
20130731160524862.pdf	League of California Cities Resolutions Voting Choices
20130731161434343.pdf	2013 Annual Conference Resolutions Packet

Bid Results
City of Coalinga
Coalinga Plaza Street Reconstruction
Project No. 13-001

Bid Date: August 7, 2013
2:00 PM, TCE Office

	Bidder	Base Bid
1	Lees Paving Inc.	$1,449,223.90
2	Dawson-Mauldin Construction	$1,458,629.00
3	American Paving	$1,516,768.50
4	Teichert Construction	$1,593,357.75

Lee's Paving Inc., Subcontractor Listing

Atkins Enterprises	Handrails, Seat Wall, Trellis
Chrisp Co	Thermoplastic Traffic Striping, Traffic Signage
Fresno Concrete Construction	Concrete
Halseys Tree Service	Demolition, Clearing and Grubbing, Thin/Shape Trees
Rainscape	Landscape and Irrigation
Bill Nelson G.E.C.	Storm Drain, Water Service, Hydrants Etc.
A-C Electric	Electrical
H.D. Matthews Demolition	Demolition
ESP Surveying	Construction Staking

Tri City Engineering
4630 W. Jennifer Ave., #101
Fresno, CA 93722-5415
Tel: 559.447.9075
Fax: 559.447-9074
info@tricityengineering.com

City of Coalinga
155 W. Durian Ave
Coalinga, CA 93210
Tel (559) 935-1533
Fax (559) 935-1184

City of Coalinga

Coalinga Plaza Street Reconstruction

Project No. 13-001

ATTACHMENT #1

Bid Summary

Base Bid Items

					1 Lees Paving Inc.,		2 Dawson-Mauldin		3 American Paving		4 Teichert Construction	
Item	***Description***	***Unit***	***Qty.***	***Engineer's Est.***	***Unit Price***	***Extension***	***Unit Price***	***Extension***	***Unit Price***	***Extension***	***Unit Price***	***Extension***
1	MOBILIZATION/GENERAL REQUIREMENTS	LS	1	$ 47,280.00	$ 41,000.00	$ 41,000.00	$ 27,000.00	$ 27,000.00	$ 125,000.00	$ 125,000.00	$ 122,000.00	$ 122,000.00
2	TRENCH SHORING AND WORKER SAFETY	LS	1	$ 2,010.00	$ 500.00	$ 500.00	$ 1,000.00	$ 1,000.00	$ 500.00	$ 500.00	$ 500.00	$ 500.00
3	TRAFFIC CONTROL	LS	1	$ 7,040.00	$ 20,000.00	$ 20,000.00	$ 5,000.00	$ 5,000.00	$ 15,000.00	$ 15,000.00	$ 70,000.00	$ 70,000.00
4	DUST CONTROL	LS	1	$ 3,020.00	$ 10,000.00	$ 10,000.00	$ 1,000.00	$ 1,000.00	$ 500.00	$ 500.00	$ 1,000.00	$ 1,000.00
5	TEMPORARY ACCESS TO BUSINESS ENTRANCES	LS	1	$ 20,000.00	$ 10,000.00	$ 10,000.00	$ 5,000.00	$ 5,000.00	$ 18,000.00	$ 18,000.00	$ 15,000.00	$ 15,000.00
6	CONSTRUCTION SURVEYING	LS	1	$ 15,000.00	$ 8,968.00	$ 8,968.00	$ 14,000.00	$ 14,000.00	$ 10,000.00	$ 10,000.00	$ 7,000.00	$ 7,000.00
7	DELETED WITH ADDENDUM NO. 1			$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
8	DEMOLITION, CLEARING AND GRUBBING	LS	1	$ 75,000.00	$ 115,481.00	$ 115,481.00	$ 86,000.00	$ 86,000.00	$ 82,000.00	$ 82,000.00	$ 85,000.00	$ 85,000.00
9	REMOVE, RELOCATE AND REINSTALL EXISTING MISCELLANEOUS ITEMS	LS	1	$ 9,300.00	$ 20,000.00	$ 20,000.00	$ 23,000.00	$ 23,000.00	$ 11,000.00	$ 11,000.00	$ 7,500.00	$ 7,500.00
10	SAWCUTTING	LF	2,710	$ 5,420.00	$ 1.00	$ 2,710.00	$ 3.00	$ 8,130.00	$ 3.00	$ 8,130.00	$ 1.00	$ 2,710.00
11	WEDGE GRIND	SF	1,600	$ 4,800.00	$ 3.70	$ 5,920.00	$ 4.00	$ 6,400.00	$ 2.70	$ 4,320.00	$ 3.50	$ 5,600.00
12	ROADWAY EXCAVATION AND GRADING	CY	740	$ 18,500.00	$ 132.00	$ 97,680.00	$ 49.00	$ 36,260.00	$ 70.00	$ 51,800.00	$ 95.00	$ 70,300.00
13	HOT MIX ASPHALT TYPE B (HMA-B)	TON	730	$ 69,350.00	$ 102.45	$ 74,788.50	$ 96.00	$ 70,080.00	$ 104.00	$ 75,920.00	$ 100.00	$ 73,000.00
14	AGGREGATE BASE CLASS II	TON	1,880	$ 47,000.00	$ 24.90	$ 46,812.00	$ 27.00	$ 50,760.00	$ 25.00	$ 47,000.00	$ 32.00	$ 60,160.00
15	CONCRETE 6" CURB AND GUTTER	LF	1,280	$ 32,000.00	$ 23.50	$ 1,303.00	$ 31.00	$ 39,680.00	$ 26.00	$ 33,280.00	$ 28.00	$ 35,840.00
16	CONCRETE 6" CURB	LF	1,325	$ 26,500.00	$ 18.15	$ 24,048.75	$ 19.00	$ 25,175.00	$ 19.00	$ 25,175.00	$ 28.00	$ 37,100.00
17	CONCRETE VALLEY GUTTER	SF	2,660	$ 31,920.00	$ 7.15	$ 19,019.00	$ 12.00	$ 31,920.00	$ 10.50	$ 27,930.00	$ 13.00	$ 34,580.00
18	CONCRETE SIDEWALK	SF	26,735	$ 133,675.00	$ 7.05	$ 188,481.75	$ 5.50	$ 147,042.50	$ 6.25	$ 167,093.75	$ 8.00	$ 213,880.00
19	CONCRETE ALLEY APPROACH	SF	2,080	$ 20,800.00	$ 7.65	$ 15,912.00	$ 11.00	$ 22,880.00	$ 8.50	$ 17,680.00	$ 10.00	$ 20,800.00
20	CONCRETE CURB RAMP	SF	1,080	$ 21,600.00	$ 17.15	$ 18,522.00	$ 40.00	$ 43,200.00	$ 21.00	$ 22,680.00	$ 27.00	$ 29,160.00
21	UTILITY VALVE BOX/LID ADJUSTMENT	LS	1	$ 10,000.00	$ 4,000.00	$ 4,000.00	$ 29,000.00	$ 29,000.00	$ 5,000.00	$ 5,000.00	$ 7,000.00	$ 7,000.00
22	48" STORM DRAIN MANHOLE	EA	4	$ 12,000.00	$ 2,500.00	$ 10,000.00	$ 2,500.00	$ 10,000.00	$ 3,000.00	$ 12,000.00	$ 2,300.00	$ 9,200.00
23	TYPE "D" STORM DRAIN INLET	EA	2	$ 7,000.00	$ 4,000.00	$ 8,000.00	$ 3,500.00	$ 7,000.00	$ 3,300.00	$ 6,600.00	$ 2,700.00	$ 5,400.00
24	TYPE "A" STORM DRAIN INLET	EA	2	$ 7,000.00	$ 4,000.00	$ 8,000.00	$ 3,500.00	$ 7,000.00	$ 4,000.00	$ 8,000.00	$ 2,500.00	$ 5,000.00
25	15" STORM DRAIN CLASS IV RGRCP	LF	114	$ 8,550.00	$ 68.00	$ 7,752.00	$ 92.00	$ 10,488.00	$ 92.00	$ 10,488.00	$ 55.00	$ 6,270.00
26	18" STORM DRAIN CLASS IV RGRCP	LF	544	$ 54,400.00	$ 65.00	$ 35,360.00	$ 54.00	$ 29,376.00	$ 69.00	$ 37,536.00	$ 52.00	$ 28,288.00
27	7" DIAMETER AREA DRAIN	EA	18	$ 4,500.00	$ 300.00	$ 5,400.00	$ 300.00	$ 5,400.00	$ 150.00	$ 2,700.00	$ 75.00	$ 1,350.00
28	SIDEWALK DRAIN PIPE	LF	267	$ 5,340.00	$ 20.00	$ 5,340.00	$ 50.00	$ 13,350.00	$ 30.00	$ 8,010.00	$ 10.00	$ 2,670.00
29	RELOCATE EXISTING WATER FOUNTAIN	LS	1	$ 2,500.00	$ 2,500.00	$ 2,500.00	$ 3,300.00	$ 3,300.00	$ 2,700.00	$ 2,700.00	$ 550.00	$ 550.00
30	CUT AND CAP EXISTING WATER MAIN	LS	1	$ 1,000.00	$ 2,000.00	$ 2,000.00	$ 3,800.00	$ 3,800.00	$ 3,300.00	$ 3,300.00	$ 1,800.00	$ 1,800.00
31	CUT EXISTING WATER MAIN AND TIE-IN CONNECTIOI	LS	1	$ 2,000.00	$ 3,200.00	$ 3,200.00	$ 7,600.00	$ 7,600.00	$ 10,000.00	$ 10,000.00	$ 8,500.00	$ 8,500.00
32	6" C900 WATER MAIN	LF	172	$ 2,580.00	$ 30.00	$ 5,160.00	$ 58.00	$ 9,976.00	$ 31.00	$ 5,332.00	$ 48.00	$ 8,256.00
33	2" WATER SERVICE AND METER	LS	1	$ 4,000.00	$ 3,800.00	$ 3,800.00	$ 7,000.00	$ 7,000.00	$ 6,000.00	$ 6,000.00	$ 3,500.00	$ 3,500.00
34	FIRE HYDRANT IMPROVEMENTS	LS	1	$ 16,500.00	$ 13,500.00	$ 13,500.00	$ 15,000.00	$ 15,000.00	$ 16,000.00	$ 16,000.00	$ 12,500.00	$ 12,500.00
35	ELECTRICAL CONDUIT AND WIRE	LS	1	$ 40,000.00	$ 78,915.00	$ 78,915.00	$ 86,800.00	$ 86,800.00	$ 86,000.00	$ 86,000.00	$ 80,000.00	$ 80,000.00
36	ELECTRICAL WIRE	LS	1	$ 15,450.00	$ 3,200.00	$ 3,200.00	$ 3,500.00	$ 3,500.00	$ 3,500.00	$ 3,500.00	$ 3,200.00	$ 3,200.00
37	CALTRANS NO. 3½ ELECTRICAL PULL BOX	EA	35	$ 14,000.00	$ 455.00	$ 15,925.00	$ 500.00	$ 17,500.00	$ 500.00	$ 17,500.00	$ 475.00	$ 16,625.00
38	24" x 36" ELECTRICAL PULL BOX	EA	2	$ 1,500.00	$ 1,575.00	$ 3,150.00	$ 1,732.00	$ 3,464.00	$ 1,700.00	$ 3,400.00	$ 1,600.00	$ 3,200.00
39	ELECTRICAL PULL BOX LID	EA	15	$ 3,000.00	$ 99.00	$ 1,485.00	$ 109.00	$ 1,635.00	$ 105.00	$ 1,575.00	$ 105.00	$ 1,575.00
40	GFCI RECEPTACLES AND APPURTENANCES	LS	1	$ 50,000.00	$ 21,800.00	$ 21,800.00	$ 24,000.00	$ 24,000.00	$ 24,000.00	$ 24,000.00	$ 22,000.00	$ 22,000.00
41	LIGHTED BOLLARD	EA	19	$ 66,500.00	$ 2,775.00	$ 52,725.00	$ 3,000.00	$ 57,000.00	$ 3,000.00	$ 57,000.00	$ 3,000.00	$ 57,000.00
42	STREET LIGHT – SINGLE HEAD	EA	10	$ 75,000.00	$ 9,500.00	$ 95,000.00	$ 10,500.00	$ 105,000.00	$ 10,000.00	$ 100,000.00	$ 10,000.00	$ 100,000.00
43	STREET LIGHT – DOUBLE HEAD	EA	4	$ 40,000.00	$ 12,800.00	$ 51,200.00	$ 14,000.00	$ 56,000.00	$ 14,000.00	$ 56,000.00	$ 13,000.00	$ 52,000.00
44	PEDESTRIAN LIGHT	EA	8	$ 52,000.00	$ 5,575.00	$ 44,600.00	$ 6,200.00	$ 49,600.00	$ 6,000.00	$ 48,000.00	$ 6,000.00	$ 48,000.00

45	THERMOPLASTIC TRAFFIC STRIPING	LS	1	$ 12,550.00	$ 7,837.00	$ 7,837.00	$ 9,000.00	$ 9,000.00	$ 8,500.00	$ 8,500.00	$ 8,000.00	$ 8,000.00
46	TRAFFIC SIGNAGE	LS	1	$ 4,200.00	$ 4,809.00	$ 4,809.00	$ 5,500.00	$ 5,500.00	$ 5,000.00	$ 5,000.00	$ 5,000.00	$ 5,000.00
47	LANDSCAPE INSTALLATION	SF	7,625	$ 19,062.50	$ 2.90	$ 22,112.50	$ 4.00	$ 30,500.00	$ 3.55	$ 27,068.75	$ 6.50	$ 49,562.50
48	STREET TREE	EA	11	$ 13,200.00	$ 700.00	$ 7,700.00	$ 1,200.00	$ 13,200.00	$ 1,100.00	$ 12,100.00	$ 375.00	$ 4,125.00
49	IRRIGATION SYSTEM INSTALLATION	SF	7,625	$ 19,062.50	$ 6.24	$ 47,580.00	$ 6.30	$ 48,037.50	$ 6.00	$ 45,750.00	$ 4.25	$ 32,406.25
50	EXISTING LANDSCAPE AND IRRIGATION REPAIR (FRAME PARK)	LS	1	$ 5,000.00	$ 2,508.00	$ 2,508.00	$ 5,000.00	$ 5,000.00	$ 5,000.00	$ 5,000.00	$ 5,200.00	$ 5,200.00
51	THIN/SHAPE/PROTECT EXISTING STREET TREES	LS	1	$ 18,400.00	$ 10,000.00	$ 10,000.00	$ 3,000.00	$ 3,000.00	$ 18,000.00	$ 18,000.00	$ 11,000.00	$ 11,000.00
52	HANDRAILS	LS	1	$ 2,500.00	$ 2,500.00	$ 2,500.00	$ 5,700.00	$ 5,700.00	$ 3,000.00	$ 3,000.00	$ 3,000.00	$ 3,000.00
53	SEAT WALL	LF	195	$ 17,550.00	$ 224.00	$ 43,680.00	$ 225.00	$ 43,875.00	$ 260.00	$ 50,700.00	$ 190.00	$ 37,050.00
54	SITE FURNISHINGS	LS	1	$ 16,800.00	$ 30,000.00	$ 30,000.00	$ 31,000.00	$ 31,000.00	$ 27,000.00	$ 27,000.00	$ 38,000.00	$ 38,000.00
55	TRELLIS	LS	1	$ 20,000.00	$ 62,339.40	$ 62,339.40	$ 53,500.00	$ 53,500.00	$ 36,000.00	$ 36,000.00	$ 20,000.00	$ 20,000.00
56	IMPLEMENTATION AND MANAGEMENT OF STORM WATER POLLUTION CONTROL PLAN (WPCP)	LS	1	$ 4,000.00	$ 5,000.00	$ 5,000.00	$ 4,000.00	$ 4,000.00	$ 5,000.00	$ 5,000.00	$ 5,000.00	$ 5,000.00
Base Bid Summary				**$ 1,237,400.00**		**$ 1,449,223.90**		**$ 1,458,629.00**		**$ 1,516,768.50**		**$ 1,593,357.75**

STAFF REPORT - CITY COUNCIL/SUCCESSOR AGENCY/PUBLIC FINANCE AUTHORITY

Subject:	Consideration of Bid Award for the Coalinga Plaza Street Reconstruction Project
Meeting Date:	August 15, 2013
From:	Rene A. Ramirez, City Manager
Prepared by:	Sean Brewer, Assistant Community Development Director

I. RECOMMENDATION:

Staff is recommending that the Coalinga City Council award a construction contract in the amount of $1,449,223.90, to Lee's Paving Inc., 1212 N. Plaza Drive, Visalia, CA 93291 for the Coalinga Plaza Street Reconstruction Project.

II. BACKGROUND:

In April, 2013, the Coalinga City Council directed staff to prepare engineering plans and specifications and authorized a call for bids for the Coalinga Plaza Street Reconstruction, Project No. 13-001. The Project consists of the construction of but not limited to Demolition of existing improvements, saw cutting, temporary access to business entrances, installation of curb and gutter, sidewalk, concrete seat walls, curb ramps, alley approaches, valley gutter, A.C. pavement, aggregate base, area drains, sidewalk drains, storm drain manholes, storm drain inlets, storm drain main, fire hydrant removal, fire hydrant installation, water main, street lights, lighted bollards, electrical conduit, electrical wire, pull boxes, GFI receptacles, service pedestal, trees, decomposed granite, landscape irrigation, thin/shape existing trees, trash receptacles, benches, bike rack, ash urn, trellis, traffic striping, traffic signage, existing lid adjustment, and construction surveying.

III. DISCUSSION:

City Staff received and opened four bids for this project on August 7, 2013. Lee's Paving Inc., was the apparent low bidder with a total bid proposal of $1,449,223.90. The Engineer's Estimate was $1,237,400.00. The entire bid summary is attached. Lee's Paving Inc., has furnished the required bid bond and has been reviewed by the City Attorney. If the City Council decides to award the project to Lee's Paving Inc., and the "Notice to Proceed" is issued, the contractor will have sixty (60) working days to complete the work. The following is a tentative schedule:

Award of Contract:	August 15, 2013
Start of Construction:	September 9, 2013
Completion of Construction:	December 5, 2013

IV. ALTERNATIVES:

The alternative to this council action would be to reject all bids. If all bids are rejected, the City would have to re-advertise or cancel the project. Staff believes that re-advertising the project will not result in lower bids.

V. FISCAL IMPACT:

With the award of the above bid to Lee's Paving the final budget for the Plaza Project will be $1,790,623.90. Some of the changes that are reflected from the previous budget presented by staff and the final budget based on bids received, is $346,000.00. There was a $220,000.00 difference from the final engineers cost estimate prior to bid and the actual low bid. There was also the allocation of $135,000.00 for the gateway sign which was not included as part of the engineers cost estimate but a part of overall project scope. The Sign and Wayfinding Kiosk are expected to be presented to the Council for approval at the September 1st Council Meeting.

The following is a breakdown of cost types and their allocations to the various streets and enterprise funds.

Final Budget	
Construction:	$1,449,223.90
Sign/Wayfinding Kiosk	$135,000.00
Preliminary Engineering:	$80,000.00
Landscape Architect:	$13,400.00
Construction Engineering:	$13,000.00
Construction Management:	$100,000.00
Total:	$1,790,623.90

Current Funding Balances Available for Streets (exception Storm Impact Fee)

Measure "C" Flexible Funding:	$1,140,000.00*
TDA Streets and Roads:	$554,000.00*
Storm Water Impact:	$131,000.00
Gas Tax:	$915,000.00**
Total:	$2,740,000.00

*Between Measure "C" and TDA the City Receives and annual allocation of approximately $422,000.00

**The Gas Tax available balance is funds that have been carried over from previous fiscal years. The city normally budgets the annual revenue of approximately $500,000.00 for various public works activities. The $915,000.00 is a carryover balance the City has unallocated for numerous years which can discretionally be used for street related projects such as the Plaza. The allocation of funds towards the Plaza Project from Gas Fund will not affect the annual historical $500,000.00 spending plan.

Plaza Expense Distribution by Fund:

Measure "C" Flexible Funding (31%):	$550,000.00
TDA Streets and Roads (31%):	$554,000.00
Storm Water Impact (6%):	$107,437.00
Gas Tax (30%):	$543,374.90
Water Enterprise Fund (2%):	$35,812.00
Total(100%):	$1,790,623.90

Remaining Fund Balances at Completion of Project (December 2013)

Measure "C" Flexible Funding: $690,000.00*

TDA Streets and Roads: $110,000.00**

Storm Water Impact: $23,563.00

Gas Tax: $371,625.10***

*Assumes (6) months of FY 13/14 allocation ($100,000.00)

**Assumes (6) months of FY 13/14 allocation ($110,000.00)

***Reflects remaining balance of carryover funds

ATTACHMENTS:

	File Name	Description
🗋	2339_Bid_Results.pdf	Bid Results
🗋	2339_Bid_Summary.pdf	Bid Summary

STAFF REPORT - CITY COUNCIL/SUCCESSOR AGENCY/PUBLIC FINANCE AUTHORITY

Subject: Conference with Legal Counsel - Potential Litigation - Significant exposure to litigation pursuant to Government Code 54956.9(b). 1 case.

Meeting Date:

From:

Prepared by:

I. RECOMMENDATION:

II. BACKGROUND:

III. DISCUSSION:

IV. ALTERNATIVES:

V. FISCAL IMPACT:

ATTACHMENTS:

File Name	Description

No Attachments Available

STAFF REPORT - CITY COUNCIL/SUCCESSOR AGENCY/PUBLIC FINANCE AUTHORITY

Subject: Conference with Legal Counsel - Existing Litigation Government Code 54956.9(d). Deborah S. Ireland v. City of Coalinga, Case No. 12CECG00171.

Meeting Date:

From:

Prepared by:

I. RECOMMENDATION:

II. BACKGROUND:

III. DISCUSSION:

IV. ALTERNATIVES:

V. FISCAL IMPACT:

ATTACHMENTS:

File Name	Description

No Attachments Available

STAFF REPORT - CITY COUNCIL/SUCCESSOR AGENCY/PUBLIC FINANCE AUTHORITY

Subject: Conference with Labor Negotiator Government Code 54957.6. CITY NEGOTIATORS: Rene A. Ramirez, City Manager; Marissa Chavez, Human Resources Director; Laurie Avedisian, City Attorney. EMPLOYEE (ORGANIZATION): General Employees; Coalinga Police Officer's Association; Non-Represented Employees;

Meeting Date:

From:

Prepared by:

I. RECOMMENDATION:

II. BACKGROUND:

III. DISCUSSION:

IV. ALTERNATIVES:

V. FISCAL IMPACT:

ATTACHMENTS:

File Name	Description

No Attachments Available