



SAN FERNANDO CITY COUNCIL
REGULAR MEETING NOTICE AND AGENDA
OCTOBER 20, 2014 – 6:00 PM

COUNCIL CHAMBERS
117 MACNEIL STREET
SAN FERNANDO, CA 91340

CALL TO ORDER/ROLL CALL

Mayor Sylvia Ballin
Mayor Pro Tem Robert C. Gonzales
Councilmember Jesse H. Avila
Councilmember Joel Fajardo
Councilmember Antonio Lopez

PLEDGE OF ALLEGIANCE

Police Explorer Yvonne Gonzalez

APPROVAL OF AGENDA

PRESENTATION

PROCLAMATION IN HONOR AND MEMORY OF NATI CANO
Ismael Aguila, Recreation and Community Services Operations Manager

PUBLIC STATEMENTS – WRITTEN/ORAL

There will be a three (3) minute limitation per each member of the audience who wishes to make comments relating to City Business. Anyone wishing to speak, please fill out the blue form located at the Council Chambers entrance and submit it to the City Clerk. When addressing the City Council please speak into the microphone and voluntarily state your name and address.

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CONSENT CALENDAR

Items on the Consent Calendar are considered routine and may be disposed of by a single motion to adopt staff recommendation. If the City Council wishes to discuss any item, it should first be removed from the Consent Calendar.

1) REQUEST TO APPROVE MINUTES OF:

- a. **SEPTEMBER 2, 2014 – SPECIAL MEETING**
- b. **SEPTEMBER 15, 2014 – SPECIAL MEETING**
- c. **SEPTEMBER 15, 2014 – REGULAR MEETING**
- d. **SEPTEMBER 29, 2014 – SPECIAL MEETING**
- e. **OCTOBER 6, 2014 – SPECIAL MEETING**

2) CONSIDERATION TO ADOPT RESOLUTION NO. 14-102 APPROVING THE WARRANT REGISTER**3) ADOPTION OF ORDINANCE NO. 1638 AMENDING THE CITY'S WATER CONSERVATION AND MANAGEMENT PROGRAM – SAN FERNANDO MUNICIPAL CODE CHAPTER 94, ARTICLE III, DIVISION 4**

Recommend that the City Council waive full reading of Ordinance No. 1638 and adopt by title only, "An Ordinance of the City Council of the City of San Fernando, California, Amending Chapter 94 (Utilities), Article III (Water), Division 4 (Wastage) of the San Fernando Municipal Code".

4) CONSIDERATION TO ADOPT A RESOLUTION AUTHORIZING AMENDMENTS TO THE JOINT POWERS AUTHORITY AGREEMENT WITH THE SAN FERNANDO VALLEY COUNCIL OF GOVERNMENTS

Recommend that the City Council adopt Resolution No. 7644 authorizing the Mayor and the City Manager to execute the proposed amendments to the Joint Powers Authority Agreement with the San Fernando Valley Council of Governments.

5) CONSIDERATION TO ADOPT A RESOLUTION ENDORSING PROPOSITION P SAFE NEIGHBORHOOD PARK MEASURE

Recommend that the City Council adopt Resolution No. 7645 endorsing Proposition P "Safe Neighborhood Parks, Gang Prevention, Youth/Senior Recreation, Beaches/Wildlife Protection Measure".

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6) SAN FERNANDO REGIONAL POOL FACILITY LEASE UPDATE

Recommend that the City Council receive and file this report.

PUBLIC HEARING**7) CONSIDERATION TO APPROVE A RESOLUTION APPROVING AN AMENDED AND RESTATED JOINT EXERCISE OF POWERS AGREEMENT RELATING TO THE CALIFORNIA STATEWIDE COMMUNITIES DEVELOPMENT AUTHORITY (CSCDA) AND A RESOLUTION APPROVING THE ISSUANCE OF BONDS BY THE CSCDA OF MULTIFAMILY HOUSING REVENUE BONDS FOR THE PENNY'S APARTMENTS AT 1150 SAN FERNANDO ROAD**

Recommend that the City Council:

- a. Conduct a Public Hearing;
- b. Pending public testimony, adopt Resolution No. 7633 approving the CSCDA Amended and Restated Joint Exercise of Power Agreement;
- c. Adopt Resolution No. 7634 approving the proposed issuance of multifamily housing revenue obligations bonds by the CSCDA in an amount not to exceed \$12,000,000 for the benefit of Aszkenazy Development, Inc. (the Borrower); and
- d. Direct the City Manager to take all actions necessary to execute the Joint Exercise of Power Agreement and bond documents.

COMMITTEE/COMMISSION LIAISON UPDATES**GENERAL COUNCIL COMMENTS****STAFF COMMUNICATION**

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ADJOURNMENT

This meeting will be adjourned in memory of Nati Cano.

I hereby certify under penalty of perjury under the laws of the State of California that the foregoing agenda was posted on the City Hall bulletin board not less than 72 hours prior to the meeting.

Elena G. Chávez, City Clerk

Signed and Posted: October 16, 2014 (4:00 pm)

Agendas and complete Agenda Packets (including staff reports and exhibits related to each item) are posted on the City's Internet Web site (www.sfcity.org). These are also available for public reviewing prior to a meeting in the City Clerk's Office. Any public writings distributed by the City Council to at least a majority of the Councilmembers regarding any item on this regular meeting agenda will also be made available at the City Clerk's Office at City Hall located at 117 Macneil Street, San Fernando, CA, 91340 during normal business hours. In addition, the City may also post such documents on the City's Web Site at www.sfcity.org. In accordance with the Americans with Disabilities Act of 1990, if you require a disability-related modification/accommodation to attend or participate in this meeting, including auxiliary aids or services please call the City Clerk's Office at (818) 898-1204 at least 48 hours prior to the meeting.

Regular Meeting

San Fernando City Council

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**SAN FERNANDO CITY COUNCIL
MINUTES**

**SEPTEMBER 2, 2014 – 5:00 P.M.
SPECIAL MEETING**

City Hall Community Room
117 Macneil Street
San Fernando, CA 91340

CALL TO ORDER/ROLL CALL

Mayor Sylvia Ballin called the meeting to order at 5:01 p.m.

Present:

Council: Mayor Sylvia Ballin, Mayor Pro Tem Robert C. Gonzales, and Councilmembers Jesse H. Avila, Antonio Lopez, and Joel Fajardo

Staff: City Manager Brian Saeki, City Attorney Rick R. Olivarez, and City Clerk Elena G. Chávez

PLEDGE OF ALLEGIANCE

Led by Mayor Ballin

APPROVAL OF AGENDA

Motion by Councilmember Fajardo, seconded by Councilmember Avila, to approve the agenda. By consensus, the motion carried.

PUBLIC STATEMENTS – WRITTEN/ORAL

None

ADMINISTRATIVE REPORTS

1) SAFE ROUTES TO SCHOOL PROJECTS UPDATE

Interim Public Works Director Marlene Miyoshi presented the staff report and replied to questions from Councilmembers.

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SPECIAL MEETING MINUTES – September 2, 2014
Page 2**

By consensus, City Council approved the proposed Safe Routes to School grant changes to the project budgets and concepts, and authorized staff to present said changes to Caltrans for review and approval. If Caltrans does not approve, then staff is to report back to the City Council.

RECESS TO CLOSED SESSION (5:34 P.M.)

- A) CONFERENCE WITH LABOR NEGOTIATOR (G.C. §54957.6)
Designated City Negotiator: Brian Saeki, City Manager

Employees and Employee Bargaining Units that are the Subject of Negotiation:
San Fernando Management Group (SEIU, Local 721)
San Fernando Public Employees' Association (SEIU, Local 721)
San Fernando Police Officers Association
San Fernando Police Officers Association Police Management Unit
San Fernando Police Civilian Association (SEIU, Local 721)
San Fernando Part-time Employees' Bargaining Unit (SEIU, Local 721)
All Unrepresented Employees

RECONVENE/REPORT OUT FROM CLOSED SESSION

City Attorney Olivarez reported that the City Council received a briefing from the City Manager. Unanimous direction was given, but no final action was taken.

No other reportable action.

ADJOURNMENT (5:42 P.M.)

By consensus, the meeting was adjourned.

I do hereby certify that the foregoing is a true and correct copy of the minutes of September 2, 2014 meeting as approved by the San Fernando City Council.

*Elena G. Chávez
City Clerk*

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**SAN FERNANDO CITY COUNCIL
MINUTES**

**SEPTEMBER 15, 2014 – 5:00 P.M.
SPECIAL MEETING**

City Hall Community Room
117 Macneil Street
San Fernando, CA 91340

CALL TO ORDER/ROLL CALL

Mayor Sylvia Ballin called the meeting to order at 5:09 p.m.

Present:

Council: Mayor Sylvia Ballin, Mayor Pro Tem Robert C. Gonzales, and Councilmembers Jesse H. Avila, Antonio Lopez, and Joel Fajardo

Staff: City Manager Brian Saeki, City Attorney Rick R. Olivarez, Assistant City Attorney Richard Padilla, and City Clerk Elena G. Chávez

PLEDGE OF ALLEGIANCE

Led by Mayor Ballin

APPROVAL OF AGENDA

Motion by Councilmember Lopez, seconded by Councilmember Avila, to approve the agenda. By consensus, the motion carried.

PUBLIC STATEMENTS – WRITTEN/ORAL

None

PRESENTATION

- 1) GENERAL OVERVIEW BY THE CITY ATTORNEY'S OFFICE REGARDING PREPARATION AND SUBMISSION OF FORM 700 AND GENERAL CONFLICT OF INTEREST COMPLIANCE

The City Attorney's Office provided a presentation to the City Council and staff. No action was taken.

**SAN FERNANDO CITY COUNCIL
SPECIAL MEETING MINUTES – September 15, 2014
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ADJOURNMENT (6:00 P.M.)

By consensus, the meeting was adjourned.

I do hereby certify that the foregoing is a true and correct copy of the minutes of September 15, 2014 meeting as approved by the San Fernando City Council.

*Elena G. Chávez
City Clerk*

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**SAN FERNANDO CITY COUNCIL
MINUTES**

**SEPTEMBER 15, 2014 – 6:00 P.M.
REGULAR MEETING**

City Hall Council Chambers
117 Macneil Street
San Fernando, CA 91340

CALL TO ORDER/ROLL CALL

Mayor Sylvia Ballin called the meeting to order at 6:06 p.m.

Present:

Council: Mayor Sylvia Ballin, Mayor Pro Tem Robert C. Gonzales, and Councilmembers Jesse H. Avila, Joel Fajardo, and Antonio Lopez

Staff: City Manager Brian Saeki, City Attorney Rick R. Olivarez, Assistant City Attorney Richard Padilla, and City Clerk Elena G. Chávez

PLEDGE OF ALLEGIANCE

Led by Police Explorer Michael Hernandez

APPROVAL OF AGENDA

City Manager Saeki requested that Public Hearing Item No. 9 be postponed until October 20, 2014. He stated that the representative from the California Statewide Communities Development Authority was not able to attend this meeting.

In response to questions from Councilmembers, City Attorney Olivarez reported that members of the public may also provide comments on October 20, 2014.

Motion by Mayor Ballin, seconded by Councilmember Avila, to move up Item No. 9 (before Item No. 7) and approve the agenda as amended. By consensus, the motion carried.

PUBLIC STATEMENTS – WRITTEN/ORAL

Karen Ruvalcaba gave information about a new Los Angeles County online charter school program and she distributed flyers to those interested.

John Blue provided Councilmembers with handouts and asked that they read the information.

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Richard Arroyo, San Fernando Museum of Art & History, talked about the sale of the museum property, there are items remaining in the building, and suggested that the City Council hold a Study Session with museum volunteers.

CONSENT CALENDAR

Motion by Councilmember Lopez, seconded by Councilmember Avila, to approve the Consent Calendar Items:

- 1) REQUEST TO APPROVE WARRANT REGISTER NO 14-092
- 2) CONFLICT OF INTEREST CODE – BIENNIAL REVIEW
- 3) CONSIDERATION TO APPROVE A THREE-YEAR AGREEMENT WITH WINDSTREAM TO PROVIDE T1 VOICE SERVICES
- 4) CONSIDERATION TO ADOPT RESOLUTION NO. 7632 APPOINTING CITY'S REPRESENTATIVES TO THE INDEPENDENT CITIES FINANCE AUTHORITY (ICFA) BOARD OF DIRECTORS
- 5) CONSIDERATION TO ACCEPT A NATIONAL ENDOWMENT FOR THE ARTS GRANT AWARD TO SUPPORT THE CITY OF SAN FERNANDO MARIACHI MASTER APPRENTICE PROGRAM (MMAPI)
- 6) CONSIDERATION TO AWARD A PROFESSIONAL SERVICES CONTRACT FOR RADIO COMMUNICATION SYSTEM AND WIRELESS BROADBAND NETWORK MAINTENANCE SERVICES

By consensus, the motion carried.

PUBLIC HEARING

- 9) CONSIDERATION TO APPROVE A RESOLUTION APPROVING AN AMENDED AND RESTATED JOINT EXERCISE OF POWERS AGREEMENT RELATING TO THE CALIFORNIA STATEWIDE COMMUNITIES DEVELOPMENT AUTHORITY (CSCDA) AND A RESOLUTION APPROVING THE ISSUANCE OF BONDS BY THE CSCDA OF MULTIFAMILY HOUSING REVENUE BONDS FOR THE PENNY'S APARTMENTS AT 1150 SAN FERNANDO ROAD

City Attorney Olivarez read the title of this item and clarified that this item was taken out of order (under Approval of Agenda).

Mayor Ballin declared the Public Hearing open.

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Community Development Director Fred Ramirez gave background information and stated the purpose of the Hearing.

City Attorney Olivarez read a letter from resident Irma Montoya who requested that the City Council not approve the financing, acquisition, construction, and development of the 101-unit multifamily rental housing project located at 1150 San Fernando Road.

Miguel Montanez asked the City Council to allow more time and research regarding the zoning changes and the development of the project. He said he talked to residents and business owners (a large percentage were unaware), and reported that they have formed an organization called Residents for the Betterment of San Fernando to present their concerns and to stop the development.

Mary Lou Mendoza said that six weeks ago, she met with staff and Mayor Ballin and she was told that the variance change had to be approved within 20 days and asked why is the developer now asking that the City approve the bond? She said that if the developer wants to build, then he should use his own funds.

Antonio Ruiz said he did his own research by walking the streets and everyone he spoke to was not aware of the project. He believes the City needs to invest in bringing in larger businesses and department stores and that housing will destroy the downtown Mall.

Julie Cuellar asked that the City Council “start all over again” and go beyond 500 foot radius notification guidelines. She said there is no doubt we need retail and housing but we should work together and look at other options.

Erica Navarette said she found about this through a flyer and completely disagrees with entire project. She believes that it will bring more crime, trash, and loitering to an area where we need more businesses.

(Female speaker – did not state name) believes that J.C. Penney is a historical landmark and removing it for residential property would be a disservice. There are enough low-income properties and what we need is affordable single-family homes and businesses that residents can patronize (rather than drive out of town).

Gustavo Franco talked about the problems and crime going on at Celis St. and we will need more public safety if this project goes through.

Margarita Montanez talked about a crime that occurred when she was at a beauty salon and this project will bring more crime to the area. She said we need more police and vigilance (as discussed at Neighborhood Watch meetings).

Ester Hernández also talked about the Celis St. project, said it was a living nightmare, and residents do not want another housing project that will bring more crime.

Rudy Garcia asked what will the developer bring to the City besides low-income projects (i.e., new jobs, lower taxes).

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Regarding the last public comment (via cell phone) City Attorney Olivarez stated that, in the future, if someone cannot attend the meeting, they should submit their comments and concerns in writing and they could be read into the record.

Richard Arroyo said that the sale of the museum property is an example of the public not being notified and he is concerned about transparency issues. He said that although this City Council is doing better than the last, there remain many empty buildings that need to be filled.

Brian (last name inaudible) said he works in law enforcement and has seen first-hand what happens with Section 8 Housing and said that the City needs a Target store rather than an apartment complex that's going to invite crime.

John Arroyo said that we need stores in the Mall (not apartment buildings) and said that the City should not sell a landmark (fire station on Brand Blvd.).

There being no further comments, City Manager Saeki said it was appropriate (at this time) that the City Council continue the Public Hearing to October 20, 2014.

Mayor Ballin said that she would go along with the continued Hearing, but would like that staff provide information regarding real estate tax and how it relates to the bond issue and the low income housing building so that the public has all the information.

By consensus, the Public Hearing was continued to October 20, 2014.

- 7) PUBLIC HEARING TO CONSIDER AND APPROVE THE SALE OF SURPLUS CITY-OWNED REAL PROPERTY LOCATED AT 1211 FIRST STREET, SAN FERNANDO, CALIFORNIA SUBJECT TO THE TERM AND CONDITIONS OF A PURCHASE AND SALE AGREEMENT WHICH WILL ALSO BE CONSIDERED FOR APPROVAL AS PART OF THE DISPOSITION OF THE SUBJECT PROPERTY

Mayor Ballin declared the Public Hearing open.

Community Development Director Ramirez presented the staff report.

Assistant City Attorney Padilla provided additional background information and guidance to staff regarding the Public Hearing process. He and staff replied to questions from Councilmembers.

Adriana Gomez, Aszkenazy Development, Inc., stated that their company has been in development for the past 20 years and that they own the land (adjacent to the fire station) and they plan to assemble the land and restore the fire station.

Anna (last name inaudible), attorney for Mauran Ambulance, said that their financing will go through within the timeframe, keeping Mauran Ambulance makes more sense (and more of a benefit) versus Aszkenazy Development. She said had they known the bid amount, they would have bid higher.

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George (last name inaudible) said he put in a bid for the property and was told that it has a lot of water and plumbing issues that is why his bid is low. He said that if he purchased the property, he would most likely lease it to the current business (Mauran Ambulance).

Mary Lou Mendoza asked about the bidding process and believes that the City is selling the property without full disclosure to residents. She asked that if the City is expanding, then why are we selling?

Eugene (last name inaudible) said that Mauran Ambulance has been an established business since the 1980's, paying taxes, and employing people who also do business here.

Andres Ramirez (Mauran Ambulance employee) said he and his coworkers want to keep their jobs; they provide a good service to the community and patronize the surrounding businesses.

David (last name inaudible) said that he is the general manager for Mauran Ambulance and that they employ 50-60 employees and many of them live in San Fernando.

Antonio (did not state last name) believes that the City should keep every asset and that the City Council is not looking at the "bigger picture". He said that if the City Council is not representing residents, then they're representing the developer.

Miguel Montanez said that the \$5,000 difference between the two bids is not a big difference and in looking at the highest bidder, there are other things to consider. He asked about the developer's "credibility" and he's asking for a bond yet he is putting up nearly \$600,000 for this property.

Linda Campanella-Jauron said she wished there was a resolution for everyone, she knows how hard the City Council has worked to pay down City debt and get out of the mess it's been in for several years. There are three good offers from three credible sources but Aszkenazy Development does beautiful work.

Julie Cuellar said that if the City does consider selling to Aszkenazy Development, then we have to look at the history of his properties that have been vacant for many years.

Richard Arroyo feels that the bottom line is that we have a service that's been here for 40 years, and we need to protect the City's interest in moving forward.

John Arroyo said Mauran Ambulance is like family and does not want the City to sell its landmarks.

Severyn Aszkenazy, Aszkenazy Development, 601 So. Brand Blvd., (bidder) said their intention is to keep and preserve the fire station as a community asset and that it will become part of the development planned for First Street. They are more than happy to continue the lease arrangement with Mauran Ambulance and keep the jobs in town. He stated that between their knowledge of fire stations and the City, he believes they will do great job.

Erica Arroyo said Council should give the bid to Mauran Ambulance; they've been here a long time.

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Elvira Orozco, San Fernando Museum of Art & History and former City Treasurer, believes it is wrong to sell either of the properties and that the City Council needs to concentrate on sales tax.

Ruth Arroyo said that if it is just a matter of \$5,000 between the bidders, then she would finance the money (rather than have an empty lot).

There being no further comments, Mayor Ballin closed the Public Hearing.

At this time, Assistant City Attorney Padilla explained this Public Hearing process and that the City had gone above and beyond what was required.

Discussion ensued and staff and proposers replied to various questions from Councilmembers.

In response to City Attorney Olivarez' question, Councilmember Avila stated that he reserved his decision (regarding who to award the property to) until he considered all factors (including public testimony, staff's presentation and report).

Councilmember Lopez also reported that he reserved his decision (regarding who to award the property to) until he heard all public testimony, staff's presentation and report. He is looking at this from both sides and believes that staff's recommendation is appropriate.

Councilmember Fajardo reiterated that he also reserved judgment until he dissected every issue that came forward. He said that one of the most important aspects is fairness and he believes in the process and the system (no one would have benefitted from a bidding war at the dais).

Mayor Pro Tem Gonzales also stated that he did not make his decision until today (after hearing all testimony) and he talked about transparency and fairness.

Mayor Ballin said she did not make her decision in advance and that it was important to hear all testimony. She said that at a moments notice, she may have a need for an ambulance service but said this is a business decision and a lot of work and thought was put into this. She's hoping that a lease could be negotiated with the current tenant (Mauran Ambulance).

There being no further comments, Mayor Ballin closed the Public Hearing.

Motion by Mayor Pro Tem Gonzales, seconded by Councilmember Fajardo, to:

- a. Adopt Resolution No. 7636 designating the property at 1211 First Street (Los Angeles County Assessor's Parcel Number 2520-024-902) as City surplus property;
- b. Approve the sale of City-owned property located at 1211 First Street from the City of San Fernando to Aszkenazy Development, Inc. for a sale amount of \$590,000, subject to the terms and conditions of the proposed Purchase and Sale Agreement (Contract No. 1761); and
- c. Find that the sale is exempt under California Environmental Quality Act (CEQA) for the reasons stated in the staff report and in the corresponding resolutions; and

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- d. Direct the City Manager in conjunction with the City Attorney to take all actions necessary to execute the Purchase and Sale Agreement and associated documents.

The motion carried with the following vote:

AYES:	Gonzales, Fajardo, Avila, Lopez, Ballin – 5
NOES:	None
ABSTAIN:	None
ABSTAIN:	None

- 8) PUBLIC HEARING TO CONSIDER AND APPROVE THE SALE OF SURPLUS CITY-OWNED REAL PROPERTY LOCATED AT 519 SOUTH BRAND BOULEVARD, SAN FERNANDO, CALIFORNIA SUBJECT TO THE TERM AND CONDITIONS OF A PURCHASE AND SALE AGREEMENT WHICH WILL ALSO BE CONSIDERED FOR APPROVAL AS PART OF THE DISPOSITION OF THE SUBJECT PROPERTY

Community Development Director Ramirez presented the staff report.

Mayor Ballin declared the Public Hearing open and Community Development Director Ramirez continued with the presentation.

Kim Segel, prospective buyer, said that he has no intention of changing the structure/architecture of the firehouse and plans to use the facility as a low (or free) intern training program for teen/adult residents to deal with FEMA, LAPD, and handicap sports. He also plans reach out to the current tenant to stay until the transition.

Mary Lou Mendoza asked questions about the appraiser and Community Development Director Ramirez replied.

Gian Starita, Colliers International (Commercial Real Estate Brokerage Services), said it was important to give information from a broker's perspective and he explained the sealed bid process and the bidding system.

Richard Arroyo, San Fernando Museum of Art & History, said he is one of the many volunteers at the museum and suggested keeping tenants in the loop next time.

Assistant City Attorney Padilla replied to Mr. Arroyo's questions regarding the 45 day escrow period (everything is contained within the 45 day window).

Motion by Councilmember Lopez, seconded by Mayor Pro Tem Gonzales, to close the Public Hearing. By consensus, the motion carried.

A brief discussion ensued and staff replied to questions from Councilmembers.

Motion by Councilmember Avila, seconded by Councilmember Lopez, to:

SAN FERNANDO CITY COUNCIL**MINUTES – September 15, 2014****Page 8**

- a. Adopt Resolution No. 7635 designating the property at 519 South Brand Boulevard (Los Angeles County Assessor's Parcel Number 2522-012-900) as City surplus property;
- b. Approve the sale of City-owned property located at 519 South Brand Boulevard from the City of San Fernando to Kim Segel for a sale amount of \$490,000, subject to the terms and conditions of the proposed Purchase and Sale Agreement (Contract No. 1760);
- c. Find that the sale is exempt under California Environmental Quality Act (CEQA) for the reasons stated in the staff report and in the corresponding resolutions; and
- d. Direct the City Manager in conjunction with the City Attorney to take all actions necessary to execute the Purchase and Sale Agreement and associated documents.

By consensus, the motion carried.

ADMINISTRATIVE REPORTS**10) CONSIDERATION TO ADOPT A RESOLUTION SUPPORTING COMMERCIAL PROPERTY TAX REFORM**

Kelly Osajima, Evolve organizer, gave a presentation and replied to questions from Councilmembers.

Motion by Councilmember Fajardo, seconded by Mayor Pro Tem Gonzales, to adopt Resolution No. 7626. By consensus, the motion carried.

11) PRESENTATION OF MEASURE "A" ANNUAL REPORT

Finance Director Nick Kimball presented the staff report.

Motion by Councilmember Fajardo, seconded by Councilmember Lopez, to receive and file the report. By consensus, the motion carried.

12) CONSIDERATION TO APPROVE AN AMENDED AGREEMENT FOR COMPREHENSIVE FIRE AND EMERGENCY MEDICAL SERVICES WITH THE CITY OF LOS ANGELES FIRE DEPARTMENT (LAFD)

Community Development Director Ramirez presented the staff report replied to questions from Councilmembers.

Accolades were given by City Councilmembers to individuals (i.e., Councilmember Lopez, Community Development Director Ramirez, City Manager Saeki, and former Interim City Administrator Don Penman) and the Los Angeles City Council who were instrumental and played significant roles in securing the contract between both cities.

Motion by Councilmember Lopez, seconded by Councilmember Fajardo, to:

SAN FERNANDO CITY COUNCIL**MINUTES – September 15, 2014****Page 9**

- a. Void the Agreement for Comprehensive Fire and Emergency Medical Services (Contract No. 1717) with the LAFD, approved by the San Fernando City Council on August 5, 2013;
- b. Approve an Agreement for Comprehensive Fire and Emergency Medical Services (Contract No. 1757) between the City of San Fernando and LAFD;
- c. Approve Amendment No. 1 (Contract No 1757(a)) to the Agreement for Comprehensive Fire and Emergency Medical Services between the City of San Fernando and LAFD;
- d. Authorize the Mayor to execute said Agreements between the City of San Fernando and LAFD; and
- e. Authorize the City Manager to undertake any activities necessary in order to implement said Agreements.

By consensus, the motion carried.

COMMITTEE/COMMISSION LIAISON UPDATES

Councilmember Avila gave an update on SFVCOG.

Mayor Pro Tem Gonzales reported that staff will be attending the California High-Speed Rail meeting tomorrow in Palmdale.

Mayor Ballin gave an update on a recent Metropolitan Water District meeting and said she is proud of Councilmembers' participation in their committee/commission liaison meetings.

GENERAL COUNCIL COMMENTS

Councilmember Avila thanked staff and community members for sticking it through this meeting and providing feedback.

Councilmember Lopez also thanked the community for voicing their opinions and said that people want to see change and change is coming.

Councilmember Fajardo thanked staff for putting the meeting together and is more than happy to stay behind and answer questions from remaining audience members. He reported that the League of California Cities held an excellent and informative event.

Mayor Pro Tem Gonzales thanked staff (a lot of business was handled today) and reported that Assemblymember Raul Bocanegra wrote a letter of support for San Fernando regarding the California High Speed Rail project. He also invited everyone to sign up for the Relay for Life 5K event.

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Mayor Ballin thanked staff (especially the City's outstanding attorneys), is excited that we now have our complete management team (the bar has been set high) and is looking forward to all the great things ahead.

STAFF COMMUNICATION

City Manager Saeki introduced the new Deputy City Manager/Public Works Director Christopher Marcarello and thanked him (along with Recreation and Community Services Operations Manager Ismael Aguila, Councilmembers, and volunteers) that assisted with the clean-up of the Cesar Chavez Memorial.

Recreation and Community Services Operations Manager Aguila also thanked the Public Works Department, Kiwanis Club of San Fernando, Pueblo y Salud, Church of Latter Day Saints, and 68 volunteers for assisting with the clean-up.

Community Development Director Ramirez also mentioned the California High Speed Rail meeting tomorrow and encouraged residents to attend as well. He reported that the Community Development Commission would be holding a meeting at the aquatics center regarding CDBG funds. He thanked staff members for prepping the Lopez Adobe building for an impromptu visit called by the State.

Deputy City Manager/Public Works Director Marcarello thanked Councilmembers for the warm welcome. He had a busy first week, was excited to be here and build upon what we're doing for San Fernando.

Finance Director Kimball reported that staff drafted a set of comprehensive financial policies to be reviewed by the Budget, Personnel, and Finance Standing Committee and brought back to the City Council for consideration.

Personnel Manager Michael Okafor reported that open enrollment starts today and that a new Associate Planner has been hired.

ADJOURNMENT (9:40 P.M.)

By consensus, the meeting was adjourned.

I do hereby certify that the foregoing is a true and correct copy of the minutes of September 15, 2014, meeting as approved by the San Fernando City Council.

Elena G. Chávez
City Clerk

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**SAN FERNANDO CITY COUNCIL
MINUTES**

**SEPTEMBER 29, 2014 – 5:00 P.M.
SPECIAL MEETING**

City Hall Community Room
117 Macneil Street
San Fernando, CA 91340

CALL TO ORDER/ROLL CALL

Mayor Sylvia Ballin called the meeting to order at 5:03 p.m.

Present:

Council: Mayor Sylvia Ballin, Mayor Pro Tem Robert C. Gonzales, and Councilmembers Jesse H. Avila, Antonio Lopez, and Joel Fajardo

Staff: City Manager Brian Saeki, City Attorney Rick Olivarez, and City Clerk Elena G. Chávez

PLEDGE OF ALLEGIANCE

Led by City Manager Saeki

APPROVAL OF AGENDA

Motion by Councilmember Lopez, seconded by Councilmember Avila, to approve the agenda. By consensus, the motion carried.

PUBLIC STATEMENTS – WRITTEN/ORAL

None

RECESS TO CLOSED SESSION (5:04 p.m.)

By consensus, Councilmembers recessed to the following Closed Sessions:

- A) CONFERENCE WITH REAL PROPERTY NEGOTIATOR (G.C. §54956.8)
Property: 300 Park Avenue, City of San Fernando (APN 2519-026-903)
Agency Negotiator: City Manager Brian Saeki, Lead Negotiator
Negotiating Parties: Los Angeles County
Under Negotiation: Price and Terms of Sale of Said Property

**SAN FERNANDO CITY COUNCIL
SPECIAL MEETING MINUTES – September 29, 2014
Page 2**

RECONVENE/REPORT OUT FROM CLOSED SESSION

City Attorney Olivarez reported that the City Manager gave a briefing to the City Council. The City Council asked questions regarding the item and gave unanimous direction to staff but no final action was taken. There is nothing further to report at this time.

ADJOURNMENT (5:42 P.M.)

By consensus, the meeting was adjourned.

I do hereby certify that the foregoing is a true and correct copy of the minutes of September 29, 2014 meeting as approved by the San Fernando City Council.

*Elena G. Chávez
City Clerk*

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**SAN FERNANDO CITY COUNCIL
MINUTES**

**OCTOBER 6, 2014 – 5:00 P.M.
SPECIAL MEETING**

City Hall Community Room
117 Macneil Street
San Fernando, CA 91340

CALL TO ORDER/ROLL CALL

Mayor Pro Tem Robert C. Gonzales called the meeting to order at 5:00 p.m.

Present:

Council: Mayor Pro Tem Robert C. Gonzales, and Councilmembers Jesse H. Avila, Antonio Lopez, and Joel Fajardo

Staff: City Manager Brian Saeki, City Attorney Rick Olivarez, and City Clerk Elena G. Chávez

Absent: Mayor Sylvia Ballin (notified staff that she would not be able to attend)

PLEDGE OF ALLEGIANCE

Led by Mayor Pro Tem Gonzales

APPROVAL OF AGENDA

Motion by Councilmember Avila, seconded by Councilmember Fajardo, to approve the agenda. By consensus, the motion carried.

PUBLIC STATEMENTS – WRITTEN/ORAL

None

RECESS TO CLOSED SESSION

By consensus, Councilmembers recessed to the following Closed Session:

- A) CONFERENCE WITH LABOR NEGOTIATOR
G.C. §54957.6
Designated City Negotiator: Brian Saeki, City Manager

**SAN FERNANDO CITY COUNCIL
SPECIAL MEETING MINUTES – October 6, 2014**

Page 2

Employees and Employee Bargaining Units that are the Subject of Negotiation:

- San Fernando Management Group (SEIU, Local 721)
- San Fernando Public Employees' Association (SEIU, Local 721)
- San Fernando Police Officers Association
- San Fernando Police Officers Association Police Management Unit
- San Fernando Police Civilian Association (SEIU, Local 721)
- San Fernando Part-time Employees' Bargaining Unit (SEIU, Local 721)
- All Unrepresented Employees

RECONVENE/REPORT OUT FROM CLOSED SESSION

City Attorney Olivarez reported that the City Council (with the exception of Mayor Ballin) recessed into Closed Session. The City Council received a briefing from the City Manager; no final action was taken.

ADJOURNMENT (5:07 P.M.)

By consensus, the meeting was adjourned.

I do hereby certify that the foregoing is a true and correct copy of the minutes of October 6, 2014 meeting as approved by the San Fernando City Council.

*Elena G. Chávez
City Clerk*

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AGENDA REPORT

To: Mayor Sylvia Ballin and Councilmembers

From: Brian Saeki, City Manager
By: Nick Kimball, Finance Director

Date: October 20, 2014

Subject: Consideration to Adopt Resolution No. 14-102 Approving the Warrant Register

RECOMMENDATION:

It is recommended that the City Council adopt Resolution No. 14-102 (Attachment "A") approving the Warrant Register.

BACKGROUND:

For each City Council meeting the Finance Department prepares a Warrant Register for Council approval. The Register includes all recommended payments for the City. Checks, other than handwritten checks, generally are not released until after the Council approves the Register. The exceptions are for early releases to avoid penalties and interest, excessive delays and in all other circumstances favorable to the City to do so. Handwritten checks are those payments required to be issued between Council meetings such as insurance premiums and tax deposits. Staff reviews requests for expenditures for budgetary approval and then prepares a Warrant Register for Council approval and or ratification. Items such as payroll withholding tax deposits do not require budget approval.

The Finance Director hereby certifies that all requests for expenditures have been signed by the department head, or designee, receiving the merchandise or services thereby stating that the items or services have been received and that the resulting expenditure is appropriate. The Finance Director hereby certifies that each warrant has been reviewed for completeness and that sufficient funds are available for payment of the warrant register.

ATTACHMENT:

A. Resolution No. 14-102

ATTACHMENT "A"**RESOLUTION NO. 14-102****RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN FERNANDO ALLOWING AND APPROVING FOR PAYMENT DEMANDS PRESENTED ON DEMAND/ WARRANT REGISTER NO. 14-102****THE CITY COUNCIL OF THE CITY OF SAN FERNANDO DOES HEREBY RESOLVE, FIND, DETERMINE AND ORDER AS FOLLOWS:**

1. That the demands (EXHIBIT "A") as presented, having been duly audited, for completeness, are hereby allowed and approved for payment in the amounts as shown to designated payees and charged to the appropriate funds as indicated.

2. That the City Clerk shall certify to the adoption of this Resolution and deliver it to the City Treasurer.

PASSED, APPROVED, AND ADOPTED this 20th day of October, 2014.

Sylvia Ballin, Mayor

ATTEST:

Elena G. Chávez, City Clerk

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss
CITY OF SAN FERNANDO)

I HEREBY CERTIFY that the foregoing Resolution was approved and adopted at a regular meeting of the City Council held on the 20th day of October, 2014, by the following vote to wit:

AYES:

NOES:

ABSENT:

Elena G. Chávez, City Clerk

EXHIBIT "A"

vchlist		Voucher List				Page: 1	
10/16/2014 8:25:28AM		CITY OF SAN FERNANDO					
Bank code :		bank					
Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount	
107568	10/20/2014	100066 ADS ENVIRONMENTAL SERVICES,INC	12496.22-0914	11102	ADS FLOW MONITORING		
					072-360-0000-4260	3,825.00	
					Total :	3,825.00	
107569	10/20/2014	100101 VERIZON WIRELESS-LA	270693253		PLANNING CELL PHONES		
					001-140-0000-4220	5.37	
					001-150-0000-4220	39.32	
			460851202		PD CELL PHONES		
					001-222-0000-4220	135.23	
			561407019		CITY YARD CELL PHONE & USB MODEM		
					070-384-0000-4220	30.16	
					001-390-0000-4220	20.15	
					001-320-0000-4220	20.15	
					072-360-0000-4220	0.38	
					001-130-0000-4220	34.51	
			660629692		VARIOUS CELL PHONES		
					001-106-0000-4220	41.09	
					070-384-0000-4220	25.42	
					001-420-0000-4220	70.32	
			870422920		PD CELL PHONES AND MDT MODEMS		
					001-222-0000-4220	952.99	
					001-152-0000-4220	114.03	
					Total :	1,489.12	
107570	10/20/2014	100143 ALONSO, SERGIO	SEPT 2014		MMAP INSTRUCTOR		
					109-424-3656-4260	2,800.00	
					Total :	2,800.00	
107571	10/20/2014	100249 AURORA ENVIRONMENTAL, INC.	SEPT 2014		AB939 COMPLIANCE PERIOD - SEPT 2014		
					001-310-0000-4270	356.25	
					Total :	356.25	
107572	10/20/2014	100405 BONANZA CONCRETE, INC.	46162		627 ALEXANDER DRIVEWAY APPROACH		
					001-311-0000-4600	579.26	
			46176		300 PARKSIDE SIDEWALK REPAIR		
					001-311-0000-4600	758.84	
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vchlist		Voucher List				Page: 2	
10/16/2014 8:25:28AM		CITY OF SAN FERNANDO					
Bank code :		bank					
Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount	
107572	10/20/2014	100405 100405 BONANZA CONCRETE, INC.	(Continued)			Total :	1,338.10
107573	10/20/2014	100532 STATE OF CALIFORNIA, DEPARTMENT OF JUSTICE	057712		DOJ FINGERPRINTS - SEPT 2014		
					001-222-0000-4260	5,247.00	
					Total :	5,247.00	
107574	10/20/2014	100735 COASTAL AIR	15142		REPROGRAMMED TWO THERMOSTATS		
					001-390-0450-4330	185.00	
			15150		REPLACE MAIN CONTACTOR & OVER CURRENT		
					001-390-0460-4330	585.00	
			15184		REPLACED CONDENSER MOTOR & CAPACITOR		
					001-390-0410-4330	575.00	
			C2664		A/C QRTLTY MAINT @ HERITAGE PARK		
					001-390-7500-4260	89.00	
			C2665		A/C QRTLTY MAINT @ 1211 FIRST		
					001-390-0456-4260	89.00	
			C2666		A/C QRTLTY MAINT @ LP PARK		
					001-390-0460-4260	565.00	
			C2667		A/C QRTLTY MAINT @ PW OPS CENTER		
					001-390-0450-4260	325.00	
			C2668		A/C QRTLTY MAINT @ 501 FIRST		
					001-390-0450-4260	178.00	
			C2669		A/C QRTLTY MAINT @ REC PARK		
					001-390-0410-4260	460.00	
			C2670		A/C QRTLTY MAINT @ AQUATIC CENTER		
					001-430-0000-4260	585.00	
					Total :	3,636.00	
107575	10/20/2014	100777 C.A.P.E. ACCOUNTING DEPT.	REPL CK102862		REPL STALE DATED CK - MEMBERSHIP		
					001-2140	45.00	
					Total :	45.00	
107576	10/20/2014	100777 C.A.P.E. ACCOUNTING DEPT.	NONPO		MEMBERSHIP RENEWAL		
					001-224-0000-4370	45.00	
					Total :	45.00	
107577	10/20/2014	100805 COOPER HARDWARE INC.	93232		WELL 2A CHLORINE ROOM PARTS		

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vchlist 10/16/2014 8:25:28AM		Voucher List CITY OF SAN FERNANDO				Page: 3
Bank code :		bank				
Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
107577	10/20/2014	100805 COOPER HARDWARE INC.	(Continued)			
			93266		070-384-0000-4320 REC PARK MAINT SUPPLIES	42.48
			93304		001-390-0410-4300 REPLACEMENT HARDWARE FOR BARI	15.35
					001-371-0000-4320	90.21
					Total :	148.04
107578	10/20/2014	100960 DIEDIKER, VIRGINIA	REIMB.		REIMB FOR EXPENSES INCURRED FO	
					004-2359	157.82
					001-424-0000-4300	61.57
					Total :	219.39
107579	10/20/2014	101010 DUTHIE POWER SERVICES INC.	A11302		CITY HALL GENERATOR MAINT	
					001-320-0000-4260	473.24
					Total :	473.24
107580	10/20/2014	101063 EMPLOYMENT DEVELOPMENT	944-0936-4		04/01/14-06/30/14 UNEMPLOYMENT INS	
					001-190-0000-4132	788.88
					Total :	788.88
107581	10/20/2014	101089 ESCOBAR, MARCO	100614-1		L P SENIOR PETTY CASH REIMB.	
			100614-2		004-2380 L P SENIOR PETTY CASH REIMB.	130.89
			100614-3		004-2380 L P SENIOR PETTY CASH REIMB.	71.99
			100614-4		004-2380 L P SENIOR PETTY CASH REIMB.	69.27
			100614-5		004-2380 L P SENIOR PETTY CASH REIMB.	111.87
					004-2380	122.42
					Total :	506.44
107582	10/20/2014	101302 VERIZON	8181811070		POLICE PAGING	
			8181811380		001-222-0000-4220	39.98
					MWD METER	
					070-384-0000-4220	43.91
						Page: 3

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Bank code :		bank				
Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
107582	10/20/2014	101302 VERIZON	(Continued)			
			8181973209		PARKS MAJOR PHONE LINES	
			8181973210		001-420-0000-4220 PD MAJOR PHONE LINES	1,531.64
			8181973211		001-222-0000-4220 PHONE BILL	2,488.89
			8183616728		001-190-0000-4220 ENGINEERING FAX LINE	2,581.24
			8183655097		001-310-0000-4220 PD NARCOTICS VAULT	25.64
			8188371509		001-222-0000-4220 ANIMAL CONTROL & PW PHONE LINE	25.71
			8188384969		001-190-0000-4220 PD ALARM PANEL	45.36
			8188981027		001-222-0000-4220 POOL FACILITY PHONE LINES	97.76
					001-430-0000-4220	152.41
					Total :	7,032.54
107583	10/20/2014	101376 GRAINGER, INC.	9542986618		NEW DRINKING FOUNTAIN @ CITY HAI	
			9550704655		001-390-0310-4330 INLET VALVE SPRINGS - CNG STATION	424.92
			9558049418		001-320-3661-4400 PD STALL	109.50
			9558700218		001-390-0222-4300 PD STALL	21.64
					001-390-0222-4300	6.97
					Total :	563.03
107584	10/20/2014	101434 GUZMAN, JESUS ALBERTO	SEPT 2014		MMAP INSTRUCTOR	
					109-424-3656-4260	2,500.00
					Total :	2,500.00
107585	10/20/2014	101458 HARRINGTON INDUSTRIAL PLASTICS	00598679		WELL 2A CHLORINE ROOM PARTS	
					070-384-0000-4320	337.96
					Total :	337.96
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Voucher List

CITY OF SAN FERNANDO

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bank

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
107586	10/20/2014	101528 THE HOME DEPOT CRC, ACCT#603532202490	1194024		RETURN - ELECTRIC DRILL	
			1562990		001-152-0000-4300	-152.21
			2031684		REPLACEMENT DRILL	
			2031685		001-152-0000-4300	163.16
			3024153		REPLACE MICROWAVE FOR CITY YARI	
			3031603		001-390-0450-4300	93.58
			3031608		INSTALL NEW DRINKING FONTAIN @ C	
			3031631		001-390-0310-4300	57.89
			4081866		BRUSH, TABLETS, WATER COOLER & T	
			5024919		070-383-0301-4300	88.66
			6574021		SMALLS TOOLS	
			8592353		001-390-0410-4340	22.96
					INSTALL NEW DRINKING FOUNTAIN @	
					001-390-0310-4300	97.13
					REPLACE LADDER FOR LP MAINT	
					001-390-0460-4300	163.16
					ANCHOR CABINET & INSTALLATION FC	
					001-390-0410-4300	31.88
					MATLS TO SECURE CONTAINER IN BA	
					001-222-0000-4300	201.55
					COVERALLS	
					001-222-0000-4300	117.42
					INSTALL & MAINT OF SIGNS	
					001-370-0301-4300	80.57
					Total :	965.75
107587	10/20/2014	101568 IACOBELLIS & ASSOC. INC.	14-143		LICENSED LAND SURVEYING - 1246 P	
					001-150-0000-4270	600.00
					Total :	600.00
107588	10/20/2014	101599 IMAGE 2000 CORPORATION	VN406279		RISO/RZ220 @ ASCEP COPIES	
					103-420-0000-4260	21.09
					104-420-0000-4260	21.09
			VN408574		COPIERS CONTRACT USAGE 08/19/14	
					103-420-0000-4260	27.91
					001-190-0000-4320	607.58
					072-360-0000-4450	71.24

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CITY OF SAN FERNANDO

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Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
107588	10/20/2014	101599 IMAGE 2000 CORPORATION	(Continued)		001-190-0000-4320	165.45
					104-420-0000-4260	27.91
					001-420-0000-4260	281.62
			VN411217		INK FOR RISO	
					001-420-0000-4300	119.65
					Total :	1,343.54
107589	10/20/2014	101659 ALHAMBRA FOUNDRY	88346		MANHOLE COVERS - LOWER RESERV	
					070-384-0000-4320	1,189.82
					Total :	1,189.82
107590	10/20/2014	101764 KEYSTONE UNIFORM DEPOT	12516		BULLET PROOF VEST	
					001-222-0000-4300	670.35
					Total :	670.35
107591	10/20/2014	101768 KIMBALL-MIDWEST	3786490		CABLE SWAGE LOCKS - PK3325	
					001-320-0390-4400	35.03
					Total :	35.03
107592	10/20/2014	101852 LARRY & JOE'S PLUMBING	2607621-0001-02		IRRIGATION REPAIRS @ BRAND ISLAN	
					001-390-0410-4300	31.51
			2610238-0001-02		IRRIGATION REPAIRS @ BRAND ISLAN	
					001-390-0410-4300	9.36
			2611711-0001-02		CLOSET REPAIR KIT	
					001-430-0000-4300	94.67
					Total :	135.54
107593	10/20/2014	101926 LILES, RICHARD	REPL CK102862		REPL STALE DATED CK - CALPERS HE	
					070-2140	223.46
					072-2140	223.46
					Total :	446.92
107594	10/20/2014	101929 LINGO INDUSTRIAL ELECTRONICS	32156		REPLACEMENT OF 3-SECTION TRAFFI	
					001-371-0000-4500	893.80
			32159		KNOCKDOWN - SF RD & BRAND	
					001-371-0000-4500	795.70

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vchlist 10/16/2014 8:25:28AM		Voucher List CITY OF SAN FERNANDO				Page: 9
Bank code : bank						
Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
107603	10/20/2014	102773 RAMIREZ, FEDERICO	REIMB.		APA CONFERENCE ON 09/14-16/14 - PA 001-150-0000-4370	147.60
					Total :	147.60
107604	10/20/2014	102855 RIO HONDO REGIONAL	F14-30-ZSFN		TRAINING 001-225-0000-4360	18.40
					Total :	18.40
107605	10/20/2014	103029 SAN FERNANDO, CITY OF	14686-14762		REIMBURSEMENT TO WORKERS COM 006-1035	38,939.22
					Total :	38,939.22
107606	10/20/2014	103057 SAN FERNANDO VALLEY SUN	9079		PUBLICATION OF DEVELOPMENT AGR 001-150-0000-4230	109.38
					Total :	109.38
107607	10/20/2014	103090 SUSAN SAXE-CLIFFORD, PH.D.	14-0924-1		PSYCH EVALUATION 001-222-0000-4260	450.00
					Total :	450.00
107608	10/20/2014	103184 SMART & FINAL	178775		ENP SUPPLIES 115-422-3750-4300	146.31
			180765		GRIDLEY & MORNINGSIDE WKLY ACITI 103-420-0000-4300	89.33
					104-420-0000-4300	89.34
					Total :	324.98
107609	10/20/2014	103202 SOUTHERN CALIFORNIA EDISON CO.	2-01-013-4674		ELECTRIC BILLS 029-335-0000-4210	88.20
			2-01-578-4580		ELECTRIC BILLS 001-390-0310-4210	5,162.37
			2-02-542-8798		ELECTRIC BILLS 001-371-0000-4210	113.59
			2-02-682-5588		029-335-0000-4210	1,884.55
			2-02-682-6982		ELECTRIC BILLS 001-390-0457-4210	231.39
					ELECTRIC BILLS	

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Bank code : bank						
Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
107609	10/20/2014	103202 SOUTHERN CALIFORNIA EDISON CO.	(Continued)		001-222-0000-4210	9,753.95
			2-09-695-4938		ELECTRIC BILLS 029-335-0000-4210	64.27
			2-10-977-8985		ELECTRIC BILLS 001-420-0000-4210	4,263.73
			2-21-082-3241		ELECTRIC BILLS 001-371-0000-4210	48.47
			2-23-785-7941		ELECTRIC BILLS 001-420-0000-4210	341.66
			2-24-426-7761		ELECTRIC BILLS 001-371-0000-4210	51.81
			2-29-448-1197		ELECTRIC BILLS 001-320-3661-4210	3,097.88
			2-29-583-9823		ELECTRIC BILLS 001-420-0000-4210	326.52
			2-29-831-3149		ELECTRIC BILLS 027-344-0000-4210	51.96
			2-29-831-3271		ELECTRIC BILLS 027-344-0000-4210	52.38
			2-29-996-0153		ELECTRIC BILLS 001-390-0450-4210	763.92
			2-30-383-6688		ELECTRIC BILLS 001-430-0000-4210	6,857.20
			2-33-221-1176		ELECTRIC BILLS 027-344-0000-4210	24.44
			2-33-746-5215		ELECTRIC BILLS 027-344-0000-4210	577.18
			2-35-772-2859		ELECTRIC BILLS 001-390-0450-4210	28.87
					Total :	33,784.34
107610	10/20/2014	103205 THE GAS COMPANY	1829201358		GAS - 519 S BRAND 001-420-0000-4210	44.99
					Total :	44.99
107611	10/20/2014	103206 SOUTHERN CALIFORNIA GAS CO.	176-827-97539		NATURAL GAS FOR CNG STATION	

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vchlist 10/16/2014 8:25:28AM		Voucher List CITY OF SAN FERNANDO				Page: 11
Bank code :		bank				
Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
107611	10/20/2014	103206 SOUTHERN CALIFORNIA GAS CO.	(Continued)		001-320-3661-4402	6,889.35
					Total :	6,889.35
107612	10/20/2014	103251 STANLEY PEST CONTROL	647676		PEST CONTROL @ PD 001-390-0222-4260	64.00
					Total :	64.00
107613	10/20/2014	103439 UPS	831954404		COURIER SERVICE 001-190-0000-4280	116.78
					Total :	116.78
107614	10/20/2014	103445 UNDERGROUND SERVICE ALERT	920140676		(94) USA DIGALERT TICKETS 070-381-0000-4260	141.00
					Total :	141.00
107615	10/20/2014	103463 U.S. POSTMASTER	DEMAND		PRESORTED FIRST CLASS POSTAGE - 070-382-0000-4300 072-360-0000-4300	519.80 519.80
					Total :	1,039.60
107616	10/20/2014	103503 UNITED STATES POSTAL SERVICE	15122187		REIMBURSEMENT OF POSTAGE MACH 001-190-0000-4280	1,500.00
					Total :	1,500.00
107617	10/20/2014	103510 V & V MANUFACTURING, INC.	39635		POLICE BADGE 001-222-0000-4300	72.22
			39636		POLICE BADGE 001-222-0000-4300	72.22
			39969		POLICE BADGES 001-222-0000-4300	191.65
					Total :	336.09
107618	10/20/2014	103534 VALLEY LOCKSMITH	2160		REPL DOOR HANDLE & LATCH - PW272 072-360-0000-4400	468.21
			2161		KEYS FOR B & W - PD3031 001-320-0225-4400	13.14
			2180		LOCK AND DOOR MAINT SERVICE @ C	
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107618	10/20/2014	103534 VALLEY LOCKSMITH	(Continued)		001-390-0310-4330	253.32
			2181		INSTALL LOCK ON CREDIT CARD DRA 001-390-0450-4300	84.27
					Total :	818.94
107619	10/20/2014	103584 VIEJAS CASINO	092314		DEPOSIT - SENIORS TRIP TO VIEJAS C 004-2384	300.00
					Total :	300.00
107620	10/20/2014	103603 VULCAN MATERIALS COMPANY	70532705		COLD MIX 001-311-0000-4300	1,372.93
					Total :	1,372.93
107621	10/20/2014	103661 WEST-LITE SUPPLY CO., INC.	33471C		REPLACEMENT BALLASTS FOR LP PAF 001-390-0460-4300	37.29
					Total :	37.29
107622	10/20/2014	103694 WILLDAN ASSOCIATES	00612850		ON-CALL TRAFFIC ENGINEERING SER' 001-310-0000-4270	450.00
					Total :	450.00
107623	10/20/2014	103716 WORKBOOT WAREHOUSE	48214		SAFETY BOOTS 072-360-0000-4310	129.71
					Total :	129.71
107624	10/20/2014	103738 YOSEF AMZALAG SUPPLY	12124040		REPAIR BROKEN SPRINKLERS @ POO 001-430-0000-4300	44.01
					Total :	44.01
107625	10/20/2014	103851 EVERSOF, INC.	R1381445		SOFTNER - WELL 3 070-384-0000-4260	70.00
					Total :	70.00
107626	10/20/2014	103903 TIME WARNER CABLE	8448200540010328		CABLE - 10/05/14 - 11/04/14 001-190-0000-4220	64.02
					Total :	64.02
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107627	10/20/2014	887121 DELL MARKETING L.P.	XJJC2FR5		(2) VLA OFFICE PRO PLUS 2013	
			XJNDP611		001-310-0000-4500	659.78
			XJNK8P18		(2) OPTIPLEX 3020 ALL-IN-ONE COMPL	1,746.83
			XJNRD4C8		001-310-0000-4500	32.83
					DELL ADAPTER	
					001-310-0000-4500	724.68
					(3) NEW COMPUTERS	
					001-222-0000-4300	
					Total :	3,164.12
107628	10/20/2014	887232 WESTCON ENGINEERING INC.	0305-332	11141	CONTRACTUAL SERVICES	
					001-190-0000-4260	3,800.00
					Total :	3,800.00
107629	10/20/2014	887270 AMERICAN TRANSPORTATION SYSTEM	49822		TRANSPORTATION TO MARIACHI WOR	
			49836		109-424-3656-4260	1,870.00
					TRANSPORTATION TO MARIACHI WOR	
					109-424-3656-4260	1,870.00
					Total :	3,740.00
107630	10/20/2014	887305 CHAVEZ, JUAN	09/03/14 & 09/06/14		SPORTS OFFICIAL	
			091314		017-420-1328-4260	174.00
			092014		SPORTS OFFICIAL	
					017-420-1328-4260	144.00
					SPORTS OFFICIAL	
					017-420-1328-4260	72.00
					Total :	390.00
107631	10/20/2014	887323 KINGSBURY UNIFORMS	48434		CIVILIAN UNIFORMS	
					001-222-0000-4300	326.50
					Total :	326.50
107632	10/20/2014	887377 AKEMON, DOLORES	091714		COMMISSIONER'S REIMBURSEMENT	
					001-310-0000-4111	50.00
					Total :	50.00
107633	10/20/2014	887518 DURHAM, ALVIN	OCT 2014		COMMISSIONER'S REIMBURSEMENT	

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107633	10/20/2014	887518 DURHAM, ALVIN	(Continued)		001-150-0000-4111	50.00
					Total :	50.00
107634	10/20/2014	887952 J. Z. LAWMOWER SHOP	10722		EQUIP MAINT	
			10723		001-390-0410-4320	48.58
					N MACLAY STREETSCAPE MAT'L	
					011-311-7510-4300	121.37
					Total :	169.95
107635	10/20/2014	888075 DATAMATIC, INC.	CA-0000026201		METER READING SYSTEM MAINT - NO	
					070-381-0000-4320	359.16
					Total :	359.16
107636	10/20/2014	888241 UNITED SITE SERVICES OF CA INC	114-2341265		PORTABLE TOILET RENTAL @ LAYNE F	
			114-2341322		001-390-0410-4260	379.22
					PORTABLE TOILET RENTAL @ 501 FIR	
					070-381-0450-4260	550.04
					Total :	929.26
107637	10/20/2014	888242 MCI COMM SERVICE	7DK54968		MTA PHONE LINES	
					007-440-0441-4220	31.50
					Total :	31.50
107638	10/20/2014	888296 CHIEF SUPPLY CORPORATION	134702		HOLSTERS & ACCESSORIES	
					001-222-0000-4300	400.26
					Total :	400.26
107639	10/20/2014	888309 HI 2 LO VOLTAGE WIRING CO, INC	16491		MONITORING 10/01/2014-12/31/2014	
					001-222-0000-4260	75.00
					Total :	75.00
107640	10/20/2014	888321 ARRIZON, FRANCISCO	091714		COMMISSIONER'S REIMBURSEMENT	
					001-310-0000-4111	50.00
					Total :	50.00
107641	10/20/2014	888356 ADVANCED AUTO REPAIR BODY &	1212		REPLACE/INSTALL LEFT FRONT DOOR	
					001-320-0152-4400	141.60

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107641	10/20/2014	888356 ADVANCED AUTO REPAIR BODY &	(Continued) 1214		REPLACE ENGINE MOUNTS, ALIGN VE 001-320-0225-4400	473.30
			1215		REPLACE WINDOW REGULATOR - PK6 001-320-0224-4400	154.48
			1216		REPLACEMENT OF MAJOR ARCILIARY: 001-320-0390-4400	899.12
					Total :	1,668.50
107642	10/20/2014	888390 WEST COAST ARBORISTS, INC.	98549	11136	FY 2015 ANNUAL TREE TRIMMING CON 001-346-0000-4260	1,816.00
			99186	11136	FY 2015 ANNUAL TREE TRIMMING CON 001-346-0000-4260	550.00
					Total :	2,366.00
107643	10/20/2014	888646 HD SUPPLY WATER WORKS, LTD	C979927		FLY SPOOL @ RESERVOIR 5 FOR 7A V. 070-384-0000-4330	243.50
					Total :	243.50
107644	10/20/2014	888714 SALINAS JR., RODOLFO	OCT 2014		COMMISSONER'S REIMBURSEMENT 001-150-0000-4111	50.00
					Total :	50.00
107645	10/20/2014	888740 RIVERA INTERPRETING, INC	891		TRANSLATION SERVICES 001-310-0000-4270	320.80
					Total :	320.80
107646	10/20/2014	888970 HOUSE OF BREWS	08.20CSFM-1		MMAF MEAL FOR PERFORMANCE ON I 004-2359	150.00
			08.20CSFM-2		MMAF MEAL FOR PERFORMANCE ON I 004-2359	150.00
					Total :	300.00
107647	10/20/2014	889037 AT&T MOBILITY	875587443		MODEM FOR MESSAGE BOARD 001-310-0000-4220	63.78
					Total :	63.78
107648	10/20/2014	889118 LDI COLOR TOOLBOX	197777		MAINTS & COPIES - 08/07/14-09/07/14	
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107648	10/20/2014	889118 LDI COLOR TOOLBOX	(Continued)		001-222-0000-4260	131.96
			197900		MAINT & COPIES - 07/13/14 - 09/13/14 001-222-0000-4260	363.79
					Total :	495.75
107649	10/20/2014	889532 GILMORE, REVA.A.	09/20/14 - 10/03/14		FOOD SERVICE MANAGER 115-422-3750-4270	663.00
					115-422-3752-4270	84.50
					Total :	747.50
107650	10/20/2014	889533 MARTINEZ, ANITA	09/20/14 - 10/03/14		ASSISTANT FOOD MANAGER 115-422-3750-4270	180.00
					Total :	180.00
107651	10/20/2014	889534 RAMIREZ, FRANCISCO	09/20/14 - 10/03/14		HDM DRIVER 115-422-3752-4270	180.00
					115-422-3752-4390	52.00
					Total :	232.00
107652	10/20/2014	889535 GOMEZ, GILBERT	09/20/14 - 10/03/14		HDM DRIVER 115-422-3752-4270	144.00
					115-422-3752-4390	45.76
					Total :	189.76
107653	10/20/2014	889592 CUELLAR, JIMMY KYLE	AUG 2014		MMAF INSTRUCTOR 109-424-3656-4260	1,100.00
					Total :	1,100.00
107654	10/20/2014	889602 RESPOND SYSTEMS	96959		1ST AID SUPPLIES 001-430-0000-4300	258.55
					Total :	258.55
107655	10/20/2014	889611 MORRISON MANAGEMENT SPECIALIST	18845201483001		LP SENIOR MEALS - SEPT 2014 115-422-3750-4260	4,320.00
					115-422-3752-4260	2,272.50
					Total :	6,592.50
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107656	10/20/2014	889627 VERIZON CONFERENCING	Z5262628		CONFERENCE CALLING SERVICE 001-190-0000-4220	7.42
					Total :	7.42
107657	10/20/2014	889680 JIMENEZ LOPEZ, JUAN MANUEL	SEPT 2014		MMAP INSTRUCTOR 109-424-3656-4260 001-424-0000-4430	764.29 35.71
					Total :	800.00
107658	10/20/2014	889681 VILLALPANDO, MARIA	09/20/14 - 10/03/14		FOOD SERVICE WORKER 115-422-3750-4270 115-422-3752-4270	225.00 45.00
					Total :	270.00
107659	10/20/2014	889834 LESLIE'S SWIMMING POOL SUPPLIE	1-354904 3013-82238		POOL CHEMICALS 001-430-0000-4300 POOL CHEMICALS 001-430-0000-4300	39.47 1,465.03
					Total :	1,504.50
107660	10/20/2014	889942 ATHENS SERVICES	273881		STREET SWEEPING - OCT 2014 001-343-0000-4260	10,100.00
					Total :	10,100.00
107661	10/20/2014	889962 GMS ELEVATOR SERVICES, INC	00075653		MONTHLY ELEVATOR SERVICE 001-430-0000-4260	129.00
					Total :	129.00
107662	10/20/2014	890004 PACIFIC TELEMAGEMENT SERVICE	688114		PD PAY PHONE - NOV 2014 001-190-0000-4220	62.64
					Total :	62.64
107663	10/20/2014	890006 AGUIRRE, PETER	TRAVEL		POST ICI DOMESTIC VIOLENCE 001-224-0000-4360	225.00
					Total :	225.00
107664	10/20/2014	890010 TOTAL PRINTING SUPPLIES	14275		TONER 001-105-0000-4300	43.60
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107664	10/20/2014	890010 TOTAL PRINTING SUPPLIES	(Continued)		001-101-0000-4300	43.60
					Total :	87.20
107665	10/20/2014	890011 THALES CONSULTING INC.	878		ANNUAL CITIES FINANCIAL TRANSACT 001-130-0000-4260	3,150.00
					Total :	3,150.00
107666	10/20/2014	890095 O'REILLY AUTO PARTS	4605-111571 4605-117992 4605-118423 4605-118528 4605-118839		BROKEN BLADE RETURNED 001-1215 SOLENOID - PW2532 001-320-0312-4400 CORRECT FAN & BEARING 072-360-0000-4400 RETURN - WRONG FAN 072-360-0000-4400 FILTERS FOR FLEET 001-1215	-4.42 10.72 90.09 -62.73 4.80
					Total :	38.46
107667	10/20/2014	890104 ABBA TERMITE & PEST CONTROL	24031 24032		BEE REMOVAL - 2005 FIFTH ST 001-346-0000-4260 BEE REMOVAL - IRRIGATION BOX PARI 001-346-0000-4260	190.00 95.00
					Total :	285.00
107668	10/20/2014	890358 BALLIN, PHILLIP ARTHUR	091714		COMMISSIONER'S REIMBURSEMENT 001-310-0000-4111	50.00
					Total :	50.00
107669	10/20/2014	890362 RTB BUS LINE	14265		TRANSPORTATION SERVICES - YOUTH 007-440-0443-4260	750.00
					Total :	750.00
107670	10/20/2014	890401 ENVIROGEN TECHNOLOGIES INC	0006125-IN	11126	FY 14-15 NITRATE REMOVAL SYSTEM I 070-384-0000-4500	7,111.01
					Total :	7,111.01
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107671	10/20/2014	890488 AGUILA, ISMAEL	REIMB.		REIMB FOR EQUIP PURCHASED 017-420-1328-4300	287.71
					Total :	287.71
107672	10/20/2014	890490 PLAYCRAFT DIRECT INC	11073		REPLACE BROKEN DECK @ REC PAR 001-390-0410-4300	485.23
					Total :	485.23
107673	10/20/2014	890546 BARAJAS, CRYSTAL	SEPT 2014		MMAP MENTOR/INSTRUCTOR 109-424-3656-4260	180.00
					Total :	180.00
107674	10/20/2014	890561 GCS INC.	60605	11103	JANITORIAL SERVICES CONTRACT#16 001-390-0222-4260	3,200.00
				11103	001-390-0310-4260	1,214.00
				11103	001-390-0410-4260	2,007.00
				11103	070-381-0450-4260	1,088.00
				11103	001-390-0460-4260	3,080.00
				11103	001-430-0000-4260	2,850.00
					Total :	13,439.00
107675	10/20/2014	890686 CUE MUSIC PRODUCTIONS & STUDIO	93014		RECORDING WORKSHOP MIX FOR NE 109-424-3656-4260	750.00
					Total :	750.00
107676	10/20/2014	890694 INSUA GRAPHICS	25732		BUSINESS CARDS 001-222-0000-4300	40.52
					Total :	40.52
107677	10/20/2014	890865 1999 REVOCABLE TRUST	39-3155-07		WATER ACCT REFUND - 1125 MOTT 070-2010	77.22
					Total :	77.22
107678	10/20/2014	890879 EUROFINS EATON ANALYTICAL, INC	L0177628		WATER ANALYSIS - F491249 070-384-0000-4260	139.60
			L0183188		WATER ANALYSIS - F497817 070-384-0000-4260	24.00
			L0183882		WATER ANALYSIS - F498447	
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107678	10/20/2014	890879 EUROFINS EATON ANALYTICAL, INC	(Continued)		070-384-0000-4260	139.60
			L0184812		WATER ANALYSIS - F498866 070-384-0000-4260	139.60
			L0184815		WATER ANALYSIS - F499117 070-384-0000-4260	164.00
			L0184816		WATER ANALYSIS - F499118 070-384-0000-4260	139.60
			L0185108		WATER ANALYSIS - F500165 070-384-0000-4260	139.60
			L0185608		WATER ANALYSIS - F499644 070-384-0000-4260	139.60
			L0185612		WATER ANALYSIS - F500379 070-384-0000-4260	139.60
			L0185613		WATER ANALYSIS - F500380 070-384-0000-4260	164.00
			L0185905		WATER ANALYSIS - F500747 070-384-0000-4260	139.60
					Total :	1,468.80
107679	10/20/2014	890970 WEX BANK	38342549		FUEL FOR FLEET 001-320-0224-4402	1,248.80
					001-320-0152-4402	503.49
					001-320-0221-4402	64.26
					001-320-0222-4402	120.79
					001-320-0225-4402	5,940.73
					001-320-0226-4402	2.00
					001-320-0311-4402	990.16
					001-320-0312-4402	59.82
					001-320-0320-4402	208.01
					001-320-0346-4402	66.15
					001-320-0370-4402	534.23
					001-320-0371-4402	305.12
					001-320-0390-4402	1,500.16
					001-320-0420-4402	4.00
					007-313-3630-4402	1,936.16
					027-344-0000-4402	107.09
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107695	10/20/2014	891377 REYES, JOSE	(Continued)		115-422-3752-4270 115-422-3752-4390	36.00 11.44
					Total :	47.44
107696	10/20/2014	891411 WATER PROTECTION DIVISION	74SP150000038	11135	WATERSHED MANAGEMENT PLAN GR 070-382-0000-4270	7,013.45
					Total :	7,013.45
107697	10/20/2014	891502 BLUE VIOLET NETWORK	2831	11092	TELECOM AUDIT SERVICES 001-190-0000-4220	2,500.00
					Total :	2,500.00
107698	10/20/2014	891531 WILLDAN ENGINEERING	00318043 00512999	11106 11137	ENHANCED WATERSHED MANAGEME 001-310-0000-4270 ST FLOODING WORKMAN/PHILLIPI 012-310-0000-4270	1,120.00 4,685.00
					Total :	5,805.00
107699	10/20/2014	891534 NAVARRO, JUSTINO A	09/04/14 & 09/06/14		SPORTS OFFICIAL 017-420-1328-4260	90.00
					Total :	90.00
107700	10/20/2014	891570 INNOVATIVE TELECOM. SYSTEMS	1367		REPAIR DIALTONE AT REC PARK AQUA 001-190-0000-4320	115.00
					Total :	115.00
107701	10/20/2014	891573 PERFORMANCE TRUCK & TRAILER	IN23053		CONTROLS TO UTILIZE EMERG LIGHT: 001-222-0000-4300 001-1215	882.52 352.48
					Total :	1,235.00
107702	10/20/2014	891587 ABLE MAILING INC.	21167		UTILITY BILLING MAILING SERVICE - O 070-382-0000-4300 072-360-0000-4300	82.15 82.15
					Total :	164.30
107703	10/20/2014	891589 DOUBLE TREE BY HILTON	TRAVEL		POST ICI DOMESTIC VIOLENCE	
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107703	10/20/2014	891589 DOUBLE TREE BY HILTON	(Continued)		001-224-0000-4360	703.69
					Total :	703.69
107704	10/20/2014	891589 DOUBLE TREE BY HILTON	TRAVEL		POST EXECUTIVE DEVEL COURSE - 001-222-0000-4360	703.44
					Total :	703.44
107705	10/20/2014	891633 RAMIREZ, DAVID	889677		SENIOR TRIP REFUND - BAJA TRIP 004-2384	320.00
					Total :	320.00
107706	10/20/2014	891634 GARCIA, RAFAEL	889689		SENIOR TRIP REFUND - BAJA TRIP 004-2384	20.00
					Total :	20.00
107707	10/20/2014	891635 CASTELLANOS, ANA	889668 889685		SENIOR TRIP REFUND - BAJA TRIP 004-2384 SENIOR TRIP REFUND - BAJA TRIP 004-2384	100.00 220.00
					Total :	320.00
107708	10/20/2014	891636 CUMMINS, ARIEL	09/06/14 & 09/20/14		SPORTS OFFICIAL 017-420-1328-4260	162.00
					Total :	162.00
107709	10/20/2014	891637 CPRS DISTRICT 11	CONFERENCE		CONFERENCE REGISTRATION ON 11/1 001-420-0000-4360	200.00
					Total :	200.00
107710	10/20/2014	891638 EGBUJOR, EDITH	SF1140617029		PARKING CITATION REFUND 001-3430-0000	50.00
					Total :	50.00
107711	10/20/2014	891639 PICHINE, JULIO C	SF1140703011		PARKING CITATION REFUND 001-3430-0000	55.00
					Total :	55.00
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107712	10/20/2014	891640 GONZALEZ, JUAN	SF1140812029		PARKING CITATION REFUND 001-3430-0000	55.00
					Total :	55.00
107713	10/20/2014	891641 LEMELLE, LEAH JANE	SF2140620038		PARKING CITATION REFUND 001-3430-0000	30.00
					Total :	30.00
107714	10/20/2014	891642 ESPINOZA, JOSEPH	SF3140206016		PARKING CITATION REFUND 001-3430-0000	20.00
					Total :	20.00
107715	10/20/2014	891643 LINARES, DIANA	SF3140212004		PARKING CITATION REFUND 001-3430-0000	20.00
					Total :	20.00
107716	10/20/2014	891644 DERUSO, DENITA	SF3140430002		PARKING CITATION REFUND 001-3430-0000	45.00
					Total :	45.00
107717	10/20/2014	891645 MURGUIA, LOURDES	SF3140521003		PARKING CITATION REFUND 001-3430-0000	45.00
					Total :	45.00
107718	10/20/2014	891646 ORNELAS, ABEL	SF3140701006		PARKING CITATION REFUND 001-3430-0000	45.00
			SF4140618027		PARKING CITATION REFUND 001-3430-0000	70.00
					Total :	115.00
107719	10/20/2014	891647 MENDOZA, GUSTAVO ADOLFO	SF4121218022		PARKING CITATION REFUND 001-3430-0000	110.00
					Total :	110.00
107720	10/20/2014	891648 DE ARMAS, MAYRA CARIDAD	SF4130522007		PARKING CITATION REFUND 001-3430-0000	108.58
					Total :	108.58
						Page: 25

vchlist 10/16/2014 8:25:28AM		Voucher List CITY OF SAN FERNANDO				Page: 26
Bank code :		bank				
Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
107721	10/20/2014	891649 MOUSSEAU, BRUCE ALLEN	SF4140604010		PARKING CITATION REFUND 001-3430-0000	55.00
					Total :	55.00
107722	10/20/2014	891650 ENTERPRISE FLEET MGMT	SF3140325001		PARKING CITATION REFUND 001-3430-0000	45.00
					Total :	45.00
107723	10/20/2014	891651 STEPTER, LOUIS EDWARD	SF4140811005		PARKING CITATION REFUND 001-3430-0000	45.00
					Total :	45.00
107724	10/20/2014	891652 MARCARELLO, CHRIS	REIMB.		REIMB FOR EXPENSES RELATED TO P 001-310-0000-4370	167.76
					Total :	167.76
107725	10/20/2014	891654 DAPAMO & OLYNESS	29		STUDIO RECORDING EDUCATIONAL SE 109-424-3656-4260	3,185.00
					Total :	3,185.00
107726	10/20/2014	891655 WANG, JAMES	54-2692-10		WATER ACCT REFUND - 908 N MACLAY 070-2010	57.98
					Total :	57.98
107727	10/20/2014	891656 THOMASON, GEORGETTE	58-3628-02		WATER ACCT REFUND - 1202 GLENOA 070-2010	34.60
					Total :	34.60
107728	10/20/2014	891657 AGOPIAN, HAROUT	56-1390-04		WATER ACCT REFUND - 551 JESSIE 070-2010	131.66
					Total :	131.66
107729	10/20/2014	891658 DON CARLITOS	33-0097-03		WATER ACCT REFUND - 1143 SAN FER 070-2010	151.56
					Total :	151.56
107730	10/20/2014	891659 MORALES, ELISHA	35-1965-00		WATER ACCT REFUND - 1427 CELIS 070-2010	112.65
						Page: 26

vchlist		Voucher List					Page:	27	
10/16/2014	8:25:28AM	CITY OF SAN FERNANDO							
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Bank code :		bank							
Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount			
107730	10/20/2014	891659 891659 MORALES, ELISHA	(Continued)			Total :	112.65		
107731	10/20/2014	891660 QUINTANA, GILBERT	33-0515-06		WATER ACCT REFUND - 707 PICO 070-2010		19.33		
						Total :	19.33		
107732	10/20/2014	891661 GARCIA, LUCERO	52-0090-09		WATER ACCT REFUND - 2017 EIGHTH 070-2010		79.37		
						Total :	79.37		
165 Vouchers for bank code :		bank					Bank total :	253,498.86	
165 Vouchers in this report							Total vouchers :	253,498.86	

Voucher Registers are not final until approved by Council.

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ORDINANCE NO. 1638**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN FERNANDO, CALIFORNIA, AMENDING CHAPTER 94 (UTILITIES), ARTICLE III (WATER), DIVISION 4 (WASTAGE) OF THE SAN FERNANDO MUNICIPAL CODE**

WHEREAS, the Governor's Proclamation No. 1-17-2014, declared a State of Emergency to exist in California due to severe drought conditions; and

WHEREAS, the dire nature of the current drought requires additional conservation actions from residents and businesses; and

WHEREAS, most Californians use more water outdoors than indoors; and

WHEREAS, the State Water Resources Control Board adopted a resolution announcing emergency regulations for statewide water conservation on July 15, 2014; and

WHEREAS, all urban water supplies and all Californians are required to adhere to mandatory watering restrictions on outdoor landscaping and turf; and

WHEREAS, it is necessary to update the City's Municipal Code to ensure consistency with State regulations relating to water use and conservation practices.

NOW THEREFORE THE CITY COUNCIL OF THE CITY OF SAN FERNANDO DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. Chapter 94, Article III of Division 4 of the San Fernando Municipal Code is amended to read as follows:

DIVISION 4. ~~WASTAGE~~ WATER CONSERVATION

Sec. 94-295. Purpose

Sec. 94-296. Definitions.

Sec. 94-297. Applicability.

Sec. 94-298. Reclamation wastewater system required for carwashes.

Sec. 94-299. Phase I Water Shortage (Voluntary Conservation)

Sec. 94-300. Phase II Water Shortage (Mandatory Conservation)

Sec. 94-301. Phase III Water Shortage (Mandatory Conservation)

Sec. 94-302. Prohibitions.

Sec. 94-~~303~~. Exemptions.

Sec. 94-~~304~~. Enforcement.

Sec. 94-~~305~~. Remedies; penalties.

Sec. 94-~~306~~. Conflict with state law.

Sec. 94-295. Purpose

Upon declaration by the City Council that a water shortage emergency exists, this plan shall be implemented to provide a vehicle to protect the public peace, health and safety by significantly and equitably reducing the consumption of potable water over an extended period. The plan shall remain in effect until the City Council declares the water shortage emergency has ended.

Sec. 94-296. Definitions.

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Person means any individual, firm, partnership, association, company or organization of any kind.

Water means water supplied by the city.

Cross reference— Definitions generally, § 1-2.

Sec. 94-297. Applicability.

This division shall apply to all persons using water in this city, regardless of whether any person using water shall have a contract for water service.

Sec. 94-298. Reclamation wastewater system required for carwashes.

All carwashes shall be constructed with a wastewater reclamation system approved by the public works director. No carwash shall be exempted pursuant to section 94-~~300~~ 303 from the requirements of this section.

Sec. 94-299 Phase I Water Shortage (Voluntary Conservation)

- (a) A Phase I shortage shall be declared when the City determines that a shortage of up to ten (10%) will occur in water supplies.
- (b) All elements of Sec. 94-302 (Prohibitions) shall apply in Phase I on a voluntary basis only.

Sec 94-300 Phase II Water Shortage (Mandatory Conservation)

- (a) A Phase II shortage shall be declared when the City determines that a shortage of up to twenty (20%) will occur in water supplies.
- (b) All elements of Sec. 94-302 (Prohibitions) shall apply in Phase II on a mandatory basis.

Sec 94-301 Phase III Water Shortage (Mandatory Conservation)

- (a) A Phase III shortage shall be declared when the City determines that a shortage above twenty (20%) will occur in water supplies.
- (b) All elements of Sec. 94-302 (Prohibitions) shall apply in Phase III on a mandatory basis except that:
 - 1. Restrictions on watering lawns, landscaped or other turf areas shall be modified to prohibit watering more often than every third day in a schedule to be set by the Public Works Director, with watering only during the hours of 5:00 p.m. and 10:00 a.m.;
 - 2. Commercial nurseries and other water-dependent industries shall be prohibited from watering lawn, landscaped and other turf areas more often than every third day on a schedule to be determined by the Public Works Director, and shall water only during the hours between 5:00 p.m. and 10:00 a.m.
 - 3. Water used on a one-time basis for purposes such as construction and dust control, shall be limited to that quantity identified in a plan submitted by the user which describes water use requirements. The plan shall be submitted to the City for approval. Water sources other than potable water shall be utilized where available;
 - 4. The use of water from fire hydrants shall be limited to fire fighting and related activities and other uses of water for municipal purposes shall be limited to activities necessary to maintain the public health, safety and welfare.

Sec. 94-302. Prohibitions.

- (a) *Gutter flooding.* No person shall cause or permit any water furnished to any property within the city to run or to escape from any hose, pipe, valve, faucet, sprinkler or irrigation device into any gutter or otherwise to escape from the property if such running or escaping can reasonably be prevented.
- (b) *Washing hard-surfaced areas.* No person shall use any water furnished to any property within the city to wash sidewalks, walks, driveways and parking lots by hosing.
- (c) *Irrigation.* No person shall water or irrigate any shrubbery, trees, lawns, grass, ground covers, plants, vines, gardens, vegetables, flowers or other vegetation between the hours of 10:00 a.m. and 5:00 p.m. No water users shall cause or allow the water to run off landscaped areas into adjoining streets, sidewalks or other paved areas due to incorrectly directed or maintained sprinklers or excessive watering.
- (d) *Ornamental facilities.* No person shall refill any fountain, pool or other facility containing water solely for ornamental purposes emptied during the effectiveness of this division.
- (e) *Leaks.* No person shall permit leaks of water which he has the authority to eliminate.
- (f) *Restaurants.* Restaurants shall only serve water to customers upon request.
- (g) *Washing Vehicles.* Washing of motor vehicles, trailers, boats and other types of equipment shall be done only with a hand-held bucket or a hose equipped with a positive shutoff nozzle for quick rinses, except that washing may be done with reclaimed wastewater, or by a commercial car wash using recycled water.
- (h) All lawns, landscaped or other turf area shall be watered not more often than every other day and with watering only during the hours between five p.m. and ten a.m., with even-numbered addresses watering on even-numbered days of the month and odd-numbered addresses watering on odd-numbered days of the month. This provision shall apply to residential, commercial, industrial and public agencies but shall not apply to commercial nurseries, golf courses and other water-dependent industries.
- (i) *Wasting generally.* No person shall cause or permit water under his control to be wasted.

Sec. 94-303. Exemptions.

- (a) *Permit.* A person may be exempted from application of this division to a certain type of use if the city's public works director issues a permit allowing such use and if such permit issuance is based on a finding that enforcement of the applicable restriction would either:
 - (1) Cause an unnecessary and undue hardship to the applicant or the public; or
 - (2) Cause or threaten an emergency condition affecting the health, sanitation, fire protection or safety of the applicant or the public.
- (b) *Conservation devices.* The public works director may require the use of such water conservation devices or practices as he deems appropriate as a condition of the exemption permit. He shall promulgate a list of approved devices.

Sec. 94-304. Enforcement.

- (a) The public works director, the fire chief, police chief, water superintendent, or designee have the duty and are authorized to enforce this division and shall have all the powers and authority contained in Penal Code § 836.5, including the power to issue written notice to appear.
- (b) Each law enforcement officer shall, in connection with his duties imposed by law, diligently enforce this division.

Sec. 94-305. Remedies; penalties.

- (a) *Notice of violation; procedure upon failure to correct.* Prior to enforcement pursuant to section 94-304, any person who is suspected of violating this division shall be given a preliminary notice in writing of such violation, with the description of violation set forth in such preliminary notice. The person shall have 24 hours to correct the violation or terminate the use. If the violation is not corrected or the use terminated, the water division may forthwith either:
 - (1) Disconnect service;
 - (2) Install flow-restricting devices restricting water service; or
 - (3) Order issuance of a second preliminary notice.

Service disconnected or restricted pursuant to subsection (a)(1) or (2) of this section shall be restored only upon payment of the turn-on and other charges fixed by this article or the rules and regulations of the water division.

- (b) *Penalties.* Any person who has received a preliminary notice of violation of a particular section of this division and against whom the water division has taken action pursuant to this section and who has not corrected or terminated the use or at a subsequent time violates the same section of this division, regardless of whether the type of use was previously specified in any preliminary notice of violation, shall be:
 - (1) Issued an administrative citation as described in the City's comprehensive fee schedule;
or
 - (2) Guilty of a misdemeanor, punishable as provided in section 1-10. Each day any violation of this division is committed or permitted to continue shall constitute a separate offense and shall be punishable as such.

Sec. 94-306. Conflict with state law.

This division shall be inoperative to the extent any regulations and restrictions adopted pursuant to Water Code §§ 350—359 conflict.

Section 2. If any section, subsection, sentence, clause or word of this ordinance is for any reason held to be invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council of the City of San Fernando hereby declares that it would have passed and adopted this Ordinance and each and all provisions thereof, irrespective of the fact that any one or more of said provisions may be declared to be invalid.

Section 3. This Ordinance will take effect 30 days after its adoption.

Section 4. The City Clerk is directed to certify as to the adoption of this Ordinance and cause this Ordinance to be published in the manner required by law.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of San Fernando a regular meeting held on the 20th day of October, 2014.

Sylvia Ballin, Mayor

ATTEST:

Elena G. Chávez, City Clerk

APPROVED AS TO FORM:

Rick R. Olivarez, City Attorney

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS
CITY OF SAN FERNANDO)

I, ELENA G. CHÁVEZ, City Clerk of the City of San Fernando, do hereby certify that the foregoing Ordinance was adopted a regular meeting of the City Council held on the 20th day of October, 2014 and was carried by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Elena G. Chávez, City Clerk

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AGENDA REPORT

To: Mayor Sylvia Ballin and Councilmembers

From: Brian Saeki, City Manager
By: Chris Marcarello, Deputy City Manager

Date: October 20, 2014

Subject: Consideration to Adopt a Resolution Authorizing Amendments to the Joint Powers Authority Agreement with the San Fernando Valley Council of Governments

RECOMMENDATION:

It is recommended that the City Council adopt Resolution No. 7644 (Attachment "A") authorizing the Mayor and the City Manager to execute the proposed amendments to the Joint Powers Authority Agreement (Exhibit "1" to Attachment "A" – Contract No. 1633(a)) with the San Fernando Valley Council of Governments.

BACKGROUND:

The existing Joint Powers Authority (JPA) agreement with the San Fernando Valley Council of Governments (SFVCOG) was approved in 2010 (Contract No. 1633), pursuant to Section 6500 of the California Government Code. The SFVCOG has identified provisions in the existing agreement that create difficulties for the effective operation of the organization. These include provisions related to voting requirements and governance procedures, among others. The proposed amendments have been approved by the SFVCOG Board of Directors and in accordance with the JPA agreement, must be approved by each member agency.

ANALYSIS:

On September 18, 2014, the SFVCOG Board of Directors (the Board) approved several amendments to the existing JPA agreement with member agencies. These amendments are designed to improve the operating structure of the SFVCOG, and include the following:

- Section 5
 - Allows for the addition of new members upon a super majority vote of the Board, rather than a unanimous vote.

Consideration to Adopt a Resolution Authorizing Amendments to the Joint Powers Authority Agreement with the San Fernando Valley Council of Governments

Page 2 of 3

- Adds provisions for the suspension, withdrawal, or removal of member agencies.
- Removes dues provisions from the agreement. Instead, dues would be addressed through the annual budget process and set by approval of the Board. At this time, dues are not scheduled to be modified.
- Section 8
 - Adds the definition of governance/voting procedures for the Board. Also defines a majority and super-majority Board composition.
- Section 9
 - Defines office terms for Board Officer positions and clarifies the position of Treasurer.
- Section 17
 - Allows for future amendments to the JPA agreement by vote of a super majority of the Board.
- Section 21
 - Provides for the adoption of an annual budget by approval of a super majority vote of the Board.
- Section 23
 - Adds provisions that allow for reimbursement of budgeted expenditures in accordance with rules identified in a Fiscal Manual adopted by the Board.

In accordance with provisions contained in the existing JPA agreement, these amendments must be approved by each member agency of the SFVCOG. A copy of the SFVCOG agenda report and redlined JPA agreement (Attachment "B"), and final JPA agreement (Exhibit "1" to Attachment "A") are included for further review.

BUDGET IMPACT:

There is no financial impact associated with this item.

Consideration to Adopt a Resolution Authorizing Amendments to the Joint Powers Authority Agreement with the San Fernando Valley Council of Governments

Page 3 of 3

CONCLUSION:

It is recommended that the City Council approve the proposed amendments to ensure the efficient operation of the SFVCOG.

ATTACHMENTS:

- A. Resolution No. 7644
- B. San Fernando Valley Council of Governments Agenda Report and Redlined Amendments to JPA Agreement

ATTACHMENT "A"**RESOLUTION NO. 7644****A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
SAN FERNANDO, CALIFORNIA AMENDING THE JOINT
POWERS AUTHORITY (JPA) AGREEMENT WITH THE SAN
FERNANDO VALLEY COUNCIL OF GOVERNMENTS**

WHEREAS, California Government Code Section 6500 allows for the formation of a Joint Powers Authority, of which the San Fernando Valley Council of Governments is one; and

WHEREAS, the Act provides in Section 6503.5 that a JPA may make amendments once established; and

WHEREAS, the San Fernando Valley Council of Governments has worked to develop changes to facilitate more effective operations and governance; and

WHEREAS, the San Fernando Valley Council of Governments Board of Directors approved amendments to the Joint Powers Authority Agreement on September 18, 2014; and

WHEREAS, each Member Jurisdiction must adopt proposed changes to the Joint Powers Authority Agreement; and

WHEREAS, the City of San Fernando is a Member Jurisdiction in the San Fernando Valley Council of Governments;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAN FERNANDO DOES HEREBY RESOLVE, FIND, DETERMINE, AND ORDER AS FOLLOWS:

Section 1. To adopt amendments to the Joint Powers Authority Agreement with the San Fernando Valley Council of Governments, as described further in Exhibit 1.

PASSED, APPROVED, AND ADOPTED this 20th day of October, 2014.

Sylvia Ballin, Mayor

ATTEST:

Elena G. Chávez, City Clerk

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss
CITY OF SAN FERNANDO)

I HEREBY CERTIFY that the foregoing Resolution was approved and adopted at a regular meeting of the City Council held on the 20th day of October, 2014, by the following vote to wit:

AYES:

NOES:

ABSENT:

Elena G. Chávez, City Clerk

EXHIBIT "1"
CONTRACT NO. 1633(a)

SAN FERNANDO VALLEY COUNCIL OF GOVERNMENTS
A JOINT POWERS AUTHORITY

JOINT POWERS AGREEMENT

AGREEMENT

“SAN FERNANDO VALLEY COUNCIL OF GOVERNMENTS”

(A JOINT POWERS AUTHORITY)

This Agreement (“Agreement”) is made and entered into by and between the public entities (“Members”) whose names are set forth in Exhibit A, attached hereto and incorporated herein by this reference (“Eligible Public Entities”), and who have approved and executed this Agreement pursuant to Section 6500 *et seq.* of the California Government Code and other applicable law. Each entity listed on Exhibit A shall become a Member of the San Fernando Valley Council of Governments (“SFVCOG”) when confirmation that this Agreement has been approved by its governing body and the executed Agreement are received by the legal advisors for the San Fernando Valley Council of Governments.

W I T N E S S E T H:

The parties hereto do agree as follows:

Section 1. Recitals. This Agreement is made and entered into with respect to the following facts:

- A. Historically, the San Fernando Valley (“Valley”) cities of Calabasas, Burbank, Glendale, Los Angeles and San Fernando, and the County of Los Angeles, have worked through The Valley Economic Alliance (“Alliance”) as informal strategic partners, involving elected officials, city managers and other staff; they share common interests with cities in north Los Angeles County, such as the City of Santa Clarita, and collectively have played a valuable role in serving as a forum for the exchange of ideas and information;
- B. However, Valley Area cities and the County of Los Angeles (“Jurisdictions”) wish to develop and implement subregional policies and plans that are unique to the greater San Fernando Valley region (“Valley Area”), and to voluntarily and cooperatively resolve differences among themselves, which requires a more formal structure;
- C. The public interest requires the establishment of an agency to jointly conduct studies and projects designed to coordinate and improve the common governmental responsibilities and services on a Valley-wide and subregional basis through the establishment of a council of governments (“COG”);

- D. The public interest requires that the COG explore areas of inter-governmental cooperation and coordination of government programs, and that it provide recommendations and solutions to problems of common and general concern to its Members;
- E. Each Member is a city or county ("Eligible Public Entities") established by law with full powers of government in administrative, legislative, financial, and other related fields;
- F. Each Member, by and through its legislative body, has determined that an agency to assist in planning and voluntary coordination, in the greater San Fernando Valley area of Los Angeles County furthers the public interest, necessity and convenience; and
- G. Each Member is listed on Exhibit A hereto as an Eligible Public Entity or has otherwise been determined by the Board of Directors to qualify for membership.

Section 2. Creation of Separate Legal Entity. It is the intention of the Members to create, by means of this Agreement, a separate legal entity within the meaning of Section 6503.5 of the Government Code. Accordingly, there is hereby created a separate legal entity, which shall exercise its powers in accordance with the provisions of this Agreement, and applicable law.

Section 3. Name. The name of the said separate legal entity shall be the San Fernando Valley Council of Governments.

Section 4. Purpose and Powers of the SFVCOG.

- A. Purpose of SFVCOG. The purpose of the creation of the SFVCOG is to enable the Members to voluntarily engage in cooperative local and regional planning and the coordination of government services and responsibilities so as to assist the Members in the conduct of their affairs; to conduct studies and projects designed to improve and coordinate the common governmental responsibilities and services on a Valley Area and regional basis; and to coordinate implementation programming.
- B. Common Powers. The SFVCOG shall have, and may exercise, the following powers:
 - 1. Serve as an advocate in representing the Members of the San Fernando Valley Council of Governments at the regional, state and federal levels on issues of importance to the greater San Fernando Valley region of Los Angeles County;

2. Serve as a forum for the review, consideration, study, development and recommendation of public policies and plans with local and regional significance;
3. Assemble information helpful in the consideration of problems of interest to the Members;
4. Utilize Member resources or other public or public/private groups to carry out its programs and projects;
5. Explore practical avenues for voluntary intergovernmental cooperation, coordination and action in the interest of the local public welfare and improving the administration of governmental services;
6. Assist in coordinating subregional planning efforts and in resolving conflicts among the Members as they work toward achieving planning goals;
7. Build a consensus among the Members to address regional and subregional issues, strategies, policies and programs;
8. Facilitate and coordinate activities for obtaining state, federal and regional grants in support of projects; and as a mechanism to assist in financing the expenditures and activities of the SFVCOG;
9. Make and enter into contracts, including contracts for the services of public/private organizations, managers, researchers, planners, engineers, attorneys and other consultants;
10. Employ agents, officers and employees;
11. Apply for, receive and administer grants, gifts, contributions and donations of property, funds, services and other forms of financial assistance from persons, firms, corporations and any federal, state or local governmental entity;
12. Acquire, construct, lease, manage, maintain, own and operate any buildings, works or improvements;
13. Delegate some or all of its powers to an Executive Director as hereinafter provided;
14. Incur debts, liabilities and obligations and/or issue bonds;
15. Exercise any implied power necessary to implement the express powers provided for in this Section 4; and
16. Sue and be sued.

- C. Exercise of Powers. The SFVCOG shall, in addition, have all implied powers necessary to perform its functions. It shall exercise its powers only in a manner consistent with the provisions of applicable law, and this Agreement. For the purpose of determining the powers of, and the restrictions to be imposed on the SFVCOG in its manner of exercising its powers pursuant to Government Code Section 6509, it is understood and agreed by the Members that the SFVCOG shall have any powers and observe any restrictions imposed upon the City of Los Angeles, a charter city, in the exercise of similar powers, provided however, that if the City of Los Angeles shall cease to be a member, then the SFVCOG shall be restricted in the exercise of its power in the same manner as the City of Glendale, a charter city, or the next most populous Member city.
- D. Reserved Powers. The SFVCOG shall not possess the authority to compel any of its members to conduct any activities or implement any plans or strategies that they do not wish to undertake (except for the payment of dues). The goal and intent of the SFVCOG is one of voluntary cooperation among the Members for the collective benefit of the San Fernando Valley area of Los Angeles County.

Section 5. Members.

- A. Admitting New Members. New Members may be admitted to the SFVCOG upon a super majority vote of the Board, as defined in section 8, subsection c of this agreement, and execution of this agreement, provided that such a proposed new Member is a city whose jurisdiction, or part thereof, lies within or immediately adjacent to any jurisdiction that is a Member of SFVCOG, or that is deemed by the Board of Directors to share common interests with the SFVCOG.
- B. Duties. Members and/or their designated representatives shall advance the goals of the SFVCOG by regularly attending SFVCOG meetings, participating in discussion, engaging the community and stakeholders, voting, and ensuring their respective jurisdictional annual dues are timely paid.
- C. Withdrawal, Suspension or Removal. A Member may withdraw from the SFVCOG by filing written notice of withdrawal with the Chair of the Board. Further, a super majority of the Board may vote to have a Member suspended or removed from the SFVCOG for failure to abide by the provisions of the JPA. Prior to suspension or removal, the Board shall provide the Member 10 (ten) days' notice of its intent to suspend or remove the Member along with a factual basis of the Members actions. The 10 day

notice will be considered a warning and the Member will be given an opportunity to cure the address or correct the reported defects. Should the Member fail to adequately address or correct the reported defects within the 10 day period, a super majority of the Board may vote to have the Member suspended for a period of 30 days or to remove the Member permanently. Should the Member be suspended, the Member shall be reinstated with full rights and privileges after the 30 day period.

- D. Dues. The Member jurisdictions shall be responsible for the payment of annual dues to the SFVCOG. Dues shall be due and paid in full by August 1 of each year at the rates approved within the SFVCOG's budget.
- E. Non-Payment of Dues. If a Member fails to pay dues in a timely fashion, the Member shall be deemed to be suspended from this Agreement and the SFVCOG pursuant to the procedures outlined in Section 5 C. above.

Section 6. Creation of Board of Directors. There is hereby created a Board of Directors for the SFVCOG ("Board") to conduct the affairs of the SFVCOG. The Board shall be constituted as follows:

A. Designation of Board Representatives.

The Members of the SFVCOG shall designate representatives to the Board ("Board Representatives") as follows:

1. The City Council of the City of Los Angeles shall designate one Board Representative from each council district that is located entirely or partially in the San Fernando Valley.
2. The Board of Supervisors of the County of Los Angeles shall designate one Board Representative from each supervisorial district that is located entirely or partially in the San Fernando Valley.
3. The other Members shall each designate one Board Representative from their city council.

B. Designation of Alternate Board Representatives. For each Board Representative designated, one or more of their council/board members or full time staff members of the Member cities or the County Board of Supervisors shall be designated as alternate representative(s) to the SFVCOG Board of Directors ("Alternate Board Representative") pursuant to the Member's own procedures.

C. Eligibility. No person shall be eligible to serve as a Board Representative unless that person is, at all times during the tenure of that person as a Board Representative, a member of the legislative body of one of the appointing

Member Jurisdictions; or in the case of an Alternate Board Representative a member of the legislative body or full-time staff member of one of the appointing Member Jurisdictions. The designation of a Board Representative and Alternate Board Representative shall be evidenced in writing to the Chair of the SFVCOG. Should any person serving on the Board fail to maintain the status as required by this section, that person's position on the Board shall be deemed vacated as of the date such person ceases to qualify pursuant to the provisions of this section and the Member shall be entitled to appoint a qualified replacement.

- D. Compensation. Board Representatives and Alternative Board Representatives shall receive no compensation in connection with their service on the SFVCOG.
- E. Representation. Notwithstanding the above provisions of this section, the legislative body of each Member may establish a procedure to provide for its representation at a Board meeting by an elected member of its legislative body in the event that neither the Board Representative nor the Alternate Board Representative are available to attend.
- F. Term. Board Representatives and Alternate Board Representatives shall serve for a period determined by each Member's own procedures.
- G. Board Powers. The Board shall be deemed, for all purposes, the policy making body of the SFVCOG. All of the powers of the SFVCOG, except as may be expressly delegated to others pursuant to the provisions of applicable law, this Agreement, or by direction of the Board, shall be exercised by and through the Board.

Section 7. Use of Public Funds and Property. The SFVCOG shall be empowered to utilize for its purposes, public and private funds, property and other resources received from the Members and from other sources. Subject to the approval of the Board of the SFVCOG, the Members shall participate in the funding of the SFVCOG in such a manner as the Board shall prescribe.

Section 8. Board Actions – Meetings.

- A. Meetings. Regular meetings of the Board shall be held not less than four times a year. Special meetings of the Board may be called by the Chair. The Board shall establish the dates and times of regular meetings of the Board. The location of each such meeting shall be as directed by the Board. All meetings of the SFVCOG shall be called and conducted, and an agenda posted, in accordance with the Ralph M. Brown Act, as applicable,

Government Code Section 54950 et seq., as it now exists or may hereafter be amended.

- B. Quorum. A quorum shall consist of the presence of a majority of the Board Representatives, representing a majority of the Members, including at least one Board Representative each from the City of Los Angeles, the County of Los Angeles, and two of the other Member Jurisdictions in good standing with the SFVCOG.
- C. Voting.
1. A majority of the Board shall be comprised of at least: three Representatives of the City of Los Angeles; one Representative of the County of Los Angeles; and two Representatives of cities other than the City of Los Angeles.
 2. A super majority shall include a majority of the Board as defined in paragraph C. 1. above and a total of at least 10 (ten) votes.
 3. A super majority vote of the Board is required for matters affecting the budget of the SFVCOG; Membership, suspension or removal from the SFVCOG; amending the JPA; matters considering litigation and consideration of a position on ballot measures;
 4. All other matters of the SFVCOG, including consideration of a position on legislative bills, requires a majority vote of the Board.
 5. There shall be no proxy voting.
- D. First Meeting. At the first scheduled meeting of the Board, a Board Representative shall be elected to the position of Chair by the Board, and a different Board Representative shall be elected to the position of Vice Chair of the Board.

Section 9. Officers

- A. The terms of office of the Chair and Vice Chair shall alternate annually between City and County Members. The Chair and Vice Chair positions shall be for one year beginning July 1st and ending on the following June 30th. Elections shall occur on an annual basis prior to the termination date. If there is a vacancy, for any reason, in the position of Chairperson or Vice-Chairperson, the Board shall forthwith conduct an election and fill such vacancy for the unexpired term of such prior incumbent.
- B. Designation and Duties of Treasurer. The County of Los Angeles Auditor Controller shall provide the services of the Treasurer until such time as the

SFVCOG Board, by a super majority vote, designates some other entity to serve in this capacity. The Treasurer shall have charge of the depositing and custody of all funds held by the SFVCOG. The Treasurer shall perform those duties performed by treasurers of Joint Powers Authorities as described in section 6505.5 of the Government Code and such other duties as may be imposed by provisions of applicable law, and such duties as may be required by this Memorandum, or at the direction of the Board.

- C. Designation and Duties of Secretary. The Board shall designate a Secretary. The Secretary shall keep a record of all proceedings and perform the usual duties of such office, including compliance with all notice and agenda posting requirements of the Ralph M. Brown Act (Government Code section 54950, et seq.), as it now exists or may hereafter be amended
- D. Designation of Other Officers. The Board may appoint such other officers as it deems appropriate and necessary to conduct the affairs of the SFVCOG.

Section 10. Legal Advisors. The offices of the Los Angeles County Counsel and Los Angeles City Attorney shall serve jointly as the legal advisors to the SFVCOG. Each Member's City Attorney and the County Counsel will continue to represent their own jurisdictions on all legal matters within their purview; provided, however, in the event of a potential or actual conflict of interest between the County or the City of Los Angeles on the one hand and the SFVCOG on the other, then the County Counsel or the Los Angeles City Attorney (whichever has the conflict) shall create an ethical wall within its office, and the attorney(s) advising the Member and its Board Representative(s) shall be different than the attorney(s) advising the SFVCOG. Such ethical wall shall include procedures or methods to ensure there are no communications between the walled off attorneys related to confidential communications and matters giving rise to the conflict.

Section 11. Obligations of SFVCOG. The debts, liabilities and obligations of the SFVCOG ("SFVCOG Obligations") shall be the debts, liabilities or obligations of the SFVCOG alone. The Obligations shall not constitute debts, liabilities or obligations of the Members and the Members shall have no liability therefore.

Section 12. Implementation Agreements. When authorized by the Board, affected Members may execute special/supplemental Implementation Agreements (or Joint Powers Agreements pursuant to Government Code section 6500 et seq.) for the purpose of authorizing the SFVCOG to implement, manage and administer specific area-wide and regional programs in the interest of the local public welfare. The costs and liabilities incurred by the SFVCOG in implementing a program, including indirect costs, shall be assessed only to those Members who are parties to that Implementation Agreement. Nothing in this Agreement shall be construed so as to prevent any of the

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Members from entering into memoranda of understanding or joint powers agreements with each other or with third parties, outside of the SFVCOG.

Section 13. Term. The SFVCOG created pursuant to this Agreement shall continue in existence until such time as this Agreement is terminated or as otherwise provided by law. This Agreement may not be terminated except by an affirmative vote of a majority of the legislative bodies of the then Members of the SFVCOG.

Section 14. Application of Laws to SFVCOG Functions. The SFVCOG shall comply with all applicable laws in the conduct of its affairs, including, but not limited to, the Ralph M. Brown Act to the extent applicable. (Section 54950 et seq. of the Government Code.)

Section 15. Members - Interference with Function of Members. The Board shall not take any action which constitutes an interference with the exercise of lawful powers by a Member of the SFVCOG.

Section 16. Disposition of Assets. Upon the winding up and dissolution of the SFVCOG, after paying or adequately providing for the debts and obligations of the SFVCOG, the remaining assets of the SFVCOG shall be distributed to the parties to this Agreement in proportion to their contributions to the SFVCOG during its existence, pursuant to Government Code section 6512. If for any reason the parties to the Agreement are unable or unwilling to accept the assets of the SFVCOG, said assets will be distributed to the State of California or any local government for public purposes.

Section 17. Amendment. This Agreement may be amended at any time by a super majority vote of the Board.

Section 18. Effective Date. The Effective Date ("Effective Date") of this Agreement shall be the date of approval and execution by the last of the following: the City of Los Angeles, the County of Los Angeles, and two of the other cities listed in Exhibit A. Upon approval and execution, each party shall deliver an original executed signature page to the Los Angeles City Attorney and Los Angeles County Counsel, in their capacity as legal advisors to the SFVCOG. This Agreement shall be binding upon and shall inure to the benefit of the successors of the Members, respectively. None of the Members may assign any right or obligation hereunder without the written consent of the other Members.

Section 19. Bonding Requirement. The officers or persons who have charge of, handle, or have access to any property of the SFVCOG shall be persons designated as such by the Board. Each such designated officer or person shall be required to file an official bond with the Board, at the expense of the Board, in an amount which shall be

established by the Board. Should the existing bond or bonds of any such officers be extended to cover the obligations provided herein, said bond shall be the official bond required herein. The premiums of any such bonds attributable to the coverage required herein shall be appropriate expenses of the SFVCOG

Section 20. Indemnification. The Members agree that the SFVCOG shall indemnify, defend and hold harmless each of the respective Members, and their elected and appointed officers, employees, and agents from and against any and all liability, including but not limited to demands, claims, actions, fees, costs, and expenses (including attorney and expert witness fees), arising from or connected with the SFVCOG's acts and/or omissions arising from and/or relating to this Agreement or any act and/or omission performed by a Member on behalf of SFVCOG or at the request of the SFVCOG. However, the SFVCOG shall not be required to indemnify, defend and hold harmless any Member or their respective elected and appointed officers, employees, and agents arising from or connected with that Member's willful misconduct or active negligence. Pursuant to Government Code section 895.4, this indemnification provision is expressly intended to supersede the provisions of Government Code section 895.2, providing for joint and several liability of public entities entering into agreements.

Section 21. Budget and Disbursements. The Board shall adopt a budget annually prior to July 1st of each calendar year by a super majority vote. The Board may at any time amend the budget, by a super majority vote, to incorporate additional income and disbursements that might become available to the SFVCOG for its purposes during a fiscal year.

- A. Fiscal Year. The SFVCOG shall be operated on a fiscal year basis beginning on July 1st of each year and continuing until the following June 30th. All funds shall be placed in appropriate accounts and the receipt, transfer, or disbursement of such funds shall be accounted for in accordance with generally accepted accounting principles applicable to governmental entities and pursuant to applicable laws. There shall be strict accountability of all funds. All revenues and expenditures shall be reported to the Board.
- B. Expenditures. All expenditures shall be made within the approved annual budget. No expenditures in excess of those budgeted shall be made without the approval of the Board, by a super majority vote.
- C. Audit. The records and accounts of the SFVCOG shall be audited annually by an independent certified public accountant, or public accountant, in compliance with applicable laws, and copies of such audit report shall be filed with the State Controller, the Los Angeles County Auditor and each

party to the SFVCOG no later than fifteen (15) days after receipt of said audit by the Board.

- D. Reimbursement of Funds. Grant funds received by the SFVCOG from any federal, state, regional or local agency to pay for budgeted expenditures for which the SFVCOG has received all or a portion of said funds from the parties hereto shall be used as determined by the Fiscal Manual adopted by the Board.

Section 22. General Provisions.

- A. Law. This Agreement shall be deemed to have been made, and shall be construed and interpreted, in accordance with the laws of the State of California.
- B. Notices. Any notice required hereunder must be in writing and shall be considered received upon delivery to the city or county clerk of the party to be notified, or two (2) business days after deposit in the United States mail, postage prepaid and properly addressed to such city or county clerk.
- C. Execution in Counterparts. This Agreement may be executed on behalf of the respective Members in one or more counterparts, all of which shall collectively constitute one agreement.
- D. Severability. If any section, subsection, sentence, clause, phrase, or portion of this Agreement is for any reason held to be invalid or unenforceable by a court of competent jurisdiction, the remaining sections, subsections, sentences, clauses, phrases, or portions of this Agreement shall nonetheless remain in full force and effect. The governing body of each of the Members hereby declares that it would have adopted each section, subsection, sentence, clause, phrase, or portion of this Agreement, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, or portions of this Agreement be declared invalid or unenforceable.
- E. No Third Party Beneficiaries. This Agreement is intended solely for the benefit of the SFVCOG and the parties to this Agreement, and no third party shall be deemed to be a beneficiary or to have any rights hereunder against the Authority or any of its Members.

The Parties to this Joint Powers Agreement have caused this Agreement to be executed on their behalf as of the dates specified below, respectively, as follows:

Attest:

City of Burbank

By: _____

By: _____

_____, City Clerk

_____, Mayor

Date: _____

Date: _____

Approved as to Form:

By: _____

By: _____

_____, City Attorney

_____, City Manager

Date: _____

Date: _____

Attest:

City of Glendale

By: _____

By: _____

_____, City Clerk

_____, Mayor

Date: _____

Date: _____

Approved as to Form:

By: _____

By: _____

_____, City Attorney

_____, City Manager

Date: _____

Date: _____

Attest:

City of Los Angeles

By: _____

By: _____

_____, City Clerk

_____, Mayor

Date: _____

Date: _____

Approved as to Form:

By: _____

By: _____

_____, City Attorney

_____, _____

Date: _____

Date: _____

Attest:

City of San Fernando

By: _____

By: _____

_____, City Clerk

_____, Mayor

Date: _____

Date: _____

Approved as to Form:

By: _____

By: _____

_____, City Attorney

_____, City Manager

Date: _____

Date: _____

Attest:

City of Santa Clarita

By: _____

By: _____

_____, City Clerk

_____, Mayor

Date: _____

Date: _____

Approved as to Form:

By: _____

By: _____

_____, City Attorney

_____, City Manager

Date: _____

Date: _____

Attest:

County of Los Angeles

Sachi A Hamai
Executive Officer of the
Board of Supervisors

By: _____
Deputy

By: _____
Chair, Board of Supervisors

Date: _____

Approved as to Form:

Los Angeles County Counsel/City Attorney

By: _____
Deputy County Counsel/ City Attorney

EXHIBIT A
ELIGIBLE PUBLIC ENTITIES

County of Los Angeles, a political subdivision of the State of California
City of Burbank, a municipal corporation in the State of California
City of Calabasas, a municipal corporation in the State of California
City of Glendale, a municipal corporation in the State of California
City of Hidden Hills, a municipal corporation in the State of California
City of Los Angeles, a municipal corporation in the State of California
City of San Fernando, a municipal corporation in the State of California
City of Santa Clarita, a municipal corporation in the State of California



San Fernando Valley Council of Governments

DATE: September 18, 2014
TO: Board of Directors
FROM: John Bwarie, Executive Director
RE: JPA Amendments

RECOMMENDED ACTIONS

1. Adopt Resolution 14-02 affirming SFVCOG JPA, and
2. Request each Member to present it before their respective bodies for consideration before the next Regular SFVCOG Board Meeting on November 20, 2014

BACKGROUND

The Current SFVCOG JPA Agreement was approved and executed in 2010 pursuant to Section 6500 *et seq.* of the California Government Code and other applicable law. As it is written and filed with the State, certain limitations make it cumbersome to allow effective operation and governance. Specifically, Section 8 that called for unanimous voting has been discussed as needing review for some time. A working group was appointed in May 2014 to address the voting issue. The amendments were first presented at the July 17, 2014 meeting, and Counsel was instructed to make corrections and present the final amendments to Board.

Attachment G includes the updated amendments, including the following:

- a. The elimination of the unanimous voting requirement in Section 8
- b. The elimination of dues being written into the JPA agreement (which requires a vote of all members and a filing with the state with every change) and instead provides that dues are set by the Board as part of the annual budget
- c. A new definition of what a majority and super majority looks like (revised Section 8C).
- d. An update to the Officers section (new Section 9), including the designation of the LA County Auditor Controller as Treasurer, until the Board votes otherwise.
- e. That future updates can be executed by a Super Majority of the Board.
- f. Other formatting, numbering, and clarifying changes

Currently, the JPA Agreement is written so that any changes of the agreement must be voted on unanimously by the member jurisdictions. In order to have these changes take effect, each member jurisdiction must approve it through their own process, and the changes can then be filed with the State.

ATTACHMENTS:

- Resolution 14-02
- Attachment G: JPA Agreement Recommended Edits

ATTACHMENT G

**SAN FERNANDO VALLEY COUNCIL OF GOVERNMENTS
A JOINT POWERS AUTHORITY**

JOINT POWERS AGREEMENT

ATTACHMENT G**AGREEMENT****“SAN FERNANDO VALLEY COUNCIL OF GOVERNMENTS”****(A JOINT POWERS AUTHORITY)**

This Agreement (“Agreement”) is made and entered into by and between the public entities (“Members”) whose names are set forth in Exhibit A, attached hereto and incorporated herein by this reference (“Eligible Public Entities”), and who have approved and executed this Agreement pursuant to Section 6500 *et seq.* of the California Government Code and other applicable law. Each entity listed on Exhibit A shall become a Member of the San Fernando Valley Council of Governments (“SFVCOG”) when confirmation that this Agreement has been approved by its governing body and the executed Agreement are received by the legal advisors for the San Fernando Valley Council of Governments.

WITNESSETH:

The parties hereto do agree as follows:

Section 1. Recitals. This Agreement is made and entered into with respect to the following facts:

- A. Historically, the San Fernando Valley (“Valley”) cities of Calabasas, Burbank, Glendale, Los Angeles and San Fernando, and the County of Los Angeles, have worked through The Valley Economic Alliance (“Alliance”) as informal strategic partners, involving elected officials, city managers and other staff; they share common interests with cities in north Los Angeles County, such as the City of Santa Clarita, and collectively have played a valuable role in serving as a forum for the exchange of ideas and information;
- B. However, Valley Area cities and the County of Los Angeles (“Jurisdictions”) wish to develop and implement subregional policies and plans that are unique to the greater San Fernando Valley region (“Valley Area”), and to voluntarily and cooperatively resolve differences among themselves, which requires a more formal structure;
- C. The public interest requires the establishment of an agency to jointly conduct studies and projects designed to coordinate and improve the common governmental responsibilities and services on a Valley-wide and subregional basis through the establishment of a council of governments (“COG”);

ATTACHMENT G

- D. The public interest requires that the COG explore areas of inter-governmental cooperation and coordination of government programs, and that it provide recommendations and solutions to problems of common and general concern to its Members;
- E. Each Member is a city or county ("Eligible Public Entities") established by law with full powers of government in administrative, legislative, financial, and other related fields;
- F. Each Member, by and through its legislative body, has determined that an agency to assist in planning and voluntary coordination, in the greater San Fernando Valley area of Los Angeles County furthers the public interest, necessity and convenience; and
- G. Each Member is listed on Exhibit A hereto as an Eligible Public Entity or has otherwise been determined by the Board of Directors to qualify for membership.

Section 2. Creation of Separate Legal Entity. It is the intention of the Members to create, by means of this Agreement, a separate legal entity within the meaning of Section 6503.5 of the Government Code. Accordingly, there is hereby created a separate legal entity, which shall exercise its powers in accordance with the provisions of this Agreement, and applicable law.

Section 3. Name. The name of the said separate legal entity shall be the San Fernando Valley Council of Governments.

Section 4. Purpose and Powers of the SFVCOG.

- A. Purpose of SFVCOG. The purpose of the creation of the SFVCOG is to enable the Members to voluntarily engage in cooperative local and regional planning and the coordination of government services and responsibilities so as to assist the Members in the conduct of their affairs; to conduct studies and projects designed to improve and coordinate the common governmental responsibilities and services on a Valley Area and regional basis; and to coordinate implementation programming.
- B. Common Powers. The SFVCOG shall have, and may exercise, the following powers:
 - 1. Serve as an advocate in representing the Members of the San Fernando Valley Council of Governments at the regional, state and federal levels on issues of importance to the greater San Fernando Valley region of Los Angeles County;

ATTACHMENT G

2. Serve as a forum for the review, consideration, study, development and recommendation of public policies and plans with local and regional significance;
3. Assemble information helpful in the consideration of problems of interest to the Members;
4. Utilize Member resources or other public or public/private groups to carry out its programs and projects;
5. Explore practical avenues for voluntary intergovernmental cooperation, coordination and action in the interest of the local public welfare and improving the administration of governmental services;
6. Assist in coordinating subregional planning efforts and in resolving conflicts among the Members as they work toward achieving planning goals;
7. Build a consensus among the Members to address regional and subregional issues, strategies, policies and programs;
8. Facilitate and coordinate activities for obtaining state, federal and regional grants in support of projects; and as a mechanism to assist in financing the expenditures and activities of the SFVCOG;
9. Make and enter into contracts, including contracts for the services of public/private organizations, managers, researchers, planners, engineers, attorneys and other consultants;
10. Employ agents, officers and employees;
11. Apply for, receive and administer grants, gifts, contributions and donations of property, funds, services and other forms of financial assistance from persons, firms, corporations and any federal, state or local governmental entity;
12. Acquire, construct, lease, manage, maintain, own and operate any buildings, works or improvements;
13. Delegate some or all of its powers to an Executive Director as hereinafter provided;
14. Incur debts, liabilities and obligations and/or issue bonds;
15. Exercise any implied power necessary to implement the express powers provided for in this Section 4; and
16. Sue and be sued.

ATTACHMENT G

- C. Exercise of Powers. The SFVCOG shall, in addition, have all implied powers necessary to perform its functions. It shall exercise its powers only in a manner consistent with the provisions of applicable law, and this Agreement. For the purpose of determining the powers of, and the restrictions to be imposed on the SFVCOG in its manner of exercising its powers pursuant to Government Code Section 6509, it is understood and agreed by the Members that the SFVCOG shall have any powers and observe any restrictions imposed upon the City of Los Angeles, a charter city, in the exercise of similar powers, provided however, that if the City of Los Angeles shall cease to be a member, then the SFVCOG shall be restricted in the exercise of its power in the same manner as the City of Glendale, a charter city, or the next most populous Member city.
- D. Reserved Powers. The SFVCOG shall not possess the authority to compel any of its members to conduct any activities or implement any plans or strategies that they do not wish to undertake (except for the payment of dues). The goal and intent of the SFVCOG is one of voluntary cooperation among the Members for the collective benefit of the San Fernando Valley area of Los Angeles County.

Section 5. Members.

A. Admitting New Members. New Members may be admitted to the SFVCOG upon a super majority n-unanimous vote of the Board, as defined in section 8, subsection c of this -and agreement, and execution of this agreement, provided that such a proposed new Member is a city whose jurisdiction, or part thereof, lies within or immediately adjacent to any jurisdiction that is a Member of SFVCOG, or that is deemed by the Board of Directors to share common interests with the SFVCOG.

B. Duties. Members and/or their designated representatives shall advance the goals of the SFVCOG by regularly attending SFVCOG meetings, participating in discussion, engaging the community and stakeholders, voting, and ensuring their respective jurisdictional annual dues are timely paid.

A.—

B. Duties. Members and/or their designated representatives shall advance the goals of the SFVCOG by regularly attending SFVCOG meetings, participating in discussion, engaging the community and stakeholders, voting and ensuring their respective jurisdictional annual dues are paid.

ATTACHMENT G

- C. Withdrawal, ~~Suspension or Removal~~. A Member may withdraw from the SFVCOG by filing written notice of withdrawal with the Chair of the Board. Further, ~~a super majority of the Board may vote to have a Member suspended or removed~~ removed from the SFVCOG for failure to abide by the provisions of the JPA. Prior to suspension or removal, the Board shall provide the Member 10 (ten) days' notice of its intent to suspend or remove the Member along with a factual basis of the Members actions. The 10 day notice will be considered a warning and the Member will be given an opportunity to cure the address or correct the reported defects. Should the Member fail to adequately address or correct the reported defects within the 10 day period, a super majority of the Board may vote to have the Member suspended for a period of 30 days or to remove the Member permanently. Should the Member be suspended, the Member shall be reinstated with full rights and privileges after the 30 day period.
- D. Dues of Members. ~~Dues of the SFVCOG Members shall be as follows: Dues.~~ The Member jurisdictions shall be responsible for the payment of annual dues to the SFVCOG. Dues shall be due and paid in full by August 1 of each year at the rates approved within the SFVCOG's budget.
-
- ~~1. \$30,000 each from the City and County of Los Angeles;~~
 - ~~2. \$15,000 each from the Members of the SFVCOG that represent cities other than the City of Los Angeles;~~
 - ~~i. However, such amount will be offset by a \$10,000 credit for each jurisdiction for the entities providing in-kind staffing and support services to the SFVCOG, including but not limited to: legal services, accounting services, clerical support, security, meeting space, audio and visual recording support of meetings, and legislative analysis.~~
 - ~~ii. Upon cessation of a Member's contribution of in-kind support services, the \$10,000 credit would also cease. If the cessation of such services is not coterminous with the fiscal year, then the contributing Member entity would receive a pro rata share of \$10,000 for the time the services were provided.~~
 - ~~iii. As of the effective date of July 17, XXX 2014 the adoption of this dues structure, The City and County of Los Angeles provide these in-kind services and should receive the off set credit. Should another Member wish to provide these in-kind support services, it may do so upon a super majority vote of the Members, and the same dues credit would be applied to that Member.~~

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- ~~3. At no such time shall the total offset amount exceed \$20,000 for the entirety of the budget for any fiscal year.~~
- ~~The Members of the SFVCOG shall be responsible for the payment to the SFVCOG, annually, of dues. Initial annual dues shall be \$10,000 per Member. Dues shall be due by August 1 of each year at a rate of \$10,000 per Member unless otherwise approved within the SFVCOG's budget by a super majority vote.~~
- ~~C.E. Non-Payment of Dues. If a Member fails to pay dues in a timely fashion, the Member shall be deemed to be suspended from this Agreement and the SFVCOG pursuant to the procedures outlined in Section 5 C. above.~~
- ~~D. Admission. Admission shall be subject to such terms and conditions as the Board may deem appropriate.~~

Section 6. Creation of Board of Directors. There is hereby created a Board of Directors for the SFVCOG ("Board") to conduct the affairs of the SFVCOG. The Board shall be constituted as follows:

A. Designation of Board Representatives.

The Members of the SFVCOG shall designate representatives to the Board ("Board Representatives") as follows:

1. The City Council of the City of Los Angeles shall designate one Board Representative from each council district that is located entirely or partially in the San Fernando Valley.
2. The Board of Supervisors of the County of Los Angeles shall designate one Board Representative from each supervisorial district that is located entirely or partially in the San Fernando Valley.
3. The other Members shall each designate one Board Representative from their city council.

B. Designation of Alternate Board Representatives. For each Board Representative designated, one or more of their council/board members or full time staff members of the Member cities or the County Board of Supervisors shall be designated as alternate representative(s) to the SFVCOG Board of Directors ("Alternate Board Representative") pursuant to the Member's own procedures.

C. Eligibility. No person shall be eligible to serve as a Board Representative unless that person is, at all times during the tenure of that person as a Board Representative, a member of the legislative body of one of the appointing

ATTACHMENT G

Member Jurisdictions; or in the case of an Alternate Board Representative a member of the legislative body or full-time staff member of one of the appointing Member Jurisdictions. The designation of a Board Representative and Alternate Board Representative shall be evidenced in writing to the Chair of the SFVCOG. Should any person serving on the Board fail to maintain the status as required by this section, that person's position on the Board shall be deemed vacated as of the date such person ceases to qualify pursuant to the provisions of this section and the Member shall be entitled to appoint a qualified replacement.

- D. Compensation. Board Representatives and Alternative Board Representatives shall receive no compensation in connection with their service on the SFVCOG.
- E. Representation. Notwithstanding the above provisions of this section, the legislative body of each Member may establish a procedure to provide for its representation at a Board meeting by an elected member of its legislative body in the event that neither the Board Representative nor the Alternate Board Representative are available to attend.
- F. Term. Board Representatives and Alternate Board Representatives shall serve for a period determined by each Member's own procedures.
- G. Board Powers. The Board shall be deemed, for all purposes, the policy making body of the SFVCOG. All of the powers of the SFVCOG, except as may be expressly delegated to others pursuant to the provisions of applicable law, this Agreement, or by direction of the Board, shall be exercised by and through the Board.

Section 7. Use of Public Funds and Property. The SFVCOG shall be empowered to utilize for its purposes, public and private funds, property and other resources received from the Members and from other sources. Subject to the approval of the Board of the SFVCOG, the Members shall participate in the funding of the SFVCOG in such a manner as the Board shall prescribe.

Section 8. Board Actions – Meetings. ~~Except as otherwise specifically provided in this Agreement, all actions of the Board shall require unanimity of the Board Members present. There shall be no proxy voting.~~

- A. Meetings. Regular meetings of the Board shall be held not less than four times a year. Special meetings of the Board may be called by the Chair. The Board shall establish the dates and times of regular meetings of the Board. The location of each such meeting shall be as directed by the Board. All meetings of the SFVCOG shall be called and conducted, and an agenda

ATTACHMENT G

posted, in accordance with the Ralph M. Brown Act, as applicable, Government Code Section 54950 et seq., as it now exists or may hereafter be amended.

- B. Quorum. A quorum shall consist of the presence of a majority of the Board Representatives, representing a majority of the Members, including at least one Board Representative each from the City of Los Angeles, the County of Los Angeles, and two of the other Member Jurisdictions in good standing with the SFVCOG.

C. Voting.

1. A majority of the Board shall be comprised of at least: three Representatives of the City of Los Angeles; one Representative of the County of Los Angeles; and two Representatives of cities other than the City of Los Angeles.
2. A super majority shall include a majority of the Board as defined in paragraph C. 1. above and a total of at least 10 (ten) votes. ~~the minimum composition constituting a majority of the Board and a total of at least 10 (ten) votes.~~
3. A super majority vote of the Board is required for matters ~~affecting the budget of the SFVCOG; Membership, suspension or removal from -of the the SFVCOG; amending the JPA; matters considering litigation and consideration of a position on ballot measures;~~
4. All other matters of the SFVCOG, including consideration of a position on legislative bills, requires a majority vote of the Board.
5. There shall be no proxy voting.

- D. First Meeting. At the first scheduled meeting of the Board, a Board Representative shall be elected to the position of Chair by the Board, and a different Board Representative shall be elected to the position of Vice Chair of the Board.

Section 9. Officers

- A. The terms of office of the Chair and Vice Chair ~~shall alternate annually between City and County Members. The Chair and Vice Chair positions elected at the first scheduled meeting of the Board shall continue through the first July 1st of their terms and expire on the second July 1st~~ shall be ~~for~~ one year basis beginning July 1st and ending on the following June 30th. ~~Elections shall occur on an annual basis prior to the termination date. to determine their successors shall not be held until the first regular meeting in May preceding the second July 1st. If, during this initial period, there is a~~

ATTACHMENT G

vacancy, for any reason, in the position of Chairperson or Vice-Chairperson, the Board shall forthwith conduct an election and fill such vacancy for the unexpired term of such prior incumbent.

Section 9B. Designation and Duties of Treasurer. ~~The County of Los Angeles Auditor Controller shall provide the services of the Treasurer until such time as the SFVCOG Board, by a super majority vote, designates some other entity to serve in this capacity. The Treasurer of one of the Members shall serve as Treasurer of the SFVCOG for a term of three (3) years. Upon expiration or earlier termination of the term, the Treasurer of the Member whose Board Representative then serves as the Chair of the Board shall serve as the Treasurer for the SFVCOG. Should that person have just served as Treasurer, or otherwise not be available, then the Treasurer of the Member whose Board Representative then serves as Vice Chair shall serve as the Treasurer.~~ The Treasurer shall have charge of the depositing and custody of all funds held by the SFVCOG. The Treasurer shall perform those duties performed by treasurers of Joint Powers Authorities as described in section 6505.5 of the Government Code and such other duties as may be imposed by provisions of applicable law, and such duties as may be required by this Memorandum, or at the direction of the Board.

Section 10C. Designation and Duties of Secretary. The Board shall designate a Secretary. The Secretary shall keep a record of all proceedings and perform the usual duties of such office, including compliance with all notice and agenda posting requirements of the Ralph M. Brown Act (Government Code section 54950, et seq.), as it now exists or may hereafter be amended

Section 11D. Designation of Other Officers. The Board may appoint such other officers as it deems appropriate and necessary to conduct the affairs of the SFVCOG.

Section 12Section 10. Legal Advisors. The offices of the Los Angeles County Counsel and Los Angeles City Attorney shall serve jointly as the legal advisors to the SFVCOG. Each Member's City Attorney and the County Counsel will continue to represent their own jurisdictions on all legal matters within their purview; provided, however, in the event of a potential or actual conflict of interest between the County or the City of Los Angeles on the one hand and the SFVCOG on the other, then the County Counsel or the Los Angeles City Attorney (whichever has the conflict) shall create an ethical wall within its office, and the attorney(s) advising the Member and its Board Representative(s) shall be different than the attorney(s) advising the SFVCOG. Such ethical wall shall include procedures or methods to ensure there are no communications

ATTACHMENT G

between the walled off attorneys related to confidential communications and matters giving rise to the conflict.

Section 131. Obligations of SFVCOG. The debts, liabilities and obligations of the SFVCOG ("SFVCOG Obligations") shall be the debts, liabilities or obligations of the SFVCOG alone. The Obligations shall not constitute debts, liabilities or obligations of the Members and the Members shall have no liability therefore.

Section 124. Implementation Agreements. When authorized by the Board, affected Members may execute special/supplemental Implementation Agreements (or Joint Powers Agreements pursuant to Government Code section 6500 et seq.) for the purpose of authorizing the SFVCOG to implement, manage and administer specific area-wide and regional programs in the interest of the local public welfare. The costs and liabilities incurred by the SFVCOG in implementing a program, including indirect costs, shall be assessed only to those Members who are parties to that Implementation Agreement. Nothing in this Agreement shall be construed so as to prevent any of the Members from entering into memoranda of understanding or joint powers agreements with each other or with third parties, outside of the SFVCOG.

Section 135. Term. The SFVCOG created pursuant to this Agreement shall continue in existence until such time as this Agreement is terminated or as otherwise provided by law. This Agreement may not be terminated except by an affirmative vote of a majority of the legislative bodies of the then Members of the SFVCOG.

Section 146. Application of Laws to SFVCOG Functions. The SFVCOG shall comply with all applicable laws in the conduct of its affairs, including, but not limited to, the Ralph M. Brown Act to the extent applicable. (Section 54950 et seq. of the Government Code.)

Section 157. Members - Interference with Function of Members. The Board shall not take any action which constitutes an interference with the exercise of lawful powers by a Member of the SFVCOG.

Section 168. Disposition of Assets. Upon the winding up and dissolution of the SFVCOG, after paying or adequately providing for the debts and obligations of the SFVCOG, the remaining assets of the SFVCOG shall be distributed to the parties to this Agreement in proportion to their contributions to the SFVCOG during its existence, pursuant to Government Code section 6512. If for any reason the parties to the Agreement are unable or unwilling to accept the assets of the SFVCOG, said assets will be distributed to the State of California or any local government for public purposes.

ATTACHMENT G

Section ~~179~~. Amendment. This Agreement may be amended at any time ~~with the unanimous consent of the Member Jurisdictions~~ by a super majority vote of the Board.

Section ~~1820~~. Effective Date. The Effective Date ("Effective Date") of this Agreement shall be the date of approval and execution by the last of the following: the City of Los Angeles, the County of Los Angeles, and two of the other cities listed in Exhibit A. Upon approval and execution, each party shall deliver an original executed signature page to the Los Angeles City Attorney and Los Angeles County Counsel, in their capacity as legal advisors to the SFVCOG. This Agreement shall be binding upon and shall inure to the benefit of the successors of the Members, respectively. None of the Members may assign any right or obligation hereunder without the written consent of the other Members.

Section ~~1924~~. Bonding Requirement. The officers or persons who have charge of, handle, or have access to any property of the SFVCOG shall be persons designated as such by the Board. Each such designated officer or person shall be required to file an official bond with the Board, at the expense of the Board, in an amount which shall be established by the Board. Should the existing bond or bonds of any such officers be extended to cover the obligations provided herein, said bond shall be the official bond required herein. The premiums of any such bonds attributable to the coverage required herein shall be appropriate expenses of the SFVCOG

Section ~~202~~. Indemnification. The Members agree that the SFVCOG shall indemnify, defend and hold harmless each of the respective Members, and their elected and appointed officers, employees, and agents from and against any and all liability, including but not limited to demands, claims, actions, fees, costs, and expenses (including attorney and expert witness fees), arising from or connected with the SFVCOG's acts and/or omissions arising from and/or relating to this Agreement or any act and/or omission performed by a Member on behalf of SFVCOG or at the request of the SFVCOG. However, the SFVCOG shall not be required to indemnify, defend and hold harmless any Member or their respective elected and appointed officers, employees, and agents arising from or connected with that Member's willful misconduct or active negligence. Pursuant to Government Code section 895.4, this indemnification provision is expressly intended to supersede the provisions of Government Code section 895.2, providing for joint and several liability of public entities entering into agreements.

Section ~~213~~. Budget and Disbursements. The Board shall adopt a budget annually prior to July 1st of each calendar year by a super majority vote. The Board may at any time amend the budget, by a super majority vote, to incorporate additional income and disbursements that might become available to the SFVCOG for its purposes during a fiscal year.

HOA.1078811.2

Joint Powers Agreement
Rev. 10.0

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San Fernando Valley
Council of Governments

ATTACHMENT G

- A. Fiscal Year. The SFVCOG shall be operated on a fiscal year basis beginning on July 1st of each year and continuing until the following June 30th. All funds shall be placed in appropriate accounts and the receipt, transfer, or disbursement of such funds shall be accounted for in accordance with generally accepted accounting principles applicable to governmental entities and pursuant to applicable laws. There shall be strict accountability of all funds. All revenues and expenditures shall be reported to the Board.
- B. Expenditures. All expenditures shall be made within the approved annual budget. No expenditures in excess of those budgeted shall be made without the approval of the Board, by a super majority vote.
- C. Audit. The records and accounts of the SFVCOG shall be audited annually by an independent certified public accountant, or public accountant, in compliance with applicable laws, and copies of such audit report shall be filed with the State Controller, the Los Angeles County Auditor and each party to the SFVCOG no later than fifteen (15) days after receipt of said audit by the Board.
- D. Reimbursement of Funds. Grant funds received by the SFVCOG from any federal, state, regional or local agency to pay for budgeted expenditures for which the SFVCOG has received all or a portion of said funds from the parties hereto shall be used as determined by the Fiscal Manual adopted by the Board.

Section 224. General Provisions.

- A. Law. This Agreement shall be deemed to have been made, and shall be construed and interpreted, in accordance with the laws of the State of California.
- B. Notices. Any notice required hereunder must be in writing and shall be considered received upon delivery to the city or county clerk of the party to be notified, or two (2) business days after deposit in the United States mail, postage prepaid and properly addressed to such city or county clerk.
- C. Execution in Counterparts. This Agreement may be executed on behalf of the respective Members in one or more counterparts, all of which shall collectively constitute one agreement.
- D. Severability. If any section, subsection, sentence, clause, phrase, or portion of this Agreement is for any reason held to be invalid or unenforceable by a court of competent jurisdiction, the remaining sections, subsections, sentences, clauses, phrases, or portions of this Agreement shall nonetheless remain in full force and effect. The governing body of each of the Members

ATTACHMENT G

hereby declares that it would have adopted each section, subsection, sentence, clause, phrase, or portion of this Agreement, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, or portions of this Agreement be declared invalid or unenforceable.

- E. No Third Party Beneficiaries. This Agreement is intended solely for the benefit of the SFVCOG and the parties to this Agreement, and no third party shall be deemed to be a beneficiary or to have any rights hereunder against the Authority or any of its Members.

The Parties to this Joint Powers Agreement have caused this Agreement to be executed on their behalf as of the dates specified below, respectively, as follows:

ATTACHMENT G

Attest:

City of Burbank

By: _____

By: _____

_____, City Clerk

_____, Mayor

Date: _____

Date: _____

Approved as to Form:

By: _____

By: _____

_____, City Attorney

_____, City Manager

Date: _____

Date: _____

ATTACHMENT G

Attest:

City of Glendale

By: _____

By: _____

_____, City Clerk

_____, Mayor

Date: _____

Date: _____

Approved as to Form:

By: _____

By: _____

_____, City Attorney

_____, City Manager

Date: _____

Date: _____

ATTACHMENT G

Attest:

City of Los Angeles

By: _____

By: _____

_____, City Clerk

_____, Mayor

Date: _____

Date: _____

Approved as to Form:

By: _____

By: _____

_____, City Attorney

_____, _____

Date: _____

Date: _____

ATTACHMENT G

Attest:

City of San Fernando

By: _____

By: _____

_____, City Clerk

_____, Mayor

Date: _____

Date: _____

Approved as to Form:

By: _____

By: _____

_____, City Attorney

_____, City Manager

Date: _____

Date: _____

ATTACHMENT G

Attest:

City of Santa Clarita

By: _____

By: _____

_____, City Clerk

_____, Mayor

Date: _____

Date: _____

Approved as to Form:

By: _____

By: _____

_____, City Attorney

_____, City Manager

Date: _____

Date: _____

ATTACHMENT G

Attest:

County of Los Angeles

Sachi A Hamai
Executive Officer of the
Board of Supervisors

By: _____
Deputy

By: _____
Chair, Board of Supervisors

Date: _____

Approved as to Form:

ANDREA SHERIDAN ORDINLos Angeles County Counsel/City Attorney

By: _____
Deputy County Counsel/City Attorney

ATTACHMENT G**EXHIBIT A
ELIGIBLE PUBLIC ENTITIES**

County of Los Angeles, a political subdivision of the State of California
City of Burbank, a municipal corporation in the State of California
City of Calabasas, a municipal corporation in the State of California
City of Glendale, a municipal corporation in the State of California
City of Hidden Hills, a municipal corporation in the State of California
City of Los Angeles, a municipal corporation in the State of California
City of San Fernando, a municipal corporation in the State of California
City of Santa Clarita, a municipal corporation in the State of California

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AGENDA REPORT

To: Mayor Sylvia Ballin and Councilmembers

From: Brian Saeki, City Manager
By: Ismael Aguila, Recreation and Community Services Operations Manager

Date: October 20, 2014

Subject: Consideration to Adopt a Resolution Endorsing Proposition P Safe Neighborhood Park Measure

RECOMMENDATION:

It is recommended that the City Council adopt Resolution No. 7645 (Attachment "A") endorsing Proposition P "Safe Neighborhood Parks, Gang Prevention, Youth/Senior Recreation, Beaches/Wildlife Protection Measure".

BACKGROUND:

1. In 1992, Proposition A was passed by Los Angeles County voters to provide \$53 million a year for parks, open space, and recreation facilities. This proposition is set to expire in June of 2015.
2. In 1996, Los Angeles County voters passed a second Proposition A that provided \$28 million a year additionally for parks, open space, and recreation facilities. This proposition is set to expire in June 2018.
3. On August 5, 2014, Los Angeles County Board of Supervisors approved a resolution providing for and giving notice of a special tax election (Proposition P) being held in the County of Los Angeles on November 4, 2014 and consolidating the special tax election with other elections to be held on November 4, 2014.

ANALYSIS:

Proposition A

Every year, more than 70 million people visit parks in Los Angeles County including their neighborhood parks, and participate in park-sponsored recreational programs. Millions of children and youth use park facilities for after-school, weekend, and summer programs, and

Consideration to Adopt a Resolution Endorsing Proposition P “Safe Neighborhood Parks, Gang Prevention, Youth/Senior Recreation, Beaches/Wildlife Protection Measure”Page 2 of 3

millions of seniors attend programs at nearby senior centers. In the City, it is estimated that approximately 35,000 individuals (equating to over 250,000 visits) living in and around the City utilize a park program, facility, and/or resource every year.

While City, State and Federal funding for parks and recreation has been decreasing during the past 20 years, Los Angeles County voters approved the Safe Neighborhood Parks tax measure in 1992, which generates about \$54 million a year for neighborhood and regional parks and recreation. Since 1992, the Regional Park and Open Space District has funded almost 1,500 projects with funds from Measure A and additional funding, including children play areas, trails, permanently converted land to parks or open space, water quality and water supply enhancement projects, tree planting projects, added restrooms/refurbishments. In San Fernando, the proposition provided funding for the following projects for an approximately \$1.2 million:

- Kalisher Street Corridor
- Construction of the San Fernando Pool Facility
- Recreation Park Graffiti Prevention Project
- Construction of Las Palmas Park
- Graffiti Prevention Mural at Las Palmas Park
- Refurbishing of Baseball Fields at Las Palmas Park

Proposition P

Proposition A is scheduled to expire on June 2015. However, Proposition P is designed to replace it. Should Proposition P be approved, it would continue funding \$54 million a year through an annual \$23 per parcel special tax for 30 years (refer to Attachment “B”). Proposition P will be on the November 4, 2014 ballot and requires a two-thirds majority vote to pass. Proposition P allocates funds across the Los Angeles County for projects related to water quality in rivers, creeks, lakes and beaches; water supply sources; park-poor areas; maintaining existing parks; and for projects that employ local youth (Proposition A employed over 25,000 youth).

The funds for Proposition P will be spent as follows:

- Parks in Disadvantaged Communities – 10% of all funds are dedicated specifically for projects that increase parks, open space and recreational opportunities in underserved communities that have fewer parks and playgrounds.
- Neighborhood Parks – 20% of all funds will go directly to cities and unincorporated communities for local neighborhood parks and arts projects to repair and upgrade fields, gymnasiums and playgrounds; repair and upgrade restrooms; upgrade security lighting; install water- efficient irrigation; and increase accessibility.

Consideration to Adopt a Resolution Endorsing Proposition P “Safe Neighborhood Parks, Gang Prevention, Youth/Senior Recreation, Beaches/Wildlife Protection Measure”Page 3 of 3

- Clean Beaches, Clean Water – 15% of funds will go toward Los Angeles County beach, park and clean water projects.
- Regional Open Space – 30% of funds will be used to develop and maintain Los Angeles County trails, and fund mountain, river, wetlands and stream projects that protect natural resources and enhance visitor experiences.
- Nonprofit and Public Agency Projects – 5% will be made available as grants to organizations engaged in senior/youth facilities, urban tree planting, graffiti prevention, public access to rivers and streams, and natural lands restoration. Priority for projects that employ youth and for groups involved in gang prevention and training programs for at-risk youth.
- Maintain Parks – 15% of funds will be used to maintain facilities to improve the usability of these community assets, so that past and future park investments are not degraded or lost.

The measure requires annual, independent financial audits of all revenue and expenditures and open, public review to ensure funds are used efficiently, and as voters intend. All funds must remain local within the Los Angeles County and can only be used for parks, recreation, and open space projects.

BUDGET IMPACT:

There is no financial impact associated with this item.

CONCLUSION:

Endorsement of Proposition P will allow for continued funding of Proposition A to provide \$54 million per year for neighborhood and regional parks and recreation. It is recommended that City Council approve a Resolution to endorse Proposition P “Safe Neighborhood Parks, Gang Prevention, Youth/Senior Recreation, Beaches/Wildlife Protection” Measure.

ATTACHMENTS:

- A. Resolution No. 7645
- B. Proposition P Information Packet

ATTACHMENT "A"**RESOLUTION NO. 7645****A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN FERNANDO, CALIFORNIA, IN SUPPORT OF THE LOS ANGELES COUNTY "SAFE NEIGHBORHOOD PARKS, GANG PREVENTION, YOUTH/ SENIOR RECREATION, BEACHES/ WILDLIFE PROTECTION MEASURE TO BE PLACED BEFORE THE VOTERS IN NOVEMBER, 2014**

WHEREAS, any official position of the City of Los Angeles with respect to legislation, rules, regulations or policies proposed to or pending before a local state or federal governmental body or agency must have first been adopted in the form of a Resolution by the City Council with the concurrence of the Mayor; and

WHEREAS, Los Angeles has serious unmet needs for park, recreation, youth and senior facilities, and for positive recreational alternatives for at-risk youth to assist in gang prevention and intervention efforts, and contains irreplaceable park, recreation, beach, wildlife, and natural open space land; and

WHEREAS, on November 3, 1992, sixty-four percent (64%) of the voters in Los Angeles County authorized formation of the Los Angeles County Regional Park and Open Space District (The District"), the levy of a benefit assessment within the District, and a plan of expenditure of the proceeds of such assessment including for the development, acquisition, improvement, restoration and maintenance of parks, recreational, cultural and community facilities, and open space lands within the County; and

WHEREAS, on November 5, 1996, sixty-five percent (65%) of the voters in Los Angeles County amended the method of assessment, and authorized expenditures of the District revenues; and

WHEREAS, the revenues from the 1992 and 1996 assessments will sunset in Fiscal Years (FY) 2014-2015 and 2018-2019, respectively; and

WHEREAS, to ensure continued funding for these programs the Los Angeles County Board of Supervisors has placed on the November, 2014 ballot the "SAFE NEIGHBORHOOD PARKS, GANG PREVENTION, YOUTH/SENIOR RECREATION, BEACHES/WILDLIFE PROTECTION MEASURE" authorizing an annual special tax on all properties in the Los Angeles County, consisting of twenty-three dollars (\$23.00) per parcel, to be levied for thirty (30) years commencing in FY 2015-2016 through FY 2044-2045; and

WHEREAS, this measure will ensure continued development acquisition, improvement, restoration and maintenance of parks, recreational, cultural and community facilities, and open space lands within the Los Angeles County and provide benefits throughout the Los Angeles County by improving economic, environmental, and recreational conditions resulting in maintained or enhanced property values; and

WHEREAS, the collection and expenditure of all funds under this measure will be transparent to the taxpayers through annual independent financial audits and public review of expenditures; all funds generated by this measure will be spent in the Los Angeles County; and all Los Angeles County communities will receive an equitable share of the funding; and

WHEREAS, the purchase, construction, rehabilitation and maintenance of parks and recreation facilities under this measure will aid in the development of safe places and facilities for after-school, weekend and holiday programs for local children and youth, thereby creating healthy places for children and youth to play, learn and interact with other children; and

WHEREAS, residents have already been actively paying property assessments to fund these programs and the new measure will simply continue to provide funds to ensure all Los Angeles County parks and recreation centers that enhance our community are continuously serviced, maintained and upgraded, and that new parks and open space facilities are established;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAN FERNANDO DOES HEREBY RESOLVE, FIND, DETERMINE AND ORDER AS FOLLOWS:

Section 1. With the adoption of this Resolution the City of San Fernando is hereby recorded in support of the Los Angeles County “Safe Neighborhood Parks, Gang Prevention, Youth/Senior Recreation, Beaches/Wildlife Protection Measure” to be placed before the voters in November, 2014, which would authorize an annual special tax on all properties in the County of Los Angeles, consisting of twenty-three dollars (\$23.00) per parcel, to be levied for thirty (30) years commencing in FY 2015-2016, through FY 2044-2045.

Section 2. This Resolution shall be effective immediately upon adoption.

PASSED, APPROVED, AND ADOPTED this 20th day of October, 2014.

Sylvia Ballin, Mayor

ATTEST:

Elena G. Chávez, City Clerk

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss
CITY OF SAN FERNANDO)

I HEREBY CERTIFY that the foregoing Resolution was approved and adopted at a regular meeting of the City Council held on the 20th day of October, 2014, by the following vote to wit:

AYES:

NOES:

ABSENT:

Elena G. Chávez, City Clerk

PROPOSITION



ATTACHMENT "B"

SAFE NEIGHBORHOOD PARKS MEASURE

Safe Neighborhood Parks, Gang Prevention, Youth/Senior Recreation, Beaches and Wildlife Protection Measure on the November Ballot

Every year, more than 70 million people visit parks in LA County including their neighborhood parks, and participate in park-sponsored recreational programs. Millions of children and youth use park facilities for after-school, weekend, and summer programs, and millions of seniors attend programs at nearby senior centers.

While city, state and federal funding for parks and recreation has been decreasing during the past 20 years, LA County voters approved the Safe Neighborhood Parks Measure in 1992, which generates about \$54 million a year for neighborhood and regional parks and recreation. *The previous measure is about to expire—Proposition P is designed to replace it.*

Completed Projects

Since 1992, The Regional Park and Open Space District has funded almost 1,500 projects with funds from that measure and additional funding, including:

- 328 new children's play areas
- 350 new and refurbished recreation centers, senior centers, community centers, nature centers
- 244 trails projects
- About 33,000 acres permanently converted to parks or open space
- 110 water quality and water supply enhancement projects
- 175 tree planting projects (10,000 trees planted)
- 200 restrooms added or refurbished

Visit the County Regional Park and Open Space District website to see new and enhanced local parks in your area: osd.lacounty.gov

Proposition P Continues Park Funding

The 1992 funding measure expires in June 2015 and that \$54 million a year will no longer be available for neighborhood and regional parks. Should Proposition P be approved, it would continue funding \$54 million a year through an annual \$23 per parcel special tax for 30 years. Proposition P will be on the November 4, 2014 ballot. It requires a two-thirds majority vote to pass.

How Funds from Proposition P Would Be Spent

Proposition P allocates funds across the County, with increased emphasis on projects that enhance water quality in the LA River, San Gabriel River, creeks, lakes and beaches; projects that protect water supply sources; projects in park-poor areas; and projects that employ local youth (Proposition A employed over 25,000 youths).

- **Parks in Disadvantaged Communities** – 10% of all funds are dedicated specifically for projects that increase parks, open space and recreational opportunities in underserved communities that have fewer parks and playgrounds.
- **Neighborhood Parks** – 20% of all funds will go directly to cities and unincorporated communities for local neighborhood parks and arts projects to repair and upgrade fields, gymnasiums and playgrounds; repair and upgrade restrooms; upgrade security lighting; install water-efficient irrigation; and increase accessibility.
- **Clean Beaches, Clean Water** – 15% of funds will go toward County beach, park and clean water projects.
- **Regional Open Space** – 30% of funds will be used to develop and maintain County trails, and fund mountain, river, wetlands and stream projects that protect natural resources and enhance visitor experiences.
- **Nonprofit and Public Agency Projects** – 5% will be made available as grants to organizations engaged in senior/youth facilities, urban tree planting, graffiti prevention, public access to rivers and streams, and natural lands restoration. Priority for projects that employ youth and for groups involved in gang prevention and training programs for at-risk youth.
- **Maintain Parks** – 15% of funds will be used to maintain facilities to improve the usability of these community assets, so that past and future park investments are not degraded or lost.

Accountability

The measure requires annual, independent financial audits of all revenue and expenditures and open, public review to ensure funds are used efficiently, and as voters intend.

All funds must remain local within LA County and can only be used for parks, recreation, and open space projects.



PROPOSICIÓN



MEDIDA PARA PARQUES VECINALES SEGUROS

Medida en la boleta de votación de noviembre para parques vecinales seguros, prevención de pandillas, recreación para jóvenes/adultos mayores, y protección de playas y vida silvestre

Cada año, más de 70 millones de personas visitan parques del Condado de Los Ángeles, entre ellos sus parques vecinales, y participan en programas recreativos patrocinados por los parques. Millones de niños y jóvenes usan las instalaciones de los parques para programas extraescolares, de fin de semana y de verano, y millones de adultos mayores participan en programas de centros de la tercera edad cercanos a estos parques.

A la vez que el financiamiento municipal, estatal y federal para parques y recreación ha disminuido durante los pasados 20 años, en 1992, los votantes del Condado de LA aprobaron la Medida para parques vecinales seguros, la cual genera cerca de 54 millones de dólares anuales destinados a recreación y parques vecinales y regionales. *Esta medida está a punto de expirar; la Proposición P está diseñada para reemplazarla.*

Proyectos completados

Desde 1992, el Los Angeles County Regional Park and Open Space District y otros receptores de subvenciones han financiado cerca de 1,500 proyectos con fondos de dicha medida y financiamiento adicional, entre ellos:

- 328 nuevas áreas de juegos infantiles.
- 350 centros recreativos, centros para la tercera edad, centros comunitarios y centros para la naturaleza nuevos y reacondicionados.
- 244 proyectos de senderos.
- Cerca de 33,000 acres permanentemente convertidos en parques o espacios abiertos.
- 110 proyectos de mejoramiento de la calidad y del suministro del agua.
- 175 proyectos de plantación de árboles (10,000 árboles plantados).
- 200 baños agregados o reacondicionados.

Visite el sitio web del Distrito de Parques Regionales y Espacios Abiertos del Condado para conocer los parques locales nuevos y mejorados en su área:

osd.lacounty.gov

La Proposición P continúa con el financiamiento para parques

La medida de financiamiento de 1992 expira en junio de 2015 y los 54 millones de dólares anuales ya no estarán disponibles para parques vecinales y regionales. De aprobarse, la Proposición P continuaría el financiamiento de 54 millones de dólares anuales a través de un impuesto anual especial de US\$ 23 por parcela, durante 30 años. La Proposición P estará incluida en la boleta de votación del 4 de noviembre. Para que se apruebe se requiere el voto de una mayoría de dos tercios.

Cómo se gastarían los fondos de la Proposición P

La Proposición P asigna fondos a través de todo el Condado, con un mayor énfasis en proyectos que mejoran la calidad del agua en el Río LA, el Río San Gabriel, arroyos, lagos y playas; en proyectos que protegen las fuentes de suministro de agua; en proyectos en áreas que tienen pocos parques; y en proyectos que emplean a jóvenes de la comunidad (la Proposición A dio empleo a más de 25,000 jóvenes).

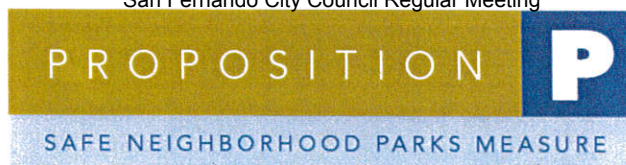
- **Parques en comunidades desfavorecidas** – 10% de todos los fondos se dedicará específicamente a proyectos que incrementen parques, espacios abiertos y oportunidades de recreación en comunidades desfavorecidas que tengan menos parques y áreas de juegos infantiles.
- **Parques vecinales** – 20% de la totalidad de los fondos se asignará directamente a ciudades y comunidades no incorporadas, para parques vecinales y proyectos de arte a fin de reparar y actualizar campos, gimnasios y áreas de juegos infantiles; para reparación y actualización de baños; para actualización de iluminación de seguridad; para instalación de irrigación mediante uso eficiente del agua; y para incrementar la accesibilidad.
- **Playas limpias, agua limpia** – 15% de los fondos se destinará a proyectos para playas, parques y agua limpia en el Condado.
- **Espacios abiertos regionales** – 30% de los fondos se utilizará para desarrollar senderos en el Condado, así como para financiar proyectos en montañas, ríos, humedales y arroyos que protejan los recursos naturales y mejoren las experiencias de los visitantes.
- **Proyectos de agencias públicas y sin fines de lucro** – 5% de los fondos estará disponible como subvenciones a organizaciones encargadas de instalaciones para adultos mayores/jóvenes, plantación de árboles en el paisaje urbano, prevención de grafitis, acceso público a ríos y arroyos, y restauración de áreas naturales. Se dará prioridad a proyectos que emplean a jóvenes, y a grupos que participan en la prevención de pandillas y programas de capacitación para jóvenes en riesgo.
- **Mantenimiento de parques** – 15% de los fondos se usará para dar mantenimiento a las instalaciones a fin de mejorar la utilización de estos bienes comunitarios, de manera que no se degraden o pierdan las inversiones en parques pasadas y futuras.

Rendición de cuentas

La medida requiere auditorías financieras anuales independientes de todos los ingresos y gastos, así como revisión abierta y pública a fin de garantizar que los fondos se utilicen de manera eficaz y según la intención de los votantes.

Todos los fondos deberán permanecer en el Condado de LA y solamente pueden usarse para proyectos de parques, recreación y espacios abiertos.





Expenditure Plan Details

Generally, any of the funds out of Section 5, Expenditure Plan, can be expended on the same types of projects the Open Space District has funded in the past. If Proposition P is approved by two-thirds of the voters in November, the funds—about \$54 million a

year—will come into the County, then be divided into each category in Section 5 of the Resolution (a-g). The intent is that the Open Space District is the Special Unit of Department of Parks and Recreation to administer this proposition.

Section 5	EXPENDITURE PLAN	Over 30 Years at \$23/parcel
(a)	20% to Cities and Unincorporated areas within the County on a per parcel basis <ol style="list-style-type: none"> 1) Allocation will be based on each city's percentage of the total number of parcels in the county 2) Allocation will be based on each unincorporated area's percentage of the total number of parcels in the county 	<ol style="list-style-type: none"> 1) \$280,573,904 directly to Cities 2) \$44,917,864 to Unincorporated Areas of the County
(b)	15% to the County for County parks, beaches and clean water/park projects.	\$244,118,826 to County Parks and Beaches
(c)	30% to the County for Regional projects for open space, foothill, mountain, trail, river, wetland and stream projects	\$488,237,652 for Projects in all areas of the County
(d)	10% to the County for underserved communities	\$162,745,884 to Underserved Communities for Parks & Recreational Amenities
(e)	5% available as competitive grants to Public Agencies and Non Profit Organizations	\$81,372,942 for Competitive Grants to Public Agencies and Non Profit Organizations
(f)	15% for maintenance and servicing of projects that have received funding from the 1992, 1996 and 2014 Propositions	\$244,118,826 for Maintenance
(g)	5% for Administration	\$81,372,942 for Administration

In Section 5(a), the per parcel funding, it is expected that the Cities and the County will expend those funds on the projects that they find have the highest priority for these areas.

In Section 5(b), these funds are for County projects, Department of Parks and Recreation, Department of Beaches and Harbors, and others.

Section 5(c-e), these funds will be divided equally between the five Supervisorial Districts, into each of those categories. These funds will be expended at the discretion of the Supervisor, much as the current Excess Funds works today, with each Supervisor funding the

highest priority projects within each category across the district.

In Section 5(f), the Maintenance & Servicing funds, Section 21 in the Resolution details the allocation percentages.

For more information on Proposition P and link to an interactive map of all Proposition A Projects:

<http://osd.lacounty.gov>



Potential Projects Overview

Funds from Proposition P can be expended on the same types of projects Proposition A funded in the past. This list is a sampling of the types of projects that Proposition P would fund, if passed by voters.

Beaches and Coastlines

Renovate beaches, piers and waterfront; enhance marine preserves

Water

Develop river trails and parkways, create facilities that capture water runoff to increase water supplies, stream cleanup and restoration, upgrade irrigation systems to conserve water, develop and enhance wetlands, dam inlet/outlet rehabilitation

Sports Facilities

Repair and upgrade sports facilities, playing fields and gymnasiums

Restrooms

Repair, replace and upgrade fixtures and lighting, ensure American with Disabilities Act (ADA) compliance

Senior Centers

Develop new centers, refurbish existing, ensure they are ADA compliant

Museums and Arts Facilities

Refurbish facilities, develop murals (anti-graffiti), improve theaters, enhance landscaping

Aquariums and Zoos

Construct new exhibits, refurbish facilities, enhance safety

Parks

Create more community-driven greenspaces, renovate and upgrade, ensure ADA compliance, dog parks, botanical gardens

Playgrounds and Exercise Equipment

Repair and upgrade for safety compliance, install new playgrounds, improve picnic areas

Recreation Centers

Construct expansions, refurbish, add swimming pools

Pedestrian, Bike and Equestrian Trails

Provide trailhead improvements, parking lot improvements, ensure accessible facilities, trail stabilization, add interpretive signage, stroller and urban trails, acquire more land

Open Space and Greenscapes

Acquire additional open space land, plant trees in heavily urbanized areas, increase habitat restoration, enhance river parkways, preserve and construct wetlands

Historic Buildings

Renovate and maintain, add interpretive signage

Security

Upgrade lighting to be more effective and energy efficient, upgrade and repair alarm systems

Potential Questions and Answers

Process and Procedures

Who's behind this tax? Why is it on the ballot?

The County Board of Supervisors voted to put Proposition P on the ballot because, with the 1992 Proposition A expiring in June 2015, they recognized the need to maintain funding for parks.

The Board noted that they want to provide voters the opportunity to ensure continued funding for the construction, upkeep and repair of parks and recreation facilities and acquisition of open space, which has been funded for the past 22 years by the expiring Measure A.

Why did the Board of Supervisors rush to put this on the Ballot—can't this wait until 2016?

The Board of Supervisors noted that this timing could ensure that funds for parks continue seamlessly. If the vote were held in November 2016, the money would not be collected until the end of 2017 and the District wouldn't receive funds until 2018. There would be a two-year gap without these funds available for parks throughout the County; a loss of \$108 million for parks.

Why wasn't there any analysis done of park needs so you could develop a comprehensive plan for spending the money from this tax?

All cities and the County have Park Master Plans. Those plans were developed after extensive park and recreation needs analysis and community input. They include specific projects—with costs. Proposition P can provide the funding for those projects.

Proposition A detailed specific projects and costs. Proposition P just has categories and percentages. Why didn't you specify projects so we know how the money will be spent?

Cities and the County do have Park Master Plans with specific projects and will receive 20% of funds directly. The remainder will be awarded to grantees, including cities, through a competitive process—based on guidelines with clear criteria for determining highest priority park and recreation projects. The public will have input into that process.

There is still more than \$150 million in reserves. Shouldn't we first spend what we've got before asking for more?

Yes, we will. The \$150 million is slated to be spent on projects in specific parks over the course of the next two years. By 2016, when new funding from Proposition P might be available, there will be little to nothing left in reserve.

When the other 1996 Proposition A expires in 2018 are you going to come back and ask for another new tax?

That will be up to the Board of Supervisors. The 1996 measure provides about \$28 million a year, which is fully allocated every year to park and recreation needs throughout the County.

Accountability

How can we be sure that money will be spent on actual park projects?

The County Parks and Recreation Department and the Regional Parks and Open Space District that administers funds have a long record of transparency and accountability. Take a look at the Proposition A track record on the Project Locator at osd.lacounty.gov. The County audits grantees that receive funds to ensure they are well spent. And the County is subject to annual, independent audits and public review of all revenue and expenditures.

How can we be sure that money won't be "porked" out to a Supervisor's favorite project?

Take a look at the Proposition A track record at ParksProjects.lacounty.gov. There is a tremendous range of projects spread throughout each District. In addition, the Board will develop guidelines with clear criteria for determining highest priority park and recreation projects. The public will have input into that guide.

Fairness**I already pay two taxes for parks. Why should I pay a third tax—isn't this a completely new tax?**

No, this tax will replace expiring Proposition A that was passed in 1992—and simply preserve that funding. That measure expires in June 2015 and the \$54 million a year it provides for parks will no longer be available. Proposition P will not go into effect until 5 months after the 1992 Proposition A expires.

The tax on my house is going up from \$10 to \$23 a year. That's the same rate as for huge houses and big commercial properties. How is that fair?

This method is required by the California constitution—voters passed an amendment in 1997 that means we must change the tax structure from what was used in 1992. The concept is that everyone has the opportunity to benefit equally from parks so everyone should pay equally. The larger house or commercial parcel doesn't benefit more from the park so it shouldn't have a higher park tax.

This tax will last for 30 years! Why so long?

The County and Cities have serious unmet needs for parks, recreation and senior facilities, as well as museums, zoos, cultural arts facilities and facilities for gang prevention. The Board of Supervisors determined that this time period provides stability for issuing bonds for constructing and refurbishing parks and facilities, which will then be paid back over time with the revenues generated by Proposition P.

Will you come back in 30 years and ask for yet another tax?

That will be up to the Board of Supervisors—and the voters—based on the parks needs at that time.

About "Me"**How will this help my city (or community) when all the money goes to the County?**

Proposition P is structured so that 20% of all funds go directly back to cities, based on their number of parcels, for their parks projects. Cities will also propose projects for funding through a competitive process, based on procedural guidelines developed by the Board of Supervisors to determine highest

priority projects in each District. Cities can use funds for new construction, refurbishing parks, *and* for maintenance.

In addition, cities can use funds from Proposition P to attract more State and federal funding. Cities compete for grant money and it often requires what's called a "local match," meaning that a city has raised some funds itself—Proposition P funds can provide that. For example, the County Department of Parks and Recreation leveraged Proposition A funds to *triple* funding available for County parks projects (from \$83 million to \$244 million).

Go to the Project Locator at osd.lacounty.gov to see your local parks funded by Proposition A.

This Proposition raises \$54 million a year. That's a lot of money. Why do you need so much?

For both new parks and open space and maintaining our investment in existing facilities.

There are over 2,000 existing park and recreation facilities that need to be maintained, much like a house does. They're high-use and mainly outdoors. Recreation centers need new roofs, play equipment gets run down, restrooms need to be refurbished, basketball courts need to be resurfaced, trails need to be stabilized. Without this funding, we can't maintain them for future generations.

Many areas in LA County remain underserved by parks—the ratio of parks to people is well below the national average. Funds from Proposition P allows cities and the County to take advantage of opportunities to expand the numbers of parks and open space areas.

Cities and the County have surveyed their existing parks and areas that need additional parks and open space—pending projects total well over \$1 billion.

Environmental Justice

How does this help lower income communities that desperately need more parks?

Proposition P helps in several ways:

1. For the first time, the parks Proposition includes a specific set aside of 10% of all funds for parks projects in disadvantaged communities.
2. Cities in these areas also receive funds directly, which was not the case in the previous Proposition A.
3. The Board will adopt criteria for remaining funding to determine highest priority projects—those that demonstrate the greatest need will likely rise to the top of the list.
4. Proposition P funds may be used as leverage to attract State funds that require a local match. And unlike State funds which are often only for construction, Proposition P funds can be used for planning, design, *and* maintenance so lower income communities don't need to cover upfront and maintenance costs with their general funds.
5. And funds are available as competitive grants to nonprofits and public agencies, which must also demonstrate how proposed projects meet community needs.

Do parks really lower the crime rate?

Well-maintained facilities and equipment make programs such as Parks After Dark and Summer Night Lights possible.

As an example, Proposition A funds refurbished six parks in areas with high gang activities, offering a variety of recreational activities, educational programs, and access to economic, legal and social services. Serious and violent crimes in areas around those parks declined 32%, while crime in areas without Parks After Dark rose 18%. Without Proposition A funds for refurbishing facilities, those parks would not have been able to host Parks After Dark activities. Funds from Proposition P would allow the County and cities to upgrade more parks in underserved communities.

The Arts

Isn't this just for parks, how does it help arts and museums?

In LA County, most of the key arts venues are in County, municipal or State parks, all of which would be eligible for Proposition P funds. They could be used for building, renovating and maintaining museums and performance venues. Significant arts and culture funding under Proposition A totaled about \$63.6 million and included:

- The Hollywood Bowl refurbishment
- The California Science Center new Ecosystems wing
- The LA County Museum of Art amphitheater and improving the La Brea Tar Pits
- The Natural History Museum seismic renovations
- The California African American Museum for expansion in Exposition Park
- La Plaza de Cultura y Artes for trees and landscaping

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES
PROVIDING FOR AND GIVING NOTICE OF A SPECIAL TAX ELECTION TO BE HELD
IN THE COUNTY OF LOS ANGELES ON NOVEMBER 4, 2014, AND CONSOLIDATING
THE SPECIAL TAX ELECTION WITH OTHER ELECTIONS TO BE HELD ON
NOVEMBER 4, 2014

WHEREAS, the County of Los Angeles (the "County") has serious unmet needs for park, recreation, youth and senior facilities, and for positive recreational alternatives for at-risk youth to assist in gang prevention and intervention efforts, and contains irreplaceable park, recreation, beach, wildlife, and natural open space land; and

WHEREAS, on November 3, 1992, sixty-four percent (64%) of voters within the County voting on the matter authorized formation of the Los Angeles County Regional Park and Open Space District (the "District"), the levy of a benefit assessment within the District, and a plan of expenditure of the proceeds of such assessment including for the development, acquisition, improvement, restoration and maintenance of parks, recreational, cultural and community facilities, and open space lands within the County; and

WHEREAS, on November 5, 1996, sixty-five percent (65%) of voters within the County voting on the matter amended the method of assessment, and authorized expenditures of the District revenues; and

WHEREAS, the revenues from the 1992 and 1996 assessments will sunset in Fiscal Years 2014-2015 and 2018-2019, respectively; and

WHEREAS, the Board of Supervisors of the County (the "Board") finds and determines that the continued development, acquisition, improvement, restoration and maintenance of parks, recreational, cultural and community facilities, and open space lands within the County confer benefits throughout the County by improving economic, environmental, and recreational conditions resulting in maintained or enhanced property values; and

WHEREAS, the Board further finds and determines that the public interest and convenience require, and that it is in the best interest of the County, that a Special Tax be levied within the County, to fund purposes consistent with the plan of expenditure hereinafter set forth; and

WHEREAS, the collection and expenditure of all funds under this measure will be transparent to the taxpayers through annual independent financial audits and public review of expenditures; all funds generated by this measure will be spent in the County; and all County communities will receive an equitable share of the funding; and

WHEREAS, the purchase, construction, rehabilitation and maintenance of parks and recreation facilities under this measure will aid in the development of safe places and facilities for after-school, weekend and holiday programs for local children and youth, thereby creating healthy places for children and youth to play, learn and interact with other children. These

alternatives keep children and youth off the streets and away from the temptation of gangs, drugs and vandalism while providing positive incentives for healthy living; and

WHEREAS, residents have been actively paying property assessments to fund the construction, upkeep and repair of parks and recreation centers and the acquisition of open space areas for more than 20 years. The previous measures are set to expire and the new measure will simply continue to provide a voter-approved funding source to ensure all Los Angeles County parks and recreation centers that enhance our community are continuously serviced, maintained and upgraded, and that new parks and open space facilities are established; and

WHEREAS, the County has many unique Natural Lands and is rich in biological diversity, and it is necessary and important that these natural resources be protected permanently and restored for the purposes of conserving biological diversity, protecting the health of the County's environment, and for the enjoyment of this and future generations; and

WHEREAS, a public hearing on the matters set forth in this resolution was called and held on August 5, 2014, and this resolution shall not take effect unless and until the question of approval of the matters set forth herein shall have been submitted to the electorate of the County and approved by a supermajority of voters voting on the question; and

WHEREAS, the Board deems it necessary and essential to submit the question of a special tax to the qualified voters within the County at a special tax election to be held on November 4, 2014, and to consolidate such election with the other elections to be held on that date;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Los Angeles, as follows:

Section 1. A special tax election shall be held and the same is hereby called and ordered to be held in the County on the 4th day of November, 2014, for the purpose of submitting to the voters of the County the question of a special tax to be levied by the County in the amounts and for the purposes hereinafter set forth. The special election called by this resolution shall be consolidated with the elections conducted by the Registrar-Recorder/County Clerk to be held in the County of Los Angeles on November 4, 2014, and the Proposition shall be placed on the same ballot to the extent the elections are concurrent, and the same precincts, polling places, election officers, and facilities shall be used for the elections.

Section 2(a) Commencing with Fiscal Year 2015-2016, an annual special tax to raise revenue to continue funding for grant programs pursuant to the plan of expenditure contained herein is hereby imposed upon all parcels located within the County of Los Angeles. The special tax shall be twenty-three dollars (\$23) per parcel to be levied for thirty (30) years through Fiscal Year 2044-2045.

(b) Properties owned by government agencies, such as cities, the County, school districts and special districts, the State or the federal government, will not be subject to

the Special Tax except when such property is not devoted to a public use, consistent with Section 3 and/or the statutes applying to possessory interests.

Section 3. All laws and procedures regarding exemptions, due dates, installment payments, corrections, cancellations, refunds, late payments, liens and collections for the secured roll ad valorem property taxes shall be applicable to the collection of the Special Tax. The secured roll tax bills shall be the only notices required for the levying of the Special Tax. The Treasurer and Tax Collector of the County shall collect the Special Tax for the initial Fiscal Year 2015-2016, and for subsequent fiscal years, on the tax roll at the same time and in the same manner, and subject to the same penalties as the ad valorem property taxes fixed and collected by or on behalf of the County. The Department shall establish and administer an appeals process to address and correct potential errors or inequities in the levy of the Special Tax.

Section 4. As used in this resolution, the following terms have the indicated meanings:

"Board" is used as defined in the recitals to this resolution.

"County" is used as defined in the recitals to this resolution.

"Department" is the County Department of Parks and Recreation.

"District" is used as defined in the recitals to this resolution.

"Natural Lands" means an area of relatively undeveloped land which has substantially retained its characteristics as provided by nature or has been substantially restored, or which can be feasibly restored to a near-natural condition and which derives outstanding value from its wildlife, scenic, open space, parkland or recreational characteristics, or any combination thereof.

"Nonprofit Organization" means any charitable organization described in Section 501(c)(3) of the Internal Revenue Code of 1986, as amended, which has among its purposes the provision of park, recreation or community services or facilities, gang prevention and intervention, tree-planting, or the conservation and preservation of wetlands or of lands predominantly in their natural, scenic, historical, forested or open-space condition, or restoration of lands to a natural, scenic, historical, forested or open-space condition.

"Parcel" means any unit of real property that receives an annual secured property tax bill from the Los Angeles County Treasurer and Tax Collector.

"Park" means a tract of land with scenic, natural, open-space or recreational values, set apart to conserve natural, scenic, wildlife, cultural, historical or ecological resources for present and future generations, and to be used by the public as a place for respite, rest, recreation, education, exercise, inspiration or enjoyment.

"Open space, foothill, mountain, trail, river, wetlands and stream projects" include any of the following: preservation of Natural Lands, scenic vistas and wildlife habitat, development

and restoration of mountain and other open space hiking, biking, walking and equestrian trails, restoration of natural vegetation and habitat along rivers and streams, and the provision of recreational opportunities and public access in mountain, foothill, river, stream and wetland areas.

"Projects that increase open space and recreation opportunities in underserved communities" means projects that are located: (1) in census tracts where fifty-one percent (51%) or more of the population have an income that is not greater than eighty percent (80%) of Area Median Income pursuant to the low- and moderate-income household definition under the federal Community Development Block Grant regulations, 24 Code of Federal Regulations, Part 570.3, as may be amended; or (2) in areas where there are fewer than four (4) acres of parkland per one thousand (1,000) residents within a one-half mile radius of a proposed project.

"Public Agency" means any governmental agency established pursuant to the laws of the State that is authorized to acquire, develop, improve and restore real property for beach, wildlife, park, recreation, community, cultural, open space, water quality, or gang prevention and intervention purposes.

"Regional Parks" means especially large parks that include such facilities and/or amenities as: lakes for boating, fishing and/or kayaking; horseback riding; and trails for hiking, bicycling, and/or equestrian use.

"Regional Project" means Regional Parks as well as cultural, zoological, and historically significant sites as well as sites with unique recreational or geologic facilities or characteristics that are of countywide significance.

"Special Tax" is the \$23 per parcel, parcel tax proposed to be levied within the County pursuant to this resolution.

"State" is defined as the State of California.

"State Lands Commission" means the Lands Commission of the State of California.

"1992 Order" means the order of the Board, as amended on March 17, 1992, and approved by the voters of the County on November 3, 1992, pursuant to which the District was formed and the first benefit assessment was levied, which will sunset in Fiscal Year 2014-2015.

"1996 Order" means the order of the Board, as adopted on June 18, 1996, and approved by the voters of the County on November 5, 1996, pursuant to which the second benefit assessment was levied, which will sunset in Fiscal Year 2018-2019.

Section 5. EXPENDITURE PLAN

The County has serious unmet needs for park, recreation, youth and senior facilities, and for positive recreational alternatives for at-risk youth to assist in gang prevention and

intervention efforts, and contains irreplaceable park, recreation, beach, wildlife and natural open space land.

The Board will allocate proceeds of the Special Tax to improve, acquire and develop park and recreation facilities in neighborhoods throughout the County as follows:

(a) Twenty percent (20%) of the proceeds shall be allocated to cities and unincorporated areas within the County on a per parcel basis.

(1) Each city in the County will be allocated funds from the per parcel grant category based on each city's percentage of the total number of parcels in the County. The purpose of these funds is to ensure that each community throughout the County will benefit from park and recreation facilities and park safety improvements. The governing bodies of each city will allocate these funds pursuant to the provisions of this resolution and in furtherance of its purposes.

(2) The unincorporated areas of the County will be allocated funds from the per parcel grant category based on the unincorporated area's percentage of the total number of parcels in the County. The Board will allocate these funds pursuant to the provisions of this resolution and in furtherance of its purposes.

(b) Fifteen percent (15%) of the proceeds shall be allocated to the County for County parks, beaches and clean water/park projects. These funds shall be used for the acquisition, development, improvement, rehabilitation or restoration of real property for parks and park safety, senior recreation facilities, beaches, recreation, community or cultural facilities, trails, wildlife habitat or Natural Lands.

(c) Thirty percent (30%) of the proceeds shall be allocated to the County for regional projects and for open space, foothill, mountain, trail, river, wetland and stream projects.

(d) Ten percent (10%) of the proceeds shall be allocated to the County for projects that increase open space and recreational opportunities in underserved communities.

(e) Five percent (5%) shall be available as grants on a competitive basis to Public Agencies and Nonprofit Organizations. These funds are designed to meet the wide and varied park, Natural Lands and recreation-related needs in all regions of the County by making funds available through grants to Public Agencies and Nonprofit Organizations on a competitive basis. These funds will be available on a regular basis in accordance with criteria and program guidelines established by the Board. Funds will be available for purposes to be defined by the Board, including but not limited to the following:

(1) Trails: to acquire and develop land for walking, hiking, horse, bicycle and handicapped access trails, for trails that provide vital recreation opportunities in recreation-poor urban communities, improve and develop river trails, connect river, urban and mountain areas, National Forests, State Parks, canyons and regional and local parks throughout the County, and for improvements to and development of public access.

(2) Senior Citizen/Youth Facilities: to acquire, develop, improve and restore senior citizen/youth recreation facilities that serve many communities in all regions of the County.

(3) Urban Tree Planting: to plant trees in public places for urban beautification projects, particularly in heavily urbanized, tree-poor areas of the County.

(4) Graffiti Prevention: to improve and to increase the safety of parks, recreation facilities, and community open space areas by removing and preventing graffiti on public facilities throughout the County.

(5) Rivers and Streams: to develop compatible recreational opportunities and public access, and to improve and restore Natural Lands for wildlife enhancement along rivers and streams and their tributaries throughout the County.

(6) Natural Lands Restoration: to acquire and/or restore Natural Lands throughout the County, including coastal sage scrub, desert, coastal dunes, coastal prairies, chaparral, vernal pools, oak woodlands, forests and native grasslands habitat, for the purposes of protecting and restoring critical natural resources of the County.

(f) Fifteen percent (15%) for Maintenance and Servicing. These funds shall be set aside and designated as the maintenance and servicing amount, and shall be used only to maintain and service capital outlay projects funded by the District pursuant to the 1992 Order and the 1996 Order, and by the Board pursuant to this resolution.

(g) Five percent (5%) for Administration. These funds shall be designated to fund the administrative functions of the unit within the Department established pursuant to Section 20(j).

Section 6. The funds made available under subsection (a) of Section 5 shall be awarded as grants to the respective cities and to the County upon review and approval by the Board of application materials demonstrating the entitlement to such funds, including but not limited to authorizing actions by the governing body of the applicant. Governing bodies of the cities and the County may assign the right to apply for funds under subsection (a) of Section 5 to other eligible applicants. The funds identified in subsections (c) and (d) of Section 5 may be awarded by the County to Public Agencies and Nonprofit Organizations for eligible projects at the sole discretion of the Board. The funds identified in subsections (b), (c), (d), and (e) of Section 5 shall be awarded at the sole discretion of the Board in accordance with the provisions for the expenditure of funds allocated for competitive grants pursuant to subsections (a)(2) and (a)(3) of Section 3 of the 1996 Order, as described in Section 24(b) of the 1996 Order.

Section 7(a) The grant funds authorized pursuant to Section 5 shall be subject to Board adopted disbursement guidelines and procedures. The Board shall, in so far as consistent with this resolution, adopt the disbursement guidelines and procedures consistent with the District's existing application and disbursement guidelines and procedures. The Board shall administer the grant application and disbursement program, and all applicants for a grant disbursed pursuant to

Section 5 of this resolution shall submit an application to the Board for grant approval. The Board shall annually notify all affected Public Agencies as to the date when funds for grants under this resolution will be available.

(b) A proposed recipient of funds pursuant to this resolution shall obtain the majority vote of its governing body in support of the proposed use of these funds prior to applying to the Board for use of the funds.

Section 8. The minimum amount that an applicant may request for any individual project for grants pursuant to subsection (a) of Section 5 is fifteen thousand dollars (\$15,000). Any Public Agency may allocate all or a portion of its per parcel share under subsection (a) of Section 5 to a regional or State project or another neighboring jurisdiction and all Public Agencies shall be encouraged to form partnerships with school districts for park and recreation purposes.

Section 9(a) Individual applications for grants pursuant to subsection (e) of Section 5 shall be submitted to the Board for approval as to conformity with the requirements of this resolution. In order to utilize available grant funds as effectively as possible, adjoining jurisdictions shall be encouraged to combine projects and submit joint applications.

(b) In awarding competitive grants, priority shall be given to those proposals which provide for the employment of youth, and particularly at-risk youth, from the area in which the proposed project is located, or which include or are to be administered by a Nonprofit Organization with a demonstrated history of youth employment, gang prevention and intervention, and training programs for at-risk youth, including local community conservation corps and the California Conservation Corps. Such priority shall give due consideration to the employment of female, as well as male, at-risk youth. In furtherance of this goal, the Board may adopt such rules and regulations, and impose such conditions on the recipients of funds under this resolution as the Board may determine to be necessary or appropriate.

(c) One or more individual jurisdictions may enter into an agreement with one or more Public Agencies or Nonprofit Organizations for the purpose of carrying out a grant pursuant to this Section.

Section 10. No funds authorized under Section 5 may be disbursed to any recipient unless the recipient agrees:

(a) To maintain and operate in perpetuity the property that was acquired, developed, improved, rehabilitated or restored with the funds from this resolution, and the purpose and/or use of the property for such acquisition, development, improvement, rehabilitation, or restoration. The recipient must also enter into a contract with the County whereby the recipient shall agree to comply with all terms of this resolution and any other terms deemed necessary by the County for the effective administration and implementation of this resolution. Said contract shall have no termination date and its provisions shall last in perpetuity. With the prior approval of the Board, the recipient or its successors in interest in the property

may transfer the responsibility to maintain and operate the property in accordance with this resolution.

(b) That the use of the property acquired shall be only for the purposes allowed by this resolution and as set forth in any project application approved by the County and to make no other use, sale, lease, or disposition of the property, except as provided in Section 11. Activities which, in the Board's sole discretion, preclude, prevent, or diminish the use(s) for which grant funds were awarded pursuant to this resolution are hereby prohibited. Unless otherwise approved by the Board, in no circumstances may oil, gas, or other mineral extraction occur on or under any property acquired with funds pursuant to this resolution. An irrevocable deed restriction setting forth the requirements of this resolution shall be recorded on all properties for which funds are awarded pursuant to this resolution. This deed restriction shall provide that the County may enforce the requirements of this resolution, and the contract entered into with the recipient of grant funds, at any time without restriction of any statute of limitations, and that the County shall be awarded its reasonable attorney fees and costs for such enforcement.

(c) That any beach, park, or other public facility acquired, developed, rehabilitated, or restored with funds derived under this resolution shall be open and accessible to the public without discrimination as to race, color, sex, sexual orientation, age, religious belief, national origin, marital status, physical or medical handicap, medical condition, or place of residence, to the extent consistent with the provisions of Section 13 of this resolution. The recipient shall not discriminate against, or grant preferential treatment to, any person or organization seeking to use such facility based upon the place of residence of such person or the members of such organization.

(d) To comply with each applicable requirement of Section 103 and Sections 141 through 150 of the Internal Revenue Code of 1986, as amended, to the extent necessary to maintain the exclusion from gross income for federal income tax purposes of the interest on any bonds, notes, or other evidences of indebtedness issued to finance such disbursement of funds to such recipient.

The conditions specified in subsections (a), (b), (c), and (d) of this Section shall not prevent the transfer of property acquired, developed, improved, rehabilitated or restored with funds authorized pursuant to Section 5 of this resolution from the recipient to another Public Agency or to a Nonprofit Organization authorized to acquire, develop, improve, restore and/or operate real property for park, wildlife, recreation, community, open space or gang prevention and intervention purposes, or to the California Department of Parks and Recreation, National Park Service, or the US Forest Service, provided that approval by the Board is obtained prior to the change and any such successor to the recipient assumes the obligations imposed by this resolution. The successor(s) must enter into a contract with the County of the type described in subsection (a) of Section 10 regarding compliance with the terms of this resolution and said contract shall have no termination date and its provisions shall last in perpetuity.

Section 11(a) Before there is any change in use on or the sale or other disposition of all or any portion of any property acquired, developed, improved, rehabilitated, or restored through

a grant pursuant to this resolution, the recipient shall obtain approval by the Board for such change in use or sale or other disposition. The approval of the Board shall be at the Board's sole discretion.

Prior to seeking the Board's approval pursuant to subsection (a) of this Section, if the recipient is a Public Agency, said agency shall hold a public hearing concerning such proposed change of use or sale or other disposition of the grant-funded property. For every recipient requesting a change of use or sale or other disposition of grant-funded property, said recipient must obtain a majority approval vote of its governing body to seek the approval of the Board for the change in use or sale or other disposition of the grant-funded property. Proof of such majority approval vote must be provided to the Board at the time the recipient makes the request to the Board.

(b) If pursuant to subsection (a) of this Section, the recipient obtains the approval of the Board for a change in use or sale or other disposition of grant-funded property, the recipient shall pay the County an amount equal to the greater of: (1) the amount of the grant including applicable interest; (2) the current fair market value of the grant-funded property; or (3) the proceeds from the change of use, or sale or other disposition of the grant-funded property. Said reimbursement amount shall be available for appropriation pursuant to Section 5 of this resolution.

(c) If after approval by the Board, the property sold or otherwise disposed of is less than the entire interest in the property originally acquired, developed, improved, rehabilitated or restored with the grant, an amount equal to the proceeds or the current fair market value of the property interest sold or otherwise disposed of, whichever is greater, shall be paid to the County and be available for appropriation pursuant to Section 5 of this resolution.

(d) Nothing in this Section shall limit a recipient from transferring property acquired pursuant to this resolution to the National Park Service, a State Resource Agency, the State Park System, or a local agency with or without consideration. The successor must enter into a contract with the transferring recipient whereby the successor shall agree to comply with all terms of this resolution and any other terms deemed necessary by the Board for the effective administration and implementation of this resolution, including, without limitation, a contract that shall have no expiration date and whose terms shall last in perpetuity.

Section 12. All real property acquired pursuant to this resolution shall be acquired in compliance with Chapter 16 (commencing with section 7260) of Division 7 of Title 1 of the California Government Code. Public Agencies and Nonprofit Organizations receiving funds under this resolution shall certify compliance with said Chapter to the County. Funds disbursed to a Public Agency under this resolution may be expended by that receiving Public Agency, or by a joint exercise of powers entity established pursuant to Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 of Title 1 of the Government Code pursuant to an agreement with such receiving Public Agency.

For purposes of this Section, "acquisition" shall include gifts, purchases, leases, easements, the transfer or exchange of property of like value, transfers of development rights or credits, and purchases of development rights and other interests.

Section 13. Reasonable public access to lands acquired in fee with funds made available pursuant to this resolution shall be provided except where that access may interfere with resource protection. "Reasonable public access" includes, but is not limited to, parking and public restrooms.

Section 14. All funds allocated to projects pursuant to this resolution which include tasks that can be performed by youth, including but not limited to the rehabilitation, restoration and/or development of beach, park, recreation, open space and/or Natural Lands, and recreation and community facilities, shall be used to the maximum extent feasible to employ youth from the community in which the particular project is being carried out. In furtherance of the goal of increasing employment opportunities for youth, the Board may adopt such rules and regulations, and impose such conditions on recipients of funds received pursuant to this resolution, as the Board may determine to be necessary or appropriate.

Section 15. To the maximum extent feasible, Public Agencies and Nonprofit Organizations shall be encouraged to use funds received pursuant to this resolution to provide funding through agreements with community conservation corps, the California Conservation Corps, and with other community organizations, particularly when youth can be employed to work on restoration or rehabilitation projects being carried out in their own communities. Such agreements shall be entered into solely for the accomplishment of the purposes set forth in this resolution.

Section 16. Prior to recommending the acquisition of lands that are located on or near tidelands, submerged lands, swamp or overflowed lands, or other wetlands, whether or not those lands have been granted in trust to a local Public Agency, any agency receiving funds pursuant to this resolution shall submit to the State Lands Commission any proposal for the acquisition of those lands. The State Lands Commission may, at its discretion, within ninety (90) days after such a submission, review the proposed acquisition, make a determination as to the State's existing or potential interest in the lands, and report its findings to the entity making the submission and to the Board.

Section 17(a) Funds that are granted pursuant to Section 5 for the purposes of development, improvement, rehabilitation and/or restoration shall be expended for these purposes only on lands owned by the applicant Public Agency or Nonprofit Organization or subject to a lease or other interest held by such Public Agency or Nonprofit Organization. If such lands are not owned by the applicant or subject to such other interest held by the applicant, the applicant shall first demonstrate to the satisfaction of the Board that the project will provide public benefits commensurate with the type and duration of the interest in land held by the applicant.

(b) No wetlands or riparian habitat acquired pursuant to this resolution shall be used as a dredge spoil area or shall be subject to revetment which damages the quality of the habitat for which the property was acquired.

(c) Any restoration of natural habitat lands pursuant to this resolution, shall use only species native to California to the maximum extent feasible to the specific watershed of the project. Funds allocated pursuant to Section 5 that are used for landscaping, planting trees or any other planting projects shall use drip irrigation or other water conserving irrigation systems and shall use drought-resistant or xerophytic trees, plants, lawn or sod, except when such use can be shown to be infeasible. When projects involve the rehabilitation of existing irrigation systems or the creation of new irrigation systems, reclaimed water should be used whenever possible and priority shall be given to development of reclaimed water irrigation systems. Any recipient of funds for planting on Natural Lands shall make every effort to use only plant species and vegetation types which are appropriate to the local ecosystem of the site.

(d) Notwithstanding subsection (e) of this Section, the development of recreational resources or facilities pursuant to this resolution shall not degrade the natural values present or being restored along rivers, tributaries and wetlands, nor shall they be used for flood control projects.

(e) Any project funded pursuant to this resolution shall include sufficient funds to mitigate damage done to Natural Lands as a result of said project as otherwise required by law.

(f) No funds shall be used to pay for mitigation which is required to be carried out by state or federal law in connection with a project or activity which is not funded pursuant to this resolution.

Section 18. No provision of this resolution shall be construed as authorizing the condemnation of publicly-owned lands.

Section 19. All land acquired in whole or in part with funds from this resolution shall be purchased from willing sellers, and in no event shall funds allocated to any Public Agency hereunder be used to pay or reimburse the purchase price of land acquired through the exercise of the power of eminent domain.

Section 20(a) The Board shall delegate to the Department the administration of the grant application procedure, and distribution and oversight of all funds for the projects described in this resolution. The Board may also delegate to the Department all other administrative functions that are consistent with, and necessary and appropriate to carry out, the purpose of this resolution.

(b) Consistent with subsection (f) of Section 5, proceeds of the Special Tax shall be used for costs of maintenance and servicing of projects, as those projects are described in that subsection (f), that are funded by grants, whether such projects were funded through the

application of cash proceeds from the Special Tax or proceeds of bonds, notes or other indebtedness issued by the Board in accordance with this resolution.

(c) It is the intention of the Board to issue bonds, notes, or other evidences of indebtedness, to fund all or a portion of the cost of projects to be funded pursuant to this resolution. Such bonds, notes, or other evidences of indebtedness may be issued in one or more series at such times and in such principal amounts as the Board may determine in its sole discretion.

(d) The Auditor-Controller of the County shall create a new interest-bearing fund into which the proceeds of the Special Tax authorized herein shall be deposited. The Auditor-Controller of the County may create any other funds, accounts or subaccounts necessary or desirable to account for the funds of this resolution, including the proceeds of any bonds, notes, or other evidences of indebtedness.

(e) No proceeds of any bonds, notes, or other evidences of indebtedness issued shall be used for any operations, maintenance, or servicing purposes, except that such proceeds may be used to pay all costs incidental to the preparation and issuance of bonds, notes, or other indebtedness.

(f) The amounts of all allocations designated in subsections (a), (b), (c), (d) and (e) of Section 5 are net percentages, and shall not be reduced for administrative costs of the Department.

(g) The Board shall cause an independent financial audit to be conducted annually by an independent auditing firm for the purposes of determining compliance by the County with the terms of this resolution, and to report on the status of all revenues and expenditures as of the end of each fiscal year, including all fund balances; such audit to be completed and such auditor's report to be issued by June 30 of the following year.

(h) The Board shall manage all revenues so as to ensure that the purposes of this resolution are carried out. Pursuant to Government Code section 50075.3, the Auditor-Controller of the County, in conjunction with the Department, shall annually cause to be filed an Annual Report for the entire life of the Special Tax which demonstrates the amount of funds collected and expended pursuant to this resolution, and the status of any project funded pursuant to this resolution. The Annual Report shall be adopted by the Board prior to June 30 of each year. In preparing the Annual Report an independent Financial Consultant shall be consulted for that fiscal year for the purposes of reporting all revenue and expenditures of the Special Tax.

(i) The Board shall comply with the accountability measures pursuant to Government Code section 50075.1 that include, but are not limited, to the following: (a) a statement indicating the specific purposes of the Special Tax; (b) a requirement that the proceeds of the Special Tax be applied only to the specific purposes identified in the ballot measure; (c) the creation of an account into which the proceeds of the Special Tax shall be deposited; and (d) an annual report pursuant to Government Code section 50075.3.

(j) The Department shall establish a special unit within the Department designated solely for the purposes of administering the funds collected pursuant to this resolution and/or otherwise carrying out this resolution's intent and purposes, including, without limitation, reimbursing other County departments for costs incurred in the administration of the Special Tax and in carrying out the resolution's intent and purposes. At its discretion, the Department may combine the functions of this special unit with the functions of the District.

Section 21. The Special Tax shall be levied for a period of thirty (30) years beginning with the fiscal year in which such Special Tax is first levied and collected by the County.

(a) In accordance with subsection (f) of Section 5, on an annual basis, fifteen percent (15%) of all proceeds of the Special Tax shall be set aside and designated as the maintenance and servicing amount, and shall be used only to maintain and service capital outlay projects funded pursuant to the 1992 Order, the 1996 Order, and this resolution. Such maintenance and servicing amount of the Special Tax shall be allocated each year as follows: (1) 14.32% of the total maintenance and servicing amount to the County (for the benefit of the Department of Beaches and Harbors (2.41%); Department of Public Works (0.15%); The Ford Theater (0.18%); The County Museum of Art (0.25%); Department of Parks and Recreation (11.33%) or any other applicable department as determined by the Board); (2) to State and Local Agencies (13.4%) which own and operate public parkland and properties acquired pursuant to this resolution; and (3) except as provided in the next paragraph, to the cities within the County, 72.28% of the total maintenance and servicing amount. Each city will receive a percentage of the 72.28% based on the total number of parcels within the incorporated portions of the County and the total number of parcels within the boundary of each city. Notwithstanding the above, any recipient that has, in the Board's sole discretion, violated any of the terms of this resolution, the 1992 Order, or the 1996 Order, or breached the terms of the contract required in subsection (a) of Section 10, may have its funds withheld until such violation or breach is remedied or cured to the Board's satisfaction.

(b) The allocations described in subsection (f) of Section 5 shall be made only to those recipients which certify that (1) such funds shall be used only for the purposes as set forth in that subsection, and (2) such funds shall be used to pay the incremental cost of maintaining or servicing any project funded pursuant to the 1992 Order, the 1996 Order, or this resolution.

(c) If operation and maintenance and/or ownership of the County's beaches are transferred to a non-County entity in the future, the funds allocated pursuant to this Section for maintenance and servicing of the County's beaches shall be re-allocated by the Board for maintenance and servicing of projects funded by this resolution.

Section 22. [Reserved]

Section 23. In case any provision of this resolution shall be invalid, illegal or unenforceable, the validity, legality and enforceability of the remaining provisions of this resolution shall not in any way be affected or impaired thereby.

Section 24. This resolution shall not take effect unless approved by two-thirds of the qualified voters of the County voting on the matter at a general or special election called by the Board for such purpose. If so approved by the voters, this resolution shall take effect, and the Special Tax shall exist and be deemed approved, all as of the date of the election, without regard to the date of certification of the election results.

Section 25. The officers and employees of the County, are and each of them acting alone is, hereby authorized and directed to take any and all actions which are necessary or desirable to carry out the purposes of this resolution.

Section 26. The Proposition for the County to levy the Special Tax pursuant to this resolution shall appear on the ballot substantially as follows:

<p>SAFE NEIGHBORHOOD PARKS, GANG PREVENTION, YOUTH/ SENIOR RECREATION, BEACHES/WILDLIFE PROTECTION MEASURE. To ensure continued funding from an expiring voter-approved measure for improving the safety of neighborhood parks and senior/youth recreation areas; assisting in gang prevention; protecting rivers, beaches, water sources; repairing, acquiring/preserving parks/natural areas; maintaining zoos, museums; providing youth job-training, shall Los Angeles County levy an annual \$23/parcel special tax, requiring annual independent financial audits and all funds used locally?</p>	<p>YES _____ NO _____</p>
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Section 27. Proclamation. Pursuant to section 12001 of the California Elections Code, the Board of Supervisors of the County of Los Angeles hereby PROCLAIMS that an election shall be held in the County on Tuesday, November 4, 2014, to vote upon the proposed resolution. The polls shall be open from 7:00 a.m. to 8:00 p.m.

Section 28. Election Procedure. All qualified voters residing within the County shall be permitted to vote in the election and in all particulars not recited in this resolution, the election shall be held as nearly as practicable in conformity with the Elections Code of the State of California. The votes cast for and against the measure shall be separately counted and if the measure receives the required number of votes, the Special Tax in the amounts stated in the resolution shall be effective and ratified.

Section 29. Sample Ballot. The Registrar-Recorder County Clerk is instructed to print the entire proposed resolution in the sample ballot.

Section 30. Consolidation. The election called by this resolution shall be consolidated with the other elections conducted by the Registrar-Recorder/County Clerk to be held in the County of Los Angeles on November 4, 2014, and the measure shall be placed on the same ballot to the extent the elections are concluded within the same geographical areas, and in such instance the same precincts, polling places, election officers, and facilities shall be used for the elections.

Section 31. Authority. This resolution is adopted pursuant to section 12001 of the Elections Code and section 25201 of the Government Code. The Executive Officer-Clerk of the Board of Supervisors is ordered to file a copy of this resolution with the Registrar-Recorder at least eighty-eight (88) days prior to the day of the election.

Section 32. The Board is hereby authorized and directed to make any changes to the text of this resolution as may be convenient or necessary to comply with the intent of this resolution, the requirements of elections officials, or otherwise required by law.

Section 33. Based upon all of the facts before it on this matter, the Board finds that the submission of this question of a Special Tax to the voters is not subject to, or is exempt from, the California Environmental Quality Act (CEQA) because it is not a project as defined by 14 California Code of Regulations section 15378(b)(4) relating to the creation of government funding mechanisms which do not involve commitment to any specific project which may result in a potentially significant physical impact on the environment.

The foregoing resolution was on the day of _____, 2014, adopted by the Board of Supervisors of the County of Los Angeles.

Executive Officer-Clerk of the Board of Supervisors
of the County of Los Angeles

By: _____
Deputy

APPROVED AS TO FORM:

RICHARD D. WEISS
Acting County Counsel

By: _____
Deputy

Proposition A Completed Projects

The County Department of Parks and Recreation, cities and other grantees have completed almost 2,000 parks, open space and recreational facilities projects with funds from the 1992 Safe Neighborhood Parks Measure and additional funding, including:

- 328 new children's play areas
- 350 new and refurbished recreation centers, senior centers, community centers and nature centers
- 33,000 acres permanently converted to parks and open space
- 244 trails projects
- 110 water quality and water supply enhancement projects
- 175 tree planting projects (10,000 trees)
- 200 restrooms added or refurbished
- Employed over 25,000 youths

Top Projects in District 1

- Emerald Necklace Trail Improvements and Parks
- Whittier Narrows Regional Park Improvements
- Los Angeles River Projects
- Vista Hermosa Park
- Wellness Center Park Fitness Zone
- Grand Park Playground
- La Plaza Outdoor Improvements
- El Sereno Indoor Pool, Park Rehabilitation
- Elysian Park Improvements
- Belvedere Park Pool
- Obregon Park Pool
- Bosque del Rio Hondo Park

Top Projects in District 2

- East Rancho Dominguez Community and Senior Center Project
- Memorial Center Gymnasium
- Baldwin Hills Acquisition and Development
- LA County Natural History Museum
- Park de Playa Trail
- Stoneview Nature Center
- Ballona Creek Wetlands and Trail Restoration and Development

Top Projects in District 3

- Hollywood Bowl
- Los Angeles Zoo
- Malibu Legacy Park
- Calabasas/Agoura Hills Community Center
- Acquisitions in Santa Monica Mountains

Top Projects in District 4

- Cerritos Park
- Dockweiler Beach
- Friendship Park
- Cabrillo Marine Aquarium
- Dills Park
- Seaside Lagoon
- Sand Dune Park
- Chittick Sports Complex & Fields
- Pantera Park

Top Projects in District 5

- Arcadia Park Pool
- Placerita Canyon Nature Center/Acquisition
- Regional Soccer Complex
- Walnut Creek Improvements
- Hughes Community Center
- La Fetra Senior Center
- Live Oak Park

Proposition A Grantees

AAF Rose Bowl Aquatics Center	Claremont
Agoura Hills, Dept. of Community Service	Commerce, Dept. of Parks & Recreation
Alhambra	Communities in School
All Peoples Christian Center	Community Build, Inc.
Altadena Foothills Conservancy	Community Development Commission, County of L.A.
AltaMed Health Service Corporation	Community Partners
Amigos de los Rios	Compton
Arcadia	Compton, Parks & Recreation Dept.
Armory Center for the Arts	Covina
Arroyos and Foothills Conservancy	Cudahy
Artesia	Culver City
Avalon	Descanso Gardens Guild
Azusa	Diamond Bar
Baldwin Hills Regional Conservation Authority	Downey
Baldwin Park	Duarte
Bell Gardens, Community Development Dept.	Eastmont Community Center
Bell Gardens, Dept. of Public Works	El Monte
Bell Gardens, Dept. of Recreation Services	El Monte Community Services
Bell, Development Services Dept.	El Pueblo De Los Angeles Historical Monument
Bellflower	El Segundo
Beverly Hills, Recreation & Parks Dept.	Ford Theater Foundation
Bonita Unified School District	Friends of Compton Creek
Boys & Girls Club of San Gabriel Valley	Gardena
Boys & Girls Club of Venice	Glendale
Bradbury	Glendale Youth Alliance, Inc.
Burbank Dept. of Parks & Recreation	Glendora
Calabasas, Dept. of Community Services	Glendora Community Conservancy
Calabasas, Dept. of Public Works	Greater LA Council on Deafness
California Department of Parks & Recreation	Harbor City/ Harbor Gateway Boys & Girls Club
California Environmental Project	Hawaiian Gardens
California Science Center	Hawthorne, Parks & Recreation Dept.
Carson	Hermandad Mexicana Nacional
Carson Recreation Community	Hermosa Beach
Central American Resource Center	Hidden Hills
Central City Action Committee	Hollywood Beautification Team
Cerritos	Hollywood CPR
Challengers Boys and Girls Club	Housing Authority of the City of Los Angeles
City of Downey	Huntington Park
City of South Gate	

Huntington Park Dept. of Parks & Rec.	Milestone Center for Educational Therapy, Inc.
Inglewood, Parks & Code Enforcement Dept.	Monrovia
International Institute of Los Angeles	Montebello
Irwindale, Dept. of Parks & Recreation	Montebello, Dept. of Parks & Recreation
L.A. County - Arts Commission	Monterey Park
L.A. County - Dept. of Beaches and Harbors	Monterey Park, Recreation & Parks Dept.
L.A. County - Dept. of Parks and Recreation	Mountains Recreation & Conservation Authority
L.A. County - Dept. of Public Works	Mountains Restoration Trust
L.A. County - Museum of Art	Museum Associates
L.A. County - Museum of Nat. Hist. Foundation	National Park Service
L.A. County - Museum of Natural History	New Directions for Youth
La Canada-Flintridge	North East Trees
LA County Arts Commission	Norwalk
LA County Dept of Public Works	Ocean Park Community Organization
La Habra Heights	OPICA Adult Day Care Center, Inc.
La Mirada	P.F. Bresee Foundation
La Puente	Palmdale
La Puente, Community Services Department	Palos Verdes Estates
La Verne	Palos Verdes Peninsula Land Conservancy
Lakewood	Para Los Ninos
Lancaster	Paramount
Las Virgenes Municipal Water District	Pasadena
Lawndale, Rec. & Community Services Dept.	Pasadena Family Center
Lomita	Pico Rivera
Long Beach	Plaza Community Center, Inc.
Los Angeles	Pomona, Parks, Recreation and Comm.Svcs. Dept.
Los Angeles Community Garden	Puente Hills Landfill Native Habitat Preserv. Auth
Los Angeles Conservation Corps	Rancho Palos Verdes
Los Angeles County Flood Control District	Redondo Beach
Los Angeles Neighborhood Land Trust	Resource Cons. District of the Santa Monica Mtns.
Los Angeles Philharmonic Association	Rolling Hills Estates
Los Angeles Unified School District	Rosemead School District
Los Angeles, Cultural Affairs Dept.	Rosemead, Dept. of Parks & Recreation
Los Angeles, Department of the Zoo	Salesian Boys and Girls Club of Los Angeles
Los Angeles, DPW: Bureau of Sanitation	San Dimas
Los Angeles, DPW: Structural Engineering Division	San Fernando, Rec. & Community Services
Los Angeles, Environmental Affairs Dept.	San Gabriel
Los Angeles, Public Works Dept/Engineering Bureau	San Marino
Los Angeles, Redevelopment Agency	Santa Clarita
Lynwood, Facilities Maintenance Dept.	Santa Fe Springs, Dept. of Rec. Services
Malibu	Santa Monica Mountains Conservancy
Manhattan Beach	Santa Monica YMCA
Mar Vista Institute	Santa Monica, Comm. & Cultural Services
Maywood, Dept. of Community Services	Santa Monica, Environmental Public Works Mgmt Dept

Sheriff's Youth Foundation
Sierra Madre
Signal Hill
South El Monte, Dept. of Rec. & Parks
South Gate, Dept. of Community Development
South Gate, Dept. of Parks & Recreation
South Gate, Dept. of Public Works
South Pasadena
SRO Housing Corporation
Temple City
The Performing Arts Center of LA County (Music Center)
Torrance
TreePeople
Trust for Public Land
United Community Action Network
Venice Community Housing Corporation
Veterans Park Conservancy
Walnut
Watershed Conservation Authority
Watts Labor Community Action Committee
Watts Willowbrook Boys & Girls Club
West Covina
West Hollywood
West San Gabriel Valley Boys and Girls Club
Westlake Village
Whittier

PAGE

8

COUNTY MEASURE

P	SAFE NEIGHBORHOOD PARKS, GANG PREVENTION, YOUTH/SENIOR RECREATION, BEACHES/WILDLIFE PROTECTION MEASURE. To ensure continued funding from an expiring voter-approved measure for improving the safety of neighborhood parks and senior/youth recreation areas; assisting in gang prevention; protecting rivers, beaches, water sources; repairing, acquiring/preserving parks/natural areas; maintaining zoos, museums; providing youth job-training, shall Los Angeles County levy an annual \$23/parcel special tax, requiring annual independent financial audits and all funds used locally?	184	YES ➡
		185	NO ➡

END OF BALLOT

08-004E

ARGUMENT IN FAVOR OF MEASURE P

Safe Neighborhood Parks, Gang Prevention, Youth/Senior Recreation, Beaches/Wildlife Protection Measure

Vote **YES** on **PROPOSITION P!**

This measure continues an expiring voter-approved local funding measure for city, county and neighborhood parks/recreation centers that will:

- Provide safe neighborhood parks for our children, seniors and other residents
- Reduce gang activity by providing recreational and job training alternatives for at-risk youth
- Repair, upgrade, maintain and improve our parks/recreation centers
- Protect our beaches and drinking water and improve water quality in our creeks, rivers and bays
- Require mandatory oversight of all funds

Give children safe places to play

Proposition P provides neighborhood parks with necessary equipment and facilities to ensure after-school youth programs remain safe. These healthy recreational and educational alternatives are used by thousands of youth, keeping them off the streets and away from gangs, drugs and vandalism.

Repair and upgrade our neighborhood parks/recreation centers

Proposition P repairs and upgrades outdated and unsafe equipment and park/recreational infrastructure, which suffers from termite damage, mold, leaky roofs, poor drainage and unsafe lighting, especially in neighborhoods with the greatest needs.

Protect local water quality, sources and supplies

Proposition P protects local drinking water sources, ensures drinking water is safe at parks/recreation areas and protects our waterways from toxic pollutants that wash onto our beaches, causing residents to get stomach flu, fever and other illnesses each year.

Fiscal accountability

Proposition P requires (by law) annual independent financial audits and public review of expenditures. No money for Sacramento, all funds controlled locally and every community gets its fair share.

(Continued on next page)

ARGUMENT IN FAVOR OF MEASURE P (Continued)

Proposition P continues funding from the expiring measure. Losing this funding means tens of millions of dollars in cuts to our park/recreation programs. There is no other countywide source of money for park repairs, upgrades and improvements.

Join us in voting **YES** on **PROPOSITION P!**

JACKIE LACEY
District Attorney, Los Angeles County

REV. GREGORY J. BOYLE, S.J.
Homeboy Industries Youth Job
Training

RICHARD LICHTENSTEIN
Co-Chair, Greater L.A. Zoo Association

BELINDA V. FAUSTINOS
Retired Executive Director, Rivers
& Mountains Conservancy

ZEV YAROSLAVSKY
Los Angeles County Supervisor, District Three

ARGUMENT AGAINST MEASURE P

Measure P is a new tax.

All County residents already pay two park taxes

Now is not the time for a new 30 year tax when the Parks Department already has over \$150 million in unspent funds from previous park taxes that voters will continue to pay through 2018.

Before saddling tax payers with yet another new tax, we need a comprehensive plan to spend existing unallocated revenues and a proposal to specify the need for new revenue.

The 2016 election will provide ample time to enlist full public support for an equitable tax plan to fund county projects – two years ahead of the 2018 deadline when the existing tax expires.

Parks are a vital component in enhancing the quality of life for our county residents. However Measure P is a flawed proposal that rushes voters into a \$1.6 billion tax hike over 30 years.

Vote no on Measure P

RICKEY GELB

GELB Group, A Family of Companies, San Fernando Valley

JOHN J. KENNEDY

City Councilmember

City of Pasadena

JOHN G. CARLSON

Carlson & Associates

MELVIN WILSON

Mel Wilson & Associates-Realtors

MICHAEL ANTONOVICH

Los Angeles County Supervisor

REBUTTAL TO ARGUMENT IN FAVOR OF MEASURE P

Safe Neighborhood Parks, Gang Prevention, Youth/Senior Recreation, Beaches/Wildlife Protection Measure

PROPOSITION P will not reduce crime!

Proponents want you to believe that without this new tax our County parks and recreational programs will be in trouble. Not true! In fact, we currently have \$150 million in unallocated park funds! The County park system will not face budget cuts without this tax. **It is irresponsible to saddle you with another tax increase when there is no plan to spend all the money from the previous tax!**

Remember, this measure is not a continuation of an expiring tax. It is a new tax on all property owners in L.A. County.

Property owners already pay for two park measures. One that passed in 1992 and another passed in 1996, which does not expire until 2018 and generates over \$28 million annually.

This new tax was rushed to voters without any public outreach, input or discussion.

Before increasing taxes, we need to research park needs and present voters with a comprehensive plan guaranteeing equitable distribution of the funds for specific projects throughout the county. Proposition P does not do this!

Parks are vital to enhancing the quality of life for our county residents. However, residents should not be taxed again until there is a plan to spend all the unallocated revenues.

Join us in voting against excessive taxes and vote **NO** on **Proposition P**.

BISHOP HENRY HEARNS

DR. SANDRA E. THOMAS
NAACP State Exec. Bd.

MIKE SPENCE
Councilman, City of West Covina

DON FLEMING
Businessman

DR. CHRISTOPHER LIN
Educator/Businessman/Banker

REBUTTAL TO ARGUMENT AGAINST MEASURE P

Vote Yes on Measure P

The voter-approved Safe Neighborhood Parks and Gang Prevention measure, which has provided critical funds to repair, upgrade, and improve our neighborhood parks/recreation centers, is set to expire next June. This means our communities will lose tens of millions of dollars annually, resulting in reduction or elimination of ongoing repairs and upgrades to our parks/recreational centers and cuts to park programs; including those in parks with the greatest needs.

Measure P simply continues the expiring voter-approved funding so that our communities can:

- Provide safe neighborhood parks for our children, seniors and other residents
- Reduce gang activity by providing recreational and job training alternatives for at-risk youth
- Protect our beaches and drinking water sources, and improve water quality in our creeks, rivers and bays

This measure will continue to fund needed upgrades to neighborhood parks' outdated and unsafe playground equipment; remove mold, asbestos and lead paint; repair leaky roofs, decaying walls and poor drainage; upgrade security lighting; and improve accessibility for the disabled and seniors.

It will also ensure annual independent financial audits to determine that all funds are spent locally, efficiently and effectively.

By law, funds from the new measure cannot be collected until five months after the current measure ends. Therefore, it simply continues voter-approved revenue that we are already paying.

"Parks are a vital component in enhancing the quality of life for our county residents." This is why it is so critical that we vote **Yes on Measure P.**

JACKIE LACEY
District Attorney, Los Angeles County

GLORIA MOLINA
Los Angeles County Supervisor,
First District

BLANCA E. CASTRO
California Advocacy Director, AARP

DIANA POLLARD
Board Member, People for Parks

BRUCE SAITO
Executive Director Emeritus,
LA Conservation Corps Youth Job Training Program

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AGENDA REPORT

To: Mayor Sylvia Ballin and Councilmembers

From: Brian Saeki, City Manager

Date: October 20, 2014

Subject: San Fernando Regional Pool Facility Lease Update

RECOMMENDATION:

It is recommended that the City Council receive and file this report.

BACKGROUND:

On October 6, 2014, the City Council approved a Lease Agreement with Los Angeles County (the County) that requires the County to assume all operational responsibilities of the San Fernando Regional Pool Facility (Pool Facility), effective November 1, 2014.

ANALYSIS:

At the October 6, 2014 City Council meeting, staff informed the City Council that the Lease Agreement with the County to operate the Pool Facility would be presented to the County Board of Supervisors on October 21, 2014. That information was provided to staff by the County. After the meeting on October 6, 2014, the County informed staff that their presentation of the Lease Agreement to the Board of Supervisors would not be ready by the October 21, 2014, and that they were hoping to have it agendaized for their October 28, 2014 meeting.

It was staff's plan to present the City Council with a reorganization plan for the Recreation and Community Services Department on October 20, 2014, but given the setback by the County, staff will be delaying the reorganization plan until after the County has approved the Lease Agreement. Therefore, the County will not be assuming the operation of the pool on November 1, 2014, as originally planned. That date will more than likely be pushed back for approximately 30 days. Staff will be working with the County, once they have approved the Lease Agreement, on a concrete transition date. That information will be provided to the City Council once it is provided to staff.

San Fernando Regional Pool Facility Update

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BUDGET IMPACT:

There is no financial impact associated with this item.

CONCLUSION:

Staff is recommending that the City Council receive and file this report.

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AGENDA REPORT

To: Mayor Sylvia Ballin and Councilmembers

From: Brian Saeki, City Manager
By: Fred Ramirez, Community Development Director

Date: October 20, 2014

Subject: Consideration to Approve a Resolution Approving an Amended and Restated Joint Exercise of Powers Agreement Relating to the California Statewide Communities Development Authority (CSCDA) and a Resolution Approving the Issuance of Bonds by the CSCDA of Multifamily Housing Revenue Bonds for the Penny's Apartments at 1150 San Fernando Road

RECOMMENDATION:

It is recommended that the City Council:

- a. Conduct a Public Hearing;
- b. Pending public testimony, adopt Resolution No. 7633 (Attachment "A") approving the California Statewide Communities Development Authority's (CSCDA) Amended and Restated Joint Exercise of Power Agreement;
- c. Adopt Resolution No. 7634 (Attachment "B") approving the proposed issuance of multifamily housing revenue obligations bonds by the CSCDA in an amount not to exceed \$12,000,000 for the benefit of Aszkenazy Development, Inc. (the Borrower); and
- d. Direct the City Manager to take all actions necessary to execute the Joint Exercise of Power Agreement and bond documents.

BACKGROUND:

1. On June 25, 2014, the City Council adopted Resolution No. 7619, Ordinance No. 1634, and Resolution No. 7620 to: adopt a Mitigated Negative Declaration; approve Zone Map Amendment 2014-001, amending the Zoning Map of the City of San Fernando to Rezone Portions of 1140-1148 San Fernando Road from the Truman/San Fernando District and Mixed Use Transition Sub-District of the SP-4 (Corridors Specific Plan) Zone to the Downtown District and San Fernando Mall Sub-District of the SP-4 (Corridors Specific Plan) Zone to Allow for a Mixed Use Development; and designate the J.C. Penney's building front

Consideration to Approve a Resolution Approving an Amended and Restated Joint Exercise of Powers Agreement Relating to the California Statewide Communities Development Authority (CSCDA) and a Resolution Approving the Issuance of Bonds by the CSCDA of Multifamily Housing Revenue Bonds for the Penny's Apartments at 1150 San Fernando Road

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façade and signs at 1140 San Fernando Road as a City historic resource. The subject property, which includes 1140 and 1148 San Fernando Road has recently been identified the Project site with an 1150 San Fernando Road address. As part of the Project's approval it was anticipated that Aszkenazy Development, Inc. the developer of the Project would be seeking out funding to develop the mixed-use development and affordable housing project. CSCDA is presented herein as one of the possible funding sources for the Project.

CSCDA is a joint exercise of powers authority created under the California Joint Powers Act (California Government Code Section 6500 and following) (the Act). Pursuant to the Act and an Amended and Restated Joint Powers Agreement among a number of cities, counties and special districts within the State of California (the Agreement), CSCDA is authorized to issue revenue bonds for the benefit of conduit borrowers.

CSCDA issues bonds on behalf of the CSCDA's over 500 members (the Program Participant) in whose jurisdiction the projects are to be located, in this case, the City of San Fernando (the City). Pursuant to Section 9 of the Agreement, CSCDA may not issue bonds or other forms of indebtedness unless the governing body of the Program Participant approves their issuance. Furthermore, Section 147(f) of the Internal Revenue Code of 1986 requires that the proposed financing be approved by a governmental unit having jurisdiction over the area in which the facility to be financed is located. Thereafter, pursuant to applicable State law, the bonds are issued as limited obligations of CSCDA, not of the City, payable solely out of the revenues and receipts derived from the applicable project.

The Agreement also expressly provides that CSCDA is a public entity separate and apart from the Program Participants, and "[i]ts debts, liabilities and obligations do not constitute debts, liabilities or obligations of any party to [the] Agreement."

Accordingly, the bonds issued for the Project will be indebtedness of CSCDA, and the City will not be asked to approve or execute any of the financing documents. Moreover, the disclosure prepared for the bonds will not have any information regarding the City and will not include the City's name, other than with respect to where the Project is located.

2. A Public Hearing was scheduled for the City Council to consider both Resolutions (Attachments "A" and "B") on Monday, September 15, 2014 and the Notice of Public Hearing was published in the August 28, 2014, edition of the San Fernando Valley Sun Newspaper. The noticed was published more than 14 days prior to the scheduled Public Hearing.
3. On September 15, 2014, the City Council opened the Public Hearing to hear public comments regarding the City Council's consideration to resolutions approving a joint

Consideration to Approve a Resolution Approving an Amended and Restated Joint Exercise of Powers Agreement Relating to the California Statewide Communities Development Authority (CSCDA) and a Resolution Approving the Issuance of Bonds by the CSCDA of Multifamily Housing Revenue Bonds for the Penny's Apartments at 1150 San Fernando Road

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powers agreement issuance of CSCDA in order to facilitate the issuance of Multifamily Housing Revenue Bonds for the Penny's Apartments at 1150 San Fernando Road. Subsequent to public comments, the Public Hearing was continued to the City Council's regular October 20, 2014 meeting in order to allow representatives from CSCDA to attend and be present at the meeting to answer any questions regarding the proposed actions being considered by the City Council.

ANALYSIS:

The City Council consideration of item includes a hearing under the requirements of the Tax Equity and Fiscal Responsibility Act of 1982 (TEFRA) and the Internal Revenue Code of 1986, as amended (the Code), to allow for input from the public regarding the proposed issuance of Bonds. As noted above, a notice of the Public Hearing was published in the San Fernando Valley Sun Newspaper on Thursday, August 28, 2014.

The adoption of Resolution No. 7634 (Attachment "B") is the first step in the process of financing the proposed Project. Prior to the issuance of bonds the Project will need to receive "private activity bond" allocation from the California Debt Limit Allocation Committee and CSCDA will be required to adopt a resolution which would approve the execution and delivery of certain bond documents that would reflect the terms of the bonds.

The Borrower requested that the CSCDA serve as the municipal issuer of the tax-exempt Bonds in an aggregate principal amount not to exceed \$12,000,000. The proceeds of the Bonds will be used to: 1) finance the acquisition and construction of a 101-unit affordable apartment complex known as Penny's Apartments located at 1150 San Fernando Road in San Fernando, California; and 2) pay certain expenses incurred in connection with the issuance of the Bonds. The facilities are to be owned and operated by Aszkenazy Development, Inc. or another entity to be formed by the Borrower. 100% of the units at the Project will be reserved for tenants whose incomes are at or below 50% and 60% of the Area Median Income level. The owners will record 55-year affordability covenants on the property.

In order for all or a portion of the Bonds to qualify as tax-exempt bonds, the City must conduct a Public Hearing (the TEFRA Hearing) providing for the members of the community an opportunity to speak in favor of or against the use of tax-exempt bonds for the financing of the Project. Prior to such TEFRA Hearing, reasonable notice must be provided to the members of the community. Following the close of the TEFRA Hearing, an "applicable elected representative" of the governmental unit hosting the Project must provide its approval of the issuance of the Bonds for the financing of the Project.

Consideration to Approve a Resolution Approving an Amended and Restated Joint Exercise of Powers Agreement Relating to the California Statewide Communities Development Authority (CSCDA) and a Resolution Approving the Issuance of Bonds by the CSCDA of Multifamily Housing Revenue Bonds for the Penny's Apartments at 1150 San Fernando Road

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BUDGET IMPACT:

Adoption of these Resolutions will have no impact on the City budget. There is no financial impact to the City as a result of approving the Amended and Restated Joint Exercise of Power Agreement and joining CSCDA or holding the Public Hearing. Joining CSCDA allows the City to participate in any of CSCDA's financing programs.

The proposed obligations to be issued by CSCDA will be the sole responsibility of Aszkenazy Development, Inc., and the City will have no financial or legal obligation for repayment. No financial obligations are placed on the City for project financing costs or debt repayment.

CONCLUSION:

Staff recommends that the City Council adopt the attached Resolutions (Attachments "A" and "B") approving an Amended and Restated Joint Exercise of Powers Agreement relating to the California Statewide Communities Development Authority (CSCDA) and a approving the issuance of \$12,000,0000 in CSCDA multifamily housing revenue bonds in order to finance the acquisition, construction, and administrative costs associated with the development of a 101-unit affordable housing units at the Penny's Apartments, a mixed-use development project at 1150 San Fernando Road in the City of San Fernando.

ATTACHMENTS:

- A. Resolution No. 7633 (Joint Exercise of Power Agreement)
- B. Resolution No. 7634 (on TEFRA Hearing and Bond Issuance)

ATTACHMENT "A"

RESOLUTION NO. 7633**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN FERNANDO APPROVING, AUTHORIZING AND DIRECTING EXECUTION OF AN AMENDED AND RESTATED JOINT EXERCISE OF POWERS AGREEMENT RELATING TO THE CALIFORNIA STATEWIDE COMMUNITIES DEVELOPMENT AUTHORITY**

WHEREAS, the City of San Fernando, California (the "City"), has expressed an interest in participating in the economic development financing programs (the "Programs") in conjunction with the parties to that certain Amended and Restated Joint Exercise of Powers Agreement Relating to the California Statewide Communities Development Authority, dated as of June 1, 1988 (the "Agreement") and included herein as "Exhibit A"; and

WHEREAS, there is now before this City Council the form of the Agreement; and

WHEREAS, the City proposes to participate in the Programs and desires that certain projects to be located within the City be financed pursuant to the Programs and it is in the public interest and for the public benefit that the City do so; and

WHEREAS, the Agreement has been filed with the City Clerk, and the members of the City Council of the City, with the assistance of its staff, have reviewed said document.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAN FERNANDO DOES HEREBY RESOLVE, FIND, DETERMINE, AND ORDER AS FOLLOWS:

Section 1. The City Council of the City of San Fernando hereby approves the Agreement and authorizes and directs the Mayor or the City Manager to execute said document, with such changes, insertions and omissions as may be approved by said City Council. The City Clerk is hereby authorized and directed to affix the City's seal to said document and to attest thereto.

Section 2. The Mayor of the City, the City Manager, the City Clerk and all other proper officers and officials of the City are hereby authorized and directed to execute such other agreements, documents and certificates, and to perform such other acts and deeds, as may be necessary or convenient to effect the purposes of this Resolution and the transactions herein authorized.

Section 3. The City Clerk shall forward a certified copy of this Resolution and an originally executed Agreement to:

Kathleen Jacobe
Orrick, Herrington & Sutcliffe LLP
400 Capital Mall, Suite 3000
Sacramento, California 95814

Section 4. This resolution shall take effect immediately upon its adoption

PASSED, APPROVED, AND ADOPTED this 20th day of October, 2014.

Sylvia Ballin, Mayor

ATTEST:

Elena G. Chávez, City Clerk

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss
CITY OF SAN FERNANDO)

I HEREBY CERTIFY that the foregoing Resolution was approved and adopted at a regular meeting of the City Council held on the 20th day of October, 2014, by the following vote to wit:

AYES:

NOES:

ABSENT:

Elena G. Chávez, City Clerk

**AMENDED AND RESTATED
JOINT EXERCISE OF POWERS AGREEMENT
RELATING TO THE CALIFORNIA STATEWIDE COMMUNITIES
DEVELOPMENT AUTHORITY**

THIS AGREEMENT, dated as of June 1, 1988, by and among the parties executing this Agreement (all such parties, except those which have withdrawn in accordance with Section 13 hereof, being herein referred to as the "Program Participants"):

WITNESSETH

WHEREAS, pursuant to Title 1, Division 7, Chapter 5 of the Government Code of the State of California (the "Joint Exercise of Powers Act"), two or more public agencies may by agreement jointly exercise any power common to the contracting parties; and

WHEREAS, each of the Program Participants is a "public agency" as that term is defined in Section 6500 of the Government Code of the State of California, and

WHEREAS, each of the Program Participants is empowered to promote economic development, including, without limitation, the promotion of opportunities for the creation or retention of employment, the stimulation of economic activity, and the increase of the tax base, within its boundaries; and

WHEREAS, a public entity established pursuant to the Joint Exercise of Powers Act is empowered to issue industrial development bonds pursuant to the California Industrial Development Financing Act (Title 10 (commencing with Section 91500 of the Government Code of the State of California)) (the "Act") and to otherwise undertake financing programs under the Joint Exercise of Powers Act or other applicable provisions of law to promote economic development through the issuance of bonds, notes, or other evidences of indebtedness, or certificates of participation in leases or other agreements (all such instruments being herein collectively referred to as "Bonds"); and

WHEREAS, in order to promote economic development within the State of California, the County Supervisors Association of California ("CSAC"), together with the California Manufacturers Association, has established the Bonds for Industry program (the "Program").

WHEREAS, in furtherance of the Program, certain California counties (collectively, the "Initial Participants") have entered into that certain Joint Exercise of Powers Agreement dated as of November 18, 1987 (the "Initial Agreement"), pursuant to which the California Counties Industrial Development Authority has been established as a separate entity under the Joint Exercise of Powers Act for the purposes and with the powers specified in the Initial Agreement; and

WHEREAS, the League of California Cities ("LCC") has determined to join as a sponsor of the Program and to actively participate in the administration of the Authority; and

WHEREAS, the Initial Participants have determined to specifically authorize the Authority to issue Bonds pursuant to Article 2 of the Joint Exercise of Powers Act ("Article 2") and Article 4 of the Joint Exercise of Powers Act ("Article 4"), as well as may be authorized by the Act or other applicable law; and

WHEREAS, the Initial Participants desire to rename the California Counties Industrial Development Authority to better reflect the additional sponsorship of the Program; and

WHEREAS, each of the Initial Participants has determined that it is in the public interest of the citizens within its boundaries, and to the benefit of such Initial Participant and the area and persons served by such Initial Participant, to amend and restate in its entirety the Initial Agreement in order to implement the provisions set forth above; and

WHEREAS, it is the desire of the Program Participants to use a public entity established pursuant to the Joint Exercise of Powers Act to undertake projects within their respective jurisdictions that may be financed with Bonds issued pursuant to the Act, Article 2, Article 4, or other applicable provisions of law; and

WHEREAS, the projects undertaken will result in significant public benefits, including those public benefits set forth in Section 91502.1 of the Act, an increased level of economic activity, or an increased tax base, and will therefore serve and be of benefit to the inhabitants of the jurisdictions of the Program Participants;

NOW, THEREFORE, the Program Participants, for and in consideration of the mutual promises and agreements herein contained, do agree to restate and amend the Initial Agreement in its entirety to provide as follows:

Section 1. Purpose.

This Agreement is made pursuant to the provisions of the Joint Exercise of Powers Act, relating to the joint exercise of powers common to public agencies, in this case being the Program Participants. The Program Participants each possess the powers referred to in the recitals hereof. The purpose of this Agreement is to establish an agency for, and with the purpose of, issuing Bonds to finance projects within the territorial limits of the Program Participants pursuant to the Act, Article 2, Article 4, or other applicable provisions of law; provided, however that nothing in this Agreement shall be construed as a limitation on the rights of the Program Participants to pursue economic development outside of this Agreement, including the rights to issue Bonds through industrial development authorities under the Act, or as otherwise permitted by law.

Within the various jurisdictions of the Program Participants such purpose will be accomplished and said powers exercised in the manner hereinafter set forth.

Section 2. Term.

This Agreement shall become effective as of the date hereof and shall continue in full force and effect for a period of forty (40) years from the date hereof, or until such time as it is terminated in writing by all the Program Participants; provided, however, that this Agreement shall not terminate or be terminated until the date on which all Bonds or other indebtedness issued or caused to be issued by the Authority shall have been retired, or full provision shall have been made for their retirement, including interest until their retirement date.

Section 3. Authority.**A. CREATION AND POWERS OF AUTHORITY.**

(1) Pursuant to the Joint Exercise of Powers Act, there is hereby created a public entity to be known as the "California Statewide Communities Development Authority" (the "Authority"), and said Authority shall be a public entity separate and apart from the Program Participants. Its debts, liabilities and obligations do not constitute debts, liabilities or obligations of any party to this Agreement.

B. COMMISSION.

The Authority shall be administered by a Commission (the "Commission") which shall consist of seven members, each

serving in his or her individual capacity as a member of the Commission. The Commission shall be the administering agency of this Agreement, and, as such, shall be vested with the powers set forth herein, and shall execute and administer this Agreement in accordance with the purposes and functions provided herein.

Four members of the Commission shall be appointed by the governing body of CSAC and three members of the Commission shall be appointed by the governing body of LCC. Initial members of the Commission shall serve a term ending June 1, 1991. Successors to such members shall be selected in the manner in which the respective initial member was selected and shall serve a term of three years. Any appointment to fill an unexpired term, however, shall be for such unexpired term. The term of office specified above shall be applicable unless the term of office of the respective member is terminated as hereinafter provided, and provided that the term of any member shall not expire until a successor thereto has been appointed as provided herein.

Each of CSAC and LCC may appoint an alternate member of the Commission for each member of the Commission which it appoints. Such alternate member may act as a member of the Commission in place of and during the absence or disability of such regularly appointed member. All references in this Agreement to any member of the Commission shall be deemed to refer to and include the applicable alternate member when so acting in place of a regularly appointed member.

Each member or alternate member of the Commission may be removed and replaced at any time by the governing body by which such member was appointed. Any individual, including any member of the governing body or staff of CSAC or LCC, shall be eligible to serve as a member or alternate member of the Commission.

Members and alternate members of the Commission shall not receive any compensation for serving as such but shall be entitled to reimbursement for any expenses actually incurred in connection with serving as a member or alternate member, if the Commission shall determine that such expenses shall be reimbursed and there are unencumbered funds available for such purpose.

C. OFFICERS; DUTIES; OFFICIAL BONDS.

The Commission shall elect a Chair, a Vice-Chair, and a Secretary of the Authority from among its members to serve for such term as shall be determined by the Commission. The Commission shall appoint one or more of its officers or

employees to serve as treasurer, auditor, and controller of the Authority (the "Treasurer") pursuant to Section 6505.6 of the Joint Exercise of Powers Act to serve for such term as shall be determined by the Commission.

Subject to the applicable provisions of any resolution, indenture or other instrument or proceeding authorizing or securing Bonds (each such resolution, indenture, instrument and proceeding being herein referred to as an "Indenture") providing for a trustee or other fiscal agent, the Treasurer is designated as the depository of the Authority to have custody of all money of the Authority, from whatever source derived.

The Treasurer of the Authority shall have the powers, duties and responsibilities specified in Section 6505.5 of the Joint Exercise of Powers Act.

The Treasurer of the Authority is designated as the public officer or person who has charge of, handles, or has access to any property of the Authority, and such officer shall file an official bond with the Secretary of the Authority in the amount specified by resolution of the Commission but in no event less than \$1,000. If and to the extent permitted by law, any such officer may satisfy this requirement by filing an official bond in at least said amount obtained in connection with another public office.

The Commission shall have the power to appoint such other officers and employees as it may deem necessary and to retain independent counsel, consultants and accountants.

The Commission shall have the power, by resolution, to the extent permitted by the Joint Exercise of Powers Act or any other applicable law, to delegate any of its functions to one or more of the members of the Commission or officers or agents of the Authority and to cause any of said members, officers or agents to take any actions and execute any documents or instruments for and in the name and on behalf of the Commission or the Authority.

D. MEETINGS OF THE COMMISSION.

(1) Regular Meetings.

The Commission shall provide for its regular meetings; provided, however, it shall hold at least one regular meeting each year. The date, hour and place of the holding of the regular meetings shall be fixed by resolution of the Commission and a copy of such resolution shall be filed with each party hereto.

(2) Special Meetings.

Special meetings of the Commission may be called in accordance with the provisions of Section 54956 of the Government Code of the State of California.

(3) Ralph M. Brown Act.

All meetings of the Commission, including, without limitation, regular, adjourned regular, special, and adjourned special meetings shall be called, noticed, held and conducted in accordance with the provisions of the Ralph M. Brown Act (commencing with Section 54950 of the Government Code of the State of California).

(4) Minutes.

The Secretary of the Authority shall cause to be kept minutes of the regular, adjourned regular, special, and adjourned special meetings of the Commission and shall, as soon as possible after each meeting, cause a copy of the minutes to be forwarded to each member of the Commission.

(5) Quorum.

A majority of the members of the Commission which includes at least one member appointed by the governing body of each of CSAC and LCC shall constitute a quorum for the transaction of business. No action may be taken by the Commission except upon the affirmative vote of a majority of the members of the Commission which includes at least one member appointed by the governing body of each of CSAC and LCC, except that less than a quorum may adjourn a meeting to another time and place.

E. RULES AND REGULATIONS.

The Authority may adopt, from time to time, by resolution of the Commission such rules and regulations for the conduct of its meetings and affairs as may be required.

Section 4. Powers.

The Authority shall have any and all powers relating to economic development authorized by law to each of the parties hereto and separately to the public entity herein created, including, without limitation, the promotion of opportunities for the creation and retention of employment, the stimulation of economic activity, and the increase of the tax base, within the jurisdictions of such parties. Such powers shall include the common powers specified in this

Agreement and may be exercised in the manner and according to the method provided in this Agreement. All such powers common to the parties are specified as powers of the Authority. The Authority is hereby authorized to do all acts necessary for the exercise of such powers, including, but not limited to, any or all of the following: to make and enter into contracts; to employ agents and employees; to acquire, construct, provide for maintenance and operation of, or maintain and operate, any buildings, works or improvements; to acquire, hold or dispose of property wherever located; to incur debts, liabilities or obligations; to receive gifts, contributions and donations of property, funds, services and other forms of assistance from persons, firms, corporations and any governmental entity; to sue and be sued in its own name; and generally to do any and all things necessary or convenient to the promotion of economic development, including without limitation the promotion of opportunities for the creation or retention of employment, the stimulation of economic activity, and the increase of the tax base, all as herein contemplated. Without limiting the generality of the foregoing, the Authority may issue or cause to be issued bonded and other indebtedness, and pledge any property or revenues as security to the extent permitted under the Joint Exercise of Powers Act, including Article 2 and Article 4, the Act or any other applicable provision of law.

The manner in which the Authority shall exercise its powers and perform its duties is and shall be subject to the restrictions upon the manner in which a California county could exercise such powers and perform such duties until a California general law city shall become a Program Participant, at which time it shall be subject to the restrictions upon the manner in which a California general law city could exercise such powers and perform such duties. The manner in which the Authority shall exercise its powers and perform its duties shall not be subject to any restrictions applicable to the manner in which any other public agency could exercise such powers or perform such duties, whether such agency is a party to this Agreement or not.

Section 5. Fiscal Year.

For the purposes of this Agreement, the term "Fiscal Year" shall mean the fiscal year as established from time to time by the Authority, being, at the date of this Agreement, the period from July 1 to and including the following June 30, except for the first Fiscal Year which shall be the period from the date of this Agreement to June 30, 1988.

Section 6. Disposition of Assets.

At the end of the term hereof or upon the earlier termination of this Agreement as set forth in Section 2 hereof, after payment of all expenses and liabilities of the Authority, all property of the Authority both real and personal shall automatically vest in the Program Participants and shall thereafter remain the sole property of the Program Participants; provided, however, that any surplus money on hand shall be returned in proportion to the contributions made by the Program Participants.

Section 7. Bonds.

The Authority shall issue Bonds for the purpose of exercising its powers and raising the funds necessary to carry out its purposes under this Agreement. Said Bonds may, at the discretion of Authority, be issued in series.

The services of bond counsel, financing consultants and other consultants and advisors working on the projects and/or their financing shall be used by the Authority. The fees and expenses of such counsel, consultants, advisors, and the expenses of CSAC, LCC, and the Commission shall be paid from the proceeds of the Bonds or any other unencumbered funds of the Authority available for such purpose.

Section 9. Local Approval.

A copy of the application for financing of a project shall be filed by the Authority with the Program Participant in whose jurisdiction the project is to be located. The Authority shall not issue Bonds with respect to any project unless the governing body of the Program Participant in whose jurisdiction the project is to be located, or its duly authorized designee, shall approve, conditionally or unconditionally, the project, including the issuance of Bonds therefor. Action to approve or disapprove a project shall be taken within 45 days of the filing with the Program Participant. Certification of approval or disapproval shall be made by the clerk of the governing body of the Program Participant, or by such other officer as may be designated by the applicable Program Participant, to the Authority.

Section 8. Bonds Only Limited and Special Obligations of Authority.

The Bonds, together with the interest and premium, if any, thereon, shall not be deemed to constitute a debt of any Program Participant, CSAC, or LCC or pledge of the faith and credit of the Program Participants, CSAC, LCC, or the

Authority. The Bonds shall be only special obligations of the Authority, and the Authority shall under no circumstances be obligated to pay the Bonds or the respective project costs except from revenues and other funds pledged therefor. Neither the Program Participants, CSAC, LCC, nor the Authority shall be obligated to pay the principal of, premium, if any, or interest on the Bonds, or other costs incidental thereto, except from the revenues and funds pledged therefor, and neither the faith and credit nor the taxing power of the Program Participants nor the faith and credit of CSAC, LCC, or the Authority shall be pledged to the payment of the principal of, premium, if any, or interest on the Bonds nor shall the Program Participants, CSAC, LCC, or the Authority in any manner be obligated to make any appropriation for such payment.

No covenant or agreement contained in any Bond or Indenture shall be deemed to be a covenant or agreement of any member of the Commission, or any officer, agent or employee of the Authority in his individual capacity and neither the Commission of the Authority nor any officer thereof executing the Bonds shall be liable personally on any Bond or be subject to any personal liability or accountability by reason of the issuance of any Bonds.

Section 10. Accounts and Reports.

All funds of the Authority shall be strictly accounted for. The Authority shall establish and maintain such funds and accounts as may be required by good accounting practice and by any provision of any Indenture (to the extent such duties are not assigned to a trustee of Bonds). The books and records of the Authority shall be open to inspection at all reasonable times by each Program Participant.

The Treasurer of the Authority shall cause an independent audit to be made of the books of accounts and financial records of the Agency by a certified public accountant or public accountant in compliance with the provisions of Section 6505 of the Joint Exercise of Powers Act. In each case the minimum requirements of the audit shall be those prescribed by the State Controller for special districts under Section 26909 of the Government Code of the State of California and shall conform to generally accepted auditing standards. When such an audit of accounts and records is made by a certified public accountant or public accountant, a report thereof shall be filed as public records with each Program Participant and also with the county auditor of each county in which a Program Participant is located. Such report shall be filed within 12 months of the end of the Fiscal Year or Years under examination.

Any costs of the audit, including contracts with, or employment of, certified public accountants or public accountants in making an audit pursuant to this Section, shall be borne by the Authority and shall be a charge against any unencumbered funds of the Authority available for that purpose.

In any Fiscal Year the Commission may, by resolution adopted by unanimous vote, replace the annual special audit with an audit covering a two-year period.

The Treasurer of the Authority, within 120 days after the close of each Fiscal Year, shall give a complete written report of all financial activities for such Fiscal Year to each of the Program Participants to the extent such activities are not covered by the reports of the trustees for the Bonds. The trustee appointed under each Indenture shall establish suitable funds, furnish financial reports and provide suitable accounting procedures to carry out the provisions of said Indenture. Said trustee may be given such duties in said Indenture as may be desirable to carry out this Agreement.

Section 11. Funds.

Subject to the applicable provisions of each Indenture, which may provide for a trustee to receive, have custody of and disburse Authority funds, the Treasurer of the Authority shall receive, have the custody of and disburse Authority funds pursuant to the accounting procedures developed under Section 10 hereof, and shall make the disbursements required by this Agreement or otherwise necessary to carry out any of the provisions or purposes of this Agreement.

Section 12. Notices.

Notices and other communications hereunder to the Program Participants shall be sufficient if delivered to the clerk of the governing body of each Program Participant.

Section 13. Withdrawal and Addition of Parties.

A Program Participant may withdraw from this Agreement upon written notice to the Commission; provided, however, that no such withdrawal shall result in the dissolution of the Authority so long as any Bonds remain outstanding under an Indenture. Any such withdrawal shall be effective only upon receipt of the notice of withdrawal by the Commission which shall acknowledge receipt of such notice of withdrawal in writing and shall file such notice as an amendment to this Agreement effective upon such filing.

Qualifying public agencies may be added as parties to this Agreement and become Program Participants upon: (i) the filing by such public agency of an executed counterpart of this Agreement, together with a certified copy of the resolution of the governing body of such public agency approving this Agreement and the execution and delivery hereof; and (ii) adoption of a resolution of the Commission approving the addition of such public agency as a Program Participant. Upon satisfaction of such conditions, the Commission shall file such executed counterpart of this Agreement as an amendment hereto, effective upon such filing.

Section 14. Indemnification.

To the full extent permitted by law, the Commission may authorize indemnification by the Authority of any person who is or was a member or alternate member of the Commission, or an officer, employee or other agent of the Authority, and who was or is a party or is threatened to be made a party to a proceeding by reason of the fact that such person is or was such a member or alternate member of the Commission, or an officer, employee or other agent of the Authority, against expenses, judgments, fines, settlements and other amounts actually and reasonably incurred in connection with such proceeding, if such person acted in good faith and in a manner such person reasonably believed to be in the best interests of the Authority and, in the case of a criminal proceeding, had no reasonable cause to believe the conduct of such person was unlawful and, in the case of an action by or in the right of the Authority, acted with such care, including reasonable inquiry, as an ordinarily prudent person in a like position would use under similar circumstances.

Section 15. Contributions and Advances.

Contributions or advances of public funds and of the use of personnel, equipment or property may be made to the Authority by the parties hereto for any of the purposes of this Agreement. Payment of public funds may be made to defray the cost of any such contribution. Any such advance may be made subject to repayment, and in such case shall be repaid, in the manner agreed upon by the Authority and the party making such advance at the time of such advance.

Section 16. Immunities.

All of the privileges and immunities from liabilities, exemptions from laws, ordinances and rules, all pension, relief, disability, workers' compensation, and other benefits which apply to the activity of officers, agents or employees of Program Participants when performing their

respective functions within the territorial limits of their respective public agencies, shall apply to them to the same degree and extent while engaged as members of the Commission or otherwise as an officer, agent or other representative of the Authority or while engaged in the performance of any of their functions or duties extraterritorially under the provisions of this Agreement.

Section 17. Amendments.

Except as provided in Section 13 above, this Agreement shall not be amended, modified, or altered except by a written instrument duly executed by each of the Program Participants.

Section 18. Effectiveness.

This Agreement shall become effective and be in full force and effect and a legal, valid and binding obligation of each of the Program Participants at 9:00 a.m., California time, on the date that the Commission shall have received from each of the Initial Participants an executed counterpart of this Agreement, together with a certified copy of a resolution of the governing body of each such Initial Participant approving this Agreement and the execution and delivery hereof.

Section 19. Partial Invalidity.

If anyone or more of the terms, provisions, promises, covenants or conditions of this Agreement shall to any extent be adjudged invalid, unenforceable, void or voidable for any reason whatsoever by a court of competent jurisdiction, each and all of the remaining terms, provisions, promises, covenants and conditions of this Agreement shall not be affected thereby, and shall be valid and enforceable to the fullest extent permitted by law.

Section 20. Successors.

This Agreement shall be binding upon and shall inure to the benefit of the successors of the parties hereto. Except to the extent expressly provided herein, no party may assign any right or obligation hereunder without the consent of the other parties.

Section 21. Miscellaneous.

This Agreement may be executed in several counterparts, each of which shall be an original and all of which shall constitute but one and the same instrument.

The section headings herein are for convenience only and are not to be construed as modifying or governing the language in the section referred to.

Wherever in this Agreement any consent or approval is required, the same shall not be unreasonably withheld.

This Agreement is made in the State of California, under the Constitution and laws of such state and is to be so construed.

This Agreement is the complete and exclusive statement of the agreement among the parties hereto, which supercedes and merges all prior proposals, understandings, and other agreements, including, without limitation, the Initial Agreement, whether oral, written, or implied in conduct, between and among the parties relating to the subject matter of this Agreement.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed and attested by their proper officers thereunto duly authorized, and their official seals to be hereto affixed, as of the day and year first above written.

Program Participant:

[SEAL]

By _____

Name:

Title:

ATTEST:

By _____

Name:

Title:

ATTACHMENT “B”**RESOLUTION NO. 7634****A RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF SAN FERNANDO APPROVING THE ISSUANCE BY THE
CALIFORNIA STATEWIDE COMMUNITIES
DEVELOPMENT AUTHORITY OF MULTIFAMILY
HOUSING REVENUE BONDS FOR THE PENNY’S
APARTMENTS**

WHEREAS, the California Statewide Communities Development Authority (the “Authority”) is authorized pursuant to the provisions of California Government Code Section 6500 et seq. and the terms of an Amended and Restated Joint Exercise of Powers Agreement, dated as of June 1, 1988 (the “Agreement”), among certain local agencies throughout the State of California, including the City of San Fernando (the “City”), to issue revenue bonds in accordance with Chapter 7 of Part 5 of Division 31 of the California Health and Safety Code for the purpose of financing multifamily rental housing projects; and

WHEREAS, Aszkenazy Development, Inc. or related entities, has requested that the Authority adopt a plan of financing providing for the issuance of multifamily housing revenue bonds (the “Bonds”) in one or more series issued from time to time, including bonds issued to refund such revenue bonds in one or more series from time to time, and at no time to exceed \$12,000,000 in outstanding aggregate principal amount, to finance the acquisition, construction and development of a 101-unit multifamily rental housing project located at 1150 San Fernando Road, San Fernando, California, generally known as Penny’s Apartments (the “Project”) and operated by Aszkenazy Development, Inc.; and

WHEREAS, the Bonds or a portion thereof will be “private activity bonds” for purposes of the Internal Revenue Code of 1986 (the “Code”); and

WHEREAS, pursuant to Section 147(f) of the Code, prior to their issuance, private activity bonds are required to be approved by the “applicable elected representative” of the governmental units on whose behalf such bonds are expected to be issued and by a governmental unit having jurisdiction over the entire area in which any facility financed by such bonds is to be located, after a public hearing held following reasonable public notice; and

WHEREAS, the members of this City Council (this “City Council”) are the applicable elected representatives of the City; and

WHEREAS, there has been published, at least 14 days prior to the date hereof, in a newspaper of general circulation within the City, a notice that a Public Hearing regarding the Bonds would be held on a date specified in such notice; and

WHEREAS, such Public Hearing was conducted on such date, at which time an opportunity was provided to interested parties to present arguments both for and against the issuance of the Bonds; and

WHEREAS, the Authority is also requesting that the City Council approve the issuance of any refunding bonds hereafter issued by the Authority for the purpose of refinancing the Bonds which financed the Project (the “Refunding Bonds”), but only in such cases where federal tax laws would not require additional consideration or approval by the City Council; and

WHEREAS, it is intended that this resolution shall constitute the approval of the issuance of the Bonds required by Section 147(f) of the Code and Section 9 of the Agreement;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAN FERNANDO DOES HEREBY RESOLVE, FIND, DETERMINE, AND ORDER AS FOLLOWS:

Section 1. The above recitals are true and correct.

Section 2. The City Council hereby approves the issuance of the Bonds and the Refunding Bonds by the Authority. It is the purpose and intent of the City Council that this resolution constitute approval of the Bonds for the purposes of (a) Section 147(f) of the Code and (b) Section 9 of the Agreement.

Section 3. The officers of the City are hereby authorized and directed, jointly and severally, to do any and all things and to execute and deliver any and all documents that they deem necessary or advisable in order to carry out, give effect to and comply with the terms and intent of this resolution and the financing approved hereby.

Section 4. The City Clerk shall forward a certified copy of this Resolution and a copy of the affidavit of publication of the hearing notice to:

Justin Cooper, Esq.
Orrick, Herrington & Sutcliffe LLP
405 Howard Street
San Francisco, California 94105

Section 5. This resolution shall take effect immediately upon its adoption.

PASSED, APPROVED, AND ADOPTED this 20th day of October, 2014.

Sylvia Ballin, Mayor

ATTEST:

Elena G. Chávez, City Clerk

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss
CITY OF SAN FERNANDO)

I HEREBY CERTIFY that the foregoing Resolution was approved and adopted at a regular meeting of the City Council held on the 20th day of October, 2014, by the following vote to wit:

AYES:

NOES:

ABSENT:

Elena G. Chávez, City Clerk