



CITY of CALABASAS

**CITY COUNCIL AGENDA
REGULAR MEETING - WEDNESDAY, AUGUST 22, 2012
CITY HALL COUNCIL CHAMBERS
100 CIVIC CENTER WAY, CALABASAS
www.cityofcalabasas.com**

**COUNCILMEMBER MARTIN WILL PARTICIPATE VIA AUDIO TELECONFERENCE
FROM
723 Providence Drive
Pittsburgh, PA 15239**

THE STARTING TIMES LISTED FOR EACH AGENDA ITEM SHOULD BE CONSIDERED A GUIDELINE ONLY. THE CITY COUNCIL RESERVES THE RIGHT TO ALTER THE ORDER OF DISCUSSION IN ORDER TO RUN AN EFFECTIVE MEETING. IF YOU WISH TO ASSURE YOURSELF OF HEARING A PARTICULAR DISCUSSION, PLEASE ATTEND THE ENTIRE MEETING. YOU MAY SPEAK ON A CLOSED SESSION ITEM PRIOR TO COUNCIL'S DISCUSSION. TO DO SO, PLEASE SUBMIT A SPEAKER CARD TO THE CITY CLERK AT LEAST 5 MINUTES PRIOR TO THE START OF CLOSED SESSION. THE CITY VALUES AND INVITES WRITTEN COMMENTS FROM RESIDENTS ON MATTERS SET FOR COUNCIL CONSIDERATION. IN ORDER TO PROVIDE COUNCILMEMBERS AMPLE TIME TO REVIEW ALL CORRESPONDENCE, PLEASE SUBMIT ANY LETTERS OR EMAILS TO THE CITY CLERK'S OFFICE BEFORE 5:00 P.M. ON THE MONDAY PRIOR TO THE MEETING.

OPENING MATTERS – 7:00 P.M.

Call to Order/Roll Call of Councilmembers
Pledge of Allegiance
Approval of Agenda

ANNOUNCEMENTS/INTRODUCTIONS – 7:05 P.M.

- Presentation and tribute in memory of Planning Commissioner, Gary Klein.
- Recognition and farewell to City Attorney Michael Colantuono upon his departure from the City.

ORAL COMMUNICATIONS - PUBLIC COMMENT – 7:20 P.M.

CONSENT ITEMS – 7:30 P.M.

1. Approval of meeting minutes from August 8, 2012.
2. Adoption of Ordinance No. 2012-302, amending Section 17.12.050 of the Calabasas Municipal Code by adding a provision clarifying that Section 17.12.050 of the Calabasas Municipal Code is intended to regulate all uses of wireless communications in the City, including uses by public utilities, to the extent of the City's power to regulate the use of land under federal and state law, but not to exceed the scope of the City's authority; and readopting Ordinance No. 2012-295 in its entirety, including this amendment.
3. Adoption of Ordinance No. 2012-301, amending the Calabasas Municipal Code regarding street side solicitation.
4. Adoption of Resolution No. 2012-1343, establishing employee flex credit amounts for 2013 benefits and rescinding Resolution No. 2011-1303.
5. Adoption of Resolution No. 2012-1347 executing the Caltrans' program supplement agreement No. N017 to administering agency-state agreement No. 07-5463R to fund the Safe Routes to School Project.
6. Designation of Voting Delegate and Alternates to the League of California Cities (League) Annual Conference.

NEW BUSINESS – 7:35 P.M.

7. A request to release a posted \$76,660 line of credit and \$6,596.38 recoverable deposit collected as part of the 5 year mitigation for unpermitted oak tree encroachment at 5349 Las Virgenes Road.
8. Discussion of Resolutions before the League of California Cities (League) at the Annual Meeting on September 7.

INFORMATIONAL REPORTS – 7:45 P.M.

9. Check Register for the period of July 31, 2012, through August 10, 2012.

TASK FORCE REPORTS – 7:50 P.M.

CITY MANAGER'S REPORT – 7:55 P.M.

FUTURE AGENDA ITEMS – 7:58 P.M.

ADJOURN – 8:00 P.M.

The City Council will adjourn to their next regular meeting, which is scheduled to be held on Wednesday, September 12, 2012 at 7:00 p.m.

A copy of the City Council agenda packet is available for review at City Hall and the Calabasas Library. Materials related to items on this agenda submitted to the Council after distribution of the agenda packet are available for public inspection in the City Clerk's Office, 100 Civic Center Way, Calabasas, CA 91302, during normal business hours. Such documents are also available on the City of Calabasas website at www.cityofcalabasas.com subject to the City staff's ability to post the documents before the meeting. The City of Calabasas, in complying with the Americans with Disabilities Act (ADA), requests individuals who require special accommodations to access, attend and/or participate in the City meeting due to disability, to please contact the City Clerk's Office, (818) 224-1600, at least one business day prior to the scheduled meeting to ensure that we may assist you.

**MINUTES OF A REGULAR MEETING OF
THE CITY COUNCIL OF THE CITY OF CALABASAS,
CALIFORNIA, HELD WEDNESDAY, AUGUST 8, 2012**

Mayor Maurer called the meeting to order at 7:00 p.m. in the City Council Chambers, 100 Civic Center Way, Calabasas, California.

ROLL CALL Present: Mayor Maurer, Mayor pro Tem Gaines, Councilmembers Bozajian and Shapiro.
Absent: Councilmember Martin.
Staff: Bartlett, Brozyna, Coroalles, Hernandez, Lysik, Parker, Pelka, Rubin, Steller, Thompson.

The Pledge of Allegiance was led by Maricela Hernandez.

APPROVAL OF AGENDA

Councilmember Shapiro moved, seconded by Mayor pro Tem Gaines to approve the agenda. MOTION CARRIED 4/0.

ANNOUNCEMENTS/INTRODUCTIONS

Councilmember Shapiro congratulated staff and all others involved for an amazing 4th of July event.

Mayor pro Tem Gaines reported that school will start soon and reminded everyone to drive cautiously. In addition, he announced that the Economic Alliance of the San Fernando Valley will hold its annual meeting on August 23. The Valley Industry Association (VICA) will hold its local elected officials luncheon on August 16. The Calabasas Chamber of Commerce will hold their monthly breakfast on August 9. A ribbon cutting ceremony of Toscanova Restaurant will be held on August 16 at 5:30 p.m. During his summer vacation, he visited Sister City Mevasseret Zion in Israel and met with Mayor Arye Shamam. He presented a flag from Mevasseret Zion to Mayor Maurer and distributed city pins to others.

Councilmember Bozajian reminded everyone that the next concert at Calabasas Lake will take place on August 12, at 6:00 p.m.

Mayor Maurer announced that National Night Out will also be held on August 12. She further announced the ground breaking ceremony held on August 8 for landscape beautification in front of Calabasas Village Mobile Home Estates. The Lost Hills Sheriff's Station has opened a comfort room to be used by people in crisis. CERT training is taking place at the Oaks Home Owners' Association. A

tribute honoring former Planning Commissioner Gary Klein will be held at the August 22 Council meeting.

ORAL COMMUNICATIONS - PUBLIC COMMENT

The following individuals spoke during public comment:

Arin Mikailian; Mark Logan, Salvation Army; Bruce Boyer; Linda Stock Charlotte Meyer; Mary Hubbard; Manuela Saul and Robert Blackstone.

CONSENT ITEMS

1. Approval of meeting minutes from June 27, 2012.
2. Adoption of Resolution No. 2012-1340, in support of the Healthy Eating Active Living Cities Campaign.
3. Authorization to amend a professional services agreement between the City of Calabasas and Rincon Consultants, Inc. for environmental impact review services, by increasing the total not-to-exceed amount of compensation over the term of the agreement by an additional \$100,000.
4. Approval of appointment of Mark Sikand to the Art in Public Places Committee.
5. Adoption of Resolution No. 2012-1342, rescinding Resolution No. 2010-1244 and approving a salary schedule for permanent employees.
6. Adoption of Resolution No. 2012-1338, levying special taxes within the City of Calabasas Community Facilities District No. 2006-1; and adoption of Resolution No. 2012-1339, levying special taxes within the City of Calabasas Community Facilities District No. 98-1.
7. Recommendation to award contract to Taylor Tennis Courts, Inc. in the amount \$56,175 for tennis court resurfacing, specification No. 11-12-104 at Calabasas Tennis & Swim Center.
8. Recommendation to award a construction contract for the Safe Routes to School, Federal Cycle 3 Project (Specification No. 11-12-02) to C.A. Rasmussen, Inc. in the amount of \$441,849.

Mayor pro Tem Gaines moved, seconded by Councilmember Bozajian, to approve Consent Item Nos. 3, 4, 6, 7 and 8. MOTION CARRIED 4/0.

Following discussion and direction to staff, members of the Council approved Consent Item No. 1. MOTION CARRIED 4/0.

Following discussion, members of the Council approved Consent Item No. 2. MOTION CARRIED 4/0.

Mayor Maurer read a statement from Councilmember Martin. Following discussion, Mayor pro Tem Gaines moved, seconded by Councilmember Bozajian, to approve Consent Item No. 5. MOTION CARRIED 4/0.

PUBLIC HEARING

9. Introduction of Ordinance No. 2012-302, amending section 17.12.050 of the Calabasas Municipal Code by adding a provision clarifying that section 17.12.050 of the Calabasas Municipal Code is intended to regulate all uses of wireless communications in the City, including uses by public utilities, to the extent of the City's power to regulate the use of land under federal and state law, but not to exceed the scope of the City's authority; and readopting Ordinance No. 2012-295 in its entirety, including this amendment.

Mayor Maurer opened the public hearing.

Michael Shonafelt, Crown Castle, and Mary Hubbard, spoke on Item No. 9.

Mayor Maurer closed the public hearing.

Following discussion, Councilmember Shapiro moved, seconded by Mayor pro Tem Gaines, to approve the first reading of Ordinance No. 2012-302. MOTION CARRIED 4/0.

10. Adoption of Resolution No. 2012-1344, approving the Operating and Capital Improvement Budgets for July 1, 2012, through June 30, 2014, providing for the Appropriations and Expenditures for all sums set forth in said Budget; and adoption of Resolution No. 2012-1345, establishing the Appropriations Limit for Fiscal Year 2012-2013.

Mayor Maurer opened the public hearing.

No one indicated a desire to speak.

Mayor Maurer closed the public hearing.

Following discussion, Councilmember Shapiro moved, seconded by Mayor pro Tem Gaines, to adopt Resolution No. 2012-1344 and Resolution No. 2012-1345. MOTION CARRIED 4/0.

- 11. Adoption of Resolution No. 2012-1346, approving the City of Calabasas Transit System Fare Schedule.

Mayor Maurer opened the public hearing.

No one indicated a desire to speak.

Mayor Maurer closed the public hearing.

Following discussion and direction to staff, Councilmember Shapiro moved, seconded by Mayor pro Tem Gaines, to adopt Resolution No. 2012-1346. MOTION CARRIED 4/0.

NEW BUSINESS

- 12. Recommendation to adopt Resolution No. 2012-1341, appointing a new City Clerk.

Councilmember Shapiro moved, seconded by Mayor pro Tem Gaines, to adopt Resolution No. 2012-1341. MOTION CARRIED 4/0. Mayor Maurer administered the Oath of Office to Ms. Hernandez.

- 13. Discussion and introduction of Ordinance No. 2012-301 regarding repeal of Calabasas Municipal Code Section 9.08.020 related to street side solicitation.

Following discussion, Mayor pro Tem Gaines moved, seconded by Councilmember Bozajian, to approve first reading of Ordinance No. 2012-301. MOTION CARRIED 4/0.

INFORMATIONAL REPORTS

- 14. Check Register for the period of June 6, 2012 to June 12, 2012.

No action was taken on this item.

TASK FORCE REPORTS

Councilmember Bozajian reported that Mayor pro Tem Gaines and he continue to meet regarding Council protocols.

Councilmember Shapiro reported his attendance to the CalJPIA annual meeting. He further announced that the annual conference will be held on November 6-9 in San Francisco.

Mayor Maurer reported that Councilmember Martin and she met with staff regarding Emergency Preparedness in particular the Specific Needs Awareness Planning (SNAP) brochure scheduled to be distributed with Parks & Recreation information soon. Mr. Coroalles added that those needing assistance registering, can contact Debbie Larson at the City.

CITY MANAGER'S REPORT

Mr. Coroalles announced that Mike Calantouno has departed the City, and in his stead is Scott Howard as interim City Attorney. He further added that an evaluation of the interim City Attorney will take place in three months for the Council to determine whether to retain him permanently or otherwise.

FUTURE AGENDA ITEMS

There were no future agenda items.

ADJOURN

Councilmember Shapiro moved, seconded by Mayor pro Tem Gaines, to adjourn the meeting at 8:31 p.m. to the next regular meeting to be held on Wednesday, August 22, 2012 at 7:00 p.m.

Maricela Hernandez, MMC
City Clerk



Approved by City Manager:



CITY of CALABASAS
CITY COUNCIL AGENDA REPORT

DATE: AUGUST 13, 2012

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: DEBORAH STELLER, MEDIA OPERATIONS DIRECTOR
THOMAS BARTLETT, AICP, CITY PLANNER
MICHAEL KLEIN, ASSOCIATE PLANNER

SUBJECT: ADOPTION OF ORDINANCE NO. 2012-302, AMENDING SECTION 17.12.050 OF THE CALABASAS MUNICIPAL CODE BY ADDING A PROVISION CLARIFYING THAT SECTION 17.12.050 OF THE CALABASAS MUNICIPAL CODE IS INTENDED TO REGULATE ALL USES OF WIRELESS COMMUNICATIONS IN THE CITY, INCLUDING USES BY PUBLIC UTILITIES, TO THE EXTENT OF THE CITY'S POWER TO REGULATE THE USE OF LAND UNDER FEDERAL AND STATE LAW, BUT NOT TO EXCEED THE SCOPE OF THE CITY'S AUTHORITY; AND READOPTING ORDINANCE NO. 2012-295 IN ITS ENTIRETY, INCLUDING THIS AMENDMENT.

MEETING DATE: AUGUST 22, 2012

SUMMARY RECOMMENDATION:

Adopt Ordinance No. 2012-302, amending Section 17.12.050 of the Calabasas Municipal Code by adding a provision clarifying that Section 17.12.050 of the Calabasas Municipal Code is intended to regulate all uses of wireless communications in the city, including uses by public utilities, to the extent of the City's power to regulate the use of land under federal and state law, but not to exceed the scope of the city's authority; and readopting Ordinance No. 2012-295 in its entirety, including this amendment. (See Attachment A)

BACKGROUND:

On May 23, 2012 at a duly noticed public hearing the City Council introduced Ordinance No. 2012-295, with amendments, which established new zoning regulations regarding wireless telecommunications facilities. The City Council adopted the amended Ordinance No. 2012-295 on June 27, 2012. (See Attachment B)

On August 8, 2012 the City Council conducted a public hearing and introduced Ordinance No. 2012-302, which readopts Ordinance No. 2012-295 in its entirety, with one amendment. The amendment consists of an added section, Section 17.12.050(A)(6), which states as follows: "This ordinance is intended to regulate all uses of wireless communications in the city, including uses by public utilities, to the extent of the city's power to regulate the use of land under federal and state law, but not to exceed the scope of the city's authority".

FISCAL IMPACT/SOURCE OF FUNDING:

None.

REQUESTED ACTION:

Adopt Ordinance No. 2012-302, amending Section 17.12.050 of the Calabasas Municipal Code by adding a provision clarifying that Section 17.12.050 of the Calabasas Municipal Code is intended to regulate all uses of wireless communications in the city, including uses by public utilities, to the extent of the City's power to regulate the use of land under federal and state law, but not to exceed the scope of the city's authority; and readopting Ordinance No. 2012-295 in its entirety, including this amendment.

ATTACHMENTS:

- A: Ordinance No. 2012-302
- B: Ordinance No. 2012-295

ORDINANCE NO. 2012-302

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CALABASAS, CALIFORNIA, AMENDING SECTION 17.12.050 OF THE CALABASAS MUNICIPAL CODE

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

SECTION 1. Code Amendment. Calabasas Municipal Code Section 17.12.050(A) is hereby amended to add a new paragraph (6) to read as follows:

“This ordinance is intended to regulate all uses of wireless communications in the city, including uses by public utilities, to the extent of the city’s power to regulate the use of land under federal and state law, but not to exceed the scope of the city’s authority”.

SECTION 2. Code Amendment. Ordinance No. 2012-295 is hereby readopted, subject to the amendment effected by Section 1 of this Ordinance above.

SECTION 3. Findings. The City Council finds that this Ordinance is a legislative act for which no findings are required. The City Council nevertheless finds that the amendment provided in this Ordinance is consistent with the Calabasas General Plan, the public interest, and the health, safety, and general welfare of residents and property owners of the City.

SECTION 4. CEQA. Pursuant to the California Environmental Quality Act (CEQA), a Negative Declaration was adopted on May 23, 2012 for Ordinance No 2012-295, which amended Section 17.12.050 of the CMC. The proposed minor revision clarifies the existing intent of Ordinance No. 2012-295 and is consequently part of the same project analyzed in the adopted ND. Therefore, no further CEQA review is required.

SECTION 5. Certification. The City Clerk shall certify to the adoption of this ordinance and shall cause the same to be processed in the manner required by law.

SECTION 6. Severability; Interpretation. Should any section, subsection, sentence clause, or phrase of this Ordinance be held for any reason to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity or constitutionality of the remaining portions of this Ordinance; it being hereby expressly declared that this Ordinance, and each section, subsection, sentence, clause, and phrase hereof would have been adopted irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared invalid or unconstitutional. To the extent the provisions of the Calabasas Municipal Code as amended by this Ordinance are substantively the same as the provisions of that Code as it read prior to the adoption of this Ordinance, those provisions shall be construed as continuations of the earlier provisions and not as new enactments.

SECTION 7. Effective Date. This ordinance shall take effect thirty days after its passage and adoption pursuant to California Government Code section 36937.

SECTION 8. Publication. The City Clerk shall cause this Ordinance to be published in accordance with California Government Code Section 36933, shall certify to the adoption of this Ordinance, and shall cause this Ordinance and her certification, together with proof of publication, to be entered in the Book of Ordinances of the City Council.

PASSED, APPROVED AND ADOPTED this 8th day of August 2012.

Mary Sue Maurer, Mayor

ATTEST:

Maricela Hernandez, CMC, City Clerk

APPROVED AS TO FORM:

Scott H. Howard, City Attorney

ORDINANCE NO. 2012-295

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CALABASAS, CALIFORNIA, AMENDING TITLES 2 AND 17 OF THE CALABASAS MUNICIPAL CODE RELATING TO WIRELESS COMMUNICATIONS FACILITIES.

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

Section 1. *Code Amendment.* Section 2.38.040 of Chapter 2.38 of Title 2 of the Calabasas Municipal Code is hereby amended to (i) delete the word "and" from the end of paragraph D., (ii) renumber the existing paragraph E. as paragraph F. and (iii) to adopt a new paragraph E. to read as follows:

Acting as the planning commission of the city with respect to wireless communication facilities as provided by section 17.12.050(l) of this code; and

Section 2. *Code Amendment.* Section 17.12.050 of Chapter 17.12 of Title 17 of the Calabasas Municipal Code is hereby amended to read as set forth in Exhibit A hereto.

Section 3. *Code Amendment.* Section 17.90.020 of Chapter 17.90 of Title 17 of the Calabasas Municipal Code is hereby amended as set forth in Exhibit B hereto.

Section 4. *CEQA Compliance.* The City Council has reviewed and considered the environmental documentation and other information included in the staff reports prior to taking action on the Negative Declaration, and finds and determines that this Ordinance will not cause or create a significant adverse effect on the environment. The Negative Declaration reflects the independent judgment of the City Council. The City Council hereby adopts the Negative Declaration.

Section 5. *Effect on Pending Applications.* The changes required by this ordinance shall not apply to any projects where any of the following apply: (1) the applicant has a vested right to proceed with the proposed project, and that right is not limited by Government Code 66498.1(c) or other applicable law; (2) estoppel would prohibit the city from applying these new provisions of the Calabasas Municipal Code; or (3) the City would otherwise be legally prohibited from applying the new provisions of the municipal code.

Section 6. *Termination of Moratorium.* Ordinance No. 2011-286-U as extended by Ordinance No. 2011-288-U and Ordinance No. 2012-300-U is hereby repealed.


Section 7. Severability. Should any provision of this Ordinance, or its application to any person or circumstance, be determined by a court of competent jurisdiction to be unlawful, unenforceable or otherwise void, that determination shall have no effect on any other provision of this Ordinance or the application of this Ordinance to any other person or circumstance and, to that end, the provisions hereof are severable.

Section 8. Construction. The City Council intends this Ordinance to supplement, not to duplicate or contradict, applicable state and federal law and this Ordinance shall be construed in light of that intent. To the extent the provisions of the Calabasas Municipal Code as amended by this Ordinance are substantially the same as the provisions of that Code as it read prior to the adoption of this Ordinance, those amended provisions shall be construed as continuations of the earlier provisions and not as new enactments.

Section 9. Effective Date. This Ordinance shall take effect 30 days after its passage and adoption pursuant to California Government Code Section 36937 and shall supersede any conflicting provision of any City of Calabasas ordinance.

Section 10. Certification. The City Clerk shall certify to the passage and adoption of this ordinance and shall cause the same to be published or posted according to law.


PASSED, APPROVED AND ADOPTED, this 27th day of June, 2012.



Mary Sue Maurer, Mayor



Robin Parker, Interim City Clerk


6/26/12

Michael G. Colantuono, City Attorney

Ordinance No. 2012-295

Exhibit A

17.12.050 – Antennas/Personal Wireless Telecommunication Facilities.

- A. **Purpose and Intent.** The purpose of this section is to regulate the installation, operation and maintenance of personal wireless telecommunication facilities in the city. The city recognizes that the unrestricted installation of redundant personal wireless telecommunication facilities is contrary to the city's efforts to stabilize economic and social aspects of neighborhood environments, and to promote safety and aesthetic considerations, family environments and a basic residential character within the city.

In enacting this section, the city intends to:

1. Promote and protect the health, safety, comfort, convenience and general welfare of residents and business in accord with section 17.01.020 of this title;
2. Protect the benefits derived by the city, its residents and the general public from access to personal wireless services while minimizing, to the greatest extent feasible, the redundancy of personal wireless telecommunication facilities in the city;
3. Balance these goals, by permitting the installation and operation of personal wireless telecommunication facilities where they are needed, while reducing, to the greatest extent feasible, adverse economic, safety and / or aesthetic impacts on nearby properties and the community as a whole; and
4. Comply with applicable law, including the 1996 Telecommunications Act.
5. In enacting this ordinance, it is the intent of the City Council that no additional rights or entitlements be conferred to construct or maintain personal wireless telecommunication facilities, other than those rights or entitlements existing under applicable state or Federal law.

- B. **Applicability.** This section applies to all proposed antennas and modifications and related personal wireless telecommunication facilities, as follows:

1. All applications for approval of the installation of new personal wireless telecommunication facilities in the City.
2. All facilities for which applications were received by the department but not approved prior to the effective date of the ordinance codifying this section, shall comply with the regulations and guidelines of this section.
3. All facilities for which applications were approved by the city on or prior to the effective date of the ordinance codifying this section shall be exempt from this section, except for the requirements of subsection (C)(6)(c).
4. All facilities for which applications have been previously approved, but are now or hereafter: (a) expanded or (b) modified by the installation of additional antennas, larger antennas or more powerful antennas, or (c) when one or more new bands of service are activated shall comply with this section.

- C. **Standards for all personal wireless telecommunication facilities.** All personal wireless telecommunication facilities shall comply with the following requirements:

1. **Permit Requirements.** No personal wireless telecommunication facility shall be (a) installed, (b) expanded, (c) modified by the installation of additional antennas, larger antennas or more powerful antennas, or (d) when one or more new bands of service are activated, until the applicant or operator has obtained: (i) a wireless facility permit, (ii) an encroachment permit from the public works department (if applicable), and (iii) any other permit required by applicable provisions of this code including a building permit, an electrical permit, or an oak tree permit. Applications for new facilities and substantial modifications to existing facilities shall be first reviewed by the development review committee. All wireless facility permits will be scheduled for public hearing before the commission in accordance with section 17.12.050(K) and chapter 17.78 of this code.

The commission shall determine if a proposed project is the least intrusive means to close a significant gap in the applicant's service coverage.

2. Application Content. Applications for the approval of personal wireless telecommunication facilities shall include, but are not necessarily limited to, an application fee and the following information, in addition to all other information required by the city for a wireless facility permit application pursuant to chapter 17.60 of this title:
 - a. Written documentation demonstrating a good faith effort to locate the proposed facility in the least intrusive location in accordance with the location requirements of section 17.12.050(C)(3); and
 - b. Scaled visual simulations showing the proposed facility superimposed on photographs of the site and surroundings, to assist the commission in assessing the visual impacts of the proposed facility and its compliance with the provisions of this section; and
 - c. A master plan which identifies the location of the proposed facility in relation to all existing and potential facilities maintained by the operator intended to serve the city. The master plan shall reflect all potential locations that are reasonably anticipated for construction within two years of submittal of the application. Applicants may not file, and the city shall not accept, applications that are not consistent with the master plan for a period of two years from approval of a wireless facility permit unless: (i) the applicant demonstrates materially changed conditions which could not have been reasonably anticipated to justify the need for a personal wireless telecommunication facility site not shown on a master plan submitted to the city within the prior two years or (ii) the applicant establishes before the commission that a new personal wireless telecommunication facility is necessary to close a significant gap in the applicant's personal communication service, and the proposed new installation is the least intrusive means to do so; and
 - d. A siting analysis which identifies a minimum of five other feasible locations within or without the city which could serve the area intended to be served by the facility, unless the applicant provides compelling technical reasons for providing fewer than the minimum. The alternative site analysis shall include at least one collocation site; and
 - e. An FCC compliance report, which shall certify that the proposed personal wireless telecommunication facility will comply with FCC RF emission standards and which report shall include the following information:
 1. the projected RF exposure levels of the intended installation.
 2. an affirmation, under penalty of perjury, that the proposed installation will be FCC compliant, in that it will not cause members of the general public to be exposed to RF levels that exceed the MPE levels deemed safe by the FCC.
 3. whether its RF exposure analysis is based upon the occupational / controlled exposure limits or the general population / uncontrolled exposure limits, as defined under 47 CFR § 1.1307 et seq.
 4. the minimum distance upon which projected exposure levels were calculated, i.e., the assumed closest distance the general public will be able to get to the proposed antenna(s).
 5. exposure calculations based upon the assumption that the proposed personal wireless telecommunication facility will be operating at full power. If the applicant seeks to apply the occupational / controlled exposure limits, the report shall also describe:
 - a) how public access to the facility will be restricted;

- b) the required warning signs to be installed as described by FCC Office of Engineering & Technology Bulletin 65, Supplement B (latest edition); and
 - f. A statement signed by a person with legal authority to bind the applicant attesting under penalty of perjury to the accuracy of the information provided in the application; and
 - g. A noise study, prepared by a qualified engineer, for the proposed personal wireless telecommunication facility including, but not limited to, equipment, such as air conditioning units and back-up generators; and
 - h. A written statement of the applicant's willingness to allow other carriers to collocate on the proposed personal wireless telecommunication facility wherever technically and economically feasible and aesthetically desirable; and
 - i. Such other information as the director shall establish from time to time pursuant to the Permit Streamlining Act, Government Code section 65940, or to respond to changes in law or technology.
 - j. An application for a personal wireless telecommunication facility in a public right-of-way for which the applicant claims entitlement under California Public Utilities Code section 7901 shall be accompanied by evidence satisfactory to the director that the applicant is a telephone corporation or has written authorization to act as an agent for a telephone corporation.
3. Preferred Zones and Locations. When doing so would not conflict with one of the standards set forth in this subsection (C) or with federal law, personal wireless telecommunication facilities shall be located in the most appropriate location as described in this subsection (3), which range from the most appropriate to the least appropriate. Nothing in this section shall detract from the requirements of section 17.12.050(C)(4)(a) below.
- i. collocation on an existing facility in a commercial zone;
 - ii. collocation on an existing structure or utility pole in a commercial zone;
 - iii. location on a new structure in a commercial zone;
 - iv. collocation on an existing facility in a public facility or recreation zone;
 - v. location on an existing structure or utility pole in a public facility or recreation zone;
 - vi. location on a new structure in a public facility or recreation zone;

No new facility may be placed in a less appropriate area unless the applicant demonstrates to the satisfaction of the commission that no more appropriate location can feasibly serve the area the facility is intended to serve provided, however, that the commission may authorize a facility to be established in a less appropriate location if doing so is necessary to prevent substantial aesthetic impacts.

4. Design and Development Standards. Personal wireless telecommunication facilities shall be designed and maintained as follows:
- a. All new personal wireless telecommunication facilities shall be set back at least 1,000 feet from schools, dwelling units and parks, as measured from the closest point of the personal wireless telecommunication facility (including accessory equipment) to the applicable property line, unless an applicant establishes that a lesser setback is necessary to close a significant gap in the applicant's personal communication service, and the proposed personal wireless telecommunication facility is the least intrusive means to do so. An applicant who seeks to increase the height of an existing personal wireless telecommunication facility, or of its antennas, located less than 1,000 feet

from a school, dwelling unit or park must establish that such increase is necessary to close a significant gap in the applicant's personal communication service, and the proposed increase is the least intrusive means to do so.

- b. Facilities shall have subdued colors and non-reflective materials which blend with the materials and colors of the surrounding area and structures.
- c. Unless otherwise prohibited by state or federal law, all equipment not located on a roof shall be underground; any equipment that is not undergrounded shall be screened from adjacent uses to the maximum extent feasible.
- d. The facilities shall not bear any signs or advertising devices other than certification, warning or other signage required by law or expressly permitted by the city.
- e. At no time shall equipment noise (including air conditioning units) from any facility exceed the applicable noise limit established in section 17.20.160 of this title at the facility's property line; provided, however, that for any such facility located within five hundred (500) feet of any property zoned open space or residential, or improved with a residential use, such equipment noise shall at no time be audible at the property line of any open space or residentially zoned, or residentially improved property.
- f. If the majority of radio frequency coverage from the proposed facility is outside the City limits, the applicant must, in addition to the other requirements of this section, prove that the applicant is unable to locate the proposed facility within the locale or locales that will receive the majority of the coverage from the proposed personal wireless telecommunications facility, and that no other feasible location for the facility exists outside of the City limits. That an applicant for a wireless permit in the city has been denied a wireless facility, antenna, or wireless coverage in another jurisdiction shall not be considered evidence or proof that the applicant is unable to locate in another jurisdiction.

5. Independent Expert Review. The City shall retain an independent, qualified consultant to review any application for a permit for a new personal wireless telecommunication facility or modification to an existing personal wireless telecommunication facility. The review is intended to be a review of technical aspects of the proposed wireless telecommunication facility or modification of an existing wireless telecommunication facility and shall address any or all of the following:

- a. Compliance with applicable radio frequency emission standards;
- b. Whether the proposed wireless telecommunication facility is necessary to close a significant gap in coverage and is the least intrusive means of doing so;
- c. The accuracy and completeness of submissions;
- d. Technical demonstration of the unavailability of alternative sites or configurations and/or coverage analysis;
- e. The applicability of analysis techniques and methodologies;
- f. The viability of alternative sites and alternative designs; and
- g. Any other specific technical issues designated by the City.

The cost of the review shall be paid by the applicant through a deposit estimated to cover the cost of the independent review, established by the director.

6. Conditions of Approval: All facilities approved under this section shall be subject to the following conditions:

- a. Facilities shall not bear any signs or advertising devices other than legally required certification, warning, or other required seals or signage, or as expressly authorized by the city.

- b. Validation of Proper Operation. Prior to unattended operations, the applicant for approvals with respect to any personal wireless telecommunication facility site that is not "categorically excluded" as that term is defined in FCC Office of Engineering and Technology Bulletin 65 ("FCC OET Bulletin 65"), as amended from time to time, shall allow the commission to obtain a detailed technical report prepared by a qualified engineer verifying that the operation of the facility is in conformance with the uncontrolled/general population RF exposure standards established by FCC OET Bulletin 65. The applicant shall submit a deposit with the city for its actual costs to conduct that testing. To the extent that a wireless carrier has one or more reports on the facility, all reports shall be provided to the City.
- c. Abandonment:
 - 1) Personal wireless telecommunication facilities that are no longer operating shall be removed at the expense of the applicant, operator, or owner no later than ninety (90) days after the discontinuation of use. Disuse for ninety (90) days or more shall also constitute a voluntary termination by the applicant of any land use entitlement under this code or any predecessor to this code.
 - 2) The director shall send a written notice of the determination of non-operation to the owner and operator of the personal wireless telecommunication facility, who shall be entitled to a hearing on that determination before the city manager or a hearing officer appointed by the city manager, provided that written request for such a hearing is received by the city clerk within 10 days of the date of the notice. Any such hearing shall be conducted pursuant to chapter 17.74 of this title, although no further appeal from the decision of the city manager may be had other than pursuant to Code of Civil Procedure section 1094.5. Upon a final decision of the city manager or the running of the time for a request for a hearing without such a request, the operator shall have ninety (90) days to remove the facility.
 - 3) The operator of a facility shall notify the city in writing of its intent to abandon a permitted site. Removal shall comply with applicable health and safety regulations. Upon completion of abandonment, the site shall be restored to its original condition at the expense of the applicant, operator, or owner.
 - 4) All facilities not removed within the required ninety-day period shall be in violation of this code. In the event the city removes a disused facility upon the failure of the applicant, operator, or owner to timely do so, the applicant, operator, and owner shall be jointly and severally liable for the payment of all costs and expenses the city incurs for the removal of the facilities, including legal fees and costs.
- d. The applicant, operator of a facility and property owner (when applicable) shall defend, indemnify and hold the city and its elective and appointed boards, commissions, officers, agents, consultants and employees harmless from and against all demands, liabilities, costs (including attorneys' fees), or damages arising from the city's review and/or approval of the design, construction, operation, location, inspection or maintenance of the facility.
- e. Removal of Unsafe Facilities. If, at any time after ten (10) years of the issuance of a building permit or encroachment permit, or any shorter period permitted by Government Code section 65964(b), any personal wireless telecommunication facility becomes incompatible with public health, safety or welfare, the applicant or operator of the facility shall, upon notice from the City and at the applicant's or operator's own expense, remove that facility. Written notice of a determination pursuant to this paragraph shall be sent to the owner and operator of the personal wireless telecommunication facility, who shall be entitled to a hearing on that determination before the city manager or a hearing officer appointed by the city

manager, provided that written request for such a hearing is received by the city clerk within 10 days of the date of the notice. Any such hearing shall be conducted pursuant to chapter 17.74 of this title, although no further appeal from the decision of the city manager may be had other than pursuant to Code of Civil Procedure section 1094.5. Upon a final decision of the city manager or the running of the time for a request for a hearing without such a request, the operator shall have ninety (90) days to remove the facility.

- f. **Monitoring Requirements.** The owner or operator of any personal wireless telecommunication facility approved under this subsection C of this section 17.12.050 shall allow and cooperate with the director to obtain a detailed technical report prepared by a qualified engineer which shall include the following: (1) verification that the facility conforms with the uncontrolled/general population RF exposure standards established by FCC Office of Engineering & Technology Bulletin 65 (latest edition); (2) verification that the facility design conforms with relevant building and safety requirements; and (3) verification that the facility complies with the requirements of other applicable law, including this title and the conditions of any approval granted under this title (this latter verification may be based upon a supplemental report prepared by another qualified person). The applicant, owner or operator shall submit a deposit with the city for its actual costs of that testing to the extent those costs are not fully recovered by any regulatory fee imposed by the City. If monitoring demonstrates that a personal wireless telecommunication facility is not in compliance with the requirements of applicable law, that shall be a basis for the revocation of any permit granted under this title pursuant to section 17.80.070 of this title. It is anticipated that such monitoring will occur not more than annually unless the city has particular reason to believe that a specific wireless facility is not in compliance with this section and other applicable law, in which case, further monitoring may occur.
- g. Each application approved under this subsection C. shall be conditioned to require that, on each January 15th following the effective date of any permit authorizing a wireless telecommunications facility, the applicant or operator shall submit a deposit to cover the city's costs to confirm whether the personal wireless telecommunication facility complies with applicable law. If the city adopts a regulatory fee to fund such compliance reviews, any fee paid under this condition shall be credited against that fee.
- h. Prior to the issuance of a building permit or encroachment permit, the applicant or owner/operator of the facility shall pay for and provide a performance bond, which shall be in effect until all facilities are fully and completely removed and the site reasonably returned to its original condition. The purpose of this bond is to cover the applicant's or owner/operator of the facility's obligation under the conditions of approval and the City of Calabasas Municipal Code. The bond coverage shall include, but not be limited to, removal of the facility, maintenance obligations and landscaping obligations. (The amount of the performance bond shall be set by the director on a case-specific basis and in an amount reasonably related to the obligations required under this code and all conditions of approval, and shall be specified in the conditions of approval)
- i. An applicant shall not transfer a permit to any person or entity prior to completion of construction of a personal wireless telecommunication facility.
- j. The applicant shall submit as-built photographs of the facility within ninety (90) days of installation of the facility, detailing the installed equipment.
- k. A personal wireless telecommunication facility may operate only until the tenth anniversary of the date it is first placed into service, unless that sunset date is extended by additional term(s) not to exceed ten years pursuant to a wireless facility permit issued under this section 17.12.050. There is no limit to the number of times the sunset date for a facility may be extended.

7. Findings. In addition to the findings required in section 17.62.060 of this code, no proposed personal wireless telecommunication facility may be approved unless the commission or council finds as follows:
 - a. The applicant has demonstrated by clear and convincing evidence that the facility is necessary to close a significant gap in the operator's service coverage. Such evidence shall include in-kind call testing of existing facilities within the area the applicant contends is a significant gap in coverage to be served by the facility.
 - b. The applicant has demonstrated by clear and convincing evidence that no feasible alternate site exists that would close a significant gap in the operator's service coverage which alternative site is a more appropriate location for the facility under the standards of section 17.12.050 of the Calabasas Municipal Code.
 - c. The facility satisfies the location requirements of section 17.12.050(C)(3) of the Calabasas Municipal Code.
8. Violations. The city may revoke a wireless facility permit for any personal wireless telecommunication facility in violation of this section in accordance with Section 17.80.070 of this code. The remedies specified in this section shall be cumulative and the city may resort to any other remedy available at law or in equity and resort to any one remedy shall not cause an election precluding the use of any other remedy with respect to a violation.

D. Standards for personal wireless telecommunication facilities not located within a public right-of-way. In addition to the requirements in section (C) above, all personal wireless telecommunication facilities not located within a public right-of-way shall comply with the following requirements:

1. Location Requirements. To minimize aesthetic and visual impacts on the community, personal wireless telecommunication facilities shall be located according to the following standards:
 - a. General Requirements.
 - i. A freestanding telecommunications tower or monopole shall be set back a distance of at least 150% of the height of the tower from the nearest property line of any residentially zoned or occupied lot.
 - b. Restricted Locations. Personal wireless telecommunication facilities located in any of the following locations must be designed as a stealth facility:
 - i. Within any nonresidential zone on a site that contains a legally established residential use; and
 - ii. Within the Old Town overlay zone; and
 - iii. On any property that is designated historic by the city council; and
 - iv. Within the area subject to the Calabasas Park Centre Master Plan; and
 - v. Within a scenic corridor designated by the city; and
 - vi. Within a historic district designated by the city.
 - c. Prohibited Locations. No personal wireless telecommunication facility shall be established on any ridgeline or within any residential or open space zoning district described in subparagraphs (i), (ii) and (iii) herein.
 - i. Ridgelines. No personal wireless telecommunication facility shall be placed on or near a ridgeline.

- ii. Residential Zones. No facility shall be located within a residential zone, including areas set aside for open space, parks or playgrounds.
- iii. Open Space. No facility shall be located within an open space zone or park.

Any wireless telecommunication facility proposed for a site within any open space zone shall not be deemed a "public utility" as that term is otherwise defined and understood in the Calabasas Municipal Code regarding development in such open space zones.

- d. Guidelines for Placement on Structures. Antennas shall be mounted on structures utilizing the methods described below. If an antenna cannot be mounted as set forth in subsection (i), it may be mounted in accordance with subsection (ii). If an antenna cannot be mounted as set forth in either subsection (i) or (ii), it may be mounted in accordance with subsection (iii):
 - i. A stealth facility mounted on an existing structure or collocated on an existing tower;
 - ii. A stealth facility mounted on an existing steel or concrete pole, including a light standard; or
 - iii. A stealth facility mounted on a new steel, wood or concrete pole.
2. Design and Development Standards. Personal wireless telecommunication facilities shall be designed and maintained as follows:
- a. Building-mounted facilities shall be designed and constructed to be fully screened in a manner that is compatible in color, texture and type of material with the architecture of the building on which the facility is mounted.
 - b. All accessory equipment associated with the operation of a personal wireless telecommunication facility shall be located within a building enclosure or underground vault that complies with the development standards of the zoning district in which the accessory equipment is located.
3. City Council Approval Required. Notwithstanding section 17.12.050(D)(1)(c) personal wireless telecommunication facilities may be permitted in a prohibited location only if the applicant obtains a wireless facility permit from the City Council following a public hearing and recommendation from the Communication and Technology Commission, and provides technically sufficient and conclusive proof that the proposed location is necessary for provision of wireless services to substantial areas of the city, that it is necessary to close a significant gap in the operator's coverage and that there are no less intrusive alternative means to close that significant gap.

E. Standards for Personal Wireless Telecommunication Facilities Located Within Public Rights-of-Way. In addition to the requirements in section (C) above, all personal wireless telecommunication facilities located within public rights-of-way shall comply with the following requirements to the fullest extent permitted by state and federal law:

- 1. Construction. These standards are intended to exert the maximum authority available to the city in the regulation of personal wireless telecommunication facilities under applicable state and federal law but not to exceed that authority. Accordingly, this section shall be construed and applied in light of any such limits on the city's authority. The purpose of this subsection (E) is to regulate personal wireless telecommunications facilities proposed for sites within public rights-of-way consistently with the rights conferred on telephone corporations by Public Utilities Code §§ 7901 and 7901.1 and to address the aesthetic and safety concerns unique to such proposals due to their highly visible location in rights-of-way that must be safely shared with pedestrians, motorists and other utility infrastructure.

2. Application Content. Applications for the approval of personal wireless telecommunication facilities within the public right-of-way shall include the following information, in addition to all other information required by section (C)(2) above:
 - a. The applicant shall provide certification that the facility is for the use of a telephone corporation or state the basis for its claimed right to enter the right-of-way. If the applicant has a certificate of public convenience and necessity (CPCN) issued by the California Public Utilities Commission, it shall provide a copy of its CPCN.
3. Guidelines. All personal wireless telecommunication facilities located within a public right-of-way shall be designed as follows:
 - a. Ground-mounted equipment shall be screened, to the fullest extent possible, through the use of landscaping, walls, or other decorative feature, as approved by the commission.
 - b. Facilities located within a designated scenic corridor or historic districts shall be stealth facilities, with all equipment, excluding required electrical meter cabinets, located underground or pole-mounted. Required electrical meter cabinets shall be screened as approved by the commission.
 - c. Personal wireless telecommunication facilities not located within a scenic corridor or historic district designated by the city shall be designed to place all equipment underground, excluding required electrical meters. However, if such facilities cannot be placed underground, ground-mounted equipment may be installed up to a height of five feet and to a footprint of fifteen (15) square feet.
 - d. Pole-mounted equipment shall not exceed six cubic feet.
 - e. Pole-mounted antennas shall adhere to the following guidelines:
 - i. If an antenna cannot be mounted as set forth in subsection (a), it may be mounted in accordance with subsection (b). If an antenna cannot be mounted as set forth in either subsection (a) or (b), it may be mounted in accordance with subsection (c):
 - (a) A stealth facility mounted on an existing, collocated monopole or tower;
 - (b) A stealth facility mounted on an existing steel or concrete pole, including a light standard; or
 - (c) A stealth facility mounted on a new steel, wood or concrete pole but only if an operator shows that it cannot otherwise close a significant gap in its service coverage, and that the proposal is the least intrusive means of doing so.
 - ii. All installations shall be engineered to withstand high wind loads. An evaluation of high wind load capacity shall include the impact of an additional antenna installation on a pole with existing antennae.
 - iii. The maximum height of any antenna shall not exceed twenty-four (24) inches above the height of a pole or tower other than a streetlight pole, nor six (6) feet above the height of a streetlight pole, nor shall any portion of the antenna or equipment mounted on a pole be less than sixteen (16) feet above any drivable road surface. All installations on utility poles shall fully comply with California Public Utilities Commission General Order 95 as it now exists or may hereafter be amended.

- iv. A freestanding telecommunications tower or monopole shall be set back a distance of at least 150% of the height of the tower to the nearest structure designed for occupancy.
 - f. Equipment shall be located so as not to cause: (i) any physical or visual obstruction to pedestrian or vehicular traffic, (ii) inconvenience to the public's use of a public right-of-way, or (iii) safety hazards to pedestrians and motorists. In no case shall ground-mounted equipment, walls, or landscaping be less than eighteen (18) inches from the front of the curb.
 - g. Facilities shall not be located within five hundred (500) feet of another wireless facility on the same side of a street.
 - h. No facility shall be built so as to cause the right-of-way in which the facility is located to fail to comply with the Americans with Disabilities Act.
4. Findings. In addition to the findings required in section (C)(7) above, no proposed personal wireless telecommunication facility within a public right-of way may be approved unless the following findings are made:
- a. The proposed facility has been designed to blend with the surrounding environment, with minimal visual impact on the public right-of-way.
 - b. The proposed facility will not have an adverse impact on the use of the public right-of-way, including but not limited to, the safe movement and visibility of vehicles and pedestrians.
5. Conditions of Approval: In addition to compliance with the guidelines outlined in paragraph 3 of this subsection and the conditions of approval listed in section (C)(6) above, all facilities approved under this subsection E shall be subject to the following conditions:
- a. Any approved wireless communication facility within a public right-of-way shall be subject to such conditions, changes or limitations as are from time to time deemed necessary by the public works director to: (i) protect the public health, safety, and welfare; (ii) prevent interference with pedestrian and vehicular traffic; or (iii) prevent damage to a public right-of-way or any property adjacent to it. Before the director of public works imposes conditions, changes, or limitations pursuant to this paragraph (f), he or she shall notify the applicant or operator, in writing, by mail to the address set forth in the application or such other address as may be on file with the city. Such change, new limitation or condition shall be effective twenty-four (24) hours after deposit of the notice in the United States mail.
 - b. The applicant or operator of the personal wireless telecommunication facility shall not move, alter, temporarily relocate, change, or interfere with any existing facility without the prior written consent of the owner of that facility. No structure, improvement or facility owned by the city shall be moved to accommodate a personal wireless telecommunication facility unless: (i) the city determines, in its sole and absolute discretion, that such movement will not adversely affect the city or surrounding residents or businesses, and (ii) the applicant or operator pays all costs and expenses related to the relocation of the city's facilities. Every applicant or operator of any personal wireless telecommunication facility shall assume full liability for damage or injury caused to any property or person by his, her, or its facility. Before commencement of any work pursuant to an encroachment permit issued for any personal wireless telecommunication facility within a public right-of-way, an applicant shall provide the city with documentation establishing to the city's satisfaction that the applicant has the legal right to use or interfere with any other facilities within the public right-of-way to be affected by applicant's facilities.
 - c. Should any utility company offer electrical service to a wireless facility which service does not require the use of a meter cabinet, the applicant or operator of the facility

shall at its cost remove the meter cabinet and any foundation thereof and restore the area to its prior condition.

F. **Standards for Satellite Antennas.** Satellite antennas, including portable units and dish antennas, shall be designed, installed and maintained in compliance with the regulations of the Federal Communications Commission. Satellite antennas with diameters larger than one meter in residential zones and two meters in non-residential zones shall also comply with the following requirements provided these provisions do not conflict with applicable state and federal regulations.

1. Permit Requirement. Zoning clearance shall be required for satellite antennas with diameters of one meter or less; administrative plan review approval shall be required for antennas larger than one meter. A conditional use permit shall be required for antennas larger than one meter located within a designated scenic corridor.
2. Application - Plans. Plans for satellite antennas shall be submitted with applications for a building permit, and shall include a site plan and elevation drawings indicating the height, diameter, color, setbacks, foundation details, landscaping, and method of screening. The plans shall be subject to approval of the director.
3. Location. No satellite antenna shall be located within any required front-yard or street-side- yard setbacks in any zone. In addition, no portion of a satellite antenna shall extend beyond a property line.
4. Color. A satellite antenna and its supporting structure shall be painted a single, neutral, non-glossy color; such as an earth tone, gray, or black; and, to the extent possible, be compatible with the appearance and character of the surrounding neighborhood.
5. Wiring. All wiring shall be placed underground whenever possible.
6. Residential Zones. In any residential zone, satellite antennas shall be subject to the following standards:
 - a. Only ground-mounted satellite antennas shall be permitted. Ground-mounted antennas shall be located in the rear yard of any property to the extent technically possible;
 - b. Satellite antennas shall not exceed fifteen (15) feet in height;
 - c. Only one satellite antenna may be permitted on any single-family residential site;
 - d. Only one antenna shall be permitted per dwelling unit on any multiple family residential site;
 - e. A satellite antenna shall be separated from adjacent properties by at least a six-foot-high solid wall or fence or by trees or other plants of equal minimum height;
 - f. Any satellite antenna that is taller than an adjacent property-line fence shall be located away from the side or rear property line a distance equal to or greater than the height of the antenna;
 - g. The diameter of a satellite antenna shall not exceed two meters. This provision may be modified by the director if the applicant provides a sufficient technical study prepared by a qualified engineer demonstrating to the director's satisfaction that strict compliance would result in no satellite reception; and
 - h. A satellite antenna shall be used for private, noncommercial purposes only.
7. Nonresidential Zones. In any nonresidential zone, satellite antennas may be roof- or ground-mounted and shall be subject to the following standards:
 - a. If roof-mounted, satellite antennas shall be screened from ground view by a parapet or other screening approved by the city. The minimum height and

design of a parapet, wall, or other screening shall be subject to the approval of the director;

- b. If ground-mounted, satellite antennas shall not be located between a structure and an adjacent street and shall be screened from public view and neighboring properties;
- c. The location and height of satellite antennas shall comply with all requirements of the underlying zone; and
- d. If the subject site abuts a residential zone, all antennas shall be set back a minimum distance from the property line equal to the height of the antenna, unless screened from view.

G. Standards for Amateur Radio Antennas. All amateur radio antennas shall be designed, constructed and maintained as follows:

- 1. The maximum height shall not exceed forty (40) feet, measured from finished grade;
- 2. Any boom or other active element or accessory structure shall not exceed twenty-five (25) feet in length;
- 3. Antennas may be roof- or ground-mounted; and
- 4. Antennas may not be located in any front-yard or side-yard setbacks;
- 5. These standards in this subsection F are subject to modification or waiver by the director on a case-by-case basis where required for the city to comply with FCC PRB-1 and California Government Code 65850.3 and where such modification or waiver is based on sufficient technical information provided in writing by the applicant at the request of the city.

H. Effects of Development on Antenna Reception. The city shall not be liable if development within the city after installation of an antenna impairs antenna reception, transmission, utility, or function to any degree.

I. Communications and Technology Commission as Planning Commission for Specified Purposes. For purposes of approvals required by this section 17.12.050 and any other entitlement under this code required only because the application seeks to construct or operate a personal wireless telecommunication facility (including, but not limited to, a scenic corridor permit, a variance, or an oak tree permit), "commission" means the Communications and Technology Commission created pursuant to chapter 2.38 of this code, which is hereby constituted as a planning commission of the city for that purpose pursuant to Government Code section 65100. As to any application that seeks approvals for both (i) new structures, or uses of existing structures or of land other than construction and operation of a personal wireless telecommunication facility and (ii) for the construction and operation of a personal wireless telecommunication facility, the Communications and Technology Commission shall be the "commission" for purposes of approvals required only because the application seeks to construct and operate a personal wireless telecommunication facility. The Planning Commission created pursuant to chapter 2.28 of this code shall be the "commission" for all other entitlements sought by the application. In addition, the Communications and Technology Commission shall be the "commission" for purposes of review of proposed amendments to this section 17.12.050.

J. Private enforcement. In addition to any other remedy available to the city under this code, at law or in equity, violations of this section 17.12.050 may be remedied as follows:

- 1. The city attorney or city prosecutor may bring a civil action to enforce this section and to obtain the remedies specified below or otherwise available in equity or at law.

2. Any person acting for the interests of himself, herself, or itself, or of its members, or of the general public (hereinafter "a private enforcer") may bring a civil action to enforce this section with the remedies specified below, if both the following requirements are met:
 - a. The action is commenced more than sixty (60) days after the private enforcer gives written notice of an alleged violation of this section to the city attorney and to the alleged violator.
 - b. No person acting on behalf of the city has commenced or is prosecuting an action regarding the violation(s) which was or were the subject of the notice on the date the private action is filed.
3. A private enforcer shall provide a copy of his, her, or its action to the city attorney within seven days of filing it.
4. Upon settlement of or entry of judgment in an action brought pursuant to paragraph (7) of this subsection (l), the private enforcer shall give the city attorney a notice of that settlement or judgment. No private enforcer may settle such an action unless the city attorney or the court determines the settlement to be reasonable in light of the purposes of this section. Any settlement in violation of this requirement shall be set aside upon motion of the city attorney or city prosecutor to a court of competent jurisdiction.
5. Upon proof of a violation of this section, the court shall award the following:
 - a. Appropriate injunctive relief and damages in the amount of either:
 - i. Upon proof, actual damages;
 - ii. With insufficient or no proof of damages, a minimum of five hundred dollars (\$500.00) for each violation of this section (hereinafter "statutory damages"). Unless otherwise specified in this section, each day of a continuing violation shall constitute a separate violation. Notwithstanding any other provision of this section, no private enforcer suing on behalf of the general public shall recover statutory damages based upon a violation of this section if a previous claim brought on behalf of the general public for statutory damages and based upon the same violation has been adjudicated, whether or not the private enforcer was a party to that earlier adjudication.
 - b. Restitution to the appropriate party or parties of gains obtained due to a violation of this section.
 - c. Exemplary damages, where it is proven by clear and convincing evidence that the defendant is guilty of oppression, fraud, malice, or a conscious disregard for public health and safety.
 - d. Attorney's fees and costs reasonably incurred by a successful party in prosecuting or defending an action.

Any damages awarded in an action brought by the city attorney or city prosecutor shall be paid into the city's general fund, unless the court determines that they should be paid to a damaged third party.
6. Upon proof of at least one violation of this section, a private enforcer, the city prosecutor, city attorney, any peace officer or code enforcement official may obtain an injunction against further violations of this section or, as to small claims court actions, a judgment

payable on condition that a further violation of this section occur within a time specified by the court.

7. Notwithstanding any legal or equitable bar, a private enforcer may bring an action to enforce this section solely on behalf of the general public. When a private enforcer does so, nothing about such an action shall act to preclude or bar the private enforcer from bringing a subsequent action on his, her, or its own behalf based upon the same facts.
8. Nothing in this section shall prohibit a private enforcer from bringing an action to enforce this section in small claims court, provided the relief sought is within the jurisdiction of that court.

K. **Additional Notice to Neighbors.** After an application to allow the installation of a wireless facility pursuant to subsections (C), (D) and (E) of this section is complete, the city shall endeavor to provide property owners at least 30 days' prior notice of the initial public hearing on the matter as follows:

1. Written notice shall be mailed to the record owner of each property within 1,500 feet of the proposed site.
2. Telephone notice via the city's reverse 911 service shall be given to owners or occupants of properties within 1,500 feet of the proposed site.

A public hearing may be set on less than 30 days' notice if necessary to comply with applicable law, including but not limited the Federal Communications Commission Declaratory Ruling 09-99, WT docket number 08-165, released November 18, 2009 (the "Shot Clock" ruling) as it now exists or may hereafter be amended.

Failure of the city to provide notice pursuant to this subsection J shall not be grounds to challenge a determination provided that the notice otherwise required by law has been provided.

L. **Definitions.** In addition to the definitions provided in chapter 17.90 of this title and in chapter 1.08 of title 1 of this Code, this section 17.12.050 shall be construed in light of the following definitions:

"Accessory equipment" means any equipment installed, mounted, operated or maintained in close proximity to a personal wireless telecommunication facility to provide power to the personal wireless telecommunication facility or to receive, transmit or store signals or information received by or sent from a personal wireless telecommunication facility.

"Antenna structure" means any antenna, any structure designed specifically to support an antenna and/or any appurtenances mounted on such a structure or antenna.

"Applicable law" means all applicable federal, state and local law, ordinances, codes, rules, regulations and orders, as the same may be amended from time to time.

"Applicant" includes any person or entity submitting an application to install a personal wireless telecommunication facility under this section and the persons within the scope of the term "applicant" as defined by section 17.90.020 of this code.

"City" means the City of Calabasas and is further defined in section 1.08.020 of this code.

"Commission" has the meaning set forth in paragraph H. of this section.

dBA is defined in chapter 17.90 of this title.

"FCC" means the Federal Communications Commission or any successor to that agency.

"In-kind call testing" means testing designed to measure the gap in coverage asserted by an applicant. If a claimed gap is for in-building coverage, then in-building call testing must be performed to establish the existence or absence of such a gap unless the applicant provides a sworn affidavit demonstrating good faith but unsuccessful attempts to secure access to buildings to conduct such testing and the circumstances that prevented the applicant from conducting such testing. Claimed gaps in service for "in-vehicle" or "open-air" service may be demonstrated by call testing performed in vehicles or in the open.

"Least intrusive means" means that the location or design of a personal wireless telecommunication facility addresses a significant gap in an applicant's personal communication service while doing the least disservice to the policy objectives of this chapter as stated in section 17.12.050(A). Analysis of whether a proposal constitutes the least intrusive means shall include consideration of means to close an asserted significant gap by co-locating a new personal wireless telecommunication facility on the site, pole, tower, or other structure of an existing personal wireless telecommunication facility.

"Monopole" means a structure composed of a single spire, pole, or tower used to support antennas or related equipment. A monopole also includes a monopine, monopalm, and similar monopoles camouflaged to resemble faux objects attached on a monopole.

"MPE" means maximum permissible exposure.

"OET" or "FCC OET" means the FCC's Office of Engineering & Technology.

"Open space" includes (1) land which is zoned OS, OS-DR, or REC, (2) land in residential zones upon which structures may not be developed by virtue of a restriction on title, (3) all common areas, private parks, slope easements, and (4) any other area owned by a homeowners association or similar entity.

"Park" and "playground" shall have their ordinary, dictionary meanings.

"Personal communication service" means commercial mobile services provided under a license issued by the FCC.

"Personal wireless telecommunication facility" "wireless telecommunication facility," or "wireless facility" means a structure, antenna, pole, tower, equipment, accessory equipment and related improvements used, or designed to be used, to provide wireless transmission of voice, data, images or other information, including but not limited to cellular phone service, personal communication service and paging service.

"Private Enforcer" has the meaning provided in subsection (1)(2) of this section 17.12.050.

"Residential zone" means a zone created by chapter 17.13 of this title.

"RF" means radio frequency.

"Significant gap" as applied to an applicant's personal communication service or the coverage of its personal wireless telecommunication facilities is intended to be defined in this chapter consistently with the use of that term in the Telecommunications Act of 1996 and case law construing that statute. Provided that neither the Act nor case law construing it requires otherwise, the following guidelines shall be used to identify such a significant gap:

1. A significant gap may be demonstrated by In-Kind Call Testing.
2. The commission shall accept evidence of call testing by the applicant and any other interested person and shall not give greater weight to such evidence based on the identity of the person who provides it but shall consider (i) the number of calls conducted in the call test, (ii) whether the calls were taken on

multiple days, at various times, and under differing weather and vehicular traffic conditions, and (iii) whether calls could be successfully initiated, received and maintained in the area within which a significant gap is claimed.

3. A significant gap may be measured by:
 - a. The number of people affected by the asserted gap in service;
 - b. Whether a wireless communication facility is needed to merely improve weak signals or to fill a complete void in coverage ;
 - c. Whether the asserted gap affects highway 101, a state highway, or an arterial street which carries significant amounts of traffic.

“Stealth facility” means any personal wireless telecommunication facility which is designed to substantially blend into the surrounding environment by, among other things, architecturally integrating into a structure or otherwise using design elements to conceal antennas, antenna supports, poles, equipment, cabinets, equipment housing and enclosure; and related above-ground accessory equipment.

“Telecommunications tower” mean a freestanding mast, pole, monopole, guyed tower, lattice tower, free standing tower or other structure designed and primarily used to support wireless telecommunications facility antennas.

“Wireless facility permit” means a permit issued under this chapter authorizing the installation, operation and maintenance of a personal wireless telecommunications facility. Except as otherwise provided by this chapter, the procedures for the application for, approval of, and revocation of such a permit shall be those required by this title (including, but not limited to, those of section 17.62.060) for a conditional use permit.

**Ordinance No.
2012-295 Exhibit B**

**Amendments to Section 17.90.020 of the
Calabasas Municipal Code**

- 1. The existing definitions in Section 17.90.020 of the Calabasas Municipal Code are hereby amended to read as follows and each shall be codified in its proper alphabetical location in that Section:**

"Antenna structure" has the meaning set forth in section 17.12.050(L) of this title.

"Commission": Except as otherwise provided by section 17.12.050(I) of this title, "commission" means the planning commission appointed by the city council pursuant to chapter 2.28 of title 2 of this code.

"FCC" has the meaning set forth in section 17.12.050(L) of this title.

"Personal wireless telecommunication facility", "Wireless communication facility" or "wireless communication facilities" has the meaning set forth in section 17.12.050(L) of this title.

"Stealth facility" has the meaning set forth in section 17.12.050(L) of this title.

- 2. The following definition is hereby deleted from Section 17.90.020 of the Calabasas Municipal Code:**

Camouflage facility

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS
CITY OF CALABASAS)


I, **ROBIN PARKER**, Interim City Clerk of the City of Calabasas, California, **DO HEREBY CERTIFY** that the foregoing ordinance, being **Ordinance No. 2012-295** was duly introduced and approved by the City Council of the City of Calabasas at a regular meeting held on the 23rd day of May, 2012 and adopted and passed by said Council at a regular meeting held on the 27th day of June, 2012 by the following vote:

AYES: Mayor Maurer, Mayor pro Tem Gaines and Councilmembers Bozajian, Shapiro.

NOES: Councilmember Martin.

ABSTAIN: None.

ABSENT: None.



Robin Parker, Interim City Clerk
City of Calabasas, California



CITY of CALABASAS

CITY COUNCIL AGENDA REPORT

DATE: AUGUST 14, 2012

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: SCOTT H. HOWARD, CITY ATTORNEY

SUBJECT: ADOPTION OF ORDINANCE 2012-301 AMENDING THE CALABASAS MUNICIPAL CODE SECTION 9.08.020 REGARDING STREET SIDE SOLICITATIONS.

MEETING
DATE: AUGUST 22, 2012

SUMMARY RECOMMENDATION:

That the City Council adopt repealing Calabasas Municipal Code section 9.08.020 in light of the recent United States Court of Appeals, Ninth Circuit decision in *Comite de Jornaleros etc v. City of Redondo Beach*. As discussed below, the *Comite* case has established a difficult standard for a city to support a prohibition on street side solicitors. An ordinance to repeal CMC section 9.08.020 is attached for your consideration.

DISCUSSION/ANALYSIS:

Calabasas Municipal Code section 9.08.020 prohibits persons, while standing in the public right-of-way from soliciting employment, business, or contributions of money or property from persons travelling in a vehicle along the public right-of-way. Public right-of-way includes sidewalks, driveways, parkways, and curbs.

Many cities and counties have had similar regulations in their codes since such regulations were upheld in *Xiloj-Iztep v. City of Agoura Hills* (94) 24 Cal. App. 4th 620 and *ACORN v. City of Phoenix*, 798 F.2d 1260(9th Cir. 1986). The two cases notwithstanding, legal challenges to these so called street side solicitation ordinances continued with the primary thrust being that such ordinances regulate speech and therefore must be content neutral, advance a significant governmental

interest, be narrowly tailored to advance that interest, and leave open ample alternative avenues for communicating the “available for work” message.

Over the last number of years, the Ninth Circuit has had occasion to issue decisions in a number of cases dealing with solicitation in other contexts, finding that the prohibitions were constitutionally infirm as either being content based or not sufficiently narrowly tailored to advance avowed governmental interests such as safety, aesthetics, free flow of pedestrians and other interests (*ACLU v. Las Vegas*, 466 F.3d 784 (9th Cir. 2006); *Berger v. City of Seattle*, 569 F.3d 1029 (9th Cir. 2009).

In 2004 *Comite et al* filed a challenge to the Redondo Beach street side solicitation ordinance alleging the ordinance was a facially unconstitutional restriction on day laborers' and other persons' First Amendment rights. The District Court found the Redondo Beach ordinance to be unconstitutional. On appeal, a three judge panel of the Ninth Circuit reversed, finding that under the *ACORN* case, the ordinance was constitutional. Further review was granted by the full Ninth Circuit (en banc review) and on September 16, 2011 the panel found the Redondo Beach ordinance to be unconstitutional. The court focused its attention on whether the ordinance was sufficiently narrowly tailored to address the city's interest in promoting traffic flow and safety.

The court determined the ordinance was not narrowly tailored as it restricts substantially more speech than is necessary. The court noted the city had failed to provide sufficient evidence of problems caused by day laborers or other street side solicitors to justify either a city-wide ban or a more focused ban at designated intersections. The court also noted the existence of other less intrusive means to regulate solicitation, including enforcement of state or local laws regulating standing in roadways, blocking sidewalks, trespass and others. A petition for review (*Certiorari*) was filed with the United States Supreme Court along with an Amicus brief from the League of Cities, California State Association of Counties and the International Municipal Lawyers' Association. On February 21, 2012, the Supreme Court denied *Certiorari* and the *Comite* case is now final.

On or about March 20, 2012 Calabasas, along with a number of other cities received a letter from MALDEF (Mexican-American Legal Defense and Education Fund) requesting repeal of street side solicitation regulations based on the *Comite* case. The City responded indicating that the matter would be reviewed.

Consistent with the Ninth Circuit's *Comite* opinion coupled with the Sheriffs' Department indicating that there is no significant problem associated with street side solicitors in the City; we recommend the Council adopt an ordinance repealing the street side solicitation regulations. The City can continue to enforce other laws,

state and local, which address blocking of vehicles and pedestrians, littering, trespass, and the unlawful stopping of vehicles in travel lanes.

In the future should a problem develop at any particular location in the city which cannot be addressed by existing laws, we can assess the legal ability of the City to regulate the conduct consistent with the standards outlined in the Comite case.

REQUESTED ACTION:

That the City Council adopt Ordinance No. 2012-301 repealing the street side solicitation regulations.

FISCAL IMPACT:

This action should have no net impact on City funding.

ATTACHMENTS:

Ordinance No. 2012-301.

ORDINANCE NO. 2012-301

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CALABASAS, CALIFORNIA, AMENDING THE MUNICIPAL CODE, CHAPTER 9.08, SECTION 9.08.020 RELATING TO SOLICITATION.

THE CITY COUNCIL OF THE CITY OF CALABASAS DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. Solicitation of Persons Travelling in Vehicles on Public Right-Of-Way Prohibited

Section 9.08.020 of the Calabasas Municipal Code is hereby repealed.

Section 2. Severability

If any provision, section, paragraph, sentence or word of this ordinance, or the application thereof to any person or circumstance, is rendered or declared invalid by any final court action in a court of competent jurisdiction, or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences or words of this ordinance, and the application of such to other persons or circumstances, shall not be affected thereby and shall remain in full force and effect.

Section 3. Effective Date

This ordinance shall take effect 30 days after its passage and adoption pursuant to California Government Code § 36937 and shall supersede any conflicting provision of any City of Calabasas ordinance.

Section 4. Certification

The City Clerk shall certify to the passage and adoption of this ordinance and shall cause the same to be published or posted according to law.

PASSED, APPROVED AND ADOPTED, this 22nd day of August, 2012.

Mary Sue Maurer, Mayor

ATTEST:

Maricela Hernandez, MMC
City Clerk

APPROVED AS TO FORM:

Scott H. Howard
Interim City Attorney



CITY of CALABASAS

CITY COUNCIL AGENDA REPORT

DATE: AUGUST 9, 2012

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: ROBIN PARKER, ADMINISTRATIVE SERVICES DIRECTOR *R. Parker*

SUBJECT: ADOPTION OF RESOLUTION NO. 2012-1343, ESTABLISHING EMPLOYEE FLEX CREDIT AMOUNTS FOR 2012 AND RESCINDING RESOLUTION NO. 2011-1303

MEETING
DATE: AUGUST 22, 2012

SUMMARY RECOMMENDATION:

That the City Council approve adoption of Resolution No. 2012-1343, establishing employee flex credit amounts for 2013 benefits and rescinding Resolution No. 2011-1303.

BACKGROUND:

In terms of active employee flex credits, the City has traditionally chosen to provide the full cost of medical, dental, and vision premiums for City employees (including Councilmembers), plus any dependents, for most health care plans. In addition, the City has also provided for the full cost of life insurance, short term/long term disability insurance, and an employee assistance program (EAP). Insurance premiums fluctuate each year, necessitating approval of premium costs and payment caps by the City Council on an annual basis. In 2000 the City implemented a Section 125 Benefits Program which allows for Health Care and Dependent Care Flexible Spending Accounts funded entirely by the employee only.

DISCUSSION/ANALYSIS:

The credit amount that employees are allocated will need to be adjusted in order to continue to cover the full amount of the premiums. Health insurance premiums influencing our flex credit amounts are increasing by approximately 16% for calendar year 2013. Although the 2013 rate went up by 16%, over the past five years, the premiums have only increased by an average of 5.7% per calendar year.

Additionally, please note that there is no increase in the associated level of coverage from the current year.

FISCAL IMPACT/SOURCE OF FUNDING:

This increase has already been subsumed in the 2012-2013 operating budget approved by the City Council on August 8, 2012.

REQUESTED ACTION:

It is requested that the City Council approve Resolution No. 2012-1343.

ATTACHMENTS:

Resolution No. 2012-1343

RESOLUTION NO. 2012-1343

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALABASAS, CALIFORNIA, ESTABLISHING EMPLOYEE FLEX CREDIT AMOUNTS FOR 2013 BENEFITS AND RESCINDING RESOLUTION NO. 2013-1303.

This resolution is adopted in order to set forth Flex Credit Amounts for the Section 125 Benefits Program (referred to as the "Cafeteria Plan"). The following shall be effective as of January 1, 2013.

For health insurance, the City contracts with the Public Employee Retirement System regular health benefits program; employees may choose among various HMO/PPO plans. For dental insurance, the City contracts with Delta Dental. For vision insurance, the City contracts with Vision Service Plan (VSP). Short term/long term disability insurance, and life insurance are provided by Lincoln Financial Group.

The City agrees to pay the cost of medical, dental, and vision insurance for all full-time permanent employees, Councilmembers, and dependents, only up to premium costs as follows:

<u>EMPLOYEE STATUS/PLAN ENROLLMENT</u>	<u>MONTHLY CREDIT AMOUNT</u>
Employee Only	\$647.86
Employee + One Dependent	\$1,290.43
Employee + Two or More Dependents	\$1,694.41

Health Insurance Buyback Option - With proof of other medical coverage, full-time permanent employees are eligible to receive a monthly cash credit in the amount of 50% of the highest single employee medical premium credit covered by the City. This amount for 2013 is \$293.73. This credit cannot be applied directly to deferred compensation; it will be considered taxable income. Because compensation for Councilmembers is fixed by state law, Councilmembers are not eligible for this option.

Health Insurance Surplus Option - For full-time permanent employees, any surplus plan credits will be considered taxable income and/or can be applied to either flexible spending account. Participants can make elections for contributions with pre-tax earnings if the cost of insurance coverages exceeds the amount of the benefit credit.

Health Care and Dependent Care Flexible Spending Accounts – permanent full-time employees have the option of participating in the City’s Health Care and Dependent Care Flexible Spending Accounts, which allows for a choice between certain benefits and taxable cash income. The annual maximum amount allowed for the Health Care Flexible Spending Account is \$2,500; the annual maximum amount allowed for the Dependent Care Flexible Spending Account is \$5,000. Participation is paid for by the employee.

Life Insurance - For permanent full-time employees, the City contracts with Lincoln Financial Group for which the benefit amount is three times the employee’s annual salary (maximum \$350,000), and \$50,000 for each Councilmember. The City agrees to pay the full cost for life insurance for permanent full-time employees, including City Councilmembers.

Short Term/Long Term Disability Insurance - The City contracts with Lincoln Financial Group. The City agrees to pay the full cost for short term/long term disability insurance for permanent full-time employees.

Employee Assistance Program - the City contracts with MHN under California State Association of Counties. The City agrees to pay the full cost for the program premium for permanent full-time employees.

Resolution No. 2012-1303 is hereby rescinded.

The City Clerk shall certify to the adoption of this Resolution and shall cause the same to be processed in the manner required by law.

PASSED, APPROVED AND ADOPTED this 22nd day of August 2012.

Mary Sue Maurer, Mayor

ATTEST:

Maricela Hernandez, MMC, City Clerk

APPROVED AS TO FORM:

Scott H. Howard
Interim City Attorney



Approved by City Manager:





CITY of CALABASAS

CITY COUNCIL AGENDA REPORT

DATE: AUGUST 1, 2012

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM:  ROBERT YALDA, P. E., T. E., PUBLIC WORKS DIRECTOR/ CITY ENGINEER
TATIANA HOLDEN, ASSOCIATE CIVIL ENGINEER 

SUBJECT: ADOPTION OF RESOLUTION NO. 2012-1347, EXECUTING THE CALTRANS' PROGRAM SUPPLEMENT AGREEMENT NO. N017 TO ADMINISTERING AGENCY-STATE AGREEMENT NO. 07-5463R TO FUND THE SAFE ROUTES TO SCHOOL PROJECT

MEETING DATE: AUGUST 22, 2012

SUMMARY RECOMMENDATION:

Staff recommends to adopt Resolution No. 2012-1347 that will authorize the execution of the Program Supplement Agreement with Caltrans so that the City can submit reimbursement invoices to Caltrans for expenses occurred for the Safe Routes to School Project, Federal Aid project No. SRTS-5463(017), Specifications No. 11-12-02.

BACKGROUND:

In July 2011, the City applied for funding available through the Federal Safe Routes to School (SRTS) funds. The City received \$326,700 for the Safe Routes to School project.

DISCUSSION/ANALYSIS:

The attached resolution identifies the federal funding allocated for the Safe Routes to School project. It also acknowledges that Caltrans is the entity that will

administer these funds for the City. The Administering Agency-State Agreement is required to be in place prior to Caltrans authorizing any reimbursements. Resolution No. 2012-1347 has been drafted to meet Caltrans' requirements. Also, the Resolution entitles the City Manager as the City's authorized representative to execute the Agreement.

FISCAL IMPACT/SOURCE OF FUNDING:

Federal funding has been issued through the Safe Routes to School (SRTS) grant for this project. These funds will cover eligible costs up to \$326,700.

Account number 40-339-6503-22 has been set up to track direct costs on this project.

REQUESTED ACTION:

Staff is requesting that the City Council pass Resolution No.2012-1347, executing the Program Supplement Agreement No. N017 to Administering Agency – State Agreement No. 07-5463R.

ATTACHMENTS:

Exhibit A: Resolution No. 2012-1347

Exhibit B: Program Supplement Agreement No. N017 to Administering Agency-State Agreement no. 07-5463R

Exhibit A

RESOLUTION NO. 2012-1347

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALABASAS, CALIFORNIA, APPROVING AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE PROGRAM SUPPLEMENT AGREEMENT NO. N017 TO ADMINISTERING AGENCY-STATE AGREEMENT NO. 07-5463R

WHEREAS, the City of Calabasas ("City") is eligible to receive Federal funding for certain transportation projects, through the California Department of Transportation ("Caltrans"); and

WHEREAS, the City has applied for and received Federal funding for the Safe Routes To School project; and

WHEREAS, Program Supplement No. 017 to Administering Agency - State Agreement for Federal-Aid Projects No. 07-5463R needs to be executed with Caltrans before such funds could be claimed;

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF CALABASAS DOES RESOLVE AS FOLLOWS:

SECTION 1. The City Council of the City of Calabasas does hereby approve the Program Supplement No. 017 to Administering Agency-State Agreement for Federal Aid Projects No. 07-5463R with the State of California, in the form attached to this Resolution as Exhibit "A".

SECTION 2. The City wishes to delegate authorization to execute this agreement and any amendments thereto to the City Manager to be authorized to execute the Program Supplement No. 017 to Administering Agency-State Agreement for Federal Aid Projects No. 07-5463R with Caltrans.

SECTION 3. The City Clerk shall certify to the adoption of this resolution and shall cause the same to be processed in the manner required by law.

PASSED, APPROVED AND ADOPTED this 22th day of August, 2012.

Mary Sue Maurer, Mayor

ATTEST:

Maricela Hernandez, City Clerk

APPROVED AS TO FORM:

Scott H. Howard
Interim City Attorney

DEPARTMENT OF TRANSPORTATION

Division of Local Assistance
1120 N STREET
P.O. BOX 942874, MS# 1
Sacramento, CA 94274-0001
TTY 711
(916) 654-3151
Fax (916) 653-7621



July 26, 2012

File : 07-LA-0-CAL
SRTSL-5463(017)
Various locations throughout the
city

Mr. Robert Yalda
Public Works Director/City Engineer
City of Calabasas
100 Civic Center Way
Calabasas, CA 91302-4112

Attn: Mr. Cedric Henry

Dear Mr. Yalda:

Enclosed are two originals of the Program Supplement Agreement No. 017-N to Administering Agency-State Agreement No. 07-5463R.

Please note that federal funding will be lost if you proceed with future phase(s) of the project prior to getting the "Authorization to Proceed" with that phase.

Please review the covenants and sign both copies of this Agreement and return both to this office, Office of Project Implementation - MS1 within 60 days from the date of this letter. If the signed Agreements are not received back in this office within 60 days, funds will be disencumbered and/or deobligated. Alterations should not be made to the agreement language or funding. Attach your local agency's certified authorizing resolution that clearly identifies the project and the official authorized to execute the agreement. A fully executed copy of the agreement will be returned to you upon ratification by Caltrans. No invoices for reimbursement can be processed until the agreement is fully executed.

A copy of the State approved finance letter containing the fund encumbrance and reversion date information will be mailed to you with your copy of the executed agreement.

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

Sincerely,

A handwritten signature in black ink, appearing to read "Barry Leaming".

BARRY LEAMING, Chief
Office of Project Implementation - South
Division of Local Assistance

Enclosure

c: DLA AE Project Files
(07) DLAE - David Sosa

PROGRAM SUPPLEMENT NO. N017
to
ADMINISTERING AGENCY-STATE AGREEMENT
FOR FEDERAL-AID PROJECTS NO 07-5463 R

Adv Project ID **Date:** July 14, 2012
0712000287 **Location:** 07-LA-0-CAL
Project Number: SRTSL-5463(017)
E.A. Number:
Locode: 5463

This Program Supplement hereby adopts and incorporates the Administering Agency-State Agreement for Federal Aid which was entered into between the Administering Agency and the State on 02/13/07 and is subject to all the terms and conditions thereof. This Program Supplement is executed in accordance with Article I of the aforementioned Master Agreement under authority of Resolution No. _____ approved by the Administering Agency on _____ (See copy attached).

The Administering Agency further stipulates that as a condition to the payment by the State of any funds derived from sources noted below obligated to this PROJECT, the Administering Agency accepts and will comply with the special covenants or remarks set forth on the following pages.

PROJECT LOCATION:

Various locations throughout the city

TYPE OF WORK: Pedestrian Walkway

LENGTH: 0.0(MILES)

Estimated Cost	Federal Funds		Matching Funds		
	LU20		LOCAL		OTHER
\$327,800.00		\$326,700.00	\$1,100.00		\$0.00

CITY OF CALABASAS *Robert Valda*
By *Robert Valda P.E.*
Title *Public Works Director*
Date *7/31/2012*
Attest _____

STATE OF CALIFORNIA
Department of Transportation
By _____
Chief, Office of Project Implementation
Division of Local Assistance
Date _____

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

Accounting Officer *Justin Ng* **Date** *7/17/12* \$326,700.00

Chapter	Statutes	Item	Year	Program	BC	Category	Fund Source	AMOUNT

SPECIAL COVENANTS OR REMARKS

1. The ADMINISTERING AGENCY will advertise, award and administer this project in accordance with the current published Local Assistance Procedures Manual.
2. ADMINISTERING AGENCY agrees that it will only proceed with work authorized for specific phase(s) with an "Authorization to Proceed" and will not proceed with future phase(s) of this project prior to receiving an "Authorization to Proceed" from the STATE for that phase(s) unless no further State or Federal funds are needed for those future phase(s).
3. ADMINISTERING AGENCY agrees, as a minimum, to submit invoices at least once every six months commencing after the funds are encumbered for each phase by the execution of this Project Program Supplement Agreement, or by STATE's approval of an applicable Finance Letter. STATE reserves the right to suspend future authorizations/obligations for Federal aid projects, or encumbrances for State funded projects, as well as to suspend invoice payments for any on-going or future project by ADMINISTERING AGENCY if PROJECT costs have not been invoiced by ADMINISTERING AGENCY for a six-month period.

If no costs have been invoiced for a six-month period, ADMINISTERING AGENCY agrees to submit for each phase a written explanation of the absence of PROJECT activity along with target billing date and target billing amount.

ADMINISTERING AGENCY agrees to submit the final report documents that collectively constitute a "Report of Expenditures" within one hundred eighty (180) days of PROJECT completion. Failure of ADMINISTERING AGENCY to submit a "Final Report of Expenditures" within 180 days of PROJECT completion will result in STATE imposing sanctions upon ADMINISTERING AGENCY in accordance with the current Local Assistance Procedures Manual.

4. The Administering Agency shall not discriminate on the basis of race, religion, age, disability, color, national origin, or sex in the award and performance of any Federal-assisted contract or in the administration of its DBE Program Implementation Agreement. The Administering Agency shall take all necessary and reasonable steps under 49 CFR Part 26 to ensure nondiscrimination in the award and administration of Federal-assisted contracts. The Administering Agency's DBE Implementation Agreement is incorporated by reference in this Agreement. Implementation of the DBE Implementation Agreement, including but not limited to timely reporting of DBE commitments and utilization, is a legal obligation and failure to carry out its terms shall be treated as a violation of this Agreement. Upon notification to the Administering Agency of its failure to carry out its DBE Implementation Agreement, the State may impose sanctions as provided for under 49 CFR Part 26 and may, in appropriate cases, refer the matter for enforcement under 18 U.S.C. 1001 and/or the Program Fraud Civil Remedies Act of 1986 (31 U.S.C. 3801 et seq.).
5. As a condition for receiving federal-aid highway funds for the PROJECT, the

SPECIAL COVENANTS OR REMARKS

Administering Agency certifies that NO members of the elected board, council, or other key decision makers are on the Federal Government Excluded Parties List System (EPLS).

6. Any State and Federal funds that may have been encumbered for this project are available for disbursement for limited periods of time. For each fund encumbrance the limited period is from the start of the fiscal year that the specific fund was appropriated within the State Budget Act to the applicable fund Reversion Date shown on the State approved project finance letter. Per Government Code Section 16304, all project funds not liquidated within these periods will revert unless an executed Cooperative Work Agreement extending these dates is requested by the ADMINISTERING AGENCY and approved by the California Department of Finance.

ADMINISTERING AGENCY should ensure that invoices are submitted to the District Local Assistance Engineer at least 75 days prior to the applicable fund Reversion Date to avoid the lapse of applicable funds. Pursuant to a directive from the State Controller's Office and the Department of Finance; in order for payment to be made, the last date the District Local Assistance Engineer can forward an invoice for payment to the Department's Local Programs Accounting Office for reimbursable work for funds that are going to revert at the end of a particular fiscal year is May 15th of the particular fiscal year. Notwithstanding the unliquidated sums of project specific State and Federal funding remaining and available to fund project work, any invoice for reimbursement involving applicable funds that is not received by the Department's Local Programs Accounting Office at least 45 days prior to the applicable fixed fund Reversion Date will not be paid. These unexpended funds will be irrevocably reverted by the Department's Division of Accounting on the applicable fund Reversion Date.

7.
 1. ADMINISTERING AGENCY agrees to administer PROJECT in accordance with the applicable SRTS Program Guidelines under which the project was selected. ADMINISTERING AGENCY agrees to the program delivery and reporting requirements established for the applicable SRTS Program cycle.
 2. ADMINISTERING AGENCY agrees to submit a Student Tally and Parent Survey for each school to the National Center for Safe Routes to School (NCSRTS). The survey information (Student Tally and Parent Survey), collected during the regular school year, must be completed within two months of beginning the PROJECT and within two months after completing the PROJECT. ADMINISTERING AGENCY agrees to submit a copy of said surveys to the District Local Assistance Engineer (DLAE). For detailed instructions on data submission requirements refer to the NCSRTS web site at:

<http://www.saferoutesinfo.org/data/>

8. Award information shall be submitted by the ADMINISTERING AGENCY to the District Local Assistance Engineer within 60 days of project contract award and prior to the submittal of the ADMINISTERING AGENCY'S first invoice for the construction contract.

SPECIAL COVENANTS OR REMARKS

Failure to do so will cause a delay in the State processing invoices for the construction phase. Please refer to Section 15.7 "Award Package" of the Local Assistance Procedures Manual.




CITY of CALABASAS

CITY COUNCIL AGENDA REPORT

DATE: AUGUST 13, 2012

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: ANTHONY COROALLES, CITY MANAGER 

SUBJECT: DESIGNATION OF VOTING DELEGATE AND ALTERNATES TO THE LEAGUE OF CALIFORNIA CITIES (LEAGUE) ANNUAL CONFERENCE.

MEETING DATE: AUGUST 22, 2012

SUMMARY RECOMMENDATION:

That the City Council adopt Resolution No. 2012-1348 designating one (1) voting delegate and two (2) alternates to vote at the League of California Cities (League) Annual Conference.

BACKGROUND:

The League holds conferences on an annual basis. This year's conference will be held on September 5-7, 2012, in San Diego, CA. The League has requested that all cities designate a voting delegate and up to two alternates to represent the City at the Annual Business meeting (at the General Assembly), scheduled for noon on Friday, September 7.

The League's 2012 Annual Conference Voting Delegate/Alternate Form designates Mayor Maurer as the voting delegate; Mayor pro Tem Gaines and Councilmember Bozajian as alternate delegates. In light that neither Mayor Maurer nor Mayor pro Tem Gaines are able to attend the conference, Councilmember Bozajian would represent the City as an alternate voting delegate.

REQUESTED ACTION:

It is recommended that the City Council designate Mayor Maurer as the voting delegate and Mayor pro Tem Gaines and Councilmember Bozajian as alternate voting delegates.

ATTACHMENTS:

Resolution No. 2012-1348.

The League's 2012 Annual Conference Voting Delegate/Alternate Form.

RESOLUTION NO. 2012-1348

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALABASAS, CALIFORNIA, DESIGNATING VOTING DELEGATE AND ALTERNATE(S) FOR THE LEAGUE OF CALIFORNIA CITIES ANNUAL MEETING, SEPTEMBER 5-7, 2012, IN SAN DIEGO, CA.

THE CITY COUNCIL OF THE CITY OF CALABASAS DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. Mayor Mary Sue Maurer is hereby designated as the City of Calabasas voting delegate to the League of California Cities Annual Business Meeting, September 7, in San Diego.

SECTION 2. Mayor pro Tem Gaines and Councilmember Bozajian are hereby designated as the City of Calabasas alternate voting delegates to the League of California Cities Annual Business Meeting, September 7, in San Diego.

SECTION 3. The City Clerk shall certify to the adoption of this Resolution and transmit a certified copy thereof to the appointee.

PASSED, APPROVED AND ADOPTED this 22nd day of August 2012.

Mary Sue Maurer, Mayor

ATTEST:

Maricela Hernandez, MMC
City Clerk

APPROVED AS TO FORM:

Scott H. Howard
Interim City Attorney



CITY: CALABASAS

2012 ANNUAL CONFERENCE
VOTING DELEGATE/ALTERNATE FORM

Please complete this form and return it to the League office by Wednesday, August 15, 2012. Forms not sent by this deadline may be submitted to the Voting Delegate Desk located in the Annual Conference Registration Area. Your city council may designate one voting delegate and up to two alternates.

In order to vote at the Annual Business Meeting (General Assembly), voting delegates and alternates must be designated by your city council. Please attach the council resolution as proof of designation. As an alternative, the Mayor or City Clerk may sign this form, affirming that the designation reflects the action taken by the council.

Please note: Voting delegates and alternates will be seated in a separate area at the Annual Business Meeting. Admission to this designated area will be limited to individuals (voting delegates and alternates) who are identified with a special sticker on their conference badge. This sticker can be obtained only at the Voting Delegate Desk.

1. VOTING DELEGATE

Name: Mary Sue Maurer

Title: Mayor

2. VOTING DELEGATE - ALTERNATE

Name: Fred Gaines

Title: Mayor pro Tem

3. VOTING DELEGATE - ALTERNATE

Name: James Bozajian

Title: Councilmember

PLEASE ATTACH COUNCIL RESOLUTION DESIGNATING VOTING DELEGATE AND ALTERNATES.

OR

ATTEST: I affirm that the information provided reflects action by the city council to designate the voting delegate and alternate(s).

Name: Maricela Hernandez

E-mail mhernandez@cityofcalabasas.com

Mayor or City Clerk

Phone: 818-224-1661

(circle one) (signature)

Date: August 22, 2012

Please complete and return by Wednesday, August 15th, to:

League of California Cities
ATTN: Mary McCullough
1400 K Street
Sacramento, CA 95814


FAX: (916) 658-8240
E-mail: mmccullough@cacities.org
(916) 658-8247



CITY of CALABASAS
CITY COUNCIL AGENDA REPORT

DATE: AUGUST 13, 2012

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: ANDREW COHEN-CUTLER, ASSOCIATE PLANNER 

SUBJECT: A REQUEST TO RELEASE A POSTED \$76,660 LINE OF CREDIT AND \$6,596.38 RECOVERABLE DEPOSIT COLLECTED AS PART OF THE 5 YEAR MITIGATION FOR UNPERMITTED OAK TREE ENCROACHMENT AT 5349 LAS VIRGENES ROAD.

MEETING DATE: AUGUST 22, 2012

BACKGROUND:

On December 13, 2007 the Community Development Director issued a Notice of Violation and Stop Work Order to Mr. Kavos Ahankoob and Ms. Shayesteh Ahankoob (Ken, LLC) concerning their property at 5349 Las Virgenes Road. The subject site had been graded without permits. The unpermitted grading work consisted of an approximate 20-foot wide, 500-foot long dirt road cut into the hillside in order to access the site for geotechnical investigations. It was determined by the owner's oak tree consultant, McKinley and Associates, and corroborated by the City's oak tree consultant, James Dean, that because of this unpermitted work; the protected zones of 36 oak trees were encroached upon without the benefit of an approved oak tree permit as required by the Calabasas Municipal Code (CMC) Section 17.26.010 (Section 17.32.010 in the 2010 CMC). Additional damage to the oak trees was caused by a tractor or other heavy equipment during the process of weed abatement on the property during the same time.

As a result of the unpermitted grading and unpermitted encroachment into the protected zones of 36 oak trees, the property owner was required to apply for and

obtain a Retroactive Oak Tree Permit. The Planning Commission reviewed and approved the Retroactive Oak Tree Permit on April 2, 2009 (Resolution 2009-446). Included as conditions of approval in the Planning Commission decision was a requirement that funds were to be deposited into a recoverable account for the purpose oak tree monitoring, weed abatement and reimbursable expenses incurred as a result of the 5-year period of monitoring. Additionally, the Planning Commission decision required a letter of credit in the amount of \$132,560.00 to be posted and to be used as insurance to provide funds for the replacement of any impacted oak tree(s) that might die as a result of the unpermitted encroachment.

The property owner appealed the Planning Commission decision to the City Council. The City Council reviewed the application for appeal and approved a modified version of the Planning Commission Resolution in City Council Resolution No. 2009-1186. The modifications made by the City Council included a reduction in required funds to be deposited into recoverable accounts and an approximate 50% reduction in the required letter of credit. Accordingly, the City Council approved Resolution 2009-1186 on June 10, 2009.

The City Council decision was appealed by Ken, LLC to the Superior Court of Los Angeles County. The Superior Court upheld the City's process, including Resolution No. 2009-1186. Subsequently, and in response to instructions from the Superior Court, Ken, LLC posted the required \$7,815.25 recoverable funds and the \$76,660.00 letter of credit on August 10, 2009.

As an additional corrective action in response to the Notice of Violation, the property owner restored the hillside to its natural condition in early 2010. Today the vegetation is native and the hillside appears to be a naturally occurring landform.

Mr. James Iron Press acquired the subject properties from Ken, LLC on September 20, 2010. On that date, Mr. Press assumed responsibility for the required recoverable account deposits as well as the required letter of credit. Mr. Press therefore posted the required \$76,660.00 letter of credit on June 10, 2010; meanwhile, the letter of credit from Ken, LLC was released.

On July 10, 2012 Mr. Press (the new property owner) wrote to Maureen Tamuri, the Community Development Director, requesting relief from the financial conditions of the Retroactive Oak Tree Permit approval (see Attachment A). In his communication he states that he is being adversely affected by current economic conditions, and he was not the owner of record at the time the violations occurred. He therefore requests that the City "lift the imposed penalties". Staff informed Mr. Press that the City Council is the only City body empowered to reduce or eliminate

fees and that his request for relief would be scheduled for and considered at the August 22, 2012 City Council meeting.

DISCUSSION/ANALYSIS:

To date, all conditions of approval contained in Resolution No 2009-1186 have been followed. The property owner's arborist, William McKinley, inspected the property after the annual weed abatement was completed in 2010 and 2011. On both occasions, a monitoring report was submitted and reviewed. The 2012 monitoring inspection by Mr. McKinley took place on Monday August 13, 2012. Mr. McKinley's report is expected within the next 30 days.

As of the date of this report, the balance remaining in the recoverable fund account is \$6,596.38. The \$1,218.87 difference between the \$7,815.25 deposited originally and the \$6,596.38 remaining balance accounts for funds expended in the course of the last three years for the monitoring program and for replacement of oak tree No. 1. (Oak Tree No.1 had a PRC value of \$500.00 and was documented by Mr. William McKinley (the owner's oak Tree Consultant) as having succumbed following the encroachment/damage).

FISCAL IMPACT/SOURCE OF FUNDING:

Should the City Council decide to grant this request and no funds are held by the City in the recoverable account and the line of credit is released, then no monitoring of the trees will occur and any tree replacement under potential future circumstances of tree(s) dying cannot be funded, and will not occur.

There is no fiscal impact because monies deposited are recoverable funds belonging to the applicant/property owner, and if released the monitoring activities will simply cease.

REQUESTED ACTION:

The development code does not require findings to be made to support or deny this request. A decision to refund or reduce and to release a posted letter of credit rests solely with the City Council. Staff has no recommendation in this case; it is entirely at the discretion of the City Council whether or not to approve Mr. Press' request.

ATTACHMENT A: July 10, 2012 email request

From: James Press [<mailto:hilltopenc@gmail.com>]

Sent: Tuesday, July 10, 2012 11:44 AM

To: Elizabeth Parker

Subject: Impose Oak Tree Penalty

Dear Maureen Tamuri,

Community Development Division Director

I acquired the parcels noted number noted below on 9/22/10 in city of calabashes. Per City of Calabasas due to previous owner violation of oak tree ordinance I was forced to post a credit line of \$77,000.00 in order to close the escrow. The credit line has been in effect since 9/22/10 almost 2 years. Currently I am under extreme financial difficulty and I need the posted money to overcome my financial crises. With this letter I am requesting the City of Calabasas to left the impose penalty since the noted violation committed by previous owner not me.

Parcel # 010-2052-011-047

Parcel # 010-2052-011-046

Parcel # 010-2052-015-009

Your cooperation is greatly appreciated.

Yours' Truly,

James I Press




CITY of CALABASAS

CITY COUNCIL AGENDA REPORT

DATE: AUGUST 13, 2012

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: ANTHONY COROALLES, CITY MANAGER 

SUBJECT: DISCUSSION OF RESOLUTIONS BEFORE THE LEAGUE OF CALIFORNIA CITIES (LEAGUE) ANNUAL MEETING ON SEPTEMBER 7.

MEETING DATE: AUGUST 22, 2012

SUMMARY RECOMMENDATION:

That the City Council review and discuss resolutions to be presented at the League of California Cities (League) Annual Meeting on September 7, 2012.

BACKGROUND:

The League requested that the City Council consider the five resolutions that will be before its membership at the Annual Business Meeting to determine the City's position on each resolution.

REQUESTED ACTION:

City Council discussion and/or direction if required.

ATTACHMENTS:

The League's Resolutions.

V.
2012 ANNUAL CONFERENCE RESOLUTIONS

RESOLUTIONS REFERRED TO ENVIRONMENTAL QUALITY POLICY COMMITTEE

3. RESOLUTION ENCOURAGING CALIFORNIA CITIES TO OPPOSE THE CALIFORNIA DESERT PROTECTION ACT OF 2011

Source: City of Needles

Referred To: Environmental Quality Policy Committee

Recommendation to General Resolutions Committee:

WHEREAS, in 1993 Senator Diane Feinstein introduced the California Desert Protection Act of 1994 which became federal law and was passed by the United States Congress on October 8, 1994, and

WHEREAS, this act established the Death Valley and Joshua Tree National Parks and the Mojave National Preserve in the California desert; and

WHEREAS, this act designated 69 wilderness areas as additions to the National Wilderness Preservation System within the California Desert Conservation Area (CDCA), the Yuma District, the Bakersfield District, and the California Desert District of the Bureau of Land Management permits grazing in such areas; and

WHEREAS, the Act abolished Death Valley National Monument, established in 1933 and 1937, and incorporated its lands into a new Death Valley National Park administered as part of the National Park System. Grazing of domestic livestock was permitted to continue at no more than the then-current level. The Act also required the Secretary of the Interior to study the suitability of lands within and outside the boundaries of the park as a reservation for the Timbisha Shoshone Tribe; and

WHEREAS, the Act abolished Joshua Tree National Monument, established in 1936, and incorporated its lands into Joshua Tree National Park; and

WHEREAS, the Act established the Mojave National Preserve, consisting of approximately 1,419,800 acres (5,746 km²; 2,218.4 sq mi), and abolished the East Mojave National Scenic Area, which was designated in 1981. The preserve was to be administered in accordance with National Park System laws. Hunting, fishing and trapping were permitted as allowed by federal and state laws, with certain exceptions. Mining claims were governed by the National Park System laws, and grazing was permitted to continue at no more than the then-current level; and

WHEREAS, the Act required the Secretary of the Interior to ensure that American Indian people have access to the lands designated under the Act for traditional cultural and religious purposes, in recognition of their prior use of these lands for these purposes. Upon the request of an Indian tribe or religious community, the Secretary must temporarily close specific portions to the general public to protect the privacy of traditional cultural and religious activities; and

WHEREAS, flights by military aircraft over the lands designated by the Act were not restricted or precluded, including over flights that can be seen or heard from these lands; and

WHEREAS, Congress found that federally owned desert lands of southern California constitute a public wildland resource of extraordinary and inestimable value for current and future generations; these desert wildlands have unique scenic, historical, archeological, environmental, ecological, wildlife, cultural,

scientific, educational and recreational values; the California desert public land resources are threatened by adverse pressures which impair their public and natural values; the California desert is a cohesive unit posing difficult resource protection and management challenges; statutory land unit designations are necessary to protect these lands; and

WHEREAS, Senator Dianne Feinstein, author of the 1994 California Desert Protection Act has introduced legislation “California Desert Protection Act of 2011” that will set aside new land in the Mojave Desert for conservation, recreation and other purposes; and

WHEREAS, the proposed legislation will take AN ADDITIONAL 1.6 million acres of Bureau of Land Management land out of potential development, including mining exploration, by designating two new “National Monuments”, one adjacent to the Mojave National Preserve which will take 1.5 million acres out of BLM multiple use in addition to 800,000 acres out of private ownership and one adjacent to the Joshua Tree National Park; and

WHEREAS, this legislation will result in just about every square inch of the desert spoken for, either for military use, national parks, wilderness and special conservation areas, Indian reservations and other types of land management (half of the lands under BLM management are protected under wilderness or special conservation area restrictions); and

WHEREAS, projects, such as California mandated solar energy development, that would disturb or destroy habitat must make up for that loss by purchasing private habitat at ratios of at least three acres for every one acre disturbed; and

WHEREAS, at that rate, even in the nation’s largest county, San Bernardino, just three solar projects on federal land will require an amount of private land acquisition of 22,000 acres, or roughly 34 square miles, land will come off of the county’s tax rolls and we will literally run out of mitigation land after a handful of projects; and

WHEREAS, the Federal Energy Policy Act of 2005 requires that 10,000 megawatts of renewable energy be generated on public land in the west. To meet California’s mandate of having 33 percent of our energy come from renewable sources, it requires more that 20,000 megawatts of production and they are looking mainly at public lands. If we approve that much solar, the result would be a regulatory lockdown on the rest of the Desert by the Federal Fish and Wildlife Service and the State Department of Fish and Game; and

WHEREAS, the Desert Protection Act of 1994 encompassed 1.5 million acres or 2,218.4 square miles plus an additional 800,000 acres of private land or 1,250 square miles; Fort Irwin, 1,000 square miles; 29 Palms Marine Base, 931.7 square miles and they have also applied for an additional 420,000 acres in 2008, or 659.375 square miles totaling 6,059.48 square miles; and

WHEREAS, the California Desert Protection Act of 2011 will take OVER 2,300 square miles, not including the acreage of wilderness located outside any of the above mentioned areas (this total mileage would roughly encompass Rhode Island, Delaware, and Connecticut); and

WHEREAS, these public lands have long supported a range of beneficial uses and efforts have been made to protect the desert inhabitants. Let’s not destroy the desert or our ability to use and enjoy it.

NOW, THEREFORE, BE IT RESOLVED, by the General Assembly of the League of California Cities assembled at the Annual Conference in San Diego, September 7, 2012, that the

League encourages California cities to adopt resolutions in opposition to the California Desert Protection Act of 2011.

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League of California Cities Staff Analysis

Staff: Kyra Ross, Legislative Representative, (916) 658-8252
Committee: Environmental Quality Policy Committee

Summary:

This resolution encourages California cities to oppose the California Desert Protection Act of 2011.

Background:

The California Desert Protection Act of 2011 (S. 138) is legislation proposed by Senator Dianne Feinstein which would provide for conservation, enhanced recreation opportunities, and development of renewable energy in the California Desert Conservation Area. The Measure would:

- Create two new national monuments: the 941,000 acres Mojave Trails National Monument along Route 66 and the 134,000 acres Sand to Snow National Monument, which connects Joshua Tree National Park to the San Bernardino Mountains.
- Add adjacent lands to Joshua Tree National Park, Death Valley National Park and Mohave National Preserve;
- Protect nearly 76 miles of waterways;
- Designate five new wilderness areas;
- Designate approximately 250,000 acres of Bureau of Land Management wilderness areas near Fort Irwin;
- Enhance recreational opportunities; and,
- Designate four existing off-highway vehicle areas in the California Desert as permanent.

S. 138 is a re-introduction of S. 2921, the California Desert Protection Act of 2010 which is now dead. S. 138 was introduced in January 2011 and was referred to the Senate Committee on Energy and Natural Resources. The measure has not yet been set for hearing by the Committee.

Fiscal Impact:

Unknown. No direct fiscal impact to city general funds.

Existing League Policy:

The League’s Mission Statement is “to expand and protect local control for cities through education and advocacy to enhance the quality of life for all Californians.”

Specific to this Resolution, existing policy offers no specific policy on this issue.

The League’s Strategic Priorities for 2012, as adopted by the League Board of Directors, include:

2) Promote Local Control for Strong Cities: Support or oppose legislation and proposed constitutional amendments based on whether they advance maximum local control by city governments over city revenues, land use, redevelopment and other private activities to advance the public health, safety and welfare of city residents.

>>>>>>>>>

4. RESOLUTION REQUESTING CONSIDERATION OF SUSPENSION OF IMPLEMENTATION OR REVISION OF THE CALIFORNIA GLOBAL WARMING SOLUTIONS ACT (AB 32 of 2006)

Source: City of Needles

Referred To: Environmental Quality Policy Committee

Recommendation to General Resolutions Committee:

WHEREAS, in 2006 the California Legislature adopted the California Global Warming Solutions Act, commonly referred to as AB 32 (Health & Safety Code §§38500 et seq.); and

WHEREAS, AB 32 aims to reduce California's greenhouse gas emissions (GHGs) to 1990 levels by 2020 (Health & Safety Code §38550) and to 80 percent below 1990 levels by 2050; and

WHEREAS, the California Air Resources Board (CARB) is the government agency charged with determining how the AB 32 goals will be reached (Health & Safety Code §38510); and

WHEREAS, CARB's implementation of AB32 aims to reduce California's GHG emissions by 169 million metric tons of carbon dioxide equivalent (MMT_{CO2E}) through a variety of strategies, including sector-specific regulations, market mechanisms, voluntary measures, fees, incentives and other policies and programs; and

WHEREAS, there are portions of the state that have been designated as nonattainment for the national ambient air quality standards (NAAQS) for Ozone and PM, nonattainment for state ambient air quality standards (SAAQS) for Ozone, PM, Sulfates and Hydrogen Sulfide, and identified by CARB pursuant to as overwhelmingly impacted by transported air pollution from upwind air basins; and

WHEREAS, areas designated nonattainment are mandated under the provisions of the Federal Clean Air Act (FCAA) to require pursuant to New Source Review (NSR) rules, Best Available Control Technology (BACT) and offsetting emissions reductions (Offsets) on major new or modified stationary sources of those nonattainment air pollutants and their precursors (42 U.S.C. §§7502(c)(5), 7503) regardless of whether or not the area so designated has any control or not over the pollution causing the nonattainment finding; and

WHEREAS, the United States Environmental Protection Agency (USEPA) has requested that a program be developed to implement the Prevention of Significant Deterioration (PSD) which will require additional analysis for new or modified sources of attainment pollutants including but not limited to greenhouse gases, which will also necessitate emissions reductions and BACT in some cases for attainment pollutants; and

WHEREAS, due in part to the limited number of existing sources of air pollutants and the overwhelming impact of transport some or a majority of the cities have few if any available emissions reductions available to provide such offsets; and

WHEREAS, many technologies used to attain BACT levels of air pollution control are based upon the combustion of fossil fuels which also causes emissions of GHGs; and

WHEREAS, there are a variety of Federal regulations promulgated and proposed by the USEPA regarding greenhouse gasses that have the potential to conflict both directly and in their implementation with regulatory measures to implement AB32 as adopted and proposed by CARB; and

WHEREAS, there are a variety of other mandates and regulations at the State level (municipal waste diversion, renewable energy mandate etc.) which have the potential to conflict both directly and in due to their implementation with regulatory measures to implement AB32 as adopted and proposed by CARB; and

WHEREAS, such conflicts severely impede the cities or state as well as regulated industry efforts to comply with both the applicable Federal regulations and regulations implementing AB32; and

WHEREAS, the existing and proposed regulations on both the State and Federal level result in an overall regulatory structure that is inconsistent and confusing making it virtually impossible or incredibly slow to start any new large scale projects within the State at a time where California infrastructure and its economy are in most need of refurbishment; and

WHEREAS, the existing and proposed regulations and unclear guidelines will also make it more difficult for smaller, pollution transport impacted air districts like the MDAQMD, to properly implement and enforce the regulations;

NOW, THEREFORE, BE IT RESOLVED, by the General Assembly of the League of California Cities assembled at the Annual Conference in San Diego, September 7, 2012, that the League encourages the existing 482 California cities to adopt resolutions requesting a suspension of the implementation of some, if not all, the regulations promulgated under the California Global Warming Solutions Act (AB 32 of 2006) until such time as the legal and regulatory inconsistencies can be resolved; and

BE IT FURTHER RESOLVED, that California cities request the California Air Resources Board and other applicable state agencies examine the impact of the regulations promulgated pursuant to AB 32 and for potential direct and indirect conflict with other existing regulations at both the State and Federal level including but not limited to the potential for gains in one area to jeopardize progress in another; and

BE IT FURTHER RESOLVED, that California cities request the California Air Resources Board and other applicable state agencies examine the overall economic impact of the regulations promulgated pursuant to AB 32 and their interaction with other existing regulations with emphasis upon the potential for job and other economic activity "flight" from California; and

BE IT FURTHER RESOLVED, that California cities request the State of California by and through its Governor, Legislature, and applicable state agencies should encourage the resolution of internal conflicts between and among existing Federal programs by supporting items including but not limited to: reopening the Federal Clean Air Act, New Source Review Reform, and efforts to regulate GHGs under a comprehensive Federal program.

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League of California Cities Staff Analysis on Resolution No. 4

Staff: Kyra Ross, Legislative Representative, (916) 658-8252
Committee: Environmental Quality Policy Committee

Summary:

This resolution encourages California cities to:

- 1.) Adopt resolutions requesting the suspension of the implementation of some, if not all, the regulations promulgated under the California Global Warming Solutions Act (AB 32) until such time as the legal and regulatory inconsistencies can be resolved;
- 2.) Asks cities to request the California Air Resources Board (CARB) and other applicable state agencies examine the impact of the regulations promulgated pursuant to AB 32, and for potential conflict with other existing regulations at both the State and Federal level including, but not limited to, the potential for gains in one area to jeopardize progress in another; and,
- 3.) Asks cities to request the CARB and other applicable state agencies examine the overall economic impact of the regulations promulgated pursuant to AB 32 and their interaction with other existing regulations with emphasis upon the potential for job and other economic activity “flight” from California; and,
- 4.) Asks cities to request the State to encourage the resolution of internal conflicts between and among existing Federal programs by supporting items, including but not limited to:
 - a. Reopening the Federal Clean Air Act;
 - b. New Source Review Reform; and,
 - c. Efforts to regulate greenhouse gas emissions under a comprehensive federal program.

Background:

AB 32 passed in 2006 and requires the State to reduce greenhouse gas emissions to 1990 levels by 2020. As the implementing agency, CARB developed and passed a Scoping Plan in 2008, outlining emission reduction measures to help the state meet its statutory reduction of greenhouse gas emissions. Since 2008, a number of measures outlined in the Scoping Plan have been implemented. Measures of interest to cities include: voluntary local government 15% reduction in greenhouse gas emissions; regional transportation-related greenhouse gas targets; landfill methane control; and green building codes.

At the same time, many of California’s 15 air basins are facing ongoing challenges to meeting federal air quality standards. It’s important to note that regulation of air quality in California is separated into two levels of regulation. CARB regulates air pollution from cars, trucks, buses and other sources, often referred to as “mobile sources”. Local air districts regulate businesses and industrial facilities. Local air districts are the bodies that regulate ozone, PM 2.5 and PM 10. Ground level ozone (ozone), more commonly referred to as smog, is a pollutant that forms on hot summer days (not to be confused with the ozone that forms in the upper atmosphere or stratosphere). Ozone is not directly emitted by one source but comes from a combination of volatile organic compounds and nitrogen oxides. In the presence of sunlight, especially on hot summer days, this mixture forms ozone. Particulate Matter (PM) is made up of fine solid or liquid such as dust, fly ash, soot, smoke, aerosols, fumes, mists, and condensing vapors. US EPA has set health based standards for particles smaller than 10 microns (PM 10) and particles smaller than 2.5 microns (PM 2.5). When these particles become airborne, they can be suspended in the air for long periods of time. Both PM 10 and PM 2.5 have been determined to cause serious adverse health effects.

According to an April 2012 report by the California Air Pollution Control Officer’s Association “California’s Progress Toward Clean Air”:

Despite significant improvements, air quality remains a major source of public health concern in large metropolitan areas throughout California. The San Joaquin and South Coast Air Basin

continue to face significant challenges in meeting the federal health-based standards for ozone and fine particles, despite their regional and state-level controls on mobile and stationary sources that are the most stringent in the nation. In 2007, both regions sought extension for meeting the 1997 8-hour federal ambient air quality standard for ozone. A comparable challenge faces each region with respect to attainment of the 1997 PM_{2.5} standard. Due to continued progress in health research, the federal EPA lowered the ambient concentration for the 8-hour ozone and 24-hour PM_{2.5} standards in 2008 and 2006, respectively. The net effect of these stricter standards is to raise the performance bar for California air basins. This will extend the timeframe for attainment in highly polluted regions as well as increase the number of basins with non-attainment status. Challenges also exist for air districts across California who are in attainment with the federal standards, as they continue to strive for attainment of the State's health-based ozone and PM standards, which are more stringent than the standards adopted by the US EPA.

According to the Sponsor, areas designated nonattainment are mandated under the provision of the federal Clean Air Act to require (pursuant to New Source Review Rules) Best Available Control Technology (BACT) and offsetting emissions reduction on major new or modified stationary sources of those nonattainment air pollutants and their precursors regardless of whether or not the area so designated has any control and not over the pollution causing the nonattainment finding.

The Sponsor also notes that there are a variety of other mandates and regulations at the state level that have the potential to conflict both directly and indirectly with the implementation of AB 32 measures being proposed and implemented by CARB. Two measures pointed out by the Sponsor are the existing mandate for local jurisdictions to divert 50% of solid waste from landfills (Public Resources Code 41780) and the state Renewable Portfolio Standard (RPS) that requires all retail sellers (Investor Owned Utilities, electric service providers, and community choice aggregators) and all publicly owned utilities to procure at least 33% of electricity delivered to their retail customers from renewable resources by 2020.

Fiscal Impact:

Unknown. No direct fiscal impact to city general funds.

Existing League Policy:

Specific to this Resolution, existing policy states:

Air Quality

- The League believes cities should have the authority to establish local air quality standards and programs that are stricter than state and federal standards. The League opposes efforts to restrict such authority.
- The League opposes legislation redirecting the funds authorized by Health and Safety Code Section 44223, which are currently used by local governments for locally based air quality programs.
- The League opposes air quality legislation that restricts the land use authority of cities.

Climate Change

- The League recognizes that climate change is both immediate and long term, with the potential for profound environmental, social and economic impacts to the planet and to California.
- Through the Global Warming Solutions Act of 2006 (AB 32 (Nuñez) Chapter 488, Statutes of 2006) California has embarked on a plan that requires the reduction of greenhouse gas emissions to 1990 levels by 2020. Although uncertainty remains about the pace, distribution and magnitude of the effects of climate change, the League recognizes the need for immediate actions to mitigate the sources of greenhouse gas emissions and has adopted the following principles:
 1. Action Plans for Mitigating Greenhouse Gas Emissions. Encourage local governments to complete

an inventory of greenhouse gas emissions, set appropriate reduction targets, and create greenhouse gas emission reduction action plans.

2. Smart Growth. Consistent with the League's Smart Growth policies, encourage the adoption of land use policies designed to reduce sprawl, preserve open space, and create healthy, vibrant, and sustainable communities.
3. Green Technology Investment Assistance. Support tax credits, grants, loans and other incentives to assist the public, businesses, and local agencies that invest in energy efficient equipment and technology, and fuel efficient, low emission vehicles.
4. Energy and Water Conservation and Efficiency. Encourage energy efficiency, water efficiency, and sustainable building practices in new and existing public, residential and commercial buildings and facilities. This may include using the U.S. Green Building Council's LEED program or similar systems.
5. Increase the Use of Clean Alternative Energy. Promote the use and purchase of clean alternative energy through the development of renewable energy resources, recovery of landfill methane for energy production and waste-to-energy technologies.
6. Reduction of Vehicle Emissions in Public Agency Fleets. Support the reduction of vehicle emissions through increased fuel efficiency, use of appropriate alternative fueled vehicles, and/or low emission vehicles in public agency fleets. Encourage the use of appropriate alternative fueled vehicles, and/or low emission vehicles in private fleets.
7. Climate Change Impacts. Encourage all levels of government to share information to prepare for climate change impacts.
8. Coordinated Planning. State policy should encourage and provide incentive for cities to coordinate and share planning information with neighboring cities, counties, and other governmental entities so that there are agreed upon regional blueprints and strategies for dealing with greenhouse gas emissions.
9. Water Supply for New Development. Encourage exchange of water supply information between state and local agencies, including information on the impacts of climate change on state and local water supplies.
10. Recycles Content and Green Purchasing Policies. Encourage the adoption and implementation of recycled content and green procurement policies, if fitness and quality are equal, including the adoption of an Environmental Management System and authorization of local agencies to consider criteria other than only cost in awarding contracts for services.

Additionally, the League's Mission Statement is "to expand and protect local control for cities through education and advocacy to enhance the quality of life for all Californians."

Finally, the League's Strategic Priorities for 2012, as adopted by the League Board of Directors, include:

In addition, the Strategic Priorities for 2012, as adopted by the League Board of Directors, are to:

1) Support Sustainable and Secure Public Employee Pensions and Benefits: Work in partnership with state leaders and other stakeholders to promote sustainable and secure public pensions and other post-employment benefits (OPEBs) to help ensure responsive and affordable public services for the people of our state and cities.

2) Promote Local Control for Strong Cities: Support or oppose legislation and proposed constitutional amendments based on whether they advance maximum local control by city governments over city revenues,

land use, redevelopment and other private activities to advance the public health, safety and welfare of city residents.

3) Build Strong Partnerships for a Stronger Golden State: Collaborate with other public and private groups and leaders to reform the structure and governance, and promote transparency, fiscal integrity, and responsiveness of our state government and intergovernmental system.

RESOLUTIONS REFERRED TO PUBLIC SAFETY POLICY COMMITTEE

◆1 A RESOLUTION CALLING UPON THE GOVERNOR AND LEGISLATURE TO ENACT LEGISLATION THAT WOULD CORRECT INEFFICIENCIES IN THE AUDIT SYSTEM, DISTRIBUTION SYSTEM AND INEQUITIES IN THE FORMULAS FOR DISTRIBUTING COURT ORDERED ARREST AND CITATION FINES, FEES AND ASSESSMENTS GENERATED BY LOCAL GOVERNMENT.

Source: City of Glendora

Referred to: Public Safety and Revenue & Taxation Policy Committee

Recommendation to General Resolutions Committee:

WHEREAS, the primary purpose of criminal and traffic laws is to improve safety for the public, where the cost involved to implement enforcement falls primarily upon local law enforcement agencies throughout the State; and

WHEREAS, if State laws are to be effectively enforced then local cities must have a fair revenue structure to pay the cost of making arrests and issuing citations for criminal and traffic violators; and

WHEREAS, the significant inequity in the amount cities receive in relation to the full cost of a citation and/or arrest results in an unfair distribution of revenue to cities that are generated by court fines, fees, surcharges, penalties and assessments levied on offenders; and

WHEREAS, the current inefficiencies in the system makes it practically impossible for cities to insure transparency and effectively audit, administer and manage public funds that are generated by cities and distributed by the State and County; and

WHEREAS, to adequately protect and serve the public during this time of declining revenue and deteriorating services the inequities in the system needs to be changed; and

WHEREAS, court-ordered debt collection and revenue distribution is a complex system where there are few audits, if ever, done to determine if cities are receiving their fair share of disbursements; and

WHEREAS, once a debt has been collected, in whole or in part, distributing the money is not simple as there are over 150 ways collection entities are required to distribute revenue collected from traffic and criminal court debts. Depending on the fine, fee, surcharge or penalty assessment imposed by the court has more than 3,100 separate court fines, fees, surcharges, penalties and assessments levied on offenders that appear in statutes spanning 27 different state code sections; and

WHEREAS, the current system makes it practically impossible for cities to effectively administer and manage public funds that are generated by cities. Because of the complex system cities cannot determine if they are receiving their fair share of the fines collected; and

WHEREAS, Counties and the State have statutory responsibility and power to conduct their audits, while cities do not currently have clear legal standing to demand access to court records for purposes of conducting audits in a thorough and transparent manner which further shrouds the understanding of when and how revenue is distributed; and

WHEREAS, in December 2011 at the request of the Glendora Police Department the Los Angeles Superior Court conducted a sample audit of 15 Glendora Police Department-issued citations from 2010. The results of the sample audit revealed the City of Glendora received about 12% (\$253) of the \$2,063 in paid fines for the 12 of the 15 citations submitted. Three (3) of the citations in the audit were sent to collection or warrants. Based on those results, the city received an average of \$21, while the State and County received an average of \$172 for each of the 12 citations. The percentage breakdown for the city was 12.25% as compared to the State and County's share of 86.75%; and

WHEREAS, issuing a typical vehicle code violation citation can involve up to an hour of the issuing officer's time and the time of a records clerk tasked with entering citations into the database costing approximately \$82 per hour. If the citation is challenged the cost increases another \$135 to cover the cost of court time and handling of the notices associated with such an appeal. Therefore, the cost incurred to issue a citation currently is between \$82 and \$217, while the sample audit reveals the city is receiving about \$21 in cost recovery; and

WHEREAS, officials with Superior Court openly admit that similar results would be expected for almost every jurisdiction in the State issuing citations due to the complexity and "Priority of Distribution" they must follow from the State of California. "Priority Distribution" is triggered when a court reduces a fine for a citation. This process prohibits Judges from reducing penalty assessments and thus the only discretion Judges have in reducing fines, fees and costs is to reduce the base fine, or city portion, of the total fine. This process has a significant impact on the amount of money cities issuing the citation will receive. Rarely is the reduction in the fine taken from other stakeholders. Cities are one of the lowest priorities on the distribution list and often find themselves receiving significantly less share-or no share after deducting State and County fees and surcharges; and now there let it be

RESOLVED by the General Assembly of the League of California Cities, assembled in San Diego on September 7, 2012, that the League of California Cities calls upon the State Legislature and Governor to:

1. Create an efficient system to provide cities with a clear authority to audit the distribution of fines, fees, assessments and administrative costs for criminal and traffic violations;
2. Enact legislation that changes the "Priority Distribution" mandate so cities receive the total cost of issuing, processing and testifying in court on criminal cases and traffic violations; and
3. That any reduction in fines, fees, assessments or costs should be equally distributed from the total fine imposed, not just from the city base fine.

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Background Information on Resolution No. 1

Source: City of Glendora

Background:

Court-ordered debt collection and revenue distribution is a complex system where there are few audits, if ever, done to determine if cities are receiving their fair share of disbursements. The current system makes it practically impossible for cities to effectively administer and manage public funds that are generated by cities. Because of the complex system cities cannot determine if they are receiving their fair share of the fines collected.

Once a debt has been collected, in whole or in part, distributing the money is not simple as there are over 150 ways collection entities are required to distribute revenue collected from traffic and criminal court debts, depending on the fine, fee, surcharge or penalty assessment imposed by the court and California has more than 3,100 separate court fines, fees, surcharges, penalties and assessments levied on offenders that appear in statutes spanning 27 different government code.

County and state have statutory responsibility and power to conduct their audits, while cities do not currently have clear legal standing to demand access to court records for purposes of conducting audits in a thorough and transparent manner which further shrouds the understanding of when and how revenue is distributed.

At the request of the City of Glendora, in December 2011, the Los Angeles Superior Court conducted a sample audit of 15 Glendora Police Department-issued citations from 2010. The results of the sample audit revealed the Glendora received about 12% (\$253) of the \$2,063 in paid fines for the 12 of the 15 citations submitted. Three (3) of the citations in the audit had been sent to collection or warrants. Based on those results, the city received an average of \$21, while the state and county received an average of \$172 for each of the 12 citations. The percentage breakdown for the city was 12.25% as compared to the state and county's share of 86.75.%

Issuing a typical vehicle code violation citation can involve up to an hour of the issuing officer's time and the records clerk tasked with entering citations into the database costing approximately \$82 per hour. If the citation is challenged the cost increases another \$135 to cover the cost of court time and handling of the notices associated with such an appeal. Therefore, the cost incurred to issue a citation that is currently between \$82 about \$217, while the sample audit reveals the city is receiving about \$21 in cost recovery.

Officials with Superior Court openly admit that similar results would be expected for almost every jurisdiction in the state because when a court reduces a fine it triggers a process called "Priority Distribution." This process prohibits Judges from reducing penalty assessments imposed by the county and state and thus the only discretion that Judges have in reducing fines is to reduce the Base Fine (City Portion) of the total fine. This mandate has a significant impact on the amount of money cities issuing the citation receive. Rarely is the reduction in the fine taken from other stakeholders. Cities are one of the lowest priority on the distribution so often they find themselves receiving significantly less share-or no share after deducting state and county fees and surcharges.

The primary cost to implement enforcement falls upon local law enforcement agencies throughout the state. This Resolution calls upon the State Legislature and Governor to create an efficient system to provide cities with a clear authority to audit the distribution of fines, fees, assessments and administrative costs for criminal and traffic violations. In addition, legislation should be developed and passed that changes the "Priority Distribution" mandate so the cities receive the total cost of issuing, processing and testifying in court on criminal cases and traffic violations and that any reduction in fines, fees, assessments or costs should be equally distributed from the total fine imposed.

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League of California Cities Staff Analysis on Resolution No. 1

Staff: Dorothy Holzem, Assoc. Legislative Representative, (916) 658-8214
Committee: Public Safety Policy Committee

Staff: Dan Carrigg, Legislative Representative, (916) 658-8222
Committee: Revenue and Taxation Policy Committee

Summary:

This Resolution urges the League of California Cities, through legislative or administrative means, to clarify the authority for cities to audit the distribution of court imposed fines, fees, penalty assessments and administrative costs for criminal and traffic violations.

It also urges the League to seek legislative changes to the “Priority Distribution” statutory formula so that cities receive the total cost of issuing, processing and testifying in court on criminal cases and traffic violations. The current statutory formula allows reductions to the base fine but maintains the same level of penalty assessments, based upon the full penalty charge.

Finally, any reductions that may occur in fines, fees, assessments or costs determinations should be equally distributed from the total fine imposed, not just from the city base fine.

This Resolution raises several policy questions:

- 1) Should cities have the authority to request audits and receive reports from a county or the state on the local share of revenue resulting from criminal and traffic violation penalties?
- 2) Should cost-recovery be a driving factor in setting monetary penalties for criminal or traffic violations?
- 3) Should reductions (as ordered by a judge) to the fines owed by violators be taken just out of the base fine, or should the base fine and related penalty assessments be reduced proportionately?

Background:

In California, criminal offenders may have additional penalty assessments made to their base fines. These penalty assessments are based on the concept of an “abusers fee,” in which those who break certain laws will help finance programs related to decreasing those violations. For example, drug and alcohol offenses and domestic violence offenses are enhanced by special assessments on fines that directly fund county programs designed to prevent the violations. All other criminal offenses and traffic violations are subject to penalty assessments that are used to fund specific state programs.

According to the Resolution sponsor, the City of Glendora, the court-ordered collection of penalty fines and additional assessments, as well as the subsequent revenue distribution, is a complex system where few audits are conducted to determine if cities are receiving their share of collections. The current system makes it practically impossible for cities to effectively administer and manage public funds that are generated by cities.

The League recently held in-depth policy discussions related to audit authority in light of the misconduct charges against the City of Bell in 2011. The League convened a technical working group to review audit legislation and administrative efforts by the State Controller’s Office. Following the work of this group, the League Board adopted principles supporting transparent, accurate financial and performance information. (See “Existing Policy” section below.) However, these principles did not address expanding cities’ audit authority over the state, counties, or other public agencies.

The sponsors state that there are over 150 ways collection entities are required to distribute revenue collected from traffic and criminal court debts. Depending on the fine, fee, surcharge or penalty assessment imposed, there are more than 3,100 separate court fines, fees, surcharges, penalties and assessments levied on offenders that appear in statutes spanning 27 different state code sections.

Generally, the base fines for criminal and traffic citations are significantly lower than the additional penalty assessments levied by the state and counties. In some instances, the penalty assessment for state and local programs can be three or four times the amount collected by the city or county agency that issued the citation through their local enforcement authority. The amount each program account receives is based on a statutory formula. For example, if a driving under the influence (DUI) fine is \$1000, specific dollar amounts proportionate to the base fine are added under six different code sections for a total price tag of \$3,320 for the offense.

Some examples of program accounts receiving penalty assessment revenues include Peace Officer Standards and Training (POST), victim witness protection and services, court security, court construction, forensic laboratories for DNA identification, and automated fingerprint identification. The impact of programs largely funded, if not solely funded, by penalty assessment revenue casts a wide net of stakeholders including counties, sheriffs, district attorneys, public defenders, fish and game wardens, victim advocates, and access to the judicial system advocates. Cities are also partial benefactors of penalty assessment funded programs related to law enforcement.

For the last three decades, this policy area has been under great scrutiny and study but with little reform taking place. The recommendations from past studies and reports to consolidate penalty assessment accounts or their collections efforts, which would require legislative action, have likely not gained traction because of the inevitable loss of revenue for the specific programs and the affected interest groups.

In 1986, the Legislature enacted Senate Concurrent Resolution 53, requiring the Legislative Analyst Office (LAO) to study the statutory penalty assessments that are levied by the courts on offenders and the state programs that the funds support. The completed 1988 study found a complicated system of collection and distribution of penalty funds. The LAO was unable to fully identify the source offenses that generated penalty revenues because of limitations in most county collection systems.

In 2005, the California Research Bureau issued a report for the Assembly Public Safety Committee on county penalty assessments that drew similar conclusions. They stated the complexity of the system means poor revenue collection, disproportionate justice for debtors, and undermines the usefulness of fines as a punishment or deterrent. They recommended efforts to streamline and consolidate collections, funding, and appropriations.

After some delay, the state created the Administrative Office of the Court's Court-Ordered Debt Task Force, which is charged with evaluating and exploring means to streamline the existing structure for imposing and distributing criminal and traffic fines and fees. This Task Force has been asked to present preliminary recommendations to the Legislature regarding the priority in which court-ordered debt should be satisfied and the use of comprehensive collection programs. Currently, the League of California Cities has two appointments to the Task Force. However, the Task Force has been put on hiatus and has not met for approximately 12 months due to significant state cuts to the court budget in recent years.

Currently, legislation was introduced this year to address the issue of cities not recouping the costs of issuing citations. The response has been to increase the base fine and not change penalty assessments. Assembly Bill 2366 (Eng) would increase the base fine of "fix-it" tickets from \$10 to \$25 dollars. This has largely been successful in the legislative fiscal committees because with every increase to the base fine for the issuing agency, so increases the state and county share of penalty assessments proportionately.

Lastly, in most instances when the legislature takes into consideration a fine increase, be it for manufacturer product responsibility or criminal acts, the legislature focuses on how the increased fine will alter behavior, not on recovering the costs of enforcing that violation.

Fiscal Impact:

Unknown. Potential additional revenue received by cities, if any, would vary based on total citations issued and collected.

Existing League Policy:

Related to this Resolution, existing policy offers:

- Cities and the League should continue to emphasize efficiency and effectiveness, encouraging and assisting cities to achieve the best possible use of city resources.
- The League supports efforts to preserve local authority and accountability for cities, state policies must ensure the integrity of existing city revenue sources for all cities, including the city share and situs allocation, where applicable, of property tax, sales tax, vehicle license fee, etc.

Audit Principles Adopted by the League Board

- Given the State already has substantial authority to examine local government financial practices, and recognizes the significant resources required by auditors and local governments to complete audits, additional authority should only be granted to a State agency when there are documented insufficiencies in its existing authority.
- Governmental financial audits and performance audits ensure financial integrity and promote efficient, effective and accountable local government.
- Transparent, accurate financial and performance information is necessary for citizens to have confidence that their interests are being served, and for decision makers to be accountable for ensuring that public funds are spent appropriately and effectively.
- Public trust is inspired when auditors perform their work with independence, objectivity and integrity, remaining free from personal, external and organizational impairments to that independence, both in fact and in appearance.
- Public confidence in government is maintained and strengthened when financial and performance information is collected, managed and reported in accordance with nationally recognized professional accounting and auditing standards.

The League's Mission Statement is "to expand and protect local control for cities through education and advocacy to enhance the quality of life for all Californians."

In addition, the Strategic Priorities for 2012, as adopted by the League Board of Directors, are to:

1) Support Sustainable and Secure Public Employee Pensions and Benefits: Work in partnership with state leaders and other stakeholders to promote sustainable and secure public pensions and other post-employment benefits (OPEBs) to help ensure responsive and affordable public services for the people of our state and cities.

2) Promote Local Control for Strong Cities: Support or oppose legislation and proposed constitutional amendments based on whether they advance maximum local control by city governments over city revenues,

land use, redevelopment and other private activities to advance the public health, safety and welfare of city residents.

3) Build Strong Partnerships for a Stronger Golden State: Collaborate with other public and private groups and leaders to reform the structure and governance, and promote transparency, fiscal integrity, and responsiveness of our state government and intergovernmental system.

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2. RESOLUTION OF THE LEAGUE OF CALIFORNIA CITIES RAISING PUBLIC AWARENESS AND SUPPORTING TOUGHER LAWS RELATED TO INTERNET CRIMES AGAINST CHILDREN

Source: San Diego County Division
Referred To: Public Safety Policy Committee
Recommendation to General Resolutions Committee:

WHEREAS, technology has brought significant changes to our society over the past two decades, many of which have had a positive effect on our quality of life while some have threatened the safety and well-being of our young children; and

WHEREAS, the internet has made victimization of children easier than ever before; and

WHEREAS, the internet has also significantly increased the availability of child pornography, with more than 6.5 million images being shared via the internet, compared to only a few hundred photos less than a generation ago; and

WHEREAS, some see viewing child pornography as a “victimless crime,” however these images are never completely eradicated from the internet and the victims continue to have their horrific photos viewed over and over again by pedophiles for sexual gratification; and

WHEREAS, in 2007 the National Center for Missing and Exploited Children reported it had identified 9.6 million images and videos of child pornography and believed there were millions more not identified; and

WHEREAS, in the 2006 Butner Redux Study, 98 percent of convicted child pornographers had molested children before their capture; and

WHEREAS, the United States is the number one producer and consumer of child pornography in the world, with more than 624,000 child pornography users identified nationwide.

NOW THEREFORE BE IT RESOLVED by the General Assembly of the League of California Cities assembled at the Annual Conference in San Diego, September 7, 2012, that the League of California Cities:

1. Desires to increase public awareness and educate others about the critical issue of internet crimes against children statewide.
2. Requests the League advocate for the State Legislature to adopt tougher laws for child pornographers.

3. Requests the League advocate for additional and more permanent funding for Internet Crimes Against Children Task Forces (ICAC) statewide.

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Background Information on Resolution No. 2

Source: San Diego County Division

Background:

Technology has brought significant changes to our society over the past two decades. While most have had a positive effect on our quality of life, many have threatened the safety and well-being of our young children.

The internet has made victimization of children much easier than ever before. Today, pedophiles can network with one another online, encourage one another to commit crimes against children, and share tips on evading law enforcement. Worse yet, they often use the internet – social media sites, in particular – to find and prey on young children. Many times, these innocent children are lured away from their homes by these perpetrators and never seen again.

The internet has also significantly increased the availability of child pornography. More than 6.5 million child abuse images are being shared via the internet today. Before this technology was in place, the number of photos available numbered in the few hundreds.

While some see viewing child pornography as a “victimless crime,” nothing could be further from the truth. One study showed that 98 percent of convicted child pornographers had molested children before being captured (Butner Redux Study, 2006).

Additionally, these images can never be completely eradicated from the internet once they are placed online. Therefore, victims continue to suffer the irrevocable damage of knowing their horrific photos are being viewed over and over again for sexual gratification by pedophiles.

Many believe these horrendous crimes happen mostly in other countries. Sadly, the United States is the number one producer and consumer of child pornography in the world, and American children are the primary victims. More than 624,000 child pornography users have been identified nationwide and thousands of these reside in San Diego County.

While the internet is exploited by these predators to harm children, it ironically is the same tool used by law enforcement to track down and arrest these criminals.

Your help is urgently needed to secure resources for this effort, increase public awareness, work to support tougher laws and educate others on this critical issue. While San Diego has one of the nation’s 61 ICAC task forces, its six trained investigators are overwhelmed with cases due to funding shortfalls.

With your help, these predators can be taken off the street and our children will be safer. Here is what needs to be done:

Change state law. The current "wobbler" (misdemeanor and felony) wording should be eliminated. All child pornography charges should be made a straight felony.

Strengthen sentencing. State sentencing on child pornography cases needs to be more in line with

federal sentencing.

Toughen discovery statutes. State discovery statutes should be amended to comply with the Adam Walsh Act. Child pornography is contraband that is easily reproduced and should be treated as such.

Change pornography evidence rules. Stop the practice of giving copies of child pornography evidence to the defense. Instead, provide the defense a secure area where they can view the evidence but not take possession of it.

Strike current law about possession/distribution of child pornography. Currently, state law allows for a defendant's conviction for possession and distribution of child pornography to be set aside if he/she has complied with all probation conditions, pursuant to Penal Code Section 1203.4.

Strengthen disclosure laws. If applying for any job other than public office, licensure by any state or local agency, or for contracting with the state lottery, a convicted possessor of child pornography does not need to disclose their prior conviction. That allows people who have been convicted of possessing or dealing in photos of child exploitation to get closer to children. PC 1203.4 already has exceptions for convictions of PC 286(c), 288, 288a(c), 2813.5, 289m, felony 261.5(d) and 42001(b) of the Vehicle Code. These convictions may not be set aside per PC 1203.4 and must always be disclosed. PC 311.1, 311.2, 311.3, 311.4, 311.10 and 311.11 should be added to the list of charges to which this type of relief does not apply.

Update reporting laws. The existing mandatory reporting law should be updated to include librarians and computer technicians.

Provide permanent funding for ICAC. Significantly more permanent funding is needed for Internet Crimes Against Children Task Forces (ICAC's). They are tasked with investigating crimes against children involving electronic devices. The crimes include child pornography, child molestation and peer-to-peer bullying. ICAC task force's are severely undersized and underfunded to keep up with the magnitude of the growing problem.

Increase public awareness. Public awareness of the issue needs be heightened particularly to parents and children as well as all public officials and the community in order to protect our children against these unspeakable crimes.

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League of California Cities Staff Analysis on Resolution No. 2

Staff: Dorothy Holzem, Assoc. Legislative Representative, (916) 658-8214

Committee: Public Safety Policy Committee

Summary:

This Resolution seeks to increase public awareness of the prevalence of internet crimes against children. To help promote this goal, the Resolution requests the League of California Cities advocate for legislation that creates tougher laws for child pornographers and provides additional, more permanent funding for Internet Crimes Against Children (ICAC) Task Forces.

Background:

According to the Resolution sponsors, the U.S. Census Bureau (2005) estimates that there are over 24.5 million internet users in the United States between the ages of 10 and 17. They cite that the rapid growth of internet accessibility has brought forth helpful tools for our children and youth. Unfortunately, it has also brought with it the increased potential for online victimization including unwanted exposure to sexual material, unwanted sexual solicitations, and online harassment.

The Internet Crimes Against Children (ICAC) Program was created to help federal, state and local law enforcement agencies enhance their investigative responses to offenders who use the internet, online communication systems, or computer technology to sexually exploit children. The program is funded by the United States Department of Justice, Office of Juvenile Justice and Delinquency Prevention. The program is a national network of 61 coordinated task forces representing over 3,000 federal, state, and local law enforcement and prosecutorial agencies. These agencies are engaged in proactive investigations, forensic investigations, and criminal prosecutions.

In FY 2009, ICAC Program received \$25 million under the Omnibus Appropriation Act to support ICAC task forces, training, and technical assistance. The ICAC Program received an additional \$50 million through the **American Reinvestment and Recovery Act** to support ICAC task forces, training, technical assistance, and research. In each of the past two fiscal years, the program received \$30 million nationally.

Existing California law addresses the policy area extensively in the areas of solicitation, pornography, and harassment with additional penalties often levied when the victim is a minor less than 14 years of age. Internet-based crimes against minors have been a popular topic in recent legislative proposals especially as new web-based technology is brought into the market. Legislation has included both increased penalties and greater protections or remedies for victims.

Fiscal Impact:

Unknown. No direct fiscal impact to city general funds.

Existing League Policy:

Related to this Resolution, existing policy offers:

The League believes that the children of California must be recognized as our state's most valuable resource. Their development, education, and well-being are key to our state's future. Further, it is essential that each child have the support needed to become a productive citizen in the world of the 21st Century.

The League supports the promotion of public safety through stiffer penalties for violent offenders.

The League's Mission Statement is "to expand and protect local control for cities through education and advocacy to enhance the quality of life for all Californians."

In addition, the Strategic Priorities for 2012, as adopted by the League Board of Directors, are to:

- 1) **Support Sustainable and Secure Public Employee Pensions and Benefits:** Work in partnership with state leaders and other stakeholders to promote sustainable and secure public pensions and other post-employment benefits (OPEBs) to help ensure responsive and affordable public services for the people of our state and cities.

- 2) **Promote Local Control for Strong Cities:** Support or oppose legislation and proposed constitutional amendments based on whether they advance maximum local control by city governments over city revenues, land use, redevelopment and other private activities to advance the public health, safety and welfare of city residents.

- 3) **Build Strong Partnerships for a Stronger Golden State:** Collaborate with other public and private groups and leaders to reform the structure and governance, and promote transparency, fiscal integrity, and responsiveness of our state government and intergovernmental system.

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5. A RESOLUTION CALLING FOR AN EMERGENCY MANAGEMENT MISSION FOR CALIFORNIA CITIES

Source: League Public Safety Policy Committee

Referred To: Public Safety Policy Committee

Recommendation to General Resolutions Committee:

WHEREAS, emergency management is a basic responsibility of city government and a fundamental duty of all city employees; and

WHEREAS, prepared, disaster resilient communities save lives, prevent injuries, protect property, promote economic stability, and rapid recovery; and

WHEREAS, employees who have a family plan and supplies will be more likely to stay at work or come to work after an emergency incident; and

WHEREAS, the National Incident Management System (NIMS) provides guidelines and requirements to ensure a national coordinated emergency response system, including training requirements; and

WHEREAS, the Standardized Emergency Management System (SEMS) provides the foundation for California cities to ensure a state-wide coordinated, standardized emergency response system. SEMS is intended to be flexible and adaptable to the needs of all emergency responders in California; and

WHEREAS, emergency managers are responsible for promoting and encouraging personal, family and community preparedness and readiness. It is critical to focus on and support public education and training to ensure that the public understands that government entities may need time to recover from disaster situations, and to spread the message that disaster resilience, or the ability to recover from a disaster situation, requires participation from the whole community; and

WHEREAS, The League of California Cities (League) recognizes that cities, counties and the state do not have the reserves to support residents with food, water, and other necessary supplies after an “emergency event”. Now, therefore let it be

RESOLVED, at the League General Assembly, assembled at the League Annual Conference on September 7, 2012, in San Diego, that the League encourages cities to actively pursue employee and resident emergency preparedness. In addition, the League encourages cities to actively engage residents in emergency preparedness programs that promote creating a family plan, including having supplies of food and water, in the promotion of self-reliance.

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League of California Cities Staff Analysis on Resolution No. 5

Staff: Dorothy Holzem, Assoc. Legislative Representative, (916) 658-8214

Committee: Public Safety Policy Committee

Summary:

This Resolution seeks to create a clear statement of support for emergency preparedness in the League of California Cities existing policy and guiding principles. Specifically, it requests that the League encourages cities to actively pursue employee and resident emergency preparedness and to engage residents in

emergency preparedness programs that promote creating a family plan, that includes provisions for supplies of food and water, in the promotion of self-reliance, with the ultimate goal of creating “disaster resilient” cities.

Background:

This resolution was brought to the Public Safety Policy Committee by that committee’s Emergency and Disaster Preparedness Subcommittee to create a clear statement of support for emergency response, management, and recovery efforts as a community. While the League has extensive policy that supports related activities, there is no explicit statement of support in the existing policy or guiding principles.

In addition, numerous articles in *Western City Magazine*, the League’s monthly publication, have featured case studies and best practices about emergency response and disaster preparedness. This topic has been a key component of the Public Safety Committee’s work program for the last five years.

Fiscal Impact:

Unknown. This Resolution does not seek to create new requirements for the League or cities. Possible costs to cities that take steps to educate community members about disaster preparedness could be off-set by future limited damage and loss of life or injury due to those preparedness efforts.

Existing League Policy:

Related to this Resolution, existing policy provides:

The League supports the 2-1-1 California telephone service as a non- emergency, human and community services and disaster information resource.

The League supports “Good Samaritan” protections that include both medical and non-medical care when applicable to volunteer emergency, law enforcement, and disaster recovery personnel. The League also supports providing “Good Samaritan” protections to businesses that voluntarily place automated external defibrillators (AEDs) on their premises to reduce barriers to AED accessibility

The League supports activities to develop and implement statewide integrated public safety communication systems that facilitate interoperability and other shared uses of public safety spectrum with local state and federal law enforcement, fire, emergency medical and other public safety agencies.

The League supports a single, efficient, performance-based state department (the California Emergency Management Agency) to be responsible for overseeing and coordinating emergency preparedness, response, recovery and homeland security activities.

The League supports disaster recovery legislation that includes mitigation for losses experienced by local government.

The League’s Mission Statement is “to expand and protect local control for cities through education and advocacy to enhance the quality of life for all Californians.”

In addition, the Strategic Priorities for 2012, as adopted by the League Board of Directors, are to:

1) Support Sustainable and Secure Public Employee Pensions and Benefits: Work in partnership with state leaders and other stakeholders to promote sustainable and secure public pensions and other post-employment benefits (OPEBs) to help ensure responsive and affordable public services for the people of our state and cities.

2) Promote Local Control for Strong Cities: Support or oppose legislation and proposed constitutional amendments based on whether they advance maximum local control by city governments over city revenues,

land use, redevelopment and other private activities to advance the public health, safety and welfare of city residents.

3) Build Strong Partnerships for a Stronger Golden State: Collaborate with other public and private groups and leaders to reform the structure and governance, and promote transparency, fiscal integrity, and responsiveness of our state government and intergovernmental system.

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RESOLUTION REFERRED TO REVENUE AND TAXATION POLICY COMMITTEE

- ◆1 **A RESOLUTION CALLING UPON THE GOVERNOR AND LEGISLATURE TO ENACT LEGISLATION THAT WOULD CORRECT INEFFICIENCIES IN THE AUDIT SYSTEM, DISTRIBUTION SYSTEM AND INEQUITIES IN THE FORMULAS FOR DISTRIBUTING COURT ORDERED ARREST AND CITATION FINES, FEES AND ASSESSMENTS GENERATED BY LOCAL GOVERNMENT.**

Resolution #1 also referred to Public Safety Policy Committee. **Please see Public Safety Policy Committee section for the resolution, background and staff analysis information.**



Check Register Report

Bank: BANK OF AMERICA - OPERATING
Reporting Period: 7/31/2012 to 8/10/2012

Date: 8/14/2012
Time: 10:33:34AM
Page 1 of 18

Check No.	Check Date	Vendor Name	Check Description	Amount	Department
Administrative Services					
81479	8/9/2012	FIGUEROA/ LOURDES//	REIMBURSE EDUC EXPS- SUMMER 12	1,279.12	Administrative Services
81422	8/8/2012	CYBERCOPY	COPY/PRINTING SERVICE	737.26	Administrative Services
81469	8/8/2012	US BANK	VISA- SOCIETY FOR HR MGMT	180.00	Administrative Services
81418	8/8/2012	ACORN NEWSPAPER	LEGAL ADVERTISING	156.00	Administrative Services
81418	8/8/2012	ACORN NEWSPAPER	LEGAL ADVERTISING	108.00	Administrative Services
81418	8/8/2012	ACORN NEWSPAPER	LEGAL ADVERTISING	96.00	Administrative Services
81435	8/8/2012	LANDS' END BUSINESS OUTFITTERS	STAFF SHIRTS - CITY CLERK	75.01	Administrative Services
81391	8/1/2012	DFM ASSOCIATES	ELECTION CODE HANDBOOKS	66.76	Administrative Services
81469	8/8/2012	US BANK	VISA- HOME DEPOT	64.70	Administrative Services
81415	8/1/2012	WAREHOUSE OFFICE & PAPER PROD.	OFFICE SUPPLIES	43.48	Administrative Services
81415	8/1/2012	WAREHOUSE OFFICE & PAPER PROD.	OFFICE SUPPLIES	39.04	Administrative Services
81422	8/8/2012	CYBERCOPY	COPY/PRINTING SERVICE	20.50	Administrative Services
81469	8/8/2012	US BANK	VISA- USPS	4.98	Administrative Services
81465	8/8/2012	WAREHOUSE OFFICE & PAPER PROD.	OFFICE SUPPLIES	-10.06	Administrative Services
Total Amount for 14 Line Item(s) from Administrative Services				\$2,860.79	
Boards and Commissions					
81485	8/9/2012	LIA/ROBERT//	PC MEETINGS 2/16/12-7/19/12	300.00	Boards and Commissions
81492	8/9/2012	SHUMACHER/RICK//	PC MEETINGS 2/16/12-7/19/12	300.00	Boards and Commissions
81473	8/9/2012	BROWN/DAVID//	PC MEETINGS 2/16/12-7/19/12	250.00	Boards and Commissions
81486	8/9/2012	MUELLER/JOHN//	PC MEETINGS 2/16/12-7/19/12	250.00	Boards and Commissions
81482	8/9/2012	KLEIN/GARY//	PC MEETINGS 2/16/12-7/19/12	250.00	Boards and Commissions
81493	8/9/2012	SIKAND/MARK//	PC MEETINGS 2/16/12-7/19/12	200.00	Boards and Commissions
81469	8/8/2012	US BANK	VISA- VONS	19.47	Boards and Commissions
Total Amount for 7 Line Item(s) from Boards and Commissions				\$1,569.47	
City Attorney					
81369	7/31/2012	COLANTUONO, LEVIN PC	GENERAL SERVICES	15,384.31	City Attorney
81369	7/31/2012	COLANTUONO, LEVIN PC	COUNTRY INN TOT	9,214.59	City Attorney
81371	7/31/2012	HOPKINS & CARLEY	LEGAL SERVICES	700.00	City Attorney
81369	7/31/2012	COLANTUONO, LEVIN PC	ASSESSMENTS & PROP 218	275.00	City Attorney
81369	7/31/2012	COLANTUONO, LEVIN PC	MISC SPECIAL COUNSEL PROJECTS	150.00	City Attorney
81369	7/31/2012	COLANTUONO, LEVIN PC	2008 NOV RE COLIFORM	125.00	City Attorney





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Total Amount for 6 Line Item(s) from City Attorney				\$25,848.90	
City Council					
81469	8/8/2012	US BANK	VISA- CALABASAS SELF STORAGE	184.00	City Council
81469	8/8/2012	US BANK	VISA- PUBLIC STORAGE	175.00	City Council
81469	8/8/2012	US BANK	VISA- JV'S BBQ	172.25	City Council
81465	8/8/2012	WAREHOUSE OFFICE & PAPER PROD.	OFFICE SUPPLIES	171.72	City Council
81401	8/1/2012	NWPC SFV	NWPC MEMBERSHIP	150.00	City Council
81375	7/31/2012	MARTIN/LUCY//	REIMB BUSINESS LUNCH EXPENSES	111.97	City Council
81469	8/8/2012	US BANK	VISA- STAPLES	76.11	City Council
81435	8/8/2012	LANDS' END BUSINESS OUTFITTERS	STAFF SHIRTS - CITY CLERK	75.02	City Council
81415	8/1/2012	WAREHOUSE OFFICE & PAPER PROD.	OFFICE SUPPLIES	19.56	City Council
81465	8/8/2012	WAREHOUSE OFFICE & PAPER PROD.	OFFICE SUPPLIES	19.56	City Council
81415	8/1/2012	WAREHOUSE OFFICE & PAPER PROD.	OFFICE SUPPLIES	9.98	City Council
Total Amount for 11 Line Item(s) from City Council				\$1,165.17	
City Management					
81384	7/31/2012	WAREHOUSE OFFICE & PAPER PROD.	OFFICE SUPPLIES	48.77	City Management
81469	8/8/2012	US BANK	VISA- AMAZON MARKETPLACE	38.41	City Management
81469	8/8/2012	US BANK	VISA- MARMALADE CAFE	29.97	City Management
81415	8/1/2012	WAREHOUSE OFFICE & PAPER PROD.	OFFICE SUPPLIES	29.51	City Management
Total Amount for 4 Line Item(s) from City Management				\$146.66	
Civic Center O&M					
81380	7/31/2012	SOUTHERN CALIFORNIA EDISON	ELECTRIC SERVICE	8,270.19	Civic Center O&M
81380	7/31/2012	SOUTHERN CALIFORNIA EDISON	ELECTRIC SERVICE	7,634.03	Civic Center O&M
81423	8/8/2012	DALE HOFFER ELECTRIC	ELECTRICAL REPAIRS	1,000.00	Civic Center O&M
81476	8/9/2012	COMELAND MAINTENANCE CO, INC.	JANITORIAL SERVICES	979.84	Civic Center O&M
81476	8/9/2012	COMELAND MAINTENANCE CO, INC.	JANITORIAL SERVICES	802.72	Civic Center O&M
81373	7/31/2012	LAS VIRGENES MUNICIPAL WATER	WATER SERVICE	764.77	Civic Center O&M
81373	7/31/2012	LAS VIRGENES MUNICIPAL WATER	WATER SERVICE	705.94	Civic Center O&M
81466	8/8/2012	WAXIE SANITARY SUPPLY	JANITORIAL SUPPLIES	683.14	Civic Center O&M
81469	8/8/2012	US BANK	VISA- FERGUSON ENT	540.73	Civic Center O&M
81469	8/8/2012	US BANK	VISA- FERGUSON ENT	540.72	Civic Center O&M



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81426	8/8/2012	EMERALD COAST PLANTSCAPES, INC	PLANT MAINTENANCE- JUL 2012	500.00	Civic Center O&M
81423	8/8/2012	DALE HOFFER ELECTRIC	ELECTRICAL REPAIRS	500.00	Civic Center O&M
81466	8/8/2012	WAXIE SANITARY SUPPLY	JANITORIAL SUPPLIES	434.01	Civic Center O&M
81426	8/8/2012	EMERALD COAST PLANTSCAPES, INC	PLANT MAINTENANCE- JUL 2012	250.00	Civic Center O&M
81410	8/1/2012	SECURAL SECURITY CORP	PATROL CAR SERVICES- CIVIC CTR	212.50	Civic Center O&M
81410	8/1/2012	SECURAL SECURITY CORP	PATROL CAR SERVICES- CIVIC CTR	212.50	Civic Center O&M
81463	8/8/2012	SOUTH COAST A.Q.M.D	OPERATING FEE FOR GENERATOR	155.43	Civic Center O&M
81463	8/8/2012	SOUTH COAST A.Q.M.D	OPERATING FEE FOR GENERATOR	155.42	Civic Center O&M
81469	8/8/2012	US BANK	VISA- ROLLS HIGH REACH	104.37	Civic Center O&M
81469	8/8/2012	US BANK	VISA- ROLLS HIGH REACH	104.36	Civic Center O&M
81494	8/9/2012	SOUTH COAST A.Q.M.D	EMISSION FEE FOR GENERATOR	57.78	Civic Center O&M
81494	8/9/2012	SOUTH COAST A.Q.M.D	EMISSION FEE FOR GENERATOR	57.78	Civic Center O&M
81469	8/8/2012	US BANK	VISA- HOME DEPOT	43.09	Civic Center O&M
81373	7/31/2012	LAS VIRGENES MUNICIPAL WATER	WATER SERVICE	15.60	Civic Center O&M
81373	7/31/2012	LAS VIRGENES MUNICIPAL WATER	WATER SERVICE	14.40	Civic Center O&M
81469	8/8/2012	US BANK	VISA- LOWES	9.96	Civic Center O&M
Total Amount for 26 Line Item(s) from Civic Center O&M				\$24,749.28	

Community Development

81499	8/9/2012	WILLDAN ASSOCIATES INC.	BLDG & SAFETY SERVICES- JUN 12	9,944.34	Community Development
81499	8/9/2012	WILLDAN ASSOCIATES INC.	BLDG & SAFETY SERVICES- JUN 12	2,596.62	Community Development
81378	7/31/2012	PETTY CASH-CITY HALL	REPLENISH PETTY CASH	297.20	Community Development
81477	8/9/2012	DEAN/JAMES//	OAK TREE REVIEW SERVICES	218.75	Community Development
81429	8/8/2012	GOOR/ LORI//	MINUTES- 7/19 PLANNG CMSN MTG	182.00	Community Development
81415	8/1/2012	WAREHOUSE OFFICE & PAPER PROD.	OFFICE SUPPLIES	144.42	Community Development
81378	7/31/2012	PETTY CASH-CITY HALL	REPLENISH PETTY CASH	18.00	Community Development
81378	7/31/2012	PETTY CASH-CITY HALL	REPLENISH PETTY CASH	16.30	Community Development
81469	8/8/2012	US BANK	VISA- CA CODE ENFORCEMENT	-25.00	Community Development
81469	8/8/2012	US BANK	VISA- BROWN PAPER TICKETS	-37.22	Community Development
Total Amount for 10 Line Item(s) from Community Development				\$13,355.41	

Community Services

81497	8/9/2012	VENCO WESTERN, INC.	LANDSCAPE MAINTENANCE- SCHL	8,000.00	Community Services
81385	8/1/2012	A RENTAL CONNECTION	EQUIPMENT RENTAL- 4TH OF JULY	5,999.75	Community Services
81447	8/8/2012	NOTIONIST	BROCHURE DESIGN- FALL 2012	5,000.00	Community Services



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81405	8/1/2012	R P BARRICADE INC	EQUIPMENT RENTAL- 4TH OF JULY	3,298.00	Community Services
81425	8/8/2012	DSR AUDIO	SOUND/POWER- CONCERT	2,500.00	Community Services
81449	8/8/2012	PARKER-ANDERSON ENRICHMENT	RECREATION INSTRUCTOR	2,040.00	Community Services
81424	8/8/2012	DIAL M PRODUCTIONS	ENTERTAINMENT- SUNSETS	2,000.00	Community Services
81405	8/1/2012	R P BARRICADE INC	EQUIPMENT RENTAL- 4TH OF JULY	1,893.15	Community Services
81469	8/8/2012	US BANK	VISA- POLARIS MOBILE SERVICE	1,816.94	Community Services
81380	7/31/2012	SOUTHERN CALIFORNIA EDISON	ELECTRIC SERVICE	1,557.40	Community Services
81498	8/9/2012	WAREHOUSE OFFICE & PAPER PROD.	OFFICE SUPPLIES	1,408.18	Community Services
81368	7/31/2012	CITY OF AGOURA HILLS	SAVVY SENIOR EXCURSION	1,361.00	Community Services
81496	8/9/2012	THORNTON/JOHN PAUL//	RECREATION INSTRUCTOR	1,210.40	Community Services
81387	8/1/2012	ALLIANT INSURANCE SERVICES INC	SPECIAL EVENTS INS-4TH OF JULY	1,108.56	Community Services
81402	8/1/2012	PARKER-ANDERSON ENRICHMENT	RECREATION INSTRUCTOR	840.00	Community Services
81467	8/8/2012	YEEOPP/BETTY//	RECREATION INSTRUCTOR	744.01	Community Services
81469	8/8/2012	US BANK	VISA- CALABASAS SELF STORAGE	658.00	Community Services
81469	8/8/2012	US BANK	VISA- BARCO PRODUCTS	655.38	Community Services
81420	8/8/2012	CALIFORNIA CIVIL ENGINEERING	TRAFFIC SIGN MAINTENANCE	600.00	Community Services
81469	8/8/2012	US BANK	VISA- GODMOTHER OF MALIBU	520.00	Community Services
81495	8/9/2012	SOUTHERN CALIFORNIA EDISON	ELECTRIC SERVICE	506.37	Community Services
81419	8/8/2012	ALLEN/HARVEY//	BASKETBALL/OFFICIAL/SCORER	455.00	Community Services
81469	8/8/2012	US BANK	VISA- SMART & FINAL	422.39	Community Services
81377	7/31/2012	PEERLESS BUILDING MAINTENANCE	JANITORIAL SERVICES	420.00	Community Services
81377	7/31/2012	PEERLESS BUILDING MAINTENANCE	JANITORIAL SERVICES	420.00	Community Services
81377	7/31/2012	PEERLESS BUILDING MAINTENANCE	JANITORIAL SERVICES	420.00	Community Services
81377	7/31/2012	PEERLESS BUILDING MAINTENANCE	JANITORIAL SERVICES	420.00	Community Services
81377	7/31/2012	PEERLESS BUILDING MAINTENANCE	JANITORIAL SERVICES	420.00	Community Services
81403	8/1/2012	PEERLESS BUILDING MAINTENANCE	JANITORIAL SERVICES	420.00	Community Services
81410	8/1/2012	SECURAL SECURITY CORP	PATROL CAR SERVICES- GATES/GRP	420.00	Community Services
81469	8/8/2012	US BANK	VISA- TIRE MAN	405.34	Community Services
81462	8/8/2012	SO CA MUNI ATHLETIC FEDERATION	CLASS INSURANCE	404.80	Community Services
81469	8/8/2012	US BANK	VISA- FEDEX OFFICE	399.12	Community Services
81387	8/1/2012	ALLIANT INSURANCE SERVICES INC	SPECIAL EVENTS INS- CONCERTS	339.61	Community Services
81394	8/1/2012	FOUNTAIN SUPPLY COMPANY	CUSTODIAL SUPPLIES	320.97	Community Services
81469	8/8/2012	US BANK	VISA- WOODRANCH BBQ	302.87	Community Services
81404	8/1/2012	QUALITY PARKING SERVICE, INC	PARKING SERVICE- CONCERT	300.00	Community Services
81457	8/8/2012	RUBIN/RONNIE//	BASKETBALL/OFFICIAL/SCORER	287.00	Community Services
81410	8/1/2012	SECURAL SECURITY CORP	SECURITY- CONCERT	266.00	Community Services
81469	8/8/2012	US BANK	VISA- ORIENTAL TRADING CO	257.40	Community Services



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81408	8/1/2012	S & S PORTABLE SERVICES	RESTROOMS- CONCERT	233.81	Community Services
81469	8/8/2012	US BANK	VISA- ORIENTAL TRADING CO	219.19	Community Services
81469	8/8/2012	US BANK	VISA- HOWARD SOMMERS	175.00	Community Services
81469	8/8/2012	US BANK	VISA- CA PARK & REC	155.00	Community Services
81451	8/8/2012	PORTRARO/SAL//	BASKETBALL/OFFICIAL/SCORER	150.00	Community Services
81453	8/8/2012	RAMIREZ/MICHAEL//	BASKETBALL/OFFICIAL/SCORER	150.00	Community Services
81431	8/8/2012	HALL/JACKSON//	BASKETBALL/OFFICIAL/SCORER	144.00	Community Services
81436	8/8/2012	LAUTERBACH/ JASON//	BASKETBALL/OFFICIAL/SCORER	144.00	Community Services
81438	8/8/2012	LAUTERBACH/RACHEL//	BASKETBALL/OFFICIAL/SCORER	144.00	Community Services
81428	8/8/2012	GADBURY/KEITH//	BASKETBALL/OFFICIAL/SCORER	141.00	Community Services
81469	8/8/2012	US BANK	VISA- UNION 76	130.00	Community Services
81469	8/8/2012	US BANK	VISA- 7-ELEVEN	124.75	Community Services
81469	8/8/2012	US BANK	VISA- TARGET	103.99	Community Services
81444	8/8/2012	MOSTON/PHIL//	BASKETBALL/OFFICIAL/SCORER	96.00	Community Services
81469	8/8/2012	US BANK	VISA- VIVA WHOLESALE	94.00	Community Services
81372	7/31/2012	HOUSE SANITARY SUPPLY, INC.	JANITORIAL SUPPLIES	93.63	Community Services
81469	8/8/2012	US BANK	VISA- TARGET	91.47	Community Services
81469	8/8/2012	US BANK	VISA- LOWES	84.99	Community Services
81469	8/8/2012	US BANK	VISA- PARTY CITY	82.53	Community Services
81456	8/8/2012	RICHARD/MARK//	BASKETBALL/OFFICIAL/SCORER	81.00	Community Services
81464	8/8/2012	TEMME/ROBERT//	BASKETBALL/OFFICIAL/SCORER	81.00	Community Services
81469	8/8/2012	US BANK	VISA- DO IT CENTER	80.36	Community Services
81414	8/1/2012	UNITED SITE SERVICES OF CA INC	PORTABLE TOILET RENTAL	78.10	Community Services
81469	8/8/2012	US BANK	VISA- ITALIA DELI & BAKE	69.98	Community Services
81432	8/8/2012	HOUSE SANITARY SUPPLY, INC.	JANITORIAL SUPPLIES	67.62	Community Services
81469	8/8/2012	US BANK	VISA- RALPHS	66.97	Community Services
81364	7/31/2012	AT&T	TELEPHONE SERVICE	66.41	Community Services
81469	8/8/2012	US BANK	VISA- EXXON MOBIL	65.19	Community Services
81469	8/8/2012	US BANK	VISA- SHELL OIL	65.01	Community Services
81469	8/8/2012	US BANK	VISA- BARRONES PIZZERIA	61.87	Community Services
81430	8/8/2012	GROSSMAN/MICHAEL//	BASKETBALL/OFFICIAL/SCORER	60.00	Community Services
81440	8/8/2012	MAY/STEVEN//	BASKETBALL/OFFICIAL/SCORER	60.00	Community Services
81469	8/8/2012	US BANK	VISA- HOME DEPOT	59.60	Community Services
81469	8/8/2012	US BANK	VISA- HOME DEPOT	57.82	Community Services
81469	8/8/2012	US BANK	VISA- RALPHS	49.99	Community Services
81469	8/8/2012	US BANK	VISA- CALABASAS CAR CARE	49.20	Community Services
81437	8/8/2012	LAUTERBACH/HOWARD//	BASKETBALL/OFFICIAL/SCORER	48.00	Community Services



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81469	8/8/2012	US BANK	VISA- SUBWAY	42.52	Community Services
81364	7/31/2012	AT&T	TELEPHONE SERVICE	39.64	Community Services
81469	8/8/2012	US BANK	VISA- THE PHONE SPA	38.06	Community Services
81398	8/1/2012	JAM FIRE PROTECTION	QUARTERLY MONITORING- CRKSIDE	36.00	Community Services
81469	8/8/2012	US BANK	VISA- DO IT CENTER	29.37	Community Services
81469	8/8/2012	US BANK	VISA- AGOURA LOCK TECH	23.28	Community Services
81413	8/1/2012	TRI-CO EXTERMINATING CO.	PEST CONTROL SERVICES	22.50	Community Services
81469	8/8/2012	US BANK	VISA- ALBERTSONS	19.43	Community Services
81469	8/8/2012	US BANK	VISA- UNION 76	18.99	Community Services
81469	8/8/2012	US BANK	VISA- RALPHS	18.26	Community Services
81469	8/8/2012	US BANK	VISA- JOANN FABRIC	16.24	Community Services
81469	8/8/2012	US BANK	VISA- UPS STORE	11.60	Community Services
81469	8/8/2012	US BANK	VISA- DO IT CENTER	11.51	Community Services
81469	8/8/2012	US BANK	VISA- FRANKLINS HARDWARE	8.68	Community Services
81469	8/8/2012	US BANK	VISA- RITE AID	2.71	Community Services
81381	7/31/2012	SOUTHERN CALIFORNIA GAS CO	GAS SERVICE	1.76	Community Services
81432	8/8/2012	HOUSE SANITARY SUPPLY, INC.	JANITORIAL SUPPLIES	-86.62	Community Services
81469	8/8/2012	US BANK	VISA- ORIENTAL TRADING CO	-236.00	Community Services
Total Amount for 95 Line Item(s) from Community Services				\$54,561.05	

Finance

81376	7/31/2012	MOSS, LEVY & HARTZHEIM	AUDIT WORK TO DATE FY 11/12	10,000.00	Finance
81469	8/8/2012	US BANK	VISA- FOX LAMINATING	39.50	Finance
81469	8/8/2012	US BANK	VISA- VERIZON STORE	32.61	Finance
81469	8/8/2012	US BANK	VISA- APPLE STORE	9.99	Finance
81446	8/8/2012	NATIONAL FINANCIAL SERVICES	AUDIT REQUEST FEE	5.00	Finance
Total Amount for 5 Line Item(s) from Finance				\$10,087.10	

Klubhouse Preschool

81469	8/8/2012	US BANK	VISA- COMM CARE LICENSING	2,640.00	Klubhouse Preschool
81469	8/8/2012	US BANK	VISA- DISCOUNT SCHOOL SUPPLY	1,542.54	Klubhouse Preschool
81469	8/8/2012	US BANK	VISA- COASTAL MEDIA GRP	1,425.00	Klubhouse Preschool
81469	8/8/2012	US BANK	VISA- DISCOUNT SCHOOL SUPPLY	1,278.70	Klubhouse Preschool
81377	7/31/2012	PEERLESS BUILDING MAINTENANCE	JANITORIAL SERVICES	980.00	Klubhouse Preschool
81377	7/31/2012	PEERLESS BUILDING MAINTENANCE	JANITORIAL SERVICES	980.00	Klubhouse Preschool



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81377	7/31/2012	PEERLESS BUILDING MAINTENANCE	JANITORIAL SERVICES	980.00	Klubhouse Preschool
81377	7/31/2012	PEERLESS BUILDING MAINTENANCE	JANITORIAL SERVICES	980.00	Klubhouse Preschool
81377	7/31/2012	PEERLESS BUILDING MAINTENANCE	JANITORIAL SERVICES	980.00	Klubhouse Preschool
81403	8/1/2012	PEERLESS BUILDING MAINTENANCE	JANITORIAL SERVICES	980.00	Klubhouse Preschool
81469	8/8/2012	US BANK	VISA- LAKESHORE LEARNING	867.40	Klubhouse Preschool
81465	8/8/2012	WAREHOUSE OFFICE & PAPER PROD.	OFFICE SUPPLIES	797.95	Klubhouse Preschool
81469	8/8/2012	US BANK	VISA- SKY HIGH SPORTS	476.00	Klubhouse Preschool
81469	8/8/2012	US BANK	VISA- SMART & FINAL	475.54	Klubhouse Preschool
81469	8/8/2012	US BANK	VISA- HOME DEPOT	263.93	Klubhouse Preschool
81469	8/8/2012	US BANK	VISA- ORIENTAL TRADING CO	260.73	Klubhouse Preschool
81469	8/8/2012	US BANK	VISA- FAZIO CLEANERS	250.00	Klubhouse Preschool
81469	8/8/2012	US BANK	VISA- UNDERWOOD FAMILY FARMS	240.00	Klubhouse Preschool
81372	7/31/2012	HOUSE SANITARY SUPPLY, INC.	JANITORIAL SUPPLIES	218.46	Klubhouse Preschool
81469	8/8/2012	US BANK	VISA- TARGET	200.37	Klubhouse Preschool
81465	8/8/2012	WAREHOUSE OFFICE & PAPER PROD.	OFFICE SUPPLIES	188.90	Klubhouse Preschool
81465	8/8/2012	WAREHOUSE OFFICE & PAPER PROD.	OFFICE SUPPLIES	179.46	Klubhouse Preschool
81432	8/8/2012	HOUSE SANITARY SUPPLY, INC.	JANITORIAL SUPPLIES	157.78	Klubhouse Preschool
81364	7/31/2012	AT&T	TELEPHONE SERVICE	154.95	Klubhouse Preschool
81504	8/10/2012	SECURAL SECURITY CORP	SECURITY- CREEKSIDE PARK	145.00	Klubhouse Preschool
81415	8/1/2012	WAREHOUSE OFFICE & PAPER PROD.	OFFICE SUPPLIES	100.40	Klubhouse Preschool
81398	8/1/2012	JAM FIRE PROTECTION	QUARTERLY MONITORING- CRKSIDE	84.00	Klubhouse Preschool
81413	8/1/2012	TRI-CO EXTERMINATING CO.	PEST CONTROL SERVICES	52.50	Klubhouse Preschool
81363	7/31/2012	ARROWHEAD	WATER SERVICE	50.56	Klubhouse Preschool
81469	8/8/2012	US BANK	VISA- JOANN FABRIC	48.84	Klubhouse Preschool
81363	7/31/2012	ARROWHEAD	WATER SERVICE	46.49	Klubhouse Preschool
81415	8/1/2012	WAREHOUSE OFFICE & PAPER PROD.	OFFICE SUPPLIES	39.69	Klubhouse Preschool
81363	7/31/2012	ARROWHEAD	WATER SERVICE	31.90	Klubhouse Preschool
81363	7/31/2012	ARROWHEAD	WATER SERVICE	31.57	Klubhouse Preschool
81469	8/8/2012	US BANK	VISA- CA SCIENCE CENTER	25.00	Klubhouse Preschool
81469	8/8/2012	US BANK	VISA- VONS	18.86	Klubhouse Preschool
81415	8/1/2012	WAREHOUSE OFFICE & PAPER PROD.	OFFICE SUPPLIES	14.12	Klubhouse Preschool
81469	8/8/2012	US BANK	VISA- MICHAELS	10.85	Klubhouse Preschool
81469	8/8/2012	US BANK	VISA- RALPHS	10.64	Klubhouse Preschool
Total Amount for 39 Line Item(s) from Klubhouse Preschool				\$18,208.13	

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81388	8/1/2012	BWI	BOOKS-LIBRARY	786.96	Library
81397	8/1/2012	INGRAM LIBRARY SERVICES	BOOKS-LIBRARY	540.80	Library
81469	8/8/2012	US BANK	VISA- COSTCO	483.07	Library
81445	8/8/2012	MOVIE LICENSING USA	ANNUAL COPYRIGHT LICENSE	475.00	Library
81472	8/9/2012	AUDIOGO	BOOKS ON CD	451.98	Library
81427	8/8/2012	FINE ART SERVICES	ART RENTAL INSTALLATION	320.00	Library
81397	8/1/2012	INGRAM LIBRARY SERVICES	BOOKS-LIBRARY	287.46	Library
81406	8/1/2012	RECORDED BOOKS, LLC	BOOKS ON CD	263.28	Library
81469	8/8/2012	US BANK	VISA- RESEARCH TECHNOLOGY	191.02	Library
81379	7/31/2012	RANDOM HOUSE, INC.	BOOKS ON CD	171.39	Library
81364	7/31/2012	AT&T	TELEPHONE SERVICE	146.18	Library
81406	8/1/2012	RECORDED BOOKS, LLC	BOOKS ON CD	127.11	Library
81397	8/1/2012	INGRAM LIBRARY SERVICES	BOOKS-LIBRARY	117.26	Library
81454	8/8/2012	RANDOM HOUSE, INC.	BOOKS ON CD	116.31	Library
81388	8/1/2012	BWI	BOOKS-LIBRARY	111.83	Library
81406	8/1/2012	RECORDED BOOKS, LLC	BOOKS ON CD	105.76	Library
81397	8/1/2012	INGRAM LIBRARY SERVICES	BOOKS-LIBRARY	98.09	Library
81406	8/1/2012	RECORDED BOOKS, LLC	BOOKS ON CD	87.03	Library
81454	8/8/2012	RANDOM HOUSE, INC.	BOOKS ON CD	81.61	Library
81379	7/31/2012	RANDOM HOUSE, INC.	BOOKS ON CD	71.39	Library
81469	8/8/2012	US BANK	VISA- USPS	67.44	Library
81388	8/1/2012	BWI	BOOKS-LIBRARY	65.42	Library
81397	8/1/2012	INGRAM LIBRARY SERVICES	BOOKS-LIBRARY	64.10	Library
81397	8/1/2012	INGRAM LIBRARY SERVICES	BOOKS-LIBRARY	63.62	Library
81397	8/1/2012	INGRAM LIBRARY SERVICES	BOOKS-LIBRARY	57.96	Library
81443	8/8/2012	MIDWEST TAPE	DVD'S-LIBRARY	54.68	Library
81365	7/31/2012	AUDIOGO	BOOKS ON CD	52.46	Library
81454	8/8/2012	RANDOM HOUSE, INC.	BOOKS ON CD	42.85	Library
81397	8/1/2012	INGRAM LIBRARY SERVICES	BOOKS-LIBRARY	41.32	Library
81397	8/1/2012	INGRAM LIBRARY SERVICES	BOOKS-LIBRARY	41.23	Library
81397	8/1/2012	INGRAM LIBRARY SERVICES	BOOKS-LIBRARY	38.03	Library
81365	7/31/2012	AUDIOGO	BOOKS ON CD	37.49	Library
81397	8/1/2012	INGRAM LIBRARY SERVICES	BOOKS-LIBRARY	37.38	Library
81455	8/8/2012	RECORDED BOOKS, LLC	BOOKS ON CD	35.89	Library
81469	8/8/2012	US BANK	VISA- USPS	35.04	Library
81379	7/31/2012	RANDOM HOUSE, INC.	BOOKS ON CD	32.24	Library
81469	8/8/2012	US BANK	VISA- SMART & FINAL	30.13	Library



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81397	8/1/2012	INGRAM LIBRARY SERVICES	BOOKS-LIBRARY	28.90	Library
81469	8/8/2012	US BANK	VISA- LAKESHORE LEARNING	28.88	Library
81400	8/1/2012	MIDWEST TAPE	DVD'S-LIBRARY	27.34	Library
81469	8/8/2012	US BANK	VISA- USPS	26.18	Library
81397	8/1/2012	INGRAM LIBRARY SERVICES	BOOKS-LIBRARY	24.05	Library
81397	8/1/2012	INGRAM LIBRARY SERVICES	BOOKS-LIBRARY	23.80	Library
81397	8/1/2012	INGRAM LIBRARY SERVICES	BOOKS-LIBRARY	20.57	Library
81397	8/1/2012	INGRAM LIBRARY SERVICES	BOOKS-LIBRARY	20.37	Library
81397	8/1/2012	INGRAM LIBRARY SERVICES	BOOKS-LIBRARY	20.03	Library
81397	8/1/2012	INGRAM LIBRARY SERVICES	BOOKS-LIBRARY	19.48	Library
81443	8/8/2012	MIDWEST TAPE	DVD'S-LIBRARY	16.64	Library
81443	8/8/2012	MIDWEST TAPE	DVD'S-LIBRARY	15.64	Library
81388	8/1/2012	BWI	BOOKS-LIBRARY	13.82	Library
81397	8/1/2012	INGRAM LIBRARY SERVICES	BOOKS-LIBRARY	13.19	Library
81469	8/8/2012	US BANK	VISA- RALPHS	11.48	Library
81379	7/31/2012	RANDOM HOUSE, INC.	BOOKS ON CD	10.88	Library
81469	8/8/2012	US BANK	VISA- RALPHS	7.99	Library
81469	8/8/2012	US BANK	VISA- MICHAELS	5.51	Library
Total Amount for 55 Line Item(s) from Library				\$6,165.56	

LMD #22

81373	7/31/2012	LAS VIRGENES MUNICIPAL WATER	WATER SERVICE	4,102.80	LMD #22
81373	7/31/2012	LAS VIRGENES MUNICIPAL WATER	WATER SERVICE	3,837.84	LMD #22
81373	7/31/2012	LAS VIRGENES MUNICIPAL WATER	WATER SERVICE	3,155.44	LMD #22
81383	7/31/2012	VENCO WESTERN, INC.	LANDSCAPE MAINTENANCE- LMD	776.69	LMD #22
81383	7/31/2012	VENCO WESTERN, INC.	LANDSCAPE MAINTENANCE- LMD	550.00	LMD #22
81500	8/10/2012	AZTECA LANDSCAPE	LANDSCAPE MAINTENANCE	496.77	LMD #22
81383	7/31/2012	VENCO WESTERN, INC.	LANDSCAPE MAINTENANCE- LMD	392.56	LMD #22
81383	7/31/2012	VENCO WESTERN, INC.	LANDSCAPE MAINTENANCE- LMD	372.97	LMD #22
81383	7/31/2012	VENCO WESTERN, INC.	LANDSCAPE MAINTENANCE- LMD	174.17	LMD #22
81383	7/31/2012	VENCO WESTERN, INC.	LANDSCAPE MAINTENANCE- LMD	120.83	LMD #22
81383	7/31/2012	VENCO WESTERN, INC.	LANDSCAPE MAINTENANCE- LMD	109.88	LMD #22
81505	8/10/2012	SOUTHERN CALIFORNIA EDISON	ELECTRIC SERVICE	77.80	LMD #22
81505	8/10/2012	SOUTHERN CALIFORNIA EDISON	ELECTRIC SERVICE	77.28	LMD #22
81505	8/10/2012	SOUTHERN CALIFORNIA EDISON	ELECTRIC SERVICE	44.78	LMD #22
81505	8/10/2012	SOUTHERN CALIFORNIA EDISON	ELECTRIC SERVICE	31.85	LMD #22



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81505	8/10/2012	SOUTHERN CALIFORNIA EDISON	ELECTRIC SERVICE	30.47	LMD #22
81505	8/10/2012	SOUTHERN CALIFORNIA EDISON	ELECTRIC SERVICE	29.45	LMD #22
81505	8/10/2012	SOUTHERN CALIFORNIA EDISON	ELECTRIC SERVICE	24.97	LMD #22
81505	8/10/2012	SOUTHERN CALIFORNIA EDISON	ELECTRIC SERVICE	23.49	LMD #22
81505	8/10/2012	SOUTHERN CALIFORNIA EDISON	ELECTRIC SERVICE	23.49	LMD #22
81505	8/10/2012	SOUTHERN CALIFORNIA EDISON	ELECTRIC SERVICE	23.46	LMD #22
81505	8/10/2012	SOUTHERN CALIFORNIA EDISON	ELECTRIC SERVICE	23.30	LMD #22
81505	8/10/2012	SOUTHERN CALIFORNIA EDISON	ELECTRIC SERVICE	23.09	LMD #22
81505	8/10/2012	SOUTHERN CALIFORNIA EDISON	ELECTRIC SERVICE	23.09	LMD #22
Total Amount for 24 Line Item(s) from LMD #22				\$14,546.47	
<u>LMD #24</u>					
81507	8/10/2012	VANDERGEEST LANDSCAPE CARE INC	LANDSCAPE MAINTENANCE	2,358.00	LMD #24
81505	8/10/2012	SOUTHERN CALIFORNIA EDISON	ELECTRIC SERVICE	83.99	LMD #24
81505	8/10/2012	SOUTHERN CALIFORNIA EDISON	ELECTRIC SERVICE	25.72	LMD #24
81505	8/10/2012	SOUTHERN CALIFORNIA EDISON	ELECTRIC SERVICE	24.19	LMD #24
81505	8/10/2012	SOUTHERN CALIFORNIA EDISON	ELECTRIC SERVICE	24.19	LMD #24
Total Amount for 5 Line Item(s) from LMD #24				\$2,516.09	
<u>LMD #27</u>					
81502	8/10/2012	LAS VIRGENES MUNICIPAL WATER	WATER SERVICE	604.64	LMD #27
Total Amount for 1 Line Item(s) from LMD #27				\$604.64	
<u>LMD #32</u>					
81505	8/10/2012	SOUTHERN CALIFORNIA EDISON	ELECTRIC SERVICE	47.65	LMD #32
Total Amount for 1 Line Item(s) from LMD #32				\$47.65	
<u>LMD 22 - Common Benefit Area</u>					
81373	7/31/2012	LAS VIRGENES MUNICIPAL WATER	WATER SERVICE	38,972.44	LMD 22 - Common Benefit Area
81505	8/10/2012	SOUTHERN CALIFORNIA EDISON	ELECTRIC SERVICE	339.21	LMD 22 - Common Benefit Area



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Total Amount for 2 Line Item(s) from LMD 22 - Common Benefit Area				\$39,311.65	
<u>Media Operations</u>					
81474	8/9/2012	BURST COMMUNICATIONS, INC.	CLOSED CAPTION ENCODER	3,460.63	Media Operations
81447	8/8/2012	NOTIONIST	CITY NEWSLETTER- FALL 2012	2,000.00	Media Operations
81469	8/8/2012	US BANK	VISA- B & H PHOTO	1,843.88	Media Operations
81471	8/9/2012	AT&T	TELEPHONE SERVICE	1,435.27	Media Operations
81469	8/8/2012	US BANK	VISA- AMAZON.COM	1,216.75	Media Operations
81501	8/10/2012	BURST COMMUNICATIONS, INC.	CONVERTER/SCALER	928.92	Media Operations
81469	8/8/2012	US BANK	VISA- MODERN POSTCARD	859.01	Media Operations
81469	8/8/2012	US BANK	VISA- CA DEL SOLE	404.88	Media Operations
81459	8/8/2012	SCAN - NATOA	ANNUAL MEMBERSHIP - MEDIA DEPT	400.00	Media Operations
81469	8/8/2012	US BANK	VISA- LYNDA.COM	375.00	Media Operations
81442	8/8/2012	MEGAPATH CORPORATION	DSL SERVICE	331.36	Media Operations
81469	8/8/2012	US BANK	VISA- PONG	295.67	Media Operations
81469	8/8/2012	US BANK	VISA- MISAC	240.00	Media Operations
81469	8/8/2012	US BANK	VISA- TARGET	238.39	Media Operations
81474	8/9/2012	BURST COMMUNICATIONS, INC.	AUDIO INTERFACE	190.32	Media Operations
81469	8/8/2012	US BANK	VISA- TOSHIBA DIRECT	113.09	Media Operations
81469	8/8/2012	US BANK	VISA- MONOPRICE INC	91.06	Media Operations
81418	8/8/2012	ACORN NEWSPAPER	CTV ADVERTISING	60.00	Media Operations
81418	8/8/2012	ACORN NEWSPAPER	CTV ADVERTISING	60.00	Media Operations
81418	8/8/2012	ACORN NEWSPAPER	CTV ADVERTISING	60.00	Media Operations
81418	8/8/2012	ACORN NEWSPAPER	CTV ADVERTISING	60.00	Media Operations
81469	8/8/2012	US BANK	VISA- APPLE STORE	53.29	Media Operations
81469	8/8/2012	US BANK	VISA- GOTOMYPC.COM	50.85	Media Operations
81469	8/8/2012	US BANK	VISA- CORNER BAKERY	34.08	Media Operations
81469	8/8/2012	US BANK	VISA- APPLE STORE	30.95	Media Operations
81378	7/31/2012	PETTY CASH-CITY HALL	REPLENISH PETTY CASH	29.07	Media Operations
81469	8/8/2012	US BANK	VISA- AOL SERVICE	14.95	Media Operations
81498	8/9/2012	WAREHOUSE OFFICE & PAPER PROD.	OFFICE SUPPLIES	9.78	Media Operations
81469	8/8/2012	US BANK	VISA- RALPHS	4.49	Media Operations
81469	8/8/2012	US BANK	VISA- APLUS DLX	-8.95	Media Operations
Total Amount for 30 Line Item(s) from Media Operations				\$14,882.74	



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Non-Departmental - Finance					
81433	8/8/2012	IRON MOUNTAIN	STORAGE SERVICES	2,920.36	Non-Departmental - Finance
81410	8/1/2012	SECURAL SECURITY CORP	PARKING ENFORCEMENT	2,775.00	Non-Departmental - Finance
81469	8/8/2012	US BANK	VISA- STORAGE ETC	1,745.00	Non-Departmental - Finance
81367	7/31/2012	CANON BUSINESS SOLUTIONS, INC.	COPIER SVC PROGRAM- GQM11196	1,344.37	Non-Departmental - Finance
81367	7/31/2012	CANON BUSINESS SOLUTIONS, INC.	COPIER SVC PROGRAM- GQM11196	1,344.37	Non-Departmental - Finance
81367	7/31/2012	CANON BUSINESS SOLUTIONS, INC.	COPIER SVC PROGRAM- GQM11196	1,344.37	Non-Departmental - Finance
81499	8/9/2012	WILLDAN ASSOCIATES INC.	HOUSING REHAB SERVICES	1,250.00	Non-Departmental - Finance
81421	8/8/2012	CANON BUSINESS SOLUTIONS, INC.	COPIER SVC PROGRAM- MNF07759	959.02	Non-Departmental - Finance
81389	8/1/2012	CANON FINANCIAL SERVICES INC	CANON COPIER LEASES	518.19	Non-Departmental - Finance
81475	8/9/2012	CANON BUSINESS SOLUTIONS, INC.	COPIER SVC PROGRAM- IR7105/IRC	409.58	Non-Departmental - Finance
81475	8/9/2012	CANON BUSINESS SOLUTIONS, INC.	COPIER SVC PROGRAM- TQH05599	396.50	Non-Departmental - Finance
81469	8/8/2012	US BANK	VISA- COSTCO	391.82	Non-Departmental - Finance
81450	8/8/2012	PITNEY BOWES INC.	POSTAGE METER LEASE	372.00	Non-Departmental - Finance
81427	8/8/2012	FINE ART SERVICES	ART RENTAL INSTALLATION	320.00	Non-Departmental - Finance
81363	7/31/2012	ARROWHEAD	WATER SERVICE	299.44	Non-Departmental - Finance
81465	8/8/2012	WAREHOUSE OFFICE & PAPER PROD.	OFFICE SUPPLIES	293.30	Non-Departmental - Finance
81490	8/9/2012	PITNEY BOWES INC.	POSTAGE METER LEASE	284.38	Non-Departmental - Finance
81469	8/8/2012	US BANK	VISA- COSTCO	275.27	Non-Departmental - Finance
81450	8/8/2012	PITNEY BOWES INC.	POSTAGE METER LEASE	268.00	Non-Departmental - Finance
81469	8/8/2012	US BANK	VISA- COFFEE WHOLESALE USA	161.41	Non-Departmental - Finance
81469	8/8/2012	US BANK	VISA- RALPHS	132.21	Non-Departmental - Finance
81469	8/8/2012	US BANK	VISA- HOME DEPOT	64.71	Non-Departmental - Finance
81390	8/1/2012	CONEJO AWARDS	NAME BADGE	22.52	Non-Departmental - Finance
81393	8/1/2012	FEDERAL EXPRESS CORP.	COURIER SERVICE	16.76	Non-Departmental - Finance
Total Amount for 24 Line Item(s) from Non-Departmental - Finance				\$17,908.58	
Payroll					
81448	8/8/2012	P&A ADMINISTRATIVE SVCS INC	FSA MONTHLY ADMIN FEE- AUG 12	58.50	Payroll
Total Amount for 1 Line Item(s) from Payroll				\$58.50	
Public Safety & Emergency Preparedness					
81469	8/8/2012	US BANK	VISA- SUPERMEDIA STORE	1,846.31	Public Safety & Emergency Preparedness
81395	8/1/2012	HEATERMEALS- ZESTOTHERM	EMERGENCY MEALS	638.20	Public Safety & Emergency Preparedness
81469	8/8/2012	US BANK	VISA- GALLS INC	174.84	Public Safety & Emergency Preparedness



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81469	8/8/2012	US BANK	VISA- SMOKEY MILO	51.61	Public Safety & Emergency Preparedness
81469	8/8/2012	US BANK	VISA- STAPLES	47.50	Public Safety & Emergency Preparedness
81503	8/10/2012	MACKAY COMMUNICATIONS, INC.	SATELLITE PHONE SERVICE	35.39	Public Safety & Emergency Preparedness
81503	8/10/2012	MACKAY COMMUNICATIONS, INC.	SATELLITE PHONE SERVICE	33.73	Public Safety & Emergency Preparedness
81503	8/10/2012	MACKAY COMMUNICATIONS, INC.	SATELLITE PHONE SERVICE	11.42	Public Safety & Emergency Preparedness
81469	8/8/2012	US BANK	VISA- RADIO SHACK	8.15	Public Safety & Emergency Preparedness
81503	8/10/2012	MACKAY COMMUNICATIONS, INC.	SATELLITE PHONE SERVICE	0.39	Public Safety & Emergency Preparedness
Total Amount for 10 Line Item(s) from Public Safety & Emergency Preparedness				\$2,847.54	

Public Works

81382	7/31/2012	TREE SPECIALIST	DEBRIS REMOVAL & CLEANUP	14,888.37	Public Works
81382	7/31/2012	TREE SPECIALIST	DEBRIS REMOVAL & CLEANUP	14,124.58	Public Works
81373	7/31/2012	LAS VIRGENES MUNICIPAL WATER	WATER SERVICE	3,654.69	Public Works
81484	8/9/2012	LAS VIRGENES MUNICIPAL WATER	WATER SERVICE	3,502.33	Public Works
81499	8/9/2012	WILLDAN ASSOCIATES INC.	GRADING/GEOLOGY REVIEW	3,472.50	Public Works
81499	8/9/2012	WILLDAN ASSOCIATES INC.	PUBLIC WORKS SUPPORT	3,062.50	Public Works
81499	8/9/2012	WILLDAN ASSOCIATES INC.	GRADING REVIEW	3,002.50	Public Works
81392	8/1/2012	DLT SOLUTIONS, INC.	AUTOCAD SOFTWARE LICENSE	2,270.58	Public Works
81468	8/8/2012	ZOLOTAREVA/ANNA//	ENGINEER CONSULTING	1,380.00	Public Works
81499	8/9/2012	WILLDAN ASSOCIATES INC.	GRADING/GEOLOGY REVIEW	1,342.50	Public Works
81469	8/8/2012	US BANK	VISA- SOURCE GRAPHICS	1,045.00	Public Works
81499	8/9/2012	WILLDAN ASSOCIATES INC.	GRADING/HYDROLOGY REVIEW	960.00	Public Works
81502	8/10/2012	LAS VIRGENES MUNICIPAL WATER	WATER SERVICE	681.09	Public Works
81409	8/1/2012	SANCHEZ/MARK L.//	INSPECTION SERVICES	680.00	Public Works
81458	8/8/2012	SANCHEZ/MARK L.//	INSPECTION SERVICES	680.00	Public Works
81484	8/9/2012	LAS VIRGENES MUNICIPAL WATER	WATER SERVICE	665.38	Public Works
81506	8/10/2012	VALLEY CREST LANDSCAPE, INC.	LANDSCAPE MAINTENANCE	422.00	Public Works
81499	8/9/2012	WILLDAN ASSOCIATES INC.	GRADING REVIEW	350.00	Public Works
81499	8/9/2012	WILLDAN ASSOCIATES INC.	CHECK PARCEL MAP	340.00	Public Works
81506	8/10/2012	VALLEY CREST LANDSCAPE, INC.	LANDSCAPE MAINTENANCE	315.00	Public Works
81418	8/8/2012	ACORN NEWSPAPER	RECYCLING ADVERTISING	302.82	Public Works
81418	8/8/2012	ACORN NEWSPAPER	RECYCLING ADVERTISING	302.82	Public Works
81418	8/8/2012	ACORN NEWSPAPER	RECYCLING ADVERTISING	302.82	Public Works
81418	8/8/2012	ACORN NEWSPAPER	RECYCLING ADVERTISING	302.82	Public Works
81499	8/9/2012	WILLDAN ASSOCIATES INC.	GRADING REVIEW	292.50	Public Works
81502	8/10/2012	LAS VIRGENES MUNICIPAL WATER	WATER SERVICE	267.33	Public Works



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81383	7/31/2012	VENCO WESTERN, INC.	LANDSCAPE MAINTENANCE- PARKS	235.31	Public Works
81469	8/8/2012	US BANK	VISA- WW GRAINGER	213.86	Public Works
81469	8/8/2012	US BANK	VISA- MANVENTURE OUTPOST	124.14	Public Works
81505	8/10/2012	SOUTHERN CALIFORNIA EDISON	ELECTRIC SERVICE	64.60	Public Works
81505	8/10/2012	SOUTHERN CALIFORNIA EDISON	ELECTRIC SERVICE	24.19	Public Works
81505	8/10/2012	SOUTHERN CALIFORNIA EDISON	ELECTRIC SERVICE	23.66	Public Works
81378	7/31/2012	PETTY CASH-CITY HALL	REPLENISH PETTY CASH	10.00	Public Works
Total Amount for 33 Line Item(s) from Public Works				\$59,305.89	

Recoverable / Refund / Liability

81460	8/8/2012	SHARIFI/MOHAMMAD//	REFUND BUILDING PERMIT	2,289.84	Recoverable / Refund / Liability
81461	8/8/2012	SMITH/SANDY//	EMPLOYEE COMPUTER LOAN	1,482.00	Recoverable / Refund / Liability
81448	8/8/2012	P&A ADMINISTRATIVE SVCS INC	FSA-MEDICAL CARE REIMBURSEMENT	172.51	Recoverable / Refund / Liability
81411	8/1/2012	SUNTREK INDUSTRIES INC.	REFUND BUILDING PERMIT	62.00	Recoverable / Refund / Liability
81489	8/9/2012	PETTY CASH-TENNIS & SWIM CNTR	REPLENISH PETTY CASH	60.00	Recoverable / Refund / Liability
81441	8/8/2012	MAZMANIAN/HOURIG//	RECREATION REFUND	48.00	Recoverable / Refund / Liability
Total Amount for 6 Line Item(s) from Recoverable / Refund / Liability				\$4,114.35	

Tennis & Swim Center

81374	7/31/2012	LAS VIRGENES MUNICIPAL WATER	WATER SERVICE	3,089.70	Tennis & Swim Center
81380	7/31/2012	SOUTHERN CALIFORNIA EDISON	ELECTRIC SERVICE	2,151.96	Tennis & Swim Center
81469	8/8/2012	US BANK	VISA- KEISER CORP	1,530.57	Tennis & Swim Center
81396	8/1/2012	HUEMANN POWERED PRODUCTIONS	4TH OF JULY FUN RUN TROPHIES	1,283.72	Tennis & Swim Center
81469	8/8/2012	US BANK	VISA- CENTURY MA	1,087.32	Tennis & Swim Center
81469	8/8/2012	US BANK	VISA- POPCORN CO	958.71	Tennis & Swim Center
81469	8/8/2012	US BANK	VISA- SAGEBRUSH CANTINA	859.35	Tennis & Swim Center
81469	8/8/2012	US BANK	VISA- NATIONAL GYM SUPPLY	766.26	Tennis & Swim Center
81381	7/31/2012	SOUTHERN CALIFORNIA GAS CO	GAS SERVICE	659.00	Tennis & Swim Center
81416	8/1/2012	WATERLINE TECHNOLOGIES INC	POOL CHEMICALS	654.68	Tennis & Swim Center
81416	8/1/2012	WATERLINE TECHNOLOGIES INC	POOL CHEMICALS	517.65	Tennis & Swim Center
81381	7/31/2012	SOUTHERN CALIFORNIA GAS CO	GAS SERVICE	510.98	Tennis & Swim Center
81469	8/8/2012	US BANK	VISA- OFFICE DEPOT	496.02	Tennis & Swim Center
81469	8/8/2012	US BANK	VISA- BEST BUY	452.92	Tennis & Swim Center
81469	8/8/2012	US BANK	VISA- ORCHARD SUPPLY	416.07	Tennis & Swim Center
81416	8/1/2012	WATERLINE TECHNOLOGIES INC	POOL CHEMICALS	408.08	Tennis & Swim Center



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81469	8/8/2012	US BANK	VISA- SPORT CHALET	369.73	Tennis & Swim Center
81489	8/9/2012	PETTY CASH-TENNIS & SWIM CNTR	REPLENISH PETTY CASH	369.32	Tennis & Swim Center
81469	8/8/2012	US BANK	VISA- ORIENTAL TRADING CO	346.02	Tennis & Swim Center
81469	8/8/2012	US BANK	VISA- VISTA PAINT	321.16	Tennis & Swim Center
81412	8/1/2012	SWANK-MOTION PICTURES, INC.	PUSS IN BOOTS- MOVIE NIGHT	321.00	Tennis & Swim Center
81469	8/8/2012	US BANK	VISA- GAME STOP	308.10	Tennis & Swim Center
81469	8/8/2012	US BANK	VISA- RALPHS	279.14	Tennis & Swim Center
81469	8/8/2012	US BANK	VISA- BEE PROFESSIONALS	245.00	Tennis & Swim Center
81469	8/8/2012	US BANK	VISA- BALLOONFAST.COM	241.87	Tennis & Swim Center
81469	8/8/2012	US BANK	VISA- SMART & FINAL	231.77	Tennis & Swim Center
81413	8/1/2012	TRI-CO EXTERMINATING CO.	PEST CONTROL SERVICES	230.00	Tennis & Swim Center
81469	8/8/2012	US BANK	VISA- ARC TRAINING	210.00	Tennis & Swim Center
81469	8/8/2012	US BANK	VISA- HP PRODUCT	178.99	Tennis & Swim Center
81469	8/8/2012	US BANK	VISA- DELL SALES	173.93	Tennis & Swim Center
81469	8/8/2012	US BANK	VISA- BARCO PRODUCTS	172.80	Tennis & Swim Center
81469	8/8/2012	US BANK	VISA- DLX FOR BUSINESS	169.21	Tennis & Swim Center
81469	8/8/2012	US BANK	VISA- POWER SYSTEMS	163.07	Tennis & Swim Center
81469	8/8/2012	US BANK	VISA- TARGET	162.38	Tennis & Swim Center
81469	8/8/2012	US BANK	VISA- CONWINONLINE.COM	148.42	Tennis & Swim Center
81469	8/8/2012	US BANK	VISA- ARC TRAINING	133.00	Tennis & Swim Center
81469	8/8/2012	US BANK	VISA- HOME DEPOT	131.20	Tennis & Swim Center
81469	8/8/2012	US BANK	VISA- FULL CIRCLE	129.50	Tennis & Swim Center
81398	8/1/2012	JAM FIRE PROTECTION	QUARTERLY MONITORING- T&SC	120.00	Tennis & Swim Center
81469	8/8/2012	US BANK	VISA- SMART & FINAL	118.46	Tennis & Swim Center
81370	7/31/2012	COUNTY OF LOS ANGELES	CONTRACT SERVICES	112.00	Tennis & Swim Center
81416	8/1/2012	WATERLINE TECHNOLOGIES INC	POOL CHEMICALS	103.03	Tennis & Swim Center
81469	8/8/2012	US BANK	VISA- SMART & FINAL	94.03	Tennis & Swim Center
81469	8/8/2012	US BANK	VISA- SPORT CHALET	92.02	Tennis & Swim Center
81416	8/1/2012	WATERLINE TECHNOLOGIES INC	POOL CHEMICALS	76.04	Tennis & Swim Center
81469	8/8/2012	US BANK	VISA- HOME DEPOT	65.36	Tennis & Swim Center
81481	8/9/2012	KISHIMOTO/RAINE//	REIMB MILEAGE 6/5-7/18/12	62.16	Tennis & Swim Center
81469	8/8/2012	US BANK	VISA- CONSTANT CONTACT	60.00	Tennis & Swim Center
81469	8/8/2012	US BANK	VISA- AMAZON.COM	59.99	Tennis & Swim Center
81399	8/1/2012	KNORR SYSTEMS, INC.	POOL VACUUM PARTS	52.82	Tennis & Swim Center
81469	8/8/2012	US BANK	VISA- BOBS GARDEN EQUIP	43.49	Tennis & Swim Center
81469	8/8/2012	US BANK	VISA- APPLE STORE	30.96	Tennis & Swim Center
81469	8/8/2012	US BANK	VISA- TARGET	30.44	Tennis & Swim Center



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81469	8/8/2012	US BANK	VISA- US RESEARCH & CHEMICAL	29.31	Tennis & Swim Center
81469	8/8/2012	US BANK	VISA- RALPHS	27.13	Tennis & Swim Center
81361	7/31/2012	AIRGAS- WEST	TC HELIUM	23.53	Tennis & Swim Center
81469	8/8/2012	US BANK	VISA- SPORTS AUTHORITY	21.18	Tennis & Swim Center
81361	7/31/2012	AIRGAS- WEST	TC HELIUM	17.47	Tennis & Swim Center
81469	8/8/2012	US BANK	VISA- RALPHS	12.16	Tennis & Swim Center
81469	8/8/2012	US BANK	VISA- RADIO SHACK	6.51	Tennis & Swim Center
81469	8/8/2012	US BANK	VISA- VIVA WHOLESALE	-423.00	Tennis & Swim Center
Total Amount for 61 Line Item(s) from Tennis & Swim Center				\$21,713.69	

Transportation

81407	8/1/2012	RYDELL AUTOMOTIVE GROUP	2012 CHEVY CARGO VAN	21,952.31	Transportation
81487	8/9/2012	MV TRANSPORTATION, INC.	SHUTTLE SERVICES - JUN 2012	15,414.32	Transportation
81439	8/8/2012	MARK IV CONSULTING INC	CITY ENGINEERING SERVICES	14,630.00	Transportation
81491	8/9/2012	REPUBLIC ITS, INC.	TRAFFIC SIGN MAINTENANCE	12,595.00	Transportation
81487	8/9/2012	MV TRANSPORTATION, INC.	SHUTTLE SERVICES - JUN 2012	11,600.68	Transportation
81487	8/9/2012	MV TRANSPORTATION, INC.	SHUTTLE SERVICES - JUN 2012	10,851.69	Transportation
81488	8/9/2012	PCI	PAVEMENT STRIPING AND MARKING	10,564.02	Transportation
81417	8/8/2012	A2B TRANSPORTATION COMPANY LLC	DIAL-A-RIDE JULY 2012	6,914.19	Transportation
81487	8/9/2012	MV TRANSPORTATION, INC.	SHUTTLE SERVICES - JUN 2012	6,290.03	Transportation
81488	8/9/2012	PCI	PAVEMENT STRIPING AND MARKING	6,011.60	Transportation
81434	8/8/2012	JORDAN GILBERT & BAIN	ARCHITECTURAL SERVICES	5,575.00	Transportation
81480	8/9/2012	HUITT-ZOLLARS INC	CONSTRUCTION SVCS-LOST HILLS	5,119.52	Transportation
81487	8/9/2012	MV TRANSPORTATION, INC.	TRANSIT MAINTENANCE	5,118.68	Transportation
81470	8/9/2012	ALL CITY MANAGEMENT SVCS, INC.	SCHOOL CROSSING GUARD SVCS	4,481.40	Transportation
81478	8/9/2012	DURHAM SCHOOL SERVICES	SUMMER BEACH BUS/EXCURSION	3,840.07	Transportation
81478	8/9/2012	DURHAM SCHOOL SERVICES	SUMMER BEACH BUS/EXCURSION	3,818.87	Transportation
81487	8/9/2012	MV TRANSPORTATION, INC.	TRANSIT MAINTENANCE	3,574.10	Transportation
81420	8/8/2012	CALIFORNIA CIVIL ENGINEERING	TRAFFIC SIGN MAINTENANCE	3,294.00	Transportation
81487	8/9/2012	MV TRANSPORTATION, INC.	TRANSIT MAINTENANCE	2,845.44	Transportation
81487	8/9/2012	MV TRANSPORTATION, INC.	TRANSIT MAINTENANCE	2,110.77	Transportation
81488	8/9/2012	PCI	PAVEMENT STRIPING AND MARKING	2,000.00	Transportation
81386	8/1/2012	ACORN NEWSPAPER	LEGAL ADVERTISING	1,620.00	Transportation
81362	7/31/2012	ARC	COPY/PRINTING SERVICE	1,298.91	Transportation
81487	8/9/2012	MV TRANSPORTATION, INC.	TRANSIT MAINTENANCE	1,284.59	Transportation
81392	8/1/2012	DLT SOLUTIONS, INC.	AUTOCAD SOFTWARE LICENSE	1,135.29	Transportation



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81392	8/1/2012	DLT SOLUTIONS, INC.	AUTOCAD SOFTWARE LICENSE	1,135.29	Transportation
81380	7/31/2012	SOUTHERN CALIFORNIA EDISON	ELECTRIC SERVICE	943.62	Transportation
81487	8/9/2012	MV TRANSPORTATION, INC.	TRANSIT MAINTENANCE	584.38	Transportation
81487	8/9/2012	MV TRANSPORTATION, INC.	TRANSIT MAINTENANCE	577.23	Transportation
81487	8/9/2012	MV TRANSPORTATION, INC.	TRANSIT MAINTENANCE	551.24	Transportation
81487	8/9/2012	MV TRANSPORTATION, INC.	TRANSIT MAINTENANCE	538.34	Transportation
81478	8/9/2012	DURHAM SCHOOL SERVICES	SUMMER BEACH BUS/EXCURSION	520.91	Transportation
81487	8/9/2012	MV TRANSPORTATION, INC.	TRANSIT MAINTENANCE	421.26	Transportation
81366	7/31/2012	CALIFORNIA CIVIL ENGINEERING	TRAFFIC SIGN MAINTENANCE	350.00	Transportation
81487	8/9/2012	MV TRANSPORTATION, INC.	TRANSIT MAINTENANCE	348.28	Transportation
81478	8/9/2012	DURHAM SCHOOL SERVICES	SUMMER BEACH BUS/EXCURSION	341.10	Transportation
81483	8/9/2012	KOA CORPORATION	CALABASAS ON-CALL SERVICES	320.00	Transportation
81491	8/9/2012	REPUBLIC ITS, INC.	TRAFFIC SIGN MAINTENANCE	295.00	Transportation
81491	8/9/2012	REPUBLIC ITS, INC.	TRAFFIC SIGN MAINTENANCE	285.00	Transportation
81491	8/9/2012	REPUBLIC ITS, INC.	TRAFFIC SIGN MAINTENANCE	285.00	Transportation
81491	8/9/2012	REPUBLIC ITS, INC.	TRAFFIC SIGN MAINTENANCE	275.00	Transportation
81452	8/8/2012	R P BARRICADE INC	TRAFFIC SIGNS	258.04	Transportation
81491	8/9/2012	REPUBLIC ITS, INC.	TRAFFIC SIGN MAINTENANCE	205.00	Transportation
81491	8/9/2012	REPUBLIC ITS, INC.	TRAFFIC SIGN MAINTENANCE	205.00	Transportation
81491	8/9/2012	REPUBLIC ITS, INC.	TRAFFIC SIGN MAINTENANCE	205.00	Transportation
81487	8/9/2012	MV TRANSPORTATION, INC.	TRANSIT MAINTENANCE	170.00	Transportation
81491	8/9/2012	REPUBLIC ITS, INC.	TRAFFIC SIGN MAINTENANCE	115.00	Transportation
81491	8/9/2012	REPUBLIC ITS, INC.	TRAFFIC SIGN MAINTENANCE	115.00	Transportation
81469	8/8/2012	US BANK	VISA- UNION 76	104.80	Transportation
81469	8/8/2012	US BANK	VISA- UNION 76	92.25	Transportation
81380	7/31/2012	SOUTHERN CALIFORNIA EDISON	ELECTRIC SERVICE	65.60	Transportation
81469	8/8/2012	US BANK	VISA- EXXON MOBIL	64.56	Transportation
81469	8/8/2012	US BANK	VISA- SHELL OIL	55.44	Transportation
81380	7/31/2012	SOUTHERN CALIFORNIA EDISON	ELECTRIC SERVICE	55.14	Transportation
81380	7/31/2012	SOUTHERN CALIFORNIA EDISON	ELECTRIC SERVICE	48.33	Transportation
81469	8/8/2012	US BANK	VISA- CHEVRON	45.67	Transportation
81380	7/31/2012	SOUTHERN CALIFORNIA EDISON	ELECTRIC SERVICE	43.19	Transportation
81380	7/31/2012	SOUTHERN CALIFORNIA EDISON	ELECTRIC SERVICE	41.10	Transportation
81469	8/8/2012	US BANK	VISA- CHEVRON	40.00	Transportation
81469	8/8/2012	US BANK	VISA- UNION 76	40.00	Transportation
81469	8/8/2012	US BANK	VISA- UNION 76	39.27	Transportation
81380	7/31/2012	SOUTHERN CALIFORNIA EDISON	ELECTRIC SERVICE	38.54	Transportation



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81469	8/8/2012	US BANK	VISA- UNION 76	37.00	Transportation
81469	8/8/2012	US BANK	VISA- CLEAN ENERGY	36.66	Transportation
81380	7/31/2012	SOUTHERN CALIFORNIA EDISON	ELECTRIC SERVICE	36.44	Transportation
81380	7/31/2012	SOUTHERN CALIFORNIA EDISON	ELECTRIC SERVICE	33.28	Transportation
81380	7/31/2012	SOUTHERN CALIFORNIA EDISON	ELECTRIC SERVICE	32.93	Transportation
81469	8/8/2012	US BANK	VISA- THE PHONE SPA	32.63	Transportation
81380	7/31/2012	SOUTHERN CALIFORNIA EDISON	ELECTRIC SERVICE	29.38	Transportation
81469	8/8/2012	US BANK	VISA- EXXON MOBIL	23.10	Transportation
81469	8/8/2012	US BANK	VISA- UNION 76	18.17	Transportation
81378	7/31/2012	PETTY CASH-CITY HALL	REPLENISH PETTY CASH	10.00	Transportation
81469	8/8/2012	US BANK	VISA- EXXON MOBIL	9.00	Transportation
Total Amount for 73 Line Item(s) from Transportation				\$174,057.65	
GRAND TOTAL for 543 Line Items				\$510,632.96	

FUTURE AGENDA ITEMS

Department	Agenda Headings	Agenda Title/Future Agenda
9/12/12		
CD	New Business	Update on Regional Needs Assessment (RHNA)
Safety	New Business	EOP
City Clerk	Consent	Conflict of Interest Code
PW	New Business	Certifying EIR – Lost Hills Overpass project
CA	New Business	6409 Discussion
CD	Consent	Edgesoft

Future Items:

Council	New Business	Council Protocols
Planning	New Business	General Plan/Code Amendment
CD	New Business	Oak Tree Planning Initiative Project

2012 CITY COUNCIL MEETING DATES:

September 12, 2012

September 26, 2012 *Cancelled*

October 10, 2012

October 24, 2012

November 14, 2012

November 28, 2012

December 12, 2012

December 26, 2012 *Cancelled*