



City Council Regular Meeting

Tuesday, March 14, 2017 / 6:30 PM / City Hall / 405 East El Monte Way, Dinuba

District 1	District 2	District 3	District 4	District 5
Emilio Morales Council Member	Maribel Reynosa Council Member	Scott Harness Mayor	Kuldip Thusu Vice Mayor	Linda Launer Council Member

All attendees are advised that electronic devices must be powered off upon entering the Council Chambers.

1. OPENING CEREMONIES

- 1.1. Welcome and Call to Order
- 1.2. Invocation
- 1.3. Pledge of Allegiance

2. AGENDA CHANGES OR DELETIONS

To better accommodate members of the public or convenience in the order of presentation, items on the agenda may not be presented or acted upon in the order listed. Additions to Agenda may be added only pursuant to California Government Code section 54956.8.

3. REQUEST TO ADDRESS COUNCIL

This portion of the meeting is reserved for any person who would like to address the Council on any item that is not on the agenda. Please be advised that State law does not allow the City Council to discuss or take any action on any issue not on the agenda. The City Council may direct staff to follow up on such item(s). Speakers may be limited to three (3) minutes. If there is any person wishing to address the City Council at this time please approach the podium and state your name and nature of the request.

4. NEW EMPLOYEES AND PROMOTIONS

- 4.1. Margarita Moreno, Administrative Services Director (LP)
- 4.2. Christian Ramos - Full Time Firefighter/ EMT (CT)

5. CONSENT CALENDAR

Matters listed under the Consent Calendar are considered routine and will be enacted by one motion and one vote. There will be no separate discussion of these items. If discussion is desired, a member of the audience or a Council Member may request an item be removed from the Consent Calendar and it will be considered separately.

5.1. SUBJECT

City Council Meeting Minutes February 28, 2017 (LB)

RECOMMENDATION

Council review and approve proposed meeting minutes.

5.2. SUBJECT

Letter of Support for SB 661 (Fuller) (LP)

RECOMMENDATION

Council by motion support Senate Bill 661 (Fuller) and authorize the Mayor to sign a letter of support on behalf of the City of Dinuba to amend and extend the State's New Employment Credit (NEC) hiring incentive.

5.3. SUBJECT

Leadership Class of Northern Tulare County Request for Co-sponsorship of the Annual Cinco de Mayo Event, May 4-7, 2017 (LB)

RECOMMENDATION

Council approve co-sponsorship of the Cinco de Mayo event at Rose Ann Vuich Park, May 4-7, 2017 and the parade in the downtown, May 6, 2017, hosted by the Leadership Class of Northern Tulare County.

5.4. SUBJECT

Resolution No. 2017-07 Courthouse and Police Station Ownership (CS)

RECOMMENDATION

Council to adopt Resolution No. 2017-07 approving agreements transferring all real property interests of the Courthouse and Police Station property to the City of Dinuba.

5.5. SUBJECT

Award Contract for Biosolid Removal to Liberty Composting, Inc. (BB)

RECOMMENDATION

Council to award contract to Liberty Composting Inc. for the removal of biosolids at the Wastewater Reclamation Facility in the amount not to exceed \$70,000.

5.6. SUBJECT

Free Transit Rides on Earth Day, April 22, 2017 (BB)

RECOMMENDATION

Council to approve free transit rides on the Dinuba Area Regional Transit (DART) fixed routes for Earth Day on April 22, 2017.

5.7. SUBJECT

Action of Planning Commission – Meeting of March 7, 2017 (BB)

RECOMMENDATION

This item is for information purposes only. No action is required.

6. WARRANT REGISTER

6.1. SUBJECT

Approval of Warrant Register March 3; 10, 2017 (CS)

RECOMMENDATION

Council to review and approve warrants as presented.

7. DEPARTMENT REPORTS

7.1. SUBJECT

**Dinuba Chamber of Commerce Request for Gold Sponsorship 2017
Dinuba Business Expo on March 23, 2017 (LB)**

RECOMMENDATION

Council to approve a request to sponsor the second annual Dinuba Chamber of Commerce Business Expo on March 23, 2017 in the amount of \$500.

7.2. SUBJECT

Participation in PG&E On-Bill Lighting Conversion Financing (BB)

RECOMMENDATION

Council to approve participation in PG&E's On-Bill Financing Program to convert the existing lighting at the Fire Department and in the Downtown to LED lighting and authorize the City Manager or designee to execute the On-Bill Financing Loan Agreement.

7.3. SUBJECT

Reconsideration of Resolution No. 2017-01 Approving Issuance of TEFRA Bonds in the amount of \$6.5 Million for the Sierra Village Apartment Project on East Davis Drive and North Crawford Avenue (LP)

RECOMMENDATION

Council to consider a request by Council Member Launer to add the TEFRA Bond Issuance of \$6.5 million for the Sierra Village Apartment Project to the March 28, 2017 agenda for reconsideration.

7.4. SUBJECT

Acceptance of Donation from Alta Healthcare District (CT)

RECOMMENDATION

Council to accept donation from the Alta Healthcare District in the amount of \$156,000 for the purchase of a new ambulance and authorize the City Manager or designee to sign any related documents.

7.5. SUBJECT

Resolution No. 2017-06 Nominating Kuldip Thusu for Appointment to the Governing Board of the San Joaquin Valley Air Pollution Control District (LB)

RECOMMENDATION

Council adopt Resolution No. 2017-06 nominating Vice Mayor Kuldip Thusu for appointment to the District Governing Board of the San Joaquin Valley Air Pollution Control District representing small cities in Tulare County.

8. MAYOR/COUNCIL REPORTS

9. CITY MANAGER COMMUNICATIONS

- 9.1.** City Council Goal Setting Work Shop, March 15, 2017 at 5:30 PM, Dinuba Transit Center, 180 West Merced Street, Dinuba (LP)

10. CITY STAFF COMMUNICATIONS

11. CLOSED SESSION

- 11.1.** Conference with Real Property Negotiators (LP)
Pursuant to GC 54956.8, Purchase of Real Property
Property: 260 South L Street, Dinuba
Agency Negotiator: Luis Patlan, City Manager and Carlos Sanchez, Interim Finance Director
Negotiating Parties: City of Dinuba and Armen Majarian
Under Negotiation: Price and terms

12. ADJOURNMENT

This agenda was posted at least 72 hours prior to the regular meeting per GC Section 54954.2(a). A Citizens' Packet regarding this meeting is available at the City Clerk's Office located at City Hall, 405 East El Monte Way, Dinuba CA 93618.

In compliance with the Americans with Disabilities Act, if special assistance is needed to participate in the meeting, please contact the City Clerk's Office at 559-591-5900. Please provide at least 48 hours notification prior to the meeting to allow staff to make reasonable arrangements. (28 CFR 35.102-35.104 ADA Title II)

559.591.5900 / FAX 559.591.5902 . e-mail address: info@dinuba.ca.gov. www.dinuba.org



City Council Staff Report

Department: CITY MANAGER'S OFFICE

March 14, 2017

To: Mayor and City Council

From: Luis Patlan, City Manager

Subject: Margarita Moreno, Administrative Services Director (LP)

RECOMMENDATION

None.

EXECUTIVE SUMMARY

None.

OUTSTANDING ISSUES

None.

DISCUSSION

None.

FISCAL IMPACT

None.

PUBLIC HEARING

None required.



City Council Staff Report

Department: FIRE SERVICES

March 14, 2017

To: Mayor and City Council

From:

Subject: Christian Ramos - Full Time Firefighter/ EMT (CT)

RECOMMENDATION

EXECUTIVE SUMMARY

OUTSTANDING ISSUES

DISCUSSION

FISCAL IMPACT

PUBLIC HEARING



City Council Staff Report

Department: CITY MANAGER'S OFFICE

March 14, 2017

To: Mayor and City Council

From: Linda Barkley, Deputy City Clerk

Subject: City Council Meeting Minutes February 28, 2017 (LB)

RECOMMENDATION

Council review and approve proposed meeting minutes.

EXECUTIVE SUMMARY

None.

OUTSTANDING ISSUES

None.

DISCUSSION

None.

FISCAL IMPACT

None.

PUBLIC HEARING

None required.

ATTACHMENTS:

A. City Council Meeting Minutes, February 28, 2017



City Council Regular Meeting

**February 28, 2017
MINUTES**

COUNCIL MEMBERS PRESENT:

Reynosa, Launer, Harness, Thusu, Morales

COUNCIL MEMBERS ABSENT:

None.

STAFF MEMBERS PRESENT:

Alaniz, Barkley, Hernandez, Hurtado, James, Jenner, Patlan, Popovich, Thompson

1. OPENING CEREMONIES

1.1. Welcome and Call to Order

Mayor Harness called the meeting to order at 6:30 pm.

1.2. Invocation

The invocation was led by Chaplain Susee.

1.3. Pledge of Allegiance

The flag salute was led by Chaplain Susee.

2. AGENDA CHANGES OR DELETIONS

To better accommodate members of the public or convenience in the order of presentation, items on the agenda may not be presented or acted upon in the order listed. Additions to Agenda may be added only pursuant to California Government Code section 54956.8.

None.

3. REQUEST TO ADDRESS COUNCIL

This portion of the meeting is reserved for any person who would like to address the Council on any item that is not on the agenda. Please be advised that State law does not allow the City Council to discuss or take any action on any issue not on the agenda. The City Council may direct staff to follow up on such item(s). Speakers may be limited to three (3) minutes. If there is any person wishing to address the City Council at this time please approach the podium and state your name and nature of the request.

None.

4. NEW EMPLOYEES AND PROMOTIONS

4.1. Josue Silva - Full-Time Police Officer (DP)

Mayor Harness administered the Oath of Office to Officer Josue Silva and Silva's mother pinned his badge on him.

The City Council welcomed Officer Silva.

Mayor Harness declared a short break at 6:36 pm.

Mayor Harness reconvened the meeting at 6:43 pm.

5. CONSENT CALENDAR

Matters listed under the Consent Calendar are considered routine and will be enacted by one motion and one vote. There will be no separate discussion of these items. If discussion is desired, a member of the audience or a Council Member may request an item be removed from the Consent Calendar and it will be considered separately.

5.1. SUBJECT

Cooperative Fire Protection Agreement with the Tulare County Fire Department.(CT)

RECOMMENDATION

Council approve renewal of Cooperative Fire Protection Agreement with Tulare County Fire Department and authorize City Manager or designee to execute the agreement.

5.2. SUBJECT

Historic Preservation Commission Meeting Minutes 01-09-2017 (BB)

RECOMMENDATION

Council accept approved meeting minutes as presented.

5.3. SUBJECT

City Council Meeting Minutes February 14, 2017 (LB)

RECOMMENDATION

Council review and approve proposed meeting minutes.

A motion was made by Council Member Morales, second by Vice Mayor Thusu, to approve the Consent Calendar as presented.

Ayes: Harness, Launer, Morales, Reynosa, Thusu

6. WARRANT REGISTER

6.1. SUBJECT

Approval of Warrant Register February 17; 24, 2017 (CS)

RECOMMENDATION

Council to review and approve warrants as presented.

A motion was made by Vice Mayor Thusu, second by Council Member Morales, to approve the Warrant Register as presented.

7. PUBLIC HEARING

7.1. SUBJECT

Ordinance No. 2017-02 Repealing Ordinance No. 2012-04 Establishing the Pro Youth Dinuba Commission (SH)

RECOMMENDATION

Council conduct a public hearing, waive further reading and adopt Ordinance No. 2017-02 repealing Ordinance No. 2012-04 establishing Pro Youth Dinuba Commission.

Mayor Harness opened the hearing. There being no public comment regarding the proposed ordinance, Mayor Harness closed the hearing.

A motion was made by Council Member Morales, second by Vice Mayor Thusu, to adopt Ordinance No. 2017-02 repealing Ordinance 2012-04 and waive further reading.

Ayes: Harness, Launer, Morales, Reynosa, Thusu

8. DEPARTMENT REPORTS

8.1. SUBJECT

Agreement with Pyro-Spectaculars for July Independence Celebration (SH)

RECOMMENDATION

Council approve the contract with Pyro-Spectaculars in the amount of \$20,000 for the Dinuba Independence Day Celebration on July 3, 2017.

Events Coordinator Hurtado presented information for the Council's consideration of the contract for \$20,000 between the City and Pyro-Spectacular for the Independence Day Celebration.

Hurtado reported that this year's cost of \$20,000 is the same as last year.

A motion was made by Council Member Morales, second by Council Member Launer, to approve the agreement with Pyrospectacular in the amount of \$20,000.

Ayes: Harness, Launer, Morales, Reynosa, Thusu

8.2. SUBJECT

Council Set Date for Goal Setting Work Session (LP)

RECOMMENDATION

Council to schedule date and time for Goal Setting Work Session.

City Manager Patlan reported that the Council set in 2015, three-year goals and the end of the period is coming near. Patlan asked the Council if they would like to hold a goal setting work shop one evening. He proposed March 6, 8, 13, 15 or 16. The Council discussed the dates and settled on March 15 at 5:30 pm.

9. MAYOR/COUNCIL REPORTS

Mayor Harness said wherever he's at in the community he is hearing positive feedback from the community.

Council Member Launer said she would like to have the Council revisit the item regarding the 43-unit apartment complex brought back to Council because she said she feels that the Council did not have clarification on where the funding would come for the project.

Mayor Harness clarified that the it is not funding for the project.

Jenner said the item will need to be voted upon to be placed on the agenda primarily to be voted upon as to whether to place it on the agenda to be heard again at a future meeting.

Reynosa said she would like to have the Council and staff review how much we are charging for facility use fees. She said she feels the numbers are outdated and will have to be updated.

City Manager Patlan said we review them each April and we are getting ready to do so again very soon.

Vice Mayor Thusu said he attended the League's General Division meeting last week where there was a large gathering of cities. He said agrees with the Mayor about the positive feedback from the community.

Council Member Morales said he's been very busy at work.

Council Member Launer said she would like to see the City welcome the presort center to the community.

10. CITY MANAGER COMMUNICATIONS

City Manager Patlan said he met with field reps for Brittney Waton from Vidak's office and Dallas Thiesen from Devon Mathis' office. Let them know what is going on in Dinuba to see how their the Senator and the Assembly Member could help our community with funding for critical projects. The Governor proposed \$400 million in water funding and he will require state legislature to approve the allocation.

City Manager Patlan said that at the first meeting in March, the Council will get a presentation about the Kern Street Storm Drain project and what it entails.

The second project he mentioned to the field reps is the second fire station project. Senator Vidak is sponsoring SB 435, and hoping to appropriate \$12 million to divide between 4 cities. Patlan and Fire Chief Thompson are preparing a letter to Vidak to ask him to include the City's Fire Station in that appropriation. Patlan urged the Council that once they receive their copy of the letter, they individually send email or call the Senator supporting the request.

Lastly, he reported the Tulare County EDC is holding their Economic Summit on March 10 and he reported that he and IT Manager James will attend the meeting at the Wyndham Hotel in Visalia. Patlan invited the Council to attend.

11. CITY STAFF COMMUNICATIONS

None.

12. CLOSED SESSION

The meeting was adjourned to closed session at 7:04 pm.

12.1. Conference with Real Property Negotiators (LP)

Pursuant to GC 54956.8, Purchase of Real Property

Property: 260 South L Street, Dinuba

Agency Negotiator: Luis Patlan, City Manager

Negotiating Parties: City of Dinuba and Armen Majarian

Under Negotiation: Price and terms

No action was taken.

12.2. Conference With Legal Counsel - Anticipated Litigation (LP)

Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9:

Case(s): One (1)

No action was taken.

13. ADJOURNMENT

The meeting adjourned at 8:00 pm.



City Council Staff Report

Department: CITY MANAGER'S OFFICE

March 14, 2017

To: Mayor and City Council
From: Luis Patlan, City Manager
By: Linda Barkley, Deputy City Clerk
Subject: Letter of Support for SB 661 (Fuller) (LP)

RECOMMENDATION

Council by motion support Senate Bill 661 (Fuller) and authorize the Mayor to sign a letter of support on behalf of the City of Dinuba to amend and extend the State's New Employment Credit (NEC) hiring incentive.

EXECUTIVE SUMMARY

The NEC program began in 2013 as a result of the state's elimination of the Enterprise Zone program. Hiring credits have not been claimed by California employers as was anticipated by the legislature resulting in extraordinarily low utilization levels. Amendment of the program is necessary to increase utilization to fulfill the economic purpose for which the program was intended. It is believed that SB 661 will help to increase utilization of the program.

OUTSTANDING ISSUES

None.

DISCUSSION

The California Technology, Trade and Commerce Agency established Enterprise Zones to encourage and stimulate growth, development, and investment in designated economically depressed areas. Taxpayers who invest, operate, or locate a trade or business within an Enterprise Zone may be eligible for special tax incentives.

Enterprise Zone Programs were replaced on July 11, 2013, when Governor Jerry Brown signed Assembly Bill 93 and Senate Bill 90, which created the California New Employment Credit, replacing the California Enterprise Zone program. The program

began January 1, 2014, and will be in effect for 7 years through January 1, 2021.

The Legislature anticipated \$200 million dollars of hiring credit claims but in March 2016, the Franchise Tax Board reported that a mere \$299,164 in credits were claimed in the 2014 tax year. In light of the low number of credits claimed, it became clear that the program needed to be amended to increase utilization and fulfill the economic purpose for which the program was created. SB 661 (Fuller) was written with that purpose in mind.

Below are some of the revisions included in SB 661 (Fuller) but a full reading of the bill is enclosed as Attachment 'B':

1. Expanded program benefits to those communities that suffer from high unemployment and high poverty rates.
2. Enable existing small businesses in those same communities to utilize the incentive to make new hires that they normally would not have because of the rise in labor costs.
3. Allow participating businesses to reduce their income tax below the tentative minimum tax in the same manner that the CA Competes credit utilization provision was revised.
4. Allows retail and food service companies to utilize the incentive so that facilities such as large distribution centers or other ancillary services associated with companies in these NAICS codes can utilize the program.
5. Extend the incentive beyond January 1, 2021.

The Tulare County EDC has requested that the City of Dinuba join the other cities in the county to support the Bill and has asked that the City submit a letter of support to Senator Fuller's office for timely inclusion on the bill analysis when it is set for committee. A letter of support for the Mayor's signature is enclosed as Attachment 'A'.

FISCAL IMPACT

None.

PUBLIC HEARING

None required.

ATTACHMENTS:

- A. Letter of Support for SB 661 (Fuller)
- B. SB 661 (Fuller) Language



City Manager's Office
559/591-5904

Development Services
559/591-5906

Parks & Community Services
559/591-5940

City Attorney
559/734-6729

Public Works Services
559/591-5924

Fire/Ambulance Services
559/591-5931

Administrative Services
559/591-5900

Engineering Services
559/591-5906

Police Services
559/591-5914

March 14, 2017

Senator Jean Fuller
Senate Republican Caucus Leader
State Capitol Building, Room 304
Sacramento, CA 95814

**RE: SB 661: Income Taxes: Credit: New Employment
City of Dinuba's Support**

Senator Fuller:

The City of Dinuba is pleased to support your much-needed legislation, Senate Bill 661, which would amend and extend the State's New Employment Credit (NEC) hiring incentive.

The NEC program was put into place in 2013 as a result of the state's elimination of the Enterprise Zone program. Over the course of the last four years, the Legislature anticipated that over \$200 million of hiring credits would be claimed by California employers under the program. In March 2016, the Franchise Tax Board reported that only \$299,164 in credits had been claimed for the 2014 tax year, indicating extremely low utilization of the existing incentive.

This extraordinarily low utilization level requires that the current program be significantly amended to increase utilization and fulfill the economic purpose for which the program was created. We believe SB 661 will accomplish this purpose.

Specifically, SB 661 includes a number of specific revisions which we support:

1. Expanding program benefits to those communities that suffer from high unemployment and high poverty rates. The NEC was designed specifically for communities with higher unemployment and poverty rates and expanding the hire eligibility to include residents of counties that have an unemployment rate that is at least 150% of the statewide average or a poverty rate that is at least 125% of the statewide average is beneficial.

2. Enabling existing small businesses in these same communities to utilize the incentive to make new hires that they normally would not have because of the rise in labor costs. As new companies to California and existing California companies create new locations, this proposed revision would only apply to existing small businesses within these eligible counties. Lowering the minimum threshold for qualified wages to minimum wage will help employers across the state utilize the program.
3. Allowing participating businesses to reduce their income tax below the tentative minimum tax (TMT) in the same manner that the CA Competes credit utilization provision was revised. We hope a revised NEC program can assist employers large and small and removing this TMT stipulation will assist companies to realize the full benefit of the incentive.
4. Allowing retail and food service companies utilize the incentive so that facilities such as large distribution centers or other ancillary services associated with companies in these NAICS codes can utilize the program. As you are aware, the City of Visalia and many other parts of the Central Valley offer a strategic choice for companies to best serve the California and western U.S. markets, particularly as it pertains to distribution of goods and services. As such, many of our largest employers are in the food service or retail NAICS codes, so revising the program to allow their use will help to align the incentive with many quality employers in our region.
5. Extending the incentive beyond January 1, 2021.

The proposed changes above provide a more beneficial incentive for employers and employees across the state while also providing more flexibility for companies and job seekers in communities that this program was designed to assist, all while maintaining the existing structure of the program for ease of implementation.

Again, we thank you for your efforts to improve the New Employment Credit program as we feel it can be a valuable incentive to many employers throughout California. For these reasons, the City of Dinuba supports your SB 661. If you have any questions about our position, please contact Luis Patlan, City Manager.

Sincerely,

Scott Harness
Mayor
City of Dinuba

Introduced by Senator Fuller

February 17, 2017

An act to amend Sections 17039 and 23036 of, and to amend, add, and repeal Sections 17053.73 and 23626 of, the Revenue and Taxation Code, relating to taxation, and to take effect immediately, tax levy.

LEGISLATIVE COUNSEL'S DIGEST

SB 661, as introduced, Fuller. Income taxes: credit: new employment.

The Personal Income Tax Law and the Corporation Tax Law allow various credits against the taxes imposed by those laws, including, for taxable years beginning on or after January 1, 2014, and before January 1, 2021, a credit for hiring qualified full-time employees within specified economic development areas in an amount equal to 35% of the qualified wages paid to those employees multiplied by the applicable percentage for that taxable year. For the purposes of that credit, a qualified full-time employee is defined as an individual who meets certain requirements and satisfies at least one of several specified conditions, the applicable percentage is calculated, in part, by comparing the total number of full-time employees employed in this state during the taxable year to the total number of full-time employees employed in this state during the base year, as defined, and qualified wages are limited to wages that exceed 150% of minimum wage, or \$10 per hour, as applicable, but do not exceed 350% of minimum wage. Under existing law, employers that provide retail trade services, or that are primarily engaged in providing food services, among others, are ineligible for that credit.

This bill would extend the operation of that credit to taxable years beginning before January 1, 2031.

This bill, for taxable years beginning on or after January 1, 2017, would revise the calculation of the applicable percentage used in

determining the amount of the credit allowed to a small business that as of January 1, 2018, is located in a county that has an unemployment rate that is at least 150% of the statewide average or a county that has a poverty rate that is at least 125% of the statewide average by reducing the number of full-time employees considered to be employed in the state during the base year to zero. The bill would expand the definition of qualified full-time employee to include persons who meet those certain requirements and are either residents of those counties or were eligible to be recipients of the federal earned income tax credit. The bill would allow wages that do not exceed 150% of minimum wage, or \$10 per hour, as applicable, to be included in qualified wages used to calculate the amount of the credit. The bill would also allow an employer that provides retail services, or that is primarily engaged in providing food services, to claim the credit.

The Personal Income Tax Law and the Corporation Tax Law provide for an alternative minimum tax and provide that, except for specified credits, no credit shall reduce the regular tax, as defined, below the tentative minimum tax.

This bill, for taxable years beginning on or after January 1, 2017, and before January 1, 2031, would allow the credit to reduce the regular tax below the tentative minimum tax.

Existing law also allows a credit against tax under both laws for each taxable year beginning on or after January 1, 2014, and before January 1, 2025, in an amount as provided in a written agreement between the Governor's Office of Business and Economic Development and the taxpayer, agreed upon by the California Competes Tax Credit Committee, and based on specified factors, including the number of jobs the taxpayer will create or retain in the state and the amount of investment in the state by the taxpayer. Existing law limits the aggregate amount of credits allocated to taxpayers to a specified sum per fiscal year and provides that the amount available for these credits will decrease based in part, on how much credit is allowed under the hiring credit that would be modified by this bill.

This bill would decrease the amount available for those credits by increasing the amount and availability of the hiring credit.

This bill would include a change in state statute that would result in a taxpayer paying a higher tax within the meaning of Section 3 of Article XIII A of the California Constitution, and thus would require for passage the approval of $\frac{2}{3}$ of the membership of each house of the Legislature.

This bill would take effect immediately as a tax levy.

Vote: $\frac{2}{3}$. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 17039 of the Revenue and Taxation Code
2 is amended to read:
3 17039. (a) Notwithstanding any provision in this part to the
4 contrary, for the purposes of computing tax credits, the term “net
5 tax” means the tax imposed under either Section 17041 or 17048
6 plus the tax imposed under Section 17504 (relating to lump-sum
7 distributions) less the credits allowed by Section 17054 (relating
8 to personal exemption credits) and any amount imposed under
9 paragraph (1) of subdivision (d) and paragraph (1) of subdivision
10 (e) of Section 17560. Notwithstanding the preceding sentence, the
11 “net tax” shall not be less than the tax imposed under Section
12 17504 (relating to the separate tax on lump-sum distributions), if
13 any. Credits shall be allowed against “net tax” in the following
14 order:
15 (1) Credits that do not contain carryover or refundable
16 provisions, except those described in paragraphs (4) and (5).
17 (2) Credits that contain carryover provisions but do not contain
18 refundable provisions, except for those that are allowed to reduce
19 “net tax” below the tentative minimum tax, as defined by Section
20 17062.
21 (3) Credits that contain both carryover and refundable
22 provisions.
23 (4) The minimum tax credit allowed by Section 17063 (relating
24 to the alternative minimum tax).
25 (5) Credits that are allowed to reduce “net tax” below the
26 tentative minimum tax, as defined by Section 17062.
27 (6) Credits for taxes paid to other states allowed by Chapter 12
28 (commencing with Section 18001).
29 (7) Credits that contain refundable provisions but do not contain
30 carryover provisions.
31 The order within each paragraph shall be determined by the
32 Franchise Tax Board.
33 (b) Notwithstanding the provisions of Sections 17061 (relating
34 to refunds pursuant to the Unemployment Insurance Code) and
35 19002 (relating to tax withholding), the credits provided in those

1 sections shall be allowed in the order provided in paragraph (6) of
2 subdivision (a).

3 (c) (1) Notwithstanding any other provision of this part, no tax
4 credit shall reduce the tax imposed under Section 17041 or 17048
5 plus the tax imposed under Section 17504 (relating to the separate
6 tax on lump-sum distributions) below the tentative minimum tax,
7 as defined by Section 17062, except the following credits:

8 (A) The credit allowed by Section 17052.2 (relating to teacher
9 retention tax credit).

10 (B) The credit allowed by former Section 17052.4 (relating to
11 solar energy).

12 (C) The credit allowed by former Section 17052.5 (relating to
13 solar energy, repealed on January 1, 1987).

14 (D) The credit allowed by former Section 17052.5 (relating to
15 solar energy, repealed on December 1, 1994).

16 (E) The credit allowed by Section 17052.12 (relating to research
17 expenses).

18 (F) The credit allowed by former Section 17052.13 (relating to
19 sales and use tax credit).

20 (G) The credit allowed by former Section 17052.15 (relating to
21 Los Angeles Revitalization Zone sales tax credit).

22 (H) The credit allowed by Section 17052.25 (relating to the
23 adoption costs credit).

24 (I) The credit allowed by Section 17053.5 (relating to the
25 renter's credit).

26 (J) The credit allowed by former Section 17053.8 (relating to
27 enterprise zone hiring credit).

28 (K) The credit allowed by former Section 17053.10 (relating to
29 Los Angeles Revitalization Zone hiring credit).

30 (L) The credit allowed by former Section 17053.11 (relating to
31 program area hiring credit).

32 (M) For each taxable year beginning on or after January 1, 1994,
33 the credit allowed by former Section 17053.17 (relating to Los
34 Angeles Revitalization Zone hiring credit).

35 (N) The credit allowed by Section 17053.33 (relating to targeted
36 tax area sales or use tax credit).

37 (O) The credit allowed by Section 17053.34 (relating to targeted
38 tax area hiring credit).

39 (P) The credit allowed by Section 17053.49 (relating to qualified
40 property).

1 (Q) The credit allowed by Section 17053.70 (relating to
2 enterprise zone sales or use tax credit).

3 (R) *For taxable years beginning on or after January 1, 2017,*
4 *and before January 1, 2031, the credit allowed by Section 17053.73*
5 *(relating to new employment credit).*

6 ~~(R)~~

7 (S) The credit allowed by Section 17053.74 (relating to
8 enterprise zone hiring credit).

9 ~~(S)~~

10 (T) The credit allowed by Section 17054 (relating to credits for
11 personal exemption).

12 ~~(T)~~

13 (U) The credit allowed by Section 17054.5 (relating to the
14 credits for a qualified joint custody head of household and a
15 qualified taxpayer with a dependent parent).

16 ~~(U)~~

17 (V) The credit allowed by Section 17054.7 (relating to the credit
18 for a senior head of household).

19 ~~(V)~~

20 (W) The credit allowed by former Section 17057 (relating to
21 clinical testing expenses).

22 ~~(W)~~

23 (X) The credit allowed by Section 17058 (relating to low-income
24 housing).

25 ~~(X)~~

26 (Y) For taxable years beginning on or after January 1, 2014, the
27 credit allowed by Section 17059.2 (relating to GO-Biz California
28 Competes Credit).

29 ~~(Y)~~

30 (Z) The credit allowed by Section 17061 (relating to refunds
31 pursuant to the Unemployment Insurance Code).

32 ~~(Z)~~

33 (AA) Credits for taxes paid to other states allowed by Chapter
34 12 (commencing with Section 18001).

35 ~~(AA)~~

36 (AB) The credit allowed by Section 19002 (relating to tax
37 withholding).

38 ~~(AB)~~

1 (AC) For taxable years beginning on or after January 1, 2014,
2 the credit allowed by Section 17053.86 (relating to the College
3 Access Tax Credit Fund).

4 ~~(AC)~~

5 (AD) For taxable years beginning on or after January 1, 2017,
6 the credit allowed by Section 17053.87 (relating to the College
7 Access Tax Credit Fund).

8 (2) Any credit that is partially or totally denied under paragraph
9 (1) shall be allowed to be carried over and applied to the net tax
10 in succeeding taxable years, if the provisions relating to that credit
11 include a provision to allow a carryover when that credit exceeds
12 the net tax.

13 (d) Unless otherwise provided, any remaining carryover of a
14 credit allowed by a section that has been repealed or made
15 inoperative shall continue to be allowed to be carried over under
16 the provisions of that section as it read immediately prior to being
17 repealed or becoming inoperative.

18 (e) (1) Unless otherwise provided, if two or more taxpayers
19 (other than spouses) share in costs that would be eligible for a tax
20 credit allowed under this part, each taxpayer shall be eligible to
21 receive the tax credit in proportion to his or her respective share
22 of the costs paid or incurred.

23 (2) In the case of a partnership, the credit shall be allocated
24 among the partners pursuant to a written partnership agreement in
25 accordance with Section 704 of the Internal Revenue Code, relating
26 to partner's distributive share.

27 (3) In the case of spouses who file separate returns, the credit
28 may be taken by either or equally divided between them.

29 (f) Unless otherwise provided, in the case of a partnership, any
30 credit allowed by this part shall be computed at the partnership
31 level, and any limitation on the expenses qualifying for the credit
32 or limitation upon the amount of the credit shall be applied to the
33 partnership and to each partner.

34 (g) (1) With respect to any taxpayer that directly or indirectly
35 owns an interest in a business entity that is disregarded for tax
36 purposes pursuant to Section 23038 and any regulations thereunder,
37 the amount of any credit or credit carryforward allowable for any
38 taxable year attributable to the disregarded business entity shall
39 be limited in accordance with paragraphs (2) and (3).

(2) The amount of any credit otherwise allowed under this part, including any credit carryover from prior years, that may be applied to reduce the taxpayer's "net tax," as defined in subdivision (a), for the taxable year shall be limited to an amount equal to the excess of the taxpayer's regular tax (as defined in Section 17062), determined by including income attributable to the disregarded business entity that generated the credit or credit carryover, over the taxpayer's regular tax (as defined in Section 17062), determined by excluding the income attributable to that disregarded business entity. No credit shall be allowed if the taxpayer's regular tax (as defined in Section 17062), determined by including the income attributable to the disregarded business entity, is less than the taxpayer's regular tax (as defined in Section 17062), determined by excluding the income attributable to the disregarded business entity.

(3) If the amount of a credit allowed pursuant to the section establishing the credit exceeds the amount allowable under this subdivision in any taxable year, the excess amount may be carried over to subsequent taxable years pursuant to subdivisions (c) and (d).

(h) (1) Unless otherwise specifically provided, in the case of a taxpayer that is a partner or shareholder of an eligible pass-thru entity described in paragraph (2), any credit passed through to the taxpayer in the taxpayer's first taxable year beginning on or after the date the credit is no longer operative may be claimed by the taxpayer in that taxable year, notwithstanding the repeal of the statute authorizing the credit prior to the close of that taxable year.

(2) For purposes of this subdivision, "eligible pass-thru entity" means any partnership or "S" corporation that files its return on a fiscal year basis pursuant to Section 18566, and that is entitled to a credit pursuant to this part for the taxable year that begins during the last year the credit is operative.

(3) This subdivision shall apply to credits that become inoperative on or after the operative date of the act adding this subdivision.

SEC. 2. Section 17053.73 of the Revenue and Taxation Code is amended to read:

17053.73. (a) (1) For each taxable year beginning on or after January 1, 2014, and before January 1, ~~2021~~, 2017, there shall be allowed to a qualified taxpayer that hires a qualified full-time

1 employee and pays or incurs qualified wages attributable to work
2 performed by the qualified full-time employee in a designated
3 census tract or economic development area, and that receives a
4 tentative credit reservation for that qualified full-time employee,
5 a credit against the “net tax,” as defined in Section 17039, in an
6 amount calculated under this section.

7 (2) The amount of the credit allowable under this section for a
8 taxable year shall be equal to the product of the tentative credit
9 amount for the taxable year and the applicable percentage for that
10 taxable year.

11 (3) (A) If a qualified taxpayer relocates to a designated census
12 tract or economic development area, the qualified taxpayer shall
13 be allowed a credit with respect to qualified wages for each
14 qualified full-time employee employed within the new location
15 only if the qualified taxpayer provides each employee at the
16 previous location or locations a written offer of employment at the
17 new location in the designated census tract or economic
18 development area with comparable compensation.

19 (B) For purposes of this paragraph, “relocates to a designated
20 census tract or economic development area” means an increase in
21 the number of qualified full-time employees, employed by a
22 qualified taxpayer, within a designated census tract or tracts or
23 economic development areas within a 12-month period in which
24 there is a decrease in the number of full-time employees, employed
25 by the qualified taxpayer in this state, but outside of designated
26 census tracts or economic development areas.

27 (C) This paragraph does not apply to a small business.

28 (4) The credit allowed by this section may be claimed only on
29 a timely filed original return of the qualified taxpayer and only
30 with respect to a qualified full-time employee for whom the
31 qualified taxpayer has received a tentative credit reservation.

32 (b) For purposes of this section:

33 (1) The “tentative credit amount” for a taxable year shall be
34 equal to the product of the applicable credit percentage for each
35 qualified full-time employee and the qualified wages paid by the
36 qualified taxpayer during the taxable year to that qualified full-time
37 employee.

38 (2) The “applicable percentage” for a taxable year shall be equal
39 to a fraction, the numerator of which is the net increase in the total
40 number of full-time employees employed in this state during the

1 taxable year, determined on an annual full-time equivalent basis,
2 as compared with the total number of full-time employees
3 employed in this state during the base year, determined on the
4 same basis, and the denominator of which shall be the total number
5 of qualified full-time employees employed in this state during the
6 taxable year. The applicable percentage shall not exceed 100
7 percent.

8 (3) The “applicable credit percentage” means the credit
9 percentage for the calendar year during which a qualified full-time
10 employee was first employed by the qualified taxpayer. The
11 applicable credit percentage for all calendar years shall be 35
12 percent.

13 (4) “Base year” means the 2013 taxable year, except in the case
14 of a qualified taxpayer who first hires a qualified full-time
15 employee in a taxable year beginning on or after January 1, 2015,
16 the base year means the taxable year immediately preceding the
17 taxable year in which a qualified full-time employee was first hired
18 by the qualified taxpayer.

19 (5) “Acquired” includes any gift, inheritance, transfer incident
20 to divorce, or any other transfer, whether or not for consideration.

21 (6) “Annual full-time equivalent” means either of the following:

22 (A) In the case of a full-time employee paid hourly qualified
23 wages, “annual full-time equivalent” means the total number of
24 hours worked for the qualified taxpayer by the employee, not to
25 exceed 2,000 hours per employee, divided by 2,000.

26 (B) In the case of a salaried full-time employee, “annual
27 full-time equivalent” means the total number of weeks worked for
28 the qualified taxpayer by the employee divided by 52.

29 (7) “Designated census tract” means a census tract within the
30 state that is determined by the Department of Finance to have a
31 civilian unemployment rate that is within the top 25 percent of all
32 census tracts within the state and has a poverty rate within the top
33 25 percent of all census tracts within the state, as prescribed in
34 Section 13073.5 of the Government Code.

35 (8) “Economic development area” means either of the following:

36 (A) A former enterprise zone. For purposes of this section,
37 “former enterprise zone” means an enterprise zone designated and
38 in effect as of December 31, 2011, any enterprise zone designated
39 during 2012, and any revision of an enterprise zone prior to June
40 30, 2013, under former Chapter 12.8 (commencing with Section

1 7070) of Division 7 of Title 1 of the Government Code, as in effect
2 on December 31, 2012, excluding any census tract within an
3 enterprise zone that is identified by the Department of Finance
4 pursuant to Section 13073.5 of the Government Code as a census
5 tract within the lowest quartile of census tracts with the lowest
6 civilian unemployment and poverty.

7 (B) A local agency military base recovery area designated as
8 of the effective date of the act adding this subparagraph, in
9 accordance with Section 7114 of the Government Code.

10 (9) “Minimum wage” means the wage established pursuant to
11 Chapter 1 (commencing with Section 1171) of Part 4 of Division
12 2 of the Labor Code.

13 (10) (A) “Qualified full-time employee” means an individual
14 who meets all of the following requirements:

15 (i) Performs at least 50 percent of his or her services for the
16 qualified taxpayer during the taxable year in a designated census
17 tract or economic development area.

18 (ii) Receives starting wages that are at least 150 percent of the
19 minimum wage.

20 (iii) Is hired by the qualified taxpayer on or after January 1,
21 2014.

22 (iv) Is hired by the qualified taxpayer after the date the
23 Department of Finance determines that the census tract referred
24 to in clause (i) is a designated census tract or that the census tracts
25 within a former enterprise zone are not census tracts with the lowest
26 civilian unemployment and poverty.

27 (v) Satisfies either of the following conditions:

28 (I) Is paid qualified wages by the qualified taxpayer for services
29 not less than an average of 35 hours per week.

30 (II) Is a salaried employee and was paid compensation during
31 the taxable year for full-time employment, within the meaning of
32 Section 515 of the Labor Code, by the qualified taxpayer.

33 (vi) Upon commencement of employment with the qualified
34 taxpayer, satisfies any of the following conditions:

35 (I) Was unemployed for the six months immediately preceding
36 employment with the qualified taxpayer. In the case of an
37 individual that completed a program of study at a college,
38 university, or other postsecondary educational institution, received
39 a baccalaureate, postgraduate, or professional degree, and was
40 unemployed for the six months immediately preceding employment

1 with the qualified taxpayer, that individual must have completed
2 that program of study at least 12 months prior to the individual's
3 commencement of employment with the qualified taxpayer.

4 (II) Is a veteran who separated from service in the Armed Forces
5 of the United States within the 12 months preceding
6 commencement of employment with the qualified taxpayer.

7 (III) Was a recipient of the credit allowed under Section 32 of
8 the Internal Revenue Code, relating to earned income, as applicable
9 for federal purposes, for the previous taxable year.

10 (IV) Is an ex-offender previously convicted of a felony.

11 (V) Is a recipient of either CalWORKs, in accordance with
12 Article 2 (commencing with Section 11250) of Chapter 2 of Part
13 3 of Division 9 of the Welfare and Institutions Code, or general
14 assistance, in accordance with Section 17000.5 of the Welfare and
15 Institutions Code.

16 (B) An individual may be considered a qualified full-time
17 employee only for the period of time commencing with the date
18 the individual is first employed by the qualified taxpayer and
19 ending 60 months thereafter.

20 (11) (A) "Qualified taxpayer" means a person or entity engaged
21 in a trade or business within a designated census tract or economic
22 development area that, during the taxable year, pays or incurs
23 qualified wages.

24 (B) In the case of any pass-thru entity, the determination of
25 whether a taxpayer is a qualified taxpayer under this section shall
26 be made at the entity level and any credit under this section or
27 Section 23626 shall be allowed to the pass-thru entity and passed
28 through to the partners and shareholders in accordance with
29 applicable provisions of this part or Part 11 (commencing with
30 Section 23001). For purposes of this subdivision, the term
31 "pass-thru entity" means any partnership or "S" corporation.

32 (C) "Qualified taxpayers" shall not include any of the following:

33 (i) Employers that provide temporary help services, as described
34 in Code 561320 of the North American Industry Classification
35 System (NAICS) published by the United States Office of
36 Management and Budget, 2012 edition.

37 (ii) Employers that provide retail trade services, as described
38 in Sector 44-45 of the North American Industry Classification
39 System (NAICS) published by the United States Office of
40 Management and Budget, 2012 edition.

(iii) Employers that are primarily engaged in providing food services, as described in Code 711110, 722511, 722513, 722514, or 722515 of the North American Industry Classification System (NAICS) published by the United States Office of Management and Budget, 2012 edition.

(iv) Employers that are primarily engaged in services as described in Code 713210, 721120, or 722410 of the North American Industry Classification System (NAICS) published by the United States Office of Management and Budget, 2012 edition.

(v) (I) An employer that is a sexually oriented business.

(II) For purposes of this clause:

(ia) “Sexually oriented business” means a nightclub, bar, restaurant, or similar commercial enterprise that provides for an audience of two or more individuals live nude entertainment or live nude performances where the nudity is a function of everyday business operations and where nudity is a planned and intentional part of the entertainment or performance.

(ib) “Nude” means clothed in a manner that leaves uncovered or visible, through less than fully opaque clothing, any portion of the genitals or, in the case of a female, any portion of the breasts below the top of the areola of the breasts.

(D) Subparagraph (C) shall not apply to a taxpayer that is a “small business.”

(12) “Qualified wages” means those wages that meet all of the following requirements:

(A) (i) Except as provided in clause (ii), that portion of wages paid or incurred by the qualified taxpayer during the taxable year to each qualified full-time employee that exceeds 150 percent of minimum wage, but does not exceed 350 percent of minimum wage.

(ii) (I) In the case of a qualified full-time employee employed in a designated pilot area, that portion of wages paid or incurred by the qualified taxpayer during the taxable year to each qualified full-time employee that exceeds ten dollars (\$10) per hour or an equivalent amount for salaried employees, but does not exceed 350 percent of minimum wage. For qualified full-time employees described in the preceding sentence, clause (ii) of subparagraph (A) of paragraph (10) is modified by substituting “ten dollars (\$10) per hour or an equivalent amount for salaried employees” for “150 percent of the minimum wage.”

1 (II) For purposes of this clause:

2 (ia) “Designated pilot area” means an area designated as a
3 designated pilot area by the Governor’s Office of Business and
4 Economic Development.

5 (ib) Areas that may be designated as a designated pilot area are
6 limited to areas within a designated census tract or an economic
7 development area with average wages less than the statewide
8 average wages, based on information from the Labor Market
9 Division of the Employment Development Department, and areas
10 within a designated census tract or an economic development area
11 based on high poverty or high unemployment.

12 (ic) The total number of designated pilot areas that may be
13 designated is limited to five, one or more of which must be an area
14 within five or fewer designated census tracts within a single county
15 based on high poverty or high unemployment or an area within an
16 economic development area based on high poverty or high
17 unemployment.

18 (id) The designation of a designated pilot area shall be applicable
19 for a period of four calendar years, commencing with the first
20 calendar year for which the designation of a designated pilot area
21 is effective. The applicable period of a designated pilot area may
22 be extended, in the sole discretion of the Governor’s Office of
23 Business and Economic Development, for an additional period of
24 up to three calendar years. The applicable period, and any extended
25 period, shall not extend beyond December 31, 2020.

26 (III) The designation of an area as a designated pilot area and
27 the extension of the applicable period of a designated pilot area
28 shall be at the sole discretion of the Governor’s Office of Business
29 and Economic Development and shall not be subject to
30 administrative appeal or judicial review.

31 (B) Wages paid or incurred during the 60-month period
32 beginning with the first day the qualified full-time employee
33 commences employment with the qualified taxpayer. In the case
34 of any employee who is reemployed, including a regularly
35 occurring seasonal increase, in the trade or business operations of
36 the qualified taxpayer, this reemployment shall not be treated as
37 constituting commencement of employment for purposes of this
38 section.

39 (C) Except as provided in paragraph (3) of subdivision (n),
40 qualified wages shall not include any wages paid or incurred by

1 the qualified taxpayer on or after the date that the Department of
2 Finance’s redesignation of designated census tracts is effective,
3 as provided in paragraph (2) of subdivision (g), so that a census
4 tract is no longer a designated census tract.

5 (13) “Seasonal employment” means employment by a qualified
6 taxpayer that has regular and predictable substantial reductions in
7 trade or business operations.

8 (14) (A) “Small business” means a trade or business that has
9 aggregate gross receipts, less returns and allowances reportable to
10 this state, of less than two million dollars (\$2,000,000) during the
11 previous taxable year.

12 (B) (i) For purposes of this paragraph, “gross receipts, less
13 returns and allowances reportable to this state,” means the sum of
14 the gross receipts from the production of business income, as
15 defined in subdivision (a) of Section 25120, and the gross receipts
16 from the production of nonbusiness income, as defined in
17 subdivision (d) of Section 25120.

18 (ii) In the case of any trade or business activity conducted by a
19 partnership or an “S” corporation, the limitations set forth in
20 subparagraph (A) shall be applied to the partnership or “S”
21 corporation and to each partner or shareholder.

22 (C) (i) “Small business” shall not include a sexually oriented
23 business.

24 (ii) For purposes of this subparagraph:

25 (I) “Sexually oriented business” means a nightclub, bar,
26 restaurant, or similar commercial enterprise that provides for an
27 audience of two or more individuals live nude entertainment or
28 live nude performances where the nudity is a function of everyday
29 business operations and where nudity is a planned and intentional
30 part of the entertainment or performance.

31 (II) “Nude” means clothed in a manner that leaves uncovered
32 or visible, through less than fully opaque clothing, any portion of
33 the genitals or, in the case of a female, any portion of the breasts
34 below the top of the areola of the breasts.

35 (15) An individual is “unemployed” for any period for which
36 the individual is all of the following:

37 (A) Not in receipt of wages subject to withholding under Section
38 13020 of the Unemployment Insurance Code for that period.

1 (B) Not a self-employed individual (within the meaning of
2 Section 401(c)(1)(B) of the Internal Revenue Code, relating to
3 self-employed individual) for that period.

4 (C) Not a registered full-time student at a high school, college,
5 university, or other postsecondary educational institution for that
6 period.

7 (c) The net increase in full-time employees of a qualified
8 taxpayer shall be determined as provided by this subdivision:

9 (1) (A) The net increase in full-time employees shall be
10 determined on an annual full-time equivalent basis by subtracting
11 from the amount determined in subparagraph (C) the amount
12 determined in subparagraph (B).

13 (B) The total number of full-time employees employed in the
14 base year by the taxpayer and by any trade or business acquired
15 by the taxpayer during the current taxable year.

16 (C) The total number of full-time employees employed in the
17 current taxable year by the taxpayer and by any trade or business
18 acquired during the current taxable year.

19 (2) For taxpayers who first commence doing business in this
20 state during the taxable year, the number of full-time employees
21 for the base year shall be zero.

22 (d) For purposes of this section:

23 (1) All employees of the trades or businesses that are treated as
24 related under Section 267, 318, or 707 of the Internal Revenue
25 Code shall be treated as employed by a single taxpayer.

26 (2) In determining whether the taxpayer has first commenced
27 doing business in this state during the taxable year, the provisions
28 of subdivision (f) of Section 17276, without application of
29 paragraph (7) of that subdivision, shall apply.

30 (e) (1) To be eligible for the credit allowed by this section, a
31 qualified taxpayer shall, upon hiring a qualified full-time employee,
32 request a tentative credit reservation from the Franchise Tax Board
33 within 30 days of complying with the Employment Development
34 Department's new hire reporting requirements as provided in
35 Section 1088.5 of the Unemployment Insurance Code, in the form
36 and manner prescribed by the Franchise Tax Board.

37 (2) To obtain a tentative credit reservation with respect to a
38 qualified full-time employee, the qualified taxpayer shall provide
39 necessary information, as determined by the Franchise Tax Board,
40 including the name, social security number, the start date of

1 employment, the rate of pay of the qualified full-time employee,
2 the qualified taxpayer's gross receipts, less returns and allowances,
3 for the previous taxable year, and whether the qualified full-time
4 employee is a resident of a targeted employment area, as defined
5 in former Section 7072 of the Government Code, as in effect on
6 December 31, 2013.

7 (3) The qualified taxpayer shall provide the Franchise Tax Board
8 an annual certification of employment with respect to each
9 qualified full-time employee hired in a previous taxable year, on
10 or before, the 15th day of the third month of the taxable year. The
11 certification shall include necessary information, as determined
12 by the Franchise Tax Board, including the name, social security
13 number, start date of employment, and rate of pay for each qualified
14 full-time employee employed by the qualified taxpayer.

15 (4) A tentative credit reservation provided to a taxpayer with
16 respect to an employee of that taxpayer shall not constitute a
17 determination by the Franchise Tax Board with respect to any of
18 the requirements of this section regarding a taxpayer's eligibility
19 for the credit authorized by this section.

20 (f) The Franchise Tax Board shall do all of the following:

21 (1) Approve a tentative credit reservation with respect to a
22 qualified full-time employee hired during a calendar year.

23 (2) Determine the aggregate tentative reservation amount and
24 the aggregate small business tentative reservation amount for a
25 calendar year.

26 (3) A tentative credit reservation request from a qualified
27 taxpayer with respect to a qualified full-time employee who is a
28 resident of a targeted employment area, as defined in former
29 Section 7072 of the Government Code, as in effect on December
30 31, 2013, shall be expeditiously processed by the Franchise Tax
31 Board. The residence of a qualified full-time employee in a targeted
32 employment area shall have no other effect on the eligibility of an
33 individual as a qualified full-time employee or the eligibility of a
34 qualified taxpayer for the credit authorized by this section.

35 (4) Notwithstanding Section 19542, provide as a searchable
36 database on its Internet Web site, for each taxable year beginning
37 on or after January 1, 2014, and before January 1, ~~2021~~, 2017, the
38 employer names, amounts of tax credit claimed, and number of
39 new jobs created for each taxable year pursuant to this section and
40 Section 23626.

1 (g) (1) The Department of Finance shall, by January 1, 2014,
2 ~~and by January 1 of every fifth year thereafter,~~ provide the
3 Franchise Tax Board with a list of the designated census tracts and
4 a list of census tracts with the lowest civilian unemployment rate.

5 (2) The redesignation of designated census tracts and lowest
6 civilian unemployment census tracts by the Department of Finance
7 as provided in Section 13073.5 of the Government Code shall be
8 effective, for purposes of this credit, one year after the date the
9 Department of Finance redesignates the designated census tracts.

10 (h) For purposes of this section:

11 (1) All employees of the trades or businesses that are treated as
12 related under Section 267, 318, or 707 of the Internal Revenue
13 Code shall be treated as employed by a single taxpayer.

14 (2) All employees of trades or businesses that are not
15 incorporated, and that are under common control, shall be treated
16 as employed by a single taxpayer.

17 (3) The credit, if any, allowable by this section with respect to
18 each trade or business shall be determined by reference to its
19 proportionate share of the expense of the qualified wages giving
20 rise to the credit, and shall be allocated to that trade or business in
21 that manner.

22 (4) Principles that apply in the case of controlled groups of
23 corporations, as specified in subdivision (h) of Section 23626,
24 shall apply with respect to determining employment.

25 (5) If an employer acquires the major portion of a trade or
26 business of another employer, hereinafter in this paragraph referred
27 to as the predecessor, or the major portion of a separate unit of a
28 trade or business of a predecessor, then, for purposes of applying
29 this section, other than subdivision (i), for any taxable year ending
30 after that acquisition, the employment relationship between a
31 qualified full-time employee and an employer shall not be treated
32 as terminated if the employee continues to be employed in that
33 trade or business.

34 (i) (1) If the employment of any qualified full-time employee,
35 with respect to whom qualified wages are taken into account under
36 subdivision (a), is terminated by the qualified taxpayer at any time
37 during the first 36 months after commencing employment with
38 the qualified taxpayer, whether or not consecutive, the tax imposed
39 by this part for the taxable year in which that employment is
40 terminated shall be increased by an amount equal to the credit

1 allowed under subdivision (a) for that taxable year and all prior
2 taxable years attributable to qualified wages paid or incurred with
3 respect to that employee.

4 (2) Paragraph (1) does not apply to any of the following:

5 (A) A termination of employment of a qualified full-time
6 employee who voluntarily leaves the employment of the qualified
7 taxpayer.

8 (B) A termination of employment of a qualified full-time
9 employee who, before the close of the period referred to in
10 paragraph (1), becomes disabled and unable to perform the services
11 of that employment, unless that disability is removed before the
12 close of that period and the qualified taxpayer fails to offer
13 reemployment to that employee.

14 (C) A termination of employment of a qualified full-time
15 employee, if it is determined that the termination was due to the
16 misconduct, as defined in Sections 1256-30 to 1256-43, inclusive,
17 of Title 22 of the California Code of Regulations, of that employee.

18 (D) A termination of employment of a qualified full-time
19 employee due to a substantial reduction in the trade or business
20 operations of the qualified taxpayer, including reductions due to
21 seasonal employment.

22 (E) A termination of employment of a qualified full-time
23 employee, if that employee is replaced by other qualified full-time
24 employees so as to create a net increase in both the number of
25 employees and the hours of employment.

26 (F) A termination of employment of a qualified full-time
27 employee, when that employment is considered seasonal
28 employment and the qualified employee is rehired on a seasonal
29 basis.

30 (3) For purposes of paragraph (1), the employment relationship
31 between the qualified taxpayer and a qualified full-time employee
32 shall not be treated as terminated by reason of a mere change in
33 the form of conducting the trade or business of the qualified
34 taxpayer, if the qualified full-time employee continues to be
35 employed in that trade or business and the qualified taxpayer retains
36 a substantial interest in that trade or business.

37 (4) An increase in tax under paragraph (1) shall not be treated
38 as tax imposed by this part for purposes of determining the amount
39 of any credit allowable under this part.

40 (j) In the case of an estate or trust, both of the following apply:

1 (1) The qualified wages for a taxable year shall be apportioned
2 between the estate or trust and the beneficiaries on the basis of the
3 income of the estate or trust allocable to each.

4 (2) A beneficiary to whom any qualified wages have been
5 apportioned under paragraph (1) shall be treated, for purposes of
6 this part, as the employer with respect to those wages.

7 (k) In the case in which the credit allowed by this section
8 exceeds the “net tax,” the excess may be carried over to reduce
9 the “net tax” in the following year, and the succeeding four years
10 if necessary, until the credit is exhausted.

11 (l) The Franchise Tax Board may prescribe rules, guidelines,
12 or procedures necessary or appropriate to carry out the purposes
13 of this section, including any guidelines regarding the allocation
14 of the credit allowed under this section. Chapter 3.5 (commencing
15 with Section 11340) of Part 1 of Division 3 of Title 2 of the
16 Government Code shall not apply to any rule, guideline, or
17 procedure prescribed by the Franchise Tax Board pursuant to this
18 section.

19 (m) (1) Upon the effective date of this section, the Department
20 of Finance shall estimate the total dollar amount of credits that
21 will be claimed under this section with respect to each fiscal year
22 from the 2013–14 fiscal year to the ~~2020–21~~ 2016–17 fiscal year,
23 inclusive.

24 (2) The Franchise Tax Board shall annually provide to the Joint
25 Legislative Budget Committee, by no later than March 1, a report
26 of the total dollar amount of the credits claimed under this section
27 with respect to the relevant fiscal year. The report shall compare
28 the total dollar amount of credits claimed under this section with
29 respect to that fiscal year with the department’s estimate with
30 respect to that same fiscal year. If the total dollar amount of credits
31 claimed for the fiscal year is less than the estimate for that fiscal
32 year, the report shall identify options for increasing annual claims
33 of the credit so as to meet estimated amounts.

34 (n) ~~(1)~~ This section shall remain in effect only until December
35 1, ~~2024~~, 2020, and as of that date is repealed.

36 ~~(2) Notwithstanding paragraph (1) of subdivision (a), this section~~
37 ~~shall continue to be operative for taxable years beginning on or~~
38 ~~after January 1, 2021, but only with respect to qualified full-time~~
39 ~~employees who commenced employment with a qualified taxpayer~~

1 in a designated census tract or economic development area in a
2 taxable year beginning before January 1, 2021.

3 ~~(3) This section shall remain operative for any qualified taxpayer~~
4 ~~with respect to any qualified full-time employee after the~~
5 ~~designated census tract is no longer designated or an economic~~
6 ~~development area ceases to be an economic development area, as~~
7 ~~defined in this section, for the remaining period, if any, of the~~
8 ~~60-month period after the original date of hiring of an otherwise~~
9 ~~qualified full-time employee and any wages paid or incurred with~~
10 ~~respect to those qualified full-time employees after the designated~~
11 ~~census tract is no longer designated or an economic development~~
12 ~~area ceases to be an economic development area, as defined in this~~
13 ~~section, shall be treated as qualified wages under this section,~~
14 ~~provided the employee satisfies any other requirements of~~
15 ~~paragraphs (10) and (12) of subdivision (b), as if the designated~~
16 ~~census tract was still designated and binding or the economic~~
17 ~~development area was still in existence.~~

18 SEC. 3. Section 17053.73 is added to the Revenue and Taxation
19 Code, to read:

20 17053.73. (a) (1) For each taxable year beginning on or after
21 January 1, 2017, and before January 1, 2031, there shall be allowed
22 to a qualified taxpayer that hires a qualified full-time employee
23 and pays or incurs qualified wages attributable to work performed
24 by the qualified full-time employee in a designated census tract
25 or economic development area, and that receives a tentative credit
26 reservation for that qualified full-time employee, a credit against
27 the “net tax,” as defined by Section 17039, in an amount calculated
28 under this section.

29 (2) The amount of the credit allowable under this section for a
30 taxable year shall be equal to the product of the tentative credit
31 amount for the taxable year and the applicable percentage for the
32 taxable year.

33 (3) (A) If a qualified taxpayer relocates to a designated census
34 tract or economic development area, the qualified taxpayer shall
35 be allowed a credit with respect to qualified wages for each
36 qualified full-time employee employed within the new location
37 only if the qualified taxpayer provides each employee at the
38 previous location or locations a written offer of employment at the
39 new location in the designated census tract or economic
40 development area with comparable compensation.

1 (B) For purposes of this paragraph, “relocates to a designated
2 census tract or economic development area” means an increase in
3 the number of qualified full-time employees, employed by a
4 qualified taxpayer, within a designated census tract or tracts or
5 economic development areas within a 12-month period in which
6 there is a decrease in the number of full-time employees, employed
7 by the qualified taxpayer in this state, but outside of designated
8 census tracts or economic development areas.

9 (C) This paragraph does not apply to a small business.

10 (4) The credit allowed by this section may be claimed only on
11 a timely filed original return of the qualified taxpayer and only
12 with respect to a qualified full-time employee for whom the
13 qualified taxpayer has received a tentative credit reservation.

14 (b) For purposes of this section:

15 (1) The “tentative credit amount” for a taxable year shall be
16 equal to the product of the applicable credit percentage for each
17 qualified full-time employee and the qualified wages paid by the
18 qualified taxpayer during the taxable year to that qualified full-time
19 employee.

20 (2) The “applicable percentage” for a taxable year shall be equal
21 to a fraction, the numerator of which is the net increase in the total
22 number of full-time employees employed in this state during the
23 taxable year, determined on an annual full-time equivalent basis,
24 as compared with the total number of full-time employees
25 employed in this state during the base year, determined on the
26 same basis, and the denominator of which shall be the total number
27 of qualified full-time employees employed in this state during the
28 taxable year. The applicable percentage shall not exceed 100
29 percent.

30 (3) The “applicable credit percentage” means the credit
31 percentage for the calendar year during which a qualified full-time
32 employee was first employed by the qualified taxpayer. The
33 applicable credit percentage for all calendar years shall be 35
34 percent.

35 (4) “Base year” means the 2013 taxable year, except in the case
36 of a qualified taxpayer who first hires a qualified full-time
37 employee in a taxable year beginning on or after January 1, 2015,
38 the base year means the taxable year immediately preceding the
39 taxable year in which a qualified full-time employee was first hired
40 by the qualified taxpayer.

1 (5) “Acquired” includes any gift, inheritance, transfer incident
2 to divorce, or any other transfer, whether or not for consideration.

3 (6) “Annual full-time equivalent” means either of the following:

4 (A) In the case of a full-time employee paid hourly qualified
5 wages, “annual full-time equivalent” means the total number of
6 hours worked for the qualified taxpayer by the employee, not to
7 exceed 2,000 hours per employee, divided by 2,000.

8 (B) In the case of a salaried full-time employee, “annual
9 full-time equivalent” means the total number of weeks worked for
10 the qualified taxpayer by the employee divided by 52.

11 (7) “Designated census tract” means a census tract within the
12 state that is determined by the Department of Finance to have a
13 civilian unemployment rate that is within the top 25 percent of all
14 census tracts within the state and has a poverty rate within the top
15 25 percent of all census tracts within the state, as prescribed in
16 Section 13073.5 of the Government Code.

17 (8) “Economic development area” means either of the following:

18 (A) A former enterprise zone. For purposes of this section,
19 “former enterprise zone” means an enterprise zone designated and
20 in effect as of December 31, 2011, any enterprise zone designated
21 during 2012, and any revision of an enterprise zone prior to June
22 30, 2013, under former Chapter 12.8 (commencing with Section
23 7070) of Division 7 of Title 1 of the Government Code, as in effect
24 on December 31, 2012, excluding any census tract within an
25 enterprise zone that is identified by the Department of Finance
26 pursuant to Section 13073.5 of the Government Code as a census
27 tract within the lowest quartile of census tracts with the lowest
28 civilian unemployment and poverty.

29 (B) A local agency military base recovery area designated as
30 of the effective date of the act adding this subparagraph, in
31 accordance with Section 7114 of the Government Code.

32 (9) “Minimum wage” means the wage established pursuant to
33 Chapter 1 (commencing with Section 1171) of Part 4 of Division
34 2 of the Labor Code.

35 (10) (A) “Qualified full-time employee” means an individual
36 who meets all of the following requirements:

37 (i) Performs at least 50 percent of his or her services for the
38 qualified taxpayer during the taxable year in a designated census
39 tract or economic development area.

40 (ii) Is hired by the qualified taxpayer on or after January 1, 2014.

1 (iii) Is hired by the qualified taxpayer after the date the
2 Department of Finance determines that the census tract referred
3 to in clause (i) is a designated census tract or that the census tracts
4 within a former enterprise zone are not census tracts with the lowest
5 civilian unemployment and poverty.

6 (iv) Satisfies either of the following conditions:

7 (I) Is paid qualified wages by the qualified taxpayer for services
8 not less than an average of 35 hours per week.

9 (II) Is a salaried employee and was paid compensation during
10 the taxable year for full-time employment, within the meaning of
11 Section 515 of the Labor Code, by the qualified taxpayer.

12 (v) Upon commencement of employment with the qualified
13 taxpayer, satisfies any of the following conditions:

14 (I) Was unemployed for the six months immediately preceding
15 employment with the qualified taxpayer. In the case of an
16 individual who completed a program of study at a college,
17 university, or other postsecondary educational institution, received
18 a baccalaureate, postgraduate, or professional degree, and was
19 unemployed for the six months immediately preceding employment
20 with the qualified taxpayer, that individual must have completed
21 that program of study at least 12 months prior to the individual's
22 commencement of employment with the qualified taxpayer.

23 (II) Is a veteran who separated from service in the Armed Forces
24 of the United States within the 12 months preceding
25 commencement of employment with the qualified taxpayer.

26 (III) Was eligible to be a recipient of the credit allowed under
27 Section 32 of the Internal Revenue Code, relating to earned income,
28 as applicable for federal purposes, for the previous taxable year.

29 (IV) Is an ex-offender previously convicted of a felony.

30 (V) Is a recipient of either CalWORKs, in accordance with
31 Article 2 (commencing with Section 11250) of Chapter 2 of Part
32 3 of Division 9 of the Welfare and Institutions Code, or general
33 assistance, in accordance with Section 17000.5 of the Welfare and
34 Institutions Code.

35 (VI) Is a resident of a county that has an unemployment rate
36 that is at least 150 percent of the statewide average or a county
37 that has a poverty rate that is at least 125 percent of the statewide
38 average.

39 (B) An individual may be considered a qualified full-time
40 employee only for the period of time commencing with the date

1 the individual is first employed by the qualified taxpayer and
2 ending 60 months thereafter.

3 (11) (A) “Qualified taxpayer” means a person or entity engaged
4 in a trade or business within a designated census tract or economic
5 development area that, during the taxable year, pays or incurs
6 qualified wages.

7 (B) In the case of any pass-thru entity, the determination of
8 whether a taxpayer is a qualified taxpayer under this section shall
9 be made at the entity level and any credit under this section or
10 Section 23626 shall be allowed to the pass-thru entity and passed
11 through to the partners and shareholders in accordance with
12 applicable provisions of this part or Part 11 (commencing with
13 Section 23001). For purposes of this subdivision, the term
14 “pass-thru entity” means any partnership or “S” corporation.

15 (C) “Qualified taxpayer” shall not include any of the following:

16 (i) Employers that provide temporary help services, as described
17 in Code 561320 of the North American Industry Classification
18 System (NAICS) published by the United States Office of
19 Management and Budget, 2012 edition.

20 (ii) Employers that are primarily engaged in services as
21 described in Code 713210, 721120, or 722410 of the North
22 American Industry Classification System (NAICS) published by
23 the United States Office of Management and Budget, 2012 edition.

24 (iii) (I) An employer that is a sexually oriented business.

25 (II) For purposes of this clause:

26 (ia) “Sexually oriented business” means a nightclub, bar,
27 restaurant, or similar commercial enterprise that provides for an
28 audience of two or more individuals live nude entertainment or
29 live nude performances where the nudity is a function of everyday
30 business operations and where nudity is a planned and intentional
31 part of the entertainment or performance.

32 (ib) “Nude” means clothed in a manner that leaves uncovered
33 or visible, through less than fully opaque clothing, any portion of
34 the genitals or, in the case of a female, any portion of the breasts
35 below the top of the areola of the breasts.

36 (D) Subparagraph (C) shall not apply to a taxpayer that is a
37 “small business.”

38 (12) “Qualified wages” means those wages that meet all of the
39 following requirements:

1 (A) That portion of wages paid or incurred by the qualified
2 taxpayer during the taxable year to each qualified full-time
3 employee that does not exceed 350 percent of minimum wage.

4 (B) Wages paid or incurred during the 60-month period
5 beginning with the first day the qualified full-time employee
6 commences employment with the qualified taxpayer. In the case
7 of any employee who is reemployed, including a regularly
8 occurring seasonal increase, in the trade or business operations of
9 the qualified taxpayer, this reemployment shall not be treated as
10 constituting commencement of employment for purposes of this
11 section.

12 (C) Except as provided in paragraph (3) of subdivision (n),
13 qualified wages shall not include any wages paid or incurred by
14 the qualified taxpayer on or after the date that the Department of
15 Finance's redesignation of designated census tracts is effective,
16 as provided in paragraph (2) of subdivision (g), so that a census
17 tract is no longer a designated census tract.

18 (13) "Seasonal employment" means employment by a qualified
19 taxpayer that has regular and predictable substantial reductions in
20 trade or business operations.

21 (14) (A) "Small business" means a trade or business that has
22 aggregate gross receipts, less returns and allowances reportable to
23 this state, of less than two million dollars (\$2,000,000) during the
24 previous taxable year.

25 (B) (i) For purposes of this paragraph, "gross receipts, less
26 returns and allowances reportable to this state," means the sum of
27 the gross receipts from the production of business income, as
28 defined in subdivision (a) of Section 25120, and the gross receipts
29 from the production of nonbusiness income, as defined in
30 subdivision (d) of Section 25120.

31 (ii) In the case of any trade or business activity conducted by a
32 partnership or an "S" corporation, the limitations set forth in
33 subparagraph (A) shall be applied to the partnership or "S"
34 corporation and to each partner or shareholder.

35 (C) (i) "Small business" shall not include a sexually oriented
36 business.

37 (ii) For purposes of this subparagraph:

38 (I) "Sexually oriented business" means a nightclub, bar,
39 restaurant, or similar commercial enterprise that provides for an
40 audience of two or more individuals live nude entertainment or

1 live nude performances where the nudity is a function of everyday
2 business operations and where nudity is a planned and intentional
3 part of the entertainment or performance.

4 (II) “Nude” means clothed in a manner that leaves uncovered
5 or visible, through less than fully opaque clothing, any portion of
6 the genitals or, in the case of a female, any portion of the breasts
7 below the top of the areola of the breasts.

8 (15) An individual is “unemployed” for any period for which
9 the individual is all of the following:

10 (A) Not in receipt of wages subject to withholding under Section
11 13020 of the Unemployment Insurance Code for that period.

12 (B) Not a self-employed individual (within the meaning of
13 Section 401(c)(1)(B) of the Internal Revenue Code, relating to
14 self-employed individual) for that period.

15 (C) Not a registered full-time student at a high school, college,
16 university, or other postsecondary educational institution for that
17 period.

18 (c) The net increase in full-time employees of a qualified
19 taxpayer shall be determined as provided by this subdivision:

20 (1) (A) The net increase in full-time employees shall be
21 determined on an annual full-time equivalent basis by subtracting
22 from the amount determined in subparagraph (C) the amount
23 determined in subparagraph (B).

24 (B) The total number of full-time employees employed in the
25 base year by the taxpayer and by any trade or business acquired
26 by the taxpayer during the current taxable year.

27 (C) The total number of full-time employees employed in the
28 current taxable year by the taxpayer and by any trade or business
29 acquired during the current taxable year.

30 (2) The number of full-time employees for the base year shall
31 be zero for taxpayers that are either of the following:

32 (A) Taxpayers that first commence doing business in this state
33 during the taxable year.

34 (B) Small businesses that as of January 1, 2018, are located in
35 a county that has an unemployment rate that is at least 150 percent
36 of the statewide average or a county that has a poverty rate that is
37 at least 125 percent of the statewide average.

38 (d) For purposes of this section:

1 (1) All employees of the trades or businesses that are treated as
2 related under Section 267, 318, or 707 of the Internal Revenue
3 Code shall be treated as employed by a single taxpayer.

4 (2) In determining whether the taxpayer has first commenced
5 doing business in this state during the taxable year, the provisions
6 of subdivision (f) of Section 17276, without application of
7 paragraph (7) of that subdivision, shall apply.

8 (e) (1) To be eligible for the credit allowed by this section, a
9 qualified taxpayer shall, upon hiring a qualified full-time employee,
10 request a tentative credit reservation from the Franchise Tax Board
11 within 30 days of complying with the Employment Development
12 Department's new hire reporting requirements as provided in
13 Section 1088.5 of the Unemployment Insurance Code, in the form
14 and manner prescribed by the Franchise Tax Board.

15 (2) To obtain a tentative credit reservation with respect to a
16 qualified full-time employee, the qualified taxpayer shall provide
17 necessary information, as determined by the Franchise Tax Board,
18 including the name, the social security number, the start date of
19 employment, the rate of pay of the qualified full-time employee,
20 the qualified taxpayer's gross receipts, less returns and allowances,
21 for the previous taxable year, and whether the qualified full-time
22 employee is a resident of a targeted employment area, as defined
23 in former Section 7072 of the Government Code, as in effect on
24 December 31, 2013.

25 (3) The qualified taxpayer shall provide the Franchise Tax Board
26 an annual certification of employment with respect to each
27 qualified full-time employee hired in a previous taxable year, on
28 or before the 15th day of the third month of the taxable year. The
29 certification shall include necessary information, as determined
30 by the Franchise Tax Board, including the name, social security
31 number, start date of employment, and rate of pay for each qualified
32 full-time employee employed by the qualified taxpayer.

33 (4) A tentative credit reservation provided to a taxpayer with
34 respect to an employee of that taxpayer shall not constitute a
35 determination by the Franchise Tax Board with respect to any of
36 the requirements of this section regarding a taxpayer's eligibility
37 for the credit authorized by this section.

38 (f) The Franchise Tax Board shall do all of the following:

39 (1) Approve a tentative credit reservation with respect to a
40 qualified full-time employee hired during a calendar year.

1 (2) Determine the aggregate tentative reservation amount and
2 the aggregate small business tentative reservation amount for a
3 calendar year.

4 (3) A tentative credit reservation request from a qualified
5 taxpayer with respect to a qualified full-time employee who is a
6 resident of a targeted employment area, as defined in former
7 Section 7072 of the Government Code, as in effect on December
8 31, 2013, shall be expeditiously processed by the Franchise Tax
9 Board. The residence of a qualified full-time employee in a targeted
10 employment area shall have no other effect on the eligibility of an
11 individual as a qualified full-time employee or the eligibility of a
12 qualified taxpayer for the credit authorized by this section.

13 (4) Notwithstanding Section 19542, provide as a searchable
14 database on its Internet Web site, for each taxable year beginning
15 on or after January 1, 2017, and before January 1, 2031, the
16 employer names, amounts of tax credit claimed, and number of
17 new jobs created for each taxable year pursuant to this section and
18 Section 23626. On and after December 1, 2020, the Franchise Tax
19 Board shall continue to provide in the searchable database, for
20 each taxable year beginning on or after January 1, 2014, and before
21 January 1, 2017, information provided in the searchable database
22 pursuant to paragraph (4) of subdivision (f) of Section 17053.73,
23 as amended by Senate Bill ____ of the 2017–18 Regular Session
24 and in effect on November 30, 2020, or paragraph (4) of
25 subdivision (f) of Section 23626, as amended by Senate Bill ____
26 of the 2017–18 Regular Session and in effect on November 30,
27 2020.

28 (g) (1) The Department of Finance shall, by January 1, 2019,
29 and by January 1 of every fifth year thereafter, provide the
30 Franchise Tax Board with a list of the designated census tracts and
31 a list of census tracts with the lowest civilian unemployment rate.

32 (2) The redesignation of designated census tracts and lowest
33 civilian unemployment census tracts by the Department of Finance
34 as provided in Section 13073.5 of the Government Code shall be
35 effective, for purposes of this credit, one year after the date the
36 Department of Finance redesignates the designated census tracts.

37 (h) For purposes of this section:

38 (1) All employees of the trades or businesses that are treated as
39 related under Section 267, 318, or 707 of the Internal Revenue
40 Code shall be treated as employed by a single taxpayer.

1 (2) All employees of trades or businesses that are not
2 incorporated, and that are under common control, shall be treated
3 as employed by a single taxpayer.

4 (3) The credit, if any, allowable by this section with respect to
5 each trade or business shall be determined by reference to its
6 proportionate share of the expense of the qualified wages giving
7 rise to the credit, and shall be allocated to that trade or business in
8 that manner.

9 (4) Principles that apply in the case of controlled groups of
10 corporations, as specified in subdivision (h) of Section 23626,
11 shall apply with respect to determining employment.

12 (5) If an employer acquires the major portion of a trade or
13 business of another employer, hereinafter in this paragraph referred
14 to as the predecessor, or the major portion of a separate unit of a
15 trade or business of a predecessor, then, for purposes of applying
16 this section, other than subdivision (i), for any taxable year ending
17 after that acquisition, the employment relationship between a
18 qualified full-time employee and an employer shall not be treated
19 as terminated if the employee continues to be employed in that
20 trade or business.

21 (i) (1) If the employment of any qualified full-time employee,
22 with respect to whom qualified wages are taken into account under
23 subdivision (a), is terminated by the qualified taxpayer at any time
24 during the first 36 months after commencing employment with
25 the qualified taxpayer, whether or not consecutive, the tax imposed
26 by this part for the taxable year in which that employment is
27 terminated shall be increased by an amount equal to the credit
28 allowed under subdivision (a) for that taxable year and all prior
29 taxable years attributable to qualified wages paid or incurred with
30 respect to that employee.

31 (2) Paragraph (1) does not apply to any of the following:

32 (A) A termination of employment of a qualified full-time
33 employee who voluntarily leaves the employment of the qualified
34 taxpayer.

35 (B) A termination of employment of a qualified full-time
36 employee who, before the close of the period referred to in
37 paragraph (1), becomes disabled and unable to perform the services
38 of that employment, unless that disability is removed before the
39 close of that period and the qualified taxpayer fails to offer
40 reemployment to that employee.

1 (C) A termination of employment of a qualified full-time
2 employee, if it is determined that the termination was due to the
3 misconduct, as defined in Sections 1256-30 to 1256-43, inclusive,
4 of Title 22 of the California Code of Regulations, of that employee.

5 (D) A termination of employment of a qualified full-time
6 employee due to a substantial reduction in the trade or business
7 operations of the qualified taxpayer, including reductions due to
8 seasonal employment.

9 (E) A termination of employment of a qualified full-time
10 employee, if that employee is replaced by other qualified full-time
11 employees so as to create a net increase in both the number of
12 employees and the hours of employment.

13 (F) A termination of employment of a qualified full-time
14 employee, when that employment is considered seasonal
15 employment and the qualified employee is rehired on a seasonal
16 basis.

17 (3) For purposes of paragraph (1), the employment relationship
18 between the qualified taxpayer and a qualified full-time employee
19 shall not be treated as terminated by reason of a mere change in
20 the form of conducting the trade or business of the qualified
21 taxpayer, if the qualified full-time employee continues to be
22 employed in that trade or business and the qualified taxpayer retains
23 a substantial interest in that trade or business.

24 (4) An increase in tax under paragraph (1) shall not be treated
25 as tax imposed by this part for purposes of determining the amount
26 of any credit allowable under this part.

27 (j) In the case of an estate or trust, both of the following apply:

28 (1) The qualified wages for a taxable year shall be apportioned
29 between the estate or trust and the beneficiaries on the basis of the
30 income of the estate or trust allocable to each.

31 (2) A beneficiary to whom any qualified wages have been
32 apportioned under paragraph (1) shall be treated, for purposes of
33 this part, as the employer with respect to those wages.

34 (k) In the case in which the credit allowed by this section
35 exceeds the “net tax,” the excess may be carried over to reduce
36 the “net tax” in the following year, and the succeeding four years
37 if necessary, until the credit is exhausted.

38 (l) The Franchise Tax Board may prescribe rules, guidelines,
39 or procedures necessary or appropriate to carry out the purposes
40 of this section, including any guidelines regarding the allocation

1 of the credit allowed under this section. Chapter 3.5 (commencing
2 with Section 11340) of Part 1 of Division 3 of Title 2 of the
3 Government Code shall not apply to any rule, guideline, or
4 procedure prescribed by the Franchise Tax Board pursuant to this
5 section.

6 (m) (1) Upon the effective date of this section, the Department
7 of Finance shall estimate the total dollar amount of credits that
8 will be claimed under this section with respect to each fiscal year
9 from the 2016–17 fiscal year to the 2030–31 fiscal year, inclusive.

10 (2) The Franchise Tax Board shall annually provide to the Joint
11 Legislative Budget Committee, by no later than March 1, a report
12 of the total dollar amount of the credits claimed under this section
13 with respect to the relevant fiscal year. The report shall compare
14 the total dollar amount of credits claimed under this section with
15 respect to that fiscal year with the department’s estimate with
16 respect to that same fiscal year. If the total dollar amount of credits
17 claimed for the fiscal year is less than the estimate for that fiscal
18 year, the report shall identify options for increasing annual claims
19 of the credit so as to meet estimated amounts.

20 (n) (1) This section shall remain in effect only until December
21 1, 2034, and as of that date is repealed.

22 (2) Notwithstanding paragraph (1) of subdivision (a), this section
23 shall continue to be operative for taxable years beginning on or
24 after January 1, 2031, but only with respect to qualified full-time
25 employees who commenced employment with a qualified taxpayer
26 in a designated census tract or economic development area in a
27 taxable year beginning before January 1, 2031.

28 (3) This section shall remain operative for any qualified taxpayer
29 with respect to any qualified full-time employee after the
30 designated census tract is no longer designated or an economic
31 development area ceases to be an economic development area, as
32 defined in this section, for the remaining period, if any, of the
33 60-month period after the original date of hiring of an otherwise
34 qualified full-time employee and any wages paid or incurred with
35 respect to those qualified full-time employees after the designated
36 census tract is no longer designated or an economic development
37 area ceases to be an economic development area, as defined in this
38 section, shall be treated as qualified wages under this section,
39 provided the employee satisfies any other requirements of
40 paragraphs (10) and (12) of subdivision (b), as if the designated

1 census tract was still designated and binding or the economic
2 development area was still in existence.

3 SEC. 4. Section 23036 of the Revenue and Taxation Code is
4 amended to read:

5 23036. (a) (1) The term “tax” includes any of the following:

6 (A) The tax imposed under Chapter 2 (commencing with Section
7 23101).

8 (B) The tax imposed under Chapter 3 (commencing with Section
9 23501).

10 (C) The tax on unrelated business taxable income, imposed
11 under Section 23731.

12 (D) The tax on “S” corporations imposed under Section 23802.

13 (2) The term “tax” does not include any amount imposed under
14 paragraph (1) of subdivision (e) of Section 24667 or paragraph (2)
15 of subdivision (f) of Section 24667.

16 (b) For purposes of Article 5 (commencing with Section 18661)
17 of Chapter 2, Article 3 (commencing with Section 19031) of
18 Chapter 4, Article 6 (commencing with Section 19101) of Chapter
19 4, and Chapter 7 (commencing with Section 19501) of Part 10.2,
20 and for purposes of Sections 18601, 19001, and 19005, the term
21 “tax” also includes all of the following:

22 (1) The tax on limited partnerships, imposed under Section
23 17935, the tax on limited liability companies, imposed under
24 Section 17941, and the tax on registered limited liability
25 partnerships and foreign limited liability partnerships imposed
26 under Section 17948.

27 (2) The alternative minimum tax imposed under Chapter 2.5
28 (commencing with Section 23400).

29 (3) The tax on built-in gains of “S” corporations, imposed under
30 Section 23809.

31 (4) The tax on excess passive investment income of “S”
32 corporations, imposed under Section 23811.

33 (c) Notwithstanding any other provision of this part, credits are
34 allowed against the “tax” in the following order:

35 (1) Credits that do not contain carryover provisions.

36 (2) Credits that, when the credit exceeds the “tax,” allow the
37 excess to be carried over to offset the “tax” in succeeding taxable
38 years, except for those credits that are allowed to reduce the “tax”
39 below the tentative minimum tax, as defined by Section 23455.

1 The order of credits within this paragraph shall be determined by
2 the Franchise Tax Board.

3 (3) The minimum tax credit allowed by Section 23453.

4 (4) Credits that are allowed to reduce the “tax” below the
5 tentative minimum tax, as defined by Section 23455.

6 (5) Credits for taxes withheld under Section 18662.

7 (d) Notwithstanding any other provision of this part, each of
8 the following applies:

9 (1) A credit may not reduce the “tax” below the tentative
10 minimum tax (as defined by paragraph (1) of subdivision (a) of
11 Section 23455), except the following credits:

12 (A) The credit allowed by former Section 23601 (relating to
13 solar energy).

14 (B) The credit allowed by former Section 23601.4 (relating to
15 solar energy).

16 (C) The credit allowed by former Section 23601.5 (relating to
17 solar energy).

18 (D) The credit allowed by Section 23609 (relating to research
19 expenditures).

20 (E) The credit allowed by former Section 23609.5 (relating to
21 clinical testing expenses).

22 (F) The credit allowed by Section 23610.5 (relating to
23 low-income housing).

24 (G) The credit allowed by former Section 23612 (relating to
25 sales and use tax credit).

26 (H) The credit allowed by Section 23612.2 (relating to enterprise
27 zone sales or use tax credit).

28 (I) The credit allowed by former Section 23612.6 (relating to
29 Los Angeles Revitalization Zone sales tax credit).

30 (J) The credit allowed by former Section 23622 (relating to
31 enterprise zone hiring credit).

32 (K) The credit allowed by Section 23622.7 (relating to enterprise
33 zone hiring credit).

34 (L) The credit allowed by former Section 23623 (relating to
35 program area hiring credit).

36 (M) The credit allowed by former Section 23623.5 (relating to
37 Los Angeles Revitalization Zone hiring credit).

38 (N) The credit allowed by former Section 23625 (relating to
39 Los Angeles Revitalization Zone hiring credit).

1 (O) For taxable years beginning on or after January 1, 2017,
2 and before January 1, 2031, the credit allowed by Section 23626
3 (relating to new employment credit).

4 ~~(O)~~

5 (P) The credit allowed by Section 23633 (relating to targeted
6 tax area sales or use tax credit).

7 ~~(P)~~

8 (Q) The credit allowed by Section 23634 (relating to targeted
9 tax area hiring credit).

10 ~~(Q)~~

11 (R) The credit allowed by former Section 23649 (relating to
12 qualified property).

13 ~~(R)~~

14 (S) For taxable years beginning on or after January 1, 2011, the
15 credit allowed by Section 23685 (relating to qualified motion
16 pictures).

17 ~~(S)~~

18 (T) For taxable years beginning on or after January 1, 2014, the
19 credit allowed by Section 23689 (relating to GO-Biz California
20 Competes Credit).

21 ~~(T)~~

22 (U) For taxable years beginning on or after January 1, 2016, the
23 credit allowed by Section 23695 (relating to qualified motion
24 pictures).

25 ~~(U)~~

26 (V) For taxable years beginning on or after January 1, 2014, the
27 credit allowed by Section 23686 (relating to the College Access
28 Tax Credit Fund).

29 ~~(V)~~

30 (W) For taxable years beginning on or after January 1, 2017,
31 the credit allowed by Section 23687 (relating to the College Access
32 Tax Credit Fund).

33 (2) A credit against the tax may not reduce the minimum
34 franchise tax imposed under Chapter 2 (commencing with Section
35 23101).

36 (e) Any credit which is partially or totally denied under
37 subdivision (d) is allowed to be carried over to reduce the “tax”
38 in the following year, and succeeding years if necessary, if the
39 provisions relating to that credit include a provision to allow a
40 carryover of the unused portion of that credit.

(f) Unless otherwise provided, any remaining carryover from a credit that has been repealed or made inoperative is allowed to be carried over under the provisions of that section as it read immediately prior to being repealed or becoming inoperative.

(g) Unless otherwise provided, if two or more taxpayers share in costs that would be eligible for a tax credit allowed under this part, each taxpayer is eligible to receive the tax credit in proportion to his or her respective share of the costs paid or incurred.

(h) Unless otherwise provided, in the case of an “S” corporation, any credit allowed by this part is computed at the “S” corporation level, and any limitation on the expenses qualifying for the credit or limitation upon the amount of the credit applies to the “S” corporation and to each shareholder.

(i) (1) With respect to any taxpayer that directly or indirectly owns an interest in a business entity that is disregarded for tax purposes pursuant to Section 23038 and any regulations thereunder, the amount of any credit or credit carryforward allowable for any taxable year attributable to the disregarded business entity is limited in accordance with paragraphs (2) and (3).

(2) The amount of any credit otherwise allowed under this part, including any credit carryover from prior years, that may be applied to reduce the taxpayer’s “tax,” as defined in subdivision (a), for the taxable year is limited to an amount equal to the excess of the taxpayer’s regular tax (as defined in Section 23455), determined by including income attributable to the disregarded business entity that generated the credit or credit carryover, over the taxpayer’s regular tax (as defined in Section 23455), determined by excluding the income attributable to that disregarded business entity. A credit is not allowed if the taxpayer’s regular tax (as defined in Section 23455), determined by including the income attributable to the disregarded business entity is less than the taxpayer’s regular tax (as defined in Section 23455), determined by excluding the income attributable to the disregarded business entity.

(3) If the amount of a credit allowed pursuant to the section establishing the credit exceeds the amount allowable under this subdivision in any taxable year, the excess amount may be carried over to subsequent taxable years pursuant to subdivisions (d), (e), and (f).

(j) (1) Unless otherwise specifically provided, in the case of a taxpayer that is a partner or shareholder of an eligible pass-thru

entity described in paragraph (2), any credit passed through to the taxpayer in the taxpayer's first taxable year beginning on or after the date the credit is no longer operative may be claimed by the taxpayer in that taxable year, notwithstanding the repeal of the statute authorizing the credit prior to the close of that taxable year.

(2) For purposes of this subdivision, "eligible pass-thru entity" means any partnership or "S" corporation that files its return on a fiscal year basis pursuant to Section 18566, and that is entitled to a credit pursuant to this part for the taxable year that begins during the last year a credit is operative.

(3) This subdivision applies to credits that become inoperative on or after the operative date of the act adding this subdivision.

SEC. 5. Section 23626 of the Revenue and Taxation Code is amended to read:

23626. (a) (1) For each taxable year beginning on or after January 1, 2014, and before January 1, ~~2021~~, 2017, there shall be allowed to a qualified taxpayer that hires a qualified full-time employee and pays or incurs qualified wages attributable to work performed by the qualified full-time employee in a designated census tract or economic development area, and that receives a tentative credit reservation for that qualified full-time employee, a credit against the "tax," as defined by Section 23036, in an amount calculated under this section.

(2) The amount of the credit allowable under this section for a taxable year shall be equal to the product of the tentative credit amount for the taxable year and the applicable percentage for the taxable year.

(3) (A) If a qualified taxpayer relocates to a designated census tract or economic development area, the qualified taxpayer shall be allowed a credit with respect to qualified wages for each qualified full-time employee who is employed within the new location only if the qualified taxpayer provides each employee at the previous location or locations a written offer of employment at the new location in the designated census tract or economic development area with comparable compensation.

(B) For purposes of this paragraph, "relocates to a designated census tract or economic development area" means an increase in the number of qualified full-time employees, employed by a qualified taxpayer, within a designated census tract or tracts or economic development areas within a 12-month period in which

1 there is a decrease in the number of full-time employees, employed
2 by the qualified taxpayer in this state, but outside of designated
3 census tracts or economic development areas.

4 (C) This paragraph does not apply to a small business.

5 (4) The credit allowed by this section may only be claimed on
6 a timely filed original return of the qualified taxpayer and only
7 with respect to a qualified full-time employee for whom the
8 qualified taxpayer has received a tentative credit reservation.

9 (b) For purposes of this section:

10 (1) The “tentative credit amount” for a taxable year shall be
11 equal to the product of the applicable credit percentage for each
12 qualified full-time employee and the qualified wages paid by the
13 qualified taxpayer during the taxable year to that qualified full-time
14 employee.

15 (2) The “applicable percentage” for a taxable year shall be equal
16 to a fraction, the numerator of which is the net increase in the total
17 number of full-time employees employed in this state during the
18 taxable year, determined on an annual full-time equivalent basis,
19 as compared with the total number of full-time employees
20 employed in this state during the base year, determined on the
21 same basis, and the denominator of which shall be the total number
22 of qualified full-time employees employed in this state during the
23 taxable year. The applicable percentage shall not exceed 100
24 percent.

25 (3) The “applicable credit percentage” means the credit
26 percentage for the calendar year during which a qualified full-time
27 employee was first employed by the qualified taxpayer. The
28 applicable credit percentage for all calendar years shall be 35
29 percent.

30 (4) “Base year” means the 2013 taxable year, or in the case of
31 a qualified taxpayer who first hires a qualified full-time employee
32 in a taxable year beginning on or after January 2015, the taxable
33 year immediately preceding the taxable year in which the qualified
34 full-time employee was hired.

35 (5) “Acquired” includes any gift, inheritance, transfer incident
36 to divorce, or any other transfer, whether or not for consideration.

37 (6) “Annual full-time equivalent” means either of the following:

38 (A) In the case of a full-time employee paid hourly qualified
39 wages, “annual full-time equivalent” means the total number of

1 hours worked for the qualified taxpayer by the employee (not to
2 exceed 2,000 hours per employee) divided by 2,000.

3 (B) In the case of a salaried full-time employee, “annual
4 full-time equivalent” means the total number of weeks worked for
5 the qualified taxpayer by the employee divided by 52.

6 (7) “Designated census tract” means a census tract within the
7 state that is determined by the Department of Finance to have a
8 civilian unemployment rate that is within the top 25 percent of all
9 census tracts within the state and has a poverty rate within the top
10 25 percent of all census tracts within the state, as prescribed in
11 Section 13073.5 of the Government Code.

12 (8) “Economic development area” means either of the following:

13 (A) A former enterprise zone. For purposes of this section,
14 “former enterprise zone” means an enterprise zone designated and
15 in effect as of December 31, 2011, any enterprise zone designated
16 during 2012, and any revision of an enterprise zone prior to June
17 30, 2013, under former Chapter 12.8 (commencing with Section
18 7070) of Division 7 of Title 1 of the Government Code, as in effect
19 on December 31, 2012, excluding any census tract within an
20 enterprise zone that is identified by the Department of Finance
21 pursuant to Section 13073.5 of the Government Code as a census
22 tract within the lowest quartile of census tracts with the lowest
23 civilian unemployment and poverty.

24 (B) A local agency military base recovery area designated as
25 of the effective date of the act adding this subparagraph, in
26 accordance with Section 7114 of the Government Code.

27 (9) “Minimum wage” means the wage established pursuant to
28 Chapter 1 (commencing with Section 1171) of Part 4 of Division
29 2 of the Labor Code.

30 (10) (A) “Qualified full-time employee” means an individual
31 who meets all of the following requirements:

32 (i) Performs at least 50 percent of his or her services for the
33 qualified taxpayer during the taxable year in a designated census
34 tract or economic development area.

35 (ii) Receives starting wages that are at least 150 percent of the
36 minimum wage.

37 (iii) Is hired by the qualified taxpayer on or after January 1,
38 2014.

39 (iv) Is hired by the qualified taxpayer after the date the
40 Department of Finance determines that the census tract referred

1 to in clause (i) is a designated census tract or that the census tracts
2 within a former enterprise zone are not census tracts with the lowest
3 civilian unemployment and poverty.

4 (v) Satisfies either of the following conditions:

5 (I) Is paid qualified wages by the qualified taxpayer for services
6 not less than an average of 35 hours per week.

7 (II) Is a salaried employee and was paid compensation during
8 the taxable year for full-time employment, within the meaning of
9 Section 515 of the Labor Code, by the qualified taxpayer.

10 (vi) Upon commencement of employment with the qualified
11 taxpayer, satisfies any of the following conditions:

12 (I) Was unemployed for the six months immediately preceding
13 employment with the qualified taxpayer. In the case of an
14 individual who completed a program of study at a college,
15 university, or other postsecondary educational institution, received
16 a baccalaureate, postgraduate, or professional degree, and was
17 unemployed for the six months immediately preceding employment
18 with the qualified taxpayer, that individual must have completed
19 that program of study at least 12 months prior to the individual's
20 commencement of employment with the qualified taxpayer.

21 (II) Is a veteran who separated from service in the Armed Forces
22 of the United States within the 12 months preceding
23 commencement of employment with the qualified taxpayer.

24 (III) Was a recipient of the credit allowed under Section 32 of
25 the Internal Revenue Code, relating to earned income, as applicable
26 for federal purposes, for the previous taxable year.

27 (IV) Is an ex-offender previously convicted of a felony.

28 (V) Is a recipient of either CalWORKs, in accordance with
29 Article 2 (commencing with Section 11250) of Chapter 2 of Part
30 3 of Division 9 of the Welfare and Institutions Code, or general
31 assistance, in accordance with Section 17000.5 of the Welfare and
32 Institutions Code.

33 (B) An individual may only be considered a qualified full-time
34 employee for the period of time commencing with the date the
35 individual is first employed by the qualified taxpayer and ending
36 60 months thereafter.

37 (11) (A) "Qualified taxpayer" means a corporation engaged in
38 a trade or business within designated census tract or economic
39 development area that, during the taxable year, pays or incurs
40 qualified wages.

(B) In the case of any pass-thru entity, the determination of whether a taxpayer is a qualified taxpayer under this section shall be made at the entity level and any credit under this section or Section 17053.73 shall be allowed to the pass-thru entity and passed through to the partners and shareholders in accordance with applicable provisions of this part or Part 10 (commencing with Section 17001). For purposes of this subdivision, the term “pass-thru entity” means any partnership or “S” corporation.

(C) “Qualified taxpayer” shall not include any of the following:

(i) Employers that provide temporary help services, as described in Code 561320 of the North American Industry Classification System (NAICS) published by the United States Office of Management and Budget, 2012 edition.

(ii) Employers that provide retail trade services, as described in Sector 44-45 of the North American Industry Classification System (NAICS) published by the United States Office of Management and Budget, 2012 edition.

(iii) Employers that are primarily engaged in providing food services, as described in Code 711110, 722511, 722513, 722514, or 722515 of the North American Industry Classification System (NAICS) published by the United States Office of Management and Budget, 2012 edition.

(iv) Employers that are primarily engaged in services as described in Code 713210, 721120, or 722410 of the North American Industry Classification System (NAICS) published by the United States Office of Management and Budget, 2012 edition.

(v) (I) An employer that is a sexually oriented business.

(II) For purposes of this clause:

(ia) “Sexually oriented business” means a nightclub, bar, restaurant, or similar commercial enterprise that provides for an audience of two or more individuals live nude entertainment or live nude performances where the nudity is a function of everyday business operations and where nudity is a planned and intentional part of the entertainment or performance.

(ib) “Nude” means clothed in a manner that leaves uncovered or visible, through less than fully opaque clothing, any portion of the genitals or, in the case of a female, any portion of the breasts below the top of the areola of the breasts.

(D) Subparagraph (C) shall not apply to a taxpayer that is a “small business.”

1 (12) “Qualified wages” means those wages that meet all of the
2 following requirements:

3 (A) (i) Except as provided in clause (ii), that portion of wages
4 paid or incurred by the qualified taxpayer during the taxable year
5 to each qualified full-time employee that exceeds 150 percent of
6 minimum wage, but does not exceed 350 percent of the minimum
7 wage.

8 (ii) (I) In the case of a qualified full-time employee employed
9 in a designated pilot area, that portion of wages paid or incurred
10 by the qualified taxpayer during the taxable year to each qualified
11 full-time employee that exceeds ten dollars (\$10) per hour or an
12 equivalent amount for salaried employees, but does not exceed
13 350 percent of the minimum wage. For qualified full-time
14 employees described in the preceding sentence, clause (ii) of
15 subparagraph (A) of paragraph (10) is modified by substituting
16 “ten dollars (\$10) per hour or an equivalent amount for salaried
17 employees” for “150 percent of the minimum wage.”

18 (II) For purposes of this clause:

19 (ia) “Designated pilot area” means an area designated as a
20 designated pilot area by the Governor’s Office of Business and
21 Economic Development.

22 (ib) Areas that may be designated as a designated pilot area are
23 limited to areas within a designated census tract or an economic
24 development area with average wages less than the statewide
25 average wages, based on information from the Labor Market
26 Division of the Employment Development Department, and areas
27 within a designated census tract or an economic development area
28 based on high poverty or high unemployment.

29 (ic) The total number of designated pilot areas that may be
30 designated is limited to five, one or more of which must be an area
31 within five or fewer designated census tracts within a single county
32 based on high poverty or high unemployment or an area within an
33 economic development area based on high poverty or high
34 unemployment.

35 (id) The designation of a designated pilot area shall be applicable
36 for a period of four calendar years, commencing with the first
37 calendar year for which the designation of a designated pilot area
38 is effective. The applicable period of a designated pilot area may
39 be extended, in the sole discretion of the Governor’s Office of
40 Business and Economic Development, for an additional period of

1 up to three calendar years. The applicable period, and any extended
2 period, shall not extend beyond December 31, 2020.

3 (III) The designation of an area as a designated pilot area and
4 the extension of the applicable period of a designated pilot area
5 shall be at the sole discretion of the Governor's Office of Business
6 and Economic Development and shall not be subject to
7 administrative appeal or judicial review.

8 (B) Wages paid or incurred during the 60-month period
9 beginning with the first day the qualified full-time employee
10 commences employment with the qualified taxpayer. In the case
11 of any employee who is reemployed, including regularly occurring
12 seasonal increase, in the trade or business operations of the
13 qualified taxpayer, this reemployment shall not be treated as
14 constituting commencement of employment for purposes of this
15 section.

16 (C) Except as provided in paragraph (3) of subdivision (m),
17 qualified wages shall not include any wages paid or incurred by
18 the qualified taxpayer on or after the date that the Department of
19 Finance's redesignation of designated census tracts is effective,
20 as provided in paragraph (2) of subdivision (g), so that a census
21 tract is no longer determined to be a designated census tract.

22 (13) "Seasonal employment" means employment by a qualified
23 taxpayer that has regular and predictable substantial reductions in
24 trade or business operations.

25 (14) (A) "Small business" means a trade or business that has
26 aggregate gross receipts, less returns and allowances reportable to
27 this state, of less than two million dollars (\$2,000,000) during the
28 previous taxable year.

29 (B) (i) For purposes of this paragraph, "gross receipts, less
30 returns and allowances reportable to this state," means the sum of
31 the gross receipts from the production of business income, as
32 defined in subdivision (a) of Section 25120, and the gross receipts
33 from the production of nonbusiness income, as defined in
34 subdivision (d) of Section 25120.

35 (ii) In the case of any trade or business activity conducted by a
36 partnership or an "S" corporation, the limitations set forth in
37 subparagraph (A) shall be applied to the partnership or "S"
38 corporation and to each partner or shareholder.

39 (iii) For taxpayers that are required to be included in a combined
40 report under Section 25101 or authorized to be included in a

1 combined report under Section 25101.15, the dollar amount
2 specified in subparagraph (A) shall apply to the aggregate gross
3 receipts of all taxpayers that are required to be or authorized to be
4 included in a combined report.

5 (C) (i) “Small business” shall not include a sexually oriented
6 business.

7 (ii) For purposes of this subparagraph:

8 (I) “Sexually oriented business” means a nightclub, bar,
9 restaurant, or similar commercial enterprise that provides for an
10 audience of two or more individuals live nude entertainment or
11 live nude performances where the nudity is a function of everyday
12 business operations and where nudity is a planned and intentional
13 part of the entertainment or performance.

14 (II) “Nude” means clothed in a manner that leaves uncovered
15 or visible, through less than fully opaque clothing, any portion of
16 the genitals or, in the case of a female, any portion of the breasts
17 below the top of the areola of the breasts.

18 (15) An individual is “unemployed” for any period for which
19 the individual is all of the following:

20 (A) Not in receipt of wages subject to withholding under Section
21 13020 of the Unemployment Insurance Code for that period.

22 (B) Not a self-employed individual (within the meaning of
23 Section 401(c)(1)(B) of the Internal Revenue Code, relating to
24 self-employed individual) for that period.

25 (C) Not a registered full-time student at a high school, college,
26 university, or other postsecondary educational institution for that
27 period.

28 (c) The net increase in full-time employees of a qualified
29 taxpayer shall be determined as provided by this subdivision:

30 (1) (A) The net increase in full-time employees shall be
31 determined on an annual full-time equivalent basis by subtracting
32 from the amount determined in subparagraph (C) the amount
33 determined in subparagraph (B).

34 (B) The total number of full-time employees employed in the
35 base year by the taxpayer and by any trade or business acquired
36 by the taxpayer during the current taxable year.

37 (C) The total number of full-time employees employed in the
38 current taxable year by the taxpayer and by any trade or business
39 acquired during the current taxable year.

1 (2) For taxpayers who first commence doing business in this
2 state during the taxable year, the number of full-time employees
3 for the base year shall be zero.

4 (d) For purposes of this section:

5 (1) All employees of the trades or businesses that are treated as
6 related under Section 267, 318, or 707 of the Internal Revenue
7 Code shall be treated as employed by a single taxpayer.

8 (2) In determining whether the taxpayer has first commenced
9 doing business in this state during the taxable year, the provisions
10 of subdivision (g) of Section 24416, without application of
11 paragraph (7) of that subdivision, apply.

12 (e) (1) To be eligible for the credit allowed by this section, a
13 qualified taxpayer shall, upon hiring a qualified full-time employee,
14 request a tentative credit reservation from the Franchise Tax Board
15 within 30 days of complying with the Employment Development
16 Department's new hire reporting requirement as provided in
17 Section 1088.5 of the Unemployment Insurance Code, in the form
18 and manner prescribed by the Franchise Tax Board.

19 (2) To obtain a tentative credit reservation with respect to a
20 qualified full-time employee, the qualified taxpayer shall provide
21 necessary information, as determined by the Franchise Tax Board,
22 including the name, the social security number, the start date of
23 employment, the rate of pay of the qualified full-time employee,
24 the qualified taxpayer's gross receipts, less returns and allowances,
25 for the previous taxable year, and whether the qualified full-time
26 employee is a resident of a targeted employment area, as defined
27 in former Section 7072 of the Government Code, as in effect on
28 December 31, 2013.

29 (3) The qualified taxpayer shall provide the Franchise Tax Board
30 an annual certification of employment with respect to each
31 qualified full-time employee hire in a previous taxable year, on or
32 before the 15th day of the third month of the taxable year. The
33 certification shall include necessary information, as determined
34 by the Franchise Tax Board, including the name, social security
35 number, start date of employment, and rate of pay for each qualified
36 full-time employee employed by the qualified taxpayer.

37 (4) A tentative credit reservation provided to a taxpayer with
38 respect to an employee of that taxpayer shall not constitute a
39 determination by the Franchise Tax Board with respect to any of

1 the requirements of this section regarding a taxpayer's eligibility
2 for the credit authorized by this section.

3 (f) The Franchise Tax Board shall do all of the following:

4 (1) Approve a tentative credit reservation with respect to a
5 qualified full-time employee hired during a calendar year.

6 (2) Determine the aggregate tentative reservation amount and
7 the aggregate small business tentative reservation amount for a
8 calendar year.

9 (3) A tentative credit reservation request from a qualified
10 taxpayer with respect to a qualified full-time employee who is a
11 resident of a targeted employment area, as defined in former
12 Section 7072 of the Government Code, as in effect on December
13 31, 2013, shall be expeditiously processed by the Franchise Tax
14 Board. The residence of a qualified full-time employee in a targeted
15 employment area shall have no other effect on the eligibility of an
16 individual as a qualified full-time employee or the eligibility of a
17 qualified taxpayer for the credit authorized by this section.

18 (4) Notwithstanding Section 19542, provide as a searchable
19 database on its Internet Web site, for each taxable year beginning
20 on or after January 1, 2014, and before January 1, ~~2021~~, 2017, the
21 employer names, amounts of tax credit claimed, and number of
22 new jobs created for each taxable year pursuant to this section and
23 Section 17053.73.

24 (g) (1) The Department of Finance shall, by January 1, 2014,
25 ~~and by January 1 of every fifth year thereafter~~, provide the
26 Franchise Tax Board with a list of the designated census tracts and
27 a list of census tracts with the lowest civilian unemployment rate.

28 (2) The redesignation of designated census tracts and lowest
29 civilian unemployment census tracts by the Department of Finance
30 as provided in Section 13073.5 of the Government Code shall be
31 effective, for purposes of this credit, one year after the date that
32 the Department of Finance redesignates the designated census
33 tracts.

34 (h) (1) For purposes of this section:

35 (A) All employees of the trades or businesses that are treated
36 as related under Section 267, 318, or 707 of the Internal Revenue
37 Code shall be treated as employed by a single qualified taxpayer.

38 (B) All employees of all corporations that are members of the
39 same controlled group of corporations shall be treated as employed
40 by a single qualified taxpayer.

1 (C) The credit, if any, allowable by this section to each member
2 shall be determined by reference to its proportionate share of the
3 expense of the qualified wages giving rise to the credit, and shall
4 be allocated in that manner.

5 (D) If a qualified taxpayer acquires the major portion of a trade
6 or business of another taxpayer, hereinafter in this paragraph
7 referred to as the predecessor, or the major portion of a separate
8 unit of a trade or business of a predecessor, then, for purposes of
9 applying this section for any taxable year ending after that
10 acquisition, the employment relationship between a qualified
11 full-time employee and a qualified taxpayer shall not be treated
12 as terminated if the employee continues to be employed in that
13 trade or business.

14 (2) For purposes of this subdivision, “controlled group of
15 corporations” means a controlled group of corporations as defined
16 in Section 1563(a) of the Internal Revenue Code, except that:

17 (A) “More than 50 percent” shall be substituted for “at least 80
18 percent” each place it appears in Section 1563(a)(1) of the Internal
19 Revenue Code.

20 (B) The determination shall be made without regard to
21 subsections (a)(4) and (e)(3)(C) of Section 1563 of the Internal
22 Revenue Code.

23 (3) Rules similar to the rules provided in Sections 46(e) and
24 46(h) of the Internal Revenue Code, as in effect on November 4,
25 1990, shall apply to both of the following:

26 (A) An organization to which Section 593 of the Internal
27 Revenue Code applies.

28 (B) A regulated investment company or a real estate investment
29 trust subject to taxation under this part.

30 (i) (1) If the employment of any qualified full-time employee,
31 with respect to whom qualified wages are taken into account under
32 subdivision (a), is terminated by the qualified taxpayer at any time
33 during the first 36 months after commencing employment with
34 the qualified taxpayer, whether or not consecutive, the tax imposed
35 by this part for the taxable year in which that employment is
36 terminated shall be increased by an amount equal to the credit
37 allowed under subdivision (a) for that taxable year and all prior
38 taxable years attributable to qualified wages paid or incurred with
39 respect to that employee.

40 (2) Paragraph (1) does not apply to any of the following:

1 (A) A termination of employment of a qualified full-time
2 employee who voluntarily leaves the employment of the qualified
3 taxpayer.

4 (B) A termination of employment of a qualified full-time
5 employee who, before the close of the period referred to in
6 paragraph (1), becomes disabled and unable to perform the services
7 of that employment, unless that disability is removed before the
8 close of that period and the qualified taxpayer fails to offer
9 reemployment to that employee.

10 (C) A termination of employment of a qualified full-time
11 employee, if it is determined that the termination was due to the
12 misconduct, as defined in Sections 1256-30 to 1256-43, inclusive,
13 of Title 22 of the California Code of Regulations, of that employee.

14 (D) A termination of employment of a qualified full-time
15 employee due to a substantial reduction in the trade or business
16 operations of the qualified taxpayer, including reductions due to
17 seasonal employment.

18 (E) A termination of employment of a qualified full-time
19 employee, if that employee is replaced by other qualified full-time
20 employees so as to create a net increase in both the number of
21 employees and the hours of employment.

22 (F) A termination of employment of a qualified full-time
23 employee, when that employment is considered seasonal
24 employment and the qualified employee is rehired on a seasonal
25 basis.

26 (3) For purposes of paragraph (1), the employment relationship
27 between the qualified taxpayer and a qualified full-time employee
28 shall not be treated as terminated by reason of a mere change in
29 the form of conducting the trade or business of the qualified
30 taxpayer, if the qualified full-time employee continues to be
31 employed in that trade or business and the qualified taxpayer retains
32 a substantial interest in that trade or business.

33 (4) An increase in tax under paragraph (1) shall not be treated
34 as tax imposed by this part for purposes of determining the amount
35 of any credit allowable under this part.

36 (j) In the case where the credit allowed by this section exceeds
37 the “tax,” the excess may be carried over to reduce the “tax” in
38 the following year, and the succeeding four years if necessary,
39 until exhausted.

(k) The Franchise Tax Board may prescribe rules, guidelines, or procedures necessary or appropriate to carry out the purposes of this section, including any guidelines regarding the allocation of the credit allowed under this section. Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code shall not apply to any rule, guideline, or procedure prescribed by the Franchise Tax Board pursuant to this section.

(l) (1) Upon the effective date of this section, the Department of Finance shall estimate the total dollar amount of credits that will be claimed under this section with respect to each fiscal year from the 2013–14 fiscal year to the ~~2020–21~~ 2016–17 fiscal year, inclusive.

(2) The Franchise Tax Board shall annually provide to the Joint Legislative Budget Committee, by no later than March 1, a report of the total dollar amount of the credits claimed under this section with respect to the relevant fiscal year. The report shall compare the total dollar amount of credits claimed under this section with respect to that fiscal year with the department’s estimate with respect to that same fiscal year. If the total dollar amount of credits claimed for the fiscal year is less than the estimate for that fiscal year, the report shall identify options for increasing annual claims of the credit so as to meet estimated amounts.

(m) ~~(1)~~ This section shall remain in effect only until December 1, ~~2024~~, 2020, and as of that date is repealed.

~~(2) Notwithstanding paragraph (1) of subdivision (a), this section shall continue to be operative for taxable years beginning on or after January 1, 2021, but only with respect to qualified full-time employees who commenced employment with a qualified taxpayer in a designated census tract or economic development area in a taxable year beginning before January 1, 2021.~~

~~(3) This section shall remain operative for any qualified taxpayer with respect to any qualified full-time employee after the designated census tract is no longer designated or an economic development area ceases to be an economic development area, as defined in this section, for the remaining period, if any, of the 60-month period after the original date of hiring of an otherwise qualified full-time employee and any wages paid or incurred with respect to those qualified full-time employees after the designated census tract is no longer designated or an economic development~~

1 ~~area ceases to be an economic development area, as defined in this~~
2 ~~section, shall be treated as qualified wages under this section;~~
3 ~~provided the employee satisfies any other requirements of~~
4 ~~paragraphs (10) and (12) of subdivision (b), as if the designated~~
5 ~~census tract was still designated and binding or the economic~~
6 ~~development area was still in existence.~~

7 SEC. 6. Section 23626 is added to the Revenue and Taxation
8 Code, to read:

9 23626. (a) (1) For each taxable year beginning on or after
10 January 1, 2017, and before January 1, 2031, there shall be allowed
11 to a qualified taxpayer that hires a qualified full-time employee
12 and pays or incurs qualified wages attributable to work performed
13 by the qualified full-time employee in a designated census tract
14 or economic development area, and that receives a tentative credit
15 reservation for that qualified full-time employee, a credit against
16 the “tax,” as defined by Section 23036, in an amount calculated
17 under this section.

18 (2) The amount of the credit allowable under this section for a
19 taxable year shall be equal to the product of the tentative credit
20 amount for the taxable year and the applicable percentage for the
21 taxable year.

22 (3) (A) If a qualified taxpayer relocates to a designated census
23 tract or economic development area, the qualified taxpayer shall
24 be allowed a credit with respect to qualified wages for each
25 qualified full-time employee employed within the new location
26 only if the qualified taxpayer provides each employee at the
27 previous location or locations a written offer of employment at the
28 new location in the designated census tract or economic
29 development area with comparable compensation.

30 (B) For purposes of this paragraph, “relocates to a designated
31 census tract or economic development area” means an increase in
32 the number of qualified full-time employees, employed by a
33 qualified taxpayer, within a designated census tract or tracts or
34 economic development areas within a 12-month period in which
35 there is a decrease in the number of full-time employees, employed
36 by the qualified taxpayer in this state, but outside of designated
37 census tracts or economic development areas.

38 (C) This paragraph does not apply to a small business.

39 (4) The credit allowed by this section may be claimed only on
40 a timely filed original return of the qualified taxpayer and only

1 with respect to a qualified full-time employee for whom the
2 qualified taxpayer has received a tentative credit reservation.

3 (b) For purposes of this section:

4 (1) The “tentative credit amount” for a taxable year shall be
5 equal to the product of the applicable credit percentage for each
6 qualified full-time employee and the qualified wages paid by the
7 qualified taxpayer during the taxable year to that qualified full-time
8 employee.

9 (2) The “applicable percentage” for a taxable year shall be equal
10 to a fraction, the numerator of which is the net increase in the total
11 number of full-time employees employed in this state during the
12 taxable year, determined on an annual full-time equivalent basis,
13 as compared with the total number of full-time employees
14 employed in this state during the base year, determined on the
15 same basis, and the denominator of which shall be the total number
16 of qualified full-time employees employed in this state during the
17 taxable year. The applicable percentage shall not exceed 100
18 percent.

19 (3) The “applicable credit percentage” means the credit
20 percentage for the calendar year during which a qualified full-time
21 employee was first employed by the qualified taxpayer. The
22 applicable credit percentage for all calendar years shall be 35
23 percent.

24 (4) “Base year” means the 2013 taxable year, or in the case of
25 a qualified taxpayer who first hires a qualified full-time employee
26 in a taxable year beginning on or after January 1, 2015, the taxable
27 year immediately preceding the taxable year in which the qualified
28 full-time employee was hired.

29 (5) “Acquired” includes any gift, inheritance, transfer incident
30 to divorce, or any other transfer, whether or not for consideration.

31 (6) “Annual full-time equivalent” means either of the following:

32 (A) In the case of a full-time employee paid hourly qualified
33 wages, “annual full-time equivalent” means the total number of
34 hours worked for the qualified taxpayer by the employee, not to
35 exceed 2,000 hours per employee, divided by 2,000.

36 (B) In the case of a salaried full-time employee, “annual
37 full-time equivalent” means the total number of weeks worked for
38 the qualified taxpayer by the employee divided by 52.

39 (7) “Designated census tract” means a census tract within the
40 state that is determined by the Department of Finance to have a

1 civilian unemployment rate that is within the top 25 percent of all
2 census tracts within the state and has a poverty rate within the top
3 25 percent of all census tracts within the state, as prescribed in
4 Section 13073.5 of the Government Code.

5 (8) “Economic development area” means either of the following:

6 (A) A former enterprise zone. For purposes of this section,
7 “former enterprise zone” means an enterprise zone designated and
8 in effect as of December 31, 2011, any enterprise zone designated
9 during 2012, and any revision of an enterprise zone prior to June
10 30, 2013, under former Chapter 12.8 (commencing with Section
11 7070) of Division 7 of Title 1 of the Government Code, as in effect
12 on December 31, 2012, excluding any census tract within an
13 enterprise zone that is identified by the Department of Finance
14 pursuant to Section 13073.5 of the Government Code as a census
15 tract within the lowest quartile of census tracts with the lowest
16 civilian unemployment and poverty.

17 (B) A local agency military base recovery area designated as
18 of the effective date of the act adding this subparagraph, in
19 accordance with Section 7114 of the Government Code.

20 (9) “Minimum wage” means the wage established pursuant to
21 Chapter 1 (commencing with Section 1171) of Part 4 of Division
22 2 of the Labor Code.

23 (10) (A) “Qualified full-time employee” means an individual
24 who meets all of the following requirements:

25 (i) Performs at least 50 percent of his or her services for the
26 qualified taxpayer during the taxable year in a designated census
27 tract or economic development area.

28 (ii) Is hired by the qualified taxpayer on or after January 1, 2014.

29 (iii) Is hired by the qualified taxpayer after the date the
30 Department of Finance determines that the census tract referred
31 to in clause (i) is a designated census tract or that the census tracts
32 within a former enterprise zone are not census tracts with the lowest
33 civilian unemployment and poverty.

34 (iv) Satisfies either of the following conditions:

35 (I) Is paid qualified wages by the qualified taxpayer for services
36 not less than an average of 35 hours per week.

37 (II) Is a salaried employee and was paid compensation during
38 the taxable year for full-time employment, within the meaning of
39 Section 515 of the Labor Code, by the qualified taxpayer.

1 (v) Upon commencement of employment with the qualified
2 taxpayer, satisfies any of the following conditions:

3 (I) Was unemployed for the six months immediately preceding
4 employment with the qualified taxpayer. In the case of an
5 individual who completed a program of study at a college,
6 university, or other postsecondary educational institution, received
7 a baccalaureate, postgraduate, or professional degree, and was
8 unemployed for the six months immediately preceding employment
9 with the qualified taxpayer, that individual must have completed
10 that program of study at least 12 months prior to the individual's
11 commencement of employment with the qualified taxpayer.

12 (II) Is a veteran who separated from service in the Armed Forces
13 of the United States within the 12 months preceding
14 commencement of employment with the qualified taxpayer.

15 (III) Was eligible to be a recipient of the credit allowed under
16 Section 32 of the Internal Revenue Code, relating to earned income,
17 as applicable for federal purposes, for the previous taxable year.

18 (IV) Is an ex-offender previously convicted of a felony.

19 (V) Is a recipient of either CalWORKs, in accordance with
20 Article 2 (commencing with Section 11250) of Chapter 2 of Part
21 3 of Division 9 of the Welfare and Institutions Code, or general
22 assistance, in accordance with Section 17000.5 of the Welfare and
23 Institutions Code.

24 (VI) Is a resident of a county that has an unemployment rate
25 that is at least 150 percent of the statewide average or a county
26 that has a poverty rate that is at least 125 percent of the statewide
27 average.

28 (B) An individual may be considered a qualified full-time
29 employee only for the period of time commencing with the date
30 the individual is first employed by the qualified taxpayer and
31 ending 60 months thereafter.

32 (11) (A) "Qualified taxpayer" means a corporation engaged in
33 a trade or business within a designated census tract or economic
34 development area that, during the taxable year, pays or incurs
35 qualified wages.

36 (B) In the case of any pass-thru entity, the determination of
37 whether a taxpayer is a qualified taxpayer under this section shall
38 be made at the entity level and any credit under this section or
39 Section 17053.73 shall be allowed to the pass-thru entity and
40 passed through to the partners and shareholders in accordance with

1 applicable provisions of this part or Part 10 (commencing with
2 Section 17001). For purposes of this subdivision, the term
3 “pass-thru entity” means any partnership or “S” corporation.

4 (C) “Qualified taxpayer” shall not include any of the following:

5 (i) Employers that provide temporary help services, as described
6 in Code 561320 of the North American Industry Classification
7 System (NAICS) published by the United States Office of
8 Management and Budget, 2012 edition.

9 (ii) Employers that are primarily engaged in services as
10 described in Code 713210, 721120, or 722410 of the North
11 American Industry Classification System (NAICS) published by
12 the United States Office of Management and Budget, 2012 edition.

13 (iii) (I) An employer that is a sexually oriented business.

14 (II) For purposes of this clause:

15 (ia) “Sexually oriented business” means a nightclub, bar,
16 restaurant, or similar commercial enterprise that provides for an
17 audience of two or more individuals live nude entertainment or
18 live nude performances where the nudity is a function of everyday
19 business operations and where nudity is a planned and intentional
20 part of the entertainment or performance.

21 (ib) “Nude” means clothed in a manner that leaves uncovered
22 or visible, through less than fully opaque clothing, any portion of
23 the genitals or, in the case of a female, any portion of the breasts
24 below the top of the areola of the breasts.

25 (D) Subparagraph (C) shall not apply to a taxpayer that is a
26 “small business.”

27 (12) “Qualified wages” means those wages that meet all of the
28 following requirements:

29 (A) That portion of wages paid or incurred by the qualified
30 taxpayer during the taxable year to each qualified full-time
31 employee that does not exceed 350 percent of minimum wage.

32 (B) Wages paid or incurred during the 60-month period
33 beginning with the first day the qualified full-time employee
34 commences employment with the qualified taxpayer. In the case
35 of any employee who is reemployed, including a regularly
36 occurring seasonal increase, in the trade or business operations of
37 the qualified taxpayer, this reemployment shall not be treated as
38 constituting commencement of employment for purposes of this
39 section.

(C) Except as provided in paragraph (3) of subdivision (m), qualified wages shall not include any wages paid or incurred by the qualified taxpayer on or after the date that the Department of Finance's redesignation of designated census tracts is effective, as provided in paragraph (2) of subdivision (g), so that a census tract is no longer a designated census tract.

(13) "Seasonal employment" means employment by a qualified taxpayer that has regular and predictable substantial reductions in trade or business operations.

(14) (A) "Small business" means a trade or business that has aggregate gross receipts, less returns and allowances reportable to this state, of less than two million dollars (\$2,000,000) during the previous taxable year.

(B) (i) For purposes of this paragraph, "gross receipts, less returns and allowances reportable to this state," means the sum of the gross receipts from the production of business income, as defined in subdivision (a) of Section 25120, and the gross receipts from the production of nonbusiness income, as defined in subdivision (d) of Section 25120.

(ii) In the case of any trade or business activity conducted by a partnership or an "S" corporation, the limitations set forth in subparagraph (A) shall be applied to the partnership or "S" corporation and to each partner or shareholder.

(iii) For taxpayers that are required to be included in a combined report under Section 25101 or authorized to be included in a combined report under Section 25101.15, the dollar amount specified in subparagraph (A) shall apply to the aggregate gross receipts of all taxpayers that are required to be or authorized to be included in a combined report.

(C) (i) "Small business" shall not include a sexually oriented business.

(ii) For purposes of this subparagraph:

(I) "Sexually oriented business" means a nightclub, bar, restaurant, or similar commercial enterprise that provides for an audience of two or more individuals live nude entertainment or live nude performances where the nudity is a function of everyday business operations and where nudity is a planned and intentional part of the entertainment or performance.

(II) "Nude" means clothed in a manner that leaves uncovered or visible, through less than fully opaque clothing, any portion of

1 the genitals or, in the case of a female, any portion of the breasts
2 below the top of the areola of the breasts.

3 (15) An individual is “unemployed” for any period for which
4 the individual is all of the following:

5 (A) Not in receipt of wages subject to withholding under Section
6 13020 of the Unemployment Insurance Code for that period.

7 (B) Not a self-employed individual (within the meaning of
8 Section 401(c)(1)(B) of the Internal Revenue Code, relating to
9 self-employed individual) for that period.

10 (C) Not a registered full-time student at a high school, college,
11 university, or other postsecondary educational institution for that
12 period.

13 (c) The net increase in full-time employees of a qualified
14 taxpayer shall be determined as provided by this subdivision:

15 (1) (A) The net increase in full-time employees shall be
16 determined on an annual full-time equivalent basis by subtracting
17 from the amount determined in subparagraph (C) the amount
18 determined in subparagraph (B).

19 (B) The total number of full-time employees employed in the
20 base year by the taxpayer and by any trade or business acquired
21 by the taxpayer during the current taxable year.

22 (C) The total number of full-time employees employed in the
23 current taxable year by the taxpayer and by any trade or business
24 acquired during the current taxable year.

25 (2) The number of full-time employees for the base year shall
26 be zero for taxpayers that are either of the following:

27 (A) Taxpayers that first commence doing business in this state
28 during the taxable year.

29 (B) Small businesses that as of January 1, 2018, are located in
30 a county that has an unemployment rate that is at least 150 percent
31 of the statewide average or a county that has a poverty rate that is
32 at least 125 percent of the statewide average.

33 (d) For purposes of this section:

34 (1) All employees of the trades or businesses that are treated as
35 related under Section 267, 318, or 707 of the Internal Revenue
36 Code shall be treated as employed by a single taxpayer.

37 (2) In determining whether the taxpayer has first commenced
38 doing business in this state during the taxable year, the provisions
39 of subdivision (g) of Section 24416, without application of
40 paragraph (7) of that subdivision, shall apply.

1 (e) (1) To be eligible for the credit allowed by this section, a
2 qualified taxpayer shall, upon hiring a qualified full-time employee,
3 request a tentative credit reservation from the Franchise Tax Board
4 within 30 days of complying with the Employment Development
5 Department's new hire reporting requirements as provided in
6 Section 1088.5 of the Unemployment Insurance Code, in the form
7 and manner prescribed by the Franchise Tax Board.

8 (2) To obtain a tentative credit reservation with respect to a
9 qualified full-time employee, the qualified taxpayer shall provide
10 necessary information, as determined by the Franchise Tax Board,
11 including the name, the social security number, the start date of
12 employment, the rate of pay of the qualified full-time employee,
13 the qualified taxpayer's gross receipts, less returns and allowances,
14 for the previous taxable year, and whether the qualified full-time
15 employee is a resident of a targeted employment area, as defined
16 in former Section 7072 of the Government Code, as in effect on
17 December 31, 2013.

18 (3) The qualified taxpayer shall provide the Franchise Tax Board
19 an annual certification of employment with respect to each
20 qualified full-time employee hired in a previous taxable year, on
21 or before the 15th day of the third month of the taxable year. The
22 certification shall include necessary information, as determined
23 by the Franchise Tax Board, including the name, social security
24 number, start date of employment, and rate of pay for each qualified
25 full-time employee employed by the qualified taxpayer.

26 (4) A tentative credit reservation provided to a taxpayer with
27 respect to an employee of that taxpayer shall not constitute a
28 determination by the Franchise Tax Board with respect to any of
29 the requirements of this section regarding a taxpayer's eligibility
30 for the credit authorized by this section.

31 (f) The Franchise Tax Board shall do all of the following:

32 (1) Approve a tentative credit reservation with respect to a
33 qualified full-time employee hired during a calendar year.

34 (2) Determine the aggregate tentative reservation amount and
35 the aggregate small business tentative reservation amount for a
36 calendar year.

37 (3) A tentative credit reservation request from a qualified
38 taxpayer with respect to a qualified full-time employee who is a
39 resident of a targeted employment area, as defined in former
40 Section 7072 of the Government Code, as in effect on December

1 31, 2013, shall be expeditiously processed by the Franchise Tax
2 Board. The residence of a qualified full-time employee in a targeted
3 employment area shall have no other effect on the eligibility of an
4 individual as a qualified full-time employee or the eligibility of a
5 qualified taxpayer for the credit authorized by this section.

6 (4) Notwithstanding Section 19542, provide as a searchable
7 database on its Internet Web site, for each taxable year beginning
8 on or after January 1, 2017, and before January 1, 2031, the
9 employer names, amounts of tax credit claimed, and number of
10 new jobs created for each taxable year pursuant to this section and
11 Section 17053.73. On and after December 1, 2020, the Franchise
12 Tax Board shall continue to provide in the searchable database,
13 for each taxable year beginning on or after January 1, 2014, and
14 before January 1, 2017, information provided in the searchable
15 database pursuant to paragraph (4) of subdivision (f) of Section
16 17053.73, as amended by Senate Bill ____ of the 2017–18 Regular
17 Session and in effect on November 30, 2020, or paragraph (4) of
18 subdivision (f) of Section 23626, as amended by Senate Bill ____
19 of the 2017–18 Regular Session and in effect on November 30,
20 2020.

21 (g) (1) The Department of Finance shall, by January 1, 2019,
22 and by January 1 of every fifth year thereafter, provide the
23 Franchise Tax Board with a list of the designated census tracts and
24 a list of census tracts with the lowest civilian unemployment rate.

25 (2) The redesignation of designated census tracts and lowest
26 civilian unemployment census tracts by the Department of Finance
27 as provided in Section 13073.5 of the Government Code shall be
28 effective, for purposes of this credit, one year after the date the
29 Department of Finance redesignates the designated census tracts.

30 (h) (1) For purposes of this section:

31 (A) All employees of the trades or businesses that are treated
32 as related under Section 267, 318, or 707 of the Internal Revenue
33 Code shall be treated as employed by a single qualified taxpayer.

34 (B) All employees of all corporations that are members of the
35 same controlled group of corporations shall be treated as employed
36 by a single qualified taxpayer.

37 (C) The credit, if any, allowable by this section to each member
38 shall be determined by reference to its proportionate share of the
39 expense of the qualified wages giving rise to the credit, and shall
40 be allocated in that manner.

(D) If a qualified taxpayer acquires the major portion of a trade or business of another taxpayer, hereinafter in this paragraph referred to as the predecessor, or the major portion of a separate unit of a trade or business of a predecessor, then, for purposes of applying this section for any taxable year ending after that acquisition, the employment relationship between a qualified full-time employee and a qualified taxpayer shall not be treated as terminated if the employee continues to be employed in that trade or business.

(2) For purposes of this subdivision, “controlled group of corporations” means a controlled group of corporations as defined in Section 1563(a) of the Internal Revenue Code, except that:

(A) “More than 50 percent” shall be substituted for “at least 80 percent” each place it appears in Section 1563(a)(1) of the Internal Revenue Code.

(B) The determination shall be made without regard to subsections (a)(4) and (e)(3)(C) of Section 1563 of the Internal Revenue Code.

(3) Rules similar to the rules provided in Sections 46(e) and 46(h) of the Internal Revenue Code, as in effect on November 4, 1990, shall apply to both of the following:

(A) An organization to which Section 593 of the Internal Revenue Code applies.

(B) A regulated investment company or a real estate investment trust subject to taxation under this part.

(i) (1) If the employment of any qualified full-time employee, with respect to whom qualified wages are taken into account under subdivision (a), is terminated by the qualified taxpayer at any time during the first 36 months after commencing employment with the qualified taxpayer, whether or not consecutive, the tax imposed by this part for the taxable year in which that employment is terminated shall be increased by an amount equal to the credit allowed under subdivision (a) for that taxable year and all prior taxable years attributable to qualified wages paid or incurred with respect to that employee.

(2) Paragraph (1) does not apply to any of the following:

(A) A termination of employment of a qualified full-time employee who voluntarily leaves the employment of the qualified taxpayer.

1 (B) A termination of employment of a qualified full-time
2 employee who, before the close of the period referred to in
3 paragraph (1), becomes disabled and unable to perform the services
4 of that employment, unless that disability is removed before the
5 close of that period and the qualified taxpayer fails to offer
6 reemployment to that employee.

7 (C) A termination of employment of a qualified full-time
8 employee, if it is determined that the termination was due to the
9 misconduct, as defined in Sections 1256-30 to 1256-43, inclusive,
10 of Title 22 of the California Code of Regulations, of that employee.

11 (D) A termination of employment of a qualified full-time
12 employee due to a substantial reduction in the trade or business
13 operations of the qualified taxpayer, including reductions due to
14 seasonal employment.

15 (E) A termination of employment of a qualified full-time
16 employee, if that employee is replaced by other qualified full-time
17 employees so as to create a net increase in both the number of
18 employees and the hours of employment.

19 (F) A termination of employment of a qualified full-time
20 employee, when that employment is considered seasonal
21 employment and the qualified employee is rehired on a seasonal
22 basis.

23 (3) For purposes of paragraph (1), the employment relationship
24 between the qualified taxpayer and a qualified full-time employee
25 shall not be treated as terminated by reason of a mere change in
26 the form of conducting the trade or business of the qualified
27 taxpayer, if the qualified full-time employee continues to be
28 employed in that trade or business and the qualified taxpayer retains
29 a substantial interest in that trade or business.

30 (4) An increase in tax under paragraph (1) shall not be treated
31 as tax imposed by this part for purposes of determining the amount
32 of any credit allowable under this part.

33 (j) In the case where the credit allowed by this section exceeds
34 the “tax,” the excess may be carried over to reduce the “tax” in
35 the following year, and the succeeding four years if necessary,
36 until the credit is exhausted.

37 (k) The Franchise Tax Board may prescribe rules, guidelines,
38 or procedures necessary or appropriate to carry out the purposes
39 of this section, including any guidelines regarding the allocation
40 of the credit allowed under this section. Chapter 3.5 (commencing

1 with Section 11340) of Part 1 of Division 3 of Title 2 of the
2 Government Code shall not apply to any rule, guideline, or
3 procedure prescribed by the Franchise Tax Board pursuant to this
4 section.

5 (l) (1) Upon the effective date of this section, the Department
6 of Finance shall estimate the total dollar amount of credits that
7 will be claimed under this section with respect to each fiscal year
8 from the 2016–17 fiscal year to the 2030–31 fiscal year, inclusive.

9 (2) The Franchise Tax Board shall annually provide to the Joint
10 Legislative Budget Committee, by no later than March 1, a report
11 of the total dollar amount of the credits claimed under this section
12 with respect to the relevant fiscal year. The report shall compare
13 the total dollar amount of credits claimed under this section with
14 respect to that fiscal year with the department's estimate with
15 respect to that same fiscal year. If the total dollar amount of credits
16 claimed for the fiscal year is less than the estimate for that fiscal
17 year, the report shall identify options for increasing annual claims
18 of the credit so as to meet estimated amounts.

19 (m) (1) This section shall remain in effect only until December
20 1, 2034, and as of that date is repealed.

21 (2) Notwithstanding paragraph (1) of subdivision (a), this section
22 shall continue to be operative for taxable years beginning on or
23 after January 1, 2031, but only with respect to qualified full-time
24 employees who commenced employment with a qualified taxpayer
25 in a designated census tract or economic development area in a
26 taxable year beginning before January 1, 2031.

27 (3) This section shall remain operative for any qualified taxpayer
28 with respect to any qualified full-time employee after the
29 designated census tract is no longer designated or an economic
30 development area ceases to be an economic development area, as
31 defined in this section, for the remaining period, if any, of the
32 60-month period after the original date of hiring of an otherwise
33 qualified full-time employee and any wages paid or incurred with
34 respect to those qualified full-time employees after the designated
35 census tract is no longer designated or an economic development
36 area ceases to be an economic development area, as defined in this
37 section, shall be treated as qualified wages under this section,
38 provided the employee satisfies any other requirements of
39 paragraphs (10) and (12) of subdivision (b), as if the designated

1 census tract was still designated and binding or the economic
2 development area was still in existence.
3 SEC. 7. This act provides for a tax levy within the meaning of
4 Article IV of the California Constitution and shall go into
5 immediate effect.

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City Council Staff Report

Department: CITY MANAGER'S OFFICE

March 14, 2017

To: Mayor and City Council

From: Linda Barkley, Deputy City Clerk

Subject: Leadership Class of Northern Tulare County Request for Co-sponsorship of the Annual Cinco de Mayo Event, May 4-7, 2017 (LB)

RECOMMENDATION

Council approve co-sponsorship of the Cinco de Mayo event at Rose Ann Vuich Park, May 4-7, 2017 and the parade in the downtown, May 6, 2017, hosted by the Leadership Class of Northern Tulare County.

EXECUTIVE SUMMARY

The Leadership Class of Northern Tulare County Class is planning the 2017 Cinco de Mayo Event and parade. If the Council approves the request, the event will take place May 4 -7, 2017, at Rose Ann Vuich Park. The parade will take place Saturday, May 6, 2017 through the downtown. The LNTC Class requested that the City co-sponsor the event with exclusive use of Vuich Park, closure of the streets in the downtown for the parade and authorize assistance from city staff to prepare grounds and streets for the event.

OUTSTANDING ISSUES

None.

DISCUSSION

This year's Leadership Class (LNTC) is busily planning the 2017 Cinco de Mayo Festival. Historically the event is held at Rose Ann Vuich Park and this year's LNTC is planning a similar event. The dates of the event are May 4 -7, 2017. The event includes food, entertainment, a carnival and, a parade through the downtown.

LNTC submitted a request (Attachment A) to the City of Dinuba to co-sponsor the event, exclusive use of Rose Ann Vuich Park and assistance from city staff to help prepare the grounds for the event and downtown streets for the parade. In addition,

LNTC submitted a request to the Traffic Safety Committee (TSC) for approval of the Cinco de Mayo Parade route through the downtown scheduled on Saturday, May 6. The TSC has approved the request for street closure and use of city streets for the parade, including closure of some streets for the duration.

Co-sponsorship of the event means that the City agrees to allow LNTC to host the event on city property, waive the park use fees and provide in-kind assistance from city staff before, during and after the event.

FISCAL IMPACT

Fiscal impact is estimated at \$1,900 for use of the park, pavilion and band shell rental fees. In addition, staff time is provided as an in-kind service during the course of the event.

PUBLIC HEARING

None required.

ATTACHMENTS:

A. LNTC Request for Co-sponsorship

Dear Mayor, Council Members, City Manager, and Staff,

Leadership Northern Tulare County is currently planning the city of Dinuba's 2017 Cinco de Mayo Festival to be held at Rose Ann Vuich Park on May 4-7. This event is our culminating project for our leadership class in addition to a promotion for the City of Dinuba and for our local businesses and sponsors.

We would like to take this time to thank you for co-sponsoring the 2016 Cinco de Mayo and hope you will agree to partner with us again for this year's event. The purpose of this letter is to request the exclusive use of Rose Ann Vuich Park and ask for assistance from the City staff to prepare and secure the grounds and streets for the four day event. Thursday is strictly a carnival day and the fourth day would be Sunday 5/7/17 for the continuance of the carnival. We are also requesting the closure of the streets in downtown for the parade route along with barricades. The parade route is included. It is with the utmost assurance that LNTC work with the City and other agencies to ensure that the parade and festival will be a safe and entertaining event for everyone.

The Cinco de Mayo draws a great multitude of people to Dinuba for the parade and multi day event. The LNTC committee is in diligent collaboration to ensure we provide great entertainment, food, and family fun to Dinuba. As you know, this is a great opportunity to draw people to our community and we are committed to making it a fun filled event for all.

We look forward to your assistance and sponsorship. With your assistance and sponsorship, we will take pride in displaying the City's banner on the bandshell Friday and Saturday. We will also be giving verbal recognition throughout the event to all sponsors. As per tradition, we will support the city departments and have space for these departments to have booths in our Merchant's Row area.

Thank you for your time,

LNTC--Dinuba
Cinco de Mayo Planning Committee



City Council Staff Report

Department: FINANCE SERVICES

March 14, 2017

To: Mayor and City Council

From: Carlos Sanchez, Interim Finance Director

Subject: Resolution No. 2017-07 Courthouse and Police Station Ownership (CS)

RECOMMENDATION

Council to adopt Resolution No. 2017-07 approving agreements transferring all real property interests of the Courthouse and Police Station property to the City of Dinuba.

EXECUTIVE SUMMARY

The City of Dinuba has fulfilled its payment obligations to the County for real property identified as the Dinuba Police Station and Dinuba Courthouse. The County of Tulare has submitted the required agreements to transfer ownership of the real property to the City of Dinuba. City Council Resolution No. 2017-07 Attachment (D) authorizes the approval of the termination agreement by all interested parties; and, it authorizes the agreement transferring ownership of the Dinuba Courthouse and the Police Station to the City of Dinuba.

OUTSTANDING ISSUES

None

DISCUSSION

In July of 1996, The County of Tulare (County) and the City of Dinuba (City) jointly constructed, financed, and utilized the Dinuba Courthouse and the Police Station, on a site owned by the City. The project was financed under a Master Lease agreement between The County of Tulare and the Tulare County Public Facilities Corporation (Corporation). The County subleased to the City, a portion of the project as provided through a Sublease Agreement.

It was the intent of both parties that the City take ownership once the financing was paid in full, with the condition that the County and the Administrative Office of the

Courts continue to occupy the Courthouse. They could do so without payment of rent as long as regular court sessions continue to be conducted in the Courthouse.

The City has fulfilled its payment obligations and the County has submitted the agreements required to transfer ownership to the City. The Termination Agreement (Attachment A) once recorded, effects the termination of the Agreement between the County, the Corporation and the City. The Depiction of Real Property Agreement (Attachment B) terminates the Facility Financing Documents and effectively transfers to the City, all real property interests. The agreement titled Agreement Transferring Ownership of Dinuba Courthouse and Police Station to City of Dinuba (Attachment C) conveys ownership by the County to the City, subject to the continuance of the right of the County and the Administrative Office of the Courts to occupy the Courthouse, without payment of rent. Again, only as long as regular court sessions continue to be conducted in the Dinuba Courthouse.

FISCAL IMPACT

None

PUBLIC HEARING

None required

ATTACHMENTS:

- A. Termination Agreement
- B. Depiction of the Real Property
- C. Agreement Transferring Ownership
- D. Resolution No. 2017-07

**RECORDING REQUESTED BY AND WHEN
RECORDED RETURN TO:**

County of Tulare
General Services Division
Visalia Government Plaza
Visalia, CA 93277
Attn: Robert Newby, Property Manager

Exempt from Recording Fees per GC 6103 and
from Documentary Transfer Tax per R&T 11922

[Space above for Recorder's use.]

Affects APNs 017-202-015, -016, -019, and -020
017-203-002, and 017-203-012 (portion)

TERMINATION AGREEMENT

by and among

THE COUNTY OF TULARE

and

THE TULARE COUNTY PUBLIC FACILITIES CORPORATION

and

THE CITY OF DINUBA

and

THE BANK OF NEW YORK MELLON TRUST COMPANY, N.A., as successor in interest to

U.S. Trust Company of California, N.A.,

as Trustee

Dated as of March 1, 2017

Relating to

\$58,755,000

County of Tulare

1996 Certificates of Participation

(Capital Improvement Program – Series A and B)

and

\$46,438,415.15

County of Tulare

1998 Refunding Certificates of Participation

(1998 Series A)

TERMINATION AGREEMENT

This TERMINATION AGREEMENT (this "Agreement") is dated as of March 1, 2017, and is entered into by and among the COUNTY OF TULARE, a political subdivision of the State of California duly organized and existing under and by virtue of the Constitution and the laws of the State of California (the "County"), the TULARE COUNTY PUBLIC FACILITIES CORPORATION, a nonprofit, public benefit corporation organized and existing under and by virtue of the laws of the State of California (the "Corporation"), the CITY OF DINUBA, a municipal corporation and charter city duly organized and existing under and by virtue of the Constitution and the laws of the State of California and the City's charter (the "City") and THE BANK OF NEW YORK MELLON TRUST COMPANY, N.A., successor-in-interest to U.S. Trust Company of California, N.A., as trustee (the "Trustee"). The County, Corporation, City, and Trustee are each a "Party" and together are the "Parties" to this Agreement.

WITNESSETH:

WHEREAS, the Corporation and the County entered into a Site Lease dated as of July 1, 1996 and recorded in the Official Records of Tulare County, California ("Official Records") on July 23, 1996 as Instrument No. 96-052271 (the "1996 Site Lease"), pursuant to which the County agreed to lease certain real property described therein (the "1996 Site") to the Corporation for purposes of financing the construction of certain public facilities, including the Dinuba Courthouse and Police Station Facility (together, the "Facility"); and

WHEREAS, the County and the Corporation entered into Amendment No. 1 to Site Lease dated as of October 1, 1998 and recorded in the Official Records on October 21, 1998 as Instrument No. 1998-0079065 ("1998 Site Lease Amendment No. 1"), pursuant to which the term of the Site Lease was extended and the real property that comprised the 1996 Site was modified; and

WHEREAS, the County and the Corporation entered into a Lease Agreement dated as of July 1, 1996 and recorded in the Official Records on July 23, 1996 as Instrument No. 96-052272 (the "1996 Lease Agreement"), pursuant to which the County agreed to lease the 1996 Site from the Corporation and make Lease Payments to the Corporation for use of the 1996 Site (the "1996 Lease Payments"); and

WHEREAS, the County and the Corporation entered into Amendment No. 1 to Lease Agreement dated as of October 1, 1998 and recorded in the Official Records on October 21, 1998 as Instrument No. 1998-0079066 ("1998 Lease Amendment No. 1"), pursuant to which the real property that comprised the 1996 Site was modified; and

WHEREAS, pursuant to an Assignment Agreement dated as of July 1, 1996 and recorded in the Official Records on July 23, 1996 as Instrument No. 96-052574 (the "1996 Assignment Agreement"), by and between the Corporation and the Trustee, the Corporation assigned to the Trustee, among other things, its rights to receive 1996 Lease Payments from the County under the 1996 Lease Agreement and the right to exercise rights and remedies conferred on the Corporation under the 1996 Lease Agreement to enforce payment of the 1996 Lease Agreement Payments; and

WHEREAS, the County and the City entered into an unrecorded Sublease Agreement dated as of March 25, 1997 ("1997 Sublease Agreement"), pursuant to which the County subleased the Police Station portion of the Facility to the City and the City agreed to make certain sublease payments therefor to the County to pay for design and construction of the Police Station portion of the Facility; and

WHEREAS, the County and the City entered into an unrecorded amendment to the 1997 Sublease Agreement dated as of July 24, 2001 ("2001 Sublease Amendment"), pursuant to which the County and City determined the exact amount of the sublease payments to be made by City to County for design and construction of the Police Station portion of the Facility; and

WHEREAS, the City and the Corporation entered into an unrecorded Site Lease Agreement dated as of May 13, 1997 ("1997 Site Lease"), pursuant to which the City leased the Real Property to the Corporation for purposes of financing design and construction of the Facility; and

WHEREAS, the County, the Corporation and the Trustee entered into that certain Trust Agreement dated as of July 1, 1996 (the "1996 Trust Agreement"), providing for the execution and delivery of the County of Tulare 1996 Certificates of Participation (Capital Improvement Projects) (the "1996 Certificates"); and

WHEREAS, the County, the Corporation and the Trustee entered into that certain Amendment No. 1 to Trust Agreement dated as of October 1, 1998 ("1998 Trust Agreement Amendment No. 1"), providing for the execution and delivery of the County of Tulare 1998 Refunding Certificates of Participation (1998 Series A) (the "1998 Refunding Certificates"), with portions of the proceeds of the 1996 Certificates and of the 1998 Refunding Certificates used to finance or refinance the design and construction of the Facility; and

WHEREAS, the 1996 Site Lease Agreement, the 1998 Site Lease Amendment No. 1, the 1996 Lease Agreement, the 1998 Lease Amendment No. 1, the 1996 Assignment Agreement, the 1997 Sublease Agreement, the 2001 Sublease Amendment, and the 1997 Site Lease, are collectively referred to herein as the "Facility Financing Documents;" and

WHEREAS, the real property upon which the Facility was constructed and presently exists is described and depicted in the attached Exhibits "A" and "B" (the "Real Property"); and

WHEREAS, the County, Corporation, and City hereby certify that each of them has fully performed all of its duties and made all of the payments required of it pursuant to the Facility Financing Documents; and

WHEREAS, the Trustee hereby certifies that the 1996 Certificates were defeased in full on February 15, 2016, and the 1998 Refunding Certificates were defeased in full on August 15, 2015; and

WHEREAS, by reason of the defeasance in full of the 1996 Certificates and the 1998 Refunding Certificates, the Facility Financing Documents each expired and terminated by its terms; and

WHEREAS, the Parties desire to document said expirations and terminations and clear the title to the Facility and the Real Property by execution and recording of this Agreement.

NOW, THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged, the Parties agree as follows:

1. Termination of Facility Financing Documents. Effective as of the recordation of this Agreement, the County, the Corporation, the City, and the Trustee hereby acknowledge and agree that the Facility Financing Documents have expired, have and shall be terminated and discharged, and shall be of no further force or effect with respect to nor encumber the Facility or the Real Property.

2. Transfer of Interests. By virtue of termination of the Facility Financing Documents, County has terminated and effectively transferred to the City all real property interests County may hold with respect to the Facility and Real Property. By separate agreement, the County shall convey ownership of the Facility to the City, subject to the right of County and its assignee, the Administrative Office of the Courts, to continue to occupy the Dinuba Courthouse portion of the Facility without the payment of rent for so long as regular court sessions shall continue to be conducted there, all in accordance with section 405 of the 1997 Sublease Agreement.

3. Counterparts. This Agreement may be executed in any number of counterparts, each of which shall be deemed to be an original and all of which, when taken together, shall constitute one agreement. The signature and acknowledgment pages from each counterpart may be removed and attached to a single document in order to create one original instrument.

IN WITNESS WHEREOF, the Parties hereto have executed and entered into the Agreement by their officers thereunto duly authorized as of the date first above written.

COUNTY OF TULARE

By: _____
Chairman, Board of Supervisors

ATTEST: MICHAEL C. SPATA, County Administrative Officer/
Clerk of the Board of Supervisors

By: _____
Deputy

APPROVED AS TO LEGAL FORM:
COUNTY COUNSEL

By: _____

TULARE COUNTY PUBLIC FACILITIES CORPORATION

By: _____
Chairman, Board of Directors

ATTEST:

By: _____
Corporate Secretary

CITY OF DINUBA

By: _____
Mayor

ATTEST: CITY CLERK

By: _____

APPROVED AS TO LEGAL FORM:
CITY ATTORNEY

By: _____

**THE BANK OF NEW YORK MELLON TRUST COMPANY, N.A., as successor-in-interest to
U.S. Trust Company of California, N.A., as Trustee**

By: _____
Authorized Officer

EXHIBIT A
DESCRIPTION OF THE REAL PROPERTY
(Attached)



First American Title

Schedule A

Condition of Title Guarantee

ISSUED BY

First American Title Insurance Company

GUARANTEE NUMBER

5026900-5368301

File No.: 5368301

Liability: \$2,500.00

Fee: \$2,000.00

1. Name of Assured:

County of Tulare

2. Date of Guarantee:

January 20, 2017 at 7:30 A.M.

3. The estate or interest in the Land which is covered by this Guarantee is:

Fee

4. Title to the estate or interest in the Land is vested in:

City of Dinuba, as to Parcels 1 and 4

City of Dinuba, a Municipal Corporation, as to Parcels 2, 3, 4A and 4B

S & A Properties, a California General Partnership, as to Parcel 5

Real property in the City of Dinuba, County of Tulare, State of California, described as follows:

PARCEL 1: (APN: 017-202-019-000)

THAT PORTION OF BLOCK 54 OF THE CITY OF DINUBA, AS PER MAP RECORDED IN VOLUME 3 OF MAPS, AT PAGE 15 OF TULARE COUNTY RECORDS, LOCATED IN THE NORTHEAST QUARTER OF SECTION 17, TOWNSHIP 16 SOUTH, RANGE 24 EAST, MOUNT DIABLO BASE AND MERIDIAN, IN THE CITY OF DINUBA, COUNTY OF TULARE, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEASTERLY CORNER OF SAID BLOCK 54, THENCE SOUTH 47°46'49" WEST ALONG THE SOUTHEASTERLY LINE OF SAID BLOCK 54, 189.95 FEET; THENCE NORTH 42°16'49" WEST, 280.51 FEET; THENCE NORTH 47°39'58" EAST, 190.19 FEET TO THE NORTHEASTERLY LINE OF SAID BLOCK 54; THENCE SOUTH 42°13'57" EAST ALONG SAID NORTHEASTERLY LINE, 280.89 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH THAT PORTION OF THE WESTERLY 12 FEET OF URUAPAN DRIVE AND PORTION OF FRESNO STREET AS VACATED BY ORDINANCE NO. 92-19, ADOPTED NOVEMBER 10, 1992 BY THE CITY COUNCIL OF THE CITY OF DINUBA AND RECORDED DECEMBER 23, 1994 AS INSTRUMENT NO. [94-092557](#) OF OFFICIAL RECORDS.

PARCEL 2: (APN: 017-202-015-000 AND 017-202-016-000)

LOTS 1, 2 AND 3, IN BLOCK 55, IN THE CITY OF DINUBA, COUNTY OF TULARE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN [BOOK 3, PAGE 15](#) OF MAPS, TULARE COUNTY RECORDS.

TOGETHER WITH THAT PORTION OF FRESNO STREET VACATED BY ORDINANCE NO. 92.19 THAT WOULD PASS BY OPERATION OF LAW, RECORDED DECEMBER 23, 1994 AS INSTRUMENT NO. [94-092577](#) OF OFFICIAL RECORDS OF SAID COUNTY.

PARCEL 3: (APN: 017-202-020-000)

PARCEL A:

THOSE PORTIONS OF BLOCKS 55 AND 54 AND THAT PORTION OF MERCED STREET, NOW ABANDONED, LYING BETWEEN SAID BLOCKS OF THE TOWN OF DINUBA, AS RECORDED IN [VOLUME 3 OF MAPS, AT PAGE 15](#) OF TULARE COUNTY RECORDS, LOCATED IN THE NORTHEAST QUARTER SECTION 17, TOWNSHIP 16 SOUTH, RANGE 24 EAST, MOUNT DIABLO BASE AND MERIDIAN, IN THE CITY OF DINUBA, COUNTY OF TULARE, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEASTERLY CORNER OF SAID BLOCK 54, THENCE NORTH 42° 13' 57" WEST ALONG THE EASTERLY LINE OF SAID BLOCK 54, 280.89 FEET TO THE TRUE POINT OF BEGINNING; THENCE SOUTH 47° 39' 58", 190.19 FEET; THENCE SOUTH 42° 16' 49" EAST 20.00 FEET; THENCE SOUTH 47° 39' 58" WEST, 59.75 FEET TO THE INTERSECTION WITH A LINE PARALLEL WITH AND 41 FEET EASTERLY OF THE WEST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 17; THENCE NORTH 00° 00' 0" EAST ALONG SAID PARALLEL LINE, 139.02 FEET, THENCE NORTH 1° 08' 45" EAST, 164.97 FEET TO THE BEGINNING OF A CURVE; THENCE NORTHEASTERLY AND SOUTHEASTERLY, 59.61 FEET ALONG A CURVE CONCAVE SOUTHERLY WITH A RADIUS OF 25.00 FEET AND A CENTRAL ANGLE OF 136° 37' 18" TO THE INTERSECTION WITH THE NORTHWESTERLY PROLONGATION OF THE NORTHEASTERLY LINE OF SAID BLOCK 54; THENCE SOUTH 42° 13' 57" EAST ALONG SAID NORTHEASTERLY LINE, 185.23 FEET TO THE TRUE POINT OF BEGINNING.

EXCEPTING THEREFROM THAT PORTION DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEASTERLY CORNER OF SAID BLOCK 54, THENCE NORTH 42° 13' 57" WEST ALONG THE EASTERLY LINE OF SAID BLOCK 54, 280.89 FEET TO THE TRUE POINT OF BEGINNING; THENCE SOUTH 47° 39' 58" WEST, 190.19 FEET; THENCE SOUTH 42° 16' 49" EAST, 20.00 FEET; THENCE SOUTH 47° 39' 58" WEST, 59.75 FEET TO THE INTERSECTION WITH A LINE PARALLEL WITH AND 41.00 FEET EASTERLY OF THE WEST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 17; THENCE NORTH 00° 00' 00" EAST ALONG SAID PARALLEL LINE, 118.44 FEET; THENCE NORTH 47° 39' 58" EAST TO THE NORTHEASTERLY LINE OF SAID BLOCK 54; THENCE SOUTH 42° 13' 57" EAST ALONG SAID NORTHEASTERLY LINE, 67.56 FEET TO THE TRUE POINT OF BEGINNING.

ALSO EXCEPTING FROM A PORTION ALL MINERALS AND MINERAL RIGHTS, INTERESTS, AND ROYALTIES, INCLUDING WITHOUT LIMITING, THE GENERALITY THEREOF, OIL, GAS AND OTHER HYDROCARBON SUBSTANCES, AS WELL AS METALLIC OR OTHER SOLID MINERALS, IN AND UNDER THE PROPERTY HOWEVER SHALL NOT HAVE THE RIGHT FOR ANY PURPOSE WHATSOEVER TO ENTER UPON, INTO OR THROUGH THE SURFACE OF THE PROPERTY IN CONNECTION THEREWITH, AS RESERVED IN THE DEED RECORDED JULY 31, 1992 AS INSTRUMENT NO. [92-054547](#) OF OFFICIAL RECORDS.

PARCEL B:

THOSE PORTIONS OF BLOCKS 53 AND 54 AND THAT PORTION OF MERCED STREET, NOW

ABANDONED, LYING BETWEEN SAID BLOCKS, OF THE TOWN OF DINUBA, AS RECORDED IN [VOLUME 3 OF MAPS, AT PAGE 15](#) OF TULARE COUNTY RECORDS, LOCATED IN THE NORTHEAST QUARTER OF SECTION 17, TOWNSHIP 16 SOUTH, RANGE 24 EAST, MOUNT DIABLO BASE AND MERIDIAN, IN THE CITY OF DINUBA, COUNTY OF TULARE, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEASTERLY CORNER OF SAID BLOCK 54, THENCE NORTH 42° 13' 57" WEST ALONG THE EASTERLY LINE OF SAID BLOCK 54, 280.89 FEET TO THE TRUE POINT OF BEGINNING; THENCE SOUTH 47° 39' 58" WEST, 190.19 FEET; THENCE SOUTH 42° 16' 49" EAST, 20.00 FEET; THENCE SOUTH 47° 39' 58" WEST, 59.75 FEET TO THE INTERSECTION WITH A LINE PARALLEL WITH AND 41.00 EASTERLY OF THE WEST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 17; THENCE NORTH 00° 00' 00" EAST ALONG SAID PARALLEL LINE, 118.44 FEET; THENCE NORTH 47° 39' 58" EAST TO THE NORTHEASTERLY LINE OF SAID BLOCK 54; THENCE SOUTH 42° 13' 57" EAST ALONG SAID NORTHEASTERLY LINE, 67.56 FEET TO THE TRUE POINT OF BEGINNING.

EXCEPTING FROM A PORTION ALL MINERALS AND MINERAL RIGHTS, INTERESTS, AND ROYALTIES, INCLUDING WITHOUT LIMITING, THE GENERALITY THEREOF, OIL, GAS AND OTHER HYDROCARBON SUBSTANCES, AS WELL AS METALLIC OR OTHER SOLID MINERALS, IN AND UNDER THE PROPERTY HOWEVER SHALL NOT HAVE THE RIGHT FOR ANY PURPOSE WHATSOEVER TO ENTER UPON, INTO OR THROUGH THE SURFACE OF THE PROPERTY IN CONNECTION THEREWITH, AS RESERVED IN THE DEED RECORDED JULY 31, 1992 AS INSTRUMENT NO. [92-054547](#) OF OFFICIAL RECORDS.

PARCEL C:

THAT PORTION OF BLOCK 54 OF THE TOWN OF DINUBA, AS RECORDED IN VOLUME 3 OF MAPS, AT PAGE 15 OF TULARE COUNTY RECORDS, LOCATED IN THE NORTHEAST QUARTER OF SECTION 17, TOWNSHIP 16 SOUTH, RANGE 24 EAST, MOUNT DIABLO BASE AND MERIDIAN, IN THE CITY OF DINUBA, COUNTY OF TULARE, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEASTERLY CORNER OF SAID BLOCK 54, THENCE SOUTH 47° 46' 49" WEST ALONG THE SOUTHEASTERLY LINE OF SAID BLOCK 54, 319.95 FEET TO THE SOUTHWESTERLY CORNER OF SAID BLOCK 54; THENCE NORTH 42° 14' 58" WEST ALONG THE SOUTHWESTERLY LINE OF SAID BLOCK 54, 175.00 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING NORTH 42° 14' 58" WEST ALONG SAID SOUTHWESTERLY LINE, 8.17 FEET TO A POINT IN A LINE PARALLEL WITH AND 41.00 FEET EASTERLY OF THE WEST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 17; THENCE NORTH 00° 00' 00" EAST ALONG SAID PARALLEL LINE, 104.28 FEET; THENCE NORTH 47° 39' 58" EAST, 59.75 FEET; THENCE SOUTH 42° 16' 49" EAST, 85.51 FEET; THENCE SOUTH 47° 46' 49" WEST, 129.91 FEET TO THE TRUE POINT OF BEGINNING.

EXCEPTING FROM A PORTION ALL MINERALS AND MINERAL RIGHTS, INTERESTS, AND ROYALTIES, INCLUDING WITHOUT LIMITING, THE GENERALITY THEREOF, OIL, GAS AND OTHER HYDROCARBON SUBSTANCES, AS WELL AS METALLIC OR OTHER SOLID MINERALS, IN AND UNDER THE PROPERTY HOWEVER SHALL NOT HAVE THE RIGHT FOR ANY PURPOSE WHATSOEVER TO ENTER UPON, INTO OR THROUGH THE SURFACE OF THE PROPERTY IN CONNECTION THEREWITH, AS RESERVED IN THE DEED RECORDED JULY 31, 1992 AS INSTRUMENT NO. [92-054547](#) OF OFFICIAL RECORDS.

PARCEL D:

THAT PORTION OF BLOCK 54 OF THE TOWN OF DINUBA, AS RECORDED IN VOLUME 3 OF MAPS, AT PAGE 15 OF TULARE COUNTY RECORDS, LOCATED IN THE NORTHEAST QUARTER OF SECTION 17, TOWNSHIP 16 SOUTH, RANGE 24 EAST, MOUNT DIABLO BASE AND MERIDIAN, IN THE CITY OF DINUBA, COUNTY OF TULARE, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEASTERLY CORNER OF SAID BLOCK 54, THENCE SOUTH 47° 45' 49" WEST ALONG THE SOUTHEASTERLY LINE OF SAID BLOCK 54, 189.95 FEET TO THE TRUE POINT OF BEGINNING, THENCE CONTINUING SOUTH 47° 46' 49" WEST ALONG SAID SOUTHEASTERLY LINE, 130.00 FEET TO THE SOUTHWESTERLY CORNER OF SAID BLOCK 54; THENCE NORTH 42° 14' 58" WEST ALONG THE SOUTHWESTERLY LINE OF SAID BLOCK 54, 75.00 FEET; THENCE NORTH 47° 46' 49" EAST, 129.96 FEET; THENCE SOUTH 42° 16' 49" EAST, 75.00 FEET TO THE TRUE POINT OF BEGINNING.

TOGETHER WITH ALL THAT PORTION OF FRESNO STREET AS VACATED BY ORDINANCE NO. 92-19, ADOPTED NOVEMBER 10, 1992 BY THE CITY COUNCIL OF THE CITY OF DINUBA AND RECORDED DECEMBER 23, 1994 AS INSTRUMENT NO. [94-092577](#) OF OFFICIAL RECORDS. THAT WOULD PASS BY OPERATION OF LAW.

EXCEPTING FROM A PORTION ALL MINERALS AND MINERAL RIGHTS, INTERESTS, AND ROYALTIES, INCLUDING WITHOUT LIMITING, THE GENERALITY THEREOF, OIL, GAS AND OTHER HYDROCARBON SUBSTANCES, AS WELL AS METALLIC OR OTHER SOLID MINERALS, IN AND UNDER THE PROPERTY HOWEVER SHALL NOT HAVE THE RIGHT FOR ANY PURPOSE WHATSOEVER TO ENTER UPON, INTO OR THROUGH THE SURFACE OF THE PROPERTY IN CONNECTION THEREWITH, AS RESERVED IN THE DEED RECORDED JULY 31, 1992 AS INSTRUMENT NO. [92-054547](#) OF OFFICIAL RECORDS.

PARCEL E:

THAT PORTION OF BLOCK 54 OF THE TOWN OF DINUBA, AS RECORDED IN VOLUME 3 OF MAPS, AT PAGE 15 OF TULARE COUNTY RECORDS, LOCATED IN THE NORTHEAST QUARTER OF SECTION 17, TOWNSHIP 16 SOUTH, RANGE 24 EAST, MOUNT DIABLO BASE AND MERIDIAN, IN THE CITY OF DINUBA, COUNTY OF TULARE, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEASTERLY CORNER OF SAID BLOCK 54, THENCE SOUTH 47° 46' 49" WEST ALONG THE SOUTHEASTERLY LINE OF SAID BLOCK 54, 319.95 FEET TO THE SOUTHWESTERLY CORNER OF SAID BLOCK 54; THENCE NORTH 42° 14' 58" WEST ALONG THE SOUTHWESTERLY LINE OF SAID BLOCK 54, 75.00 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING NORTH 42° 14' 58" WEST ALONG SAID SOUTHWESTERLY LINE, 100.00 FEET; THENCE NORTH 47° 46' 49" EAST, 129.91 FEET; THENCE SOUTH 42° 16' 49" EAST, 100.00 FEET; THENCE SOUTH 47° 46' 49" WEST, 129.96 FEET TO THE TRUE POINT OF BEGINNING.

EXCEPTING FROM A PORTION ALL MINERALS AND MINERAL RIGHTS, INTERESTS, AND ROYALTIES, INCLUDING WITHOUT LIMITING, THE GENERALITY THEREOF, OIL, GAS AND OTHER HYDROCARBON SUBSTANCES, AS WELL AS METALLIC OR OTHER SOLID MINERALS, IN AND UNDER THE PROPERTY HOWEVER SHALL NOT HAVE THE RIGHT FOR ANY PURPOSE WHATSOEVER TO ENTER UPON, INTO OR THROUGH THE SURFACE OF THE PROPERTY IN CONNECTION THEREWITH, AS RESERVED IN THE DEED RECORDED JULY 31, 1992 AS INSTRUMENT NO. [92-054547](#) OF OFFICIAL RECORDS.

PARCEL F:

A PORTION OF THE O STREET RIGHT OF WAY AS GRANTED PER TOWN OF DINUBA, RECORDED IN [VOLUME 3 OF MAPS, AT PAGE 15](#), LOCATED IN THE WEST HALF OF SECTION 17, TOWNSHIP 16 SOUTH, RANGE 24 EAST, MOUNT DIABLO BASE AND MERIDIAN, IN THE CITY OF DINUBA, COUNTY OF TULARE, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE NORTHEASTERLY RIGHT OF WAY LINE OF SAID O STREET AND THE SOUTHEASTERLY RIGHT OF WAY LINE OF FRESNO STREET AS GRANTED ON SAID TOWN OF DINUBA,

THENCE WESTERLY 158.45 FEET ALONG A NON-TANGENT CURVE, CONCAVE SOUTHWESTERLY, WITH A RADIUS OF 190.00 FEET, A CENTRAL ANGLE OF 47° 46' 51", AND A BEGINNING WHICH BEARS NORTH 47° 22' 28" EAST,

THENCE SOUTH 89° 35' 58" WEST, 16.23 FEET,

THENCE NORTH 45° 24' 02" WEST, 28.28 FEET, TO THE EAST RIGHT OF WAY LINE OF ALTA AVENUE (ROAD 80);

THENCE NORTH 00° 24' 02" WEST, 112.64 FEET TO SAID NORTHEASTERLY RIGHT OF WAY LINE OF O STREET,

THENCE SOUTH 42° 37' 32" EAST ALONG SAID NORTHEASTERLY RIGHT OF WAY LINE, 263.29 FEET, TO THE POINT OF BEGINNING.

PARCEL 4: (APN: PORTION 017-203-012-000)

LOT 1 AND 2 ALL AS ONE PARCEL IN BLOCK 65 OF THE MAP OF THE TOWN OF DINUBA, RECORDED IN [VOLUME 3 OF MAPS, AT PAGE 15](#) OF TULARE COUNTY RECORDS, LOCATED IN SECTION 17, TOWNSHIP 16 SOUTH, RANGE 24 EAST, MOUNT DIABLO BASE AND MERIDIAN, IN THE CITY OF DINUBA, COUNTY OF TULARE, STATE OF CALIFORNIA.

EXCEPTING THEREFROM THE SOUTHEASTERLY 20.00 FEET OF SAID LOT 2.

THIS LEGAL DESCRIPTION IS MADE PURSUANT TO THAT CERTAIN CERTIFICATE APPROVING A LOT LINE ADJUSTMENT NO. 2006-36, RECORDED JANUARY 04, 2007, AS INSTRUMENT NO. [07-1156](#) OF OFFICIAL RECORDS.

PARCEL 4A: (APN: PORTION 017-203-012-000)

LOTS 11, 12, 13, 14, 15 AND 16 OF BLOCK 66 OF THE CITY OF DINUBA, COUNTY OF TULARE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN [BOOK 3, PAGE 15](#) OF MAPS, TULARE COUNTY RECORDS.

EXCEPTING THEREFROM THAT PORTION THEREOF WHICH LIES WITHIN THE EAST 10 FEET OF THE WEST 30 FEET OF SECTION 17, TOWNSHIP 16 SOUTH, RANGE 24 EAST, MOUNT DIABLO BASE AND MERIDIAN, ACCORDING TO THE OFFICIAL PLAT THEREOF, AS CONVEYED TO THE CITY OF DINUBA, BY DEED RECORDED AUGUST 31, 1954 IN [BOOK 1774, PAGE 280](#) OF OFFICIAL RECORDS.

ALSO EXCEPTING THEREFROM THAT PORTION CONVEYED TO THE CITY OF DINUBA BY GRANT DEED RECORDED SEPTEMBER 25, 2014 AS INSTRUMENT NO. [14-48929](#) OF OFFICIAL RECORDS, WHICH ALSO DESCRIBED AS THE DEDICATED AREA BY RESOLUTION NO. 2014-35, RECORDED NOVEMBER 24, 2014 AS INSTRUMENT NO. [14-63197](#) OF OFFICIAL RECORDS, DESCRIBED AS FOLLOWS:

A PORTION OF LOTS 12 THROUGH 16 OF BLOCK 66, PER TOWN OF DINUBA, RECORDED IN [VOLUME 3 OF MAPS, AT PAGE 15](#), LOCATED IN THE WEST HALF OF SECTION 17, TOWNSHIP 16 SOUTH, RANGE 24 EAST, MOUNT DIABLO BASE AND MERIDIAN, IN THE CITY OF DINUBA, COUNTY OF TULARE, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE NORTHEASTERLY RIGHT OF WAY LINE OF SAID O STREET AND THE SOUTHEASTERLY RIGHT OF WAY LINE OF FRESNO STREET AS GRANTED ON SAID TOWN OF DINUBA;

THENCE SOUTH 47°22'28" WEST ALONG THE PROLONGATION OF SAID SOUTHEASTERLY RIGHT OF WAY LINE OF FRESNO STREET, 80.00 FEET, TO THE SOUTHWESTERLY RIGHT OF WAY LINE OF SAID O STREET AND THE TRUE POINT OF BEGINNING;

THENCE WESTERLY 91.73 FEET ALONG A NON-TANGENT CURVE, CONCAVE SOUTHWESTERLY, WITH A RADIUS OF 110.00 FEET, A CENTRAL ANGLE OF 47°46'51", AND A BEGINNING WHICH BEARS NORTH 47°22'28" EAST;

THENCE SOUTH 89°35'58" WEST, 16.23 FEET, THENCE SOUTH 44°35'58" WEST, 28.28 FEET, TO THE EAST RIGHT OF WAY LINE OF ALTA AVENUE (ROAD 80); THENCE NORTH 00°24'02" WEST, 113.60 FEET TO SAID SOUTHWESTERLY RIGHT OF WAY LINE OF O STREET;

THENCE SOUTH 42°37'32" EAST ALONG SAID SOUTHWESTERLY RIGHT OF WAY LINE, 175.13 FEET, TO THE POINT OF BEGINNING.

PARCEL 4B: (APN: PORTION 017-203-012-000)

A PORTION OF THE FRESNO STREET RIGHT OF WAY AS GRANTED PER TOWN OF DINUBA, RECORDED IN [VOLUME 3 OF MAPS, AT PAGE 15](#), LOCATED IN THE WEST HALF OF SECTION 17, TOWNSHIP 16 SOUTH, RANGE 24 EAST, MOUNT DIABLO BASE AND MERIDIAN, IN THE CITY OF DINUBA, COUNTY OF TULARE, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE NORTHEASTERLY RIGHT OF WAY LINE OF O STREET AND THE SOUTHEASTERLY RIGHT OF WAY LINE OF SAID FRESNO STREET AS GRANTED ON SAID TOWN OF DINUBA;

THENCE SOUTH 47°22'28" WEST ALONG THE PROLONGATION OF SAID SOUTHEASTERLY RIGHT OF WAY LINE OF FRESNO STREET, 80.00 FEET, TO THE SOUTHWESTERLY RIGHT OF WAY LINE OF SAID O STREET AND THE TRUE POINT OF BEGINNING;

THENCE WESTERLY 89.57 FEET ALONG A NON-TANGENT CURVE, CONCAVE SOUTHWESTERLY, WITH A RADIUS OF 110.00 FEET, A CENTRAL ANGLE OF 46°39'09", AND A BEGINNING WHICH BEARS NORTH 47°22'28" EAST, TO THE NORTHWESTERLY RIGHT OF WAY OF SAID FRESNO STREET;

THENCE SOUTH 47°22'28" WEST, ALONG SAID NORTHWESTERLY RIGHT OF WAY, 51.85 FEET, TO THE EAST RIGHT OF WAY LINE OF ALTA AVENUE (ROAD 80);

THENCE SOUTH 00°24'02" EAST, 108.03 FEET TO SAID SOUTHEASTERLY RIGHT OF WAY LINE OF FRESNO STREET;

THENCE NORTH 47°22'28" EAST ALONG SAID SOUTHEASTERLY RIGHT OF WAY LINE, 158.94 FEET, TO THE POINT OF BEGINNING.

THIS LEGAL DESCRIPTION WAS CONVEYED TO THE CITY OF DINUBA, A MUNICIPAL CORPORATION BY QUITCLAIM DEED RECORDED SEPTEMBER 25, 2014 AS INSTRUMENT NO. [14-48928](#) AND VACATED BY RESOLUTION NO. 2014-35, RECORDED NOVEMBER 24, 2014 AS INSTRUMENT NO. [14-63197](#), BOTH OF OFFICIAL RECORDS.

PARCEL 5: (APN: 017-203-002-000 AND PORTION 017-203-012-000)

LOTS 4, 5, 6, AND 7 ALL AS ONE PARCEL IN BLOCK 65 OF THE MAP OF THE TOWN OF DINUBA RECORDED, IN [VOLUME 3 OF MAPS, AT PAGE 15](#) OF TULARE COUNTY RECORDS, LOCATED IN SECTION 17, TOWNSHIP 16 SOUTH, RANGE 24 EAST, MOUNT DIABLO BASE AND MERIDIAN, IN THE CITY OF DINUBA, COUNTY OF TULARE, STATE OF CALIFORNIA.

TOGETHER WITH LOT 3 AND THE SOUTHEASTERLY 20.00 FEET OF LOT 2 OF SAID BLOCK 65 OF THE MAP OF THE TOWN OF DINUBA RECORDED IN [VOLUME 3 OF MAPS, AT PAGE 15](#) OF TULARE COUNTY RECORDS.

THIS LEGAL DESCRIPTION IS MADE PURSUANT TO THAT CERTAIN CERTIFICATE APPROVING A LOT LINE ADJUSTMENT NO. 2006-36, RECORDED JANUARY 04, 2007, AS INSTRUMENT NO. [07-1156](#) OF OFFICIAL RECORDS.

EXHIBIT B
DEPICTION OF THE REAL PROPERTY
(Attached)

**RECORDING REQUESTED BY AND WHEN
RECORDED RETURN TO:**

County of Tulare
General Services Division
Visalia Government Plaza
Visalia, CA 93277
Attn: Robert Newby, Property Manager

Exempt from Recording Fees per GC 6103 and from
Documentary Transfer Tax per R&T 11922

Affects APNs 017-202-015, -016, -019, and -020
017-203-002, and 017-203-012 (portion)

[Space above for Recorder's use.]

**AGREEMENT TRANSFERRING OWNERSHIP OF DINUBA COURTHOUSE
AND POLICE STATION TO CITY OF DINUBA**

THIS AGREEMENT TRANSFERRING OWNERSHIP OF DINUBA COURTHOUSE AND POLICE STATION TO THE CITY OF DINUBA, dated as of _____, by and between the COUNTY OF TULARE, a political subdivision of the State of California (COUNTY), and CITY OF DINUBA (CITY), a municipal corporation, duly organized and existing under the laws of the State of California;

WITNESSETH:

WHEREAS, COUNTY and CITY jointly constructed, financed, and utilized the improvements described in the attached Exhibit A (the "Project"), namely, a Police Station and Courthouse, on a site owned by CITY and described in Exhibit B (the "Site"), and were authorized pursuant to the laws of the State of California to enter into agreements for such purposes; and

WHEREAS, COUNTY and CITY determined that, in order to accomplish such purposes, COUNTY was responsible to finance and construct the Project under a Master Lease between COUNTY and Tulare County Public Facilities Corporation; and

WHEREAS, County then subleased to CITY a portion of the Project as provided in a Sublease Agreement; and

WHEREAS the Site was acquired, cleared and improved by the Dinuba Redevelopment Agency, and was appropriate for the Project contemplated by the Sublease Agreement; and

WHEREAS, it was the intent of COUNTY that CITY shall take ownership of the Project at the conclusion of the term of the Sublease Agreement and concurrent with the release of the Site to CITY as provided in the Master Lease, but subject to the right of COUNTY to continued use of the Courthouse as provided in the Sublease Agreement; and

WHEREAS, CITY has fulfilled its payment obligations as provided in the Sublease Agreement; and

WHEREAS, by separate agreement COUNTY and CITY have agreed to terminate the Master Lease and Sublease.

NOW, THEREFORE, it is hereby mutually agreed as follows:

Section 1. COUNTY hereby conveys ownership of the Project to CITY as provided in the Master Lease and section 405 of the Sublease Agreement, subject to the right of COUNTY and the Administrative Office of the Courts to continue to occupy the Courthouse without the payment of rent so long as regular court sessions shall continue to be conducted in the Dinuba Courthouse.

Section 2. The Parties shall cooperate with each other and shall take such further actions as may be necessary or convenient to carry out the purposes of this agreement.

THE PARTIES, having read and considered the above provisions, indicate their agreement by their authorized signatures below:

CITY

Date: _____

Approved as to form:

Attest:

By: _____
City Attorney

By: _____
City Clerk

COUNTY

Date: _____

By: _____
Chairman, Board of Supervisors

ATTEST: MICHAEL C. SPATA
County Administrative Officer/
Clerk of the Board of Supervisors

By _____
Deputy

Approved as to form:
COUNTY COUNSEL

By: _____
Deputy

MPW/12/12/2016/20161808/

EXHIBIT A
Description of the Project

This project is located on a 2-acre site owned by the City of Dinuba and leased to the Tulare County Public Facilities Corporation. The building is approximately 24,000 square feet in size and includes one courtroom, judge's chambers and support offices, and a City of Dinuba Police Station. Holding cells are shared by the court and police department.

EXHIBIT B
Description of the Site

Real property in the City of Dinuba, County of Tulare, State of California, described as follows:

PARCEL 1: (APN: 017-202-019-000)

THAT PORTION OF BLOCK 54 OF THE CITY OF DINUBA, AS PER MAP RECORDED IN VOLUME 3 OF MAPS, AT PAGE 15 OF TULARE COUNTY RECORDS, LOCATED IN THE NORTHEAST QUARTER OF SECTION 17, TOWNSHIP 16 SOUTH, RANGE 24 EAST, MOUNT DIABLO BASE AND MERIDIAN, IN THE CITY OF DINUBA, COUNTY OF TULARE, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEASTERLY CORNER OF SAID BLOCK 54, THENCE SOUTH 47°46'49" WEST ALONG THE SOUTHEASTERLY LINE OF SAID BLOCK 54, 189.95 FEET; THENCE NORTH 42°16'49" WEST, 280.51 FEET; THENCE NORTH 47°39'58" EAST, 190.19 FEET TO THE NORTHEASTERLY LINE OF SAID BLOCK 54; THENCE SOUTH 42°13'57" EAST ALONG SAID NORTHEASTERLY LINE, 280.89 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH THAT PORTION OF THE WESTERLY 12 FEET OF URUAPAN DRIVE AND PORTION OF FRESNO STREET AS VACATED BY ORDINANCE NO. 92-19, ADOPTED NOVEMBER 10, 1992 BY THE CITY COUNCIL OF THE CITY OF DINUBA AND RECORDED DECEMBER 23, 1994 AS INSTRUMENT NO. 94-092557 OF OFFICIAL RECORDS.

PARCEL 2: (APN: 017-202-015-000 AND 017-202-016-000)

LOTS 1, 2 AND 3, IN BLOCK 55, IN THE CITY OF DINUBA, COUNTY OF TULARE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 3, PAGE 15 OF MAPS, TULARE COUNTY RECORDS.

TOGETHER WITH THAT PORTION OF FRESNO STREET VACATED BY ORDINANCE NO. 92.19 THAT WOULD PASS BY OPERATION OF LAW, RECORDED DECEMBER 23, 1994 AS INSTRUMENT NO. 94-092577 OF OFFICIAL RECORDS OF SAID COUNTY.

PARCEL 3: (APN: 017-202-020-000)

PARCEL A:

THOSE PORTIONS OF BLOCKS 55 AND 54 AND THAT PORTION OF MERCED STREET, NOW ABANDONED, LYING BETWEEN SAID BLOCKS OF THE TOWN OF DINUBA, AS RECORDED IN VOLUME 3 OF MAPS, AT PAGE 15 OF TULARE COUNTY RECORDS, LOCATED IN THE NORTHEAST QUARTER SECTION 17, TOWNSHIP 16 SOUTH, RANGE 24 EAST, MOUNT DIABLO BASE AND MERIDIAN, IN THE CITY OF DINUBA, COUNTY OF TULARE, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEASTERLY CORNER OF SAID BLOCK 54, THENCE NORTH 42° 13' 57" WEST ALONG THE EASTERLY LINE OF SAID BLOCK 54, 280.89 FEET TO THE TRUE POINT OF BEGINNING; THENCE SOUTH 47° 39' 58", 190.19 FEET; THENCE SOUTH 42° 16' 49" EAST 20.00 FEET; THENCE SOUTH 47° 39' 58" WEST, 59.75 FEET TO THE INTERSECTION WITH A LINE PARALLEL WITH AND 41 FEET EASTERLY OF THE WEST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 17; THENCE NORTH 00° 00' 0" EAST ALONG SAID PARALLEL LINE, 139.02 FEET, THENCE

NORTH 1° 08' 45" EAST, 164.97 FEET TO THE BEGINNING OF A CURVE; THENCE NORTHEASTERLY AND SOUTHEASTERLY, 59.61 FEET ALONG A CURVE CONCAVE SOUTHERLY WITH A RADIUS OF 25.00 FEET AND A CENTRAL ANGLE OF 136° 37' 18" TO THE INTERSECTION WITH THE NORTH-WESTERLY PROLONGATION OF THE NORTHEASTERLY LINE OF SAID BLOCK 54; THENCE SOUTH 42° 13' 57" EAST ALONG SAID NORTHEASTERLY LINE, 185.23 FEET TO THE TRUE POINT OF BEGINNING.

EXCEPTING THEREFROM THAT PORTION DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEASTERLY CORNER OF SAID BLOCK 54, THENCE NORTH 42° 13' 57" WEST ALONG THE EASTERLY LINE OF SAID BLOCK 54, 280.89 FEET TO THE TRUE POINT OF BEGINNING; THENCE SOUTH 47° 39' 58" WEST, 190.19 FEET; THENCE SOUTH 42° 16' 49" EAST, 20.00 FEET; THENCE SOUTH 47° 39' 58" WEST, 59.75 FEET TO THE INTERSECTION WITH A LINE PARALLEL WITH AND 41.00 FEET EASTERLY OF THE WEST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 17; THENCE NORTH 00° 00' 00" EAST ALONG SAID PARALLEL LINE, 118.44 FEET; THENCE NORTH 47° 39' 58" EAST TO THE NORTHEASTERLY LINE OF SAID BLOCK 54; THENCE SOUTH 42° 13' 57" EAST ALONG SAID NORTHEASTERLY LINE, 67.56 FEET TO THE TRUE POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM A PORTION ALL MINERALS AND MINERAL RIGHTS, INTERESTS, AND ROYALTIES, INCLUDING WITHOUT LIMITING, THE GENERALITY THEREOF, OIL, GAS AND OTHER HYDROCARBON SUBSTANCES, AS WELL AS METALLIC OR OTHER SOLID MINERALS, IN AND UNDER THE PROPERTY HOWEVER SHALL NOT HAVE THE RIGHT FOR ANY PURPOSE WHATSOEVER TO ENTER UPON, INTO OR THROUGH THE SURFACE OF THE PROPERTY IN CONNECTION THEREWITH, AS RESERVED IN THE DEED RECORDED JULY 31, 1992 AS INSTRUMENT NO. 92-054547 OF OFFICIAL RECORDS.

PARCEL B:

THOSE PORTIONS OF BLOCKS 53 AND 54 AND THAT PORTION OF MERCED STREET, NOW ABANDONED, LYING BETWEEN SAID BLOCKS, OF THE TOWN OF DINUBA, AS RECORDED IN VOLUME 3 OF MAPS, AT PAGE 15 OF TULARE COUNTY RECORDS, LOCATED IN THE NORTHEAST QUARTER OF SECTION 17, TOWNSHIP 16 SOUTH, RANGE 24 EAST, MOUNT DIABLO BASE AND MERIDIAN, IN THE CITY OF DINUBA, COUNTY OF TULARE, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEASTERLY CORNER OF SAID BLOCK 54, THENCE NORTH 42° 13' 57" WEST ALONG THE EASTERLY LINE OF SAID BLOCK 54, 280.89 FEET TO THE TRUE POINT OF BEGINNING; THENCE SOUTH 47° 39' 58" WEST, 190.19 FEET; THENCE SOUTH 42° 16' 49" EAST, 20.00 FEET; THENCE SOUTH 47° 39' 58" WEST, 59.75 FEET TO THE INTERSECTION WITH A LINE PARALLEL WITH AND 41.00 EASTERLY OF THE WEST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 17; THENCE NORTH 00° 00' 00" EAST ALONG SAID PARALLEL LINE, 118.44 FEET; THENCE NORTH 47° 39' 58" EAST TO THE NORTHEASTERLY LINE OF SAID BLOCK 54; THENCE SOUTH 42° 13' 57" EAST ALONG SAID NORTHEASTERLY LINE, 67.56 FEET TO THE TRUE POINT OF BEGINNING.

EXCEPTING THEREFROM A PORTION ALL MINERALS AND MINERAL RIGHTS, INTERESTS, AND ROYALTIES, INCLUDING WITHOUT LIMITING, THE GENERALITY THEREOF, OIL, GAS AND OTHER HYDROCARBON SUBSTANCES, AS WELL AS METALLIC OR OTHER SOLID MINERALS, IN AND UNDER THE PROPERTY HOWEVER SHALL NOT HAVE THE RIGHT FOR ANY PURPOSE

WHATSOEVER TO ENTER UPON, INTO OR THROUGH THE SURFACE OF THE PROPERTY IN CONNECTION THEREWITH, AS RESERVED IN THE DEED RECORDED JULY 31, 1992 AS INSTRUMENT NO. 92-054547 OF OFFICIAL RECORDS.

PARCEL C:

THAT PORTION OF BLOCK 54 OF THE TOWN OF DINUBA, AS RECORDED IN VOLUME 3 OF MAPS, AT PAGE 15 OF TULARE COUNTY RECORDS, LOCATED IN THE NORTHEAST QUARTER OF SECTION 17, TOWNSHIP 16 SOUTH, RANGE 24 EAST, MOUNT DIABLO BASE AND MERIDIAN, IN THE CITY OF DINUBA, COUNTY OF TULARE, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEASTERLY CORNER OF SAID BLOCK 54, THENCE SOUTH 47° 46' 49" WEST ALONG THE SOUTHEASTERLY LINE OF SAID BLOCK 54, 319.95 FEET TO THE SOUTHWESTERLY CORNER OF SAID BLOCK 54; THENCE NORTH 42° 14' 58" WEST ALONG THE SOUTHWESTERLY LINE OF SAID BLOCK 54, 175.00 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING NORTH 42° 14' 58" WEST ALONG SAID SOUTHWESTERLY LINE, 8.17 FEET TO A POINT IN A LINE PARALLEL WITH AND 41.00 FEET EASTERLY OF THE WEST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 17; THENCE NORTH 00° 00' 00" EAST ALONG SAID PARALLEL LINE, 104.28 FEET; THENCE NORTH 47° 39' 58" EAST, 59.75 FEET; THENCE SOUTH 42° 16' 49" EAST, 85.51 FEET; THENCE SOUTH 47° 46' 49" WEST, 129.91 FEET TO THE TRUE POINT OF BEGINNING.

EXCEPTING THEREFROM A PORTION ALL MINERALS AND MINERAL RIGHTS, INTERESTS, AND ROYALTIES, INCLUDING WITHOUT LIMITING, THE GENERALITY THEREOF, OIL, GAS AND OTHER HYDROCARBON SUBSTANCES, AS WELL AS METALLIC OR OTHER SOLID MINERALS, IN AND UNDER THE PROPERTY HOWEVER SHALL NOT HAVE THE RIGHT FOR ANY PURPOSE WHATSOEVER TO ENTER UPON, INTO OR THROUGH THE SURFACE OF THE PROPERTY IN CONNECTION THEREWITH, AS RESERVED IN THE DEED RECORDED JULY 31, 1992 AS INSTRUMENT NO. 92-054547 OF OFFICIAL RECORDS.

PARCEL D:

THAT PORTION OF BLOCK 54 OF THE TOWN OF DINUBA, AS RECORDED IN VOLUME 3 OF MAPS, AT PAGE 15 OF TULARE COUNTY RECORDS, LOCATED IN THE NORTHEAST QUARTER OF SECTION 17, TOWNSHIP 16 SOUTH, RANGE 24 EAST, MOUNT DIABLO BASE AND MERIDIAN, IN THE CITY OF DINUBA, COUNTY OF TULARE, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEASTERLY CORNER OF SAID BLOCK 54, THENCE SOUTH 47° 45' 49" WEST ALONG THE SOUTHEASTERLY LINE OF SAID BLOCK 54, 189.95 FEET TO THE TRUE POINT OF BEGINNING, THENCE CONTINUING SOUTH 47° 46' 49" WEST ALONG SAID SOUTHEASTERLY LINE, 130.00 FEET TO THE SOUTHWESTERLY CORNER OF SAID BLOCK 54; THENCE NORTH 42° 14' 58" WEST ALONG THE SOUTHWESTERLY LINE OF SAID BLOCK 54, 75.00 FEET; THENCE NORTH 47° 46' 49" EAST, 129.96 FEET; THENCE SOUTH 42° 16' 49" EAST, 75.00 FEET TO THE TRUE POINT OF BEGINNING.

TOGETHER WITH ALL THAT PORTION OF FRESNO STREET AS VACATED BY ORDINANCE NO. 92-19, ADOPTED NOVEMBER 10, 1992 BY THE CITY COUNCIL OF THE CITY OF DINUBA AND REC-

ORDED DECEMBER 23, 1994 AS INSTRUMENT NO. 94-092577 OF OFFICIAL RECORDS. THAT WOULD PASS BY OPERATION OF LAW.

EXCEPTING THEREFROM A PORTION ALL MINERALS AND MINERAL RIGHTS, INTERESTS, AND ROYALTIES, INCLUDING WITHOUT LIMITING, THE GENERALITY THEREOF, OIL, GAS AND OTHER HYDROCARBON SUBSTANCES, AS WELL AS METALLIC OR OTHER SOLID MINERALS, IN AND UNDER THE PROPERTY HOWEVER SHALL NOT HAVE THE RIGHT FOR ANY PURPOSE WHATSOEVER TO ENTER UPON, INTO OR THROUGH THE SURFACE OF THE PROPERTY IN CONNECTION THEREWITH, AS RESERVED IN THE DEED RECORDED JULY 31, 1992 AS INSTRUMENT NO. 92-054547 OF OFFICIAL RECORDS.

PARCEL E:

THAT PORTION OF BLOCK 54 OF THE TOWN OF DINUBA, AS RECORDED IN VOLUME 3 OF MAPS, AT PAGE 15 OF TULARE COUNTY RECORDS, LOCATED IN THE NORTHEAST QUARTER OF SECTION 17, TOWNSHIP 16 SOUTH, RANGE 24 EAST, MOUNT DIABLO BASE AND MERIDIAN, IN THE CITY OF DINUBA, COUNTY OF TULARE, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEASTERLY CORNER OF SAID BLOCK 54, THENCE SOUTH 47° 46' 49" WEST ALONG THE SOUTHEASTERLY LINE OF SAID BLOCK 54, 319.95 FEET TO THE SOUTHWESTERLY CORNER OF SAID BLOCK 54; THENCE NORTH 42° 14' 58" WEST ALONG THE SOUTHWESTERLY LINE OF SAID BLOCK 54, 75.00 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING NORTH 42° 14' 58" WEST ALONG SAID SOUTHWESTERLY LINE, 100.00 FEET; THENCE NORTH 47° 46' 49" EAST, 129.91 FEET; THENCE SOUTH 42° 16' 49" EAST, 100.00 FEET; THENCE SOUTH 47° 46' 49" WEST, 129.96 FEET TO THE TRUE POINT OF BEGINNING.

EXCEPTING THEREFROM A PORTION ALL MINERALS AND MINERAL RIGHTS, INTERESTS, AND ROYALTIES, INCLUDING WITHOUT LIMITING, THE GENERALITY THEREOF, OIL, GAS AND OTHER HYDROCARBON SUBSTANCES, AS WELL AS METALLIC OR OTHER SOLID MINERALS, IN AND UNDER THE PROPERTY HOWEVER SHALL NOT HAVE THE RIGHT FOR ANY PURPOSE WHATSOEVER TO ENTER UPON, INTO OR THROUGH THE SURFACE OF THE PROPERTY IN CONNECTION THEREWITH, AS RESERVED IN THE DEED RECORDED JULY 31, 1992 AS INSTRUMENT NO. 92-054547 OF OFFICIAL RECORDS.

PARCEL F:

A PORTION OF THE O STREET RIGHT OF WAY AS GRANTED PER TOWN OF DINUBA, RECORDED IN VOLUME 3 OF MAPS, AT PAGE 15, LOCATED IN THE WEST HALF OF SECTION 17, TOWNSHIP 16 SOUTH, RANGE 24 EAST, MOUNT DIABLO BASE AND MERIDIAN, IN THE CITY OF DINUBA, COUNTY OF TULARE, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE NORTHEASTERLY RIGHT OF WAY LINE OF SAID O STREET AND THE SOUTHEASTERLY RIGHT OF WAY LINE OF FRESNO STREET AS GRANTED ON SAID TOWN OF DINUBA, THENCE WESTERLY 158.45 FEET ALONG A NON-TANGENT CURVE, CONCAVE SOUTHWESTERLY, WITH A RADIUS OF 190.00 FEET, A CENTRAL ANGLE OF 47° 46' 51", AND A BEGINNING WHICH BEARS NORTH 47° 22' 28" EAST, THENCE SOUTH 89° 35' 58" WEST, 16.23 FEET, THENCE NORTH 45° 24' 02" WEST, 28.28 FEET, TO THE EAST RIGHT OF WAY LINE OF ALTA AVENUE (ROAD 80); THENCE NORTH 00° 24' 02" WEST, 112.64 FEET TO SAID NORTHEAST-

ERLY RIGHT OF WAY LINE OF O STREET, THENCE SOUTH 42° 37' 32" EAST ALONG SAID NORTH-EASTERLY RIGHT OF WAY LINE, 263.29 FEET, TO THE POINT OF BEGINNING.

PARCEL 4: (APN: PORTION 017-203-012-000)

LOT 1 AND 2 ALL AS ONE PARCEL IN BLOCK 65 OF THE MAP OF THE TOWN OF DINUBA, RECORDED IN VOLUME 3 OF MAPS, AT PAGE 15 OF TULARE COUNTY RECORDS, LOCATED IN SECTION 17, TOWNSHIP 16 SOUTH, RANGE 24 EAST, MOUNT DIABLO BASE AND MERIDIAN, IN THE CITY OF DINUBA, COUNTY OF TULARE, STATE OF CALIFORNIA.

EXCEPTING THEREFROM THE SOUTHEASTERLY 20.00 FEET OF SAID LOT 2.

THIS LEGAL DESCRIPTION IS MADE PURSUANT TO THAT CERTAIN CERTIFICATE APPROVING A LOT LINE ADJUSTMENT NO. 2006-36, RECORDED JANUARY 04, 2007, AS INSTRUMENT NO. 07-1156 OF OFFICIAL RECORDS.

PARCEL 4A: (APN: PORTION 017-203-012-000)

LOTS 11, 12, 13, 14, 15 AND 16 OF BLOCK 66 OF THE CITY OF DINUBA, COUNTY OF TULARE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 3, PAGE 15 OF MAPS, TULARE COUNTY RECORDS.

EXCEPTING THEREFROM THAT PORTION THEREOF WHICH LIES WITHIN THE EAST 10 FEET OF THE WEST 30 FEET OF SECTION 17, TOWNSHIP 16 SOUTH, RANGE 24 EAST, MOUNT DIABLO BASE AND MERIDIAN, ACCORDING TO THE OFFICIAL PLAT THEREOF, AS CONVEYED TO THE CITY OF DINUBA, BY DEED RECORDED AUGUST 31, 1954 IN BOOK 1774, PAGE 280 OF OFFICIAL RECORDS.

ALSO EXCEPTING THEREFROM THAT PORTION CONVEYED TO THE CITY OF DINUBA BY GRANT DEED RECORDED SEPTEMBER 25, 2014 AS INSTRUMENT NO. 14-48929 OF OFFICIAL RECORDS, WHICH ALSO DESCRIBED AS THE DEDICATED AREA BY RESOLUTION NO. 2014-35, RECORDED NOVEMBER 24, 2014 AS INSTRUMENT NO. 14-63197 OF OFFICIAL RECORDS, DESCRIBED AS FOLLOWS:

A PORTION OF LOTS 12 THROUGH 16 OF BLOCK 66, PER TOWN OF DINUBA, RECORDED IN VOLUME 3 OF MAPS, AT PAGE 15, LOCATED IN THE WEST HALF OF SECTION 17, TOWNSHIP 16 SOUTH, RANGE 24 EAST, MOUNT DIABLO BASE AND MERIDIAN, IN THE CITY OF DINUBA, COUNTY OF TULARE, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE NORTHEASTERLY RIGHT OF WAY LINE OF SAID O STREET AND THE SOUTHEASTERLY RIGHT OF WAY LINE OF FRESNO STREET AS GRANTED ON SAID TOWN OF DINUBA; THENCE SOUTH 47°22'28" WEST ALONG THE PROLONGATION OF SAID SOUTHEASTERLY RIGHT OF WAY LINE OF FRESNO STREET, 80.00 FEET, TO THE SOUTHWESTERLY RIGHT OF WAY LINE OF SAID O STREET AND THE TRUE POINT OF BEGINNING; THENCE WESTERLY 91.73 FEET ALONG A NON-TANGENT CURVE, CONCAVE SOUTHWESTERLY, WITH A RADIUS OF 110.00 FEET, A CENTRAL ANGLE OF 47°46'51", AND A BEGINNING WHICH BEARS NORTH 47°22'28" EAST; THENCE SOUTH 89°35'58" WEST, 16.23 FEET, THENCE SOUTH 44°35'58" WEST, 28.28 FEET, TO THE EAST RIGHT OF WAY LINE OF ALTA AVENUE (ROAD 80); THENCE NORTH 00°24'02" WEST, 113.60 FEET TO SAID SOUTHWESTERLY RIGHT OF WAY LINE OF O STREET; THENCE SOUTH 42°37'32" EAST ALONG SAID SOUTHWESTERLY RIGHT OF WAY LINE, 175.13 FEET, TO THE POINT OF BEGINNING.

PARCEL 4B: (APN: PORTION 017-203-012-000)

A PORTION OF THE FRESNO STREET RIGHT OF WAY AS GRANTED PER TOWN OF DINUBA, RECORDED IN VOLUME 3 OF MAPS, AT PAGE 15, LOCATED IN THE WEST HALF OF SECTION 17, TOWNSHIP 16 SOUTH, RANGE 24 EAST, MOUNT DIABLO BASE AND MERIDIAN, IN THE CITY OF DINUBA, COUNTY OF TULARE, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE NORTHEASTERLY RIGHT OF WAY LINE OF O STREET AND THE SOUTHEASTERLY RIGHT OF WAY LINE OF SAID FRESNO STREET AS GRANTED ON SAID TOWN OF DINUBA; THENCE SOUTH 47°22'28" WEST ALONG THE PROLONGATION OF SAID SOUTHEASTERLY RIGHT OF WAY LINE OF FRESNO STREET, 80.00 FEET, TO THE SOUTHWESTERLY RIGHT OF WAY LINE OF SAID O STREET AND THE TRUE POINT OF BEGINNING; THENCE WESTERLY 89.57 FEET ALONG A NON-TANGENT CURVE, CONCAVE SOUTHWESTERLY, WITH A RADIUS OF 110.00 FEET, A CENTRAL ANGLE OF 46°39'09", AND A BEGINNING WHICH BEARS NORTH 47°22'28" EAST, TO THE NORTHWESTERLY RIGHT OF WAY OF SAID FRESNO STREET; THENCE SOUTH 47°22'28" WEST, ALONG SAID NORTHWESTERLY RIGHT OF WAY, 51.85 FEET, TO THE EAST RIGHT OF WAY LINE OF ALTA AVENUE (ROAD 80); THENCE SOUTH 00°24'02" EAST, 108.03 FEET TO SAID SOUTHEASTERLY RIGHT OF WAY LINE OF FRESNO STREET; THENCE NORTH 47°22'28" EAST ALONG SAID SOUTHEASTERLY RIGHT OF WAY LINE, 158.94 FEET, TO THE POINT OF BEGINNING.

THIS LEGAL DESCRIPTION WAS CONVEYED TO THE CITY OF DINUBA, A MUNICIPAL CORPORATION BY QUITCLAIM DEED RECORDED SEPTEMBER 25, 2014 AS INSTRUMENT NO. 14-48928 AND VACATED BY RESOLUTION NO. 2014-35, RECORDED NOVEMBER 24, 2014 AS INSTRUMENT NO. 14-63197, BOTH OF OFFICIAL RECORDS.

PARCEL 5: (APN: 017-203-002-000 AND PORTION 017-203-012-000)

LOTS 4, 5, 6, AND 7 ALL AS ONE PARCEL IN BLOCK 65 OF THE MAP OF THE TOWN OF DINUBA RECORDED, IN VOLUME 3 OF MAPS, AT PAGE 15 OF TULARE COUNTY RECORDS, LOCATED IN SECTION 17, TOWNSHIP 16 SOUTH, RANGE 24 EAST, MOUNT DIABLO BASE AND MERIDIAN, IN THE CITY OF DINUBA, COUNTY OF TULARE, STATE OF CALIFORNIA.

TOGETHER WITH LOT 3 AND THE SOUTHEASTERLY 20.00 FEET OF LOT 2 OF SAID BLOCK 65 OF THE MAP OF THE TOWN OF DINUBA RECORDED IN VOLUME 3 OF MAPS, AT PAGE 15 OF TULARE COUNTY RECORDS.

THIS LEGAL DESCRIPTION IS MADE PURSUANT TO THAT CERTAIN CERTIFICATE APPROVING A LOT LINE ADJUSTMENT NO. 2006-36, RECORDED JANUARY 04, 2007, AS INSTRUMENT NO. 07-1156 OF OFFICIAL RECORDS.

RESOLUTION NO. 2017-07

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DINUBA APPROVING THE TERMINATION AGREEMENT BY AND AMONG THE COUNTY OF TULARE (COUNTY), THE TULARE COUNTY PUBLIC FACILITIES CORPORATION (CORPORATION), THE CITY OF DINUBA (CITY) AND THE BANK OF NEW YORK MELLON TRUST COMPANY (BANK), (A)(B) AND THE AGREEMENT TRANSFERRING OWNERSHIP OF DINUBA COURTHOUSE AND POLICE STATION TO CITY OF DINUBA

WHEREAS, COUNTY and CITY jointly constructed, financed, and utilized the Dinuba Courthouse and the Police Station (Project), on a site owned by the City; and

WHEREAS, COUNTY financed the Project under a Master Lease between the COUNTY and the CORPORATION; and

WHEREAS, COUNTY then subleased to CITY a portion of the Project as provided in a Sublease Agreement; and

WHEREAS, it was the intent of COUNTY that CITY take ownership of the Project upon payoff of the financing debt, but subject to the right of COUNTY to continued use of the Courthouse; and

WHEREAS, the City has fulfilled its payment obligations; and

NOW, THEREFORE, it is hereby mutually agreed as follows:

Section 1. COUNTY conveys and CITY accepts ownership of the Dinuba Courthouse and Police Station, subject to the right of COUNTY and the Administrative Office of the Courts to continue to occupy the Courthouse without the payment of rent so long as regular court sessions shall continue to be conducted in the Dinuba Courthouse.

Section 2. The Parties shall cooperate with each other and take such further action as may be necessary or convenient to carry out the purposes of this agreement.

Section 3. The Mayor is authorized to sign the agreements.

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THE FOREGOING RESOLUTION is approved and adopted by the City of Dinuba this 14th day of March, 2017, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Scott Harness, Mayor

ATTEST:

Linda Barkley, Interim City Clerk



City Council Staff Report

Department: PUBLIC WORKS

March 14, 2017

To: Mayor and City Council

From: Blanca Beltran, Public Works Director

By: George Avila, Business Manager

Subject: Award Contract for Biosolid Removal to Liberty Composting, Inc. (BB)

RECOMMENDATION

Council to award contract to Liberty Composting Inc. for the removal of biosolids at the Wastewater Reclamation Facility in the amount not to exceed \$70,000.

EXECUTIVE SUMMARY

Biosolids are an end product of the wastewater reclamation process. These biosolids are stored on an asphalt pad at the Wastewater Reclamation Facility in order to complete the drying process. However, the capacity of the asphalt pad is limited and must be cleared on an annual basis. Staff solicited quotes for the removal of 1,600 tons of biosolids and Liberty Composting, Inc. submitted the lowest price in the amount not to exceed \$70,000.

OUTSTANDING ISSUES

None.

DISCUSSION

The City's Wastewater Reclamation Facility (WWRF) produces biosolids as an end product of the wastewater reclamation process. Several years ago, the biosolids handling process included "wasting" or drying excess solids in sludge beds. When the solids were sufficiently dry they were moved from the sludge beds to a storage area. Over the years, thousands of tons of biosolids were stockpiled at the WWRF. With the completion of the 2011 WWRF expansion project, the handling process was improved and now biosolids are dried on an asphalt pad.

The City budgets \$70,000 for the removal of biosolids each year. The City has removed over 20,000 tons of biosolids over the past seven years. The City intends to

remove approximately 1,600 tons of biosolids this year. Pursuant to the City's purchasing policy, an informal bidding process was conducted for the procurement of this contract. Due to the special nature of this work, only two quotes were received as follows:

- Liberty Composting, Inc. \$43.60/ wet ton
- Brisco Enterprises, Inc. \$72.00/ wet ton (includes sand & loader fee)

A copy of two quotes are enclosed herein as Attachment 'A' and Attachment 'B', respectively. Liberty Composting, Inc. provided the lowest bid. Although the scope of work is the same (i.e. hauling off biosolids), the primary difference in the price is due to what the company does with the biosolids that are removed from the WWRF. There are generally three options for the ultimate disposal of biosolids. The contractor can either apply the biosolids to land, compost the material, or send dispose of it at the landfill. These options aren't always available to all contractors and some are driven by the weather or the seasons. Liberty Composting is proposing to compost the biosolids, while Brisco Enterprises is proposing to take the biosolids to a landfill. As indicated by the quotes, the landfill option is much more expensive at \$72 per ton versus \$43.60 per ton.

Liberty Composting Inc., is a qualified vendor that possesses all of the required state permits. They have indicated that they are ready to commence work as soon as they receive notice from the City. Staff recommends that Liberty Composting Inc. be awarded the subject contract for an amount not to exceed \$70,000.

FISCAL IMPACT

The cost of this project is funded with Sewer Operating funds. This is an annual expenditure that forms part of the annual operating budget.

PUBLIC HEARING

None.

ATTACHMENTS:

- A. Quote from Liberty Composting Inc.
- B. Quote from Brisco Enterprises Inc.



LIBERTY COMPOSTING, INC.

February 24, 2017

Ray Walker, Chief Plant Operator
City of Dinuba
6675 Ave 412
Dinuba, CA 9618

RE: REQUEST FOR PROPOSAL - BIOSOLIDS REMOVAL, TRANSPORT AND BENEFICIAL REUSE

Dear Mr. Walker

Liberty Composting is pleased to submit herewith its proposal for Biosolids Removal, Transport and Beneficial Reuse for the City's consideration.

Please contact us with any questions and we look forward to the opportunity to work with the City on this and future projects should our qualifications and capabilities meet the City's needs.

Regards,

Melody A. Ray
Operations Manager
Liberty Composting



Liberty Composting, Inc.

- **INTRODUCTION**

Liberty Compost owns and operates a 163 acre regional compost facility in Lost Hills, the largest permitted biosolids composting facility in North America, at a remote location 9 miles northwest of Lost Hills in Kern County at 12421 Holloway Road adjacent to the Lost Hills Oil Field. Liberty Compost has been in continuous operation since 1988 composting biosolids and other residual organics. We provide biosolids transportation and beneficial reuse services through composting. Transportation services are provided through highly qualified subcontractors closely supervised by Liberty Composting staff. All aspects of the business are conducted at our Lost Hills location. Liberty Composting operates 24 hours a day, 365 days a year. Liberty Compost employs three highly skilled employees and an additional 14 operational employees. Key employees can be reached 24 hours a day, 7 days a week. It is Liberty's goal to ensure all customers receive the best possible service no matter the time of day.

Since inception, Liberty Compost has composted approximately 600 million tons of biosolids for beneficial reuse. The facility is permitted for 786,000 tons per year feed stock, and is also permitted to store up to 196,500 tons of organic feedstock for a duration of up to six months. Liberty's site was upgraded in 2012 with enclosed composting to meet stringent VOC control standards. In 2011 Liberty invested in and deployed a complex Aerated Static Pile system (ASP). The process uses positive aeration, as well as reduces the time needed for production of our mature, highly stable Class A EQ compost, which meets pathogen reduction standards. We process approximately 150,000 tons annually through our ASP system. After completion of our composting process, our compost product is marketed and distributed for use on agricultural land. In addition to our ASP system we also process received feed stock through more traditional windrow composting. Our open air windrow processing, like our ASP processing, meets or exceeds all regulatory requirements.

Liberty Compost receives air dried and dewatered Class A, Class B and sub-Class B biosolids from municipal wastewater treatment plants and transports the feedstock to its Lost Hills facility. Once delivered to the facility, each truck load is weighed or logged in, assigned a geo-referenced unloading location and enters the composting process in full accordance with the facility permits, and standard operating procedures. Reception and composting occurs on the developed 123 acre portion of the site which is underlain with a 12 inch thick engineered constructed clay liner and the active area is fenced. Storm water runoff is collected and used in the composting process or evaporated.

Customers are required to submit Title 22 testing results, with a result of passing, prior to Liberty hauling and receiving the customer's material. The finished compost is tested for pathogens, heavy metals and plant nutrients and marketed for crop production in the southern San Joaquin Valley. Liberty Compost actively participates in the US Composting Council Seal of Testing Assurance Program. Additionally,



Liberty Composting, Inc.

Liberty Compost is committed to continual improvement using best management practices and compliance with regulations while providing a sustainable biosolids transportation, composting and end use services to municipal wastewater treatment facilities. This is accomplished by adopting the applicable portions of the California Water Environment Association (CWEA) Manual of Good Practice and the National Biosolids Partnership (NBP) Code of Good Practice.

- **PRIOR EXPERIENCE**

Liberty Composting provides biosolids transportation and reuse services for approximately 60 municipal and other customers. Liberty Composting has served most of its customers for many years. Five references with contact information are provided as follows:

I. Selma- Kingsburg- Fowler County Sanitation District (SKF)

- Scott Aguiar, Operations Supervisor
- saguiar@skfcsd.org
- phone; 559-897-6500
- P.O. Box 158, Kingsburg, CA 93631
- Since 2000
- Project status - on going
- Type of biosolids beneficial reuse – composting
- Approximately 1,100 dry tons per year of biosolids are loaded, transported, composted and marketed
- Approximately 17,600 dry tons of biosolids have been beneficially reused since project inception

II. City of Lompoc

- Robert Archer, Operations Supervisor
- r_archer@ci.lompoc.ca.us
- phone; (805) 875-8415
- P. O. Box 8001 Lompoc, CA 93438
- Since 2005
- Project status - on going
- Type of biosolids beneficial reuse – composting
- Approximately 1,800 dry tons per year of biosolids are loaded, transported, composted and marketed
- Approximately 19,800 dry tons of biosolids have been beneficially reused since project inception

III. City of Reedley

- Martha Cardoso, Wastewater Systems Supervisor
- martha.cardoso@reedley.ca.gov
- phone; 559-637-4233
- 1733 9th Street, Reedley, CA 93654



Liberty Composting, Inc.

- Since 2002
- Project status - on going
- Type of biosolids beneficial reuse – composting
- Approximately 2,500 dry tons per year of biosolids are transported, composted and marketed
- Approximately 37,500 dry tons of biosolids have been beneficially reused since project inception

IV. City of Santa Barbara El Estero Waste Water Treatment Plant

- Tod Heldoorn, Superintendent
- theldoorn@santabarbaraca.gov
- phone; 805-568-1003, Cell; 805-403-5278
- 520 E. Yanonali Street, Santa Barbara, CA 93103
- 2003 to 2011 and 2014 to present
- Project status - on going
- Approximately 1,700 dry tons per year of biosolids are transported, composted and marketed
- Approximately 20,400 dry tons of biosolids have been beneficially reused since project inception

V. City of Camarillo

- Mark Richardson, District Superintendent
- mrichardson@cityofcamarillo.org
- Phone; 805-383-5665
- 601 Carmen drive, Camarillo, CA 93010
- Since 2006
- Project status - on going
- Approximately 1,300 dry tons per year of biosolids are transported, composted and marketed
- Approximately 14,300 dry tons of biosolids have been beneficially reused since project inception

• **EXPERTISE AND CAPABILITIES**

With over 60 years of combined experience; ranking among the most knowledgeable and successful within the biosolids industry, Liberty Compost has worked successfully with over 60 customers in California and Nevada. We continually participate in continuing education programs to ensure our staff is cultured in all aspects of the composting process, to include available new technology; this is highly important with being a California based company. California is leading the charge to divert organics from landfills and has a goal of zero organics in landfills by the year 2025. We strive to participate in and educate others on the benefits of reusing organics. With composting we provide our customers with the satisfaction of knowing their biosolids are reused in a highly beneficial manner. Liberty maintains a high level of compliance at all times. We actively engage in communication with local and state officials.



Liberty Composting, Inc.

Compliance, efficiency and customer satisfaction is Liberty's top priorities, without regard to the size of the job. We understand that our customers often have time constraints and Liberty guarantees to work alongside all its customers and maintain an open line of communication at all times to ensure successful job completion. Liberty Compost prides itself on the high level of compliance and customer service we maintain.

- **PROPOSED SERVICES**

Liberty Compost has studied the City's needs and has determined a "clean out" in conjunction with continuous hauling would be ideal for the City.

1. CLEAN-OUT

In conjunction with the proposed continuous hauling, described in item 2, Liberty Compost would work with the City on the "clean out" portion of the project. The City currently has two stockpiles of biosolids. With stagnant stockpiles, the City is increasing the probability of odor issues, and vector attraction issues.

2. CONTINUOUS HAULING

Liberty will provide a staged trailer to the City, for continuous hauling, to be placed under the screw press that is currently in operation. The trailer can be maneuvered, *i.e. load leveling*, by connecting the trailer to the City's one-ton flatbed truck, or a converter dolly provided by Liberty at no additional charge. Once the trailer is at capacity, a plant Operator would contact Liberty Composting to schedule pick-up. The truck assigned to pick-up the City's full trailer would replace the full trailer with another staged empty trailer.

- **COMPENSATION FOR SERVICES**

1. Clean- out services will provided to the City at the rate of \$43.60 per ton.
2. Continuous hauling would be provided to the City at the rate of \$43.60 per ton, with additional rent for the staged trailer at \$1350.00 per month, with a proposed *five year* contract. The continuous hauling will be subject to the following adjustments:
3. Title 22 testing can be provided by Liberty staff. Cost for testing is \$400 per test, in addition to the rates provided above in items 1 and 2. Liberty reports testing results based on a semi-annual basis. One test is required for any hauling between Jan 1 and June 30 of any calendar year. A second test must be conducted *if* any material is hauled between July 1 and Dec 31 of the same year.



Liberty Composting, Inc.

- The fee to the City shall be subject to and adjusted on an annual basis using the All Urban Consumers', Consumer Price Index (CPI) for the Los Angeles area. The change in index from the Contract anniversary date shall be used and the new reuse rate shall go into effect on the anniversary date of each year for the life of this agreement, and any extensions.
- The fee to the City is subject to a fuel adjustment, up or down, reflecting the impact of fuel costs during the term of the Agreement. The fuel adjustment per ton is based on the current market price of \$2.565 per gallon. Liberty will calculate the fuel adjustment, on a monthly basis, based on the previous month's average of the published US EIA weekly fuel price website, www.eia.gov/petroleum/gasdiesel, California Index.

Example

180 round trip miles/5 MPG= 36 gallons of diesel per load

November 2016 fuel adjustment:

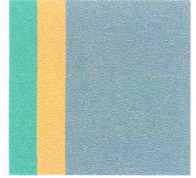
\$2.60 (previous months average) - \$2.565 (base fuel price) = 0.035¢ increase per gallon

*36 gallons per load * 0.035¢ per gallon= \$1.26 increase per load*

\$1.26 per load/25 tons (trailer capacity) = .05¢ increase per ton

Jim Brisco Enterprises, Inc

221 Airpark Road, Suite A
Atwater, Ca 95301



City of Dinuba
Attn: Ray Walker
Wastewater Superintendent
1088 E. Kamm Avenue
Dinuba, Ca 93618
Ph: 559-591-5925 / Fax: 559-591-5927

24 Feb 2017

Mr. Walker,

Thank you for allowing us to provide you with a price to haul and dispose of your excess sludge during the 2017 season.

Much of the sludge is very wet and will need to be mixed with sand in order to haul and dispose. The amount of sand required will depend on the moisture content of your sludge.

In order to perform the removal, the following prices will apply:

\$35 per ton to load and transport

\$32 per ton landfill tip fee

\$500 per truckload of sand to mix with the wet sludge

\$4000 loader mobilization, rental, and operator to mix sludge and sand, and load trucks

This disposal is not dependent upon weather, so we could start within a week of being notified that you want us to perform the disposal.

Please call with questions or to inform us of the status of our proposal.

Thank you for the opportunity,

George Morrow
President
209-761-2617 (cell)

20170224 10:04 AM 221 Airpark Road, Suite A, Atwater, CA 95301





City Council Staff Report

Department: PUBLIC WORKS

March 14, 2017

To: Mayor and City Council

From: Blanca Beltran, Public Works Director

By: George Avila

Subject: Free Transit Rides on Earth Day, April 22, 2017 (BB)

RECOMMENDATION

Council to approve free transit rides on the Dinuba Area Regional Transit (DART) fixed routes for Earth Day on April 22, 2017.

EXECUTIVE SUMMARY

Many of the Tulare County Transit Service Providers will be offering free transit services on Earth Day. This is intended to promote transit ridership as a way to mitigate the environmental impacts of using personal cars for everyday activities. Earth Day is on Saturday, April 22, 2017 and staff recommends that rides on the Dinuba Area Regional Transit (DART) system fixed routes be offered for free on that day.

OUTSTANDING ISSUES

None.

DISCUSSION

Earth Day was started in 1970 as a way to gather national support for environmental issues. In honor of that day, many agencies offer incentives to encourage the use of alternative modes of transportation (e.g., transit, bicycling, etc.) in an effort to mitigate environmental impacts.

Public transit is a good alternative for individuals to get around without the need for a vehicle. The goal with public transit system is to reduce vehicle use and, thus, improve air quality. It is believed that offering free transit rides on Earth Day would not only recognize this day but introduce new riders to the Dinuba transit system.

Many Tulare County Transit Service Providers will be offering free transit services on Earth Day. Staff recommends that the fixed routes (not including dial-a-ride) on the Dinuba Area Regional Transit (DART) be offered for free on Earth Day, April 22, 2017.

FISCAL IMPACT

It is estimated that the cost to participate in this event would be under \$50 in farebox revenue losses.

PUBLIC HEARING

None.



City Council Staff Report

Department: PUBLIC WORKS

March 14, 2017

To: Mayor and City Council
From: Blanca Beltran, Public Works Director
By: Cristobal Carrillo, Planner II
Subject: Action of Planning Commission – Meeting of March 7, 2017 (BB)

RECOMMENDATION

This item is for information purposes only. No action is required.

EXECUTIVE SUMMARY

The Planning Commission took the following actions at the meeting:

- The Planning Commission approved the minutes of the February 7, 2017 Planning Commission Meeting.
- The Planning Commission held a public hearing for Application No. 2017-02, a Tentative Parcel Map to divide a 4.75 acre site into two parcels (Parcel 1-7,522 sq. ft., Parcel 2-4.57 acres), located at 1422 N. Euclid Avenue. The request was submitted by Harold D. Newton (Applicant/Co-Owner). Planning Commission Chair Tim Conklin recused himself from the hearing due to having a financial interest in the project. Public comment in support of the proposal was received from Jim Merlo (Co-Owner). Staff recommended that the Planning Commission approve the proposal. Pursuant to Staff's recommendation, the Planning Commission approved the request.

OUTSTANDING ISSUES

None.

DISCUSSION

None.

FISCAL IMPACT

None.

PUBLIC HEARING

None.



City Council Staff Report

Department: CITY MANAGER'S OFFICE

March 14, 2017

To: Mayor and City Council

From: Carlos Sanchez, Interim Finance Director

Subject: Approval of Warrant Register March 3; 10, 2017 (CS)

RECOMMENDATION

Council to review and approve warrants as presented.

EXECUTIVE SUMMARY

None.

OUTSTANDING ISSUES

None.

DISCUSSION

None.

FISCAL IMPACT

None.

PUBLIC HEARING

None required.

ATTACHMENTS:

A. WR 03.03.17

B. WR 03.10.17



Accounts Payable Invoice Report

Payment Date Range 02/26/17 - 03/03/17
Report By Vendor - Invoice
Summary Listing

Invoice Number	Invoice Description	Status	Held Reason	Invoice Date	Due Date	G/L Date	Received Date	Payment Date	Invoice Net Amount
Vendor 1143 - AAA Quality Services, Inc.									
00250707	Fy 16/17-Parks-Cennternal park cleaning of portable potties	Paid by Check #11872		02/18/2017	03/03/2017	03/03/2017	02/23/2017	03/03/2017	265.59
00250715	Fy 16/17-Parks-Nebraska park cleaing of portable potties	Paid by Check #11872		02/18/2017	03/03/2017	03/03/2017	02/23/2017	03/03/2017	265.59
00250716	Fy 16/17-Parks-Alice Park cleaning of portable potties	Paid by Check #11872		02/18/2017	03/03/2017	03/03/2017	02/23/2017	03/03/2017	265.59
Vendor 1143 - AAA Quality Services, Inc. Totals							Invoices	3	\$796.77
Vendor 263 - Advantek Benefit Administrators									
2/24/17	Funding request 2/15 & 2/24/17	Paid by Check #11873		02/24/2017	03/03/2017	03/03/2017		03/03/2017	55,445.94
Vendor 263 - Advantek Benefit Administrators Totals							Invoices	1	\$55,445.94
Vendor 878 - American Cancer Society									
Sponsor 2017	Community Event	Paid by Check #11874		02/22/2017	03/03/2017	03/03/2017		03/03/2017	3,000.00
Vendor 878 - American Cancer Society Totals							Invoices	1	\$3,000.00
Vendor 351 - Anthem Blue Cross									
000023485894	730A75583 Magyar 3/1 - 5/31/17	Paid by Check #11876		02/08/2017	03/03/2017	03/03/2017		03/03/2017	595.20
000023490607	276A73739 Valdez 3/1/17	Paid by Check #11880		02/08/2017	03/03/2017	03/03/2017		03/03/2017	227.97
000023493747	141A75193 Tyler 3/1/17	Paid by Check #11877		02/08/2017	03/03/2017	03/03/2017		03/03/2017	167.96
000023498698	936A79191 Medders 3/1-5/31/17	Paid by Check #11881		02/08/2017	03/03/2017	03/03/2017		03/03/2017	529.17
000023516954	680A72915 Galchutt 3/1/17	Paid by Check #11879		02/08/2017	03/03/2017	03/03/2017		03/03/2017	198.63
000023527612	210A78781 Roberts 3/1- 5/31/17	Paid by Check #11878		02/08/2017	03/03/2017	03/03/2017		03/03/2017	529.17
000023573857	097M84206 Sano 3/1 - 5/31/17	Paid by Check #11875		02/08/2017	03/03/2017	03/03/2017		03/03/2017	924.58
Vendor 351 - Anthem Blue Cross Totals							Invoices	7	\$3,172.68
Vendor 17 - AT&T									
23845182142/17	Telephone	Paid by Check #11882		02/07/2017	03/03/2017	03/03/2017		03/03/2017	66.89
93910544722/17	Telephone	Paid by Check #11884		02/10/2017	03/03/2017	03/03/2017		03/03/2017	37.31
93910544742/17	Telephone	Paid by Check #11884		02/10/2017	03/03/2017	03/03/2017		03/03/2017	41.05
93910544752/17	Telephone	Paid by Check #11883		02/10/2017	03/03/2017	03/03/2017		03/03/2017	17.72
93910544762/17	Telephone	Paid by Check #11883		02/10/2017	03/03/2017	03/03/2017		03/03/2017	19.80
93910544772/17	Telephone	Paid by Check #11884		02/10/2017	03/03/2017	03/03/2017		03/03/2017	19.61
93910544782/17	Telephone	Paid by Check #11884		02/10/2017	03/03/2017	03/03/2017		03/03/2017	19.61
93910544612/17	Telephone	Paid by Check #11883		02/11/2017	03/03/2017	03/03/2017		03/03/2017	30.74
93910544622/17	DSC Phones 1/11 - 2/10/17	Paid by Check #11883		02/11/2017	03/03/2017	03/03/2017		03/03/2017	46.51
93910544632/17	DVC 591-2883 Telephone	Paid by Check #11883		02/11/2017	03/03/2017	03/03/2017		03/03/2017	19.61
93910544662/17	Telephone	Paid by Check #11883		02/11/2017	03/03/2017	03/03/2017		03/03/2017	19.73
93910544672/17	Telephone	Paid by Check #11883		02/11/2017	03/03/2017	03/03/2017		03/03/2017	37.42
93910547382/17	Telephone	Paid by Check #11883		02/11/2017	03/03/2017	03/03/2017		03/03/2017	214.62
93910547412/17	Telephone	Paid by Check #11884		02/11/2017	03/03/2017	03/03/2017		03/03/2017	257.32
93910547442/17	Telephone	Paid by Check #11883		02/11/2017	03/03/2017	03/03/2017		03/03/2017	213.18
93910547452/17	DVC 596-2169 Telephone	Paid by Check #11883		02/11/2017	03/03/2017	03/03/2017		03/03/2017	72.10



Accounts Payable Invoice Report

Payment Date Range 02/26/17 - 03/03/17
Report By Vendor - Invoice
Summary Listing

Invoice Number	Invoice Description	Status	Held Reason	Invoice Date	Due Date	G/L Date	Received Date	Payment Date	Invoice Net Amount
Vendor 17 - AT&T									
93910547562/17	Telephone	Paid by Check #11883		02/11/2017	03/03/2017	03/03/2017		03/03/2017	378.91
Vendor 17 - AT&T Totals							Invoices	17	\$1,512.13
Vendor 748 - Bankcard Center									
2360 2/14/17	Maintenance	Paid by Check #11885		02/14/2017	03/03/2017	03/03/2017		03/03/2017	2,045.99
6502 2/14/17	Maintenance	Paid by Check #11885		02/14/2017	03/03/2017	03/03/2017		03/03/2017	340.49
8025 2/14/17	Maintenance	Paid by Check #11885		02/14/2017	03/03/2017	03/03/2017		03/03/2017	759.00
Vendor 748 - Bankcard Center Totals							Invoices	3	\$3,145.48
Vendor 116 - BSK Analytical Laboratories									
A704185	Professional Services	Paid by Check #11886		02/16/2017	03/03/2017	03/03/2017		03/03/2017	661.00
A704202	Professional Services	Paid by Check #11886		02/16/2017	03/03/2017	03/03/2017		03/03/2017	108.00
Vendor 116 - BSK Analytical Laboratories Totals							Invoices	2	\$769.00
Vendor 74 - Buddy's Trophies & Advertising Spec.									
21121	Fy 16/17-Sports-Basketball Trophies	Paid by Check #11887		02/23/2017	03/03/2017	03/03/2017	02/24/2017	03/03/2017	2,020.32
Vendor 74 - Buddy's Trophies & Advertising Spec. Totals							Invoices	1	\$2,020.32
Vendor 1257 - Robert Canales									
Reimbrse 2/24/17	Anthem Bx 3/1/17 & Anthem RX 3/1/17	Paid by Check #11888		02/24/2017	03/03/2017	03/03/2017		03/03/2017	594.97
Vendor 1257 - Robert Canales Totals							Invoices	1	\$594.97
Vendor 170 - Comcast									
0148160 2/11/17	Communications	Paid by Check #11889		02/11/2017	03/03/2017	03/03/2017		03/03/2017	145.05
Vendor 170 - Comcast Totals							Invoices	1	\$145.05
Vendor 232 - Courier Printing and Village Printer									
C25095	Office Supplies	Paid by Check #11890		02/17/2017	03/03/2017	03/03/2017		03/03/2017	552.27
C25097	Supplies	Paid by Check #11890		02/17/2017	03/03/2017	03/03/2017		03/03/2017	366.19
Vendor 232 - Courier Printing and Village Printer Totals							Invoices	2	\$918.46
Vendor 1266 - Creative Bus Sales, Inc.									
8018330	Repairs/Maintenance	Paid by Check #11891		11/09/2016	03/03/2017	03/03/2017		03/03/2017	144.48
5100980	Repairs/Maintenance	Paid by Check #11891		11/16/2016	03/03/2017	03/03/2017		03/03/2017	575.06
Vendor 1266 - Creative Bus Sales, Inc. Totals							Invoices	2	\$719.54
Vendor 855 - Delray Tire and Retreading, Inc.									
500027964	Repairs/Maintenance	Paid by Check #11892		02/15/2017	03/03/2017	03/03/2017		03/03/2017	1,141.12
Vendor 855 - Delray Tire and Retreading, Inc. Totals							Invoices	1	\$1,141.12



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Invoice Number	Invoice Description	Status	Held Reason	Invoice Date	Due Date	G/L Date	Received Date	Payment Date	Invoice Net Amount
Vendor 341 - Dinuba Tires LLC									
69791	Repairs/Maintenance	Paid by Check #11893		02/17/2017	03/03/2017	03/03/2017		03/03/2017	360.00
69792	Repairs/Maintenance	Paid by Check #11893		02/17/2017	03/03/2017	03/03/2017		03/03/2017	30.00
69800	Repairs/Maintenance	Paid by Check #11893		02/21/2017	03/03/2017	03/03/2017		03/03/2017	25.00
69801	Repairs/Maintenance	Paid by Check #11893		02/22/2017	03/03/2017	03/03/2017		03/03/2017	10.00
69807	Repairs/Maintenance	Paid by Check #11893		02/23/2017	03/03/2017	03/03/2017		03/03/2017	10.00
Vendor 341 - Dinuba Tires LLC Totals							Invoices	5	\$435.00
Vendor 552 - Dragnet Pest Control									
1283-07 2/27/17	Pest Control Service	Paid by Check #11894		02/27/2017	03/03/2017	03/03/2017		03/03/2017	65.00
Vendor 552 - Dragnet Pest Control Totals							Invoices	1	\$65.00
Vendor 309 - Elbert Distributing									
3205259	Fleet Equipment & Supplies	Paid by Check #11895		02/22/2017	03/03/2017	03/03/2017		03/03/2017	161.22
Vendor 309 - Elbert Distributing Totals							Invoices	1	\$161.22
Vendor 867 - Electric Motor Shop									
RS-RI15809	Aerator #3 Digester	Paid by Check #11896		01/23/2017	03/03/2017	03/03/2017		03/03/2017	10,012.47
Vendor 867 - Electric Motor Shop Totals							Invoices	1	\$10,012.47
Vendor 36 - Ewing Irrigation Products									
2801454	Fy 16/17-Parks-Supplies	Paid by Check #11897		02/10/2017	03/03/2017	03/03/2017	02/22/2017	03/03/2017	62.51
Vendor 36 - Ewing Irrigation Products Totals							Invoices	1	\$62.51
Vendor 235 - FERGUSON ENTERPRISES, INC.									
1245454	WATER DEPT SUPPLIES	Paid by Check #11898		02/01/2017	03/03/2017	03/03/2017		03/03/2017	3,502.25
1247205	Supplies	Paid by Check #11898		02/16/2017	03/03/2017	03/03/2017		03/03/2017	687.15
Vendor 235 - FERGUSON ENTERPRISES, INC. Totals							Invoices	2	\$4,189.40
Vendor 98 - FGL Environmental									
740179A	Professional Services	Paid by Check #11899		02/16/2017	03/03/2017	03/03/2017		03/03/2017	257.00
Vendor 98 - FGL Environmental Totals							Invoices	1	\$257.00
Vendor 1244 - Fire Apparatus Solutions									
11040	Repairs/Maintenance	Paid by Check #11900		02/16/2017	03/03/2017	03/03/2017		03/03/2017	68.27
11057	Repairs/Maintenance	Paid by Check #11900		02/20/2017	03/03/2017	03/03/2017		03/03/2017	525.43
Vendor 1244 - Fire Apparatus Solutions Totals							Invoices	2	\$593.70
Vendor 171 - Fruit Growers Supply Co.									
91837145	Fy 16/17-Parks-Supplies for parks	Paid by Check #11901		02/14/2017	03/03/2017	03/03/2017	02/22/2017	03/03/2017	135.77
Vendor 171 - Fruit Growers Supply Co. Totals							Invoices	1	\$135.77



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Invoice Number	Invoice Description	Status	Held Reason	Invoice Date	Due Date	G/L Date	Received Date	Payment Date	Invoice Net Amount
Vendor 252 - Geil Enterprises, Inc.									
319317	Building Maintenance & Supplies	Paid by Check #11902		02/11/2017	03/03/2017	03/03/2017		03/03/2017	597.88
		Vendor 252 - Geil Enterprises, Inc. Totals				Invoices	1		\$597.88
Vendor 712 - Golden State Overnight									
3197367	Transit & PW	Paid by Check #11903		10/31/2016	03/03/2017	03/03/2017		03/03/2017	60.18
		Vendor 712 - Golden State Overnight Totals				Invoices	1		\$60.18
Vendor 68 - Grainger Inc.									
9297746712	Building Maintenance & Supplies	Paid by Check #11904		12/06/2016	03/03/2017	03/03/2017		03/03/2017	541.30
9322669855	Repairs/Maintenance	Paid by Check #11904		01/05/2017	03/03/2017	03/03/2017		03/03/2017	136.74
9336990586	Repairs/Maintenance	Paid by Check #11904		01/20/2017	03/03/2017	03/03/2017		03/03/2017	306.11
9349803255	Repairs/Maintenance	Paid by Check #11904		02/02/2017	03/03/2017	03/03/2017		03/03/2017	952.89
		Vendor 68 - Grainger Inc. Totals				Invoices	4		\$1,937.04
Vendor 533 - Herwaldt Motorsports									
4121220	Repairs/Maintenance	Paid by Check #11905		02/11/2017	03/03/2017	03/03/2017		03/03/2017	346.04
		Vendor 533 - Herwaldt Motorsports Totals				Invoices	1		\$346.04
Vendor 472 - Jacobson James & Associates									
1701.0057	Remediation Review - January 2017	Paid by Check #11906		02/14/2017	03/03/2017	03/03/2017		03/03/2017	4,673.85
		Vendor 472 - Jacobson James & Associates Totals				Invoices	1		\$4,673.85
Vendor 6 - Jim Manning Dodge Inc.									
135988DOR	Repairs/Maintenance	Paid by Check #11907		01/10/2017	03/03/2017	03/03/2017		03/03/2017	(81.38)
136377DOR	Repairs/Maintenance	Paid by Check #11907		02/22/2017	03/03/2017	03/03/2017		03/03/2017	121.31
		Vendor 6 - Jim Manning Dodge Inc. Totals				Invoices	2		\$39.93
Vendor 218 - Key Evidence Lock and Safe									
122190	Supplies	Paid by Check #11908		02/20/2017	03/03/2017	03/03/2017		03/03/2017	670.56
		Vendor 218 - Key Evidence Lock and Safe Totals				Invoices	1		\$670.56
Vendor 858 - Kiwanis Club of Dinuba									
9/25/16	Multi-Cultural Event 2016	Paid by Check #11909		02/21/2017	03/03/2017	03/03/2017		03/03/2017	1,000.00
		Vendor 858 - Kiwanis Club of Dinuba Totals				Invoices	1		\$1,000.00
Vendor 871 - Dan Meinert									
Reimbrse 2/24/17	Anthem Bx 3/1 - 5/31/17	Paid by Check #11910		02/24/2017	03/03/2017	03/03/2017		03/03/2017	488.97
		Vendor 871 - Dan Meinert Totals				Invoices	1		\$488.97



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Invoice Number	Invoice Description	Status	Held Reason	Invoice Date	Due Date	G/L Date	Received Date	Payment Date	Invoice Net Amount
Vendor 915 - Miller's Auto Center									
35134	Repairs/Maintenance	Paid by Check #11911		02/16/2017	03/03/2017	03/03/2017		03/03/2017	28.27
Vendor 915 - Miller's Auto Center Totals								Invoices 1	\$28.27
Vendor 22 - Moore Twining Associates Inc.									
7124750	Professional Services	Paid by Check #11912		02/09/2017	03/03/2017	03/03/2017		03/03/2017	88.00
7124751	Professional Services	Paid by Check #11912		02/09/2017	03/03/2017	03/03/2017		03/03/2017	35.00
7124752	Professional Services	Paid by Check #11912		02/09/2017	03/03/2017	03/03/2017		03/03/2017	35.00
7124850	Professional Services	Paid by Check #11912		02/13/2017	03/03/2017	03/03/2017		03/03/2017	88.00
7124989	Professional Services	Paid by Check #11912		02/15/2017	03/03/2017	03/03/2017		03/03/2017	88.00
7124990	Professional Services	Paid by Check #11912		02/15/2017	03/03/2017	03/03/2017		03/03/2017	80.00
7124992	Professional Services	Paid by Check #11912		02/15/2017	03/03/2017	03/03/2017		03/03/2017	146.00
7125023	Professional Services	Paid by Check #11912		02/16/2017	03/03/2017	03/03/2017		03/03/2017	88.00
Vendor 22 - Moore Twining Associates Inc. Totals								Invoices 8	\$648.00
Vendor 753 - Multi Tech									
6352	Repairs/Maintenance	Paid by Check #11913		02/15/2017	03/03/2017	03/03/2017		03/03/2017	75.00
Vendor 753 - Multi Tech Totals								Invoices 1	\$75.00
Vendor 894 - Musco Corporation									
292965	Fy 16/17-Sports-Remote equipment @ kc park	Paid by Check #11914		02/06/2017	03/03/2017	03/03/2017	02/06/2017	03/03/2017	425.00
Vendor 894 - Musco Corporation Totals								Invoices 1	\$425.00
Vendor 93 - Nick Champi Enterprises Inc.									
18950	Building Maintenance & Supplies	Paid by Check #11915		02/20/2017	03/03/2017	03/03/2017		03/03/2017	700.47
Vendor 93 - Nick Champi Enterprises Inc. Totals								Invoices 1	\$700.47
Vendor 76 - Pacific Gas & Electric									
7022723403910/16	Utilities	Paid by Check #11916		10/28/2016	03/03/2017	03/03/2017		03/03/2017	337.81
250971736422/17	DVC L & M Alley Elec 1/7 - 2/6/17	Paid by Check #11916		02/07/2017	03/03/2017	03/03/2017		03/03/2017	112.97
954874984792/17	Utilities	Paid by Check #11917		02/12/2017	03/03/2017	03/03/2017		03/03/2017	60.01
338077954232/17	Utilities	Paid by Check #11917		02/13/2017	03/03/2017	03/03/2017		03/03/2017	340.49
640799572502/17	Utilities	Paid by Check #11917		02/13/2017	03/03/2017	03/03/2017		03/03/2017	767.75
432339024692.17	Utilities	Paid by Check #11916		02/14/2017	03/03/2017	03/03/2017		03/03/2017	76.07
723267973792.17	Utilities	Paid by Check #11917		02/14/2017	03/03/2017	03/03/2017		03/03/2017	15,861.65
854359817422.17	Utilities	Paid by Check #11916		02/14/2017	03/03/2017	03/03/2017		03/03/2017	246.23
901837373532.17	Utilities	Paid by Check #11916		02/14/2017	03/03/2017	03/03/2017		03/03/2017	1,095.95
917922255332.17	Utilities	Paid by Check #11917		02/14/2017	03/03/2017	03/03/2017		03/03/2017	1,067.22
919617675882.17	Utilities	Paid by Check #11916		02/14/2017	03/03/2017	03/03/2017		03/03/2017	65.16
238356094232/17	Utilities	Paid by Check #11916		02/16/2017	03/03/2017	03/03/2017		03/03/2017	35.10
316657841902/17	Utilities	Paid by Check #11917		02/16/2017	03/03/2017	03/03/2017		03/03/2017	56.30



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Invoice Number	Invoice Description	Status	Held Reason	Invoice Date	Due Date	G/L Date	Received Date	Payment Date	Invoice Net Amount
Vendor 76 - Pacific Gas & Electric									
594966555032/17	Utilities	Paid by Check #11917		02/16/2017	03/03/2017	03/03/2017		03/03/2017	24.89
886695643252/17	Utilities	Paid by Check #11917		02/16/2017	03/03/2017	03/03/2017		03/03/2017	698.17
Vendor 76 - Pacific Gas & Electric Totals							Invoices	15	\$20,845.77
Vendor 265 - Pape Machinery Inc.									
10299498	Repairs/Maintenance	Paid by Check #11918		02/14/2017	03/03/2017	03/03/2017		03/03/2017	423.81
Vendor 265 - Pape Machinery Inc. Totals							Invoices	1	\$423.81
Vendor 7 - Pena's Disposal Services									
286872	Fy 16/17-Parks-Vuich park disposal service	Paid by Check #11919		02/22/2017	03/03/2017	03/03/2017	02/27/2017	03/03/2017	328.36
286877	Cust No. 01-153360	Paid by Check #11919		02/22/2017	03/03/2017	03/03/2017		03/03/2017	1,251.80
Vendor 7 - Pena's Disposal Services Totals							Invoices	2	\$1,580.16
Vendor 42 - Scout Specialties									
104480	Repairs/Maintenance	Paid by Check #11920		01/31/2017	03/03/2017	03/03/2017		03/03/2017	170.62
105138	Fleet Equipment & Supplies	Paid by Check #11920		02/15/2017	03/03/2017	03/03/2017		03/03/2017	4.88
Vendor 42 - Scout Specialties Totals							Invoices	2	\$175.50
Vendor 431 - Sparkletts									
5080509 021617	Contractual	Paid by Check #11921		02/16/2017	03/03/2017	03/03/2017		03/03/2017	23.88
15999355022317	Fy 16/17-Sportsplex-Bottled water & rental service	Paid by Check #11921		02/23/2017	03/03/2017	03/03/2017	02/27/2017	03/03/2017	23.13
Vendor 431 - Sparkletts Totals							Invoices	2	\$47.01
Vendor 140 - State Board of Equilization									
Randle Proj boun	Randle project boundry	Paid by Check #11871		02/16/2016	02/24/2017	02/24/2017		03/03/2017	1,200.00
Vendor 140 - State Board of Equilization Totals							Invoices	1	\$1,200.00
Vendor 278 - Supplyworks									
391672334	Cleaning Supplies	Paid by Check #11922		02/09/2017	03/03/2017	03/03/2017		03/03/2017	103.49
392220018	Cleaning Supplies	Paid by Check #11922		02/16/2017	03/03/2017	03/03/2017		03/03/2017	68.07
392220026	Cleaning Supplies	Paid by Check #11922		02/16/2017	03/03/2017	03/03/2017		03/03/2017	68.07
392220034	Cleaning Supplies	Paid by Check #11922		02/16/2017	03/03/2017	03/03/2017		03/03/2017	143.52
392220042	Cleaning Supplies	Paid by Check #11922		02/16/2017	03/03/2017	03/03/2017		03/03/2017	295.18
392220059	Cleaning Supplies	Paid by Check #11922		02/16/2017	03/03/2017	03/03/2017		03/03/2017	301.94
Vendor 278 - Supplyworks Totals							Invoices	6	\$980.27
Vendor 147 - Swanson-Farney Ford Sales									
7971FOW	Repairs/Maintenance	Paid by Check #11923		02/17/2017	03/03/2017	03/03/2017		03/03/2017	510.90
Vendor 147 - Swanson-Farney Ford Sales Totals							Invoices	1	\$510.90



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Invoice Number	Invoice Description	Status	Held Reason	Invoice Date	Due Date	G/L Date	Received Date	Payment Date	Invoice Net Amount
Vendor 426 - Tioga Solar									
SLB-2484	SOLAR PRODUCTION FOR JANUARY 2017	Paid by Check #11924		01/31/2017	03/03/2017	03/03/2017		03/03/2017	12,605.11
Vendor 426 - Tioga Solar Totals						Invoices	1		\$12,605.11
Vendor 49 - Tulare County									
017433	DART S/S Pass & DR S/S Pass Print	Paid by Check #11925		02/01/2017	03/03/2017	03/03/2017		03/03/2017	221.22
Vendor 49 - Tulare County Totals						Invoices	1		\$221.22
Vendor 440 - Tyco Intergrated Securtiy									
28076147	DVC Security Monitoring	Paid by Check #11926		02/11/2017	03/03/2017	03/03/2017		03/03/2017	650.69
Vendor 440 - Tyco Intergrated Securtiy Totals						Invoices	1		\$650.69
Vendor 722 - United States Postal Service									
Permit 57 3/2017	Postage	Paid by Check #11927		03/01/2017	03/03/2017	03/03/2017		03/03/2017	310.61
Vendor 722 - United States Postal Service Totals						Invoices	1		\$310.61
Vendor 273 - US Bank									
324585702	Lanier Copeir Rental	Paid by Check #11928		02/17/2017	03/03/2017	03/03/2017		03/03/2017	333.08
Vendor 273 - US Bank Totals						Invoices	1		\$333.08
Vendor 354 - Verizon Wireless									
9779966673	Telephone	Paid by Check #11929		02/07/2017	03/03/2017	03/03/2017		03/03/2017	865.37
Vendor 354 - Verizon Wireless Totals						Invoices	1		\$865.37
Vendor 104 - Vision Service Plan									
March 2017	12 003055 0002	Paid by Check #11930		02/21/2017	03/03/2017	03/03/2017		03/03/2017	3,178.17
Vendor 104 - Vision Service Plan Totals						Invoices	1		\$3,178.17
Vendor 820 - Vulcan Materials Company									
71362188	Supplies	Paid by Check #11931		02/08/2017	03/03/2017	03/03/2017		03/03/2017	544.41
Vendor 820 - Vulcan Materials Company Totals						Invoices	1		\$544.41
Vendor 549 - Wal-Mart									
2450 2/16/17	Supplies	Paid by Check #11933		02/16/2017	03/03/2017	03/03/2017		03/03/2017	146.08
5851 0217	Transit- Roy's retirement & break room supplies	Paid by Check #11932		02/16/2017	03/03/2017	03/03/2017		03/03/2017	296.78
Vendor 549 - Wal-Mart Totals						Invoices	2		\$442.86
Vendor 891 - Zoll Medical Corporation									
2457093	Autopulse Repairs	Paid by Check #11934		12/08/2016	03/03/2017	03/03/2017		03/03/2017	5,550.39
Vendor 891 - Zoll Medical Corporation Totals						Invoices	1		\$5,550.39



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Invoice Number	Invoice Description	Status	Held Reason	Invoice Date	Due Date	G/L Date	Received Date	Payment Date	Invoice Net Amount
Vendor Rosalia Romo									
Reimb for fees	Fy 16/17-Reimb of sports reg for David Romo	Paid by Check #11935		02/27/2017	03/03/2017	03/03/2017		03/03/2017	32.00
			Vendor Rosalia Romo Totals			Invoices	1		<u>\$32.00</u>
Vendor SUNRUN INSTALLATION									
2016-411	CANCELLED PERMIT FEES REFUND	Paid by Check #11936		02/22/2017	03/03/2017	03/03/2017		03/03/2017	118.90
			Vendor SUNRUN INSTALLATION Totals			Invoices	1		<u>\$118.90</u>
			Grand Totals			Invoices	125		<u><u>\$151,600.95</u></u>



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Invoice Number	Invoice Description	Status	Held Reason	Invoice Date	Due Date	G/L Date	Received Date	Payment Date	Invoice Net Amount
Vendor 72 - A-C Electric Company									
VT0742-003	Repairs/Maintenance	Paid by Check #11937		02/10/2017	03/10/2017	03/10/2017		03/10/2017	2,141.05
		Vendor 72 - A-C Electric Company Totals				Invoices	1		<u>\$2,141.05</u>
Vendor 79 - AD Group DBA Shelton Turnbull									
343997	February 2017	Paid by Check #11938		02/17/2017	03/10/2017	03/10/2017		03/10/2017	25.00
		Vendor 79 - AD Group DBA Shelton Turnbull Totals				Invoices	1		<u>\$25.00</u>
Vendor 263 - Advantek Benefit Administrators									
1703 0011	March 2017	Paid by Check #11940		02/24/2017	03/10/2017	03/10/2017		03/10/2017	55,398.60
3/3/17	Funding request	Paid by Check #11939		03/03/2017	03/10/2017	03/10/2017		03/10/2017	31,120.48
		Vendor 263 - Advantek Benefit Administrators Totals				Invoices	2		<u>\$86,519.08</u>
Vendor 876 - Adventist Health									
20170109-1	Fy 16/17-CS-Employment Testing	Paid by Check #11942		02/08/2017	03/10/2017	03/10/2017	03/02/2017	03/10/2017	180.00
Pt. #85525052	Ramos Rodriguez, Cristian	Paid by Check #11941		02/10/2017	03/10/2017	03/10/2017		03/10/2017	506.00
		Vendor 876 - Adventist Health Totals				Invoices	2		<u>\$686.00</u>
Vendor 497 - Aerator Solutions Inc.									
2200	Repairs/Maintenance	Paid by Check #11943		02/14/2017	03/10/2017	03/10/2017		03/10/2017	1,623.64
2201	Repairs/Maintenance	Paid by Check #11943		02/14/2017	03/10/2017	03/10/2017		03/10/2017	906.98
		Vendor 497 - Aerator Solutions Inc. Totals				Invoices	2		<u>\$2,530.62</u>
Vendor 522 - Allstar Towing									
34130	Repairs/Maintenance	Paid by Check #11944		02/28/2017	03/10/2017	03/10/2017		03/10/2017	65.00
34131	Repairs/Maintenance	Paid by Check #11944		03/01/2017	03/10/2017	03/10/2017		03/10/2017	65.00
		Vendor 522 - Allstar Towing Totals				Invoices	2		<u>\$130.00</u>
Vendor 145 - Arbitrage Compliance Specialists									
1018181	Contractual	Paid by Check #11945		02/06/2017	03/10/2017	03/10/2017		03/10/2017	1,250.00
		Vendor 145 - Arbitrage Compliance Specialists Totals				Invoices	1		<u>\$1,250.00</u>
Vendor 17 - AT&T									
93910372772/17	Telephone	Paid by Check #11946		02/10/2017	03/10/2017	03/10/2017		03/10/2017	21.58
		Vendor 17 - AT&T Totals				Invoices	1		<u>\$21.58</u>
Vendor 289 - AT&T Mobility LLC									
2870151831242/17	Telephone	Paid by Check #11952		02/16/2017	03/10/2017	03/10/2017		03/10/2017	389.08
2870151847342/17	February 2017	Paid by Check #11948		02/16/2017	03/10/2017	03/10/2017		03/10/2017	581.32
2872350721992/17	Telephone	Paid by Check #11949		02/16/2017	03/10/2017	03/10/2017		03/10/2017	91.64
2872412835622/17	Telephone	Paid by Check #11951		02/16/2017	03/10/2017	03/10/2017		03/10/2017	662.50
8320953572/17	Telephone	Paid by Check #11950		02/16/2017	03/10/2017	03/10/2017		03/10/2017	65.48
9903987552/17	Telephone	Paid by Check #11953		02/16/2017	03/10/2017	03/10/2017		03/10/2017	228.93



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Vendor 289 - AT&T Mobility LLC									
9932121122/17	Communications	Paid by Check #11947		02/16/2017	03/10/2017	03/10/2017		03/10/2017	31.66
			Vendor 289 - AT&T Mobility LLC Totals			Invoices	7		\$2,050.61
Vendor 1269 - Avalanche Fire Protection									
120320	Building Maintenance & Supplies	Paid by Check #11954		11/10/2016	03/10/2017	03/10/2017		03/10/2017	450.00
			Vendor 1269 - Avalanche Fire Protection Totals			Invoices	1		\$450.00
Vendor 65 - Banner Pest Control									
179067	Professional Services	Paid by Check #11955		02/22/2017	03/10/2017	03/10/2017		03/10/2017	75.00
			Vendor 65 - Banner Pest Control Totals			Invoices	1		\$75.00
Vendor 557 - Linda Barkley									
Riverside 3/2017	Travel & Training	Paid by Check #11956		02/27/2017	03/10/2017	03/10/2017		03/10/2017	289.00
			Vendor 557 - Linda Barkley Totals			Invoices	1		\$289.00
Vendor 376 - BCS Consulting									
20282	BCS February 2017	Paid by Check #11957		02/24/2017	03/10/2017	03/10/2017		03/10/2017	4,200.00
20284	Transit Center - New surveillance cameras and equipment	Paid by Check #11957		02/24/2017	03/10/2017	03/10/2017		03/10/2017	14,405.00
			Vendor 376 - BCS Consulting Totals			Invoices	2		\$18,605.00
Vendor 105 - Best Uniforms									
40666	Uniforms	Paid by Check #11958		02/03/2017	03/10/2017	03/10/2017		03/10/2017	629.61
40667	Uniforms	Paid by Check #11958		02/03/2017	03/10/2017	03/10/2017		03/10/2017	1,148.86
40670	Uniforms	Paid by Check #11958		02/06/2017	03/10/2017	03/10/2017		03/10/2017	858.40
			Vendor 105 - Best Uniforms Totals			Invoices	3		\$2,636.87
Vendor 116 - BSK Analytical Laboratories									
A705122	Professional Services	Paid by Check #11959		02/28/2017	03/10/2017	03/10/2017		03/10/2017	121.00
A705154	Professional Services	Paid by Check #11959		02/28/2017	03/10/2017	03/10/2017		03/10/2017	108.00
			Vendor 116 - BSK Analytical Laboratories Totals			Invoices	2		\$229.00
Vendor 103 - BSN Sports									
98778289	Fy 16/17-Sports-Ground anchor mounts/3 sets	Paid by Check #11960		02/23/2017	03/10/2017	03/10/2017	03/06/2017	03/10/2017	120.08
			Vendor 103 - BSN Sports Totals			Invoices	1		\$120.08
Vendor 739 - Business Card									
0364 2/15/17	Food & Beverages	Paid by EFT #387		02/15/2017	03/10/2017	03/10/2017		03/10/2017	76.21
2283 2/15/17	Supplies	Paid by EFT #388		02/15/2017	03/10/2017	03/10/2017		03/10/2017	44.60
6464 2/15/17	Miscellaneous	Paid by EFT #389		02/15/2017	03/10/2017	03/10/2017		03/10/2017	187.58



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Vendor 739 - Business Card									
7424 2/15/17	Supplies	Paid by EFT #390		02/15/2017	03/10/2017	03/10/2017		03/10/2017	364.67
			Vendor 739 - Business Card Totals			Invoices	4		\$673.06
Vendor 1 - C&S Laundry Cleaners									
274781	Michael	Paid by Check #11961		01/12/2017	03/10/2017	03/10/2017		03/10/2017	12.95
275703	Fernandez	Paid by Check #11961		02/10/2017	03/10/2017	03/10/2017		03/10/2017	18.20
			Vendor 1 - C&S Laundry Cleaners Totals			Invoices	2		\$31.15
Vendor 826 - California Peace Officers Assn									
55320	Travel & Training	Paid by Check #11962		02/22/2017	03/10/2017	03/10/2017		03/10/2017	250.00
			Vendor 826 - California Peace Officers Assn Totals			Invoices	1		\$250.00
Vendor 671 - Cristobal Carrillo									
Reimburse 3/1/17	Safety Reimbursement - Walking shoes	Paid by Check #11963		03/01/2017	03/10/2017	03/10/2017		03/10/2017	67.00
			Vendor 671 - Cristobal Carrillo Totals			Invoices	1		\$67.00
Vendor 305 - Cartozian Air Conditioning and Heating Inc.									
BP17-5	FD Carrier Unit	Paid by Check #11964		02/15/2017	03/10/2017	03/10/2017		03/10/2017	11,939.00
			Vendor 305 - Cartozian Air Conditioning and Heating Inc. Totals			Invoices	1		\$11,939.00
Vendor 907 - Central Valley Truck Center									
R003088134:01	Repairs/Maintenance	Paid by Check #11965		01/31/2017	03/10/2017	03/10/2017		03/10/2017	293.86
			Vendor 907 - Central Valley Truck Center Totals			Invoices	1		\$293.86
Vendor 52 - Chicago Title									
Holiday Inn	Chicago title Holiday Inn	Paid by Check #11966		03/02/2017	03/10/2017	03/10/2017		03/10/2017	73.00
Storage Station	Chicago Title Storage Station	Paid by Check #11967		03/02/2017	03/10/2017	03/10/2017		03/10/2017	73.00
			Vendor 52 - Chicago Title Totals			Invoices	2		\$146.00
Vendor 176 - Chick's Frame and Wheel Service									
36427	Repairs/Maintenance	Paid by Check #11968		03/03/2017	03/10/2017	03/10/2017		03/10/2017	61.95
			Vendor 176 - Chick's Frame and Wheel Service Totals			Invoices	1		\$61.95
Vendor 239 - City of Fresno									
RTC0002659	Travel & Training	Paid by Check #11969		01/06/2017	03/10/2017	03/10/2017		03/10/2017	372.00
			Vendor 239 - City of Fresno Totals			Invoices	1		\$372.00
Vendor 386 - Clean Tech Environmental, Inc.									
147319	Fleet Equipment & Supplies	Paid by Check #11970		02/22/2017	03/10/2017	03/10/2017		03/10/2017	120.00
			Vendor 386 - Clean Tech Environmental, Inc. Totals			Invoices	1		\$120.00



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Vendor 170 - Comcast									
0191269 2/22/17	Communications	Paid by Check #11971		02/22/2017	03/10/2017	03/10/2017		03/10/2017	212.28
			Vendor 170 - Comcast Totals			Invoices	1		<u>\$212.28</u>
Vendor 1261 - Commercial Radiator Works, Inc.									
42400	Repairs/Maintenance	Paid by Check #11972		02/27/2017	03/10/2017	03/10/2017		03/10/2017	361.72
			Vendor 1261 - Commercial Radiator Works, Inc. Totals			Invoices	1		<u>\$361.72</u>
Vendor 232 - Courier Printing and Village Printer									
C25099	Supplies	Paid by Check #11973		02/22/2017	03/10/2017	03/10/2017		03/10/2017	54.26
			Vendor 232 - Courier Printing and Village Printer Totals			Invoices	1		<u>\$54.26</u>
Vendor 819 - Datalux Corporation									
47266	Supplies	Paid by Check #11974		02/28/2017	03/10/2017	03/10/2017		03/10/2017	425.96
			Vendor 819 - Datalux Corporation Totals			Invoices	1		<u>\$425.96</u>
Vendor 1035 - De Lage Landen Public Finance									
53468992	Loan Repayment	Paid by Check #11975		02/15/2017	03/10/2017	03/10/2017		03/10/2017	375.73
			Vendor 1035 - De Lage Landen Public Finance Totals			Invoices	1		<u>\$375.73</u>
Vendor 720 - Dell Marketing L.P.									
10146746256	Office Supplies	Paid by Check #11976		02/09/2017	03/10/2017	03/10/2017		03/10/2017	2,217.41
10149552381	5 Tablets - Investigations Division	Paid by Check #11976		02/22/2017	03/10/2017	03/10/2017		03/10/2017	4,642.12
			Vendor 720 - Dell Marketing L.P. Totals			Invoices	2		<u>\$6,859.53</u>
Vendor 855 - Delray Tire and Retreading, Inc.									
500028078	Repairs/Maintenance	Paid by Check #11977		02/22/2017	03/10/2017	03/10/2017		03/10/2017	835.86
			Vendor 855 - Delray Tire and Retreading, Inc. Totals			Invoices	1		<u>\$835.86</u>
Vendor 847 - Dinuba Girls Softball Booster Club									
Softball 2017	Softball Banner	Paid by Check #11978		02/27/2017	03/10/2017	03/10/2017		03/10/2017	150.00
			Vendor 847 - Dinuba Girls Softball Booster Club Totals			Invoices	1		<u>\$150.00</u>
Vendor 341 - Dinuba Tires LLC									
69820	Repairs/Maintenance	Paid by Check #11979		03/02/2017	03/10/2017	03/10/2017		03/10/2017	40.00
			Vendor 341 - Dinuba Tires LLC Totals			Invoices	1		<u>\$40.00</u>
Vendor 62 - Ed Dena's Auto Center									
200649CVR	Repairs/Maintenance	Paid by Check #11980		02/28/2017	03/10/2017	03/10/2017		03/10/2017	228.92
			Vendor 62 - Ed Dena's Auto Center Totals			Invoices	1		<u>\$228.92</u>



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Vendor 280 - Intersect									
217EP31191	Professional Services	Paid by Check #11981		02/28/2017	03/10/2017	03/10/2017		03/10/2017	79.00
			Vendor 280 - Intersect Totals			Invoices	1		<u>\$79.00</u>
Vendor 16 - Ernest Packaging Solutions									
206091	Supplies	Paid by Check #11982		02/24/2017	03/10/2017	03/10/2017		03/10/2017	517.77
			Vendor 16 - Ernest Packaging Solutions Totals			Invoices	1		<u>\$517.77</u>
Vendor 36 - Ewing Irrigation Products									
2865777	Fy 16/17-Parks-Supplies	Paid by Check #11983		02/28/2017	03/10/2017	03/10/2017	03/06/2017	03/10/2017	94.98
			Vendor 36 - Ewing Irrigation Products Totals			Invoices	1		<u>\$94.98</u>
Vendor 35 - Federal Express Corporation									
1432-5005-9	Postage	Paid by Check #11984		02/17/2017	03/10/2017	03/10/2017		03/10/2017	67.46
			Vendor 35 - Federal Express Corporation Totals			Invoices	1		<u>\$67.46</u>
Vendor 222 - Forensic Nursing Specialists of Central California									
3060	Professional Services	Paid by Check #11985		02/28/2017	03/10/2017	03/10/2017		03/10/2017	1,100.00
			Vendor 222 - Forensic Nursing Specialists of Central California Totals			Invoices	1		<u>\$1,100.00</u>
Vendor 377 - Fresno Truck Center									
FA001065119:01	Repairs/Maintenance	Paid by Check #11986		03/03/2017	03/10/2017	03/10/2017		03/10/2017	222.41
			Vendor 377 - Fresno Truck Center Totals			Invoices	1		<u>\$222.41</u>
Vendor 171 - Fruit Growers Supply Co.									
91837138	Supplies	Paid by Check #11987		02/14/2017	03/10/2017	03/10/2017		03/10/2017	360.23
			Vendor 171 - Fruit Growers Supply Co. Totals			Invoices	1		<u>\$360.23</u>
Vendor 825 - G & K Services, Co.									
1258873780	Cleaning Supplies	Paid by Check #11988		02/22/2017	03/10/2017	03/10/2017		03/10/2017	80.10
1258873781	Cleaning Supplies	Paid by Check #11988		02/22/2017	03/10/2017	03/10/2017		03/10/2017	18.00
1258876471	Janitorial Supplies	Paid by Check #11988		03/01/2017	03/10/2017	03/10/2017		03/10/2017	65.87
			Vendor 825 - G & K Services, Co. Totals			Invoices	3		<u>\$163.97</u>
Vendor 712 - Golden State Overnight									
3279607	Delivery Charges 02/01/17 - 02/14/17	Paid by Check #11989		02/15/2017	03/10/2017	03/10/2017		03/10/2017	38.00
			Vendor 712 - Golden State Overnight Totals			Invoices	1		<u>\$38.00</u>
Vendor 242 - Green Box Rentals, Inc.									
46305	Fy 16/17-Sports-Storage Container rental	Paid by Check #11990		02/28/2017	03/10/2017	03/10/2017	02/28/2017	03/10/2017	70.53
			Vendor 242 - Green Box Rentals, Inc. Totals			Invoices	1		<u>\$70.53</u>



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Vendor 752 - HD Waterworks, Ltd.									
G767024	Hydrant Meters	Paid by Check #11991		02/15/2017	03/10/2017	03/10/2017		03/10/2017	2,980.11
		Vendor 752 - HD Waterworks, Ltd. Totals				Invoices	1		\$2,980.11
Vendor 1152 - Hedron									
1514-05	Hedron Fire Station No.2 design	Paid by Check #11992		02/26/2017	03/10/2017	03/10/2017		03/10/2017	31,369.00
		Vendor 1152 - Hedron Totals				Invoices	1		\$31,369.00
Vendor 139 - Henry Schein Inc.									
39097003	Supplies	Paid by Check #11993		02/21/2017	03/10/2017	03/10/2017		03/10/2017	61.63
39264668	Supplies	Paid by Check #11993		02/27/2017	03/10/2017	03/10/2017		03/10/2017	324.01
39293905	Supplies	Paid by Check #11993		02/27/2017	03/10/2017	03/10/2017		03/10/2017	263.06
		Vendor 139 - Henry Schein Inc. Totals				Invoices	3		\$648.70
Vendor 509 - Hyatt									
32JKN4G4	Travel & Training	Paid by Check #11994		02/03/2017	03/10/2017	03/10/2017		03/10/2017	739.64
		Vendor 509 - Hyatt Totals				Invoices	1		\$739.64
Vendor 45 - Ingram Digital Electronics Co.									
383299	Ingram Digital - Ave 416 Project	Paid by Check #11995		06/16/2016	03/10/2017	03/10/2017		03/10/2017	3,463.31
383,356	Ingram Digital - Ave 416 Project	Paid by Check #11995		02/11/2017	03/10/2017	03/10/2017		03/10/2017	1,764.00
383,357	Ingram Digital - Ave 416 Project	Paid by Check #11995		02/11/2017	03/10/2017	03/10/2017		03/10/2017	308.00
		Vendor 45 - Ingram Digital Electronics Co. Totals				Invoices	3		\$5,535.31
Vendor 208 - Interwest Consulting Group Inc.									
29849	Professional Services	Paid by Check #11996		10/20/2016	03/10/2017	03/10/2017		03/10/2017	1,234.28
		Vendor 208 - Interwest Consulting Group Inc. Totals				Invoices	1		\$1,234.28
Vendor 560 - Daniel James									
San Diego 3/2017	Travel & Training	Paid by Check #11997		03/02/2017	03/10/2017	03/10/2017		03/10/2017	138.00
		Vendor 560 - Daniel James Totals				Invoices	1		\$138.00
Vendor 6 - Jim Manning Dodge Inc.									
136540DOR	Repairs/Maintenance	Paid by Check #11998		03/03/2017	03/10/2017	03/10/2017		03/10/2017	311.26
		Vendor 6 - Jim Manning Dodge Inc. Totals				Invoices	1		\$311.26
Vendor 5 - Jorgensen & Co.									
5645769	Repairs	Paid by Check #11999		02/21/2017	03/10/2017	03/10/2017		03/10/2017	180.00
5646982	Building Maintenance & Supplies	Paid by Check #11999		02/24/2017	03/10/2017	03/10/2017		03/10/2017	45.00
		Vendor 5 - Jorgensen & Co. Totals				Invoices	2		\$225.00



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Vendor 216 - Key Design Locksmithing									
14141	East Office - Installation of Door Security - Electric Strike	Paid by Check #12000		02/27/2017	03/10/2017	03/10/2017		03/10/2017	1,406.59
Vendor 216 - Key Design Locksmithing Totals							Invoices	1	\$1,406.59
Vendor 724 - Language Line Services, Inc.									
3991824	Professional Services	Paid by Check #12001		01/31/2017	03/10/2017	03/10/2017		03/10/2017	3.76
Vendor 724 - Language Line Services, Inc. Totals							Invoices	1	\$3.76
Vendor 756 - Leisle Electric Inc.									
027826	Repairs/Maintenance	Paid by Check #12002		01/16/2017	03/10/2017	03/10/2017		03/10/2017	220.91
027997	Repairs/Maintenance	Paid by Check #12002		03/02/2017	03/10/2017	03/10/2017		03/10/2017	359.69
Vendor 756 - Leisle Electric Inc. Totals							Invoices	2	\$580.60
Vendor 89 - Liebert Cassidy Whitmore									
1434549	DI030-00001 Services thru 1/31/17	Paid by Check #12003		01/31/2017	03/10/2017	03/10/2017		03/10/2017	3,161.00
Vendor 89 - Liebert Cassidy Whitmore Totals							Invoices	1	\$3,161.00
Vendor 37 - Midtown Sports Inc.									
0000036240	Fy 16/17-Sportsplex-Basketballs for the plex	Paid by Check #12004		02/27/2017	03/10/2017	03/10/2017	03/06/2017	03/10/2017	341.61
Vendor 37 - Midtown Sports Inc. Totals							Invoices	1	\$341.61
Vendor 22 - Moore Twining Associates Inc.									
7125263	Professional Services	Paid by Check #12005		02/22/2017	03/10/2017	03/10/2017		03/10/2017	35.00
7125357	Professional Services	Paid by Check #12005		02/23/2017	03/10/2017	03/10/2017		03/10/2017	532.00
7125512	Professional Services	Paid by Check #12005		02/28/2017	03/10/2017	03/10/2017		03/10/2017	80.00
7125546	Professional Services	Paid by Check #12005		02/28/2017	03/10/2017	03/10/2017		03/10/2017	88.00
7125553	Professional Services	Paid by Check #12005		02/28/2017	03/10/2017	03/10/2017		03/10/2017	88.00
7125628	Professional Services	Paid by Check #12005		03/01/2017	03/10/2017	03/10/2017		03/10/2017	35.00
Vendor 22 - Moore Twining Associates Inc. Totals							Invoices	6	\$588.00
Vendor 284 - MV Transportation, Inc.									
74376	February 2017 - Billing Charges	Paid by Check #12006		03/03/2017	03/10/2017	03/10/2017		03/10/2017	42,326.04
Vendor 284 - MV Transportation, Inc. Totals							Invoices	1	\$42,326.04
Vendor 554 - Myers Stevens & Toohey & Co.									
1232954	#1232954 2nd Q 2017	Paid by Check #12007		02/21/2017	03/10/2017	03/10/2017		03/10/2017	378.00
Vendor 554 - Myers Stevens & Toohey & Co. Totals							Invoices	1	\$378.00



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Vendor 884 - Napa Auto Parts									
358744	Repairs/Maintenance	Paid by Check #12008		02/27/2017	03/10/2017	03/10/2017		03/10/2017	302.10
Vendor 884 - Napa Auto Parts Totals							Invoices	1	\$302.10
Vendor 900 - NetMotion Wireless, Inc.									
M000301	MDT's Maintenance Agreement	Paid by Check #12009		03/01/2017	03/10/2017	03/10/2017		03/10/2017	2,655.00
Vendor 900 - NetMotion Wireless, Inc. Totals							Invoices	1	\$2,655.00
Vendor 504 - NVB Equipment Inc.									
CA04783	Repairs/Maintenance	Paid by Check #12010		09/04/2015	03/10/2017	03/10/2017		03/10/2017	(652.50)
SA65526	Repairs/Maintenance	Paid by Check #12010		02/23/2017	03/10/2017	03/10/2017		03/10/2017	1,315.82
Vendor 504 - NVB Equipment Inc. Totals							Invoices	2	\$663.32
Vendor 392 - O'Reilly Auto Parts									
3641-494201	Vehicles	Paid by Check #12011		01/30/2017	03/10/2017	03/10/2017	03/10/2017	03/10/2017	46.63
3641-494266	Vehicles	Paid by Check #12011		01/30/2017	03/10/2017	03/10/2017	03/10/2017	03/10/2017	(172.08)
3641-494405	Vehicles	Paid by Check #12011		01/31/2017	03/10/2017	03/10/2017	03/10/2017	03/10/2017	40.17
3641-494511	Vehicles	Paid by Check #12011		02/01/2017	03/10/2017	03/10/2017	03/10/2017	03/10/2017	65.88
3641-494691	Vehicles	Paid by Check #12011		02/02/2017	03/10/2017	03/10/2017	03/10/2017	03/10/2017	31.44
3641-494693	Vehicles	Paid by Check #12011		02/02/2017	03/10/2017	03/10/2017	03/10/2017	03/10/2017	27.15
3641-494877	Vehicles	Paid by Check #12011		02/03/2017	03/10/2017	03/10/2017	03/10/2017	03/10/2017	119.81
3641-495834	Vehicles	Paid by Check #12011		02/08/2017	03/10/2017	03/10/2017	03/10/2017	03/10/2017	1.99
3641-495852	Vehicles	Paid by Check #12011		02/08/2017	03/10/2017	03/10/2017	03/10/2017	03/10/2017	19.52
3641-495853	Vehicles	Paid by Check #12011		02/08/2017	03/10/2017	03/10/2017	03/10/2017	03/10/2017	167.59
3641-495886	Vehicles	Paid by Check #12011		02/08/2017	03/10/2017	03/10/2017	03/10/2017	03/10/2017	(18.00)
3641-496037	Vehicles	Paid by Check #12011		02/09/2017	03/10/2017	03/10/2017	03/10/2017	03/10/2017	61.28
3641-496165	Vehicles	Paid by Check #12011		02/10/2017	03/10/2017	03/10/2017	03/10/2017	03/10/2017	39.48
3641-496381	Vehicles	Paid by Check #12011		02/11/2017	03/10/2017	03/10/2017	03/10/2017	03/10/2017	65.06
3641-497131	Vehicles	Paid by Check #12011		02/15/2017	03/10/2017	03/10/2017	03/10/2017	03/10/2017	9.10
3641-497326	Vehicles	Paid by Check #12011		02/16/2017	03/10/2017	03/10/2017	03/10/2017	03/10/2017	95.39
3641-497365	Vehicles	Paid by Check #12011		02/17/2017	03/10/2017	03/10/2017	03/10/2017	03/10/2017	(22.00)
3641-497385	Vehicles	Paid by Check #12011		02/17/2017	03/10/2017	03/10/2017	03/10/2017	03/10/2017	44.34
3641-498216	Vehicles	Paid by Check #12011		02/22/2017	03/10/2017	03/10/2017	03/10/2017	03/10/2017	90.71
3641-498483	Vehicles	Paid by Check #12011		02/23/2017	03/10/2017	03/10/2017	03/10/2017	03/10/2017	306.89
3641-498494	Vehicles	Paid by Check #12011		02/23/2017	03/10/2017	03/10/2017	03/10/2017	03/10/2017	227.94
3641-498590	Vehicles	Paid by Check #12011		02/24/2017	03/10/2017	03/10/2017	03/10/2017	03/10/2017	148.65
3641-499379	Vehicles	Paid by Check #12011		02/28/2017	03/10/2017	03/10/2017	03/10/2017	03/10/2017	134.53
3641-499457	Vehicles	Paid by Check #12011		02/28/2017	03/10/2017	03/10/2017	03/10/2017	03/10/2017	49.52
Vendor 392 - O'Reilly Auto Parts Totals							Invoices	24	\$1,580.99



Accounts Payable Invoice Report

Payment Date Range 03/05/17 - 03/10/17
Report By Vendor - Invoice
Summary Listing

Invoice Number	Invoice Description	Status	Held Reason	Invoice Date	Due Date	G/L Date	Received Date	Payment Date	Invoice Net Amount
Vendor 142 - Office Depot BSD									
899203793001	Supplies	Paid by Check #12012		02/13/2017	03/10/2017	03/10/2017		03/10/2017	8.16
906645141001	Office Supplies - Office Depot	Paid by Check #12012		02/16/2017	03/10/2017	03/10/2017		03/10/2017	414.56
Vendor 142 - Office Depot BSD Totals							Invoices	2	\$422.72
Vendor 76 - Pacific Gas & Electric									
674421567812/17	Utilities	Paid by Check #12013		02/17/2017	03/10/2017	03/10/2017		03/10/2017	2,075.57
502221469092/17	Utilities	Paid by Check #12013		02/21/2017	03/10/2017	03/10/2017		03/10/2017	253.54
519248951322/17	Utilities	Paid by Check #12013		02/23/2017	03/10/2017	03/10/2017		03/10/2017	10.83
777130818082/17	Utilities	Paid by Check #12013		02/23/2017	03/10/2017	03/10/2017		03/10/2017	10.18
821880068192/17	Utilities	Paid by Check #12013		02/23/2017	03/10/2017	03/10/2017		03/10/2017	271.90
037563698502/17	Utilities	Paid by Check #12013		02/24/2017	03/10/2017	03/10/2017		03/10/2017	66.49
312018483272/17	Utilities	Paid by Check #12013		02/24/2017	03/10/2017	03/10/2017		03/10/2017	1,859.42
159468019562/17	Utilities	Paid by Check #12013		02/27/2017	03/10/2017	03/10/2017		03/10/2017	238.23
225348522842/17	DSC Street Light Elec. 1/26 - 2/27/17	Paid by Check #12013		02/27/2017	03/10/2017	03/10/2017		03/10/2017	12.07
497903928042/17	DSC Elec. 1/25 - 2/26/17	Paid by Check #12013		02/27/2017	03/10/2017	03/10/2017		03/10/2017	360.65
Vendor 76 - Pacific Gas & Electric Totals							Invoices	10	\$5,158.88
Vendor 982 - Luis Patlan									
San Diego 3/2017	Travel & Training	Paid by Check #12014		03/02/2017	03/10/2017	03/10/2017		03/10/2017	138.00
Vendor 982 - Luis Patlan Totals							Invoices	1	\$138.00
Vendor 366 - PBM Supply & Mfg., Inc									
726794	Repairs/Maintenance	Paid by Check #12015		02/27/2017	03/10/2017	03/10/2017		03/10/2017	157.25
Vendor 366 - PBM Supply & Mfg., Inc Totals							Invoices	1	\$157.25
Vendor 7 - Pena's Disposal Services									
287280	Professional Services	Paid by Check #12016		03/01/2017	03/10/2017	03/10/2017		03/10/2017	62.77
Vendor 7 - Pena's Disposal Services Totals							Invoices	1	\$62.77
Vendor 39 - Pioneer Equipment Company									
AP45322	Repairs/Maintenance	Paid by Check #12017		03/03/2017	03/10/2017	03/10/2017		03/10/2017	283.17
Vendor 39 - Pioneer Equipment Company Totals							Invoices	1	\$283.17
Vendor 389 - Positive ID, Inc.									
14166	Supplies	Paid by Check #12018		02/07/2017	03/10/2017	03/10/2017		03/10/2017	60.75
Vendor 389 - Positive ID, Inc. Totals							Invoices	1	\$60.75
Vendor 275 - Proforce Marketing Inc.									
303510	Supplies	Paid by Check #12019		02/28/2017	03/10/2017	03/10/2017		03/10/2017	347.18
Vendor 275 - Proforce Marketing Inc. Totals							Invoices	1	\$347.18



Accounts Payable Invoice Report

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Invoice Number	Invoice Description	Status	Held Reason	Invoice Date	Due Date	G/L Date	Received Date	Payment Date	Invoice Net Amount
Vendor 1051 - Provost & Pritchard Consulting Group									
61644	P & P Civil Eng	Paid by Check #12020		02/14/2017	03/10/2017	03/10/2017		03/10/2017	93.00
61645	P & P Ridge Creek Subdivision	Paid by Check #12020		02/14/2017	03/10/2017	03/10/2017		03/10/2017	31.00
61646	Contractual	Paid by Check #12020		02/14/2017	03/10/2017	03/10/2017		03/10/2017	1,725.00
61647	Traffic Signal Warrant Study	Paid by Check #12020		02/14/2017	03/10/2017	03/10/2017		03/10/2017	6,670.00
61648	P & P Ruiz Food	Paid by Check #12020		02/14/2017	03/10/2017	03/10/2017		03/10/2017	819.50
Vendor 1051 - Provost & Pritchard Consulting Group Totals							Invoices	5	\$9,338.50
Vendor 29 - Quad Knopf Inc.									
87450	Quad web Gis	Paid by Check #12021		02/20/2017	03/10/2017	03/10/2017		03/10/2017	230.77
87449	Quad General On-Call Planning	Paid by Check #12021		02/21/2017	03/10/2017	03/10/2017		03/10/2017	784.90
Vendor 29 - Quad Knopf Inc. Totals							Invoices	2	\$1,015.67
Vendor 349 - RES COM Pest Control									
1502204	Professional Services	Paid by Check #12022		02/17/2017	03/10/2017	03/10/2017		03/10/2017	40.00
Vendor 349 - RES COM Pest Control Totals							Invoices	1	\$40.00
Vendor 1080 - Rethought Reborn									
1304	January 2017 - Revenue Sharing / DMC	Paid by Check #12023		02/01/2017	03/10/2017	03/10/2017		03/10/2017	1,210.80
1305	February 2017 / Revenue Sharing - DMC	Paid by Check #12023		02/01/2017	03/10/2017	03/10/2017		03/10/2017	1,210.80
Vendor 1080 - Rethought Reborn Totals							Invoices	2	\$2,421.60
Vendor 370 - Robert V. Jensen, Inc.									
0023755-IN	Fuels	Paid by Check #12024		02/21/2017	03/10/2017	03/10/2017		03/10/2017	1,015.35
Vendor 370 - Robert V. Jensen, Inc. Totals							Invoices	1	\$1,015.35
Vendor 26 - The Sacramento Bee									
570383	RFP Notice - Grant Writing & Implementation of Housing Programs	Paid by Check #12025		02/26/2017	03/10/2017	03/10/2017		03/10/2017	556.26
Vendor 26 - The Sacramento Bee Totals							Invoices	1	\$556.26
Vendor 990 - Sacramento County Sheriff's Dept. TED									
04-10-17	Travel & Training	Paid by Check #12026		01/10/2017	03/10/2017	03/10/2017		03/10/2017	310.00
Vendor 990 - Sacramento County Sheriff's Dept. TED Totals							Invoices	1	\$310.00
Vendor 42 - Scout Specialties									
104448	Building Maintenance & Supplies	Paid by Check #12027		02/13/2017	03/10/2017	03/10/2017		03/10/2017	1,157.33
105298	Fleet Equipment & Supplies	Paid by Check #12027		02/21/2017	03/10/2017	03/10/2017		03/10/2017	8.33
105339	Fleet Equipment & Supplies	Paid by Check #12027		02/22/2017	03/10/2017	03/10/2017		03/10/2017	28.48
Vendor 42 - Scout Specialties Totals							Invoices	3	\$1,194.14



Accounts Payable Invoice Report

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Report By Vendor - Invoice
Summary Listing

Invoice Number	Invoice Description	Status	Held Reason	Invoice Date	Due Date	G/L Date	Received Date	Payment Date	Invoice Net Amount
Vendor 61 - Silvas Oil Company Inc.									
141675CT	February 2017	Paid by Check #12028		02/28/2017	03/10/2017	03/10/2017		03/10/2017	595.51
		Vendor 61 - Silvas Oil Company Inc. Totals				Invoices	1		<u>\$595.51</u>
Vendor 229 - Snap on Tools									
03031724653	Hand Tools	Paid by Check #12029		03/03/2017	03/10/2017	03/10/2017		03/10/2017	490.37
		Vendor 229 - Snap on Tools Totals				Invoices	1		<u>\$490.37</u>
Vendor 758 - Solenis LLC									
131121336	Polymer for WWTP	Paid by Check #12030		01/31/2017	03/10/2017	03/10/2017		03/10/2017	3,641.48
		Vendor 758 - Solenis LLC Totals				Invoices	1		<u>\$3,641.48</u>
Vendor 431 - Sparkletts									
5080520 020917	Supplies	Paid by Check #12031		02/09/2017	03/10/2017	03/10/2017		03/10/2017	205.95
9406519030117	Fy 16/17-CS-Bottled wa service & hot/cold cooler rental	Paid by Check #12031		03/01/2017	03/10/2017	03/10/2017	03/05/2017	03/10/2017	32.17
9407662030117	Fy 16/17-CS-Bottled wa service & hot/cold cooler rental	Paid by Check #12031		03/01/2017	03/10/2017	03/10/2017	03/05/2017	03/10/2017	6.00
		Vendor 431 - Sparkletts Totals				Invoices	3		<u>\$244.12</u>
Vendor 247 - State Center Community College District									
23291	Food & Beverages	Paid by Check #12032		12/16/2016	03/10/2017	03/10/2017		03/10/2017	1,905.94
		Vendor 247 - State Center Community College District Totals				Invoices	1		<u>\$1,905.94</u>
Vendor 92 - Target Specialtiy Products									
PI0546899	Building Maintenance & Supplies	Paid by Check #12033		02/07/2017	03/10/2017	03/10/2017		03/10/2017	203.79
		Vendor 92 - Target Specialtiy Products Totals				Invoices	1		<u>\$203.79</u>
Vendor 311 - Top Dog Training Center									
17-14	Travel & Training	Paid by Check #12034		02/21/2017	03/10/2017	03/10/2017		03/10/2017	180.00
		Vendor 311 - Top Dog Training Center Totals				Invoices	1		<u>\$180.00</u>
Vendor 329 - Townsend Public Affairs									
12444	February 2017	Paid by Check #12035		02/28/2017	03/10/2017	03/10/2017		03/10/2017	5,000.00
		Vendor 329 - Townsend Public Affairs Totals				Invoices	1		<u>\$5,000.00</u>
Vendor 355 - Training For Safety Inc.									
DU-17-03	Travel & Training	Paid by Check #12036		01/09/2017	03/10/2017	03/10/2017		03/10/2017	296.00
		Vendor 355 - Training For Safety Inc. Totals				Invoices	1		<u>\$296.00</u>



Accounts Payable Invoice Report

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Report By Vendor - Invoice
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Invoice Number	Invoice Description	Status	Held Reason	Invoice Date	Due Date	G/L Date	Received Date	Payment Date	Invoice Net Amount
Vendor 49 - Tulare County									
170463	TCaT Punch Passes #02221- #02246	Paid by Check #12037		02/28/2017	03/10/2017	03/10/2017		03/10/2017	340.00
Vendor 49 - Tulare County Totals							Invoices	1	\$340.00
Vendor 307 - Tulare County Consolidated Ambulance Dispatch, Inc									
DFD-2017-02	February 2017	Paid by Check #12038		03/01/2017	03/10/2017	03/10/2017		03/10/2017	6,047.00
Vendor 307 - Tulare County Consolidated Ambulance Dispatch, Inc Totals							Invoices	1	\$6,047.00
Vendor 296 - Tulare Kings Veterinary Emergency									
88068	Professional Services	Paid by Check #12039		02/13/2017	03/10/2017	03/10/2017		03/10/2017	99.00
Vendor 296 - Tulare Kings Veterinary Emergency Totals							Invoices	1	\$99.00
Vendor 51 - Urban Futures Inc.									
0117-006	Professional Services	Paid by Check #12040		02/21/2017	03/10/2017	03/10/2017		03/10/2017	112.50
Vendor 51 - Urban Futures Inc. Totals							Invoices	1	\$112.50
Vendor 273 - US Bank									
325013068	March 2017	Paid by Check #12042		02/23/2017	03/10/2017	03/10/2017		03/10/2017	463.58
325013860	02/20/17 - 03/20/17	Paid by Check #12041		02/23/2017	03/10/2017	03/10/2017		03/10/2017	574.66
325014116	Copy machines	Paid by Check #12044		02/23/2017	03/10/2017	03/10/2017		03/10/2017	4,279.08
325180297	ACCT# 530029	Paid by Check #12043		02/24/2017	03/10/2017	03/10/2017		03/10/2017	1,031.97
Vendor 273 - US Bank Totals							Invoices	4	\$6,349.29
Vendor 129 - Valley Industrial & Family Medical Group									
320455	Professional Services	Paid by Check #12045		02/23/2017	03/10/2017	03/10/2017		03/10/2017	100.00
Vendor 129 - Valley Industrial & Family Medical Group Totals							Invoices	1	\$100.00
Vendor 101 - Valley Soil & Forest Products									
14033	Supplies	Paid by Check #12046		02/17/2017	03/10/2017	03/10/2017		03/10/2017	160.00
Vendor 101 - Valley Soil & Forest Products Totals							Invoices	1	\$160.00
Vendor 354 - Verizon Wireless									
9780789464	February 2017	Paid by Check #12047		02/22/2017	03/10/2017	03/10/2017		03/10/2017	40.01
Vendor 354 - Verizon Wireless Totals							Invoices	1	\$40.01
Vendor 27 - The Visalia Times-Delta									
TD0054706 022717	Publications & Subscriptions	Paid by Check #12048		02/27/2017	03/10/2017	03/10/2017		03/10/2017	16.50
TD1126859 33117	Dues & Subscriptions	Paid by Check #12048		03/01/2017	03/10/2017	03/10/2017		03/10/2017	16.50
Vendor 27 - The Visalia Times-Delta Totals							Invoices	2	\$33.00



Accounts Payable Invoice Report

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Invoice Number	Invoice Description	Status	Held Reason	Invoice Date	Due Date	G/L Date	Received Date	Payment Date	Invoice Net Amount
Vendor 820 - Vulcan Materials Company									
71372697	Supplies	Paid by Check #12049		02/22/2017	03/10/2017	03/10/2017		03/10/2017	538.80
		Vendor 820 - Vulcan Materials Company Totals				Invoices	1		<u>\$538.80</u>
Vendor 14 - W & E Electric									
1702054	New security cameras - outlets	Paid by Check #12050		02/06/2017	03/10/2017	03/10/2017		03/10/2017	1,970.00
		Vendor 14 - W & E Electric Totals				Invoices	1		<u>\$1,970.00</u>
Vendor 549 - Wal-Mart									
2476 2/22/17	Supplies	Paid by Check #12051		02/22/2017	03/10/2017	03/10/2017		03/10/2017	298.55
2484 2/22/17	Supplies	Paid by Check #12052		02/22/2017	03/10/2017	03/10/2017		03/10/2017	215.18
		Vendor 549 - Wal-Mart Totals				Invoices	2		<u>\$513.73</u>
Vendor 347 - Zoll Data Systems									
9034654	Rescuenet 3/15-6/14/17	Paid by Check #12053		02/13/2017	03/10/2017	03/10/2017		03/10/2017	482.50
		Vendor 347 - Zoll Data Systems Totals				Invoices	1		<u>\$482.50</u>
Vendor Sandra Garcia									
Fee Refund	Fy16/17-Park Refund for pinic pavillion rental	Paid by Check #12054		03/01/2017	03/10/2017	03/10/2017	03/01/2017	03/10/2017	35.00
		Vendor Sandra Garcia Totals				Invoices	1		<u>\$35.00</u>
Vendor Crystal Gonzalez									
Fee Refund	Fy 16/17-Sports-Baseball refund for reg D.Gonzalez	Paid by Check #12055		03/01/2017	03/10/2017	03/10/2017	03/01/2017	03/10/2017	32.00
		Vendor Crystal Gonzalez Totals				Invoices	1		<u>\$32.00</u>
Vendor United Healthcare Medicare Solutions									
Reimb F162948	Reimburse F162948	Paid by Check #12056		02/27/2017	03/10/2017	03/10/2017		03/10/2017	334.33
		Vendor United Healthcare Medicare Solutions Totals				Invoices	1		<u>\$334.33</u>
		Grand Totals				Invoices	190		<u><u>\$293,676.44</u></u>



City Council Staff Report

Department: CITY MANAGER'S OFFICE

March 14, 2017

To: Mayor and City Council

From: Linda Barkley, Deputy City Clerk

Subject: Dinuba Chamber of Commerce Request for Gold Sponsorship 2017
Dinuba Business Expo on March 23, 2017 (LB)

RECOMMENDATION

Council to approve a request to sponsor the second annual Dinuba Chamber of Commerce Business Expo on March 23, 2017 in the amount of \$500.

EXECUTIVE SUMMARY

The Dinuba Chamber of Commerce will hold the second annual Business Expo on March 23, 2017 at the Memorial Hall. The goal of the Expo is to promote collaboration and build partnerships among local businesses and community leaders. The first annual Expo was held last year at the Vocational Center at no cost; however, the Vocational Center is not available March 23, 2017; therefore, the Chamber is seeking a sponsorship from the City in the amount of \$500 in lieu of providing a facility for the event.

OUTSTANDING ISSUES

None.

DISCUSSION

The Dinuba Chamber of Commerce is planning the 2017 Dinuba Business Expo on March 23, 2017 from 5-8 pm at the Memorial Building (Attachment A). The free event is intended to foster collaboration and build partnerships amongst local businesses and community leaders. The event last year showcased just under 50 businesses and was well attended by the public.

The proposed sponsorship amounts for the Expo are:

1. Gold \$500
2. Silver \$250

3. Bronze \$100

The Chamber of Commerce has requested that the City Council consider sponsoring the 2017 Business Expo event in the amount of \$500 (Attachment B).

FISCAL IMPACT

The City budgeted \$16,556 for sponsorship of community promotional events in the Community Promotion/Event Fund. To date, the fund has been expended. There is capacity in the Community Grants Fund in the amount of \$12,762 should the Council authorize the request.

PUBLIC HEARING

None required.

ATTACHMENTS:

- A. 2017 Business Expo Flyer
- B. Chamber Request for Gold Sponsorship - 2017 Business Expo

2017 Dinuba Building Collaboration Business Expo

EXHIBITOR / SPONSORSHIP REGISTRATION

Company/Sponsor Name (as it should appear on all event publicity)

Representative's Name(s)

Mailing Address

City State Zip Tel. No.

E-mail Fax No.

Type of Products Exhibited (3-5 words for the passport)

Special product you want to feature when the Chairman recognizes your booth:

Special Accommodations Needed (limited electricity)

EXHIBIT SPACE

Includes 16' x 8' Table with table cloth / 2 Chairs / Business Name on Passport and Map

Chamber Member

Non-Member

(If you join the Chamber within 6 months of the Expo - \$20 will be applied to Membership Dues)

We are asking businesses to donate to our grand prize and suggesting that each exhibitor have a drawing at their booth as well to capture leads and visitors contact information.

PLEASE INDICATE IF YOU WILL BE PROVIDING A DOOR PRIZE:

I will donate door prize(s): Yes No

Items donated # of items

SPONSORSHIPS

Gold Sponsor

Premium Space Location / Banner prominently displayed at Expo/Logo on flyers, registration forms, posters, passports, Facebook, website, marquee/ Mentioned in radio advertising / 4 months advertising on the Marquee

Silver Sponsor

Choice Space Location / Logo on flyers, posters, passports, website / 2 months advertising on Marquee

Bronze Sponsor

Better Space Location / Logo on posters, flyers, website / 1 month on Marquee

TOTAL ENCLOSED \$

SPONSORS: Please e-mail your current logo in jpeg or pdf format to skills@dinubachamber.com

Make Checks PAYABLE TO: DINUBA CHAMBER OF COMMERCE (Credit Cards accepted by phone or at office)

DEADLINE: March 15, 2017 for Exhibitor space / February 24, 2017 for Sponsorship to get package

TO RESERVE YOUR SPACE:

Mail or drop off completed registration and payments to:

Dinuba Chamber of Commerce, 210 North L Street, Dinuba CA 93618

Fax completed registration to: 559-591-2712

Email completed registration to: skills@dinubachamber.com or info@dinubachamber.com

To pay by credit card or for more information Phone: 559-591-2707

Sponsored by



Dinuba Business Expo



March 23, 2017 5:00 - 8:00 pm

BUSINESSES, SERVICE PROVIDERS, AND THE PUBLIC ARE INVITED TO COME TOGETHER

THURSDAY, MARCH 23, 2017 5:00 - 8:00 P.M.

DINUBA VETERAN MEMORIAL BUILDING 249 SOUTH ALTA AVENUE - DINUBA

"TO COLLABORATE AND BUILD PARTNERSHIPS"

Business Showcase - Information Booths - Give-aways

Raffles - Refreshments - Samples - Much More!

Come see what Dinuba has to offer!

Meet your neighbors, your local businesses, and local organizations!

Let's Build Business and Build a Better Dinuba!

For more information contact the Dinuba Chamber 591-2707 or skills@dinubachamber.com



2/15/2017

Sandy Sills, CEO
Dinuba Chamber of Commerce
210 North L Street
Dinuba, CA 93618

Dinuba City Council
405 E. El Monte Way
Dinuba, CA 93618

Dear Mayor Scott Harness and City Councilmembers,

The Dinuba Chamber of Commerce is planning our second Dinuba Business Expo. The goal of this event is to foster collaboration and build partnerships among local businesses and community leaders. It will showcase local businesses and provide information from a variety of public and private sector organizations, and service providers. Last year we had just under 50 businesses participate and had good public attendance.

In 2016 the City Council authorized co-sponsorship of the event in the form of a facilities fee waiver for the use of the Dinuba Vocational Center. As the event was free to the public, this co-sponsorship allowed the limited resources allocated for the event to be put to a more productive use, and keep the costs down for exhibitors as well as create a more beneficial event for those in attendance.

Unfortunately, this year the Vocational Center was already booked and unavailable for our date on March 23, 2017 from 5 PM to 8 PM, so we have talked with Dinuba Memorial Building and Ridge Creek Golf Club and decided to go with the Memorial Building for better visibility and to keep cost down.

We would like to ask for your continued support and in lieu of providing the facility be a Gold Sponsor for \$500 for the 2017 Business Expo. You would be joining with the Chamber to provide value and support for existing businesses and promoting Shop Dinuba First!

Your consideration of this request is appreciated. Together we can help build both businesses, and a better Dinuba.

Sincerely,

Sandy Sills, CEO
Dinuba Chamber of Commerce
Dinuba Economic Development Commissioner

210 North L Street Dinuba, CA 93618 Phone (559) 591-2707 Fax (559) 591-2712 Email: ssills@dinubachamber.com



City Council Staff Report

Department: PUBLIC WORKS

March 14, 2017

To: Mayor and City Council

From: Blanca Beltran, Public Works Director

Subject: Participation in PG&E On-Bill Lighting Conversion Financing (BB)

RECOMMENDATION

Council to approve participation in PG&E's On-Bill Financing Program to convert the existing lighting at the Fire Department and in the Downtown to LED lighting and authorize the City Manager or designee to execute the On-Bill Financing Loan Agreement.

EXECUTIVE SUMMARY

PG&E offers an On-Bill Financing Program to finance energy efficiency upgrades for its business customers at zero interest. City staff has worked with Eco-Green Solutions, one of many PG&E approved Trade Pro-Contractor to market their incentive programs. The Fire Department and the Downtown Decorative Anaheim Lights are the first project to qualify for 100% financing under this program. The savings from the conversion to LED lighting will pay for the loan.

OUTSTANDING ISSUES

None.

DISCUSSION

Over the past several years, the City has taken advantage of PG&E's Energy Efficiency Retrofit Loan Program, also known as On-Bill Financing. Through this program the City has upgraded HVAC systems, interior and exterior lighting at various City buildings, and more recently City owned streetlights. The program eliminates up-front costs and provides zero interest loans. To qualify, a project's energy savings must be sufficient to repay the loan within the maximum loan term limits. The monthly payment is calculated based on the energy savings.

City staff has been working with Eco Green Solutions on eligible projects within the City. While various facility upgrades are under review, as of this date the following City facilities have been approved for LED lighting retrofit/conversion by EcoGreen Solutions :

- Fire Department Building - 100% interior and exterior lighting.
- Fire Department Administrative Offices - 100% interior and exterior.
- Parking Lot/Tower Lights - 100% of the parking lot lights (including the library parking lot) and water tower lights.
- Downtown Decorative Anaheim Streetlights.

The City is approved to borrow 100% of the total project cost of \$213,807 for LED Lighting upgrades to the facilities noted above (see Attachment A). If the City participates in the program, it will result in a line item on our monthly utility bill equal to the amount of energy savings realized as a result of the reduced energy consumption with LED lighting. The City should see a savings of around \$34,000 annually. The savings would be used to payback the loan for approximately 5.85 years. After that the City would see the savings as a reduction in the monthly utility bill.

If approved, the City will need to sign the PG&E Financing Loan Agreement (Attachment B) before Eco-Green Solutions can commence conversion work. It is recommended the City Council authorize the City Manager to execute the loan agreement with PG&E to take advantage of this program.

FISCAL IMPACT

The cost of the conversion is \$213,807. The City expects to see approximately \$34,000 in energy savings annually on its electrical bill which will be used to repay the loan over six years.

PUBLIC HEARING

None.

ATTACHMENTS:

Attachment A
Attachment B

ENERGY AUDIT

City of Dinuba

Fire Department

496 E Tulare St

Dinuba, CA 93618

6183054474, SA ID: 6183054958

EcoGreen Sales Rep: Jason Martnick

Customer Contact: Blanca Beltran

Title of Contact: Public Works Director

Customer Phone: 559-591-5924

Customer Email: bbeltran@dinuba.ca.gov

Approx Building Size - 5F

Energy Rate 0.20 KWh



In Reference to Quote # 101018

EXISTING				Location	Suggested Replacements & Savings					
Existing Bulb	Watts/Fix	# of Fixtur	Operating Hours-Day / Yr		Replacement Bulb	Watts/Fix	# of Fixtures	Watts/bulbs Saved	Usage Saved	Annual Savings
6" Can	90 w	8	10 / / 3650	Front Office	LED 6" Downlight Indoor/Outdoor Rates	10 w	8	640 w	88.9%	2,136
Fan Light	120 w	2	10 / / 3650	Front Office	LED A19	10 w	2	220 w	91.7%	803
6" Can	90 w	5	10 / / 3650	Captain Office	LED 6" Downlight Indoor/Outdoor Rates	10 w	5	400 w	88.9%	1,460
Fan Light	120 w	1	10 / / 3650	Captain Office	LED A19	10 w	1	110 w	91.7%	402
6" Can	90 w	5	10 / / 3650	Captains Barracks	LED 6" Downlight Indoor/Outdoor Rates	10 w	5	400 w	88.9%	1,460
Fan Light	120 w	1	10 / / 3650	Captains Barracks	LED A19	10 w	1	110 w	91.7%	402
2x4w2	59 w	2	10 / / 3650	Hallway	LED 2x4 Fixture	40 w	2	38 w	32.2%	139
Dec Round	40 w	1	10 / / 3650	Restroom	LED A19	10 w	1	50 w	83.3%	183
Dec Round	40 w	1	10 / / 3650	Mailroom	LED A19	10 w	1	50 w	83.3%	183
2x4w2	112 w	12	10 / / 3650	Training Room	LED 2x4 Fixture	40 w	12	864 w	64.3%	8,154
2x4w2	59 w	59	10 / / 3650	Apamatus Bay	LED 2x4 Fixture w/SMART Kit	40 w	59	1121 w	32.2%	4,092
Dec S4L	40 w	1	10 / / 3650	Apamatus Bay Restroom	LED A19	10 w	1	50 w	83.3%	183
A19	90 w	1	10 / / 3650	Safe Storage	LED A19	10 w	1	80 w	88.9%	292
6" Can	90 w	2	10 / / 3650	Stairwell	LED 6" Downlight Indoor/Outdoor Rates	10 w	2	160 w	88.9%	584
Dec Fix	40 w	6	10 / / 3650	Bunk Room	LED A19	10 w	6	300 w	83.3%	1,095
CH26626/1	120 w	6	10 / / 3650	Bunk Room	LED A19	10 w	6	660 w	91.7%	2,409
6" Can	26 w	5	10 / / 3650	Bunk Room	LED 6" Downlight Indoor/Outdoor Rates	10 w	5	80 w	61.5%	292
Dec Fix	40 w	1	10 / / 3650	Engineer Barracks	LED A19	10 w	1	50 w	83.3%	183
Fan Light	120 w	1	10 / / 3650	Engineer Barracks	LED A19	10 w	1	110 w	91.7%	402
6" Can	90 w	9	10 / / 3650	Kitchen Living Room	LED 6" Downlight Indoor/Outdoor Rates	10 w	9	720 w	88.9%	2,678
Fan Light	60 w	2	10 / / 3650	Kitchen Living Room	LED A19	10 w	2	100 w	83.3%	365
6" Can	90 w	2	10 / / 3650	Common Area	LED 6" Downlight Indoor/Outdoor Rates	10 w	2	160 w	88.9%	584
Dec Round	120 w	1	10 / / 3650	Restroom 1	LED Lowbay Deco 12" Round Fixture	18 w	1	102 w	85.0%	372
Dec Round	120 w	1	10 / / 3650	Restroom 2	LED Lowbay Deco 12" Round Fixture	18 w	1	102 w	85.0%	372
J- Cool	65 w	1	10 / / 3650	Restroom 2	LED A19	10 w	1	55 w	84.6%	201
6" Can	90 w	16	10 / / 3650	Admin Bldg - Front Office	LED 6" Downlight Indoor/Outdoor Rates	10 w	16	1280 w	88.9%	4,672
Fan Light	120 w	4	10 / / 3650	Admin Bldg - Front Office	LED A19	10 w	4	440 w	91.7%	1,606
160/1	90 w	6	10 / / 3650	Admin Bldg - Conference Room	LED 6" Downlight Indoor/Outdoor Rates	10 w	6	480 w	88.9%	1,752
Fan Light	120 w	2	10 / / 3650	Admin Bldg - Conference Room	LED A19	10 w	2	220 w	91.7%	803
6" Can	90 w	4	10 / / 3650	Admin Bldg - Copy Room	LED 6" Downlight Indoor/Outdoor Rates	10 w	4	320 w	88.9%	1,168
6" Can	90 w	2	10 / / 3650	Admin Bldg - Restroom	LED 6" Downlight Indoor/Outdoor Rates	10 w	2	160 w	88.9%	584
6" Can	90 w	6	10 / / 3650	Admin Bldg - Kitchen	LED 6" Downlight Indoor/Outdoor Rates	10 w	6	480 w	88.9%	1,752
6" Can	90 w	2	10 / / 3650	Admin Bldg - Women's Restroom	LED 6" Downlight Indoor/Outdoor Rates	10 w	2	160 w	88.9%	584
6" Can	90 w	2	10 / / 3650	Admin Bldg - Storage	LED 6" Downlight Indoor/Outdoor Rates	10 w	2	160 w	88.9%	584
1x4w2	59 w	1	10 / / 3650	Admin Bldg - Equipment Room	LED 1x4 Fixture w/SMART Kit	40 w	1	19 w	32.2%	69
1x4w2	59 w	3	10 / / 3650	Admin Bldg - Hallway	LED 1x4 Fixture w/SMART Kit	40 w	3	57 w	32.2%	208
2x4w4	112 w	1	10 / / 3650	Admin Bldg - Storage	LED 2x4 Fixture	40 w	1	72 w	64.3%	263
2x4w4	112 w	1	10 / / 3650	Admin Bldg - Wash Room	LED 2x4 Fixture	40 w	1	72 w	64.3%	263
2x4w4	112 w	1	10 / / 3650	Admin Bldg - File Room	LED 2x4 Fixture	40 w	1	72 w	64.3%	263
Dec Round	120 w	1	10 / / 3650	Admin Bldg - File Room 2	LED Lowbay Deco 12" Round Fixture	18 w	1	102 w	85.0%	372
Dec Rec	26 w	1	10 / / 3650	Admin Bldg - Copy Room 2	LED Lowbay Deco 12" Round Fixture	18 w	1	8 w	30.8%	29
6" Can	26 w	6	10 / / 3650	Admin Bldg - Chief's Hallway	LED 6" Downlight Indoor/Outdoor Rates	10 w	6	96 w	61.5%	350
Fan Light	120 w	1	10 / / 3650	Admin Bldg - Chief's Office	LED A19	10 w	1	110 w	91.7%	402
6" Can	26 w	7	10 / / 3650	Admin Bldg - Chief's Office	LED 6" Downlight Indoor/Outdoor Rates	10 w	7	112 w	61.5%	409
Fan Light	120 w	1	10 / / 3650	Admin Bldg - Chief's Office	LED A19	10 w	1	110 w	91.7%	402
Dec Round	120 w	1	10 / / 3650	Admin Bldg - Chief's Restrooms	LED Lowbay Deco 12" Round Fixture	18 w	1	102 w	85.0%	372
6" Can	90 w	6	10 / / 3650	Admin Bldg - Chief's Office	LED 6" Downlight Indoor/Outdoor Rates	10 w	6	480 w	88.9%	1,752
Fan Light	120 w	2	10 / / 3650	Admin Bldg - Chief's Office	LED A19	10 w	2	220 w	91.7%	803
Dec Round	120 w	1	10 / / 3650	Admin Bldg - Stairwell	LED Lowbay Deco 12" Round Fixture	18 w	1	102 w	85.0%	372
1x4w2	59 w	8	10 / / 3650	Admin Bldg - Gym	LED 1x4 Fixture	40 w	8	152 w	32.2%	555
1x4w2	59 w	2	10 / / 3650	Fire Station	LED 1x4 Fixture w/SMART Kit	40 w	2	38 w	32.2%	139
J-Cool	45 w	1	10 / / 3650	Fire Station	LED A19	10 w	1	55 w	84.6%	201
1x4w1	33 w	1	10 / / 3650	Fire Station	LED 1x4 Fixture w/SMART Kit	40 w	1	-7 w	-21.2%	(26)

ENERGY AUDIT

City of Dinuba

Fire Department

496 E Tulare St

Dinuba, CA 93618

6183054474 SA ID: 6183054958

EcoGreen Sales Rep: Jason Martnick

Customer Contact: Bianca Beltran

Title of Contact: Public Works Director

Customer Phone: 559-591-5924

Customer Email: bbeltran@dinuba.ca.gov

Approx Building Size - SF

Energy Rate 0.20 KWh



In Reference to Quote # 501018

EXISTING					Suggested Replacements & Savings						
Existing Bulb	Watts/Fix	# of Fixtur	Operating Hours-Day / Yr	Location	Replacement Bulb	Watts/Fix	# of Fixtures	Watts/bulbs Saved	Usage Saved	KWh Saved	Annual Savings
	w		/			w		w			
	w		/	EXTERIOR		w		w			
	w		/			w		w			
WP-Med	188 w	4	11 7 / 4100		LED Wallpack	25 w	4	652 w	86.7%	2,671	\$1,711
WP-Sm	26 w	5	11 7 / 4100		LED Wallpack	12 w	5	70 w	53.8%	287	\$1,424
Pole	295 w	7	11 7 / 4100		LED Area Light	80 w	7	1505 w	72.9%	6,170	\$1,208.75
Uplight	1080 w	6	11 7 / 4100		LED Flood Light	300 w	6	4860 w	72.2%	19,188	\$1,747.50
WP-Front	26 w	5	11 7 / 4100		LED A19	10 w	5	80 w	61.5%	328	\$64.75
WP-Ball	26 w	10	11 7 / 4100		LED A19	10 w	10	160 w	61.5%	656	\$119.70
CPV-SQ	52 w	1	11 7 / 4100		LED A19	10 w	1	42 w	80.8%	172	\$21.70
	w		/		BOOM RENTAL	w	1	w			
	w		/			w		w			
Pole/AL	295 w	114	11 7 / 4100	Decorative Street Lights	LED Post Top	80 w	114	24510 w	72.9%	100,501	\$19,022.10
Totals		378	226250			w	379	44103 w	74.6%	175,250	\$34,331.54

44,103	Watts Saved	Total Project Cost After Rebate	\$200,895.44	Approximate Energy Savings Per Month	\$2,860.96
175,250	Annual KWh Saved	****Payback Period Yrs	5.85	Energy Savings Per Year	\$34,331.54
21.2	Avg Annual Res Powered by Savings	Average Estimated Life of LED	17.65	**Total Savings Over 5 Years	\$240,747.77
130	Annual CO2 Savings (MT)	Average Estimated Life of Existing Lighting	2.77	**Total Savings After 10 Years	\$546,952.36
74.6%	Average Electrical Savings			Estimated Energy Rebate	\$12,912.00
17.1%	ROI During Payback			IRS Tax Deduction 179D Available	\$0.00
6.23	Payback Period Yrs - Out of Pocket - No Rebates/Program			***Estimated Federal Tax Savings	\$0.00
4.59	Payback Period Yrs W/ Rebates & Yearly Bulb Replacement Savings			Btu Savings Per Month	2,911,078,433
5.85	Payback Period Yrs W/Rebates & Federal Tax Savings			Bulb Replacement Savings Per Year	\$9,443.54
4.59	Payback Period Yrs Fully Comprehensive^			Bulb Replacement Savings Per Avg. Est. Life of LED	#VALUE!
				*Loan Payment	\$2,860.96

Potential Write-Off Amount			
	Capital	Interest	Total
Year 1	40,179	0	40,179
Year 2	40,179	0	40,179
Year 3	40,179	0	40,179
Year 4	40,179	0	40,179
Year 5	40,179	0	40,179
Totals	\$200,895.44	\$0	\$200,895.44

NOTE: Attached calculations do not include depreciation deduction for project cost.
 *Payment is based on a 5.85 year loan at 0% interest OAC, actual may vary.
 ** Reflects 6% per year cost of energy increase + Bulb Replacement
 *** Based on IRS 179D Deduction @ 35% federal tax rate
 ****Payback Period Yrs = (Total Project Cost - Rebate) / Estimated Savings Per Year
 ^Payback Period Yrs = (Total Project Cost - Rebate - Tax Deduction - Tax Savings) / (Estimated Savings Per Year + Bulb Replacement Savings Per Yr)



GENERAL OFF-BILL AND ON-BILL FINANCING LOAN AGREEMENT

The undersigned customer ("**Customer**") has contracted for the provision of energy efficiency/demand response equipment and services (the "**Work**") which qualify for one or more of PG&E's applicable rebate or incentive programs. Subject to the conditions (including the process for Adjustment and preconditions to funding) set forth below, Pacific Gas and Electric Company ("**PG&E**") shall extend a loan (the "**Loan**") to Customer in the amount of the loan balance (the "**Loan Balance**") pursuant to the terms of this On-Bill Financing Loan Agreement ("**Loan Agreement**") and PG&E's rate schedules E-OBF and/or G-OBF, as applicable (the "**Schedule**").

To request the Loan, Customer has submitted a completed On-Bill Financing Application and associated documentation as required by PG&E (the "**Application**"). Collectively the Application and this Loan Agreement (including any Adjustment hereunder) comprise the "Agreement".

1. Customer shall arrange for its Contractor, as identified at the end of this Agreement ("**Contractor**"), to provide the Work as described in the Application.
2. The estimated Loan Balance is set forth below. The total cost of the Work as installed, rebate/incentive for qualifying energy efficiency measures, Loan Balance, monthly payment, and loan term specified in this Loan Agreement may be adjusted, if necessary, after the Work and the post-installation inspection described in the Application and/or herein are completed (the "**Adjustment**"). The Adjustment will be calculated using the actual total cost of the Work, as installed, and the estimated energy savings (as described in the Application) of such Work. In no event will the Loan Balance be increased without Customer's written consent, even if Customer is eligible for such increased Loan Balance. Moreover, in no event will the Loan Balance exceed the maximum loan amount stipulated in the Application. Customer understands that in order to be eligible for the Loan, the initial Loan Balance for Work may not fall below the minimum loan amount, nor may the payback period exceed the maximum payback period. **Accordingly, if after the Adjustment, the Loan Balance falls below the minimum loan amount or if the simple payback period exceeds the program maximum payback period, each as described in the Application, PG&E shall have no obligation to extend the Loan, as the Work would not meet program requirements.** The Adjustment described in this paragraph will be communicated to the Customer in writing and will automatically become part of this Loan Agreement, except that any proposed increase in the Loan Balance will only become part of this Loan Agreement upon Customer's written consent to such increase.
3. **PG&E shall have no liability in connection with, and makes no warranties, expressed or implied, regarding the Work. Customer will be responsible for any and all losses and damage it may suffer in connection with, and any claims by third parties resulting from, the Work.** Customer shall indemnify and hold harmless PG&E, its affiliates, and their respective owners, officers, directors, employees and agents thereof, from and against all claims, demands, liabilities, damages, fines, settlements or judgments which arise from or are caused by (a) any breach of the Agreement by Customer; (b) any defects or problems with the Work, or the failure of the Work to deliver any anticipated energy efficiencies; (c) Customer's failure to pay any amount due or claimed by Contractor with respect to the Work; or (d) the wrongful or negligent acts or omissions of any party (including Contractor) in the conduct or performance of the Work.
4. Customer represents and warrants that (a) Customer is receiving this Loan solely for Work obtained in connection with Customer's business, and not for personal, family or household purposes; (b) Customer, if not an individual or a government agency, is duly organized, validly existing and in good standing under the laws of its state of formation, and has full power and authority to enter into this Agreement and to carry out the provisions of this Agreement. Customer is duly qualified and in good standing to do business in all jurisdictions where such qualification is required; (c) this Loan Agreement has been duly authorized by all necessary proceedings, has been duly executed and delivered by Customer and is a valid and legally binding agreement of Customer duly enforceable in accordance with its terms; (d) no consent, approval, authorization, order, registration or qualification of or with any court or regulatory authority or other governmental body having jurisdiction over Customer is required for, and the absence of which would adversely affect, the legal and valid execution and delivery of this Loan Agreement, and the performance of the transactions contemplated by this Loan Agreement; (e) the execution and delivery of this Loan Agreement by Customer hereunder and the compliance by Customer with all provisions of this Loan Agreement: (i) will not conflict with or violate any Applicable Law; and (ii) will not conflict with or result in a breach of or default under any of the terms or provisions of any loan agreement or other contract or agreement under which Customer is an obligor or by which its property is bound; and (f) all factual information furnished by Customer to PG&E in the Application and pursuant to this Agreement is true and accurate.

5. The Application must include the Federal Tax Identification Number or Social Security Number of the party who will be the recipient of the checks for the rebate/incentive or any Loan proceeds. Checks may be issued directly to the Customer or its designated Contractor or both, for the benefit of the Customer, as specified below. Customer acknowledges that PG&E will not be responsible for any tax liability imposed on the Customer or its contractor in connection with the transactions contemplated under the Agreement, whether by virtue of the Loan contemplated under the Agreement, or otherwise, and Customer shall indemnify PG&E for any tax liability imposed upon PG&E as a result of the transactions contemplated under the Agreement.
6. Upon completion of the Work, Customer shall send a written confirmation of completion to PG&E's On-Bill Financing Program Administrator at the address listed in Section 15. Within 60 days after receiving the confirmation, PG&E (a) will conduct a post installation inspection and project verification, including review of invoices, receipts and other documents as required by PG&E to verify the correctness of any amounts claimed by Customer; (b) will adjust, if necessary, the total cost, incentive, Loan Balance, monthly payment, and loan term as stated above; and (c) if PG&E deems necessary, obtain updated financial information to verify that Customer has good credit standing (as determined by PG&E) prior to making the Loan. Customer shall give PG&E reasonable access to its premises and the Work and shall provide such updated financial information to PG&E upon request. PG&E may decline to make the Loan if PG&E determines, in its sole discretion, that Customer does not have good credit standing at that time. If the Work conforms to all requirements of the Agreement and all amounts claimed by Customer as Work costs are substantiated to PG&E's reasonable satisfaction, and PG&E is satisfied that Customer has good credit standing, PG&E will issue a check ("**Check**") to Customer or Contractor (as designated by Customer in Section 15) for all amounts PG&E approves for payment in accordance with the Agreement. The date of such issuance is the "**Issuance Date**". If the Check is issued to Customer, Customer shall be responsible for paying any outstanding fees due to Contractor for the Work. If the Check is less than the amount due from Customer to Contractor, Customer shall be responsible for the excess due to the Contractor.
7. Customer shall repay the Loan Balance to PG&E as provided in this Loan Agreement irrespective of whether or when the Work is completed, or whether the Work is in any way defective or deficient, and whether or not the Work delivers energy efficiency savings to Customer.
8. The monthly payments will be included by PG&E on the Account's regular energy service bills, or by separate bill, in PG&E's discretion. Regardless whether the monthly payments are included in the regular utility bill or a separate loan installment bill, the following repayment terms will apply:
 - a. The Customer agrees to repay to PG&E the Loan Balance in the number of payments listed below and in equal installments (with the final installment adjusted to account for rounding), by the due date set forth in each PG&E utility bill or loan installment bill rendered in connection with Customer's account (identified by the number set forth below) ("Account"), commencing with the bill which has a due date falling at least 30 days after the Issuance Date.
 - b. If separate energy service bills and loan installment bills are provided, amounts due under this Loan Agreement as shown in the loan installment bill shall be deemed to be amounts due under each energy services bill to the Account, and a default under this Loan Agreement shall be treated as a default under the Account.
 - c. If the Customer is unable to make a full utility bill payment in a given month, payment arrangements may be made at PG&E's discretion.
 - d. Any partial bill payments received for a month will be applied in equal proportion to the energy charges and the loan obligation for that month, and the Customer may be considered in default of both the energy bill and the loan installment bill.
 - e. Further payment details are set forth below.
9. Any notice from PG&E to Customer regarding the Program or the transactions contemplated under the Loan Agreement may be provided within a PG&E utility bill or loan installment bill, and any such notices may also be provided to Customer at the address below or to the Customer's billing address of record in PG&E's customer billing system from time to time, and in each case shall be effective five (5) days after they have been mailed.
10. The Loan Balance shall not bear interest.
11. Customer may, without prepayment penalty, pay the entire outstanding loan balance in one lump sum payment provided the customer first notifies PG&E by telephoning the toll free phone number (1-800-468-4743), and by sending written notice to PG&E On-Bill Financing Program Administrator at the address listed below, in advance of making the lump sum payment. Accelerated payments that are received from Customer without PG&E's prior approval may, at PG&E's sole discretion, be applied proportionally to subsequent energy charges and Loan repayments and PG&E shall have no obligation to apply accelerated payments exclusively to reduction of the outstanding Loan.

12. The entire outstanding Loan Balance will become immediately due and payable, and shall be paid by Customer within 30 days if: (i) the Account is closed or terminated for any reason; (ii) Customer defaults under the Agreement; (iii) Customer sells or transfers ownership of the equipment forming part of the Work to any third party (including as part of a sale or lease of premises or transfer of business or otherwise); or (iv) Customer becomes Insolvent. Customer becomes "Insolvent" if: (i) Customer is unable to pay its debts as they become due or otherwise becomes insolvent, makes a general assignment for the benefit of its creditors, or suffers or permits the appointment of a receiver for its business or assets or otherwise ceases to conduct business in the normal course; or (ii) any proceeding is commenced by or against Customer under any bankruptcy or insolvency law that is not dismissed or stayed within 45 days.
13. Customer understands that without limiting any other remedy available to PG&E against Contractor or Customer, **failure to repay the Loan Balance in accordance with the terms of the Agreement could result in shut-off of utility energy service, adverse credit reporting, and collection procedures, including, without limitation, legal action.**
14. If there is any conflict among the documents comprising the Agreement, the following order of priority shall apply: 1. this Loan Agreement; 2. the Application; 3. any documents attached to the Application.

15. Loan Particulars.

This table is to be completed by PG&E						
Total Cost	Incentive	Customer Buy- Down (if applicable)	Loan Balance ¹	Monthly Payment	Term ² (months)	Number of Payments
\$213,807.44	\$12,912.00	\$-	\$200,895.44	\$2,609.03	77	77

Check Made Payable to Customer ☐ or Contractor ☐
 [customer to select payment method. Note that only one check can be issued]

16. This agreement at all times shall be subject to such modifications as the California Public Utilities Commission may direct from time to time in the exercise of its jurisdiction.

Customer Details	Contractor Details
Federal Tax ID or Social Security #, Customer 94-6000320	Federal Tax ID or Social Security #, Contractor 80-0196823

PG&E Account # / Service Agreement # 6183054474 / 6183054958

Account Name, Customer	Name, Contractor
Primary Contact Name: CITY OF DINUBA - 496 E TIF AVE ST. DINUBA Primary MDSS Application Number: TIF ID: 006423	EcoGreen Solutions

Customer Address (For OBF Check Delivery)	Contractor Address (For OBF Check Delivery)
	27611 La Paz Rd, Suite A2 Laguna Niguel, CA 92677

Name and Title of Authorized Representative of Customer	Name and Title of Authorized Representative of Contractor
Blanca Beltran, PW Director	Corey Brophy

Signature of Authorized Representative of Customer

Date

ACCEPTED: Pacific Gas and Electric Company

By	Date
PG&E On-Bill Financing Authorized Representative	

Address:
 Pacific Gas and Electric Company
 On Bill Financing Program
 77 Beale Street - 3rd Floor
 San Francisco, CA 94105

¹ The Loan Balance shall not exceed one-hundred thousand dollars (\$100,000) for commercial customers and shall not exceed two-hundred fifty thousand dollars (\$250,000) for government agency customers, excepting loans to government agency customers where, in PG&E's sole opinion, the opportunity for uniquely large energy savings exist, in which case the Loan Balance may exceed two-hundred fifty thousand dollars (\$250,000) but shall not exceed one million dollars (\$1,000,000).

² Commercial loans may have their loan terms extended beyond five years, not to exceed the expected useful life (EUL) of the bundle of energy efficiency measures proposed, when credit and risk factors support this.

On-Bill Financing Program (OBF)
Loan Calculation Summary Sheet
Simple project payback per meter

Customer Name: CITY OF DINUBA - 496 E TULARE ST - DINUBA

Project Number: TIF: 006423

Calculations

from:

Original

(A) PROJECT COST FOR MEASURES	(B) REBATES or INCENTIVES	Customer Down Payment or Buy- Down	CUSTOMER TOTAL LOAN AMOUNT	(C) CUSTOMER AVERAGE RATE PER kWh	(D) CUSTOMER AVERAGE RATE PER Therm	(E) ESTIMATED ANNUAL ENERGY SAVINGS (kWh)	(F) ESTIMATED ANNUAL GAS SAVINGS (Therm)	ESTIMATED ANNUAL ENERGY COST SAVINGS	SIMPLE PAYBACK IN YEARS
\$213,807.44	\$12,912.00	\$-	\$200,895.44	\$0.18	\$-	175,250.33	-	\$31,895.56	6.30

PAYBACK IN MONTHS BASED ON EXPECTED ENERGY SAVINGS	LOAN TERM (MONTHS) (1 month added for bill neutrality)	CUSTOMER FIXED MONTHLY LOAN PAYMENT	ESTIMATED MONTHLY ENERGY COST SAVINGS
76	77	\$2,609.03	\$2,657.96

(C) = (From utility bill) Total \$ amount (12-month) / Total kWh (same 12-month)

(D) = (From utility bill) Total \$ amount (12-month) / Total therm (same 12-month)



City Council Staff Report

Department: FINANCE SERVICES

March 14, 2017

To: Mayor and City Council

From: Luis Patlan, City Manager

By: Linda Barkley, Deputy City Clerk

Subject: Reconsideration of Resolution No. 2017-01 Approving Issuance of TEFRA Bonds in the amount of \$6.5 Million for the Sierra Village Apartment Project on East Davis Drive and North Crawford Avenue (LP)

RECOMMENDATION

Council to consider a request by Council Member Launer to add the TEFRA Bond Issuance of \$6.5 million for the Sierra Village Apartment Project to the March 28, 2017 agenda for reconsideration.

EXECUTIVE SUMMARY

The Council held a hearing consistent with the Tax Equity and Fiscal Responsibility Act (TEFRA) on January 10, 2017, concerning the issuance of \$6,500,000 Tax-Exempt Bonds by the California Statewide Communities Development Authority to acquire, construct and equip a 43-unit multifamily rental housing project. The Council voted 3 to 2 to oppose the Bond issuance. The item is before the Council to consider placement of the item on the Council's March 28, 2017 agenda for reconsideration.

OUTSTANDING ISSUES

None

DISCUSSION

The City Council, at its regular meeting on Tuesday, January 10, 2017, held the Tax Equity and Fiscal Responsibility Act (TEFRA) hearing to consider approval of the issuance by the California Statewide Communities Development Authority revenue bonds. The Bond issuance was intended to finance the proposed 43-unit multifamily housing apartment project. The proposed project, located at the northwest corner of

East Davis Drive and North Crawford Avenue, would be owned and operated by Self-Help Enterprises. The City Council voted not to approve the issuance of the tax exempt bonds at the January 10, 2017 meeting.

Subsequently at the City Council meeting of February 28, 2017, Council Member Launer brought an inquiry to the Council as to the possibility of placing the item on the agenda for reconsideration. In order to reconsider the issuance of the Bonds, the City Council must first consider placement of the item on the Council's agenda and vote accordingly to hear the item once more at a future meeting.

Should the Council vote to place the item on a future meeting agenda to reconsider the item, it would once more necessitate a TEFRA hearing requiring proper noticing (14 days notice prior to the hearing). If the Council votes to place the item on the March 28, 2017, agenda for reconsideration of a future hearing, the earliest opportunity the Council would have to hold a TEFRA hearing would be on Tuesday, April 11, 2017.

Self Help Enterprises (SHE) has requested that the attached letters addressed to the City Council from SHE and the CSCDA (Attachment A) be included in the Council's agenda packet.

FISCAL IMPACT

There is no fiscal impact to the City.

PUBLIC HEARING

None required.

ATTACHMENTS:

A. Self-Help Enterprises and CSCDA correspondence addressed to the City Council



A Nonprofit Housing and Community Development Organization

March 7, 2017

City Council
City of Dinuba
405 E El Monte Way
Dinuba, CA 93618

RE: TEFRA Hearing for the Sierra Village Housing Project

Dear Mayor and City Councilmembers:

Self-Help Enterprises (SHE) respectfully requests the matter related to the TEFRA public hearing for the issuance of private activity bonds for the Dinuba Village project be reconsidered for the following reasons:

1. During the meeting of January 10, 2017, prior to the opening of the public hearing, a Councilmember asked a question which was answered at best incompletely, and at worst, incorrectly.

Question from Councilmember Thusu: "Once we have the bond issued, will it impact us in any other way? In other words, if we need to use these bonds elsewhere, will there be an impact?"

Response from City Attorney: "There are a limited number of issuances that the City has the authority to approve through the TEFRA process. So if you approve this it may limit the City's ability to approve other TEFRA bonds for other projects later on. There are only so many allocated to the City and I don't know what that number is."

While we are not suggesting there was an intention to mislead the Council, we think the record needs to be supplemented in answering this question. Unfortunately, the representative from California Statewide Communities Development Authority (CSCDA) was delayed in traffic and therefor unable to answer the question during the public hearing. CSCDA, which is sponsored by the League of California Cities, is the entity issuing the bonds. Attached is a letter from CSCDA responding to the question and providing the correct and supplemental information which should be considered by Council.

2. It is clear that some Councilmembers were lacking information about the project, since there was no fact sheet provided. The City Manager correctly shared that the process for approval was essentially "by right" and as such did not require approvals by either the Planning Commission or City Council. In fact, at the request of the Planning Commission, SHE has since

provided an overview of the project for informational purposes to the commission. Because of the lack of project information provided, and questions from the Council after the public hearing closed regarding the setbacks and density, SHE would appreciate the opportunity to provide such information at a re-hearing and feels the lack of information warrants an additional review of this matter.

We believe that due to these two issues, namely the incomplete and inaccurate information, it would be fully appropriate for the City Council to decide to review the matter again.

Thank you for the opportunity to provide input on this important matter. Feel free to contact me at (559) 802-1620 or tomc@selfhelpenterprises.org if you have any questions or need additional information.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Tom Collishaw', with a large circular flourish at the end.

Thomas J. Collishaw
President/CEO



March 6, 2017

City Council
City of Dinuba
405 E. El Monte Way
Dinuba, California 93618

Re: Dinuba Village Tax Equity Fiscal Responsibility Act (TEFRA) Hearing

Dear Mayor and Members of the City Council:

On January 10, 2017 the TEFRA hearing approval for Dinuba Village was denied by a 3-2 vote by the City Council. The following are answers to some of the concerns and questions raised at the City Council meeting. We hope you find these useful in your consideration to schedule another TEFRA hearing for the Dinuba Village project, and look forward to a positive resolution for the City and Self-Help Enterprises.

1. There is no limit to the number of issuances the City has the authority to approve through the TEFRA process.

The City is not limited in the number of TEFRA hearings it can host and approve. The only limits on the private activity bonds, which are being issued for this project, is the California Debt Limit Allocation Committee (CDLAC) volume cap. All affordable multifamily housing projects, such as Dinuba Village, are required to apply to CDLAC, a State agency who oversees volume cap allocation for private activity bonds. Volume cap is the limitation the federal government puts on the amount of private activity bonds, such as affordable multifamily bonds, that can be issued. The allocations are made on a state by state basis. Such allocations do not affect a city or county's ability to issue any type of general obligation or other local bond for its own purposes.

Volume cap allocations are made on a project by project basis and no limitations exist as to how many allocations a city or county can receive.

CSCDA and Self-Help Enterprises are required to file an application for volume cap for the Dinuba Village project with CDLAC. Such application was completed and Dinuba Village received a \$6,500,000 allocation of bonds from CDLAC.

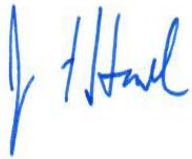
2. The proposed bond financing for Dinuba Village will not impact the City's ability to issue bonds for itself, other proposed housing projects or any other projects.

The proposed bonds to be issued by CSCDA are private activity bonds (not governmental or general obligation bonds) and they do not limit the City's ability to issue bonds or host other TEFRA hearings. The proposed bonds to be issued for Dinuba Village (the "Project") will be limited obligations of CSCDA, not of the City, and are payable solely out of the revenues and receipts derived from the Project being financed and the loan(s) made by CSCDA to the borrower from proceeds of the bonds.

Specifically, Section 8 of the CSCDA Joint Powers Agreement provides that "[t]he Bonds, together with the interest and premium, if any, thereon, shall not be deemed to constitute a debt of any Program Participant (herein the City) or pledge of the faith and credit of the Program Participant. Neither the Program Participant nor...shall be obligated to pay the principal of, premium, if any, or interest on the Bonds, or other costs incidental thereto..."

I can be reached at 925-476-5644 or jhamill@cscda.org if we can be of any other assistance.

Sincerely

A handwritten signature in blue ink, appearing to read "J. Hamill". The signature is written in a cursive, flowing style.

James F. Hamill
Managing Director
CSCDA



City Council Staff Report

Department: FIRE SERVICES

March 14, 2017

To: Mayor and City Council

From: Chad Thompson, Fire Chief

Subject: Acceptance of Donation from Alta Healthcare District (CT)

RECOMMENDATION

Council to accept donation from the Alta Healthcare District in the amount of \$156,000 for the purchase of a new ambulance and authorize the City Manager or designee to sign any related documents.

EXECUTIVE SUMMARY

The City of Dinuba Fire Department submitted a request to the Alta Healthcare District for funding to purchase a second ambulance. On March 9th, 2017, the Alta Healthcare District Board of Directors unanimously voted to approve funding in the amount of \$156,031.92 for the purchase of a new ambulance and supporting equipment.

OUTSTANDING ISSUES

None.

DISCUSSION

The Alta Healthcare District is an entity that receives a small portion of property taxes from properties located within the district boundaries. The funds are designated for the purpose of supporting healthcare needs for the population residing within the district. The Dinuba Fire Department provides emergency medical treatment and transport in the majority of the District's area.

In 2015, the District Board provided the City of Dinuba with funds to purchase an ambulance. In early 2017, the Dinuba Fire Department presented a request for an additional ambulance. The Board approved the funding request of \$156,031.92 to purchase a new ambulance and supporting equipment. This new ambulance will allow

the Dinuba Fire Department to maintain a very reliable fleet of ambulances to serve the communities.

The City Council is being asked to accept the donation and authorize the Mayor to sign a letter thanking the AHD Board of Directors for the donation.

FISCAL IMPACT

The acceptance of this donation will allow the City of Dinuba to purchase a new ambulance and related equipment.

PUBLIC HEARING



City Council Staff Report

Department: CITY MANAGER'S OFFICE

March 14, 2017

To: Mayor and City Council

From: Linda Barkley, Deputy City Clerk

Subject: Resolution No. 2017-06 Nominating Kuldip Thusu for Appointment to the Governing Board of the San Joaquin Valley Air Pollution Control District (LB)

RECOMMENDATION

Council adopt Resolution No. 2017-06 nominating Vice Mayor Kuldip Thusu for appointment to the District Governing Board of the San Joaquin Valley Air Pollution Control District representing small cities in Tulare County.

EXECUTIVE SUMMARY

There is currently a vacancy on the San Joaquin Valley Air Pollution Control District Governing Board (APC Board) that must be filled by a Councilmember from a small city (population less than 100,000) from within Tulare County. Vice Mayor Thusu is one of four (4) valley Council Members who submitted applications for consideration of appointment. The City Council must make the nomination by adoption of a resolution for the applicant to be considered for appointment by the San Joaquin Valley Special City Selection Committee.

OUTSTANDING ISSUES

None.

DISCUSSION

The San Joaquin Valley Air Pollution District (District) is made up of eight counties in California's Central Valley (San Joaquin, Stanislaus, Merced, Madera, Fresno, Kings, Tulare and the San Joaquin Air Basin portion of Kern). The District is governed by a fifteen member Governing Board consisting of representatives from the Board of Supervisors of all eight counties, one Health and Science Member, appointed by the Governor, a Physician, appointed by the Governor, and five Valley city representatives.

The San Joaquin Valley Air Pollution Control District (District) is soliciting nominations to fill the vacancy for the Tulare County Small City representative. The term to be filled is three (3) years and the applicant must be a Councilmember from a city of less than 100,000 in population.

Four (4) applications were submitted to the SJVAPCD Clerk of the Board for consideration of appointment. The applicants are:

1. Councilmember Rudy Mendoza, City of Woodlake
2. Councilmember Jose Sigala, City of Tulare
3. Councilmember Kuldip Thusu, City of Dinuba
4. Councilmember Monte Reyes, City of Porterville

Vice Mayor Kuldip Thusu is asking that the City Council consider his nomination as the small city representative on the District Governing Board. The Council may vote to nominate Vice Mayor Thusu, choose any of the other candidates, or reject all applicants.

The District is asking cities to adopt a resolution nominating a candidate for the vacant position. Upon adoption by the City Council, Resolution No. 2017-16 enclosed herein as Attachment 'B' will be submitted to the District by the March 15, 2017 deadline. The San Joaquin Valley Special City Selection Committee makes the final appointment to the Governing Board.

FISCAL IMPACT

None.

PUBLIC HEARING

None required.

ATTACHMENTS:

- A. Applications for Appointment SJVAPCD Governing Board
- B. Resolution No. 2017-06 Nominating Kuldip Thusu to the SJVAPCD Board



San Joaquin Valley

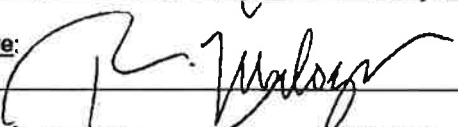
AIR POLLUTION CONTROL DISTRICT

APPLICATION FOR APPOINTMENT AS A CITY REPRESENTATIVE ON GOVERNING BOARD OF THE SAN JOAQUIN VALLEY AIR POLLUTION CONTROL DISTRICT

Current Vacancies

Small City: One member representing the cities with a population less than 100,000 from Tulare County. Councilmembers from Cities of Dinuba, Exeter, Farmersville, Lindsay, Porterville, Tulare, and Woodlake are eligible to apply.

If you are an elected official on the council of the cities identified above, you may submit an application for appointment to the Governing Board of the San Joaquin Valley Air Pollution Control District.

Applicant Name:	RUDY MENDOZA
Residence Address (Must live within the boundaries of the San Joaquin Valley APCD):	727 N. ACACIA STREET
Mailing Address:	WOODLAKE CA 93286
Telephone:	(559) 303-4860 (559) 564-8055 Primary Alt.
Email Address:	RMENDOZA@CI.WOODLAKE.CA.US
Applicant Signature:	 Date: 2-17-17

Please submit this form along with any other pertinent information (e.g., resume, candidate statement, education, experience) that you desire to be considered to the address below. **Please limit candidate statement to no more than one page.** Please complete this application and return it by **February 10, 2017** to:

Sayed Sadredin
Air Pollution Control Officer
San Joaquin Valley APCD
1990 E. Gettysburg Avenue, Fresno, CA, 93726



San Joaquin Valley

AIR POLLUTION CONTROL DISTRICT

APPLICATION FOR APPOINTMENT AS A CITY REPRESENTATIVE ON GOVERNING BOARD OF THE SAN JOAQUIN VALLEY AIR POLLUTION CONTROL DISTRICT

Current Vacancies

Small City: One member representing the cities with a population less than 100,000 from Tulare County. Councilmembers from Cities of Dinuba, Exeter, Farmersville, Lindsay, Porterville, Tulare, and Woodlake are eligible to apply.

If you are an elected official on the council of the cities identified above, you may submit an application for appointment to the Governing Board of the San Joaquin Valley Air Pollution Control District.

Applicant Name: José Sigala	
Residence Address (Must live within the boundaries of the San Joaquin Valley APCD): 285 Yellowstone Street Tulare CA 93274	
Mailing Address: SAME AS ABOVE	
Telephone: (559) 759-7454	()
Primary	Alt.
Email Address: jsigala@tulare.ca.gov	
Applicant Signature: José Sigala	Date: 2/13/17

Please submit this form along with any other pertinent information (e.g., resume, candidate statement, education, experience) that you desire to be considered to the address below. **Please limit candidate statement to no more than one page.**
Please complete this application and return it by **February 10, 2017**
to:

Seyed Sadredin
Air Pollution Control Officer
San Joaquin Valley APCD
1990 E. Gettysburg Avenue, Fresno, CA, 93726



San Joaquin Valley

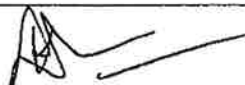
AIR POLLUTION CONTROL DISTRICT

APPLICATION FOR APPOINTMENT AS A CITY REPRESENTATIVE ON GOVERNING BOARD OF THE SAN JOAQUIN VALLEY AIR POLLUTION CONTROL DISTRICT

Current Vacancies

Small City: One member representing the cities with a population less than 100,000 from Tulare County. Councilmembers from Cities of Dinuba, Exeter, Farmersville, Lindsay, Porterville, Tulare, and Woodlake are eligible to apply.


If you are an elected official on the council of the cities identified above, you may submit an application for appointment to the Governing Board of the San Joaquin Valley Air Pollution Control District.

Applicant Name:	KULDIP THUSU
Residence Address (Must live within the boundaries of the San Joaquin Valley APCD):	901 TIMOTHY AVE., DINUBA, CA 93618
Mailing Address:	SAME AS RESIDENCE
Telephone:	(559) 288 1871 (559) 859 3053 Primary Alt. ANA WISOCKI
Email Address:	kthusu@dinuba.ca.gov
Applicant Signature:	 Date: 2/20/17

Please submit this form along with any other pertinent information (e.g., resume, candidate statement, education, experience) that you desire to be considered to the address below. **Please limit candidate statement to no more than one page.**

Please complete this application and return it by **February 10, 2017**

to:

21 
Seyed Sadredin
Air Pollution Control Officer
San Joaquin Valley APCD
1990 E. Gettysburg Avenue, Fresno, CA, 93726



San Joaquin Valley


AIR POLLUTION CONTROL DISTRICT

APPLICATION FOR APPOINTMENT AS A CITY REPRESENTATIVE ON GOVERNING BOARD OF THE SAN JOAQUIN VALLEY AIR POLLUTION CONTROL DISTRICT

Current Vacancies

Small City: One member representing the cities with a population less than 100,000 from Tulare County. Councilmembers from Dinuba, Exeter, Farmersville, Lindsay, Porterville, Tulare and Woodlake are eligible to apply.

If you are an elected official on the council of the cities identified above, you may submit an application for appointment to the Governing Board of the San Joaquin Valley Air Pollution Control District.

Applicant Name:	Monte Reyes
Residence Address (Must live within the boundaries of the San Joaquin Valley APCD):	461 Roma Rancho Ct. Porterville, CA 93257
Mailing Address:	291 N. Main St. Porterville, CA 93257
Telephone:	(559) 544-4258 (559) 928-2464 Primary Alt.
Email Address:	montereyes@portervilleca.gov
Applicant Signature:	 Date: 2/24/17

Please submit this form along with any other pertinent information (e.g., resume, candidate statement, education, experience) that you desire to be considered to the address below. **Please limit candidate statement to no more than one page.** Please complete this application and return. Applications must be received by the District via mail or email on or before **February 21, 2017.**

Sayed Sadredin
Air Pollution Control Officer
San Joaquin Valley APCD
1990 E. Gettysburg Avenue, Fresno, CA, 93726
seyed.sadredin3@valleyair.org

San Joaquin Valley APCD
1990 E. Gettysburg Avenue
Fresno, CA 93726

My name is Monte Reyes. I was recently elected to a 4-year term on the Porterville City Council after serving a 2-year appointment. Please accept my application for appointment as a City Representative on the Governing Board of the San Joaquin Valley Air Pollution Control District. I am eager to serve my region with an engaged board and would find it rewarding to work within the Air District's Mission.

Recent Board and Commission seats:

Tulare County Economic Development Corporation Board of Directors – *Vice Chair* – 2017

Imagine Community Arts Center - Board of Directors - *Chairman* – 2017

Board of Directors, Leadership Porterville – *President* 2014 - 2016

Porterville Chamber of Commerce - *Vice Chair of Community Outreach* 2011 - 2014

City of Porterville Arts Commission - *Chairman* - 2013 - 2014

Transaction and Use Tax Oversight Committee- *Secretary Then Chairman* - 2012 – 2013

Please let me know if you require additional information or have any questions. Thank you for your consideration.

Respectfully,


Monte Reyes

RESOLUTION No. 2017-06

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DINUBA
NOMINATING KULDIP THUSU CITY OF DINUBA COUNCIL MEMBER
FOR APPOINTMENT TO THE DISTRICT GOVERNING BOARD
OF THE SAN JOAQUIN VALLEY AIR POLLUTION CONTROL DISTRICT**

WHEREAS, Health and Safety Code Section 40600.5 created a Special City Selection Committee for the appointment of city members of the San Joaquin Valley Air Pollution Control District (District) Governing Board; and

WHEREAS, the Special City Selection Committee has adopted procedures and a rotation schedule for making their appointments, and based upon the adopted rotation schedule, a city council member representing a city with a population of less than 100,000 from Tulare County shall be appointed to the District Governing Board; and

WHEREAS, in selecting a nominee for appointment by the Special City Selection Committee to the District Governing Board, the City Council considered the application materials from the eligible applicant(s); and

WHEREAS, the vote to select a candidate took place as an item on the publicly noticed agenda and was discussed during the normal City Council meeting with time for public comment.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Dinuba nominates Councilmember Kuldip Thusu to the Special City Selection Committee for appointment to the District Governing Board.

PASSED AND ADOPTED this ____ day of _____, 2017 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Scott Harness, Mayor

ATTEST:

Linda Barkley, Deputy City Clerk

STATE OF CALIFORNIA)
COUNTY OF TULARE) ss. CLERKS'S CERTIFICATE
CITY OF DINUBA) OF AUTHENTICATION

I, Linda Barkley, Deputy City Clerk of the City of Dinuba, California, DO HEREBY CERTIFY that the above and foregoing is a full, true and correct copy of Resolution No. 2017-06, of the City Council of said City and that said Resolution was adopted at the time and by the vote stated on the above certificate, and has not been amended or repealed.

LINDA BARKLEY
Deputy City Clerk of the City of Dinuba, California



City Council Staff Report

Department: CITY MANAGER'S OFFICE

March 14, 2017

To: Mayor and City Council

From: Luis Patlan, City Manager

By: Linda Barkley, Deputy City Clerk

Subject: City Council Goal Setting Work Shop, March 15, 2017 at 5:30 PM, Dinuba Transit Center, 180 West Merced Street, Dinuba (LP)

RECOMMENDATION

The City Council will hold a Goal Setting Workshop on Wednesday, March 15, 2017, at 5:30 pm. The work shop will take place at the Dinuba Transit Center located at 180 West Merced Street, Dinuba.

EXECUTIVE SUMMARY

None.

OUTSTANDING ISSUES

None.

DISCUSSION

None.

FISCAL IMPACT

None.

PUBLIC HEARING

None required.



City Council Staff Report

Department: CITY MANAGER'S OFFICE

March 14, 2017

To: Mayor and City Council

From: Luis Patlan, City Manager

Subject: Conference with Real Property Negotiators (LP)

RECOMMENDATION

Pursuant to GC 54956.8, Purchase of Real Property
Property: 260 South L Street, Dinuba
Agency Negotiator: Luis Patlan, City Manager and Carlos Sanchez, Interim Finance Director
Negotiating Parties: City of Dinuba and Armen Majarian
Under Negotiation: Price and terms

EXECUTIVE SUMMARY

None.

OUTSTANDING ISSUES

None.

DISCUSSION

None.

FISCAL IMPACT

None.

PUBLIC HEARING

None required.