



MAYOR: JOHN LIZALDE
MAYOR PRO TEM: ARISTON JULIAN
COUNCIL MEMBER: GINA RUBALCABA
COUNCIL MEMBER: JERRY BEATTY
COUNCIL MEMBER: VIRGINIA PONCE

CITY ADMINISTRATOR: ANDREW CARTER
CITY ATTORNEY: DAVID FLEISHMAN
CITY CLERK: JOICE EARLEEN RAGUZ
CITY TREASURER: PETRONA AMIDO

AGENDA

GUADALUPE CITY COUNCIL

Regular Meeting
Tuesday, December 8, 2015

REGULAR SESSION 6:00 P.M.

City Hall, Council Chambers
918 Obispo Street, Guadalupe, California 93434

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in a City meeting or other services offered by this City, please contact the City Clerk's office, (805) 356-3891. Notification of at least 72 hours prior to the meeting or time when services are needed will assist the City staff in assuring that reasonable arrangements can be made to provide accessibility to the meeting or service.

*If you wish to speak concerning any item on the agenda, please complete the Request to Speak form that is provided at the rear of the Council Chambers prior to the completion of the staff report and hand the form to the City Clerk. **Note:** Staff Reports for this agenda, as well as any materials related to items on this agenda submitted after distribution of the agenda packet, are available for inspection at the office of the City Administrator, City Hall, 918 Obispo Street, Guadalupe, California during regular business hours, 8:00 a.m. to 4:30 p.m., Monday through Friday; telephone (805) 356-3891.*

1. **MOMENT OF SILENCE.**
2. **PLEDGE OF ALLEGIANCE.**
3. **ROLL CALL.** Council Members Jerry Beatty, Virginia Ponce, Gina Rubalcaba, Ariston Julian and Mayor John Lizalde.
4. **COMMUNITY PARTICIPATION FORUM.**

Each person will be limited to a discussion of 3 minutes or as directed by the Mayor. This time is reserved to accept comments from the public on Consent Agenda items, Closed Session items, or matters not otherwise scheduled on this agenda. Pursuant to provisions of the Brown Act, no action may be taken on these matters unless they are listed on the agenda, or unless certain emergency or special circumstances exist. City Council may direct Staff to investigate and/or schedule certain matters for consideration at a future City Council meeting.

5. **CONSENT CALENDAR.** The following items are presented for Council approval without discussion as a single agenda item in order to expedite the meeting. Should a Council Member wish to discuss or disapprove an item, it must be dropped from the blanket motion of approval and considered as a separate item.
 - a. Payment of Warrants for the period ending December 3, 2015 to be approved for payment by the City Council. Subject to having been certified as being in conformity with the budget by the Finance Director.

6. **MARIJUANA CULTIVATION, PROCESSING, AND TRANSPORT IN GUADALUPE.**
 - a. Written Staff Report (Andrew Carter, City Administrator)
 - b. Verbal Presentation (Gary Hoving, Director of Public Safety)
 - c. City Council discussion and consideration.
 - d. It is recommended that the City Council provide staff further direction on a proposed ordinance to outlaw marijuana cultivation, processing, and transport in Guadalupe which includes a fallback mechanism should an outright ban on these activities be found to be invalid or unconstitutional by the court in the future.

7. **PUBLIC HEARING - CONSIDER ADOPTION OF AN ORDINANCE ESTABLISHING OPERATIONAL REGULATIONS AND ZONING RESTRICTIONS FOR DEFINED ADULT ORIENTED BUSINESSES.** That the City Council introduce for first reading by title only Ordinance No. 2015-439 establishing zoning restrictions and operational rules for defined adult oriented businesses.
 - a. Written Staff Report (Roy Hanley, City Attorney)
 - b. Written Communications.
 - c. Public Hearing.
 - d. City Council discussion and consideration.
 - e. It is recommended that the City Council concludes the public hearing and adopt first reading of Ordinance No. 2015-439.

8. **GUADALUPE POLICE OFFICERS ASSOCIATION MEMORANDUM OF UNDERSTANDING FOR THE TIME PERIOD 07/01/15 – 12/31/17.** That the City Council adopt Resolution No. 2015-59 approving a Memorandum of Understanding (MOU) with the Guadalupe Police Officers Association for the time period 07/01/15 through 12/31/17 and authorizing the Mayor to sign the MOU.
 - a. Written Staff Report (Andrew Carter, City Administrator)
 - b. City Council discussion and consideration.
 - c. It is recommended that the City Council adopt Resolution No. 2015-59.

9. **CITY MANAGER REPORT/ FUTURE AGENDA ITEMS.**

10. **ANNOUNCEMENTS / COUNCIL ACTIVITY REPORTS.**

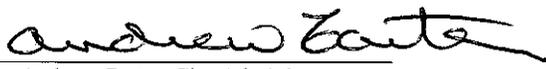
11. **CLOSED SESSION.**

- a. CONFERENCE WITH LABOR NEGOTIATOR:
Government Code Section 54957.6
City Negotiator: City Attorney & City Administrator
Employee Organizations: International Association of Firefighters (IAFF) Local 4403

CLOSED SESSION ANNOUNCEMENT.

12. **ADJOURNMENT.**

I hereby certify under penalty of perjury under the laws of the State of California that the foregoing Agenda was posted at the City Hall display case, the Water Department and the City Clerk's office not less than 72 hours prior to the meeting. Dated this 4th day of December 2015.

By: 
Andrew Carter, City Administrator

REPORT TO THE CITY COUNCIL
Council Agenda of December 08, 2015



Prepared by
Esther Britt



Reviewed by
Andrew Carter



Approved by
Annette Munoz

SUBJECT: Payment of warrants for the period ending December 03, 2015 to be approved for payment by the City Council. Subject to having been certified as being in conformity with the budget by the Finance Department staff.

RECOMMENDATION: That the City Council review and approve the listing of hand checks and warrants to be paid on December 09, 2015

BACKGROUND: Submittal of the listing of warrants issued by the City to vendors for the period and explanations for disbursement of these warrants. An exception, such as an emergency hand check may be required to be issued and paid prior to submittal of the warrant listing, however, this warrant will be identified as "Ratify" on the warrant listing.

141 SUBURBAN ROAD STE C-1 *** VENDOR.: ABA01 (ABALONE COAST ANALYTICAL, INC.)

INVOICE-TYPE DESCRIPTION	PERIOD	DATE	TERM-DESCRIPTION	G/L ACCOUNT No
15-6810 WATER SAMPLES	12-15	11/10/15 N N N	A-NET30 FROM INVOICE	2010

Line	Description	G/L Account No	Unit(s)	Unit Cost	Amount
0001	WATER SAMPLES	12 4425 2150 (Wst.Wtr.Op.Fund Wastewater Profl Services)	1	70.00	70.00
Invoice Extension ---->					70.00

INVOICE-TYPE DESCRIPTION	PERIOD	DATE	TERM-DESCRIPTION	G/L ACCOUNT No
15-7024 WATER SAMPLES	12-15	11/18/15 N N N	A-NET30 FROM INVOICE	2010

Line	Description	G/L Account No	Unit(s)	Unit Cost	Amount
0001	WATER SAMPLES	12 4425 2350 (Wst.Wtr.Op.Fund Wastewater Svcs.Other Agen)	1	70.00	70.00
Invoice Extension ---->					70.00

Vendor Total -----> 140.00
 =====

800 SOUTH COLLEGE DRIVE *** VENDOR.: ALL07 (ALLAN HANCOCK COLLEGE)
 CAMPUS GRAPHICS -BLDG H102

INVOICE-TYPE DESCRIPTION	PERIOD	DATE	TERM-DESCRIPTION	G/L ACCOUNT No
144390 BUSINESS CARDS	12-15	10/30/15 N N N	A-NET30 FROM INVOICE	2010

Line	Description	G/L Account No	Unit(s)	Unit Cost	Amount
0001	BUSINESS CARDS	01 4200 1550 (General Fund Police Op Supp/Expense)	1	18.15	18.15
Invoice Extension ---->					18.15

INVOICE-TYPE DESCRIPTION	PERIOD	DATE	TERM-DESCRIPTION	G/L ACCOUNT No
144392 LETTERHEAD	12-15	10/30/15 N N N	A-NET30 FROM INVOICE	2010

Line	Description	G/L Account No	Unit(s)	Unit Cost	Amount
0001	LETTERHEAD	01 4200 1550 (General Fund Police Op Supp/Expense)	1	178.33	178.33
Invoice Extension ---->					178.33

INVOICE-TYPE DESCRIPTION	PERIOD	DATE	TERM-DESCRIPTION	G/L ACCOUNT No
144445 BUSINESS CARDS	12-15	10/30/15 N N N	A-NET30 FROM INVOICE	2010

Line	Description	G/L Account No	Unit(s)	Unit Cost	Amount
0001	BUSINESS CARDS	01 4200 1550 (General Fund Police Op Supp/Expense)	1	18.61	18.61
Invoice Extension ---->					18.61

Vendor Total -----> 215.09
 =====

P.O. BOX 6734 *** VENDOR.: ALL08 (ALLWEATHER LANDSCAPE MAINTENANCE, INC)

INVOICE-TYPE DESCRIPTION	PERIOD	DATE	TERM-DESCRIPTION	G/L ACCOUNT No
25972 MAINTENANCE FOR 11/2015	12-15	11/15/15 N N N	A-NET30 FROM INVOICE	2010

Line	Description	G/L Account No	Unit(s)	Unit Cost	Amount
0001	MAINTENANCE FOR 11/2015	01 4300 2150 (General Fund Parks & Rec Profl Services)	1	1677.00	1677.00
0002	MAINTENANCE FOR 11/2015	71 4454 2150 (MEASURE A MEASURE A Profl Services)	1	349.38	349.38
0003	MAINTENANCE FOR 11/2015	01 4145 2150 (General Fund Building Mtce Profl Services)	1	349.37	349.37
0004	MAINTENANCE FOR 11/2015	60 4490 2150 (Quad.Assmt.Dist Quad.Assmt Dist Profl Services)	1	419.25	419.25
Invoice Extension ---->					2795.00

P.O. BOX 6734

*** VENDOR.: ALL08 (ALLWEATHER LANDSCAPE MAINTENANCE, INC)

INVOICE-TYPE DESCRIPTION	PERIOD	DATE	TERM-DESCRIPTION	G/L ACCOUNT No	
26075 DUMP FEE, GLYPHOSATE PRO-WEED CONTROL	12-15	10/31/15 N N N	A-NET30 FROM INVOICE	2010	
Line Description	G/L Account No		Unit(s)	Unit Cost	Amount
0001 DUMP FEE, GLYPHOSATE PRO-WEED CONTROL	01 4300 2150		1	132.00	132.00
	(General Fund Parks & Rec Prof'l Services)				
0002 DUMP FEE, GLYPHOSATE PRO-WEED CONTROL	71 4454 2150		1	27.50	27.50
	(MEASURE A MEASURE A Prof'l Services)				
0003 DUMP FEE, GLYPHOSATE PRO-WEED CONTROL	01 4145 2150		1	27.50	27.50
	(General Fund Building Mtce Prof'l Services)				
0004 DUMP FEE, GLYPHOSATE PRO-WEED CONTROL	60 4490 2150		1	33.00	33.00
	(Quad.Assmt.Dist.Guad.Assmt Dist Prof'l Services)				
			Invoice Extension ---->		220.00
			Vendor Total ----->		3015.00
					=====

AUS WEST LOCKBOX
 P.O. BOX 101179

*** VENDOR.: ARA01 (ARAMARK UNIFORM SERVICES)

INVOICE-TYPE DESCRIPTION	PERIOD	DATE	TERM-DESCRIPTION	G/L ACCOUNT No	
531008828 TOWELS	12-15	10/13/15 N N N	A-NET30 FROM INVOICE	2010	
Line Description	G/L Account No		Unit(s)	Unit Cost	Amount
0001 TOWELS	01 4200 1550		1	49.51	49.51
	(General Fund Police Op Supp/Expense)				
			Invoice Extension ---->		49.51

INVOICE-TYPE DESCRIPTION	PERIOD	DATE	TERM-DESCRIPTION	G/L ACCOUNT No	
531079990 WET AND DUST MOP	12-15	11/10/15 N N N	A-NET30 FROM INVOICE	2010	
Line Description	G/L Account No		Unit(s)	Unit Cost	Amount
0001 WET AND DUST MOP	01 4145 2150		1	27.24	27.24
	(General Fund Building Mtce Prof'l Services)				
			Invoice Extension ---->		27.24

INVOICE-TYPE DESCRIPTION	PERIOD	DATE	TERM-DESCRIPTION	G/L ACCOUNT No	
531079991 UNIFORM	12-15	11/10/15 N N N	A-NET30 FROM INVOICE	2010	
Line Description	G/L Account No		Unit(s)	Unit Cost	Amount
0001 UNIFORM	10 4420 2150		1	4.57	4.57
	(Wtr. Oper. Fund Water Operating Prof'l Services)				
0002 UNIFORM	01 4300 2150		1	.91	.91
	(General Fund Parks & Rec Prof'l Services)				
0003 UNIFORM	01 4145 2150		1	.91	.91
	(General Fund Building Mtce Prof'l Services)				
0004 UNIFORM	71 4454 2150		1	2.74	2.74
	(MEASURE A MEASURE A Prof'l Services)				
			Invoice Extension ---->		9.13

INVOICE-TYPE DESCRIPTION	PERIOD	DATE	TERM-DESCRIPTION	G/L ACCOUNT No	
531079993 MOPS, TISSUE, TOWELS	12-15	11/10/15 N N N	A-NET30 FROM INVOICE	2010	
Line Description	G/L Account No		Unit(s)	Unit Cost	Amount
0001 MOPS, TISSUE, TOWELS	12 4425 2150		1	79.62	79.62
	(Wst.Wtr.Op.Fund Wastewater Prof'l Services)				
			Invoice Extension ---->		79.62

INVOICE-TYPE DESCRIPTION	PERIOD	DATE	TERM-DESCRIPTION	G/L ACCOUNT No	
531079994 UNIFORMS	12-15	11/10/15 N N N	A-NET30 FROM INVOICE	2010	
Line Description	G/L Account No		Unit(s)	Unit Cost	Amount
0001 UNIFORMS	71 4454 2150		1	4.83	4.83
	(MEASURE A MEASURE A Prof'l Services)				
0002 UNIFORMS	01 4145 2150		1	4.84	4.84
	(General Fund Building Mtce Prof'l Services)				
0003 UNIFORMS	01 4300 2150		1	4.84	4.84
	(General Fund Parks & Rec Prof'l Services)				
			Invoice Extension ---->		14.51

AUS WEST LOCKBOX *** VENDOR.: ARA01 (ARAMARK UNIFORM SERVICES)

INVOICE-TYPE DESCRIPTION	PERIOD	DATE	TERM-DESCRIPTION	G/L ACCOUNT No
531097509 WET AND DUST MOP	12-15	11/17/15 N N N	A-NET30 FROM INVOICE	2010

Line	Description	G/L Account No	Unit(s)	Unit Cost	Amount
0001	WET AND DUST MOP	01 4145 2150 (General Fund Building Mtce Profl Services)	1	34.53	34.53
Invoice Extension ---->					34.53

INVOICE-TYPE DESCRIPTION	PERIOD	DATE	TERM-DESCRIPTION	G/L ACCOUNT No
531097510 UNIFORM	12-15	11/17/15 N N N	A-NET30 FROM INVOICE	2010

Line	Description	G/L Account No	Unit(s)	Unit Cost	Amount
0001	UNIFORM	10 4420 2150 (Wtr. Oper. Fund Water Operating Profl Services)	1	4.57	4.57
0002	UNIFORM	01 4300 2150 (General Fund Parks & Rec Profl Services)	1	.91	.91
0003	UNIFORM	01 4145 2150 (General Fund Building Mtce Profl Services)	1	.91	.91
0004	UNIFORM	71 4454 2150 (MEASURE A MEASURE A Profl Services)	1	2.74	2.74
Invoice Extension ---->					9.13

INVOICE-TYPE DESCRIPTION	PERIOD	DATE	TERM-DESCRIPTION	G/L ACCOUNT No
531097512 UNIFORM	12-15	11/17/15 N N N	A-NET30 FROM INVOICE	2010

Line	Description	G/L Account No	Unit(s)	Unit Cost	Amount
0001	UNIFORM	12 4425 2150 (Wst.Wtr.Op.Fund Wastewater Profl Services)	1	15.07	15.07
Invoice Extension ---->					15.07

INVOICE-TYPE DESCRIPTION	PERIOD	DATE	TERM-DESCRIPTION	G/L ACCOUNT No
531097513 UNIFORM	12-15	11/17/15 N N N	A-NET30 FROM INVOICE	2010

Line	Description	G/L Account No	Unit(s)	Unit Cost	Amount
0001	UNIFORM	71 4454 2150 (MEASURE A MEASURE A Profl Services)	1	3.98	3.98
0002	UNIFORM	01 4300 2150 (General Fund Parks & Rec Profl Services)	1	3.99	3.99
0003	UNIFORM	01 4145 2150 (General Fund Building Mtce Profl Services)	1	3.99	3.99
Invoice Extension ---->					11.96

INVOICE-TYPE DESCRIPTION	PERIOD	DATE	TERM-DESCRIPTION	G/L ACCOUNT No
531115226 WET AND DUST MOPS	12-15	11/24/15 N N N	A-NET30 FROM INVOICE	2010

Line	Description	G/L Account No	Unit(s)	Unit Cost	Amount
0001	WET AND DUST MOPS	01 4145 2150 (General Fund Building Mtce Profl Services)	1	27.24	27.24
Invoice Extension ---->					27.24

INVOICE-TYPE DESCRIPTION	PERIOD	DATE	TERM-DESCRIPTION	G/L ACCOUNT No
531115227 UNIFORM	12-15	11/24/15 N N N	A-NET30 FROM INVOICE	2010

Line	Description	G/L Account No	Unit(s)	Unit Cost	Amount
0001	UNIFORM	10 4420 2150 (Wtr. Oper. Fund Water Operating Profl Services)	1	4.57	4.57
0002	UNIFORM	01 4145 2150 (General Fund Building Mtce Profl Services)	1	.91	.91
0003	UNIFORM	01 4300 2150 (General Fund Parks & Rec Profl Services)	1	.91	.91
0004	UNIFORM	71 4454 2150 (MEASURE A MEASURE A Profl Services)	1	1.37	1.37
0005	UNIFORM	10 4420 2150 (Wtr. Oper. Fund Water Operating Profl Services)	1	1.37	1.37
Invoice Extension ---->					9.13

INVOICE-TYPE DESCRIPTION	PERIOD	DATE	TERM-DESCRIPTION	G/L ACCOUNT No
531115229 WET AND DUST MOPS,TOWELS	12-15	11/24/15 N N N	A-NET30 FROM INVOICE	2010

Line	Description	G/L Account No	Unit(s)	Unit Cost	Amount
------	-------------	----------------	---------	-----------	--------

AUS WEST LOCKBOX
 P.O. BOX 101179
 INVOICE-TYPE DESCRIPTION
 *** VENDOR.: ARA01 (ARAMARK UNIFORM SERVICES)

Line	Description	PERIOD	DATE	TERM-DESCRIPTION	G/L ACCOUNT No
0001	WET AND DUST MOPS,TOWELS	12	4425 2150	(Wst.Wtr.Op.Fund Wastewater Profl Services)	15.07
				Invoice Extension ---->	15.07

Line	Description	PERIOD	DATE	TERM-DESCRIPTION	G/L ACCOUNT No
531115230	UNIFORM	12-15	11/24/15 N N N	A-NET30 FROM INVOICE	2010
0001	UNIFORM	71	4454 2150	(MEASURE A MEASURE A Profl Services)	2.28
0002	UNIFORM	01	4300 2150	(General Fund Parks & Rec Profl Services)	2.29
0003	UNIFORM	01	4145 2150	(General Fund Building Mtce Profl Services)	2.29
				Invoice Extension ---->	6.86
				Vendor Total ----->	309.00

1889 ALCATRAZ AVENUE
 *** VENDOR.: BAR02 (BARTLE WELLS ASSOCIATES)

Line	Description	PERIOD	DATE	TERM-DESCRIPTION	G/L ACCOUNT No
1005A	WATER AND SEWER RATE STUDY	12-15	11/13/15 N N N	A-NET30 FROM INVOICE	2010
0001	WATER AND SEWER RATE STUDY	10	4420 2150	(Wtr. Oper. Fund Water Operating Profl Services)	7017.09
0002	WATER AND SEWER RATE STUDY	12	4425 2150	(Wst.Wtr.Op.Fund Wastewater Profl Services)	3456.18
				Invoice Extension ---->	10473.27
				Vendor Total ----->	10473.27

3727 W. MAGNOLIA BLVD STE 172
 *** VENDOR.: BOD01 (BODY CAMS BY RETIRED COPS)

Line	Description	PERIOD	DATE	TERM-DESCRIPTION	G/L ACCOUNT No
092015-A	13 BODY CAMERA SYSTEM (REPLACEING CHECK # 825609	12-15	09/29/15 N N N	A-NET30 FROM INVOICE	2010
0001	13 BODY CAMERA SYSTEM (REPLACEING CHECK # 825609	42	4210 3200	(Pol.Saftey Fund Pol.Pub.Safety Equipment)	3000.00
				Invoice Extension ---->	3000.00
				Vendor Total ----->	3000.00

750 GUADALUPE ST
 BRIAN H. & SALLY S. KUROKAWA
 INVOICE-TYPE DESCRIPTION
 *** VENDOR.: BRI01 (BRIAN'S AUTO BODY)

Line	Description	PERIOD	DATE	TERM-DESCRIPTION	G/L ACCOUNT No
6876	2000 CHEV S10 DOOR REPAIR	12-15	12/01/15 N N N	A-NET30 FROM INVOICE	2010
0001	2000 CHEVY S10 DOOR REPAIR	12	4425 1460	(Wst.Wtr.Op.Fund Wastewater Vehicle Maintnc)	220.54
				Invoice Extension ---->	220.54
				Vendor Total ----->	220.54

*** VENDOR.: BRI02 (NORMA BRIBIESCA)

INVOICE-TYPE DESCRIPTION	PERIOD	DATE	TERM-DESCRIPTION	G/L ACCOUNT No	
120115 REIMBURSEMENT FOR MEALS (CLASS AT AHC)	12-15	11/30/15 N N N	A-NET30 FROM INVOICE	2010	
Line Description	G/L Account No		Unit(s)	Unit Cost	Amount
0001 REIMBURSEMENT FOR MEALS (CLASS AT AHC)	01 4200 1300		1	16.00	16.00
	(General Fund Police Bus Exp/Train)				
			Invoice Extension ---->		16.00
			Vendor Total ----->		16.00

1631 CARLOTTI DR. *** VENDOR.: BRU02 (BRUMIT DIESEL, INC.)

INVOICE-TYPE DESCRIPTION	PERIOD	DATE	TERM-DESCRIPTION	G/L ACCOUNT No	
20917 LOWBEAM LAMP	12-15	11/18/15 N N N	A-NET30 FROM INVOICE	2010	
Line Description	G/L Account No		Unit(s)	Unit Cost	Amount
0001 LOWBEAM LAMP	01 4220 1460		1	304.02	304.02
	(General Fund Fire Vehicle Maintnc)				
			Invoice Extension ---->		304.02
			Vendor Total ----->		304.02

CASHIER-BLDG 01 ROOM 131-E *** VENDOR.: CAL06 (CAL POLY SAN LUIS OBISPO)
 1 GRAND AVENUE

INVOICE-TYPE DESCRIPTION	PERIOD	DATE	TERM-DESCRIPTION	G/L ACCOUNT No	
LS0000702 LIVESCAN SERVICE FOR TECH EXPRESS	12-15	10/28/15 N N N	A-NET30 FROM INVOICE	2010	
Line Description	G/L Account No		Unit(s)	Unit Cost	Amount
0001 LIVESCAN SERVICE FOR TECH EXPRESS	01 4200 2350		1	18.00	18.00
	(General Fund Police Svcs.Other Agen)				
			Invoice Extension ---->		18.00
			Vendor Total ----->		18.00

P.O. BOX 847409 *** VENDOR.: CAL19 (CALPORTLAND CONSTRUCTION CORP)

INVOICE-TYPE DESCRIPTION	PERIOD	DATE	TERM-DESCRIPTION	G/L ACCOUNT No	
92647574 FILL SAND	12-15	11/11/15 N N N	A-NET30 FROM INVOICE	2010	
Line Description	G/L Account No		Unit(s)	Unit Cost	Amount
0001 FILL SAND	71 4454 1550		1	572.58	572.58
	(MEASURE A MEASURE A Op Supp/Expense)				
			Invoice Extension ---->		572.58
			Vendor Total ----->		572.58

*** VENDOR.: CAR01 (ANDREW CARTER)

INVOICE-TYPE DESCRIPTION	PERIOD	DATE	TERM-DESCRIPTION	G/L ACCOUNT No	
112315 REIMBURSEMENT FOR PHONE,MILEAGE TO SB COUNTY	12-15	11/18/15 N N N	A-NET30 FROM INVOICE	2010	
Line Description	G/L Account No		Unit(s)	Unit Cost	Amount
0001 REIMBURSEMENT FOR PHONE,MILEAGE TO SB COUNTY	01 4105 1300		1	114.68	114.68
	(General Fund Administration Bus Exp/Train)				
			Invoice Extension ---->		114.68
			Vendor Total ----->		114.68

255 INDUSTRIAL WAY *** VENDOR.: CW01 (CENTRAL COAST WATER AUTH.)

INVOICE-TYPE DESCRIPTION	PERIOD	DATE	TERM-DESCRIPTION	G/L ACCOUNT No
120315 PERMANENT PURCHASE OF 600 AQ PER YEAR	12-15	12/02/15 N N N	A-NET30 FROM INVOICE	2010
Line Description	G/L Account No		Unit(s) Unit Cost	Amount
0001 PERMANENT PURCHASE OF 600 AQ PER YEAR	10 4420 1553		1 10818.61	10818.61
	(Wtr. Oper. Fund Water Operating State Water Pro)			
			Invoice Extension ---->	10818.61
			Vendor Total ----->	10818.61

2230 SOUTH DEPOT STREET UNIT C *** VENDOR.: CEN11 (CENTRAL CITY TOOL SUPPLY,INC.)

INVOICE-TYPE DESCRIPTION	PERIOD	DATE	TERM-DESCRIPTION	G/L ACCOUNT No
66537 TUNE UP ON TOOLS	12-15	11/20/15 N N N	A-NET30 FROM INVOICE	2010
Line Description	G/L Account No		Unit(s) Unit Cost	Amount
0001 TUNE UP ON TOOLS	71 4454 1460		1 144.99	144.99
	(MEASURE A MEASURE A Vehicle Maintnc)			
			Invoice Extension ---->	144.99
			Vendor Total ----->	144.99

P.O. BOX 60229 *** VENDOR.: CHA03 (CHARTER COMMUNICATIONS)

INVOICE-TYPE DESCRIPTION	PERIOD	DATE	TERM-DESCRIPTION	G/L ACCOUNT No
112515 CABLE TV	12-15	11/14/15 N N N	A-NET30 FROM INVOICE	2010
Line Description	G/L Account No		Unit(s) Unit Cost	Amount
0001 CABLE TV	01 2050		1 7.00	7.00
	(General Fund Employee Trust Fund)			
0002 CABLE TV	57 4213 1000		1 7.00	7.00
	(Alcohol & Drug Drug & Alcohol Utilities)			
0003 CABLE TV	01 4145 1000		1 87.29	87.29
	(General Fund Building Mtce Utilities)			
			Invoice Extension ---->	101.29
			Vendor Total ----->	101.29

4490 TENTH STREET *** VENDOR.: CIT03 (CITY OF GUADALUPE)

INVOICE-TYPE DESCRIPTION	PERIOD	DATE	TERM-DESCRIPTION	G/L ACCOUNT No
120115 OPERATING SUPPLIES AND EXPENSES-PETTY CASH	12-15	11/30/15 N N N	A-NET30 FROM INVOICE	2010
Line Description	G/L Account No		Unit(s) Unit Cost	Amount
0001 OPERATING SUPPLIES AND EXPENSES	01 4200 1550		1 80.60	80.60
	(General Fund Police Op Supp/Expense)			
0002 1 GAL OF PAINT	01 4200 1500		1 31.09	31.09
	(General Fund Police Equipment Replc)			
0003 TRAINING	01 4200 1300		1 30.00	30.00
	(General Fund Police Bus Exp/Train)			
0004 OFFICE SUPPLIES	01 4200 1200		1 32.23	32.23
	(General Fund Police Off Suppl/Postg)			
0005 OTHER PROFESSIONAL	01 4200 2150		1 7.00	7.00
	(General Fund Police Prof'l Services)			
			Invoice Extension ---->	180.92
			Vendor Total ----->	180.92

918 OBISPO ST *** VENDOR.: CIT08 (CITY OF GUADALUPE (FINANC))

INVOICE-TYPE DESCRIPTION	PERIOD	DATE	TERM-DESCRIPTION	G/L ACCOUNT No
--------------------------	--------	------	------------------	----------------

918 OBISPO ST *** VENDOR.: CIT08 (CITY OF GUADALUPE (FINANC))

INVOICE-TYPE DESCRIPTION	PERIOD	DATE	TERM-DESCRIPTION	G/L ACCOUNT No	
120315 884,330,1025,1025-A,GUAD,4545,4550 10TH ST 918 OIS	12-15	12/01/15 N N N	A-NET30 FROM INVOICE	2010	
Line	Description	G/L Account No	Unit(s)	Unit Cost	Amount
0001	884,330,1025,1025-A,GUAD,4545,4550 10TH ST 918 OIS	01 4145 1000	1	321.58	321.58
	(General Fund Building Mtce Utilities)				
0002	5301,W.MAIN,180 PIONEER,4800 3RD,4760 GARRETT,	01 4300 1000	1	3054.60	3054.60
	(General Fund Parks & Rec Utilities)				
0003	406,TOGNAZZINI,4689-A 11TH ST	01 4300 1000	1	46.04	46.04
	(General Fund Parks & Rec Utilities)				
0004	5125 W. MAIN ST	12 4425 1000	1	578.73	578.73
	(Wst.Wtr.Op.Fund Wastewater Utilities)				
0005	5001,5101,4913,5201 W. MAIN ST	60 4490 1000	1	69.06	69.06
	(Quad.Assmt.Dist Quad.Assmt Dist Utilities)				
0006	4402 AMBER,1188 ,1070,912,110,873-A.949,1075 GUAD	71 4454 1000	1	184.16	184.16
	(MEASURE A MEASURE A Utilities)				
	Invoice Extension ---->				4254.17
	Vendor Total ----->				4254.17

4490 TENTH STREET *** VENDOR.: CIT10 (CITY OF GUADALUPE)

INVOICE-TYPE DESCRIPTION	PERIOD	DATE	TERM-DESCRIPTION	G/L ACCOUNT No	
120215 PETTY CASH FOR GLADIATORS	12-15	12/01/15 N N N	A-NET30 FROM INVOICE	2010	
Line	Description	G/L Account No	Unit(s)	Unit Cost	Amount
0001	PETTY CASH FOR GLADIATORS SNACKS,WATER,CUPS	57 4213 1550	1	151.08	151.08
	(Alcohol & Drug Drug & Alcohol Op Supp/Expense)				
0002	PETTY CASH FOR GLADIATORS COMMUNICATION	57 4213 1150	1	23.92	23.92
	(Alcohol & Drug Drug & Alcohol Communications)				
	Invoice Extension ---->				175.00
	Vendor Total ----->				175.00

3755 WASHINGTON BLVD *** VENDOR.: COR01 (CORBIN WILLITS SYSTEM INC)

INVOICE-TYPE DESCRIPTION	PERIOD	DATE	TERM-DESCRIPTION	G/L ACCOUNT No	
00B511151 MONTHLY INVOICE FOR 12/2015	12-15	11/15/15 N N N	A-NET30 FROM INVOICE	2010	
Line	Description	G/L Account No	Unit(s)	Unit Cost	Amount
0001	MONTHLY INVOICE FOR 12/2015	01 4120 2150	1	592.62	592.62
	(General Fund Finance Profl Services)				
	Invoice Extension ---->				592.62
	Vendor Total ----->				592.62

966 HUBER ST *** VENDOR.: CUL01 (CULLIGAN/CENTRAL COAST WATER)

INVOICE-TYPE DESCRIPTION	PERIOD	DATE	TERM-DESCRIPTION	G/L ACCOUNT No	
30930 TANK RENTAL	12-15	10/31/15 N N N	A-NET30 FROM INVOICE	2010	
Line	Description	G/L Account No	Unit(s)	Unit Cost	Amount
0001	TANK RENTAL	01 4200 1550	1	35.00	35.00
	(General Fund Police Op Supp/Expense)				
	Invoice Extension ---->				35.00

INVOICE-TYPE DESCRIPTION	PERIOD	DATE	TERM-DESCRIPTION	G/L ACCOUNT No	
31282 STRONGEBASE EXCHANGE	12-15	11/12/15 N N N	A-NET30 FROM INVOICE	2010	
Line	Description	G/L Account No	Unit(s)	Unit Cost	Amount
0001	STRONGEBASE EXCHANGE	01 4200 1550	1	80.00	80.00
	(General Fund Police Op Supp/Expense)				
	Invoice Extension ---->				80.00

966 HUBER ST *** VENDOR.: CUL01 (CULLIGAN/CENTRAL COAST WATER)

INVOICE-TYPE DESCRIPTION	PERIOD	DATE	TERM-DESCRIPTION	G/L ACCOUNT No
				Vendor Total -----> 115.00 =====

5130 SAN JACINTO AVENUE *** VENDOR.: EIK01 (EIKHOF DESIGN GROUP INC.)

INVOICE-TYPE DESCRIPTION	PERIOD	DATE	TERM-DESCRIPTION	G/L ACCOUNT No	
120215 PROFESSIONAL SERVICES-STREETS & STORM DRAINAGE WK	12-15	12/01/15 N N N	A-NET30 FROM INVOICE	2010	
Line Description	G/L Account No		Unit(s)	Unit Cost	Amount
0001 PROFESSIONAL SERVICES-STREETS & STORM DRAINAGE WK	20	4430 2150	1	2775.00	2775.00
	(Gas Tax Fund Gas Tax-Streets Prof'l Services)				
0002 PROFESSIONAL SERVICES-WATER RELAED WORK	10	4420 2150	1	300.00	300.00
	(Wtr. Oper. Fund Water Operating Prof'l Services)				
0003 PROFESSIONAL SERVICES-ALTERNATIVE TRANSPORTATION	71	4454 1559	1	225.00	225.00
	(MEASURE A MEASURE A Alternate Trans)				
0004 PROFESSIONAL SERVICES-PASADERA DEVELOPMENT WORK	01	2004	1	2850.00	2850.00
	(General Fund D.J. FARMS)				
0005 PROFESSIONAL SERVICES-PASADERA DEVELOPMENT WORK	01	2004	1	120.00	120.00
	(General Fund D.J. FARMS)				
0006 PROFESSIONAL SERVICES-11TH ST DRAINAGE IMPROVEMENT	20	4430 2150	1	760.00	760.00
	(Gas Tax Fund Gas Tax-Streets Prof'l Services)				
0007 PROFESSIONAL SERVICES-STREET AND INFRASTRUCTURE	20	4430 2150	1	800.00	800.00
	(Gas Tax Fund Gas Tax-Streets Prof'l Services)				
				Invoice Extension ---->	7830.00
				Vendor Total ----->	7830.00 =====

233 GRANADA DRIVE SUITE D *** VENDOR.: EXE01 (EXECUTIVE JANITORIAL INC.)

INVOICE-TYPE DESCRIPTION	PERIOD	DATE	TERM-DESCRIPTION	G/L ACCOUNT No	
62893 11/2015 PROFESSIONAL SERVICES	12-15	11/20/15 N N N	A-NET30 FROM INVOICE	2010	
Line Description	G/L Account No		Unit(s)	Unit Cost	Amount
0001 11/2015 PROFESSIONAL SERVICES	01	4145 2150	1	775.00	775.00
	(General Fund Building Mtce Prof'l Services)				
				Invoice Extension ---->	775.00
				Vendor Total ----->	775.00 =====

2650 EL CAMINO REAL *** VENDOR.: FEN01 (FENCE FACTORY INC.)

INVOICE-TYPE DESCRIPTION	PERIOD	DATE	TERM-DESCRIPTION	G/L ACCOUNT No	
936069 TEMPORARY FENCE RENTAL	12-15	11/25/15 N N N	A-NET30 FROM INVOICE	2010	
Line Description	G/L Account No		Unit(s)	Unit Cost	Amount
0001 TEMPORARY FENCE RENTAL	26	4500 2200	1	77.85	77.85
	(RDA-Op.Fund Redevelopment Equip.Rental)				
				Invoice Extension ---->	77.85
				Vendor Total ----->	77.85 =====

ANDRES CAMARENA *** VENDOR.: GON01 (GONZALEZ AUTOMOTRIZ)

INVOICE-TYPE DESCRIPTION	PERIOD	DATE	TERM-DESCRIPTION	G/L ACCOUNT No	
1417 INSTALLED INTAKE COIL & HEATER FOR 07 CROWN VIC	12-15	11/24/15 N N N	A-NET30 FROM INVOICE	2010	
Line Description	G/L Account No		Unit(s)	Unit Cost	Amount
0001 INSTALLED INTAKE COIL AND HEATER FOR 07 CROWN VIC	01	4200 1500	1	800.24	800.24
	(General Fund Police Equipment Replc)				
				Invoice Extension ---->	800.24

ANDRES CAMARENA
 1076 GUADALUPE STREET
 INVOICE-TYPE DESCRIPTION

*** VENDOR.: GON01 (GONZALEZ AUTOMOTRIZ)

Vendor Total -----> 800.24
 =====

*** VENDOR.: GUA02 (GUADALUPE HARDWARE COMPANY INC.)

P.O. BOX 337
 INVOICE-TYPE DESCRIPTION

92562 TRASH CAN

PERIOD DATE TERM-DESCRIPTION G/L ACCOUNT No

12-15 11/14/15 N N N A-NET30 FROM INVOICE 2010

Line	Description	G/L Account No	Unit(s)	Unit Cost	Amount
0001	TRASH CAN	12 4425 1550	1	16.23	16.23
(Wst.Wtr.Op.Fund Wastewater Op Supp/Expense)					
Invoice Extension ----->					16.23

INVOICE-TYPE DESCRIPTION

92616 BOLTS,NUTS,FLATS

PERIOD DATE TERM-DESCRIPTION G/L ACCOUNT No

12-15 11/14/15 N N N A-NET30 FROM INVOICE 2010

Line	Description	G/L Account No	Unit(s)	Unit Cost	Amount
0001	BOLTS,NUTS,FLATS	12 4425 1550	1	5.78	5.78
(Wst.Wtr.Op.Fund Wastewater Op Supp/Expense)					
Invoice Extension ----->					5.78

INVOICE-TYPE DESCRIPTION

92660 GREASE,ZIP TIES,PIPE,TUBE

PERIOD DATE TERM-DESCRIPTION G/L ACCOUNT No

12-15 11/19/15 N N N A-NET30 FROM INVOICE 2010

Line	Description	G/L Account No	Unit(s)	Unit Cost	Amount
0001	GREASE,ZIP TIES,PIPE,TUBE	71 4454 1550	1	66.16	66.16
(MEASURE A MEASURE A Op Supp/Expense)					
Invoice Extension ----->					66.16

INVOICE-TYPE DESCRIPTION

92663 EXTNSION CORD FOR FINANCE OFFICE

PERIOD DATE TERM-DESCRIPTION G/L ACCOUNT No

12-15 11/18/15 N N N A-NET30 FROM INVOICE 2010

Line	Description	G/L Account No	Unit(s)	Unit Cost	Amount
0001	EXTNSION CORD FOR FINANCE OFFICE	01 4145 1550	1	9.73	9.73
(General Fund Building Mtce Op Supp/Expense)					
Invoice Extension ----->					9.73

INVOICE-TYPE DESCRIPTION

92674 2 TUBES,CAULKING GUN

PERIOD DATE TERM-DESCRIPTION G/L ACCOUNT No

12-15 11/19/15 N N N A-NET30 FROM INVOICE 2010

Line	Description	G/L Account No	Unit(s)	Unit Cost	Amount
0001	2 TUBES,CAULKING GUN	10 4420 1550	1	19.65	19.65
(Wtr. Oper. Fund Water Operating Op Supp/Expense)					
Invoice Extension ----->					19.65

INVOICE-TYPE DESCRIPTION

92708 HOSE,ANCHOR'S,SCREWS,KEYS

PERIOD DATE TERM-DESCRIPTION G/L ACCOUNT No

12-15 11/20/15 N N N A-NET30 FROM INVOICE 2010

Line	Description	G/L Account No	Unit(s)	Unit Cost	Amount
0001	HOSE,ANCHOR'S,SCREWS,KEYS	01 4145 1550	1	24.40	24.40
(General Fund Building Mtce Op Supp/Expense)					
Invoice Extension ----->					24.40

INVOICE-TYPE DESCRIPTION

92769 LIGHT BULB

PERIOD DATE TERM-DESCRIPTION G/L ACCOUNT No

12-15 11/09/15 N N N A-NET30 FROM INVOICE 2010

Line	Description	G/L Account No	Unit(s)	Unit Cost	Amount
0001	LIGHT BULB	01 4200 1550	1	8.65	8.65
(General Fund Police Op Supp/Expense)					
Invoice Extension ----->					8.65

*** VENDOR.: GUA02 (GUADALUPE HARDWARE COMPANY INC.)

P.O. BOX 337

INVOICE-TYPE	DESCRIPTION	PERIOD	DATE	TERM-DESCRIPTION	G/L ACCOUNT No	
93009	ELECTRICAL WIRE, PHONE CASE	12-15	11/19/15 N N N	A-NET30 FROM INVOICE	2010	
Line	Description	G/L Account No		Unit(s)	Unit Cost	Amount
0001	ELECTRICAL WIRE, PHONE CASE	10	4420 1550	1	25.97	25.97
(Wtr. Oper. Fund Water Operating Op Supp/Expense)						
Invoice Extension ---->					25.97	

INVOICE-TYPE	DESCRIPTION	PERIOD	DATE	TERM-DESCRIPTION	G/L ACCOUNT No	
93087	BRAKE CLEANER	12-15	11/18/15 N N N	A-NET30 FROM INVOICE	2010	
Line	Description	G/L Account No		Unit(s)	Unit Cost	Amount
0001	BRAKE CLEANER	12	4425 1550	1	12.63	12.63
(Wst.Wtr.Op.Fund Wastewater Op Supp/Expense)						
Invoice Extension ---->					12.63	

INVOICE-TYPE	DESCRIPTION	PERIOD	DATE	TERM-DESCRIPTION	G/L ACCOUNT No	
93238	CONCRETE PIPE SUPPORT @ CONNECTION POINT	12-15	11/25/15 N N N	A-NET30 FROM INVOICE	2010	
Line	Description	G/L Account No		Unit(s)	Unit Cost	Amount
0001	CONCRETE PIPE SUPPORT @ CONNECTION POINT	71	4454 1550	1	70.41	70.41
(MEASURE A MEASURE A Op Supp/Expense)						
Invoice Extension ---->					70.41	
Vendor Total ----->					259.61	

724 GUADALUPE STREET

*** VENDOR.: GUA08 (GUADALUPE SIGN SHOP)

INVOICE-TYPE	DESCRIPTION	PERIOD	DATE	TERM-DESCRIPTION	G/L ACCOUNT No	
139503	SIGNS	12-15	11/21/15 N N N	A-NET30 FROM INVOICE	2010	
Line	Description	G/L Account No		Unit(s)	Unit Cost	Amount
0001	SIGNS	01	4200 1500	1	140.73	140.73
(General Fund Police Equipment Replc)						
Invoice Extension ---->					140.73	
Vendor Total ----->					140.73	

1421 PARK STREET

*** VENDOR.: GWA01 (GREAT WESTERN ALARM & COMMUNICATION INC.)

INVOICE-TYPE	DESCRIPTION	PERIOD	DATE	TERM-DESCRIPTION	G/L ACCOUNT No	
151101752	PROFESSIONAL SERVICES AT WATER STORAGE TANK	12-15	12/01/15 N N N	A-NET30 FROM INVOICE	2010	
Line	Description	G/L Account No		Unit(s)	Unit Cost	Amount
0001	PROFESSIONAL SERVICES AT WATER STORAGE TANK	10	4420 2150	1	47.00	47.00
(Wtr. Oper. Fund Water Operating Profl Services)						
Invoice Extension ---->					47.00	
Vendor Total ----->					47.00	

8930 MORRO ROAD

*** VENDOR.: HAN04 (HANLEY & FLEISHMAN,LLP)

INVOICE-TYPE	DESCRIPTION	PERIOD	DATE	TERM-DESCRIPTION	G/L ACCOUNT No	
2659	PROFESSIONAL SERVICES-	12-15	12/01/15 N N N	A-NET30 FROM INVOICE	2010	
Line	Description	G/L Account No		Unit(s)	Unit Cost	Amount
0001	PROFESSIONAL SERVICES-	01	4110 2150	1	3645.00	3645.00
(General Fund City Attorney Profl Services)						
0002	PROFESSIONAL SERVICES-CABRILLO ECONOMIC DEVELOPMEN	01	2065	1	30.00	30.00
(General Fund CEDC Family)						

8930 MORRO ROAD *** VENDOR.: HAN04 (HANLEY & FLEISHMAN,LLP)

INVOICE-TYPE DESCRIPTION	PERIOD	DATE	TERM-DESCRIPTION	G/L ACCOUNT No	
Line Description		G/L Account No	Unit(s)	Unit Cost	Amount
0003 PROFESSIONAL SERVICES-RDA	26	4500 2150	1	315.00	315.00
		(RDA-Op.Fund Redevelopment Profl Services)			
0004 PROFESSIONAL SERVICES-DJ FARMS	01	2004	1	30.00	30.00
		(General Fund D.J. FARMS)			
0005 PROFESSIONAL SERVICES-STREETS	20	4430 2150	1	45.00	45.00
		(Gas Tax Fund Gas Tax-Streets Profl Services)			
		Invoice Extension ---->			4065.00
		Vendor Total ----->			4065.00

P.O. BOX 825 *** VENDOR.: HEN01 (HENDERSON PETROLEUM CORP)

INVOICE-TYPE DESCRIPTION	PERIOD	DATE	TERM-DESCRIPTION	G/L ACCOUNT No	
145704 FUEL	12-15	11/30/15 N N N	A-NET30 FROM INVOICE	2010	
Line Description		G/L Account No	Unit(s)	Unit Cost	Amount
0001 FUEL	01	4220 1560	1	210.61	210.61
		(General Fund Fire Fuels/Lubricant)			
0002 FUEL	71	4454 1560	1	179.82	179.82
		(MEASURE A MEASURE A Fuels/Lubricant)			
0003 FUEL	12	4425 1560	1	140.21	140.21
		(Wst.Wtr.Op.Fund Wastewater Fuels/Lubricant)			
0004 FUEL	10	4420 1560	1	33.04	33.04
		(Wtr. Oper. Fund Water Operating Fuels/Lubricant)			
		Invoice Extension ---->			563.68

INVOICE-TYPE DESCRIPTION	PERIOD	DATE	TERM-DESCRIPTION	G/L ACCOUNT No	
145717 FUEL	12-15	11/30/15 N N N	A-NET30 FROM INVOICE	2010	
Line Description		G/L Account No	Unit(s)	Unit Cost	Amount
0001 FUEL	01	4200 1560	1	853.86	853.86
		(General Fund Police Fuels/Lubricant)			
		Invoice Extension ---->			853.86
		Vendor Total ----->			1417.54

DEPT 32-2502415643 *** VENDOR.: HOM02 (HOME DEPOT CREDIT SERVICES)
 P.O. BOX 9055

INVOICE-TYPE DESCRIPTION	PERIOD	DATE	TERM-DESCRIPTION	G/L ACCOUNT No	
1042064 DRAWSTRING BAGS,ROAD SIGNS	12-15	10/20/15 N N N	A-NET30 FROM INVOICE	2010	
Line Description		G/L Account No	Unit(s)	Unit Cost	Amount
0001 DRAWSTRING BAGS,ROAD SIGNS	71	4454 1550	1	89.96	89.96
		(MEASURE A MEASURE A Op Supp/Expense)			
		Invoice Extension ---->			89.96

INVOICE-TYPE DESCRIPTION	PERIOD	DATE	TERM-DESCRIPTION	G/L ACCOUNT No	
6010377 REBARS	12-15	11/04/15 N N N	A-NET30 FROM INVOICE	2010	
Line Description		G/L Account No	Unit(s)	Unit Cost	Amount
0001 REBARS	71	4454 1550	1	24.92	24.92
		(MEASURE A MEASURE A Op Supp/Expense)			
		Invoice Extension ---->			24.92

INVOICE-TYPE DESCRIPTION	PERIOD	DATE	TERM-DESCRIPTION	G/L ACCOUNT No	
7013259 LUMBER	12-15	10/14/15 N N N	A-NET30 FROM INVOICE	2010	
Line Description		G/L Account No	Unit(s)	Unit Cost	Amount
0001 LUMBER	71	4454 1550	1	64.57	64.57
		(MEASURE A MEASURE A Op Supp/Expense)			
		Invoice Extension ---->			64.57

DEPT 32-2502415643
 P.O. BOX 9055

*** VENDOR.: HOM02 (HOME DEPOT CREDIT SERVICES)

INVOICE-TYPE DESCRIPTION	PERIOD	DATE	TERM-DESCRIPTION	G/L ACCOUNT No
				Vendor Total -----> 179.45 =====

*** VENDOR.: HOV01 (GARY L. HOVING)

INVOICE-TYPE DESCRIPTION	PERIOD	DATE	TERM-DESCRIPTION	G/L ACCOUNT No	
120215 ID CARDS	12-15	11/26/15 N N N	A-NET30 FROM INVOICE	2010	
Line Description	G/L Account No		Unit(s)	Unit Cost	Amount
0001 ID CARDS FOR COUNCIL	01	4100 1300	1	86.36	86.36
	(General Fund City Council Bus Exp/Train)				
0002 ID CARDS-FOR LOBBY,POSTAGE BODY CAMS	01	4220 1550	1	152.30	152.30
	(General Fund Fire Op Supp/Expense)				
0003 ID CARDS-FOR CHIEF	01	4200 1550	1	8.99	8.99
	(General Fund Police Op Supp/Expense)				
				Invoice Extension ----->	247.65
				Vendor Total ----->	247.65 =====

6144 CALLE REAL SUITE 200

*** VENDOR.: IMP01 (IMPULSE INTERNET SERVICES)

INVOICE-TYPE DESCRIPTION	PERIOD	DATE	TERM-DESCRIPTION	G/L ACCOUNT No	
813747 COMMUNICATION	12-15	11/20/15 N N N	A-NET30 FROM INVOICE	2010	
Line Description	G/L Account No		Unit(s)	Unit Cost	Amount
0001 COMMUNICATION	01	4405 1150	1	141.19	141.19
	(General Fund Bldg and Safety Communications)				
0002 COMMUNICATION	12	4425 1150	1	141.19	141.19
	(Wst.Wtr.Op.Fund Wastewater Communications)				
0003 COMMUNICATION	01	4200 1150	1	141.19	141.19
	(General Fund Police Communications)				
0004 COMMUNICATION	01	4120 1150	1	141.19	141.19
	(General Fund Finance Communications)				
0005 COMMUNICATION	01	4220 1150	1	141.19	141.19
	(General Fund Fire Communications)				
0006 COMMUNICATION	01	4105 1150	1	141.19	141.19
	(General Fund Administration Communications)				
0007 COMMUNICATION	10	4420 1150	1	141.19	141.19
	(Wtr. Oper. Fund Water Operating Communications)				
0008 COMMUNICATION	01	4300 1150	1	141.19	141.19
	(General Fund Parks & Rec Communications)				
0009 COMMUNICATION	10	4420 1150	1	28.27	28.27
	(Wtr. Oper. Fund Water Operating Communications)				
0010 COMMUNICATION	20	4430 1150	1	56.47	56.47
	(Gas Tax Fund Gas Tax-Streets Communications)				
0011 COMMUNICATION	71	4454 1150	1	56.47	56.47
	(MEASURE A MEASURE A Communications)				
				Invoice Extension ----->	1270.73
				Vendor Total ----->	1270.73 =====

P.O. BOX 2002

*** VENDOR.: JAS01 (JAS PACIFIC, INC.)

INVOICE-TYPE DESCRIPTION	PERIOD	DATE	TERM-DESCRIPTION	G/L ACCOUNT No	
PC4500 PROFESSIONAL SERVICES-REVISED	12-15	11/05/15 N N N	A-NET30 FROM INVOICE	2010	
Line Description	G/L Account No		Unit(s)	Unit Cost	Amount
0001 PROFESSIONAL SERVICES-REVISED	01	4405 2150	1	735.00	735.00
	(General Fund Bldg and Safety Prof'l Services)				
				Invoice Extension ----->	735.00

INVOICE-TYPE DESCRIPTION	PERIOD	DATE	TERM-DESCRIPTION	G/L ACCOUNT No	
B111997 PROFESSIONAL SERVICES-REVISED	12-15	11/05/15 N N N	A-NET30 FROM INVOICE	2010	
Line Description	G/L Account No		Unit(s)	Unit Cost	Amount
0001 PROFESSIONAL SERVICES-REVISED	01	4405 2150	1	5611.25	5611.25
	(General Fund Bldg and Safety Prof'l Services)				
				Invoice Extension ----->	5611.25

P.O. BOX 2002

*** VENDOR.: JAS01 (JAS PACIFIC, INC.)

INVOICE-TYPE DESCRIPTION	PERIOD	DATE	TERM-DESCRIPTION	G/L ACCOUNT No
BI11998 PROFESSIONAL SERVICE-PASADERA	12-15	11/05/15 N N N	A-NET30 FROM INVOICE	2010
Line Description	G/L Account No		Unit(s) Unit Cost	Amount
0001 PROFESSIONAL SERVICE-PASADERA	01 2004		1 2016.00	2016.00
	(General Fund D.J. FARMS)			
			Invoice Extension ---->	2016.00
			Vendor Total ----->	8362.25

P.O. BOX 400

*** VENDOR.: LEE01 (LEE CENTRAL COAST NEWSPAPERS)

INVOICE-TYPE DESCRIPTION	PERIOD	DATE	TERM-DESCRIPTION	G/L ACCOUNT No
69787 BEACHSIDE COOLER EXPANSION-PUBLIC HEARING	12-15	11/11/15 N N N	A-NET30 FROM INVOICE	2010
Line Description	G/L Account No		Unit(s) Unit Cost	Amount
0001 BEACHSIDE COOLER EXPANSION-PUBLIC HEARING	01 2073		1 228.25	228.25
	(General Fund Beachside Cooler-Peralta)			
			Invoice Extension ---->	228.25
			Vendor Total ----->	355.75

P.O. BOX 742082

*** VENDOR.: MAN01 (MANAGED HEALTH NETWORK COMPANY)

INVOICE-TYPE DESCRIPTION	PERIOD	DATE	TERM-DESCRIPTION	G/L ACCOUNT No
320007440 PROFESSIONAL SERVICES	12-15	11/16/15 N N N	A-NET30 FROM INVOICE	2010
Line Description	G/L Account No		Unit(s) Unit Cost	Amount
0001 PROFESSIONAL SERVICES	01 4140 0400		1 69.16	69.16
	(General Fund Non-Departmentl Health Insuranc)			
			Invoice Extension ---->	69.16
			Vendor Total ----->	69.16

148 PRINCETON HIGHTSTOWN ROAD

*** VENDOR.: MCG01 (MCGRAW HILL CONSTRUCTION)

INVOICE-TYPE DESCRIPTION	PERIOD	DATE	TERM-DESCRIPTION	G/L ACCOUNT No
120315 VET'S RETROFIT BID (REPLACEING CHECK # 823185	12-15	12/13/15 N N N	A-NET30 FROM INVOICE	2010
Line Description	G/L Account No		Unit(s) Unit Cost	Amount
0001 VET'S RETROFIT BID (REPLACEING CHECK # 823185	01 3580		1 150.00	150.00
	(General Fund Other Service Charges & Fees)			
			Invoice Extension ---->	150.00
			Vendor Total ----->	150.00

P.O. BOX 4181

*** VENDOR.: NEX03 (NEXTEL COMMUNICATIONS)

INVOICE-TYPE DESCRIPTION	PERIOD	DATE	TERM-DESCRIPTION	G/L ACCOUNT No
--------------------------	--------	------	------------------	----------------

P.O. BOX 4181 *** VENDOR.: NEX03 (NEXTEL COMMUNICATIONS)

INVOICE-TYPE DESCRIPTION	PERIOD	DATE	TERM-DESCRIPTION	G/L ACCOUNT No
112415 COMMUNICATION	12-15	11/15/15 N N N	A-NET30 FROM INVOICE	2010
Line Description	G/L Account No	Unit(s)	Unit Cost	Amount
0001 COMMUNICATION	10 4420 1150	1	136.96	136.96
	(Wtr. Oper. Fund Water Operating Communications)			
0002 COMMUNICATION	12 4425 1150	1	34.59	34.59
	(Wst.Wtr.Op.Fund Wastewater Communications)			
0003 COMMUNICATION	71 4454 1150	1	46.75	46.75
	(MEASURE A MEASURE A Communications)			
	Invoice Extension ---->			218.30
	Vendor Total ----->			218.30

P.O. BOX 1604 *** VENDOR.: NUN01 (MICHAEL K. NUNLEY & ASSOCIATES, INC.)

INVOICE-TYPE DESCRIPTION	PERIOD	DATE	TERM-DESCRIPTION	G/L ACCOUNT No
1365 DJ FARMS CONSTRUCTION PHASE SERVICES	12-15	11/17/15 N N N	A-NET30 FROM INVOICE	2010
Line Description	G/L Account No	Unit(s)	Unit Cost	Amount
0001 DJ FARMS CONSTRUCTION PHASE SERVICES	01 2004	1	7699.84	7699.84
	(General Fund D.J. FARMS)			
	Invoice Extension ---->			7699.84

INVOICE-TYPE DESCRIPTION	PERIOD	DATE	TERM-DESCRIPTION	G/L ACCOUNT No
1447 DJ FARMS PLANCHECK AND PRELIMINARY CM SERVICES	12-15	11/17/15 N N N	A-NET30 FROM INVOICE	2010
Line Description	G/L Account No	Unit(s)	Unit Cost	Amount
0001 DJ FARMS PLANCHECK AND PRELIMINARY CM SERVICES	01 2004	1	2050.97	2050.97
	(General Fund D.J. FARMS)			
	Invoice Extension ---->			2050.97
	Vendor Total ----->			9750.81

P.O. BOX 948 *** VENDOR.: NUT01 (NU-TECH PEST MANAGEMENT INC.)

INVOICE-TYPE DESCRIPTION	PERIOD	DATE	TERM-DESCRIPTION	G/L ACCOUNT No
0115547 PROFESSIONAL SERVICES FOR 11/2015	12-15	11/17/15 N N N	A-NET30 FROM INVOICE	2010
Line Description	G/L Account No	Unit(s)	Unit Cost	Amount
0001 PROFESSIONAL SERVICES FOR 11/2015	12 4425 2150	1	112.00	112.00
	(Wst.Wtr.Op.Fund Wastewater Profl Services)			
	Invoice Extension ---->			112.00
	Vendor Total ----->			112.00

DEPT 56-8510102155 P.O. BOX 78004 *** VENDOR.: OFF01 (OFFICE DEPOT CREDIT PLAN)

INVOICE-TYPE DESCRIPTION	PERIOD	DATE	TERM-DESCRIPTION	G/L ACCOUNT No
1078959 MONITOR	12-15	11/06/15 N N N	A-NET30 FROM INVOICE	2010
Line Description	G/L Account No	Unit(s)	Unit Cost	Amount
0001 MONITOR	01 4120 1550	1	111.99	111.99
	(General Fund Finance Op Supp/Expense)			
	Invoice Extension ---->			111.99
	Vendor Total ----->			111.99

P.O. BOX 997300 *** VENDOR.: PAC01 (PACIFIC GAS & ELECTRIC)

INVOICE-TYPE DESCRIPTION	PERIOD	DATE	TERM-DESCRIPTION	G/L ACCOUNT No
--------------------------	--------	------	------------------	----------------

P.O. BOX 997300

*** VENDOR.: PAC01 (PACIFIC GAS & ELECTRIC)

INVOICE-TYPE	DESCRIPTION	PERIOD	DATE	TERM-DESCRIPTION	G/L ACCOUNT No
120215	PIONEER ST 1/2 MI N/O	12-15	11/21/15 N N N	A-NET30 FROM INVOICE	2010
Line	Description	G/L Account No	Unit(s)	Unit Cost	Amount
0001	PIONEER ST 1/2 MI N/O	10 4420 1000	1	63.96	63.96
	(Wtr. Oper. Fund Water Operating Utilities)				
0002	4240 GULARTE LANE	12 4425 1000	1	12.74	12.74
	(Wst.Wtr.Op.Fund Wastewater Utilities)				
0003	201 CALLE CESAR CHAVEZ	01 4300 1000	1	119.93	119.93
	(General Fund Parks & Rec Utilities)				
0004	1 MI W/O HWY 1 1/4	12 4425 1000	1	1126.06	1126.06
	(Wst.Wtr.Op.Fund Wastewater Utilities)				
0005	10TH ST 75FT W/O	10 4420 1000	1	309.28	309.28
	(Wtr. Oper. Fund Water Operating Utilities)				
0006	CRN OF PIONEER/8TH	12 4425 1000	1	63.96	63.96
	(Wst.Wtr.Op.Fund Wastewater Utilities)				
0007	GUADALUPE ST -TRAIN DEPOT	65 4485 1000	1	147.13	147.13
	(Quad.Light Dist Gdlpe Light Dis Utilities)				
0008	N/E CORNER OF PARK -SPRINKLER CONTROL	01 4300 1000	1	11.68	11.68
	(General Fund Parks & Rec Utilities)				
0009	GUAD DUNES WAY-SPRINKLER CONTROLLER	71 4454 1000	1	10.54	10.54
	(MEASURE A MEASURE A Utilities)				
0010	W.MAIN ST NE COR & PT	60 4490 1000	1	10.54	10.54
	(Quad.Assmt.Dist Quad.Assmt Dist Utilities)				
0011	1015 GUADALUPE ST	01 4145 1000	1	211.30	211.30
	(General Fund Building Mtce Utilities)				
0012	918 OBISPO ST	01 4145 1000	1	1195.12	1195.12
	(General Fund Building Mtce Utilities)				
0013	400 TOGNAZZINI	10 4420 1000	1	4231.66	4231.66
	(Wtr. Oper. Fund Water Operating Utilities)				
0014	638 GUADALUPE ST	12 4425 1000	1	97.03	97.03
	(Wst.Wtr.Op.Fund Wastewater Utilities)				
0015	4699 5TH ST	10 4420 1000	1	38.53	38.53
	(Wtr. Oper. Fund Water Operating Utilities)				
0016	W. MAIN SEWER PLANT	12 4425 1000	1	1675.61	1675.61
	(Wst.Wtr.Op.Fund Wastewater Utilities)				
0017	UTILITIES DIVISION	65 4485 1000	1	3551.73	3551.73
	(Quad.Light Dist Gdlpe Light Dis Utilities)				
0018	UTILITIES DIVISION	60 4490 1000	1	626.78	626.78
	(Quad.Assmt.Dist Quad.Assmt Dist Utilities)				
	Invoice Extension ---->				13503.58
	Vendor Total ----->				13503.58

P.O. BOX 7935

*** VENDOR.: PAU03 (PAUL'S RENTAL)

INVOICE-TYPE	DESCRIPTION	PERIOD	DATE	TERM-DESCRIPTION	G/L ACCOUNT No
112315	REIMBURSEMENT WATER LINE PERMIT	12-15	11/06/15 N N N	A-NET30 FROM INVOICE	2010
Line	Description	G/L Account No	Unit(s)	Unit Cost	Amount
0001	REIMBURSEMENT WATER LINE PERMIT	01 3219	1	441.50	441.50
	(General Fund Plumbing Permit)				
	Invoice Extension ---->				441.50
	Vendor Total ----->				441.50

959 GUADALUPE ST

*** VENDOR.: PER01 (J. PERRY AUTO SUPPLY, INC)

INVOICE-TYPE	DESCRIPTION	PERIOD	DATE	TERM-DESCRIPTION	G/L ACCOUNT No
141806	BULB	12-15	11/19/15 N N N	A-NET30 FROM INVOICE	2010
Line	Description	G/L Account No	Unit(s)	Unit Cost	Amount
0001	BULB	01 4220 1460	1	8.99	8.99
	(General Fund Fire Vehicle Maintnc)				
	Invoice Extension ---->				8.99

INVOICE-TYPE	DESCRIPTION	PERIOD	DATE	TERM-DESCRIPTION	G/L ACCOUNT No
141858	BATTERY	12-15	11/27/15 N N N	A-NET30 FROM INVOICE	2010
Line	Description	G/L Account No	Unit(s)	Unit Cost	Amount
0001	BATTERY	01 4200 1500	1	109.12	109.12
	(General Fund Police Equipment Replc)				
	Invoice Extension ---->				109.12

959 GUADALUPE ST *** VENDOR.: PER01 (J. PERRY AUTO SUPPLY, INC)

INVOICE-TYPE DESCRIPTION	PERIOD	DATE	TERM-DESCRIPTION	G/L ACCOUNT No
Vendor Total ----->				118.11 =====

4490 10TH STREET *** VENDOR.: PUE01 (ABRAM PUEBLA)

INVOICE-TYPE DESCRIPTION	PERIOD	DATE	TERM-DESCRIPTION	G/L ACCOUNT No	
120315 FINGERPRINTS FOR RESERVE POLICE OFFICER	12-15	11/30/15 N N N	A-NET30 FROM INVOICE	2010	
Line Description	G/L Account No		Unit(s)	Unit Cost	Amount
0001 FINGERPRINTS FOR RESERVE POLICE OFFICER	01	4200 2150	1	25.00	25.00
			(General Fund Police Profl Services)		
Invoice Extension ---->				25.00	
Vendor Total ----->				25.00 =====	

P.O. BOX 37600 *** VENDOR.: QUI01 (QUILL CORPORATION)

INVOICE-TYPE DESCRIPTION	PERIOD	DATE	TERM-DESCRIPTION	G/L ACCOUNT No	
9788882 OFFICE SUPPLY	12-15	11/19/15 N N N	A-NET30 FROM INVOICE	2010	
Line Description	G/L Account No		Unit(s)	Unit Cost	Amount
0001 OFFICE SUPPLY	01	4120 1200	1	12.98	12.98
			(General Fund Finance Off Suppl/Postg)		
Invoice Extension ---->				12.98	

9798677 OFFICE SUPPLIES

INVOICE-TYPE DESCRIPTION	PERIOD	DATE	TERM-DESCRIPTION	G/L ACCOUNT No	
9798677 OFFICE SUPPLIES	12-15	11/19/15 N N N	A-NET30 FROM INVOICE	2010	
Line Description	G/L Account No		Unit(s)	Unit Cost	Amount
0001 OFFICE SUPPLIES	01	4105 1200	1	70.19	70.19
			(General Fund Administration Off Suppl/Postg)		
0002 OFFICE SUPPLIES	01	4120 1200	1	354.97	354.97
			(General Fund Finance Off Suppl/Postg)		
0003 OFFICE SUPPLIES	01	4140 1200	1	82.05	82.05
			(General Fund Non-Departmentl Off Suppl/Postg)		
0004 OFFICE SUPPLIES	01	4200 1200	1	119.78	119.78
			(General Fund Police Off Suppl/Postg)		
0005 OFFICE SUPPLIES	01	4200 1200	1	82.75	82.75
			(General Fund Police Off Suppl/Postg)		
0006 OFFICE SUPPLIES	01	4300 1200	1	98.65	98.65
			(General Fund Parks & Rec Off Suppl/Postg)		
0007 OFFICE SUPPLIES	01	4405 1200	1	37.55	37.55
			(General Fund Bldg and Safety Off Suppl/Postg)		
0008 OFFICE SUPPLIES	10	4420 1200	1	50.12	50.12
			(Wtr. Oper. Fund Water Operating Off Suppl/Postg)		
Invoice Extension ---->				896.06	

9799905 COPY PAPER

INVOICE-TYPE DESCRIPTION	PERIOD	DATE	TERM-DESCRIPTION	G/L ACCOUNT No	
9799905 COPY PAPER	12-15	11/19/15 N N N	A-NET30 FROM INVOICE	2010	
Line Description	G/L Account No		Unit(s)	Unit Cost	Amount
0001 COPY PAPER	01	4140 1200	1	164.11	164.11
			(General Fund Non-Departmentl Off Suppl/Postg)		
Invoice Extension ---->				164.11	

9803541 OFFICE SUPPLY

INVOICE-TYPE DESCRIPTION	PERIOD	DATE	TERM-DESCRIPTION	G/L ACCOUNT No	
9803541 OFFICE SUPPLY	12-15	11/19/15 N N N	A-NET30 FROM INVOICE	2010	
Line Description	G/L Account No		Unit(s)	Unit Cost	Amount
0001 OFFICE SUPPLY	01	4105 1200	1	22.18	22.18
			(General Fund Administration Off Suppl/Postg)		
Invoice Extension ---->				22.18	
Vendor Total ----->				1095.33 =====	

180 NORTH ASHWOOD AVENUE *** VENDOR.: RIN02 (RINCON CONSULTANTS, INC.)

INVOICE-TYPE DESCRIPTION	PERIOD	DATE	TERM-DESCRIPTION	G/L ACCOUNT No
24540 PROFESSIONAL SERVICES	12-15	10/31/15 N N N	A-NET30 FROM INVOICE	2010
Line Description	G/L Account No	Unit(s)	Unit Cost	Amount
0001 PROFESSIONAL SERVICES-PIONEER STREET APTS	01 2075	1	4175.95	4175.95
	(General Fund Pioneer Street Apartments)			
0002 PROFESSIONAL SERVICES-GUADALUPE CULTURAL ARTS	01 2078	1	1895.05	1895.05
	(General Fund GUAD CULTURAL ARTS & EVENT CTR)			
0003 PROFESSIONAL SERVICES-PLANNING SERVICES	01 4405 2150	1	680.00	680.00
	(General Fund Bldg and Safety Profl Services)			
	Invoice Extension ---->			6751.00
	Vendor Total ----->			6751.00

*** VENDOR.: SCH01 (PATRICK SCHMITZ)

INVOICE-TYPE DESCRIPTION	PERIOD	DATE	TERM-DESCRIPTION	G/L ACCOUNT No
00567 CAR WASH SOAP,BOTTLED WATER	12-15	11/17/15 N N N	A-NET30 FROM INVOICE	2010
Line Description	G/L Account No	Unit(s)	Unit Cost	Amount
0001 CAR WASH SOAP	01 4220 1460	1	12.71	12.71
	(General Fund Fire Vehicle Maintnc)			
0002 BOTTLED WATER	01 4220 1550	1	29.60	29.60
	(General Fund Fire Op Supp/Expense)			
	Invoice Extension ---->			42.31
	Vendor Total ----->			42.31

307 E. MAIN STREET *** VENDOR.: SIG05 (SIGNCRAFT INC.)

INVOICE-TYPE DESCRIPTION	PERIOD	DATE	TERM-DESCRIPTION	G/L ACCOUNT No
5484 OFFICER BADGE	12-15	11/23/15 N N N	A-NET30 FROM INVOICE	2010
Line Description	G/L Account No	Unit(s)	Unit Cost	Amount
0001 OFFICER BADGE	01 4200 1500	1	329.08	329.08
	(General Fund Police Equipment Replc)			
	Invoice Extension ---->			329.08
	Vendor Total ----->			329.08

P.O. BOX 1888 *** VENDOR.: STA07 (STATE WATER BOARD ACCOUNTING OFFICE)

INVOICE-TYPE DESCRIPTION	PERIOD	DATE	TERM-DESCRIPTION	G/L ACCOUNT No
SW0104355 ANNUAL PERMIT FEE 4 07/01/15- 06/30/16(342M2000107)	12-15	11/17/15 N N N	A-NET30 FROM INVOICE	2010
Line Description	G/L Account No	Unit(s)	Unit Cost	Amount
0001 ANNUAL PERMIT FEE 4 07/01/15- 06/30/16(342M2000107)	10 4420 2350	1	4579.00	4579.00
	(Wtr. Oper. Fund Water Operating Svcs.Other Agen)			
	Invoice Extension ---->			4579.00
	Vendor Total ----->			4579.00

710 PIERO LANE SUITE 14 *** VENDOR.: TEC01 (TECHXPRESS- CORP)

INVOICE-TYPE DESCRIPTION	PERIOD	DATE	TERM-DESCRIPTION	G/L ACCOUNT No
1449 NETGUARD MANAGED SERVICES FOR WK-STATION 7 SERVER	12-15	12/01/15 N N N	A-NET30 FROM INVOICE	2010
Line Description	G/L Account No	Unit(s)	Unit Cost	Amount
0001 NETGUARD MANAGED SERVICES FOR WK-STATION 7 SERVER	01 4140 2151	1	1950.00	1950.00
	(General Fund Non-Departmentl IT Services)			
	Invoice Extension ---->			1950.00

710 FIERO LANE SUITE 14 *** VENDOR.: TEC01 (TECHXPRESS- CORP)

INVOICE-TYPE DESCRIPTION	PERIOD	DATE	TERM-DESCRIPTION	G/L ACCOUNT No
				Vendor Total -----> 1950.00 =====

P.O. BOX 742592 *** VENDOR.: TER01 (TERMINIX PROCESSING CENTER)

INVOICE-TYPE DESCRIPTION	PERIOD	DATE	TERM-DESCRIPTION	G/L ACCOUNT No	
350222237 PROFESSIONAL SERVICES FOR 11/2015	12-15	11/17/15 N N N	A-NET30 FROM INVOICE	2010	
Line Description	G/L Account No		Unit(s)	Unit Cost	Amount
0001 PROFESSIONAL SERVICES FOR 11/2015	01	4145 2150	1	135.00	135.00
			(General Fund Building Mtce Profl Services)		
				Invoice Extension -----> 135.00	
				Vendor Total -----> 135.00 =====	

INFORMATION P.O. BOX 31001-0271 *** VENDOR.: TOS01 (TOSHIBA AMERICA INC.)

INVOICE-TYPE DESCRIPTION	PERIOD	DATE	TERM-DESCRIPTION	G/L ACCOUNT No	
63833617 LEASE PAYMENT FOR 11/2015	12-15	11/22/15 N N N	A-NET30 FROM INVOICE	2010	
Line Description	G/L Account No		Unit(s)	Unit Cost	Amount
0001 LEASE PAYMENT FOR 11/2015	01	4140 4150	1	735.41	735.41
			(General Fund Non-Departmentl Lease-Purchase)		
				Invoice Extension -----> 735.41	
				Vendor Total -----> 735.41 =====	

FILE 56019 *** VENDOR.: UNI05 (UNIVAR USA INC)

INVOICE-TYPE DESCRIPTION	PERIOD	DATE	TERM-DESCRIPTION	G/L ACCOUNT No	
F0838342 CHLORINE	12-15	11/16/15 N N N	A-NET30 FROM INVOICE	2010	
Line Description	G/L Account No		Unit(s)	Unit Cost	Amount
0001 CHLORINE	10	4420 2150	1	788.08	788.08
			(Wtr. Oper. Fund Water Operating Profl Services)		
				Invoice Extension -----> 788.08	
				Vendor Total -----> 788.08 =====	

FILE 51122 *** VENDOR.: UNI15 (UNITED RENTALS NORTHWEST, INC)

INVOICE-TYPE DESCRIPTION	PERIOD	DATE	TERM-DESCRIPTION	G/L ACCOUNT No	
120315 4 WEEK BILLING ON RENTAL-BACKHOE	12-15	11/17/15 N N N	A-NET30 FROM INVOICE	2010	
Line Description	G/L Account No		Unit(s)	Unit Cost	Amount
0001 4 WEEK BILLING ON RENTAL-BACKHOE	71	4454 2200	1	1995.33	1995.33
			(MEASURE A MEASURE A Equip.Rental)		
				Invoice Extension -----> 1995.33	
				Vendor Total -----> 1995.33 =====	

P.O. BOX 9004-C#322222 *** VENDOR.: USA01 (U.S.A. BLUEBOOK INC.)

INVOICE-TYPE DESCRIPTION	PERIOD	DATE	TERM-DESCRIPTION	G/L ACCOUNT No
810494 GLOBAL WATER WS700 COMPOSITE PORTABLE SAMPLER	12-15	11/24/15 N N N	A-NET30 FROM INVOICE	2010

P.O. BOX 9004-C#322222

*** VENDOR.: USA01 (U.S.A. BLUEBOOK INC.)

INVOICE-TYPE DESCRIPTION	PERIOD	DATE	TERM-DESCRIPTION	G/L ACCOUNT No
Line Description		G/L Account No	Unit(s) Unit Cost	Amount
0001 GLOBAL WATER WS700 COMPOSITE PORTABLE SAMPLER	12-15	11/30/15 N N N	1 1549.91	1549.91
		(Wst.Wtr.Op.Fund Wastewater Op Supp/Expense)		
		Invoice Extension ---->		1549.91
		Vendor Total ----->		1549.91

*** VENDOR.: VER03 (LARRY VERNON)

INVOICE-TYPE DESCRIPTION	PERIOD	DATE	TERM-DESCRIPTION	G/L ACCOUNT No
120115 REIMBURSEMENT FOR HOTEL AND MEALS	12-15	11/30/15 N N N	A-NET30 FROM INVOICE	2010
Line Description		G/L Account No	Unit(s) Unit Cost	Amount
0001 REIMBURSEMENT FOR HOTEL AND MEALS	01-15	01/31/15 N N N	1 116.27	116.27
		(General Fund Police Prof'l Services)		
		Invoice Extension ---->		116.27
		Vendor Total ----->		116.27

P.O. BOX 660108

*** VENDOR.: VER05 (VERIZON WIRELESS)

INVOICE-TYPE DESCRIPTION	PERIOD	DATE	TERM-DESCRIPTION	G/L ACCOUNT No
112315 COMMUNICATION	12-15	10/22/15 N N N	A-NET30 FROM INVOICE	2010
Line Description		G/L Account No	Unit(s) Unit Cost	Amount
0001 COMMUNICATION	01-15	01/31/15 N N N	1 53.88	53.88
		(General Fund Police Communications)		
0002 COMMUNICATION	01-15	01/31/15 N N N	1 53.88	53.88
		(General Fund Fire Communications)		
		Invoice Extension ---->		107.76

INVOICE-TYPE DESCRIPTION	PERIOD	DATE	TERM-DESCRIPTION	G/L ACCOUNT No
120115 COMMUNICATION	12-15	11/08/15 N N N	A-NET30 FROM INVOICE	2010
Line Description		G/L Account No	Unit(s) Unit Cost	Amount
0001 COMMUNICATION	01-15	01/31/15 N N N	1 76.02	76.02
		(General Fund Fire Communications)		
		Invoice Extension ---->		76.02
		Vendor Total ----->		183.78

P.O. BOX 842882

*** VENDOR.: VIS01 (VISTAPRINT NETHERLANDS B.V.)

INVOICE-TYPE DESCRIPTION	PERIOD	DATE	TERM-DESCRIPTION	G/L ACCOUNT No
120515 POLOS FOR GLADIATORS	12-15	12/02/15 N N N	A-NET30 FROM INVOICE	2010
Line Description		G/L Account No	Unit(s) Unit Cost	Amount
0001 POLOS FOR GLADIATORS	01-15	01/31/15 N N N	1 146.11	146.11
		(Alcohol & Drug Drug & Alcohol Off Suppl/Postg)		
		Invoice Extension ---->		146.11
		Vendor Total ----->		146.11

805 E.AIRPORT AVENUE

*** VENDOR.: WAG01 (POORNIMA WAGH)

INVOICE-TYPE DESCRIPTION	PERIOD	DATE	TERM-DESCRIPTION	G/L ACCOUNT No
--------------------------	--------	------	------------------	----------------

805 E.AIRPORT AVENUE

*** VENDOR.: WAG01 (POORNIMA WAGH)

INVOICE-TYPE	DESCRIPTION	PERIOD	DATE	TERM-DESCRIPTION	G/L ACCOUNT No	
120315	PROFESSIONAL SERVICE FROM 11/23-12/02-15	12-15	12/02/15 N N N	A-NET30 FROM INVOICE	2010	
Line	Description	G/L Account No		Unit(s)	Unit Cost	Amount
0001	PROFESSIONAL SERVICE FROM 11/23-12/02-15	01	4120 2150	1	1672.60	1672.60
		(General Fund Finance Prof'l Services)				
		Invoice Extension ---->				1672.60

INVOICE-TYPE	DESCRIPTION	PERIOD	DATE	TERM-DESCRIPTION	G/L ACCOUNT No	
120315-A	PROFESSIONAL SERVICES FROM 11/10/-11/22/2015	12-15	11/22/15 N N N	A-NET30 FROM INVOICE	2010	
Line	Description	G/L Account No		Unit(s)	Unit Cost	Amount
0001	PROFESSIONAL SERVICES FROM 11/10/-11/22/2015	01	4120 2150	1	2349.55	2349.55
		(General Fund Finance Prof'l Services)				
		Invoice Extension ---->				2349.55
		Vendor Total ----->				4022.15

INVOICE-TYPE	DESCRIPTION	PERIOD	DATE	TERM-DESCRIPTION	G/L ACCOUNT No	
2015	MANHATTAN BEACH BLVD SUITE 100	12-15	12/01/15 N N N	A-NET30 FROM INVOICE	2010	
Line	Description	G/L Account No		Unit(s)	Unit Cost	Amount
0001	MQ CUSTOMER REFUND FOR EVE0006	10	2049	1	25.90	25.90
		(Wtr. Oper. Fund Interim Refunds Payable - MQ)				
		Invoice Extension ---->				25.90
		Vendor Total ----->				25.90

22.18 +
 6,751.00 +
 329.08 +
 4,579.00 +
 1,950.00 +
 135.00 +
 735.41 +
 1,995.33 +
 788.08 +
 1,549.91 +
 116.27 +
 146.11 +
 107.76 +
 76.02 +
 1,672.60 +
 2,349.55 +
 109,529.53 *

** Total Invoices -----> 109554.69
 ** Total Checks -----> .00
 *** Total Purchases ----> 109554.69
 =====
 25.90
 Water Dep -
109,528.79

FUND	DEPT	OBJT	Description (DEPT/OBJT/FUND)	Activity	Actual	Encumbrance	Total	Budget	Variance
01	2004		D.J. FARMS//General Fund	14766.81					
01	2010		Accounts Payable//General Fund	-54123.25					
01	2050		Employee Trust Fund//General Fu	7.00					
01	2065		CEDC Family//General Fund	30.00					
01	2073		Beachside Cooler-Peralta//Gener	228.25					
01	2075		Pioneer Street Apartments//Gene	4175.95					
01	2078		GUAD CULTURAL ARTS & EVENT C//G	1895.05					
01	3219		<*>Plumbing Permit//General Fund	441.50	-2374.00	2374.00	441.50	-7500.00	-7941.50
01	3580		<*>Other Service Charges & Fees//G	150.00	-200.00	.00	-50.00	-1000.00	-950.00
01	4100	1300	City Council/Bus Exp/Train/Gener	86.36	.00	.00	86.36	250.00	163.64
01	4105	1150	Administratio/Communication/Gen	141.19	1947.26	.00	2088.45	4600.00	2511.55
01	4105	1200	Administratio/Off Suppl/Pos/Gen	92.37	406.92	.00	499.29	1195.00	695.71
01	4105	1300	Administratio/Bus Exp/Train/Gen	114.68	772.12	.00	886.80	1500.00	613.20
01	4110	2150	City Attorney/Profl Service/Gen	3645.00	27994.81	.00	31639.81	50000.00	18360.19
01	4120	1150	Finance/Communication/General F	141.19	1294.81	.00	1436.00	3200.00	1764.00
01	4120	1200	Finance/Off Suppl/Pos/General F	367.95	726.88	.00	1094.83	2261.00	1166.17
01	4120	1550	Finance/Op Supp/Expen/General F	111.99	568.43	.00	680.42	2000.00	1319.58
01	4120	2150	Finance/Profl Service/General F	4614.77	6426.33	.00	11041.10	15000.00	3958.90
01	4140	0400	Non-Departmen/Health Insura/Gen	69.16	207.48	.00	276.64	6000.00	5723.36
01	4140	1200	Non-Departmen/Off Suppl/Pos/Gen	246.16	727.36	.00	973.52	2834.00	1860.48
01	4140	2151	Non-Departmen/IT Services/Gener	1950.00	10961.81	.00	12911.81	30000.00	17088.19
01	4140	4150	Non-Departmen/Lease-Purchas/Gen	735.41	3827.65	.00	4563.06	9000.00	4436.94
01	4145	1000	Building Mtce/Utilities/General	1815.29	11046.18	.00	12861.47	32000.00	19138.53
01	4145	1550	Building Mtce/Op Supp/Expen/Gen	34.13	2336.89	.00	2371.02	7000.00	4628.98
01	4145	2150	Building Mtce/Profl Service/Gen	1389.73	5908.68	.00	7298.41	18000.00	10701.59
01	4200	1150	Police/Communication/General Fu	195.07	3638.70	.00	3833.77	6500.00	2666.23
01	4200	1200	Police/Off Suppl/Pos/General Fu	234.76	1183.85	.00	1418.61	3392.00	1973.39
01	4200	1300	Police/Bus Exp/Train/General Fu	46.00	3373.28	.00	3419.28	5000.00	1580.72
01	4200	1500	Police/Equipment Rep/General Fu	1410.26	743.98	.00	2154.24	13000.00	10845.76
01	4200	1550	Police/Op Supp/Expen/General Fu	477.84	5004.59	.00	5482.43	12000.00	6517.57
01	4200	1560	Police/Fuels/Lubrica/General Fu	853.86	9005.72	.00	9859.58	24000.00	14140.42
01	4200	2150	Police/Profl Service/General Fu	148.27	402.00	.00	550.27	7000.00	6449.73
01	4200	2350	Police/Svcs.Other Ag/General Fu	18.00	8372.27	.00	8390.27	58000.00	49609.73
01	4220	1150	Fire/Communication/General Fund	271.09	1546.48	.00	1817.57	4620.00	2802.43
01	4220	1460	Fire/Vehicle Maint/General Fund	325.72	1081.50	.00	1407.22	9000.00	7592.78
01	4220	1550	Fire/Op Supp/Expen/General Fund	181.90	3093.36	.00	3275.26	10000.00	6724.74
01	4220	1560	Fire/Fuels/Lubrica/General Fund	210.61	2061.93	.00	2272.54	8500.00	6227.46
01	4300	1000	Parks & Rec/Utilities/General F	3232.25	14342.76	.00	17575.01	47500.00	29924.99
01	4300	1150	Parks & Rec/Communication/Gener	141.19	713.09	.00	854.28	1800.00	945.72
01	4300	1200<*>	Parks & Rec/Off Suppl/Pos/Gener	98.65	9.81	.00	108.46	50.00	-58.46
01	4300	2150	Parks & Rec/Profl Service/Gener	1822.85	9002.75	.00	10825.60	27500.00	16674.40
01	4405	1150	Bldg and Safe/Communication/Gen	141.19	1024.43	.00	1165.62	2600.00	1434.38
01	4405	1200	Bldg and Safe/Off Suppl/Pos/Gen	37.55	.00	.00	37.55	278.00	240.45
01	4405	2150	Bldg and Safe/Profl Service/Gen	7026.25	29665.94	.00	36692.19	184000.00	147307.81

FUND	DEPT	OBJT	Description (DEPT/OBJT/FUND)	Activity	Actual	Encumbrance	Total	Budget	Variance
Fund (01) Total ---->				.00	166846.05	2374.00	202240.24	601080.00	398839.76
10	2010		Accounts Payable//Wtr. Oper. Fu	-28669.39					
10	2049		Interim Refunds Payable - MQ//W	25.90					
10	4420	1000	Water Operati/Utilities/Wtr. Op	4643.43	47677.97	.00	52321.40	90000.00	37678.60
10	4420	1150	Water Operati/Communication/Wtr	306.42	1597.00	.00	1903.42	5000.00	3096.58
10	4420	1200	Water Operati/Off Suppl/Pos/Wtr	50.12	3385.90	.00	3436.02	10000.00	6563.98
10	4420	1550	Water Operati/Op Supp/Expen/Wtr	45.62	7381.31	.00	7426.93	45000.00	37573.07
10	4420	1553	Water Operati/State Water P/Wtr	10818.61	1916.16	.00	12734.77	751000.00	738265.23
10	4420	1560	Water Operati/Fuels/Lubrica/Wtr	33.04	1379.03	.00	1412.07	5000.00	3587.93
10	4420	2150	Water Operati/Profl Service/Wtr	8167.25	21514.84	.00	29682.09	75000.00	45317.91
10	4420	2350<*>	Water Operati/Svcs.Other Ag/Wtr	4579.00	32723.60	.00	37302.60	35000.00	-2302.60
Fund (10) Total ---->				.00	117575.81	.00	146219.30	1016000.00	869780.70
12	2010		Accounts Payable//Wst.Wtr.Op.Fu	-9493.15					
12	4425	1000	Wastewater/Utilities/Wst.Wtr.Op	3554.13	64524.67	.00	68078.80	185000.00	116921.20
12	4425	1150	Wastewater/Communication/Wst.Wt	175.78	1475.36	.00	1651.14	4000.00	2348.86
12	4425	1460	Wastewater/Vehicle Maint/Wst.Wt	220.54	311.91	.00	532.45	1000.00	467.55
12	4425	1550	Wastewater/Op Supp/Expen/Wst.Wt	1584.55	3340.85	.00	4925.40	30000.00	25074.60
12	4425	1560	Wastewater/Fuels/Lubrica/Wst.Wt	140.21	2132.77	.00	2272.98	8000.00	5727.02
12	4425	2150	Wastewater/Profl Service/Wst.Wt	3747.94	34124.49	.00	37872.43	100000.00	62127.57
12	4425	2350	Wastewater/Svcs.Other Ag/Wst.Wt	70.00	16939.40	.00	17009.40	20000.00	2990.60
Fund (12) Total ---->				.00	122849.45	.00	132342.60	348000.00	215657.40
20	2010		Accounts Payable//Gas Tax Fund	-4436.47					
20	4430	1150<*>	Gas Tax-Stree/Communication/Gas	56.47	.00	.00	56.47	.00	-56.47
20	4430	2150	Gas Tax-Stree/Profl Service/Gas	4380.00	23003.50	.00	27383.50	75000.00	47616.50
Fund (20) Total ---->				.00	23003.50	.00	27439.97	75000.00	47560.03
26	2010		Accounts Payable//RDA-Op.Fund	-520.35					
26	4500	1250<*>	Redevelopment/Advertisin/Pu/RDA	127.50	.00	.00	127.50	.00	-127.50
26	4500	2150	Redevelopment/Profl Service/RDA	315.00	4535.79	.00	4850.79	30000.00	25149.21
26	4500	2200<*>	Redevelopment/Equip.Rental/RDA-	77.85	.00	.00	77.85	.00	-77.85
Fund (26) Total ---->				.00	4535.79	.00	5056.14	30000.00	24943.86
42	2010		Accounts Payable//Pol.Saftey Fun	-3000.00					

FUND	DEPT	OBJT	Description (DEPT/OBJT/FUND)	Activity	Actual	Encumbrance	Total	Budget	Variance
42	4210	3200	Pol.Pub.Safet/Equipment/Pol.Saf	3000.00	3000.00	.00	6000.00	8000.00	2000.00
Fund (42) Total ---->				.00	3000.00	.00	6000.00	8000.00	2000.00
57	2010		Accounts Payable//Alcohol & Dru	-328.11					
57	4213	1000	Drug & Alcoho/Utilities/Alcohol	7.00	28.00	.00	35.00	100.00	65.00
57	4213	1150	Drug & Alcoho/Communication/Alc	23.92	237.11	.00	261.03	600.00	338.97
57	4213	1200	Drug & Alcoho/Off Suppl/Pos/Alc	146.11	423.41	.00	569.52	1200.00	630.48
57	4213	1550	Drug & Alcoho/Op Supp/Expen/Alc	151.08	400.01	.00	551.09	2000.00	1448.91
Fund (57) Total ---->				.00	1088.53	.00	1416.64	3900.00	2483.36
60	2010		Accounts Payable//Guad.Assmt.Di	-1158.63					
60	4490	1000	Guad.Assmt Di/Utilities/Guad.As	706.38	2998.14	.00	3704.52	12500.00	8795.48
60	4490	2150	Guad.Assmt Di/Profl Service/Gua	452.25	1917.75	.00	2370.00	7500.00	5130.00
Fund (60) Total ---->				.00	4915.89	.00	6074.52	20000.00	13925.48
65	2010		Accounts Payable//Guad.Light Di	-3698.86					
65	4485	1000	Gdlpe Light D/Utilities/Guad.Li	3698.86	15393.61	.00	19092.47	75000.00	55907.53
Fund (65) Total ---->				.00	15393.61	.00	19092.47	75000.00	55907.53
71	2010		Accounts Payable//MEASURE A	-4126.48					
71	4454	1000	MEASURE A/Utilities/MEASURE A	194.70	786.72	.00	981.42	3000.00	2018.58
71	4454	1150	MEASURE A/Communication/MEASURE	103.22	685.59	.00	788.81	2500.00	1711.19
71	4454	1460	MEASURE A/Vehicle Maint/MEASURE	144.99	418.88	.00	563.87	3000.00	2436.13
71	4454	1550	MEASURE A/Op Supp/Expen/MEASURE	888.60	4922.39	.00	5810.99	15000.00	9189.01
71	4454	1559	MEASURE A/Alternate Tra/MEASURE	225.00	12468.76	.00	12693.76	60000.00	47306.24
71	4454	1560	MEASURE A/Fuels/Lubrica/MEASURE	179.82	1985.48	.00	2165.30	8000.00	5834.70
71	4454	2150<*>	MEASURE A/Profl Service/MEASURE	394.82	4767.10	.00	5161.92	.00	-5161.92
71	4454	2200<*>	MEASURE A/Equip.Rental/MEASURE	1995.33	3003.32	.00	4998.65	4000.00	-998.65
Fund (71) Total ---->				.00	29038.24	.00	33164.72	95500.00	62335.28

P.O. BOX 790408

*** VENDOR.: CAR09 (CARDMEMBER SERVICE)

INVOICE-TYPE	DESCRIPTION	PERIOD	DATE	TERM-DESCRIPTION	G/L ACCOUNT No
6840	CALIFORNIA PEACE OFFICER'S ASSOCIATION	12-15	11/18/15 N N N	A-NET30 FROM INVOICE	2010

Line	Description	G/L Account No	Unit(s)	Unit Cost	Amount
0001	CALIFORNIA PEACE OFFICER'S ASSOCIATION	01 4200 1300 (General Fund Police Bus Exp/Train)	1	220.00	220.00
Invoice Extension ---->					220.00

INVOICE-TYPE	DESCRIPTION	PERIOD	DATE	TERM-DESCRIPTION	G/L ACCOUNT No
7119	FOLDING CONFERENCE TABLE FOR ADMINS BACK ROOM	12-15	11/01/15 N N N	A-NET30 FROM INVOICE	2010

Line	Description	G/L Account No	Unit(s)	Unit Cost	Amount
0001	FOLDING CONFERENCE TABLE FOR ADMINS BACK ROOM	01 4105 1200 (General Fund Administration Off Suppl/Postg)	1	86.39	86.39
Invoice Extension ---->					86.39

INVOICE-TYPE	DESCRIPTION	PERIOD	DATE	TERM-DESCRIPTION	G/L ACCOUNT No
120415	WOOD BLIND FOR FINANCE	12-15	11/25/15 N N N	A-NET30 FROM INVOICE	2010

Line	Description	G/L Account No	Unit(s)	Unit Cost	Amount
0001	WOOD BLIND FOR FINANCE	01 4145 1450 (General Fund Building Mtce Facilities Main)	1	52.56	52.56
Invoice Extension ---->					52.56

Vendor Total -----> 358.95
 =====

** Total Invoices ----> 358.95
 ** Total Checks ----> .00

*** Total Purchases ---> 358.95
 =====

REPORT.: Dec 04 15 Friday
 RUN....: Dec 04 15 Time: 09:13
 Run By.: Esther Britt

City of Guadalupe
 Invoice/Pre-Paid Check Audit Trail
 General Ledger Accounts with Budget Summary December 04, 2015
 Accounting Period is December, 2015

PAGE: 002
 ID #: PY-IP
 CTL.: GUA

FUND DEPT OBJT	Description (DEPT/OBJT/FUND)	Activity	Actual	Encumbrance	Total	Budget	Variance
01 2010	Accounts Payable//General Fund		-358.95				
01 4105 1200	Administratio/Off Suppl/Poa/Gen		86.39	406.92	585.68	1195.00	609.32
01 4145 1450	Building Mtce/Facilities Ma/Gen		52.56	295.25	347.81	5000.00	4652.19
01 4200 1300	Police/Bus Exp/Train/General Fu		220.00	3373.28	3639.28	5000.00	1360.72
Fund (01) Total ---->			.00	4075.45	4572.77	11195.00	6622.23

REPORT TO CITY COUNCIL
Council Agenda of 12-08-15

ANC

Andrew Carter, City Administrator

SUBJECT Marijuana Cultivation, Processing, and Transport in Guadalupe

RECOMMENDATION

Provide staff direction on a proposed ordinance to outlaw marijuana cultivation, processing, and transport in Guadalupe. The proposed ordinance includes fallback mechanisms should an outright ban be found in the future by a “court of competent jurisdiction” to be invalid or unconstitutional.

DISCUSSION

Staff brought the issue of marijuana cultivation, processing, and transport in Guadalupe to Council on 11/10/16. (See attached 11/10/16 Item 6A Agenda Report plus the portion of the 11/10/16 Council minutes on the discussion which took place.)

At the 11/10/16 meeting, Council adopted Resolution 2015-16 (attached) stating its intent to adopt an ordinance having to do with marijuana cultivation, processing, and transport.

At the 11/10/16 meeting, Council heard from Brandon Gesecki who represents Klub Med, LLC. Klub Med is (or at least was) interested in establishing an indoor marijuana cultivation operation in Guadalupe. Mr. Gesecki asked Council for the opportunity to make a formal presentation to Council on Klub Med’s cultivation interest. Mr. Gesecki said that Klub Med is not interested in dispensing marijuana in Guadalupe.

By a 3-2 majority, Council agreed to let Mr. Gesecki make a presentation to Council at a future Council meeting. In working with Mr. Gesecki, tonight’s meeting was chosen as the date. On Friday, the City Administrator learned from Mr. Gesecki that he is no longer available to make an in-person presentation tonight and would instead be submitting a letter to Council. That letter has not yet been received. At this point in time, it is not known whether Klub Med is still interested in establishing marijuana cultivation operations in Guadalupe.

Whatever Klub Med’s interest, City Council needs to take action on marijuana cultivation, processing, and transport in an expedited manner. That’s because recent state legislation requires the City to have in place by 03/01/16 an ordinance on this topic if the City wants to engage in local regulation. Without a local ordinance, state regulations would take precedent. Since any ordinance Council adopts will only take effect 30 days after a second reading, Council will need to complete that second reading by the 01/26/16 Council meeting.

The City of Guadalupe already forbids fixed-placed marijuana dispensaries in Guadalupe. (See attached “Portions of Current Guadalupe Municipal Code having to do with Marijuana.”) At the 11/10/16 Council meeting, Council unanimously made it clear to staff that Council continues to want to outlaw fixed-place marijuana dispensaries.

Council needs final direction from Council on the following issues:

- Personal cultivation of marijuana
- Commercial cultivation of marijuana
- Mobile marijuana delivery services

The proposed ordinance which staff has developed would forbid all marijuana activity in Guadalupe in all its forms – fixed-place dispensing, personal cultivation, commercial cultivation, and mobile dispensing. The proposed ordinance does include two fallback mechanisms should a “court of competent jurisdiction” find the outright bans to be invalid or unconstitutional.

One fallback has to do with cultivation of marijuana for personal use. If a “court of competent jurisdiction” finds an outright ban on personal cultivation to be invalid or unconstitutional, then personal cultivation would be allowed in residential zones provided such cultivation on a case-by-case basis meets the specific terms of the fallback mechanism. Those terms include such things as separation from adjacent property, separation from schools, the square footage that can be devoted to cultivation, etc. A zoning clearance would be required.

The second fallback has to do with all commercial marijuana activity, be it cultivation, processing, distribution, or delivery. If a “court of competent jurisdiction” finds an outright ban on commercial activity to be invalid or unconstitutional, such activity would only be allowed on in the G-I zone provided such activity on a case-by-case basis meets the specific terms of the fallback mechanism. A conditional use permit would be required.

Council should confirm whether it is comfortable with the approach contemplated in the proposed ordinance. One item Council may specifically want to discuss is mobile dispensing, which is presumably already taking place in Guadalupe. The City of Santa Maria on Tuesday decided to outlaw cultivation but allow mobile dispensing. Santa Maria already outlaws fixed place dispensing. (See attached [Santa Maria Times](#) article on the Santa Maria Council decision.)

FINANCIAL IMPACT

Possible enforcement costs should the proposed ordinance be adopted. Potential revenue should lawfully-established marijuana enterprises be allowed to operate.

ATTACHMENTS

Item 6A Agenda Report, Council Meeting of 11/10/15
Portion of Approved Council Minutes from 11/10/15
Resolution 2015-56, Intent to Adopt an Ordinance
Portions of Guadalupe Municipal Code Having to Do with Marijuana
12/2/15 [Santa Maria Times](#) article on Santa Maria Council Marijuana Decision
League of California Cities Background Information on Cultivation and Mobile Delivery



AGENDA REPORT

6a.

SUBJECT/TITLE:

REGULATION/PROHIBITION OF MEDICAL MARIJUANA CULTIVATION, PROCESSING AND TRANSPORT WITHIN THE CITY

RECOMMENDATION:

PROVIDE STAFF DIRECTION ON REGULATION/PROHIBITION OF MEDICAL MARIJUANA CULTIVATION WITHIN THE CITY, AND IF WARRANTED, ADOPT RESOLUTION OF INTENT TO ADOPT ORDINANCE REGULATING THE CULTIVATION, PROCESSING AND TRANSPORT OF MEDICAL MARIJUANA

EXECUTIVE SUMMARY:

The Compassionate Use Act of 1996 (CUA) was adopted as Proposition 215 by the voters of the state. Under that proposition, the use of marijuana for medical purposes is legal under California law provided specific prerequisites are met. In many cities throughout California, medical marijuana dispensaries have opened without any regulation of their location, operation or other matters within the police powers of cities. The use of marijuana is still illegal under federal law, however. In 2010, the City Council adopted an ordinance prohibiting the establishment of such dispensaries in any zone of the City.

The Governor recently signed three bills, AB 266, AB 243 and SB 643, collectively referred to as the Medical Marijuana Regulation and Safety Act. Among the purposes of this act are to provide for the licensure and regulation of medical marijuana. It would establish within the Department of Consumer Affairs a Bureau of Medical Marijuana Regulation, under the supervision and control of the Director of Consumer Affairs. In addition, the Board of Equalization, in consultation with the Department of Food and Agriculture, would adopt a system for reporting the movement of commercial cannabis and cannabis products. Seventeen different types of annual businesses licenses would be available, including indoor and outdoor cultivators of different sizes, plant nurseries, processors, testing labs, and dispensaries. A new class of business licenses — distributors— would be responsible for all transport between businesses. This act still provides opportunities, however, for local governments to regulate medical marijuana cultivation, processing, distribution and transport.

The ordinance included with this staff report is intended to provide the City the maximum local control over the establishment of medical marijuana cultivation, processing, distribution and transport operations. The ordinance is modeled in large part after an ordinance passed by the City of Live Oak, California, located in Sutter County. That city's ordinance was challenged and upheld by the Third District Court of Appeal in a case entitled *Maral v. Live Oak* (2013) 221 Cal.App.4th 975. In that case, the court held that the CUA does not preempt a city's police power to prohibit the cultivation of all marijuana within that city. This ruling was based on the Supreme Court's ruling in *City of Riverside v. Inland Empire Patients Health and Wellness*

Agenda Item: _____

Center, Inc. (2013) 56 Cal.4th 729, 753 that the CUA did not create a "broad right" to access medical marijuana. *Inland Empire* held that the CUA does not preempt the authority of cities and counties to regulate, even prohibit, facilities that distribute medical marijuana.

The proposed ordinance takes a dual-track approach. At the outset, it bans both cultivation of medical marijuana, and the establishment of medical marijuana dispensaries. The latter prohibition is clearly permissible under the *Inland Empire*, but a complete ban on cultivation has not been tested in the court of appeal for the district in which Guadalupe sits. It is possible that the local court of appeal could come to a differing conclusion regarding a ban on cultivation of medical marijuana, particularly in light of the recent passage of the Medical Marijuana Regulation and Safety Act. Therefore, the ordinance has been drafted with fallback provisions should the bans on cultivation and dispensaries be successfully challenged. In the alternative, the Council may direct that the fallback provisions become the default, in which case, both dispensaries and cultivation would be permitted within the City but under strict regulations. Some cities have already taken this approach, taking in millions of dollars in new tax revenue.

Under AB 243, if the city does not have a land use ordinance in place regulating or prohibiting the cultivation of marijuana, either expressly or otherwise under the principles of permissive zoning, or chooses not to administer a conditional permit program, then beginning on March 1, 2016, the California Department of Food and Agriculture will be the sole licensing authority for medical marijuana cultivation applicants within the City. This is the primary reason why it is essential that the Council take some form of action to either prohibit or regulate cultivation operations within the City. Staff has attached a briefing paper from the League of California Cities that discusses the Medical Marijuana Regulation and Safety Act as further background.

As additional background, the California Secretary of State has accepted for signature collection nearly a dozen ballot initiatives to legalize recreational marijuana. If the requisite number of signatures are obtained, these initiatives will appear on the November 2016 ballot. Similar legislation has been enacted in Colorado, Alaska, Washington and Oregon, as well as the District of Columbia. While there is no way to forecast what the result of such initiatives will be, recent polls indicate growing support in California for outright legalization. The Medical Marijuana Regulation and Safety Act contains various provisions that seem to anticipate full legalization, such as the establishment of "appellations of origin" for marijuana grown in California, similar to wine growing appellations like the Napa and Sonoma valleys. The Act also authorizes the state to certify medical marijuana as organic. As a result, local agencies will ultimately need to confront the health, safety and welfare implications of legalization just as they do with other types of land uses, or risk the state mandating what controls local agencies may and may not implement.

Under Section 18.76.020 of the City's municipal code, zoning code amendments proposed by the City Council must be commenced through the adoption of a resolution of intent to adopt an ordinance amending the zoning code. In the event the Council wishes to move forward with consideration of the attached zoning ordinance, it should adopt the attached resolution of intent and direct that the ordinance return to the Council for further consideration and adoption.

Agenda Item: _____

FISCAL IMPACT: Possible enforcement costs for illegally established medical marijuana cultivation sites and dispensaries should ordinance be adopted. Potentially significant revenues from lawfully-established dispensaries under the City's gross receipts business license program.

ATTACHMENTS:

1. Proposed Ordinance
 2. Resolution of intent to adopt zoning ordinance
 3. League of California Cities summary on new medical marijuana legislation
-

Prepared by: David Fleishman, City Attorney

Meeting Date: 10 November 2015

City Administrator Approval: *Anc*

Agenda Item: _____

ORDINANCE NO. 2015-_____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GUADALUPE ADDING CHAPTER XX.XX TO THE GUADALUPE MUNICIPAL CODE REGULATING THE CULTIVATION, PROCESSING AND TRANSPORT OF MEDICAL MARIJUANA

The City Council of the City of Guadalupe does ordain as follows:

SECTION 1. A new chapter XX.xx is added to the Guadalupe Municipal Code to read as follows:

xx.xx.010 Findings and Purpose

A. The City Council finds that the cultivation of medical marijuana significantly impacts, or has the potential to significantly impact, the health, safety and welfare of the City's residents and businesses. These impacts include damage to buildings in which cultivation occurs, including improper and dangerous electrical alterations and use, inadequate ventilation, increased occurrences of home-invasion robberies and similar crimes and nuisance impacts to neighboring properties from the strong and potentially noxious odors from the plants and increased crime.

B. The City Council acknowledges that the Compassionate Use Act (CUA), passed in 1996 by the voters of the State of California, provides a criminal defense to the cultivation, possession and use of marijuana for medical purposes. However, the Compassionate Use Act (CUA) does not address the land use or other impacts that are caused by the cultivation of medical marijuana.

C. The City Council wishes to adopt rules consistent with the CUA, the Medical Marijuana Program Act (MMPA), and the Medical Marijuana Regulation and Safety Act (MMRSA) to regulate medical marijuana in a manner that protects the public health, safety and welfare of the residents, visitors and business operators in the City of Guadalupe and prevents adverse impacts that such activities may have on nearby properties and residents, without interfering with the rights of qualified patients and their primary caregivers to possess or cultivate medical marijuana pursuant to state law.

D. The CUA is limited in scope, in that it only provides a defense from criminal prosecution for possession and cultivation of marijuana to qualified patients and their primary caregivers. The scope of the MMPA is also limited in that it establishes a statewide identification program and affords qualified patients, persons with identification cards and their primary caregivers, an affirmative defense to certain enumerated criminal sanctions that would otherwise apply to transporting, processing, administering or distributing marijuana. The MMRSA establishes additional regulations regarding the cultivation, processing and transport of medical marijuana, but it allows for additional local regulation.

E. Facilities dispensing marijuana for medicinal purposes are commonly referred to as medical marijuana dispensaries, medical marijuana cooperatives or medical marijuana collectives. The City Council has previously prohibited the establishment of these operations within the City.

F. The CUA, MMPA and MMRSA do not require or impose an affirmative duty or mandate upon local governments, such as the City of Guadalupe, to allow, authorize or sanction the establishment and the operation and establishment of facilities dispensing medical marijuana within their jurisdiction.

G. Neither the CUA nor the MMPA abrogate the City's powers to regulate for public health, safety and welfare. Health and Safety Code 11362.5(b)(2) provides that the Act does not supersede any legislation intended to prohibit conduct that endangers others. In addition, Health and Safety Code 11362.83 authorizes cities and counties to adopt and enforce rules and regulations consistent with the MMPA. The MMRSA provides that nothing in that act shall be interpreted to supersede or limit existing local authority for law enforcement activity, enforcement of local zoning requirements or local ordinances, or enforcement of local permit or licensing requirements.

H. Marijuana remains an illegal substance under the Federal Controlled Substances Act, 21 U.S.C. 801, et seq. and is classified as a "Schedule I Drug" which is defined as a drug or other substance that has a high potential for abuse, that is no currently accepted medical use in treatment in the United States, and that has not been accepted as safe for its use under medical supervision. Furthermore, the Federal Controlled Substances Act makes it unlawful for any person to cultivate, manufacture, distribute or dispense, or possess with intent to manufacture, distribute or dispense marijuana. The Controlled Substances Act contains no statutory exemption for the possession of marijuana for medical purposes. The City does not wish to be in violation of federal law.

I. Pursuant to the City of Guadalupe's police powers authorized in Article XI, Section 7 of the California Constitution, as well as under the City of Guadalupe Municipal Code, the City has the power to regulate permissible land uses throughout the City and to enact regulations for the preservation of public health, safety and welfare of its residents and community. Pursuant to Government Code 38771 the City Council also has the power by ordinance to declare actions and activities that constitute a public nuisance.

K. The City Council finds that the CUA, MMPA and MMRSA do not preempt the City's exercise of its traditional police powers in enacting land use and zoning regulations, as well as legislation for preservation of public health, safety and welfare, such as this zoning ordinance prohibiting the establishment and operation of medical marijuana cooperatives and collectives and cultivation operation within the City.

L. The City Council finds that the public health, safety and general welfare of the City and its residents necessitate and require the adoption of this zoning ordinance.

xx.xx.020 Applicability

A. Nothing in this chapter is intended, nor shall it be construed, to burden any defense to criminal prosecution under the CUA.

B. Nothing in this chapter is intended, nor shall it be construed, to make legal any cultivation, sale or other use of medical marijuana that is otherwise prohibited under California law.

C. Nothing in this chapter is intended, nor shall it be construed, to preclude any landlord from limiting or prohibiting medical marijuana cultivation by tenants.

D. Nothing in this chapter is intended, nor shall it be construed, to exempt any activity related to the cultivation of medical marijuana from any applicable electrical, plumbing, land use or other building or land use standards or permitting requirements.

E. All cultivation and sale of medical marijuana within the City shall be subject to the provisions of this chapter.

F. Any medical marijuana cultivation that legally occurred prior to the effective date of this ordinance does not have nonconforming rights provided in chapter 18.68.

xx.xx.030 Definitions

The following definitions apply to this chapter:

A. Fully enclosed and secure structure: A space within a building that complies with the California Building Code, as adopted in the City of Guadalupe, or, if exempt from permit requirements, that has a complete roof enclosure supported by connecting walls extended from the ground to the roof, a foundation, slab or equivalent base to which the floor is secured by bolts or similar attachments, is secure against unauthorized entry, and is accessible only through one or more lockable doors and accessible only to a primary caregiver or a qualified patient. Walls and roofs must be constructed of solid materials that cannot be easily broken through such as two inch by four inch or thicker studs overlaid with 3/8" or thicker plywood or the equivalent. Plastic sheeting regardless of gauge, or similar products do not satisfy this requirement. If indoor grow lights or air filtration systems are used, they must comply with the California Building, Electrical and Fire Codes as adopted in the City of Guadalupe.

B. Medical marijuana: Marijuana used for medical purposes in accordance with California Health and Safety Code section 11362.5.

C. Medical marijuana dispensary: A collective, cooperative, dispensary, operator, establishment, provider, association or similar entity that cultivates, distributes, delivers or processes marijuana for medical purposes relating to a qualified patient or primary caregiver, pursuant to the Compassionate Use Act, Medical Marijuana Program Act and/or Medical Marijuana Regulation and Safety Act. Included within the definition of medical marijuana dispensary are facilities in a fixed location, and transportation or delivery services conducted from a non-fixed location or vehicle.

D. Marijuana cultivation: The planting, growing, harvesting drying or processing of marijuana plants or any part thereof.

E. Primary Caregiver: A primary caregiver as defined in Health and Safety Code section 11362.7.

F. Qualified patient: A qualified patient as defined in Health and Safety Code section 11362.7.

xx.xx.040 Prohibition of Marijuana Cultivation

Marijuana cultivation by any person, including primary caregivers and qualified patients, or dispensaries is prohibited in all zone districts within the City of Guadalupe.

xx.xx.050 Separation of Section xx.xx.040

If Section xx.xx.040, or any subsection, sentence, clause, phrase or portion of Section xx.xx.040 is held by a court of competent jurisdiction to be invalid or unconstitutional, that portion shall be deemed a separate, distinct and independent provision and the following Section xx.xx.060 shall apply in lieu of Section xx.xx.040.

xx.xx.060 Cultivation in Residential Zone Districts for Personal Use

It is unlawful to cultivate medical marijuana in any residential zone district within the city, unless a zoning clearance under this title is first secured and all of the following criteria are met:

A. Indoor cultivation: Medical marijuana may be cultivated only in a fully enclosed and secure structure by a qualified patient or primary caregiver in a residential zone district if a zoning clearance is first secured and all of the following criteria are met:

1. The applicant must reside on the property and be either a qualified patient or primary caregiver.

2. The owner of the property, if other than the applicant, has consented in writing to the cultivation of marijuana on the property.

3. If the marijuana cultivation occurs within a residential accessory building or a garage, the location of the marijuana plants shall be at least 30 feet from any habitable structure on any adjacent property.

4. The location of the plants shall be at least 600 feet from any school property. The distance shall be measured in a straight line, without regard to intervening structures, from the closest property line of the property on which the marijuana is grown and the school property. The existence of city, county or other political subdivision boundary shall be irrelevant for purposes of calculating and applying the distance requirements of this paragraph.

5. The area where marijuana is grown shall not exceed 50 square feet of floor area, regardless of how many qualified patients or primary caregivers live on the property.

6. The marijuana cultivation shall not be visible from any public or other private property.

7. The cultivation of marijuana shall not take place in the kitchen, bathrooms or occupied bedrooms of the residence.

8. The lighting used for cultivation shall not exceed a cumulative total of 1,200 watts, regardless of the type or number of lighting fixtures.

9. The use of flammable or combustible products, including but not limited to, propane and butane, for cultivation and/or processing is prohibited.

C. All medical marijuana cultivated pursuant to this section shall be for the personal use only of a qualified patient residing on the property and may not be distributed to any other person or medical marijuana dispensary.

D. The cultivation of medical marijuana shall not be an allowed home occupation.

E. Cultivation of marijuana in any other zone district other than those listed in this section is prohibited.

xx.xx.070 Medical Marijuana Dispensaries

Medical marijuana dispensaries are not permitted in any zone district within the City of Guadalupe.

xx.xx.080 Separation of Section xx.xx.070

If Section xx.xx.070, or any subsection, sentence, clause, phrase or portion of Section xx.xx.070 is held by a court of competent jurisdiction to be invalid or unconstitutional, that portion shall be deemed a separate, distinct and independent provision and the following Section xx.xx.090 shall apply in lieu of Section xx.xx.070.

xx.xx.090 Medical Marijuana Dispensary

A. Purpose: To establish a comprehensive set of regulations applicable to the operation of medical marijuana dispensaries within the City to insure such operation in a manner consistent with the overall health, welfare and safety of the City and its populace and in compliance with the California Compassionate Use Act, the Medical Marijuana Program Act, and the Medical Marijuana Regulation and Safety Act.

B. Allowed zone districts: Medical marijuana dispensaries are allowed in the General-Industrial (G-I) Zone District, subject to an approved use permit in compliance with Chapter 18.72, and provided that all of the criteria provided below can be satisfied.

1. The site is not within 1,000 feet of any public or private school for grades kindergarten through 12th, any preschool or licensed childcare facility.
2. The site is not within 500 feet of any residential use, residential area or residential zone.
3. The site is not within 1,000 feet of any park, library or recreational area commonly used by minor children.

All required minimum distances set forth in this subsection shall be measured from the nearest property line of one designated location to the nearest property line of the other designated location along a straight line extended between the two points without regard to intervening structures.

C. Needed information: In addition to the information required by the City for any potential use permit application or any potential business license application, persons or entities making such application(s) for the establishment of a medical marijuana dispensary shall also provide the following information with the application(s).

1. The application must be signed by the owner, lessee or agent who is applying for the use permit or business license and the owner, lessee or agent shall specifically identify the individuals who will be conducting the business of the medical marijuana dispensary for the premises for which the permit or license is sought. In the case of a lessee of a property applying for a permit pursuant to this chapter, the property owner shall

acknowledge on the application consent to the application for a use permit for a medical marijuana dispensary.

2. The application shall list the legal form of the applicant, e.g., individual, partnership, corporation.

a. If the applicant is an individual, the application shall list his or her legal name, any aliases and date of birth;

b. If the applicant is a partnership, the application shall list the full and complete name of the partnership, the legal names and addresses of all partners, dates of birth, all aliases used by all of the general partners and whether the partnership is general or limited; and

c. If the applicant is a corporation, the applicant shall list the full and complete corporate name, the date and status of its incorporation, evidence that the corporation is in good standing, the legal names and dates of birth and aliases used and the capacity of all officers, directors and principal stockholders (i.e., all stockholders with 10 percent or more of all outstanding shares, and the name and addresses of the registered officers for service of process.

3. The application must list whether, preceding the date of the application, the applicant or any individuals listed pursuant to subsection C.2. of this section has:

a. In the three years prior to the year of the permit application, other licenses and/or permits issued to and/or revoked, relating to similar business activities as in the permit application. If the application lists such other licenses and/or permits, the list shall include the type, current status and issuing agency for each permit;

b. Been a partner in a partnership or an officer, director or principal stockholder of a corporation which has had any other licenses and/or permits, relating to similar business activities as in the permit application, issued to and/or revoked in the three years prior to the year of the permit application. The type, current status, and issuing agency for each previously issued or revoked licenses and/or permits shall be listed on the application;

c. Within the four years preceding the date of the application, been found guilty of or pleaded nolo contendere to a misdemeanor or a felony offense classified by the State of California as a drug or drug-related offense.

D. Restrictions on use: The following restrictions/regulations/conditions shall apply to the operation of all medical marijuana dispensaries:

1. Hours of operation: Medical marijuana dispensaries shall be restricted to hours of operation between 8 a.m. and 6 p.m.

2. Conviction of Crimes: No operator and/or employee of a medical marijuana dispensary shall have been convicted of any felony under any state or federal law, convicted of a crime in any other jurisdiction the commission of which would be a felony under California law, nor convicted of any crime of moral turpitude. All operators and/or employees of a medical marijuana dispensary shall be subject to verification of the absence of any disqualifying conviction under this subsection prior to commencement of any such operation and/or employment and annually thereafter, pursuant to

reasonable regulations pertaining thereto as established and promulgated by the Chief of Police.

3. Security system: Medical marijuana dispensaries shall be equipped with, and the operators of such operations shall maintain in working order at all times burglary/robbery alarms in a manner compliant with the provisions of this code.

4. Security Guard: During all hours of operation there shall be, for each 1,000 square feet of occupied building space, or portion thereof, at least one licensed, uniformed security guard present and visible on the premises, i.e., one guard for zero to and including 1,000 square feet, two guards for 1,001 to and including 2,000 square feet, etc.

a. Such guards(s) shall be duly licensed by the State of California, Department of Consumer Affairs in a manner compliant with all applicable state and local laws. In particular, all security officers shall comply with the provisions of California Business and Professions Code Section 7582, et seq.

b. The presence and licensing of such guards shall be subject to proof thereof by operator(s), employee(s) or security guard(s) of such dispensary at all required times, upon reasonable demand by any city, state or federal police officer.

5. Use on premises: Use or consumption of marijuana in any manner is not permitted on premises of any medical marijuana dispensary at any time.

6. Drug paraphernalia: No medical marijuana dispensary may sell or display any drug paraphernalia on the premises at any time, including but not limited to water pipes (bongs), everyday items with special removable tops that have been converted to conceal narcotics and drugs, including but not limited to beer cans, oil cans and plastic photograph film vials, roach clips (for holding marijuana cigarettes), cigarette paper or filters.

7. Minors: Persons under the age of 18 years of age are not permitted to be on the premises of any medical marijuana dispensary at any time.

8. Alcohol: No alcoholic beverage shall be sold, conveyed or consumed on the premises of any medical marijuana dispensary at any time.

9. Under the influence: No person shall be present on the premises of a medical marijuana dispensary while intoxicated and/or under the influence of alcohol or any controlled substance at any time, as defined in California Health and Safety Code Section 11007.

10. Unobstructed view: The interior of the dispensary shall be configured such that there is an unobstructed view by a manager, by use of the naked eye, and unaided by video, closed circuit cameras or any other means, of every public area of the premises. No public area shall be obscured by any door, curtain wall, two-way mirror or other device. A manager shall be in the public portion of the dispensary at all times it is in operation or open to the public in order to enforce all rules and regulations.

11. Exterior painting: Buildings and structures shall not be painted or surfaced with any design that would simulate a sign or advertising message and cannot be established or

maintained such that the exterior appearance of the structure is substantially inconsistent with the external appearance of abutting properties.

12. **Displays:** Advertisements, displays of merchandise, signs or any other exhibit depicting activities of the dispensary placed within the interior of buildings of premises shall be arranged or screened to prevent public viewing from outside such building or premises. Neon or light-emitting diode (LED) signage shall not be used.

13. **Loudspeakers:** Outdoor loudspeakers or other outdoor sound equipment advertising or directing attention to a dispensary, including but not limited to prerecorded or live music or sounds, are prohibited.

14. **Graffiti:** Upon order of the Chief of Police or his/her designee, graffiti appearing on any exterior surface of a building or premises of a dispensary, which graffiti is in public view, shall be removed and that surface shall be restored within 48 hours of notification to the owner or person in charge of the premises or as may be specified in other ordinances of the City regulating graffiti removal.

15. **Security cameras:** The operator of the medical marijuana dispensary shall be responsible for insuring that a video surveillance system on the premises complies with the following standards:

a. Visually records and monitors all parking lot areas, rear alley areas immediately adjacent to the dispensary, the main building entrance(s) and exit(s), and any and all transaction areas for the dispensing of medical marijuana. The operator of the dispensary or his/her designated representative shall instruct the company or individual(s) installing the surveillance equipment at the dispensary to position cameras to maximize the quality of facial and body images and avoid backlighting and physical obstructions. The company or individual(s) installing the surveillance equipment for any medical marijuana dispensary shall be responsible for reasonable compliance with those instructions in installing such equipment at the dispensary.

b. Cameras shall have a minimum resolution of 500 lines per inch and a minimum light factor requirement of 0.7 lux. Light-sensitive lenses or the installation of additional lighting may be required to increase picture clarity and brightness. Cameras shall be calibrated and focused to maximize the quality of the recorded image.

c. The recording device shall be a time-lapse or continuous recorder that displays a current date and time stamp on the recording. Systems required to have more than one camera shall include a "quad" or "multiplexer" video display splitter. The recording equipment and all recordings kept in compliance with this section shall be secured in a locked area in which access is limited to the dispensary operator, the permit holder, and/or his/her designated representative(s).

d. A display monitor with a minimum screen size of 19 inches shall be connected to the video surveillance system at all times. If a "quad" video display splitter is utilized, the display monitor shall have a minimum screen size of 27 inches.

e. Video surveillance systems shall be maintained in good working order at all times. The owner of the dispensary shall instruct each employee, volunteer, agent, servant or other individual overseeing the functioning of the video system, to immediately report any malfunctioning of or technical problems whatsoever with

surveillance equipment. Every three months, the operator of the dispensary or his/her designated representative shall inspect all cameras and video recorders to ensure proper operation and shall perform the following functions: the camera lenses shall be cleaned and the date and time stamp shall be calibrated to reflect true information; all wires connected to the camera and video recording device shall be inspected for wear and tear; and, a test recording shall be done to verify image quality and the date and time stamp. The operator of the dispensary or his/her designated representative shall keep a video surveillance maintenance log documenting all inspections and repairs to the system. Any technical problems or inoperable equipment shall be repaired as soon as possible, not to exceed 10 calendar days from the discovery of the problem. The video surveillance system and maintenance log shall be subject to periodic inspection upon request by the Police Department during the dispensary's operating hours, in order to ensure compliance with this section.

f. The video surveillance system and recording device shall be in continuous operation from one full hour before to one full hour after the dispensary is open to the public, or any portion thereof. Recordings of daily operations shall be kept a minimum of 30 days prior to reuse or destruction of such recordings, and the recordings shall be provided to the Police Department upon request.

16. Lighting

a. Interior: The premises within which the dispensary is operated shall be equipped with and, at all times during which the dispensary is open to the public or any portion thereof, shall remain illuminated with overhead lighting fixtures of sufficient intensity to illuminate every place to which members of the public or portions thereof are permitted access with an illumination of not less than two foot-candles as measured at the floor level.

b. Exterior: The exterior of the premises upon which the dispensary is operated shall be equipped with and, at all times between sunset and sunrise, shall remain illuminated with fixtures of sufficient intensity and number to illuminate every portion of the property with an illumination level of not less than one-foot candle as measured at the ground level, including, but not limited to, landscape areas, parking lots, driveways, walkways, entry areas and refuse storage areas.

17. Change of ownership: If a dispensary operating with a permit pursuant to this chapter changes ownership, the current owner or operator shall notify the Chief of Police of the new owner's name and address not later than 10 calendar days after the effective date of such change of ownership.

18. Manager on premises: All dispensaries shall have a responsible person who shall be at least 21 years of age and who shall be on the premises to act as manager at all times during which the dispensary is open to the public or any portion thereof. The individual designated as the on-site manager shall be registered with the Police Department by the owner to receive all complaints and be responsible for all violations taking place on the premises.

19. Records and inspection: All dispensaries shall maintain sufficiently detailed written records regarding their verification that medical marijuana is dispensed only to qualified

patients and primary caregivers under the California Compassionate Use Act, Health and Safety Code Section 11362.5 et. seq. These written records are subject to periodic inspection upon request by the Police Department, in order to ensure compliance with this section.

20. Other conditions: The Planning Commission or City Council may add any conditions to the granting of a permit pursuant to this chapter, should the particular facts and/or circumstances of a proposed use so justify.

E. Operator Responsible: The operator(s) of any medical marijuana dispensary is responsible for insuring at all times that employees, volunteers, agents or any other individuals having any charge over the functioning of the dispensary are acting in compliance with the provisions of this chapter.

F. Other regulations: The provisions of this section do not waive or modify any other provisions of this code with which medical marijuana dispensaries are required to comply. Nothing in this section is intended to authorize, legalize or permit the establishment, operation or maintenance of any facility, building or use which violates any City of Guadalupe ordinance or California statute regarding public nuisances, medical marijuana or any federal regulations or statutes relating to the use of controlled substances.

G. Prohibited in other zone districts: Medical marijuana dispensaries are prohibited in any other zone district other than those listed in this section.

xx.xx.100 Nuisance and Civil Penalties

Any cultivation, processing or distribution of medical marijuana which takes place in violation of any provision of this chapter is unlawful, and is hereby declared a public nuisance and is subject to administrative penalties pursuant to chapters 1.10 and 1.11, in addition to any other remedies available to the city.

SECTION 2.

This ordinance shall not be interpreted in any manner to conflict with controlling provisions of state or federal law, including, without limitation, the Constitution of the State of California or of the United States of America. If any section, subsection or clause of this ordinance shall be deemed to be unconstitutional or otherwise invalid, the validity of the remaining sections, subsections and clauses shall not be affected thereby. If this ordinance, or any section, subsection or clause of this ordinance shall be deemed unconstitutional or invalid, the validity of the remainder of this ordinance and its sections, subsections and clauses shall not be affected.

SECTION 3.

This ordinance shall become effective on the thirtieth day following passage and adoption hereof.

SECTION 4.

Within fifteen (15) days after passage, the City Clerk shall cause this ordinance to be posted in three publicly accessible locations in the City.

INTRODUCED at a regular meeting of the City Council held this _____ day of _____, 2015 on motion of Councilmember _____, seconded by Councilmember _____, and on the following roll call vote, to wit:

AYES:
NOES:
ABSENT:
ABSTAIN:

PASSED AND ADOPTED at a regular meeting of the City Council held this _____ day of _____, 2015 on motion of Councilmember _____, seconded by Councilmember _____, and on the following roll call vote, to wit:

AYES:
NOES:
ABSENT:
ABSTAIN:

CITY OF GUADALUPE

BY: _____
John Lizalde, Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:

David M. Fleishman, City Attorney

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GUADALUPE
INDICATING THE CITY COUNCIL'S INTENT TO ADOPT AN ORDINANCE
MODIFYING THE CITY'S ZONING CODE TO REGULATE THE CULTIVATION,
PROCESSING AND TRANSPORT OF MEDICAL MARIJUANA**

WHEREAS, the City Council has previously enacted an ordinance prohibiting the establishment of medical marijuana dispensaries within any zone of the City;

WHEREAS, the City Council wishes to consider adopting an ordinance regulating the cultivation, processing and transport of medical marijuana within the City and wishes to review the attached proposed ordinance, all as provided in the City's zoning code;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Guadalupe that pursuant to Guadalupe Municipal Code Section 18.76.020, the City Council intends to adopt an ordinance regulating the cultivation, processing and transport of medical marijuana.

UPON MOTION OF Councilmember _____, seconded by Councilmember _____, the foregoing Resolution is hereby passed and adopted at a regular meeting of the City Council held this 10th day of November, 2015, on the following roll call vote to wit:

AYES:

NOES:

ABSTAIN:

ABSENT:

Mayor John Lizaide

ATTEST: _____
City Clerk

Medical Marijuana Regulation and Safety Act¹ What Cities Need to Know About the New Law

Overview -- Here's what you need to know:

- **Local prohibition or regulation:** Cities may prohibit or regulate medical marijuana businesses within their jurisdictions. **Local authority remains intact under the new law.**
- **State license required:** All medical marijuana businesses – dispensary sales, delivery service, cultivation, or transport – must have a State license².
- **State license not enough:** A medical marijuana business in any city may only operate if it has permission from the State **and** permission from the city (“dual licensing”).
- **Enforcement:** Revocation of local permission to operate means a medical marijuana business must terminate operation because the new law requires dual licensing. Upon approval of the State, a city may enforce State law.
- **State law penalties for unlicensed activity:** There are civil penalties and criminal penalties for operating without a State license.

Cultivation -- Here's what you need to know:

If your city does **not** have a land use ordinance in place regulating or prohibiting the cultivation of marijuana, *either expressly or otherwise under the principles of permissive zoning*, or chooses not to administer a conditional permit program, then commencing **March 1, 2016**, the State Department of Food and Agriculture will be the sole licensing authority for medical marijuana cultivation applicants.

Cultivation -- Here's what you need to do:

Determine if your city fits within City #1 or City #2 as described below:

- **City #1:** Municipal Code that does not expressly prohibit nor expressly regulate cultivation of medical marijuana and is not a “permissive zoning” code. ***Need to take action.***

ACTION REQUIRED: Adopt a land use ordinance regulating or prohibiting the cultivation of medical marijuana. The ordinance must be effective by February 28, 2016. The ordinance may be adopted as an “urgency ordinance,” or second reading must occur on or before January 29, 2016.

¹ AB 266 (Bonta, Cooley, Jones-Sawyer, Lack, Wood); AB 243 (Wood); and SB 643 (McGuire). Effective 1/1/2016.

² The Department of Consumer Affairs estimates it will begin issuing State licenses in January 2018. The Department of Food and Agriculture and the Department of Public Health also have licensing authority under the new law. Businesses operating in compliance with local ordinances will get priority in the State licensing application process.

- City #2: Municipal Code that is a “permissive zoning” code and does not enumerate cultivation of medical marijuana as a permitted or conditional use. **Need to take action.**

ACTION REQUIRED: (1) Check and confirm that your city’s zoning code is adopted and implemented under the principles of permissive zoning. If not, take action recommended for City #1. (2) If confirmed, adopt a resolution that includes the following provisions:

- States that Health & Safety Code section 11362.777(b)(3) provides that the Department of Food and Agriculture may not issue a State license to cultivate medical marijuana within a city that prohibits cultivation under principles of permissive zoning;
- Re-affirms and confirms that the Zoning Code is adopted and operates under the principles of permissive zoning;
- States this means that cultivation of marijuana is not allowed within City #2 because it is not expressly permitted; and
- Therefore, the State is not allowed to issue a license for the cultivation of medical marijuana within City #2.

Delivery -- Here’s what you need to know:

If a city does not expressly prohibit the delivery of medical marijuana within its jurisdiction, delivery will be allowed (with a State dispensary license). This means that if your city wishes to prohibit the delivery of medical marijuana within its jurisdiction, the city must adopt an ordinance expressly prohibiting delivery services and mobile dispensaries.

Delivery -- Here’s what you need to do:

- Determine whether your city currently bans delivery services for medical marijuana.
- If you have a ban, determine whether it is an affirmative ban, or a ban enacted via permissive zoning (i.e., it is not listed in your zoning or other codes as a permitted activity within the city limits).
- If you have an affirmative ban specifically identifying marijuana deliveries as a prohibited activity, you do not need to take further action.
- If you wish to prohibit delivery services but do not have an express ban, **you need to take further action.**

ACTION REQUIRED: Adopt an ordinance expressly banning deliveries within your jurisdiction. If you do not adopt an express ban ordinance before the State begins issuing any State licenses, a State-licensed dispensary will be able to deliver medical marijuana within your jurisdiction. Therefore, any ordinance must be in place before the State begins issuing State licenses. The State currently estimates that it will begin issuing dispensary licenses in January 2018, but that could certainly happen sooner.

Be sure to consult with your city attorney before taking any of the actions recommended in this document.

League of California Cities®
October 27, 2015

Guadalupe Municipal Code							
Up	Previous	Next	Main		Search	Print	No Frames

Title 18 ZONING

Chapter 18.08 DEFINITIONS

[[remove highlighting](#)]

18.08.245 Medical marijuana dispensary.

A. “Medical marijuana **dispensary**” means a facility where marijuana is made available for medical purposes in accordance with Health and Safety Code Section 11362.5.

B. Notwithstanding anything to the contrary in this title, a medical marijuana **dispensary** shall not be a permitted use in any zone, and no conditional use permit shall issue to permit a medical marijuana **dispensary** to operate in any zone.

C. A medical marijuana **dispensary** shall not include the following uses, as long as the location of such uses is otherwise regulated by this code or applicable law: (1) a clinic licensed pursuant to Chapter 1 of Division 2 of the Health and Safety Code; (2) a health care facility licensed pursuant to Chapter 2 of Division 2 of the Health and Safety Code; (3) a residential care facility for persons with chronic life-threatening illness licensed pursuant to Chapter 3.01 of Division 2 of the Health and Safety Code; (4) a residential care facility for the elderly licensed pursuant to Chapter 3.2 of Division 2 of the Health and Safety Code; (5) a residential hospice, or a home health agency licensed pursuant to Chapter 8 of Division 2 of the Health and Safety Code, as long as any such use complies strictly with applicable California and federal law. (Ord. 2010-400 §1)

View the [mobile version](#).

Guadalupe Municipal Code							
Up	Previous	Next	Main		Search	Print	No Frames

Title 18 ZONING

Chapter 18.16 ZONING MAP AND ZONING DISTRICTS

[[remove highlighting](#)]

18.16.020 Zoning district use restrictions.

This title lists specific uses of land and buildings which may be allowed within each zoning district, as a permitted use, or as a use permitted subject to obtaining a conditional use permit. Other uses of land are not allowed within the designated districts. Without limitation of the foregoing, the following use shall not be allowed in any zone, and no conditional use permit shall issue permitting such use: **medical marijuana dispensary**. (Ord. 2010-400 §3; Ord. 189 Art. 2 §2, 1980)

View the [mobile version](#).

Guadalupe Municipal Code							
Up	Previous	Next	Main		Search	Print	No Frames

[Title 18 ZONING](#)

[Chapter 18.08 DEFINITIONS](#)

[[remove highlighting](#)]

18.08.180 Home occupation.

A. "Home occupation" means an occupation conducted on the premises by the occupant of the dwelling, as a secondary use in connection therewith, and where there are no advertising signs, no displays, no stocks of merchandise, commodities or parts bought, sold or stored on the premises, and no employees in connection therewith.

B. The following shall not be a home occupation:

1. Maintenance or repair of automobiles or other vehicles;
2. The provisions of room, board or care of persons or animals;
3. A medical marijuana **dispensary**. (Ord. 2010-400 §2; Ord. 189 Art. 7, 1980)

View the [mobile version](#).

PORTION OF APPROVED 11/10/15 CITY COUNCIL MINUTES

6. REGULATION/PROHIBITION OF MEDICAL MARIJUANA CULTIVATION, PROCESSING AND TRANSPORT WITHIN THE CITY

- a. Written Staff Report (Dave Fleishman, City Attorney)
- b. City Council discussion and consideration.
- c. It is recommended that the City Council provide staff direction on regulation/prohibition of medical marijuana cultivation within the City, and if warranted, adopt resolution of intent to adopt ordinance regulating the cultivation, processing and transport of medical marijuana.

City Attorney Fleishman provided the staff report. The State of California recently took action which gives local governments until March 1, 2016 to establish regulations with respect to marijuana cultivation, processing, dispensing, and transport. Local governments can do one of four things:

- 1) They can take no action. In which case, statewide rules will apply.
- 2) They can choose to prohibit local marijuana business activities outright, but run the risk that future court decisions could nullify outright prohibition.
- 3) They can choose to prohibit local marijuana business activities, but incorporate fallback regulations should future court decision nullify outright prohibition.
- 4) They can choose to allow local marijuana business activities and establish local regulations to control such activities.

In 2010, Council took action to prohibit marijuana dispensaries in Guadalupe. If Council wishes to prohibit all marijuana activity, **Mr. Fleishman** recommends that Council include a fallback approach in case of negative future court action.

George Alvarez spoke against allowing marijuana activity in Guadalupe. He does not believe we have the public safety staffing to deal with this issue.

Joice Raguz also spoke against allowing marijuana activity in Guadalupe. She is concerned about the negative impacts of marijuana use.

Mr. Brandon Gesicki spoke in favor of regulated marijuana cultivation in Guadalupe. He represents a business group which would like to establish an indoor marijuana cultivation operation in Guadalupe. He says such an operation could lead to 400 to 500 new jobs as well as millions of dollars of General Fund revenue, some of which could be used to increase public safety staffing. The business group he represents is not interested in opening a dispensary.

Oscar Buenestro, Elder at Calvary Church, spoke about the dangers of marijuana addiction. He does not believe the employment and General Fund revenue numbers Mr. Gesicki is stating.

Councilmember Beatty asked **Chief Hoving** to express his views on the matter. **Chief Hoving** is opposed to allowing marijuana activity in Guadalupe. He notes that San Luis Obispo County recently denied a request for a dispensary permit in Nipomo. **Mr. Hoving** is concerned about the conflict between state and federal law. Cultivation and dispensing are illegal under federal law.

During Council discussion, all Council members expressed opposition to allowing a marijuana dispensary in Guadalupe. Three Council members, (Ponce, Rubalcaba, and Beatty) said they would like to learn more about marijuana cultivation before taking a final stance on prohibiting. They invited Mr. Gesicki to make a presentation to Council at a future Council meeting.

Motion made by Ponce, 2nd by Beatty, to adopt Resolution 2015-56 expressing Council's intent to adopt an ordinance regulating marijuana activity in Guadalupe. Passed, 5-0.

RESOLUTION NO. 2015-56

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GUADALUPE
INDICATING THE CITY COUNCIL'S INTENT TO ADOPT AN ORDINANCE
MODIFYING THE CITY'S ZONING CODE TO REGULATE THE CULTIVATION,
PROCESSING AND TRANSPORT OF MEDICAL MARIJUANA**

WHEREAS, the City Council has previously enacted an ordinance prohibiting the establishment of medical marijuana dispensaries within any zone of the City;

WHEREAS, the City Council wishes to consider adopting an ordinance regulating the cultivation, processing and transport of medical marijuana within the City and wishes to review the attached proposed ordinance, all as provided in the City's zoning code;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Guadalupe that pursuant to Guadalupe Municipal Code Section 18.76.020, the City Council intends to adopt an ordinance regulating the cultivation, processing and transport of medical marijuana.

UPON MOTION OF Councilmember **VIRGINIA PONCE**, seconded by Councilmember **JERRY BEATTY**, the foregoing Resolution is hereby passed and adopted at a regular meeting of the City Council held this 10th day of November, 2015, on the following roll call vote to wit:

AYES: 5 Beatty, Ponce, Lizalde, Rubalcaba, Julian
NOES: 0
ABSTAIN: 0
ABSENT: 0



Mayor John Lizalde

ATTEST: 

Andrew Carter, Deputy City Clerk

Portions of Current Guadalupe Municipal Code Having to Do with Marijuana

18.08.245 Medical marijuana dispensary.

A. "Medical marijuana dispensary" means a facility where marijuana is made available for medical purposes in accordance with Health and Safety Code Section 11362.5.

B. Notwithstanding anything to the contrary in this title, a medical marijuana dispensary shall not be a permitted use in any zone, and no conditional use permit shall issue to permit a medical marijuana dispensary to operate in any zone.

C. A medical marijuana dispensary shall not include the following uses, as long as the location of such uses is otherwise regulated by this code or applicable law: (1) a clinic licensed pursuant to Chapter 1 of Division 2 of the Health and Safety Code; (2) a health care facility licensed pursuant to Chapter 2 of Division 2 of the Health and Safety Code; (3) a residential care facility for persons with chronic life-threatening illness licensed pursuant to Chapter 3.01 of Division 2 of the Health and Safety Code; (4) a residential care facility for the elderly licensed pursuant to Chapter 3.2 of Division 2 of the Health and Safety Code; (5) a residential hospice, or a home health agency licensed pursuant to Chapter 8 of Division 2 of the Health and Safety Code, as long as any such use complies strictly with applicable California and federal law. (Ord. 2010-400 §1)

18.16.020 Zoning district use restrictions.

This title lists specific uses of land and buildings which may be allowed within each zoning district, as a permitted use, or as a use permitted subject to obtaining a conditional use permit. Other uses of land are not allowed within the designated districts. Without limitation of the foregoing, the following use shall not be allowed in any zone, and no conditional use permit shall issue permitting such use: medical marijuana dispensary. (Ord. 2010-400 §3; Ord. 189 Art. 2 §2, 1980)

18.08.180 Home occupation.

A. "Home occupation" means an occupation conducted on the premises by the occupant of the dwelling, as a secondary use in connection therewith, and where there are no advertising signs, no displays, no stocks of merchandise, commodities or parts bought, sold or stored on the premises, and no employees in connection therewith.

B. The following shall not be a home occupation:

1. Maintenance or repair of automobiles or other vehicles;
2. The provisions of room, board or care of persons or animals;
3. A medical marijuana dispensary. (Ord. 2010-400 §2; Ord. 189 Art. 7, 1980)

Santa Maria bans medical marijuana cultivation

Santa Maria Times, 12/2/15

By Abby Hamlin

Santa Maria's City Council voted unanimously to ban the cultivation of medical marijuana within city limits, but to allow its delivery, under heavy regulation, to those with specific medical needs at its regular meeting Tuesday.

Cities throughout California have been rushed to determine their local laws and regulations on medical marijuana by March 1, 2016, after several bills, together known as the Medical Marijuana Regulatory and Safety Act, were passed by Gov. Jerry Brown.

"The statutes provide that the city council has the authority to step in within a very short window here and preempt the state law and preserve local control on these issues," Assistant City Attorney Kristine Mollenkopf said.

During public hearing, there were several speakers opposed to the sweeping bans, but several were in favor.

"We need to make sure we keep our eye on the ball here. We have a marijuana epidemic in our community and it starts with our youth," Edwin Weaver, director of Fighting Back Santa Maria Valley said.

Claire Wineman, President of the Grower-Shipper Association of Santa Barbara and San Luis Obispo Counties cautioned against the over-regulation of cultivation as it pertains to business and agriculture in the area.

"While we absolutely support the careful regulatory oversight of pharmaceutical product, we also support creating a business environment that does not put our local businesses at a competitive disadvantage," Wineman said.

Constance McLaughlin-Miley of Sweet Green Apothecary brought the attention back to those with certified medical reasons and the necessity for delivery.

"For many of these patients, it would represent a hardship, a true hardship, if they were physically unable to travel outside their home to acquire medical cannabis," McLaughlin-Miley said.

The desire to support those severely ill persons in the community who are unable to travel to get medical marijuana outside of city limits ultimately led the council to decide not to ban delivery.

"I believe that allowing the deliveries is the compassionate thing to do," Councilwoman Terri Zuniga said.

The council spoke adamantly, however, against cultivation, especially as a public safety concern.

"I think society has called it a new name with cannabis, and it is still marijuana," councilwoman Etta Waterfield said. "As far as commercial and personal harvesting, I'm completely against it."

MEDICAL MARIJUANA REGULATION AND SAFETY ACT¹

What Cities Need to Know About the New Law and Delivery Services

OVERVIEW

Here's what you need to know:

- **Local prohibition or regulation:** Cities may prohibit or regulate medical marijuana businesses within their jurisdictions. **Local authority remains intact under the new law.**
- **State license required:** All medical marijuana businesses – dispensary sales, delivery service, cultivation, or transport – must have a State license².
- **State license not enough:** A medical marijuana business in any city may only operate if it has permission from the State **and** permission from the city ("dual licensing").
- **Enforcement:** Revocation of local permission to operate means a medical marijuana business must terminate operation because the new law requires dual licensing. Upon approval of the State, a city may enforce State law.
- **State law penalties for unlicensed activity:** There are civil penalties and criminal penalties for operating without a State license.

DELIVERY

Here's what you need to know:

If a city does not expressly prohibit the delivery of medical marijuana within its jurisdiction, delivery will be allowed (with a State dispensary license). This means that if your city wishes to prohibit the delivery of medical marijuana within its jurisdiction, the city must adopt an ordinance expressly prohibiting delivery services and mobile dispensaries.

DELIVERY

Here's what you need to do:

- Determine whether your city currently bans delivery services for medical marijuana.
- If you have a ban, determine whether it is an express ban, or a ban enacted via permissive zoning (i.e., it is not listed in your zoning or other codes as a permitted activity within the city limits).
- If you have an express ban specifically identifying marijuana deliveries as a prohibited activity, you do not need to take further action.
- If you wish to prohibit delivery services but do not have an express ban, **you need to take further action.**

ACTION REQUIRED: Adopt an ordinance expressly banning deliveries within your jurisdiction. If you do not adopt an express ban ordinance before the State begins issuing any State licenses, a State-licensed dispensary will be able to deliver medical marijuana within your jurisdiction. You may adopt an ordinance expressly banning deliveries after the State begins to issue licenses. However, it may be difficult to terminate the State licensee's deliveries at that time. Therefore, best practice is for an ordinance to be in place before the State begins issuing State licenses. The State currently estimates that it will begin issuing dispensary licenses in January 2018, but that could certainly happen sooner.

- A ban enacted via permissive zoning is not an express ban.

Be sure to consult with your city attorney before taking any of the actions recommended in this document.

¹ AB 266 (Bonta, Cooley, Jones-Sawyer, Lack, Wood); AB 243 (Wood); and SB 643 (McGuire). Effective 1/1/2016.

² The Department of Consumer Affairs estimates it will begin issuing State licenses in January 2018. The Department of Food and Agriculture and the Department of Public Health also have licensing authority under the new law. Businesses operating in compliance with local ordinances will get priority in the State licensing application process.

MEDICAL MARIJUANA REGULATION AND SAFETY ACT¹

What Cities Need to Know About the New Law and Cultivation

OVERVIEW

Here's what you need to know:

- **Local prohibition or regulation:** Cities may prohibit or regulate medical marijuana businesses within their jurisdictions. **Local authority remains intact under the new law.**
- **State license required:** All medical marijuana businesses – dispensary sales, delivery service, cultivation, transport or distribution – must have a State license².
- **State license not enough:** A medical marijuana business in any city may only operate if it has permission from the State and permission from the city (“dual licensing”).
- **Enforcement:** Revocation of local permission to operate means a medical marijuana business must terminate operation because the new law requires dual licensing. Upon approval of the State, a city may enforce State law.
- **State law penalties for unlicensed activity:** There are civil penalties and criminal penalties for operating without a State license.

CULTIVATION

Here's what you need to know:

If your city does **not** have a land use ordinance in place regulating or prohibiting the cultivation of marijuana, *either expressly or otherwise under the principles of permissive zoning*, or chooses not to administer a conditional permit program, then commencing **March 1, 2016**, the State Department of Food and Agriculture will be the sole licensing authority for medical marijuana cultivation applicants.

¹ AB 266 (Bonta, Cooley, Jones-Sawyer, Lack, Wood); AB 243 (Wood); and SB 643 (McGuire). Effective 1/1/2016.

² The Department of Consumer Affairs estimates it will begin issuing State licenses in January 2018. The Department of Food and Agriculture and the Department of Public Health also have licensing authority under the new law. Businesses operating in compliance with local ordinances will get priority in the State licensing application process.

October 27, 2015

CULTIVATION

Here's what you need to do:

Determine if your city fits within City #1 or City #2 as described below:

- **City #1:** Municipal Code that does not expressly prohibit nor expressly regulate cultivation of medical marijuana and is not a “permissive zoning” code. **Need to take action.**

ACTION REQUIRED: Adopt a land use ordinance regulating or prohibiting the cultivation of medical marijuana. The ordinance must be effective by February 28, 2016. The ordinance may be adopted as an “urgency ordinance,” or second reading must occur on or before January 29, 2016.

- **City #2:** Municipal Code that is a “permissive zoning” code and does not enumerate cultivation of medical marijuana as a permitted or conditional use. **Need to take action.**

ACTION REQUIRED: (1) Check and confirm that your city’s zoning code is adopted and implemented under the principles of permissive zoning. If not, take action recommended for City #1. (2) If confirmed, adopt a resolution that includes the following provisions:

- States that Health & Safety Code section 11362.777(b)(3) provides that the Department of Food and Agriculture may not issue a State license to cultivate medical marijuana within a city that prohibits cultivation under principles of permissive zoning;
- Re-affirms and confirms that the Zoning Code is adopted and operates under the principles of permissive zoning;
- States this means that cultivation of marijuana is not allowed within City #2 because it is not expressly permitted; and
- Therefore, the State is not allowed to issue a license for the cultivation of medical marijuana within City #2.

Be sure to consult with your city attorney before taking any of the actions recommended in this document.





Agenda Report

SUBJECT/TITLE:

CONSIDER ADOPTION OF AN ORDINANCE ESTABLISHING OPERATIONAL REGULATIONS AND ZONING RESTRICTIONS FOR DEFINED ADULT ORIENTED BUSINESSES

RECOMMENDATION:

- 1. INTRODUCE FOR FIRST READING BY TITLE ONLY ORDINANCE NO. 2015-439 ESTABLISHING ZONING RESTRICTIONS AND OPERATIONAL RULES FOR DEFINED ADULT ORIENTED BUSINESSES**

EXECUTIVE SUMMARY:

Approve, on first reading, by title only, Ordinance No. 2015-439, an ordinance of the City of Guadalupe governing the location and operation of specified adult businesses in the City of Guadalupe.

City Council has considered and reviewed this issue on multiple occasions over the last year and a half. At its most recent regular meeting, City Council gave direction to staff as to where adult businesses should be legal. Council was fully aware that such businesses cannot be banned, and that in the absence of an ordinance allowing a reasonable number of locations, such businesses would be able to operate anywhere in the city zoned for commercial activity. Council's direction as to legal locations is contained in the draft ordinance being introduced tonight.

The ordinance also establishes operational rules for adult oriented businesses. These restrictions on operation are designed to help eliminate the secondary impacts that adult businesses have been found to create. Secondary impacts cause harm to other property owners, persons, and businesses. The operational rules have been tested in courts throughout the Ninth Circuit and in California as well, and have withstood legal challenge. The city attorney's office recommends introduction and subsequent adoption of the ordinance.

FISCAL IMPACT: There is no anticipated fiscal impact from the passage of this ordinance.

ATTACHMENTS:

APN Information, Obispo & 4th Street – 1 page

Parcel Maps – 2 pages

Google Maps of area – 4 pages

Ordinance No. 2015-439 – 1 page

Ordinance No. 2015-439, Attachment A – 4 pages

Ordinance No. 2015-439, Attachment B – 11 pages

Prepared by: Roy A. Hanley, Asst. City Attorney

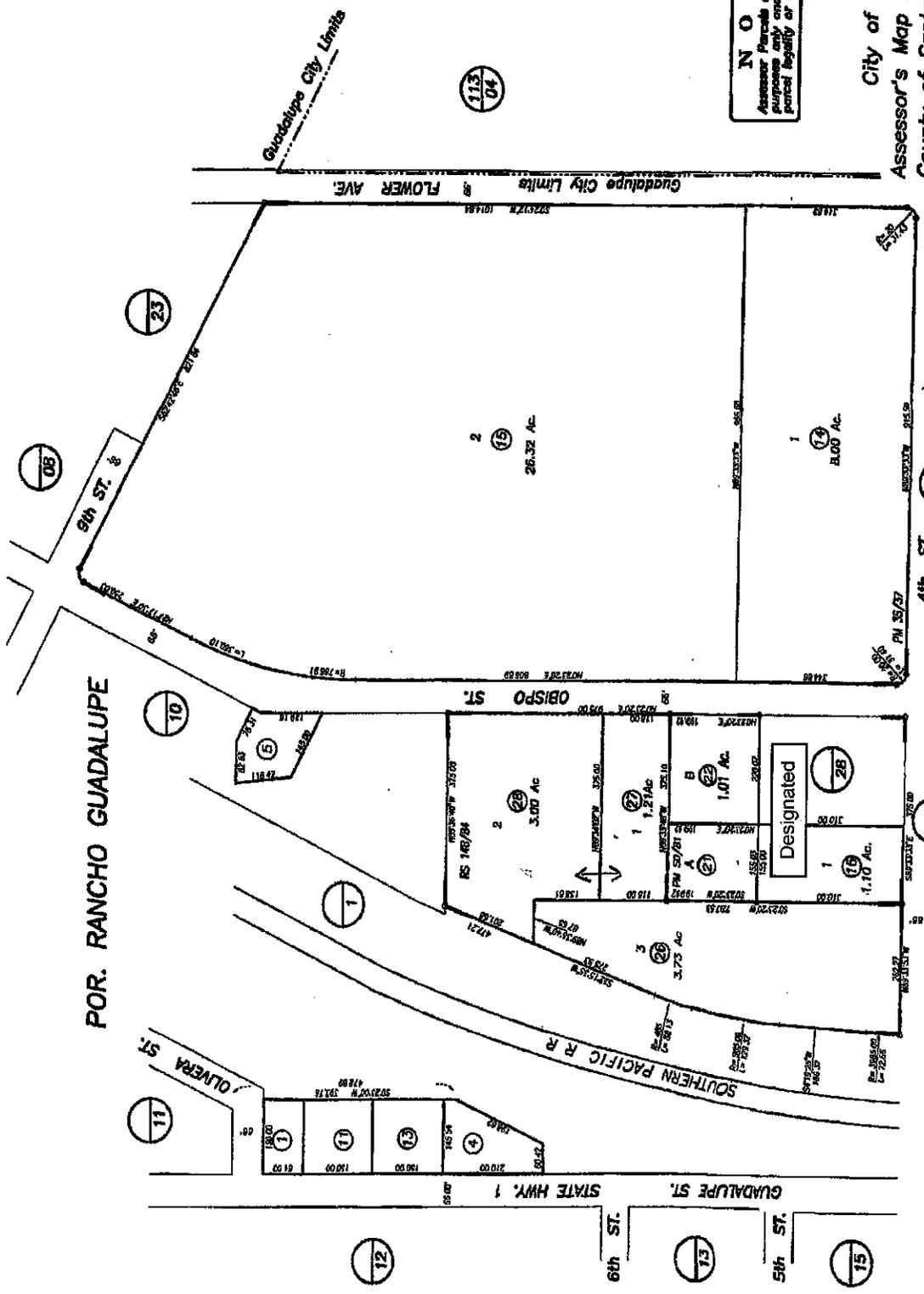
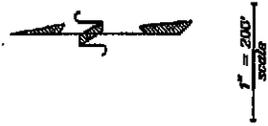
Meeting Date: 8 December 2015

City Administrator Approval:



Obispo & 4th Street, Selected Adult Business Lots

APN	Primary Owner	Num	Street	Type	Zone	Acres	Assessed Value			Notes
							Land	Struct	Total	
115140016	GILLASPY, PAUL & NANCI	4545	FOURTH	ST	G-I	1.10	\$79,529	\$0	\$79,529	Storage Lot
115280001	REYES ARMANDO R/AMELIA G	4503	FOURTH	ST	G-I	0.02	\$21,202	\$46,655	\$67,857	Reyes Upholstry
115280002	GILLASPY PAUL J/NANCI K	4507	FOURTH	ST	G-I	0.02	\$16,588	\$36,255	\$52,843	Gillaspys Steel
115280003	GILLASPY PAUL J/NANCI K	4511	FOURTH	ST	G-I	0.02	\$20,954	\$43,315	\$64,269	Gillaspys Steel
115280004	GILLASPY PAUL J/NANCI K	4515	FOURTH	ST	G-I	0.02	\$21,202	\$46,655	\$67,857	Gillaspys Steel
115280005	GILLASPY PAUL J/NANCI K	4519	FOURTH	ST	G-I	0.02	\$21,202	\$46,655	\$67,857	Gillaspys Steel
115280006	GILLASPY PAUL J/NANCI K	NA	FOURTH/OBISPO	OBISPO	G-I	0.02	\$12,081	\$0	\$12,081	Storage Lot
115280007	GILLASPY PAUL J/NANCI K	NA	FOURTH/OBISPO	OBISPO	G-I	0.02	\$12,081	\$0	\$12,081	Storage Lot
115280008	GILLASPY PAUL J/NANCI K	NA	FOURTH/OBISPO	OBISPO	G-I	0.02	\$12,081	\$0	\$12,081	Storage Lot
115280009	GILLASPY PAUL J/NANCI K	NA	FOURTH/OBISPO	OBISPO	G-I	0.02	\$12,081	\$0	\$12,081	Storage Lot
115280010	GILLASPY PAUL J/NANCI K	NA	FOURTH/OBISPO	OBISPO	G-I	0.02	\$12,081	\$0	\$12,081	Storage Lot
115280011	GILLASPY PAUL J/NANCI K	NA	FOURTH/OBISPO	OBISPO	G-I	0.04	\$16,918	\$0	\$16,918	Storage Lot
115280012	GILLASPY PAUL J/NANCI K	NA	FOURTH/OBISPO	OBISPO	G-I	0.04	\$16,918	\$0	\$16,918	Storage Lot
115280013	GILLASPY PAUL J/NANCI K	NA	FOURTH/OBISPO	OBISPO	G-I	0.04	\$16,918	\$0	\$16,918	Storage Lot
115280014	GILLASPY PAUL J/NANCI K	NA	FOURTH/OBISPO	OBISPO	G-I	0.04	\$17,233	\$0	\$17,233	Storage Lot
115280015	GILLASPY PAUL J/NANCI K	NA	FOURTH/OBISPO	OBISPO	G-I	0.04	\$17,233	\$0	\$17,233	Storage Lot
115280016	GILLASPY PAUL J/NANCI K	NA	FOURTH/OBISPO	OBISPO	G-I	0.04	\$17,233	\$0	\$17,233	Storage Lot
115280017	GILLASPY PAUL J/NANCI K	NA	FOURTH/OBISPO	OBISPO	G-I	0.04	\$17,233	\$0	\$17,233	Storage Lot
115280018	GUAD. COMMUNITY CENTER ASSOC. (COMMON LOT)	NA	FOURTH/OBISPO	OBISPO	G-I	1.56	\$0	\$0	\$0	Parking



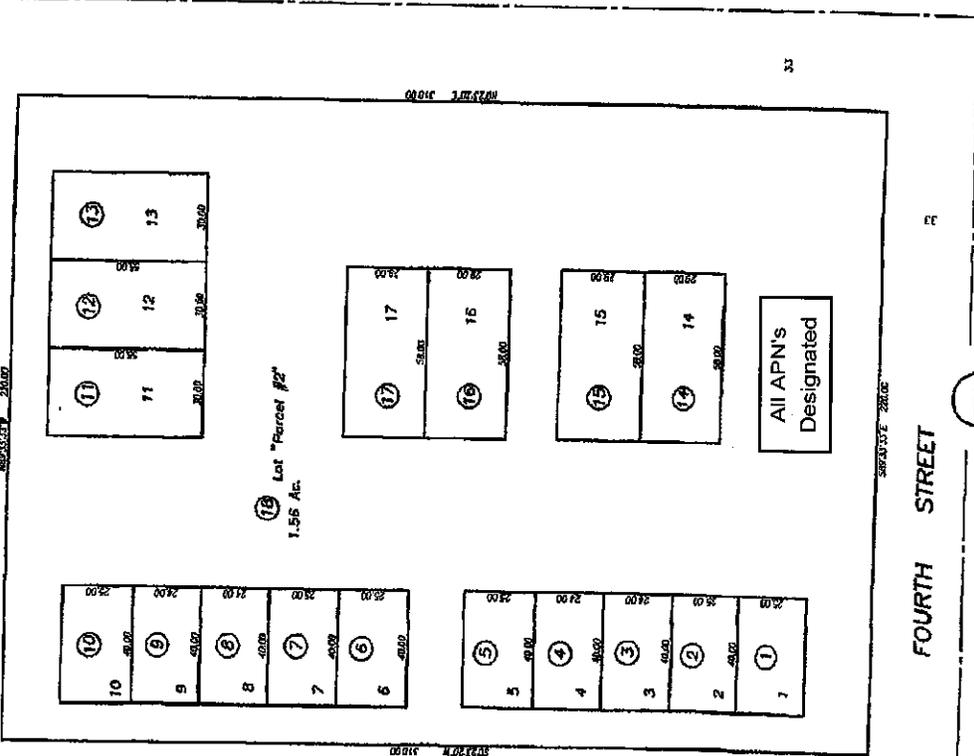
NOTICE
 Assessor's Parcels are for tax assessment purposes only and do not indicate either parcel legality or a valid building site.

City of Guadalupe
 Assessor's Map Bk. 115 -Pg. 14
 County of Santa Barbara, Calif.

04/00 19 & 23 INTO 22, 24 & 25 INTO 26

R.M. Bk. B . Pg. 420 , Tract Por. Subdivision Lot 143 Rancho Guadalupe

Obispo & 4th
 2 pages



1" = 40'
SCALE

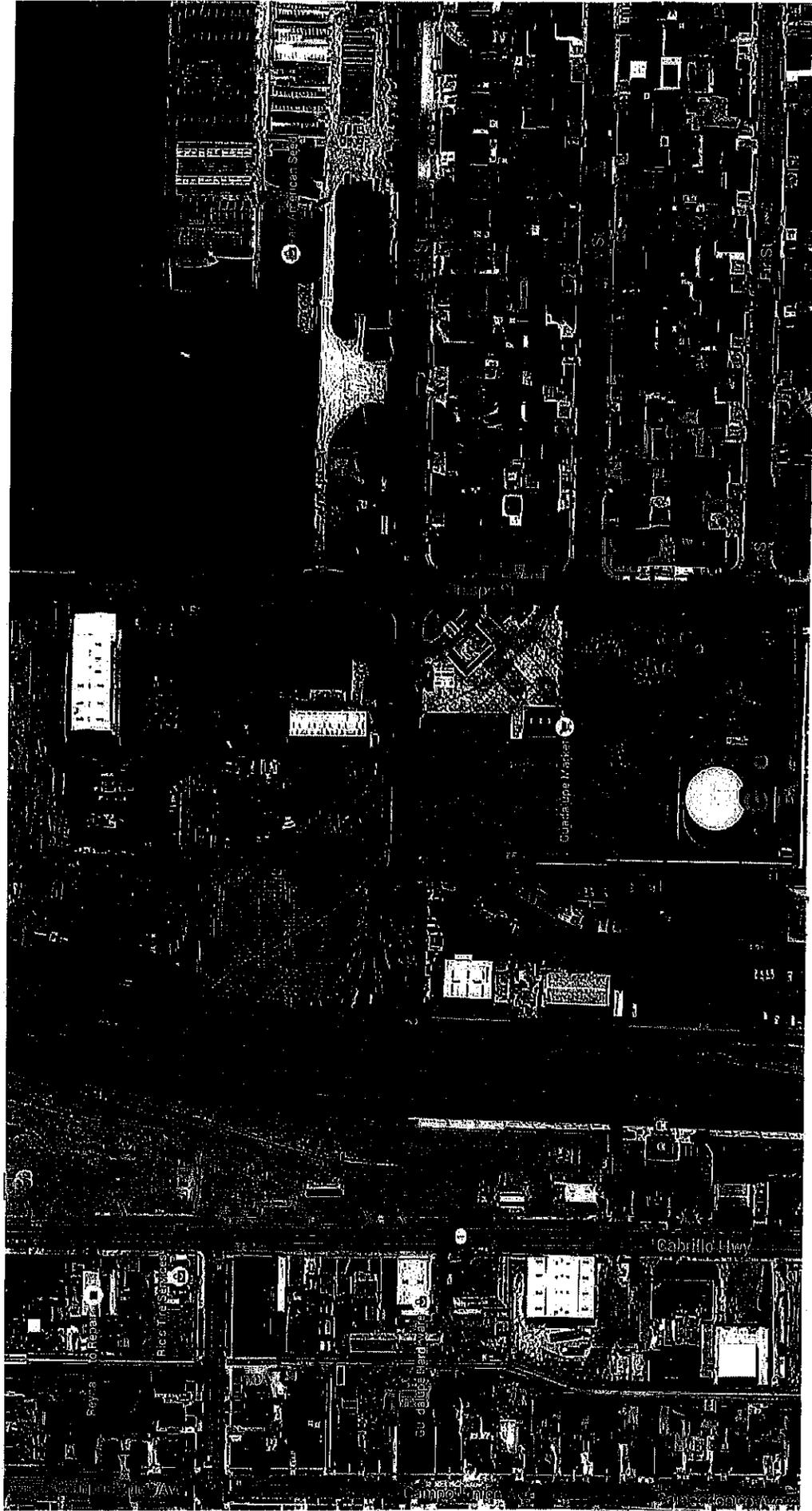
NOTICE
Assessor Parcels are for tax assessment purposes only and do not indicate either parcel legality or a valid building site.

City of Guadalupe
Assessor's Map Bk. 115 -Pg. 28
County of Santa Barbara, Calif.

02/93

MAP-17 into new page

12/21/92 R.M. Bk. 159, Pg. 24-25 . Tract 29034, "Guadalupe Commerce Center"



Imagery ©2015 GeoEye, Map data ©2015 Google 100 ft

Overhead View,
 Obispo & 4th
 Street area

Google Maps 4573 4th St

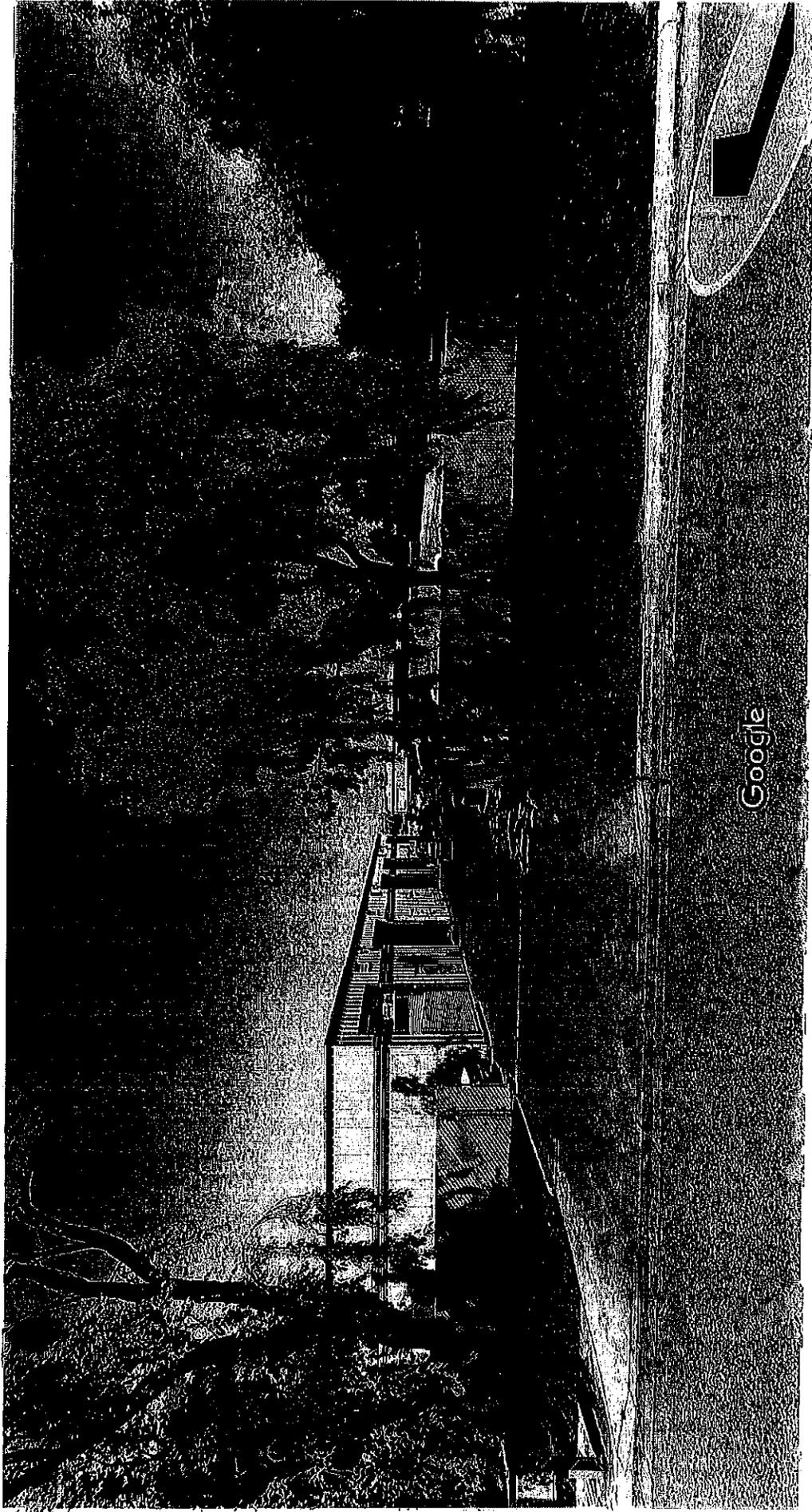


Image capture: Mar 2015 ©2015 Google

Guadalupe, California
Street View - Mar 2015

<p>View of 115-280-001 through 115-280-018 from 4th Street</p>
--

https://www.google.com/maps/@34.9640596,-120.5710932,3a,75y,388.33h,89.05t/data=!3m6!1e1!3m4!1s1K800YNhG69HipG_o_d6WA2e0!7!133128!66656?hl=en

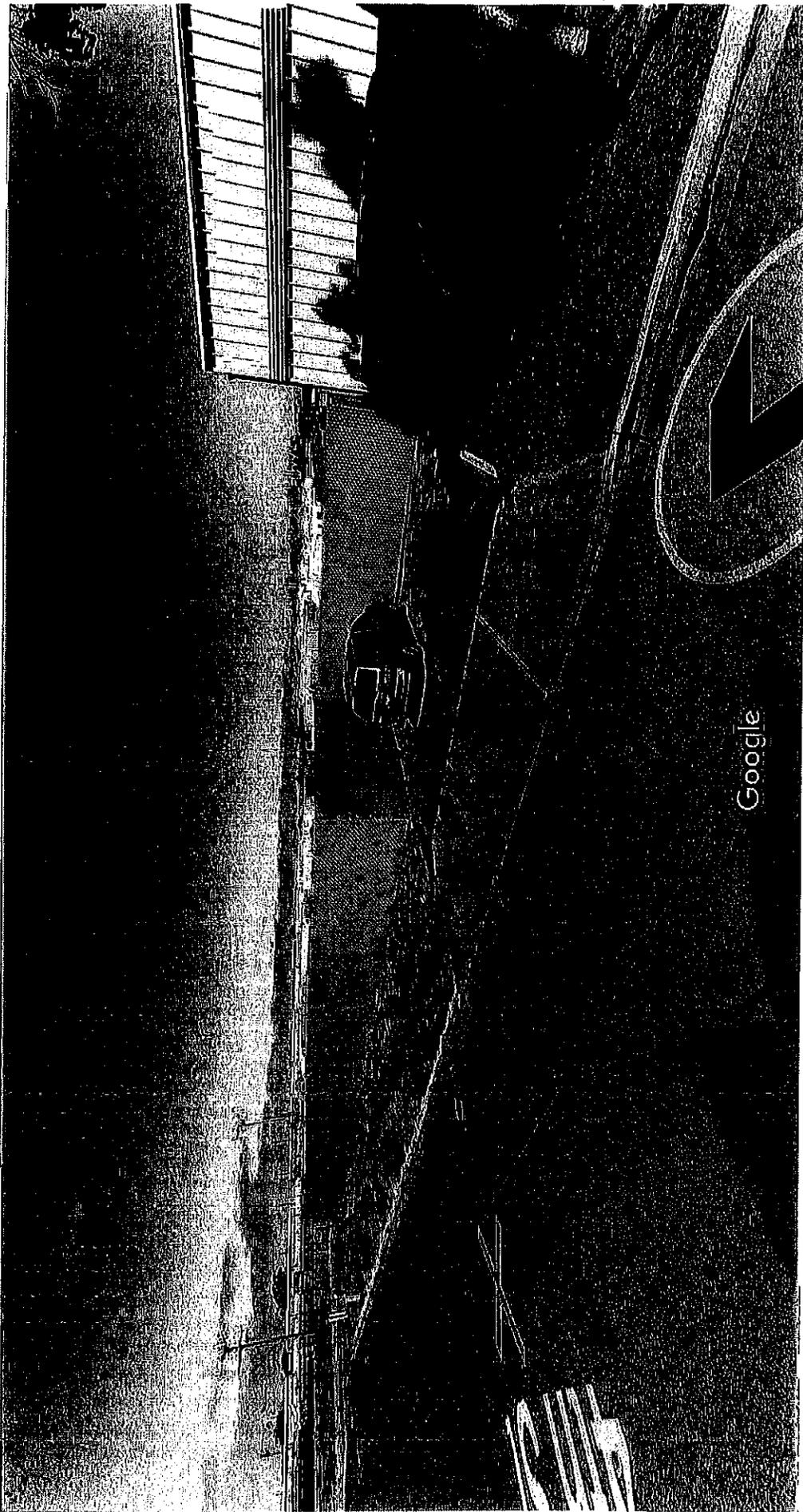


Image capture: Mar 2015 ©2015 Google

Guadalupe, California
Street View - Mar 2015

View of 115-140-016
from 4th Street

https://www.google.com/maps/@34.9640589,-120.5713346,3a,75y,324.57h,79.16t/data=!3m6!1e13m4!1szXk-nTXDMFbiGrA_FFDMAL2a07i13312i8i66567h=en

Google Maps 416 Obispo St

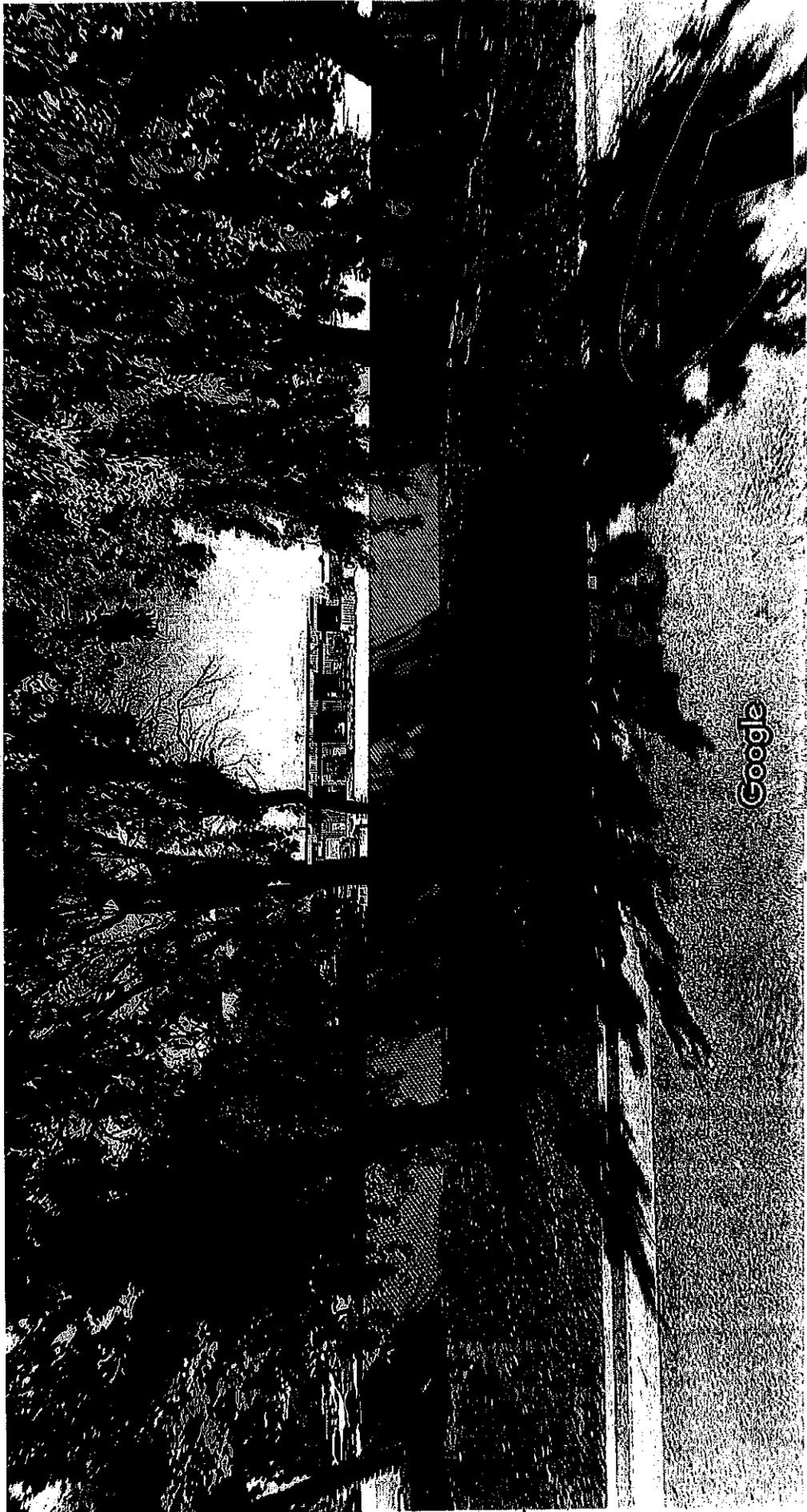


Image capture: Mar 2015 ©2015 Google

View of 115-280-001
 through 115-280-018
 from Obispo Street

Guadalupe, California
 Street View - Mar 2015

<https://www.google.com/maps/@34.9642829,-120.570596,3a,90y,273.53h,78.04t/data=!3m1!1e1!3m4!1s2718sMlKmjKaKkrjKlycAU2a0!7t1331218166567hl=en>

ORDINANCE NO. 2015-439

AN ORDINANCE OF THE CITY OF GUADALUPE AMENDING THE GUADALUPE MUNICIPAL CODE IN REGARDS TO THE ALLOWABLE LOCATIONS FOR ADULT ORIENTED BUSINESSES AND ESTABLISHING PERFORMANCE STANDARDS

WHEREAS: It is necessary for the preservation of the public peace, health and safety to enact as an urgency ordinance rules regulating the establishment and operation of adult businesses. The reasons for the ordinance include the identified secondary effects outlined in the lengthy administrative record, which is incorporated herein and included by this reference as though fully set forth at this point, and the fact that the experience of many other cities suggests that the number of regulatory issues should be carefully considered prior to allowing the establishment of such businesses in order to prevent the adverse secondary effects and to ensure compatibility with other uses, including residential uses and schools. Because the location of adult oriented businesses has not been reviewed in Guadalupe, the City can expect to suffer the adverse secondary effects of such businesses and enforcement problems if such businesses are allowed in the absence of new and revised regulations. In light of the necessity to study and develop new and appropriate regulations, and the possibility of suffering adverse secondary effects, an urgency ordinance is necessary to provide a clear statement of existing law and to protect the public, peace, health and safety.

NOW, THEREFORE: The City Council of the City of Guadalupe does ordain as follows:

SECTION 1.

The Guadalupe Municipal Code is amended as set forth in Attachments "A" and "B" which are included herein as though fully set forth at this point.

SECTION 2.

This ordinance shall become effective immediately after adoption upon second reading.

On motion of Council Member _____, seconded by Council Member _____, and on the following roll call vote to wit:

AYES:

NOES:

ABSTAIN:

ABSENT:

the foregoing Ordinance was adopted this _____ day of _____, 2015.

ATTEST:

Andrew Carter, Deputy City Clerk

John A. Lizalde, Mayor

APPROVED AS TO FORM:

David M. Fleishman, City Attorney

Attachment A

18.15 ADULT ORIENTED BUSINESSES FORBIDDEN IN ALL ZONES EXCEPT FOR LOCATIONS SPECIFIED HEREIN

18.15.010 Notwithstanding anything to the contrary contained in the Guadalupe Municipal Code, no adult oriented business shall be a permitted use in any zone of the City, and no conditional use permit shall issue permitting such use. Notwithstanding the foregoing, adult oriented businesses shall be allowed in (and only in) the following locations:

Obispo & 4th Street, Selected Adult Business Lots

<u>APN</u>
115140016
115280001
115280002
115280003
115280004
115280005
115280006
115280007
115280008
115280009
115280010
115280011
115280012
115280013
115280014
115280015
115280016
115280017
115280018

18.08.025 Adult Oriented Businesses definitions

(A) “**Adult Oriented Business**” is defined as follows: Any business establishment or concern that:

1. As a regular and substantial course of conduct operates as an adult bookstore, adult hotel or motel, adult motion picture arcade, adult motion picture theater, cabaret, sexual encounter center, adult modeling studio, or any other business or establishment that offers its patrons services or entertainment characterized by an emphasis on matter depicting, describing or relating to "specified sexual activities" or "specified anatomical areas," but not including those uses or activities, the regulation of which is preempted by state law, or therapeutic massage

services provided by licensed professionals, which are included under the definition of "Personal Services."; or

2. As a regular and substantial course of conduct offers, sells or distributes adult-oriented material or sexually-oriented merchandise, or that offers to its patrons materials, products, merchandise, services or entertainment characterized by an emphasis on matters depicting, describing or relating to specified sexual activities or specified anatomical areas but not including those uses or activities which are preempted by State law.

(B) Adult arcade. A business establishment to which the public is permitted or invited and where coin, card or slug operated, or electronically, electrically or mechanically controlled devices, still or motion picture machines, projectors, videos, holograms, virtual reality devices or other image-producing devices are maintained to show images on a regular or substantial basis, where the images so displayed are distinguished or characterized by an emphasis on matter depicting or describing specified sexual activities or specified anatomical areas. Such devices shall be referred to as adult arcade devices.

(C) Adult booth/individual viewing area. A partitioned or partially enclosed portion of an adult business used for any of the following purposes:

1. Where a live or taped performance is presented or viewed, where the performances and/or images are distinguished or characterized by their emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas;
2. Where adult arcade devices are located.

(D) Adult Businesses (land use). Any business establishment or concern that:

1. As a regular and substantial course of conduct operates as an adult bookstore, adult hotel or motel, adult motion picture arcade, adult motion picture theater, cabaret, sexual encounter center, adult modeling studio, or any other business or establishment that offers its patrons services or entertainment characterized by an emphasis on matter depicting, describing or relating to "specified sexual activities" or "specified anatomical areas," but not including those uses or activities, the regulation of which is preempted by state law, or therapeutic massage services provided by licensed professionals, which are included under the definition of "Personal Services."; or
2. As a regular and substantial course of conduct offers, sells or distributes adult-oriented material or sexually-oriented merchandise, or that offers to its patrons materials, products, merchandise, services or entertainment characterized by an emphasis on matters depicting, describing or relating to specified sexual activities or specified anatomical areas but not including those uses or activities which are preempted by State law.

(E) Adult cabaret. A business establishment (whether or not serving alcoholic beverages) that features adult live entertainment.

(F) Adult hotel/motel. A hotel or motel, as defined in this Code, that is used for presenting on a regular and substantial basis images through closed circuit television, cable television, still or motion picture machines, projectors, videos, holograms, virtual reality devices or other image producing devices that are distinguished or characterized by the emphasis on matter depicting or describing or relating to specified sexual activities or specified anatomical areas.

(G) Adult live entertainment. Any physical human body activity, whether performed or engaged in alone or with other persons, including but not limited to singing, walking, speaking, dancing, acting, posing, simulating, wrestling or pantomiming, in which:

1. The performer (including but not limited to a topless and/or bottomless dancer, go-go dancers, exotic dancers, strippers or similar performers) exposes to public view, without opaque covering, specified anatomical areas; and/or
2. The performance or physical human body activity depicts, describes or relates to specified sexual activities, whether or not the specified anatomical areas are covered.

(H) Adult modeling studio. A business establishment which provides for any form of consideration, the services of a live human model, who, for the purposes of sexual stimulation of patrons, displays specified anatomical areas to be observed, sketched, photographed, filmed, painted, sculpted or otherwise depicted by persons paying for such consideration. Adult modeling studio does not include schools maintained pursuant to standards set by the Board of Education of the State of California.

(I) Adult motion picture theater. A business establishment, with or without a stage or proscenium, where, on a regular and substantial basis and for any form of consideration, material is presented through films, motion pictures, video cassettes, slides, laser disks, holograms, virtual reality devices or similar electronically generated reproductions that is/are characterized by the depiction or description of specified sexual activities or specified anatomical areas.

(J) Adult oriented material. Accessories, paraphernalia, books, magazines, laser disks, compact discs, digital video disks, photographs, prints, drawings, paintings, motion pictures, pamphlets, videos, slides, tapes, holograms or electronically generated images or devices, including computer software, or any combination thereof that is distinguished or characterized by its emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical. Adult oriented material shall include sexually oriented merchandise.

(K) Adult retail store. A business establishment having adult oriented material as a regular and substantial portion of its stock in trade.

(L) Specified anatomical areas. Specified anatomical areas shall mean and include any of the following:

1. Less than completely and opaquely covered human genitals or pubic region, buttocks or anus, and female breast below a point immediately above the top of the areola;

2. Human male genitals in a discernibly turgid state, even if completely and opaquely covered; and

3. Any device, costume or covering that simulates any of the body parts included in paragraphs 1. or 2. above, even if completely and opaquely covered.

(M) Specified sexual activities. Specified sexual activities shall mean and include any of the following, whether performed directly or indirectly through clothing or other covering:

1. The fondling or other erotic touching of human genitals, pubic region, buttocks, anus, or female breast;

2. Sex acts, actual or simulated, including intercourse, oral copulation, or sodomy;

3. Masturbation, actual or simulated; and

4. Excretory functions as part of or in connection with any of the other activities described in paragraphs 1. through 3. above.

Attachment B

Article 1. General Provisions

5-10.101 Legislative Purpose.

It is the purpose of this chapter to regulate adult oriented businesses in order to promote the health, safety and general welfare of the citizens of the City. The provisions of this chapter have neither the purpose nor effect of imposing a limitation or restriction on the content of any communicative materials, including adult oriented materials. Similarly, it is not the intent nor effect of this chapter to restrict or deny access by adults to adult oriented materials protected by the First Amendment, or to deny access by the distributors and exhibitors of adult oriented entertainment to their intended market. Neither is it the intent nor effect of this chapter to condone or legitimize the distribution of obscene material.

The City Council finds and determines as follows: On September 10, 1998, the Ninth Circuit issued its opinion in *Baby Tam & Co., Inc. v. City of Las Vegas*, 154 F. 3d 1097 (1998), holding that adult use business licensing chapters are required to provide for prompt hearing and prompt judicial review for persons whose license or permit applications had been denied. On January 14, 2000, the Ninth Circuit issued its opinion in *Baby Tam & Co., Inc. v. City of Las Vegas*, No. 99-16809, making further holdings in this regard. The City Council finds that the time allowances in this chapter are the shortest fixed periods compatible with the balancing between sound planning and land use and protection of First Amendment freedoms. The City Council finds that these time frames are reasonable, in that the City is granting or denying an adult use permit within seven (7) days of the filing of a completed application for such permit. After this filing of an appeal of a decision to grant, conditionally grant, or deny an application, the City Council conducts a public hearing on such appeal and renders a written decision. The City Council takes notice that California Code of Civil Procedure section 1094.8 was adopted in direct response to *Baby Tam I* and sets forth an expedited review process for review of permits with any first amendment protections.

5-10.102 Definitions.

For the purpose of this chapter the words and phrases shall have the meanings respectively ascribed to them by Title 17 of the Guadalupe Municipal Code which is adopted concurrently with this section and included herein as though fully set forth at this point by this reference. Additional words and phrases used in this chapter shall have the following meanings:

(a) "Adult oriented business operator" or "operator" means a person who supervises, manages, directs, organizes, controls or in any other way is responsible for or in charge of the premises of an adult oriented business or the conduct of activities occurring on the premises thereof.

(b) "Applicant" means a person who is required to file an application for a permit under this chapter, including an individual owner, managing partner, officer of a corporation, or other operator, manager, employee or agent of an adult oriented business.

(c) "Bar" means any commercial establishment licensed by the State Department of Alcoholic Beverage Control to serve any alcoholic beverages on the premises.

(d) "Figure model" means any person who for pecuniary compensation, consideration, hire or reward serves as a live human model for the purposes of sexual stimulation of patrons, displays

specified anatomical areas (see Title 17) to be observed, sketched, photographed, filmed, painted, sculpted or otherwise depicted by persons paying such compensation or consideration.

(e) "Health officer" means any duly authorized representative of the City of Guadalupe.

(f) "Permittee" means the person to whom an adult oriented business permit is issued.

(g) "Police Chief" means the Chief of Police of the City of Guadalupe or any duly authorized representative thereof.

(h) "Person" means any individual, partnership, copartnership, firm, association, joint stock company, corporation, or combination of the above in whatever form or character.

5-10.103. Permits required.

(a) It shall be unlawful for any person to conduct or operate in the City of Guadalupe, the operation of an adult oriented business unless the person first obtains and continues to maintain in full force and effect a permit from the City of Guadalupe as herein required. (adult oriented business regulatory permit)

(b) It shall be unlawful for any persons to engage in or participate in any live performance depicting specified anatomical areas or involving specified sexual activities in an adult oriented business unless the person first obtains and continues in full force and effect a permit from the City of Guadalupe as herein required. (adult oriented business performer permit)

(c) The City's designee shall be the City Manager or any other officer or employee designated by the City Manager to deal with the provisions of this chapter.

Article 2. Application and Permits

5-10.201 Adult oriented business regulatory permit required.

(a) Every person who proposes to maintain, operate or conduct an adult oriented business in the City of Guadalupe shall file an application with the City upon a form provided by the City of Guadalupe and shall pay a filing fee, as established by resolution adopted by the City Council from time to time, which shall not be refundable. The fee established may not exceed the cost of processing the application.

The City's designee is responsible for granting, denying, revoking, suspending and canceling adult oriented business permits for proposed or existing adult oriented businesses

5-10.202 Applications.

(a) Adult oriented business regulatory permits are nontransferable, except in accordance with Section 5-10.205. Therefore, all applications shall include the following information:

(1) If the applicant is an individual, the individual shall state his or her legal name (including any aliases), address, and submit satisfactory written proof that he or she is at least eighteen (18) years of age.

(2) If the applicant is a partnership, the partners shall state the partnership's complete name, address, the names of all partners, whether the partnership is general or limited.

(3) If the applicant is a corporation, the corporation shall provide its complete name, the date of its incorporation, evidence that the corporation is in good standing under the laws of California, the names and capacity of all officers and directors, the name of the registered corporate agent and the address of the registered office for service of process.

(b) If the applicant is an individual, he or she shall sign the application. If the applicant is other than an individual, an officer of the business entity shall sign the application.

(c) If the applicant intends to operate the adult oriented business under a name other than that of the applicant, the applicant shall file the fictitious name of the adult oriented business and show proof of registration of the fictitious name.

(d) A description of the type of adult oriented business for which the permit is requested and the proposed address where the adult oriented business will operate, plus the names and addresses of the owners and lessors of the adult oriented business site.

(e) The address to which notice of action on the application is to be mailed.

(f) The names of all employees, independent contractors and other persons who will perform at the adult oriented business, who are required by Section 5-10.206 to obtain an adult oriented business performer license (for ongoing reporting requirements see Section 5-10.206).

(g) A sketch or diagram showing the interior configuration of the premises, including a statement of the total floor area occupied by the adult oriented business. The sketch or diagram 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.

(h) A diagram of the off-street parking areas and premises entries of the adult oriented business showing the location of the lighting system required by Section 5-10.301(c).

5-10.203 Investigation and action on application.

(a) Upon receipt of a completed application and payment of the application and permit fees, the City shall immediately stamp the application as received and promptly investigate the information contained in the application to determine whether the application is complete and whether the applicant shall be issued an adult oriented business regulatory permit.

(b) Upon receipt of an application properly filed with the City, and upon payment of the non-refundable application fee, the City or its designee shall immediately stamp the application as received on that date. Within two (2) business days of receipt the City shall determine whether or not the application is complete. If the application is not complete the City shall promptly notify the applicant of that fact. The time period for granting or denying a permit shall be stayed during the period within which the application is incomplete.

(c) Within fifteen (15) days of receipt of the completed application, the City's designee shall complete the investigation, grant or deny the application in accordance with the provisions of this section, and so notify the applicant as follows:

(1) The City's designee shall write or stamp "Granted" or "Denied" on the application and date and sign such notation.

(2) If the application is denied, the City's designee shall attach to the application a statement of the reasons for denial.

(3) If the application is granted, the City's designee shall attach to the application an adult oriented business regulatory permit.

(4) The application as granted or denied and the permit, if any, shall be placed in the United States mail, first class postage prepaid, addressed to the applicant at the address stated in the application.

(d) The City's designee shall grant the application and issue the adult oriented business regulatory permit upon findings that the proposed business meets the location criteria of Title 17, unless the application is denied. The permittee shall post the permit conspicuously in the adult oriented business premises.

(e) If the City's designee grants the application or if the City's designee neither grants nor denies the application within fifteen (15) days after it is stamped as received (except as provided

in Section 5-10.202 (j), the applicant may begin operating the adult oriented business for which the permit was sought subject to compliance with the development and performance standards and requirements of Section 5-10.301. Compliance with all portions of the Guadalupe Municipal Code is a condition of any permit issued pursuant to this chapter.

5-10.204. Permit denial.

The City's designee shall deny the application for any of the following reasons:

(a) The building, structure, equipment or location used by the business for which an adult oriented business regulatory permit is required do not comply with the location or development and performance standards and requirements of these regulations;

(b) The applicant, his or her employee, agent, partner, director, officer, shareholder or manager has knowingly made any false, misleading or fraudulent statement of material fact in the application for an adult oriented business regulatory permit;

(c) An applicant is under eighteen (18) years of age;

(d) The required application fee has not been paid.

5-10.205 Transfer of adult oriented business regulatory permits.

(a) A permittee shall not operate an adult oriented business under the authority of an adult oriented business regulatory permit at any place other than the address of the adult oriented business stated in the application for the permit.

(b) A permittee shall not transfer ownership or control of an adult oriented business or transfer an adult oriented business regulatory permit to another person unless and until the transferee obtains an amendment to the permit from the City's designee stating that the transferee is now the permittee. Such an amendment may be obtained only if the transferee files an application with the City's designee in accordance with Sections 5-10.201 and 5-10.202, accompanies the application with a transfer fee in an amount set by resolution of the City Council, and the City's designee determines in accordance with Section 5-10.203 that the transferee would be entitled to the issuance of an original permit.

5-10.206 Adult oriented business performer permit.

(a) No person shall engage in or participate in any live performance with an emphasis upon specified anatomical areas (see Section 9-16.02) or specified sexual activities (see Section 9-16.02) in an adult oriented business, without a valid adult oriented business performer permit issued by the City. All persons who have been issued an adult oriented business regulatory permit shall promptly supplement the information provided as part of the application for the permit required by Section 5-10.201, with the names of all performers required to obtain an adult oriented business performer permit, within thirty (30) days of any change in the information originally submitted.

(b) The City's designee shall grant, deny and renew adult oriented business performer permits.

(c) The application for a permit shall be made on a form provided by the City's designee. An original and two (2) copies of the completed and sworn permit application shall be filed with the City's designee.

(d) The completed application shall contain the following information and be accompanied by the following documents:

(1) The applicants legal name and any other names (including stage names and aliases) used by the applicant;

(2) Age, date and place of birth;

(3) Height, weight, hair and eye color;

(4) Present residence address and telephone number;

(5) Whether the applicant has ever been convicted of:

(i) Any of the offenses set forth in Sections 315, 316, 266a, 266b, 266c, 266e, 266g, 266h, 266i, 647(a), 647(b) and 647(d) of the California Penal Code as those sections now exist or may hereafter be amended or renumbered.

(ii) The equivalent of the aforesaid offenses outside the State of California.

(6) Whether such person is or has ever been licensed or registered as a prostitute, or otherwise authorized by the laws of any other jurisdiction to engage in prostitution in such other jurisdiction. If any person mentioned in this subsection has ever been licensed or registered as a prostitute, or otherwise authorized by the laws of any other state to engage in prostitution, a statement shall be submitted giving the place of such registration, licensing or legal authorization, and the inclusive dates during which such person was so licensed, registered or authorized to engage in prostitution.

(7) State driver's license or identification number;

(8) Satisfactory written proof that the applicant is at least eighteen (18) years of age;

(9) If the application is made for the purpose of renewing a license, the applicant shall attach a copy of the license to be renewed.

(e) The completed application shall be accompanied by a nonrefundable application fee. The amount of the fee shall be set by resolution of the City Council. The amount of such fee may not exceed the cost of processing the application.

(f) Upon receipt of an application and payment of the application fees, the City's designee shall immediately stamp the application as received and promptly investigate the application.

(g) If the City's designee determines that the applicant has completed the application improperly, the City's designee shall promptly notify the applicant of such fact. The time period for granting or denying a permit shall be stayed during the period in which the application is incomplete.

5-10.207 Investigation and action on application.

(a) Within two (2) business days after receipt of the completed application, the City's designee shall grant or deny the application and so notify the applicant as follows:

(1) The City's designee shall write or stamp "Granted" or "Denied" on the application and date and sign such notation.

(2) If the application is denied, the City's designee shall attach to the application a statement of the reasons for denial.

(3) If the application is granted, the City's designee shall attach to the application an adult oriented business performer permit.

(4) The application as granted or denied and the permit, if any, shall be placed in the United States mail, first class postage prepaid, addressed to the applicant at the residence address stated in the application.

(b) The City's designee shall grant the application and issue the permit unless the application is denied for one or more of the reasons set forth in subsection (d) of this section.

(c) If the City's designee grants the application or if the City's designee neither grants nor denies the application within two (2) business days after it is stamped as received (except as provided in Section 5-10.206 (g), the applicant may begin performing in the capacity for which the license was sought.

(d) The City's designee shall deny the application for any of the following reasons:

(1) The applicant has knowingly made any false, misleading or fraudulent statement of a material fact in the application for a permit;

(2) The applicant is under eighteen (18) years of age;

(3) The adult oriented business performer permit is to be used for performing in a business prohibited by State or City law.

(4) The applicant has been registered in any state as a prostitute.

(5) The applicant has been convicted of any of the offenses enumerated in this title or convicted of an offense outside the State of California that would have constituted any of the described offenses if committed within the State of California. A permit may be issued to any person convicted of the described crimes if the conviction occurred more than five (5) years prior to the date of the application.

(e) Each adult oriented business performer permit shall expire one (1) year from the date of issuance and may be renewed only by filing with the City's designee a written request for renewal, accompanied by the application fee and a copy of the permit to be renewed. The request for renewal shall be made at least thirty (30) days before the expiration date of the permit. Applications for renewal shall be acted on as provided herein for applications for permits.

5-10.208 Appeal of denial, suspension or revocation.

(a) Administrative appeal to the City Council.

(1) After denial of an application or suspension or revocation of a permit, the applicant or permittee may seek prompt review of such administrative action through the City Council, under the provisions of the Guadalupe Municipal Code and may appeal any decision of the City Council to the Superior Court pursuant to California Code of Civil Procedure 1094.8

Article 3. Operating and Development Standards.

5-10.301 Adult oriented business development and operating standards.

(a) Operating standards are a legitimate and reasonable means of ensuring that adult businesses are conducted in a manner so as to minimize their adverse secondary effects and to help assure that such operators and businesses comply with reasonable regulations related to such requirements to minimize control problems associated with such businesses and thereby protect the health, safety and welfare of City residents, protect citizens from increased crime, preserve the quality of life, preserve property values and the character of surrounding neighborhoods and businesses, and deter the spread of urban blight. The operational requirements contained in this chapter do not unreasonably restrict the establishment or operation of constitutionally protected adult businesses in the City.

(b) The City Council, in adopting operational standards, recognizes that these standards do not preclude reasonable alternative avenues of communication. For example, the closing hours requirement means that adult businesses are free to operate seven (7) days a week for sixteen (16) hours per day. The City Council takes note of the proliferation of adult material on the internet and its availability as an alternative avenue of communication. The City Council also

considers and relies on published decisions examining the proliferation of communications on the internet. (*Reno v. American Civil Liberties Union*, 521 U.S. 844 [the principle channel through which many Americans now transmit and receive sexually explicit communication is the internet]; *Anheuser-Busch v. Schmoke*, 101 F. 3d 325 [the Fourth Circuit rejected a First Amendment challenge to a Baltimore chapter restricting alcohol advertisements on billboards acknowledging that the internet is one available channel of communication]; *U.S. v. Hockings*, 129 F. 3d 1069; *U.S. Thomas*, 74 F. 3d 701 [recognizing the internet as a medium for transmission of sexually explicit material in the context of obscenity prosecutions].) The emergence of the internet brings with it a virtually unlimited additional source of adult oriented sexual materials available to interested person(s) in every community with a mere keystroke. An adult business no longer has to be actually physically located in a city to be available in the community.

(c) The City Council has also determined that a closing hours requirement promotes the reduction of deleterious secondary effects from adult facilities and reasonably relies on prior court decisions on the need for closing hours including *Mitchell v. Comm. On Adult Entertainment*, 10 F. 3d 123; *Lady J Lingerie, Inc. v. City of Jacksonville*, 973 F. Supp 1428; and *City of Colorado Springs v. 2345 mc*, 896 P. 2d 272.

(d) No adult oriented business shall be operated in any manner that permits the observation of any material or activities depicting, describing or relating to specified sexual activities or specified anatomical areas from any public way or from any location outside the building or area of such establishment. This provision shall apply to any display, decoration, sign, show window or other opening. No exterior door or window on the premises shall be propped or kept open at any time while the business is open, and any exterior windows shall be covered with opaque covering at all times.

(e) All off-street parking area and premise entries of the adult oriented business shall be illuminated from dusk to closing hours of operation with a lighting system which provides an average maintained horizontal illumination of one (1) foot candle of light on the parking surface and/or walkways. The required lighting level is established in order to provide sufficient illumination of the parking areas and walkways serving the adult oriented business for the personal safety of patrons and employees and to reduce the incidence of vandalism and criminal conduct. The lighting shall be shown on the required sketch or diagram of the premises.

(f) Except for those businesses also regulated by the California Department of Alcoholic Beverage Control, an adult oriented business shall be open for business only between the hours of eight a.m. and two a.m. This restriction shall not apply to an adult hotel or adult motel.

(g) The building entrance to an adult oriented business shall be clearly and legibly posted with a notice indicating that persons under eighteen (18) years of age are precluded from entering the premises. No person under the age of eighteen (18) years shall be permitted within the premises at any time.

(h) All indoor areas of the adult oriented business within which patrons are permitted, except rest rooms, shall be open to view by the management at all times.

(i) Any adult oriented business which is also an adult arcade shall comply with the following provisions:

(1) No adult booth/individual viewing area shall be occupied by more than one individual at a time.

(2) Each adult booth/viewing area within the adult business shall be visible from a continuous and accessible main aisle in a public portion of the establishment, and shall not be

obscured by any door, curtain, wall, two-way mirror or other device which would prohibit a person from seeing the entire interior of the adult booth/individual viewing area from the main aisle. A manager shall be stationed in the main aisle at all times. Further, no one shall maintain any adult booth/individual viewing area in any configuration unless the entire interior wherein the picture or entertainment that is viewed is visible from one main aisle. The entire body of any patron in any adult booth/individual viewing area must be visible from the main aisle without the assistance of mirrors or other device.

(3) No doors are permitted on an adult booth/individual viewing area. No partially or fully enclosed adult booth/individual viewing areas or partially or fully concealed adult booth/individually viewing areas shall be maintained.

(4) The walls or partitions between viewing rooms or booths shall be maintained in good repair at all times, with no holes between any two such rooms such as would allow viewing from one booth into another or such as to allow physical contact of any kind between the occupants of any two such booths or rooms.

(5) No holes or other openings (commonly known as glory holes) shall be permitted between adult booths/individual viewing areas. Any such hole or opening shall be repaired within twenty four (24) hours using pop rivets to secure metal plates over the hole or opening to prevent patrons from removing the metal plates.

(6) The floors, seats, walls and other interior portions of all video booths shall be maintained clean and free from waste and bodily secretions. Presence of human excrement, urine, semen or saliva in any such booths shall be evidence of improper maintenance and inadequate sanitary controls.

(7) No beds shall be permitted in an adult booth/individual viewing area.

(j) All areas of the adult oriented business shall be illuminated at a minimum of the following foot-candles, minimally maintained and evenly distributed at ground level:

Area Foot-Candles

Bookstores and other retail establishments – 20

Theaters and cabarets – 5

(except during performances, at which times lighting shall be at least 1.25)

Arcades – 10

Motels/Hotels – 20 (in public areas)

Modeling studios – 20

(k) The adult oriented business shall provide and maintain separate restroom facilities for male patrons and employees, and female patrons and employees. Male patrons and employees shall be prohibited from using the rest-room(s) for females, and female patrons and employees shall be prohibited from using the restroom(s) for males, except to carry out duties of repair, maintenance and cleaning of the restroom facilities. The rest-rooms shall be free from any adult material. Restrooms shall not contain television monitors or other motion picture or video projection, recording or reproduction equipment. The foregoing provisions of this paragraph shall not apply to an adult oriented business which deals exclusively with sale or rental of adult material which is not used or consumed on the premises, such as an adult bookstore or adult video store, and which does not provide restroom facilities to its patrons or the general public.

(1) On Site Manager: Security Measures. All adult businesses shall have a responsible person who shall be at least eighteen (18) years of age and shall be on the premises to act as a manager

at all times during which the business is open. No performer may serve as the manager. The individual(s) designated as the on site manager shall provide his/her name to the Planning Director to receive all complaints and be given by the owner and/or operator the responsibility and duty to address and resolve all violations taking place on the premises. All adult businesses shall provide a security system that visually records and monitors all parking lot areas, or in the alternative, state licensed uniformed security guards to patrol and monitor the parking lot areas during all times during which the business is open. If the business employs security guards, they shall provide written confirmation to the Police Chief prior to their employment that the guards are duly registered. No performer may serve as a security guard. A sign indicating compliance with this provision shall be posted on the exterior of the premises between four (4) to six (6) feet from the ground. The sign shall not exceed two (2) feet by three (3) feet and shall at a minimum be one (1) foot by one and a half (1.5) feet and shall utilize red or black printing letters of not less than one (1) inch in size.

(m) No exterior door or window on the premises of an adult business shall be propped or kept open at anytime while the business is open and any exterior windows shall be covered with opaque coverings at all times.

(n) The following additional requirements shall pertain to adult oriented businesses providing live entertainment:

(1) No person shall perform live entertainment for patrons of an adult oriented business except upon a stage at least eighteen (18) inches above the level of the floor which is separated by a distance of at least ten (10) feet from the nearest area occupied by patrons, and no patron shall be permitted within ten (10) feet of the stage while the stage is occupied by a performer. "Performer" means any person who is an employee or independent contractor of the adult oriented business, or any person who, with or without any compensation or other form of consideration, performs live entertainment for patrons of an adult oriented business;

(2) The adult oriented business shall provide separate dressing room facilities for performers which are exclusively dedicated to the performers use;

(3) The adult oriented business shall provide an entrance/exit for performers which is separate from the entrance/exit used by patrons;

(4) The adult oriented business shall provide access for performers between the stage and the dressing rooms which is completely separated from the patrons. If such separate access is not physically feasible, the adult oriented business shall provide a minimum three (3) foot wide walk aisle for performers between the dressing room area and the stage, with a railing, fence or other barrier separating the patrons and the performers capable of (and which actually results in) preventing any physical contact between patrons and performers;

(5) No performer, before, during or after performances, shall have physical contact with any patron and no patron shall have physical contact with any performer before, during or after performances by such performer. This subsection shall only apply to physical contact on the premises of the adult oriented business. This limitation shall not be construed to apply to incidental physical contact;

(6) Fixed rail(s) at least thirty (30) inches in height shall be maintained establishing the separations between performers and patrons required by this subsection;

(7) No patron shall directly pay or give any gratuity to any performer and no performer shall solicit any pay or gratuity from any patron;

(8) No owner or other person with managerial control over an adult oriented business (as that term is defined herein) shall permit any person on the premises of the adult oriented business to

engage in a live showing of the human male or female genitals, pubic area or buttocks with less than a fully opaque coverage, and/or the female breast with less than a fully opaque coverage over any part of the nipple or areola and/or covered male genitals in a discernibly turgid state. This provision may not be complied with by applying an opaque covering simulating the appearance of the specified anatomical part required to be covered.

5-10.302 Register and permit number of employees.

Every permittee of an adult oriented business which provides live adult entertainment must maintain a register of all persons so performing on the premises and their permit numbers. Such register shall be available for inspection during regular business hours by any police officer of the City of Guadalupe.

5-10.303 Display of permit and identification cards.

(a) Every adult oriented business shall display at all times during business hours the permit issued pursuant to the provisions of this chapter for such adult oriented business in a conspicuous place so that the same may be readily seen by all persons entering the adult oriented business.

(b) The Police Chief shall provide each adult oriented business performer required to have a permit pursuant to the chapter, with an identification card containing the name, address, photograph and permit number of such performer.

(c) An adult oriented business performer shall have such card available for inspection at all times during which such person is on the premises of the adult oriented business.

5-10.304 Employment of and services rendered to persons under the age of eighteen (18) years prohibited.

(a) It shall be unlawful for any permittee, operator or other person in charge of any adult oriented business to employ or provide any service for which it requires such permit, to any person who is not at least eighteen (18) years of age.

(b) It shall be unlawful for any permittee, operator or other person in charge of any adult oriented business to knowingly permit to enter or remain within the adult oriented business, any person who is not at least eighteen (18) years of age.

Article 4. Miscellaneous Provisions

5-10.401 Inspection.

An applicant or permittee shall permit representatives of the Police Department, Health Department, Fire Department, Planning Division or other City departments or agencies to inspect the premises of an adult oriented business for the purpose of insuring compliance with the law at any time it is occupied or opened for business. A person who operates an adult oriented business or his or her agent or employee is in violation of the provisions of this section if he/she refuses to permit such lawful inspection of the premises at any time it is occupied or open for business.

5-10.402 Regulations nonexclusive.

The provisions of this article regulating adult oriented businesses are not intended to be exclusive and compliance therewith shall not excuse noncompliance with any other regulations

pertaining to the operation of businesses as adopted by the City Council of the City of Guadalupe.

5-10.403 Employment of persons without permits unlawful.

It shall be unlawful for any owner, operator, manager or permittee in charge of or in control of an adult oriented business which provides live adult entertainment to allow any person to perform such entertainment who is not in possession of a valid adult oriented business performer permit.

5-10.404 Time limit for filing application for permit.

All persons who possess an outstanding business license heretofore issued for the operation of an adult oriented business and all persons required by this chapter to obtain an adult oriented business performer permit must apply for and obtain such a permit within ninety (90) days of the effective date of this chapter. Failure to do so and continued operation of an adult oriented business or the continued performances in an adult oriented business after such time without a permit shall constitute a violation of this chapter.

5-10.405 Severability

If any section, subsection, subdivision, paragraph, sentence, clause or phrase in this chapter or any part thereof is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this chapter or any part thereof. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof irrespective of the fact that any one (1) or more subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional, or invalid, or ineffective.

REPORT TO CITY COUNCIL
Council Agenda of 07/14/15



Andrew Carter, City Administrator

SUBJECT Guadalupe Police Officers Association Memorandum of Understanding for the Time Period 07/01/15 through 12/31/17

RECOMMENDATION

That City Council adopt Resolution 2015-59 approving a Memorandum of Understanding (MOU) with the Guadalupe Police Officers Association for the time period 07/01/15 through 12/31/17 and authorizing the Mayor to sign that MOU.

DISCUSSION

Under direction from City Council, City Administrator Andrew Carter and City Attorney Dave Fleishman began negotiating with the Guadalupe Police Officers Association (POA) in June with the goal of achieving financial concessions for FY 2015-16. It was assumed that only a one-year agreement for 2015/16 would be negotiated. In return for financial concessions in 2015/16, however, the POA wanted to negotiate a multi-year agreement. With Council agreement, Mr. Carter and Mr. Fleishman engaged in multi-year negotiations. The attached Memorandum of Understanding (MOU) is a result of those negotiations. Here are the key terms of the MOU:

2.5 year agreement from 07/01/15 through 12/31/17

Given this multi-year agreement, the City will not have to negotiate again with the POA until the fall of 2017. The 12/31/17 end date means the City will not have to engage in budgeting and negotiations at the same time.

On 01/02/16, PERS contribution by POA "classic" employees moves from 2% to 4%

This is a permanent concession on the part of the POA. It will lead to \$7000 in cost savings during FY 2015/16, with on-going savings after that.

"Classic" employees are those employees hired prior to 01/01/13. Employees hired on or after 01/01/13 are PEPRA employees. A key difference between classic POA employees and PEPRA POA employees is that the City currently "picks up" 5% of the employee PERS contribution for classic POA employees while classic POA employees pay 2%. By state law, PEPRA employees pay their entire employee PERS contribution. There are

currently eight classic employees in the POA and three PEPRA employees. In addition, there is one vacant position. After 01/02/16, the City will pick up 3% of the employee PERS contribution for classic POA employees while classic POA employees will pay 4%.

It is the long-term goal of the City that all classic employees in all bargaining units pay their entire employee PERS contribution. At this time, however, only POA classic employees are paying any portion of their employee PERS contribution. In future negotiations with the SEIU and the IAFF, the City will attempt to negotiate this contract term. The City Administrator is scheduled to begin paying 2% of his employee PERS on 01/02/16.

On 07/02/16, 3% Cost of Living Adjustment (COLA)

A 3% COLA on 07/02/16 is necessary to achieve the employee PERS concession above.

On 07/02/16, 8-point wage range change for all existing POA classifications combined with a downward step-in-grade movement

On 07/02/16, the wage ranges for Records Clerk, Office Manager, Police Officer, and Sergeant will move 8 points. At the same time, employees will move down a step-in-grade. The net impact is a change in rate of pay for current POA employees between -0.1% and +0.7% depending on the position. The purpose of the range change is two-fold:

Moving the ranges will increase the rate of pay for new hires by 4.9% to 5.7%. The City currently has a Police Officer vacancy which it is having difficulty filling. A higher initial rate of pay may help the City fill that position.

Having existing employees move down a step-in-grade means existing employees will not immediately benefit from the range shift. Over time, however, they will, since it opens an additional lifetime step-in-grade progression.

On 07/01/16, the City will have two Step B employees, one Step C employee, one Step L1 employee, and seven Step L2 employees. L2 is the highest step. Those L2 employees would normally have no potential for a future step. With the change on 07/02/16, all employees will move down a step so those L2 employees will become L1 employees and will have the potential for a future step.

In return for offering this future step potential, the City has crafted terms so that no long-term employee currently at L1 or L2 will see a step increase until calendar year 2017 or beyond.

On 07/02/16, create a range for the Corporal position halfway between Police Officer and Sergeant

Currently Corporals (the City has two) are paid a 4% increment vs. Police Officers. By creating a specific range for Corporals, they will be paid 7% more than Police Officers and 7% less than the City's one Sergeant.

In return for creating this new Corporal range, the City has crafted terms that no Corporals or Sergeants will receive the existing 4% Field Training Officer increment in the future. Only Police Officers will be eligible for that increment in the future and only on shifts where they are actually training another Police Officer or a Reserve Police Officer.

On 07/02/17, 2-point range change for all POA classifications

This range change equals a 1.3% to 1.5% cost-of-living adjustment for all classifications.

Please note: Section 2 of the attached Resolution is included because the POA has not yet signed the MOU. Normally staff would wait until after signature by labor representatives before bringing an MOU to Council for approval. But given the desire to implement the new MOU by January 1st, staff is bringing the POA MOU to Council for approval now. It is possible that POA representatives may desire last minute changes in wording. Staff is asking that the Mayor be given authorization to sign the attached MOU as is or sign a revised MOU as long as any changes requested by POA representatives are "non-substantive." That is, having no negative economic impacts to the City. Staff does not believe there will be substantive changes since we believe we are already in agreement with the POA on all economic terms.

FISCAL IMPACT

Overall, the City achieves \$7000 in concessions from the POA in 2015/16. In 2016/17, POA personnel costs will increase \$26,000 as a result of this MOU. In 2017/18, POA personnel costs will increase an additional \$49,000 as a result of this MOU. These cost increases are modest compared to total current POA personnel costs of about \$1.25 million. It should be noted, however, that there will likely be increases in POA benefit costs in 2016/17 and 2017/18 which are not covered by this MOU, specifically increases in employer PERS costs.

In negotiating this MOU with the POA, the City is cognizant that the SEIU and the IAFF will likely seek similar benefits to those achieved by the POA for 2016/17 and 2017/18. The current SEIU side letter agreement expires on 06/30/16. The IAFF side letter agreement expired on 06/30/15. Mr. Carter and Mr. Fleishman are currently engaged in negotiations with the IAFF.

ATTACHMENTS

Resolution 2015-59
Guadalupe POA Memorandum of Understanding

RESOLUTION NO. 2015-59

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GUADALUPE
ADOPTING A MEMORANDUM OF UNDERSTANDING
WITH THE GUADALUPE POLICE OFFICERS ASSOCIATION**

WHEREAS, the Guadalupe Police Officers Association (GPOA) is the recognized employee representative for employees in the police employees representation unit; and

WHEREAS, the City of Guadalupe and GPOA were signatories to a memorandum of understanding that expired on June 30, 2015; and

WHEREAS, the City and GPOA have met and conferred in an attempt to reach agreement on a memorandum of understanding for the time period 07/01/15 through 12/31/17, and

WHEREAS, the City and GPOA have reached tentative agreement on all issues;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Guadalupe as follows:

SECTION 1. The City Council hereby approves the Memorandum of Understanding for the time period 07/01/15 through 12/31/17 attached hereto as Exhibit "A" and incorporated herein by reference, and the Mayor is hereby authorized to execute the Memorandum of Understanding on behalf of the City.

SECTION 2. Since the MOU in Exhibit A has not yet been signed by representatives of GPOA and there is the possibility that those representatives may request minor changes in wording to the MOU, the City Council authorizes the Mayor to sign a revised final MOU if the City Attorney and the City Administrator determine that those representatives are only requesting non-substantive changes. If the City Attorney and the City Administrator determine that any requested wording changes are substantive, the final MOU must be returned to Council for approval.

SECTION 3. If any provision or any part of a provision of this resolution shall be finally determined to be invalid, illegal, or otherwise unenforceable, such determination shall not impair or otherwise affect the validity, legality or enforceability of the remaining provisions or parts of provisions of this resolution, which shall remain in full force and effect as if the unenforceable provision or part were deleted.

SECTION 4. This Resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED at regular meeting on the 8th day of December 2015 by the following vote:

MOTION:

AYES:

NOES:

ABSENT:

ABSTAIN:

I, Andrew Carter, Deputy City Clerk of the City of Guadalupe, **DO HEREBY CERTIFY** that the foregoing Resolution, being CC. Resolution No. 2015-59, has been duly signed by the Mayor and attested by the City Clerk, all at a regular meeting of the City Council, held December 8, 2015 and that same was approved and adopted.

ATTEST:

Andrew Carter, Deputy City Clerk

John Lizalde, Mayor

MEMORANDUM OF UNDERSTANDING

BETWEEN

THE CITY OF GUADALUPE

AND

**GUADALUPE POLICE OFFICERS
ASSOCIATION**

July 1, 2015 – December 31, 2017

MEMORANDUM OF UNDERSTANDING
July 1, 2015 – December 31, 2017

1. INTRODUCTION

1.01 Preamble. The following constitutes a Memorandum of Understanding (**MOU**) that resulted from meeting and conferring in good faith concerning the wages, hours and other terms and conditions of employment, between the City of Guadalupe (City) and the Guadalupe Police Officers Association (POA).

1.02 Recognition. The City recognizes the POA to be the recognized employee bargaining association representing the classifications of Police Officer, Police Corporal, Police Sergeant, Police Office Manager and Records Technician.

1.03 Purpose. It is the purpose of this MOU to promote and provide for harmonious relations, cooperation and understanding between the City and employees covered herein and to provide an orderly and equitable means of resolving any misunderstanding or differences which may arise regarding wages, hours and other terms and conditions of employment.

1.04 Maintenance of Operations. For the term of this MOU, neither the POA or any members of the POA, nor any person acting in their behalf, will cause, authorize, engage in, or strike against the City, or engage in a work stoppage, slow down, or concerted failure to report for duty, or unauthorized absence or abstinence from the full and faithful performance of their duties of employment. This is not to mean that the POA members are waiving any rights as to the protection of personal safety as they may pertain to the refusal to cross the picket lines of another public employee organization on strike, or to the informational picketing by employees on their own time.

1.05 Maintenance of Benefits. All wages, hours and other terms and conditions of employment of POA members shall remain in full force and effect during the term of this contract. Any changes to those policies, practices or procedures that impact wages, hours and other terms and condition of employment must be effectuated by the mutual written agreement of the parties.

2. WAGES, BENEFITS AND WORK-RELATED RULES.

2.01 Wages.

(a) Salaries for employees covered by this MOU shall be increased by 3.0% effective July 2, 2016. (See Attached Hourly Pay Rates.)

(b) Effective on July 2, 2016, the salary ranges for the classifications set forth below shall be changed as follows:

Records Clerk –from Range 149 to Range 157
Office Manager –from Range 161 to Range 169
Police Officer –from Range 172 to Range 180
Sergeant –from Range 192 to Range 200

Effective on July 2, 2016, employees covered by this MOU shall move down one step-in-grade on the new range as compared to their step-in-grade on the range prior to July 2, 2016. For example, a Police Officer on Range 172, Step D will move to Range 180, Step C, effective July 2, 2016.

(c) Effective on July 2, 2016, a salary range is established for the Corporal classification at Range 190. From July 2, 2016 and thereafter, there shall no longer be a 4% incentive pay for Police Officers serving as Corporals.

Employees serving as Corporal on July 2, 2016 will be assigned to the step on the Corporal range that they would have had on the Police Officer range after the “move down” described in 2.01 (b) above.

(d) Effective on July 1, 2017, the salary ranges for the classifications set forth below shall be changed as follows:

Records Clerk –from Range 157 to Range 159
Office Manager –from Range 169 to Range 171
Police Officer –from Range 180 to Range 182
Corporal –from Range 190 to Range 192
Sergeant –from Range 200 to Range 202

2.02 Application of Salary Steps. All employees entering the permanent, full-time employment of City shall be paid at the first step of the salary range, unless otherwise determined by the Police Chief and the City Administrator established for his/her position classification. Salary step increases, as provided herein, are not automatic, but based upon performance and merit. Employees shall be placed on the step designated by the City Administrator for initial full-time permanent employment and qualify for increase in compensation or advancement to the next higher step of his/her salary range in the following manner. A Performance Evaluation Report on each employee recommended for advancement shall be submitted to the City Administrator by the Chief of Police prior to final action on such recommendation.

A. The salary range as set forth for each classification is divided into seven (7) steps, which shall be interpreted and applied as follows:

(1) The first step is the minimum rate, and normally shall be hiring rate (Step A).

(2) The second step is granted to employees who are eligible for this adjustment after completion of one (1) full calendar year of satisfactory service in a classification and not prior the completion of a probationary period. The adjustment shall be made only if

granted by the Chief of Police, and subject to approval of the City Administrator (Step B).

(3) The third step shall be granted to an employee who has given satisfactory service in a given classification for one (1) full additional year from granting of previous step increase only if granted by the Chief of Police, and subject to approval of the City Administrator (Step C).

(4) The fourth step shall be granted to an employee who has given satisfactory service for an additional one (1) full additional year by the Chief of Police, and with approval of the City Administrator (Step D).

(5) The fifth step shall be granted to an employee who has given satisfactory service for one (1) full additional year by the Chief of Police, and with approval of the City Administrator (Step E).

(6) The sixth step shall be granted to an employee who has given satisfactory service for two (2) additional years by the Chief of Police, and with approval of the City Administrator (Longevity 1).

(7) The seventh step shall be granted to an employee who has given satisfactory service for two (2) additional years by the Chief of Police, and with approval of the City Administrator (Longevity 2).

B. The earliest a step increase can take place on the new ranges is December 1, 2016. Any employee with a work anniversary date between July 2, 2016 and November 30, 2016 must wait until their next anniversary date occurring after July 2, 2017 before being eligible to receive their next step increase.

C. An employee must always continue to maintain an acceptable level of performance and shall be evaluated by the Chief of Police annually.

2.03 Standard Work Periods.

A. Work Hours. (1) The standard work shift for employees represented by the POA is 8 hours for non-sworn personnel and 12 hours for sworn personnel (inclusive of all breaks and meal periods). For sworn personnel, the standard 12-hour work shift shall consist of 80 hours of regular time work and 4 hours of mandatory overtime every two weeks, plus any other authorized overtime work.

(2) Officers may, upon mutual agreement, swap shifts with another officer of same rank, for a full or partial deployment period. The employees involved shall notify the Police Chief of the shift swap in writing. An officer who, as part of a disciplinary action, is required to work a particular shift, may have his or her shift swap cancelled by the Police Chief.

B. Breaks. Employees shall be entitled to one (1) thirty-minute paid meal break per duty shift, during which time sworn personnel shall remain in uniform and subject to call if necessary for any urgency or emergency. Calls not of an urgent nature shall be handled after the meal break. Employees shall be allowed to take two (2) fifteen-minute paid break periods. Breaks shall be as close to two (2) hours from the start of the shift and two (2) hours before going off duty as practical. A meal period shall be as close to four (4) hours after the start of the shift as possible. The time limits shall be adjusted on a case-by-case basis taking into consideration the nature of police work, specifically, calls for service and 'on-view' violations observed by the officer.

If an employee is required to work an additional four (4) hours overtime, he/she shall be entitled to additional paid meal periods of thirty (30) minutes each, four (4) hours from the last scheduled meal period. If an employee is required to work overtime, he/she shall be entitled to additional paid rest breaks of fifteen (15) minutes each, two (2) hours from the last scheduled rest break.

C. Work Day. The standard work day shall be from 0001 hours to 2400 hours.

D. Work Week. The standard work week shall be from 0001 hours on any Saturday to 2400 hours on the following Friday.

E. Relief Shifts. Relief shifts shall be scheduled as to minimize the impact on the employee assigned to that shift.

F. Time Limits. Shift schedules shall be posted and employees shall be notified thirty (30) days in advance of an impending departmental shift change. Officers shall be assigned to a department shift for four (4) months at a time. Departmental shifts shall be January through April; May through August and; September through December, or as close as practical to meet the needs of the department.

G. Call Outs. Employees called out to replace a sick or injured employee shall have a reasonable time to respond.

H. Mandatory Schedule Changes. During a mandatory schedule change, no officer shall work two (2) straight shifts back to back (24 hours). The schedule shall be adjusted so that the officer shall have at least an eight (8) hour break in between shifts. In the event of an emergency, the City reserved the right to modify shift schedules, including the requirement to work back to back shifts.

2.04 Pay Periods.

(A) Hourly Benefits. Pay periods for hourly benefits shall be fourteen (14) days in duration. The pay period shall start on Saturday at 0001 hours and end of Friday at 2400 hours, and shall number 26 for the year. Checks shall be available to employees by 1700 hours on the Friday following the end of the pay period.

(B) Monthly Payments of Benefits. The City shall make payments for all cash benefits due to the credit of employees by the tenth (10th) day of the month following the month of accrual.

2.05 Overtime. An employee shall be entitled to premium overtime compensation of one and one-half times the employee's regular rate of pay for all hours worked beyond twelve (12) hours for sworn and eight (8) hours for non-sworn in one day or forty (40) hours for non-sworn in a week or 80 hours for sworn in a two week period. All paid leaves shall be regarded as hours worked. An employee shall be eligible to receive overtime compensation or compensatory time off, at the employee's option.

A. Overtime Administration. All overtime must be approved by a supervisor prior to the work being performed, with the exception of emergency situations.

B. Time Limits. Subject to call-out minimums, overtime shall begin at the end of an officer's regularly scheduled shift or upon reaching the station.

C. Court and Testimony. Subject to call-out minimums, overtime for employees who attend court or other hearings shall be paid at the regular overtime rate. This shall include travel time from the station to court, and back to the station

D. Paid Leave Time. When any employee is off on paid leave time, such as sick leave, holiday or vacation, jury duty leave, or compensation time, such time shall be considered as hours worked for the purpose of calculating overtime.

E. Mandatory Schedule Changes. During a shift change, if an employee is required to work more than forty (40) hours in his/her regular work week to adjust to the new schedule, the employee will be paid overtime or receive compensatory time within a specific pay period.

G. Management Rights. Since the City Administrator is responsible for the efficient administration of all the affairs of the City, management reserves the right to control overtime hours worked, consistent with State and Federal law, and not in conflict with this MOU.

2.06 Cell Phones. When any employee is required to carry (wear) a department issued cell phone, said employee shall be responsible for telephonic response to any emergency pages from the department and/or supervisor(s) within a reasonable time period based upon each individual circumstance.

The employee shall not be held responsible for a telephonic response if the employee is deemed to have not been within cell phone range, the employee's cell phone is found to be defective, the employee is unable to reasonably respond to the emergency situation, or if the employee's response would be of little or no value given time and distance considerations.

An employee who responds to an emergency call to service shall be paid for all time spent in such response, beginning when the employee starts traveling to the site of the emergency or the police department, at one and one-half times the employee's regular rate of pay with a minimum of two hours.

2.07 Compensatory Time.

A. Eligibility. All regular and probationary employees shall be entitled to accrue compensatory time.

B. Compensatory Time Administration. Employees may take compensatory time off in lieu of paid overtime as approved by the Chief of Police, subject to applicable state or federal law. Employees whose compensatory time is interrupted or postponed due to injury on the job, sickness, court, call-backs for manpower shortage, schedule changes and such, shall be rescheduled after such interruption or postponement as approved by the Chief of Police. No compensatory time previously scheduled shall be lost to an employee exceeding the maximum compensatory accrued during the interruption or postponement. When requested in writing, all employees shall be given their time off within two (2) weeks of that request, subject to departmental needs. Compensatory time may be used in uninterrupted blocks of time subject to departmental needs and as approved by the Chief of Police.

C. Accrual. Compensatory time shall be accrued at one and one-half (1.5) hours for every hour of overtime worked.

D. Limit of Accrual. An employee who is a sworn peace officer may accrue a bank of up to 280 hours of compensatory time off at any given time. An employee who is not a sworn peace officer may accrue a bank of up to 240 hours of compensatory time off at any given time. Upon written request, an employee may cash out compensatory time every other calendar month. Such request must be submitted in writing no later than the end of the pay period preceding the pay period payment is to be made.

2.08 Call Outs. Employees called back to work from their day off, or other off-duty hours, shall receive paid overtime or compensatory time at the employee's discretion. There shall be two (2) hours minimum guarantee.

2.09 Holidays.

A. Non-Sworn. Except as otherwise set forth below, thirteen 8-hour paid holidays shall be observed by full-time non-sworn personnel,

January 1, New Year's Day
January- 3rd Monday, Martin Luther King Day
February – 3rd Monday, Presidents Day
May - last Monday, Memorial Day
July 4, Independence Day

September, 1st Monday, Labor Day
 November 11, Veterans Day
 November - 4th Thursday, Thanksgiving Day
 November - 4th Friday, day following Thanksgiving Day
 December 24, Christmas Eve
 December 25, Christmas Day
 Two Floating Holidays (to be taken within the given year.)

When any of the above holidays falls on a Saturday or Sunday, the holiday will be observed on the previous Friday or following Monday, respectively.

B. Sworn Personnel. In lieu of fixed holidays, full-time sworn personnel will be paid 4.23 hours per pay period retroactive to the pay period starting July 6, 2013. Full-time sworn personnel will continue to receive two 10-hour floating holidays per calendar year. Any full-time permanent or probationary sworn employee who works overtime on a City recognized holiday shall receive two (2) times his/her regular base pay for all overtime hours worked.

2.10 Vacation.

A. Eligibility. All regular and probationary employees shall accrue vacation time from the date of hire. The purpose of vacation is to enable each eligible employee to have time for rest and relaxation, and return to work mentally and physically refreshed. Each eligible employee shall be required to have served the equivalent of one (1) year of continuous service with the City in order to be eligible for full annual vacation leave. However, in the event an employee so chooses, he/she may, after six (6) continuous months of service, take vacation leave not to exceed four (4) working hours with his/her supervisor's approval.

B. Vacation Administration. Employees whose vacations are interrupted or postponed due to injury on the job, sickness, court, call-backs for manpower shortage, or schedule changes shall be rescheduled after such interruption or postponement. No vacation previously scheduled shall be lost due to an employee exceeding the maximum vacation accrual during the interruption or postponement.

C. Accrual. For full-time employees, vacation shall be accrued and credited on a monthly basis at the following rate for time in service.

<u>Years</u>	<u>Days</u>	<u>Hours Per Month</u>
0 - 1	10	6.67
2	12	8.00
3	13	8.67
4	14	9.34
5	15	10.00
6	16	10.67
7	16	10.67

8	17	11.34
9	18	12.00
10	18	12.00
11	19	12.67
12	19	12.67
13	19	12.67
14	20	13.33
15	21	14.00

D. Limits of Accrual. There is a cap of two years worth of accrual upon the number of hours of accrued vacation leave an employee may accrue and carry over from year to year. Upon written request, an employee may cash out vacation time every other calendar month. Such request must be submitted in writing no later than the end of the pay period preceding the pay period payment is to be made. Notwithstanding the foregoing, employees are encouraged to utilize their vacation leave for rest and relaxation.

E. Compensation at Termination. Employees leaving the City with accrued vacation leave shall be paid the amount of accrued vacation to the date of termination and their current rate.

2.11 Sick Leave.

A. Eligibility and Purpose. All regular and probationary full-time employees shall accrue sick leave at a rate of eight (8) hours per calendar month effective from that employee's date of hire.

B. Use. An employee may use accrued sick leave in the case of actual personal illness, illness or disability, medical or dental appointments, parental leave, or in the case of injury to, illness of, and medical or dental appointments for the employee's immediate family. For purposes of this section only, "immediate family" shall mean (1) spouse or domestic partner, (2) child, (3) parent, (4) sibling, (5) persons in "step" relationship of (1) through (4), and (6) any other person approved in advance by the Chief of Police. In the event the Chief of Police does not approve use of accrued leave for a person described in (6), the employee may appeal such determination to the City Administrator, whose decision shall be the final administrative decision.

C. Sick Leave/Bereavement Leave While on Paid Leave.

1. An illness or injury occurring while on vacation leave or compensatory time off shall be covered as sick leave, provided the employee has sufficient accumulated sick leave available to cover the time off.

2. Employees who are on paid time off (i.e., sick, vacation, CTO) at the time of a death in the employee's immediate family shall be entitled to substitute sick or bereavement leave for vacation or other paid time off, provided the employee has sufficient accumulated sick leave available to cover the time off. The total period of absence from City

employment (vacation and sick leave) shall not exceed beyond that time initially approved for vacation, without specific approval. Unused vacation or other paid compensation time shall be retained by the affected employee.

D. Accumulation. Accrued sick leave may be accumulated to a maximum of 2,080 hours. An employee may use 100% of unused sick leave to "retire" early before the commencement of PERS retirement benefits. Employees shall be paid on a monthly basis until accumulated sick leave is utilized or until PERS retirement benefits begin, whichever is earlier. At separation, an employee may choose to be paid 50% of his or her unused sick leave, to a maximum of 480 hours at his or her current rate of pay and/or upon retirement unused accrued sick leave may be converted to PERS service credit per the City's contract with PERS.

E. Application of Unused Sick Leave to Retirement Benefits. Upon retirement under the Public Employees Retirement System (PERS), unused sick leave shall be credited to the total years of service.

D. Transfer of sick time. Employees may transfer up to 50% of accumulated sick leave voluntarily to a fellow employee who has exhausted all his/her leave time due to an extended illness or injury. The transfer shall be on an hour for hour basis, and shall not exceed eighty (80) hours of sick leave.

E. Maternity Leave. The City shall provide leave to eligible employees as required by the California Family Rights Act, the Family and Medical Leave Act, and the California Pregnancy Disability Law.

2.12 Bereavement Leave. Employees shall be granted three (3) days of paid leave for bereavement purposes in each case of a death within his/her immediate family. An additional two (2) days of bereavement leave shall be granted if out of state travel or two hundred (200) miles or more of travel from home is required. Immediate family shall be defined as the employee's spouse or registered domestic partner, child or step-child, parent or grandparent, brother or sister, or in-laws.

2.13 Military Leave. Every employee of the City shall be granted military leaves of absence and other benefits as provided in Division 11, Part I, Chapter VII of the Military and Veteran's Code of the State of California and any applicable amendments. All employees applying for military leave shall give the department head, within the limits of military regulations, an opportunity to determine when such leave shall be taken. Employees may use compensation time and vacation leave for weekend drills.

2.14 Leave of Absence Without Pay. Leave of absence without pay may be granted by the City Administrator upon recommendation by the department head for a period not to exceed thirty (30) days. Leave of absence without pay in excess of thirty (30) days shall be granted only by the City Council.

2.15 Bilingual Pay. An employee, whose assignment and duties require the frequent and

regular use of bilingual skills in English and Spanish, or any other language designated by the City Administrator to be of benefit to the City, shall be designated by the City Administrator to receive a bilingual allowance. For the purposes of this section only, all classifications represented by the Association, regardless of assignment, perform duties that require the frequent and regular use of their Spanish and English bilingual skills. Full-time employees who demonstrate basic verbal bilingual skills shall receive compensation of \$60 per pay period and full-time employees who pass a written and verbal examination shall receive compensation of \$125 per pay period. The form of the examination shall be agreed upon by the City and the Association and the examination shall be given a minimum of twice per year.

2.16 P.O.S.T. (Police Officers Standard of Training) Certification Incentive Pay.

A sworn employee who qualifies for a Regular or Specialized Intermediate POST Certificate shall receive premium compensation of four percent (4%) above his/her base salary. A sworn employee who qualifies for a Regular or Specialized Advanced POST Certificate shall receive premium compensation of an additional four percent (4%) above his/her base salary, for a total of eight percent (8%).

2.17 Educational Incentive Pay. All employees represented by the POA shall receive premium compensation above their base salary for possessing the following degrees, provided they are in a subject that is law enforcement or job related:

Associate's Degree: three percent (3%) compensation above base salary;

Bachelor's Degree: an additional four percent (4%) for a total of seven percent (7%) compensation above salary;

The Police Chief shall use reasonable criteria to determine what educational degrees are law enforcement related.

2.18 Uniform Allowance. Employees who are required to wear a uniform shall receive a uniform maintenance allowance. The allowance shall be used by the employee to replace, maintain, repair, and clean all designated uniform garments, hats, caps, shoes, leather wear, ornamentation, and inclement weather clothing.

A. Uniform Administration. The uniform maintenance allowance paid to full-time unit members shall be \$23 per pay period (\$598.00 per year). In addition, each June and December, full-time sworn employees shall be permitted to purchase up to \$400 of new uniforms and/or work-related equipment at the City's expense.

B. Payment. The uniform maintenance allowance shall be paid each biweekly pay period.

C. New Employees. New employees shall receive a prorated uniform allowance at the end of the first pay period following the date of hire. Thereafter, they shall be paid their uniform allowance in the same manner as all other employees. New employees shall receive four (4) uniforms and/or work-related equipment, at the time of hire.

2.19 Medical Insurance.

A. Eligibility. All regular and probationary employees shall be eligible for medical insurance and deferred compensation from the date of hire.

B. Medical Insurance Administration.

1. The City's monthly contribution towards a medical plan provided by the City for full-time employees and dependents shall be \$775. If the total of the premium cost for an individual employee, plus eligible dependents, is less than the City's contribution, the difference between the City's contribution, and the insurance premium, the insurance premium may be deposited in the employee's deferred compensation account.

2. Upon providing the City written proof that medical insurance coverage is in force through coverage provided by another source, a full-time employee may opt out of the City's medical insurance plan and receive the entire monthly contribution as deferred compensation.

2.20 Vision Insurance. The City shall provide a Vision Care Plan during this agreement, or select an alternate vision care provider which maintains equivalent or increases benefits to the employee. Effective the pay day of January 10, 2014, the City and a full-time employee shall share in vision premiums with the City paying 75% and the employee paying 25%.

2.21 Dental Insurance. The City shall provide a Dental Care Plan during this agreement, or select an alternate vision care provider which maintains equivalent or increases benefits to the employee. Effective the pay day of January 10, 2014, the City and a full-time employee shall share in dental premiums with the City paying 75% and the employee paying 25%.

2.22 Life Insurance. The City shall provide group term life insurance benefits plan which shall provide for fifty thousand dollars (\$50,000) life coverage for full-time employees during the term of their employment.

2.23 Reimbursements. Effective the pay period starting December 7, 2013, the City shall end its practice of reimbursing employees for the employee share of State Disability Insurance, Medicare and FICA (approximately 9%).

2.25 Retirement / PERS – Public Safety Members

A. Eligibility. All regular and probationary employees shall be entitled to participate in the current retirement system from the date of hire.

B. Sworn PERS “Classic” Personnel. The City shall provide the PERS 2% @ 55 retirement formula for all sworn personnel. Effective July 1, 2015, employees will contribute 2% of the employee “pickup” for Public Employees Retirement System

benefits. Effective January 1, 2016, employees will contribute 4% of the employee “pickup” for Public Employees Retirement System benefits.

C. Sworn PEPRA New Hires. For employees hired on or after January 1, 2013 and classified as “new” members of CalPERS as defined by Public Employees Pension Reform Act (PEPRA), the City shall maintain a contract with CalPERS for the provision of a 2% @ 57 (highest 36 months) retirement benefit formula. Also pursuant to PEPRA these employees and the City are each responsible for paying one-half of the normal cost of this retirement plan.

2.26 Retirement / PERS – Miscellaneous Members

A. Eligibility. All regular and probationary employees shall be entitled to participate in the current retirement system from the date of hire.

B. Miscellaneous PERS “Classic” Personnel. The City shall provide the PERS 2% @ 55 retirement formula for all miscellaneous personnel. Effective July 1, 2015, employees will contribute 2% of the employee “pickup” for Public Employees Retirement System benefits. Effective January 1, 2016, employees will contribute 4% of the employee “pickup” for Public Employees Retirement System benefits.

C. Miscellaneous PEPRA New Hires. For employees hired on or after January 1, 2013 and classified as “new” members of CalPERS as defined by Public Employees Pension Reform Act (PEPRA), the City shall maintain a contract with CalPERS for the provision of a 2% at 62 (highest 36 months) retirement benefit formula. Also pursuant to PEPRA these employees and the City are each responsible for paying one-half of the normal cost of this retirement plan.

2.26 Mileage Reimbursement. Employees required to use their private vehicle for authorized City business or training shall receive reimbursement at the rate set forth by IRS.

2.27 Dues Deductions. The City will deduct, without charge, dues from the pay of those employees who individually provide written authorization for such dues in an amount certified be current and correct by the President of the POA by the 10th of the month following the month of deduction. Dues in this context mean any deduction voluntarily authorized by a POA member and City Employee.

2.28 Automatic Deposit. The City shall deposit for those employees who so request paychecks to employee accounts in a bank, credit union or savings and loan association per existing City policy.

2.29 Safety Equipment. The City shall supply all officers with adequate safety equipment. The City may issue patrol rifles upon officers completing necessary training and the rifles being available. Personal rifles may be authorized for use by officers upon the approval of the Chief of Police.

2.30 Recognition for Investigation Work. After a minimum of two (2) years tenure with the City, an officer will be recognized for satisfactory completion or authorized investigative work performed by that officer in the form of an acknowledgment letter written by the Chief of Police and placed in the officer's personnel file.

2.31 Incentive Pay for Special Assignments. Police Officers assigned to Special Assignments will be entitled to a premium above their base salary payable with the normal payroll, with a maximum of two (2) assignments. These Officers must satisfactorily perform their Special Assignments as well as their regular patrol duties. In the event an Officer resigns from their Special Assignment or the assignment no longer exists, the Officer will lose the premium pay. The Special Assignments for the period of the MOU are:

- K-9 Officer 3%
- School Resource Officer (SRO) 3%
- Motor Officer 3%
- Narcotics Officer 3%

Police Officers covered by this MOU are eligible for incentive pay at the rate of 4% for Field Training Officer assignments, but only on shifts when they are actually training other Police Officers (reserve or regular). Effective on July 2, 2016, Corporals and Sergeants are not eligible for the 4% Field Training Officer incentive pay.

2.31 Movie /Special Events Assignments. All employees represented by the POA who are assigned to a movie/commercial detail or a special event detail shall be compensated at the rate of \$40.00 per hour.

2.32 Shift Differential. An employee whose shift covers 1900 – 0700 shall be paid a shift differential of \$1.00 per hour for the duration of said shift.

3. DISCIPLINARY ACTION.

3.01 Disciplinary action shall be in accordance with the City's Personnel Manual and the Guadalupe Police Department Police Manual.

4. GRIEVANCE PROCEDURES.

4.01 Employees covered by this MOU may file grievances in accordance with the following rules and procedures:

A. Grievances may be filed concerning the interpretation of this MOU, other rules and regulations concerning terms and conditions of employment, directions of supervisors and disciplinary actions, but may not be filed for rejecting during probation.

B. The Police Department shall allow a grieving employee time off from regular duties without loss of pay when such time off is reasonably necessary for the drafting of a grievance.

C. Time limits specified herein may be extended with the written approval of both parties.

D. Failure of a grieving employee to file an appeal within the specified time limits shall constitute abandonment of a grievance.

E. An aggrieved employee may be accompanied by and assisted by representative of the employee's choice, but must be personally present and participate in discussions at each formal step in the proceedings.

F. No grievance shall be acted on unless filed within thirty (30) days of the time the grieving employee had first knowledge of the matters on which the grievance is based.

G. In each grievance filed, the grieving employee shall state the action the employee wishes taken to cure the grievance, as well as specific and pertinent information as to the matter grieved. The steps in the procedure shall be as follows:

Step No. 1: The employee shall discuss the matter with the immediate supervisor, clearly stating that a grievance is being commenced. The supervisor shall refer the employee to the next level of supervision, if the matter is beyond the immediate supervisor's control, or shall respond verbally or in writing within five (5) days if the matter is within the scope of his/her control. If the employee is unsatisfied with the supervisor's response or is referred to the next level of supervision, the employee shall file a written grievance within five (5) days to the next level of supervision.

Step No. 2: On receipt of a grievance by the second level supervisor, that supervisor shall either refer the grievance to the next level of supervision, if the matter is beyond the second level supervisor's control, or schedule a meeting with the grieving employee to discuss the matter. The meeting shall be scheduled within five (5) days, and the second level supervisor shall respond in writing giving the reason for the decision made within five (5) days after completion of the meeting.

Step No. 3: The process shall continue through higher levels of supervision in the same manner as described in Step No. 2 until the employee is satisfied or the City Council is reached. A grievance to the City Council shall also state whether the grieving employee desires a closed or open hearing. Such grievance shall be scheduled for the next regular City Council meeting for which the agenda is open. The City Council shall hold such hearing and may make additional investigations into the matter. It shall direct a decision in writing with the reasons thereof within a reasonable time, and such decision shall be final.

5. EMPLOYMENT STATUS.

5.01 Personnel Files. An employee may inspect and copy his/her personnel file as required by law

5.02 Probationary Period. All appointments shall be tentative and subject to a probationary period of twelve (12) months. The Chief of Police, with consent of the City Administrator, may extend the probationary period for specified cause(s). The extension shall be provided in writing to an employee. All probationary employees who are being placed on an extended probationary period shall be given written notice of the extension prior to the expiration of their probationary period. In the event notice is not give, the employee shall be considered to have successfully completed the probationary period.

An employee who is in a position that is reclassified shall be required to complete an additional probationary period. The probationary period shall be regarded as part of a continuing testing process and shall be utilized for closely observing the employee's work, for securing the most effective adjustment of a new employee to the position and for rejecting any probationary employee whose performance does not meet the required standard.

5.03 Demotion. Demotion of an employee to a lower class shall result in reduction of salary. The employee's salary shall be placed in the identical step in the lower class that the employee enjoyed in the class from which demotion was made. Demotion can be made for cause, which shall be provided to the employee in writing by the Chief of Police prior to any action taking place. The demoted employee may appeal demotion for disciplinary reasons through the grievance procedure. Demotion for any other reason is not appealable.

5.04 Lay-Off. Whenever, in the judgment of the City, it become necessary to make a reduction in force, whenever possible, the reduction shall be accomplished through attrition. Employees subject to a reduction in force shall be given at least thirty (30) working days notice prior to the effective date of the layoff, or thirty (30) days severance pay in lieu of notice. The POA shall receive concurrent notice and may be granted an opportunity to meet and consult with the City to discuss the proposed alternatives to a reduction in force.

When one (1) or more employees performing in the same class in the Police Department are to face reduction in force, the Chief of Police and the POA representative shall meet to discuss the procedures and order of lay-off.

5.05 Part-Time Employees. Part-time employees in represented classifications shall receive pro-rated benefits base on their percentage of FTE status.

6. POLITICAL ACTIVITIES. Pursuant to the City's Personnel Policy Manual and California Law.

7. MISCELLANEOUS.

7.01 Conclusiveness. It is not the intent of either party to change any plan, program, rule or regulation not specifically referred to in this MOU by the execution of the MOU. The parties may mutually agree to meet and confer on any matter at any time. This MOU is intended to be the full and final definition of wages, hours and working conditions for the period specified. However, other rules and policies set out in the City Personnel Policy Manual and the Administrative Procedures may apply. When in conflict with other policy documents, this MOU shall control.

7.02 Saving Clause. If any article or section of the MOU or any addendum thereof should be held to be invalid by operation of law or by a tribunal of competent jurisdiction, or if compliance or enforcement of any article or section should be restrained by such tribunal or by enactment of a superseding rule, regulation, law or order by any governmental authority other than the City, such article or section shall be immediately suspended and be of no force and effect, and the parties shall immediately begin the meet and confer process for the purpose of arriving at a mutually satisfactory replacement for such article or section. Invalidation of a part or portion of this MOU shall not invalidate any remaining portion, unless those remaining portions were contingent upon the Operation of the invalidated article or section.

7.03 Non-Discrimination. Both the City and the POA agree that they shall not unlawfully discriminate against any employee on the basis of age, race, sex, handicap, creed, color, national origin, or ancestry. Neither the City nor the POA shall interfere with, intimidate, restrain, coerce, or discriminate against any employee because of the exercise of rights to engage or not engage in lawful POA activity.

7.04 City Rights Clause. The POA recognizes the City has and will continue to retain, whether exercised or not, the unilateral and exclusive right to operate, administer and manage its municipal services and work force performing those services in all respect subject to this MOU.

The City has and will continue to retain exclusive decision-making authority on matters not officially and expressly modified by specific provisions of the MOU.

The exclusive rights of the City shall include, but not be limited to: the right to determine the organization of the City government and the purpose and mission of its constituent agencies; to set standards of service to be offered to the public, and through its management officials, to exercise control and discretion over its organization and operations; to establish and effect administration and employment rules and regulations consistent with law and specific provisions of this MOU, to direct its employees; to classify and reclassify positions, to take disciplinary action for just cause; to relieve its employees from duty because of lack of work or for other legitimate reasons; to determine whether goods or services shall be made; purchases or contracted for; to determine the methods, means and personnel by which the City's services are to be provided, including the right to schedule assigned work and overtime; and to otherwise

act in the interest of efficient service to the community.

For the City:

For the POA:

John Lizalde, Mayor

Carlos Limon, President

Andrew Carter, City Administrator

Salvatore Curiel, Vice President

**GUADALUPE POA
HOURLY PAY RATES**

**Effective 07/02/16
3% COLA Increase vs. previous schedule**

Range	Old A	New A	New B	New C	New D	New E	New L1	New L2
120	15.557	16.024	16.825	17.666	18.550	19.477	20.451	21.474
121	15.639	16.108	16.913	17.759	18.647	19.579	20.558	21.586
122	15.721	16.193	17.003	17.853	18.745	19.683	20.667	21.700
123	15.804	16.278	17.092	17.946	18.844	19.786	20.775	21.814
124	15.888	16.365	17.183	18.042	18.945	19.892	20.886	21.931
125	15.973	16.452	17.275	18.138	19.045	19.998	20.997	22.047
126	16.058	16.540	17.367	18.235	19.147	20.104	21.110	22.165
127	16.144	16.628	17.459	18.332	19.249	20.211	21.222	22.283
128	16.231	16.718	17.554	18.432	19.353	20.321	21.337	22.404
129	16.319	16.809	17.649	18.532	19.459	20.431	21.453	22.526
130	16.408	16.900	17.745	18.632	19.564	20.542	21.569	22.648
131	16.497	16.992	17.842	18.734	19.670	20.654	21.687	22.771
132	16.589	17.087	17.941	18.838	19.780	20.769	21.808	22.898
133	16.680	17.180	18.039	18.941	19.888	20.882	21.927	23.023
134	16.772	17.275	18.139	19.046	19.998	20.998	22.048	23.150
135	16.866	17.372	18.241	19.153	20.110	21.116	22.172	23.280
136	16.961	17.470	18.344	19.261	20.224	21.235	22.297	23.411
137	17.056	17.568	18.446	19.369	20.337	21.354	22.422	23.543
138	17.152	17.667	18.550	19.478	20.452	21.474	22.548	23.675
139	17.249	17.766	18.654	19.587	20.566	21.595	22.674	23.808
140	17.347	17.867	18.760	19.698	20.683	21.717	22.803	23.943
141	17.447	17.970	18.869	19.812	20.803	21.843	22.935	24.082
142	17.547	18.073	18.977	19.925	20.922	21.968	23.066	24.220
143	17.647	18.176	19.085	20.039	21.041	22.093	23.198	24.358
144	17.750	18.283	19.197	20.157	21.165	22.223	23.334	24.501
145	17.853	18.389	19.308	20.274	21.288	22.352	23.470	24.643
146	17.957	18.496	19.421	20.392	21.411	22.482	23.606	24.786
147	18.063	18.605	19.535	20.512	21.538	22.614	23.745	24.932
148	18.169	18.714	19.650	20.632	21.664	22.747	23.884	25.079
149	18.276	18.824	19.765	20.753	21.791	22.881	24.025	25.226
150	18.384	18.936	19.883	20.877	21.921	23.017	24.168	25.376
151	18.494	19.049	20.001	21.002	22.052	23.154	24.312	25.527
152	18.605	19.163	20.121	21.127	22.184	23.293	24.457	25.680
153	18.717	19.279	20.243	21.255	22.318	23.434	24.605	25.836
154	18.829	19.394	20.364	21.382	22.451	23.574	24.752	25.990
155	18.943	19.511	20.487	21.511	22.586	23.716	24.902	26.147
156	19.059	19.631	20.613	21.643	22.725	23.862	25.055	26.307
157	19.175	19.750	20.738	21.774	22.863	24.006	25.207	26.467
158	19.293	19.872	20.866	21.909	23.004	24.155	25.362	26.630
159	19.410	19.992	20.992	22.041	23.143	24.300	25.515	26.791

**GUADALUPE POA
HOURLY PAY RATES**

**Effective 07/02/16
3% COLA Increase vs. previous schedule**

Range	Old A	New A	New B	New C	New D	New E	New L1	New L2
160	19.530	20.116	21.122	22.178	23.287	24.451	25.674	26.957
161	19.651	20.241	21.253	22.316	23.431	24.603	25.833	27.125
162	19.774	20.367	21.385	22.455	23.577	24.756	25.994	27.294
163	19.897	20.494	21.519	22.595	23.724	24.911	26.156	27.464
164	20.022	20.623	21.654	22.737	23.874	25.067	26.321	27.637
165	20.147	20.751	21.789	22.878	24.022	25.223	26.484	27.808
166	20.275	20.883	21.927	23.024	24.175	25.383	26.653	27.985
167	20.404	21.016	22.067	23.170	24.329	25.545	26.822	28.163
168	20.533	21.149	22.206	23.317	24.483	25.707	26.992	28.342
169	20.664	21.284	22.348	23.466	24.639	25.871	27.164	28.523
170	20.796	21.420	22.491	23.616	24.796	26.036	27.338	28.705
171	20.931	21.559	22.637	23.769	24.957	26.205	27.515	28.891
172	21.065	21.697	22.782	23.921	25.117	26.373	27.691	29.076
173	21.201	21.837	22.929	24.075	25.279	26.543	27.870	29.264
174	21.339	21.979	23.078	24.232	25.443	26.716	28.051	29.454
175	21.478	22.122	23.228	24.390	25.609	26.889	28.234	29.646
176	21.618	22.267	23.380	24.549	25.777	27.066	28.419	29.840
177	21.761	22.414	23.535	24.711	25.947	27.244	28.607	30.037
178	21.904	22.561	23.689	24.874	26.117	27.423	28.794	30.234
179	22.049	22.710	23.846	25.038	26.290	27.604	28.984	30.434
180	22.194	22.860	24.003	25.203	26.463	27.786	29.176	30.635
181	22.342	23.012	24.163	25.371	26.639	27.971	29.370	30.838
182	22.492	23.167	24.325	25.542	26.819	28.160	29.568	31.046
183	22.642	23.321	24.487	25.711	26.997	28.347	29.764	31.252
184	22.794	23.478	24.652	25.884	27.179	28.538	29.965	31.463
185	22.948	23.636	24.818	26.059	27.362	28.730	30.166	31.675
186	23.104	23.797	24.987	26.236	27.548	28.925	30.372	31.890
187	23.259	23.957	25.155	26.413	27.733	29.120	30.576	32.105
188	23.418	24.121	25.327	26.593	27.923	29.319	30.785	32.324
189	23.578	24.285	25.499	26.774	28.113	29.519	30.994	32.544
190	23.739	24.451	25.674	26.957	28.305	29.720	31.206	32.767
191	23.902	24.619	25.850	27.142	28.500	29.925	31.421	32.992
192	24.067	24.789	26.028	27.330	28.696	30.131	31.638	33.220
193	24.233	24.960	26.208	27.518	28.894	30.339	31.856	33.449
194	24.401	25.133	26.390	27.709	29.095	30.549	32.077	33.681
195	24.571	25.308	26.573	27.902	29.297	30.762	32.300	33.915
196	24.742	25.484	26.758	28.096	29.501	30.976	32.525	34.151
197	24.916	25.663	26.946	28.293	29.708	31.194	32.753	34.391
198	25.091	25.844	27.136	28.493	29.918	31.414	32.984	34.633
199	25.267	26.025	27.326	28.693	30.127	31.634	33.215	34.876

**GUADALUPE POA
HOURLY PAY RATES**

**Effective 07/02/16
3% COLA Increase vs. previous schedule**

Range	Old A	New A	New B	New C	New D	New E	New L1	New L2
200	25.446	26.209	27.519	28.895	30.340	31.857	33.450	35.123
201	25.626	26.395	27.715	29.100	30.556	32.083	33.687	35.372
202	25.807	26.581	27.910	29.306	30.771	32.309	33.925	35.621
203	25.991	26.771	28.110	29.515	30.991	32.540	34.167	35.876
204	26.177	26.962	28.310	29.726	31.212	32.772	34.411	36.132
205	26.364	27.155	28.513	29.938	31.435	33.007	34.657	36.390
206	26.554	27.351	28.719	30.154	31.662	33.245	34.908	36.653
207	26.745	27.547	28.924	30.371	31.889	33.484	35.158	36.916
208	26.938	27.746	29.133	30.590	32.119	33.725	35.412	37.182
209	27.133	27.947	29.344	30.812	32.352	33.970	35.668	37.452
210	27.331	28.151	29.559	31.036	32.588	34.218	35.929	37.725
211	27.529	28.355	29.773	31.261	32.824	34.466	36.189	37.998
212	27.730	28.562	29.990	31.490	33.064	34.717	36.453	38.276
213	27.933	28.771	30.210	31.720	33.306	34.971	36.720	38.556
214	28.138	28.982	30.431	31.953	33.550	35.228	36.989	38.839
215	28.345	29.195	30.655	32.187	33.797	35.487	37.261	39.124
216	28.554	29.411	30.882	32.426	34.047	35.749	37.537	39.414
217	28.766	29.629	31.110	32.666	34.299	36.014	37.815	39.706
218	28.979	29.848	31.340	32.907	34.553	36.280	38.094	39.999
219	29.194	30.070	31.574	33.152	34.810	36.550	38.378	40.297
220	29.412	30.294	31.809	33.399	35.069	36.823	38.664	40.597
221	29.632	30.521	32.047	33.649	35.332	37.098	38.953	40.901
222	29.854	30.750	32.288	33.902	35.597	37.377	39.246	41.208
223	30.079	30.981	32.530	34.157	35.864	37.658	39.540	41.518
224	30.305	31.214	32.775	34.413	36.134	37.941	39.838	41.830
225	30.534	31.450	33.023	34.674	36.407	38.228	40.139	42.146
226	30.764	31.687	33.271	34.935	36.682	38.516	40.442	42.464
227	30.998	31.928	33.524	35.201	36.961	38.809	40.749	42.787
228	31.234	32.171	33.780	35.469	37.242	39.104	41.059	43.112
229	31.472	32.416	34.037	35.739	37.526	39.402	41.372	43.441
230	31.711	32.662	34.295	36.010	37.810	39.701	41.686	43.770