



SAN FERNANDO CITY COUNCIL
REGULAR MEETING NOTICE AND AGENDA
NOVEMBER 3, 2014 – 6:00 PM

COUNCIL CHAMBERS
117 MACNEIL STREET
SAN FERNANDO, CA 91340

Addendum No. 1

Added: Item No. 11

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 Alberto Barragan

APPROVAL OF AGENDA

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) CONSIDERATION TO ADOPT RESOLUTION NO. 14-111 APPROVING THE WARRANT REGISTER**2) CONSIDERATION TO ADOPT A RESOLUTION APPROVING A REVISED JOB SPECIFICATION FOR POLICE CHIEF**

Recommend that the City Council adopt Resolution No. 7652 revising the job specification for the position of Police Chief.

3) ADOPTION OF ORDINANCE NO. 1636 RELATED TO THE STATUTORY MAXIMUM FOR CITY COUNCILMEMBER'S SALARY

Recommend that the City Council waive full reading of Ordinance No. 1636 and adopt by title only, "An Ordinance of the City Council of the City of San Fernando, California, Amending Section 2-31 (Council Members – Salary) of Division 1 (Generally) of Article II (City Council) of Chapter 2 (Administration) of the San Fernando City Code of Ordinances Relating to City Council Member Salaries".

4) CONSIDERATION TO APPROVE CO-SPONSORSHIP WITH THE AMERICAN CANCER SOCIETY FOR THE SAN FERNANDO RELAY FOR LIFE

Recommend that the City Council:

- a. Approve co-sponsorship with the American Cancer Society for the San Fernando Relay For Life; and
- b. Authorize the City Manager to execute a Memorandum of Understanding with the American Cancer Society for the San Fernando Relay For Life.

5) STATUS UPDATE – SOLID WASTE FRANCHISE SERVICES

Recommend that the City Council receive and file this report.

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6) CONSIDERATION TO APPROVE A CONTRACT WITH EVAN BROOKS ASSOCIATES AND ADOPT A RESOLUTION APPROVING THE REALLOCATION OF GENERAL FUNDS FOR PLANNING CONSULTANT SERVICES

Recommend that the City Council:

- a. Approve Contract No. 1769 between the City and Evan Brooks Associates for planning consultant services;
- b. Authorize the City Manager to execute contract; and
- c. Approve Resolution No. 7655 approving reallocation of General Funds for planning consultant services.

7) CONSIDERATION TO ADOPT RESOLUTIONS REGARDING PART-TIME ASSISTANCE FOR THE CITY CLERK'S OFFICE

Recommend that the City Council:

- a. Adopt Resolution No. 7648 approving the job specification for the position of Deputy City Clerk;
- b. Adopt Resolution No. 7649 amending the Salary Plan removing the position of Office Clerk (Administration/City Clerk) and adding the position of Deputy City Clerk;
- c. Adopt Resolution No. 7650 amending the Table of Organization removing the position of part-time Office Clerk (Administration/City Clerk) and adding the part-time position of Deputy City Clerk;
- d. Adopt Resolution No. 7651 amending the budget to reallocate non-departmental funds to City Clerk and Election funds; and
- e. Authorize the City Manager to initiate the recruitment process for a part-time Deputy City Clerk.

PUBLIC HEARING**8) CONSIDERATION TO INTRODUCE ORDINANCE NO. 1637 ESTABLISHING RULES AND REGULATIONS REGARDING DEVELOPMENT AGREEMENTS**

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Recommend that the City Council:

- a. Conduct a Public Hearing;
- b. Pending public testimony, introduce for first reading (in title only), and waive further reading of Ordinance No. 1637, “An Ordinance of the City of San Fernando California Amending Chapter 106 (Zoning), Article VI (General Regulations) of the San Fernando City Code to Establish Division 17 Regarding Development Agreements”.

ADMINISTRATIVE REPORTS**9) CONSIDERATION TO ADOPT RESOLUTIONS ESTABLISHING A BUDGET POLICY AND ESTABLISHING A GENERAL FINANCIAL POLICY**

Recommend that the City Council:

- a. Review and discuss the proposed Budget Policy and General Financial Policy;
- b. Provide staff with direction regarding suggested changes, if any;
- c. Adopt Resolution No. 7653, establishing a Budget Policy; and
- d. Adopt Resolution No. 7654, establishing a General Financial Policy.

10) CONSIDERATION TO ADOPT RESOLUTIONS RESTRUCTURING THE RECREATION AND COMMUNITY SERVICES DEPARTMENT

Recommend that the City Council:

- a. Adopt Resolution No. 7646 amending the Table of Organization removing the positions of Recreation and Community Services Operations Manager, Aquatic Supervisor, Senior Lifeguard, Lifeguard, Pool Cashier/Attendant and adding the full-time positions of Director of Recreation and Community Services and Recreation Supervisor; and
- b. Adopt Resolution No. 7647 amending the Salary Plan removing the positions of Recreation and Community Services Operations Manager, Aquatic Supervisor, Senior Lifeguard, Lifeguard, Pool Cashier/Attendant and adding the position of Recreation Supervisor.

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11) CITY OF SAN FERNANDO COMMISSIONS, COMMITTEES, AND BOARDS

Recommend that the City Council provide staff with direction regarding the existing City's Commissions, Committees, and Boards.

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

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 30, 2014 (5:15 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.

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Regular Meeting

San Fernando City Council

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AGENDA REPORT

To: Mayor Sylvia Ballin and Councilmembers

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

Date: November 3, 2014

Subject: Consideration to Adopt Resolution No. 14-111 Approving the Warrant Register

RECOMMENDATION:

It is recommended that the City Council adopt Resolution No. 14-111 (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. 14-111

ATTACHMENT "A"**RESOLUTION NO. 14-111****RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN FERNANDO ALLOWING AND APPROVING FOR PAYMENT DEMANDS PRESENTED ON DEMAND/ WARRANT REGISTER NO. 14-111****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 3th day of November, 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 3th day of November, 2014, by the following vote to wit:

AYES:

NOES:

ABSENT:

Elena G. Chávez, City Clerk

EXHIBIT "A"

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10/29/2014

11:35:34AM

Voucher List

CITY OF SAN FERNANDO

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Bank code : bank

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
107784	11/3/2014	100050 ACE INDUSTRIAL SUPPLY	1372138		BLADES & RAGS 001-320-0301-4300	200.27 200.27
107785	11/3/2014	100070 ADVANCED ELECTRONICS INC.	0143974-IN	11145	MONTHLY MAINTENANCE AGREEMENT 001-222-0000-4320	2,806.61
			0143975-IN	11144	CCTV EQUIPMENT MONTHLY M/A 001-222-0000-4320	3,758.02 6,564.63
107786	11/3/2014	100074 AEGIS COMPUTERS INC.	207920		IT SERVICES - NOV 2014 001-190-0241-4260	10,630.00 10,630.00
107787	11/3/2014	100101 VERIZON WIRELESS-LA	970459610		VARIOUS CELL PHONES 001-310-0000-4220 001-105-0000-4220 072-360-0000-4220 001-101-0109-4220 001-101-0111-4220 001-101-0113-4220	33.18 33.62 24.20 99.71 101.76 37.82 330.29
107788	11/3/2014	100164 AMERICAN PLANNING ASSOCIATION	154054-14105		ANNUAL SUBSCRIPTION 001-150-0000-4380	425.00 425.00
107789	11/3/2014	100222 ARROYO BUILDING MATERIALS, INC	135591		MAT'Ls FOR TRAFFIC SIGNAL KNOCK 001-371-0301-4300	29.48 29.48
107790	11/3/2014	100532 STATE OF CALIFORNIA, DEPARTMENT OF JUSTICE	059996		EMPLOYEE SCREENING FINGERPRINT 001-106-0000-4270	128.00 128.00
107791	11/3/2014	100676 R. E. CHARLES PLUMBING, INC.	17049		REMOVED CARTRIDGE AND STEM; CL	

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Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
107791	11/3/2014	100676 R. E. CHARLES PLUMBING, INC.	(Continued)		001-390-0222-4330	125.00
					Total :	125.00
107792	11/3/2014	100735 COASTAL AIR	15154		LP A/C SERVICE. REPL TWO THERMOSE	
					001-390-0460-4330	965.00
					Total :	965.00
107793	11/3/2014	100747 COASTLINE EQUIPMENT	205937		3-WAY BUCKET PIN & WASHERS - PW5	
					072-360-0000-4400	43.37
			206776		BOLTS FOR COUNTER WEIGHTS - PW5	
					072-360-0000-4400	44.91
					Total :	88.28
107794	11/3/2014	100805 COOPER HARDWARE INC.	93324		WATER COOLER REPLACEMENT - MAI	
					001-390-0410-4300	40.65
			93371		INSTALL ICE MAKER @ 501 FIRST	
					001-390-0450-4300	14.77
			93420		WATER JUG	
					072-360-0301-4300	40.65
					Total :	96.07
107795	11/3/2014	100886 LOS ANGELES DAILY NEWS	10561411		LEGAL PUBLICATION REGARDING 121	
					001-190-0876-4230	695.30
					001-190-0861-4230	695.30
			10564749		LEGAL PUBLICATION OF ORD U-1635	
					001-190-0000-4230	1,861.45
					Total :	3,252.05
107796	11/3/2014	101089 ESCOBAR, MARCO	101514-1		L P SENIOR PETTY CASH REIMB.	
					004-2380	67.29
			101514-2		L P SENIOR PETTY CASH REIMB.	
					004-2380	78.22
					Total :	145.51
107797	11/3/2014	101152 FERNANDEZ, JULIE	REIMB.		MILEAGE REIMBURSEMENT	
					001-105-0000-4370	23.00

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Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
107797	11/3/2014	101152	101152 FERNANDEZ, JULIE	(Continued)		Total : 23.07
107798	11/3/2014	101302	VERIZON	8181811111	MUSIC CHANNEL	
					001-190-0000-4220	45.27
				8181811114	CITY YARD AUTO DIALER	
					070-384-0000-4220	44.06
				8181811126	RADIO REPEATER	
					001-222-0000-4220	44.75
				8181811136	RADIO REPEATER	
					001-222-0000-4220	44.75
				8181990351	PAC 50 TO SHERIFFS	
					001-222-0000-4220	504.89
				8183610901	SEWER FLOW MONITOR	
					072-360-0000-4220	50.04
				8183613958	CNG STATION	
					001-320-3661-4220	44.17
				8188315002	PD SPECIAL PROBLEMS	
					001-222-0000-4220	46.40
				8188377174	PD SPECIAL PROBLEMS	
					001-222-0000-4220	20.63
				8188381841	ENGINEERING FAX MODEM	
					001-310-0000-4220	26.36
				8188981293	CITY YARD MAJOR PHONE LINES	
					070-384-0000-4220	794.80
				8188987373	PD EMERGENCY	
					001-222-0000-4220	115.78
					Total :	1,781.90
107799	11/3/2014	101376	GRAINGER, INC.	9557706083	(2) FIRST-STAGE EXHAUST VALVES FC	
					001-320-3661-4400	186.15
				9557706091	(2) FIRST-STAGE EXHAUST VALVES - C	
					001-320-3661-4400	186.15
				9557706109	(4) FIRST-STAGE EXHAUST VALVES FC	
					001-320-3661-4400	372.30
				9560832330	SAFETY SUPPLIES	
					001-390-0000-4310	16.49
				956098321	SAFETY SUPPLIES	

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107799	11/3/2014	101376 GRAINGER, INC.	(Continued)		001-390-0000-4310	109.73
					Total :	870.82
107800	11/3/2014	101528 THE HOME DEPOT CRC, ACCT#603532202490	2080660		REPAIR OF STORM DRAIN @ 1403 PHII	
			3272867		001-311-0000-4600	161.25
			4084430		REPLACEMENT OF STOLEN TOOLS	
					001-311-0000-4600	397.45
					SUMP PUMP	
			564320		001-430-0000-4300	143.45
					SMALL TOOLS	
			564519		001-390-0410-4340	153.24
					IRRIGATION CLOCK & ELECTRIC SUPP	
			6574797		001-390-0410-4300	19.83
					5K SUPPLIES	
			7272828		001-420-0000-4300	248.12
					STOCK FOR SITES, VEHICLE HAND TO	
			7280306		070-384-0000-4340	231.67
					SALT - WELL 2A	
			7574726		070-384-0000-4300	748.03
					ITEMS FOR ICE MAKER INSTALL	
			7593826		001-390-0450-4300	32.37
					ANT CONTROL @ REC PARK	
			8280048		001-390-0410-4300	31.69
					GRAFFITI ABATEMENT SUPPLIES	
			8574649		001-152-0000-4300	150.50
					ITEMS FOR ICE MAKER INSTALL	
			94254		001-390-0450-4300	16.25
					ROTARY HAMMER, SPADE & CHISEL	
					001-371-0301-4300	810.29
					Total :	3,144.14
107801	11/3/2014	101529 HOME DEPOT 0609	091614		SUPER GARDEN CENTER DEP REFUN	
					001-2710	350.00
					Total :	350.00
107802	11/3/2014	101607 ICE MACHINE SALES & SERVICE CO	0160598-IN		ICE MAKER EVALUATION	

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107802	11/3/2014	101607 ICE MACHINE SALES & SERVICE CO	(Continued)		001-390-0450-4330	220.00
					Total :	220.00
107803	11/3/2014	101647 INTERSTATE BATTERY	30059659		BATTERIES FOR FLEET 001-1215	317.44
					Total :	317.44
107804	11/3/2014	101649 INTER-VALLEY POOL SUPPLY, INC	69068		POOL CHEMICALS 001-430-0000-4300	1,950.01
			69769		POOL CHEMICALS 001-430-0000-4300	1,402.83
					Total :	3,352.84
107805	11/3/2014	101666 DE LAGE LANDEN FINANCIAL SERVS	42969478		OCT'2014 LEASE PAYMENT - VARIOUS 103-420-0000-4260	101.36
					001-190-0000-4320	443.64
					001-420-0000-4260	202.72
					104-420-0000-4260	101.36
					070-381-0000-4290	146.70
					001-420-0000-4260	202.72
			43126906		NOV 2014 - LEASE PAYMENT 001-222-0000-4260	607.73
					Total :	1,806.23
107806	11/3/2014	101872 LEAGUE OF CALIFORNIA CITIES	100658		STREET & ROADS NEEDS ASSESSMEN 001-310-0000-4370	200.00
					Total :	200.00
107807	11/3/2014	101920 LIEBERT CASSIDY WHITMORE	102214		ERC WORKSHOP ON 09/18/14 001-106-0000-4360	35.00
					001-115-0000-4360	35.00
					001-320-0000-4360	35.00
					001-150-0000-4360	35.00
					001-390-0410-4360	35.00
					070-381-0000-4360	70.00
			1394160		LEGAL SERVICES	

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Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
107807	11/3/2014	101920 LIEBERT CASSIDY WHITMORE	(Continued)		001-112-0000-4270	661.50
			1394161		LEGAL SERVICES 001-112-0000-4270	357.00
					Total :	1,263.50
107808	11/3/2014	101957 CITY OF LOS ANGELES	38SF150000005		FIRE/AMBULANCE SERVICES - NOV 20 001-500-0000-4260	146,489.56
					Total :	146,489.56
107809	11/3/2014	101971 L.A. MUNICIPAL SERVICES	0047501000		ELECTRIC - 13003 BORDEN WELL 3 070-384-0000-4210	909.25
			4947501000		WATER - 12900 DRONFIELD 070-384-0000-4210	648.26
			5007501000		ELECTRIC - 13655 FOOTHILL RES. 3A 8 070-384-0000-4210	180.65
			5947501000		ELECTRIC - 12900 DRONFIELD WELL 4 070-384-0000-4210	6,223.74
			6577501000		ELECTRIC - 14060 SAYRE - WELL 2A 070-384-0000-4210	13,520.04
			7577501000		WATER - 14060 SAYRE - WELL 2A 070-384-0000-4210	81.38
			7947501000		ELECTRIC - 13186 DRONFIELD WELL 7 070-384-0000-4260	103.84
					Total :	21,667.16
107810	11/3/2014	101974 LOS ANGELES COUNTY	SEPT-2014		DEPT OF ANIMAL CARE & CONTROL FE 001-190-0000-4260	3,683.92
					Total :	3,683.92
107811	11/3/2014	101990 L.A. COUNTY METROPOLITAN	800059244		TAP CARDS - SEPT 2014 007-440-0441-4260	1,754.00
					Total :	1,754.00
107812	11/3/2014	102003 LOS ANGELES COUNTY	RE-PW-14100702391	11133	INDUSTRIAL WASTE PROGRAM 072-360-0000-4450	6,225.06
					Total :	6,225.06

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Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
107813	11/3/2014	102007 L.A. COUNTY SHERIFFS DEPT.	151000ST		PRISONER MEALS - SEPT 2014 001-225-0000-4350	695.55 695.55
107814	11/3/2014	102041 LYNN PEAVEY COMPANY	295057		EVIDENCE TAPE 001-222-0000-4300	670.59 670.59
107815	11/3/2014	102063 MACKAY METERS, INC.	1038872 1038873		PARTS FOR PARKING METERS 029-335-0301-4300 PARTS FOR PARKING METERS 029-335-0301-4300	2,103.85 1,530.65 3,634.50
107816	11/3/2014	102226 MISSION LINEN & UNIFORM	140168273 140168855 140169589 140170168		LAUNDRY 001-225-0000-4350 LAUNDRY 001-225-0000-4350 LAUNDRY 001-225-0000-4350 LAUNDRY 001-225-0000-4350	247.78 257.34 247.78 278.95 1,031.85
107817	11/3/2014	102303 NACHO'S ORNAMENTAL SUPPLY	INV027567 INV027650		PD PROPERTY MAINT 001-390-0222-4300 PD PROPERTY MAINT 001-390-0222-4300	50.75 10.27 61.02
107818	11/3/2014	102307 HI WAY SAFETY RENTALS, INC.	22638		BARRICADES 001-371-0301-4300	538.30 538.30
107819	11/3/2014	102311 NATIONAL ASSOCIATION OF LATINO	12458		ANNUAL MEMBERSHIP-MAYOR ANTON 001-101-0109-4380	100.00 100.00
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Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
107820	11/3/2014	102403 NOW IMAGE PRINTING	4244		SPECIAL CHECK REQUEST FORMS 001-190-0000-4300	188.25 188.25
107821	11/3/2014	102423 OCCU-MED, INC.	0914901		PRE-EMPLOYMENT PHYSICAL 001-106-0000-4260	741.50 741.50
107822	11/3/2014	102431 THE ODYSSEY RESTAURANT	36376		SENIOR HOLIDAY DINNER DANCE DEP 004-2380	5,000.00 5,000.00
107823	11/3/2014	102432 OFFICE DEPOT	1695616501 1722182465 1722204067 732873482001 732873560001 734716308001 735431201001		PENS, BATTERIES, STAMP, DEPOSIT B. 001-430-0000-4300 LABELS AND SUGAR CANNISTERS 001-222-0000-4300 DIGITAL RECORDER 001-222-0000-4300 CLIPS, SCISSORS, LETTERING TAPE, [C 070-384-0000-4300 STAPLER 070-384-0000-4300 RETURNED - LCD ARTICULATING ARM 001-222-0000-4300 CALENDAR REFILLS, POST ITS, LABEL 001-222-0000-4300	181.21 83.50 317.16 111.36 8.42 -178.47 112.79 635.97
107824	11/3/2014	102500 APCO INTERNATIONAL	286888		2015 MEMBERSHIP DUES 001-222-0000-4380	120.00 120.00
107825	11/3/2014	102530 AT & T	818-270-2203		ISDN LINE/LASN NETWORK 001-222-0000-4220	105.12 105.12
107826	11/3/2014	102569 PARKS, ROBERT	TRAVEL		POST EXECUTIVE DEVELOPMENT COI	
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107826	11/3/2014	102569 PARKS, ROBERT	(Continued)		001-222-0000-4360	225.00
					Total :	225.00
107827	11/3/2014	102666 PREFERRED DELIVERY SYSTEMS INC	549-99		COURIER SERVICE 001-222-0000-4260	103.00
					Total :	103.00
107828	11/3/2014	102766 RALPHS GROCERY COMPANY	R06736		THANKSGIVING GIFT CERTIFICATES 004-2380	247.50
					Total :	247.50
107829	11/3/2014	102782 RAMIREZ, JOSE A.	101314		SENIOR CLUB MUSIC FOR THANKSGIV 004-2380	950.00
					Total :	950.00
107830	11/3/2014	102930 ROYAL WHOLESALE ELECTRIC	8901-704894 8901-704914 8901-705094		B OF A PARKING LIGHTS 029-335-0301-4300 B OF A PARKING LIGHTS 029-335-0301-4300 LAMP REPLACEMENT 027-344-0301-4300	323.85 51.01 413.36
					Total :	788.22
107831	11/3/2014	102967 SCOTT FAZEKAS & ASSOCIATES INC	17788		PLAN CHECK SERVICES 001-2698	788.45
					Total :	788.45
107832	11/3/2014	103010 SAM'S CLUB DIRECT, #0402465855179	7103 88 9249		HALLOWEEN CANDY 001-222-0000-4300 VENDING MACHINE MERCHANDISE 001-190-3904-4300 KITCHEN SUPPLIES 001-222-0000-4300	51.90 284.77 232.61
					Total :	569.28
107833	11/3/2014	103029 SAN FERNANDO, CITY OF	14763-14818		REIMBURSEMENT TO WORKERS COM 006-1035	49,671.85
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107833	11/3/2014	103029 103029 SAN FERNANDO, CITY OF	(Continued)		Total :	49,671.85
107834	11/3/2014	103045 SAN FER. MALL DOWNTOWN ASSOC.	OCT 2014		REIMB TO DOWNTOWN ASSOC FOR P/ 001-2260	2,557.13
					Total :	2,557.13
107835	11/3/2014	103052 SAN FERNANDO POLICE DEPT.	REIMB.		REIMB OF EXPENSES 001-226-0230-4430	1,537.27
					Total :	1,537.27
107836	11/3/2014	103184 SMART & FINAL	103645		WATER 001-424-0000-4430	12.57
					Total :	12.57
107837	11/3/2014	103202 SOUTHERN CALIFORNIA EDISON CO.	2-00-990-7476 2-01-202-1895 2-01-202-2836 2-01-202-2844 2-02-542-9051 2-02-682-3781 2-02-682-6099 2-02-682-7303 2-02-682-7675 2-10-977-9207 2-15-631-7257		ELECTRIC - LOT 3,5 & 8 029-335-0000-4210 ELECTRIC - PICO ST 027-344-0000-4210 ELECTRIC - SAN FERNANDO OWNED 027-344-0000-4210 ELECTRIC - VARIOUS LOCATIONS 027-344-0000-4210 ELECTRIC - VARIOUS LOCATIONS 001-371-0000-4210 ELECTRIC - 60 JESSIE & 573 GLENOAK 070-384-0000-4210 ELECTRIC - TRUMAN/KITTRIDGE 001-341-0000-4210 ELECTRIC - 120 MACNEIL 001-390-0450-4210 070-381-0000-4210 072-360-0000-4210 ELECTRIC - VARIOUS LOCATIONS 001-420-0000-4210 ELECTRIC - 900 1/2 1ST; 1041 1/2 001-390-0470-4210 ELECTRIC - BRAND/3RD; 1202 PICO	179.89 61.22 3,551.38 15,381.19 1,838.67 184.08 25.30 1,008.03 496.02 496.01 5,162.94 98.60
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107837	11/3/2014	103202 SOUTHERN CALIFORNIA EDISON CO.	(Continued)			
					001-371-0000-4210	41.99
					029-335-0000-4210	64.36
					Total :	28,589.68
107838	11/3/2014	103205 THE GAS COMPANY	100714		GAS - 117 MACNEIL	
					001-310-0000-4210	46.19
					070-381-0000-4210	1.16
					072-360-0000-4210	1.16
					001-390-0450-4210	2.30
			100814		GAS - 910 1ST	
					001-222-0000-4210	107.99
			100914		GAS - 505 S HUNTINGTON	
					001-420-0000-4210	28.96
					Total :	187.76
107839	11/3/2014	103218 SOLIS, MARGARITA	21-33		PETTY CASH REIMB	
					001-101-0000-4300	7.11
					001-105-0000-4390	30.00
					001-130-0000-4390	7.00
					001-222-0000-4300	120.87
					001-225-0000-4350	6.00
					001-310-0000-4370	30.00
					001-310-0000-4390	24.00
					Total :	224.98
107840	11/3/2014	103444 ULTRA GREENS, INC	37377		RAYWOOD ASH - 1161 ORANGE GROVI	
					001-346-0000-4430	130.80
			51704-1C		CREDIT - MACLAY PLANTS	
					011-311-7510-4300	-523.20
			52552		MACLAY STREETSCAPE MULCH & TOF	
					011-311-7510-4300	38.10
			53182		MACLAY STREETSCAPE PLANTS	
					011-311-7510-4300	19.62
			53184		MACLAY STREETSCAPE MULCH	
					011-311-7510-4300	30.48
			53302		MACLAY STREETSCAPE MATERIALS	

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107840	11/3/2014	103444 ULTRA GREENS, INC	(Continued)			
			53429		011-311-7510-4300 MACLAY STREETSCAPE PLANT FOOD	40.19
			53429		011-311-7510-4300 SOIL CONDITIONER	8.49
			53511		011-311-7510-4300 MULCH FOR TREE PLANTING	8.49
			53552		001-346-0000-4430 PLANTS FOR MALL	30.48
			53620		001-341-0000-4310 PLANT MATERIAL FOR PARKING LOT 5	205.99
			53622		029-335-0301-4300 PLANT MATERIAL FOR PARKING LOT 5	81.75
					029-335-0301-4300	34.88
					Total :	106.07
107841	11/3/2014	103449 USA BLUE BOOK	463438		LEVEL TRANSMITTER & TRANSDUCER 070-384-0000-4320	582.75
					Total :	582.75
107842	11/3/2014	103458 U.S. HEALTHWORKS MEDICAL GROUP	2579630-CA		DOT EXAM/COLLECTION 001-106-0000-4270	43.00
					Total :	43.00
107843	11/3/2014	103619 CARL WARREN & CO.	1629481		LEGAL FEES 006-190-0000-4800	51.17
			1629482		LEGAL FEES 006-190-0000-4800	31.98
			1629483		LEGAL FEES 006-190-0000-4800	57.56
			1629484		LEGAL FEES 006-190-0000-4800	102.34
			1629485		LEGAL FEES 006-190-0000-4800	51.17
			1629486		LEGAL FEES 006-190-0000-4800	31.98
			1629487		LEGAL FEES	

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107843	11/3/2014	103619 CARL WARREN & CO.	(Continued)			
			1629488		006-190-0000-4800 LEGAL FEES	31.98
			1629489		006-190-0000-4800 LEGAL FEES	31.98
			1629490		006-190-0000-4800 LEGAL FEES	38.38
			1629491		006-190-0000-4800 LEGAL FEES	31.98
			1629492		006-190-0000-4800 LEGAL FEES	38.38
			1629493		006-190-0000-4800 LEGAL FEES	31.98
			1629494		006-190-0000-4800 LEGAL FEES	31.98
			1629495		006-190-0000-4800 LEGAL FEES	51.17
			1629496		006-190-0000-4800 LEGAL FEES	31.98
			1629497		006-190-0000-4800 LEGAL FEES	38.38
			1629498		006-190-0000-4800 LEGAL FEES	70.77
					006-190-0000-4800	401.00
					Total :	1,156.16
107844	11/3/2014	103716 WORKBOOT WAREHOUSE	48519		SAFETY BOOTS	
			48521		001-152-0000-4300 SAFETT BOOTS	147.15
			48522		001-152-0000-4300 SAFETY BOOTS	106.93
					001-152-0000-4300	129.71
					Total :	383.79
107845	11/3/2014	103738 YOSEF AMZALAG SUPPLY	12124257		MISC SUPPLIES	
			12125288		070-383-0301-4300 BRAND ISLAND IRRIGATION REPAIRS	48.34

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107845	11/3/2014	103738 YOSEF AMZALAG SUPPLY	(Continued)			
			12125974		001-390-0410-4300 BRAND ISLAND IRRIGATION REPAIR	2.30
			12126078		001-390-0410-4300 IRRIGATION REPAIR @ DRONFIELD RE	50.01
					070-383-0301-4300	24.94
					Total :	125.59
107846	11/3/2014	103752 ZUMAR INDUSTRIES, INC.	0155041		SIGN REPLACEMENT	
					001-370-0301-4300	567.30
					Total :	567.30
107847	11/3/2014	103816 CHAVEZ, ELENA	REIMB.		DINNER FOR COUNCILMEMBERS & ST	
					001-101-0109-4370	8.16
					001-101-0113-4370	8.16
					001-101-0101-4370	8.16
					001-101-0103-4370	8.16
					001-101-0111-4370	8.16
					001-105-0000-4370	25.72
					Total :	66.52
107848	11/3/2014	103851 EVERSOF, INC.	R1373191		WATER SOFTNER - WELL 2A	
			R1381444		070-384-0000-4260 WATER SOFTNER - WELL 2A	69.10
					070-384-0000-4260	69.10
					Total :	138.20
107849	11/3/2014	103903 TIME WARNER CABLE	8448200540010369		CABLE 10/18/14-11/17/14	
			8448200540010518		001-222-0000-4260 CABLE - 09/29/14-10/28/14	16.83
			8448200540028882		001-420-0000-4260 CABLE/INTERNET SERVICE 09/13/14-10/28/14	197.33
			8448200540028882		001-420-0000-4260 CABLE/INTERNET SERVICE 10/13/14-11/17/14	137.65
			8448200540196309		001-420-0000-4260 INTERNET SERVICES - 10/23/14-11/22/14	137.65
					001-190-0000-4220	1,100.00

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107849	11/3/2014	103903 103903 TIME WARNER CABLE	(Continued)			Total : 1,589.46
107850	11/3/2014	103948 CDW GOVERNMENT, INC.	PJ34703		APPLE IMAC 001-222-0000-4300	1,451.91
			PJ74286		NETWORK SOFTWARE 001-222-0000-4300	1,494.10
			PX71956		AV/L ACROBAT PRO 11 001-222-0000-4300	355.85
			QB27037		MS SURFACE PRO, DOC STATION & C 001-310-0000-4500	1,672.85
					Total :	4,974.71
107851	11/3/2014	887121 DELL MARKETING L.P.	XJX3WWW4	11124	FIELD LAPTOP FOR DAILY RECORDS 8 070-384-0000-4260	3,460.97
			XJK151DR3		VLA OFFICE STD 2013 001-222-0000-4300	241.56
			XJK1N6754		COMPUTER 001-222-0000-4300	834.31
			XJK1RJ8X5		VLA OFFICE STD 2013 001-222-0000-4300	241.56
			XJK25MTN4		VLA OFFICE STD 2013 001-222-0000-4300	253.55
			XJK2W8NN3		VLA OFFICE STD 2013 001-310-0000-4500	253.55
			XJK426J73		(13) VLA EXCHANGE ONLINE PLAN 2 O 001-190-0000-4260	973.57
					Total :	6,259.07
107852	11/3/2014	887323 KINGSBURY UNIFORMS	48762		UNIFORMS 001-222-0000-4300	204.98
					Total :	204.98
107853	11/3/2014	887518 DURHAM, ALVIN	JULY & SEPT 2014		COMMISSIONER'S REIMBURSEMENT 001-150-0000-4111	100.00
					Total :	100.00
107854	11/3/2014	887847 ADAMSON POLICE PRODUCTS	INV154970		OC SPRAY	
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107854	11/3/2014	887847 ADAMSON POLICE PRODUCTS	(Continued)		001-222-0000-4300	562.86
					Total :	562.86
107855	11/3/2014	888241 UNITED SITE SERVICES OF CA INC	114-2380014		PORTABLE TOILET RENTAL @ REC PAI 001-420-0000-4260	143.90
					Total :	143.90
107856	11/3/2014	888254 MCCALLA COMPANY	977333		GLOVES, SUPPLIES FOR FINGERPRIN 001-222-0000-4300	714.28
					Total :	714.28
107857	11/3/2014	888296 CHIEF SUPPLY CORPORATION	137276		DOUBLE MAG POUCH 001-222-0000-4300	16.99
			141204		BARRICADE TAPE 001-222-0000-4300	72.17
			141970		HOLSTER 001-222-0000-4300	101.38
			144706		BARRICADE TAPE 001-222-0000-4300	326.76
					Total :	517.30
107858	11/3/2014	888356 ADVANCED AUTO REPAIR BODY &	1217		REPLACE COOLING FAN & A/C COMPR 001-320-0225-4400	628.95
					Total :	628.95
107859	11/3/2014	888390 WEST COAST ARBORISTS, INC.	99998	11136	FY 2015 ANNUAL TREE TRIMMING COM 001-346-0000-4260	2,742.00
					Total :	2,742.00
107860	11/3/2014	888392 TRULINE PRINTING, INC.	101514		PROGRAM GR STAFF SHIRTS 103-420-0000-4300	180.13
					104-420-0000-4300	180.13
					Total :	360.26
107861	11/3/2014	888442 WESTERN EXTERMINATOR COMPANY	2572830		PEST CONTROL @ RUDY ORTEGA PAF 001-390-7500-4260	51.00
			2604004		PEST CONTROL - LP PARK	
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107861	11/3/2014	888442 WESTERN EXTERMINATOR COMPANY	(Continued)			
			2604005		001-390-0460-4260 BAIT MONITORING - LP PARK	50.00
			2604006		001-390-0460-4260 PEST CONTROL @ CITY HALL	150.50
			2604007		001-390-0310-4260 PEST CONTROL - REC PARK	79.50
			2604008		001-390-0410-4260 BAIT MONITORING @ REC PARK	72.50
					001-390-0410-4260	63.00
					Total :	466.50
107862	11/3/2014	888468 MAJOR METROPOLITAN SECURITY	1067609		ALARM MONITORING - NOV 2014 001-390-0310-4260	15.00
			1067610		ALARM MONITORING - NOV 2014 001-390-0460-4260	15.00
			1067611		ALARM MONITORING - NOV 2014 070-381-0450-4260	15.00
			1067612		ALARM MONITORING - NOV 2014 001-390-0410-4260	15.00
			1067613		ALARM MONITORING - NOV 2014 001-430-0000-4260	15.00
			1067614		ALARM MONITORING - NOV 2014 001-390-0410-4260	15.00
			1067615		ALARM MONITORING - NOV 2014 001-390-0410-4260	15.00
			1067617		ALARM MONITORING - NOV 2014 001-390-0222-4260	15.00
			1067618		ALARM MONITORING - NOV 2014 001-390-0410-4260	15.00
			1067619		ALARM MONITORING - NOV 2014 070-381-0450-4260	15.00
			1067620		ALARM MONITORING - NOV 2014 070-381-0450-4260	15.00
			1067621		ALARM MONITORING - NOV 2014 001-390-0410-4260	15.00
			1067676		ALARM MONITORING - NOV 2014	

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107862	11/3/2014	888468 MAJOR METROPOLITAN SECURITY	(Continued)		001-390-0460-4260	15.00
					Total :	195.00
107863	11/3/2014	888614 A & M CATERING LLC	1416		SENIOR CLUB DINNER FOR THANKSGI 004-2380	4,763.25
					Total :	4,763.25
107864	11/3/2014	888629 SPARKLETTES	14101253100514		WATER 001-222-0000-4300	70.02
					Total :	70.02
107865	11/3/2014	888646 HD SUPPLY WATER WORKS, LTD	D078016		STOCK SUPPLY -SOFT COPPER TUBIN 070-383-0301-4300	1,361.63
					Total :	1,361.63
107866	11/3/2014	888693 VISION INTERNET PROVIDERS,INC.	28589		WEB HOSTING - OCT 2014 001-105-0000-4270	200.00
					Total :	200.00
107867	11/3/2014	888740 RIVERA INTERPRETING, INC	893		INTERPRETATION SERVICES - COUNC 001-115-0000-4360	700.00
					Total :	700.00
107868	11/3/2014	888800 BUSINESS CARD	100714		5K MATERIALS 001-420-0000-4260	1,098.34
			101014		(50) FINISHED METALS 053-194-1395-4300	181.30
			101314		5K MATERIALS 001-420-0000-4260	1,194.64
			102014		MANDATORY CHILD ABUSE INVESTIG# 001-222-0000-4360	506.50
					Total :	2,980.78
107869	11/3/2014	889095 LAFD - C.U.P.A.	IN0199109		HAZ MAT @ WELL 7A 070-381-0000-4450	327.00
			IN0200719		HAZMAT PERMIT FEES 072-360-0000-4260	2,046.00

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107869	11/3/2014	889095 889095 LAFD - C.U.P.A.	(Continued)			Total : 2,373.00
107870	11/3/2014	889118 LDI COLOR TOOLBOX	198454		MONTHLY MAINT & COPIES 09/07/14-10/07/14	121.09
			198531		001-222-0000-4260	206.90
					MONTHLY MAINT & COPIES 09/13/14-10/13/14	327.99
					001-222-0000-4260	
107871	11/3/2014	889532 GILMORE, REVA.A.	10/04/14 - 10/17/14		FOOD SERVICE MANAGER	565.50
					115-422-3750-4270	78.00
					115-422-3752-4270	Total : 643.50
107872	11/3/2014	889533 MARTINEZ, ANITA	10/04/14 - 10/17/14		ASSISTANT FOOD MANAGER	180.00
					115-422-3750-4270	Total : 180.00
107873	11/3/2014	889534 RAMIREZ, FRANCISCO	10/04/14 - 10/17/14		HDM DRIVER	180.00
					115-422-3752-4270	52.00
					115-422-3752-4390	Total : 232.00
107874	11/3/2014	889535 GOMEZ, GILBERT	10/04/14 - 10/17/14		HDM DRIVER	162.00
					115-422-3752-4270	51.48
					115-422-3752-4390	Total : 213.48
107875	11/3/2014	889602 RESPOND SYSTEMS	97006		1ST AID SUPPLIES	59.35
					001-430-0000-4300	Total : 59.35
107876	11/3/2014	889615 ABI DOCUMENT SUPPORT SERVICES	5504971-01-01		DOC SUPPORT SERVICES	69.95
					006-190-0000-4800	Total : 69.95
107877	11/3/2014	889644 VERIZON BUSINESS	66715931		CITY HALL LONG DISTANCE	75.19
			66715932		001-190-0000-4220	
					CITY YARD LONG DISTANCE	

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107877	11/3/2014	889644 VERIZON BUSINESS	(Continued)			70.82
			66715933		070-384-0000-4220	214.39
			66715934		CITY HALL LONG DISTANCE & INTRAL	294.62
			66715935		001-190-0000-4220	7.21
			66715936		POLICE LONG DISTANCE	149.14
			66716489		001-222-0000-4220	3.88
			66716498		CITY YARD LONG DISTANCE	3.61
			66716502		070-384-0000-4220	3.61
			66716503		001-420-0000-4220	3.62
			66716504		PARK LONG DISTANCE	3.61
			66716510		001-310-0000-4220	1.56
					CITY YARD LONG DIST (AIMS NETWORK)	Total : 831.26
					070-384-0000-4220	
107878	11/3/2014	889681 VILLALPANDO, MARIA	10/04/14 - 10/17/14		FOOD SERVICE WORKER	225.00
					115-422-3750-4270	45.00
					115-422-3752-4270	Total : 270.00
107879	11/3/2014	890010 TOTAL PRINTING SUPPLIES	14280		TONERS FOR HP4200 & HP4700	654.00
					001-130-0000-4300	Total : 654.00
107880	11/3/2014	890030 ELITE EQUIPMENT INC	21576		BUMBLE BEE TIGER TAIL HOSE ASSEMBLY	654.47
			21738		070-383-0000-4320	1,551.27
					ROCK DRILL TOOL	
					070-383-0000-4320	

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107880	11/3/2014	890030 890030 ELITE EQUIPMENT INC	(Continued)			Total : 2,205.74
107881	11/3/2014	890095 O'REILLY AUTO PARTS	4605-120681		TIRE STOP LEAK - PK0258 001-320-0390-4400	9.30 Total : 9.30
107882	11/3/2014	890254 BMI	8582245		ANNUAL MUSIC LICENSE 001-424-0000-4260	330.00 Total : 330.00
107883	11/3/2014	890377 F & F SIGNS	00110		TEMPORARY POLICE MAGETIC SIGNS 001-320-0225-4400	381.50 Total : 381.50
107884	11/3/2014	890431 UNIVERSAL SPECIALTIES INC	66592		SUPPLIES FOR RESTROOM MAINT @ f 001-390-0410-4300	40.88 Total : 40.88
107885	11/3/2014	890487 SEA-CLEAR POOLS	14-3265		CONTROLLER REPAIR 001-430-0000-4300	345.00 Total : 345.00
107886	11/3/2014	890561 GCS INC.	60792	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	072-360-0450-4260	1,088.00
				11103	001-390-0460-4260	3,080.00
				11103	001-430-0000-4260	2,850.00
					Total :	13,439.00
107887	11/3/2014	890594 HEALTH AND HUMAN RESOURCE	107527		EAP - OCT 2014 001-106-0000-4260	325.80
			109739		EAP - NOV 2014 001-106-0000-4260	325.80
					Total :	651.60
107888	11/3/2014	890833 THOMSON REUTERS	830409151		LA CLEAR - INVEST TOOL	

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vchlist 10/29/2014 11:35:34AM		Voucher List CITY OF SAN FERNANDO				Page: 22
Bank code :		bank				
Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
107888	11/3/2014	890833 THOMSON REUTERS	(Continued)		001-224-0000-4270	144.32
					Total :	144.32
107889	11/3/2014	890834 SPARKLING IMAGE CORP	55643		CAR WASHES - SEPT 2014 001-222-0000-4320	140.00
					Total :	140.00
107890	11/3/2014	890879 EUROFINS EATON ANALYTICAL, INC	L0186507		WATER ANALYSIS - F501253 070-384-0000-4260	139.60
			L0186755		WATER ANALYSIS - F501396 070-384-0000-4260	139.60
			L0187056		WATER ANALYSIS - F501397 070-384-0000-4260	164.00
			L0187062		WATER ANALYSIS - F501711 070-384-0000-4260	139.60
			L0187737		WATER ANALYSIS - F501166 070-384-0000-4260	225.00
			L0187745		WATER ANALYSIS - F502088 070-384-0000-4260	139.60
			L0187748		WATER ANALYSIS - F502326 070-384-0000-4260	139.60
			L0187849		WATER ANALYSIS - F502224 070-384-0000-4260	164.00
			L0188101		WATER ANALYSIS - F502860 070-384-0000-4260	264.60
					Total :	1,515.60
107891	11/3/2014	890897 EVAN BROOKS ASSOCIATES, INC	14009-9	11097	CONTRACT PLANNER SERVICES 001-150-0000-4270	7,675.00
			14010-10	11097	CONTRACT PLANNER SERVICES 001-150-0000-4270	7,925.00
					Total :	15,600.00
107892	11/3/2014	891048 ZEENI INC.	20535		BASKET BALL UNIFORMS 017-420-1328-4300	27.26

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Bank code :		bank				
Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
107892	11/3/2014	891048 891048 ZEENI INC.	(Continued)			Total : 27.26
107893	11/3/2014	891053 HAUPT, THEALE E	JULY & SEPT 2014		COMMISSIONER'S REIMBURSEMENT 001-150-0000-4111	100.00 Total : 100.00
107894	11/3/2014	891054 MEJIA, YVONNE G	SEPT 2014		COMMISSIONER'S REIMBURSEMENT 001-150-0000-4111	50.00 Total : 50.00
107895	11/3/2014	891127 HALL & FOREMAN, INC	2814205	11116	AS-NEEDED CONSULTING ENGINEERII 072-360-0000-4270	2,424.00 Total : 2,424.00
107896	11/3/2014	891188 LIBRARY BISTRO	11894		ORAL BOARD LUNCH 001-106-0000-4270	65.00 Total : 65.00
107897	11/3/2014	891253 SAN FERNANDO SMOG TEST ONLY	2506		SOMG - E005628 001-320-0000-4450	50.00 Total : 50.00
107898	11/3/2014	891311 TORRES, RITA	889655		SENIOR TRIP CANCELLATION REFUND 004-2384	320.00 Total : 320.00
107899	11/3/2014	891311 TORRES, RITA	10/04/14 - 10/17/14		FOOD SERVICE SUBSTITUTE 115-422-3750-4270 115-422-3752-4270	58.50 4.50 Total : 63.00
107900	11/3/2014	891320 CASTILLON, JUDITH	REPL CK104035		REPL STALE DTD CHECK - FOLKLORIC 017-2140	45.00 Total : 45.00
107901	11/3/2014	891328 MS NAVARRO ENGINEERING	2106	11127	12900 DRONFIELD SITE PREP & ELEC1 070-384-0857-4600 070-2037	103,864.30 -10,386.43
						Page: 23

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Bank code :		bank				
Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
107901	11/3/2014	891328 891328 MS NAVARRO ENGINEERING	(Continued)			Total : 93,477.87
107902	11/3/2014	891338 NESTLE PURE LIFE DIRECT	04J0033013574		WATER 001-430-0000-4300	26.81 Total : 26.81
107903	11/3/2014	891377 REYES, JOSE	10/04/14 - 10/17/14		HDM DRIVER 115-422-3752-4270 115-422-3752-4390	18.00 5.72 Total : 23.72
107904	11/3/2014	891589 DOUBLE TREE BY HILTON	TRAVEL		POST EXECUTIVE DEVELOPMENT COI 001-222-0000-4360	703.44 Total : 703.44
107905	11/3/2014	891614 THE PANNER COMPANY	166739		KITS FOR INJECTION PUMP FOR WELL 070-384-0000-4320	361.46 Total : 361.46
107906	11/3/2014	891622 FARMER BROTHERS	60243137		COFFEE 001-222-0000-4300	489.37 Total : 489.37
107907	11/3/2014	891637 CPRS DISTRICT 11	102114		CPRS CONFERENCE REGISTRATION 001-420-0000-4360	25.00 Total : 25.00
107908	11/3/2014	891653 SARGENT TOWN PLANNING	14026	11143	SAN FERNANDO TRANSIT ORIENTED [3,195.00
			14027	11143	SAN FERNANDO TRANSIT ORIENTED [18,646.10
			14028	11143	SAN FERNANDO TRANSIT ORIENTED [46,717.90
					113-150-3673-4270	68,559.00
107909	11/3/2014	891662 INNERLINE ENGINEERING	070-2573		EDDY VALVE DEP REFUND 070-2573	831.76
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Bank code :		bank				
Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
107909	11/3/2014	891662 891662 INNERLINE ENGINEERING	(Continued)			Total : 831.76
107910	11/3/2014	891663 HF & H CONSULTANTS, LLC	9712869	11146	PERFORMANCE REVIEW OF CITY'S SC 073-350-0000-4260	2,643.50 Total : 2,643.50
107911	11/3/2014	891665 CENTRAL VALLEY AUTO BODY INC.	11423		REPAINT RIGHT REAR QTR PANEL - PC 001-320-0224-4400	262.71
			11424		REPAINT HOOD & CLEAR COAT - PD45 001-320-0222-4400	278.11
			11425		REPAINT HOOD RIGHT & LEFT FENDEF 001-320-0224-4400	648.05
			11426		REPAINT HOOD LEFT & RIGHT FRONT 001-320-0221-4400	482.41 Total : 1,671.28
107912	11/3/2014	891666 GOBELI, CHEYNNE	1027263.004		LIFEGUARD TRAINING REIMB 001-3770-1338	100.00 Total : 100.00
107913	11/3/2014	891667 DE SANTIAGO, CARMINA	1027237.004		LIFEGUARD TRAINING REIMB 001-3770-1338	100.00 Total : 100.00
107914	11/3/2014	891668 GOLD, SAMUEL	1027265.004		LIFEGUARD TRAINING REIMB 001-3770-1338	100.00 Total : 100.00
107915	11/3/2014	891669 HERNANDEZ, ANTHONY	1027268.004		LIFEGUARD TRAINING REIMB 001-3770-1338	100.00 Total : 100.00
107916	11/3/2014	891670 IBARRA, MELISSA	1027217.004		LIFEGUARD TRAINING REIMB 001-3770-1338	100.00 Total : 100.00
107917	11/3/2014	891671 BARASH, ROSS	1027264.004		LIFEGUARD TRAINING REIMB 001-3770-1338	100.00
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Bank code :		bank				
Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
107917	11/3/2014	891671 891671 BARASH, ROSS	(Continued)			Total : 100.00
107918	11/3/2014	891672 ALMANZA, ROBERT	889722		REFUND OF SENIOR TRIP TO LAS VEG 004-2384	40.00
			889746		REFUND OF SENIOR TRIP TO LAS VEG 004-2384	100.00 Total : 140.00
107919	11/3/2014	891673 ESCOBAR, DIANA	889683		SENIOR TRIP CANCELLATION REFUND 004-2384	20.00 Total : 20.00
107920	11/3/2014	891674 BARRAGAN, PEDRO	BS1402362		PLAN CHECK FEES REFUND 001-3320-0000	75.00 Total : 75.00
107921	11/3/2014	891675 HAKALMAZAYAN, SARKIS	REIMB.		REIMB FOR PURCHASE OF SAFETY BC 001-152-0000-4300	29.71 Total : 29.71
107922	11/3/2014	891676 THE CHANDLER POLICE EXPLORERS	NONPO		REGISTRATION FEES FOR THE 16TH A 001-226-0230-4430	1,475.00 Total : 1,475.00
139 Vouchers for bank code : bank						Bank total : 563,763.54
139 Vouchers in this report						Total vouchers : 563,763.54

Voucher Registers are not final until approved by Council.

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AGENDA REPORT

To: Mayor Sylvia Ballin and Councilmembers

From: Brian Saeki, City Manager
By: Michael E. Okafor, Personnel Manager

Date: November 3, 2014

Subject: Consideration to Adopt a Resolution Approving a Revised Job Specification for Police Chief

RECOMMENDATION:

It is recommended that the City Council adopt Resolution No. 7652 (Attachment "A") revising the job specification for the position of Police Chief.

BACKGROUND:

1. On May 15, 1972, the City Council adopted Resolution No. 4591 approving a new job specification for Police Chief.
2. From January 19, 2012 through March 16, 2012, and later, from July 3, 2012 through June 16, 2014, Robert Parks served as Acting Police Chief.
3. On June 16, 2014, the City Council approved an Employment Agreement (Contract No. 1749) between the City and Robert Parks to serve as Police Chief through December 31, 2014. The Agreement stipulates that after December 31, 2014, Chief Parks could serve on a month-to-month basis pending the recruitment of a new Police Chief. The Agreement also requires that Chief Parks assist the City Manager in recruiting for his replacement.

ANALYSIS:

The existing job specification for Police Chief was adopted in 1972. Although the job duties for the position have remained primarily the same over the years, some of the job standards and special qualification requirements have changed. Job expectations and reporting relationships have also changed. Consequently, staff feels that it is necessary to update the job specification before embarking on a new recruitment in order to clearly spell out the essential job duties, qualifications, experience and training requirements, as well as relevant job standards and reporting relationships. Whereas the existing job specification requires an Associate Degree

Consideration to Adopt a Resolution Approving a Revised Job Specification for Police ChiefPage 2 of 2

and five years of supervisory experience, the proposed job specification will require a combination equivalent to an Advanced P.O.S.T. certificate or an Associate Degree in addition to ten years of professional law enforcement experience, including five years in a management or supervisory position. The revised job specification also stipulates that completion of Law Enforcement Command Level courses or a Bachelor's Degree is desirable.

BUDGET IMPACT:

There is no additional budget impact. Funding for Police Chief will remain the same as approved in the Fiscal Year 2014-2015 Budget.

CONCLUSION:

Adoption of the revised job specification for the Police Chief position is necessary to accurately reflect the current job responsibilities and/or fulfill certification requirements. This will also enable staff to start recruitment for the Police Chief position as soon as possible before the expiration of Chief Parks' Employment Agreement.

ATTACHMENT:

A. Resolution No. 7652

ATTACHMENT "A"**RESOLUTION NO. 7652****A RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF SAN FERNANDO AMENDING RESOLUTION NO.
4144, ADOPTED DECEMBER 12, 1966 BY THE
ADDITION OF SUPPLEMENT NO. 170 THERETO****THE COUNCIL OF THE CITY OF SAN FERNANDO DOES HEREBY RESOLVE AS
FOLLOWS:**

SECTION 1: That Resolution No. 4144, adopted December 12, 1966, and the Position Classification Plan prepared by Griffenhagen-Kroeger, Inc. bearing date of April 1966, as amended by the City Council, be the same as amended by adding thereto Supplement No. 170 covering important and essential duties, job-related and essential qualifications for the following position and classification:

POLICE CHIEF

Supplement No. 170 is hereby adopted and approved as the new official job classification and definition, prescribing important and essential duties, job-related and essential qualifications for the position and classification set forth above. Copies of Supplement No. 170 are now on file in the office of the City Clerk. Said Supplement No. 170 is hereby incorporated in and made a part of the Position Classification and Salary Plan for the City of San Fernando.

SECTION 2: The City Clerk shall certify to the adoption of this Resolution.

ADOPTED AND APPROVED this 3rd day of November 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 3rd day of November, 2014, by the following vote to wit:

AYES:

NOES:

ABSENT:

Elena G. Chávez, City Clerk

EXHIBIT “A”

Supplement No. 170
Adopted by Res. No. 7652
Effective: 11/3/2014

POLICE CHIEF**DEFINITION**

Under administrative direction, plans, organizes, directs, and coordinates activities of the Police Department; implements policies and establishes procedures related to crime prevention, law enforcement, and related community services; develops and administers the department budget; provides direction, motivation, training and leadership to subordinate employees to ensure the effective, efficient delivery of police services to the community; provides highly responsible and technical assistance to the City Manager and City Council; and performs other related duties as required.

DISTINGUISHING CHARACTERISTICS

This is an executive management classification reporting to and serving at the pleasure of the City Manager. The incumbent serves as the department head, and provides direct and functional supervision over sworn and non-sworn management, professional, technical, and administrative personnel of the Police Department. He/she is expected to exercise wide latitude of independent judgment and discretion in establishing efficient and effective departmental operations consistent with City Council policies and administrative guidelines established by the City Manager.

IMPORTANT AND ESSENTIAL DUTIES

Essential duties may include, but are not limited to, the following:

1. Develops, plans and implements department goals, objectives, policies, procedures and work standards for the department; oversees the day-to-day supervision and direction of all City police functions including community-oriented policing, patrol, crime prevention, investigation, traffic enforcement, school services, jail services, dispatch and records.
2. Plans, organizes, directs, and coordinates a variety of programs designed for the maintenance of law and order, protection of life and property, control of traffic, crime prevention, and the apprehension, arrest, and detention of law violators.
3. Analyzes operational and service demands, and develops comprehensive plans to satisfy needs for department services; confers with legal advisors, citizens, and City officials on law enforcement problems; develops and implements municipal law enforcement policies and procedures; prepares, recommends and implements strategic plans to meet the City's current and long range law enforcement needs.
4. Prepares and administers the department budget; recommends the forecast of additional funds needed for staffing, equipment, materials and supplies; monitors and approves expenditures, and implements mid-year adjustments.
5. Coordinates department activities with those of other departments and outside agencies and organizations; provides staff assistance to the City Manager and City Council; prepares and presents staff reports and other necessary correspondence.
6. Selects, trains, motivates, and evaluates department personnel; provides or coordinates staff training; conducts performance evaluations; implements disciplinary procedures; maintains discipline and high standards necessary for the efficient and professional operation of the department.

Police Chief
Job Specification
Page 2 of 3

7. Works closely with the City Manager, the City Council, community groups, other City departments, as well as a variety of public and private organizations in developing programs, and implementing projects to solve police service problems; advises and otherwise assists the City Manager, City Council and commissions in understanding and developing policies governing City responses to crime control and prevention.
8. Directs the investigation of major crimes in coordination with other agencies; and assists in the preparation of cases; confers with attorneys in connection with the prosecutions of criminal complaints and concerning personnel issues, risk management assessment and interpretation of case law concerning work conditions.
9. Cultivates good community relations, and represents the department and the City before community groups, advisory committees, local, state, and federal agencies, as well as professional organizations.

OTHER JOB RELATED DUTIES

1. Establishes and maintains effective working relationships with peace officers and public safety officials in other jurisdictions.
2. Ensures coordination of activities among local agencies, including mutual aid agreements and the development and implementation of shared services.
3. Builds and maintains positive working relationships with City officials, co-workers, other City employees, and the general public.
4. Attends and makes presentations at meetings of the City Council, and other City boards and commissions.
5. Attends conferences, workshops and professional meetings to keep abreast of new developments in law enforcement and public administration.
6. Responds to and resolves difficult and sensitive inquiries and complaints.
7. Participates in City management staff meetings with other department heads; discusses and reviews overall City problems and priorities; may serve on special task forces or direct the conduct of projects having a general City-wide impact.
8. Participates with Human Resources in various personnel matters, including investigating complaints, and in conducting internal investigations when appropriate, and provides corrective action as appropriate.
9. As Director of Emergency Services, directs and coordinates the development and maintenance of the City's emergency preparedness plan and facilities.
10. Performs related duties and responsibilities as assigned.

JOB RELATED AND ESSENTIAL QUALIFICATIONS

Knowledge of:

1. Modern police administration, supervision, and accepted personnel practices.
2. Police codes, terminology, laws, ordinances, regulations and court decisions affecting law enforcement and public safety.
3. The enforcement aspects of pertinent federal and state laws, codes and regulations.
4. Police Department policies, procedures, rules and regulations.
5. Current public safety and investigative procedures.
6. Crime prevention and community policing methodologies.
7. Traffic enforcement and rules of evidence.

Police Chief
Job Specification
Page 3 of 3

Ability to:

1. Plan, and effectively supervise and coordinate the work of subordinates.
2. Conduct studies and prepare accurate reports and recommendations.
3. Understand and follow written and oral instructions.
4. Review and evaluate employees' job performance.
5. Provide clear and concise work instructions.
6. Maintain effective working relationships with others.
7. Assume control at crime scenes, disasters or other appropriate situations.
8. Maintain performance and self-control in adverse, stressful conditions.
9. Speak before groups of people and represent the Department and the City.
10. Understand and speak Spanish is highly desirable.

Experience and Training Guidelines

A typical way to obtain the knowledge, skills and abilities would be the following:

Experience:

Ten years of professional law enforcement experience, including five years in a management or supervisory position preferably in a municipal police department is required.

Training:

Any combination equivalent to Advanced P.O.S.T. certificate or an Associate degree in administration of justice, public administration or related field is required. Completion of Law Enforcement Command Level courses or a Bachelor's degree is desirable.

Special Requirements

Must possess a valid California Class C Driver's License and a satisfactory driving record.

Must attain satisfactory results from a background investigation, polygraph test, psychological evaluation and physical examination, which includes a drug screen (required for external applicants only).

Must stay current in the field and acquire all necessary training that technological changes will necessitate.

Working Conditions

Attends meetings at various sites within and away from the City. Works extended shifts and in emergency situations, and works with exposure to difficult circumstances, including exposure to dangerous situations, hazardous materials and all weather conditions.

Physical Standards

Must possess mobility to work in a standard office setting; strength and mobility to operate a motor vehicle and take command at an incident or emergency scene; strength and stamina to perform in a law enforcement capacity; vision to observe emergency scenes and investigations, and to read printed materials and a computer screen; and hearing and speech to communicate in person, before groups and over the telephone and/or radio.

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ORDINANCE NO. 1636**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN FERNANDO, CALIFORNIA, AMENDING SECTION 2-31 (COUNCIL MEMBERS – SALARY) OF DIVISION 1 (GENERALLY) OF ARTICLE II (CITY COUNCIL) OF CHAPTER 2 (ADMINISTRATION) OF THE SAN FERNANDO CITY CODE OF ORDINANCES RELATING TO CITY COUNCIL MEMBER SALARIES****RECITALS**

WHEREAS, pursuant to California Government Code section 36516, a city council may enact an ordinance providing that each member of the city council shall receive a salary; and

WHEREAS, on April 3, 2000, the City of San Fernando (“City”) adopted Ordinance No. 1515 amending the San Fernando City Code (“SFCC”) to provide that each member of the City Council shall receive a salary and setting the amount of such salary; and

WHEREAS, it is a common practice among California cities to adopt an ordinance providing that city council members shall receive a salary in an amount set by resolution of the city council, subject to the limitations of Government Code section 36516, so as to allow the city council to adjust council member salary as authorized by state law without having to modify the city’s municipal code with each adjustment; and

WHEREAS, the City Council wishes to amend Section 2-31 of Division 1 of Article II of Chapter 2 of the SFCC to provide that City Councilmembers shall receive a salary pursuant to Government Code section 36516 in an amount to be set by resolution of the City Council; and

WHEREAS, pursuant to Government Code sections 36516(f) and 36516.5, City Councilmembers are free to waive any portion of their salary and any change in salary set by resolution or ordinance shall not apply to City Councilmembers until at least one (1) member of the City Council begins a new term of office.

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

SECTION 1. Recitals. The Recitals set forth above are true and correct and incorporated into this Ordinance.

SECTION 2. Amendment of Code. Section 2-31 of Division 1 of Article II of Chapter of the San Fernando City Code is amended to read:

“Sec. 2-31. Council members — Salary.

- (a) Pursuant to Government Code § 36516, each member of the city council shall receive a monthly salary in an amount to be set by resolution of the city council. Such salaries shall be payable at the same time and in the same manner as the salaries that

are paid to other officers and employees of the city. The salaries prescribed in this section are exclusive of any amounts payable to each member of the council as reimbursement for actual and necessary expenses incurred in the performance of official duties of the city.

- (b) The monthly salary set forth in subsection (a) of this section shall become effective in the first full calendar month following the date upon which one or more members of the city council begins a new term of office.”

SECTION 3. Severability. If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council declares that it would have passed this Ordinance and each and every section, subsection, sentence, clause or phrase not declared invalid or unconstitutional without regard to whether any portion of the Ordinance would be subsequently declared invalid or unconstitutional.

SECTION 4. Effective Date. In accordance with Government Code section 36937, this ordinance shall take effect and be in force thirty (30) days from passage and adoption.

SECTION 5. Certification. The City Clerk is hereby authorized and directed to certify to the passage of this Ordinance by the City Council and shall cause it to be published or posted as required by law.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of San Fernando a regular meeting held on 3rd day of November, 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 3rd day of November, 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: Ismael Aguila, Recreation and Community Services Operations Manager

Date: November 3, 2014

Subject: Consideration to Approve Co-sponsorship with the American Cancer Society for the San Fernando Relay For Life

RECOMMENDATION:

It is recommended that the City Council:

- a. Approve co-sponsorship with the American Cancer Society (ACS) for the San Fernando Relay For Life (SFRFL); and
- b. Authorize the City Manager to execute a Memorandum of Understanding (Attachment "A" – Contract No. 1768) with the American Cancer Society for the San Fernando Relay For Life.

BACKGROUND:

1. On April 19, 2004, the City Council approved unanimously co-sponsorship with the American Cancer Society for the San Fernando Relay For Life. The event was held at San Fernando Middle School later that summer. In 2007, the event was moved to Recreation Park.
 1. During Fiscal Year 2009-2010, the City eliminated all City funded special event activities, including the co-sponsorship of the American Cancer Society Relay For Life.
2. On October 3, 2011, City Council, by consensus, agreed to a three-year co-sponsorship with the American Cancer Society for the San Fernando Relay For Life.

ANALYSIS:

Relay For Life

Relay For Life is the American Cancer Society signature event that celebrates cancer survivors, remembers those who have been lost to cancer, and encourages communities to come

Consideration to Approve Co-sponsorship with the San Fernando Relay For Life with the American Cancer Society

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together to fight back. Teams of friends, family members, and coworkers camp out overnight and take turns walking the track for 24-hours to honor and remember the lives of loved ones affected by cancer. Relay participants and visitors enjoy ceremonies, mission activities, entertainment, food, and more while making a significant impact in the fight against cancer. All funds raised through Relay For Life support the American Cancer Society's lifesaving mission to eliminate cancer through research, education, advocacy, and patient services.

San Fernando Relay For Life

Since 2004, the San Fernando Relay For Life has been held every year in the City of San Fernando. The event has brought together communities from throughout the San Fernando Valley to raise funds with the hope of eliminating cancer while providing resources to the Northeast San Fernando Valley.

Proposed Partnership

The proposed partnership (Memorandum of Understanding, Attachment "A" – Contract No. 1768) will continue the same events for an additional three years and utilize the same City resources as provided in the previous three-year partnership, which are listed below:

Event	Date	Resource(s) Requested
Relay For Life Kick off	January	Access to Library Plaza or City facility.
Goodwill Drive	April	Access to City parking lot.
Paint Your Town Purple	June	<ul style="list-style-type: none"> • Access to trolleys. • Permission to post ribbons on street light posts. • Hang purple lights and RFL sign.
Relay For Life Walk	July	<ul style="list-style-type: none"> • Access to Recreation Park. • Access to City resources, including cones, barricades, etc. • Assistance with logistic planning from Public Works (PW), Recreation (RCS), and Police Departments (PD). • Assistance from PW, RCS, and PD to work the event.*

*City will invoice RFL for staff salary and all hard costs associated with the event.

Consideration to Approve Co-sponsorship with the San Fernando Relay For Life with the American Cancer SocietyPage 3 of 3

BUDGET IMPACT:

Approval of the proposed partnership will not impact the General Fund expenditures for Fiscal Year 2014-2015, as the Relay For Life will reimburse the City for any hard costs associated with the campaign.

CONCLUSION:

It is recommended that the City Council approve the co-sponsorship of San Fernando Relay For Life and authorize the City Manager to execute a memorandum of understanding with the American Cancer Society for the San Fernando Relay For Life.

ATTACHMENT:

A. Contract No. 1768

ATTACHMENT "A"
CONTRACT NO. 1768

MEMORANDUM OF UNDERSTANDING

(Parties: City of San Fernando and American Cancer Society San Fernando Relay for Life)

THIS AGREEMENT FOR CO-SPONSORSHIP OF THE SFRFL AND THE CITY OF SAN FERNANDO (this "**Agreement**") is made and entered into as of November 3, 2014, by and between the CITY OF SAN FERNANDO, a California municipal corporation ("**City**"), and the AMERICAN CANCER SOCIETY SAN FERNANDO RELAY FOR LIFE, a non-profit organization ("**SFRFL**"), and with respect to the following:

RECITALS:

This AGREEMENT is made and entered into with respect to the following facts:

WHEREAS, City and ACS have common goals to raise awareness and provide community outreach activities in the fight against cancer in the City of San Fernando and Northeast San Fernando Valley.

WHEREAS, SFRFL conducts several events located within the City of San Fernando; and

WHEREAS, City owns and operate multiple public facilities ("Facilities"), located in the City of San Fernando; and

WHEREAS, SFRFL desires to use the City Facilities for the annual Relay For Life Campaign, specifically for planning meetings and fundraising events to eliminate cancer; and

WHEREAS, SFRFL has requested the use of the Facilities to conduct various educational and community outreach activities in the fight against cancer; and

WHEREAS, SFRFL has requested the use of the City of San Fernando Seal on marketing materials; and

WHEREAS, SFRFL has requested the use of City Resources; and

WHEREAS, City is willing to provide access to the requested Facilities and Property use, and specified resources, upon the terms, provisions and conditions hereinafter set forth; and

AGREEMENT:

NOW, THEREFORE, in consideration of the premises and the mutual covenants and promises contained herein, the receipt and sufficiency of which is hereby acknowledged, the CITY and the SFRFL hereby agree as follows:

1. Term. The term of this Agreement shall be Three (3) years, commencing November 3, 2014 and ending November 4, 2017.

2. City Facilities Access. The City shall provide the SFRFL access to unused rooms as determined by the Recreation and Community Services Director at the Park Facility for SFRFL sponsored meetings, events, celebrations, or other mutually agreed upon activities during times including, but not limited to, while allowing the City to provide public access to City programming without overlap.
 - a. Commencing December 1, 2014, SFRFL shall provide to the Director of Recreation and Community Services (the "Director"), for his or her approval, a calendar of proposed SFRFL Sponsored Events ("proposed programming schedule") for the seven (7) month period of January 1, 2015 through July 31, 2015, and provide a new proposed programming schedule for each subsequent two 2 year periods.
 - b. SFRFL proposed event schedule shall be consistent with Facilities policies and guidelines as identified in Article I of Chapter 54 of the San Fernando City Code and the Park's public purposes.
 - c. Within fifteen (15) calendar days of receipt of SFRFL proposed programming schedule, the Director shall provide SFRFL with notice of approval of the proposed programming schedule, any City proposed changes to the proposed programming schedule, and/or any Park Facilities scheduling conflicts.
 - d. City shall provide SFRFL reasonable priority use of the Facilities upon receipt and approval of a proposed programming schedule.
 - e. The availability of the Facilities for use by SFRFL for SFRFL-Sponsored Events shall remain subject to prior approved and reserved uses of the Park Facilities.
 - f. City retains first priority of use the Facilities for City sponsored or co-sponsored events.
 - g. City reserves the right to impose additional requirements for Public Programs and SFRFL-Sponsored Events, including, without limitation, insurance requirements and requirements as identified in Chapter 54 ("Parks and Recreation") of the San Fernando City Code, as deemed necessary to protect the health, safety, and/or welfare of the community.
 - h. SFRFL shall not use City's name to suggest endorsement or sponsorship of Public Programs or SFRFL-Sponsored Events without prior approval of the City Manager.
 - i. SFRFL shall use the Facilities in accordance with Federal, State, and local laws and regulations.
 - j. SFRFL and City shall conduct a walk-through of the Park Facilities immediately prior to the start of the first SFRFL-Sponsored Event approved under this Agreement. During the walkthrough, SFRFL and City

shall complete a checklist detailing the condition and contents of the Facilities ("walk-through checklist"). At the end of each approved SFRFL-Sponsored Events, SFRFL shall return the Facilities to the condition described in the walk-through checklist. SFRFL shall take full financial responsibility for any damage to the Park Facilities or loss of contents, as detailed in the walk-through, checklist that occurs as a result of SFRFL use of the Park Facilities and will be required to pay for same based on the current cost of repair or replacement.

- k. The Director, in his or her sole discretion, may require a certain number of security officers for a Public Program or SFRFL-Sponsored Event. SFRFL shall be responsible for procuring and paying for security officers.

3. Fees.

- a. City shall waive Facility rental fees, permit fees, and/or deposits for use of the Facilities for SFRFL-Sponsored Events that pertain to the San Fernando Relay for Life Campaign.
- b. SFRFL shall compensate the City for any city staff they may be required to assist with the implementation and/or clean-up of any SFRFL-Sponsored Events.

Indemnification. Each Party shall be responsible for any personal injury or property damage which occurs as a result of their use of the other's facilities. Without limitation of the foregoing, each Party agrees to protect, indemnify, defend and hold the other Party and its elected officials, officers, employees, attorneys, contractors, volunteers and agents (collectively, the "Indemnitees"), free and harmless from and against (collectively, "Indemnify") any and all claims, causes of action, demands, damages, liens, liabilities, losses, costs and expenses (including reasonable attorneys' fees and costs of litigation) (collectively, "Losses") that the Indemnitees may suffer or incur (as determined by final arbitration or court decision or by the agreement of the Parties, except that an indemnifying Party's duty to defend the Indemnitees pursuant to this Section does not require any prior determination by final arbitration or court decision or agreement of the Parties) to the extent that such Losses are a result of (a) the negligence or willful misconduct of the indemnifying Party at the other Party's facilities and/or in the use of equipment by the indemnifying Party, or (b) the failure of the indemnifying Party to comply with the terms of this Agreement, in each case to the fullest extent permitted by law. A Party shall have no duty to Indemnify the Indemnitees (and the Indemnitees shall be liable to the other Party to the extent otherwise liable under applicable law) to the extent that any Losses are caused by the negligence or willful misconduct of the Indemnitees, or by the

failure of the Indemnitees to comply with the terms of this Agreement, provided such willful misconduct or negligence is determined by agreement between the Parties or by arbitration or by a court of competent jurisdiction.

Insurance. SFRFL shall obtain and maintain, at sole cost and expense, comprehensive liability and property damage coverage, insuring against claims for injuries to persons and property occurring in, upon or about the Facilities (as a result of the SFRFL use of such Facilities hereunder) that has a limit of liability, per occurrence and aggregate, of not less than Two Million Dollars (\$2,000,000) for injuries to person or persons, and not less than One Million Dollars (\$1,000,000) for property damage.

- A. Such coverage shall (a) name the City and City's elected and appointed officials, officers, employees, agents and volunteers as additional insured, (b) contain a provision that the policy will not be cancelled without at least thirty (30) days' prior notice to the City, (c) provide that coverage afforded thereby will be primary and that any coverage carried by the City shall be noncontributing with respect thereto, and (d) contain a waiver of any right of subrogation against the City that arises, or might arise, by reason of any payment under such policy or by reason of any act or omission of the City.
- B. SFRFL shall provide the City with a certificate of insurance evidencing such coverage no later than the seven (7) calendar days prior to the first scheduled use of City Facilities under this Agreement.

Termination.

- A. Section 1 of this Agreement notwithstanding, the City may terminate this Agreement at any time upon five (15) days prior written notice to SFRFL. SFRFL may terminate this Agreement at any time upon thirty (30) days' prior written notice to City.
- B. Notwithstanding the issuance by either Party of written notice to terminate this Agreement pursuant to Section 9(A), the Parties shall continue to be bound by the terms and conditions of this Agreement up to the effective date of any termination for convenience. Each Party reserves the right to rescind any notice of intent to terminate for convenience prior to the effective date of any such termination.

Miscellaneous Provisions.

- C. Non-Liability of Officials. No elected or appointed official, officer, employee, agent or volunteer of Parties shall be personally liable for any amounts due hereunder, and no judgment or execution thereon entered in any action hereon, shall be personally enforced against any such elected or appointed official, officer, employee, agent or volunteer.

- D. Representatives. The City's Representative shall be the City Manager. SFRFL's Representative shall be the Executive Director. Notice to Party's Representative shall be considered notice to the Party.
- E. Communications. Parties shall regularly review, and address concerns, responsibilities and other issues surrounding, proposed times of use of facilities.
- F. Assignments. No Party shall assign this Agreement or any right or privilege any Party may have under this Agreement without the prior written consent of the other Party.
- G. Successors and Assigns. This Agreement shall be binding on all the successors and assigns of the Parties.
- H. Governing Law/Venue. The Agreement shall be interpreted and governed according to the laws of the State of California. In the event of litigation between the Parties, venue, without exception, shall be in the Los Angeles County Superior Court of the State of California. If, and only if, applicable law requires that all or part of any such litigation be tried exclusively in federal court, venue, without exception, shall be in the State of California locating in the City of Los Angeles, California.
- I. Records. Parties shall keep a record of use and mutually review this data annually.
- J. Notice. Any notice, request, direction, instruction, demand, consent, waiver, approval or other communication required or permitted to be given hereunder shall not be effective unless it is given in writing and delivered (a) in person, (b) by certified mail, postage prepaid, return receipt requested, (c) by facsimile, or (d) by a commercial overnight courier that guarantees next day delivery and provides a receipt, and addressed to the parties at the addresses stated below, or at such other address as either party may hereafter notify the other in writing as aforementioned:

ACS: American Cancer Society
500 N. Victory Boulevard
Burbank, California 91502
Attention: Adriana Serrano, Specialist, Relay For Life
Telephone: (818) 841-3800 x157

City: City of San Fernando
117 Macneil Street
San Fernando, California 91340
Attention: Brian Saeki, City Manager

Telephone: (818) 898-1202
Facsimile: (818) 361-7631

4. Service of any such notice or other communications so made shall be deemed effective on the day of actual delivery (whether accepted or refused), as evidenced by confirmed answerback if by facsimile (provided that if any notice or other communication to be

delivered by facsimile is unable to be transmitted because of a problem affecting the receiving party's facsimile machine, the deadline for receiving such notice or other communication shall be extended through the next business day), as shown by the addressee's return receipt if by certified mail, and as confirmed by the courier service if by courier; provided, however, that if such actual delivery occurs after 5:00 p.m. (local time where received) or on a non-business day, then such notice or demand so made shall be deemed effective on the first business day immediately following the day of actual delivery. No communications via electronic mail shall be effective to give any notice, request, direction, demand, consent, waiver, approval or other communications hereunder.

5. Attorney's fees. In the event that legal action is necessary to enforce the provisions of this Agreement, the parties agree that the prevailing party shall be entitled to recover attorney's fees from the opposing party in any amount determined by the court or arbitrator to be reasonable.
6. Construction of Agreement. This Agreement shall not be construed in favor of, or against, either Party but shall be construed as if the Parties prepared this Agreement together through a process of negotiation and with the advice of their respective attorneys.
7. Ambiguities. The doctrine that any ambiguity contained in a contract shall be construed against the party whose counsel has drafted the contract is expressly waived by each of the Parties hereto with respect to this Agreement.
8. Captions. Captions and paragraph headings used in this Agreement are for convenience of reference only and shall not be used in construing any part of this Agreement.
9. No Third Party Benefit. This Agreement is made solely for the benefit of the parties to this Agreement and their respective successors and assigns, and no other person or entity shall have or acquire any right by virtue of this Agreement.
10. Severability. If any portion of this Agreement is declared invalid, illegal, or otherwise unenforceable by a court of competent jurisdiction, the remaining provisions shall continue in full force and effect.
11. Effect of Waiver. No waiver of a breach of any provision of this Agreement by either party shall constitute a waiver of any other breach of the same provision or any other provision of this Agreement. Failure of either Party to enforce at any time, or from time to time, any provision of this Agreement, shall not be construed as a waiver of such provision or breach. The remedies herein reserved shall be cumulative and additional to any other remedies in law or equity.
12. Entire Agreement. This Agreement constitutes the entire agreement between SFRFL and the City with respect to the subject matter hereof and supersedes all prior offers and negotiations, oral and written. This Agreement may not be amended or modified in any respect whatsoever except by an instrument in writing duly signed and delivered by SFRFL and the City.

13. Amendment or Modification. No amendment, modification or supplement of this Agreement shall be valid or binding unless executed in writing and signed by both Parties, subject to City approval. The requirement for written amendments, modifications or supplements cannot be waived and any attempted waiver shall be void and invalid.
14. Counterparts. This Agreement may be executed in counterparts, each of which so executed shall be deemed an original irrespective of the date of the execution, and such counterparts shall together constitute one and the same agreement.
15. Authority. The persons signing below represent and warrant that this Agreement has been duly approved by the governing body of each signatory's respective public agency entity and they have authority to enter into this Agreement on behalf of the public agency entities for which they are signing this Agreement

[SIGNATURE PAGE TO FOLLOW]

IN WITNESS WHEREOF, American Cancer Society and the City hereto have entered into this agreement.

ACS: AMERICAN CANCER SOCIETY

By: _____
Adriana Serrano, Specialist, Relay For Life

CITY: CITY OF SAN FERNANDO

By: _____
Brian Saeki, City Manager

APPROVED AS TO FORM:

By: _____
Rick Olivarez, City Attorney

Date: _____

EXHIBIT A

Events included but not limited to:

Event	Date	Resource(s) Requested
Relay For Life Kick off	January	Access to Library Plaza or City facility.
Goodwill Drive	April	Access to City parking lot.
Paint Your Town Purple	June	<ul style="list-style-type: none"> • Access to trolleys. • Permission to post ribbons on street light posts. • Hang purple lights and RFL sign.
Relay For Life Walk	July	<ul style="list-style-type: none"> • Access to Recreation Park. • Access to City resources, including cones, barricades, etc. • Assistance with logistic planning from Public Works (PW), Recreation (RCS), and Police Departments (PD). • Assistance from PD, RCS, and PW to work the event.*

*City will invoice RFL for staff salary and all hard costs associated with the event.

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AGENDA REPORT

To: Mayor Sylvia Ballin and Councilmembers

From: Brian Saeki, City Manager
By: Chris Marcarello, Deputy City Manager/Public Works Director

Date: November 3, 2014

Subject: Status Update – Solid Waste Franchise Services

RECOMMENDATION:

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

BACKGROUND:

The City provides solid waste collection services through an exclusive franchise agreement with Republic Services. This agreement started on February 15, 2014, and provides for the safe and efficient collection, processing and disposal of solid waste and recyclable materials. In order to gauge the effectiveness of the City's solid waste collection services, a performance review is planned for the one-year service anniversary of the agreement. Prior to this review, a brief status update regarding services and programs is included below.

ANALYSIS:

On December 2, 2013, the City Council approved a 10-year franchise agreement with Republic Services (Contract No. 1731) to provide solid waste collection services in the City of San Fernando. The scope of work includes collection services for all residential, commercial, and temporary bin rentals in the City. As a result of this agreement, collection services are provided using alternative fueled vehicles, helping to demonstrate the City's commitment to environmental sustainability. Additionally, Republic Services is responsible for customer service functions related to solid waste and recycling, including billing, account management, and public outreach/educational activities in the community.

As is typical with municipal service agreements, it is customary to review contractor performance during the term of the agreement. This review is an ongoing process but will also include a formal review at the agreement's one-year anniversary, in February 2015. Following the completion of the first year of service, performance information will be compiled and reviewed with the City Council in early spring 2015. In order to keep the City Council and

Status Update – Solid Waste Franchise ServicesPage 2 of 3

community apprised of the items that will be reviewed, a matrix has been developed to track key deliverables specified in the franchise agreement. These deliverables include reporting requirements (disposal records, customer service data, franchise payments, billing records, etc.), community engagement activities (community outreach, recycling program management, event sponsorship, scholarship programs, etc.), and collection activities (solid waste container guidelines, collection days/times, processing/disposal sites, etc.). Attachment “A” includes a full description of these deliverables.

In addition, staff has been working with Republic Services to develop a few possible amendments to the existing franchise agreement. As proposed, these amendments will be considered by the City Council in conjunction with the annual performance review. The amendments will address items that are not currently specified in the agreement, including:

- **Bulky Item Collection Services**

Currently, there are no provisions that require the contractor to assist the City with collecting bulky items that are abandoned in the public right-of-way. In the interim, Republic Services has assisted with this function at no cost to the City.

As proposed, bulky item collection services will be considered to be added into the franchise agreement. In lieu of the City paying for these collection services, the City will agree to provide office space for a Republic customer service representative at City Hall. The estimated cost of the bulky collection services is estimated to exceed the rent income of the office space rental, providing additional value to the City.

- **Billing Cycle Changes**

Billing for solid waste collection is currently issued on a bi-monthly basis in arrears (similar to water bills). However, this is not a common practice in the solid waste industry. Instead, it is more typical for solid waste collection services to be billed in advance of a collection period.

The City’s unique billing process has posed some difficulties for Republic Services (since its billing system is setup to bill in advance). As a result, some customers have experienced problems with receiving “late fees” for collection services related to these technical billing issues. In order to mitigate these problems, Republic Services has agreed to waive all “late fees” for customers related to billing schedule issues. Additionally, Republic Services is in the process of auditing its late fee charges to determine if any customers have been incorrectly charged a late fee due to billing schedule issues.

Status Update – Solid Waste Franchise ServicesPage 3 of 3

As proposed, possible changes will be considered by the City Council prior to implementation. Outreach materials and notices will be distributed well in advance of any change in schedule to better inform the community. It is hoped that these changes will remove any customer problems with solid waste collection billing.

BUDGET IMPACT:

There is not financial impact associated with this item.

CONCLUSION:

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

ATTACHMENT:

- A. Solid Waste Franchise Agreement – Service Levels and Deliverables/Public Education Matrix

ATTACHMENT "A"

[illegible]

Solid Waste Franchise Agreement

Public Education Matrix

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AGENDA REPORT

To: Mayor Sylvia Ballin and Councilmembers

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

Date: November 3, 2014

Subject: Consideration to Approve a Contract with Evan Brooks Associates and Adoption of a Resolution Approving the Reallocation of General Funds for Planning Consultant Services

RECOMMENDATION:

It is recommended that the City Council:

- a. Approve a Contract between the City and Evan Brooks Associates (Attachment "A" – Contract No. 1769) for planning consultant services;
- b. Authorize the City Manager to execute the contract; and
- c. Approve Resolution No. 7655 (Attachment "B") approving reallocation of General Funds for planning consultant services.

BACKGROUND:

1. On June 16, 2014, the City Council approved Resolution No. 7618, approving the Fiscal Year (FY) 2014-2015 General Fund Budget including all anticipated revenue and expenditures for that fiscal year. As part of the budget approval process, the City Council also approved the Associate Planner position as a full-time funded position within the Community Development Department.
2. On July 1, 2014, the City of San Fernando entered into an administrative contract for professional planning consultant services with Evan Brooks Associates for a not to exceed amount of under \$25,000 for the period of July 1, 2014 through October 24, 2014.
3. On June 24, 2014, the City initiated the recruitment process through the posting of job flyers and advertisements for an Associate Planner position.
4. On August 13, 2014, the City conducted oral board interviews with the top candidates for the

Consideration to a Contract with Evan Brooks Associates and Adoption of a Resolution Approving the Reallocation of General Funds for Planning Consultant ServicesPage 2 of 3

position of Associate Planner.

5. On September 15, 2014, Yalini Sivapathasundaram was offered and accepted the position of Associate Planner.
6. On October 13, 2014, Ms. Sivapathasundaram began work with the City of San Fernando as the Associate Planner. During the period to follow, contract planning staff from Evan Brooks Associates assisted with the new Associate Planner's training and transition of City planning services and pending entitlement projects. The planning consultant services were completed on October 24, 2014.

ANALYSIS:

As of October 24, 2014, the City of San Fernando has completed the recruitment, hiring and training process for a full-time Associate Planner for the Community Development Department. During the recruitment, hiring, and training process for the new Associate Planner that took place between July 1, 2014 and October 24, 2014, the City needed to use planning consultant services from Evan Brooks Associates at a total cost of \$30,650.

Planning consultant services were necessary in order to ensure that the City did not go without planning staff, which had the potential to result in loss of revenue and economic development opportunities that would in turn result in additional negative financial consequences to the City. The attached Resolution will facilitate reallocation of General Fund monies from Community Development Department personnel services accounts across the three existing divisions (i.e., Building and Safety, Planning/Administration, and Community Preservation) to the existing professional services account within the Community Development Department's Planning/Administration Division. The planning and consultant services provided by Evan Brooks Associates have helped the Community Development Director process the backlog of entitlement applications as well as provide day-to-day counter services during the recruitment, hiring, and training of the full-time Associate Planner. Therefore, City staff is recommending approval of the Contract (Attachment "A") and the budget Resolution (Attachment "B").

BUDGET IMPACT:

There will be no impact to the City's approved FY 2014-2015 General Fund Budget. Approval of the Contract and Resolution will ensure that the required General Funds are available to pay for planning consultant services provided by planning staff from Evan Brooks Associates during the period of July 1, 2014 through October 24, 2014. The final fees for service total \$30,650. Per City Code Section 2-808, the City Manager is authorized to approve contracts up to \$25,000.

Consideration to a Contract with Evan Brooks Associates and Adoption of a Resolution Approving the Reallocation of General Funds for Planning Consultant ServicesPage 3 of 3

The resulting amount exceeds the \$25,000 and therefore requires City Council approval of the Contract included herein as Attachment "A".

City Council approval will allow the required funds to be transferred from the existing personnel services expenditure accounts within the Community Development Department's Building and Safety, Planning/Administration and Community Preservation divisions in the following amounts: \$9,195.00 from Building and Safety (Account No. 01-140-0000-4101); \$15,325.00 from Planning/Administration (01-150-0000-4101); and, \$6,130.00 from Community Preservation (01-152-0000-4101). Pursuant to the attached Resolution (Attachment "B"), the funds will be reallocated to the Professional Services expenditure account (01-150-0000-4270) within the Planning/Administration Division to pay all planning consulting services incurred by the City with Evan Brooks Associates.

CONCLUSION:

Staff recommends City Council approval of the Contract with Evan Brooks Associates to facilitate contract planning services in support of the Community Development Departments project intake, review and processing services for FY 2014-2015. Also staff recommends approval of the proposed budget reallocation from the Community Development Department Personnel Cost accounts to the Community Development Departments Professional Services account to offset the cost incurred from July 1, 2014 through October 24, 2014, for contract planning services.

ATTACHMENTS:

- A. Contract No. 1769
- B. Resolution No. 7655

ATTACHMENT "A"
CONTRACT NO. 1769**CITY OF SAN FERNANDO**
SHORT-FORM CONTRACT SERVICES AGREEMENT

THIS SHORT-FORM CONTRACT SERVICES AGREEMENT is made and entered into on the 4th day of November, 2014 that amends the previous administrative contract dated 1st of July, 2014 by and between the CITY OF SAN FERNANDO, a municipal corporation, (hereinafter referred to as "CITY") and Evan Brooks Associates, Inc. (hereinafter referred to as "CONTRACTOR"). In consideration of their mutual covenants, the parties hereto agree as follows:

1. CONTRACTOR. Shall provide or furnish the following specified services and/or materials: contractual planner services inclusive of entitlement/site plan review request processing, answering public inquiries, preparing staff reports, etcetera.

2. EXHIBITS. The following attached exhibits are hereby incorporated into and made a part of this Agreement:

Proposal from CONTRACTOR dated July 1, 2014 and attached to the original contract attached herein as Attachment No. 1 and also dated July 1, 2014, which is included therein as Exhibit "A".

3. TERMS. The services and/or materials furnished under this Agreement shall commence July 1, 2014 and shall be completed by October 24, 2014, unless terminated pursuant to Section 5(n).

4. COMPENSATION. For the full performance of this Agreement as originally approved on July 1, 2014 and subsequently amended pursuant to City Council approval at its regular meeting of November 3, 2014:

a. CITY shall pay CONTRACTOR a total contract amount not to exceed Thirty Thousand Six Hundred and Fifty Dollars (\$30,650) within thirty (30) days following receipt of invoice and completion/delivery of services/goods as detailed in Sections 1, 2, and 3 of this Agreement and only upon satisfactory delivery/completion of goods/services in a manner consistent with industry standards for the area in which CONTRACTOR operates. CITY is not responsible for paying for any work done by CONTRACTOR or any subcontractor above and beyond the not to exceed amount.

b. CITY shall not reimburse for any of CONTRACTOR's costs or expenses to deliver any services/goods. CITY shall not be responsible for any interest or late charges on any payments from CITY to CONTRACTOR.

c. CONTRACTOR is responsible for monitoring its own forces/employees/agents/subcontractors to ensure delivery of goods/services within the terms of this Agreement. CITY will not accept or compensate CONTRACTOR for incomplete goods/services.

5. GENERAL TERMS AND CONDITIONS.

a. **HOLD HARMLESS.** CONTRACTOR agrees to indemnify, defend and hold harmless CITY, its officers, agents and employees from any and all demands, claims or liability of personal injury (including death) and property damage of any nature, caused by or arising out of the performance of CONTRACTOR under this Agreement. With regard to CONTRACTOR's work product, CONTRACTOR agrees to indemnify, defend and hold harmless CITY, its officers, agents and employees from any and all demands, claims or liability of any nature to the extent caused by the negligent performance of CONTRACTOR under this Agreement.

b. **INSURANCE.** CONTRACTOR shall file with CITY a certificate of insurance before commencing any services under this Agreement as follows:

c. **WORKERS COMPENSATION INSURANCE:** Minimum statutory limits.

d. **COMMERCIAL GENERAL LIABILITY AND PROPERTY DAMAGE INSURANCE:** General Liability and Property Damage Combined.

e. \$1,000,000.00 per occurrence including comprehensive form, personal injury, broad form personal damage, contractual and premises/operation, all on an occurrence basis. If an aggregate limit exists, it shall apply separately or be no less than two (2) times the occurrence limit.

f. **AUTOMOBILE INSURANCE:** \$1,000,000.00 per occurrence.

g. **NOTICE OF CANCELLATION:** CITY requires 30 days written notice of cancellation. Additionally, the notice statement on the certificate should not include the wording "endeavor to" or "but failure to mail such notice shall impose no obligation or liability of any kind upon the company, its agents or representatives."

h. **CERTIFICATE OF INSURANCE:** Prior to commencement of services, evidence of insurance coverage must be shown by a properly executed certificate of insurance and it shall name "The CITY of San Fernando, its elective and appointed officers, employees, and volunteers" as additional insureds.

i. To prevent delay and ensure compliance with this Agreement, the insurance certificates and endorsements must be submitted to:

City of San Fernando
Attn: Fred Ramirez, Community Development Director
117 Macneil Street
San Fernando, CA 91340
framirez@san-fernando.ca.us
Tel: 818-898-7316
Fax: 818-898-7329

j. NON-DISCRIMINATION. No discrimination shall be made in the employment of persons under this Agreement because of the race, color, national origin, age, ancestry, religion or sex of such person.

k. INTEREST OF CONTRACTOR. It is understood and agreed that this Agreement is not a contract of employment and does not create an employer- employee relationship between CITY and CONTRACTOR. At all times CONTRACTOR shall be an independent contractor and CONTRACTOR is not authorized to bind CITY to any contracts or other obligations without the express written consent of CITY. In executing this Agreement, CONTRACTOR certifies that no one who has or will have any financial interest under this Agreement is an officer or employee of CITY.

l. CHANGES. This Agreement shall not be assigned or transferred without advance written consent of CITY. No changes or variations of any kind are authorized without the written consent of the City Manager or his/her designee. This Agreement may only be amended by a written instrument signed by both parties.

m. TERMINATION. This Agreement may be terminated by CITY upon seven (7) days written notice to CONTRACTOR. Monies owed for work satisfactorily completed shall be paid to CONTRACTOR within 14 days of termination.

n. RECORDS. All reports, data, maps, models, charts, studies, surveys, calculations, photographs, memoranda, plans, studies, specifications, records, files, or any other documents or materials, in electronic or any other form, that are prepared or obtained pursuant to this Agreement and that relate to the matters covered hereunder shall be the property of CITY. CONTRACTOR hereby agrees to deliver those documents to CITY at any time upon demand of CITY. It is understood and agreed that the documents and other materials, including but not limited to those described above, prepared pursuant to this Agreement are prepared specifically for CITY and are not necessarily suitable for any future or other use. Failure by CONTRACTOR to deliver these documents to CITY within a reasonable time period or as specified by CITY shall be a material breach of this Agreement. CITY and CONTRACTOR agree that until final approval by CITY, all data, plans, specifications, reports and other documents are preliminary drafts not kept by CITY in the ordinary course of business and will not be disclosed to third parties without prior written consent of both parties. All work products submitted to CITY pursuant to this Agreement shall be deemed a "work for hire." Upon submission of any work for hire pursuant to this Agreement, and acceptance by CITY as complete, non-exclusive title to copyright of said work for hire shall transfer to CITY. The compensation recited in Section 4 shall be deemed to be sufficient consideration for said transfer of copyright. CONTRACTOR retains the right to use any project records, documents and materials for marketing of their contract services.

o. ENTIRE AGREEMENT. This Agreement represents the entire agreement between the Parties. Any ambiguities or disputed terms between this Agreement and any attached Exhibits shall be interpreted according to the language in this Agreement and not the Exhibits.

6. INVOICING. Send all invoices to the contract coordinator at the address above.

This Agreement shall become effective upon its approval and execution by CITY.

[SIGNATURE PAGE TO FOLLOW]

IN WITNESS WHEREOF, the parties have executed this Agreement the day and year first written above.

CITY

By: _____

Name: Brian Saeki

Title: City Manager

CONTRACTOR

By: _____

Name: Hal Suetsugu

Title: Managing Partner

ATTACHMENT NO. 1**CITY OF SAN FERNANDO
SHORT-FORM CONTRACT SERVICES AGREEMENT**

THIS SHORT-FORM CONTRACT SERVICES AGREEMENT is made and entered into on the 1st day of July, 2014 by and between the CITY OF SAN FERNANDO, a municipal corporation, (hereinafter referred to as "CITY") and Evans Brooks Associates, Inc. (hereinafter referred to as "CONTRACTOR"). In consideration of their mutual covenants, the parties hereto agree as follows:

1. CONTRACTOR. Shall provide or furnish the following specified services and/or materials: contractual planner services inclusive of entitlement/site plan review request processing, answering public inquiries, preparing staff reports, etcetera.

2. EXHIBITS. The following attached exhibits are hereby incorporated into and made a part of this Agreement:

Proposal from CONTRACTOR dated July 1, 2014 and attached hereto as Exhibit "A".

3. TERMS. The services and/or materials furnished under this Agreement shall commence July 1, 2014 and shall be completed by October 24, 2014 , unless terminated pursuant to Section 5(n).

4. COMPENSATION. For the full performance of this Agreement:

a. CITY shall pay CONTRACTOR an amount not to exceed Twenty Four Thousand and Nine Hundred and Ninety-Nine Dollars (\$24,999) within thirty (30) days following receipt of invoice and completion/delivery of services/goods as detailed in Sections 1, 2, and 3 of this Agreement and only upon satisfactory delivery/completion of goods/services in a manner consistent with industry standards for the area in which CONTRACTOR operates. CITY is not responsible for paying for any work done by CONTRACTOR or any subcontractor above and beyond the not to exceed amount.

b. CITY shall not reimburse for any of CONTRACTOR's costs or expenses to deliver any services/goods. CITY shall not be responsible for any interest or late charges on any payments from CITY to CONTRACTOR.

c. CONTRACTOR is responsible for monitoring its own forces/employees/agents/subcontractors to ensure delivery of goods/services within the terms of this Agreement. CITY will not accept or compensate CONTRACTOR for incomplete goods/services.

5. GENERAL TERMS AND CONDITIONS.

a. HOLD HARMLESS. CONTRACTOR agrees to indemnify, defend and hold harmless CITY, its officers, agents and employees from any and all demands, claims or liability of personal injury (including death) and property damage of any nature, caused by or arising out of the performance of CONTRACTOR under this Agreement. With regard to CONTRACTOR's work product, CONTRACTOR agrees to indemnify, defend and hold

harmless CITY, its officers, agents and employees from any and all demands, claims or liability of any nature to the extent caused by the negligent performance of CONTRACTOR under this Agreement.

b. INSURANCE. CONTRACTOR shall file with CITY a certificate of insurance before commencing any services under this Agreement as follows:

c. WORKERS COMPENSATION INSURANCE: Minimum statutory limits.

d. COMMERCIAL GENERAL LIABILITY AND PROPERTY DAMAGE INSURANCE: General Liability and Property Damage Combined.

e. \$1,000,000.00 per occurrence including comprehensive form, personal injury, broad form personal damage, contractual and premises/operation, all on an occurrence basis. If an aggregate limit exists, it shall apply separately or be no less than two (2) times the occurrence limit.

f. AUTOMOBILE INSURANCE: \$1,000,000.00 per occurrence.

g. NOTICE OF CANCELLATION: CITY requires 30 days written notice of cancellation. Additionally, the notice statement on the certificate should not include the wording "endeavor to" or "but failure to mail such notice shall impose no obligation or liability of any kind upon the company, its agents or representatives."

h. CERTIFICATE OF INSURANCE: Prior to commencement of services, evidence of insurance coverage must be shown by a properly executed certificate of insurance and it shall name "The CITY of San Fernando, its elective and appointed officers, employees, and volunteers" as additional insureds.

i. To prevent delay and ensure compliance with this Agreement, the insurance certificates and endorsements must be submitted to:

City of San Fernando
Attn: Fred Ramirez, Community Development Director
117 Macneil Street
San Fernando, CA 91340
framirez@san-fernando.ca.us
Tel: 818-898-7316
Fax: 818-898-7329

j. NON-DISCRIMINATION. No discrimination shall be made in the employment of persons under this Agreement because of the race, color, national origin, age, ancestry, religion or sex of such person.

k. INTEREST OF CONTRACTOR. It is understood and agreed that this Agreement is not a contract of employment and does not create an employer- employee relationship between CITY and CONTRACTOR. At all times CONTRACTOR shall be an independent contractor and CONTRACTOR is not authorized to bind CITY to any contracts or

other obligations without the express written consent of CITY. In executing this Agreement, CONTRACTOR certifies that no one who has or will have any financial interest under this Agreement is an officer or employee of CITY.

l. CHANGES. This Agreement shall not be assigned or transferred without advance written consent of CITY. No changes or variations of any kind are authorized without the written consent of the City Manager or his/her designee. This Agreement may only be amended by a written instrument signed by both parties.

m. TERMINATION. This Agreement may be terminated by CITY upon seven (7) days written notice to CONTRACTOR. Monies owed for work satisfactorily completed shall be paid to CONTRACTOR within 14 days of termination.

n. RECORDS. All reports, data, maps, models, charts, studies, surveys, calculations, photographs, memoranda, plans, studies, specifications, records, files, or any other documents or materials, in electronic or any other form, that are prepared or obtained pursuant to this Agreement and that relate to the matters covered hereunder shall be the property of CITY. CONTRACTOR hereby agrees to deliver those documents to CITY at any time upon demand of CITY. It is understood and agreed that the documents and other materials, including but not limited to those described above, prepared pursuant to this Agreement are prepared specifically for CITY and are not necessarily suitable for any future or other use. Failure by CONTRACTOR to deliver these documents to CITY within a reasonable time period or as specified by CITY shall be a material breach of this Agreement. CITY and CONTRACTOR agree that until final approval by CITY, all data, plans, specifications, reports and other documents are preliminary drafts not kept by CITY in the ordinary course of business and will not be disclosed to third parties without prior written consent of both parties. All work products submitted to CITY pursuant to this Agreement shall be deemed a "work for hire." Upon submission of any work for hire pursuant to this Agreement, and acceptance by CITY as complete, non-exclusive title to copyright of said work for hire shall transfer to CITY. The compensation recited in Section 4 shall be deemed to be sufficient consideration for said transfer of copyright. CONTRACTOR retains the right to use any project records, documents and materials for marketing of their contract services.

o. ENTIRE AGREEMENT. This Agreement represents the entire agreement between the Parties. Any ambiguities or disputed terms between this Agreement and any attached Exhibits shall be interpreted according to the language in this Agreement and not the Exhibits.

6. INVOICING. Send all invoices to the contract coordinator at the address above.

This Agreement shall become effective upon its approval and execution by CITY.

[SIGNATURE PAGE TO FOLLOW]

IN WITNESS WHEREOF, the parties have executed this Agreement the day and year first written above.

CITY

By: _____

Name: Fred Ramirez

Title: Community Development Director

CONTRACTOR

By: _____

Name: Hal Suetsugu

Title: Managing Partner

Exhibit "A"**(Proposal/Scope of Work)**

Contractor (Planning Assistant) is to work part- time (18-27 hours per week excluding City recognized holidays). The main duties of the assistant planner will be to assist the department with any and all duties as requested, including the assistance to perform field investigations to ensure zoning codes are enforced, assist with permit applications, assist in monitoring the progress of developments and preparation and presentation of reports to the planning commission.

Agreed to Hourly Rate is \$50.00 per hour with a total budget amount not to exceed \$24,999.00 for the term of the agreement unless mutually agreed to by both parties and subject to the approval of a contract amendment.

ATTACHMENT "B"**RESOLUTION NO. 7655****A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
SAN FERNANDO, CALIFORNIA, AMENDING THE BUDGET
FOR THE FISCAL YEAR 2014-15 ADOPTED ON JUNE 16, 2014**

WHEREAS, the City of Council has received and considered the proposed adjustment to the budget for Fiscal Year 2014-15, commencing July 1, 2014, and ending June 30, 2015; and

WHEREAS, the City Council has determined that it is necessary to amend the revenues and expenditures of the current City budget; and

WHEREAS, an annual budget for the City of San Fernando for the Fiscal Year beginning July 1, 2014 and ending June 30, 2015, a copy of which is on file in the City Clerk's Office, has been adopted on June 16, 2014.

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

SECTION 1. The following adjustments are made to the Fiscal Year 2014-2015 City Budget:

Fund 01-140-0000-4101

(Personnel Services)

Decrease in Expenditures: \$9,195.00

Fund 01-150-0000-4101

(Personnel Services)

Decrease in Expenditures: \$15,325.00

Fund 01-152-0000-4101

(Personnel Services)

Decrease in Expenditures: \$6,130.00

Fund 01-150-0000-4270

(Professional Services)

Increase in Expenditures: \$30,650.00

Increase in Revenues: \$30,650.00

PASSED, APPROVED, AND ADOPTED this 3rd day of November, 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 3rd day of November, 2014, by the following vote to wit:

AYES:

NOES:

ABSENT:

Elena G. Chávez, City Clerk

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AGENDA REPORT

To: Mayor Sylvia Ballin and Councilmembers

From: Brian Saeki, City Manager
By: Elena G. Chávez, City Clerk

Date: November 3, 2014

Subject: Consideration to Adopt Resolutions Regarding Part-Time Assistance for the City Clerk's Office

RECOMMENDATION:

It is recommended that the City Council:

- a. Adopt Resolution No.7648 (Attachment "A") approving the job specification for the position of Deputy City Clerk;
- b. Adopt Resolution No. 7649 (Attachment "B") amending the Salary Plan removing the position of Office Clerk (Administration/City Clerk) and adding the position of Deputy City Clerk;
- c. Adopt Resolution No. 7650 (Attachment "C") amending the Table of Organization removing the position of part-time Office Clerk (Administration/City Clerk) and adding the part-time position of Deputy City Clerk;
- d. Adopt Resolution No. 7651 (Attachment "D") amending the budget to reallocate non-departmental funds to City Clerk and Election funds; and
- e. Authorize the City Manager to initiate the recruitment process for a part-time Deputy City Clerk.

BACKGROUND:

At their regular meeting of October 20, 2014, the City Council approved Contract No. 1765 with Martin & Chapman Co. for election services and supplies relating to the General Municipal Election on March 3, 2015.

In addition to the assistance of Martin & Chapman Co., staff also requested that the City Council authorize part-time assistance in the City Clerk's office due to the increased workload and the upcoming election.

ANALYSIS:

During the upcoming months, in addition to her regular duties, the City Clerk will dedicate most of her time organizing and managing all aspects of the election process, and will need assistance with the election and other day-to-day operations of the City Clerk's Office.

Over the past decade, the workload, responsibilities, and duties of the City Clerk have significantly increased and evolved considerably. This is a result of an increase in the number of public meetings, requests for public records, increased public interest in local government, and the number of municipal elections.

It should be noted that the average number of City Council and Successor Agency meetings per year is seventy (70). Also, over a five-year period (i.e., January 2009 to June 2013), the City of San Fernando has had five general and special municipal elections:

- June 4, 2013
- March 5, 2013*
- November 6, 2012
- March 8, 2011
- March 3, 2009
- January 13, 2009

**Election process started (i.e., materials were ordered, notices posted, nomination period opened and closed) but, due to insufficient candidates, was cancelled half-way through.*

In 2006, the City's auditors submitted their findings *Current Year Management Letter Observations and Recommendations* stated that the minutes had not been written and approved in a timely manner. The City's response was "...the City will hire part-time staff to assist the City Clerk."

In 2007, the City hired Gladwell Governmental Services, Inc. to prepare a needs assessment report of the City Clerk's Office. The report stated that the City Clerk met a variety of legally-mandated responsibilities in an efficient manner and within the resources provided by the City but also reported *"Current staffing levels are inadequate to keep pace with the City Clerk's responsibilities due to a vacant 20 hour position. In a small office, the impact of operating with 66% staffing levels is dramatic and long-lasting."*

In January 2008, a part-time clerk was hired to assist the City Clerk, but was laid off after 18 months.

BUDGET IMPACT:

Non-departmental funds (\$18,000) are available for the remainder of the Fiscal Year. Since the City is leasing the pool to the County, there is no longer a requirement for Section 108 Letter of Credit.

CONCLUSION:

The City Clerk's Office is a service department within the City upon which the City Council, all City departments, and the general public rely for information regarding the operations and legislative history of the City of San Fernando. Continuing to provide these services with a single-person office is no longer feasible during an election and assistance is vital.

It is recommended that City Council adopt the resolutions listed above to include the position of a part-time Deputy City Clerk. This will provide the City Clerk with the assistance necessary to make it through this next election without affecting the increased demands of the City Clerk's Office.

ATTACHMENTS:

- A. Resolution No. 7648
- B. Resolution No. 7649
- C. Resolution No. 7650
- D. Resolution No. 7651

ATTACHMENT “A”**RESOLUTION NO. 7648****A RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF SAN FERNANDO AMENDING RESOLUTION NO. 4144,
ADOPTED DECEMBER 12, 1966 BY THE ADDITION OF
SUPPLEMENT NO. 171 THERETO**

**THE CITY COUNCIL OF THE CITY OF SAN FERNANDO DOES HEREBY
RESOLVE AS FOLLOWS:**

SECTION 1: That Resolution No. 4144, adopted on December 12, 1966 and the Position Classification Plan prepared by Griffenhagen-Kroeger, Inc. bearing date of April 1966, as amended by the City Council, be the same as amended by adding thereto Supplement No. 171 (Exhibit “A”) covering important and essential duties, job-related and essential qualifications for the following position and classification:

DEPUTY CITY CLERK

Supplement No. 171 is hereby adopted and approved as the new official job classification and definition, describing job-related and essential qualifications for the position and classification set forth above. Copies of Supplement No. 171 are now on file in the office of the City Clerk. Said Supplement No. 171 is hereby incorporated in and made a part of the Position Classification and Salary Plan for the City of San Fernando.

SECTION 2: The City Clerk shall certify to the adoption of this Resolution.

PASSED, APPROVED AND APPROVED this 3rd day of November, 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 3rd day of November, 2014, by the following vote to wit:

AYES:

NOES:

ABSENT:

Elena G. Chávez, City Clerk

EXHIBIT “A”

Supplement No. 171
Adopted by Res. No. 7648
Effective: 11/3/2014

DEPUTY CITY CLERK**DEFINITION**

Under the direction of the City Clerk, performs a variety of highly responsible, confidential clerical functions and technical duties to assist in the day-to-day operations of the City Clerk's Office; and performs other related duties as assigned.

DISTINGUISHING CHARACTERISTICS

The Deputy City Clerk is an at-will, non-represented part-time confidential position (with access to confidential records and privileged information) responsible for providing highly complex administrative support for the City Clerk.

IMPORTANT AND ESSENTIAL DUTIES

Essential duties may include, but are not limited to, the following:

Election

Under the guidance of the City Clerk, will provide assistance during municipal elections such as:

1. Prepare, post, and/or publish election notices.
2. Prepare candidate packets for the nomination period.
3. Receive and process applications for vote-by-mail ballots.
4. Verify signatures on nomination papers and vote-by-mail ballot applications.
5. Recruit precinct workers, ensure training, and process payroll after the election.
6. Designate and secure polling places.
7. Order, assemble, and distribute materials and supplies for polling locations.
8. Assist with the official canvass and public manual tally of ballots.
9. Perform day-to-day unanticipated work and field questions related to the election.

Records Management

Assist in coordinating all aspects of records management such as:

1. Maintain official files and records of all official City documents and records.
2. Maintain and update legislative history indexes and records management databases to facilitate tracking and retrieving records.
3. Transfer inactive records to storage areas and assist with identifying records for destruction.
4. Convert records to electronic or photographic media.

Meetings and Agendas

Assist with duties related to meetings and agendas such as:

1. Prepare and distribute the bi-monthly agenda forecast and updates.
2. Compile and distribute agenda packets for City Council meetings.
3. May attend City Council meetings as needed.
4. Prepare City Council Chambers prior to meetings.
5. Process Council actions in the form of resolutions, ordinances, agreements/contracts, etc.
6. Index and file City agreements/contracts and legislation.
7. Conform staff reports for electronic storage.
8. Assist with meeting minutes (i.e., record, transcribe, and prepare boilerplate minutes for the City Clerk).
9. Compose “memory letters”.
10. Prepare correspondence to vendors regarding contracts/agreements.
11. Ensure the Council Chambers and/or Community Meeting Room is in order after meetings and that no confidential material is left in the room.

OTHER JOB RELATED DUTIES

Perform a variety of responsible clerical and technical work as assigned by the City Clerk such as:

1. Assist with research and records retrieval for formal responses to Public Records Act Requests; adhere to deadlines, ensure efficient delivery of accurate information to City staff, public agencies, and citizens while providing outstanding customer service.
2. Prepare legal notices and assist as needed in proofreading and arranging for publication of legal documents.
3. Prepare proclamations and certificates.
4. Assist with handling subpoenas and other documents submitted to the City Clerk’s Office.
5. Monitor campaign finance and Fair Political Practices Act filings (and maintenance of documents and logs) as required by law.
6. Update and monitor website information pertaining to the City Clerk’s Office such as regular and special meetings of the City Council and election information.
7. Attend and conduct bid openings as needed.
8. Monitor the on-going compliance by elected officials and City staff regarding AB1234 Mandatory Ethics Training requirements.
9. Develop and implement various policies pertaining to the City Clerk’s Office.
10. Maintain log/spreadsheet of City contracts and ensure that insurance certificates are filed.

JOB RELATED AND ESSENTIAL QUALIFICATIONS

Knowledge of:

1. Municipal government operations and organization.
2. Principles and practices of City Clerk functions and requirements.
3. Basic arithmetic and rules of proper English usage, grammar, punctuation and spelling.
4. Proofreading and principals of business letter writing and report preparation.
5. Filing methods, systems and equipment used in storing, retrieving and updating City records.
6. Modern office procedures, methods, and equipment, including computer equipment and applicable programs such as Microsoft Word, Excel, and Powerpoint.

7. Principles and procedures of record keeping.
8. Practices used in minute taking preparation.
9. Principles and practices of exemplary customer service.
10. Pertinent local, State and Federal rules, regulations and laws affecting the operation of the City Clerk's Office.

Ability to:

1. Effectively represent the City Clerk's Office and respond tactfully and appropriately to inquiries from the public, City staff, or other agencies on sensitive issues in areas of responsibility.
2. Communicate clearly and concisely, both orally and in writing.
3. Establish and maintain effective working relationships.
4. Use independent judgment and initiative within established guidelines.
5. Meet statutory and other deadlines.
6. Preserve confidentiality of sensitive material routinely encountered as part of work assignments.
7. Understand and speak Spanish (highly desirable).

Experience and Training Guidelines

A typical way to obtain the knowledge, skills and abilities would be the following:

Experience:

Four years of increasingly responsible experience performing clerical or secretarial duties involving frequent contact with the public is required. At least two years' experience should be at office management or executive secretary level. Prior experience in a City Clerk's Office or municipal government setting is highly desirable.

Education:

High school graduation or its equivalent is required. Associate degree or completion of 60 units of college level coursework in public policy is desirable.

Special Requirements

Must possess and maintain a valid California Class C Driver's License.

Must stay current in field, and acquire all necessary training that new technological changes will necessitate.

May be required to work evenings or weekends.

Essential duties require the following physical abilities and environmental conditions:

Sit, stand, walk, reach, lean, operate a computer keyboard, calculator, telephone for long periods, lift supplies/forms, and tolerate exposure to vibration, pitch, and glare from a computer. The incumbent may have to prioritize multiple tasks, work under pressure of deadlines and with frequent interruptions.

ATTACHMENT “B”**RESOLUTION NO. 7649**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF SAN FERNANDO AMENDING PORTIONS OF
SECTIONS 1 AND 2 OF RESOLUTION NO. 7613, THE
FISCAL YEAR 2014-2015 SALARY PLAN, ADOPTED JUNE
16, 2014**

**THE COUNCIL OF THE CITY OF SAN FERNANDO DOES HEREBY
RESOLVE AS FOLLOWS:**

SECTION 1: That that portion of subsections (a) and (b) of Section 2 of Resolution No. 7613, the Fiscal Year (FY) 2014-2015 Salary Plan, adopted June 16, 2014, as amended, be further amended by deleting the title/classification, salary range and steps for “Office Clerk (Administration/City Clerk),” as follows:

<u>CLASSIFICATION</u>	SALARY RANGE					
	<u>NUMBER</u>	<u>STEP A</u>	<u>STEP B</u>	<u>STEP C</u>	<u>STEP D</u>	<u>STEP E</u>
Office Clerk (Administration/City Clerk)	53H	10.92	11.46	12.04	12.64	13.27

SECTION 2: That that portion of subsections (a) and (b) of Section 2 of Resolution No. 7613, the FY 2014-2015 Salary Plan, adopted June 16, 2014, as amended, be further amended by adding the title/classification, salary range and steps for “Deputy City Clerk,” as follows:

<u>CLASSIFICATION</u>	SALARY RANGE					
	<u>NUMBER</u>	<u>STEP A</u>	<u>STEP B</u>	<u>STEP C</u>	<u>STEP D</u>	<u>STEP E</u>
Deputy City Clerk	105H	20.22	21.34	22.50	23.74	25.04

SECTION 3: Except as amended herein, all other provisions of the Resolution No. 7613, the FY 2014-2015 Salary Plan, adopted June 16, 2014, remains unchanged and in full force and effect.

SECTION 4: The City Clerk shall certify to the adoption of this Resolution and shall cause this Resolution and her certification to be filed in the office of the City Clerk.

PASSED, APPROVED AND APPROVED this 3rd day of November, 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 3rd day of November, 2014, by the following vote to wit:

AYES:

NOES:

ABSENT:

Elena G. Chávez, City Clerk

ATTACHMENT “C”**RESOLUTION NO. 7650**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF SAN FERNANDO AMENDING PORTIONS OF
SECTION 1 OF RESOLUTION NO. 7614, THE FISCAL
YEAR 2014-2015 TABLE OF ORGANIZATION, ADOPTED
JUNE 16, 2014**

WHEREAS, the City Council of the City of San Fernando has adopted the Fiscal Year (FY) 2014-2015 Table of Organization on June 16, 2014, per Resolution No. 7614; and

WHEREAS, the Table of Organization as adopted for FY 2014-2015 has provisions for various positions and classifications; and

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

SECTION 1: That that portion of the said Table of Organization adopted on June 16, 2014, per Resolution No. 7614, be further amended by deleting the following information under “budgeted hours per week,” “full time equivalent (FTE) status,” and “average number of personnel in position” as follows:

<u>TITLE</u>	<u>BUDGETED HOURS PER WEEK</u>	<u>FULLTIME EQUIVALENT (FTE) STATUS</u>	<u>AVERAGE NUMBER OF PERSONNEL IN POSITION</u>
Office Clerk (Admin/City Clerk) P/T	0	0	0

SECTION 2: That that portion of the said Table of Organization adopted on June 16, 2014, per Resolution No. 7614, be further amended by adding thereto the following information under “budgeted hours per week,” “full time equivalent (FTE) status,” and “average number of personnel in position” as follows:

<u>TITLE</u>	<u>BUDGETED HOURS PER WEEK</u>	<u>FULLTIME EQUIVALENT (FTE) STATUS</u>	<u>AVERAGE NUMBER OF PERSONNEL IN POSITION</u>
Deputy City Clerk (P/T)	20	0.5	1

SECTION 3: Except as amended herein, all other provisions of the said Table of Organization adopted on June 16, 2014, per Resolution No.7614, remain unchanged and in full force and effect.

SECTION 4: The City Clerk shall certify to the adoption of this Resolution and shall cause this Resolution and her certification to be filed in the office of the City Clerk.

PASSED, APPROVED AND ADOPTED this 3rd day of November, 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 duly approved and adopted at a regular meeting of the City Council of the City of San Fernando held on the 3rd day of November, 2014, by the following vote to wit:

AYES:

NOES:

ABSENT:

Elena G. Chávez, City Clerk

ATTACHMENT “D”**RESOLUTION NO. 7651****A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
SAN FERNANDO, CALIFORNIA, AMENDING THE BUDGET
FOR THE FISCAL YEAR 2014-2015 ADOPTED ON JUNE 16,
2014**

WHEREAS, an annual budget for the City of San Fernando for the Fiscal Year beginning July 1, 2014 and ending June 30, 2015, a copy of which is on file in the City Clerk’s Office, has been adopted on June 16, 2014; and

WHEREAS, the City Council has received and considered the proposed adjustment to the budget for Fiscal Year 2014-2015, commencing July 1, 2014, and ending June 30, 2015; and

WHEREAS, the City Council has determined that it is necessary to amend the revenues and expenditures of the current City budget.

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

SECTION 1. The following adjustments are made to the City Budget:

Decrease in Expenditures:

Fund/Division 001-190-0000-4132 (Unemployment Insurance)	\$ 3,000
Fund/Division 001-190-0000-4450 (Other Exp – Section 108)	\$ 15,000

Increase in Expenditures:

Fund/Division 001-115-0000-4103 (City Clerk – P/T Assistance)	\$ 9,000
Fund/Division 001-116-0000-4105 (Elections – P/T Assistance)	\$ 9,000

PASSED, APPROVED AND APPROVED this 3rd day of November, 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 3rd day of November, 2014, by the following vote to wit:

AYES:

NOES:

ABSENT:

Elena G. Chávez, City Clerk

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AGENDA REPORT

To: Mayor Sylvia Ballin and Councilmembers

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

Date: November 3, 2014

Subject: Consideration to Adopt Ordinance No. 1637 Establishing Rules and Regulations Regarding Development Agreements

RECOMMENDATION:

It is recommended that the City Council:

- a. Conduct a Public Hearing; and
- b. Pending public testimony, introduce for first reading (in title only), and waive further reading of Ordinance No. 1637 (Attachment "A") "An Ordinance of the City of San Fernando California Amending Chapter 106 (Zoning), Article VI (General Regulations) of the San Fernando City Code to Establish Division 17 Regarding Development Agreements".

BACKGROUND:

1. California's planning and zoning laws authorize cities to enter into development agreements and establishes general rules governing development agreements (California Government Code Sections 65864 et seq.). Per State law, the City must establish procedures and requirements in order to consider development agreement applications based on a request by an applicant. The City has not yet received a request for a development agreement. However, it is staff's assessment that it would be prudent at this time for the City to adopt procedures and requirements for the consideration of development agreements contained in the proposed Ordinance (Attachment "A"). Establishing procedures and associated regulations for development agreements at this time will provide staff, prospective applicants, the Planning and Preservation Commission, and the City Council with a clearly defined process to follow and will provide greater transparency and understanding for the public of the development agreement application review process.
2. On September 9, 2014, the Planning and Preservation Commission held a Public Hearing to consider the proposed draft Ordinance. Subsequent to the staff presentation, solicitation of public input, and Commissioner discussion, the Planning and Preservation Commission

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voted to recommend to the City Council approval of the proposed Ordinance (Attachment "A") establishing City rules and regulations governing the City's acceptance, review and approval of future applications for development agreements. Attachment "C" is the summary minutes of the September 9, 2014, Planning and Preservation Commission Meeting.

3. On October 16, 2014, a notice of Public Hearing for the City Council's consideration of Zone Code Amendment 2014-01 and Ordinance to establish rules and regulations for development agreements consistent with applicable State law was published in the San Fernando Valley Sun Newspaper.

ANALYSIS:

The City currently does not have an ordinance that regulates the use of development agreements. In the past, the City has considered applicant requests on a case-by-case basis and has used memorandum of understandings, disposition and development agreements, and/or owner participation agreements as the processes to facilitate economic development and negotiate the terms of any agreements between the City and/or former Redevelopment Agency and developers.

The development agreement is a contract between the City and a developer that specifies in great detail the rules for a project with very specific terms. The benefit for the developer is that they can be assured of what their entitlements are and know the local rules and regulations that will govern the project as part of the City's approval of said development agreement. The benefit for the City is that the development agreement creates greater opportunities to negotiate conditions/concessions including, but not limited to, development conditions and exactions and fees beyond what is allowed through the normal development review and approval process (California Government Code Section 66000(b)). Projects approved as part of the development agreement review process are still subject to compliance with the California Environmental Quality Act (CEQA), which may result in additional development conditions and mitigation measures in order to mitigate potential significant adverse environmental impacts associated with said project. In addition, the development agreement approval process must still ensure a project's compliance with applicable State and Federal regulations.

Cities throughout California have used the development agreement process to facilitate amongst other things: school, park, and other facility funding; housing and mixed-use development projects; and, multi-phase commercial projects.

The proposed Ordinance (Attachment "A") also includes a Public Hearing process before the Planning and Preservation Commission and the City Council during which the community and the decision makers can seek to address a project's impacts to neighboring land uses and the

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community. Development agreements must also be approved by resolution or ordinance, which requires the aforementioned hearings before the Planning and Preservation Commission and the City Council (California Government Code Section 36934). Furthermore, post the development agreement approval by the City, the agreement must be reviewed on an annual basis to ensure compliance with development conditions and project milestones. The proposed Ordinance's development agreement review and approval process is intended to further the City's goal of promoting the community's needs and receive greater community benefit than would otherwise be achieved through the existing land use regulatory process.

Planning staff has reviewed the proposed Ordinance, and has determined that the proposed zone text amendment establishing rules and regulations for development agreements is exempt under the California Environmental Quality Act (CEQA) Guidelines using the General Rule Exemption, Section 15061(b)(3). Therefore, if the Planning and Preservation Commission agrees with planning staff's determination, then no further environmental review is required.

As previously noted in the prior section, on September 9, 2014, the Planning and Preservation Commission reviewed the proposed draft Ordinance and recommended approval of the zone text amendment to the City Council as part of Planning and Preservation Commission Resolution 2014-10 (Attachment "B"). If the City Council concurs with the Planning and Preservation Commission's and staff's assessment, it would be the determination of the City Council that the findings for approval of the requested zone map amendment could be made in this instance based on the above discussion, and as explained below.

A. Consistency with the objectives, policies, general land uses and programs of the City's General Plan.

The proposed zone code/text amendments to the San Fernando City Code would specify procedures and requirements for the City to consider development agreements as provided for in Government Code Section 65864 et seq., which allows the city and a person who has ownership or control of property within the city to enter into said agreement to facilitate the development of said property. The purpose of the development agreement is to specify the standards and conditions that will govern development of the property. The development agreement provides assurance to the developer that he/she may proceed to develop the project subject to the rules and regulations in effect at the time of approval and will encourage private investment.

In addition, the zone code/text amendments will: (1) establish a development agreement process that strengthens the public planning process through the requirement that agreements are approved by the city in a public hearing with clear expectations on city and developer requirements and obligations in the agreement; (2) encourage public and private participation; and (3) commits the city and developer to a comprehensive planning process that seeks to make maximum efficient utilization of

Consideration to Adopt Ordinance No. 1637 Establishing Rules and Regulations Regarding Development AgreementsPage 4 of 5

resources at the least economic cost to the public. To this end, the zone code/text amendment will allow the City to consider conditions (mitigation measures) on proposed development that must be met to assure that a project at a specific location does not have unacceptable impacts on neighboring properties or community infrastructure. The agreement will also seek to: clarify how the project may be phased, the required timing of public improvements, and the developer's contribution toward funding public infrastructure, including, but not limited to, streets, sewerage, transportation, drinking water, school, and public utilities.

Therefore, the proposed approval of the zone code/text amendment and associated adoption of the Ordinance would be in compliance with the City's General Plan land use and housing elements by allowing future development proposals under the development agreement to consider new public and private investment that: preserve the small town character of the community; facilitate new public and private investment within the City's commercial corridors and neighborhoods; maintain and enhance the quality of existing housing, neighborhoods, and health of residents through new investment; preserve the character, scale, and quality of established residential neighborhood; and, maintain the quality of life within the community by providing adequate maintenance of streets, sidewalks, parks, and other public facilities (General Plan Land Use Element Goals I, II; City General Plan 2013-2021 Housing Element Goals 1.0 and 2.0, Policies 1.1, 1.2, 1.3, 1.6, 2.1, 2.2 and 2.7).

B. Not detrimental to the public interest, health, safety, convenience or welfare.

The proposed zone code/text amendments to establish procedures and requirements for the City to consider development agreements as provided for in Government Code Section 65864 et seq., would allow the City to condition as part of the agreements proposed development mitigation measures that ensure the proposed project at a specific location does not have unacceptable impacts on neighboring properties or community infrastructure. The agreement will also seek to: clarify how the project may be phased; the required timing of public improvements; and, the developer's contribution toward funding public infrastructure, including, but not limited to, streets, sewerage, transportation, drinking water, school, and public utilities. Therefore, the proposed zone code/text amendments would not be detrimental to the public interest, health, safety, convenience or welfare.

BUDGET IMPACT:

Adoption of the proposed Ordinance (Zone Text Amendment 2014-001) will not have negative impact on the City's budget. Adoption of the proposed Ordinance will create new land use and zoning tools available to the City to consider future development projects. The Ordinance will

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ensure that the appropriate mitigation measures and conditions of approval are applied to future projects under the development agreement ordinance that provide for the recovery of all costs associated with the entitlement and subsequent development of projects. It is anticipated that adoption of the process will, over time, result in new building permit fees and property tax revenues to the City as new projects are developed under the development agreement application process.

CONCLUSION:

It is the assessment of staff and the Planning and Preservation Commission that the approval of the proposed Ordinance is warranted. The proposed Ordinance will create new land use and zoning tools that will facilitate additional development within the community that is consistent with the City's General Plan and Zoning Ordinance.

ATTACHMENTS:

- A. Ordinance No. 1637
- B. Commission Resolution No. 2014-10
- C. June 23, 2014 Planning and Preservation Commission Minutes

ATTACHMENT "A"**ORDINANCE NO. 1637****AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN FERNANDO, CALIFORNIA AMENDING CHAPTER 106 (ZONING), ARTICLE VI (GENERAL REGULATIONS) OF THE SAN FERNANDO CITY CODE TO ESTABLISH DIVISION 17 REGARDING DEVELOPMENT AGREEMENTS**

WHEREAS, California Government Code Sections 65864 et seq. authorizes cities to enter into development agreements (the "Development Agreement Statute"); and

WHEREAS, the Development Agreement Statute requires that the City, upon request by an applicant, adopt an ordinance specifying procedures and requirements for consideration of development agreements; and

WHEREAS, the City of San Fernando does not currently have a procedure for processing development agreement applications; and

WHEREAS, the San Fernando City Council ("City Council") desires to promote and protect the public health, safety, and welfare by providing a greater degree of certainty in the development process through the usage of development agreements; and

WHEREAS, on August 5, 2014, the San Fernando Planning and Preservation Commission held a properly noticed Public Hearing at which it received a report from City staff as well as oral and written testimony from the public, and deliberated on the item. At that meeting, the Planning and Preservation Commission recommended through the adoption of Planning and Preservation Commission Resolution 2014-11 that the City Council adopt the proposed zone code amendments in this Ordinance; and

WHEREAS, on November 3, 2014, the City Council held a Public Hearing on the proposed Ordinance that was noticed in accordance with the requirements set forth in Government Code sections 65090 and 65091.

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

SECTION 1. The foregoing recitals are true and correct and made a part of this Ordinance.

SECTION 2. The City Council hereby finds as follows:

- a) **The proposed zone text amendment is consistent with the objectives, policies, general land uses and programs of the City's General Plan.**

The proposed zone code/text amendments to the San Fernando City Code would specify procedures and requirements for the City to consider development agreements as provided for in Government Code Section 65864 et seq., which allows the city and a person who has ownership or control of property within the city to enter into said agreement to facilitate the development of said property. The purpose of the development agreement is to specify the standards and conditions that will govern development of the property. The development agreement provides assurance to the developer that he/she may proceed to develop the project subject to the rules and regulations in effect at the time of approval and will encourage private investment.

In addition, the zone code/text amendments will: (1) establish a development agreement process that strengthens the public planning process through the requirement that agreements are approved by the city in a public hearing with clear expectations on city and developer requirements and obligations in the agreement; (2) encourage public and private participation; and (3) commits the city and developer to a comprehensive planning process that seeks to make maximum efficient utilization of resources at the least economic cost to the public. To this end, the zone code/text amendment will allow the City to consider conditions (mitigation measures) on proposed development that must be met to assure that a project at a specific location does not have unacceptable impacts on neighboring properties or community infrastructure. The agreement will also seek to: clarify how the project may be phased, the required timing of public improvements, and the developer's contribution toward funding public infrastructure, including, but not limited to, streets, sewerage, transportation, drinking water, school, and public utilities.

Therefore, the proposed approval of the zone code/text amendment and associated adoption of the Ordinance would be in compliance with the City's General Plan land use and housing elements by allowing future development proposals under the development agreement to consider new public and private investment that: preserve small town character of the community; facilitate new public and private investment within the City's commercial corridors and neighborhoods; maintain and enhance the quality of existing housing, neighborhoods, and health of residents through new investment; preserve the character, scale, and quality of established residential neighborhood; and, maintain the quality of life within the community by providing adequate maintenance of streets, sidewalks, parks, and other public facilities (General Plan Land Use Element Goals I, II; City General Plan 2013-2021 Housing Element Goals 1.0 and 2.0, Policies 1.1, 1.2, 1.3, 1.6, 2.1, 2.2 and 2.7).

b) The adoption of the proposed zone text amendment would not be detrimental to the public interest, health, safety, convenience or welfare.

The proposed zone code/text amendments to establish procedures and requirements for the City to consider development agreements as provided for in Government Code Section 65864 et seq., would allow the City to condition as part of the agreements proposed development mitigation measures that ensure the proposed

project at a specific location does not have unacceptable impacts on neighboring properties or community infrastructure. The agreement will also seek to: clarify how the project may be phased; the required timing of public improvements; and, the developer's contribution toward funding public infrastructure, including, but not limited to, streets, sewerage, transportation, drinking water, school, and public utilities. Therefore, the proposed zone code/text amendments would not be detrimental to the public interest, health, safety, convenience or welfare.

SECTION 3. Article VI (General Regulations) of Chapter 106 (Zoning) of the San Fernando City Code is hereby amended with the following language to establish Division 17, specifying procedures and requirements for consideration of development agreements, in compliance with the Development Agreement Statute:

"Division 17. Development Agreements

Sections:

- 106-1450 Findings and declaration of intent.**
- 106-1451 Purpose of development agreement.**
- 106-1452 Authority for adoption.**
- 106-1453 Definitions.**
- 106-1454 Forms and information.**
- 106-1455 Fees.**
- 106-1456 Qualification as an applicant.**
- 106-1457 Procedure for development agreement.**
- 106-1458 Proposed form of development agreement.**
- 106-1459 Review of application.**
- 106-1460 Contents of development agreement.**
- 106-1461 Public hearing (planning and preservation commission).**
- 106-1462 Review- standard (planning and preservation commission).**
- 106-1463 Recommendation by planning and preservation commission.**
- 106-1464 Setting hearing date by city council.**
- 106-1465 Ordinance public hearing (city council).**
- 106-1466 Conduct public hearing by the city council.**
- 106-1467 Consistency with general plan and specific plans (city council).**
- 106-1468 Notice.**
- 106-1469 Form and time of notice.**
- 106-1470 Coordination of development agreement application with other discretionary approvals.**
- 106-1471 Time and initiation of review.**
- 106-1472 Finding of compliance.**
- 106-1473 Failure to find good faith compliance.**
- 106-1474 Public hearing.**
- 106-1475 Findings upon public hearing.**
- 106-1476 Procedure upon findings.**
- 106-1477 Certificate of compliance.**

- 106-1478 Initiation of amendment or cancellation.**
- 106-1479 Procedure.**
- 106-1480 Failure to receive notice.**
- 106-1481 Rules governing conduct of hearing.**
- 106-1482 Irregularity in proceeding.**
- 106-1483 Subsequently adopted State and Federal laws.**
- 106-1484 Architectural review.**
- 106-1485 Governing rules, regulations, development policies and effect of development agreement.**
- 106-1486 Rights of the parties after cancellation or termination.**
- 106-1487 Construction.**
- 106-1488 Recordation of development agreement, ordinances and notices.**
- 106-1489 Enforcement of development agreements.**
- 106-1490 Severability clause.**
- 106-1491 Judicial review- time limitation.**
- 106-1492 Condemnation.**

Sec. 106-1450. Findings and declaration of intent.

(a) The California Legislature in section 65864 of the government code has found that the lack of certainty in the approval of development projects can result in a waste of resources, escalate the cost of other development to the consumer, and discourage investment in and commitment to comprehensive planning which would make maximum efficient utilization of resources at the least economic cost to the public.

(b) The city council finds and determines that the public safety, health, convenience, comfort, prosperity, and general welfare will be furthered by the adoption of this division in order to provide a mechanism for the enactment of development agreements in order to implement various goals and objectives of the city's general plan and to provide flexibility for the implementation of certain development project approvals for the development of particular projects and to provide a mechanism for allowing expenditures to respond selectively to development proposals, including assurances of adequate public facilities at the time of development, proper timing and sequencing of development, effective capital improvement programming to accomplish the foregoing purposes and aims and the realization of the benefits to be derived therefrom.

Sec. 106-1451. Purpose of development agreement.

Development agreements enacted pursuant to this division are to assure the qualified applicant for a development project that upon approval of the development project by the city, the qualified applicant may proceed with the development project in accordance with certain existing policies, rules and regulations, and subject to specified conditions of approval.. Development agreements will also ensure that all conditions of approval, including the construction of off-site improvements made necessary by such land developments, will proceed in an orderly and economical fashion to the benefit of the city.

Sec. 106-1452. Authority for adoption.

This division pertaining to development agreements for the implementation of development projects, is adopted under the authority of government code sections 65864 through 65869.5, as amended.

Sec. 106-1453. Definitions.

The following terms when used in this division shall have the following respective meanings:

- (1) "developer" means a person who has a legal or equitable interest in the real property which is the subject of a development agreement.
- (2) "development agreement" means a development agreement enacted by legislation between the city and a qualified applicant pursuant to government code sections 65864 through 65869.5.
- (3) "director" means the community development director or his or her duly authorized designee.
- (4) "qualified applicant" is a person who has a legal or equitable interest in the real property which is the subject of a proposed development agreement.

Sec. 106-1454. Forms and information.

- (a) The director shall prescribe the form of each application, notice, and documents provided for or required under this division for the preparation and implementation of development agreements consistent with the provisions of this division and chapter.
- (b) The director may require an applicant for a development agreement to submit such information and supporting data as the director, city council, and other agencies to which the applicant is referred under this division and chapter, which are considered necessary to properly process the application.

Sec. 106-1455. Fees.

The city council shall, from time to time by separate resolution or resolutions, fix schedules of fees and charges to be imposed for the filing, processing, and recording of each application and document provided for or required under this division and chapter, which fees and charges as then currently prescribed shall accompany each application made under this division and chapter.

These fees and charges shall be in addition to, and not in substitution of, any other required fees and charges relative to development of the subject property and shall be for the purpose of defraying the costs associated with city review and action on an application.

Sec. 106-1456. Qualification as an applicant.

Except as provided in section 106-1457(a), only a qualified applicant may file an application to

enter into a development agreement. A qualified applicant includes an authorized agent of a qualified applicant. The director may require an applicant to submit proof of his/her interest in the real property and of the authority of the agent to act for the qualified applicant. Such proof may include a title report, policy or guarantees issued by a title insurance company licensed to do business in the State of California evidencing the requisite interest of the applicant in the real property. If the application is made by the holder of an equitable interest, the application shall be accompanied by a title guarantee issued by a title insurance company report and by a notarized statement of consent to proceed with the proposed development agreement executed by the holder of the legal interest. Before processing the application, the director shall obtain the opinion of the city attorney as to the sufficiency of the qualified applicant's interest in the real property to enter into the development agreement as a qualified applicant hereunder.

106-1457. Procedure for development agreement.

(a) Initiation by Application. An application for a development agreement may be made to the director in accordance with the procedures set forth herein.

- (1) Application may be made by any qualified applicant.
- (2) Application may be made by the city council. If an application is made for a development agreement by the city council, the city shall obtain and attach a notarized statement of consent to proceed with the proposed agreement executed by the owner of the subject property.

(b) Contents of the Application. The application shall be on a form prescribed by the director and shall be accompanied by a proposed ordinance and development agreement.

Sec. 106-1458. Proposed form of development agreement.

Each application shall be accompanied by the form of development agreement proposed by the qualified applicant or as authorized in section 106-1457. Any such development agreement prepared by a qualified applicant shall contain the provisions required under section 106-1460, section 106-1483, and section 106-1485 of this division shall also include the following:

- (1) The parties to the development agreement;
- (2) The nature of the qualified applicant's legal or equitable interest in the real property constituting such person as a qualified applicant hereunder;
- (3) A description of the development project sufficient to permit the development agreement to be reviewed under the applicable criteria of this division and chapter. Such description may include, but is not limited to, references to site and building plans, elevations sufficient to determine heights and areas, relationships to adjacent properties and operational data. Where appropriate, such description may distinguish between elements of the development project which are proposed to be fixed under the development agreement, those which may vary and the standards and criteria pursuant to which the same may be reviewed;
- (4) An identification of the approvals and permits for the development project enacted to the date of or contemplated by the development agreement;

- (5) The proposed duration of the development agreement;
- (6) The proposed site improvement and building improvement design standards which the applicant shall use and apply for guidance of city consideration of the applicant's development project;
- (7) The proposed phasing of the construction, and any public improvements to be required;
- (8) A program and criteria for regular periodic review under this division and chapter;
- (9) Proposed provisions providing security for the performance of the qualified applicant under the development agreement;
- (10) Any other relevant provisions which may be deemed necessary by the director pursuant to this division and chapter.

Sec. 106-1459. Review of application.

(a) Upon submission of an application for a development agreement, the director shall stamp on the application the date it is received. Within thirty (30) days after receipt of application the director shall review the application and accompanying documentation for legal sufficiency, compliance with technical requirements and may reject it if it is incomplete or inaccurate for processing. If the director finds that the application is complete for processing the director shall accept it for filing. The director shall cause a written notice of acceptance or rejection to be mailed or delivered to qualified applicant. If rejected, the notice must also give the reason for the rejection. If such notice is neither mailed nor delivered within thirty (30) days following receipt of application for the development agreement, the application shall be deemed filed on the thirtieth day following its receipt by the director.

(b) After the application is accepted for filing or deemed filed, the director shall then review the application and determine any additional requirements necessary to complete the form of development agreement. After receiving the required information, the director shall prepare a staff report and recommendation and shall state whether or not the development agreement as proposed, or in an amended form (specifying the nature of the amendments), would implement, be consistent with and in compliance with, the adopted general plan. Any proposed specific plan, relevant city policies and guidelines for development, and the provisions of this division and chapter. The director shall, as part of the review of the application, circulate copies of the proposed development agreement to those city departments and other agencies having jurisdiction over the development project to be undertaken pursuant to the development agreement for review and comment by such city departments and agencies. The city attorney shall also review the proposed development agreement for legal form and sufficiency and shall approve and/or prepare a proposed ordinance authorizing the city to enter into the development agreement for action by the city council upon hearing thereof as specified by this division and chapter. The staff report and recommendation of the director shall include any appropriate recommendations received, and the proposed form of ordinance prepared by the director and approved by the city attorney.

(c) Upon the completion of such review, the director shall set the matter for a public hearing before the planning and preservation commission.

Sec 106-1460. Contents of development agreement.

(a) A development agreement shall specify its duration, the permitted uses of the property thereunder, the density and/or intensity of use, the maximum height and size of proposed buildings and improvements, and provisions for reservation or dedication of land for public purposes. A development agreement may include conditions, terms, restrictions, and requirements for subsequent discretionary actions; provided, that such conditions, terms, restrictions, and requirements for subsequent discretionary actions shall not prevent development of the property for the uses and to the density or intensity, height, and size of development set forth in the development agreement and phasing if and to the extent the development agreement so provides. Without limitation as to types of conditions, terms, and restrictions, the development agreement may provide for the phasing of construction of development projects and any improvements with respect thereto, and the development agreement may also provide that the construction shall be commenced and completed within specified times and that the development project, public improvements, or any phase thereof be commenced and completed within specified times.

(b) A development agreement shall include all conditions imposed by the city, and may also include conditions imposed by other agencies, and all obligations agreed to by the city and other parties to the development agreement with respect to the development project thereunder including those conditions authorized by law and/or required pursuant to the California Environmental Quality Act, or the National Environmental Protection Act, and the city's regulations with respect thereto in order to eliminate or mitigate environmental and traffic impacts caused by or aggravated as a result of the development project proposed under the development agreement.

(c) A development agreement shall contain an indemnity and insurance clause in form and substance acceptable to the city attorney, requiring the qualified applicant to protect, defend, indemnify and hold harmless the city against claims arising out of the development process; provided, that such a provision does not violate applicable law or constitute a joint venture, partnership or other participation in the business affairs of qualified applicant by the City.

(d) A development agreement shall include appropriate provisions acceptable to the city attorney providing security for the performance under the development agreement.

Sec. 106-1461. Public hearing (planning and preservation commission).

On the date set for hearing or on the date or dates to which the hearing is scheduled, a development agreement shall be considered at a public hearing before the planning and preservation commission pursuant to the procedures described in this division and chapter.

Sec. 106-1462. Review -Standard (planning and preservation commission).

The planning and preservation commission may recommend adoption of a development agreement as a method of implementing or providing standards and criteria for any approval of the planning and preservation commission or permits or approvals issued or made by any other

city agency, including but not limited to:

- (1) Rezoning and/or conditions imposed upon approval of rezoning;
- (2) Issuance of a conditional use permit;
- (3) Conditions imposed upon approval of a permit after discretionary review;
- (4) Conditions imposed in connection with the adoption of any general plan amendment or specific plan;
- (5) Site-specific conditions imposed in any other district;
- (6) Approval of and/or conditions imposed upon approval of a subdivision or parcel map or maps;
- (7) The separate review and approval by the city attorney of conditions, covenants and restrictions (CC&Rs) affecting the subject property where the development project affects, or is proposed to affect, more than one (1) legal parcel, which CC&Rs shall include enforcement provisions acceptable to the city including without limitation the grant of power to the city by the applicant to enforce the property maintenance standards set forth in such CC&Rs as if the city was a property owner party to such CC&Rs. Such CC&Rs shall be recorded against the lands included in the development project prior to issuance by the city of any certificate of occupancy.
- (8) The formation of any assessment district, benefit district, maintenance district or special benefit district or any other procedure, for the installation of required or necessary on-site or off-site improvements or infrastructure; and/or
- (9) Mitigation measures imposed upon a development project pursuant to the California Environmental Quality Act or the National Environmental Protection Act.

Sec. 106-1463. Recommendation by planning and preservation commission.

The planning and preservation commission shall make a report and recommendation in writing to the city council as follows:

- (a) That the development agreement be adopted as proposed;
- (b) That the development agreement be adopted with modifications, as proposed by the planning and preservation commission; or
- (c) That the development agreement be denied.

Any action taken by the planning and preservation commission shall include written findings specifying the facts and information relied upon by the planning and preservation commission in rendering its decision and recommendation.

The planning and preservation commission shall make such report of its findings and recommendations to the city council within thirty-five (35) days after the completion of said hearing. Failure of the planning and preservation commission to so report within said period shall be deemed to be a recommendation of denial by the planning and preservation commission of the development agreement.

Sec. 106-1464. Setting hearing date by city council.

Upon the filing of its report and recommendations on a development agreement by the planning and preservation commission or upon the expiration of said thirty-five (35) days provided for in section 106-1463, the city council shall, at its next regular meeting held at least three days thereafter on which the subject is agendized thereupon set the matter for public hearing before the city council, and the city clerk shall give required notice of the time, place and purpose of such hearing in the same manner and in the same terms as provided in this division and chapter.

Sec. 106-1465. Ordinance public hearing (city council).

A development agreement is a legislative act and it shall be enacted or amended by ordinance only after a public hearing before the city council. The ordinance shall be subject to referendum and refer to and incorporate by reference the text of the development agreement. The development agreement shall not be binding or enforceable prior to the effective date of the ordinance approving the development agreement and execution of the development agreement by all parties thereto.

Because a development agreement is also a contract which requires the consent of each party in order to become binding, the city council reserves the right to disapprove entering into any development agreement, regardless of the provisions hereof, and the ordinance shall be advisory only and shall not require the acceptance of any development agreement.

Sec. 106-1466. Conduct of hearing by the city council.

The city council shall consider the proposed development agreement and the planning and preservation commission's recommendation together with any additional public testimony at the public hearing on the date set for said hearing or on the date or dates to which such hearing may be continued from time to time by the city council.

The city council may refer the issue back to the planning and preservation commission for further hearing and recommendation whereupon planning and preservation commission shall file its report on reconsideration of the referral from the city council within thirty (30) days thereafter. The city council may also act on all or any such issue without reference back to the planning and preservation commission. The decision of the city council shall be rendered within forty-five (45) days after the hearing before the city council or within forty-five (45) days after the receipt of the final report from the planning and preservation commission, whichever is later, unless extended by mutual agreement of the qualified applicant and city council. Failure of the city council to act within the forty-five (45) days or extension shall be deemed a rejection of the development agreement. The city council may:

- (1) Approve the development agreement as recommended by the planning and preservation commission;
- (2) Approve the development agreement with or without modification;
- (3) Reject the development agreement, in whole or in part.

Sec. 106-1467. Consistency with general plan and specific plans (city council).

Before the city council may approve a development agreement with or without modification, it must find that its provisions are consistent with the city general plan and any applicable specific plan and relevant city policies and guidelines for development.

Sec. 106-1468. Notice.

The director shall give notices of all required public hearings held before the planning and preservation commission under this division and chapter. The city clerk shall give notice of all required public hearings held before the city council under this division and chapter.

Sec. 106-1469. Form and time of notice.

- (a) The notice referred to in section 106-1468 shall contain
 - (1) The date, time, and place of the hearing;
 - (2) The identity of the hearing body;
 - (3) A general explanation of the matter to be considered including a general description, in text or by diagram, of the location of the real property, if any, that is the subject of the hearing;
 - (4) The location or locations where a copy of the proposed development agreement may be viewed or had;
 - (5) Other information required by specific provisions of this division and chapter or which the director considers necessary or desirable.
- (b) The time and manner of giving notice is by:
 - (1) Publication at least ten days prior to the hearing at least once in a newspaper of general circulation within the city or if there is none, posting at least ten days prior to the hearing in at least three public places in the city.
 - (2) Notice of the hearing shall be mailed or delivered at least ten days prior to the hearing to the owner of the subject real property or the owner's duly authorized agent, and to the project applicant.
 - (3) Notice of the hearing shall be mailed or delivered at least ten days prior to the hearing to each local agency expected to provide water, sewage, streets, roads, schools, or other essential facilities or services to the project, whose ability to provide those facilities and services may be significantly affected.
 - (4) Mailing of the notice at least ten days prior to the hearing to all persons shown on the last equalized assessment roll as owning real property within five hundred (500) feet of the real property that is the subject of the hearing. If the number of owners to whom notice would be mailed or delivered pursuant to this subsection (b)(4) or subsection (b)(2) is greater than one thousand (1,000), the director, or city clerk, as applicable, may, in lieu of mailed or written notice, provide notice by placing a display advertisement of at least one-eighth page in at least one newspaper of general circulation within the city at least ten (10) days prior to the hearing.
- (c) The planning and preservation commission or city council, as the case may be, may direct

that notice of the public hearing to be held before it shall be given in a manner that exceeds the notice requirements prescribed by state law, but failure to comply with any excess notice procedure shall not invalidate a development agreement entered into by the city under this division and chapter.

- (d) The notice requirements referred to in subsections (a) and (b) of this section are declaratory of existing law. If and when state law prescribes a different notice requirement, notice shall be given in that manner.

Sec. 106-1470. Coordination of development agreement application with other discretionary approvals.

It is the intent of this division and chapter that the application for a development agreement will be made and considered simultaneously with the review of other necessary applications, including, but not limited to rezoning, variance, planned commercial, or industrial development and conditional use permits. If combined with an application for rezoning, planned development or conditional use permit, the application for a development agreement shall be submitted with said application and shall be processed, to the maximum extent possible, jointly to avoid duplication of hearings and repetition of information. A development agreement is not a substitute for, nor an alternative to, any other required permit or approval, and the qualified applicant or developer must comply with all other required procedures for development approval.

Sec. 106-1471. Time for and initiation of review.

- (a) Regular Periodic Review. The city shall review the performance of the developer under a development agreement periodically on a regular basis as determined in the development agreement or by this subsection at least once every twelve (12) months for the term of the development agreement. Ninety (90) days prior to the "established date or dates for regular periodic review" which shall be the anniversary of the effective date of the development agreement, or such other substitute date or dates, mutually agreed to by the qualified applicant or developer and city in writing for such regular periodic reviews, the developer shall submit to the director evidence of the good faith compliance with the development agreement. If the director determines that such evidence is insufficient for the director's regular periodic review, or if the developer fails to submit any evidence, then prior to seventy-five (75) days of the established date or dates for regular periodic review the director shall deliver or mail written notice to the developer of the developer's failure to submit any evidence or specifying the additional information reasonably required by the director in order to review the developer's good faith compliance with the development agreement. The developer shall have thirty (30) days after mailing or delivery of such written notice by the director in which to respond to the director. If the developer fails to provide such information to the director within the thirty (30) day period, the director shall not find that the developer has complied in good faith with the terms of the development agreement.

- (b) Special Review.

- (1) Initiation of Review. Reviews which are other than the regular periodic reviews provided for in subsection (a) of this section are defined as special reviews and may be had either by agreement between the developer and city or by initiation of the city by the affirmative vote of the city council, but in any event shall not be held more frequently than three times a year.
- (2) Notice of Special Review. The director shall begin the special review proceeding by mailing or delivering written notice to the developer that the city intends to undertake a special review for the good faith compliance of developer with the development agreement. He shall mail or deliver to the developer a thirty (30) day notice of intent to undertake such a special review within which thirty (30) days developer shall provide to the director evidence of good faith compliance with the terms of the development agreement. If the director determines that such evidence is insufficient for the city's review, or if the developer fails to submit any evidence within the thirty (30) day period, then within forty-five (45) days of giving the notice of intent to undertake a special review, the director shall deliver or mail written notice to the developer of the developer's failure to submit any evidence or additional information reasonably required by the director in order to review the developer's good faith compliance with the development agreement. As with the regular periodic review, the developer shall have thirty (30) days after mailing or delivering of such written notice by the director in which to respond to the director. If the developer fails to provide such information to the director within the thirty (30) day period, developer shall not be found by the director to have complied in good faith with the terms of the development agreement.

Sec. 106-1472. Finding of compliance.

With respect to either a regular periodic review or a special review, if the director finds good faith compliance by the developer with the terms of the development agreement for the period reviewed, the director, upon request of developer, shall issue a certificate of compliance for such period reviewed, which shall be in recordable form and may be recorded by the developer in the official records of Los Angeles County. The issuance of a certificate of compliance by the director shall conclude the review for the applicable period for which the finding was made and such determination shall be final in the absence of fraud.

Sec. 106-1473. Failure to find good faith compliance.

If the director does not find, on the basis of substantial evidence, that the developer has complied in good faith with the terms of the development agreement, he shall so notify the city council and the developer. The director shall specify the reasons for the director's determination, the information relied upon in making such decision and any findings made with respect thereto. At the next regularly scheduled meeting of the city council on which the matter is agendized, or to which it is continued, the city council shall take one of the following actions:

- (1) Compliance. Determine on the basis of evidence presented that there has been good faith compliance by the developer with the terms of the development agreement, in which

event the director, upon request of the developer, shall issue a certificate of compliance in accordance with section 106-1472.

- (2) Failure to Find Good Faith Compliance. If the city council is unable to determine on the basis of the evidence presented that there has been good faith compliance by the developer with the terms of the development agreement, the city council shall do one or more of the following:
- (i) Additional Time. Upon receipt of sufficient justification to city council, grant the developer additional time in which to establish good faith compliance with the terms of the development agreement at a subsequent duly called city council meeting; or
 - (ii) Hearing. Set a date for a public hearing on the issue of compliance by the developer with the terms of the development agreement and the possible conditioning and/or termination or modification of the development agreement in accordance with state government code section 65865.1, which public hearing shall be conducted in accordance with section 106-1474.

Sec. 106-1474. Public hearing.

The city council shall, within ninety (90) days of the city council's setting a date for a public hearing in Section 106-1473(2)(ii), conduct a public hearing at which the developer shall have the opportunity to demonstrate good faith compliance with the terms of the development agreement on the basis of substantial evidence presented to the city council. The burden of proof of this issue is upon the developer.

Sec. 106-1475. Findings upon public hearing.

The city council shall determine upon the basis of substantial evidence whether or not the developer has complied in good faith with the terms and conditions of the development agreement.

Sec. 106-1476. Procedure upon findings.

Compliance. If the city council finds and determines on the basis of substantial evidence that the developer has complied in good faith with the terms and conditions of the development agreement during the period under review, the review for that period is concluded and such determination is final in absence of fraud.

Noncompliance. If the city council finds and determines on the basis of substantial evidence that the developer has not complied in good faith with the terms and conditions of the development agreement during the period under review, the city council may allow the development agreement to be continued by imposition of new terms and conditions intended to remedy such noncompliance or to be otherwise modified, by the mutual consent of the developer and the city or the city council may unilaterally terminate the development agreement or take other action authorized by government code section 65865.1. The city council may impose such terms and conditions to the action it takes as it considers necessary to protect the interests of the city. The decision of the city council shall be final. The rights of the parties after termination shall be as set forth in section 106-1486.

Ordinance. Any termination, modification or imposition of new terms and conditions pursuant to this section shall be by ordinance. The ordinance shall recite the facts, findings, information relied on and/or the lack thereof, and the reasons which, in the opinion of the city council, make the termination or modifications or imposition of new terms and conditions of the development agreement necessary. The enactment of such an ordinance by the city council shall be final and conclusive as to its effect on the subject development agreement. Not later than ten (10) days following the adoption of the ordinance, one copy thereof shall be forwarded to the developer. The development agreement shall be terminated, or the amendments to the development agreement shall become effective, on the effective date of the ordinance or as otherwise provided in such ordinance.

Sec. 106-1477. Certificate of compliance.

If the city council finds good faith compliance by the developer with the terms of the development agreement, the director upon request of the developer and subject to the written concerns of the city attorney shall issue a certificate of compliance, which shall be in recordable form and may be recorded by the developer in the official records of the County of Los Angeles.

Sec. 106-1478. Initiation of amendment or cancellation.

A development agreement may be amended or canceled, in whole or in part, by mutual consent of the parties to the development agreement or their successors in interest. Any such person may propose an amendment to or cancellation in whole or in part of the development agreement previously entered into.

Sec. 106-1479. Procedure.

The procedure for amendment or cancellation in whole or in part of a development agreement by mutual consent shall be as follows:

- (a) Upon receipt by the director of a proposal for an amendment to or cancellation in whole or in part of the development agreement, a public hearing thereon shall be set and conducted before the city council within ninety (90) days of receipt of the proposal;
- (b) As to prescribed notice of public hearing, where the city introduces the proposed amendment to or cancellation in whole or in part of the development agreement, it shall first give notice to the property owner of its intention to initiate such proceedings at least ten days in advance of the giving of notice of intention to consider the amendment or cancellation required by Section 106-1469(b)(4);
- (c) Any amendment, cancellation or imposition of new terms and conditions pursuant to this section shall be by ordinance. The ordinance shall recite the facts, findings, information relied on, and reasons which, in the opinion of the city council, make the amendments or cancellation of the development agreement necessary. Not later than ten days following the adoption of the ordinance, one copy thereof shall be forwarded to the developer. The development agreement shall become effective on the effective date of such ordinance unless otherwise indicated therein.
- (d) Although approved by the city council, an amendment to or cancellation of a

development agreement shall not be binding or enforceable prior to the effective date of the ordinance approving the amendment or cancellation of the development agreement and the execution of such amendment or a written consent to such cancellation by all parties to the development agreement or by their successors in interest.

Sec. 106-1480. Failure to receive notice.

The failure of any person entitled to notice required by law or this chapter to receive such notice shall not affect the authority of the city to enter into nor invalidate a development agreement entered into by the city or other action taken under this division and chapter.

Sec. 106-1481. Rules governing conduct of meeting.

All the public hearings under this chapter shall be conducted in accordance with the procedures and the time limits specified for the conduct of such hearings in this division and chapter. A copy of any relevant proposed or existing development agreement shall be made available for public review at the city clerk's office prior to the date of each hearing thereon.

Sec. 106-1482. Irregularity in proceeding.

Formal rules of evidence or procedure which must be followed in a court of law shall not be applied in the consideration of a proposed development agreement, its modification, cancellation, or termination under this chapter and the provisions of this chapter shall provide the procedure for such consideration. The qualified applicant or developer has the burden of presenting substantial evidence at each of the public hearings on the proposal and shall be given an opportunity to present evidence in support of the qualified applicant's or developer's position. No action, inaction, or recommendation regarding the proposed development agreement, its modification, cancellation, or termination shall be held void or invalid or be set aside by a court on the ground of the improper admission or rejection of evidence or by reason of any error, irregularity, informality, neglect, or omission ("error") as to any matter pertaining to petition, application, notice, finding, record, hearing, report, recommendation, or any matters of procedure whatever unless after an examination of the entire case, including the evidence, the court finds that the error complained of was prejudicial and that by reason of the error the complaining party sustained and suffered substantial injury, and that a different result would have been probable if the error had not occurred or existed. There is no presumption that error is prejudicial or that injury resulted if error is shown.

Sec. 106-1483. Subsequently adopted state and federal laws.

All development agreements shall be subject to the regulations and requirements of the laws of the State of California, the Constitution of the United States and any codes, statutes or executive mandates and any court decisions, state or federal, thereunder. In the event that any such law, code, statute, or decision made or enacted after a development agreement has been entered into prevents or precludes compliance with one or more provisions of the development agreement then such provisions of the development agreement shall be modified or suspended as may be necessary to comply with such law, code, statute, mandate or decision, and every such

development agreement shall so provide.

Sec. 106-1484. Architectural review.

Unless otherwise provided in a development agreement, the implementation and execution of all phases of a development agreement shall be subject to architectural (design) reviews pursuant to the applicable provisions of the San Fernando City Code.

Sec. 106-1485. Governing rules, regulations, development policies and effect of development agreement.

Unless otherwise provided by the development agreement, or imposed for reasons of health or safety during the term of the development agreement, rules, regulations and official policies of the city governing permitted uses of the land, governing density and governing design, improvement, and construction standards and specifications, applicable to development of the property subject to a development agreement, shall be those rules, regulations, and official policies in force at the time of execution of the agreement. A development agreement shall not prevent the city, in subsequent actions applicable to the property or to the city in general, from applying new rules, regulations, and policies which do not conflict with those rules, regulations, and policies applicable to the property at the time of execution of the development agreement, nor shall a development agreement prevent the city from denying or conditionally approving any subsequent development project application on the basis of such existing or new rules, regulations, and policies. Each development agreement shall provide, and it is provided in this section, that this section and the provisions thereof do not apply to taxes, imposts, assessments, fees, charges or other exactions imposed by or payable to city unless specifically and to the extent otherwise expressly agreed to by city in the development agreement, and that all of such shall be in amounts fixed at the time they are payable.

Sec. 106-1486. Rights of the parties after cancellation or termination.

In the event that a development agreement is canceled, or otherwise terminated, unless otherwise agreed in writing by the city, all rights of the developer, property owner or successors in interest under the development agreement shall terminate and any and all benefits, including money or land, received by the city shall be retained by the city. Notwithstanding the above provision, any termination of the development agreement shall not prevent the developer from completing a building or other improvements authorized to be constructed pursuant to a valid operative building permit previously approved by the city and under construction at the time of termination, but the city may take any action permitted by law to prevent, stop, or correct any violation of law occurring during and after construction, and neither the developer nor any tenant shall occupy any portion of the project or any building not authorized by an occupancy permit. As used herein, "construction" shall mean work on site under a valid building permit and "completing" shall mean completion of construction for beneficial occupancy for developer's use, or if a portion of the project is intended for use by a lessee or tenant, then for such portion "completion" shall mean completion of construction except for interior improvements such as partitions, duct and electrical run outs, floor coverings, wall coverings, lighting, furniture, trade fixtures, finished ceilings, and other improvements typically constructed by or for tenants of

similar buildings. All such uses shall, to the extent applicable, be deemed nonconforming uses and shall be subject to the nonconforming use provisions of the San Fernando City Code.

Sec. 106-1487. Construction.

This division and chapter, and any subsequent development agreement shall be read together. With respect to any development agreement enacted under this division and chapter, any provision of such a development agreement which is in conflict with this division and chapter shall be void.

Sec. 106-1488. Recordation of development agreement, ordinances and notices.

(a) Within ten (10) days following complete execution of a development agreement and following effective date of enacting ordinance, the city clerk shall record with the county recorder, a fully executed copy of the development agreement and ordinance approving development agreement, which shall describe the land subject thereto. The development agreement shall be binding upon, and the benefits of the development agreement shall inure to the parties and all successors in interest to the parties to the development agreement.

(b) If the parties to the development agreement or their successors in interest amend or cancel the development agreement as provided in government code section 65868 or this division and chapter, or if the city council terminates or modifies the development agreement as provided in government code section 65865.1 or this division and chapter for failure of the developer to comply in good faith with the terms or conditions of the development agreement, the city clerk shall, after such action takes effect, have notice of such action recorded with the County Recorder of Los Angeles County.

Sec. 106-1489. Enforcement of development agreements.

Except as provided herein below, a development agreement shall be enforceable by any party thereto notwithstanding any change in any applicable general or specific plan, zoning, subdivision, or building regulation adopted by the city which alters or amends the rules, regulations, or policies specified in section 106-1485 or in the development agreement itself.

An exception to the certainty intended by execution of a development agreement as expressed in Section 106-1451 shall be when a change to the development agreement is imposed or required not by City initiated action, but rather by City response to (i) federal or state court or administrative agency determination or (ii) federal or state legislative or administrative agency regulation requirement.

Sec. 106-1490. Severability clause.

Should any provision of this division and chapter or of a subsequent development agreement be held by a court of competent jurisdiction to be either invalid, void, or unenforceable, the remaining provisions of this chapter and the development agreement shall remain in full force and effect unimpaired by the holding, except as may otherwise be provided in a development

agreement. The city council hereby declares that it would have adopted and enacted this chapter and each provision thereof irrespective of the fact that any one or more of the provisions, or the applications thereof to any person or place, be declared invalid or unconstitutional. For the purpose of this section, a "provision" is a section, subsection, paragraph, sentence, clause, phrase or portion of any thereof.

Sec. 106-1491. Judicial review -Time limitation.

- (a) Any judicial review of the initial approval by the city of a development agreement shall be by writ of mandate pursuant to section 1085 of the code of civil procedure; and judicial review of any city action taken pursuant to this chapter, other than the initial approval of a development agreement, shall be writ of mandate pursuant to section 1094.5 of the code of civil procedure.
- (b) Any action or proceeding to attack, review, set aside, void, or annul any decision of the city taken pursuant to this chapter shall not be maintained by any person unless the action or proceeding is commenced within ninety (90) days after the date of the decision.

Sec. 106-1492. Condemnation.

All and every part of the development agreements is subject to condemnation proceedings and entering into such agreements is not intended to restrict the exercise of eminent domain by the city or any other public agency."

SECTION 4. California Environmental Quality Act Compliance. That in accordance to the criteria and authority contained in the California Environmental Quality Act (CEQA) of 1970, and the CEQA Guidelines (Title 14 of the California Code of Regulations, Section 15061(b)(3)), City staff has conducted the appropriate environmental analysis in compliance with the requirements of CEQA, and based on that assessment the City Council has determined that the proposed zone code/text amendment and associated Ordinance are exempt from the requirements of the California Environmental Quality Act (CEQA) in that they are not a Project, which has the potential for causing a significant effect on the environment. Therefore, the City Council therefore directs that a Notice of Exemption be filed with the Los Angeles County Clerk in accordance with the CEQA guidelines.

SECTION 5. Inconsistent Provisions. Any provision of the San Fernando City Code or appendices thereto inconsistent with the provisions of this Ordinance, to the extent of such inconsistencies and no further, is hereby repealed or modified to the extent necessary to affect the provisions of this Ordinance.

SECTION 6. Severability. If any provision, section, paragraph, sentence or word of this Ordinance, or the application thereof to any person or circumstance, is rendered or declared invalid by any court of competent jurisdiction, the remaining provisions, sections, paragraphs, sentences or words of this Ordinance, and their application to other persons or circumstances, shall not be affected thereby and shall remain in full force and effect and, to that end, the provisions of this Ordinance are severable.

SECTION 7. The City Clerk shall cause this Ordinance to be published and posted in accordance with the requirements noted in California Government Code Section 36933.

SECTION 8. That the Mayor shall sign and that the City Clerk shall attest to the adoption of this Ordinance by the City Council of the City of San Fernando at the duly noticed regular meeting held on the ____ day of _____, 2014.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of San Fernando at the regular meeting held on the ____ day of _____, 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 Council of the City of San Fernando, do hereby certify that the foregoing resolution was duly adopted by the City Council at its meeting held on the ____ day of _____ 2014.

AYES:

NOES:

ABSENT:

ABSTAIN:

Elena G. Chávez, City Clerk

ATTACHMENT "B"**RESOLUTION NO. 2014-10****RESOLUTION OF THE PLANNING AND PRESERVATION COMMISSION OF THE CITY OF SAN FERNANDO RECOMMENDING ADOPTION TO THE CITY COUNCIL OF A DEVELOPMENT AGREEMENT ORDINANCE TO ESTABLISH REGULATIONS IN THE CITY CODE FOR THE CONSIDERATION OF PUBLIC REQUESTS TO ENTER INTO A DEVELOPMENT AGREEMENT WITH THE CITY**

WHEREAS, California Government Code Sections 65864 et seq. authorizes cities to enter into development agreements and establishes general rules governing development agreements (the "Development Agreement Statute");

WHEREAS, the Development Agreement Statute requires that the City, upon request by an applicant, adopt a resolution or ordinance specifying procedures and requirements for consideration of development agreements;

WHEREAS, the City of San Fernando has not yet received a request for development agreement and does not currently have a procedure for processing development agreement applications;

WHEREAS, the City of San Fernando has determined that it is prudent at this time for the City to adopt procedures and requirements for the consideration of development agreements contained in the proposed Ordinance. Establishing procedures and associated regulations for development agreements at this time will provide City staff, prospective applicants, the Planning and Preservation Commission and the City Council with a clearly defined process to follow and will provide greater transparency and understanding for the public of the development agreement application review process;

WHEREAS, pursuant to the California Environmental Quality Act (CEQA) and the City of San Fernando's CEQA Guidelines, the City of San Fernando as the Lead Agency overseeing the environmental review for the proposed Zone Code Amendment 2014-01 has determined that the Ordinance establishing rules and regulations for development agreements is exempt under the California Environmental Quality Act (CEQA) Guidelines using the General Rule Exemption, Section 15061(b)(3) and therefore no further environmental review is required;

WHEREAS, on September 9, 2014, the Planning and Preservation Commission held a properly noticed public hearing at which it received a report from City staff as well as oral and written testimony from the public, and deliberated the proposed zone text amendment and associated environmental assessment; and,

WHEREAS, the Planning and Preservation Commission's findings and recommendations for approval to the City Council of the proposed zone text amendment and associated environmental assessment were memorialized in writing in the form of Planning and Preservation Commission Resolution 2014-10 on September 9, 2014.

NOW, THEREFORE, BE IT RESOLVED that the Planning and Preservation Commission finds as follows:

SECTION 1: The Planning and Preservation Commission finds that all of the facts set forth in this Resolution are true and correct.

SECTION 2: On September 9, 2014, the Planning and Preservation Commission held a duly noticed public hearing to consider the proposed Zone Text Amendment No. 2014-01, environmental assessment, and the findings and recommendations made by the Planning and Preservation Commission. Evidence, both written and oral, was presented at said hearing.

A. The public hearing afforded opportunities for public testimony and comments on proposed density bonus ordinance.

B. Notice of the hearing was given pursuant to San Fernando City Code Section 106-72 and in compliance with Government Code Sections 65090 and 65091, a notice of public hearing for the proposed zone text amendments was advertised in the *San Fernando Valley Sun News* (a local paper of general circulation), at least ten (10) days prior to the scheduled public hearing before the Planning and Preservation Commission.

SECTION 3: Based upon substantial evidence presented to the Planning and Preservation Commission on September 9, 2014, including public testimony, written materials and written and oral staff reports, with regard to the zone text amendment, the Planning and Preservation Commission concurred with the City planning staff's determination that the proposed zone text amendment in the form of the proposed Ordinance is exempt under the California Environmental Quality Act (CEQA) Guidelines using the General Rule Exemption, Section 15061(b)(3) and therefore no further environmental review is required and subsequently, recommended that the City Council adopt findings to that effect on September 9, 2014.

SECTION 4: The Planning and Preservation Commission has determined that the proposed zoning text amendment is consistent with the following findings of fact as discussed below:

a) The proposed zone text amendment is consistent with the objectives, policies, general land uses and programs of the City's General Plan.

The proposed zone code/text amendments to the San Fernando City Code would specify procedures and requirements for the city to consider development agreements as provided for in Government Code Section 65864 et seq., which allows the city and a person who has ownership or control of property within the city to enter into said agreement to facilitate the development of said property. The purpose of the development agreement is to specify the standards and conditions that will govern development of the property. The development agreement provides assurance to the developer that he/she may proceed to develop the project subject to the rules and regulations in effect at the time of approval and will encourage private investment.

In addition, the zone code/text amendments will: (1) establish a development agreement process that strengthens the public planning process through the requirement that agreements are approved by the city in a public hearing with clear expectations on city and developer requirements and obligations in

the agreement; (2) encourage public and private participation; and (3) commits the city and developer to a comprehensive planning process that seeks to make maximum efficient utilization of resources at the least economic cost to the public. To this end, the zone code/text amendment will allow the city to consider conditions (mitigation measures) on proposed development that must be met to assure that a project at a specific location does not have unacceptable impacts on neighboring properties or community infrastructure. The agreement will also seek to: clarify how the project may be phased, the required timing of public improvements, and the developer's contribution toward funding public infrastructure, including, but not limited to, streets, sewerage, transportation, drinking water, school, and public utilities.

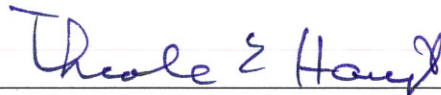
Therefore, the proposed approval of the zone code/text amendment and associated adoption of the ordinance would be in compliance with the city's general plan land use and housing elements by allowing future development proposals under the development agreement to consider new public and private investment that: preserve the small town character of the community; facilitate new public and private investment within the city's commercial corridors and neighborhoods; maintain and enhance the quality of existing housing, neighborhoods, and health of residents through new investment; preserve the character, scale, and quality of established residential neighborhood; and, maintain the quality of life within the community by providing adequate maintenance of streets, sidewalks, parks, and other public facilities (General Plan Land Use Element Goals I, II; City General Plan 2013-2021 Housing Element Goals 1.0 and 2.0, Policies 1.1, 1.2, 1.3, 1.6, 2.1, 2.2 and 2.7). Thus, it is Commission's assessment that this finding can be made.

b) The adoption of the proposed zone text amendment would not be detrimental to the public interest, health, safety, convenience or welfare.

The proposed zone code/text amendments to establish procedures and requirements for the city to consider development agreements as provided for in Government Code Section 65864 et seq., would allow the city to condition as part of the agreements proposed development mitigation measures that ensure the proposed project at a specific location does not have unacceptable impacts on neighboring properties or community infrastructure. The agreement will also seek to: clarify how the project may be phased; the required timing of public improvements; and, the developer's contribution toward funding public infrastructure, including, but not limited to, streets, sewerage, transportation, drinking water, school, and public utilities. Therefore, the proposed zone code/text amendments would not be detrimental to the public interest, health, safety, convenience or welfare. Thus, it is Commission's assessment that this finding can be made.

BE IT FURTHER RESOLVED that based upon the foregoing, the Planning and Preservation Commission hereby recommends approval of Zone Text Amendment 2014-01 to the City Council.

PASSED, APPROVED AND ADOPTED this 9th day of September 2014.


THEALE E. HAUPT, CHAIRPERSON

ATTEST:


FRED RAMIREZ, SECRETARY TO THE PLANNING
AND PRESERVATION COMMISSION

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

I, FRED RAMIREZ, Secretary to the Planning and Preservation Commission of the City of San Fernando, do hereby certify that the foregoing Resolution was duly adopted by the Planning and Preservation Commission and signed by the Chairperson of said City at a meeting held on the 9th day of September 2014; and that the same was passed by the following vote, to wit:

AYES: 4 - A. Durham, Y. Mejia, K. Beaulieu, and T. Haupt

NOES: 0 - None

ABSENT: 1 - R. Salinas

ABSTAIN: 0 - None


FRED RAMIREZ, SECRETARY TO THE PLANNING AND
PRESERVATION COMMISSION



**CITY OF SAN FERNANDO
PLANNING AND PRESERVATION COMMISSION**

ATTACHMENT "C"

**MINUTES OF THE
SEPTEMBER 9, 2014
SPECIAL MEETING
CITY HALL COUNCIL CHAMBER**

THE FOLLOWING MINUTES ARE A SUMMARY OF ACTIONS TAKEN BY THE PLANNING COMMISSION. AUDIO OF THE ACTUAL MEETING ARE AVAILABLE FOR LISTENING IN THE COMMUNITY DEVELOPMENT DEPARTMENT.

CALL TO ORDER

The meeting was called to order by at 7:18 P.M.

PLEDGE OF ALLEGIANCE

Led by Theale Haupt

ROLL CALL

The following persons were recorded as present:

PRESENT:

Chairperson Theale Haupt, Vice-chair Alvin Durham, Commissioners Kevin Beaulieu, and Y. Mejia

ABSENT

Commissioner Rudy Salinas

ALSO PRESENT

Community Development Director Fred Ramirez, City Attorney Isabel Birrueta, and Community Development Secretary Michelle De Santiago

APPROVAL OF AGENDA

AYES:	A. Durham, Y. Mejia, K. Beaulieu, and T. Haupt
NOES:	None
ABSENT:	R. Salinas
ABSTAIN:	None

CONSENT CALENDAR

Commissioner Y. Mejia moved to approve the minutes of the Planning and Preservation Commission meeting of April 1, 2014 and the minutes and of the Planning and Preservation Commission meeting of June 23, 2014. Seconded by Vice-chair A. Durham, the motion carried with the following vote:

AYES:	Y. Mejia, A. Durham, K. Beaulieu, and T. Haupt
NOES:	None
ABSENT:	R. Salinas
ABSTAIN:	None

UNFINISHED BUSINESS

None

PUBLIC HEARING 7A: Zone Text Amendment 2014-01: Development Agreement Ordinance – City of San Fernando, CA – Citywide – The proposed zone text amendment would establish rules and regulations for development agreements consistent with California Government Code Sections 65864 et. seq. in order to provide an additional land use and zoning review tool to the City to facilitate development throughout the community in a manner consistent with the City’s General Plan and associated zoning regulations.

STAFF PRESENTATION

Community Development Director Fred Ramirez gave the staff presentation recommending that the Planning and Preservation Commission recommend to the City Council:

1. Adoption of the proposed Ordinance (Attachment No. 2) establishing rules and regulation for development agreement consistent with California Government Code Sections 65864 et seq. in order to provide an additional land use and zoning review tool to the City to facilitate redevelopment throughout the community in a manner consistent with the City’s General Plan and associated zoning regulations; and,
2. Affirm the City’s determination that the proposed Ordinance establishing rules and regulations for development agreements is exempt under the California Environmental Quality Act (CEQA) Guidelines using the General Rule Exemption, Section 15061 (b)(3) and therefore no further environmental review is required.

PUBLIC TESTIMONY

Jesse Avila – 319 N. Workman Street, San Fernando – Mr. Avila stated that Development Agreements have been in existence in other communities it’s just new to our community. He stated that the proposed regulations would bring us up to speed in order to facilitate future projects for the greater good of the community.

Miguel Montañez – 608 Hollister Street, San Fernando – Mr. Montañez stated that he was concerned about establishing a Development Agreement without having a proposal that would trigger such an agreement. He also asked who would be negotiating these agreements and if the public would have input on what is being requested. He expressed concern with the 20-day public notification period, he stated that this is not enough time given to the residents and he feels they are losing out on the ability to partake in the process.

F. Ramirez responded that the public notification requirements are set by State Law and that with this particular Ordinance that provided sufficient time for public input at the Planning and Preservation Commission and associated City Council meetings that included the first and for the second reading of the Ordinance before the City Council. Mr. Ramirez indicated that the discovery of not having a Development Agreement came from the City Attorney’s office. He stated that there are currently no proposals in cue that require the use of a development agreement, and not having the Ordinance in place may result in a lost opportunity.

I.Burrieta indicated that standard language in the Ordinance is dictated by State Law.

COMMISSION DISCUSSION

T. Haupt stated that he has experience working with developers and that this document provides clarity on what is expected as well as it provides for an opportunity to say “I would like to see this and not see this”, we can ask for specifics from the developers.

K. Beaulieu asked why the City did not currently have this agreement ordinance in place. He asked if there any tax incentives and if any existing businesses benefit by the use of this tool?

F. Ramirez indicated that the City would be in a better position to negotiate for different items to off-set potential public impacts attributed to the project that would benefit the community.

Y. Mejia asked about the annual review process of future development agreement and is the review automatic or can it be triggered by either the City or the developer.

F. Ramirez stated that the developer and or the City could ask for a review to facilitate the project moving forward.

A.Durham indicated that this would be an excellent tool.

F. Ramirez indicated that the Ordinance adoption would also create greater transparency and allow for additional public input.

A.Durham asked if this Development Agreement can be imposed on a project.

F. Ramirez indicated that it has to be mutually agreed upon.

Subsequent to discussion Vice-chair A. Durham moved to recommend to the City Council adoption of the proposed Ordinance establishing rules and regulations for development agreement and to recommend affirmation that the City's determination of the proposed Ordinance is exempt under the California Environmental Quality Act (CEQA) Guidelines and therefore no further environmental review is required. Seconded by Commissioner Y. Mejia, the motion carried with the following vote:

AYES:	A. Durham, Y. Mejia, K. Beaulieu, and T. Haupt
NOES:	None
ABSENT:	R. Salinas
ABSTAIN:	None

STAFF COMMUNICATIONS

F. Ramirez provided the commission with an update for the following addresses:

- 650 Glenoaks Blvd. – Carport parking lot update
- 1500 Glenoaks Blvd. – Antennae status
- 460 San Fernando Mission Blvd, WSS – Construction status
- 500 San Fernando Mission Blvd, new Multi-tenant development – Construction status
- High Speed Rail project update
- TOD Overlay Zone project update
- Los Angeles Community Development Commission Workshop update (09/16/2014)

COMMISSION COMMENTS

T. Haupt asked if the time change for the Planning and Preservation can be agendized for the following meeting.

A.Durham asked about the recent publications regarding the proposed changes to CEQA.

PUBLIC STATEMENTS

None

ADJOURNMENT

Commissioner Y. Mejia moved to adjourn to October 7, 2014. Seconded by Commissioner K. Beaulieu, the motion carried with the following vote:

AYES:	Y. Mejia, K. Beaulieu, A. Durham, and T. Haupt
NOES:	None
ABSENT:	R. Salinas
ABSTAIN:	None

8:39 P.M.

Fred Ramirez

Planning Commission Secretary

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AGENDA REPORT

To: Mayor Sylvia Ballin and Councilmembers

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

Date: November 3, 2014

Subject: Consideration to Adopt Resolutions Establishing a Budget Policy and Establishing a General Financial Policy

RECOMMENDATION:

It is recommended that the City Council:

- a. Review and discuss the proposed Budget Policy (Attachment "A," Exhibit "A") and General Financial Policy (Attachment "B," Exhibit "A"); and
- b. Provide staff with direction regarding suggested changes, if any; and
- c. Adopt Resolution No. 7653 (Attachment "A"), establishing a Budget Policy; and
- d. Adopt Resolution No. 7654 (Attachment "B"), establishing a General Financial Policy.

BACKGROUND:

1. Over the last two decades, the Government Finance Officers Association (GFOA) has developed a number of best practices related to budgeting and fiscal policy that stress the importance of adopting financial policies to promote and facilitate improved government financial management.
2. Financial policies adopted by a City Council establish a framework for overall fiscal planning and management. They set forth guidelines against which current budgetary performance can be measured and proposals for future programs can be evaluated. Publicly adopted financial policies demonstrate a commitment to sound financial management and fiscal integrity to the credit rating industry, prospective investors (bond buyers), and constituents. Adopted financial policies also improve the City's fiscal stability by helping City officials plan fiscal strategy with a consistent approach.

Consideration to Adopt Resolutions Establishing a Budget Policy and Establishing a General Financial PolicyPage 2 of 4

3. The City currently has a very limited number of adopted financial policies, including: Investment Policy (2014), Grant Management Policy (2013), Professional Services Procurement Policy (2013), Financial Procedures (1992 Memorandum), and Expenditure Classification – Capital Outlay (1982). The City lacks clear and comprehensive policies in a number of critical areas, including, but not limited to, budgeting and financial reporting, long-term financial planning, fund reserve levels, and debt management.
4. In recent years, the City has received an increasing number of audit inquiries and findings related to the lack of formal policies in these critical areas.
5. On September 30, 2014, staff met with the Budget, Personnel, and Finance (BPF) Standing Committee (Mayor Pro Tem Gonzales and Councilmember Fajardo) to review a draft Budget Policy and a draft General Financial Policy. Staff incorporated comments received during the BPF Standing Committee meeting in the draft policies attached hereto.

ANALYSIS:

The City has taken a number of steps over the last few years to demonstrate a commitment to fiscal sustainability, including making difficult decisions to cut expenses and asking voters to increase revenues. These steps have been crucial to the financial sustainability of the City. However, to continue to meet this commitment, the City must now employ long-term financial planning methods, maintain appropriate reserve levels, and adhere to prudent practices in governance, management, budget administration and financial reporting. As such, staff has drafted a Budget Policy and General Financial Policy (collectively known as “Policies”) for City Council consideration.

The draft Policies are intended to establish a comprehensive set of guidelines for the City Council and City staff to follow when drafting the annual budget and making decisions that may have a fiscal impact. The goal is to maintain the City’s financial stability in order to be able to continually adapt to local and regional economic changes. These Policies will help the City to maintain and enhance a sound fiscal condition and should be implemented in conjunction with associated subsidiary policies, i.e. Purchasing Policy, Investment Policy, Grant Management Policy, etc.

These Policies will be reviewed annually as part of the City’s budget process to ensure that they remain current and relevant.

Consideration to Adopt Resolutions Establishing a Budget Policy and Establishing a General Financial Policy

Page 3 of 4

Budget Policy:

The purpose of the Budget Policy is to demonstrate the City's commitment to financial accountability and transparency by defining the annual budget process and setting standards for developing the budget as an effective policy document.

Among other things, the Budget Policy:

1. Defines the purpose and objective of the annual budget process;
2. Defines and establishes a policy to attain a structurally balanced budget;
3. Establishes guidelines for development of a multi-year Capital Improvement Plan;
4. Defines the City's Basis of Budgeting;
5. Provides a procedural guide for the annual and mid-year budget processes; and
6. Defines the requirements for adjusting the Adopted Budget.

The annual budget is a short-term plan for the use of City resources. Consequently, the Budget Policy has a short-term focus. However, the budget document should be considered part of a longer-term forecast and financial planning principles. These long-term principles are included in the General Financial Policy outlined in the following section.

General Financial Policy

The purpose of the General Financial Policy is to establish a comprehensive set of City-wide financial principles that will serve as a guideline for operational and strategic decision making.

The financial principles included in the General Financial Policy are:

1. Long-term Financial Planning;
2. Auditing, Financial Reporting and Disclosure;
3. Revenue Collection;
4. Cash Management;
5. Capital Improvement Projects;
6. Financial Reserves and Fund Balances;
7. Post-employment Benefit Funding;
8. Grant Administration;
9. User Fees and Service Charges;
10. Cost Allocation; and
11. Debt Management.

Each of these principles is presented as a Chapter in the Policy and is discussed in detail. The focus of all of the principles in the Policy is long-term sustainability and, as is the goal of any

Consideration to Adopt Resolutions Establishing a Budget Policy and Establishing a General Financial PolicyPage 4 of 4

good set of policies, they are meant to be flexible enough to adapt to changes in economic and political conditions.

BUDGET IMPACT:

There is no budget impact associated with adopting the proposed policies. If the policies are adopted, they will improve the City's fiscal stability by guiding City officials to plan fiscal strategy with a consistent, long-term approach.

CONCLUSION:

Adopting the proposed Policies will provide City management with clear and comprehensive policies in a number of critical areas, including, but not limited to, budgeting and financial reporting, long-term financial planning, fund reserve levels, and debt management.

ATTACHMENTS:

- A. Resolution No. 7653
- B. Resolution No. 7654

ATTACHMENT "A"**RESOLUTION NO. 7653****A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
SAN FERNANDO, CALIFORNIA, ESTABLISHING A BUDGET
POLICY**

WHEREAS, it is fiscally responsible to adopt policies to guide short and long-term planning of resources; and

WHEREAS, the City Council sets the City's fiscal priorities in the form of an annual budget; and

WHEREAS, the City Council desires to enhance financial accountability and transparency to residents, customers, and the community-at-large; and

WHEREAS, a formal Budget Policy enhances accountability and transparency by defining the annual budget process and setting standards for developing the budget as an effective policy document, financial plan, operations guide, and communications tool.

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 hereby establishes the Budget Policy, attached hereto as Exhibit "A" and incorporated herein by this reference.

PASSED, APPROVED, AND ADOPTED this 3rd day of November, 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 3rd day of November, 2014, by the following vote to wit:

AYES:

NOES:

ABSENT:

Elena G. Chávez, City Clerk

CITY OF SAN FERNANDO		POLICY/PROCEDURE
NUMBER		SUBJECT BUDGET POLICY
ORIGINAL ISSUE	EFFECTIVE	
DATE	DATE	
CURRENT ISSUE	EFFECTIVE	CATEGORY FINANCE
SUPERSEDES		

Section 1. Purpose.

To demonstrate the City's commitment to financial accountability and transparency by defining the annual budget process and setting standards for developing the budget as an effective policy document and communication tool.

Section 2. Statement of Policy.

The Annual Budget, as adopted by the City Council, establishes the total appropriation provided for each City Department's operations. Expenditures may not exceed budgeted appropriations at the Department level within a fund. Budgeted appropriations are legally limited to the amount authorized by the City Council in the Annual Budget document, plus supplemental or increased appropriations individually approved by the City Manager or City Council.

In addition to setting the legal expenditure limit, the Annual Budget sets forth a strategic resource allocation plan that addresses the City Council's Strategic Goals. The Annual Budget is a policy document, financial plan, operations guide, and communication device all in one. To that end, an effective Annual Budget document:

- Determines the quality and quantity of City programs and services for the upcoming fiscal year;
- Details expenditure requirements and the estimated revenue available to meet those requirements;
- Aligns the activities of individual City Departments to the City Council's goals and priorities;
- Sets targets and provides a means of measuring actual accomplishments against goals; and
- Serves as a communication device to promote the City's vision and direction, fiscal health and vitality, and the value the public is getting for its tax dollars.

Through the Annual Budget document, the City demonstrates financial accountability to residents, customers, and the community-at-large. Additionally, the Annual Budget provides the legal authority for expenditures and a means for control of municipal operations throughout the fiscal year. Accordingly, the City's Code mandates that a budget be adopted by Resolution on or before July 20th of each fiscal year (Chapter 2, Article VI, Division 2, Section 2-648).

The budget development process provides Department Heads with an opportunity to justify departmental work programs, propose changes in services, and recommend revisions in organizational structure and work methods. It also enables the City Manager to review City operations and make appropriate recommendations to the City Council.

Presentation of the City Manager's proposed budget to the City Council provides an opportunity to explain City programs and organizational structures. It also allows the City Council to judge the adequacy of the proposed operating programs, determine basic organizational and personnel staffing patterns, and establish the level of City services to be rendered with the available resources.

BUDGET POLICY

Page 2

In order to accomplish these objectives, the Annual Budget combines a detailed explanation of estimated financial resources for the ensuing fiscal year with proposed expenditures, supported by sufficient information on the proposed programs and activities to assess the appropriateness of the recommended levels of services.

Structurally Balanced Budget

The City strives to adopt a balanced budget in which recurring operating revenue is equal to, or exceeds, recurring operating expenditures. In the event a balanced budget is not attainable, and the cause of the imbalance is expected to last for no more than one year, the planned use of contingency reserves to balance the budget is permitted. In the event a budget shortfall is expected to continue for more than one year, the planned use of contingency reserves should only be used as a temporary stop-gap measure and a broader strategic financial plan should be developed to close the gap through revenue increases and/or expenditure decreases.

The City will avoid the use of one time revenues to fund ongoing operations. One-time revenue may be appropriated to bridge short-term gaps in available resources and to pay off loan balances.

The Operating Budget, Capital Budget, and Capital Improvement Plan

The Annual Budget document contains information about the City's operating and capital programs for a particular fiscal year. Typically, when one refers to the City's Annual Budget, the meaning is the combination of the operating and capital budgets. The operating budget details the funding for the day-to-day operations and obligations of the City for a particular fiscal year including, but not limited to, employee salary and benefit costs, utility expenses, office expenses and building maintenance costs. The capital budget details planned expenditures for the same fiscal year to construct, maintain, or improve the City's capital assets.

The Capital Improvement Plan (CIP) is a separate multi-year planning document that details planned expenditures on capital projects. Capital projects include, but are not limited to, street and alley maintenance, construction or renovation of municipal buildings, improvements to recreation centers and playgrounds, and water main and sewerage system replacement. The CIP connects planned capital project expenditures to the financial resources to be used to fund the project and identifies the timeframe in which both the financing and work will take place. Capital improvement projects typically carry considerable future impact, meaning, they have a life span of at least five years or more. Consequently, they may be financed over a longer period of time in order to equitably spread the cost of the project across generations of users. Due to long-term nature of the CIP and potentially complex nature of capital project financing, the CIP may be presented in a separate document.

Most expenditures found in the current year of the CIP are included in the Annual Budget's capital expenses or capital outlays component. However, certain projects for which funding is not yet secure, or planning is not complete, are budgeted through supplemental appropriations during the fiscal year. Additionally, debt-financed projects are typically reflected twice in the Annual Budget; first as an original capital expenditure from the proceeds of the debt, and second as payments of principal and interest over a number of years.

Basis of Budgeting

To be consistent with accounting principles and the City's financial statements, the City uses the modified accrual basis for budgeting¹ for all General, Special Revenue, Debt Service, and Capital Projects Funds. Exceptions are as follows:

¹ This means that revenues are recognized when they become both measurable and available. Measurable means the amount of the transaction can be determined and available means collectible within the current period or soon enough thereafter to be used to pay liabilities of the current period. Expenditures are recorded when liabilities are incurred, except that principal and interest payments on long-term debt are recognized as expenditures when due.

BUDGET POLICY**Page 3**

- Capital expenditures within the Enterprise Funds are recorded as assets on an accounting basis but are shown as expenditures on a budgetary basis.
- Depreciation of capital assets and amortization of various deferred charges are recorded on an accounting basis only.
- Principal payments on long-term debt within the Enterprise Funds are applied to the outstanding liability on an accounting basis but are shown as expenditures on a budgetary basis.

Section 3. Procedure.

The procedures for public hearing, budget adoption, budget appropriations, amendments, and transfers, shall be as specified in the City of San Fernando City Code, Chapter 2, Article VI, Division 2, Section 2-646 through Section 2-651.

The City of San Fernando's fiscal year begins each July 1st and concludes on June 30th. In accordance with fundamental democratic principles, the City embraces the notion and practice of citizen participation, especially in key planning and resource allocation activities. Therefore, the development of the budget process begins early in the prior fiscal year to ensure adequate planning and community input into that planning. Departments obtain citizen input through Council, Committee and Commission meetings, public hearings, study sessions, and other forms of written and oral communication. Additional methods for soliciting general, or targeted, public input may be implemented as directed by the City Council or City Manager.

The development of the Annual Budget is comprised of three distinct phases:

1. Strategic Planning and Program Assessment;
2. Budget Directive and Departmental Submittal; and
3. Budget Preparation and Adoption.

Phase One: Strategic Planning and Program Assessment

Strategic Planning is a process that brings into alignment the community's priorities and needs, City Council goals and priorities, and City operations. The City Council's strategic goals and priorities are used as a roadmap to realize the community vision through building a budget that effectively utilizes City resources.

Program Assessment is designed to elicit evaluation of current service delivery efforts, as well as to provide baseline and performance information on the services (activities) that a Department currently provides. Program Assessment is conducted around five main critical questions:

1. *What* service does the program provide?
2. *Why* does the City provide the service?
3. *How* is the service provided?
4. *How Well* is the service provided? and
5. What is the *Impact* of the program on the community?

Program Assessment is a critical component of the budget Development process. Before focusing on dollars, Departments should focus on these questions and engaged in linking past assumptions and decisions with current issues.

Phase Two: Budget Directive and Departmental Submittal

The City Manager establishes a Budget Directive based on short and long-term financial and organizational goals. Budget kickoff begins in March with a meeting attended by the City Manager, Finance Director, Department Heads, and key staff

BUDGET POLICY**Page 4**

from the Finance Department. Policy directives, general budgeting guidelines, and the technical and procedural aspects of preparing the budget are discussed. The Budget Preparation Packet that provides the information necessary to prepare the budget documents in an accurate and timely manner is distributed. Departments have approximately one month to prepare their budgets based on the City Manager's Budget Directive.

A City Manager Review is then conducted to provide each department with the opportunity to present an overview of their proposed budget, including increases, reductions, and/or other significant budgetary changes. The purpose of the City Manager Review is to finalize decisions regarding departmental budget requests and to discuss other outstanding issues.

Phase Three: Budget Preparation and Adoption

Once the City Manager Reviews have taken place and all departmental budget issues are resolved, the Finance Department prepares the City Manager's Proposed Budget. The Proposed Budget includes changes made subsequent to the City Manager Reviews and any other City Manager-directed changes.

The City Manager presents the Proposed Budget to the City Council in one or more workshop study sessions, typically held in May. Although public comment is welcome throughout the workshop study sessions, a specially designated Public Hearing is expressly held for public participation. Subsequent to the Public Hearing, the City Manager will ask the City Council to adopt the Annual Budget with any necessary revisions made between the time of the publication of the Proposed Budget and the date of adoption. The Annual Budget is effective July 1st, and the printed document is available within ninety (90) days of budget adoption.

Adjustments to the Adopted Budget

Per the City's Code, the City Manager shall be responsible for the administration of the Annual Budget after its final adoption, shall keep the City Council fully advised at all times of the financial condition and needs of the City, and make such recommendations as (s)he deems necessary. In order to accomplish this mandate, the City Manager annually presents a mid-year fiscal review to the City Council, typically held between January and March. This review includes needed adjustments to the Adopted Budget that have been identified by staff since budget adoption.

The City Council may, at any regular or special meeting, amend or supplement the Annual Budget by motion adopted by three affirmative votes authorizing the transfer of unused balances appropriated for one purpose to another purpose or to appropriate available funds not included in the budget.

The Finance Director is authorized to transfer budget amounts within salary accounts and within Maintenance and Operations accounts at his/her discretion. Budget transfers between funds, departments or divisions, transfers affecting assets and transfers between capital outlay accounts shall first be approved by the City Council. Transfers requiring City Council approval shall be submitted as agenda items and approved in accordance with the City Code Section 2-650. City Council approval is also required for all transfers from un-appropriated fund balances or contingency reserves.

Carryover Appropriations

The City's Code states that all appropriations unexpended or unencumbered at the end of each fiscal year shall expire and revert to the un-appropriated fund balance or the fund from which it was appropriated. Any encumbering funds from the next preceding fiscal year shall likewise expire and revert to the respective fund balances. This is inclusive of appropriations for capital projects that are required for the completion of the approved project. The City has not established a carryover review process. As such, each department will need to re-appropriate any unspent funds needed to complete approved capital projects into the next year's budget.

BUDGET POLICY

Page 5

Appropriated Reserve

The City Council may appropriate a certain amount of funding to be used as a contingency for unanticipated, non-emergency needs that are identified during the fiscal year. The Appropriated Reserve may be used to alleviate unanticipated expenditures, revenue shortfalls due to an unexpected economic slowdown or recession, or to fund one-time, high priority programs/activities. The amount budgeted as Appropriated Reserve is subject to City Council approval and requires no maximum or minimum appropriation in any given year.

Appropriated Reserves will be budgeted in the City Manager's Department budget. The City Manager shall approve the use of Appropriated Reserves in accordance with all applicable City policies. Upon approval by the City Manager, the Finance Department is authorized to transfer funds from the Appropriated Reserve account to the appropriate operating account without additional City Council approval. Funds that are not expended in a particular fiscal year will be returned to the General Fund's Unappropriated Reserve and may then be re-appropriated in the subsequent year.

Non-budgeted Funds and Accounts

The City Council does not adopt appropriations in Fiduciary Funds and accounts. Fiduciary Funds are used to account for assets held in trust by the government for the benefit of individuals or other entities and include, but are not limited to, the Successor Agency to the San Fernando Redevelopment Agency. Fiduciary accounts are used within various funds to track customer deposits or other pass through monies that are held by the City until they are either refunded or paid to another entity on behalf of the customer. These are typically recorded in liability accounts on the City's Balance Sheet.

Proposition 4 (Gann) Appropriation Limit

Article 13-B of the California Constitution was added by the November 1979 passage of the Gann Initiative. This legislation mandated that California Cities must compute an appropriation limit, which places a ceiling on the total amount of tax revenues that the City can appropriate annually. The legislation also provides that the governing body shall annually establish its appropriations limit by resolution.

The appropriations limit is calculated by determining appropriations financed by proceeds of taxes in the 1978-1979 base year and adjusting the limit each subsequent year for changes in the cost of living and population. This Appropriation Limit is the maximum limit of proceeds from taxes the City may collect or spend each year. Budgeted appropriations are limited to actual revenues if they are lower than the limit. The Appropriations Limit may be amended at any time during the fiscal year to reflect new data.

Reference

City of San Fernando City Code, Chapter 2, Article VI, Division 2, Section 2-646 through Section 2-651.

Section 4: Exceptions

There will be no exceptions to this procedure, except as may be approved by the City Council.

Section 5. Authority.

By order of City Council Motion (Item No. ____), Policy adopted by the City Council on _____.

ATTACHMENT “B”**RESOLUTION NO. 7654****A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
SAN FERNANDO, CALIFORNIA, ESTABLISHING A GENERAL
FINANCIAL POLICY**

WHEREAS, the City Council desires to enhance financial accountability and transparency to residents, customers, and the community-at-large; and

WHEREAS, the City Council is committed to fiscal sustainability by employing long-term financial planning efforts, maintaining appropriate reserve levels and adhering to prudent practices in governance, management, budget administration and financial reporting; and

WHEREAS, a General Financial Policy establishes a comprehensive set of guidelines for the City Council and City staff to follow when making decisions that may have a fiscal impact.

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 hereby establishes the General Financial Policy, attached hereto as Exhibit “A” and incorporated herein by this reference.

PASSED, APPROVED, AND ADOPTED this 3rd day of November, 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 3rd day of November, 2014, by the following vote to wit:

AYES:

NOES:

ABSENT:

Elena G. Chávez, City Clerk

CITY OF SAN FERNANDO		POLICY/PROCEDURE
NUMBER		SUBJECT
ORIGINAL ISSUE	EFFECTIVE	
DATE	DATE	GENERAL FINANCIAL POLICY
CURRENT ISSUE	EFFECTIVE	CATEGORY
SUPERSEDES		
		FINANCE

Section 1. Purpose.

To establish a comprehensive set of Citywide financial principles to serve as a guideline for operational and strategic decision making.

Section 2. Statement of Policy.

The City is committed to fiscal sustainability by employing long-term financial planning efforts, maintaining appropriate reserve levels and adhering to prudent practices in governance, management, budget administration and financial reporting.

The following financial principles are intended to establish a comprehensive set of guidelines for the City Council and City staff to follow when making decisions that may have a fiscal impact (collectively known as "Policy"). The goal is to maintain the City's financial stability in order to be able to continually adapt to local and regional economic changes. Such principles will allow the City to maintain and enhance a sound fiscal condition. This policy should be implemented in conjunction with associated financial policies, i.e. Budget Policy, Purchasing Policy, Investment Policy, Grant Management Policy, etc.

This Policy will be reviewed annually as part of the City's annual Adopted Budget to ensure that the principles contained herein remain current. The City's comprehensive financial policies shall be in conformance with all State and Federal laws, Generally Accepted Accounting Principles (GAAP) and standards of the Governmental Accounting Standards Board (GASB), and the Government Finance Officers Association (GFOA).

Financial principles included in this Policy are:

Chapter 1: Long-term Financial Planning

Chapter 2: Auditing, Financial Reporting and Disclosure

Chapter 3: Revenue Collection

Chapter 4: Investment and Cash Management

Chapter 5: Capital Assets and Capital Improvement Projects

Chapter 6: Financial Reserves and Fund Balances

Chapter 7: Post-employment Benefit Funding

Chapter 8: Grant Administration

Chapter 9: User Fees and Service Charges

Chapter 10: Cost Allocation

Chapter 11: Debt Management

GENERAL FINANCIAL POLICY**Page 2****CHAPTER 1: LONG-TERM FINANCIAL PLANNING**

1. The City shall maintain a General Fund Financial Forecast that looks forward at least five fiscal years into the future. The City shall consider immediate proactive measures when deficits between recurring revenues and recurring expenditures exist, even in outer years. The Forecast shall be updated at least bi-annually, as part of the mid-year budget review and annual budget process.
2. The City Council, City Manager and Executive Management will consider the effects of proposals for new or enhanced services, employee negotiations, tax/fee changes, or similar items, on the General Fund financial forecast. The City should be able to fund any such enhancements or changes in both the short-term and long-term to ensure sustainability of the enhancements.
3. The City shall develop and implement a financial plan to address its funding needs for issues like deferred maintenance and unfunded liabilities, which will be included in the General Fund financial forecast.
4. The City shall seek a balance in the overall revenue structure between more stable revenue sources (e.g. Property Tax) and economically sensitive revenue sources (e.g. Sales and Use Tax).
5. The City will proactively seek to protect and expand its tax base by encouraging a healthy underlying economy.
6. The City will work to protect and enhance the property values of all San Fernando residents and property owners.
7. The City will encourage the economic development of the community as a whole in order to provide stable and increasing revenue streams. It should be the City's goal to attract new businesses as well as retain successful businesses in the City. Objectives of a sound economic development strategy should also include: avoiding an over reliance on revenue from any one particular industry; recruitment and retention efforts to ensure a balance of revenue sources; ensuring compatible uses; encouraging business synergies; and promoting the growth of amenities and ancillary services to support business districts and established industries.
8. The City shall develop and maintain methods for the evaluation of future development and related fiscal impacts on the City budget.
9. Every reasonable effort will be made to establish revenue measures which will cause non-residents (i.e. transients and recreational visitors) to carry a fair portion of the expenses incurred by the City as a result of their use of public facilities.
10. The City will establish appropriate cost-recovery targets for its fee structure and will adjust its Master Fee Schedule annually to ensure that fees continue to meet cost recovery targets. The Finance Department may study, internally or using an outside consultant, the costs of providing such services and recommend fees to each department. (See also Chapter 10: User Fees and Service Charges)
11. Special services, which are characterized by an activity that is above and beyond the level of service typically provided by the City, will be self-supported from service fees to the maximum extent possible. Service fees shall be established in the Master Fee Schedule in compliance with applicable State law, and shall be periodically reviewed for compliance with applicable State law.

GENERAL FINANCIAL POLICY**Page 3**

12. The City will oppose efforts by State and County governments to divert revenues from the City or to increase unfunded service mandate of City taxpayers.
13. The City will seek additional intergovernmental funding and grants, with a priority on funding one-time capital projects. Grant-funded projects that require multi-year support will be reviewed by City Council.
14. The City will not rely on one-time revenue sources to fund operations. One-time revenues sources, whenever possible, will be used to fund one-time projects, augment reserve balances or fund unfunded liabilities.

GENERAL FINANCIAL POLICY

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CHAPTER 2: AUDITING, FINANCIAL REPORTING, AND DISCLOSURE*Preparation of Financial Statements*

Accounting standards boards and regulatory agencies set the minimum standards and disclosure requirements for annual financial reports and continuing disclosure requirements for municipal securities. The City places a high value on transparency and full disclosure in all matters concerning the City's financial position and results of operations. To this end, the City endeavors to provide superior information in the City's Comprehensive Annual Financial Report (CAFR) and Continuing Disclosure filings by going above and beyond the minimum reporting requirements, including participation in certificate of achievement accreditation programs and voluntary event disclosure filings.

The City prepares its financial statements in conformance with Generally Accepted Accounting Principles (GAAP). Responsibility for the accuracy and completeness of the financial statements rests with the City. However, the City retains the services of an external accounting firm to audit the financial statements on an annual basis. The primary point of contact for the auditor is the Finance Director, but the auditors will have direct access to the City Manager, City Attorney, or City Council on any matters they deem appropriate.

The financial statement audit and compliance audits will be conducted in accordance with the United States Generally Accepted Auditing Standards (GAAS), standards applicable to financial audits contained in Government Auditing Standards, issued by the Comptroller of the United States, and standards set by regulatory agencies, if applicable.

As soon as practical after the end of the fiscal year, a final audit and report shall be submitted to the City Council, City Treasurer, City Manager, Finance Director, City Clerk and City Attorney. The final audit and report shall be posted to the City's website and five copies will be placed on file in the office of the Finance Director where they shall be available for inspection by the general public as long as is required by the City's record retention policy. A digital copy will be archived and available at any time.

After audit results have been communicated to the City, the Finance Department is responsible for responding to all findings, if any, within six months. Responses shall be provided to the City Manager and any appropriate regulatory agencies.

Independent Audit Firm

The City Council shall retain, for a contract period not to exceed three years, a qualified independent certified public accounting to examine the City's financial records and procedures on an annual basis. After soliciting and receiving written proposals from qualified independent accounting firms, the Finance Director shall submit a recommendation to the City Manager and City Council. Generally, the City will request proposals for audit services every three years. It is the City's policy to require mandatory audit firm rotation after nine years of consecutive service.

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CHAPTER 3: REVENUE COLLECTION AND ACCOUNTS RECEIVABLE

1. The City will pursue revenue collection and auditing to ensure that monies due the City are accurately received in a timely manner.
2. The City will seek reimbursement from the appropriate agency for State and Federal mandated costs whenever possible and cost-effective.
3. The City should centralize accounts receivable/collection activities wherever possible so that all receivables are handled consistently.

Write Off Bad Debt

Accounts receivable management and diligent oversight of collections from all revenue sources is imperative. Sound financial management principles include the establishment of an allowance for doubtful accounts. Efforts will be made to pursue the timely collection of delinquent accounts. When such accounts are deemed uncollectible, they should be written-off from the financial statements.

- a. The Finance Director, with the approval of the City Manager, is authorized to write off uncollectible individual accounts less than or equal to \$1,000. In such cases, the Finance Director must prepare a memorandum for City Manager review and approval documenting the accounts to be written off, the age of the debt, reasons for writing off each account and evidence of collection attempts taken on the account.
- b. Past due accounts of greater than \$1,000 may be written off with approval by the City Council. To write off accounts exceeding \$1,000, the Finance Director must prepare an Agenda Report for City Council review and approval documenting the accounts to be written off, the age of the debt, reasons for writing off each account and evidence of collection attempts taken on the account.

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CHAPTER 4: INVESTMENT AND CASH MANAGEMENT

1. Cash and investment programs will be maintained in accordance with California Government Code Section 53600 et seq. and the City's adopted Investment Policy to ensure that proper controls and safeguards are maintained. Pursuant to State law, the City, at least annually, revises, and the City Council affirms, a detailed Investment Policy.
2. Reports on the City's investment portfolio and cash position will be developed and presented to the City Council by the City Treasurer on at least a quarterly basis, in conformance with the California Government Code.
3. City funds will be managed in a prudent and diligent manner with emphasis on safety, liquidity, and yield, in that order.

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CHAPTER 5: CAPITAL ASSETS AND CAPITAL IMPROVEMENT PLAN

1. A *Capital Asset* is defined as land, structures and improvements, machinery and equipment and infrastructure assets with an initial individual cost of more than \$5,000 and an estimated useful life in excess of one year. Such assets are recorded at historical cost if purchased or constructed. Donated capital assets are recorded at estimated fair value at the date of donation. Capital assets also include additions to public domain (infrastructure) which includes certain improvements such as pavement, curb and gutter, sidewalks, traffic control devices, and right-of-way corridors within the City.
2. Depreciation of Capital Assets is computed using the straight-line method over the estimated useful lives of assets, which are as follows:

Buildings	50 years
Infrastructure	Up to 50 years
Improvements Other than Buildings	20 years
Furniture and Equipment	Up to 30 years
Vehicles and Related Equipment	Up to 8 years
3. A *Capital Improvement Project* (CIP) is defined as meeting one of the following criteria:
 - a. It is construction, expansion, renovation, or replacement of a city owned facility or infrastructure. The project must have a total cost of at least \$25,000 over the life of the project. Project costs include, but are not limited to, the cost of land, engineering, architectural planning, and contract services needed to complete the project; or
 - b. It is a purchase of major equipment (assets) costing \$25,000 or more with a useful life of at least 5 years; or
 - c. It is a major maintenance or rehabilitation project for existing facilities with a cost of \$25,000 or more and an economic life of at least 5 years.
4. A five-year Capital Improvement Plan will be developed and updated annually. The Plan shall include a brief description of the project, estimated project costs, and anticipated funding source(s) for the project.
5. The Capital Improvement Plan will identify, where applicable, current operating maintenance costs and funding streams available to repair and/or replace deteriorating infrastructure and avoid significant unfunded liabilities.
6. The City should develop and implement a post-implementation evaluation of its infrastructures condition on a specified periodic basis, estimating the remaining useful life, and projecting replacement costs.
7. The City will actively pursue outside funding sources for all CIPs. Outside funding sources, such as grants, will be used to finance only those CIPs that are consistent with the five-year Capital Improvement Plan and local governmental priorities, and whose operating and maintenance costs have been included in future operating budget forecasts.
8. CIP lifecycle costs will be coordinated with the development of the Operating Budget. Future operating, maintenance and replacement costs associated with new capital improvements will be forecasted, matched to available revenue sources, and included in the Operating Budget. CIP contract awards will include a fiscal impact statement disclosing the expected operating impact of the project and when such cost is expected to occur.
9. Financing of CIPs will be considered if it conforms to *Chapter 11: Debt Management* section of this Policy.

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CHAPTER 6: FINANCIAL (FUND) RESERVES AND FUND BALANCES

Prudent financial management dictates that some portion of the funds available to the City be reserved for future use.

As a general principle, the City Council decides whether to appropriate funds from reserve accounts. Even though a project or other expenditure qualifies as a proper use of reserves, the City Council may decide that it is more beneficial to use current year operating revenues or other available funds instead, thereby retaining the reserve funds for future use. Reserve funds will not be spent for any function other than the specific purpose of the reserve account from which they are drawn without specific direction in the annual budget; or by a separate City Council action. Information regarding annual budget adoption and administration is contained in the City's Budget Policy.

Governmental Funds and Fund Balance Defined

Governmental Funds, including the General Fund, Special Revenue Funds, Capital Projects Funds, and Debt Service Funds, have a short-term or current flow of financial resources measurement focus and basis of accounting and therefore, exclude long-term assets and long-term liabilities. The term Fund Balance, used to describe the resources that accumulate in these funds, is the difference between the fund assets and fund liabilities of these funds. Fund Balance is similar to the measure of net working capital that is used in private sector accounting. By definition, both Fund Balance and Net Working Capital exclude long-term assets and long-term liabilities.

Proprietary Funds and Net Working Capital Defined

Proprietary Funds, including Enterprise Funds and Internal Service Funds have a long-term or economic resources measurement focus and basis of accounting and therefore, include long-term assets and liabilities. This basis of accounting is very similar to that used in private sector. However, instead of Retained Earnings, the term Net Position is used to describe the difference between fund assets and fund liabilities. Since Net Position includes both long-term assets and liabilities, the most comparable measure of proprietary fund financial resources to governmental Fund Balance is Net Working Capital, which is the difference between current assets and current liabilities. Net Working Capital, like Fund Balance, excludes long-term assets and long-term liabilities.

Governmental Fund Reserves (Fund Balance)

For Governmental Funds, the Governmental Accounting Standards Board (GASB) Statement No. 54 defines five specific classifications of fund balance. The five classifications are intended to identify whether the specific components of fund balance are available for appropriation and are therefore "Spendable." The classifications also are intended to identify the extent to which fund balance is constrained by special restrictions, if any. Applicable only to governmental funds, the five classifications of fund balance are as follows:

CLASSIFICATIONS**NATURE OF RESTRICTION**

Non-Spendable	Cannot be readily converted to cash
Restricted	Externally imposed restrictions
Committed	City Council imposed commitment
Assigned	City Manager/Finance Director assigned purpose/intent
Unassigned	Residual balance not otherwise restricted

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1. Non-Spendable Fund Balance: The portion of fund balance that includes amounts that are either (a) not in a spendable form, or (b) legally or contractually required to be maintained intact. Examples of Non-spendable fund balance include:
 - a. Reserve for Inventories: The value of inventories purchased by the City but not yet issued to the operating Departments is reflected in this account.
 - b. Reserve for Long-Term Receivables and Advances: This category is used to identify and segregate the City's financial assets that are not due to be received for an extended period of time, so are not available for appropriation during the budget year.
 - c. Reserve for Prepaid Assets: This category includes resources that have been paid to another entity in advance of the accounting period in which the resource is deducted from fund balance. A common example is an insurance premium, which is typically payable in advance of the coverage period. Although prepaid assets have yet to be deducted from fund balance, they are no longer available for appropriation.
2. Restricted Fund Balance: The portion of fund balance that reflects constraints placed on the use of resources (other than non-spendable items) that are either (a) externally imposed by creditors, grantors, contributors, or laws or regulations of other governments (e.g. Debt Reserve funds); or (b) imposed by law through constitutional provisions or enabling legislation. The City operates a number of special revenue funds that account for items such as gas tax revenues distributed by the State, local return portions of County-wide sales tax overrides dedicated to transportation, grants from Federal or State agencies with specific spending restrictions, and Section 8 and CDBG funds from the Federal government with very specific spending limitations, to name a few. Since these funds are established because of the specific spending limitations on them, any year-end balances are still restricted for these purposes.
3. Committed Fund Balance: That portion of fund balance that includes amounts that can only be used for specific purposes pursuant to constraints imposed by formal action by the government's highest level of decision making authority, and remain binding unless removed in the same manner. The City considers adoption of a Resolution as a formal action for the purposes of establishing committed fund balance. The action to constrain resources must occur within the fiscal reporting period; however the amount can be determined subsequently. City Council imposed Commitments are as follows:
 - a. Contingency Funds: The Contingency Funds shall have a target balance of twenty percent (20%) of General Fund "Operating Budget" as originally adopted. Operating Budget for this purpose shall include current expenditure appropriations and shall exclude Capital Improvement Projects and Transfers Out. Appropriation and/or access to these funds are reserved for emergency situations only. The parameters by which the Contingency Funds could be accessed would include the following circumstances:
 - i. A catastrophic loss of critical infrastructure requiring an expenditure of greater than or equal to five percent (5%) of the General Fund, Operating Budget, as defined above.
 - ii. A State or Federally declared state of emergency where the City response or related City loss is greater than or equal to five percent (5%) of the General Fund, Operating Budget.
 - iii. Any settlement arising from a claim or judgment where the loss exceeds the City's insured policy coverage by an amount greater than or equal to five percent (5%) of the General Fund Operating Budget, and there are insufficient reserves available in the Self Insurance Fund to cover the loss.
 - iv. Deviation from budgeted revenue projections in the top three General Fund revenue categories, namely,

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Sales Taxes, Property Taxes and Business Taxes, in a cumulative amount greater than or equal to five percent (5%) of the General Fund Operating Budget.

- v. Any action by another government that eliminates or shifts revenues from the City amounting to greater than or equal to five percent (5%) of the General Fund, Operating Budget.
- vi. Inability of the City to meet its debt service obligations in any given year.
- vii. Any combination of factors a) i-vi amounting to greater than or equal to five percent (5%) of the General Fund Operating Budget in any one fiscal year.

Use of Contingency Funds must be approved by the City Council. Should Contingency Funds be used, the City Manager shall present a plan to City Council to replenish the funds within five years.

4. Assigned Fund Balance: That portion of a fund balance that includes amounts that are constrained by the City's intent to be used for specific purposes, but that are not restricted or committed. This policy hereby delegates the authority to the City Manager or Finance Director to modify or create new assignments of fund balance. Constraints imposed on the use of assigned amounts may be changed by the City Manager or Finance Director. Appropriations of balances are subject to the Budget Policy concerning budget adoption and administration. Examples of assigned fund balance may include, but are not limited to:

- a. Reserves for Encumbrances: Purchase Orders and contracts executed by the City express intent to purchase goods or services. Generally, such documents include a cancellation clause, where the City would then only be responsible to pay for goods received or services provided. The City recognizes the obligation to pay for these goods and services as a reservation of fund balance, but because the City can ultimately free itself of this obligation if necessary, it does not meet the requirements of the more restrictive fund balance categorizations.
- b. Change in Fair Market Value of Investments: As dictated by GASB 31, the City is required to record investments at their fair value (market value). This accounting practice is necessary to insure that the City's investment assets are shown at their true value as of the balance sheet. However, in a fluctuating interest rate environment, this practice records market value gains or losses which may never be actually realized. The City Manager or Finance Director may elect to reserve a portion of fund balance associated with an unrealized market value gain. However, it is impractical to assign a portion of fund balance associated with an unrealized market value loss.

When the City Manager or Finance Director authorizes a change in General Fund, Assigned Fund Balance, City Council shall be notified quarterly.

5. Unassigned fund balance/Reserve: The residual portion of available fund balance that is not otherwise restricted, committed or assigned. This amount is considered the City's available reserve, or budget reserve.

GENERAL FINANCIAL POLICY**Page 11***General Fund Surplus*

At the end of each fiscal year, the difference between General Fund revenues and expenditures results in either a surplus (adding to fund balance) or deficit (subtracting from fund balance). In the case of a surplus, the policy for allocation shall follow these priorities:

1. Full funding of the twenty percent (20%) Contingency Fund.
2. If the Contingency Funds are fully satisfied, the remainder shall revert to Unassigned fund balance/reserve.

The City Manager may recommend a different allocation for approval by the City Council.

Proprietary Fund Reserves (Net Working Capital)

In the case of Proprietary Funds (Enterprise and Internal Service Funds), Generally Accepted Accounting Principles (GAAP) do not permit the reporting of reserves on the face of City financial statements. However, this does not preclude the City from setting policies to accumulate financial resources for prudent financial management of its proprietary fund operations. Since proprietary funds may include both long-term capital assets and long-term liabilities, the most comparable measure of liquid financial resources that is similar to fund balance in proprietary funds is net working capital, which is the difference between current assets and current liabilities. For all further references to reserves in Proprietary Funds, Net Working Capital is the intended meaning.

1. Water, Sewer and Refuse Funds
 - a. Stabilization and Contingency Funds: This amount is used to provide sufficient funds to support seasonal variations in cash flows and, in more extreme conditions, to maintain operations for a reasonable period of time so the City may reorganize in an orderly manner or effectuate a rate increase to offset sustained cost increases. The intent is to provide funds to offset cost increases that are projected to be short-lived, thereby partially eliminating the volatility in annual rate adjustments. It is not intended to offset ongoing, long-term pricing structure changes. The target level of the Contingency Fund is twenty-five percent (25%) of the annual operating budget. This reserve level is intended to provide a reorganization period of three months with zero income or twelve months at a twenty-five percent (25%) loss rate. The City Council must approve the use of these funds, based on City Manager recommendation. Funds collected in excess of the Stabilization reserve target would be available to offset future rate adjustments, while extended reserve shortfalls would be recovered from future rate increases. Should catastrophic losses occur, Stabilization and Contingency Funds may be called upon to avoid disruption to service. The Stabilization and Contingency principle applies to each proprietary fund individually, not all proprietary funds collectively.
 - b. Infrastructure Replacement Funding: This funding principle is intended to be a temporary repository for cash flows associated with the funding of infrastructure replacement projects provided by the Water Master Plan and Sewer Master Plan. The contribution rate is intended to level-amortize the cost of infrastructure replacement projects over a long period of time. The annual funding rate of the Water and Sewer Master Plans is targeted at an amount that, when combined with prior or future year contributions, is sufficient to provide for the eventual replacement of assets as scheduled in each respective Plan. This contribution principle should be updated periodically based on the most current Master Plan. There are no minimum or maximum balances contemplated by this funding principle. However, the contributions level should be reviewed periodically or as major updates to the Wastewater Master Plan occur. Annual funding is contingent on many factors and may ultimately involve a combined strategy of cash funding and debt issuance with the intent to normalize the burden on customer rates.

GENERAL FINANCIAL POLICY**Page 12****2. Internal Service Funds**

Internal Service Funds are used to centrally manage and account for specific program activity in a centralized cost center. Their revenue generally comes from internal charges to departmental operating budgets rather than direct appropriations. The function of Internal Service Funds include:

- a. Normalizing departmental budgeting for programs that have life-cycles greater than one year; thereby facilitating level budgeting for expenditures that will, by their nature, be erratic from year to year. This also facilitates easier identification of long-term trends.
- b. Acting as a strategic savings plan for long-term assets and liabilities.
- c. Enabling appropriate distribution of City-wide costs to individual departments, thereby more readily establishing true costs of various operations.

Since departmental charges to Internal Service Funds duplicate the ultimate expenditure from the Internal Service Fund, they are eliminated when consolidating entity-wide totals.

The measurement criteria, cash flow patterns, funding horizon and acceptable funding levels are unique to each program being funded. Policy regarding target balance and/or contribution policy, gain/loss amortization assumption, source data, and governance for each of the City's Internal Service Funds is set forth as follows:

For All Internal Service Funds: The Finance Director may transfer part or all of any unencumbered fund balance between Internal Service Funds, provided that the transfer would not cause insufficient reserve levels or insufficient resources to carry out the fund's intended purpose. This action is appropriate when the decline in cash balance in any fund is precipitated by an off-trend non-recurring event (e.g. a large judgment funded by the Self Insurance Fund). The Finance Director will make such recommendations as part of the annual budget adoption or through separate City Council action.

Equipment Replacement Fund Reserve: The Equipment Replacement Fund receives operating money from the operating Departments to fund the regular replacement of major pieces of equipment (mostly vehicles) at their economic obsolescence.

Operating Departments are charged annual amounts sufficient to accumulate funds for the replacement of vehicles, communications equipment, technology equipment and other equipment determined appropriate by the Finance Director. The City Manager recommends annual rate adjustments as part of the budget preparation process. These adjustments are based on pricing, future replacement schedules and other variables.

The age and needs of the equipment inventory vary from year to year. Therefore the year-end fund balance will fluctuate in direct correlation to accumulated depreciation. In general, it will increase in the years preceding the scheduled replacement of relatively large percentage of the equipment, on a dollar value basis. However, rising equipment costs, dissimilar future needs, replacing equipment faster than their expected life or maintaining equipment longer than their expected life all contribute to variation from the projected schedule.

In light of the above, the target funding level is not established in terms of a flat dollar figure or even a percentage of the overall value of the equipment inventory. It is established at fifty percent (50%) of the current accumulated depreciation value of the equipment inventory, calculated on a replacement value basis. This will be reconciled

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annually as part of the year-end close out process by the Finance Department. If departmental replacement charges for equipment prove to be excessive or insufficient with regard to this target funding level, new rates established during the next budget cycle will be adjusted with a view toward bringing the balance back to the target level over a three-year period.

Self-Insurance Fund Reserve: The Self-Insurance fund pays for insurance premiums, benefit and settlement payments, and administrative and operating expenses. It is supported by charges to other City funds for the services it provides. These annual charges for service shall reflect the five-year historical experience and shall be set to equal the annual expenses of the fund.

The Self-Insurance Fund reserve (Liability and Workers' compensation) will be maintained at a level which, together with purchased insurance policies, adequately indemnifies the City's property, liability, and health benefit risk from one-time fluctuations. A qualified actuarial firm shall be retained on an annual basis (typically through the City's insurance risk pool) in order to recommend appropriate funding levels, which will be approved by City Council. The City should maintain minimum reserves equal to sixty percent (60%) of the five-year average of total Self-Insurance Fund costs.

To lessen the impact of short-term annual rate change fluctuation, the City Manager may implement one-time fund transfers (rather than department rate increases) when funding shortfalls appear to be due to unusually sharp and non-recurring factors. Excess reserves in other areas may be transferred to the Self Insurance FUnd in these instances, but such transfers should not exceed the funding necessary to reach the reserve level defined above.

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CHAPTER 7: POST-EMPLOYMENT BENEFIT FUNDING

Pension Funding: The City's principal Defined Benefit Pension program is provided through multiple contracts with California Public Employees Retirement System (CalPERS). The City's contributions to the plan include a fixed employer paid member contribution and an actuarially determined employer contribution that fluctuates each year based on an annual actuarial plan valuation. This variable rate employer contribution includes the normal cost of providing the contracted benefits plus or minus an amortization of plan changes and net actuarial gains and losses since the last valuation period.

It is the City's policy to make contributions to the plan equaling at least one hundred percent (100%) of the actuarially required contribution (annual pension cost). Because the City pays the entire actuarially required contribution each year, by definition, its net pension obligation at the end of each year is \$0. Any Unfunded Actuarial Liability (UAL) is amortized and paid in accordance with the actuary's funding recommendations. The City will strive to maintain its UAL within a range that is considered acceptable to actuarial standards. The City Council shall consider increasing the annual CalPERS contribution should the UAL status fall below acceptable actuarial standards.

Other Post-Employment Benefits (OPEB) Funding: The City contributes to a single-employer defined benefit plan to provide post-employment health care benefits. Subject to the terms provided in the applicable Memorandum of Understanding (MOU), the City pays 100% of all premiums charged for health insurance for qualifying retired employees and their dependent spouses or survivors.

The City's annual OPEB cost is calculated based on the Annual Required Contribution (ARC) of the employer, an amount actuarially determined in accordance with parameters of GASB Statement 45. The ARC represents a level of funding that, if paid on an ongoing basis, is projected to cover normal cost each year and to amortize any unfunded liabilities of the plan over a period not to exceed thirty years. The City is currently unable to make the full ARC payment and is funding this obligation on a pay-as-you-go basis, which creates a significant unfunded liability.

It is the City's intention to develop a plan to establish or participate in a pre-funding trust and fully fund the ARC. Once a plan is developed, the City will strive to maintain a funded status that will be within a range that is considered acceptable to actuarial standards. The City Council will consider increasing the annual OPEB contribution should the funded status fall below acceptable actuarial standards. The City Council will also consider increasing the annual OPEB contribution when possible to reduce the amortization period.

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CHAPTER 8: GRANT ADMINISTRATION

Individual departments are encouraged to investigate sources of funding relevant to their respective departmental activities.

The department applying for a grant or receiving a restricted donation will generally be considered the Program Administrator of the grant. The Finance Department may assist in the financial administration and reporting of the grant, but the Program Administrator is ultimately responsible for meeting all terms and conditions of the grant, insuring that only allowable costs are charged to the grant program and adhering to City budgeting and purchasing procedures. Individual Departments and Program Administrators are not authorized to execute grant contracts. Grant contracts shall be reviewed by the City Attorney's Office and executed by the City Manager and/or City Council.

Refer to the City's Grant Management Policy for detailed information.

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CHAPTER 9: USER FEES AND SERVICE CHARGES

The City charges user fees and charges for services which are of special benefit to easily identified individuals or groups. The City will establish appropriate cost-recovery targets for its fee structure and will annually adjust its Master Fee Schedule to ensure that the fees continue to meet cost recovery targets and account for changes in methods or levels of service delivery. The Finance Department may study, internally or using an outside consultant, the cost of providing such services and recommend fees to each department.

General Concepts Regarding the User Fees and Service Charges: The following general concepts will be used in developing and implementing user fees and service charges:

1. Revenues shall not exceed the reasonable cost of providing the service.
2. Cost recovery goals shall be based on the total cost of delivering the service, including direct costs, departmental administration costs, and organization-wide support costs, including, but not limited to, accounting, payroll, personnel, data processing, vehicle maintenance, and insurance.
3. The method of assessing and collecting fees should be as simple as possible in order to reduce the administrative cost of collection.
4. For rental of real property, rate structures should be sensitive to the "market" for similar services as well as to smaller, infrequent users of the service.
5. A unified approach should be used in determining cost recovery levels for various programs based on the factors discussed above.

User Fee Cost Recovery Levels: In setting user fee cost recovery levels, the following factors will be considered:

1. Community-Wide vs. Special Benefit: The level of user fee cost recovery should consider the community-wide versus special service nature of the program or activity. The use of general purpose (tax) revenues is appropriate for community-wide services, while user fees are appropriate for services which are of special benefit to easily identified individuals or groups.
2. Service Recipient vs. Service Driver: After considering community-wide versus special benefit of the service, the concept of service recipient versus service driver should also be considered. For example, it could be argued that the applicant is not the beneficiary of the City's development review efforts; the community is the primary beneficiary. However, the applicant is the driver of development review costs, and as such, cost recovery from the applicant is appropriate.
3. Effect of Pricing on the Demand for Services: The level of cost recovery and related pricing of services can significantly affect the demand and subsequent level of services provided. At full cost recovery, this has the specific advantage of ensuring that the City is providing services for which there is genuinely a market that is not overly-stimulated by artificially low prices. Conversely, high-levels of cost recovery will negatively impact the delivery of services to lower income groups. This negative feature is especially pronounced, and works against public policy, if the services are specifically targeted to low income groups.
4. Feasibility of Collection and Recovery: Although it may be determined that a high-level of cost recovery may be appropriate for specific services, it may be impractical or too costly to establish a system to identify and charge the user. Accordingly, the feasibility of assessing and collecting charges should also be considered in developing user fees, especially if significant program costs are intended to be financed from that source.

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Factors Which Favor Low Cost Recovery Levels: Very low cost recovery levels are appropriate under the following circumstances:

1. There is no intended relationship between the amount paid and the benefit received. Almost all "social service" programs fall into this category as it is expected that one group will subsidize another.
2. Collecting fees is not cost-effective or will significantly impact the efficient delivery of the service.
3. There is no intent to limit the use of (or entitlement to) the service. Again, most "social service" programs fit into this category as well as many public safety emergency response services. Historically, access to neighborhood and community parks would also fit into this category.
4. The service is non-recurring, generally delivered on a "peak demand" or emergency basis, cannot reasonably be planned for on an individual basis, and is not readily available from a private sector source. Many public safety services also fall into this category.
5. Collecting fees would discourage compliance with regulatory requirements and adherence is primarily self-identified, and as such, failure to comply would not be readily detected by the City. Many small-scale licenses and permits might fall into this category.

Factors Which Favor High Cost Recovery Levels: The use of user fees and service charges as a major source of funding service levels is especially appropriate under the following circumstances:

1. The service is similar to services provided through the private sector.
2. Other private or public sector alternatives could or do exist for the delivery of the service.
3. For equity or demand management purposes, it is intended that there be a direct relationship between the amount paid and the level and cost of the service received.
4. The use of the service is specifically discouraged. Police responses to disturbances or false alarms might fall into this category.
5. The service is regulatory in nature and voluntary compliance is not expected to be the primary method of detecting failure to meet regulatory requirements. Building permit, plan checks, and subdivision review fees for large projects would fall into this category.

Enterprise Fund Fees and Rates

1. The City will set fees and rates at levels which fully cover the total direct and indirect costs-including operations, capital outlay, and debt service of the following enterprise programs; Water, Sewer (wastewater), and Refuse.
2. The City will review and adjust enterprise fees and rate structures as required to ensure that they remain appropriate and equitable.

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CHAPTER 10: COST ALLOCATION PLAN

A Cost Allocation Plan allows the City to fairly and completely allocate its administrative and overhead costs to all divisions. This allows the General Fund to recover costs from Enterprise Funds, Grant Funds, and also determines the overhead costs on the hourly rates of staff providing fee based services. A cost allocation study should be prepared by the Finance Department, either internally or using an outside consultant, biennially (i.e., every two years).

Office of Management and Budget Circular A-87 (OMB A-87) Plan: Using actual expenditures and documented time allocations, the OMB A-87 Plan follows the guidelines outlined by the Federal government through OMB Circular A-87. This plan is used for Federal grant administrative cost recovery.

Total Cost Plan: When grant regulations are not an issue, a Total Cost Plan, which uses the costs that the OMB A-87 Plan disallows, is able to allocate all indirect costs like the private sector routinely does. This plan is recommended whenever the goal is to fully allocate indirect costs for interfund transfers and fee calculations.

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CHAPTER 11: DEBT MANAGEMENT

Debt levels and their related annual costs are important long-term obligations that must be managed within available resources. A disciplined thoughtful approach to debt management includes policies that provide guidelines for the City to manage its debt program in-line with those resources. Therefore, the objective of this policy is to provide written guidelines and restrictions concerning the amount and type of debt issued by the City and the ongoing management of the debt portfolio.

This debt management policy is intended to improve the quality of decisions, provide justification for the structure of debt issuance, identify policy goals and demonstrate a commitment to long-term financial planning, including a multi-year capital plan. Adherence to a debt management policy signals to rating agencies and the capital markets that a government is well managed and should meet its obligations in a timely manner.

Conditions and Purposes Of Debt Issuance

Acceptable Conditions for the Use of Debt: Prudent amounts of debt can be an equitable and cost-effective means of financing major infrastructure and capital project needs. As such, debt will be considered to finance such projects if:

1. It meets the City's goal of distributing the payments for the asset over its useful life so that benefits more closely match costs for both current and future residents;
2. It is the most cost-effective funding means available to the City, taking into account cash flow needs and other funding alternatives; or
3. It is fiscally prudent and meets the guidelines of this Policy. Any consideration of debt financing shall consider financial alternatives, including pay-as-you-go funding, proceeds derived from development or redevelopment of existing land and capital assets owned by the City, and use of existing or future cash reserves, or combinations thereof.

Acceptable Uses of Debt: The City will consider financing for the acquisition, substantial refurbishment, replacement or expansion of physical assets, including land improvements. The primary purpose of debt is to finance one of the following:

1. Acquisition and or improvement of land, right-of-way or long-term easements.
2. Acquisition of a capital asset with a useful life of three or more years.
3. Construction or reconstruction of a facility.
4. Refunding, refinancing, or restructuring debt, subject to refunding objectives and parameters discussed in the Refunding Guidelines section of the Policy.
5. Although not the primary purpose of the financing effort, project reimbursables that include project planning design, engineering and other preconstruction efforts; project-associated furniture fixtures and equipment; capitalized interest, original issuer's discount, underwriter's discount and other costs of issuance.
6. Interim or cash flow financing, such as anticipation notes.

GENERAL FINANCIAL POLICY**Page 20**

Prohibited Uses of Debt: Prohibited uses of debt include the following:

1. Financing of operating costs except for anticipation notes with a term of less than one year.
2. Debt issuance used to address budgetary deficits.
3. Debt issued for periods exceeding the useful life of the asset or projects to be financed.

Use of Alternative Debt Instruments

The City recognizes that there are numerous types of financing structures and funding sources available, each with specific benefits, risks, and costs. All potential funding sources are reviewed by management within the context of the Debt Policy and the overall portfolio to ensure that any financial product or structure is consistent with the City's objectives. Regardless of what financing structure(s) is utilized, due-diligence review must be performed for each transaction, including the quantification of potential risks and benefits, and analysis of the impact on City creditworthiness and debt affordability and capacity.

Variable Rate Debt: Variable Rate Debt affords the City the potential to achieve a lower cost debt depending on market conditions. However, the City will seek to limit the use of Variable Rate Debt due to the potential risks of such instruments.

The City shall consider the use of Variable Rate Debt for the purposes of:

1. Reducing the costs of debt issues.
2. Increasing flexibility for accelerating principal repayment and amortization.
3. Enhancing the management of assets and liabilities (matching short-term "priced debt" with the City's short-term investments).
4. Diversifying interest rate exposure.

Considerations and Limitations on Variable Rate Debt: The City may consider the use of all alternative structures and modes of Variable Rate Debt to the extent permissible under State law and will make determinations among different types of modes of Variable Rate Debt based on cost, benefit, and risk factors. The Finance Director shall consider the following factors in considering whether to utilize Variable Rate Debt:

1. Any Variable Rate Debt should not exceed twenty percent (20%) of total City General Fund supported debt.
2. Any Variable Rate Debt should be fully hedged by expected future unrestricted General Fund reserve levels.
3. Whether interest cost and market conditions (including the shape of the yield curves and relative value considerations) are unfavorable for issuing fixed rate debt.
4. The likelihood of projected debt service savings when comparing the cost of fixed rate bonds.
5. Costs, implementation and administration are quantified and considered.

GENERAL FINANCIAL POLICY**Page 21**

6. Cost and availability of liquidity facilities (lines of credit necessary for Variable Rate Debt obligations and commercial paper in the event that the bonds are not successfully remarketed) are quantified and considered.
7. Ability to convert debt to another mode (daily, monthly, fixed) or redeem at par at any time is permitted.
8. The findings of a thorough risk management assessment.

Risk Management – Variable Rate Debt: Any issuance of Variable Rate Debt shall require a rigorous risk assessment, including, but not limited to factors discussed in this section. Variable Rate Debt subjects the City to additional financial risks (relative to fixed rate bonds), including interest rate risk, tax risk, and certain risks related to providing liquidity for certain types of Variable Rate Debt.

The City will properly manage the risks as follows:

1. Interest Rate Risk and Tax Risk: The risk that market interest rates increase on Variable Rate Debt because of market conditions, changes in taxation of municipal bond interest, or reductions in tax rates. *Mitigation* – Limit total variable rate exposure per the defined limits and match the variable rate liabilities with short term assets.
2. Liquidity/Remarketing Risk: The risk that holders of variable rate bonds exercise their “put” option, tender their bonds, and the bonds cannot be remarketed requiring the bond liquidity facility provider to repurchase the bonds. This will result in the City paying a higher rate of interest to the facility provider and the potential rapid amortization of the repurchased bonds. *Mitigation* – Limit total direct variable-rate exposure. Seek liquidity facilities which allow for longer (five to ten years) amortization of any draws on the facility. Secure credit support facilities that result in bond ratings of the highest short-term ratings and long-term ratings not less than AA. If the City's bonds are downgraded below these levels as a result of the facility provider's ratings, a replacement provider shall be sought.
3. Liquidity/Rollover Risk: The risk that arises due to the shorter-term of most liquidity provider agreements (one to five years) relative to the longer-term amortization schedule of the City's variable-rate bonds. In particular, (1) the City may incur higher renewal fees when renewal agreements are negotiated; and (2) the liquidity bank market constricts such that it is difficult to secure third party liquidity at any interest rate. *Mitigation* – Negotiate longer-terms on provider contracts to minimize the number of rollovers.

Derivatives: The use of certain derivative products to hedge Variable Rate Debt, such as interest rate swaps, may be considered to the extent the City has such debt outstanding or under consideration. The City will exercise extreme caution in the use of derivative instruments for hedging purposes, and will consider their utilization only when sufficient understanding of the products and sufficient expertise for their appropriate use has been developed. A comprehensive derivative policy will be adopted by the City prior to any utilization of such instruments.

Refunding Guidelines

The Finance Director shall monitor, at least annually, all outstanding City debt obligations for potential refinancing opportunities. The City will consider refinancing of outstanding debt to achieve annual savings. Absent a compelling economic reason or financial benefit to the City, any refinancing should not result in any increase to the weighted average life of the refinanced debt.

The City will generally seek to achieve debt service savings which, on a net present value basis, are at least three percent (3%) of the debt being refinanced. The net present value assessment shall factor in all costs, including issuance, escrow,

GENERAL FINANCIAL POLICY**Page 22**

and foregone interest earnings of any contributed funds on hand. Any potential refinancing shall additionally consider whether an alternative refinancing opportunity with higher savings is reasonably expected in the future.

Any potential refinancing executed more than ninety days in advance of the outstanding debt optional call date shall require a higher savings threshold. Consideration of this method of refinancing shall place greater emphasis on determining whether an alternative refinancing opportunity with higher savings is reasonably expected in the future.

Market Communication, Administration, and Reporting

Rating Agency Relations and Annual or Ongoing Surveillance: The Finance Director shall be responsible for maintaining the City's relationships with Standard & Poor's Ratings Services, Fitch Ratings and Moody's Investor's Service. The City is committed to maintaining, or improving upon, its existing rating levels. In addition to general communication, the Finance Director shall:

1. Ensure the rating agencies are provided updated financial information of the City as it becomes publically available.
2. Communicate with credit analysts at each agency as often as is requested by the agencies.
3. Prior to each proposed new debt issuance, schedule meetings or conference calls with agency analysts and provide a thorough update on the City's financial position, including the impacts of the proposed debt issuance.

Continuing Disclosure Compliance: The City shall remain in compliance with Security and Exchange Commission Rule 15c2-12 by filing its annual financial statements and other financial and operating data for the benefit of its bondholders within 270 days of the close of the fiscal year, or as required in any such agreement for any debt issue. The City shall maintain a log or file evidencing that all continuing disclosure filings have been made promptly.

Debt Issue Record-Keeping: A copy of all debt-related records shall be retained at the City's offices. At minimum, these records shall include all official statements, bond legal documents/transcripts, resolutions, trustee statements, leases, and title reports for each City financing (to the extent available).

Arbitrage Rebate: The use of bond proceeds and their investments must be monitored to ensure compliance with all Internal Revenue Code Arbitrage Rebate Requirements. The Chief Financial Officer shall ensure that all bond proceeds and investments are tracked in a manner which facilitates accurate calculation; and, if a rebate payment is due, such payment is made in a timely manner.

Credit Ratings

The City will consider published ratings agency guidelines regarding best financial practices and guidelines for structuring its capital funding and debt strategies to maintain the highest possible credit ratings consistent with its current operating and capital needs.

Legal Debt Limit

Section 18 of Article XVI of the California Constitution defines the absolute maximum legal debt limit for the City; however, it is not an effective indicator of the City's affordable debt capacity.

GENERAL FINANCIAL POLICY

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Affordability

Prior to the issuance of debt to finance a project, the City will carefully consider the overall long-term affordability of the proposed debt issuance. The City shall not assume more debt without conducting an objective analysis of the City's ability to assume and support additional debt service payments. The City will consider its long-term revenue and expenditure trends, the impact on operational flexibility and the overall debt burden on the tax payers. The evaluation process shall include a review of generally accepted measures of affordability and will strive to achieve and or maintain debt levels consistent with its current operating and capital needs. The Finance Director shall review benchmarking results of other California cities of comparable size with the City's Financial Planning and Budget Subcommittee prior to any significant project financing.

General Fund-Supported Debt: General Fund Supported Debt generally includes Certificates of Participation (COPs) and Lease Revenue Bonds (LRBs) which are lease obligations that are secured by an installment sale or by a lease-back arrangement between the City and another public entity. The general operating revenues of the City are pledged to pay the lease payments, which are, in turn, used to pay debt service on the bonds or Certificates of Participation.

These obligations do not constitute indebtedness under the State constitutional debt limitation and, therefore, are not subject to voter approval.

Payments to be made under valid leases are payable only in the year in which use and occupancy of the leased property is available, and lease payments may not be accelerated. Lease financing requires the fair market rental value of the leased property to be equal to or greater than the required debt service or lease payment schedule. The lessee (City) is obligated to place in its Annual Budget the rental payments that are due and payable during each fiscal year the lessee has use of the leased property.

The City should strive to maintain its net General Fund-backed debt service at or less than eight percent (8%) of available annually budgeted revenue. This ratio is defined as the City's annual debt service requirements on Certificates of Participation and Lease Revenue Bonds compared to total General Fund Revenues net of interfund transfers. This ratio, which pertains to only General Fund-backed debt, is often referred to as "lease burden."

Revenue Bonds: Long-term obligations payable solely from specific pledged sources, in general, are not subject to a debt limitation. Examples of such long-term obligations include those which achieve the financing or refinancing of projects provided by the issuance of debt instruments that are payable from restricted revenues or user fees (Enterprise Revenues) and revenues generated from a project.

In determining the affordability of proposed revenue bonds, the City will perform an analysis comparing projected annual net revenues (exclusive of depreciation which is a non-cash related expense) to estimated annual debt service. The City should strive to maintain a coverage ratio of one hundred twenty-five percent (125%) using historical and/or projected net revenues to cover annual debt service for bonds. The City may require a rate increase to cover both operations and debt service costs, and create debt service reserve funds to maintain the required coverage ratios.

Special Districts Financing: The City's Special Districts primarily consist of 1913/1915 Act Assessment Districts (Assessment Districts). The City will consider requests for Special District formation and debt issuance when such requests address a public need or provide a public benefit. Each application will be considered on a case by case basis, and the Finance Department may not recommend a financing if it is determined that the financing could be detrimental to the debt position or the best interests of the City.

GENERAL FINANCIAL POLICY

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Conduit Debt: Conduit financing provides for the issuance of securities by a government agency to finance a project of a third party, such as a non-profit organization or other private entity. The City may sponsor conduit financings for those activities that have a general public purpose and are consistent with the City's overall service and policy objectives. Unless a compelling public policy rationale exists, such conduit financings will not in any way pledge the City's faith and credit.

Structure of Debt

Term of Debt: Debt will be structured with the goal of distributing the payments for the asset over its useful life so that benefits more closely match costs for both current and future residents. Borrowings by the City should be of a duration that does not exceed the useful life of the improvement that it finances. The standard term of long-term borrowing is typically fifteen to thirty years.

Rapidity of Debt Payment: Accelerated repayment schedules reduce debt burden faster and reduce total borrowing costs. The Finance Department will amortize debt through the most financially advantageous debt structure and to the extent possible, match the City's projected cash flow to the anticipated debt service payments. "Backloading" of debt service will be considered only when one or more of the following occur:

1. Natural disasters or extraordinary or unanticipated external factors make payments on the debt in early years prohibitive.
2. The benefits derived from the debt issuance can clearly be demonstrated to be greater in the future than in the present.
3. Such structuring is beneficial to the City's aggregate overall debt payment schedule or achieves measurable interest savings.
4. Such structuring will allow debt service to more closely match project revenues during the early years of the project's operation.

Level Payment: To the extent practical, bonds will be amortized on a level repayment basis, and revenue bonds will be amortized on a level repayment basis considering the forecasted available pledged revenues to achieve the lowest rates possible. Bond repayments should not increase on an annual basis in excess of two percent (2%) without a dedicated and supporting revenue funding stream.

Serial Bonds, Term Bonds, and Capital Appreciation Bonds: For each issuance, the City will select serial bonds or term bonds, or both. On the occasions where circumstances warrant, Capital Appreciation Bonds (CABs) may be used. The decision to use term, serial, or CAB bonds is driven based on market conditions.

Reserve Funds: The City shall strive to maintain the fund balance of governmental or proprietary funds (based on the security for the debt) at a level equal to or greater than the maximum annual debt service of existing obligations.

Section 3. Authority.

By order of City Council Motion (Item No.), Policy adopted by the City Council on .

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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: November 3, 2014

Subject: Consideration to Adopt Resolutions Restructuring the Recreation and Community Services Department

RECOMMENDATION:

It is recommended that the City Council:

- a. Adopt Resolution No. 7646 (Attachment "A") amending the Table of Organization removing the positions of Recreation and Community Services Operations Manager, Aquatic Supervisor, Senior Lifeguard, Lifeguard, Pool Cashier/Attendant and adding the full-time positions of Recreation and Community Services Director and Recreation Supervisor; and
- b. Adopt Resolution No. 7647 (Attachment "B") amending the Salary Plan removing the positions of Recreation and Community Services Operations Manager, Aquatic Supervisor, Senior Lifeguard, Lifeguard, Pool Cashier/Attendant and adding the position of Recreation Supervisor.

BACKGROUND:

1. At their regular meeting of October 20, 2014, the City Council approved a Lease Agreement (Contract No. 1766) between the City of San Fernando and the Los Angeles County that required the Los Angeles County to assume the operational responsibility of the San Fernando Regional Pool Facility.
2. On October 28, 2014, the Los Angeles County Board of Supervisors approved the Lease Agreement and shall assume responsibility of the San Fernando Regional Pool Facility on November 17, 2014. The approval of the Lease Agreement has created an opportunity to reorganize the Recreation and Community Services Department that would enhance existing programming and services while adding new programs and services.

Consideration to Adopt Resolutions Restructuring the Recreation and Community Services DepartmentPage 2 of 4

ANALYSIS:Recreation and Community Services (RCS) Department

The RCS Department plays an important role as the key provider of year-round community resources and services (18-hours a day, 7-days a week) for residents of the City. The RCS Department provides programs that include youth/adults sports, day camp, after school and senior programs, exercise/wellness programs, aquatics, dial-a-ride, cultural arts, facility rentals, and special events. Despite the current economic challenges, the public use of the RCS Department programs and resources has increased significantly. Last fiscal year, approximately 35,000 individuals (equating to over 250,000 visits) living in and around the City utilized a park program, facility, and/or resource, which is an increase of approximately 30% over the past 2.5 years.

According to a study conducted by the RAND Corporation (a research organization that develops solutions to public policy challenges to help make communities throughout the world safer and more secure, healthier and more prosperous) in 2013, Recreation Park had a higher usage of park visitors engaging in moderate physical activity compared to comparable parks with similar ethnic populations. These increases are most likely attributed to RCS Department improvements in quality programming, marketing, public safety, and partnership development.

RCS Department Challenges

Despite the victories and accomplishments by the RCS Department over the years, the continual increase in demand to deliver high-quality programming is becoming more challenging. Doing more with less has been the RCS Department's motto for many years but is no longer sustainable. Of particular concern is the lack of leadership positions in the Recreation Division. In the past, this division provided programs, including youth/adult basketball, youth baseball/softball, adult softball, at-risk teen programs, and more. However, the Recreation Division currently only offers youth basketball due to lack of staffing.

Given these challenges, the City is now in the position to restructure the RCS Department to continue to provide the residents the highest quality recreation and community programming.

As stated earlier, the RCS Department currently does not have a leadership position in the Recreation Division. It is currently composed of 2.5 full time Recreation Leaders to provide programming/services such as youth basketball, open gym, facility supervision, and event set-up/support. Under direction of the RCS Director, the new Recreation Supervisor will develop, implement and supervise a variety of recreational programs including, but not limited to, facility management, day camps, youth and adult sports, teen programming, recreational classes, and special events. This position will also train, supervise and evaluate staff and will be required to perform related work as required (refer to RCS Job Specifications, Attachment "C").

Consideration to Adopt Resolutions Restructuring the Recreation and Community Services Department

Page 3 of 4

Because of the relatively short transition of the operation of the Pool to the Los Angeles County and the immediate need to address the RCS Department's lack of recreation leadership, the position will be filled on an interim basis by the current Aquatics Supervisor. The position will ultimately be advertised through the City's normal recruitment process and filled with the most qualified candidate.

Finally, the RCS Department has been operating without a Director since 2010. However, due to budget restraints, the City was unable to hire for the position. By way of background, the RCS Director is responsible for the overall operations of the RCS Department and supervises over 100 full and part time employees during the peak months. With the savings from the recently approved Lease Agreement, Administration will proceed to open the position of Recreation and Community Services Director for hire until filled.

BUDGET IMPACT:

The recently approved Lease Agreement with the Los Angeles County is estimated to increase the community's resources by approximately \$720,000 in Fiscal Year (FY) 2015-2016. The proposed reorganization will cost approximately \$125,000 in FY 2015-2016. Therefore, the net increase in resources, including the cost of the reorganization proposal, is approximately \$595,000.

	<i>2014-2015 Estimated</i>	<i>2015-2016 Projected</i>	<i>2016-2017 Projected</i>	<i>2017-2018 Projected</i>	<i>2018-2019 Projected</i>
General Fund					
<i>Expenditures</i>	325,972	709,777	727,458	610,790	622,678
<i>LESS: Cost of Reorganization</i>	(86,702)	(123,603)	(126,075)	(128,596)	(131,168)
<i>LESS: Loss of Resources</i>	(179,087)	(260,000)	(265,200)	(270,504)	(275,914)
<i>General Fund Savings</i>	60,183	326,175	336,184	211,690	215,596
CDBG					
<i>CDBG Allocation</i>	-	230,000	225,000	220,000	215,000
<i>Available CDBG Funds</i>	-	230,000	225,000	220,000	215,000
Enterprise Funds					
<i>Additional Water Fees</i>	11,800	17,700	17,700	17,700	17,700
<i>Additional Sewer Fees</i>	14,800	22,250	22,250	22,250	22,250
<i>New Enterprise Fund Revenue</i>	26,600	39,950	39,950	39,950	39,950
Total Increase in City Resources	86,783	596,125	601,134	471,640	470,546

Additionally, the Recreation Supervisor will be tasked with enhancing the RCS Department's fee based recreation programs (e.g., adult and youth sports programs). Although it will take time to get these programs established, it is estimated that additional revenue will be generated to

Consideration to Adopt Resolutions Restructuring the Recreation and Community Services DepartmentPage 4 of 4

further offset the cost of the Recreation Supervisor and have a positive impact on the City's General Fund and service level.

CONCLUSION:

The RCS Department plays an important role as the key provider of free/low-cost resources accessible for City residents. In addition, it is vital that the City has quality leader positions in place to ensure maximum return on its investment. Therefore, it is recommended that City Council amend the Table of Organization removing/adding the RCS positions listed above and amend the Salary Plan to include the position of Recreation Supervisor. Approving the restructuring of the RCS Department will provide the RCS Department with the appropriate leadership to provide quality recreation and community programs in the community.

ATTACHMENTS:

- A. Resolution No. 7646
- B. Resolution No. 7647
- C. Job Specifications for RCS Director and Recreation Supervisor

ATTACHMENT "A"**RESOLUTION NO. 7646****A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN FERNANDO AMENDING PORTIONS OF SECTION 1 OF RESOLUTION NO. 7614, ADOPTED JUNE 16, 2014.**

WHEREAS, the City Council of the City of San Fernando has adopted the Fiscal Year 2014-2015 Table of Organization on June 16, 2014, per Resolution No. 7614; and

WHEREAS, the Table of Organization as adopted for FY 2014-2015 has provisions for various positions and classifications.

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

SECTION 1: That that portion of the said Table of Organization adopted on June 16, 2014, per Resolution No. 7614, be further amended by deleting the following information under "title", "budgeted hours per week," "full time equivalent (FTE) status," and "average number of personnel in position," effective November 21, 2014, as follows:

<u>TITLE</u>	<u>BUDGETED HOURS PER WEEK</u>	<u>FULLTIME EQUIVALENT (FTE) STATUS</u>	<u>AVERAGE NUMBER OF PERSONNEL IN POSITION</u>
<u>Recreation & Community Services</u>			
Recreation & Community Services Operations Manager	40	1	1
Aquatics Supervisor	40	1	1
Senior Lifeguard (PT)	39	1	3
Lifeguard (PT)	192	4.5	27
Pool Attendant/Cashier (PT)	87	2	7

SECTION 2: That that portion of the said Table of Organization adopted on June 16, 2014, per Resolution No. 7614, be further amended by adding thereto the following information under “title”, “budgeted hours per week,” “full time equivalent (FTE) status,” and “average number of personnel in position,” effective November 21, 2014, as follows:

<u>TITLE</u>	<u>BUDGETED HOURS PER WEEK</u>	<u>FULLTIME EQUIVALENT (FTE) STATUS</u>	<u>AVERAGE NUMBER OF PERSONNEL IN POSITION</u>
<u>Recreation & Community Services</u>			
Recreation & Community Services Director	40	1	1
Operations Manager	0	0	0
Recreation Supervisor	40	1	1
Aquatics Supervisor	0	0	0
Senior Lifeguard (PT)	0	0	0
Lifeguard (PT)	0	0	0
Pool Cashier/ Attendant (PT)	0	0	0

SECTION 3: Except as amended herein, all other provisions of the said Table of Organization adopted on June 16, 2014, per Resolution No.7614, remains unchanged and in full force and effect.

SECTION 4: The City Clerk shall certify to the adoption of this resolution and shall cause this resolution and her certification to be filed in the office of the City Clerk.

PASSED, APPROVED, AND ADOPTED this 3rd day of November, 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 3rd day of November, 2014, by the following vote to wit:

AYES:

NOES:

ABSENT:

Elena G. Chávez, City Clerk

ATTACHMENT “B”**RESOLUTION NO. 7647****A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
SAN FERNANDO AMENDING PORTIONS OF SECTION 2 OF
RESOLUTION NO. 7613, ADOPTED JUNE 16, 2014**

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

SECTION 1: That that portion of Section 2 of Resolution No. 7613, adopted June 16, 2014, as amended, be further amended by deleting the following effective November 21, 2014:

<u>CLASSIFICATION</u>	<u>SALARY RANGE NUMBER SCHEDULE</u>	<u>STEP A</u>	<u>STEP B</u>	<u>STEP C</u>	<u>STEP D</u>	<u>STEP E</u>
Aquatics Supervisor	99G	4923	5193	5478	5781	6093
Recreation & Community Services Operations Manager	58M	5913	6208	6518	6845	7187
Lifeguard	72H	13.16	13.82	14.51	15.23	15.99
Pool Attendant/ Cashier	34H	9.00	9.44	9.90	10.39	10.90
Senior Lifeguard	77H	13.82	14.51	15.24	16.00	16.80

SECTION 2: That that portion of Section 2 of Resolution No. 7613, adopted June 16, 2014, as amended, be further amended by adding the following effective November 21, 2014:

<u>CLASSIFICATION</u>	<u>SALARY RANGE NUMBER SCHEDULE</u>	<u>STEP A</u>	<u>STEP B</u>	<u>STEP C</u>	<u>STEP D</u>	<u>STEP E</u>
Recreation Supervisor	96G	4707	4967	5241	5528	5832

SECTION 3: Except as amended herein, all other provisions of Resolution No. 7613, adopted June 16, 2014, remains unchanged and in full force and effect.

SECTION 4: The City Clerk shall certify to the adoption of this Resolution and shall cause this Resolution and her certification to be filed in the office of the City Clerk.

PASSED, APPROVED, AND ADOPTED this 3rd day of November, 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 3rd day of November, 2014, by the following vote to wit:

AYES:

NOES:

ABSENT:

Elena G. Chávez, City Clerk

ATTACHMENT "C"

City of San Fernando

Supplement No. 98
Adopted by Res. No. 6372
Effective 8/1/94**DIRECTOR OF RECREATION AND COMMUNITY SERVICES****DEFINITION**

The Director of Recreation and Community Services shall carry out the directions of the Council, and shall be under the supervision of the City Administrator. The Director shall exercise supervision and control over the work, operating services, and activities of the Department of Recreation and Community Services or have the authority to assign such responsibilities to a designate. He/She shall coordinate the work of the divisions into one efficient and economical operation. The Community Services Department is comprised of parks, recreation, social, and cultural services and provides programs and services in these areas to the community.

EXAMPLES OF DUTIES

Plans, coordinates and directs a program of social, recreation and cultural services to the general community and targeted segments of the community; coordinates and oversees a comprehensive program of services for senior citizens; identifies social needs in the community and prepares recommendations to address those needs; identifies external funding sources and grants and prepares applications to secure such resources; may be responsible for transportation programs and cable T.V.; interacts with other public and nonprofit agencies; develops a comprehensive recreation program; develops cultural programs that interest the community; oversees a historic preservation program; directs and supervises subordinate staff; prepares annual budget requests; works with City Commissions.

Prepares and presents accurate comprehensive written and oral reports of Commission meetings to facilitate communication between; City Administrator, Council and Commissioners. Advises, and otherwise provides assistance to the City Administrator, the City Council, the Recreation and Community Service Commission, Historical and Cultural Arts Commission, other City personnel, other agencies, and the public regarding department related issues.

EMPLOYMENT STANDARDS

Training and Experience - Any combination equivalent to graduation from college with a degree in leisure and recreation, public, business administration or related field. Four years of increasingly responsible experience in directing social services and recreational programs, of which at least two years are in a management, supervisory capacity. Preferably bi-lingual in Spanish, but not mandatory.

Knowledge and Abilities - Knowledge of current principles, practices and methodologies related to human service delivery; management principles and practices; ability to direct a diverse program of human services to all segments of the community; ability to plan, organize, and direct the development and maintenance of park facilities; ability to prepare budget estimates and to establish and maintain records; ability to represent the City in relationships with other public officials, groups and individuals; gather and analyze data regarding community needs; ability to establish and maintain effective working relationships with other officials, employees, and the public.

Other - Must possess a valid California Class III Driver's License.

CITY OF SAN FERNANDO

Supplement No 146
Resolution No. 7082
Effective January 3, 2006

RECREATION SUPERVISOR**DEFINITION**

Under direction, develops, implements and supervises, a variety of recreational programs including, but not limited to, facility management, day camps, aquatics, youth and adult sports, teens, recreational classes, and special events. Position trains, supervises and evaluates staff and performs related work as required.

DISTINGUISHING CHARACTERISTICS

The Recreation Supervisor is a non-exempt job classification responsible for the supervision of all aspects of operations in the Recreation Division.

SUPERVISION RECEIVED/EXERCISED

Receives direct administrative direction from the Director of Recreation & Community Services. Exercises direct and indirect supervision over assigned staff.

IMPORTANT AND ESSENTIAL DUTIES

Essential duties may include, but are not limited to, the following:

1. Plans and organizes year-round recreation programs.
2. Promotes community participation and cooperation through meetings with public groups, clubs and organizations.
3. Develops departmental programs, policies and procedures.
4. Prepares publicity materials, schedules, bulletins, reports and related materials.
5. Supervises full-time, part-time and volunteer personnel, and implements all necessary functions associated with staff development and discipline.
6. Evaluates the work of subordinate staff, and prepares reports as needed.
7. Develops and implements the Recreation Division budget.
8. Cooperates with other City departments and public agencies in carrying out programs.
9. May temporarily assume the role of the Director of Recreation and Community Services in the director's absence.

OTHER JOB-RELATED DUTIES

1. Assists in preparing the department's annual budget estimates.
2. Assists the director in the selection, training and evaluation of department personnel.
3. May assist with presentations on department projects at City Council meetings, and represent the department at public meetings, commissions as needed.
4. Performs other related duties as assigned.

Recreation Supervisor
Job Description
Page 2 of 2

JOB-RELATED AND ESSENTIAL QUALIFICATIONS

Knowledge of:

1. Principles and techniques of directing group social and recreational activities.
2. Recreation needs of the community.
3. Principles and practices of supervision.
4. Recreation promotion and advertising.
5. Basic computer software applications.

Ability to:

1. Plan, organize, coordinate, and supervise varied community recreation programs.
2. Supervise, train, and evaluate assigned staff.
3. Communicate effectively orally and in writing.
4. Establish and maintain cooperative relationships with staff members and the public.
5. Understand and speak Spanish (desirable).

Experience and Training Guidelines

A typical way to obtain the knowledge, skills and abilities would be the following:

Experience:

Two years full-time paid experience as a specialist or coordinator in recreation or community services work is required.

Training:

Bachelor's degree from an accredited college or university with major course work in Recreation or a related field is required.

Special Requirements:

Must stay current in field, and acquire all necessary training that new technological changes and new laws may present.

Must possess and maintain a valid California Class C Driver License during employment with the City. Red Cross First Aid and CPR certificates are required within six months of appointment.

40-hour workweek – evening and weekend work schedule may be required.

Essential duties require the following physical abilities and environmental conditions:

Ability to sit, stand, walk, kneel, crouch, squat, stoop, reach, twist, climb and lift about 50 Lbs; may be exposed to sun, and work under high and low temperatures (mostly between 40 and 90 degrees Fahrenheit); may be exposed to frequent loud noises and toxic/poisonous substances, as well as slippery surfaces; operate a computer keyboard, calculator, telephone for long periods; lift supplies/forms, and tolerate exposure to vibration, pitch, and glare from a computer.

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AGENDA REPORT

To: Mayor Sylvia Ballin and Councilmembers

From: Brian Saeki, City Manager

Date: November 3, 2014

Subject: City of San Fernando Commissions, Committees, and Boards

RECOMMENDATION:

It is recommended that the City Council provide staff with direction regarding the existing City's Commissions, Committees, and Boards.

BACKGROUND:

Over the years, there have been several commissions, committees, and boards established by the City Council. A list of those commissions, committees, and boards has been attached to this staff report for the City Council's reference (Attachment "A").

ANALYSIS:

Councilmember Fajardo has requested that the City Council discuss the duties of the City's existing commissions, committees, and boards to ensure that there are no redundancies and/or any unmet needs.

BUDGET IMPACT:

None

ATTACHMENT:

A. San Fernando Commissions/Committees

**CITY OF SAN FERNANDO
COMMISSIONS/COMMITTEES**

Updated: September 25, 2014

ATTACHMENT "A"

CULTURAL ARTS COMMISSION

Municipal Code:	§2-426 Public application process – individuals to apply to and be chosen to represent one of the following areas: <ul style="list-style-type: none"> ➤ Performing Arts- Theater and Dance ➤ Music ➤ Visual Arts/Public Arts ➤ Media Arts ➤ Art Education <p align="center">Priority preference will be given to individuals that live/work in the City.</p>	
Council Action - April 6, 2009:	Table recruitment. Reevaluate duties and powers to be more in tune with goals and objectives.	
MEMBERS	DATE OF APPOINTMENT	AREA REPRESENTED
(Five Members – Currently Vacant)	-	-

DISASTER COUNCIL

Municipal Code:	§26-91		
Composition:	Nine Members - <i>Specific Titles Italicized</i>		
Term of Office:	Two years (for Members No.s 5-9)		
Meetings:	Meets Quarterly (February, May, August, November) City Hall – Community Room		
Staff Contact:	Chris Marcarello, Deputy City Manager/Public Works Director		
Address & Phone:	San Fernando City Hall 117 Macneil Street, San Fernando, CA 91340 818/898-1222		
Chair:	Sylvia Ballin		
Vice-Chair:	Jesse H. Avila		
MEMBERS		DATE OF APPOINTMENT	TERM EXPIRES
1	<i>Mayor</i>	Sylvia Ballin	3/17/2014
2	<i>Councilperson Appointed by Mayor</i>	Jesse H. Avila	5/5/2014
3	<i>Asst. Dir. Of Emergency Services</i>	(Vacant)	-
4	<i>Coordinator of Emergency Services</i>	Nichole Hanchett	11/26/13
5	<i>A Disaster Communications Rep.</i>	Gene Roske	5/19/14
6	<i>Rep. of the Fire Dept.</i>	Captain John Ignatczyk	7/21/14
7	<i>Rep. of the American Red Cross</i>	Brandy Welch Nicolas Hippisely-Coxe (alternate)	5/19/14
8	<i>Representative of the L.A.U.S.D.</i>	(Vacant)	-
9	<i>Rep. of the California Emergency Mobile Patrol or other Similar Trained Volunteer Organization</i>	Diane Shepherd	5/19/14

CITY OF SAN FERNANDO COMMISSIONS/COMMITTEES

Updated: September 25, 2014

EDUCATION COMMISSION

Municipal Code:	§2-614
Composition:	Five Members (must be a registered voter and City resident)
Term of Office:	§2-34 Appointment to and §2-35 Removal from
Meetings:	Meets Quarterly (February, May, August, November) Last Tuesday at 6:00 p.m. City Hall – Community Room
Staff Contact:	Elena G. Chávez, City Clerk
Address & Phone:	San Fernando City Hall 117 Macneil Street, San Fernando, CA 91340 818/898-1204
Chair:	(Vacant)
Vice-Chair:	Victor Ponce
City Council Liaison:	Joel Fajardo

MEMBERS		APPOINTED	APPOINTED BY COUNCILMEMBER
1	Michael Remenih	8/18/14	Sylvia Ballin
2	(Vacant)	-	Joel Fajardo
3	Olivia Robledo	9/16/13	Robert C. Gonzales
4	Yvonne G. Mejia	8/6/12	Antonio Lopez
5	Victor Ponce	1/22/13	Jesse H. Avila

PARKS, WELLNESS, AND RECREATION COMMISSION

Municipal Code:	§54-56
Composition:	Five Members (must be a City resident)
Term of Office:	§2-34 Appointment to and §2-35 Removal from
Meetings:	Meets 2 nd Tuesday at 6:30 p.m. City Hall – Council Chambers
Staff Contact:	Ismael Aguila, Recreation & Community Services Operations Manager Recreation Park
Address & Phone:	208 Park Avenue, San Fernando, CA 91340 818/898-7381
Chair:	Adriana Gomez
Vice-Chair:	Danitza Pantoja
City Council Liaison:	Robert C. Gonzales

MEMBERS		APPOINTED	APPOINTED BY COUNCILMEMBER
1	NinaMarie Julia Ballin	3/28/11	Sylvia Ballin
2	Danitza Pantoja	1/7/13	Joel Fajardo
3	Saydith Navarro	12/17/12	Robert C. Gonzales
4	Adriana Gomez	4/18/11	Antonio Lopez
5	Joe Ponce	12/17/12	Jesse H. Avila

**CITY OF SAN FERNANDO
COMMISSIONS/COMMITTEES**

Updated: September 25, 2014

PLANNING AND PRESERVATION COMMISSION			
Municipal Code:	§62-26		
Composition:	Five Members (must be a registered voter and City resident)		
Term of Office:	§2-34 Appointment to and §2-35 Removal from		
Meetings:	Meets 1 st Tuesday at 7:00 p.m. City Hall - Council Chambers		
Staff Contact:	Fred Ramirez, Community Development Director San Fernando City Hall		
Address & Phone:	117 Macneil Street, San Fernando, CA 91340 818/898-1227		
Chair:	Theale "Stormy" E. Haupt		
Vice-Chair:	Alvin Durham, Jr.		
City Council Liaison:	Antonio Lopez		
MEMBERS		APPOINTED	APPOINTED BY COUNCILMEMBER
1	Alvin F. Durham, Jr.	3/28/11	Sylvia Ballin
2	Kevin Beaulieu	12/17/12	Joel Fajardo
3	Theale "Stormy" E. Haupt	12/17/12	Jesse H. Avila
4	Yvonne G. Mejia	12/17/12	Antonio Lopez
5	Rodolfo Salinas Jr.	12/17/12	Robert C. Gonzales

SENIOR CITIZENS ADVISORY BOARD				
Established:	Minutes Order - October 1, 2001 City Council Meeting			
Composition:	Five Members appointed by PWR Commission (Two representatives from Las Palmas Club, two Members from Park Avenue Club and one at-large Member)			
Term of Office:	Two years			
Meetings:	Meets 4 th Thursday at 1:00 p.m. Las Palmas Park			
Staff Contact:	Virginia Ufano, Community Services Supervisor Las Palmas Park			
Address & Phone:	505 S. Huntington Street, San Fernando, CA 91340 818/898-7340			
Chair:	Michael Kmet			
MEMBERS		NOMINATE SECTOR	DATE OF APPOINTMENT	TERM EXPIRES
1	Michael Kmet	Park Avenue Club	10/13/09	10/18/13
2	Danny Gomez	Park Avenue Club	5/14/13	5/14/17
3	Marco Tulio Escobar	At-Large	11/16/10	10/9/14
4	Benita Rivera	Las Palmas Park Senior Club	10/13/09	10/18/13
5	Angel Avila	Las Palmas Park Senior Club	11/16/10	10/9/14

CITY OF SAN FERNANDO COMMISSIONS/COMMITTEES

Updated: September 25, 2014

SAFETY COMMITTEE			
Municipal Code:	§2-566		
Composition:	Seven Members - <i>Specific Titles Italicized</i>		
Secretary (Per Job Spec):	Personnel Technician		
Term of Office:	*Municipal code does not specify		
Meetings:	Meets once per month		
Staff Contact:	Leticia Lopez, Personnel Technician San Fernando City Hall		
Address & Phone:	117 Macneil Street, San Fernando, CA 91340 818/898-1220		
Chair:	(Vacant)		
MEMBERS			TERM EXPIRES
1	<i>Finance Director</i>	Nick Kimball	*
2	<i>Director of Public Works</i>	Chris Marcarello	*
3	<i>Director of Community Development</i>	Fred Ramirez	*
4	<i>Director of Rec. & Com. Services</i>	(Vacant)	*
5	<i>Chief of Police</i>	Robert Parks	*
6	<i>SFPOA Representative</i>	Tony Vairo	*
7	<i>SEIU Misc Group Rep.</i>	Ruben Quintana	*
8	City Manager	Brian Saeki	*
9	SFPOA Police Mgmt. Rep.	Tony Vairo	*
10	SFMG Rep. (Mgmt.)	Michael Okafor	*
11	SFPEBU Rep. (Part-Time)	Patty Garcia	*
12	Recreation & Community Services Operations Manager	Ismael Aguila	*

TRANSPORTATION AND SAFETY COMMISSION			
Municipal Code:	§90-71		
Composition:	Five Members (must be a City resident)		
Term of Office:	§2-34 Appointment to and §2-35 Removal from		
Meetings:	Meets 3 rd Wednesday at 7:00 p.m. City Hall – Council Chambers		
Staff Contact:	Chris Marcarello, Deputy City Manager/Public Works Director San Fernando City Hall		
Address & Phone:	117 Macneil Street, San Fernando, CA 91340 818/898-1222		
Chair:	Gilbert Berriozabal		
Vice-Chair:	Phillip Ballin		
City Council Liaison:	Jesse H. Avila		
MEMBERS		APPOINTED	APPOINTED BY COUNCILMEMBER
1	Phillip Ballin	3/28/11	Sylvia Ballin
2	Gilbert Berriozabal	1/7/13	Joel Fajardo
3	Rudy Trujillo	12/17/12	Robert C. Gonzales
4	Francisco Arrizon	6/17/13	Antonio Lopez
5	Dolores “Dee” Akemon	12/17/12	Jesse H. Avila

**CITY OF SAN FERNANDO
COMMISSIONS/COMMITTEES**

Updated: September 25, 2014

TREE COMMISSION				
Municipal Code:		§2-600		
Composition:		Five Members - <i>Specific Titles Italicized</i>		
Term of Office:		Three years (Appointed by the City Council) *Serve indefinitely at the will of the City Council		
Meetings:		Meet quarterly (as needed). Meeting dates will vary. City Hall – Community Room		
Staff Contact:		Chris Marcarello, Deputy City Manager/Public Works Director San Fernando City Hall		
Address:		117 Macneil Street, San Fernando, CA 91340 818/898-1222		
Chair:		Kay Greeley		
MEMBERS			DATE OF APPOINTMENT	TERM EXPIRES
1	<i>Councilmember*</i>	Joel Fajardo	12/17/12	*
2	<i>Public Works Director*</i>	Chris Marcarello	9/16/13	*
3	<i>Community Development Director*</i>	Fred Ramirez	11/4/02	*
4	<i>Certified Arborist, Horticulturist, Landscape Architect or other similarly-trained professional</i>	Kay Greeley	4/2/12	4/2/15
5	<i>At-Large Member of the Community</i>	Ian Fitzsimmons	7/1/13	7/1/16