



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

## SAN FERNANDO CITY COUNCIL NOTICE AND AGENDA OF A SPECIAL MEETING

WEDNESDAY, DECEMBER 5, 2012 – 6:00 PM

### Addendum No. 1

**Added:** Closed Session – Item A  
Additional case (4 total)

COUNCIL CHAMBERS  
117 MACNEIL STREET  
SAN FERNANDO, CA 91340

**NOTICE IS HEREBY GIVEN** that the San Fernando City Council will hold a Special Meeting on **Wednesday, December 5, 2012, at 6:00 p.m.** in the Council Chambers, located at 117 Macneil Street, San Fernando, California.

The **AGENDA** for this meeting is as follows:

### CALL TO ORDER/ROLL CALL

### PLEDGE OF ALLEGIANCE

Mayor Antonio Lopez

### 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 in order to provide a full opportunity to every person who desires to address the City Council. Only matters contained in this notice may be considered.

### NEW BUSINESS

- 1) **REQUEST FOR INSTALLMENT PAYMENT PLAN FOR SEWER CONNECTION FEES – VALLEY WING PIT SPORTS BAR AND GRILL**

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Recommend that the City Council:

- a. Approve a proposal from Valley Wing Pit Sports Bar and Grill to pay the sewer connection charge of \$24,240 in monthly installments; and
- b. Direct the City Attorney to draft an installment payment plan for the sewer connection fees; and
- c. Authorize the City Administrator to execute an installment payment plan for sewer connection fees with Valley Wing Pit Bar and Grill.

CLOSED SESSION

- A) CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION  
G.C. 54956.9(b)

(4 cases)

- B) CONFERENCE WITH LABOR NEGOTIATOR  
G.C. 54957.6

City Negotiator: City Administrator Al Hernandez

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

- C) PUBLIC EMPLOYEE PERFORMANCE EVALUATION  
G.C. 54957

Title: City Administrator

- D) PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE  
G.C. 54957



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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 24 hours prior to the meeting.*

*Elena G. Chávez, City Clerk*

*Signed and Posted: December 4, 2012 (5:50 p.m.)*

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](http://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 special 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](http://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 24 hours prior to the meeting.



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# **San Fernando City Council Special Meeting**

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## ADMINISTRATION DEPARTMENT

### MEMORANDUM

**TO:** Mayor Antonio Lopez and Councilmembers

**FROM:** Al Hernández, City Administrator

**DATE:** December 5, 2012

**SUBJECT:** Request for Installment Payment Plan for Sewer Connection Fees – Valley Wing Pit Sports Bar and Grill

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#### **RECOMMENDATION:**

It is recommended that the City Council:

- a. Approve a proposal from Valley Wing Pit Sports Bar and Grill (VWP) to pay the Sewer Connection Fees of \$24,240 in monthly installments of \$5,000 each;
- b. Direct the City Attorney to draft an Installment Payment Plan for the Sewer Connection Fees; and
- c. Authorize the City Administrator to execute an Installment Payment Plan for Sewer Connection Fees with VWP.

#### **BACKGROUND:**

1. In March 2011, VWP began tenant improvements to create a sports bar and grill on San Fernando Road.
2. On November 30, 2012, VWP received a Temporary Certificate of Occupancy, pending City Council's consideration of installment payments for the sewer connection charges (\$24,240).

#### **ANALYSIS:**

##### Valley Wing Pit Sports Bar and Grill

The concept was to create a sports bar and grill with a full service bar, specialty drinks known as "Hidden Treasures", buffalo wings, lettuce wraps, grilled steak and chicken, and a salad bar.

The target demographics and age groups of VWP clientele will be family oriented. For kids of all ages, video games are planned including Xbox and a giant screen Wii with a variety of games. It is estimated there is no competition to VWP within a 15 mile radius. The customer base is expected to grow as a result of social network and multi-media campaigns including direct mail, newspaper ads, sponsorship banners, email strategies, website, and word-of-mouth.

VWP currently employs 32 staff members including 18 servers, 10 kitchen staff, two managers, and two part-time maintenance staff. Their goal is to hire from the local community (80%) and it is anticipated that VWP will recruit for additional staff shortly.

VWP estimates that their first year of operations will yield approximately \$750,000 in gross billing of which \$300,000 is estimated to be taxable.

### Installation Payment Plan

VWP has proposed the installation payment plan to be as follows:

- \$5,000 upon execution of agreement
- \$5,000 per month until paid in full
- Two percent interest charge on the unpaid balance

Currently, VWP has executed a promise-to-pay (Attachment "A") the fees in full if the City Council does not approve the installment arrangement. Should the City Council not approve the Installment Payment Plan and VWP does not pay the full fee as indicated on their note, the Temporary Occupancy Permit will be cancelled and the business will be shut down until such payment is made in full.

The City has not made the sewer connection payment to the City of Los Angeles and it will not be made until the end of January 2013; as such, the City will not incur any out-of-pocket expenses by issuing the Temporary Certificate of Occupancy.

Additional improvements (i.e., sidewalk and street improvements) to be made by the landlord are scheduled to be completed by January 14, 2013 (Attachment "B").

### **BUDGET IMPACT:**

The cost to the City to fund this Installment Payment Plan will be offset by the two percent interest charge. Currently, LAIF pays .3 percent. The expected interest payments are expected to be \$78.53, at two percent per month on the unpaid balance.

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**CONCLUSION:**

By approving this Installment Payment Plan, the City will aid VWP to open and bring additional business to the City as well as encourage further investment in our community.

**ATTACHMENTS:**

- A. Valley Wing Pit Sports Bar and Grill Promise-To-Pay Agreement
- B. Aszkenazy Development, Inc. Letter Regarding Improvements



November 30, 2012

Al Hernandez  
City Administrator  
City of San Fernando  
117 Macneil Street  
San Fernando, CA 91310

RE: Request for payment option for sewer facility charge for 1245 San Fernando Rd #100  
San Fernando, Ca. 91340

Dear Mr. Hernandez,

Per this letter I am requesting consideration of an option to pay the city sewer facility charge fee in the amount of \$24,240 in monthly installments. I understand that this option can only be granted via approval of the City of San Fernando City Council.

In order to expedite the opening of our business while this matter is being considered by the City Council, the City will immediately issue a Temporary Certificate of Occupancy pending all other City requirements are met.

If the City Council does not approve our request for a monthly payment option, I understand that the fee will be immediately due. If the fee is not paid the city may revoke the Temporary Certificate of Occupancy.

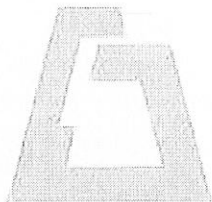
Sincerely,

A handwritten signature in blue ink, appearing to be "C. Ruiz", is written over the word "Sincerely,".

Owner  
Valley Wing Pit

C.

Ron Ruiz, Public Works Director

**ATTACHMENT "B"****ASZKENAZY**DEVELOPMENT, INC.  
November 29, 2012

Ron Ruiz  
Director of Public Works  
City of San Fernando  
117 Macneil Street  
San Fernando, CA 91340

Mr. Ruiz:

This letter is to discuss the offsite improvements to be made along 1245 San Fernando Rd.

As per previous meetings, phone calls, and emails, Aszkenazy Development will be making repairs and improvements to the sidewalk along the 1245 San Fernando Road's Phase 1. It is recognized that the offsite work is a condition placed on San Fernando Station and must be met to allow Valley Wing Pit to receive a Certificate of Occupancy.

As was agreed upon, Aszkenazy Development submitted a completion date of January 14, 2013, 60 days from the email sent on November 15<sup>th</sup> concerning this matter. The 60 day period allows Aszkenazy Development to coordinate some activities to accomplish this task as well as sourcing the trees specified by Public Works. With the scheduled completion date, it was agreed that the City will issue a Temporary Certificate of Occupancy (TCO) to Valley Wing Pit located at 1245 San Fernando Road. The TCO will allow Valley Wing Pit to open for operation while the offsite work is completed. It is understood Valley Wing Pit, will receive their Certificate of Occupancy once the offsite work and any other conditions placed upon the restaurant have been met and that if the conditions of the TCO have not been met, the City has the right to revoke the TCO, forcing Valley Wing Pit to close operations until the conditions have been satisfied.

Recently, the issue of the driveway apron in front of the restaurant was brought up as a concern. This driveway will be closed as part of the work scheduled. Until the driveway closure has been completed, Valley Wing Pit has agreed to have an automobile blocking the driveway apron for at least the hours of operation. It is understood that any vehicle parked in front of the driveway to close it off will not be subject to parking enforcement.

Sincerely,

Ian Fitzsimmons