



CITY COUNCIL OF PARLIER REGULAR MEETING

DATE: Thursday, April 18, 2019
TIME: 6:30 PM
PLACE: Council Chambers
1100 East Parlier Avenue
Parlier, CA 93648

CALL TO ORDER/WELCOME:

Roll Call: Mayor Alma M. Beltran, Mayor Pro-Tem Trinidad Pimentel, Councilwoman Diane Maldonado, Councilman Noe Rodriguez, Councilman Jose Escoto, City Clerk Dorothy Garza.

FLAG SALUTE: Mayor Alma M. Beltran

ADDITIONS/DELETIONS TO THE AGENDA

PRESENTATIONS/INFORMATIONAL: None

PUBLIC COMMENT:

At this time any citizen may address the City Council on matters not appearing on the agenda that are within the jurisdiction of the City of Parlier. Speakers shall limit their comments to three (3) minutes unless extended by the Mayor. Please begin your comments by stating your name and City of residence.

The City Council is prohibited by law from taking any action on matters discussed that are not on the agenda. No adverse conclusion should be drawn if the City Council does not respond to any particular public comment. The Council may refer the matter to the City Manager or staff or request that it be placed on a future agenda.

CONSENT CALENDAR:

All Consent Calendar items are considered routine and will be enacted in one motion. There will be no separate discussion of items appearing on the Consent Calendar unless requested to be removed for separate discussion and acted on by separate vote.

1. Approve the Check Reports dated March 29, 2019 through April 11, 2019.
2. Approve and accept the Minutes dated April 4, 2019.
3. Approve release of unused City storage space (10 mos. remaining) to be assumed by Parlier Panthers Football & Cheer Club

4. Adopt Resolution 2019-10 authorizing City Manager to pay vendor bills in advance of City Council approval of checks list for ratification.
5. Adopt Resolution 2019-12 Amending Personnel Policies and Procedures.

REGULAR BUSINESS:

6. **SUBJECT:** Accepting a PG&E Easement for City Heritage Park, RRM Project Number 1159-01-RC17.
RECOMMENDATION: Staff recommends the City Council Adopt **Resolution 2019-11**, accepting a PG&E Easement as part of the City Heritage Park, RRM Project Number 1159-01-RC17, and Authorize the City Manager to execute the Easement on behalf of the City of Parlier.
7. **SUBJECT:** Introduction and First Reading of **Ordinance No. 2019-04**, an Ordinance Amending Chapter 18.55, the Cannabis Control Ordinance, of the Parlier Municipal Code.
RECOMMENDATION: Introduce and waive first reading of Ordinance amendment.
8. **SUBJECT:** Introduction and wavier of the first reading of **Ordinance No. 2019-05**, amending Chapter 18.33 of the Parlier Municipal Code regulating smoke shops and smoking lounges.
RECOMMENDATION: City Council to introduce and waive the first reading of **Ordinance No. 2019-05** and set a public hearing for May 2, 2019.

BRIEF COMMENTS: COUNCIL COMMUNICATIONS/COMMENTS:

CITY MANAGER

CITY ATTORNEY

CITY COUNCIL

PUBLIC COMMENT ON CLOSED SESSION

THIS PORTION OF THE MEETING IS RESERVED FOR PERSONS DESIRING TO ADDRESS THE COUNCIL ON AN ITEM WHICH IS TO BE CONSIDERED DURING CLOSED SESSION. SPEAKERS SHALL LIMIT THEIR COMMENTS TO THREE (3) MINUTES.

CLOSED SESSION:

9. **Government Code Section 54956.9**
Pending Litigation, City of Parlier v. Nelson
Fresno Co. Superior Case No. 18CECG04139
10. **Government Code Section 54956.9**
Pending Litigation, Youth Centers of America et al v. City of Parlier
Fresno Co. Superior Case No. 18CECG02374

11. Government Code Section 54957

Public Employee Performance Evaluations

Titles:

City Manager

Finance Director/Controller

Police Chief

Community Development Director

Director of Maintenance & Operations

Wastewater Treatment Plant Operator/Superintendent

City Engineer

City Planner

Preschool Director

Facilities Manager

Building Inspector/Code Enforcement

Events Coordinator

12. Government Code Section 54957.6

Conference with Labor Negotiator(s)

Agency representatives: Antonio Gastelum, City Manager

Employee Organization: Parlier Police Officers Association

ADJOURNMENT**ADA NOTICE**

In compliance with the American with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk at (559) 646-3545 ext. 227. Notification 48 hours prior to the meeting will enable the City to make arrangements to ensure accessibility to this meeting.

DOCUMENTS

Any writings or documents provided to a majority of the City Council regarding any item on this agenda will be made available for public inspection at the front counter at City Hall located at 1100 East Parlier Avenue, Parlier, CA during normal business hours. In addition, most documents are posted on the City's website at <http://parlier.ca.us>.



CITY OF PARLIER

#1
Check Report

By Check Number

Date Range: 03/29/2019 - 04/11/2019

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Bank Code: APBNK-APBNK						
ABI10	ABILITY ANSWERING SERV.	04/03/2019	Regular	0.00	106.74	51221
ADP00	ADP, INC.	04/03/2019	Regular	0.00	509.92	51222
	Void	04/03/2019	Regular	0.00	0.00	51223
ASI01	ASI	04/03/2019	Regular	0.00	425.00	51224
BCT01	BCT CONSULTING, INC.	04/03/2019	Regular	0.00	2,420.00	51225
	Void	04/03/2019	Regular	0.00	0.00	51226
CAR03	CARDENAS, DEMETRIA B.	04/03/2019	Regular	0.00	117.95	51227
CEN02	CENTRAL VALLEY LOCK & SAFE INC.	04/03/2019	Regular	0.00	233.61	51228
CIT22	CITY OF PARLIER	04/03/2019	Regular	0.00	1,916.67	51229
CIT22	CITY OF PARLIER	04/03/2019	Regular	0.00	3,333.33	51230
FIR06	FIRST AMERICAN TITLE CO.	04/03/2019	Regular	0.00	900.00	51231
CAN03	JAVIER G. CANTU	04/03/2019	Regular	0.00	4,355.00	51232
NEW02	NEW YORK LIFE INSURANCE	04/03/2019	Regular	0.00	497.80	51233
MED00	PATTERSON MEDICAL SUPPLY INC.	04/03/2019	Regular	0.00	858.60	51234
PAY01	PAY PLUS BENEFITS, INC.	04/03/2019	Regular	0.00	107.00	51235
WAS01	RIP WASHINGTON	04/03/2019	Regular	0.00	2,225.00	51236
SUP01	SUPPLYWORKS	04/03/2019	Regular	0.00	98.87	51237
SYS00	SYSCO OF CENTRAL CALIFORNIA	04/03/2019	Regular	0.00	749.83	51238
TYL00	TYLER TECHNOLOGIES, INC.	04/03/2019	Regular	0.00	412.50	51239
USM01	U-SAVE MARKET	04/03/2019	Regular	0.00	640.55	51240
RRM00	RRM GROUP, A CALIFORNIA C	04/04/2019	Regular	0.00	68,632.13	51241
RRM00	RRM GROUP, A CALIFORNIA C	04/04/2019	Regular	0.00	41,835.70	51242
GRA01	GRANTED SOLUTIONS	04/05/2019	Regular	0.00	16,459.50	51243
ADP00	ADP, INC.	04/08/2019	Regular	0.00	769.98	51244
	Void	04/08/2019	Regular	0.00	0.00	51245
GAS01	ANTONIO GASTELUM	04/08/2019	Regular	0.00	200.00	51246
ASI01	ASI	04/08/2019	Regular	0.00	990.00	51247
ASI01	ASI	04/08/2019	Regular	0.00	1,287.18	51248
BAN01	BANKCARD CENTER	04/08/2019	Regular	0.00	296.56	51249
BES03	BEST TIRES IN TOWN	04/08/2019	Regular	0.00	120.00	51250
BRE14	BRENNTAG PACIFIC, INC.	04/08/2019	Regular	0.00	1,452.99	51251
CEN13	CENTRAL VALLEY SWEEPING	04/08/2019	Regular	0.00	11,900.00	51252
FAS00	FASTENAL COMPANY	04/08/2019	Regular	0.00	211.57	51253
GRO01	FERGUSON ENTERPRISES INC.	04/08/2019	Regular	0.00	1,689.29	51254
P.G01	PACIFIC GAS & ELECTRIC	04/08/2019	Regular	0.00	108.91	51255
RHO01	RHODES INC.	04/08/2019	Regular	0.00	812.54	51256
WAS01	RIP WASHINGTON	04/08/2019	Regular	0.00	3,050.00	51257
SAN1R	SAN JOAQUIN VALLEY AIR	04/08/2019	Regular	0.00	413.00	51258
SAN1H	SANGER NURSERY	04/08/2019	Regular	0.00	26.06	51259
STA1U	STAR 1 MINI MART	04/08/2019	Regular	0.00	885.91	51260
T&J00	T & J ARCO STATION	04/08/2019	Regular	0.00	864.43	51261
TCM01	TCM INVESTMENTS LP	04/08/2019	Regular	0.00	253.38	51262
VUL00	VULCAN MATERIALS CO.	04/08/2019	Regular	0.00	256.50	51263
ADT01	ADT SECURITY SERVICES	04/10/2019	Regular	0.00	2,423.28	51264
MOLO8	ALMA MOLINAR	04/10/2019	Regular	0.00	270.00	51265
ASI01	ASI	04/10/2019	Regular	0.00	50.00	51266
BAN01	BANKCARD CENTER	04/10/2019	Regular	0.00	6,269.17	51267
	Void	04/10/2019	Regular	0.00	0.00	51268
CEN02	CENTRAL VALLEY LOCK & SAFE INC.	04/10/2019	Regular	0.00	435.63	51269
ENE00	CHOICE PARTNERS, INC.	04/10/2019	Regular	0.00	1,258.00	51270
COM05	COMCAST	04/10/2019	Regular	0.00	1,104.52	51271
DIA11	DIAMOND COMMUNICATIONS	04/10/2019	Regular	0.00	1,095.00	51272
REE01	EDDIE C. REED	04/10/2019	Regular	0.00	973.48	51273
ORE01	ELIZABETH ORELLANA	04/10/2019	Regular	0.00	280.00	51274

Check Report

Date Range: 03/29/2019 - 04/11/2019

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
KA00	KAISER FOUNDATION HEALTH	04/10/2019	Regular	0.00	9,935.04	51275
	Void	04/10/2019	Regular	0.00	0.00	51276
KIR01	KIRK L. GARNER	04/10/2019	Regular	0.00	1,600.00	51277
LOZ14	LOZANO, SANDRA	04/10/2019	Regular	0.00	360.00	51278
P.G01	PACIFIC GAS & ELECTRIC	04/10/2019	Regular	0.00	385.09	51279
PAR14	PARLIER ROTARY	04/10/2019	Regular	0.00	35.00	51280
PRO01	PROVOST & PRITCHARD CONSULTING GROUP	04/10/2019	Regular	0.00	4,870.76	51281
BAR08	STEVE BARELA	04/10/2019	Regular	0.00	200.00	51282
TYL00	TYLER TECHNOLOGIES, INC.	04/10/2019	Regular	0.00	1,073.00	51283
UNU00	UNUM LIFE INSURANCE CO.	04/10/2019	Regular	0.00	115.95	51284
UN 01	unWIRED BROADBAND, INC.	04/10/2019	Regular	0.00	74.99	51285
ADP00	ADP, INC.	04/11/2019	Regular	0.00	559.96	51286
	Void	04/11/2019	Regular	0.00	0.00	51287
ATA02	ATASCADERO GLASS INC	04/11/2019	Regular	0.00	121.00	51288
BAN01	BANKCARD CENTER	04/11/2019	Regular	0.00	1,974.58	51289
COM02	COMCAST BUSINESS	04/11/2019	Regular	0.00	664.27	51290
COS03	COSTANZO & ASSOCIATES	04/11/2019	Regular	0.00	12,867.81	51291
COU05	COUNTRY TIRE & WHEEL, INC.	04/11/2019	Regular	0.00	255.99	51292
D & O	D & D SERVICES, INC.	04/11/2019	Regular	0.00	195.00	51293
DELOO	DE LAGE LANDEN FINANCIAL	04/11/2019	Regular	0.00	5,101.72	51294
FRE13	FRESNO COUNTY TREASURER	04/11/2019	Regular	0.00	180.75	51295
FRE04	FRESNO POLICE DEPARTMENT	04/11/2019	Regular	0.00	406.00	51296
MEN18	MENDOCINO AUTO SALES & RE	04/11/2019	Regular	0.00	426.89	51297
MET01	METRO UNIFORM & ACCESSORIES	04/11/2019	Regular	0.00	129.41	51298
SCRO1	SCREAMING CHICKEN V-TWIN MOTORS	04/11/2019	Regular	0.00	518.78	51299
SEL01	SELECT BUSINESS SYSTEMS INC.	04/11/2019	Regular	0.00	320.00	51300
SHROO	SHRED-IT USA - FRESNO	04/11/2019	Regular	0.00	82.86	51301
SIR00	SIRCHIE FINGER PRINT LAB.	04/11/2019	Regular	0.00	72.30	51302
SOU07	SOUTH COUNTY VETERINARY H	04/11/2019	Regular	0.00	66.00	51303
SPA00	SPARKLETT'S	04/11/2019	Regular	0.00	76.96	51304
STA19	STATE OF CALIFORNIA	04/11/2019	Regular	0.00	596.00	51305
THE05	THE OFFICE CITY	04/11/2019	Regular	0.00	170.85	51306
MVP01	MV PUBLIC TRANSPORTATION, INC.	04/11/2019	Regular	0.00	95.00	51307
ASI01	ASI	04/03/2019	Bank Draft	0.00	461.68	DFT0000208
ASI01	ASI	04/08/2019	Bank Draft	0.00	2,567.58	DFT0000209
PER01	CALPERS	04/10/2019	Bank Draft	0.00	15,081.54	DFT0000210

Bank Code APBNK Summary

Payment Type	Payable Count	Payment Count	Discount	Payment
Regular Checks	152	81	0.00	230,115.04
Manual Checks	0	0	0.00	0.00
Voided Checks	0	6	0.00	0.00
Bank Drafts	3	3	0.00	18,110.80
EFT's	0	0	0.00	0.00
	155	90	0.00	248,225.84

All Bank Codes Check Summary

Payment Type	Payable Count	Payment Count	Discount	Payment
Regular Checks	152	81	0.00	230,115.04
Manual Checks	0	0	0.00	0.00
Voided Checks	0	6	0.00	0.00
Bank Drafts	3	3	0.00	18,110.80
EFT's	0	0	0.00	0.00
	155	90	0.00	248,225.84

Fund Summary

Fund	Name	Period	Amount
999	POOL FUND	4/2019	248,225.84
			248,225.84



CITY OF PARLIER

Check Report

By Check Number

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Bank Code: APBNK-APBNK						
ABI10	ABILITY ANSWERING SERV.	04/03/2019	Regular	0.00	106.74	51221
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number		Account Name		Distribution Amount	
4345-4-19	Invoice	04/03/2019	ANSWERING SVCS 4/19	0.00	106.74	
	400-5600-6510		TELEPHONE/DATA/PAGER		106.74	
ADP00	ADP, INC.	04/03/2019	Regular	0.00	509.92	51222
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number		Account Name		Distribution Amount	
532468175	Invoice	03/28/2019	PAYROLL PROCESS 3/15	0.00	509.92	
	100-5100-6520		PROFESSIONAL SERVICES/F...		42.49	
	100-5200-6520		PROFESSIONAL SERVICES/F...		14.16	
	100-5400-6520		PROFESSIONAL SERVICES/F...		169.97	
	100-5410-6520		PROFESSIONAL SERVICES/F...		7.08	
	100-5420-6520		CE PROFESSIONAL SERVICES		7.08	
	100-5610-6520		PROFESSIONAL SERVICES/F...		7.08	
	100-5615-6520		PROFESSIONAL SERVICES/F...		7.08	
	100-5617-6520		PROFESSIONAL SERVICES/F...		14.16	
	100-5620-6520		PROFESSIONAL SERVICES/F...		14.16	
	100-5700-6520		PROFESSIONAL SERVICES/F...		7.08	
	102-5400-6520		PROFESSIONAL SERVICES/F...		21.25	
	203-5600-6520		PROFESSIONAL SERVICES/F...		7.08	
	206-5600-6520		PROFESSIONAL SERVICES/F...		7.08	
	213-5600-6520		PROFESSIONAL SERVICES/F...		7.08	
	269-6303-6520		PROFESSIONAL SERVICES/F...		99.21	
	400-5300-6520		PROFESSIONAL SERVICES/F...		14.16	
	400-5600-6520		PROFESSIONAL SERVICES/F...		14.16	
	401-5300-6520		PROFESSIONAL SERVICES/F...		14.16	
	401-5600-6520		PROFESSIONAL SERVICES		14.16	
	402-5300-6520		PROFESSIONAL SERVICES		14.16	
	602-8100-6520		PROFESSIONAL SERVICES/F...		7.08	
	Void	04/03/2019	Regular	0.00	0.00	51223
ASI01	ASI	04/03/2019	Regular	0.00	425.00	51224
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number		Account Name		Distribution Amount	
150768	Invoice	04/02/2019	HRA KAISER ADMIN 4-19	0.00	425.00	
	100-5200-6520		PROFESSIONAL SERVICES/F...		50.00	
	100-5400-6520		PROFESSIONAL SERVICES/F...		75.00	
	100-5410-6520		PROFESSIONAL SERVICES/F...		25.00	
	102-5400-6520		PROFESSIONAL SERVICES/F...		50.00	
	269-6303-6520		PROFESSIONAL SERVICES/F...		25.00	
	277-5400-6520		PROFESSIONAL SERVICES		25.00	
	400-5300-6520		PROFESSIONAL SERVICES/F...		37.50	
	400-5600-6520		PROFESSIONAL SERVICES/F...		50.00	
	401-5300-6520		PROFESSIONAL SERVICES/F...		37.50	
	401-5600-6520		PROFESSIONAL SERVICES		50.00	
BCT01	BCT CONSULTING, INC.	04/03/2019	Regular	0.00	2,420.00	51225

Check Report

Date Range: 03/29/2019 - 04/11/2019

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
103515	Invoice	04/03/2019	ALL FCLTS PHONE SVCS 3/19	0.00	1,210.00	
	100-5200-6510	TELEPHONE/DATA/PAGER	ALL FCLTS PHONE SVCS 3/19		101.25	
	100-5400-6510	TELEPHONE/DATA/PAGER	ALL FCLTS PHONE SVCS 3/19		576.25	
	100-5615-6510	TELEPHONE/DATA/PAGER	ALL FCLTS PHONE SVCS 3/19		26.25	
	100-5700-6510	TELEPHONE/DATA/PAGER	ALL FCLTS PHONE SVCS 3/19		51.25	
	231-5700-6545	Contractors	ALL FCLTS PHONE SVCS 3/19		76.25	
	269-6303-6510	TELEPHONE/DATA/PAGER	ALL FCLTS PHONE SVCS 3/19		151.25	
	400-5300-6510	TELEPHONE/DATA & PAGER	ALL FCLTS PHONE SVCS 3/19		88.13	
	400-5600-6510	TELEPHONE/DATA/PAGER	ALL FCLTS PHONE SVCS 3/19		25.63	
	401-5300-6510	TELEPHONE/ DATA/PAGER	ALL FCLTS PHONE SVCS 3/19		88.12	
	401-5600-6510	TELEPHONE/DATA/PAGER	ALL FCLTS PHONE SVCS 3/19		25.62	
104964	Invoice	04/03/2019	ALL FCLTS PHONE SVCS 4/19	0.00	1,210.00	
	100-5200-6510	TELEPHONE/DATA/PAGER	ALL FCLTS PHONE SVCS 4/19		101.25	
	100-5400-6510	TELEPHONE/DATA/PAGER	ALL FCLTS PHONE SVCS 4/19		576.25	
	100-5615-6510	TELEPHONE/DATA/PAGER	ALL FCLTS PHONE SVCS 4/19		26.25	
	100-5700-6510	TELEPHONE/DATA/PAGER	ALL FCLTS PHONE SVCS 4/19		51.25	
	231-5700-6545	Contractors	ALL FCLTS PHONE SVCS 4/19		76.25	
	269-6303-6510	TELEPHONE/DATA/PAGER	ALL FCLTS PHONE SVCS 4/19		151.25	
	400-5300-6510	TELEPHONE/DATA & PAGER	ALL FCLTS PHONE SVCS 4/19		88.13	
	400-5600-6510	TELEPHONE/DATA/PAGER	ALL FCLTS PHONE SVCS 4/19		25.63	
	401-5300-6510	TELEPHONE/ DATA/PAGER	ALL FCLTS PHONE SVCS 4/19		88.12	
	401-5600-6510	TELEPHONE/DATA/PAGER	ALL FCLTS PHONE SVCS 4/19		25.62	
	Void	04/03/2019	Regular	0.00	0.00	51226
CAR03	CARDENAS, DEMETRIA B.	04/03/2019	Regular	0.00	117.95	51227
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
MARCH 2019	Invoice	04/02/2019	WATER/ICE CREAM	0.00	117.95	
	269-6303-6504	FOOD SERVICES	RICH TOBIN DIST.		88.95	
	269-6303-6540	MISCELLANEOUS EXPENSE	AGUA PURA		15.00	
	269-6303-6540	MISCELLANEOUS EXPENSE	AGUA PURA		14.00	
CEN02	CENTRAL VALLEY LOCK & SAFE INC.	04/03/2019	Regular	0.00	233.61	51228
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
54158	Invoice	04/03/2019	KEKEY CCR	0.00	233.61	
	100-5617-6520	PROFESSIONAL SERVICES/F...	KEKEY CCR		233.61	
CIT22	CITY OF PARLIER	04/03/2019	Regular	0.00	1,916.67	51229
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
PAO-2-19	Invoice	04/02/2019	BLDG RENT FEB. 2019	0.00	1,916.67	
	269-6303-6536	DAYCARE USE ALLOWANCE	BLDG RENT FEB. 2019		1,916.67	
CIT22	CITY OF PARLIER	04/03/2019	Regular	0.00	3,333.33	51230
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
POA-2-19	Invoice	04/02/2019	ADMIN FEES FEB '19	0.00	3,333.33	
	269-6303-6542	ADMIN FEES - CITY OF PARL..	ADMIN FEES FEB '19		3,333.33	
FIR06	FIRST AMERICAN TITLE CO.	04/03/2019	Regular	0.00	900.00	51231
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
3/21/2019	Invoice	04/02/2019	13435 AMIGO ST.	0.00	900.00	
	231-5700-8100	HOMEOWNER ASST	13435 AMIGO ST.		900.00	
CAN03	JAVIER G. CANTU	04/03/2019	Regular	0.00	4,355.00	51232

Check Report

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Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number		Account Name		Distribution Amount	
1050	Invoice	04/03/2019	13435 AMIGO ST.-PHASE 1	0.00	4,355.00	
	231-5700-8100		HOMEOWNER ASST		4,355.00	
NEW02	NEW YORK LIFE INSURANCE	04/03/2019	Regular	0.00	497.80	51233
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number		Account Name		Distribution Amount	
021927560-3-19	Invoice	03/28/2019	LIFE INSURANCE 3-19	0.00	497.80	
	100-22109		NEW YORK LIFE INSURANCE..		497.80	
MED00	PATTERSON MEDICAL SUPPLY INC.	04/03/2019	Regular	0.00	858.60	51234
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number		Account Name		Distribution Amount	
IN91250680	Invoice	04/02/2019	CENTER FIRST AID SPLS	0.00	858.60	
	269-6303-6540		MISCELLANEOUS EXPENSE		858.60	
PAY01	PAY PLUS BENEFITS, INC.	04/03/2019	Regular	0.00	107.00	51235
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number		Account Name		Distribution Amount	
19843	Invoice	04/02/2019	CALPERS REPORTING 3-19	0.00	107.00	
	100-5200-6520		PROFESSIONAL SERVICES/F...		11.89	
	100-5400-6520		PROFESSIONAL SERVICES/F...		11.89	
	100-5620-6520		PROFESSIONAL SERVICES/F...		11.89	
	100-5700-6520		PROFESSIONAL SERVICES/F...		11.89	
	269-6303-6520		PROFESSIONAL SERVICES/F...		11.89	
	400-5300-6520		PROFESSIONAL SERVICES/F...		11.88	
	400-5600-6520		PROFESSIONAL SERVICES/F...		11.89	
	401-5300-6520		PROFESSIONAL SERVICES/F...		11.89	
	401-5600-6520		PROFESSIONAL SERVICES		11.89	
WAS01	RIP WASHINGTON	04/03/2019	Regular	0.00	2,225.00	51236
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number		Account Name		Distribution Amount	
0000007	Invoice	04/02/2019	AUDIT SVCS 3/25 - 3/31	0.00	2,225.00	
	400-5300-6520		PROFESSIONAL SERVICES/F...		742.00	
	401-5300-6520		PROFESSIONAL SERVICES/F...		742.00	
	402-5300-6520		PROFESSIONAL SERVICES		741.00	
SUP01	SUPPLYWORKS	04/03/2019	Regular	0.00	98.87	51237
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number		Account Name		Distribution Amount	
480849348	Invoice	04/02/2019	PRESCL KITCHEN SPLS	0.00	61.31	
	269-6303-6504		FOOD SERVICES		61.31	
482009313	Invoice	04/02/2019	PRESCL KITCHEN SPLS	0.00	37.56	
	269-6303-6504		FOOD SERVICES		37.56	
SYS00	SYSCO OF CENTRAL CALIFORNIA	04/03/2019	Regular	0.00	749.83	51238
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number		Account Name		Distribution Amount	
184952896	Invoice	04/02/2019	MEAL SUPPLIES/PRESCL	0.00	749.83	
	269-6303-6504		FOOD SERVICES		749.83	
TYL00	TYLER TECHNOLOGIES, INC.	04/03/2019	Regular	0.00	412.50	51239
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number		Account Name		Distribution Amount	
025-253987	Invoice	03/28/2019	EMMA & MICHELLE /TRNG	0.00	275.00	
	400-5300-6503		TRAVEL, MEETINGS & TRAI...		110.00	
	401-5300-6503		TRAVEL, MEETINGS & TRAI...		110.00	
	402-5300-6503		TRAVEL, MEETINGS & TRAI...		55.00	

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Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
025-253995	Invoice	04/01/2019	ALEX CASHIERING CLASS	0.00	137.50	
	400-5300-6503		TRAVEL, MEETINGS & TRAI...		55.00	
	401-5300-6503		TRAVEL, MEETINGS & TRAI...		55.00	
	402-5300-6503		TRAVEL, MEETINGS & TRAI...		27.50	
USMO1	U-SAVE MARKET	04/03/2019	Regular	0.00	640.55	51240
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description		Distribution Amount	
3/25/2019	Invoice	04/02/2019	MEAL SUPPLIES/PRESCL	0.00	132.33	
	269-6303-6504		FOOD SERVICES		132.33	
3/25/2019*	Invoice	04/02/2019	MEAL SUPPLIES/PRESCL	0.00	208.15	
	269-6303-6504		FOOD SERVICES		208.15	
3/28/2019	Invoice	04/02/2019	MEAL SUPPLIES/PRESCL	0.00	112.88	
	269-6303-6504		FOOD SERVICES		112.88	
4/1/2019	Invoice	04/02/2019	MEAL SUPPLIES/PRESCL	0.00	77.25	
	269-6303-6504		FOOD SERVICES		77.25	
4/2/2019	Invoice	04/02/2019	MEAL SUPPLIES/PRESCL	0.00	109.94	
	269-6303-6504		FOOD SERVICES		109.94	
RRMO0	RRM GROUP, A CALIFORNIA C	04/04/2019	Regular	0.00	68,632.13	51241
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description		Distribution Amount	
1159-01-1118	Invoice	04/04/2019	HERITAGE PARK SVCS 11-18	0.00	68,632.13	
	211-5700-6542		CONTRACT SERVICES		68,632.13	
RRMO0	RRM GROUP, A CALIFORNIA C	04/04/2019	Regular	0.00	41,835.70	51242
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description		Distribution Amount	
1159-01-1218	Invoice	04/04/2019	HERITAGE PARK SVCS 12-18	0.00	41,835.70	
	211-5700-6542		CONTRACT SERVICES		41,835.70	
GRAO1	GRANTED SOLUTIONS	04/05/2019	Regular	0.00	16,459.50	51243
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description		Distribution Amount	
1640	Invoice	04/05/2019	GRANT WRITING SVCS 3/19	0.00	3,000.00	
	100-5200-6520		PROFESSIONAL SERVICES/F...		3,000.00	
1641	Invoice	04/05/2019	TECH ASST. & ADMIN 2/19	0.00	7,417.00	
	231-5700-6545		Contractors		4,995.00	
	277-5400-6520		PROFESSIONAL SERVICES		2,422.00	
1642	Invoice	04/05/2019	COMMUNITY DEV. 2/19	0.00	6,042.50	
	100-5700-6520		PROFESSIONAL SERVICES/F...		6,042.50	
ADPO0	ADP, INC.	04/08/2019	Regular	0.00	769.98	51244

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Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
532920034	Invoice	04/08/2019	TIME & ATTENDANCE	0.00	769.98	
	100-5100-6520		PROFESSIONAL SERVICES/F...		64.17	
	100-5200-6520		PROFESSIONAL SERVICES/F...		21.39	
	100-5400-6520		PROFESSIONAL SERVICES/F...		256.66	
	100-5410-6520		PROFESSIONAL SERVICES/F...		10.69	
	100-5420-6520		CE PROFESSIONAL SERVICES		10.69	
	100-5610-6520		PROFESSIONAL SERVICES/F...		10.69	
	100-5615-6520		PROFESSIONAL SERVICES/F...		10.69	
	100-5617-6520		PROFESSIONAL SERVICES/F...		21.39	
	100-5620-6520		PROFESSIONAL SERVICES/F...		21.39	
	100-5700-6520		PROFESSIONAL SERVICES/F...		10.69	
	102-5400-6520		PROFESSIONAL SERVICES/F...		32.08	
	203-5600-6520		PROFESSIONAL SERVICES/F...		10.69	
	206-5600-6520		PROFESSIONAL SERVICES/F...		10.69	
	213-5600-6520		PROFESSIONAL SERVICES/F...		10.69	
	269-6303-6520		PROFESSIONAL SERVICES/F...		149.74	
	400-5300-6520		PROFESSIONAL SERVICES/F...		21.39	
	400-5600-6520		PROFESSIONAL SERVICES/F...		21.39	
	401-5300-6520		PROFESSIONAL SERVICES/F...		21.39	
	401-5600-6520		PROFESSIONAL SERVICES		21.39	
	402-5300-6520		PROFESSIONAL SERVICES		21.39	
	602-8100-6520		PROFESSIONAL SERVICES/F...		10.69	
	Void	04/08/2019	Regular	0.00	0.00	51245
GAS01	ANTONIO GASTELUM	04/08/2019	Regular	0.00	200.00	51246
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
4/5/2019	Invoice	04/08/2019	ONE VOICE TRIP REIMB.	0.00	200.00	
	100-5200-6503		TRAVEL, MEETINGS & TRAI...		200.00	
ASI01	ASI	04/08/2019	Regular	0.00	990.00	51247
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
151264	Invoice	04/08/2019	HRA ADMIN FEES 4-19	0.00	990.00	
	100-5100-6520		PROFESSIONAL SERVICES/F...		29.12	
	100-5200-6520		PROFESSIONAL SERVICES/F...		87.34	
	100-5400-6520		PROFESSIONAL SERVICES/F...		349.41	
	100-5420-6520		CE PROFESSIONAL SERVICES		29.12	
	100-5617-6520		PROFESSIONAL SERVICES/F...		29.12	
	100-5620-6520		PROFESSIONAL SERVICES/F...		29.12	
	269-6303-6520		PROFESSIONAL SERVICES/F...		349.41	
	273-6200-6520		PROFESSIONAL SERVICES		29.12	
	400-5300-6520		PROFESSIONAL SERVICES/F...		14.56	
	400-5600-6520		PROFESSIONAL SERVICES/F...		29.12	
	401-5300-6520		PROFESSIONAL SERVICES/F...		14.56	
ASI01	ASI	04/08/2019	Regular	0.00	1,287.18	51248
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
3-APR-19	Invoice	04/04/2019	2019 MEDICAL FUNDING	0.00	1,287.18	
	100-5400-5011		INSURANCE-MED,DEN,VISI...		887.82	
	269-6303-5011		INSURANCE-MED,DEN,VISI...		399.36	
BAN01	BANKCARD CENTER	04/08/2019	Regular	0.00	296.56	51249

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Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
0062-3854-3-19	Invoice	04/08/2019	PW CC EXPENSES 3-19	0.00	296.56	
	100-5616-6002		PARTS SUPPLIES		10.75	
	400-5600-6000		OFFICE SUPPLIES - P.W.		41.93	
	400-5600-6002		PARTS & SUPPLIES		158.74	
	400-5600-6002		PARTS & SUPPLIES		22.40	
	400-5600-6002		PARTS & SUPPLIES		38.57	
	400-5600-6002		PARTS & SUPPLIES		34.95	
	400-5600-6002		PARTS & SUPPLIES		-10.78	
BES03	BEST TIRES IN TOWN	04/08/2019	Regular	0.00	120.00	51250
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
3/4/19	Invoice	04/08/2019	UNIT #123 TIRE	0.00	120.00	
	400-5600-6002		PARTS & SUPPLIES		120.00	
BRE14	BRENTAG PACIFIC, INC.	04/08/2019	Regular	0.00	1,452.99	51251
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
BPI933067	Invoice	04/08/2019	CHLORINE-WELL #2A	0.00	440.30	
	400-5600-6002		PARTS & SUPPLIES		440.30	
BPI933068	Invoice	04/08/2019	CHLORINE-WELL #9A	0.00	572.39	
	400-5600-6002		PARTS & SUPPLIES		572.39	
PBI933069	Invoice	04/08/2019	CHLORINE-WELL #7	0.00	440.30	
	400-5600-6002		PARTS & SUPPLIES		440.30	
CEN13	CENTRAL VALLEY SWEEPING	04/08/2019	Regular	0.00	11,900.00	51252
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
14262	Invoice	04/08/2019	SWEEPING SVCS 3/19	0.00	5,950.00	
	200-5600-6520		PROFESSIONAL SERVICES/F...		5,950.00	
598122	Invoice	04/08/2019	SWEEPING SVCS 2/19	0.00	5,950.00	
	200-5600-6520		PROFESSIONAL SERVICES/F...		5,950.00	
FAS00	FASTENAL COMPANY	04/08/2019	Regular	0.00	211.57	51253
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
CAREE41492	Invoice	04/08/2019	ZEDIKER LIFT STN SUPP	0.00	7.89	
	401-5600-6002		PARTS SUPPLIES		7.89	
CAREE41493	Invoice	04/08/2019	WELL 6 REPAIRS	0.00	168.79	
	400-5600-6002		PARTS & SUPPLIES		168.79	
CAREE41516	Invoice	04/08/2019	WELL 6 REPAIRS	0.00	34.89	
	400-5600-6002		PARTS & SUPPLIES		34.89	
GRO01	FERGUSON ENTERPRISES INC.	04/08/2019	Regular	0.00	1,689.29	51254
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
1441084	Invoice	04/08/2019	INDUSTRIAL PARK SPLS	0.00	601.62	
	400-5600-6002		PARTS & SUPPLIES		601.62	
1443590	Invoice	04/08/2019	WATER SUPPLIES	0.00	909.15	
	400-5600-6002		PARTS & SUPPLIES		909.15	
1447366	Invoice	04/08/2019	WATER LEAK SUPPLIES	0.00	277.25	
	400-5600-6002		PARTS & SUPPLIES		277.25	
CM120941	Credit Memo	04/08/2019	CR INV. #1413255	0.00	-98.73	
	400-5600-6002		PARTS & SUPPLIES		-98.73	
P.GO1	PACIFIC GAS & ELECTRIC	04/08/2019	Regular	0.00	108.91	51255

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Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
11345-3-19	Invoice	04/08/2019	8638 MADSEN 2/23-3/25/19	0.00	46.02	
	200-5600-6512		ELECTRICITY		46.02	
17933-3-19	Invoice	04/08/2019	8495 BELLAVISTA 2/23-3/24	0.00	10.18	
	200-5600-6512		ELECTRICITY		10.18	
65805-3-19	Invoice	04/08/2019	588 1st SVCS 2/22-3/24/19	0.00	52.71	
	200-5600-6512		ELECTRICITY		52.71	
RHO01	RHODES INC.	04/08/2019	Regular	0.00	812.54	51256
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
19875	Invoice	04/08/2019	FUEL - RED DIESEL	0.00	812.54	
	401-5600-6011		FUEL		812.54	
WAS01	RIP WASHINGTON	04/08/2019	Regular	0.00	3,050.00	51257
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
0000008	Invoice	04/08/2019	AUDIT SVCS 4/01-4/05	0.00	3,050.00	
	400-5300-6520		PROFESSIONAL SERVICES/F...		1,017.00	
	401-5300-6520		PROFESSIONAL SERVICES/F...		1,017.00	
	402-5300-6520		PROFESSIONAL SERVICES		1,016.00	
SAN1R	SAN JOAQUIN VALLEY AIR	04/08/2019	Regular	0.00	413.00	51258
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
C291055	Invoice	04/08/2019	C3489 ANNUAL PERMIT 19/20	0.00	413.00	
	400-5600-6501		MEMBERSHIP DUES		413.00	
SAN1H	SANGER NURSERY	04/08/2019	Regular	0.00	26.06	51259
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
833725	Invoice	04/08/2019	WATER SUPPLIES	0.00	26.06	
	400-5600-6002		PARTS & SUPPLIES		26.06	
STA1U	STAR 1 MINI MART	04/08/2019	Regular	0.00	885.91	51260
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
2101	Invoice	04/08/2019	DAVID DEL BOSQUE	0.00	76.64	
	401-5600-6011		FUEL		76.64	
2473	Invoice	04/08/2019	DOMINGO MORALES	0.00	65.00	
	400-5600-6011		FUEL		65.00	
3065	Invoice	04/08/2019	DOMINGO MORALES	0.00	68.00	
	400-5600-6011		FUEL		68.00	
3297	Invoice	04/08/2019	DAVID DEL BOSQUE	0.00	74.57	
	401-5600-6011		FUEL		74.57	
4579	Invoice	04/08/2019	DOMINGO MORALES	0.00	66.00	
	400-5600-6011		FUEL		66.00	
5668	Invoice	04/08/2019	DAVID DEL BOSQUE	0.00	64.33	
	401-5600-6011		FUEL		64.33	
7682	Invoice	04/08/2019	DOMINGO MORALES	0.00	49.00	
	400-5600-6011		FUEL		49.00	
8332	Invoice	04/08/2019	DAVID DEL BOSQUE	0.00	70.19	
	401-5600-6011		FUEL		70.19	
8352	Invoice	04/08/2019	DOMINGO MORALES	0.00	70.70	
	400-5600-6011		FUEL		70.70	
8484	Invoice	04/08/2019	DOMINGO MORALES	0.00	67.00	

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	400-5600-6011	FUEL	DOMINGO MORALES		67.00	
8498	Invoice	04/08/2019	DAVID DEL BOSQUE	0.00	71.20	
	401-5600-6011	FUEL	DAVID DEL BOSQUE		71.20	
9104	Invoice	04/08/2019	DOMINGO MORALES	0.00	70.00	
	400-5600-6011	FUEL	DOMINGO MORALES		70.00	
9964	Invoice	04/08/2019	DAVID DEL BOSQUE	0.00	73.28	
	401-5600-6011	FUEL	DAVID DEL BOSQUE		73.28	
T&J00	T & J ARCO STATION	04/08/2019	Regular	0.00	864.43	51261
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
PW FUEL 2-19	Invoice	04/08/2019	FEBRUARY 2019-FUEL	0.00	864.43	
	400-5600-6011	FUEL	FEBRUARY 2019-FUEL		607.58	
	401-5600-6011	FUEL	FEBRUARY 2019-FUEL		256.85	
TCM01	TCM INVESTMENTS LP	04/08/2019	Regular	0.00	253.38	51262
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
146903	Invoice	04/04/2019	FLDNG MACHN LEASE 4/19	0.00	253.38	
	400-5300-6520		PROFESSIONAL SERVICES/F...		84.46	
	401-5300-6520		PROFESSIONAL SERVICES/F...		84.46	
	402-5300-6520		PROFESSIONAL SERVICES		84.46	
VUL00	VULCAN MATERIALS CO.	04/08/2019	Regular	0.00	256.50	51263
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
72135890	Invoice	04/08/2019	RAOD MATERIALS	0.00	155.65	
	200-5600-6002		PARTS & SUPPLIES		155.65	
72143994	Invoice	04/08/2019	ROAD MATERIALS	0.00	100.85	
	200-5600-6002		PARTS & SUPPLIES		100.85	
ADT01	ADT SECURITY SERVICES	04/10/2019	Regular	0.00	2,423.28	51264
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
401559711-4-19	Invoice	04/10/2019	PW SVCS 4/18 - 5/17/19	0.00	370.44	
	400-5600-6520		PROFESSIONAL SERVICES/F...		370.44	
401966975-4-19	Invoice	04/10/2019	WWTP SVCS 4/14- 5/13/19	0.00	175.07	
	401-5600-6520		PROFESSIONAL SERVICES		175.07	
402675472-4-19	Invoice	04/10/2019	CH SVCS 4/14 - 5/13/19	0.00	46.79	
	100-5620-6520		PROFESSIONAL SERVICES/F...		46.79	
402676105-4-19	Invoice	04/10/2019	GD SVCS 4/14 - 5/13/19	0.00	46.79	
	100-5620-6520		PROFESSIONAL SERVICES/F...		46.79	
402676106-4-19	Invoice	04/10/2019	TC SVCS 4/16 - 5/15/19	0.00	42.29	
	100-5620-6520		PROFESSIONAL SERVICES/F...		42.29	
402676109-4-19	Invoice	04/10/2019	CC2 SVCS 4/22- 5/21/19	0.00	46.79	
	100-5620-6520		PROFESSIONAL SERVICES/F...		46.79	
402676110-4-19	Invoice	04/10/2019	SC SVCS 4/15- 5/14/19	0.00	1,427.87	
	100-5615-6520		PROFESSIONAL SERVICES/F...		1,427.87	
402676111-4-19	Invoice	04/10/2019	CCA SVCS 4/16- 5/15/19	0.00	46.79	
	100-5618-6520		PROFESSIONAL SERVICES		46.79	
402676113-4-19	Invoice	04/10/2019	CC1 SVCS 4/15 - 5/14/19	0.00	46.79	
	100-5620-6520		PROFESSIONAL SERVICES/F...		46.79	
402676456-4-19	Invoice	04/10/2019	PPR SVCS 4/14- 5/13/19	0.00	42.29	
	100-5616-6520		PROFESSIONAL SERVICES		42.29	
402676458-4-19	Invoice	04/10/2019	PSR SVCS 4/16 - 5/15/19	0.00	42.29	
	100-5616-6520		PROFESSIONAL SERVICES		42.29	

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402676461-4-19	Invoice	04/10/2019	CC SVCS 4/14 5/13/19	0.00	46.79	
	100-5617-6520		PROFESSIONAL SERVICES/F...		46.79	
402829128-4-19	Invoice	04/10/2019	CCB SVCS 4/17- 5/16/19	0.00	42.29	
	100-5618-6520		PROFESSIONAL SERVICES		42.29	
MOLO8	ALMA MOLINAR	04/10/2019	Regular	0.00	270.00	51265
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number		Account Name		Distribution Amount	
3/23/2019-CC	Invoice	04/10/2019	CC RENTAL DEP. REIM.	0.00	270.00	
	100-23101		COMMUNITY CENTER REN...		400.00	
	100-5617-45200		COMMUNITY CENTER REV...		-130.00	
ASIO1	ASI	04/10/2019	Regular	0.00	50.00	51266
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number		Account Name		Distribution Amount	
0001120	Invoice	04/10/2019	MEDICAL CARD FUNDING	0.00	50.00	
	100-5400-5011		INSURANCE-MED,DEN,VISI...		50.00	
BAN01	BANKCARD CENTER	04/10/2019	Regular	0.00	6,269.17	51267
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number		Account Name		Distribution Amount	
0127-4087-3-19	Invoice	04/09/2019	CC EXPENSES 3-19	0.00	6,269.17	
	100-5100-6002		PARTS SUPPLIES		170.60	
	100-5100-6002		PARTS SUPPLIES		350.21	
	100-5100-6002		PARTS SUPPLIES		113.36	
	100-5100-6002		PARTS SUPPLIES		647.84	
	100-5100-6503		TRAVEL, MEETINGS & TRAI...		426.00	
	100-5100-6503		TRAVEL, MEETINGS & TRAI...		426.00	
	100-5100-6503		TRAVEL, MEETINGS & TRAI...		426.00	
	100-5100-6503		TRAVEL, MEETINGS & TRAI...		426.00	
	100-5100-6503		TRAVEL, MEETINGS & TRAI...		15.00	
	100-5100-6503		TRAVEL, MEETINGS & TRAI...		1,096.00	
	100-5100-6503		TRAVEL, MEETINGS & TRAI...		283.25	
	100-5200-6000		OFFICE SUPPLIES		113.49	
	100-5200-6000		OFFICE SUPPLIES		11.33	
	100-5200-6000		OFFICE SUPPLIES		1,245.00	
	100-5200-6000		OFFICE SUPPLIES		60.73	
	100-5615-6002		PARTS SUPPLIES		119.04	
	100-5620-6002		PARTS SUPPLIES		339.32	
	Void	04/10/2019	Regular	0.00	0.00	51268
CEN02	CENTRAL VALLEY LOCK & SAFE INC.	04/10/2019	Regular	0.00	435.63	51269
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number		Account Name		Distribution Amount	
54099	Invoice	04/10/2019	PD SVCS	0.00	273.60	
	100-5400-6520		PROFESSIONAL SERVICES/F...		273.60	
54116	Invoice	04/10/2019	PM KEY COPIES	0.00	162.03	
	100-5610-6002		PARTS & SUPPLIES		162.03	
ENE00	CHOICE PARTNERS, INC.	04/10/2019	Regular	0.00	1,258.00	51270
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number		Account Name		Distribution Amount	
70795	Invoice	04/10/2019	ENERGY SVGS 2/2019	0.00	1,258.00	
	401-5600-6520		PROFESSIONAL SERVICES		1,258.00	
COM05	COMCAST	04/10/2019	Regular	0.00	1,104.52	51271
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number		Account Name		Distribution Amount	
0001792-4-19	Invoice	04/10/2019	CH SVCS 4/1-4/30/19	0.00	291.36	
	100-5620-6510		TELEPHONE/DATA/PAGER		291.36	

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Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Q121293-4-19	Invoice	04/10/2019	PA SVCS 4/8-5/7/19	0.00	173.50	
	269-6303-6510		TELEPHONE/DATA/PAGER		173.50	
Q121665-4-19	Invoice	04/10/2019	PD SVCS 4/8-5/7/19	0.00	173.50	
	100-5400-6510		TELEPHONE/DATA/PAGER		173.50	
Q161851-3-19	Invoice	04/10/2019	PW SVCS 3/22-4/21/19	0.00	171.41	
	400-5600-6510		TELEPHONE/DATA/PAGER		171.41	
Q280230-4-19	Invoice	04/10/2019	CC2 SVCS 4/5-5/4/19	0.00	98.25	
	100-5620-6510		TELEPHONE/DATA/PAGER		98.25	
Q280248-4-19	Invoice	04/10/2019	CC SVCS 4/5-5/4/19	0.00	98.25	
	100-5618-6510		TELEPHONE/ DATA		98.25	
Q280263-4-19	Invoice	04/10/2019	TC SVCS 4/5/5/4/19	0.00	98.25	
	100-5620-6510		TELEPHONE/DATA/PAGER		98.25	
DIA11	DIAMOND COMMUNICATIONS	04/10/2019	Regular	0.00	1,095.00	51272
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number		Account Name		Distribution Amount	
221362	Invoice	04/10/2019	PA FIRE ALARM SVS 4/19	0.00	365.00	
	269-6303-6520		PROFESSIONAL SERVICES/F...		365.00	
221363	Invoice	04/10/2019	CC FIRE ALARM SVCS 4/19	0.00	365.00	
	100-5618-6520		PROFESSIONAL SERVICES		365.00	
221364	Invoice	04/10/2019	SC FIRE ALARM SVCS 4/19	0.00	365.00	
	100-5615-6520		PROFESSIONAL SERVICES/F...		365.00	
REE01	EDDIE C. REED	04/10/2019	Regular	0.00	973.48	51273
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number		Account Name		Distribution Amount	
4244	Invoice	04/10/2019	SWIMMING POOL SVCS 2-19	0.00	698.48	
	100-5616-6520		PROFESSIONAL SERVICES		698.48	
4253	Invoice	04/10/2019	SWIMMING POOL SVCS 3-19	0.00	275.00	
	100-5616-6520		PROFESSIONAL SERVICES		275.00	
ORE01	ELIZABETH ORELLANA	04/10/2019	Regular	0.00	280.00	51274
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number		Account Name		Distribution Amount	
3/23/2019-SC	Invoice	04/10/2019	SC RENTAL DEP. REIM.	0.00	200.00	
	100-23101		COMMUNITY CENTER REN...		200.00	
3/23/2019-SC-1	Invoice	04/10/2019	SC RENTAL HOUR REIM.	0.00	80.00	
	100-5617-45200		COMMUNITY CENTER REV...		80.00	
KAIOO	KAISER FOUNDATION HEALTH	04/10/2019	Regular	0.00	9,935.04	51275

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Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
644006-4-19	Invoice	04/10/2019	HEALTH INS. 4-19	0.00	9,935.04	
	100-22197		EMPLOYEE MEDICAL INS. ...		1,222.59	
	100-5100-5011		INSURANCE-MED,DEN,VISI...		199.34	
	100-5200-5011		INSURANCE-MED,DEN,VISI...		226.67	
	100-5400-5011		INSURANCE-MED,DEN,VISI...		1,061.36	
	100-5410-5011		INSURANCE-MED, DEN, VIS...		201.16	
	100-5610-5011		INSURANCE-MED,DEN,VISI...		140.60	
	102-5400-5011		INSURANCE-MED,DEN,VISI...		744.76	
	203-5600-5011		INSURANCE-MED,DEN,VISI...		271.19	
	206-5600-5011		INSURANCE-MED,DEN,VISI...		271.19	
	213-5600-5011		INSURANCE-MED,DEN,VISI...		47.40	
	269-6303-5011		INSURANCE-MED,DEN,VISI...		601.08	
	277-5400-5011		INSURANCE-MED,DEN,VISI...		707.53	
	400-5100-5011		INSURANCE, MED, DEN, VIS...		199.34	
	400-5200-5011		INSURANCE MED, DEN, VIS...		62.63	
	400-5300-5011		INSURANCE- MED, DEN. VIS...		528.03	
	400-5600-5011		INSURANCE- MED, DEN, VI...		1,055.28	
	401-5100-5011		INSURANCE-MED,DEN,VISI...		199.34	
	401-5200-5011		INSURANCE-MED,DEN,VISI...		62.63	
	401-5300-5011		INSURANCE-MED,DEN,VISI...		528.03	
	401-5600-5011		INSURANCE-MED,DEN,VISI...		852.27	
	402-5100-5011		INSURANCE-MED,DEN,VISI...		199.32	
	402-5300-5011		INSURANCE-MED, DEN,VIS...		264.00	
	602-8100-5011		INSURANCE-MED,DEN,VISI...		289.30	
	Void	04/10/2019	Regular	0.00	0.00	51276
KIRO1	KIRK L. GARNER	04/10/2019	Regular	0.00	1,600.00	51277
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
Q32619A	Invoice	04/10/2019	APPRAISAL APN #355-471-06	0.00	400.00	
	100-5200-6520		PROFESSIONAL SERVICES/F...		400.00	
Q32619B	Invoice	04/10/2019	APPRAISAL APN #355-471-07	0.00	400.00	
	100-5200-6520		PROFESSIONAL SERVICES/F...		400.00	
Q32619C	Invoice	04/10/2019	APPRAISAL APN #355-471-08	0.00	400.00	
	100-5200-6520		PROFESSIONAL SERVICES/F...		400.00	
Q32619D	Invoice	04/10/2019	APPRAISAL APN #355-471-09	0.00	400.00	
	100-5200-6520		PROFESSIONAL SERVICES/F...		400.00	
LOZ14	LOZANO, SANDRA	04/10/2019	Regular	0.00	360.00	51278
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
3/30/2019	Invoice	04/10/2019	CC RENTAL DEPOSIT REIM	0.00	360.00	
	100-23101		COMMUNITY CENTER REN...		400.00	
	100-5617-45200		COMMUNITY CENTER REV...		-40.00	
P.G01	PACIFIC GAS & ELECTRIC	04/10/2019	Regular	0.00	385.09	51279
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
0691616206-5-2-...	Invoice	04/10/2019	CC2 SVS 2/23-3/25/19	0.00	15.16	
	100-5620-6512		ELECTRICITY		15.16	
7083880272-9-2-...	Invoice	04/10/2019	CC SVCS 2/22-3/24/19	0.00	353.12	
	100-5618-6512		ELECTRICITY		353.12	
7832765206-7-2-...	Invoice	04/10/2019	CC1 SVCS 2/22-3/24/19	0.00	16.81	
	100-5620-6512		ELECTRICITY		16.81	
PAR14	PARLIER ROTARY	04/10/2019	Regular	0.00	35.00	51280

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Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
3/30/2019-P	Invoice	04/10/2019	PARK RENTAL DEP. REIMB.	0.00	35.00	
	100-23101		COMMUNITY CENTER REN...		35.00	
PRO01	PROVOST & PRITCHARD CONSULTING GROUP	04/10/2019	Regular	0.00	4,870.76	51281
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
72763	Invoice	04/10/2019	CITY PLANNING SVCS 3-19	0.00	4,438.76	
	100-5700-6520		PROFESSIONAL SERVICES/F...		4,438.76	
72764	Invoice	04/10/2019	GREENBRIER IND. 3-19	0.00	132.00	
	100-5700-6520		PROFESSIONAL SERVICES/F...		132.00	
72765	Invoice	04/10/2019	TACO BELL SITE 3-19	0.00	300.00	
	100-5700-6520		PROFESSIONAL SERVICES/F...		300.00	
BAR08	STEVE BARELA	04/10/2019	Regular	0.00	200.00	51282
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
4/4/19	Invoice	04/10/2019	SC RENTAL DEP. REIM.	0.00	200.00	
	100-23101		COMMUNITY CENTER REN...		200.00	
TYL00	TYLER TECHNOLOGIES, INC.	04/10/2019	Regular	0.00	1,073.00	51283
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
025-255143	Invoice	04/09/2019	MICHELLE & EMMA CLASSES	0.00	275.00	
	400-5300-6503		TRAVEL, MEETINGS & TRAI...		110.00	
	401-5300-6503		TRAVEL, MEETINGS & TRAI...		110.00	
	402-5300-6503		TRAVEL, MEETINGS & TRAI...		55.00	
025-255145	Invoice	04/09/2019	MICHELLE & EMMA CLASSES	0.00	798.00	
	400-5300-6503		TRAVEL, MEETINGS & TRAI...		319.20	
	401-5300-6503		TRAVEL, MEETINGS & TRAI...		319.20	
	402-5300-6503		TRAVEL, MEETINGS & TRAI...		159.60	
UNU00	UNUM LIFE INSURANCE CO.	04/10/2019	Regular	0.00	115.95	51284
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
0609032-001-5-19	Invoice	04/10/2019	SHORT TERM DIS. 5-19	0.00	115.95	
	100-5200-5014		LIFE, LTD & STD		6.10	
	100-5400-5014		LIFE, LTD & STD		38.65	
	100-5410-5014		LIFE, LTD & STD		2.03	
	100-5420-5014		CE LIFE, LTD & STD		2.03	
	100-5617-5014		LIFE, LTD & STD		2.03	
	100-5620-5014		LIFE, LTD & STD		4.07	
	100-5700-5014		LIFE, LTD & STD		2.03	
	102-5400-5014		LIFE, LTD & STD		6.10	
	269-6303-5014		LIFE, LTD & STD		28.51	
	273-6200-5014		LIFE, LTD & STD		2.03	
	277-5400-5014		LIFE, LTD & STD		2.03	
	400-5300-5014		LIFE, LTD & STD		4.07	
	400-5600-5014		LIFE, LTD & STD		8.14	
	401-5600-5014		LIFE, LTD & STD		8.13	
UN 01	unWIRED BROADBAND, INC.	04/10/2019	Regular	0.00	74.99	51285
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
INV00667516	Invoice	04/10/2019	WWTP DATA 4/14-5/13/19	0.00	74.99	
	401-5600-6510		TELEPHONE/DATA/PAGER		74.99	
ADPO0	ADP, INC.	04/11/2019	Regular	0.00	559.96	51286

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Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
533288229	Invoice	04/11/2019	PAYROLL PROCESS 3/29/19	0.00	559.96	
	100-5100-6520		PROFESSIONAL SERVICES/F...		41.48	
	100-5200-6520		PROFESSIONAL SERVICES/F...		13.83	
	100-5400-6520		PROFESSIONAL SERVICES/F...		172.83	
	100-5410-6520		PROFESSIONAL SERVICES/F...		6.91	
	100-5420-6520		CE PROFESSIONAL SERVICES		6.91	
	100-5610-6520		PROFESSIONAL SERVICES/F...		13.83	
	100-5615-6520		PROFESSIONAL SERVICES/F...		6.91	
	100-5617-6520		PROFESSIONAL SERVICES/F...		27.65	
	100-5620-6520		PROFESSIONAL SERVICES/F...		27.65	
	100-5700-6520		PROFESSIONAL SERVICES/F...		6.91	
	102-5400-6520		PROFESSIONAL SERVICES/F...		20.74	
	203-5600-6520		PROFESSIONAL SERVICES/F...		6.91	
	206-5600-6520		PROFESSIONAL SERVICES/F...		6.91	
	213-5600-6520		PROFESSIONAL SERVICES/F...		6.91	
	269-6303-6520		PROFESSIONAL SERVICES/F...		96.79	
	400-5300-6520		PROFESSIONAL SERVICES/F...		20.74	
	400-5600-6520		PROFESSIONAL SERVICES/F...		20.74	
	401-5300-6520		PROFESSIONAL SERVICES/F...		20.74	
	401-5600-6520		PROFESSIONAL SERVICES		13.83	
	402-5300-6520		PROFESSIONAL SERVICES		13.83	
	602-8100-6520		PROFESSIONAL SERVICES/F...		6.91	
	Void	04/11/2019	Regular	0.00	0.00	51287
ATA02	ATASCADERO GLASS INC	04/11/2019	Regular	0.00	121.00	51288
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
1059-4-19	Invoice	04/11/2019	CREDIT REFUND	0.00	121.00	
	100-5000-42100		BUSINESS LICENSE		121.00	
BAN01	BANKCARD CENTER	04/11/2019	Regular	0.00	1,974.58	51289
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
0106-5584-3-19-	Invoice	04/11/2019	CREDIT CARD EXPENSES 3/19	0.00	1,974.58	
	100-5400-6002		PARTS SUPPLIES		13.54	
	100-5400-6002		PARTS SUPPLIES		124.88	
	100-5400-6002		PARTS SUPPLIES		20.00	
	100-5400-6002		PARTS SUPPLIES		194.95	
	100-5400-6002		PARTS SUPPLIES		119.96	
	100-5400-6002		PARTS SUPPLIES		17.50	
	100-5400-6503		TRAVEL, MEETINGS & TRAI...		104.70	
	100-5400-6503		TRAVEL, MEETINGS & TRAI...		49.00	
	100-5400-6503		TRAVEL, MEETINGS & TRAI...		1,330.05	
COM02	COMCAST BUSINESS	04/11/2019	Regular	0.00	664.27	51290
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
79333092	Invoice	04/11/2019	CONNECTION TO FSO	0.00	664.27	
	102-5400-6510		TELEPHONE/DATA/PAGER		664.27	
COS03	COSTANZO & ASSOCIATES	04/11/2019	Regular	0.00	12,867.81	51291
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
5904	Invoice	04/11/2019	GENERAL LEGAL SVCS 3-19	0.00	8,353.60	
	100-5200-6521		ATTORNEY SERVICES		8,353.60	
5905	Invoice	04/11/2019	COP V. JIMENEZ	0.00	119.00	
	100-5200-6521		ATTORNEY SERVICES		119.00	
5906	Invoice	04/11/2019	MISC. LITIGATION 3-19	0.00	62.00	

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Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
	100-5200-6521	ATTORNEY SERVICES	MISC. LITIGATION 3-19		62.00	
5907	Invoice	04/11/2019	COP RETAINER 3-19	0.00	3,057.00	
	100-5200-6521	ATTORNEY SERVICES	COP RETAINER 3-19		3,057.00	
5908	Invoice	04/11/2019	YCA SVCS 3-19	0.00	1,276.21	
	100-5200-6521	ATTORNEY SERVICES	YCA SVCS 3-19		1,276.21	
COU05	COUNTRY TIRE & WHEEL, INC.	04/11/2019	Regular	0.00	255.99	51292
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number		Account Name		Distribution Amount	
3083695	Invoice	04/11/2019	TIRES FOR PD UNITS	0.00	255.99	
	100-5400-6002		PARTS SUPPLIES		255.99	
D & O0	D & D SERVICES, INC.	04/11/2019	Regular	0.00	195.00	51293
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number		Account Name		Distribution Amount	
84131	Invoice	04/10/2019	ANIMAL DISPOSAL 3-19	0.00	195.00	
	100-5410-6021		ANIMAL DISPOSAL		195.00	
DELO0	DE LAGE LANDEN FINANCIAL	04/11/2019	Regular	0.00	5,101.72	51294
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number		Account Name		Distribution Amount	
63107656	Invoice	04/11/2019	COPY MACHINES SVCS 4-19	0.00	5,101.72	
	100-5100-6520		PROFESSIONAL SERVICES/F...		216.07	
	100-5200-6520		PROFESSIONAL SERVICES/F...		415.56	
	100-5400-6520		PROFESSIONAL SERVICES/F...		878.27	
	100-5615-6520		PROFESSIONAL SERVICES/F...		66.68	
	100-5700-6520		PROFESSIONAL SERVICES/F...		258.93	
	231-5700-6545		Contractors		372.70	
	269-6303-6520		PROFESSIONAL SERVICES/F...		909.09	
	400-5300-6520		PROFESSIONAL SERVICES/F...		595.80	
	400-5600-6520		PROFESSIONAL SERVICES/F...		396.41	
	401-5300-6520		PROFESSIONAL SERVICES/F...		595.80	
	401-5600-6520		PROFESSIONAL SERVICES		396.41	
FRE13	FRESNO COUNTY TREASURER	04/11/2019	Regular	0.00	180.75	51295
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number		Account Name		Distribution Amount	
SQ16411	Invoice	04/11/2019	RMS/JMS FEES 3-19	0.00	180.75	
	100-5400-6520		PROFESSIONAL SERVICES/F...		180.75	
FRE04	FRESNO POLICE DEPARTMENT	04/11/2019	Regular	0.00	406.00	51296
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number		Account Name		Distribution Amount	
5470	Invoice	04/11/2019	PERISHABLE SKILLS TRNG	0.00	406.00	
	100-5400-6503		TRAVEL, MEETINGS & TRAI...		406.00	
MEN18	MENDOCINO AUTO SALES & RE	04/11/2019	Regular	0.00	426.89	51297
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number		Account Name		Distribution Amount	
35068	Invoice	04/10/2019	AC UNIT REPAIRS	0.00	426.89	
	100-5410-6532		VEHICLE MAINTENANCE		426.89	
METO1	METRO UNIFORM & ACCESSORIES	04/11/2019	Regular	0.00	129.41	51298
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number		Account Name		Distribution Amount	
159550	Invoice	04/11/2019	POLO SHIRTS - SOLIS	0.00	129.41	
	100-5400-5013		UNIFORM		129.41	
SCRO1	SCREAMING CHICKEN V-TWIN MOTORS	04/11/2019	Regular	0.00	518.78	51299

Check Report

Date Range: 03/29/2019 - 04/11/2019

19

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
00414	Invoice	04/11/2019	INSTALL CRASHBAR	0.00	518.78	
	100-5400-6532		VEHICLE MAINTENANCE		518.78	
SEL01	SELECT BUSINESS SYSTEMS INC.	04/11/2019	Regular	0.00	320.00	51300
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
278241	Invoice	04/11/2019	INSTALL COPIER AT PD	0.00	320.00	
	100-5400-6542		CONTRACT SERVICES		320.00	
SHR00	SHRED-IT USA - FRESNO	04/11/2019	Regular	0.00	82.86	51301
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
8127018099	Invoice	04/11/2019	DOCUMENT SHREDDING	0.00	82.86	
	100-5400-6000		OFFICE SUPPLIES		82.86	
SIR00	SIRCHIE FINGER PRINT LAB.	04/11/2019	Regular	0.00	72.30	51302
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
0391676-IN	Invoice	04/10/2019	EVIDENCE TAPE /NARC TEST	0.00	43.49	
	100-5400-6002		PARTS SUPPLIES		43.49	
0393415-IN	Invoice	04/10/2019	PD NARC KITS	0.00	28.81	
	100-5400-6002		PARTS SUPPLIES		28.81	
SOU07	SOUTH COUNTY VETERINARY H	04/11/2019	Regular	0.00	66.00	51303
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
213907	Invoice	04/11/2019	EUTHANIZED ANIMALS	0.00	66.00	
	100-5410-6021		ANIMAL DISPOSAL		66.00	
SPA00	SPARKLETTS	04/11/2019	Regular	0.00	76.96	51304
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
15306726-3-21-19	Invoice	04/11/2019	PD WATER	0.00	76.96	
	100-5400-6002		PARTS SUPPLIES		76.96	
STA19	STATE OF CALIFORNIA	04/11/2019	Regular	0.00	596.00	51305
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
364520	Invoice	04/11/2019	FINGERPRINTS 3-19	0.00	421.00	
	100-5400-6520		PROFESSIONAL SERVICES/F...		421.00	
369699	Invoice	04/11/2019	BLOOD ALCOHOL ANALYSIS	0.00	175.00	
	100-5400-6544		LAB ANALYSIS & TESTING		175.00	
THE05	THE OFFICE CITY	04/11/2019	Regular	0.00	170.85	51306
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
IN-1568477	Invoice	04/11/2019	COPY PAPER	0.00	52.20	
	100-5400-6000		OFFICE SUPPLIES		52.20	
IN-1569486	Invoice	04/11/2019	PD HOLE PUNCH	0.00	30.22	
	100-5400-6000		OFFICE SUPPLIES		30.22	
SO-1626544	Invoice	04/10/2019	PD OFFICE SUPPLIES	0.00	88.43	
	100-5400-6000		OFFICE SUPPLIES		88.43	
MVPO1	MV PUBLIC TRANSPORTATION, INC.	04/11/2019	Regular	0.00	95.00	51307

Check Report

Date Range: 03/29/2019 - 04/11/2019

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Payable #	Payable Type	Payable Description		Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
<u>3/16-3/29/19</u>	Invoice	04/09/2019	PERS CONTRIBUTIONS	0.00	15,081.54	
	<u>100-22104</u>	PERS PAYABLE	PERS CONTRIBUTIONS		6,626.39	
	<u>100-5200-5010</u>	PERS-PENSION	PERS CONTRIBUTIONS		231.17	
	<u>100-5400-5010</u>	PERS-PENSION	PERS CONTRIBUTIONS		2,912.00	
	<u>100-5410-5010</u>	PERS- PENSION	PERS CONTRIBUTIONS		128.74	
	<u>100-5420-5010</u>	CE PERS-PENSION	PERS CONTRIBUTIONS		138.84	
	<u>100-5610-5010</u>	PERS-PENSION	PERS CONTRIBUTIONS		42.49	
	<u>100-5610-5010</u>	PERS-PENSION	PERS CONTRIBUTIONS		69.29	
	<u>100-5617-5010</u>	PERS-PENSION	PERS CONTRIBUTIONS		23.72	
	<u>100-5620-5010</u>	PERS-PENSION	PERS CONTRIBUTIONS		23.73	
	<u>102-5400-5010</u>	PERS-PENSION	PERS CONTRIBUTIONS		533.04	
	<u>160-5400-5010</u>	PERS-PENSION	PERS CONTRIBUTIONS		431.41	
	<u>203-5600-5010</u>	PERS-PENSION	PERS CONTRIBUTIONS		95.39	
	<u>206-5600-5010</u>	PERS-PENSION	PERS CONTRIBUTIONS		95.39	
	<u>213-5600-5010</u>	PERS-PENSION	PERS CONTRIBUTIONS		66.31	
	<u>269-6303-5010</u>	PERS-PENSION	PERS CONTRIBUTIONS		1,298.06	
	<u>273-6200-5010</u>	PERS-PENSION	PERS CONTRIBUTIONS		186.60	
	<u>277-5400-5010</u>	PERS-PENSION	PERS CONTRIBUTIONS		65.31	
	<u>400-5200-5010</u>	PERS PENSION	PERS CONTRIBUTIONS		222.07	
	<u>400-5300-5010</u>	PERS PENSION	PERS CONTRIBUTIONS		220.62	
	<u>400-5600-5010</u>	PERS PENSION	PERS CONTRIBUTIONS		417.05	
	<u>401-5200-5010</u>	PERS PENSION	PERS CONTRIBUTIONS		222.07	
	<u>401-5300-5010</u>	PERS PENSION	PERS CONTRIBUTIONS		220.62	
	<u>401-5600-5010</u>	PERS PENSION	PERS CONTRIBUTIONS		353.91	
	<u>402-5300-5010</u>	PERS PENSION	PERS CONTRIBUTIONS		110.31	
	<u>602-8100-5010</u>	PERS-PENSION	PERS CONTRIBUTIONS		347.01	

Bank Code APBNK Summary

Payment Type	Payable Count	Payment Count	Discount	Payment
Regular Checks	152	81	0.00	230,115.04
Manual Checks	0	0	0.00	0.00
Voided Checks	0	6	0.00	0.00
Bank Drafts	3	3	0.00	18,110.80
EFT's	0	0	0.00	0.00
	155	90	0.00	248,225.84

All Bank Codes Check Summary

Payment Type	Payable Count	Payment Count	Discount	Payment
Regular Checks	152	81	0.00	230,115.04
Manual Checks	0	0	0.00	0.00
Volded Checks	0	6	0.00	0.00
Bank Drafts	3	3	0.00	18,110.80
EFT's	0	0	0.00	0.00
	155	90	0.00	248,225.84

Fund Summary

Fund	Name	Period	Amount
999	POOL FUND	4/2019	248,225.84
			248,225.84



MINUTES

CITY COUNCIL OF PARLIER REGULAR MEETING Thursday April 04, 2019

CALL TO ORDER/WELCOME:

The Council meeting of the City of Parlier was held at the Parlier Police Department located at 8770 S. Mendocino Avenue, Parlier, California 93648. Mayor Alma Beltran called the meeting to order. At 6:30 p.m.

ROLL CALL:

Mayor Alma M. Beltran, Mayor Pro Tem Trinidad Pimentel, Councilwoman Diane Maldonado and Councilman Jose Escoto,

Absent: Councilman Noe Rodriguez and City Clerk Dorothy Garza.

FLAG SALUTE: Mayor Alma M. Beltran

ADDITIONS/DELETIONS TO THE AGENDA

PRESENTATIONS/INFORMATIONAL:

1. Plaque honoring Mayor Beltran for being the first City of Parlier Latina woman Mayor.
2. Crime Status Report by Chief Garza.

PUBLIC COMMENTS:

Note: State law allows the Council to briefly respond to questions on items raised by the public, which are not on the agenda. Government Code Section 54954.2(a). Alternatively, the Council may choose to direct staff to provide information at a following meeting. Any member of the public may comment on any matter within the jurisdiction of the City that is not on the agenda. Those wishing to comment should be recognized by the Mayor and approach the podium. Comments are limited to three (3) minutes.

Irma Santillan, 231 Kelly Avenue wants help with solar Panels.

Amelia 13780 E. 2nd St. Asked how does the City know its not fraud.

Lourdes Oliva- A neighborhood task force. Please allow residents to speak to Council without Responding.

Rosa Gonzalez, 291 Kelly, Home owner panels haven't worked for 3 years.
Emily 8397 Constance Ave.- 426-0164 – Signed her husband's name on the contract. Spoke with previous manager. Panels are hazardous. Owes \$34,000.
Neal – you don't have to pay if they installed faulty equipment.
Humberto Gomez – Thanked Councilman Pimentel. Met with California Water Board.
Following rules not receiving reports. Would like Chief to look into if a crime has been committed.

CONSENT CALENDAR:

The City Council

3. Approved the Check Reports dated March 1, 2019 through March 14, 2019.
4. Approved and accepted the Minutes dated March 7, 2019.

M/S/C: Motion to approve the Consent Calendar by Maldonado, 2nd by Pimentel,
Note: 4 – 1 absent and carried.

REPORTS:

***Note: No action was taken on this item.**

5. **SUBJECT:** Consideration and Necessary action on Energy Experts LLC; Solar PV and Energy Efficiency Program Proposal Agreement.
RECOMMENDATION: City Council to approve the Proposed Agreement with Energy Experts LLC.
6. **SUBJECT:** Initiating Proceedings for the Annual Levy of Assessments for Landscape Maintenance and Lighting District No. 1.

City Council adopted **Resolution No. 2019-09** Initiating Proceedings for the Annual Levy of Assessments for Landscape Maintenance and Lighting District No. 1 and authorize the City Engineer to file his annual report.

M/S/C: Motion to adopt Resolution No. 2019-09 by Pimentel, 2nd by Escoto,
Vote; 4 – 1 absent and carried.

7. **SUBJECT:** Continued from the March 7, 2019 City Council meeting. Consideration and Necessary Action on Resolution Setting Special Election for and Second Reading, Public Hearing and Adoption of Transactions and Use (Sales) Tax Ordinance to be Voted on at Special Election.
RECOMMENDATION: Council to approve **Resolution No. 2019-04** Setting Special Election and waive Second Reading conduct Public Hearing and Adopt **Ordinance 2019-02** Transactions and Use (Sales) Tax to be voted on at Special Election.

M/S/C: Motion to continue this item to meeting of May 2, 2019 by Maldonado, 2nd by Pimentel, Vote:4 – 1 absent and carried.

- 8. SUBJECT:** Consideration and Necessary Action on updating and amending the current Personnel Policies.

The Council approved updating and amending the current Personnel Policies.

M/S/C: Motion to approve updating and amending the current Personnel Policies by Plmentel, 2nd by Maldonado, Vote: 4 – 1 absent and carried

BRIEF COMMENTS: COUNCIL COMMUNICATIONS/COMMENTS:

CITY MANAGER – None.

CITY ATTORNEY – None.

CITY COUNCIL – None.

PUBLIC COMMENTS ON CLOSED SESSION

(THIS PORTION OF THE MEETING IS RESERVED FOR PERSONS DESIRING TO ADDRESS THE COUNCIL ON AN ITEM WHICH IS TO BE CONSIDERED DURING CLOSED SESSION. SPEAKERS SHOULD LIMIT THEIR COMMENTS TO FIVE (5) MINUTES.)

CLOSED SESSION: (8:20 p.m. to 9:45 p.m.)

9. GOVERNMENT CODE SECTION 54957

Public Employee Performance Evaluation

Titles:

City Manager

Finance Director/Controller

Police Chief

Community Development Director

Director of Maintenance and Operations

Wastewater Treatment Plant Superintendent

City Engineer

City Planner

Preschool Director

Facilities Manager

Building Inspector/Code Enforcement

Events Coordinator

CLOSED SESSION ACTION

No action was taken.

ADJOURNMENT

Mayor Alma Beltran adjourned the meeting at 9:45 p.m.

Dorothy Garza – City Clerk

Resolutions adopted: 2018-09

Ordinances adopted : None.

ADA NOTICE

In compliance with the American with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk at (559) 646-3545 ext. 227. Notification 48 hours prior to the meeting will enable the City to make arrangements to ensure accessibility to this meeting.

DOCUMENTS

Any writings or documents provided to a majority of the City Council regarding any item on this agenda will be made available for public inspection at the front counter at City Hall located at 1100 East Parlier Avenue, Parlier, CA during normal business hours. In addition, most documents are posted on the City's website at <http://parlier.ca.us>.

STATEMENT ON RULES OF DECORUM AND ENFORCEMENT

The Brown Act provides that members of the public have a right to attend public meetings, to provide public comment on action items and under the public forum section of the agenda, and to criticize the policies, procedures, or services of the city or of the acts or omissions of the city council. The Brown Act also provides that the City Council has the right to exclude all persons who willfully cause a disruption of a meeting so that it cannot be conducted in an orderly fashion.

During a meeting of the Parlier City Council, there is a need for civility and expedition in the carrying out of public business in order to ensure that the public has a full opportunity to be heard and that the Council has an opportunity to conduct business in an orderly manner. The following is provided to place everyone on notice of the rules of decorum and enforcement.

GENERAL RULES OF DECORUM

While any meeting of the City Council is in session, the following rules of decorum shall be observed:

1. All remarks shall be addressed to the City Council as a whole and not to any single member, unless in response to a question from a member of the City Council.
2. A person who addresses the City Council under public comment for a specific agenda item or under the Public Forum section of the agenda may not engage in speech or conduct (i) which is likely to provoke others to violent or riotous behavior, (ii) which disturbs the peace of the meeting by loud and unreasonable noise, (iii) which is irrelevant or repetitive, or (iv) which disrupts, disturbs, or otherwise impedes the orderly conduct of any City Council meeting.
3. A person, other than members of the Council and the person, who has the floor, shall

not be permitted to enter into the discussion unless requested by the Mayor to speak.

4. Members of the City Council may not interrupt a person who has the floor and is making public comments. Members of the City Council shall wait until a person completes his or her public comments before asking questions or commenting. The Mayor shall then ask Council members if they have comments or questions.

5. No person in the audience at a Council meeting shall engage in disorderly or boisterous conduct, including the utterance of loud, threatening or abusive language, whistling, stamping of feet or other acts which disturb, disrupt or otherwise impeded the orderly conduct of any Council meeting.

AGENDA ITEM: 4

MEETING DATE: 04/18/2019

DEPARTMENT: Administration

REPORT TO THE CITY COUNCIL

SUBJECT:

Consideration and Necessary Action of Resolution Authorizing City Manager to pay bills, statements or invoices presented to the City of Parlier.

RECOMMENDATION:

Adopt Resolution authorizing City Manager to pay bills without prior City Council approval.

DISCUSSION:

The Council expressed a desire to authorize its City Manager to pay bills, statements or invoices presented to the City of Parlier for goods provided or services rendered to the City of Parlier. The current practice is to await a regular City Council meeting for approval of payment of any bills, statement or invoice presented to the City of Parlier. The current practice, in many cases, results in the imposition of an additional late fee, service charge or interest charge by the person presenting the bill, invoice or statement. Allowing the City Manager to pay, or authorize the payment of such bills, invoices or statements will enable the City to avoid paying late charges or interest charges or other fees because a bill, statement or invoice is not paid by its due date. To ensure that what is being paid out is a legitimate payment for a debt owed by the City of Parlier, all such items paid or authorized to be paid by the City Manager shall appear on the usual check register that the City Council receives at its regular City Council meetings, for City Council ratification of the payments made.

FISCAL IMPACT:

None.

Prepared by:

Approved by:

City Attorney

City Manager

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
PARLIER AUTHORIZING CITY MANAGER TO PAY INVOICES, BILLS,
AND STATEMENTS FOR SERVICES RENDERED OR GOODS PROVIDED
WITHOUT CITY COUNCIL APPROVAL**

WHEREAS, the City has adhered to a practice of requiring City Council authorization for the issuance of any check or warrant in payment of any bill, invoice or statement for services or goods provided to the City of Parlier; and

WHEREAS, the City of Parlier meets twice each month, and depending on when they were issued, some bills, invoices or statements for services rendered or goods provided to the City of Parlier are not paid by their due date because of the need to await City Council approval of payment; and

WHEREAS, the practice of requiring City Council preapproval of all payments, by issuance of checks or warrants of the City of Parlier has and will likely continue to cause the City to unnecessarily incur additional charges for late fees or interest on overdue invoices, bills or statements; and

WHEREAS, the City wishes to avoid the additional expense of late fees or interest charges as a result of not paying bills, invoices or statements on or before their due date.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PARLIER AS FOLLOWS:

1. That the foregoing recitals are true and correct.
2. The City Manager is authorized to cause the City to issue the City's check or warrant in payment of any invoice, bill, or statement for goods provided or services rendered to or on behalf of the City of Parlier; but, shall refrain from making payment on any bill, invoice or statement which the City Manager, in his sole discretion, determines to be invalid, overstated or of questionable validity and as to such bills, invoices or statements, shall await approval of payment by the City Council.
3. All bills, statements, and invoices paid by the City Manager without prior City Council approval shall be reflected on the check register or list of payments made or owing by the City of Parlier and presented to the City Council for ratification.

The foregoing resolution was approved and adopted at a regular meeting of the City Council of the City of Parlier held on the ____ day of _____, 2019, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Alma Beltran, Mayor of the
City of Parlier

ATTEST:

City Clerk/Deputy City Clerk

AGENDA ITEM: # 5

MEETING DATE: April 08, 2019

DEPARTMENT: Administration

REPORT TO THE CITY COUNCIL

SUBJECT:

Consideration and Necessary Action on Resolution of the City Council Amending Personnel Policies and Procedures.

RECOMMENDATION:

Adopt Resolution Amending Personnel Policies and Procedures.

DISCUSSION:

The specific changes requested by the City Council to be made to the Personnel Policies and Procedures were to change references to the 40 hour work week to a 32-40 hour work week; establish ceilings on accrual of vacation and sick leave hours and eliminate the provisions requiring the City to pay employee's accrued sick leave on severance of employment in addition to making sick leave eligibility requirements consistent with AB 1522, which required eliminating the probationary period before the beginning of accrual of sick leave, and to update the list of controlled substances for the drug free workplace policy to be consistent with state law.

Those changes have been made and appear in bold in the attached Exhibit A which is the revision to the Personnel Policies Manual. The Policy Manual was adopted in 2003. It requires significantly more alteration, both to make it consistent with law and to eliminate financial burdens on the City. Staff proposes to further amend the policies; but, do so requires significant legal research and extensive rewriting of certain policies, in addition to Council input on the advisability of further amendment. Consequently, the Council is being requested to adopt this resolution approving this version of the Personnel Policies and Staff is seeking guidance on the Council's wishes with respect to further amending the manual in the following respects:

(1) At Section 5 the City policy is to pay overtime at one and ½ the usual rate of pay for work over eight hours in any given work day in addition to hours worked in excess of 40 per week. The requirement to pay overtime for hours in excess of eight hours a day is a state law that does not apply to a city. The city is governed by the Federal Fair Labor Standards Act which requires only overtime for hours worked in excess of 40 hours per week. Altering that requirement could, depending on the extent to which overtime is used, result in significant savings to the City. Employees have no

vested rights in receiving overtime pay for hours worked in excess of eight hours per day.

(2) At Section 29, the policy states that the "employees are currently not required to make contributions" to PERS. The policy is slightly misleading. While it may have been true in 2003 that employees are not required to make contributions to PERS, that no longer remains the case under the Pension Reform Act of 2013 which requires most employees to pay the employee's contribution to PERS, which according to the policy was previously paid for by the City with respect to employees in 2003. The policy should be changed to reflect that but a determination first needs to be made concerning whether employees are paying the employee contribution.

(3) At paragraph 37 there is a policy that allows the City Manager to grant up to 80 hours of administrative leave every fiscal year to "exempt employees". The problem with this provision is that it converts unused administrative leave granted by the City Manager to vacation hours and depending on the accruals already obtained by the employee may exceed the cap or limit provided for by the revised policies. Staff is seeking Council input on whether this policy should be eliminated.

(4) The leaves without pay (at an unnumbered section following Section 35) is replete with typographical errors and requires complete elimination and substitution with an appropriate leave without pay policy that consistent with current law. The sexual harassment policy at Section 57 and the Drug Free Workplace policy both require fine tuning, although neither of them are actually inconsistent with law, none of these policies is clear. Unlike the provisions that have been revised, these policies are applicable to employees covered by MOU's since all MOU's are silent on these topics. To revise them, requires that the City provide notice to the represented employees of the nature of the proposed revision and an opportunity to negotiate over those changes. The clarifications and changes that are suggested cannot be made until that step is first taken. Staff is requesting authorization to issue a notice to all represented employees of proposed changes along with a copy of the policy proposed. It is also recommended that the prefatory phrase that precedes the City policy be altered so as to make clear that these general policies relating to such things as unpaid leaves of absence, and policies prohibiting harassment or other forms of discrimination and providing for a drug free workplace do apply to employees subject to an MOU or written contract.

FISCAL IMPACT:

None.

Prepared by:

City Attorney

Approved by:

City Manager

RESOLUTION NO. 2019-____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PARLIER
AMENDING PERSONNEL POLICIES FOR PARLIER CITY EMPLOYEES**

WHEREAS, the City of Parlier Personnel Policies applicable to City employees other than those subject to a Memorandum of Understanding or written contract between the City and the employee or recognized employee organization were adopted by Resolution No. 2003-03, in January 2003; and

WHEREAS, at its regular meeting on April 4, 2019, the City Council directed immediate amendment of certain provisions of the Personnel Policies followed by a more comprehensive review and updating of the policies as a whole so that they conform to applicable state or federal law.

NOW, THEREFORE, be it resolved by the City Council of the City of Parlier as follows:

1. The foregoing recitals are true and correct.
2. The revised Personnel Policies for Parlier City Employees attached and incorporated by reference as Exhibit A to this Resolution is approved and adopted.
3. The revised Personnel Policies, Exhibit A, change only rules relating to the number of hours work considered to be a full employment, accrual and use of vacation and sick leave and identification of controlled substances and such changes are effective immediately. The Personnel Policies shall be revised from time to time and shall be evaluated for conformity with law and efficient administration and further amendments proposed to the City Council.

The foregoing Resolution was duly approved this ____ day of _____, 2019 by the following vote, to wit:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

Alma Beltran, Mayor, City of Parlier

ATTEST:

Bertha Augustine, City Clerk, City of Parlier

PERSONNEL POLICIES FOR PARLIER CITY EMPLOYEES

**APPROVED BY THE PARLIER CITY COUNCIL
JANUARY 2003**

**ADOPTED BY
RESOLUTION NO.2003-03**

**THESE POLICIES APPLY TO ALL CITY AND REDEVELOPMENT AGENCY
EMPLOYEES, OTHER THAN EMPLOYEES SUBJECT TO A MEMORANDUM OF**

UNDERSTANDING (MOU) OR WRITTEN CONTACT BETWEEN THE CITY AND THE
EMPLOYEE OR A RECOGNIZED EMPLOYEE ORGANIZATION.

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SECTION I

EMPLOYMENT CATEGORIES, HOURS AND PAY

1. EMPLOYMENT CATEGORIES

- A. Employees are classified as either Competitive Service Employees or At-Will Employees.

- (i) **Competitive Service Employees** are defined in the Personnel Ordinance and include, but are not limited to, the following positions:

Executive Assistant/Deputy City Clerk	Equipment Mechanic
Senior Administrative Assistant	Facility Maintenance Worker 1/11
Administrative Assistant 1/11	Lifeguard
Animal Control Officer	Recreation Specialist 1/11
Associate Planner	Senior Utility Maintenance Worker
Assistant Planner	Utility Maintenance Worker 1/11
Accounting Technician 1/11/11	Building Inspector 1/11
Code Enforcement Officer	Event Custodian
Wastewater Treatment Plant Operator 1/11	
Wastewater Treatment Plant Operator Trainee 1/11	
Police Lieutenant	Reserve Police Officer
Police Sergeant	Police Jailer
Police Corporal	Senior Police Records Technician
Police Officer	Police Records Technician 1/11

Competitive Service Employees serve a probationary period, generally, of up to six months. The probationary period can be extended for up to an additional six months. The probationary period for the Police Department is one year. (Please see the Personnel Ordinance for more information on probationary periods).

- (ii) **At-Will Employees** are all employees who are exempt from overtime who are not covered by an employee bargaining unit, and include the following positions:

City Manager	Director of Maintenance and Operations
Police Chief	Director of Economic Development
Director of Administrative Services	Director of Community Development
Community Services Superintendent	

- B. Employees are classified as either exempt or non-exempt (hourly) per state and federal regulations.

- (i) **Exempt** employees are not entitled to overtime pay. They are expected to work whatever hours are required to get the job done for the weekly salary they are being paid. Exempt employees are not paid extra when it is necessary for them to put in additional time to get the job done. But, when exempt employees need to take occasional time off to deal with personal

business (i.e. an hour here or there), the employee's salary is not reduced for the time that he/she takes off of work.

- (ii) **Non-exempt** employees are paid on an hourly basis. Whenever they work more than eight hours in a single workday or forty hours in a single workweek, they are paid additional wages at one and one-half times their regular rate of pay. However, whenever they take time off from work for personal business (other than vacation, sick time and compensation time off), they are not paid for that time not worked.
- C. Additionally, employees are classified as Permanent Full Time, Permanent Part Time or Temporary. Permanent means that an employee is hired to work on an ongoing basis, with a defined workweek and either a defined salary or hourly rate.
- (i) **Permanent Full Time:** Employees who were hired as the result of a competitive examination process and successfully completed probation, as well as department directors and the City Manager, and who are regularly scheduled to work between thirty-two (32) and forty (40) hours per week.
 - (ii) **Permanent Part Time:** Employees who were hired as the result of a competitive examination process and successfully completed probation, and are hired for no more than twenty hours per week.
 - (iii) **Temporary:** Employees who are hired to work for a limited period of time not to exceed 180 days or 900 hours in any calendar year.
- D. An employee in a Temporary position will not become a Permanent Full Time or Permanent Part Time employee just by working more hours or an extended period of time. A change in status can only be made in writing by the proper authority. Please see the Personnel Ordinance for other definitions of employment categories.

2. WORKWEEK AND WORKDAY

Except where otherwise provided, the regular workweek for all employee positions is between thirty-two (32) and forty (40) hours. The workweek shall begin on Saturday at 12:01 a.m. and end the following Friday at midnight. The workday is a consecutive twenty-four hour period beginning at 12:01 a.m. and ending at midnight.

3. WORK SCHEDULE

For employees regularly scheduled for a forty (40) hour work week, the Work Scheduled may be:

- Five consecutive 8-hour days on and two consecutive days off; or
- Four consecutive 9-hour days on and one 4-hour day on, and two consecutive days off within a week.
- Exceptions may apply to employees in the Police Department, Recreation and Leisure and other Public Works positions.

4. EXCHANGE OF WORK SHIFTS

- A. All exchanges of work shifts must be approved in advance and in writing by the department head/supervisor.

5. OVERTIME

- A. When operating requirements or other needs cannot be met during regular working hours, employees may be scheduled to work overtime hours. When possible, advance notification of overtime will be provided. The department head/supervisor must approve all overtime in advance of it being worked. Overtime assignments will be distributed as equally as is practical to all employees qualified to perform the required work.
- B. Overtime is paid per state wage and hour regulations and is based on actual hours worked. All time worked over eight hours in a single workday and over forty hours in a single workweek and the first eight hours worked on the seventh consecutive day worked in a work week will be paid at one and one-half times the employee's regular hourly rate of pay. All time worked after twelve hours in a single day, and all hours worked over eight hours on the seventh consecutive day worked in a work week will be paid at double time the employee's regular rate of pay. Paid time off for sick time, unpaid leaves of absence, vacation, holidays, jury duty and other such time, is not considered as time worked and will not be considered when calculating overtime hours and pay.
- C. Employees who fail to work scheduled overtime or who work overtime without prior authorization from the department head/supervisor may be subject to disciplinary action.
- D. If an employee is required to work longer than the regular workweek or work shift, he/she shall be paid for the approved overtime by:
 - (i) Being allowed off a like amount of working hours during the same pay period without deduction from the employee's compensation; or
 - (ii) Payment for such overtime at one-and one-half times the employee's regular rate of pay; or
 - (iii) Accumulating such overtime as "compensatory time off" to be taken during subsequent pay periods, the accumulation of which may not exceed eighty hours.
- E. The employee may decide if he/she wants to be paid overtime in the pay period it was worked, take time off instead of being paid overtime in that same pay period, or accumulate overtime as compensatory time off. The maximum number of compensatory hours an employee may accumulate is eighty hours. Anything over eighty hours will be paid out to the employee.

6. REST AND MEAL PERIODS

- A. Employees are required to take one rest period of fifteen minutes in length for each 4-hour period worked unless operational needs otherwise dictates. To the extent possible, breaks will be provided in the middle of each work period. Since these rest periods are paid time, employees cannot leave their work site nor be

absent from their workstation beyond the allotted rest period unless prior approval by the department head/supervisor is obtained.

- B. Employees may take up to a 1-hour meal period during each workday, however, *they are required to take a minimum of thirty minutes* for their meal period. Department heads/supervisors will schedule meal periods to accommodate operating requirements. Employees are relieved of all active responsibilities and are not paid during their meal periods.
- C. *Lactation breaks* may be provided to nursing mothers. If you are a nursing mother who needs to express milk while at work, you may do so during your regularly scheduled rest and meal periods. If for some reason those times do not allow you to complete the process, and additional time is needed, upon notification to your department head/supervisor, the City will make every effort to accommodate your request for additional time on a non-paid basis and to provide a private place for this purpose.

7. TIMEKEEPING

- A. Non-exempt employees must keep accurate records of actual time worked. The City is required to keep an accurate record of actual time worked in order to calculate employee pay and benefits. Non-exempt employees must accurately record the time they begin and end their workday, the beginning and ending time of any split shift, beginning and time of their meal period, and beginning and ending time of work time taken off for personal reasons. The employee's immediate supervisor must approve all overtime worked in advance.
- B. Altering, falsifying, or tampering with timesheets, or recording time on another employee's time record will result in disciplinary action.
- C. Non-exempt employees should report to work no more than seven minutes prior to their scheduled starting time and end their work no more than seven minutes after their scheduled ending time. Any change from the above schedule requires advance written approval from the department head/supervisor.
- D. Non-exempt employees must sign their timesheets certifying the accuracy of the times recorded. The department head/supervisor will review and sign the timesheet for payroll processing. Both the non-exempt employee and the department head/supervisor must initial all corrections and modifications to the time sheets that will attest to its accuracy.

8. PAYDAYS

Employees are paid bi-weekly, no later than every other Friday. Each paycheck will include earnings for all work performed through the end of the previous payroll period. In the event a regularly scheduled payday falls on a holiday (i.e. a Friday), employees will be paid no later than on the preceding Thursday.

9. STANDBY TIME

Standby Time is generally not paid unless an employee is under the control of the City, meaning he/she has to remain at or near his/her workstation ready to work if needed. As an example, an employee who is on-call or on standby and who is called back to

work, shall be paid one-and one-half times the employee's regular rate of pay for each hour or fraction thereof worked in excess of eight hours per day.

10. PAY ADVANCES

The City does not provide pay advances or extension of credit on wages to any employee.

11. ACTING PAY

Employees appointed to serve in the position of Acting City Manager or Acting Department Head, shall receive an additional compensation called "Acting Pay" during the period of such assignment. For Acting Pay to occur, the City Manager or Department Head must be away from his/her official duties for a period of not less than seventy-two hours. Acting Pay shall be a ten to twenty percent increase over the employee's regular base pay, at the discretion of the City Manager. During the period that such employees are receiving Acting Pay, they shall be considered "exempt" under applicable federal wage and hour laws. No additional benefits shall be earned or accrued during such assignment.

12. ADMINISTRATIVE PAY CORRECTIONS

- A. The City takes all reasonable steps to assure that employees receive the correct amount of pay in each paycheck and employees are paid promptly on scheduled paydays.
- B. In the event there is an error in the amount of pay, the employee should promptly report any errors to his/her department head/supervisor head so that a correction can be made as quickly as possible. Underpayments and overpayments will be corrected in the next regular paycheck unless this presents a burden to the employee (where there is a substantial amount owed). In that case, the City will attempt to arrange a schedule of repayments minimizing the inconvenience to all involved.

13. PAY DEDUCTIONS (INCLUDING GARNISHMENTS)

- A. The law requires that the City make certain deductions from every employee's pay such as: federal and state income taxes, social security and Medicare taxes, wage garnishments (per court order only). The City offers others programs and benefits. Eligible employees may voluntarily authorize deductions from their paychecks for dependent support, credit union savings and net check direct deposit for any legal purpose. If the City is given a mandatory garnishment order for the employee, the City will also deduct a processing fee from the employee's paycheck for each payday the order is in effect, as authorized by the garnishing authority. However, such fee shall not exceed the statutory amount as prescribed by law.
- B. If you have any questions concerning why a particular deduction was made from your paycheck or how it was calculated, your supervisor can assist in having your questions answered.

14. ATTENDANCE-SICK LEAVE POLICY

- A. Being at work on time on a consistent basis is a condition of employment. Each department will maintain attendance records, and employees who experience excessive absenteeism, unauthorized late arrivals or absences, will be subject to disciplinary action.
- B. Employees are required to call their department head/supervisor prior to the start of their regular shift to advise of any late arrivals or absences. Failure to call in advance of an absence and/or failure to show up for work without calling in will be violation of the Attendance-Sick Leave Policy and result in disciplinary action. Failure to call in and show up for work for three days in a row will result in termination unless justification is provided. Even though paid sick leave is a benefit provided to all permanent, full-time employees, missing work every month may be considered excessive absenteeism. Excessive absenteeism is generally considered to be:
 - (i) Using sick leave every month for three or more months in a row without justification; and/or
 - (ii) Being late to work or from lunch six or more times in a month; and/or
 - (iii) Having a total of six absences in a six month period (an absence can be up to three days without a doctor's note and up to five days with a doctor's note).
- C. Absences longer than five days will require a doctor's note, and an extensive review by the department head/supervisor will ensue to determine whether the employee should be allowed continued employment. Generally, absences from work for a period of greater than five days without a doctor's note is considered abandonment of his/her job, resulting in termination. Disciplinary action will be determined on a case-by-case basis. The City will consider any special circumstances such as issues related to disabilities as defined by the state and federal laws.

SECTION II

EMPLOYEE RELATIONS

15. PERSONNEL FILES

- A. A personnel file is maintained for each City employee. The personnel file includes the employee's job application, resume, record of training, documentation of performance, evaluations, salary changes, disciplinary actions, commendations, and other employment records.
- B. The personnel file is the property of the City and access to it is restricted. Only personnel having a legitimate reason may review personnel files.
- C. Employees who wish to review their own personnel file should contact the Personnel Office. With reasonable advance notice, employees may review their own personnel files in the presence of an individual appointed by the City Manager to maintain such files.

16. REFERENCE AND BACKGROUND CHECKS

To protect all parties, only the City Manager or his designee is authorized to verify employment for any current employee. Only the date of hire and position title will be provided to any individual or company without written authorization of the employee. Verification of any additional information will be provided only with the employee's written authorization and will only be provided in writing.

17. EMPLOYMENT REFERENCE INQUIRIES

Only the City Manager or his designee is authorized to provide employment references for current or prior employees. Unless otherwise authorized by the City Manager, only the dates of employment, positions(s) held, and last salary will be confirmed and only in writing. All letters of recommendation will be at the discretion of the City Manager and will be provided only in response to interested employers.

18. RESIGNATION

At-will and competitive service employees are encouraged to give at least two weeks' notice of their voluntary resignation. While it is not an absolute requirement, the City will consider the notice period provided by the employee when considering an employee's eligibility for rehire. A written letter of resignation is to be provided to the employee's department head/supervisor stating the general reason for the resignation and the effective date. The employee may be requested to attend an exit interview with the City Manager. The request for a notice of resignation does not alter the status of an employee who is considered at-will.

19. LAYOFFS

The City will make every effort to give all Permanent Full Time and Permanent Part Time employees two weeks' notice of a layoff where possible. Employees to be laid off will be determined based on the provisions of Layoff Procedures, Chapter 4.04 and 4.06 of the Personnel Ordinance. As stated in those procedures, the employee holding the position

may be laid off or demoted to a vacancy, if any, in a lower class for which the employee is qualified. The employee affected by the layoff has the right to displace an employee in the same department who has less seniority in a lower classification in which the affected employee once had regular status.

20. TERMINATIONS

Involuntary terminations for Competitive Service employees will be conducted per Personnel Ordinance, Chapter 4.03 and for at-will employees based on Chapter 4.06. All equipment, uniforms, keys, vehicles and other City-owned property must be returned at the time of the termination. The City will ensure that all accrued and vested benefits will be paid at the time of termination, and the employee will be advised of his/her COBRA and unemployment benefits. An exit interview will usually be conducted as part of the exit process.

21. PERSONNEL DATA CHANGE

It is the responsibility of each employee to promptly notify the City Manager's Office of changes in their personnel status, including the following matters:

- Personal mailing addresses; telephone numbers; number, names and ages of dependents; marriage status; individuals to be contacted in the event of an emergency; professional licenses; educational accomplishments; driving license revocation; arrests and/or convictions of any criminal offense; and citations for activities while engaged in City business.

22. EMPLOYMENT APPLICATIONS

- A The City relies upon the accuracy of information contained in the employment application, as well as the accuracy of other data presented during the hiring process. Any important misrepresentation or falsification of such information may result in the City's exclusion of the individual from further consideration for employment or, after the person has been hired, termination of employment. Employees should review Personnel Ordinance Sections 4.08.010 through 4.08.130.
- B. It is the applicant's responsibility to notify the Personnel Department of his/her interest in available positions.

23. PERFORMANCE EVALUATIONS

Department heads/supervisors are encouraged to discuss job performance and goals with employees on an informal, day-to-day basis. Formal performance evaluations are conducted prior to the expiration of an employee's probationary period. Performance evaluations are a tool to use in recognizing employee's achievements, strengths and areas needing improvement. Employees are generally reviewed annually.

24. PROPERTY, PRIVACY AND SEARCH POLICY

- A Desks, storage areas, work areas, file cabinets, credenzas, computer systems, office telephones, modems, facsimile machines, copiers, and City vehicles are the property of the City and must be kept in good, clean condition at all times and

are to be used only for work purposes, except as provided in this policy. The City reserves the right, at all times, and without prior notice, to inspect and search any and all City property for the purpose of determining whether this policy or any other City policy has been violated, or whether such inspection and investigation is necessary for purposes of safety in the workplace or compliance with state and federal laws. Such inspection may be conducted during or after business hours and in the presence or absence of the employee.

- B. Additionally, the City may request the right to inspect personal property of the employee when there is reasonable cause to suspect that a violation of City policy or work rules has occurred, including but not limited to, the presence of illegal drugs, alcohol, weapons or other contraband, or to investigate allegation of theft or unauthorized possession of City and/or co-worker property. An employee's personal property includes but is not limited to the employee's automobile, lunch box, cooler, purse, parcels and similar items. (Note: an employee who has a license to carry a weapon may not do so on City property or business.) Failure of the employee to consent to the search of his/her personal property under these circumstances will require a review of the facts by management without consideration of the employee's refusal to consent to the search. The City reserves the right to impose discipline, up to and including termination, depending upon the facts that exist in a particular situation.
- C. The City's computer systems and other technical resources including any voice mail, or e-mail systems, are provided for use in the pursuit of City business and are to be reviewed, monitored and used only in that pursuit, except as provided in this policy. As a result, computer data, voice mail and e-mail are readily available to several people. If an employee performs or sends work on the City's computer systems or other technical resources, that work may be subject to the investigation, search and review of others per this policy. Additionally, any electronically stored communications that an employee either sends to or receives from others may be retrieved and reviewed where such investigation serves the legitimate business interests and obligations of the City.
- D. Employees of the City may be permitted to use the City's equipment for occasional, non-City business, with the permission of the employee's department head/supervisor or City Manager. Nevertheless, the employee has no right of privacy as to any information or file maintained in or on the City's property or transmitted or stored through the City's computer systems, voice mail, e-mail or any other technical resources. For purposes of inspecting, investigating or searching employee's computerized files or transmissions, voice mail, or e-mail, the City may override any applicable passwords or codes in accordance with the best interests of the City, its employees, clients, customers or visitors. All bills and other documentation related to the use of the City's equipment or property are the property of the City and may be viewed and used for purposes that the City considers appropriate.
- E. Using the internet, e-mail, or voice mail for illegal, harassing, discriminatory purposes (i.e. accessing pornographic sites, sending cartoons or jokes that are sexual or discriminatory in nature, sending notes/letters that are harassing or sexual in nature to co-workers or anyone else) during working an/or non-working hours is not permitted. Additionally, messages on the City's voice mail or e-mail systems are subject to the policies regarding harassment, discrimination and illegal activity, as are any other workplace communications. Offensive, harassing

or discriminatory content in such messages will not be tolerated. Any violation of this policy will be subject to disciplinary action. Where City provided technology has been used for illegal purposes, management will cooperate with any legitimate law enforcement agency.

- F. Employees are not to read or use files that they are not authorized to use or read. Unauthorized review, copying, distribution, removal, damage or alteration of files, passwords, computer systems or programs, or other property of the City, or improper use of information obtained by unauthorized means, may be grounds for disciplinary action. Any current, terminating or former employee who removes City information such as that noted above and including but not limited to customer files, proposals, RFP's, and other similar information will be subject to legal ramifications.

SECTION III

EMPLOYEE BENEFITS

Except as otherwise provided by existing Memorandum of Understandings, or as subsequently adopted by the City Council, the following employee benefits are provided:

25. HOLIDAYS

- A. The City will grant holiday time off with pay to all Permanent Full Time employees on the days listed below:
- , New Year's Day (January 1)
 - 7 Martin Luther King, Jr. Day (third Monday in January)
 - . President's Day (third Monday in February)
 - u Caesar Chavez Day (last Friday in March)
 - .; Memorial Day (last Monday in May)
 - r, Independence Day (July 4)
 - 7 Labor Day (first Monday in September)
 - <Z Veterans' Day (November 11)
 - or Thanksgiving (fourth Thursday in November)
 - 1 u Day after Thanksgiving
 - r r Christmas (December 25)
 - 11, -4 11 Floating Holiday (two)
- B. A recognized holiday that falls on a Saturday will be observed on the preceding Friday. A recognized holiday that falls on a Sunday will be observed on the following Monday.
- C. If a holiday falls during an eligible employee's paid absence (i.e. vacation), credit for the holiday will be provided. If a non-exempt employee works on a holiday, he/she will receive holiday pay plus his/her regular rate of pay for the hours worked.
- D. The "floating holidays" referred to above are earned each year. To be eligible for a floating holiday, employees must complete one year of service as a Permanent employee. The floating holiday must be scheduled with the prior approval of the employee's department head/supervisor at least three days before taking it. Additionally, the City may pay the floating holiday at the request of the employee and the approval of the department head/supervisor. The floating holiday must be taken or paid with the fiscal year the holiday is earned or it will be lost.
- E. Paid time off for all holidays will not be counted as hours worked for the purposes of determining overtime.

26. VACATION

- A. Vacation time off with pay is available to only Permanent Full Time employees in order to provide opportunities for rest, relaxation, and personal pursuits.

Years of Service:

0 through 4 years
5 through 10 years
11 years plus

Vacation Accrual Rate:

3.69 hours per pay period=8 hours per month
5.54 hours per pay period=12 hours per month
6.46 hours per pay period=14 hours per month

- B. In the event one or more City holidays fall within an eligible employee's vacation leave, such holiday shall not be charged as vacation leave. Employees on military leave earn vacation and holiday pay during such leave.
- C. Permanent Full Time employees begin to accrue paid vacation leave from the first day they officially enter an employment classification. Once the probationary period is completed, employees are eligible to take accrued vacation. As an example, even though a probationary employee has a total of thirty hours of vacation time after working four months, the employee cannot take that vacation time off with pay until he/she completes the probationary period, which may be six months.
- D. To take vacation, employees must submit their vacation request to their department head/supervisor in writing. A vacation will not be granted until the department head/supervisor has approved the vacation in writing. The requests will be granted based on a number of factors, including the business and staffing requirements of the City. Vacation leave is paid in the same manner as work time.
- E. An employee will cease to earn or accrue any additional paid vacation time upon accruing a total of two hundred forty (240) hours of vacation time which remains unused. Employees who have accrued more than two hundred forty (240) hours of paid vacation leave prior to the adoption of this policy shall retain the vested right to the amount of accrued vacation time earned, but shall not accrue any further vacation time unless and until the amount of accrued time earned falls below two hundred forty (240) hours.
- F. Upon termination of employment, employees will be paid for unused vacation leave earned through the last day of work at the rate of his/her pay at date of termination.

27. PAID SICK LEAVE

- A. The City provides paid sick leave benefits to all Permanent Full Time employees for periods of temporary absence due to personal illness or injury.
- B. Permanent Full Time Employees accrue sick leave benefits at the rate of 3.69 hours per pay period, and begin earning such benefit when they officially enter an employment classification. Permanent Full Time employees may use sick leave for an absence due to their own illness or injury, and may use sick leave to care for an ill child (defined to mean a biological, foster or adopted child, a stepchild, a legal ward), parent, spouse, domestic partner (when a Declaration of Domestic Partnership has been filed with the Secretary of State), and child of a domestic partner. For medical or dental appointments, all employees must generally submit a request for sick leave form at least three days in advance.
- C. All permanent, part-time or temporary employees who have worked more than 30 days shall receive a lump sum 24 hours (3 days) sick leave at the beginning of each year of employment. There shall be no accrual or carry over of unused sick leave for anyone other than Permanent Full-Time Employees.
- D. All employees who are unable to report to work due to illness or injury should notify their department head/supervisor before the scheduled start of the workday and submit a sick leave form the day they return to work. The department head/supervisor must also be notified on each additional day of absence. Absences not reported in such manner may be subject to disciplinary action.
- E. Any employee absent for three or more consecutive days due to illness or injury

may be required to submit a physician's statement to his/her department

head/supervisor. Such statement may also be requested for other sick leave absences. Before returning to work from a sick leave absence of ten calendar days or more, an employee may be required to provide a physician's verification that he/she may safely return to work.

- F. Sick leave benefits are calculated based on the employee's base pay rate at the time of the absence.
- G. Upon receiving approval from the City Manager, accrued vacation leave may be used for sickness when all of an employee's sick leave has been exhausted. Time off without pay may be used with permission of the City Manager (see below).
- H. All employees shall cease to earn or accrue any additional sick leave once the employee accrues 48 hours or 6 days of sick leave that remains unused. Employees who had accrued more than forty-eight (48) hours of sick leave as of the date of the adoption of this policy shall not accrue any further sick leave time until the total of accrued time falls below forty-eight (48) hours. At the end of calendar year 2019, employees with accrued sick leave pay in excess of forty-eight hours, shall be paid for the unused sick leave balance that exceeds forty-eight (48) hours at the rate of 50% of the employee's rate of pay per hour.
- I. Upon termination, the unused sick leave balance is not to be paid to the employee.

28. BEREAVEMENT LEAVE

Permanent Full Time employees are eligible for up to five days paid bereavement leave in the event of the death of a person in the employee's immediate family. Immediate family means the employee's father, step-father, mother, step-mother, brother, step-brother, sister, step-sister, spouse, children, grandparents, parents-in-law, or any other relative residing in the employee's household, or under the employee's care. For the death of other persons, vacation, compensation time or time off without pay may be requested from the City Manager. Vacation and sick leave continues to accrue during the period of bereavement leave.

29. PENSION PLAN

The City contributes annually to CalPERS (a defined benefit pension plan) for its Permanent Full Time employees. The employees are currently not required to make contributions.

30. DEFERRED COMPENSATION

The City offers two deferred compensation plans to its Permanent Full Time employees. For exempt employees, the City will contribute up to 4.5% of the employees annual pre-tax compensation, with a required dollar for dollar match by the employee. Employees may authorize voluntary deductions from their pay up to the statutory limits allowed by the IRS on a pre-tax dollar basis. Information will be provided by the City Manager's office regarding this benefit.

31. FLEXIBLE BENEFIT PLANS-CAFETERIA PLAN

The City offers three flexible benefit plans to Permanent Full Time employees. Each plan complies with IRS Code Section 125 that allows for pre-tax dollars to be voluntarily

deducted from the employee's pay for the purposes of (1) out-of-pocket medical expense reimbursements, (2) daycare expense reimbursement, and (3) insurance premium conversion to pre-tax dollars.

32. MEDICAL, DENTAL AND VISION BENEFITS

- A. The City provides medical, dental and vision benefits for Permanent Full Time employees and their dependents. Employees are required to pay a small amount as deemed necessary by the City Council through payroll withholding if they choose to cover their family.
- B. Employees who are covered by their spouse's benefits can sign a form stating that they do not need the medical, dental and vision benefits combined (and not just medical or just dental or just vision, or any combination thereof) because they have other coverage. Instead of these benefits, each payday employees may receive either an additional \$35 or the amount that is equal to one-half of the premium for a single employee under age 30.
- C. Medical, dental and vision benefits become effective the first day of the month following the completion of the first thirty days of employment.

33. WORKERS' COMPENSATION

- A. The City provides a comprehensive workers' compensation program at no cost to all employees. This program covers any injury or illness sustained in the course of employment that requires medical care or requires the employee to be off from work. Subject to applicable requirements, workers' compensation provides benefits after a short waiting period or, if the employee is hospitalized, immediately.
- B. Employees who are injured on the job must inform their department head/supervisor immediately. No matter how minor an on-the-job injury may appear, it is important that it be reported immediately. This will enable the employee to qualify for coverage as quickly as possible, and allow the City to take corrective action in preventing further similar occurrences.
- C. Neither the City nor its workers' compensation administrator will be liable for the payment of workers' compensation benefits for injuries that occur during an employee's voluntary participation in off-duty recreational, social, or athletic activities sponsored by the City. City employees who are required to work on weekends or holidays are covered during such periods.

34. SURVIVOR INCOME LIFE INSURANCE

The City provides to its Permanent Full Time employees survivor income life insurance. Information regarding this benefit can be obtained at the City Manager's Office.

35. LONG-TERM DISABILITY

The City provides to its Permanent Full Time employees long-term disability insurance. Information regarding this benefit can be obtained at the City Manager's Office.



LEAVES WITHOUT PAY

Defn Active

A. Family Medical Leave/California Family Rights Leave

- (i) Depending upon a number of factors (i.e. number of employees within a seventy-five mile radius for a specified period of time), Family Medical Leave (FM) and/or California Family Rights Leave (CFR) may be available for eligible employees. Employees who have been employed with the City for twelve months or longer, and who have at least 1,250 hours during the preceding twelve months period before the date the leave is to begin, may be eligible for FM and/or CFR leave, which provides up to a maximum of twelve work weeks of unpaid family medical leave within a twelve month period from the date the leave began. FM/CFR leave is permitted for the birth of the employee's child, or placement of a child with the employee for adoption or foster care, to care for the employee's spouse, child or parent who has a serious health condition, or for a serious condition that makes the employee unable to perform his/her job including a work-related injury or illness. Since a number of leave options may apply, the City reserves the right to run leaves concurrently where appropriate, such as FM and CFR leave, FM, CFR and work-related injury, illness leave; and Pregnancy Disability Leave (PD) and FM leave.
- (ii) The City will designate a leave of absence as an FM/CFR leave when the employee is eligible. Should an employee take such a leave for personal illness, the employee will be required to use all accrued sick leave and vacation time. When such a leave is granted to care for a family member, then the employee will be required to use all accrued vacation time during such leave. The use of paid time will not extend the maximum time allowed for a leave.
- (iii) Whenever possible, employees are to provide a minimum of thirty days advance notice of the need for a leave. Otherwise, notice of the need for the leave must be provided as soon as is practical. Medical certification supporting the request for the leave is required in advance of the leave; second opinions (at the City's expense) may be required. The City will provide a Leave of Absence form, to be signed by the City Manager authorizing the leave. Additionally, prior to returning to work from a personal FM/CFR Medical Leave, a medical release to return to work must be provided at a minimum of two (2) working days prior to the date of the return.
- (iv) Under most circumstances, upon return from a FM/CFR Leave, an employee will be returned to his/her original job or to a job equal in pay, benefits and other terms and conditions. However, an employee has no greater right to reinstatement than if the employee had been continuously employed rather than on leave.
- (v) Employees returning from FM/CFR Leave will be reinstated to the same seniority level as when the leave started. Seniority will accrue during paid leave; all other benefits, i.e. vacation, sick leave or pension benefits do not accrue during leaves of absence.
- (vi) - employee who take 12 wks of FM/CFR Leave will continue participating in all City of Watauga benefit plans in which he/she was enrolled the first day

of the leave for up to twelve weeks. The City will continue to make the premium contribution as if the employee was continuing to work so long as the employee makes his/her required contributions.

- (vii) Failure to return to work at the end of a FM/CFR Leave may result in termination of employment. Employees who do not return from a FM/CFR Leave may be eligible for insurance continuation under COBRA.

B. Pregnancy Disability Leave

- (i) The City provides employees who are disabled due to pregnancy, childbirth or related medical conditions with the same benefits and unpaid leaves as provided to employees disabled for other medical reasons. Such leaves are granted for up to four months, if the first twelve weeks of sick leave are governed by 1:MLA regulations. The City will consider requests for reasonable accommodations based on the employee's disability. Additionally, the City is committed to complying with State and Federal regulations governing pregnancy-related disabilities. this leave is or pregnancy: disability, only, not for time off to bond with a new child.
- (ii) The City reserves the right to integrate FM Leave with Pregnancy Disability Leave as appropriate. The employee may be entitled to CFR Leave for baby bonding purposes once she is released to return to work from her PD Leave.
- (iii) Whenever an employee learns that she will need a pregnancy-related disability leave, including time off for pre-natal care and pregnancy-related illnesses, she is to notify her immediate department head/supervisor or the City Manager as soon as possible, but not later than thirty days prior to the date of the expected leave of absence, or as soon as practical in emergency situations. Written certification from the treating physician or health care provider will be required for extended periods of leave and may be required for absences related to the pregnancy and pre-natal care.
- (iv) If requested by the employee, and recommended by the employee's health care provider, the employee's work assignment may be changed as required to protect the employee's health and that of her child. The City also reserves the right to transfer an employee to an alternative position when the employee's health care provider recommends a reduced work schedule due to planned medical treatment. All such transfers will be accommodated on a reasonable basis as long as they do not adversely affect the job and security rights of other City employees.
- (v) All time off for pregnancy-related medical appointments and illness, including morning sickness and childbirth, may be counted as part of the pregnancy disability leave time. As is required for all other medical leaves of absence, at least two days prior to returning from a PD Leave, the employee must provide the City Manager with a physician or health care provider's release to return to work.
- (vi) An employee who takes a PD Leave will be required to use any accrued sick leave and may use accrued vacation time. Seniority will accrue during periods of paid leave; sick time and vacation do not accrue during unpaid leave.

- (vii) Employees who return to work from a PD Leave at the end of the approved leave will be returned to the position held at the time the leave began or to a similar position, but has no greater right to reinstatement than if the employee had been continuously employed rather than on leave. For example, if the employee would have been laid off had she not gone on leave, or if the employee's position has been eliminated or filled in order to avoid undermining the City's ability to operate safely and efficiently during the leave, and there are no equivalent positions available, the employee would not be entitled to reinstatement.
- (viii) An employee who does not return to work at the end of the four-month leave of absence has no guarantee of reinstatement. Employees who do not return from an approved leave may be eligible for health insurance continuation under COBRA.

C. Extended Sick Leave (Without Pay)

- (i) On written request of the employee, the City Manager may authorize extended sick leave *without pay* for up to six months. Additionally, the City Manager may authorized extended sick leave beyond family leave (i.e. when FM/CFR Leave has been exhausted), for up to an additional six months to allow the employee to recover from a personal illness or injury, as follows:
 - a. The employee must have used up all his/her accumulated leave;
 - b. The employee presents a certification from his/her physician or health care provider stating the time off is required and provides the estimated date of return; the City reserves the right to request a second opinion by a medical examiner of its choice, at its expense, regarding the employee's ability to return to his/her regular job duties.
 - c. The City will comply with state and federal regulations regarding reasonable accommodations for employees with disabilities.
 - d. Employees who do not return to work at the end of their approved leave will be considered to have voluntarily resigned their employment from the City.
 - e. The City cannot guarantee the employee's reinstatement to his/her permanent position, but will make reasonable accommodations where they do not pose an undue hardship on the City.
 - f. The City will not pay for the employee's health insurance benefits; however, the employee may be eligible to continue their health insurance benefits under COBRA.
 - g. The employee will not accrue vacation and sick leave hours.

D. Personal Leave Without Pay

- (i) The City Manager may approve Personal Leave Without Pay to Permanent Full Time employees who wish to take time off from work to fulfill personal obligations.
- (ii) As soon as an employee becomes aware of the need for Personal Leave Without Pay, he/she should request such leave from his/her department head/supervisor.

- (iii) Personal Leave Without Pay may be granted for a period of up to ten workdays each year. If the initial period of absence proves insufficient, consideration will be given to a single extension of no more than seven workdays. With the department head/supervisor approval, an employee may use any available vacation leave (not available sick leave) as part of the approved period of leave.
- (iv) Requests for Personal Leave Without Pay will be considered in light of anticipated work and staffing requirements during the proposed period of absence.
- (v) Subject to the terms, conditions, and limitations of the applicable plans, the City will continue to provide health insurance benefits for the full period of the approved Personal Leave Without Pay.
- (vi) When Personal Leave Without Pay ends, every reasonable effort will be made to return the employee to the same position, if it is available, or to a similar available position for which the employee is qualified. However, the City cannot guarantee reinstatement in all cases.
- (vii) If an employee fails to report to work promptly at the expiration of the approved Personal Leave Without Pay period, the City will assume the employee has resigned.
- (viii) The employee will not accrue any vacation or sick leave during the period of Personal Leave Without Pay.

E. Family School Partnership Act

An employee who is the parent or guardian of a child K-11th grade may be permitted up to forty hours of time off per year to participate in school activities. Employees are limited to no more than eight hours off for this purpose in any calendar month. Additionally, employees who are the parent or guardian of a child who has been suspended from school will be permitted time off if requested to appear at the school in connection with that suspension. When time off is taken for these purposes, employees will be required to use any accrued vacation (not sick time); otherwise all time off will be without pay.

F. Domestic Violence Unpaid Leave

Employees who are the victim of domestic violence will be permitted to take unpaid time off as needed to help ensure their own health, safety and welfare, as well as that of their child. Victims of domestic violence must provide reasonable advance notice, when possible, regarding their needs to take time off to get a restraining order, seek court assistance, seek medical attention for injuries, obtain services from a domestic violence shelter or program, obtain psychological counseling, participate in safety planning or other similar activities related to domestic violence. An employee who takes such time off may use vacation or sick time off for this purpose. Leave for this purpose will be handled in accordance with the FM/CFRA Leave policy and procedure.

37. ADMINISTRATIVE LEAVE

The City Manager may grant up to 80 hours of administrative leave per fiscal year to exempt employees. Unused Administrative Leave at the end of each fiscal year will be converted to vacation hours.

38. JURY DUTY

- A The City encourages employees to fulfill their civic responsibilities by serving on juries when required. Permanent Full Time and Permanent Part Time employees will be paid for jury duty calculated on the employee's base pay rate times the number of hours missed from work because of jury duty.
- B. Such employees must show their jury duty summons to their department head/supervisor as soon as possible so that arrangements can be made to accommodate their absence. Employees are expected to report for work whenever the court schedule permits.
- C. Either the City or the employee may request an excuse from jury duty if the employee's absence would create serious operational difficulties.
- D. The City will continue to provide health insurance benefits for the full term of the jury duty absence; and vacation, sick leave, and holiday benefits will accrue during the jury duty leave.
- E. Employees receiving jury service fees shall remit such fees to the Finance Department in order to be considered "at work" for payroll purposes during the time spent serving on the jury. The employee is entitled to retain any mileage or parking allowance paid by the court.

39. WITNESS DUTY

- A The City encourages employees to appear in court for witness duty when subpoenaed to do so.
- B. Permanent Full Time and Permanent Part Time employees subpoenaed as witnesses by the City or by third parties for events that they witnessed within the scope and course of their employment with the City, shall receive their regular pay for the period they are required to be away from work.
- C. All employees subpoenaed as witnesses to appear in court in other situations shall not be entitled to receive pay from the City.
- D. The subpoena should be shown to the employee's department head/supervisor immediately after it is received so that the City's operating requirements can be adjusted to accommodate the employee's absence. The employee is expected to report for work whenever the court schedule permits.

40. VOTING TIME

Employees who are unable to vote during non-work hours may arrange in advance to take up to (2) hours off from work with pay to vote in a public election. In order to qualify, employees may obtain advance approval from their department head/supervisor.

41. BENEFITS CONTINUATION (COBRA)

- A The federal Consolidated Omnibus Budget Reconciliation Act (COBRA) gives eligible employees and their qualified beneficiaries the opportunity to continue health insurance coverage under a City health plan when a "qualifying event" would normally result in the loss of eligibility. Some common qualifying events are termination of employment, death of an employee, reduction in an

employee's hours, an employee's divorce or legal separation, and a dependent child that no longer meets eligibility requirements. Under COBRA, the employee or beneficiary pays the full cost of coverage at the City group rate, plus an administration fee of no more than 2%.

- B. The City will provide each eligible employee with a written notice describing rights granted under COBRA when the employee becomes eligible for coverage under the City's health plan. The notice contains important information about the employee's rights and obligations.

SECTION IV

WORK AND SAFETY POLICIES/STANDARDS

42. SMOKING

In keeping with the City's commitment to provide a safe and healthy work environment, smoking is prohibited inside all City buildings. Employees shall restrict their smoking to outside areas and shall dispose of their butts in an appropriate container.

43. USE OF COMMUNICATION DEVICES

Communication is a vital part of the City's business. Personal uses of communication devices (e-mail, internet, telephones, cell phones, faxes) should be limited to emergencies and unusual circumstances. Personal calls should be brief. It is the employees responsibility to reimburse the City for all personal long distance calls placed on City provided phones.

44. VISITORS

Employees are requested to receive as few personal visitors as possible during working hours. This policy is due to the impositions on employee work-time and interruptions in work areas caused by extra people in the building. Personal visits should be kept to a minimum time.

45. GIFTS

Employees shall not accept any gifts, money or gratuities from any person receiving benefits or services under any City program or from any person in a position to benefit from a City action.

46. PERSONAL MAIL

- A. Personal mail should be delivered to the employee's residence. The City's address should not be used for receiving personal mail.
- B. City stationary is to be used for City business only. The City reserves the right to open any letter addressed and/or delivered to the City, or mailed in City stationary or at City expense, unless marked "personal" or "confidential".

47. USE OF EQUIPMENT AND VEHICLES

- A. Equipment and vehicles used in performing job duties can be expensive and difficult to replace. When using such equipment, employees are expected to exercise care, perform required maintenance, and follow all operating instructions, safety standards, and guidelines.
- B. Employees shall notify the department head/supervisor if any equipment, machines, tools, or vehicles appear to be damaged, defective, or in disrepair. Prompt reporting of damages, defects and the need for repairs could prevent deterioration of equipment and possible injury to employees or others.

- C. Improper, careless, negligent, unlawful, destructive, or unsafe use or operation of equipment or vehicles can result in disciplinary action. Performance evaluations shall include review of the employee's use of equipment and tools in his/her care.
- D. All employees using City vehicles must have a valid California driver's license. Employees using their own vehicles for City business must have a valid California driver's license and liability insurance. Copies of the driver's license and insurance coverage must be filed with the Personnel Office.

48. EMERGENCY CLOSING

Emergencies such as severe weather, fires, power failures, or earthquakes can disrupt City operations. In extreme cases, these conditions may require the closing of a work facility. When operations are officially closed due to emergency conditions, employees will be paid for actual hours worked only. Non-exempt employees may be asked to work on a day when operations are generally closed. In these circumstances, non-exempt employees will receive overtime for work in excess of eight hours per day.

49. CITY AUTHORIZED TRAVEL POLICY

- A. The City has adopted a City Authorized Travel Policy that defines and clarifies authorized reimbursable travel and business expenses incurred by City employees, elected officials and board members of City Commissions. Your department has a copy of the policy.
- B. Employees should contact their department head/supervisor for guidance and assistance on procedures related to travel arrangements, travel advances, expense reports, reimbursement for specific expenses, and any other business travel that is covered by the policy.
- C. Violation of the City Authorized Travel Policy, including falsifying expense reports to reflect costs not incurred by the employee can result in disciplinary action.
- D. Any employee who is involved in an accident while traveling on City business must promptly report the incident to his/her department head/supervisor. Vehicles owned, leased or rented by the City may not be used for personal business without prior approval. Only authorized personnel shall ride in City owned or rented vehicles.

50. CONFLICTS OF INTEREST

- A. Employees are required to conduct their business activities so as to avoid actual and potential conflicts of interest. An actual or potential conflict of interest occurs when an employee is in a position to make or influence a decision on behalf of the City that may result in a financial gain or loss for that employee or for a close relative of the employee. Thus, if an employee has any influence on a transaction, purchase, contract, or lease with relatives or with companies in which the employee or his/her relatives have any financial interest, it is imperative that the employee discloses that relationship to his/her department head/supervisor as soon as possible, so that safeguards can be established to protect all parties.
- B. Financial gain exists not only in cases where an employee or relative of an employee has a significant ownership in a firm with which the City does business,

but also when an employee or relative of an employee receives any kickback, bribe, gift, or special consideration as a result of any transaction or business dealings involving the City.

- C. The materials, products, designs, plans, ideas, and data of the City of Parlier are the property of the City and should never be given to an outside individual except through normal channels and after appropriate authorization. Any improper transfer of such materials or the disclosure of confidential information, even though it is not apparent that such action has resulted in financial gain to an employee, constitutes unacceptable conduct. Employees who violate this policy will be subject to disciplinary action.

51. NON-DISCLOSURE OF CONFIDENTIAL INFORMATION

The protection of confidential business information and trade secrets is vital to the functioning of the City. Such confidential information includes, but is not limited to the following: personnel information, matters within the attorney-client privilege, closed City Council meeting discussions, and business license or utility customer data. Any employee who discloses trade secrets or confidential information, during or after leaving the City's employment, to persons not authorized to receive such information including the employee's family members, will be subject to disciplinary action, even if he/she does not personally benefit from the disclosure. The City reserves the right to take all legal action available when this policy is violated.

52. CODE OF ETHICS AND CONDUCT WITH PUBLIC

- A. It is neither ethical nor polite to make derogatory, insulting or defamatory remarks about employees, subordinates or supervisors in public or while on the job. Reprimands of subordinates should take place in private, rather in front of the public of other employees.
- B. Your image is our image. You represent the City of Parlier to the public. For this reason, all City employees coming in contact with the public must at all times exhibit respect, patience and courtesy. All personnel in telephone contact with the public must be courteous, patient, and speak in a pleasant tone of voice.

53. PERSONAL APPEARANCE

- A. Dress, grooming, and personal cleanliness contribute to the morale of all employees and affect the business image of the City to its customers and visitors. Consequently, your personal neatness and appropriate attire enhance your professional appearance and inspire confidence in your ability as well as that of the City.
- B. During business hours, employees are expected to present a clean and neat appearance and to dress according to the requirements of their positions. Employees who appear at work inappropriately dressed will be sent home and directed to return to work in proper attire. In such circumstances, employees will not be compensated for their time away from work. Repeated offenses may result in disciplinary action.

C. Employees in all areas are expected to abide by the City's dress code as follows:

- (i) Clothing must be clean and in good repair;
- (ii) Clothing must serve its minimum purpose of concealment and not offend the current standards of taste of the public;
- (iii) Clothing must be safe and in consideration of work location;
- (iv) Backless dresses, tank tops, t-shirts, play-wear, or beach-wear is not allowed.

54. RETURN OF PROPERTY

A. Employees are responsible for City property issued to them or in their possession or control, including, but not limited to:

- (i) Credit cards
- (ii) Equipment
- (iii) Identification badges
- (iv) Keys
- (v) Manuals
- (vi) Protective equipment and clothing
- (vii) Security passes
- (viii) Tools
- (ix) Uniforms
- (x) Vehicles
- (xi) Written materials
- (xii) Computers
- (xiii) Calculators
- (xiv) Scanners
- (xv) Printers
- (xvi) Cellular telephones
- (xvii) Pagers

B. Employees must return all City property to their department head/supervisor on or before their last day of work. When permitted, the Finance Department may withhold from the employee's check the cost of any items not returned when required. The City may also take other action to recover or protect its property.

55. SAFETY COMMITTEE

A. The City has an Injury Illness Prevention Program (IIPP) that provides policies, procedures, and responsibilities for safety in the workplace. A Workplace Safety Committee has been established to administer the IIPP. The success of the City's safety program depends on all employees doing their part by following the

safety rules, reporting hazards, attending safety meetings, and following safe practices.

- B. The City provides information to employees about workplace safety and health issues through regular internal communications, including supervisor-employee meetings, bulletin board postings, memos, and other communications. The City would like employees to make suggestions to improve the safety of our work environment. Employees may take recommendations to department heads/supervisors or the Safety Committee. Concerns and recommendations about workplace safety can be submitted in writing without signing your name. No one will be disciplined for reporting safety concerns or making recommendations.
- C. Each employee is expected to obey safety rules and exercise caution in all work activities. Employees must immediately report any unsafe condition to the appropriate supervisor. Employees who violate safety rules, create hazardous or dangerous situations, or fail to report or, where appropriate, remedy such situations, may be subject to disciplinary action.
- D. In case of accidents that result in injury, regardless of how insignificant the injury may appear, employees should immediately notify the appropriate department head/supervisor. Such reports are necessary to comply with safety laws and initiate workers' compensation procedures.

56. WORKPLACE VIOLENCE

- A. All employees are important to the work of the City and deserve to be treated with respect. We will not tolerate disrespectful conduct, threatening comments or behavior, or intimidating behavior toward any employee, management or any other person. This type of conduct may be considered a form of violent behavior.
- B. If you receive or overhear any threatening, intimidating or disrespectful communications from an employee or outside third party of the City, report it to your department head/supervisor at once. Do not engage in a physical or verbal confrontation with a potentially violent individual. If you encounter an individual who is threatening immediate harm to an employee or third party of the City, call 911 immediately.
- C. The City will take prompt action, up to and including discharge, against any employee who engages in threatening behavior or an act of violence, or uses threatening language or gestures. The City will also take appropriate action against former employees or visitors who engage in such behavior, including notifying the police or other law enforcement personnel.

SECTION - IV

57. Sexual Harassment Policy

In compliance with federal, state and local laws, and consistent with the City of Parlier Equal Employment Opportunity Program Policy Statement, the City of Parlier is committed to providing a work environment that is free of discrimination and bias. The City of Parlier is strictly prohibits harassment of any employee, volunteer, or applicant in any form, whether based on race, color, religion, national origin, sex, age, disability, pregnancy, childbirth or related medical conditions, marital status, sexual orientation, or any other basis protected by federal, state or local law or ordinance. This policy applies to all employees, regardless of job title. Further, this policy applies to the workplace, as well as to conduct in work-related settings, such as during business trips, workshop/training or business-related social events.

The City of Parlier is committed to providing a work environment in which all individuals are treated with respect and dignity. Consistent with commitment, this policy prohibits all inappropriate and unprofessional conduct directed at an individual because of a protected characteristic, even if such conduct does not rise to the level of illegal harassment.

In particular, sexual harassment is unacceptable conduct and is prohibited in the work environment. The City of Parlier will not tolerate any of its employees, including contracted employees and volunteer, engaging in sexual harassment.

The Equal Employment Opportunity Commission defines sexual harassment as follows:

"Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when submission to or rejection of this conduct explicitly or implicitly affects an individual's employment, unreasonably interferes with an individual's work performance or creates an intimidating, hostile or offensive work environment."

Sexual harassment can manifest itself in many forms. For example:

Written: Sexually suggestive or obscene letters, notes or invitations.

Verbal: Sexually-derogatory comments, slurs, jokes, remarks or epithets. It is not necessary to use graphic or sexually-explicit language to verbally harass someone. Otherwise benign language, spoken in a suggestive tone of voice or accompanied by visual or physical harassment, also may constitute sexual harassment.

Visual: Leering, looking someone "up and down," making sexual gestures, displaying sexually suggestive objects, pictures, cartoons, or posters.

Physical: Any unwanted touching (including criminal acts, such as rape and attempted rape) or impeding or blocking movement. Common physical gestures such as hugging may be improper when considered in context with other comments and/or behaviors.

Other examples of sexual harassment may include:

Subjecting employees in work environments to gender-based hazing.

Making unwelcome sexual advances, even in situations where the relationship began with a mutual attraction.

Making reprisals, threats of reprisal, or implied threats of reprisal following a negative response to a request for sexual favors. For example, threatening to withhold, or actually withholding support for an appointment, promotion, or change of assignment and making reprisals against an individual who has filed a sexual harassment complaint. Any form of reprisal or retaliation is prohibited and will result in disciplinary action, up to and including termination.

Making comments about a co-worker's anatomy.

Engaging in implicit or explicit coercive sexual behavior that is used to control, influence, or affect the career, salary, and/or work environment of another employee. This also may include situations in which an individual is treated less favorably because others have acquiesced to sexual advances.

Offering favors or employment benefits, such as promotions, favorable performance evaluations, favorable assigned duties or shifts, recommendations, reclassifications, etc., in exchange for sexual favors.

Repeatedly asking an employee out, "hanging around" an employee with no legitimate work-related reason, and pursuing an employee in or out of the workplace may violate this policy. If the behavior is unwelcome, it is a violation of this policy, even if no job benefit is lost, and even if there is no superior/subordinate relationship involved.

Engaging in any written, verbal, physical and/or visual behavior (as defined above) that results in an on-going intimidating, hostile or offensive work environment impacting the recipient's ability to do his or her job. This includes "third party" complaints. A third party is someone who is not directly involved with the interaction, but who may overhear or observe offensive behavior.

Use of sexually patronizing terms such as "honey," "doll," "chick," "hunk," "stud," or "babe."

The following are terms often used when talking about sexual harassment:

Quid Pro Quo - When employment decisions are based upon an employee's acceptance or rejection of unwelcome sexual behavior.

Hostile Work Environment - May result from unwelcome sexual behavior or offensive, hostile, and/or intimidating behavior directed at an employee because of that employee's gender.

Sex Discrimination - Occurs when employment decisions are based upon an employee's gender or when an employee is treated differently because of his/her sex.

Third-Party Sexual Harassment - Unwelcome sexual behavior that is directed toward one person, but negatively affects another individual's work environment.

Gender Baiting - Behavior that denigrates, ridicules, and/or is physically abusive of an employee because of his/her sex.

Duty of Managers/Supervisors:

Managers/Supervisors are responsible for creating a business-like work environment free from harassment of any kind and retaliation. This includes closely scrutinizing their own actions to ensure compliance with this policy. In addition,

Managers/Supervisors must make themselves available and create a work environment that provides employees with opportunities for open communication to discuss potential violations of this policy. No influence may be used to dissuade an employee from airing a complaint. Managers/Supervisors also are responsible for monitoring the workplace for retaliation after a complaint is filed.

Managers/Supervisors are required to discuss this policy with all new employees on the first day both are at work. All employees are required to sign the Certification of Understanding-Sexual Harassment Policy at the time the policy is discussed.

Managers/supervisors are responsible for taking direct, effective action to stop conduct that violates this policy when they know, or should have known, about such conduct. Ignorance of such conduct is not necessarily an acceptable defense for inaction. Managers/Supervisors should work with the EEO Office and Personnel to ensure that any action taken is effective in stopping the inappropriate conduct.

When Sexual Harassment Occurs:

Although not required by this policy, it may be helpful for individuals who believe they have been subjected to conduct that violates this policy to inform the individual that his/her behavior is unwelcome, offensive, or inappropriate. This may be the first and only action needed to end the harassment.

Employees who believe they have been subjected to conduct that violates this policy shall contact their supervisor, Manager, or or the EEO Officer/Investigator.

Sexual harassment shall be reported in writing or verbally. An Employee may report such activities even though he/she is not the Target of the harassment.

The City of Parlier will investigate promptly and thoroughly all alleged violations of this policy. While absolute confidentiality is not possible, the City will act with discretion during the investigatory process and confidentiality will be maintained to the extent practical and appropriate under the circumstances.

Upon completion of the investigation, the City of Parlier will take appropriate corrective action against any individual whom it determines violated

this policy. Corrective action may include, but is not limited to, counseling, suspension, or termination. In addition, employees should be aware that a complaint of harassment may be filed in civil court, which, if successful, may result in personal liability for the employee. The City will not pay damages assessed personally against an individual. In addition, the City will take disciplinary action - termination is one possible action against any employee who engage in sexual harassment.

Protection Against Retaliation:

No employee will be subject to, and the City of Parlier strictly prohibits, any form of retaliation or reprisal for reporting alleged violations of this policy, pursuing any such claim, testify, assist or cooperating in any way in the investigation of such claims.

EEO Officers in the City of Parlier are:

- City Manager
- Administrative Services Director
- One Employees Representative appointed by Employees.

Additional Information:

The Department of Fair Employment and Housing (DFEH) is the State Agency that resolves complaints of unlawful discrimination, including sexual harassment. After a complaint is filed, the DFEH has one year to investigate the complaint.

To contact DFEH, consult the local telephone directory under State Government Offices or ask directory assistance for the number of Department of Fair Employment and Housing headquarters in Sacramento.

The Equal Employment Opportunity Commission is the Federal Agency that resolves sexual harassment claims. To contact the commission, consult directory assistance for Washington D.C.

If they find a complaint is justified, state and federal agencies have the power to order, among other actions, the wronged party be hired, given back pay, promoted, reinstated or granted damages for emotional distress. The agencies may also order the violators to pay large fines.

SECTION - IV

58. Drug-Free Workplace Policy

To provide for the health and safety of employees, and visitors, the City of Parlier (City) supports and will maintain a drug-free working and living environment. The unlawful manufacture, distribution, dispensation, possession, or use of controlled substances or the unauthorized use of alcohol by City employees or visitors on all City of Parlier's properties/vehicles is prohibited.

Employees may not be at work under the influence of alcohol or while unlawfully using controlled substances. This policy provides minimum standards; City departments or contracts may impose stricter standards.

The consumption of alcohol at events where the City has authorized such use is permitted. At such events the use must be sanctioned by the City as well as permitted by the appropriate state agency. Only individuals of legal drinking age may consume alcohol at these events. Security Guards or Police Officers must be retained at such events, and keep on guard during the event at the expense of event holder.

POLICY GUIDELINES

Definitions

Controlled substances/drugs - include, but are not limited to: (a) narcotics, such as opium, heroin, morphine and synthetic substitutes; (b) depressants, such as chloral hydrate, barbiturates, and methaqualone; (c) stimulants, such as cocaine (and any derivatives) and amphetamines; (d) hallucinogens, such as LSD, mescaline, PCP, peyote, psilocybin, Ecstasy, and MOMA; and (e) cannabis, such as marijuana and hashish; (f) any chemical compound added to federal or state regulations and denoted as a controlled substance, except that marijuana and cannabis shall not be considered a controlled substance.

City properties - any building or land owned, leased, or used by The City.

City vehicle - any vehicle owned, leased or operated by The City of Parlier.

Medical Review Officer (MRO) - physician officially designated by regulated agency with specific training in Department of Transportation drug and alcohol regulations and drug testing requirements.

Testing for Reasonable Suspicion - testing for a specific cause that is conducted immediately after there is significant evidence or suspicion of using or being under the influence of drugs or alcohol while at work, i.e.,
aroma of alcohol on breath or directly observed using drugs or drinking alcohol, slurry speech, sudden violence temper, etc.

) Drug-Free Workplace

\ PROCEDURE

I. Drug Testing

All federal, state or local regulations regarding drug testing and monitoring will be followed.

There are four situations when the City can conduct tests. All information pertaining to an individual's drug tests or results will be kept confidential, except on a need-to-know basis. All testing conducted under this policy will be done in accordance with standards established by the City of Parlier Employee Health Services and Environmental Health and Safety.

A. **Pre-employment testing.** Applicants to specific safety-related and other designated positions at City will be drug tested after receiving a final offer of employment and prior to beginning work. Applicants will be notified at the time of application that testing for drugs is requirement of the employment process. Offers of employment are contingent upon successfully passing a drug test.

B. **Random drug testing.** This testing occurs with the same group of safety-related positions that are subject to pre-employment testing. Employees in this group are subject to random drug testing as a condition of continued employment.

C. **Department ordered testing.** Departments within the City can set up testing standards that are more rigorous than outlined in this policy, with the approval of the City Manager or his/her designee.

D. **Testing for Reasonable Suspicion.** Drug or alcohol testing of employees may be conducted if there is reasonable suspicion of working under the influence of alcohol or drugs. Testing for Reasonable Suspicion may be ordered by a supervisor, city manager, or his/her designee in consultation with the Personnel Director. Individuals testing positive should be referred to the Employee Assistance Program (EAP) or a Substance Abuse Professional (SAP) if an external expert is used for evaluation. The evaluation will determine and recommend if substance abuse treatment or education is appropriate and/or necessary. The Personnel Department, the designated Medical Review Officer (MRO) will review the recommendation and may determine that rehabilitation is a requirement for any current employee who has an alcohol or drug problem that affects job performance. Refusing a drug test will be handled according to the established drug testing standards set by federal code in Title 41, section 10 and followed by the Medical Review Officer's department.

Provisional (temporary) employee or Probationary employee who is found tested positive for drugs/substance or alcohol use during the working hours is subject to termination of employment.

)

II. Arranging A Drug Test

A. When a supervisor believes that drug testing is appropriate, they must first contact the Personnel Office. With the approval of the Personnel Director or his/her designee, the supervisor contacts the designated clinic to arrange for the drug or alcohol testing.

B. If the need for testing for reasonable suspicion arises outside of the regular hours of the designated Clinic, the supervisor should contact an approved hospital nearby, and if this is unsuccessful, escort the employee to

The designated clinic at its next scheduled opening.

III. Notification of Police

Any individual observed unlawfully manufacturing, distributing, dispensing, using, or possessing alcohol or illegal drugs on City's premises is to be reported immediately to the Police Officer on duty.

IV. Personnel Department Responsibilities

A. The City will inform and give all employees of the Drug-Free Workplace Policy upon employment through individual Supervisor, and the employment website and annually through usual employee communication mechanisms.

B. Provide access to training for supervisors and managers.

C. Provide a drug-free workplace awareness program available through the Employee Assistance Program.

D. Refer and provide appropriate support for employees after drug testing and/or substance abuse treatment or education, facilitate arrangements for testing when there is reasonable suspicion, and consult with departments on individual work agreements for approved returning employees.

Supervisors with reasonable suspicion that a substance abuse problem may be resulting in unsatisfactory work performance should review those problems with their department

Supervisors should:

A. Refer the employee to Employee Assistance Program counselor. This referral should be kept confidential. Workplace performance issues should be documented.

B. Take corrective action as appropriate after consultation with the Personnel Department.

C. When there is a suspension of responsibilities directly related to drug or alcohol use, upon authorization to return to work, an individual work agreement should be written in consultation with the Personnel Department.

D. Provide appropriate supervision for employees in accordance with return-to-work agreements.

E. Within thirty days of notification of a criminal drug statute conviction, the Supervisor, in consultation with the Personnel Director, will take appropriate personnel actions against the employee. These actions may include discharge, required participation in an evaluation by EAP or an external Substance Abuse Professional (SAP), and/or follow through with substance abuse education and rehabilitation program if recommended by the evaluating EAP counselor or SAP.

VI. Employee Responsibilities

Employees are expected to refrain from illegally using drugs or illegal substances at all times and refrain from being under the influence of alcohol while at work.

Federal regulations require that all employees report any drug or alcohol related convictions occurring in the workplace to their employer. Employees must self-report these convictions to the Personnel Officer or Consulting Services appointed by the City, within five business days of a guilty verdict or a plea of no-contest. This information may subject the employee to disciplinary action, random testing requirements and may be reported to the appropriate licensing authority.

Signature

Date



AGENDA ITEM: 6

MEETING DATE: 04/18/2019

DEPARTMENT: Engineering

REPORT TO CITY COUNCIL

SUBJECT:

Accepting a PG&E Easement for City Heritage Park, RRM Project Number 1159-01-RC17

RECOMMENDATION:

Staff recommends the City Council adopt Resolution 2019-____, accepting a PG&E Easement as part of the City Heritage Park, RRM Project Number 1159-01-RC17, and Authorize the City Manager to execute the Easement on behalf of the City of Parlier.

BACKGROUND:

As part of the City Heritage Park project, PG&E was to bring power to the park site. It was believed that the power was already stubbed to the southeast corner of Newmark Avenue and First Street. PG&E later discovered that existing power was not previously stubbed to the park site and only ran parallel too and on the west side of Newmark Avenue. With that, power has to be brought to the site from said underground power lines in Newmark Avenue, through a Junction Box to be placed on the west side of Newmark Avenue, and then from the Junction Box to the park site. The Junction Box will be placed behind the existing sidewalk in the grass area on City property, thus needing said easement dedication.

FISCAL IMPACT:

As part of the Easement Dedication, there will be no fiscal impact.

Prepared By:

Philip L. Romero

Philip Romero, City Engineer
Yamabe & Horn Engineering, Inc.

Approved By:

Antonio Gastelum
City Manager

Attachments: Resolution 2019-____

RESOLUTION NO. 2019- ____

CITY OF PARLIER

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PARLIER, CALIFORNIA,
ACCEPTING A PG&E EASEMENT
FOR THE CITY HERITAGE PARK, RRM PROJECT NO. 1159-01-RC17
AND AUTHORIZING CITY MANAGER TO EXECUTE THE EASEMENT ON BEHALF
OF THE CITY OF PARLIER**

WHEREAS, the City of Parlier owns property on the west side of Newmark Avenue and the North side of Parlier Avenue, property being in a portion of the southwest quarter of Section 24, Township 15 South, Range 22 East, Mount Diablo Meridian; and

WHEREAS, PG&E requires the City of Parlier to grant an easement for electrical infrastructure for public purposes; and

WHEREAS, the project will consist of the construction of PG&E Junction Box West of Newmark Avenue and north of Parlier Avenue in the City of Parlier.

NOW THEREFORE, IT IS HERBY RESOLVED by the City Council of the City of Parlier as follow:

1. The above recitals are true and correct and are adopted as the findings of the City Council and are incorporated herein.
2. The City Council hereby accepts the PG&E Easement for electrical purposes and incorporated herein by reference.
3. The City Manager is hereby authorized and directed to sign the on behalf of the City of Parlier said easement document.

I hereby certify that the foregoing is a full, true and correct copy of a Resolution duly and regularly adopted by the City Council of the City of Parlier at a regular meeting thereof held on the 18th day of April, 2019, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Alma M. Beltran, Mayor

ATTEST:

Bertha Augustine, Deputy City Clerk

RECORDING REQUESTED BY AND RETURN TO:

PACIFIC GAS AND ELECTRIC COMPANY
245 Market Street, N10A, Room 1015
P.O. Box 770000
San Francisco, California 94177

Location: City/Uninc _____
Recording Fee \$ _____
Document Transfer Tax \$ _____

- ☐ This is a conveyance where the consideration and Value is less than \$100.00 (R&T 11911).
☐ Computed on Full Value of Property Conveyed, or
☐ Computed on Full Value Less Liens & Encumbrances Remaining at Time of Sale
☐ Exempt from the fee per GC 27388.1 (a) (2); This document is subject to Documentary Transfer Tax

(SPACE ABOVE FOR RECORDER'S USE ONLY)

Signature of declarant or agent determining tax

LD# 2215-22-

EASEMENT DEED

REDEVELOPMENT AGENCY OF THE CITY OF PARLIER,

hereinafter called Grantor, hereby grants to PACIFIC GAS AND ELECTRIC COMPANY, a California corporation, hereinafter called Grantee, the right from time to time to excavate for, construct, reconstruct, replace (of initial or any other size), remove, maintain, inspect, and use facilities and associated equipment for public utility purposes, including, but not limited to electric, gas, and communication facilities, together with a right of way therefor, on, over, and under the easement area as hereinafter set forth, and also ingress thereto and egress therefrom, over and across the lands of Grantor situate in the City of Parlier, County of Fresno, State of California, described as follows:

(APN 355-021-26)

The parcel of land described and designated "Railroad Property-Parcel 11" in the deed from American Trails Association, a Nevada corporation, to Grantor dated April 20, 2001 and recorded as document number 2001-0089437, Fresno County Records.

The easement area is described as follows:

The strips of land of the uniform width of 10 feet lying 5 feet on each side of the alignment of the facilities as initially installed hereunder; and the parcels of land of the uniform width and length of 10 feet centered on the facilities as initially installed hereunder. The approximate locations of said facilities are shown upon the print of Grantee's Drawing No. 35041142 attached hereto and made a part hereof.

Grantee agrees that on receiving a request in writing, it will at Grantor's expense, survey, prepare and record a "Notice of Final Description" referring to this instrument and setting forth a description of said strips and parcel of land.

Grantor further grants to Grantee the right, from time to time, to trim or to cut down any and all trees and brush now or hereafter within said easement area, and shall have the further right, from time to time, to trim and cut down trees and brush along each side of said easement area which now or hereafter in the opinion of Grantee may interfere with or be a hazard to the facilities installed hereunder, or as Grantee deems necessary to comply with applicable state or federal regulations.

Grantor also grants to Grantee the right to use such portion of said lands contiguous to said easement area as may be reasonably necessary in connection with the excavation, construction, reconstruction, replacement, removal, maintenance and inspection of said facilities.

Grantor shall not place or construct, nor allow a third party to place or construct, any building or other structure, or store flammable substances, or drill or operate any well, or construct any reservoir or other obstruction within said easement area, or diminish or substantially add to the ground level within said easement area, or construct any fences that will interfere with the maintenance and operation of said facilities.

Grantor further grants to Grantee the right to apportion to another public utility (as defined in Section 216 of the California Public Utilities Code) the right to excavate for, construct, reconstruct, replace, remove, maintain, inspect, and use the communications facilities within said easement area including ingress thereto and egress therefrom.

Grantor acknowledges that they have read the "Grant of Easement Disclosure Statement", Exhibit "A", attached hereto and made a part hereof.

The legal description herein, or the map attached hereto, defining the location of this utility distribution easement, was prepared by Grantee pursuant to Section 8730 (c) of the Business and Professions Code.

The provisions hereof shall inure to the benefit of and bind the successors and assigns of the respective parties hereto, and all covenants shall apply to and run with the land.

Dated: _____, _____.

REDEVELOPMENT AGENCY OF THE
CITY OF PARLIER

By _____

By _____

I hereby certify that a resolution was
adopted on the ____ day of _____,
20____, by the

Authorizing the foregoing grant of
easement

By _____

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

State of California
County of _____)

On _____, before me, _____ Notary Public,
personally appeared _____

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

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

WITNESS my hand and official seal.

Signature of Notary Public

(Seal)

CAPACITY CLAIMED BY SIGNER

- ☐ Individual(s) signing for oneself/themselves
- ☐ Corporate Officer(s) of the above named corporation(s)
- ☐ Trustee(s) of the above named Trust(s)
- ☐ Partner(s) of the above named Partnership(s)
- ☐ Attorney(s)-in-Fact of the above named Principal(s)
- ☐ Other _____

Pacific Gas and Electric Company



EXHIBIT "A"

GRANT OF EASEMENT DISCLOSURE STATEMENT

This Disclosure Statement will assist you in evaluating the request for granting an easement to Pacific Gas and Electric Company (PG&E) to accommodate a utility service extension to PG&E's applicant. **Please read this disclosure carefully before signing the Grant of Easement.**

- You are under no obligation or threat of condemnation by PG&E to grant this easement.
- The granting of this easement is an accommodation to PG&E's applicant requesting the extension of PG&E utility facilities to the applicant's property or project. Because this easement is an accommodation for a service extension to a single customer or group of customers, PG&E is not authorized to purchase any such easement.
- By granting this easement to PG&E, the easement area may be used to serve additional customers in the area and **may be used to install additional utility facilities**. Installation of any proposed facilities outside of this easement area will require an additional easement.
- Removal and/or pruning of trees or other vegetation on your property may be necessary for the installation of PG&E facilities. You have the option of having PG&E's contractors perform this work on your property, if available, or granting permission to PG&E's applicant or the applicant's contractor to perform this work. Additionally, in order to comply with California fire laws and safety orders, PG&E or its contractors will periodically perform vegetation maintenance activities on your property as provided for in this grant of easement in order to maintain proper clearances from energized electric lines or other facilities.
- The description of the easement location where PG&E utility facilities are to be installed across your property must be satisfactory to you.
- The California Public Utilities Commission has authorized PG&E's applicant to perform the installation of certain utility facilities for utility service. In addition to granting this easement to PG&E, your consent may be requested by the applicant, or applicant's contractor, to work on your property. Upon completion of the applicant's installation, the utility facilities will be inspected by PG&E. When the facility installation is determined to be acceptable the facilities will be conveyed to PG&E by its applicant.

By signing the Grant of Easement, you are acknowledging that you have read this disclosure and understand that you are voluntarily granting the easement to PG&E. Please return the signed and notarized Grant of Easement with this Disclosure Statement attached to PG&E. The duplicate copy of the Grant of Easement and this Disclosure Statement is for your records.

APN 355-021-27

APN 355-192-13

SEE DETAIL

**REDEVELOPMENT AGENCY OF
THE CITY OF PARLIER
APN 355-021-26
DOC. NO. 2001-0089437**

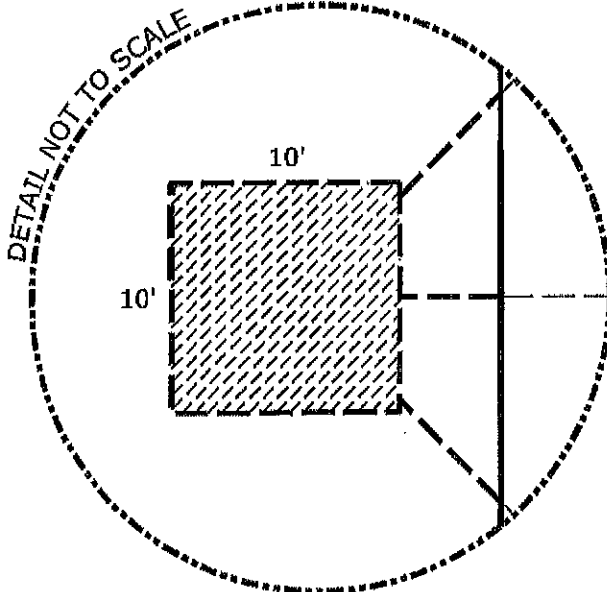
1ST ST

APN 355-041-28

E PARLIER AVE

FRESNO ST

S NEWMARK AVE



NE1/4 OF SW1/4
SECTION 24

LEGEND

- GRANTOR'S PROPERTY LINE
- APPROX. LOCATION OF 10FT WIDE UTILITY EASEMENT
- PROPOSED UNDERGROUND ELEC. LINES
- EXISTING UNDERGROUND ELEC. LINE
- 10'x10' PARCEL EASEMENT

UNLESS OTHERWISE SHOWN ALL
COURSES EXTEND TO OR ALONG
ALL BOUNDARIES OR LINES

APPLICANT: CITY OF PARLIER						SCALE N.T.S.	DATE 04/11/19
SECTION 24	TOWNSHIP 15S	RANGE 22E	MERIDIAN MDB&M	COUNTY OF: FRESNO	CITY OF: PARLIER		
				F.B.: NA	DR.BY: NASC	CH.BY: EDMO	
PLAT MAP: 1522243				PG&E	FRESNO DIVISION	114345018 AUTHORIZ	35041142 DRAWING NO.
REFERENCES: NA							

AGENDA ITEM: # 7

MEETING DATE: April 08, 2019

DEPARTMENT: Administration

REPORT TO THE CITY COUNCIL

SUBJECT:

Introduction and First Reading of Ordinance No. 2019-04, an Ordinance Amending Chapter 18.55, the Cannabis Control Ordinance, of the Parlier Municipal Code.

RECOMMENDATION:

Introduce and waive first reading of ordinance amendment.

DISCUSSION:

The entity that holds the only commercial cannabis operations permit, now known as Greenbrier LLC, wishes to engage in distribution and transportation activities with respect to cannabis and cannabis containing products. The current cannabis control ordinance strictly forbids distribution, transportation or deliveries of cannabis or cannabis controlled products. The proposed amendments makes changes to only two subparagraphs (6) and (7) of subdivision C of Section 18.55.070, and to subdivision C of Section 18.55.050 both of which are within Title 18.55 of the Parlier Municipal Code, so that transportation and distribution of cannabis and cannabis products can occur within and outside of the boundaries of the City of Parlier.

Although being challenged by cities that have prohibited commercial cannabis activities of any type within their boundaries, the proposition of the voters which legalized recreational cannabis within the State of California expressly allows for the transportation and distribution of cannabis from a growing or manufacturing site to the ultimate customer or user. In its current form, the City's Cannabis Control Ordinance forbids this activity. In light of regulations issued by the Bureau of Cannabis Control of the State of California deliveries to customers or users of cannabis and cannabis containing products is permissible in any city or within any county. The attached ordinance amends two subparagraphs (6) and (7) of one section (Section 18.55.070(c)) and one subdivision of another (Section 18.55.050C.) so as to allow for distribution and transportation of cannabis and cannabis products by Greenbrier.

FISCAL IMPACT:

None.

Prepared by:

City Attorney

Approved by:

City Manager

ORDINANCE NO. 2019-__

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
PARLIER AMENDING CHAPTER 18.55, THE CANNABIS CONTROL
ORDINANCE, OF THE PARLIER MUNICIPAL CODE**

WHEREAS, Section 1.01.070 of the Parlier Municipal Code provides that references in the Municipal Code to adoption of an ordinance, as authorized by that Code shall apply to all amendments, corrections and additions to any part of the Parlier Municipal Code; and

WHEREAS, the City Council of the City of Parlier desires to amend certain of the provisions within Chapter 18.55, the Cannabis Control Ordinance, specifically, subdivision C, subparagraphs 6 and 7 of Section 18.55.070 and Subdivision C of Section 18.55.050, so as to allow for the distribution and transportation of cannabis and cannabis containing product in any manner lawful under State law if allowed by a Regulatory Permit required by this Title for Commercial Cannabis Operations.

NOW, THEREFORE, be it ordained by the City Council of the City of Parlier as follows:

SECTION 1. Chapter 8.55, the Cannabis Control Ordinance, is hereby amended to read as follows:

Chapter 18.55 – CANNABIS CONTROL ORDINANCE

18.55.010 – Findings and purpose.

It is the purpose and intent of this chapter to promote the health, safety, morals, and general welfare of the residents and businesses within the City by regulating the cultivation, processing, extraction, manufacturing, testing, distribution, transportation, sale, and consumption of marijuana, whether for medical purposes or recreational or adult use as currently allowed under State law.

18.55.020 – Definitions.

For purposes of this chapter, these words and phrases shall be defined as follows:

"Act" means the Medicinal and Adult Use Cannabis Regulation and Safety Act ("MAUCRSA"), including implementing regulations, as the Act and implementing regulations may be amended from time to time. Definitions in this section referencing provisions of the Act shall also include amendments to the Act.

"Applicant" means a person who is required to file an application for a permit under this chapter.

"Business Owner" means the owner(s) of the Cannabis Operations. "Owner" means any of the following:

- (1) A person with an aggregate ownership interest of 20 percent or more in the person applying for a license or a licensee, unless the interest is solely a security, lien, or encumbrance.
- (2) The chief executive officer of a nonprofit or other entity.
- (3) A member of the board of directors of a nonprofit.
- (4) An individual who will be participating in the direction, control, or management of the entity or person applying for a license.

"Cannabis" or "marijuana" shall have the meaning set forth in California Business and Professions Code section 26001, subdivision (f). "Cannabis" and "marijuana" may be used interchangeably, but shall have the same meaning.

"Cannabis dispensary" or "dispensary" means any facility or location, whether fixed or mobile, and any building or structure, where cannabis is made available to, distributed by, or distributed to more than two persons for sale or barter.

"Cannabis products" means cannabis that has undergone a process whereby the plant material has been transformed into a concentrate, including, but not limited to, concentrated cannabis, or an edible or topical product containing cannabis or concentrated cannabis and other ingredients.

"City" means the City of Parlier.

"Collective or cooperative cultivation" means an association within California of qualified patients, persons with valid identification cards, and designated primary care givers to cultivate marijuana for medical purposes as may have been allowed under the Compassionate Use Act, the "Medical Marijuana Program Act," or the California "Medical Cannabis Regulation and Safety Act" adopted on October 9, 2015 with legislative bills AB 243, AB 266, and SB 643.

"Commercial Cannabis Operation" means any commercial cannabis activity, and all facilities and equipment that support that activity, as set forth in California Business and Professions Code section 26001, subdivision (k) and allowed under the Act, and as the Act and implementing regulations may be amended from time to time.

"Commercial Cannabis Regulatory Permit" or "Regulatory Permit" means the permit required under this chapter to operate a Commercial Cannabis Operation.

"Cultivate" or "cultivation" shall have the meaning set forth in California Business and Professions Code section 26001, subdivision (1) and shall also include the storage of one or more marijuana plants or any part thereof in any location.

"Delivery" shall have the meaning set forth in California Business and Professions Code section 26001, subdivision (p) and shall also include any technological platform that enables persons to arrange or facilitate the transfer of cannabis.

"Employee Permit" means the permit required under this chapter for every employee or independent contractor working at a Commercial Cannabis Operation or involved in transportation/Delivery related services for a Commercial Cannabis Operation, other than solely as a vender or a certificated common carrier.

"Medical marijuana" or "medical marijuana use" means the use of cannabis for the purposes set forth

in California Health and Safety Code sections 11362.5 and 11362.7, *et seq.*

"Operator" means the Business Owner and any other person designated by the Business Owner as responsible for the day-to-day Cannabis Operations.

"Ordinance" means the ordinance enacting this chapter, and including the terms of this section, which may be commonly referred to as the City's "Cannabis Control Ordinance."

"Police Chief" means the Police Chief of the City of Parlier or his or her designee.

"Premises" or "Site" means the designated structure or structures and land specified in the application that is owned, leased, or otherwise held under the control of the Applicant or permittee where the Commercial Cannabis Operation will be or is conducted. The premises shall be a contiguous area and shall only be occupied by one permittee.

"Premises Owner" means the fee owner(s) of the Premises where Cannabis Operations are occurring.

"Primary caregiver" shall have the same definition as set forth in California Health and Safety Code sections 11362.5 and 11362.7, *et seq.*

"Property owner" is the title holder of real property within the City of Parlier.

"Qualified patient" shall have the same definition as set forth in California Health and Safety Code sections 11362.5 and 11362.7, *et seq.*

"Recreational marijuana," "recreational marijuana use," or "adult use marijuana" means all uses of cannabis not included within the definition of medical marijuana use.

"Responsible Party" shall mean the Business Owner, Operator, manager(s), and any employee having significant control over the Commercial Cannabis Operations.

18.55.030 – Regulations applicable to the cultivation of medical marijuana.

To the extent that the City is required to allow the cultivation of medical marijuana under State law and, except as provided for in this Ordinance, the rules set forth herein shall apply.

A. *Personal-use cultivation.* An individual qualified patient or person with an identification card shall be allowed to cultivate medical marijuana within his/her private residence, or an attached garage. For owner-occupied residences, cultivation shall be allowed in an accessory building on the same property. A primary caregiver shall only cultivate medical marijuana at the residence of a qualified patient or person with an identification card for whom he/she is the primary caregiver. Medical marijuana cultivation for personal use shall be subject to the following requirements:

1. *Area.* The medical marijuana cultivation area shall not exceed thirty-two (32) square feet measured by the canopy and not exceed ten feet (10') in height per residence. This limit applies regardless of the number of qualified patients or persons with an identification card residing in the residence. The cultivation area shall be a single, contiguous designated area.

2. *Lighting.* Medical marijuana cultivation lighting shall not exceed a total of 1200 watts.

3. *Building Code Requirements.* Any alterations or additions to the residence, including garages and accessory buildings, shall be subject to applicable building and fire codes, including plumbing and electrical, and all applicable zoning codes, including lot coverage, set back, height requirements, and parking requirements.

4. *Gas Products.* The use of gas products (carbon dioxide, butane, etc.) for medical marijuana cultivation or processing is prohibited.

5. *Evidence of cultivation.* No evidence of medical marijuana cultivation shall be visible from a public right-of-way or from adjacent property.

6. *Residence.* The qualified patient or person with an identification card shall reside in the residence where the medical marijuana cultivation occurs.

7. *Cultivation elsewhere in City.* The qualified patient or person with an identification card shall not participate in marijuana cultivation in any other location within the City of Parlier.

8. *Incidental use.* The residence shall maintain kitchen, bathrooms, and at least one bedroom for their intended uses. Such rooms shall not be used primarily for marijuana cultivation.

9. *Ventilation.* The medical marijuana cultivation area shall include a ventilation and filtration system designed to ensure that odors from the cultivation are not detectable beyond the residence, or beyond the property line for detached single-family residences, and designed to prevent mold and moisture and otherwise protect the health and safety of persons residing in the residence. This shall include, at a minimum, a system meeting the requirements of the current, adopted edition of the California Building Code §1203.4 Natural Ventilation, or §402.3 Mechanical Ventilation, or its equivalent(s).

10. *Storage of chemicals.* Any chemicals used for medical marijuana cultivation shall be stored outside of the habitable areas of the residence and outside of public view from neighboring properties and public rights-of-way.

11. *Nuisance.* The medical marijuana cultivation area shall not adversely affect the health or safety of the nearby residents by creating dust, glare, heat, noise, noxious gasses, odor, smoke, traffic, vibration, or other impacts, nor shall it be hazardous due to the use or storage of materials, processes, products or wastes, or from other actions related to the cultivation.

12. *Property owner authorization.* For rental properties, the lessee shall obtain written authorization from the property owner or property-management company to cultivate personal-use or medical marijuana. Such written authorization shall be maintained on the premises at all times and presented at the request of the City.

13. *Additional requirements for garages and accessory buildings.* The following additional requirements shall apply for personal-use cultivation that occurs in a garage or accessory building: (a) The garage or accessory building shall be secure, locked, and fully enclosed, with a ceiling, roof or top, and entirely opaque; (b) the garage or building shall include a burglar alarm monitored by an alarm company or private security company; and (c) the garage or building, including all walls, doors, and the roof, shall be constructed with a firewall assembly of green board meeting the minimum building code requirements for residential structures and include material strong enough to prevent entry except through an open door.

14. *Posting of physician recommendation or identification card; posting of owner permission.* A copy of a qualified patient physician recommendation or identification card shall be posted in a conspicuous place in the cultivation area for each patient residing in the residence who is cultivating medical marijuana. For rental properties, a copy of the owner's written authorization to cultivate medical marijuana shall be posted in the same manner.

B. *Collective or cooperative cultivation.* The collective or cooperative cultivation of medical

marijuana is prohibited in the City of Parlier.

18.55.040 - Regulations applicable to the cultivation of recreational or adult use marijuana.

To the extent that the City is required to allow the cultivation of recreational or adult use marijuana under State law, and except as provided for in Section 18.55.070, the rules set forth herein shall apply.

I. *State law limits.* The cultivation of recreational or adult use marijuana shall be subject to the limits set forth in any applicable State law. At the time of adoption of this chapter, applicable State law limits the cultivation of recreational or adult use marijuana to six (6) plants per residence.

2. *Compliance with medical marijuana personal-use cultivation rules.* All persons lawfully allowed to cultivate recreational or adult use marijuana under State law shall be subject to the same rules, requirements, and limitations applicable to the personal-use cultivation of medical marijuana set forth in Section 18.55.030.

18.55.050 - Regulations applicable to Commercial Cannabis Operations, Dispensaries, and Deliveries.

A. *Commercial Cannabis Operations.* Except as provided for in Sections 18.55.060 and 18.55.070, Commercial Cannabis Operations as defined in section 18.55.020 are prohibited within the City of Parlier.

B. *Dispensaries.* Cannabis Dispensaries as defined in Section 18.55.020 are prohibited within the City of Parlier.

C. *Deliveries.* The Delivery of cannabis as defined in Section 18.55.020, is permitted for Commercial Cannabis Operations, if allowed by the terms of the Regulatory Permit required by Section 18.55.070.

18.55.060 - Exceptions to Dispensary ban for certain healthcare facilities.

The following facilities providing medical marijuana to patients are not subject to the provisions of Section 18.55.050, provided they are in strict compliance with Health and Safety Code sections 11362.5 and 11362.7, *et seq.*, and all other State and local laws pertaining the uses, including zoning, permitting, and licensing requirements:

- A clinic licensed pursuant to Chapter 1 (commencing with Section 1200) of Division 2 of the Health and Safety Code.
- A healthcare facility licensed pursuant to Chapter 2 (commencing with Section 1250) of Division 2 of the Health and Safety Code.
- A residential-care facility for persons with chronic life-threatening illnesses licensed pursuant to Chapter 3.01 (commencing with Section 1568.01) of Division 2 of the Health and Safety Code.

- A residential-care facility for the elderly licensed pursuant to Chapter 3.2 (commencing with Section 1569) of Division 2 of the Health and Safety Code.
- A residential hospice, or a home-health agency licensed pursuant to Chapter 8 (commencing with Section 1725) of Division 2 of the Health and Safety Code.

18.55.070. - Limited Commercial Cannabis Operations pursuant to Regulatory Permit

Notwithstanding the prohibition on Commercial Cannabis Operations set forth in Section 18.55.050, and the limitations upon the cultivation of cannabis set forth in Sections 18.55.030 and 18.55.040, Commercial Cannabis Operations may be allowed as set forth in this Section.

A. *Purpose.* The purpose of this Section is to allow limited commercial cannabis operations in the City of Parlier as may be permitted under the Medicinal and Adult Use Cannabis Regulation and Safety Act ("MAUCRSA" or "Act") and to adopt local regulations applicable to those operations.

B. *Permitted Uses.* Business Owners meeting the requirements of this section shall be eligible to apply for a Regulatory Permit to conduct the following Commercial Cannabis Operations, as may be approved by the City Council at its discretion:

- Cultivation.
- Processing.
- Extraction.
- Manufacturing.
- Testing.
- Distribution.
- Transportation.

(1) The Regulatory Permit issued pursuant to this Section shall specify whether the Commercial Cannabis Operation shall be limited to Medical Cannabis.

(2) The Regulatory Permit issued pursuant to this Section shall specify the precise Commercial Cannabis Operation, by clear description and, when appropriate, shall reference the license type specified in the Act for which a State license is being sought.

(3) The Commercial Cannabis Operation shall at all times be in compliance with this Section as it may be amended from time to time or repealed and replaced by another section governing Commercial Cannabis Operations.

(4) Dispensaries are expressly prohibited as set forth in Section 18.55.50.

(5) The City Council retains the discretion to deny a Regulatory Permit or limit a Regulatory Permit to specified Commercial Cannabis Operations.

C. *Minimum Operational Requirements and Restrictions.* The following operational requirements and restrictions shall apply to all Commercial Cannabis Operations:

(1) *The Act and Other State Laws.* The Commercial Cannabis Operations shall at all times be in compliance with the Act and the implementing regulations, as they may be amended from

time to time, as well as all State license(s) required under the Act, and any other applicable State law. The Operator shall obtain all licenses required under the Act prior to opening for business.

(2) *Register of Employees.* The Operator shall maintain a current register of the names of persons required to have Employee Permits. The register shall be made available to the Police Chief at all times immediately upon request.

(3) *Signage.* There shall be no signage or markings on the Premises or off-site that in any way evidences that Commercial Cannabis Operations are occurring on the property. Interior building signage is permissible provided the signage is not visible outside of the building.

(4) *Cannabis Consumption.* No cannabis or cannabis product shall be smoked, ingested or otherwise consumed on the Premises. Prominent signage of this prohibition shall be displayed throughout the facility.

(5) *Alcoholic Beverages.* No Commercial Cannabis Operation shall hold or maintain a retail license from the State Department of Alcohol Beverage Control to sell alcoholic beverages, or operate a business that sells alcoholic beverages. In addition, alcohol for personal consumption shall not be provided, stored, kept, located, sold, dispensed, or used on the Premises.

(6) *Transportation.* Transportation shall be permitted, so long as consistent with State law.

(7) *Deliveries.* Deliveries of cannabis or cannabis-containing products, or distribution of the same from the Premises shall be permitted so long as it is consistent with State law.

(8) *Non-Commercial Cannabis Activity.* No non-commercial or Recreational Marijuana activity shall occur on the Premises.

(9) *Retail Sales.* The retail sale of cannabis is expressly prohibited.

(10) *Public Access.* There shall be no public access to the Premises.

(11) *Minors.* It shall be unlawful for any Operator to employ any person who is not at least twenty-one (21) years of age.

(12) *Distance Separation from Schools, Daycare Centers and Youth Centers.* A Commercial Cannabis Operation shall not be located within 1000 feet from any existing school, daycare center or youth center as defined by State law, nor from a proposed school site as identified in the General Plan. Measurements shall be from property boundary to property boundary. For purposes of this section, "school" means any public or private school providing instruction in kindergarten or grades 1-12, inclusive, but does not include any private school in which education is primarily conducted in private homes.

(13) *Hours of Operation.* Commercial Cannabis Operations shall be allowed to operate per the requirements of the underlying zone district and subject to the City's noise and nuisance ordinances.

(14) *Building and Related Codes.* The Cannabis Operation shall be subject to the following requirements:

a. The Premises in which the Commercial Cannabis Operations occur shall comply with all applicable local, State, and federal laws, rules, and regulations including, but not limited to, building codes and the Americans with Disabilities Act, as certified by the Building Official of the City. The Operator shall obtain all required building permits and comply with all applicable City standards.

b. The Responsible Party shall ensure that the Premises has sufficient electrical load for the Commercial Cannabis Operations.

c. To the extent permitted by the Act, butane and other flammable materials are permitted to be used for extraction and processing provided the Operator complies with all applicable fire and building codes, and any other laws and regulations relating to the use of those products, to ensure the safety of that operation. The Fresno County Fire Protection District, or other qualified agency retained by the City, shall inspect and approve the Premises for use of the products prior to City's issuance of a certificate of occupancy, or otherwise prior to opening for business, to ensure compliance with this requirement. Such inspection shall be at the Business Owner's expense.

e. The Operator shall comply with all laws and regulations pertaining to use of commercial kitchen facilities for the Commercial Cannabis Operations.

f. The Operator shall comply with all environmental laws and regulations pertaining to the Commercial Cannabis Operations, including the storage, use and disposal of water and pesticides, and shall otherwise use best practices to avoid environmental harm.

(15) *Odor control.* Business Owner shall provide an odor-absorbing ventilation and exhaust system, so that odor generated inside the facility that is distinctive to its Commercial Cannabis Operations is not detected outside the Premises, outside the building housing the Commercial Cannabis Operations, or anywhere on adjacent property or public rights-of-way. Accordingly, Business Owner must install and maintain the following equipment or any other equipment which the City's Building Official determines has the same or better effectiveness:

a. An exhaust air filtration system with odor control that prevents internal odors and pollen from being emitted externally; or

b. An air system that creates negative air pressure between the cannabis facility's interior and exterior so that the odors generated inside the cannabis facility are not detectable outside the cannabis facility.

(16) *Consumable Products.* Commercial Cannabis Operations that manufacture products in the form of food or other comestibles shall obtain and maintain all appropriate approvals from the State and County Departments of Public Health for the provision of food or other comestibles, unless otherwise governed by the Act and licensed by the State.

(17) *Secure Building.* All Commercial Cannabis Operations shall occur entirely inside of a building that shall be secure, locked, and fully enclosed, with a ceiling, roof or top, and entirely opaque. Notwithstanding the foregoing, the roof may be of solid non-opaque material, provided other security

measures exist to ensure that the Commercial Cannabis Operation cannot be seen, heard or smelled beyond the property line. The building shall include a burglar alarm monitored by an alarm company or private security company. The building, including all walls, doors, and the roof, shall be of solid construction meeting the minimum building code requirements for industrial structures (including, without limitation, commercial greenhouse structures). The precise building construction parameters and materials to be used shall be identified and provided with the application to the City prior to construction.

(18) *Premises Security.* The following security conditions shall apply:

- a. Alarm System (including perimeter, fire and panic).
- b. Remote monitoring of alarm systems.
- c. Perimeter lighting systems (motion sensor) for after-hours security.
- d. Perimeter security and lighting as approved by the Police Chief.
- e. Use of drive gates with card key access or similar to access the facility.
- f. Entrance areas to be locked at all times, and under the control of a designated Responsible Party.
- g. Use of access-control systems to limit access to grow and processing areas.
- h. Exterior and interior camera systems approved by the Police Chief. The camera systems shall meet the minimum requirements of the Act, include interior monitoring of all access points to the site from the interior, and be of a minimum five (5) mega-pixel resolution.
- i. All security systems at the site are attached to an uninterruptable power supply providing 24-hour power.
- J. 24-hour security patrols by a recognized security company licensed by the California Department of Consumer Affairs or otherwise acceptable to the Police Chief. All current contact information regarding the security company shall be provided to the Police Chief.
- k. Parlier Police Department or Department designee shall have access to all security systems.
- L. Internet Protocol ("IP") access for remote monitoring of security cameras by the Parlier Police Department or a department designee upon request.
- m. Any and all video or audio tape recordings made for security purposes shall be marked with the date and time made and shall be kept, in an unaltered state, for a period of at least thirty (30) days and must be made available to the Parlier Police Department or Department designee for duplication upon demand. In addition, upon request by the Parlier Police Department, the Responsible Party shall duplicate the records for the Parlier Police Department or the department designee.
- n. Hardened bullet-resistant windows for exterior windows as part of any new or

existing construction.

o. Accounting software systems need to be in place to provide audit trails of both product and cash, where applicable.

p. Electronic track-and-trace systems for cannabis products as required by the Act and State regulations.

q. The City may inspect the Premises and audit the records of the Commercial Cannabis Operations for compliance on a quarterly basis.

r. Security protocols and equipment need to be in place to protect computer information.

s. The foregoing Premises Security requirements shall be approved by the Police Chief prior to commencing operations. The Police Chief may supplement these security requirements once operations begin, subject to review by the City Council if requested by the Business Owner.

(19) *Deliveries of Supplies and Transportation of Product.* The following rules apply to the Deliveries and transportation:

a. Deliveries of supplies to the Premises shall only occur as provided for in diagram and floor plans on file with the City as part of the application process. Delivery vehicles shall not have any markings indicating that deliveries are being made to a Cannabis Operation.

b. The transportation of cannabis samples and/or products to and from the Premises shall be in unmarked vehicles with no indication that the vehicles are transporting cannabis samples and/or products. The Responsible Party shall stagger transportation times, vary routes from the facility, and take other security measures as requested by the Police Chief.

(20) *Premises Maintenance.* The Business Owner, Operator, and all Responsible Parties shall continually maintain the Premises and its infrastructure so that it is visually attractive and not dangerous to the health, safety, and general welfare of employees, patrons, surrounding properties, and the general public. The Premises or Commercial Cannabis Operation shall not be maintained in a manner that causes a public or private nuisance.

(21) *Location of Uses.* The Commercial Cannabis Operation permitted by this section shall only be allowed in the locations designated on the diagram and floor plans of the Premises submitted with the application for a Regulatory Permit. The Commercial Cannabis Operation shall not operate at any location other than as stated in the Regulatory Permit.

D. *Commercial Cannabis Operation Regulatory Permit.* No person or entity shall operate a Commercial Cannabis Operation within the City of Parlier without first obtaining a Commercial Cannabis Regulatory Permit from the City. The Regulatory Permit shall be site-specific and shall specifically identify the commercial cannabis activity that will be allowed at that site. No commercial cannabis activity will be allowed unless specifically identified in the Regulatory Permit. The issuance of a Regulatory Permit shall be at the discretion of the City Council.

E. *Applications for Regulatory Permits and Responsible Party Designation.*

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(I) *Application.* Applicants for Regulatory Permits shall file their applications with the Police Chief and shall include the information set forth herein. The Police Chief may request such additional information he or she deems necessary to determine who the Applicant is and what activity may be permitted. The Applicant shall certify under penalty of perjury that all of the information contained in the application is true and correct. The application shall contain the following items for the Business Owner, Operator, all Responsible Parties known at the time (if different than the Business Owner), and any other party designated below:

- a. The full name, present address, and telephone number.
- b. Date of birth.
- c. Tax identification number.
- d. The address to which notices relating to the application are to be mailed.
- e. Previous addresses for the five (5) years immediately preceding the submission of the application.
- f. His or her height, weight, and color of eyes and hair.
- g. Photographs for identification purposes (photographs shall be taken by the Police Department).
- h. All business, occupation, or employment for the five (5) years immediately preceding the submission of the application.
1. The Commercial Cannabis Operation business history, including whether the Business Owner and Responsible Parties, while previously operating in this or another city, county or state, has had a cannabis-related license revoked or suspended, the reason therefore, and the business, activity or occupation subsequent to such suspension or revocation.
- J. Complete property ownership and lease details, where applicable. If the Business Owner is not the Premises Owner, the application must be accompanied with a notarized acknowledgment from the Premises Owner that Commercial Cannabis Operations are authorized to occur on the Premises.
- k. A descriptive business plan for the Commercial Cannabis Operation, including a detailed list of all Commercial Cannabis Operations proposed to occur on the Premises.
- l. A diagram and floor plan of the entire Premises, denoting all the use of areas proposed for Commercial Cannabis Operations, including, but not limited to, cultivation, processing, manufacturing, testing, transportation, deliveries, and storage. The diagram and floor plan need not be professionally prepared, but must be drawn to a designated scale or drawn with marked dimensions of the interior of the Premises to an accuracy of plus or minus six (6) inches.

- m. The name or names of the Operator. The Operator shall designate one or more Responsible Parties, one of which shall at all times be available as a point of contact for the City, 24 hours per day. The contact information of the Operator and Responsible Parties shall be provided to the Police Chief and updated within twenty-four (24) hours of any changes.
- n. The proposed security arrangements for ensuring the safety of persons and to protect the Premises from theft.
- o. An accurate straight-line drawing prepared within thirty (30) days prior to the application depicting the building and the portion thereof to be occupied by the Cannabis Operation and the property line of any school as set forth in the Operational Requirements.
- p. Authorization for the City and its agents and employees to seek verification of the information submitted.

(2) *Improper or Incomplete Application.* If the applicant has completed the application improperly, or if the application is incomplete, the Police Chief shall, within thirty (30) days of receipt of the original application, notify the applicant of such fact.

(3) *Changes in Information.* Except as otherwise provided, the information required by this subsection (E) shall be updated with the Police Chief upon any change within ten (10) calendar days.

(4) *Other Permits or Licenses.* The fact that an Applicant possesses other types of State or City permits or licenses does not exempt the Applicant from the requirement of obtaining a Regulatory Permit.

F. Employee Permits.

(1) *Permit Required.* Every employee or independent contractor working at a Commercial Cannabis Operation or involved in transportation/Delivery related services for a Commercial Cannabis Operation, except for vendors and certificated common carriers, shall obtain an Employee Permit. It shall be the duty of the Operator to ensure that Employee Permits are obtained from the Police Department prior to the employee or independent contractor commencing work. Persons who are listed as a Business Owner on a Regulatory Permit shall not be required to obtain an Employee Permit, if such person also serves as an employee or contractor. All Responsible Parties, except the Business Owner, shall be required to obtain an Employee Permit.

(2) *Application.* Each employee and independent contractor shall be required to provide the following information under penalty of perjury, so the Police Department can perform a background check:

- a. Name, current residence address, and telephone number.
- b. Date of birth.
- c. Tax identification number.
- d. His or her height, weight, and color of eyes and hair.

- e. Photographs for identification purposes (photographs shall be taken by the Police Department).
- f. Fingerprinted by the Police Department.
- g. Such other identification and information as deemed necessary by the Police Chief and pertinent to the Employee Permit.
- h. Authorization for the City and its agents and employees to seek verification of the information contained within the application.
- 1. The name of the Business Owner holding the Regulatory Permit and the Operator for which such person is proposed to work.

G. Application Fees.

Every application for a Regulatory Permit, Employee Permit, or Employee Permit renewal shall be accompanied by a nonrefundable fee, as established by resolution of the City Council. This fee shall be in addition to any other business license fee or permit fee imposed by this Code or other governmental agencies. The fee shall include an amount to cover the costs of fingerprinting, photographing, background checks, and the general review and processing of the application.

As an alternative to the Regulatory Permit fee, the City and Applicant may enter into a specific Project Processing Costs Agreement.

H. Investigation and Action on Application.

(1) Upon the filing of a properly-completed application and the payment of the fee, the Police Chief shall conduct an investigation of the application, including a background check of the Applicant and all employees and independent contractors. All Applicants for a Regulatory Permit and Employee Permit shall be required to submit to a fingerprint-based criminal history records check conducted by the Parlier Police Department.

(2) For Regulatory Permits, after the background checks and investigation are complete, and in no case later than one hundred twenty (120) days after receipt of a properly completed application, the Police Chief shall issue a recommendation that the City Council approve or deny a Regulatory Permit in accordance with the provision of this section. The recommendation for approval shall include conditions the Police Chief deems reasonable under the circumstances to protect the public health, safety, and welfare of the community. The recommendation shall be forwarded to the City Council for action following any required noticing and public hearings, and may be processed concurrently with any other development application(s) necessary for the Commercial Cannabis Operation.

(3) For Employee Permits, after the background checks and investigation are complete, and in no case later than thirty (30) days after receipt of a properly-completed application, the Police Chief shall either approve or deny an Employee Permit. At the discretion of the Police Chief, Employee Permits may be conditionally approved pending the background investigation.

I. Term of Permits and Renewals.

Employee Permits issued under this Section shall expire one (1) year following the date of issuance. Applications for renewal shall be made at least forty-five (45) days prior to the expiration date of the permit and shall be accompanied by the nonrefundable fee referenced in this section. When made less than forty-five (45) days before the expiration date, the expiration of the permit will not be stayed.

J. Grounds for Denial of Regulatory Permit.

The City Council may in its sole discretion deny a Regulatory Permit or limit a Regulatory Permit to specified uses. When considering whether to deny or limit a Regulatory Permit, the Council shall consider the following:

- (1) Whether the business or conduct of the business at a particular location is prohibited by any local or State law, statute, rule, or regulation.
- (2) Whether the Business Owner or Operator has been issued a local or State permit related to Commercial Cannabis Operations at any other location in California, or another state; whether that permit was suspended or revoked; and whether the Business Owner or Operator has had a disciplinary action relating to the permit.
- (3) Whether the Business Owner or Operator has knowingly made a false statement of material fact or has knowingly omitted a material fact in the application.
- (4) Whether the Business Owner or Operator, or any Responsible Person, has been:
 - a. Convicted of a violent felony, as specified in subdivision (c) of Section 667.5 of the Penal Code;
 - b. Convicted of a serious felony, as specified in subdivision (c) of Section 1192.7 of the Penal Code;
 - c. Convicted of a felony involving fraud, deceit, or embezzlement.
 - d. Convicted of a felony for hiring, employing, or using a minor in transporting, carrying, selling, giving away, preparing for sale, or peddling, any controlled substance to a minor; or selling, offering to sell, furnishing, offering to furnish, administering, or giving any controlled substance to a minor;
 - e. Convicted of a felony for drug trafficking with enhancements pursuant to Section 11370.4 or 11379.8 of the Health and Safety Code;
 - f. Subject to fines, penalties, or otherwise sanctioned for cultivation or production of a controlled substance on public or private lands pursuant to Section 12025 or 12025.1 of the Fish and Game Code;
 - g. Sanctioned by a licensing authority or a city, county, or a city and county for unauthorized commercial cannabis activities, has had a license suspended or revoked under this division in the three (3) years immediately preceding the date the application is filed with the City.

A conviction for any controlled substance felony subsequent to permitting shall be grounds for revocation of a Regulatory Permit or denial of the renewal of a Regulatory Permit.

A "conviction" within the meaning of this subsection means a plea or verdict of guilty or a conviction following a plea of nolo contendere.

(5) Whether the Business Owner or Operator has engaged in unlawful, fraudulent, unfair, or deceptive business acts or practices.

(6) Whether the Business Owner or Operator is under eighteen (18) years of age, or any older other ageset by the State.

(7) Whether the Cannabis Operation complies with the zoning ordinance or development standards of the City of Parlier.

(8) Whether the required business license fee, annual regulatory fee, Revenue Raising Fee, or other City fees and/or taxes have been paid.

(9) Such other grounds the Council determines are reasonable.

K. Grounds for Denial of Employee Permit. The grounds for denial of an Employee Permit shall be one or more of the following:

(1) The Applicant has been issued a local or State permit related to Commercial Cannabis Operations at any other location in California, or another state, and that permit was suspended or revoked, or the Applicant has had disciplinary action relating to the permit.

(2) The Applicant has been:

- a. Convicted of a violent felony, as specified in subdivision (c) of Section 667.5 of the Penal Code;
- b. Convicted of a serious felony, as specified in subdivision (c) of Section 1192.7 of the Penal Code;
- c. Convicted of a felony involving fraud, deceit, or embezzlement.
- d. Convicted of a felony for hiring, employing, or using a minor in transporting, carrying, selling, giving away, preparing for sale, or peddling, any controlled substance to a minor; or selling, offering to sell, furnishing, offering to furnish, administering, or giving any controlled substance to a minor;
- e. Convicted of a felony for drug trafficking with enhancements pursuant to Section 11370.4 or 11379.8 of the Health and Safety Code;
- f. Subject to fines, penalties, or otherwise sanctioned for cultivation or production of a controlled substance on public or private lands pursuant to Section 12025 or 12025.1 of the Fish and Game Code;
- g. Sanctioned by a licensing authority or a city, county, or city and county for unauthorized commercial cannabis activities, has had a license suspended or revoked under this division in the three (3) years immediately preceding the date the Application is filed with the City.

(3) The Applicant has engaged in unlawful, fraudulent, unfair, or deceptive business acts or practices.

(4) The Applicant has committed any act, which, if done by a permittee, would be grounds for suspension or revocation of a permit.

(5) An Applicant is under eighteen (18) years of age, or any older age set by the State.

L. Notice of Decision and Final Action.

(1) *Regulatory Permit.* Action on the Regulatory Permit shall be as follows:

- a. The Police Chief shall cause a written notice of his or her recommendation on the issuance or denial of a Regulatory Permit, and the date and time when the City Council will consider action on the Regulatory Permit, to be personally delivered or mailed to the Applicant by certified U.S. mail, postage prepaid.
- b. Following a public hearing, the Council may grant the Regulatory Permit, limit the Regulatory Permit to specified uses, or deny the issuance of the Regulatory Permit for any of the grounds specified in this Section. In granting a Regulatory Permit, the Council may impose such conditions as it deems reasonable under the circumstances to protect the public health, safety, and welfare of the community. The decision of the Council shall be final, subject to judicial review below.

(2) *Employee Permit.* Action on the Employee Permit shall be as follows: The Police Chief shall cause a written notice of his or her determination on the issuance or denial of an Employee Permit to be personally delivered or mailed to the Applicant by certified U.S. mail, postage prepaid. The Police Chief's decision on an Employee permit shall be final.

M. Suspension and Revocation of Regulatory Permit or Employee Permit.

(1) *Regulatory Permit.* The City Council may suspend or revoke the Regulatory Permit of a Commercial Cannabis Operation when any of the following occur.

- a. The Commercial Cannabis Operation is conducted in violation of any provision of this Section, the Act, or any other applicable law.
- b. The Commercial Cannabis Operation is conducted in such a manner as to create a risk of danger to the public health or safety.
- c. A failure to pay the Regulatory Fee, the Revenue Raising Fee, or all City taxes as required.
- d. A failure to take reasonable measures to control patron conduct, where applicable, resulting in disturbances, vandalism, or crowd control problems occurring inside of or outside the Premises, traffic control problems, or obstruction of the operation of another business.

- e. A failure to comply with the terms and conditions of the Regulatory Permit or any conditional use permit issued in connection therewith.
- f. Any act which would be considered grounds for denial of the Regulatory Permit in the first instance.

(2) *Employee Permit.* The Police Chief may suspend or revoke an Employee Permit when the permittee or the employee has committed any one or more of the following acts:

- a. Any act which would be considered a ground for denial of the permit in the first instance.
- b. Violates any provision of this Section, the Act, or any other applicable law relating to the Cannabis Operation.
- c. Violates or fails to comply with the terms and conditions of the Employee Permit.

(3) *Procedures for Revoking Regulatory Permits.* For Regulatory Permits, the procedures for revoking conditional use permits shall be utilized, except that the matter shall be heard by the City Council in the first instance.

(4) *Procedures for Revoking Employee Permits.* Prior to suspension or revocation of an Employee Permit, the Police Chief shall conduct a hearing. Written notice of the time and place of such hearing shall be served upon the permittee at least five (5) calendar days prior to the date set for such hearing. The notice shall contain a brief statement of the grounds to be relied upon for revoking or suspending the permit. Notice may be given either by personal delivery or by certified U.S. mail, postage prepaid to the last known address. Any permittee aggrieved by the decision of the Police Chief to suspend or revoke an Employee Permit shall have no appeal rights and the Police Chief's decision shall be final, subject to judicial review as set forth in this section.

(5) *Immediate Suspension.* The Police Chief may immediately suspend or revoke a Regulatory Permit or an Employee Permit without notice or a hearing, subject to the appeal rights set forth herein, under the following circumstances:

- a. The Business Owner, Operator or Responsible Party is convicted of a public offense in any court for the violation of any law which relates to the Cannabis Operation, or in the case of an Employee Permit, the employee is convicted of a public offense in any court for the violation of any law which relates to the permit.
- b. The Police Chief determines that immediate suspension is necessary to protect the public health, safety, and welfare of the community. The Police Chief shall articulate the grounds for the immediate suspension in writing and the suspension shall only be for as long as necessary to address the circumstances which led to the immediate suspension.

N. *Effect of Denial or Revocation.* When the City Council shall have denied or revoked a Regulatory Permit, or the Police Chief shall have denied or revoked an Employee Permit, no new application for a Regulatory Permit or an Employee Permit shall be accepted and no Regulatory Permit or Employee Permit shall be issued to such person or to any corporation in which he or she shall have any beneficial interest for a period of one (1) year after the action denying or revoking the Regulatory Permit or Employee Permit.

O. *Abandonment.* A Regulatory Permit shall be deemed abandoned if Commercial Cannabis Operations cease for a period of more than ninety (90) consecutive days. Before restarting operations, a new Regulatory Permit shall be secured. The 90-day period shall be tolled during periods of force majeure, which shall be defined as follows: war; insurrection; strikes; lock-outs; riots; floods; earthquakes; fires; casualties; supernatural causes; acts of the "public enemy"; epidemics; quarantine restrictions; freight embargoes; lack of transportation; unusually severe weather; inability to secure necessary labor, materials or tools; delays of any contractor, subcontractor or supplier; or any other causes beyond the reasonable control of the permittee.

P. *Fees and Taxes.* All Commercial Cannabis Operations shall pay applicable fees and taxes, which may include one or more of the following.

(1) *Business License Fee.* The Business Owner shall at all times maintain a current and valid business certificate and pay all business taxes required by Title 5, Chapter 5.04, of the Parlier Municipal Code pertaining to Business Licensing.

(2) *Regulatory License Fee.* The Business Owner shall pay an annual regulatory license fee ("Regulatory Fee") to cover the costs of anticipated enforcement relating to the Cannabis Operation. The amount of the fee shall be set by Resolution of the City Council and be supported by the estimated additional costs of enforcement and monitoring associated with the Cannabis Operation. The Regulatory Fee shall be due and payable prior to opening for business and thereafter on or before the anniversary date. The Regulatory Fee may be amended from time to time based upon actual costs.

(3) *Revenue Raising Fee.* An annual revenue raising fee ("Revenue Raising Fee") for the privilege of having the right to operate in the City.

a. *Revenue Raising Fee Finding.* The City Council specifically finds that it is approving this Ordinance allowing Commercial Cannabis Operations to operate in the City with the express understanding that the business will pay the Revenue Raising Fee to the City as set forth herein, and that without the Revenue Raising Fee, the City Council would not have adopted this Ordinance allowing Commercial Cannabis Operations to operate in the City. By opening a Commercial Cannabis Operation in the City, the Premise Owner, Business Owner, Operator, and all Responsible Parties agree that, if the Revenue Raising Fee is challenged by an one of them or a third party and set aside, the business must cease operation.

b. *Amount of Fee and Terms of Payment.* The Revenue Raising Fee shall be as follows:

i. An annual fee of ten dollars (\$10.00) per square foot for the first 5,000 square

feet, which shall be the minimum annual fee for all Commercial Cannabis Operations; seven dollars (\$7.00) per square foot for the next 5,001 to 20,000 square feet; five dollars (\$5.00) per square foot for the next 20,001 to 40,000 square feet; and two dollars (\$2.00) per square foot for all remaining space utilized in connection with each Commercial Cannabis Operation. The square footage calculation shall be determined by including all portions of the Premises under the control of the Business Owner and deducting therefrom driveways, sidewalks, landscaping, vacant unused space, areas used exclusively for office space, employee break rooms, restrooms, and storage space unrelated to the Commercial Cannabis Operation (such as a janitorial closet). The total under-canopy square footage shall be included in the square footage calculation.

- ii. In the alternative to subdivision (b)(i) above, the Revenue Raising Fee shall equal three percent (3%) of gross receipts of the Commercial Cannabis Operation, if that amount is greater than the fee calculated using the formula set forth in subdivision (b)(i).
- c. If more than one Commercial Cannabis Operation operates on the Premises, whether within a single building or multiple buildings, each Regulatory Permit holder shall be responsible for paying the Revenue Raising Fee. The Revenue Raising Fee shall be payable in advance, in not less than quarterly installments, with the first quarterly payment due prior to issuance of a certificate of occupancy. The first payment shall not be prorated, and in no event shall the first payment be less than the equivalent of one full quarterly payment. All quarterly payments shall be received by the City before the end of the quarter.
- d. *Alternative Voter-Approved Tax.* If the voters of the City approve a tax on Commercial Cannabis Operations, the Business Owner shall pay that tax in lieu of the Revenue Raising Fee, once the City begins to collect the tax revenue.

Q. *Recordkeeping.* The Responsible Party shall make and maintain complete, accurate, and legible records of the permitted Commercial Cannabis Operations evidencing compliance with the requirements of this section. Those records shall be maintained for a minimum of five (5) years.

R. *Inspection.* Commercial Cannabis Operations shall be open for inspection by any City law enforcement officer, City code enforcement officer, or City financial auditor or their designees at any time the Commercial Cannabis Operation is operating, at any other time upon responding to a call for service related to the property where the Commercial Cannabis Operations is occurring, or otherwise upon reasonable notice. Recordings made by security cameras at any Cannabis Operation shall be made immediately available to the Police Chief upon verbal request. No search warrant or subpoena shall be needed to view the recorded materials.

P. *Indemnification.* In authorizing Commercial Cannabis Operations under this section, the City makes no guarantees or promises as to the lawfulness of the approved activity under

State or federal law, and the Business Owner, Operator and all Responsible Parties are obligated to comply with all applicable laws and regulations. To the fullest extent permitted by law, the City shall not assume any liability whatsoever with respect to the adoption of this Ordinance or the operation of any Commercial Cannabis Operation approved pursuant to this Ordinance, or under State or federal law. The Business Owner, Operator and all Responsible Parties shall defend, hold harmless, release, and indemnify the City, its agents, officers, and employees, from any liability associated with the approved use or adverse determinations made by the State or federal government. An adverse determination could include cessation of operations.

The Business Owner agrees to reimburse the City for any court costs and attorney fees that the City may be required to pay as a result of any legal challenge related to Commercial Cannabis Operations operating under the authority of this Ordinance. The City may, at its sole discretion, participate at its own expense in the defense of any such action, but such participation shall not relieve the permittee of its obligation hereunder.

If requested by the City Attorney, the Business Owner shall execute an agreement memorializing the requirements of this subsection.

18.55.080 – Regulations Applicable to the Consumption of Marijuana.

No person shall smoke, ingest, or otherwise consume marijuana or marijuana products, whether recreational or medical, in the City of Parlier, unless such smoking, ingesting or consumption occurs entirely within a private residence. "Within a private residence" shall mean inside habitable areas and shall not include garages, whether attached or detached, and other accessory buildings, unless those buildings are at all times fully enclosed during the consumption.

Medical marijuana may also be consumed within a clinic, healthcare facility, residential care facility, or residential hospice licensed pursuant to applicable provisions of the California Health and Safety Code.

All consumption shall be done in a manner so as to not cause a nuisance to nearby residents with noxious odors or other adverse health and safety impacts.

18.55.090 – Penalties and Enforcement.

The following remedies shall apply for violations of this Chapter:

A. Violations for conduct that is not otherwise considered lawful under State law, shall be considered misdemeanors and are punishable in accordance with Chapter 1.16 of the Municipal Code. Each and every day, or portion thereof, that a violation exists is a separate offense.

Should a court of competent jurisdiction subsequently determine that the criminal penalty provision renders this Chapter unlawful, the City intends that the misdemeanor provision be severable from the remaining penalty provisions and the City will only pursue

non-criminal remedies for violations of this Chapter.

B. The City may also pursue all applicable civil and administrative remedies, including but not limited to injunctive relief and administrative citations.

(1) Any use or condition caused or permitted to exist in violation of any of the provisions of this Chapter shall be and is hereby declared a public nuisance and may be summarily abated by the City pursuant to the City of Parlier Municipal Code.

(2) The violation of any provision of this Chapter shall be and is hereby declared to be contrary to the public interest and shall, at the discretion of City, create a cause of action for injunctive relief.

C. Any person who violates the provisions of this Chapter may be subject to an administrative fine of up to one thousand dollars (\$1000.00) for each violation and for each day the violation continues to persist.

18.55.100 – Severability.

The provisions of this Chapter are hereby declared to be severable. If any provision, clause, word, sentence, or paragraph of this Chapter, or of the Regulatory Permit issued pursuant to this Chapter, or the application thereof to any person, establishment, or circumstances shall be held invalid, such invalidity shall not affect the other provisions of this Chapter or of any Regulatory Permit issued pursuant hereto.

18.55.110 – Judicial Review.

Judicial review of a decision made under this Chapter may be had by filing a petition for a writ of mandate with the Superior Court in accordance with the provisions of the California Code of Civil Procedure Section 1094.5. Any such petition shall be filed within ninety (90) days after the day the decision becomes final, as provided in California Code of Civil Procedure Section 1994.6, which shall apply for such actions.

SECTION 2. California Environmental Quality Act: The City Council has determined that the amendment is not a project under the California Environmental Quality Act because the amendment has no potential for resulting in a physical change in the environment. Since the amendment is not a project, no environmental documentation is required.

SECTION 3. Severability: If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid or unconstitutional, the decision shall not affect the validity of the remaining portions of the Ordinance. The City Council hereby declares that it would have passed this Ordinance, and each section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases have been declared invalid or unconstitutional.

SECTION 4. Effective Date and Posting of Ordinance: This Ordinance shall take effect and be in force thirty (30) days from and after the date of final passage. The City Clerk of the City of PARLIER shall cause this Ordinance to be published at least once within fifteen (15) days after its passage in a newspaper of general circulation with the names of those City Council Members voting for or against the Ordinance.

ADOPTED by the City Council and signed by the Mayor and attested by the City Clerk this ____ day of _____, 2019.

Alma Beltran, Mayor, City of Parlier

ATTEST:

Bertha Augustine, City Clerk

I, Bertha Augustine, City Clerk of the City of Parlier, do hereby certify that the foregoing Ordinance was introduced at the _____, 2019 regular City Council meeting and passed at a regular meeting of the City Council of the City of Parlier on the ____ day of _____, 2019, by the following vote, to wit:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

{00017822.DOCX;1}

ABSENT: COUNCIL MEMBERS:

City Clerk of the City of Parlier



AGENDA ITEM: 8
MEETING DATE: April 18, 2019
DEPARTMENT: Planning

REPORT TO CITY COUNCIL

SUBJECT:

Introduction and waiver of the first reading of Ordinance No. 2019-05, amending Chapter 18.33 of the Parlier Municipal Code regulating smoke shops and smoking lounges.

RECOMMENDATION:

Staff recommends that the City Council introduces and waives the first reading of Ordinance No. 19-05 and sets a public hearing for the second reading and adoption for May 2, 2019.

BACKGROUND:

At a public hearing on March 7, 2019 the City Council conducted a public hearing and adopted Ordinance No. 2019-03. The ordinance, which took effect on April 6, 2019, added Chapter 18.33 to the Parlier Municipal Code and put in place regulations applicable to smoke shops and smoking lounges. During a subsequent meeting with an applicant, it became apparent that some of the provisions of the ordinance were overly burdensome and in fact had the inadvertent effect of prohibiting establishment of smoke shops in locations where they were intended to be allowed or at least considered.

Most specifically, Section 18.33.020(B)(1) requires that smoke shops be located at least 300 feet from certain listed uses. That eliminates most of the City's C-4 zone and much of its C-5 zone, including all of the downtown area, all of Mendocino Avenue north of Manning Avenue, and much of Manning Avenue. Effectively, the only remaining locations are on the south side of Manning Avenue west of Academy Avenue and in the industrial park. Taking into account the zoning that would be implemented if land on the north side of Manning Avenue and east of the industrial park were annexed, even fewer locations would be available.

PROPOSAL & DISCUSSION:

Staff has reviewed the ordinance and provided revised language that it recommends be adopted. Specific changes include:

1. Changes to definitions.
2. Removal of the requirement for a site plan in conjunction with the required conditional use permit. Any new construction within the City's commercial or

industrial zones requires a site plan. Uses established in existing structures generally do not.

3. Removal of special findings. The conditional use permit process already requires that the City make certain findings, which the ordinance duplicated.
4. Modification of the locational parameters. Rather than prohibit establishment of smoke shops within a certain distance of other uses, the revised ordinance would mandate that the City take special account of proximity to those uses when considering the required conditional use permit findings. The prohibition of multiple smoke shops within 300 feet of each other remains.
5. General clarification and streamlining of text.

Adoption of this ordinance is a two-step process. Staff has requested that the City Council introduce the ordinance and waive its first reading, followed by a second consideration of the ordinance proposed to occur on May 2, 2019. If enacted, the ordinance would become effective 30 days later. After taking effect, the ordinance would not authorize establishment of a tobacco shop at any specific location. Rather, it would allow entities to apply for a conditional use permit to establish a smoke shop or smoking lounge consistent with the ordinance. Until the new ordinance takes effect, the provisions of the existing ordinance remain in place. In addition to Ordinance No. 2019-05, which shows the existing text with proposed edits, a clean version of the resulting language is attached.

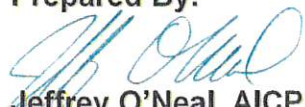
Public Notice

There is no public noticing requirement for this introduction. At the City Council's discretion, the ordinance may be scheduled for a public hearing and adoption, for which noticing would be provided pursuant to Government Code Section 65090.

Environmental

The first step in complying with CEQA is to determine whether the activity in question constitutes a "project" as defined by CEQA, Public Resources Code Section 21000, *et seq.* and the CEQA Guidelines, California Code of Regulations Title 14 Chapter 3 Section 15000, *et seq.* A "project" consists of the whole of an action (i.e. not the individual pieces or components) that may have a direct or reasonably foreseeable indirect effect on the environment. The second step is to determine whether the project is subject to or exempt from the statute. This proposal qualifies as a project under CEQA because it involves an amendment to the zoning ordinance as described in CEQA Guidelines Section 15378(a)(1). However, the proposed ordinance amendment does not approve or otherwise authorize any specific activity that could result in a physical change to the environment; it is solely an amendment to regulations. In cases where it can be shown with certainty that the project being considered has no possibility of causing a significant impact to the environment, the project is not subject to CEQA as indicated in Guidelines Section 15061(b)(3).

Prepared By:


Jeffrey O'Neal, AICP
City Planner

for
Antonio Gastelum
City Manager

PROPOSED LANGUAGE FOR FINAL VERSION OF SMOKE SHOP AND SMOKING LOUNGE
ORDINANCE (WITHOUT EDITORIAL MARK-UPS)

Chapter 18.33 Smoke Shops and Smoking Lounges

18.33.010 DEFINITIONS. The following words and phrases, wherever used in this Chapter, shall have the meaning defined in this section unless the context clearly requires otherwise:

- A. "Hookah" means a device typically of glass or metal constructed with a receptacle or container in which water or some other liquid may be placed and through which smoke from tobacco, herbs, or other combustible material passes and is cooled in the process of being inhaled through one or more flexible or rigid pipes, the method of combustion notwithstanding. A "hookah" may also be known as a shisha, narghile, hubble-bubble, nag, Turkish water pipe, or other name.
- B. "Hookah lounge" means a commercial establishment or a portion thereof whether enclosed, indoor, or outdoor, designated specifically or otherwise allowing for the use of hookahs. "Hookah lounge" does not include a residence.
- C. "Electronic smoking device" means an electronic device that can be used to deliver an inhaled dose of nicotine, or other substances, and includes any component, part, or accessory of such a device, whether or not sold separately. "Electronic smoking device" includes any such device, whether manufactured, distributed, marketed, or sold as an electronic cigarette, an electronic cigar, an electronic cigarillo, an electronic pipe, an electronic hookah, or any other product name or description.
- D. "Electronic smoking device paraphernalia" means cartridges, cartomizers, e-liquid, smoke juice, tips, atomizers, electronic smoking device batteries, electronic smoking device chargers, and any other item specifically designed for the preparation, charging, or use of electronic smoking devices.
- E. "Tobacco paraphernalia" means any device, product, equipment or material of any kind that intended or designed for use for smoking, inhaling or ingesting tobacco, notwithstanding that the device, product, equipment or material may also be used for smoking, inhaling or ingesting any controlled substances. Tobacco paraphernalia includes but is not limited to metal, ivory, wooden, or acrylic, glass, stone, plastic or ceramic pipes; water pipes, bongs, cigarette papers or wrappers, cigarette rolling machines, blunt wraps as defined in Section 308 of the Penal Code, or hookahs.
- F. "Tobacco product" means any substance containing tobacco leaf, including but not limited to cigarettes, cigars, pipe tobacco, snuff, chewing tobacco, dipping tobacco, or any other preparation of tobacco; and any product or formulation of matter containing biologically detectable amounts of nicotine that is manufactured, sold, offered for sale or otherwise distributed with the expectation

that the product or matter will be introduced into the human body, but does not include any product specifically approved by the federal Food and Drug Administration for use in treating nicotine or tobacco product dependence.

- G. "Smoke shop" means a retail or wholesale business or any person that sells, offers for sale, or offers to exchange for any form of consideration tobacco, tobacco products, electronic smoking devices, electronic smoking device paraphernalia, or tobacco paraphernalia and utilizes 15% or more of its square feet in the establishment used for the sale or display of tobacco, tobacco products, tobacco paraphernalia, electronic smoking devices, or electronic smoking paraphernalia, or advertising therefor.
- H. "Smoking lounge" means a commercial establishment or portion thereof where electronic smoking devices, tobacco products, tobacco paraphernalia, and/or hookah pipes are used by persons on the premises. "Smoking lounge" includes hookah lounge and does not include a residence.

18.33.020 CONDITIONAL USE PERMIT REQUIRED.

- A. Conditional Use Permit. Smoke Shops and Smoking Lounges may be permitted in the C-4, C-5, or M-1 zones subject to a conditional use permit issued pursuant to Chapter 18.38.
- B. Location.
 - 1. In making the findings required by Section 18.38.070(a), the proximity of the proposed use to residential zones and to schools, parks, churches, public buildings and facilities, and similar uses shall be given special consideration.
 - 2. No smoke shop or smoking lounge shall be permitted within 300 feet of another smoke shop or smoking lounge.
- C. Operational Requirements. In addition to any conditions that may be imposed pursuant to Section 18.38.070(b), smoke shops and smoking lounges shall comply with the following requirements:
 - 1. Each Smoke Shop and Smoking Lounge shall hold a valid California Cigarette and Tobacco Products Retailer's License issued by the State Board of Equalization, in accordance with State Law, which shall be prominently displayed in a publicly visible location at the establishment;
 - 2. Each Smoke Shop and Smoking Lounge shall have an on-site manager who is a minimum of 21 years of age;
 - 3. No person who is younger than the minimum age of 21 years shall be permitted to sell, display, market, barter, trade, or exchange any

combination of tobacco, tobacco products, tobacco paraphernalia,
electronic smoking devices or electronic smoking device paraphernalia.

18.33.030 DRUG PARAPHERNALIA PROHIBITED.

Except as otherwise authorized by law, no person shall maintain or operate any place of business in which drug paraphernalia is kept, displayed or offered in any manner, sold, furnished or transferred or given away. For the purposes of this section, the term "drug paraphernalia" shall be defined by reference to the California Health & Safety Code Section 11014.5, as it now exists or may hereafter be amended.

ORDINANCE NO. 2019-05

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PARLIER AMENDING
CHAPTER 18.33 OF THE PARLIER MUNICIPAL CODE REGULATING SMOKE SHOPS AND
SMOKING LOUNGES

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

Section I. Chapter 18.33 of Title 18 of the Parlier Municipal Code is hereby amended to read as follows:

Chapter 18.33 Smoke Shops and Smoking Lounges

18.33.010 DEFINITIONS. The following words and phrases, wherever used in this Chapter, shall have the meaning defined in this section unless the context clearly requires otherwise:

- A. "Hookah" means a device typically of glass or metal constructed with a receptacle or container in which water or some other liquid may be placed and through which smoke from tobacco, herbs, or other combustible material passes and is cooled in the process of being inhaled through one or more water pipe usually decorated and shaped somehow like a bottle or small tank with a long flexible or rigid core pipes, the method of combustion notwithstanding. A "hookah" may also be known as a shisha, narghile, hubble, bubble, nag, or Turkish water pipe, or other name.
- B. "Hookah Lounge" means an area of a commercial establishment or a portion thereof, whether enclosed, indoor, or outdoor, designated specifically or otherwise allowing for the use of hookahs. "Hookah lounge", but does not include private use of hookahs in any personal residence, if otherwise in compliance with applicable law.
- C. "Electronic Smoking Device" means an electronic device that can be used to deliver an inhaled dose of nicotine, or other substances, and includes any component, part, or accessory of such a device, whether or not sold separately. "Electronic Smoking Device" includes any such device, whether manufactured, distributed, marketed, or sold as an electronic cigarette, an electronic cigar, an electronic cigarillo, an electronic pipe, an electronic hookah, or any other product name or description.
- D. "Electronic Smoking Device Paraphernalia" means cartridges, cartomizers, e-liquid, smoke juice, tips, atomizers, Electronic Smoking Device batteries, Electronic Smoking Device chargers, and any other item specifically designed for the preparation, charging, or use of Electronic Smoking Devices.

- E. "Tobacco ~~P~~paraphernalia" means any device, product, equipment or material of any kind that intended or designed for use for smoking, inhaling or ingesting tobacco, notwithstanding that the device, product, equipment or material may also be used for smoking, inhaling or ingesting any controlled substances. Tobacco paraphernalia includes but is not limited to metal, ivory, wooden, or acrylic, glass, stone, plastic or ceramic pipes; water pipes, bongs, cigarette papers or wrappers, cigarette rolling machines, blunt wraps as defined in Section 308 of the Penal Code, ~~or hookahs or similar devices constructed with a receptacle or container in which water or some other liquid may be placed into which smoke passes and is cooled in the process of being inhaled or ingested.~~
- F. "Tobacco ~~P~~product" means any substance containing tobacco leaf, including but not limited to cigarettes, cigars, pipe tobacco, snuff, chewing tobacco, dipping tobacco, or any other preparation of tobacco; and any product or formulation of matter containing biologically detectable amounts of nicotine that is manufactured, sold, offered for sale or otherwise distributed with the expectation that the product or matter will be introduced into the human body, but does not include any product specifically approved by the ~~F~~federal Food and Drug Administration for use in treating nicotine or tobacco product dependence.
- G. "Smoke ~~S~~shop" means a retail or wholesale business or any person that sells, offers for sale, ~~or offers to exchange for any form of consideration,~~ tobacco, tobacco products, electronic smoking devices, ~~or electronic smoking device paraphernalia,~~ or tobacco paraphernalia and ~~has~~utilizes 15% or more of its square feet in the establishment used for the sale or display of tobacco, tobacco products, ~~or tobacco paraphernalia,~~ electronic smoking devices, or electronic smoking paraphernalia, or advertising therefor.
- H. "Smoking ~~L~~ounge" means a commercial establishment or portion thereof where electronic smoking devices, tobacco products, tobacco paraphernalia, and/or ~~H~~hookah pipes ~~or any of these are used by persons on the premises.~~ "Smoking lounge" includes hookah lounge, and but does not include any ~~a~~ private residence.

18.33.020 CONDITIONAL USE PERMIT REQUIRED.

- A. Conditional Use Permit. Smoke Shops and Smoking Lounges ~~may~~shall only be permitted in the ~~Central Trading, C-4, General Commercial, C-5, or Manufacturing (M-1) zones of the City and shall be subject to the issuance, existence and validity of a~~ Conditional Use Permit issued pursuant to as provided for in Chapter 18.38, of Title XVIII of this Code (commencing with 18.38.010) and full compliance with each and every condition thereof. Such Conditional Use Permit shall be issued only if the applicant ~~has submitted a Site Plan showing the location of the use and the following findings have been made:~~

- ~~1. That the proposed use is either a Smoke Shop or Smoking Lounge as defined in Section 18.33.010 of this Chapter;~~
- ~~2. That the establishment of the proposed use is compatible with surrounding uses;~~
- ~~3. That the proposed use does not have a detrimental effect on the public health, safety or general welfare.~~

B. ~~Locational and Operational.~~ Smoke Shops and Smoking Lounges shall comply with the following requirements:

1. In making the findings required by Section 18.38.070(a), the proximity of the proposed use to residential zones and to schools, parks, churches, public buildings and facilities, and similar uses shall be given special consideration.
2. No smoke shop or smoking lounge shall be permitted within 300 feet of another smoke shop or smoking lounge.
- ~~1. The use is being established outside of 300 feet of a residential zone of the City, or any Kindergarten, Elementary School, Middle School, High School, Public Library, Church or Public Park or any other Smoke Shop or Smoking Lounge;~~
- ~~2. Written approval from the property owner where such use is to be established, authorizing same;~~

C. Operational Requirements. In addition to any conditions that may be imposed pursuant to Section 18.38.070(b), smoke shops and smoking lounges shall comply with the following requirements:

13. Each Smoke Shop and Smoking Lounge shall hold a valid California Cigarette and Tobacco Products Retailer's License issued by the State Board of Equalization, in accordance with State Law, which shall be prominently displayed in a publicly visible location at the establishment;
24. Each Smoke Shop and Smoking Lounge shall have an on-site manager who is a minimum of 21 years of age;
35. No person who is younger than the minimum age of 21 years shall be permitted to sell, display, market, barter, trade, or exchange any combination of tobacco, tobacco products, tobacco paraphernalia, electronic smoking devices or electronic smoking device paraphernalia.

18.33.030 DRUG PARAPHERNALIA PROHIBITED.

Except as otherwise authorized by law, no person shall maintain or operate any place of business in which drug paraphernalia is kept, displayed or offered in any manner, sold,

furnished or transferred or given away. For the purposes of this section, the word term "drug paraphernalia" shall be defined by reference to the California Health & Safety Code §Section 11014.5, as it now exists or may ~~hereinafter~~ hereafter be amended.

Section 2. California Environmental Quality Act: As defined in CEQA Guidelines Section 15378(a)(1), a "project" expressly includes an amendment to a zoning ordinance. However, the City Council of the City of Parlier hereby finds that the zoning text amendments contained herein solely constitute changes to regulations and do not authorize or approve any development or physical changes. As such, they have no potential to significantly affect the environment, and are therefore not subject to CEQA as indicated in CEQA Guidelines Section 15061(b)(3).

Section 3. Severability: If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid or unconstitutional, the decision shall not affect the validity of the remaining portions of the Ordinance. The City Council hereby declares that it would have passed this Ordinance, and each section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases have been declared invalid or unconstitutional.

Section 4. Effective Date and Posting of Ordinance: This Ordinance shall take effect and be in force thirty (30) days from and after the date of final passage. The City Clerk of the City of Parlier shall cause this Ordinance to be published at least once within fifteen (15) days after its passage in a newspaper of general circulation in Fresno County with the names of those City Council Members voting for or against the Ordinance.

The foregoing Ordinance was introduced at a regular meeting of the City Council of the City of Parlier on the 18th day of April 2019 and was passed and adopted at a regular meeting of the City Council on the 2nd day of May 2019 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Alma Beltran, Mayor of the City of Parlier

ATTEST:

Bertha Augustine
Deputy City Clerk of the City of Parlier