



Mayor Brenda Esqueda
Mayor Pro Tem Antonio Lopez
Councilmember Maribel De La Torre
Councilmember Sylvia Ballin
Councilmember Mario F. Hernández

City Administrator
Al Hernández

SAN FERNANDO CITY COUNCIL

AGENDA

MAY 21, 2012 – 6:00 PM

**COUNCIL CHAMBERS
117 MACNEIL STREET
SAN FERNANDO, CA 91340**

CALL TO ORDER/ROLL CALL

PLEDGE OF ALLEGIANCE

Mayor Brenda Esqueda

PRESENTATION

A) PUBLIC WORKS WEEK (MAY 20 – 27)

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.

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) APPROVAL OF MINUTES OF MAY 7, 2012 – REGULAR MEETING

SAN FERNANDO CITY COUNCIL
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2) APPROVAL OF WARRANT REGISTER NO. 12-052

3) FISCAL YEAR 2012-2013 STREET LIGHTING ASSESSMENT DISTRICT APPROVAL OF ENGINEER'S REPORT AND SETTING A DATE FOR THE PUBLIC HEARING

Recommend that the City Council:

- a. Adopt a Resolution approving the Engineer's Report for the Fiscal Year 2012-2013 Landscaping and Lighting Assessment District; and
- b. Adopt a Resolution declaring the City Council's intention to order the annual assessments for Fiscal Year 2012-2013 Landscaping and Lighting Assessment District and setting the date for the Public Hearing on July 2, 2012.

4) AMENDMENT TO FACILITY USE AND TRANSPORTATION AGREEMENT WITH LOS ANGELES UNIFIED SCHOOL DISTRICT

Recommend that the City Council authorize the City Administrator to execute an amendment to the Facility Use and Transportation Agreement with Los Angeles Unified School District by extending the completion date of the proposed Reciprocal-Use Agreement (RUA) to November 30, 2012.

PUBLIC HEARING

5) APPROVAL OF MITIGATED NEGATIVE DECLARATION AND CONCEPTUAL DESIGN FOR LOPEZ ADOBE ANCILLARY BUILDING PROJECT

Recommend that the City Council:

- a. Conduct a Public Hearing;
- b. Pending public testimony, approve a Resolution adopting the Initial Study and Mitigated Negative Declaration, and approving the conceptual design for the Lopez Adobe Ancillary Building Project to allow for the construction of an ancillary building that includes public restrooms and a storage/office room at the Casa de Lopez Adobe site pursuant to the City-approved Lopez Adobe Preservation Plan; and
- c. Direct staff to submit the City-approved concept for the Lopez Adobe ancillary building to the California Cultural and Historical Endowment Board for their consideration and approval for project funding.



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CONTINUED BUSINESS

6) RE-INTRODUCTION OF ORDINANCE FOR PRIMA FACIE SPEED LIMITS

Recommend that the City Council re-introduce for first reading, in title only, and waive further reading of "An Ordinance of the City of San Fernando Amending Sections 90-941 and 90-942 of Chapter 90 of the City of San Fernando City Code Relating to Speed Limits".

NEW BUSINESS

7) APPROVAL OF SERVICE AGREEMENT WITH MISSION AMBULANCE FOR THE LIFEGUARD STAFFING SERVICES AT THE SAN FERNANDO REGIONAL POOL FACILITY

Recommend that the City Council:

- a. Approve a Service Agreement with Mission Ambulance to provide staffing services (including lifeguards, senior lifeguards, and pool attendants) for the San Fernando Regional Pool Facility; and
- b. Authorize the Mayor and the City Administrator to execute the Agreement.

8) PARK AVENUE PROJECT UPDATE

Recommend that the City Council review and file this report.

9) ADOPTION OF ORDINANCE ESTABLISHING RULES AND DECORUM FOR MEETINGS

Recommend that the City Council introduce for first reading, in title only, and waive further reading of "An Ordinance of the City Council of the City of San Fernando, California Amending the San Fernando Municipal Code by Adding a New Division 3 – Rules of Decorum for Meetings to Chapter 2 and Amending Section 1-10 (General Penalty; Infraction)".

STANDING COMMITTEE UPDATES

- No. 1 Budget, Personnel and Finance (BPF)
Chair Mario F. Hernández
- No. 2 Housing, Community & Economic Development and Parking (HCEP)
Chair Maribel De La Torre



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- No. 3 Natural Resources, Infrastructure, Water, Energy and Waste Management (NRIW)
 Chair Sylvia Ballin
- No. 4 Public Safety, Veteran Affairs, Technology and Transportation (PVTT)
 Chair Antonio Lopez
- No. 5 Education, Parks, Arts, Health and Aging (EPAH)
 Chair Brenda Esqueda

GENERAL COUNCIL COMMENTS

STAFF COMMUNICATION

CLOSED SESSION

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

City Negotiator: City Administrator Al Hernandez
Employee Organizations: San Fernando Public Employee Association (SEIU Local 721)
 San Fernando Police Civilian Association (SEIU Local 721)

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: May 17, 2012 (11:00 a.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). 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.

San Fernando City Council

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**SAN FERNANDO CITY COUNCIL
MINUTES**

**MAY 7, 2012 – 6:00 P.M.
REGULAR MEETING**

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

CALL TO ORDER/ROLL CALL

Mayor Pro Tem Antonio Lopez called the meeting to order at 6:12 p.m.

Present:

Council: Mayor Pro Tem Antonio Lopez, and Councilmembers Maribel De La Torre, Sylvia Ballin, and Mario F. Hernández

Staff: City Administrator Al Hernández, City Attorney Maribel S. Medina (took a seat with staff after the approval of Item No. 10), and City Clerk Elena G. Chávez

Absent: Mayor Brenda Esqueda (notified staff that she would not be able to attend the meeting)

PLEDGE OF ALLEGIANCE

Mayor Pro Tem Lopez

PRESENTATION

The following presentations were made:

- A) MAY – OLDER AMERICANS MONTH
- B) HEALTHY CITY ACKNOWLEDGEMENT

APPROVAL OF AGENDA

Mayor Pro Tem Lopez moved up (as first item on the agenda) Item No. 10, Approval of Agreement for City Attorney Services with the Law Firm Meyers Nave.

Motion by Councilmember Ballin, seconded by Councilmember De La Torre, to approve the agenda with the above-noted change. By consensus, the motion carried.

SAN FERNANDO CITY COUNCIL**MINUTES – May 7, 2012****Page 2****PUBLIC STATEMENTS – WRITTEN/ORAL**

Mayor Pro Tem Lopez stated that public comments would be taken for Item No. 10 only. There were no public comments.

CONTINUED BUSINESS**10) APPROVAL OF AGREEMENT FOR CITY ATTORNEY SERVICES WITH THE LAW FIRM OF MEYERS NAVE**

City Administrator Hernández presented the staff report and replied to questions from Councilmembers.

Councilmember Ballin expressed her concerns that, of the law firms interviewed, Meyers Nave was the most expensive and the other firms have long-term experience representing many cities.

Councilmember De La Torre said that the City Attorney, and Deputy, have a wealth of government agency experience (school districts, counties, cities are all governed by the same laws).

Motion by Mayor Pro Tem Lopez, seconded by Councilmember Hernández, to approve an Agreement for City Attorney Services with the Law Firm of Meyers Nave and appoint Maribel S. Medina as the City Attorney. The motion carried with the following vote:

AYES:	Lopez, Hernandez, De La Torre – 3
NOES:	Ballin – 1
ABSENT:	Esqueda – 1

At this time, City Clerk Chávez administered the Oath of Office to City Attorney Medina and she took her seat with staff.

PUBLIC STATEMENTS – WRITTEN/ORAL

Irwin Rosenberg (San Fernando Police Officers Association (SFPOA) President) stated that they are (obviously) in favor of agenda Item No.s 5 and 6 and are available to answer questions.

Henry Romero (resident) talked about current ongoing issues with the City regarding his property and hopes the matter can be resolved (staff was directed to assist Mr. Romero).

Renato Lira (resident) said: 1) that the Cesar Chávez Memorial is not maintained and now Council wants a skatepark; 2) Councilmember De La Torre does not have respect for her colleagues; and 3) it was time (residents want their City back).

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Rick Combs, Los Angeles Fire Department, invited everyone to join them at their Annual Fire Service Recognition Day on May 2, 2012, at Recreation Park to be held in conjunction with San Fernando Police Dept.

Councilmember De La Torre asked various questions, stated this is the first she had heard of event, and wants to make sure that City staff is prepared.

Robert Gonzales (resident) talked about Quimby Funds that were recently allotted for a skatepark. He suggested upgrading snack bars at the parks for the 500+ little league players and concentrating on the amazing facilities we already have in place.

Robert Ortega (resident) apologized for his outburst at the last meeting (he didn't like seeing people pushed around and cut off from speaking), he talked about manners and that kids watching would even ask why are people being interrupted.

Samuel Beltran (resident) talked about when he was stationed in England, quoted from Patrick Henry and said that enough signatures were being gathered for the recall.

City Attorney Medina announced that public comment has to be limited to subject matters within this City Council's jurisdiction and issues related to political campaigns are not appropriate in the Council Chambers during public comment.

Mr. Beltran (continued) asked then what is the meeting for? and quoted Dr. Martin Luther King, Jr.

Patty Lopez (resident) said: 1) she's not related to Councilmember Lopez; 2) although they only have three minutes here, they have 24 hours a day to communicate with those interested in what's happening in the City; 3) people are upset that Councilmember De La Torre voted against the education resolution; and 4) instead of building new programs, money should be used for programs already in place (i.e., Little League snack bars).

Margie Carranza: 1) hopes she doesn't get interrupted by the new City Attorney; 2) said everyone knows there's chaos in the City; 3) asked Councilmembers to step down; 4) inquired about a 2010 stimulus payment to the City; and 5) talked about the store vacancies.

In response to Councilmember De La Torre's question, both Public Works Director Ron Ruiz and City Planner Fred Ramirez reported that all stimulus dollars are accounted for.

Carolina Perez: 1) thanked Councilmembers Lopez and Ballin for the education resolution; 2) suggested that the new City Attorney place something on the agenda as to what the public can comment on; and 3) said they are working hard to make sure "it" happens.

Paul Luna (resident): 1) said it seems like Council will comment when they feel like it, and other times, say they can't answer questions; 2) asked what is planned for the Lopez Adobe?; 3) said that the Cesar Chávez Memorial has been allowed to drift into its current condition; and 4) said that Heritage Park looks like it's going south and now the Council is bringing in a new skatepark.

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Paulino Guevara: 1) doesn't know what it takes for them (Council) to understand what leadership is; 2) said they've caused, pain, suffering, and financial stress for people; 3) asked them what are their feelings and values?; and 4) do they experience compassion and whether they're thinking about their kids or families.

City Atty. Medina said to focus on subject matters within the Council's jurisdiction and Mayor Pro Tem Lopez gave Mr. Guevara a warning.

Mr. Guevara (continued) asked what would they feel in their position and what is it going to take for them to understand?

Eddie Marquez stated: 1) (since 2008) Santa Rosa Little League has been paying impacts fees yet the snack bar issue is not handled; and 2) said he doesn't oppose new projects (they're just asking for their fair share) but suggests that Council finish projects before starting new ones.

Ricardo Benitez thanked Mayor Esqueda and Mayor Pro Tem Lopez for giving their "okay" on adult education.

Paul Martinez (resident) stated he too (like everyone in the City) is fed up and done with all this stuff, and he is willing to see "all three" step down and see this campaign go through.

At this point, City Attorney Medina and Mayor Pro Tem Lopez interjected and Mr. Martinez was given warnings and then asked to leave the facility.

Ray Esparza, President of Santa Rosa Baseball League: 1) said they've been asking for help from the City to upgrade the snack bar at Las Palmas Park; 2) the League has been with the City for 30 years and paying impact fees since 2008; and 3) the League maintains the fields (the grass is cut but doesn't get picked up).

CONSENT CALENDAR

Councilmember Hernández removed Item No.s 5 and 6 for further discussion.

Motion by Councilmember De La Torre, seconded by Councilmember Ballin, to approve the remaining Consent Calendar Items:

- 1) APPROVAL OF MINUTES OF:
 - a) NOVEMBER 7, 2011 – REGULAR MEETING
 - b) MARCH 15, 2012 – ADJOURNED SPECIAL MEETING
 - c) APRIL 16, 2012 – REGULAR MEETING
 - d) APRIL 19, 2012 – SPECIAL MEETING
 - e) APRIL 26, 2012 – SPECIAL MEETING

SAN FERNANDO CITY COUNCIL**MINUTES – May 7, 2012****Page 5**

- f) MAY 2, 2012 – SPECIAL MEETING
- 2) APPROVAL OF WARRANT REGISTER NO. 12-051
 - 3) ADOPTION OF ORDINANCE NO. 1613 – AMENDING SAN FERNANDO CITY CODE RELATING TO WATER UTILITY SERVICE CHARGES
 - 4) ADOPTION OF ORDINANCE NO. 1614 – AMENDING SAN FERNANDO CITY CODE RELATING TO SEWERS AND SEWER DISPOSAL UTILITY SERVICE CHARGES
 - 7) APPROVAL OF PSYCHIC PERMIT: THE MYSTIC’S ALTAR (120 N. MACLAY AVENUE “D”)
 - 8) APPROVAL OF PRIVATE PATROL PERMIT: TYAN INC – SECURITY SPECIALISTS (1500 GLENOAKS BOULEVARD)

By consensus, the motion carried.

Items Removed for Further Discussion:

- 5) CONSIDER APPROVAL OF A MEMORANDUM OF UNDERSTANDING WITH THE SAN FERNANDO POLICE OFFICERS ASSOCIATION

City Administrator Hernández replied to various questions from Councilmember Hernández.

Councilmember Hernández said he could not support the contract because he had received information that it was negotiated in bad faith (he read from an email from SFPOA President Rosenberg to certain police officers).

Motion by Councilmember De La Torre, seconded by Councilmember Ballin to:

- a) Approve a Memorandum of Understanding between the City of San Fernando and the San Fernando Police Officers Association (Police Officers and Sergeants), authorize the City Administrator to execute the Agreement, and direct staff to implement the provisions therein; and
- b) Approve a Side Letter regarding Retiree Medical Insurance between the City of San Fernando and the San Fernando Police Officers Association, authorize the Mayor to execute the Agreement, and direct staff to implement the provisions therein.

AYES: De La Torre, Ballin, Lopez – 3
NOES: Hernández – 1
ABSENT: Esqueda – 1

SAN FERNANDO CITY COUNCIL**MINUTES – May 7, 2012****Page 6**

By consensus, the motion carried.

- 6) APPROVAL OF CALPERS RESOLUTION FOR COST SHARING OF EMPLOYER PAID MEMBER CONTRIBUTIONS WITH SAN FERNANDO POLICE OFFICERS ASSOCIATION

Motion by Councilmember De La Torre, seconded by Councilmember Ballin, to:

- a) Adopt Resolution to cost-share the Employer Paid Member Contributions with members of the San Fernando Police Officers' Association; and
- b) Report the paid contributions as tax-deferred in accordance with IRS stipulations.

AYES: De La Torre, Ballin, Lopez – 3

NOES: Hernández – 1

ABSENT: Esqueda – 1

By consensus, the motion carried.

By consensus, Item No. 9 was moved up on the agenda.

PUBLIC HEARING

- 9) ADOPTION OF THE 2010 EDITION OF THE CALIFORNIA BUILDING STANDARDS CODES WITH LOCAL CITY OF LOS ANGELES AMENDMENTS AND ADOPTION OF THE CITY OF LOS ANGELES ELEVATOR CODE

City Planner Ramirez presented the staff report.

Mayor Pro Tem Lopez declared the Public Hearing open and called for public testimony in favor or opposition.

There being no comments, Mayor Pro Tem Lopez closed the public comment portion of the Hearing.

Motion by Councilmember De La Torre, seconded by Councilmember Ballin, to:

- a) Introduce for first reading, in title only, and waive further reading of Ordinance No. 1615, titled: "An Ordinance of the City of San Fernando Amending Article VII of Chapter 18 of the San Fernando City Code, Adopting by Reference (1) Division II of Chapter 1 of the 2010 edition of the California Building Code, which is codified in part 2 of title 24 of the California Code of Regulations, (2) the City of Los Angeles Building Code, as in Effect on August 8, 2011, (3) the City of Los Angeles Electrical Code, as in Effect on March 22, 2011, (4) the City of Los Angeles Mechanical Code,

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as in Effect May 2, 2011, (5) the City of Los Angeles Plumbing Code, as in Effect July 6, 2011, (6) the City of Los Angeles Residential Code, as in Effect July 6, 2011, (7) the City of Los Angeles Green Building Code, as in Effect January 1, 2011, and (8) the City of Los Angeles Elevator Code, as in effect December 10, 2007, which are Codified in Articles 1, 1.5, 2, 3, 4, 5 and 9 of Chapter IX of the City of Los Angeles Municipal Code, Including Appendices, Amendments, Additions and Deletions Thereto, and Amending the San Fernando City Code; and

- b) Direct staff to provide for notice of a Public Hearing on the proposed adoption of Ordinance No. 1615 at the City Council's June 4, 2012 meeting.

By consensus, the motion carried.

NEW BUSINESS**12) APPROVAL OF PRIMA FACIE SPEED LIMITS**

Public Works Director Ruiz introduced the City's Engineering Consultant, Tom Brohard.

Mr. Brohard presented the staff report and replied to questions from Councilmember De La Torre.

Motion by Councilmember De La Torre, seconded by Councilmember Hernández, to:

- a) Adopt a Resolution approving the Engineering and Traffic Survey Report for Speed Limits, 2012 and the Prima Facie Speed Limits Recommended to be Established on the Highway Segments Included in the Engineering and Traffic Speed Survey Report for Speed Limits, 2012, with the exception of the speed limit on Maclay Ave. (from north city limits to Glenoaks Blvd.) to remain at 30 MPH (not increase to 35 MPH);
- b) Approve a three-year extension, to March 11, 2015, of the 2005 Traffic Speed Zone Study with respect to the 23 road segments identified in the Engineering and Traffic Survey Report for Speed Limits, 2012, that have not experienced any significant changes in roadway or traffic conditions within the last seven years; and
- c) Introduce for first reading, in title only, and waive further reading of "An Ordinance of the City of San Fernando Amending Sections 90-941 and 90-942 of Chapter 90 of the City of San Fernando City Code (SFCC) Relating to Speed Limits".

By consensus, the motion carried.

11) APPROVAL OF SAFE ROUTES TO SCHOOL CONCEPTS

SAN FERNANDO CITY COUNCIL**MINUTES – May 7, 2012****Page 8**

Public Works Director Ruiz presented the staff report and replied to questions from Councilmembers (i.e., whether emergency vehicles can be accommodated, additional public input will take place over the next month, follow up with all schools that will be impacted, and visiting nearby cities that have gone through this).

Motion by Councilmember De La Torre, seconded by Councilmember Ballin, to approve the project concepts for the Safe Routes to Schools Cycle 7 Project as included in the report. By consensus, the motion carried.

CITY COUNCIL ITEMS**13) DISMISSED PARKING TICKETS FOR ALL OF 2011**

Councilmember Hernández said he was prompted to agendize this due to a comment made at a public meeting and findings by City auditors (it was noted that anyone could dismiss/void parking citations and there were no checks and balances, or procedure in place).

City Administrator Hernández reported a procedure was immediately put into place (the Chief of Police will now provide final approval for dismissed/voided citations).

Discussion only – no action was taken.

STANDING COMMITTEE UPDATES**No. 1 Budget, Personnel and Finance (BPF)**

Councilmember Hernandez – reported that they met earlier today to discuss RDA and revenue issues (another meeting will be held next week).

No. 2 Housing, Community & Economic Development and Parking (HCEP)

Councilmember De La Torre – requested that HCEP (and BPF) meetings be held after the next Oversight Board Committee meeting. She also reminded Councilmembers that items which are not part of the established goals and objectives, should be brought before the Council (during this portion of the meeting) so that Committees may address those items.

No. 3 Natural Resources, Infrastructure, Water, Energy and Waste Management (NRIW)

Councilmember Ballin – no updates.

No. 4 Public Safety, Veteran Affairs, Technology and Transportation (PVTT)

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Mayor Pro Tem Lopez – reported that they discussed various items (some addressed on this Council agenda).

No. 5 Education, Parks, Arts, Health and Aging (EPAH)

Mayor Esqueda – Recreation and Community Services Operations Manager Aguila reported that they met on April 24, 2012, and discussed summer programs and sponsorship opportunities.

GENERAL COUNCIL COMMENTS

Councilmember De La Torre wanted to clarify public comments that were made earlier: 1) her vote on the education resolution was not a “no” vote, she said if we are going to support that programs continue, the funding needs to be addressed too; 2) regarding the Cesar Chávez Memorial Park, money is set aside during budget discussions (her vote is only 20%); 4) suggested agendizing (for the next Council meeting) issues pertaining to snack bars; and 5) stated that the skatepark has been on-going since 2001.

Councilmember Hernández requested (for the next meeting) an update on the Park Ave. street paving (between First and Fourth Streets).

In response to Mayor Pro Tem Lopez, City Planner Ramirez gave an update on the Lopez Adobe.

STAFF COMMUNICATIONS

City Administrator Hernández: 1) said that the outcome of the Oversight Board Committee meeting may impact the General Fund; and 2) reported that a screening committee meeting, regarding labor attorney services, will take place tomorrow.

Public Works Director Ruiz informed the Council about an upcoming meeting regarding the Pacoima Wash Project with the County Supervisor’s Office and other interested groups (he will distribute a memo out with additional information).

Recreation and Community Services Operations Manager Aguila reported that he has scheduled a meeting with staff to discuss the LAFD Annual Fire Service Recognition Day event (mentioned during public comments).

Councilmember Hernández welcomed City Attorney Medina.

RECESS TO CLOSED SESSION (8:38 P.M.)

By consensus, Councilmembers recessed to the following Closed Session, thereafter to adjourn.

SAN FERNANDO CITY COUNCIL**MINUTES – May 7, 2012****Page 10****A) CONFERENCE WITH LABOR NEGOTIATOR****G.C. 54957.6**

City Negotiator: City Administrator Al Hernandez

Employee Organizations: San Fernando Public Employee Association (SEIU Local 721)
San Fernando Part-time Employees' Association (SEIU, Local 721)

By consensus, City Council approved two-year extensions to the current Memorandums of Understanding and include a Side Letter regarding Retiree Medical Insurance (with both Associations).

B) CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**G.C. 54956.9(b)**

Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9: 1 potential case

A point has been reached where, in the opinion of the City Council on the advice of its legal counsel, based on the receipt of a letter from Lackie, Dammeier & McGill transmitting a DFEH Complaint and Notice of Right to Sue on behalf of Paul Ventimiglia, there is a significant exposure to litigation against the City.

No reportable action. No motions.

C) CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**G.C. 54956.9(a)**

Name of Case: Hanchett v. City of San Fernando, et al

Case No.: BC 477897

No reportable action. No motions.

I do hereby certify that the foregoing is a true and correct copy of the minutes of May 7, 2012 meeting as approved by the San Fernando City Council.

Elena G. Chávez
City Clerk

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FINANCE DEPARTMENT**MEMORANDUM**

TO: Mayor Brenda Esqueda and Councilmembers

FROM: Al Hernández, City Administrator/Deputy Finance Director

DATE: May 21, 2012

SUBJECT: Warrant Register

RECOMMENDATION:

It is recommended that the City Council approve the attached 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 and the Successor Agency to the San Fernando Redevelopment Agency. The Agency warrants are also reflected on the Agency Consent Calendar to reimburse the City for expenses included on the City's Register. 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 Deputy 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 Deputy 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. Warrant Register Resolution

ATTACHMENT "A"**RESOLUTION NO. 12-052****RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
SAN FERNANDO ALLOWING AND APPROVING FOR
PAYMENT DEMANDS PRESENTED ON DEMAND/
WARRANT REGISTER NO. 12-052****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 21st day of May, 2012.

Brenda Esqueda, 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 21st day of May, 2012, by the following vote to wit:

AYES:

NOES:

ABSENT:

Elena G. Chávez, City Clerk

EXHIBIT "A"

vchlist

05/14/2012

5:16:10PM

Voucher List
CITY OF SAN FERNANDO

Page: 1

Bank code : bank

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
98100	5/21/2012	100067 ADVANCE DIRECT MAIL	5072012		WATER, SEWER, REFUSE, FOLD & STL 70-382-0000-4300 72-360-0000-4300 73-350-0000-4300	161.26 161.26 161.25
					Total :	483.77
98101	5/21/2012	100070 ADVANCED ELECTRONICS INC.	0114920-IN		TWO WAY RADIO , SP EQUIPMENT ANI 01-222-0000-4260	2,190.21
					Total :	2,190.21
98102	5/21/2012	100101 VERIZON WIRELESS-LA	270693253		PLANNING CELL PHONES 01-140-0000-4220 01-150-0000-4220	5.72 38.72
			660629692		VARIOUS CELL PHONES 01-106-0000-4220 70-384-0000-4220	33.09 17.52
			870422920		PD CELL PHONES AND MDT MODEMS 01-222-0000-4220	990.53
					Total :	1,085.58
98103	5/21/2012	100143 ALONSO, SERGIO	APRIL 2012		MARIACHI MASTER APPRENTICE PRO 10-420-3694-4260	1,400.00
					Total :	1,400.00
98104	5/21/2012	100165 AMERICAN WATER WORKS	7000477030		MEMBERSHIP FEES - 07/01/12 TO 06/30 70-381-0000-4370	238.00
					Total :	238.00
98105	5/21/2012	100203 AQUA-FLO SUPPLY	310147		BACKFLOW CAGE FOR PARKING LOT # 29-335-0301-4300	526.89
					Total :	526.89
98106	5/21/2012	100204 AQUA-METRIC SALES COMPANY	0042816-IN		3" METER 70-383-0700-4600	2,120.52
			0042818-IN		3" METER 70-383-0700-4600	2,121.52

Page: 1

vchlist

05/14/2012

5:16:10PM

Voucher List
CITY OF SAN FERNANDO

Page: 2

Bank code : bank

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
98106	5/21/2012	100204 100204 AQUA-METRIC SALES COMPANY	(Continued)			Total : 4,242.04
98107	5/21/2012	100222 ARROYO BUILDING MATERIALS, INC	89242		CONCRETE - HANDICAP RAMPS (ALEX 15-310-0866-4600	188.17
			89252		CONCRETE - HANDICAP RAMPS (ALEX 15-310-0866-4600	188.17
			89426		SIDEWALK SUPPLIES 13-311-0000-4300	136.26
			89495		CONCRETE - HANDICAP RAMPS (ALEX 15-310-0866-4600	188.17
			89505		CONCRETE - HANDICAP RAMPS (ALEX 15-310-0866-4600	188.17
			89519		PED BUTTON POLE NUTS 13-371-0301-4300	8.18
			89553		CONCRETE - HANDICAP RAMPS (ALEX 15-310-0866-4600	188.17
			89570		CONCRETE - HANDICAP RAMPS (ALEX 15-310-0866-4600	188.17
			89577		CONCRETE - HANDICAP RAMPS (ALEX 15-310-0866-4600	160.98
			89700		CREDIT ON RETURN 13-371-0301-4300	-3.50
			89892		CONCRETE - HANDICAP RAMPS (ALEX 15-310-0866-4600	160.98
					Total :	1,591.92
98108	5/21/2012	100747 COASTLINE EQUIPMENT	73404		BRACKET TEETH & PIN - PW4384 70-384-0000-4400	53.11
					Total :	53.11
98109	5/21/2012	100805 COOPER HARDWARE INC.	84435		SOFTBALL FIELD CHALK 17-420-1334-4300	53.77
					Total :	53.77
98110	5/21/2012	100859 CROWN DISPOSAL	24N00078		HAULING FEES - APRIL 2012 73-350-0000-4260	65,959.60
					Total :	65,959.60

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Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
98111	5/21/2012	100931 DEPARTMENT OF GENERAL SERVICES	498144		PROCUREMENT DIV SURCHARGE-BAS 70-383-0000-4300	83.63
					Total :	83.63
98112	5/21/2012	100937 CDPH-OCP	10117		WATER OPERATOR CERTIFICATE REN 70-381-0000-4380	90.00
					Total :	90.00
98113	5/21/2012	100937 CDPH-OCP	NONPO		DISTRIBUTION CERTIFICATION FEE 70-381-0000-4370	80.00
					Total :	80.00
98114	5/21/2012	100961 WHITE NELSON DIEHL EVANS LLP	123992		FINAL BILLING - SINGLE AUDIT OF FED 01-130-0000-4270	665.00
					Total :	665.00
98115	5/21/2012	101004 DUNN-EDWARDS CORPORATION	2030212146		PAINT 01-390-0460-4300	344.89
					Total :	344.89
98116	5/21/2012	101063 EMPLOYMENT DEVELOPMENT	944-0936-4		01/01/12 TO 03/31/12 UNEMPLOYMENT 01-190-0420-4132 01-190-0222-4132	1,367.00 6,741.56
					Total :	8,108.56
98117	5/21/2012	101089 ESCOBAR, MARCO	050112 - 1		L P SENIOR PETTY CASH REIMB. 04-2380	69.95
			050112 - 2		L P SENIOR PETTY CASH REIMB. 04-2380	68.88
			050112 - 3		L P SENIOR PETTY CASH REIMB. 04-2380	59.50
					Total :	198.33
98118	5/21/2012	101140 FAR WEST CHARTERS	CASINO		FANTASY SRPINGS CASINO TRIP ON 0 04-2380	800.00
					Total :	800.00
98119	5/21/2012	101147 FEDEX	7-862-78044		POSTAGE	
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98119	5/21/2012	101147 FEDEX	(Continued)		01-190-0000-4280	18.35
			7-870-58961		POSTAGE 01-190-0000-4280	102.20
					Total :	120.55
98120	5/21/2012	101302 VERIZON	8181811070		POLICE PAGING 01-222-0000-4220	39.69
			8181811075		CITY HALL PAGING 01-190-0000-4220	39.69
			8181811114		CITY YARD AUTO DIALER 70-384-0000-4220	48.70
			8181811380		MWD METER 70-384-0000-4220	43.60
			8181973209		PARKS MAJOR PHONE LINES 01-420-0000-4220	1,329.52
			8183612385		MTA PHONE LINE 07-440-0441-4220	77.56
					01-190-0000-4220	38.20
			8183616728		ENGINEERING FAX LINE 01-310-0000-4220	20.53
			8183655097		PD NARCOTICS VAULT 01-222-0000-4220	25.80
			8188371509		ANIMAL CONTROL & PW PHONE LINE 01-190-0000-4220	43.73
			8188377174		PD SPECIAL PROBLEMS 01-222-0000-4220	20.70
			8188384969		PD ALARM PANEL 01-222-0000-4220	82.04
			8188981027		POOL FACILITY PHONE LINES 01-430-0000-4220	122.74
			8188987385		LP FAX LINE 01-420-0000-4220	30.96
					Total :	1,963.46
98121	5/21/2012	101376 GRAINGER, INC.	9806960580		TUB AND SHOWER VALVE 01-430-0000-4300	82.20
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98136	5/21/2012	102221 102221 MISSION CAR WASH	(Continued)			Total : 80.00
98137	5/21/2012	102226 MISSION LINEN & UNIFORM	340644797		LAUNDRY	
			340645437		01-225-0000-4350	118.23
			340646364		LAUNDRY	
			340647024		01-225-0000-4350	176.21
					LAUNDRY	
					01-225-0000-4350	102.13
					LAUNDRY	
					01-225-0000-4350	169.00
					Total :	565.57
98138	5/21/2012	102277 MOTOROLA	50093908		NICE SERVICE AGREEMENT - MAR 201	
			50093911		01-222-0000-4260	438.21
			50093915		NICE SERVICE AGREEMENT - FEB 201:	
			50093917		01-222-0000-4260	438.21
					NICE SERVICE AGREEMENT - MAY 201	
					01-222-0000-4260	438.21
					NICE SERVICE AGREEMENT - APRIL 20	
					01-222-0000-4260	438.21
					Total :	1,752.84
98139	5/21/2012	102303 NACHO'S ORNAMENTAL SUPPLY	193992		SEMI GLASS WHITE PAINT FOR GENE	
					01-390-0410-4320	30.99
					Total :	30.99
98140	5/21/2012	102306 MWH LABORATORIES	L0083758		WATER ANALYSIS	
			L0083850		70-384-0000-4260	164.00
			L0083851		WATER ANALYSIS	
			L0084020		70-384-0000-4260	24.00
			L0084148		WATER ANALYSIS	
			L0084149		70-384-0000-4260	175.00
					WATER ANALYSIS	
					70-384-0000-4260	60.00
					WATER ANALYSIS	
					70-384-0000-4260	139.60
					WATER ANALYSIS	

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98140	5/21/2012	102306 MWH LABORATORIES	(Continued)			
			L0084150		70-384-0000-4260	139.60
			L0084777		WATER ANALYSIS	
			L0084779		70-384-0000-4260	139.60
			L0084801		WATER ANALYSIS	
					70-384-0000-4260	900.00
					WATER ANALYSIS	
					70-384-0000-4260	164.00
					WATER ANALYSIS	
					70-384-0000-4260	139.60
					Total :	2,045.40
98141	5/21/2012	102307 HI WAY SAFETY RENTALS, INC.	125739		REFLECTIVE VESTS	
			126038		13-311-0000-4300	286.17
			126069		REFLECTIVE VESTS	
			126226		13-311-0000-4300	98.51
			126563		TRAFFIC DELINEATION - SIGNS	
			126627		13-311-0000-4300	1,508.17
					CREDIT - ITEMS RETURNED	
					13-311-0000-4300	-8.70
					BARRICADES WITH SIGNS FOR STOCK	
					13-311-0000-4300	400.09
					20-TYPE 1 BARRICADES FOR PARKS	
					01-420-0000-4300	401.29
					Total :	2,685.53
98142	5/21/2012	102376 NEXGEN	071848		GRAFFITI REMOVER	
					01-390-0470-4300	219.60
					01-390-0460-4300	219.60
					01-390-0410-4300	219.59
					Total :	658.79
98143	5/21/2012	102432 OFFICE DEPOT	1404536365		HP INK CARTRIDGES, TISSUES, SHEET	
			1414518225		01-420-0000-4300	147.07
			1416214893		CERTIFICATES AND COVERS	
					01-420-0000-4300	36.07
					CERTIFICATES	

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98143	5/21/2012	102432 OFFICE DEPOT	(Continued)			
			1426145550		01-420-0000-4300 BOOK APPT, PLANNERS, CALENDARS,	7.82
			1429265686		01-420-0000-4300 2012 QUICKBOOKS NONPROFIT SOFT	253.95
			1434947593		01-420-0000-4300 HP INK CARTRIDGE, PLANNER, SHEET	271.86
			1462579536		01-420-0000-4300 POST ITS, CRAYONS, PENCILS, SHARF	119.82
			1462612002		17-420-1371-4300 LAMINATION - PUBLIC HEARING NOTIC	268.65
			1463333510		01-150-0000-4300 HIGHLIGHTERS, USB DRIVES & EXTER	6.46
			1463635875		01-222-0000-4300 EASEL, EASEL PAD, WIRELESS ROUTE	259.59
			605382155001		01-420-0000-4300 PEN REFILLS, DESKPAD, ADVIL TABLE	149.47
			605382184001		01-222-0000-4300 3-DEVICE REMOTE	53.69
			605480283001		01-222-0000-4300 COPY PAPER	13.04
			606037265001		01-222-0000-4300 HANGING FOLDERS, POST ITS, NOTE I	189.33
			606883875001		01-222-0000-4300 PAPER, CORRECTION TAPE, POST ITS	100.07
					01-222-0000-4300	146.33
					Total :	2,023.22
98144	5/21/2012	102443 OKAFOR, MICHAEL	REIMB.		ERC WORKSHOP - MILEAGE AND PAR	
					01-106-0000-4390	67.36
					Total :	67.36
98145	5/21/2012	102569 PARKS, ROBERT	REIMB.		REIMBURSEMENT FOR LODGING - POS	
					01-222-0000-4360	601.88
					Total :	601.88
98146	5/21/2012	102624 PITNEY BOWES	784959		SERVICE LEVEL AGREEMENT FOR FOI	

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98146	5/21/2012	102624 PITNEY BOWES	(Continued)			
					70-381-0000-4320	327.15
					72-360-0000-4320	327.15
					Total :	654.30
98147	5/21/2012	102666 PREFERRED DELIVERY SYSTEMS INC	549-28		COURIER SERVICE	
					01-222-0000-4260	103.00
					Total :	103.00
98148	5/21/2012	102688 PROFESSIONAL PRINTING CENTERS	21170		MOVING VIOLATIONS	
					01-222-0000-4300	350.18
					Total :	350.18
98149	5/21/2012	102779 RAMIREZ, THOMAS	APRIL 2012		KARATE INSTRUCTOR	
					17-420-1326-4260	663.60
					Total :	663.60
98150	5/21/2012	102800 RED STAR CHARTER & TOURS	TIJUANA		CHARTER BUS FOR SR TRIP TO TJ ON	
					04-2380	1,050.00
					Total :	1,050.00
98151	5/21/2012	102848 RICHARDS, WATSON & GERSHON	182972		LEGAL SERVICES	
					98-110-1055-4270	16.00
			182973		LEGAL SERVICES	
					01-110-1060-4270	144.00
			182977		LEGAL SERVICES	
					72-360-0000-4270	51.25
			182978		LEGAL SERVICES	
					98-110-0092-4270	3,953.11
					98-110-0094-4270	3,953.11
			183003		LEGAL SERVICES	
					01-110-0000-4270	4,274.58
					70-110-0000-4270	6,336.00
					72-110-0000-4270	2,304.00
					01-110-3376-4270	80.00
					01-110-3375-4270	240.00
			183004		LEGAL SERVICES	

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98151	5/21/2012	102848 RICHARDS, WATSON & GERSHON	(Continued)			
			183005		01-110-0000-4270 LEGAL SERVICES	1,531.92
			183006		01-110-0000-4270 LEGAL SERVICES	1,312.00
					98-110-0094-4270	253.30
					98-110-0092-4270	253.30
					01-110-0098-4270	1,084.45
			183007		LEGAL SERVICES	
					01-110-3376-4270	1,232.00
			RETAINER		RETAINER - MARCH 2012	
					01-110-0000-4270	4,415.00
					Total :	31,434.02
98152	5/21/2012	102858 RIVERSIDE CO. SHERIFF'S DEPT.	TRAVEL		MANDATORY STC COURSE IN RIVERSI	
					01-225-3688-4360	87.50
					Total :	87.50
98153	5/21/2012	102858 RIVERSIDE CO. SHERIFF'S DEPT.	TRAVEL		MANDATORY STC COURSE IN RIVERSI	
					01-225-3688-4360	87.00
					Total :	87.00
98154	5/21/2012	102889 RODRIGUEZ, MARIO	MAY 2012		COMMISSIONER'S REIMBURSEMENT	
					01-150-0000-4111	50.00
					Total :	50.00
98155	5/21/2012	102929 ROYAL PAPER CORPORATION	4295113		JANITORIAL SUPPLIES	
					01-390-0410-4300	222.39
					01-390-0460-4300	210.98
					01-390-7500-4300	174.00
					01-390-0450-4300	36.98
			4296295		CLEANING SUPPLIES	
					01-430-0000-4300	274.50
					Total :	918.85
98156	5/21/2012	102930 ROYAL WHOLESALE ELECTRIC	8901-665165		TIME CLOCK REPL, 6N CIRCUIT BREA	
					27-344-0301-4300	191.04

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98156	5/21/2012	102930 102930 ROYAL WHOLESALE ELECTRIC	(Continued)			Total : 191.04
98157	5/21/2012	103010 SAM'S CLUB DIRECT, #0402465855179	6229		(10) TABLES	
			9074		04-2380	868.70
					REFRESHMENTS FOR ENP SPRING/VC	
					04-2346	123.96
					Total :	992.66
98158	5/21/2012	103029 SAN FERNANDO, CITY OF	11366-11414		REIMBURSEMENT TO WORKERS COM	
					06-190-0000-4810	14,682.97
					Total :	14,682.97
98159	5/21/2012	103184 SMART & FINAL	166626		SUPPLIES FOR LP SPRING DANCE ON	
			166950		04-2380	234.89
			169182		ASCEP SUPPLIES FOR WEEKLY SCIEN	
					10-420-1371-4300	90.93
					SR MEAL PROGRAM - CINCO DE MAYC	
					04-2346	28.84
					10-422-3750-4300	156.94
					10-420-1371-4300	25.47
					Total :	537.07
98160	5/21/2012	103202 SOUTHERN CALIFORNIA EDISON CO.	042812		ELECTRIC - PARKING LOTS	
			050112		29-335-0000-4210	1,180.66
					ELECTRIC - HERITAGE PARK	
					01-420-0000-4210	199.50
					01-371-0000-4210	41.40
			050212		ELECTRIC - MOTT/BRAND	
					01-371-0000-4210	40.51
					01-390-0457-4210	67.93
			050312		ELECTRIC - 1ST/MACNEIL	
					29-335-0000-4210	39.45
					01-310-0000-4210	1,638.49
					27-344-0000-4210	448.66
					01-390-0450-4210	548.54
					01-320-3661-4210	1,561.37
					29-335-0000-4210	50.93

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98160	5/21/2012	103202 SOUTHERN CALIFORNIA EDISON CO.	(Continued) 050412		ELECTRIC - 1103 EIGHTH 27-344-0000-4210	82.10
			050512		ELECTRIC - PICO 27-344-0000-4210	18,535.36
					Total :	24,434.90
98161	5/21/2012	103218 SOLIS, MARGARITA	2000800132		FACILITY RENTAL REFUND 01-3777-0000	129.00
					17-3770-1397	132.00
					Total :	261.00
98162	5/21/2012	103279 SUMMER SYSTEMS, INC.	33797		A/C SERVICE @ PD REPORT ROOM; RI 01-390-0222-4260	403.94
					Total :	403.94
98163	5/21/2012	103444 ULTRA GREENS, INC	46889		TREE FOR 2008 DONNAGLEN 01-346-0000-4300	152.25
					Total :	152.25
98164	5/21/2012	103463 U.S. POSTMASTER	DEMAND		PRESORTED FIRST CLASS POSTAGE 70-382-0000-4300	552.86
					72-360-0000-4300	552.86
					73-350-0000-4300	552.87
					Total :	1,658.59
98165	5/21/2012	103510 V & V MANUFACTURING, INC.	36163		RETIREMENT BADGE 01-222-0000-4300	144.92
					Total :	144.92
98166	5/21/2012	103603 VULCAN MATERIALS COMPANY	703486		COLD MIX 13-311-0301-4300	998.04
					Total :	998.04
98167	5/21/2012	103619 CARL WARREN & CO.	1372162		LEGAL SERVICES 06-190-0000-4800	57.56
					Total :	57.56

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98168	5/21/2012	103661 WEST-LITE SUPPLY CO., INC.	14762C		REPL. LAMPS FOR CITY HALL	
					01-390-0310-4300	99.52
					01-430-0000-4300	101.08
					01-390-0460-4300	72.50
					01-390-0410-4300	82.54
			14852C		REPL. LAMPS @ PW OPS CENTER	
					01-390-0450-4300	91.66
					01-390-0310-4300	161.66
					Total :	608.96
98169	5/21/2012	103738 YOSEF AMZALAG SUPPLY	12006259		ITEMS FOR WATER SAMPLE STATIONS	
					70-384-0301-4300	423.25
			12006328		POOL PUMP PARTS	
					01-430-0000-4300	124.82
			12006335		PLUMBING MAT'L'S	
					01-430-0000-4300	21.67
			12006516		LANDSCAPE MAINT. SUPPLIES FOR LA	
					01-390-0410-4300	3.51
					Total :	573.25
98170	5/21/2012	103752 ZUMAR INDUSTRIES, INC.	0137628		PROP 84 FUNDING SIGNS	
					01-420-0000-4300	114.19
					Total :	114.19
98171	5/21/2012	103816 CHAVEZ, ELENA	REIMB.		REIMB RELATED TO NOTARY EXPENSI	
					01-115-0000-4360	81.00
					01-115-0000-4390	68.04
					Total :	149.04
98172	5/21/2012	103855 PACIFIC WESTERN BANK	NONPO		STANDBY LETTER OF CREDIT RENEW/	
					01-190-0000-4450	14,629.69
					Total :	14,629.69
98173	5/21/2012	103903 TIME WARNER CABLE	8448200540010328		CABLE - 05/05/12 - 06/04/12	
					01-190-0000-4220	58.49
			8448200540010518		CABLE - 04/29/12 -05/28/12	
					01-420-0000-4260	180.56

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98173	5/21/2012	103903 103903 TIME WARNER CABLE	(Continued)			Total : 239.05
98174	5/21/2012	103948 CDW GOVERNMENT, INC.	J034005		WIRELESS CONNECTION FOR EOC 01-222-0000-4300	260.00 Total : 260.00
98175	5/21/2012	887193 PRECON PRODUCTS	I0036943		CONCRETE GRADE RINGS 13-311-0000-4300	504.01 Total : 504.01
98176	5/21/2012	887422 NORTHERN SAFETY CO., INC.	P329144201016		SAFETY SUPPLIES FOR FACILITIES & (C 01-390-0410-4310	312.48 Total : 312.48
98177	5/21/2012	887466 SIMON'S POWER EQUIPMENT, INC.	080880		BUNGEE CORDS FOR POWER EQUIP 13-311-0000-4300	54.35 Total : 54.35
98178	5/21/2012	887518 DURHAM, ALVIN	MAY 2012		COMMISSIONER'S REIMBURSEMENT 01-150-0000-4111	50.00 Total : 50.00
98179	5/21/2012	887591 TOM BROHARD & ASSOCIATES	2012-14 2012-21	10933 10933	SPEED ZONE STUDY 2012 01-310-0000-4270 SPEED ZONE STUDY 2012 01-310-0000-4270	2,000.00 3,600.00 Total : 5,600.00
98180	5/21/2012	887695 AL'S KUBOTA TRACTOR	306973		GRASSHOPPER MOWER SWITCH 01-390-0410-4320	19.35 Total : 19.35
98181	5/21/2012	887952 J. Z. LAWNMOWER SHOP	272849		EQUIP MAINTENANCE 01-390-0410-4340	80.15 Total : 80.15
98182	5/21/2012	887986 TRAFFIC MANAGEMENT INC.	127542		MARKING PAINT 70-383-0301-4300	57.42
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Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
98182	5/21/2012	887986 887986 TRAFFIC MANAGEMENT INC.	(Continued)			Total : 57.42
98183	5/21/2012	888075 DATAMATIC, LTD.	CA-0000022426		HAND-HELD METER READING MAINT - 70-382-0000-4320	269.84 Total : 269.84
98184	5/21/2012	888179 DMR TEAM, INC.	032012		CONSULTING SERVICES 01-310-0000-4270	3,870.00 Total : 3,870.00
98185	5/21/2012	888241 UNITED SITE SERVICES OF CA INC	114-531508 114-537430		PORTABLE TOILET RENTAL @ 501 FIRE 72-360-0450-4260 PORTABLE TOILET RENTAL @ LAYNE F 01-390-0410-4260	467.84 322.24 Total : 790.08
98186	5/21/2012	888242 MCI	7DI59672 7DK48553 7DK54968		POOL FACILITY - PHONE LINES 01-430-0000-4220 POOL FACILITY - FAX MACHINE 01-430-0000-4220 MTA PHONE LINE 07-440-0441-4220	34.95 31.91 31.91 Total : 98.77
98187	5/21/2012	888309 HI 2 LO VOLTAGE WIRING CO, INC	15362		MONITORING - 04/01/12 TO 06/30/12 01-222-0000-4260	75.00 Total : 75.00
98188	5/21/2012	888356 ADVANCED AUTO REPAIR BODY &	1113 1114		REPAIR FENDER/DOOR/CONTROL 01-320-0225-4400 REPLACE BAD IGNITION COIL - PW683 01-320-0370-4400	756.04 91.49 Total : 847.53
98189	5/21/2012	888531 BIG RED PLUMBING SUPPLY, INC.	68561		MAT'L'S FOR BACKFLOW REPAIR - MIS 70-383-0301-4300	225.55 Total : 225.55
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Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
98190	5/21/2012	888556 KEY EQUIPMENT FINANCE	590158242 - 2205		MAY LEASE PAYMENT - TOSHIBA 3510 .	
			590158242 - 3205		01-190-0000-4320	379.81
			590158242-1205		PW COPIER LEASE PAYMENT - MAY 20	
			591214947 - 1205		73-350-0000-4290	205.54
					MAY LEASE PAYMENT TOSHIBA 720 - (
					01-190-0000-4320	513.71
					MAY LEASE PAYMENT - TOSHIBA 5500 .	
					10-420-1371-4260	1,195.00
					Total :	2,294.06
98191	5/21/2012	888615 WOOD AUTO SUPPLY INC	760330		TRANS KIT - PD7832	
			761084		01-320-0225-4400	39.11
			761461		FUEL CAPS - PK8230	
			761518		01-320-0390-4400	26.08
			761802		WIPER BLADES FOR FLEET	
			762193		01-1215	64.10
			762292		WIPER SWITCH - PD7832	
			762862		01-320-0225-4400	68.95
					TRAILER PLUG CONNECTORS	
					01-1215	43.46
					FILTERS & THERMOSTATS FOR FLEET	
					01-1215	78.56
					TRANS KIT - PD3032	
					01-320-0225-4400	13.21
					THERMOTOR TO TEST WATER	
					70-384-0000-4340	14.05
					Total :	347.52
98192	5/21/2012	888646 HD SUPPLY WATER WORKS, LTD	4618220		FIRE HYDRANT MARKERS	
			4695446		70-383-0701-4600	325.64
					COPPER TUBING & ANGLE METER FOI	
					70-383-0301-4300	1,403.87
					Total :	1,729.51
98193	5/21/2012	888800 BUSINESS CARD	1933		WEBSITE ADVERTISEMENT (SR ACCOI	
			504300		01-106-0000-4230	225.00
					REPLACE BROKEN POOL PUMP COVE	

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Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
98193	5/21/2012	888800 BUSINESS CARD	(Continued)			
			802647		01-430-0000-4300	319.94
			889950		REPL FAILED WEB FILTER	
					01-190-0000-4500	899.00
					70-381-0000-4500	899.00
					NETWORK TIME MANAGEMENT SOFTV	
					01-222-0000-4300	1,296.69
					Total :	3,639.63
98194	5/21/2012	888817 AMERICAN AIR CONTROL, INC	29881		OIL FOR FLEET	
					01-1215	652.84
					Total :	652.84
98195	5/21/2012	888873 ROYAL FLUSH	1773		PORTABLE TOILET RENTAL @ 12900 D	
					70-384-0000-4260	133.00
					Total :	133.00
98196	5/21/2012	888951 DOMINGUEZ, WALTER	REIMB.		REIMB OF K-9 SUPPLIES AND TRAININ	
					01-225-0000-4270	342.10
					Total :	342.10
98197	5/21/2012	889037 AT&T MOBILITY	875587443		MODEM FOR TRAFFIC SIGNS ON MACI	
					01-310-0000-4220	61.95
					Total :	61.95
98198	5/21/2012	889043 ALADIN JUMPERS	050212		BALLOONS FOR SENIOR EXPO ON 05/	
					04-2346	223.89
					Total :	223.89
98199	5/21/2012	889121 EDGESOFT, INC.	2655		3RD QUARTER PAYMENT - 01/01/12-03/	
					01-222-0000-4320	2,479.10
					01-140-0000-4320	2,479.10
					01-310-0000-4320	1,239.65
					70-381-0000-4320	1,239.65
			2680		4TH QUARTER PAYMENT - 04/01/2012 -	
					01-222-0000-4320	7,437.50
					Total :	14,875.00

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Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
98200	5/21/2012	889149 STAPLES BUSINESS ADVANTAGE	8021682023		KITCHEN SUPPLIES - PAPER PLATES, 01-190-0000-4300	86.82
					Total :	86.82
98201	5/21/2012	889216 CSI FORENSIC SUPPLY	50205A		GUN BOXES AND TIES 01-222-0000-4300	147.69
					Total :	147.69
98202	5/21/2012	889423 LIZARRAGA, MANUEL	TRAVEL		MANDATORY STC COURSE IN RIVERSI 01-225-3688-4360	115.00
					Total :	115.00
98203	5/21/2012	889532 GILMORE, REVA A.	04/07/12 - 04/20/12		FOOD SERVICE MANAGER 10-422-3750-4270 10-422-3752-4270	390.00 110.50
					Total :	500.50
98204	5/21/2012	889533 MARTINEZ, ANITA	04/07/12 - 04/20/12		ASSISTANT FOOD MANAGER 10-422-3750-4270	159.30
					Total :	159.30
98205	5/21/2012	889534 RAMIREZ, FRANCISCO	04/07/12 - 04/20/12		HDM DRIVER 10-422-3752-4270 10-422-3752-4390	177.00 52.00
					Total :	229.00
98206	5/21/2012	889535 GOMEZ, GILBERT	04/07/12 - 04/20/12		HDM DRIVER 10-422-3752-4270 10-422-3752-4390	141.60 45.76
					Total :	187.36
98207	5/21/2012	889611 MORRISON MANAGEMENT SPECIALIST	18845201243001		LP SENIOR MEALS - APRIL 2012 10-422-3750-4260 10-422-3752-4260	4,882.50 3,334.50
					Total :	8,217.00
98208	5/21/2012	889627 VERIZON CONFERENCING	64921		CONFERENCE CALL ON 03/28/12 01-190-0000-4220	2.33

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Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
98208	5/21/2012	889627 889627 VERIZON CONFERENCING	(Continued)		Total :	2.33
98209	5/21/2012	889680 JIMENEZ LOPEZ, JUAN MANUEL	APRIL 2012		MARIACHI MASTER APPRENTICE PRO- 10-420-3694-4260	300.00
					Total :	300.00
98210	5/21/2012	889681 VILLALPANDO, MARIA	04/07/12 - 04/20/12		FOOD SERVICE WORKER 10-422-3750-4270 10-422-3752-4270	199.13 39.83
					Total :	238.96
98211	5/21/2012	889794 CUELLAR, JULIE	MAY 2012		COMMISSIONER'S REIMBURSEMENT 01-150-0000-4111	50.00
					Total :	50.00
98212	5/21/2012	889834 LESLIE'S SWIMMING POOL SUPPLIE	17-313281 3013-52735		POOL CHEMICALS 01-430-0000-4300 POOL CHEMICALS 01-430-0000-4300	92.21 1,017.87
					Total :	1,110.08
98213	5/21/2012	889871 EXOVA INC.	136391		CHROMIUM WATER ANALYSIS 70-384-0000-4260	1,300.00
					Total :	1,300.00
98214	5/21/2012	889942 ATHENS SERVICES	MAY 2012		STREET SWEEPING - MAY 2012 01-343-0000-4260	10,100.00
					Total :	10,100.00
98215	5/21/2012	889962 GMS ELEVATOR SERVICES, INC	00063958 00064134		FIRE TEST VISIT 01-430-0000-4260 ELEVATOR MONTHLY SERVICE 01-430-0000-4260	344.00 125.00
					Total :	469.00
98216	5/21/2012	889983 RUELAS, JOSE	MAY 2012		COMMISSIONER'S REIMBURSEMENT 01-150-0000-4111	50.00

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Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
98216	5/21/2012	889983 889983 RUELAS, JOSE	(Continued)			Total : 50.00
98217	5/21/2012	889986 THE GEAR BOX	1912		PATCHES	
			1914		01-222-0000-4300	2,490.38
					UNIFORMS	
					01-222-0000-4300	544.15
					Total :	3,034.53
98218	5/21/2012	890010 TOTAL PRINTING SUPPLIES	10825		TONER	
					01-222-0000-4300	48.94
					Total :	48.94
98219	5/21/2012	890088 WINDOW TINTS EVERYTHING	11267		REMOVE & INSTALL GRAFFITI FILM @	
					01-390-0410-4330	687.00
					Total :	687.00
98220	5/21/2012	890094 TECS ENVIROMENTAL	TM-SF-0412A		NITRATE WELL TREATMENT 03/13/12-0	
			TM-SF-0412B		70-384-0000-4600	1,375.00
					GENERAL ENGINEERING SERVICES -	
					01-310-0000-4270	250.00
					Total :	1,625.00
98221	5/21/2012	890109 SUPERMEDIA LLC	490003218406		DOMAIN REGISTRATION & E-MAIL HOS	
					01-190-0000-4220	50.95
					Total :	50.95
98222	5/21/2012	890110 ECHEVERRIA, ARIANA	62-2532-08		WATER ACCT REFUND - 542 N WORKM	
					70-2010	130.75
					Total :	130.75
98223	5/21/2012	890127 NATURAL GAS GLOBAL SERVICES	231		RE-CERT OF MERCER VALVES & REPL	
					01-320-3661-4400	1,195.49
					Total :	1,195.49
98224	5/21/2012	890286 CALIFORNIA CLAIMS	2011-10199		WORKER'S COMP ADMINISTRATIVE FE	
					01-106-0000-4270	1,500.00
					Total :	1,500.00

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Bank code :		bank				
Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
98225	5/21/2012	890404 SAN FERNANDO FIRE & RESCUE INC	25		POOL PERSONNEL SERVICES W/E 04/	
					01-430-0000-4260	5,268.00
					Total :	5,268.00
98226	5/21/2012	890486 LINCOLN COMMERCIAL	SI184210		CHEMICAL TUBE	
					01-430-0000-4300	92.79
					Total :	92.79
98227	5/21/2012	890535 PLUMP ENGINEERING INC	31340	10921	ENGINEERING SERVICES	
					70-384-0857-4270	6,600.00
					Total :	6,600.00
98228	5/21/2012	890546 BARAJAS, CRYSTAL	APRIL 2012		MARIACHI MASTER APPRENTICE PRO	
					10-424-3678-4260	127.50
					Total :	127.50
98229	5/21/2012	890559 CRESCENTA VALLEY WATER DISTRIC	SF2		ULARA SPECIAL COUNSEL COST SHAR	
					70-381-0000-4270	320.06
					Total :	320.06
98230	5/21/2012	890561 GCS INC.	41055		JANITORIAL SERVICES - MAY 2012	
					01-390-0222-4260	4,305.60
					01-390-0310-4260	1,214.91
					01-390-0410-4260	2,607.00
					72-360-0450-4260	1,088.36
					01-390-0460-4260	3,780.00
					Total :	12,995.87
98231	5/21/2012	890584 POWERLINE BATTERY SPECIALIST	1192		BATTERY FOR PW4 RADIO	
			1256		01-390-0410-4320	48.21
					BATTERIES FOR FLEET	
					01-1215	491.21
					Total :	539.42
98232	5/21/2012	890590 ORTIZ, JESUS	03/24 & 03/31		SPORTS OFFICIALS	
					17-420-1328-4260	64.00
					Total :	64.00

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Bank code :		bank				
Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
98233	5/21/2012	890594 AETNA RESOURCE FOR LIVING	65386		EAP - MAY 2012 01-106-0000-4260	365.75
					Total :	365.75
98234	5/21/2012	890695 CROWN CITY ENGINEERING	3200181-6		TRAFFIC STUDY ENGINEER FOR SANT 01-2203	11,900.00
					Total :	11,900.00
98235	5/21/2012	890696 GEORGES, CHRIS	APRIL 2012		MASTERS SWIM TEAM 17-420-1338-4260	659.10
					Total :	659.10
98236	5/21/2012	890697 MIER, ROCIO	2000090.004		ZUMBA REFUND 17-3770-1337	15.00
					Total :	15.00
98237	5/21/2012	890698 P.D. GUN SUPPLY + TOOL	860805		MAGAZINES FOR PATROL 01-222-0000-4300	653.00
					Total :	653.00
98238	5/21/2012	890699 AT & T WIRELESS	PL1200036-PL1200032		CUP REFUND 01-3705-0000 01-3706-0000 01-3719-0154	6,010.00 1,440.00 601.00
					Total :	8,051.00
98239	5/21/2012	890700 GUZMAN, DANETTE	TRAVEL		MANDATORY STC COURSE IN RIVERSI 01-225-3688-4360	115.00
					Total :	115.00
98240	5/21/2012	890703 REYNOSO, PATRICIA	31-1930-01		WATER ACCT REFUND - 132 ALEXANDI 70-2010	243.30
					Total :	243.30
98241	5/21/2012	890704 URNA, CIPRIANO	50-4450-06		WATER ACCT REFUND - 1072 N HUNTI 70-2010	220.11
					Total :	220.11
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Bank code :		bank				
Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
98242	5/21/2012	890705 MAGRO, RAQUEL	43-3290-03		WATER ACCT REFUND - 225 FERMOOF 70-2010	18.68
					Total :	18.68
98243	5/21/2012	890706 MAGANA, VICTOR	35-0700-02		WATER ACCT REFUND - 1523 CORONE 70-2010	155.40
					Total :	155.40
98244	5/21/2012	890707 MOLINA, MICHELE	52-23520-08		WATER ACCT REFUND - 1966 SEVENTI 70-2010	104.55
					Total :	104.55
98245	5/21/2012	890708 FOSTER, DUDLEY	43-0940-03		WATER ACCT REFUND - 500 N MEYER 70-2010	27.29
					Total :	27.29
98246	5/21/2012	890709 HUNTINGTON, CHARLES A.	43-1880-00		WATER ACCT REFUND - 210 N MEYER 70-2010	83.76
					Total :	83.76
98247	5/21/2012	890710 JOHNSTON, J. C.	43-2000-00		WATER ACCT REFUND - 232 N LAZARD 70-2010	44.07
					Total :	44.07
98248	5/21/2012	890711 OZAIR, DANNY	43-3140-03		WATER ACCT REFUND - 224 N HUNTIN 70-2010	38.04
					Total :	38.04
98249	5/21/2012	890712 CHAVEZ, JOSE MANUEL	50-1415-04		WATER ACCT REFUND - 1737 EIGHTH 70-2010	5.39
					Total :	5.39
98250	5/21/2012	890713 GUERRERO, SANDRA	50-2215-02		WATER ACCT REFUND - 1825 KNOX 70-2010	118.89
					Total :	118.89
98251	5/21/2012	890714 FIELD ASSET SERVICES	50-4440-03		WATER ACCT REFUND - 1066 N HUNTI 70-2010	60.00
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Bank code :		bank				
Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
98251	5/21/2012	890714 890714 FIELD ASSET SERVICES	(Continued)			Total : 60.00
98252	5/21/2012	890715 YOUNG, CYNTHIA	50-4480-00		WATER ACCT REFUND - 1081 N HUNTI 70-2010	4.33 Total : 4.33
98253	5/21/2012	890716 COUSENS, KRISTI	52-0860-05		WATER ACCT REFUND - 1952 KNOX 70-2010	7.65 Total : 7.65
98254	5/21/2012	890717 TDC PACIFIC PROPERTIES	52-0940-05		WATER ACCT REFUND - 1914 KNOX 70-2010	29.16 Total : 29.16
98255	5/21/2012	890718 MARTINEZ, OFELIA	52-1360-03		WATER ACCT REFUND - 1972 PHILLIPP 70-2010	93.42 Total : 93.42
98256	5/21/2012	890719 RUSSELL, JEFFREY	52-1380-03		WATER ACCT REFUND - 1962 PHILLIPP 70-2010	3.65 Total : 3.65
98257	5/21/2012	890720 RUSSELL, JEFFREY	52-2090-05		WATER ACCT REFUND - 1941 SEVENTH 70-2010	60.00 Total : 60.00
98258	5/21/2012	890721 PINNACLE ESTATE PROPERTIES	54-0252-03		WATER ACCT REFUND - 869 GRISWOL 70-2010	50.24 Total : 50.24
98259	5/21/2012	890722 GODOY, MARIA	54-1242-02		WATER ACCT REFUND 1233 WARREN 70-2010	36.89 Total : 36.89
98260	5/21/2012	890723 TREVETHAN, AARON	54-1542-16		WATER ACCT REFUND - 1210 WARREN 70-2010	25.69 Total : 25.69
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Bank code :		bank				
Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
98261	5/21/2012	890724 WEDGEWOOD INVESTMENT POOL LLC	54-1902-01		WATER ACCT REFUND - 823 ALEXANDI 70-2010	108.46 Total : 108.46
98262	5/21/2012	890725 DILBECK GMAC REAL ESTATE	62-2192-04		WATER ACCT REFUND - 421 HARDING 70-2010	51.11 Total : 51.11
98263	5/21/2012	890726 RE/MAX SANTA CLARITA	62-2202-03		WATER ACCT REFUND - 427 HARDING 70-2010	60.00 Total : 60.00
98264	5/21/2012	890727 GANDARA, JONATHAN	62-2262-07		WATER ACCT REFUND - 418 HARDING 70-2010	100.61 Total : 100.61
98265	5/21/2012	890728 ARMEN, JERRY	33-0840-07		WATER ACCT REFUND - 716 CORONEL 70-2010	10.39 Total : 10.39
98266	5/21/2012	890729 LIMA, BYRON	33-1015-05		WATER ACCT REFUND - 609 CORONEL 70-2010	134.64 Total : 134.64
98267	5/21/2012	890730 CHAVEZ, FRANCISCO	33-1015-06		WATER ACCT REFUND - 609 CORONEL 70-2010	119.31 Total : 119.31
168 Vouchers for bank code :		bank				Bank total : 591,115.47
168 Vouchers in this report					Total vouchers :	591,115.47

Voucher Registers are not final until approved by Council.

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Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
97790	4/2/2012	102519 P.E.R.S.	DEMAND		HEALTH INSURANCE BENEFITS - APRI 01-1160	202,985.64
					Total :	202,985.64
97891	4/11/2012	100943 DELTA INDEMNITY	DEMAND		DENTAL INSURANCE BENEFITS - APRI 01-1160	12,464.32
					Total :	12,464.32
97892	4/11/2012	100940 DELTA CARE USA	DEMAND		DENTAL INSURANCE BENEFITS - APRI 01-1160	469.92
					Total :	469.92
97893	4/11/2012	103596 CALIFORNIA VISION SERVICE PLAN	DEMAND		OPTICAL INSURANCE BENEFITS - APR 01-1160	2,529.63
					Total :	2,529.63
97894	4/11/2012	887627 STANDARD INSURANCE	DEMAND		LIFE INSURANCE BENEFITS - APRIL 20 01-1160	3,448.91
					Total :	3,448.91
97895	4/12/2012	103648 CITY OF SAN FERNANDO	PR 4-13-12		REIMBURSEMENT FOR PAYROLL W/E 01-1003 07-1003 08-1003 10-1003 17-1003 27-1003 29-1003 50-1003 70-1003 72-1003 98-1003	359,297.21 3,234.11 7,346.37 27,797.11 2,016.32 5,298.62 4,102.26 6,449.17 49,075.89 19,784.79 11,763.00
					Total :	496,164.85
97896	4/19/2012	101988 LOS ANGELES COUNTY	DEMAND		NOTICE OF INTENT TO ADOPT A MITIC 01-150-0000-4230	75.00

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Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
97896	4/19/2012	101988 101988 LOS ANGELES COUNTY	(Continued)			Total : 75.00
97897	4/26/2012	887264 CALPERS	100000013138451		ADMINISTRATION FEE FOR 3% @ 55 C 01-106-0000-4270	300.00
					Total :	300.00
97898	4/26/2012	103648 CITY OF SAN FERNANDO	PR 4-27-12		REIMBURSEMENT FOR PAYROLL W/E 01-1003 07-1003 08-1003 10-1003 17-1003 27-1003 29-1003 50-1003 70-1003 72-1003 98-1003	374,638.87 3,066.90 7,667.49 23,407.58 1,035.54 5,678.86 4,104.50 6,448.98 61,758.87 21,389.84 11,763.04
					Total :	520,960.47
9 Vouchers for bank code : bank						Bank total : 1,239,398.74
9 Vouchers in this report						Total vouchers : 1,239,398.74

Voucher Registers are not final until approved by Council.

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PUBLIC WORKS DEPARTMENT

MEMORANDUM

TO: Mayor Brenda Esqueda and Councilmembers

FROM: Al Hernández, City Administrator
By: Ron Ruiz, Public Works Director

DATE: May 21, 2012

SUBJECT: Fiscal Year 2012-2013 Street Lighting Assessment District Approval of Engineer's Report and Setting a Date for the Public Hearing

RECOMMENDATION:

It is recommended that City Council:

- a. Adopt a Resolution approving the Engineer's Report for the Fiscal Year 2012-2013 Landscaping and Lighting Assessment District (Attachment "A"); and
- b. Adopt a Resolution declaring the City Council's intention to order the annual assessments for Fiscal Year 2012-2013 Landscaping and Lighting Assessment District and setting the date for the Public Hearing on July 2, 2012 (Attachment "B").

BACKGROUND:

On March 19, 2012, the City Council adopted Resolution 7472 to initiate proceedings and order the preparation of the Engineer's Report for the Fiscal Year 2012-2013 levy of annual assessments for the City's street lighting. Assessments under the Landscaping and Lighting Assessment District (LLAD) are to be used for street lighting purposes only.

The LLAD has been in effect in the City since Fiscal Year 1981-1982, under the 1972 Landscaping and Lighting Assessment District Act. The purpose of the LLAD is to equitably assess properties in accordance with special benefits received from the improvements to cover the cost of maintenance and operation of the lighting system within the City's streets. City Council has previously approved the methodology for assessments and staff will continue with the same methodology this year.

Fiscal Year 2012-2013 Street Lighting Assessment District Approval of Engineer's Report and Setting a Date for the Public Hearing

Page 2

ANALYSIS:

Per the Engineer's Report, the assessments collected this year will not be sufficient for future operations and maintenance costs. For Fiscal Year 2012-2013, we estimate the proposed total assessment amount to be \$327,105, which is the amount approved in the 2003 ballot. The total operations and maintenance costs for Fiscal Year 2012-2013 are estimated at \$420,534, which exceeds the maximum amount we may assess by \$93,429.

In order to address the additional operations and maintenance costs for Fiscal Year 2012-2013, Measure R funds (Fund 12) will be budgeted until the assessed amount can be increase. Under Proposition 218, which became effective in Fiscal Year 1997-1998, new or increase assessments, or existing assessments not imposed exclusively to fund capital costs or operations and maintenance may not be routinely imposed.

CONCLUSION:

The Engineer's Report prepared by Willdan Financial Services for Fiscal Year 2012-2013 is acceptable to City staff, therefore City staff recommends that the City Council approve the Engineer's Report and set the date for the Public Hearing. The Engineer's Report and the Summary Listings are on file with the City Clerk and Engineering.

BUDGET IMPACT:

The costs to prepare the LLAD Engineer's Report were included in the approved Fiscal Year 2011-2012 budget, and will also be included in the Fiscal Year 2012-2013 budget.

ATTACHMENTS:

- A. Resolution approving the Engineer's Report Fiscal Year 2012-2013
- B. Resolution setting the date for the Public Hearing on July 2, 2012

ATTACHMENT "A"**RESOLUTION NO. _____ .****A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN FERNANDO, APPROVING THE ENGINEER'S REPORT FOR CERTAIN STREET LIGHTING MAINTENANCE IN THE CITY OF SAN FERNANDO LANDSCAPING AND LIGHTING ASSESSMENT DISTRICT FISCAL YEAR 2012-2013**

WHEREAS, pursuant to the provisions of Division 15, Part 2, of the Streets and Highways Code of the State of California, being known as the "Landscaping and Lighting Act of 1972," the City Council, by previous Resolution, ordered the preparation of an Engineer's Report ("Report") including an engineer's cost estimate, assessment diagram, assessment roll, and plans and specifications relating to the CITY OF SAN FERNANDO LANDSCAPING AND LIGHTING ASSESSMENT DISTRICT (hereinafter referred to as the "DISTRICT"); and

WHEREAS, there now has been presented to the City Council the Report as required by Division 15, Part 2 of the Streets and Highways Code and as previously directed by Resolution; and

WHEREAS, the City Council has now carefully examined and reviewed the Report as presented, and is satisfied with each and all of the items and documents as set forth therein and is satisfied that the assessments, on a basis, have been spread in accordance with the benefits received from the maintenance to be performed as set forth in said Report;

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

Section 1: That the above recitals are all true and correct.

Section 2: The Report as presented includes the following:

- a. Plans and Specifications
- b. Engineer's Cost Estimate
- c. Assessment Roll
- d. Assessment Diagram (District Boundary)

Section 3: That the Report (Exhibit "A") is approved as filed and is ordered to be filed in the Office of City Clerk as a permanent record and to remain open for public inspection.

Section 4: That the City Clerk shall certify to the passage and adoption of this Resolution and the minutes of this meeting shall so reflect the presentation of the Engineer's Report.

PASSED, APPROVED, AND ADOPTED this 21st day of May, 2012.

CITY OF SAN FERNANDO

Brenda Esqueda, Mayor

ATTEST:

Elena G. Chávez, City Clerk

APPROVED AS TO FORM:

Maribel S. Medina, City Attorney

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 21st day of May, 2012; by the following vote, to wit:

AYES:

NOES:

ABSENT:

Elena G. Chávez, City Clerk

ATTACHMENT "B"**RESOLUTION NO. _____**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN FERNANDO, DECLARING ITS INTENTION TO LEVY AND COLLECT ASSESSMENTS WITHIN THE CITY OF SAN FERNANDO LANDSCAPING AND LIGHTING ASSESSMENT DISTRICT FOR FISCAL YEAR 2012-2013 PURSUANT TO THE PROVISIONS OF DIVISION 15, PART 2, OF THE STREETS AND HIGHWAYS CODE OF THE STATE OF CALIFORNIA AND SETTING A TIME AND PLACE FOR A PUBLIC HEARING

WHEREAS, the City Council has previously ordered the Engineer to prepare and file a Report pursuant to the provisions of Division 15, Part 2 of the Streets and Highways Code of the State of California being the "Landscaping and Lighting Act of 1972," for an assessment district known and designated as the CITY OF SAN FERNANDO LANDSCAPING AND LIGHTING ASSESSMENT DISTRICT (hereinafter referred to as "DISTRICT"); and

WHEREAS, there has been presented to and approved by the City Council the Engineer's Report as required by law; and

WHEREAS, the City Council is desirous of proceeding with the ordering of the annual levy of assessments in accordance with the requirements of the California Constitution; and

WHEREAS, the City Council has determined that in order to maintain a satisfactory level of maintenance, service and benefit to properties within the District, an increase assessment will be necessary, and that said increase must be approved by the property owners in accordance with the requirements of the California Constitution, Articles XIID.

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

Section 1: GENERAL

That the above recitals are all true and correct.

Section 2: PUBLIC INTEREST

That it is the intention of the City Council, consistent with the public interest and convenience, to levy and collect annual assessments for Fiscal Year 2012-2013 for the continued maintenance and operation of streets within the City of San Fernando Landscaping and Lighting Assessment District generally including all parcels within the City, all to serve and benefit said District as said area is shown and delineated on a map, previously approved by the City Council and on file in the Office of the City Clerk, open for public inspection, and herein so referenced and made a part hereof.

Section 3: REPORT

That the Engineer's Report, previously approved regarding the Fiscal Year 2012-2013 Assessment, which Report sets forth a full and detailed description of the improvements, the boundaries of the District and the zones therein, and the proposed assessments upon assessable lots and parcels of land within the District, is on file with the Clerk of the City of San Fernando and open for public inspection.

Section 4: ASSESSMENT

That the public interest and convenience requires, and it is the intention of the City Council to order the annual levy of the assessments as set forth and described in said Engineer's Report. The City Council hereby declares its intention to seek the annual levy and collection of the assessments within the Landscaping and Lighting Assessment District to pay the annual costs and expenses of the improvements and services described in the Engineer's Report, for Fiscal Year 2012-2013.

Section 5: DESCRIPTION OF IMPROVEMENTS

That the proposed improvements for Fiscal Year 2012-2013 may be generally described as the continued maintenance and operation of streets and sidewalks within the District including the maintenance and servicing of public lighting facilities and appurtenant facilities that are located in and along such streets and sidewalks. The proposed improvements shall no longer include the maintenance or servicing of public lighting facilities that are not located in and along streets and sidewalks within the District.

Section 6: EXEMPTION FROM REQUIREMENTS OF ARTICLE XIII D, SECTION 4 OF THE CALIFORNIA CONSTITUTION

That the City Council hereby determines and declares that the proposed assessments constitute a continuation of assessments existing on the effective date of Article XIII D, that the assessments are imposed exclusively to finance the maintenance and operation expenses for sidewalks and streets, and that the assessments are exempt from the requirements of Article XIII D, Section 4 of the California Constitution.

Section 7: COUNTY AUDITOR

The County Auditor shall enter on the County Assessment Roll the amount of the assessments and shall collect said assessments at the time and in the same manner as County taxes are collected. After collection by the County, the net amount of the assessments, after the deduction of any compensation due to the County for collection, shall be paid to the City Treasurer of the City for purposes of paying for the costs and expenses of said District.

Section 8: SPECIAL FUND

That the City Treasurer shall place all monies collected by the Tax Collector as soon as said monies have been received by said City Treasurer in the special fund known as the "CITY OF SAN FERNANDO LANDSCAPING AND LIGHTING ASSESSMENT DISTRICT FUND." Payment shall be made out of said fund only for the purposes provided for in this Resolution.

Section 9: BOUNDARIES OF DISTRICT

That said contemplated improvements are, in the opinion of the City Council, of direct and special benefit to the properties within the boundaries of the District, as set forth below, and the City Council makes the costs and expenses of said improvements chargeable upon the District, which district said City Council hereby declares to be the District specially benefited by said improvements and to be further assessed to pay the costs and expenses thereof. Except for those parcels referred to in Section 9 of this Resolution, said District shall include each and every parcel of land within the boundaries of said District as said District is shown on a map as approved by the City Council and on file in the Office of the City Clerk, and so designated by the name of the District.

Section 10: PUBLIC PROPERTY

Public property owned by any public agency and in use in the performance of a public function which is included within the boundaries of the District, shall be omitted and exempt from any assessment to be made under these proceedings to cover any of the costs and expenses of said improvements.

Section 11: PUBLIC HEARING

Notice is hereby given that July 2, 2012, at the hour of 6:00 p.m., in the Council Chambers of the City Council of the City of San Fernando, 117 Macneil Street, San Fernando, California, being the regular meeting place of said City Council is the time and place fixed by this City Council for the hearing of protests, comments or objections in reference to the extent of the improvements and to the levy of the proposed assessments. Any interested person who wishes to object to the levy and collection of the proposed assessments may file a written protest with the City Clerk prior to the conclusion of the public hearing, or, having previously filed a protest, may file a written withdrawal of that protest. A written protest shall state all grounds of objection, and a protest by a property owner shall contain a description sufficient to identify the property owned by the property owner. At the hearing, all interested persons shall be afforded the opportunity to hear and be heard, and the City Council shall consider all oral statements and all written protests made or filed by any interested person.

Section 12: PUBLICATION OF NOTICE

The City Clerk is hereby authorized and directed to publish a copy of this Resolution in The San Fernando Valley Sun newspaper, a newspaper of general circulation in said City; said publication shall not be less than ten (10) days before the date of said Public Hearing.

Section 13: PROCEEDINGS INQUIRIES

For any and all information relating to the procedures, protest procedure, documentation, and/or information of a procedural or technical nature, your attention is directed to the office listed below as designated:

DEPARTMENT OF PUBLIC WORKS
(818) 898-1222

PASSED, APPROVED, AND ADOPTED this 21st day of May, 2012.

CITY OF SAN FERNANDO

Brenda Esqueda, Mayor

ATTEST:

Elena G. Chávez, City Clerk

APPROVED AS TO FORM:

Maribel S. Medina, City Attorney

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 21st day of May, 2012, by the following vote to wit:

AYES:

NOES:

ABSENT:

Elena G. Chávez, City Clerk

EXHIBIT "A"



City of San Fernando

Landscaping and Lighting Assessment District

2012/2013 ENGINEER'S ANNUAL LEVY REPORT

Intent Meeting: May 7, 2012

Public Hearing: June 18, 2012

27368 Via Industria
Suite 110
Temecula, CA 92590
T 951.587.3500 | 800.755.6864
F 951.587.3510

www.willdan.com/financial



AFFIDAVIT FOR THE ENGINEER'S ANNUAL LEVY REPORT

City of San Fernando
Los Angeles County, State of California

Landscaping and Lighting District

This Report and the information contained herein reflect the proposed budget for each of the various services provided by the San Fernando Landscaping and Lighting District and the assessments applicable to those services as they existed at the time of the passage of the Resolution of Intention. Reference is hereby made to the Los Angeles County Assessor's maps for a detailed description of the lines and dimensions of parcels within the District.

The undersigned respectfully submits the enclosed Report as directed by the City Council of the City of San Fernando.

Dated this _____ day of _____, 2012.

Willdan Financial Services
Assessment Engineer

By: _____

Beatrice Medina
Project Manager
District Administration Services

By: _____

Richard Kopecky
R.C.E. # 16742

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SECTION 1. AUTHORITY FOR REPORT

This report for the San Fernando Landscaping and Lighting District ("District") is prepared pursuant to a resolution of the City Council of City of San Fernando and in compliance with the requirements of Article 4, Chapter 1, (commencing with Section 22565) of the Landscaping and Lighting Act of 1972, Part 2 of Division 15 of the Streets and Highways Code of the State of California.

Section 22573 of the Landscaping and Lighting Act of 1972 requires assessments to be levied according to benefit rather than according to assessed value. The section states:

"The net amount to be assessed upon lands within an assessment district may be apportioned by any formula or method which fairly distributes the net amount among all assessable lots or parcels in proportion to the estimated benefits to be received by each such lot or parcel from the improvements.

The determination of whether or not a lot or parcel will benefit from the improvements shall be made pursuant to the Improvement Act of 1911 (Division 7 (commencing with Section 5000) of the Streets and Highways Code, State of California)."

Exemption from Article XIID of the California Constitution

As a result of the passage of Proposition 218 by voters on November 5, 1996, Articles XIIC and XIID were added to the California Constitution. Article XIID specifically addressed both the substantive and procedural requirements to be followed for assessments. The new procedural and approval process for assessments outlined in this article apply to all assessment districts, with the exception of those existing assessments that met one or more of the following criteria: 1) a district that received prior voter approval, 2) a district originated with a petition signed by 100 percent of the property owners in the district, or 3) a district complying with the requirements set forth in Section 5(a) of Article XIID that states:

...assessments existing on the effective date of this Article shall be exempt from the procedures and approval process set forth in Section 4 [if they were] imposed exclusively to finance the capital costs or maintenance and operation expenses for sidewalks, streets, sewers, water, flood control, drainage systems or vector control.

Street Improvement as defined herein is based on the definitions provided by the Office of the Controller for the State of California in the *Guidelines Relating to Gas Tax Expenditures* published by the Division of Local Government Fiscal Affairs. The state's gas tax program is administered by local agencies, but audited by the Office of the State Controller. The proceeds of the gas tax are statutorily limited to expenditures for streets and roads. Because the funds are restricted to street and road costs, the State Controller developed the "Street Purpose Definitions and Guidelines" based on the *Manual of Uniform Highway Accounting and Financial Management Procedures* developed by the American Association of State Highway Officials. Street improvement, as it relates to this District, is defined as the construction, operation, or maintenance of facilities within the right of way used for street or road purposes including but not limited to the following:

- Installation or expansion of the street lighting system including replacement of old equipment with superior equipment, installation of traffic signals at intersections and



railroad crossings, replacement of equipment as required for relocations for street purposes, and purchase and installation of traffic signal control equipment.

- Servicing lighting systems and street or road traffic control devices including, repainting and repairing traffic signals and lighting standards; and furnishing of power for street and road lighting and traffic control devices.

Incidental expenses associated with the improvements including, but not limited to:

- The cost of preparation of the report, including plans, specifications, estimates, diagram, and assessment;
- The costs of printing, advertising, and the publishing, posting and mailing of notices;
- Compensation payable to the County for collection of assessments;
- Compensation of any engineer or attorney employed to render services;
- Any other expenses incidental to the construction, installation, or maintenance and servicing of the improvements;
- Any expenses incidental to the issuance of bonds or notes pursuant to Section 22662.5.
- Costs associated with any elections held for the approval of a new or increased assessment.

Therefore, the City determined that the District assessments (assessment rates) approved and levied prior to the passage of Proposition 218 for Street Improvements (Fiscal Year 1996/1997) as defined above were exempt from the Article XIID procedural and approval process, however any proposed increase to the assessments would be subject to both the substantive and procedural requirements outlined in Article XIID.

In fiscal year 2002/2003 the City conducted property owner protest ballot proceedings for an assessment increase. At the conclusion of the public hearing for the District and proposed assessment increase, returned ballots were tabulated and it was determined that majority protest existed and the proposed assessment increase was not imposed. Therefore the previously approved maximum assessment rate was applied and the District was levied in accordance with the Method of Apportionment.

Based on the District's estimated expenses and revenues for fiscal year 2003/2004, the City once again submitted a proposed assessment increase to the property owners within the District and initiated and conducted property owner protest ballot proceedings in compliance with the substantive and procedural requirements of the Constitution Article XIID. At the conclusion of the Public Hearing scheduled July 7, 2003, all property owner protest ballots returned were tabulated to determine if majority protest existed. As a majority protest did not exist, the proposed special benefit assessment increase was approved and adopted by the City Council for fiscal year 2003/2004. The proposed assessment presented to the property owners' established new maximum assessment rates for the various land use classifications within the District.



The actual assessment rates adopted in any fiscal year may be less than or equal to these maximum assessment rates without additional balloting. Any proposed assessment that exceeds the maximum assessment rates will require additional property owner ballot proceedings for the incremental assessment increase. The method of apportioning special benefits and the maximum assessment rates are discussed in more detail in the Method of Assessment section of this report.

SECTION 2. DISTRICT BOUNDARIES

The boundary of the District is coterminous with the City limits of the City of San Fernando and is shown on the Assessment Diagram (Exhibit "B") attached hereto and incorporated herein by reference. The boundaries of the zones within the District are the boundaries shown on the official zoning map of the City of San Fernando, on file in the office of the City Clerk and incorporated herein by reference. All parcels of real property included within the District are described in more detail on maps on file in the Los Angeles County Assessor's office.

SECTION 3. PLANS AND SPECIFICATIONS

The improvements for Fiscal Year 2012/2013 may be generally described as the continued maintenance and operation of streets and sidewalks within the District, including the maintenance and servicing of public lighting facilities and appurtenant facilities that are located in and along such streets and sidewalks. The improvements do not include the maintenance or servicing of public lighting facilities that are not located in and along streets and sidewalks within the District.

There has been prepared and filed with the City Clerk, the District improvement plans and specifications showing and describing the existing improvements. The plans and specifications are identified as "Plans and Specifications No. L-2000", and are available for public inspection. These Street Lighting Plans consist of the Southern California Edison Company maps showing the general nature, location, and extent of existing and proposed street lights in the District which are owned and maintained by the Edison Company, as well as City as-built construction plans showing the general nature, location, and extent of existing street lights which are owned and maintained by the City. The plans and specifications and documents so described are by reference made part of this report and incorporated herein.

In addition to the improvements referenced above, additional streetlight facilities and improvements were added in Fiscal Year 2004/2005 utilizing District funds designated for Capital Improvement Projects. The additional improvements included the expenses associated with the underground improvements for various streetlight facilities within the District. The specific location and extent of these new improvements are on file in the Office of the City Engineer and by reference are made part of this report.

SECTION 4. METHOD OF ASSESSMENT

A. PROPOSITION 218 BENEFIT ANALYSIS

In conjunction with the provisions of the 1972 Act, the California Constitution Article XIID addresses several key criteria for the levy of assessments, notably:

Article XIID Section 2d defines District as follows:



“District means an area determined by an agency to contain all parcels which will receive a special benefit from a proposed public improvement or property-related service”;

Article XIID Section 2i defines Special Benefit as follows:

“Special benefit” means a particular and distinct benefit over and above general benefits conferred on real property located in the district or to the public at large. General enhancement of property value does not constitute “special benefit.”

Article XIID Section 4a defines proportional special benefit assessments as follows:

“An agency which proposes to levy an assessment shall identify all parcels which will have a special benefit conferred upon them and upon which an assessment will be imposed. The proportionate special benefit derived by each identified parcel shall be determined in relationship to the entirety of the capital cost of a public improvement, the maintenance and operation expenses of a public improvement, or the cost of the property related service being provided. No assessment shall be imposed on any parcel which exceeds the reasonable cost of the proportional special benefit conferred on that parcel.”

This District was formed to establish and provide for the improvements that enhance the presentation of the surrounding properties and developments. These improvements will directly benefit the parcels to be assessed within the District. The assessments and method of apportionment is based on the premise that the assessments will be used to construct and install landscape and lighting improvements within the existing District as well as provide for the annual maintenance of those improvements, and the assessment revenues generated by District will be used solely for such purposes.

The costs of the proposed improvements have been identified and allocated to properties within the District based on special benefit. The improvements to be provided by this District and for which properties will be assessed have been identified as an essential component and local amenity that provides a direct reflection and extension of the properties within the District which the property owners and residents have expressed a high level of support.

The method of apportionment (method of assessment) set forth in the Report is based on the premise that each assessed property receives special benefits from the landscape and lighting improvements within the District, and the assessment obligation for each parcel reflects that parcel's proportional special benefits as compared to other properties that receive special benefits.

To identify and determine the proportional special benefit to each parcel within the District, it is necessary to consider the entire scope of the improvements provided as well as the properties that benefit from those improvements. The improvements and the associated costs described in this Report, have been carefully reviewed and have been identified and allocated based on a benefit rationale and calculations that proportionally allocate the net cost of only those improvements determined to be of special benefit to properties within the District. The various public improvements and the associated costs have been identified as either “general benefit” (not assessed) or “special benefit”.



B. STREET LIGHTING BENEFITS

The special benefits derived from the maintenance and servicing of street lighting are the convenience, safety, and security of property, improvements, and goods. Specifically:

1. Improves ingress and egress to property.
2. Enhances nighttime commercial, business, and residential living environment through improved visibility and related safety.
3. Increased nighttime safety on roads and highways and improved ability of pedestrians and motorists to see.
4. Enhanced deterrence of crime and the aid to police protection.
5. Deters nighttime vandalism and other criminal acts and damage to improvements or property.
6. Improved traffic circulation and reduced nighttime accidents and personal property loss.
7. Enhances desirability of properties through association with District improvements.

C. METHODOLOGY

The method of assessment separates costs into two categories:

1. District-wide Lighting - Street Intersection Safety Lights
2. Local Lighting - Street Lights and Alley Lights

District-wide Lighting (Street Intersection Safety Lights)

District-wide Lighting represents the special benefit received from each and every parcel within the District from street intersection safety lights. The cost of such improvements is apportioned at a uniform rate per assessable front foot established for each assessable lot or parcel within the District. Corner single-family residential lots are assessed for street address footage only; side yard frontage is not assessed.

Local Lighting (Street Lights and Alley Lights)

Local Lighting represents the special benefit received from the servicing and maintenance of street and alley lights in close proximity to the assessed parcels. The total cost for Local Lighting is determined by estimating the total amount to be assessed for all street lighting costs and deducting the cost specifically identified as street intersection safety lights.

Local Lighting is further separated into the following zones for both street and alley lights categories:

- Residential
- Industrial
- Commercial



Each zone is defined by the zoning map established by the City Planning Commission the year the Engineer's Report is prepared and approved by the City Council, as shown on the official City records. Separation into zones recognizes differences in estimated special benefit from lighting received by properties within residential, industrial, and commercial areas.

Because non-residential properties are often vacant and unattended during late night hours they are generally more susceptible to vandalism and crime than residential properties. In addition, convenient ingress and egress is more critical to non-residential properties, especially commercial properties, since a larger number of vehicles generally use such properties, and since the convenience of ingress and egress is a significant factor in attracting clients, customers, and employees. For these reasons, non-residential properties derive a greater benefit from street lighting than residential properties.

In addition to the benefit rational described above, the benefit various properties receive from street lighting are directly related to the level of illumination. Nationally, industry standards recommend increasing the intensity of street light illumination from the minimum level specified for local residential streets, to higher levels specified for commercial and arterial streets (Reference: American National Standard Practice for Roadway Lighting, RP-8, page 11, Table J, Recommendation for Average Maintained Horizontal Illumination). Therefore, properties zoned for non-residential use are assessed at a higher rate than properties zoned for residential use because the intensity of street lighting associated with non-residential properties is greater.

Local Lighting cost for street lighting was apportioned per front foot against all "benefited" lots or parcels within each particular zone. "Benefited" lots or parcels were determined to be those where there is existing lighting on the street fronting the lot or parcel. No assessment for Local Lighting has been apportioned to properties where there are no lights or where existing lights are too distant to provide special benefit to those properties.

Based on recommended illumination levels and recognizing variations in existing lighting, the Local Lighting costs have been apportioned according to the following ratios:

Benefit ratios for street lighting:

Parcels within the District receive benefit from local street lighting, namely the street lighting located on the streets or streets in close proximity to the parcels' street address frontage. The benefit ratios established for these street lights are based on the following ratios:

- Residential Zone = 1.0
- Industrial Zone = 2.5
- Commercial Zone = 3.0



Benefit ratios for alley lighting:

In addition to the benefit received from street lighting located in close proximity to the parcels' street address frontage, certain parcels within the District receive a benefit from alley lighting located in close proximity to their side or rear footage. This alley lighting benefit for residential parcels has been estimated at one-half of the street lighting benefit. Non-residential parcels are assigned twice as much benefit from alley lighting as residential parcels because such parcels generally utilize the alleys for deliveries and other purposes. The benefit ratios established for alley lights are based on the following ratios:

- Residential Zone = 0.5
- Industrial Zone = 1.0
- Commercial Zone = 1.0

Single Family Residential Corner Lots

As a result of an assessment analysis, the City Council took action at their regular meeting on February 21, 1995 to modify the apportionment formula to eliminate charging corner lots with single-family residences for their side yard footage. Single-family residential corner lots are assessed for footage along street address frontage only at the rate set by its respective zone and side yard footage is not included in the calculation for either District-wide Lighting or Local Lighting.

Frontage Rates

Based on the preceding discussion, the following are the resulting frontage rate formulas:

Where: TAF	=	Total Assessable Footage
TLF	=	Total Local Footage (Adjusted Front Footage)
SLB	=	Street Light Local Benefit
ALB	=	Alley Light Local Benefit
RF	=	Residential Frontage
MF	=	Industrial Frontage
CF	=	Commercial Frontage
RAF	=	Residential Alley Frontage
MAF	=	Industrial Alley Frontage
CAF	=	Commercial Alley Frontage
DLR	=	District-wide Lighting Rate
LLR	=	Local Lighting Rate

The following outlines the proportional special benefit formulas used to calculate the assessment rate applied to District-wide Lighting benefits (street intersection lighting):

Total Assessable Footage (TAF) = (RF+MF+CF+RAF+MAF+CAF)
(Assessable Footage) (All assessed parcels)

District-wide Lighting (DLR) = Budgeted Intersection Safety Light Cost

**(Assessment Rate)****Total Assessable Footage (TAF)**

The following outlines the proportional special benefit applied to various land use classifications to determine the adjusted front footage used for calculating Local Lighting assessments. Each parcel's total adjusted front footage is the sum of the parcel's calculated SLB and ALB applicable to that parcel's land use.

$$\begin{aligned} \text{Residential SLB} &= 1.0 \times \text{RF} && \text{(Residential Frontage)} \\ \text{Residential ALB} &= 0.5 \times \text{RAF} && \text{(Residential Alley Frontage)} \end{aligned}$$

$$\begin{aligned} \text{Industrial SLB} &= 2.5 \times \text{MF} && \text{(Industrial Frontage)} \\ \text{Industrial ALB} &= 1.0 \times \text{MAF} && \text{(Industrial Alley Frontage)} \end{aligned}$$

$$\begin{aligned} \text{Commercial SLB} &= 3.0 \times \text{CF} && \text{(Commercial Frontage)} \\ \text{Commercial ALB} &= 1.0 \times \text{CAF} && \text{(Commercial Alley Frontage)} \end{aligned}$$

The following outlines the proportional special benefit formulas used to calculate the assessment rate applied to Local Lighting benefits:

$$\begin{aligned} \text{Total Local Footage (TLF)} &= \text{RF} + 2.5(\text{MF}) + 3.0(\text{CF}) + 0.5(\text{RAF}) + \text{MAF} + \text{CAF} \\ \text{(Adjusted Footage)} &&& \text{(All assessed parcels)} \end{aligned}$$

$$\begin{aligned} \text{Local Lighting Rate (LLR)} &= \frac{\text{Total Balance to Levy} - \text{(Intersection Light Cost)}}{\text{Total Local Footage (TLF)}} \\ \text{(Assessment Rate)} &&& \end{aligned}$$

The annual assessment calculated for each parcel is the sum of their District-wide Lighting assessment and Local Lighting assessment.

$$\text{Total Assessment} = \text{District-wide Assessment} + \text{Local Lighting Assessment}$$

$$\begin{aligned} \text{Residential Assessment} &= (\text{RF} \times \text{DLR}) + [(1(\text{RF}) + .5(\text{RAF})) \times \text{LLR}] \\ \text{Industrial Assessment} &= (\text{MF} \times \text{DLR}) + [(1(\text{MF}) + .5(\text{MAF})) \times \text{LLR}] \\ \text{Commercial Assessment} &= (\text{CF} \times \text{DLR}) + [(1(\text{CF}) + .5(\text{CAF})) \times \text{LLR}] \end{aligned}$$

D. MAXIMUM ASSESSMENT RATES

Based on the preceding discussion of apportioning special benefits to all properties within the District and the City Engineer's cost estimate for Fiscal Year 2012/2013, the maximum assessment rate approved by property owners for District-wide Lighting (Street Intersection Safety Lighting) is \$0.2262 per assessable foot and the maximum assessment rate approved by property owners for Local Lighting (Street Lights and Alley Lights) is \$0.4477 per adjusted foot.



SECTION 5. CITY ENGINEER'S COST ESTIMATE

STREET LIGHT ENERGY AND MAINTENANCE COST		
Utilities and Direct Costs		
Street Intersection Safety Lighting		\$80,500
Local Lighting (Street & Alley Lighting)		95,500
Personnel Services		89,600
Rents and Leases		1,000
Street Lights and Conduit Repair		1,800
Department Supplies		8,900
Vehicle and Equipment Repair		2,500
Capital Street Lighting System Upgrades		4,600
GIS (Street Lighting)		6,500
Sub-total Utilities and Direct Costs		\$290,900
City Incidental Costs		
City Administrative Cost Allocation		\$29,800
County Assessor		1,200
Contractual Repairs		836
Consultant Engineering & Legal Services		8,000
Sub-total City Incidental Costs		\$39,836
Sub-total District & Incidental Maintenance Costs		\$330,736
Levy Adjustments		
Reserve Fund Collection (Credit)		\$0
Capital Expenditures		0
CIP Collection (Credit)		0
Revenues From Other Sources		0
Sub-total Levy Adjustments		\$0
TOTAL BALANCE TO LEVY		\$330,736
Estimated Operating Reserve - End of FY 2011/2012		\$0
Operating Reserve Fund Activity		0
Estimated Operating Reserve - End of FY 2012/13		\$0
Estimated CIP Fund Balance - End of FY 2011/2012		\$82,000
CIP Fund Activity		0
Estimated CIP Fund Balance - End of FY 2012/13		\$82,000
District Statistics		
Total Number of Parcels		5,191
Number of Assessed Parcels		4,992
Total Assessable Footage (District-wide Lighting)		374,956
Total Adjusted Footage (Local Lighting)		541,242
District-wide Assessment Rate		
Maximum Rate		\$0.2262
Applied Rate		\$0.2262
Over/(Under) Maximum		\$0.0000
Local Lighting Assessment Rate		
Maximum Rate		\$0.4477
Applied Rate		\$0.4477
Over/(Under) Maximum		\$0.0000



SECTION 6. ASSESSMENT ROLL

The net amount to be assessed upon assessable lands within the District for Fiscal Year 2012/2013 is \$327,104.57. The Fiscal Year 2012/2013 assessment rates for the District-wide Benefit are \$0.2262 per Front Foot and \$0.4477 per Adjusted Front Foot for the Local Lighting Benefit. These rates equal the maximum assessment rates for the District-wide Benefit that was approved and applied in Fiscal Year 2011/2012.

The amount to be assessed against each individual parcel within the District is set forth in the Assessment Roll, which is on file in the office of the City Clerk and incorporated herein by reference. Reference is made to the Los Angeles County Secured Roll for details concerning the description of the parcels within the District.

SECTION 7. ASSESSMENT DIAGRAM

A reduced copy of the Assessment Diagram follows.

MAP NO. L-2000

THE 1972 LANDSCAPING AND LIGHTING ACT
ASSESSMENT DIAGRAM

CITY OF SAN FERNANDO

LANDSCAPING AND LIGHTING
ASSESSMENT DISTRICT

COUNTY OF LOS ANGELES, STATE OF CALIFORNIA AS REQUIRED BY SECTION 22570, ARTICLE 4, DIVISION IS PART 2 OF THE STREETS AND HIGHWAYS CODE.

NOTES

1. BOUNDARY OF THE DISTRICT SHALL BE AS DESCRIBED IN THE DESCRIPTION OF THE BOUNDARIES OF THE CITY OF SAN FERNANDO

- | | | |
|-----------|---|--------------------------|
| 2. ZONE 1 | = | ALL RESIDENTIAL PROPERTY |
| ZONE 2 | = | ALL COMMERCIAL PROPERTY |
| ZONE 3 | = | ALL INDUSTRIAL PROPERTY |

AS SHOWN ON THE OFFICIAL ZONING MAP OF THE CITY OF SAN FERNANDO AS OF FIRST MONDAY OF JUNE EACH YEAR.

3. THE LINES AND DIMENSIONS OF ALL LOTS AND PARCELS SHALL BE AS SHOWN ON THE LOS ANGELES COUNTY ASSESSOR'S MAPS AS OF THE FIRST DAY OF AUGUST EACH YEAR.

CERTIFICATION
ALL PARCELS WITHIN THE CITY OF SAN FERNANDO LANDSCAPING AND LIGHTING ASSESSMENT DISTRICT AND THE ASSESSMENT ROLL THEREFOR WERE CONFIRMED AND LEVIED BY THE CITY COUNCIL BY RESOLUTION NO. _____ APPROVED AND ADOPTED THE _____ DAY OF _____, 2000, AND WERE FILED IN THE OFFICE OF THE CITY CLERK ON THE _____ DAY OF _____, 2000. REFERENCE IS MADE TO SAID ASSESSMENT ROLL FOR THE EXACT AMOUNT OF EACH ASSESSMENT AGAINST EACH PARCEL WITHIN SAID ASSESSMENT DISTRICT.

DATE _____ CITY CLERK _____

DRAWN BY: S.A. IBRAHIM.

CHECKED BY: EDWIN G. GALVEZ 47/00.

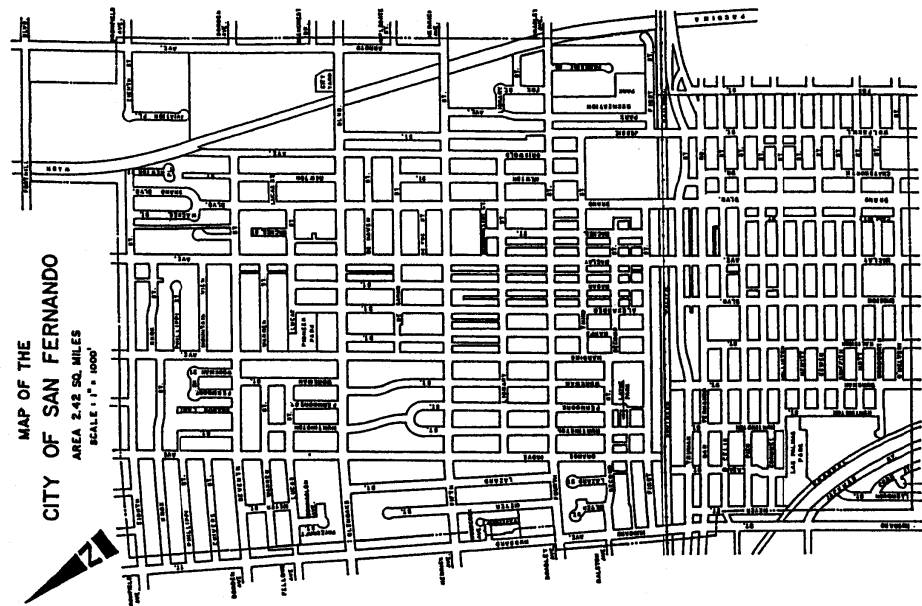
APPROVED:



CITY ENGINEER

51505
RCE NO

47/00
DATE



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RECREATION AND COMMUNITY SERVICES DEPARTMENT

MEMORANDUM

TO: Mayor Brenda Esqueda and Councilmembers

FROM: Al Hernández, City Administrator
By: Ismael Aguila, Recreation and Community Services Operations Manager

DATE: May 21, 2012

SUBJECT: Amendment to Facility Use and Transportation Agreement with Los Angeles Unified School District

RECOMMENDATION:

It is recommended that the City Council authorize the City Administrator to execute an amendment (Attachment "A") to the Facility Use and Transportation Agreement with Los Angeles Unified School District (Contract #1669) by extending the completion date of the proposed Reciprocal-Use Agreement (RUA) to November 30, 2012.

BACKGROUND:

1. On September 16, 2005, the City Council conducted a special meeting with representatives of Los Angeles Unified School District (LAUSD) to discuss joint-use opportunities in reference to the new high school, VRHS No. 5.
2. On October 4, 2005, the City Council scheduled a special joint meeting with the Cultural Arts and Recreation and Community Services (RCS) Commissions (City Council and RCS Commission did not have a quorum) regarding an update on joint-use agreement opportunities for VRHS No. 5.
3. On November 21, 2005, RCS staff received a draft Memorandum of Understanding (MOU) for review and comment.
4. On December 5, 2005, RCS staff received official notification requesting the City's participation in the approval of the MOU and initiation of a joint-use agreement.
5. On January 3, 2006, the City Council approved the MOU for the planning and development of a joint-use agreement between the City and LAUSD for the proposed VRHS No. 5.

Amendment to Facility Use and Transportation Agreement with Los Angeles Unified School District
Page 2

6. In March of 2011, RCS staff met with LAUSD's Asset Management Branch to begin the final process of completing a joint-use agreement.
7. On August 25, 2011, RCS staff began meeting with VRHS No. 5 administrators to discuss potential usage of facilities to be included in a joint-use agreement.
8. In October of 2011, RCS staff met with LAUSD Asset Management Branch to draft a document outlining the space that both VRHS No. 5 and the City have available.
9. In November of 2011, RCS staff was notified that a joint-use agreement with VRHS No. 5 would not be completed prior to the 2012 swim season. In addition, RCS staff was notified that VRHS No. 5 had no funds available to pay for requested facility usage. Discussion continued regarding the prospective joint-use agreement.
10. From November to December of 2011, the RCS Operations Manager continued negotiations with LAUSD that would allow the principal of VRHS No. 5 to disburse funds in preparation of the approaching swim season.
11. In December of 2011, LAUSD authorized VRHS No. 5 administration to earmark funds to assemble the VRHS No. 5 swim team, which included funds for uniforms, equipment, and coach salaries. No funds for facility rental were secured.
12. On January 6, 2012, the RCS Operations Manager met with LAUSD to begin drafting a Facility Use and Transportation Agreement between the City and VRHS No. 5 until a proposed RUA (a form of a joint-use agreement) is completed.
13. In January of 2012, RCS staff, LAUSD, and the City Attorney began to finalize a Facility Use and Transportation Agreement to allow the VRHS No. 5 swim team access to the San Fernando Regional Pool Facility (Pool Facility) for the 2012 swim season.
14. On February 6, 2012, the City Council approved a Facility Use and Transportation Agreement (Attachment "B") which would (a) authorize the swim team from VRHS No. 5 to use the San Fernando Regional Pool Facility for swim practices, (b) provide for the City to authorize First Transit to make available a trolley to transport the swim team from VRHS No. 5 to the Pool Facility, and (c) defer payment of the fees for use of the Pool Facility and allow fees to be credited to the City and apply to charges incurred by the City in a pending reciprocal-use agreement (RUA). The term of the agreement is effective from February 13, 2012 through May 31, 2012.
15. On February 13, 2012, the swim team for VRHS No. 5 was granted access to the San Fernando Regional Pool Facility.
16. On April 11, 2012, the RCS Operations Manager met with the Los Angeles County Department of Public Health (LACDPH) regarding recent joint-use agreements between cities and school districts.

Amendment to Facility Use and Transportation Agreement with Los Angeles Unified School District
Page 3

17. On May 2, 2012, RCS staff met with principals of VRHS No. 5 regarding facility requests/availability for the summer/fall seasons to include in a RUA. This is a short-term agreement until a long-term agreement is completed.
18. On May 8, 2012, RCS staff met with VRHS No. 5 staff to finalize requests/availability for the summer/fall seasons for a reciprocal-use agreement.

ANALYSIS:

Located at 1001 Arroyo Avenue, the newly developed VRHS No. 5, also known as the César Chávez Learning Academies, is the only high school built within City limits to service resident families. The school campus includes athletic baseball and softball fields as well as a football field complete with a running track. Also included are multiple outdoor basketball courts and a gymnasium with two indoor playing courts. In addition, the facility has a multi-use performance auditorium suitable for musical concerts and theatrical presentations. A RUA (allowing use of these school facilities) will assist the RCS Department to expand programming and target more City residents which may include youth leagues, adult leagues, fitness programming, cultural art programming, teen programming, and City special events.

A long-term agreement is not expected to be completed prior to the end of FY 2011-12. This is due to the fact that VRHS No. 5 is a newly built campus with unique operations incorporating four different schools with different schedules. In addition, the RCS Operations Manager is continuing discussions with LACDPH regarding recently developed joint-use agreements between cities and school districts. This will maximize the facility usage for both parties.

City staff is currently working with LAUSD Asset Management Branch and the staff of VRHS No. 5 to complete a short-term agreement, via a Civic Center Permit. This permit will allow the City to use the school facilities with approximately \$3,700.00 that will be credited to the City from the current agreement.

Civic Center Permits

The major function of the Civic Center Permit is to allow for the use of school facilities in conformance with the California Education Code mandate and the Board of Education rules, which require that each and every public school facility be made available as a civic center to members of the community for supervised not-for-profit recreational activities, meetings and public discussions, when regular school activities are not disrupted. These permits are issued three times a year for the following months:

- July, August, September, October – Deadline: May 15th
- November, December, January, February – Deadline: September 15th
- March, April, May, June – Deadline: January 15th

Amendment to Facility Use and Transportation Agreement with Los Angeles Unified School District
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CONCLUSION:

City staff is currently working with LAUSD and VRHS No. 5 regarding a Civic Center Permit to allow the City to use the school facilities for the summer/fall seasons of 2012. There is approximately \$3,700.00 credited to the City from the current agreement that will be utilized for the Civic Center Permit until a final reciprocal-use agreement is completed. It is recommended that the City Council amend the Facility Use and Transportation Agreement with Valley Regional High School No. 5 by extending the completion date of the proposed reciprocal-use agreement to November 30, 2012.

BUDGET IMPACT:

There will be no budget impact to the General Fund for the FY 2011-12.

ATTACHMENT:

- A. Amendment to Facility Use and Transportation Agreement
- B. Facility Use and Transportation Agreement

ATTACHMENT "A"**AMENDMENT TO THE FACILITY USE AND
TRANSPORTATION AGREEMENT**

This Amendment ("Amendment") to the Facility use and Transportation Agreement ("Agreement"), dated May 21, 2012, and is between the City of San Fernando, a California municipal partnership ("City"), and the Los Angeles Unified School District, a public school district organized and existing under and pursuant to the constitution of law of the state of California ("District").

RECITALS:

- A. On February 6, 2012, City and the District, entered into the Agreement (the "Agreement") for the following services: For the City to provide the District use of the San Fernando Regional Pool Facility ("Facility") for recreational purposes, specifically, for practices of, and competitions involving, the VRHS No. 5 Swim Team and to provide one-way transportation for the Swim Team, from VRHS No. 5 to the Facility as specified in the Agreement, under the direction of the City Administrator, City Attorney/Council, and Recreation and Community Services Operation Manager.
- B. City and District wish to extend the completion date of the proposed Agreement to November 30, 2012.

The parties therefore agree as follows:

- 1. Paragraph A of Section 8.3 is hereby revised to read as follows:

The Facility use fees (paragraphs (a) and (b) of Section 8.1) due City pursuant to this Agreement may be credited against any fees City may be obligated to pay District pursuant to the proposed reciprocal-use agreement (the "RUA") that is to be negotiated between the City and District. The parties anticipate that the RUA will be completed and approved no later than November 30, 2012. If the RUA is not completed and approved by both parties prior to November 30, 2012, District shall pay to City the Facility use fees due City pursuant to this Agreement no later than November 30, 2012.

- 2. Except as otherwise specifically provided in this Amendment, all terms and provisions of the Agreement shall remain in full force and effect.

The parties are signing this Amendment on the date stated in the introductory paragraph.

“CITY”

CITY OF SAN FERNANDO, a California
municipal partnership

By: _____
Al Hernández, City Administrator

ATTEST:

Elena G. Chávez, City Clerk

APPROVED AS TO FORM:

MEYERS NAVE

Maribel S. Medina, City Attorney

“DISTRICT”

LOS ANGELES UNIFIED SCHOOL
DISTRICT, a California public school
district

By: _____
Name: _____
Title: _____

ATTACHMENT "B"
CONTRACT NO. 1669**FACILITY USE AND TRANSPORTATION AGREEMENT****SAN FERNANDO REGIONAL POOL FACILITY**

THIS FACILITY USE AND TRANSPORTATION AGREEMENT (this "**Agreement**") is made and entered into as of February 6, 2012, by and between the CITY OF SAN FERNANDO, a California municipal corporation ("**City**"), and the LOS ANGELES UNIFIED SCHOOL DISTRICT, a public school district organized and existing under and pursuant to the constitution and laws of the State of California ("**District**"), with respect to the following:

RECITALS:

WHEREAS, City and District are authorized and empowered by California Education Code Section 10900 *et seq* to cooperate with one another in order to promote and provide adequate community recreation and education programs that contribute to the health and general welfare, and otherwise encourage the development of good citizenship and enhance the quality of life, of the residents of City;

WHEREAS, District has recently opened Valley Regional High School No. 5 ("**VRHS No. 5**"), a District high school located at 1001 Arroyo Avenue, in the City of San Fernando; and

WHEREAS, City owns and operates the San Fernando Regional Pool Facility (the "**Facility**"), located at 208 Park Ave., in the City of San Fernando; and

WHEREAS, District desires to use the Facility for recreational purposes, specifically, for practices of, and competitions involving, the VRHS No. 5 Swim Team (along with its coaches, trainers and staff, the "**Swim Team**"); and

WHEREAS, District and City contemplate entering into a reciprocal use agreement prior to May 31, 2012, which will authorize City and District to use each other's recreational facilities on an as needed and available basis; and

WHEREAS, prior to entering in the contemplated reciprocal use agreement, City is willing to permit use of the Facility by the Swim Team, upon the terms, provisions and conditions hereinafter set forth; and

WHEREAS, District has requested that City provide transportation for the Swim Team, to and from the Facility; and

WHEREAS, City is willing to provide one-way transportation for the Swim Team, from VRHS No. 5 to the Facility, upon the terms, provisions and conditions hereinafter set forth.

AGREEMENT:

NOW, THEREFORE, in consideration of the covenants and conditions contained herein, City and District do hereby agree as follows:

1. FACILITY.

1.1 Availability for Swim Team Use. The Facility shall be available to District for use by the VRHS No. 5 Swim Team, for the period February 13, 2012 through May 31, 2012, as follows:

- City shall provide the VRHS No. 5 Swim Team with access to and use of the Pool Facility Monday, Wednesday, and Friday from 4:30 p.m. to 6:00 p.m. (or any other mutually agreed upon time, in the event the parties so agree in writing).
- City shall provide the Swim Team with exclusive use of no less than four 25-meter pool lanes for swim use Monday, Wednesday, and Friday from 4:30 p.m. to 6:00 p.m. (or any other mutually agreed upon time, in the event the parties so agree in writing). Existing City programs already underway will take priority and may limit the number of lanes that are available, but in no event shall the lanes available to the Swim Team be less than three (3) at any time.
- City shall provide the Swim Team a minimum of six 25-meter pool lanes for up to two meets, which Swim Meets shall be scheduled for mutually agreeable days and times in the parties' respective reasonable discretion (provided, however, if the parties cannot agree, District may hold such meets between 4:30 p.m. and 6:00 p.m. on a Monday, Wednesday or Friday). Existing City programs already underway will take priority and may limit the number of lanes that are available, but in no event shall the lanes available to the Swim Team be less than three (3) at any time.
- District will adhere, including causing VRHS No. 5 and the Swim Team to adhere, to all existing duly adopted facility rules, including but not limited to the Rental and Usage Terms set forth in Exhibit A, attached hereto and incorporated herein by this reference.
- District shall ensure that at least one swim coach or adult staff member for the Swim Team is present at the Facility and monitoring the use of the Facility by the Swim Team at all times that members of the Swim Team are present at the Facility pursuant to this Agreement. District shall insure that such monitoring swim coach or staff member for the Swim Team meets all applicable requirements of the California Interscholastic Federation and of California law, including but not limited to California Health & Safety Code Section 1797.182, 116028, and 116045, and California Code of Regulations, Title 22, Regulation 65539 (the "**Lifeguard Laws**").

1.2 Lifeguards. City agrees to provide two lifeguards satisfying the Lifeguard Laws during each Swim Meet hosted by the Swim Team. For purposes of this Agreement, "**Swim Meet**" means a competitive event during which the Swim Team competes against swim teams or swimmers from other schools or organizations. District represents and warrants to City that it will cause a duly qualified lifeguard (who satisfies the Lifeguard Laws) to be present and supervising the aquatic activities of the Swim Team at all times during which the Swim Team is using the Facility pursuant to this Agreement (which lifeguard may be a swim coach or other Swim Team staff member). District acknowledges and agrees that, except as set forth in the first

sentence of this Section 1.2, City will NOT provide a lifeguard during the periods that the Swim Team is using the Facility pursuant to this Agreement, including but not limited to Swim Meets.

2. **TRANSPORTATION.** City agrees to cause the City Trolley to be available to provide one-way transportation of the members of the Swim Team and their coach from VRHS No. 5 to the Facility during the term of this Agreement ("**Trolley Services**"), as follows:

- City shall provide the Swim Team with transportation to the Facility Monday, Wednesday, and Friday between 4:00 to 4:20 p.m. or, as applicable, at any other mutually agreed upon time.
- Transportation shall be provided via the City Trolley ("**Trolley**"), which is operated by First Transit to provide public transportation in the City.
- District shall cause a coach or other adult staff member of the Swim Team to ride in the Trolley with the Swim Team; City shall have no obligation to transport the Swim Team if no coach or adult staff member is present.
- The City will provide the Trolley Services at a rate of \$35.00 per day. To the extent District does not use the Trolley on any particular day, and provides City at least 24 hours advance notice of same, District shall have no obligation to pay to City the Trolley Services fee for that day.
- District shall cause all trash, equipment and clothing articles of the Swim Team to be removed from the Trolley upon the conclusion of each trip.

3. **INDEMNIFICATION AND INSURANCE.**

3.1 Indemnification. District agrees to protect, indemnify, defend and hold City and its elected officials, officers, employees, attorneys, contractors, 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) (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 District's duty to defend the Indemnitees pursuant to this Section 3.1 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 at the Facility and/or in the use of equipment by District or the Swim Team or (b) the failure of District to comply with the terms of this Agreement, in each case to the fullest extent permitted by law. District shall have no duty to Indemnify the Indemnitees (and City shall be liable to District 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.

3.2 Coverage. District shall obtain and maintain, at its sole cost and expense, comprehensive public liability and property damage coverage, insuring against claims for injuries to persons and property occurring in, upon or about the Facility(as a result of the District's use of the Facility 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. Such coverage shall (a) name City as an additional insured, (b) contain a provision that the policy will not be canceled without at least thirty (30) days' prior notice to City, (c) provide that coverage afforded thereby will be primary and that any coverage carried by City shall be noncontributing with respect thereto, and (d) contain a waiver of any right of subrogation against City that arises, or might arise, by reason of any payment under such policy or by reason of any act or omission of City. It is understood that such coverage shall be maintained by District through its existing program of self-insurance.

3.3 Certificate. District shall provide City with District's customary certificate of self-insurance, or reasonable equivalent, for such insurance.

3.4 Waiver. Except to the extent due to the negligence or willful misconduct of the Indemnitees, District waives any and all rights of recovery against City (but not against third parties, including, without limitation, in connection with clause (b) below, First Transit, Inc., a Delaware corporation) (a) for loss of, or damage to, District's property or the property of others under District's control while at the Facility and (b) for Losses that District may incur arising from the Trolley Services.

4. **INDEPENDENT CONTRACTOR.**

4.1 District as Independent Contractor. In connection with this Agreement, District shall at all times be and remain a wholly independent contractor of City. District shall have no power to incur any debt, obligation or liability on behalf of City or otherwise act on behalf of City as an agent of City. District shall not, at any time or in any manner, represent that it or any of its agents or employees are in any manner an agent or employee of City. Except as expressly provided in this Agreement, neither City nor any of its agents or employees shall have any control over the conduct of District or any of its agents, employees or invitees.

5. **TERM OF AGREEMENT.** This Agreement shall be effective from February 13, 2012 through May 31, 2012, inclusive, unless earlier terminated in accordance with this Agreement.

6. **TERMINATION OF AGREEMENT.** Either party may terminate this Agreement solely due to a material breach hereof by the other party if such breach remains uncured for ten (10) days after the breaching party receives written notice from the other party reasonably describing such breach. In the event of such termination, all fees and charges previously incurred pursuant to Section 8 of this Agreement shall be paid to City within 30 days of the effective date of termination.

7. **NONDISCRIMINATION.** District shall not discriminate on the basis of race, color, sex, age, religion, national origin or any other basis prohibited by law in its use of the Facility.

8. FEES AND CHARGES.

8.1 Fees.

- (a) For each day of entry to the Facility, District shall pay to City the sum of \$10.00 per hour for each lane used by the Swim Team, for a total of 1.5 hours. The total for the swim season is estimated to be \$2,700.00.
- (b) For each Swim Meet hosted by the Swim Team, District shall pay to City the sum of \$10.00 per hour for each lane used for the Swim Meet, for a maximum total of 5 hours per Swim Meet. The total for the two Swim Meets is estimated to be \$1,000.
- (c) For each Swim Meet hosted by the Swim Team, District shall pay to City the sum of \$40 per hour for two lifeguards for a total of 5.0 hours per swim meet. The total for the two Swim Meets is estimated to be \$400.00.
- (d) For each day of Trolley Services, District shall pay to City the sum of \$35.00 per day. The total for transportation is estimated to be \$1,540.00.

District agrees to compensate City for the Facility use and Trolley Services provided under this Agreement, and City agrees to accept in full satisfaction for such Facility use and Trolley Services, a sum not-to-exceed Five Thousand Six Hundred Forty Dollars (\$5,640).

8.2 Billing. City shall submit to District an invoice, at the completion of the term of the Agreement, for the use of the Facility and Trolley Services provided pursuant to this Agreement. Such invoice shall itemize the facility use and services rendered during the term hereof and the amount due. Such itemizations shall include the days services were provided, lanes utilized at the pool facility, and utilization of Trolley Services. Any invoice dispute for facilities/services provided shall be submitted within twenty (20) business days of receipt of the invoice.

8.3 Method of Payment.

- (a) The Facility use fees (paragraphs (a) and (b) of Section 8.1) due City pursuant to this Agreement may be credited against any fees City may be obligated to pay District pursuant to the proposed reciprocal-use agreement (the “**RUA**”) that is to be negotiated between the City and District. The parties anticipate that the RUA will be completed and approved no later than May 31, 2012. If the RUA is not completed and approved by both parties prior to May

31, 2012, District shall pay to City the Facility use fees due City pursuant to this Agreement no later than June 30, 2012.

- (b) District shall pay to City the fees for Trolley Services and Swim Meet lifeguard services (paragraphs (c) and (d) of Section 8.1) within 30 days of receiving the invoice from City.

9. **APPLICABLE LAW.** This Agreement shall be governed by and construed in accordance with the laws of the State of California.

10. **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:

District: Leasing and Space Utilization
Los Angeles Unified School District
333 S. Beaudry, Avenue, 23rd Floor
Los Angeles, California 90017
Attention: Scot Graham, Director of Leasing and Space Utilization
Facsimile: (213) 241-6784

City: City of San Fernando
117 McNeil Street
San Fernando, California 91340
Attention: Mr. Al Hernández, City Administrator
Telephone: (818) 898-1202
Facsimile: (818) 361-7631

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.

11. **ATTORNEYS' 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.

12. **CAPTIONS AND PARAGRAPH HEADINGS.** 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.

13. **SUCCESSORS AND ASSIGNS.** This Agreement shall be binding upon and inure to the benefit of the heirs, executors, administrators, successors and assigns of City and District.

14. **NO THIRD PARTY BENEFICIARIES.** 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.

15. **SEVERABILITY.** The invalidity in whole or in part of any provision of this Agreement shall not void or affect the validity of any other provision.

16. **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 City or District 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.

17. **ENTIRE AGREEMENT.** This Agreement constitutes the entire agreement between District and 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 District and City.

18. **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.

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IN WITNESS WHEREOF, the parties have entered into this Facility Use And Transportation Agreement as of the date first written above.

DISTRICT:

LOS ANGELES UNIFIED SCHOOL DISTRICT,
a School District Duly Organized and Existing
Under the Laws of the State of California

By: 

Name: Scot Graham

Title: Director of Leasing and Space Utilization

CITY:

CITY OF SAN FERNANDO

By: 

Al Hernandez, City Administrator

ATTEST:

By: 

Elena G. Chavez, City Clerk

APPROVED AS TO FORM:

By: 

Michael Estrada, City Attorney

EXHIBIT "A"**SAN FERNANDO REGIONAL POOL FACILITY****Rental & Usage Terms**

- Forty-eight (48) hour notice must be given in case of cancellation of event.
- No alcohol or smoking is allowed on City of San Fernando property.
- All now-existing regularly printed and posted San Fernando Regional Pool Facility rules and regulations apply.
- At the conclusion of your rental, all garbage must be placed in trashcans, the deck left clean and clear, and all equipment put away. There is to be no equipment left in pool.
- Lane lines may only be adjusted, or shifted with the approval of the San Fernando Regional Pool staff on site.
- The City of San Fernando is not responsible for lost or stolen articles.
- The San Fernando Regional Pool Facility is subject to closure, resulting in cancellation of rentals, due to holidays, yearly scheduled maintenance/cleaning, facility repair, published closure dates, inclement weather and/or facility closures for other uncontrollable circumstances.
- No storage is available at the San Fernando Regional Pool Facility unless approved by the Aquatic Supervisor.
- No equipment may be taken from the San Fernando Regional Pool Facility and only equipment approved by the Aquatic Supervisor (to the extent the same is not customary swimming-related equipment) prior to the event may be brought in.
- The Aquatic Supervisor's office, supplies, equipment, and other items are not available for use.
- Swim Meet dates must be requested no less than two weeks in advance with no less than one meeting to be set up with the Aquatic Supervisor to discuss details of meets, entry numbers, and other logistics.

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COMMUNITY DEVELOPMENT DEPARTMENT**MEMORANDUM**

TO: Mayor Brenda Esqueda and Councilmembers

FROM: Al Hernández, City Administrator
By: Fred Ramirez, City Planner

DATE: May 21, 2012

SUBJECT: Approval of Mitigated Negative Declaration & Conceptual Design for Lopez Adobe Ancillary Building Project

RECOMMENDATION:

It is recommended that the City Council:

- a. Conduct a Public Hearing;
- b. Pending public testimony, approve a Resolution (Attachment "A") adopting the Initial Study and Mitigated Negative Declaration, and approving the conceptual design for the Lopez Adobe Ancillary Building Project to allow for the construction of an ancillary building that includes public restrooms and a storage/office room at the Casa de Lopez Adobe site pursuant to the City-approved Lopez Adobe Preservation Plan; and,
- c. Direct staff to submit the City-approved concept for the Lopez Adobe ancillary building to the California Cultural and Historical Endowment Board for their consideration and approval for project funding.

BACKGROUND:

1. On Friday, April 20, 2012, Community Development staff circulated an Initial Study and Mitigated Negative Declaration for the Lopez Adobe Ancillary Building Project for public review pursuant to the requirements of the California Environmental Quality Project (Attachment "B"). The project provides for the construction of a small single level outbuilding that will have a total floor area of approximately 400 square feet at the southwest corner of the Lopez Adobe site; a National Register of Historic Places landmark building and site.

The proposed outbuilding would contain public restrooms and a storage/office room. The architecture of the ancillary structure has been designed to appear as an outbuilding with a smooth stucco finish and a composite shingle roof, in a manner that is consistent with the Lopez Adobe Preservation Plan and compatible to the Casa de Lopez Adobe. The Notice of Intent to Adopt the Mitigated Negative Declaration identified a 30-day public review period

Approval of Mitigated Negative Declaration & Conceptual Design for Lopez Adobe Ancillary Building Project

Page 2

from April 21, 2012 to May 21, 2012 and included notice of public hearings before the Planning and Preservation Commission (May 1, 2012) and the City Council (May 21, 2012).

2. On April 27, 2012, Community Development Department staff submitted the proposed conceptual design of the outbuilding with public restrooms and storage/office room to the California Office of Historic Preservation and the National Park Services for review as part of the "Section 106 Review" process pursuant to the National Historic Preservation Act for a National Register of Historic Places site.
3. On May 1, 2012, the City Planning staff presented the Planning and Preservation Commission with the proposed conceptual design for the ancillary building to be constructed at the Lopez Adobe site and discussed the associated environment assessment. Subsequent to discussion, the Commission recommended to the City Council approval of the Mitigated Negative Declaration and conceptual design for the proposed Lopez Adobe Ancillary Building Project (Attachments "B" and "D").
4. On May 8, 2012, the Community Development Department received a comment letter from the Native American Heritage Commission regarding the Lopez Adobe Ancillary Building Project (Attachment "F").
5. On May 31, 2012, City Planner Fred Ramirez and members of the design team will testify before the California Cultural and Historical Endowment (CCHE) Board in Sacramento, California regarding the City's request to modify its CCHE grant agreement budget. The budget request would provide the necessary funding to design and build the aforementioned outbuilding that would include on-site public restrooms and storage/office facilities in support of the future use of the Lopez Adobe building as a house museum. If the budget adjustment is approved by the CCHE Board, the ancillary building would have to be designed and built by December 31, 2012.

ANALYSIS:

The construction of the proposed outbuilding would not cause an adverse change to the historic character of the Casa de Lopez Adobe (Lopez Adobe) building and site located at 1100 Pico Street. The project would not include any physical demolition, destruction, relocation, or alteration of the Lopez Adobe building. The proposed outbuilding, which includes accessible restroom facilities and a storage and office room area, would be located at the southwest corner of the subject property (Attachment "B").

The proposed design and placement of the ancillary building at the historic site would not impair the historical significance of the designated historic building and site by maintaining a design and site placement that is secondary to and compatible with the historic adobe structure and surrounding open space areas (Attachment "B").

The purpose of the proposed outbuilding is to provide restroom, storage, and office facilities in an ancillary building to minimize any potential deterioration or physical damage of the historic structure and any archival materials within the structure that would otherwise be associated with

Approval of Mitigated Negative Declaration & Conceptual Design for Lopez Adobe Ancillary Building Project
Page 3

the use of existing restrooms, living room, and kitchen facilities within the adobe structure. The restroom facilities would provide handicap accessible male and female restrooms onsite to patrons, preserving the condition of all original fixtures within the restrooms of the Lopez Adobe, which are not ADA compliant. Additionally, the ancillary restroom facilities will limit potential water damage due to flooding of existing toilets and/or sinks.

The storage/office room within the ancillary facility would include administrative offices for the Lopez Adobe for volunteers and conservators to conduct day to day administrative and archive assessment services associated with the adobe's future use as a house museum. Also, the storage/office room would provide a needed location for the assessment of 3-dimensional artifacts previously housed at the Lopez Adobe, which are not being used for exhibition or are being assessed for relocation to alternate City facilities. Furthermore, the revised outbuilding proposal eliminates the catering kitchen that was previously being considered as part of the preservation plan. The kitchen facility was deemed to be less of a priority than the storage and office facilities to accommodate the adobe's future use as a house museum. The preparation of any food required as part of the future use of the building and site could be accommodated off-site through the use of an off-site kitchen and/or catering services.

Removing the kitchen from the design has also eliminated the need to further expand the size of the building and introduce additional mechanical, plumbing, and electrical infrastructure that would have the potential to detract from the historic character of the existing historic adobe structure and the site's remaining open space area. The omission of the kitchen from the design will eliminate any potential fire risk associated with kitchen fires within the ancillary facility that could have impacted the existing adobe building and surrounding landscaped areas.

Limiting the ancillary building's use to restrooms and a storage/office room maintains the relatively small scale of the building (approximately 400 square feet), which is set back near the rear (southwest) portion of the property providing the needed public facilities to operate the adobe as a house museum while maintaining the greatest amount of open space possible at the subject site. The ancillary building would incorporate a smooth stucco finish to the exterior walls and an asphalt shingle roof. The simplification in building materials of the outbuilding differentiates it from the Lopez Adobe while incorporating a similar design treatment to allow for good integration on the property. The scale and proportion of the ancillary building is intended to recall the character of the Lopez Adobe, which has one-story wings in the rear, and residentially scaled and proportioned doors, windows, and porches. However, the placement of the restrooms towards the front facing façade of subject building as viewed from Pico Street makes it clear to visitors that the outbuilding is new and visually distinct and subordinate to the historic adobe building and site. Therefore, the overall design of the outbuilding, coupled with its proposed location ensures that the new building is not out of scale or an otherwise inappropriate design.

While the proposed outbuilding would be constructed in compliance with the approved Lopez Adobe Preservation Plan (Attachment "D"), mitigation measures have been included as part of the environmental assessment (Attachment "B") in order to ensure that the new outbuilding and any related activities do not impact the historic Lopez Adobe building and site.

Approval of Mitigated Negative Declaration & Conceptual Design for Lopez Adobe Ancillary Building Project
Page 4

BUDGET IMPACTS:

Project approval will not have an impact on the City's General Fund Budget. Approval of the Resolution would convey the City's intent to proceed with the second phase of the Lopez Adobe Preservation Project, which includes construction of the ancillary building with public restrooms and storage/office room as well as the associated environmental assessment as required under the City's CEQA Guidelines. On May 31, 2012, the City will attend the CCHE Board meeting seeking the Board's approval of the aforementioned CCHE grant agreement budget in order for grant funds to be allocated to pay the entire costs of the Lopez Adobe Ancillary Building Project. The proposed budget for the design and construction of the ancillary building is as follows: 1. \$30,000 for design; 2. \$23,000 for landscaping improvements; and, 3. \$110,000 for the building construction (e.g., building, utilities, et cetera).

CONCLUSION:

In light of the analysis above, the Planning and Preservation Commission and City Planning staff recommend that the City Council adopt the Resolution approving the conceptual plan for the Lopez Adobe ancillary facility as proposed by City staff and adoption of the associated Initial Study and Mitigated Negative Declaration. City Council approval of the conceptual design would allow for the design and construction of the proposed outbuilding and the associated perimeter landscape/hardscape improvements in compliance with the approved Lopez Adobe Preservation Plan and the applicable Secretary of the Interior's Standards. The proposed ancillary facility will incorporate design elements that are compatible with the historic character of the adobe structure and site. The new outbuilding placement at the southwest corner of the subject property will provide public accessible facilities in support of the adobe's use as a house museum while allowing the Lopez Adobe building and larger landscaped grounds to be the prominent architectural features of property.

ATTACHMENTS:

- A. City Council Resolution
- B. Mitigated Negative Declaration & Initial Study: Lopez Adobe Project (April 19, 2012)
- C. Planning and Preservation Commission Resolution No. 2012-04
- D. May 1, 2012 Staff Report to the Planning and Preservation Commission
- E. May 1, 2012 Draft Planning and Preservation Commission Minutes
- F. May 8, 2012 Comment Letter from Native American Commission

ATTACHMENT “A”**RESOLUTION _____****A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
SAN FERNANDO, CALIFORNIA, ADOPTING THE INITIAL
STUDY AND MITIGATED NEGATIVE DECLARATION AND
APPROVING THE CONCEPTUAL DESIGN FOR THE LOPEZ
ADOBE ANCILLARY BUILDING PROJECT**

WHEREAS, the City Council is charged with the ultimate responsibility of ensuring that the City implement's the preservation goals, policies, and programs as these pertain to the protection and enhancement of the City's historic resources including the Casa de Lopez Adobe a National Register of Historic Places landmark that represents a distinct and important element of the City's cultural, social and architectural history and which is also of state and national historical significance;

WHEREAS, the City Council has reviewed the proposed Lopez Adobe Ancillary Building Project, which includes the conceptual plan for the development of an ancillary building with public restrooms and storage/office facilities at the Lopez Adobe site at 1100 Pico Street;

WHEREAS, the Planning and Preservation Commission has determined that the Lopez Adobe Preservation Plan is intended to preserve the Lopez Adobe as a significant structure reflecting the history of San Fernando and the Lopez Adobe Preservation Plan assists the City in its overall goal of developing the Lopez Adobe as one of the most prominent historical resources within the City of San Fernando and as a future house museum;

WHEREAS, on May 1, 2012, the Planning and Preservation Commission held a duly noticed public hearing, and adopted Resolution No. 2012-04, finding: 1. the Initial Study and Mitigated Negative Declaration to be in conformance with the California Environmental Quality Act (CEQA) and the City's CEQA Guidelines in order to ensure that the proposed design and subsequent construction of the ancillary facility with public restrooms and storage/office room would not a significant adverse environmental impact on a local, state, and nationally recognized historic resource; and, 2. the conceptual design and subsequent construction of the ancillary facility as proposed as part of the Lopez Adobe Ancillary Building Project is in conformance with the Lopez Adobe Preservation Plan previously adopted by the City Council in June of 2004; and

WHEREAS, on May 21, 2012, the City Council held a duly noticed public hearing to consider adoption of the Initial Study and Mitigated Negative Declaration and approval of the conceptual design of the ancillary facility as part of the Lopez Adobe Ancillary Building Project; evidence, both written and oral, was presented at the hearing.

WHEREAS, the City Council has considered the input and recommendations from the Planning and Preservation Commission, staff and the public.

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 finds that all of the facts set forth in this Resolution are true and correct.

Section 2. The City Council has evaluated any potential environmental impacts associated with the implementation of the Lopez Adobe Ancillary Building Project. An Initial Study and Mitigated Negative Declaration of Environmental Impact have been prepared for the project in accordance with the provisions of the California Environmental Quality Act (Public Resources Code Section 21000, et seq.), the State CEQA Guidelines (14 Code of Regulations Section 15000, et seq.) and the City's CEQA procedures. Based upon the Initial Study, the proposed Mitigated Negative Declaration and the comments thereon, the City Council finds that the Mitigated Negative Declaration represents the independent judgment of the City and that there is no substantial evidence that the construction of the proposed ancillary building at the Casa de Lopez Adobe site with mitigation measures incorporated will have a significant adverse environmental impact on the Casa de Lopez Adobe building and site, which is designated on the National Register of Historic Places and is also a state and local historic resource. The documents constituting the record on which this decision is based are on file in the City.

Section 3. Based upon substantial evidence presented to the City Council during the May 21, 2012, public hearing, including public testimony, written materials, written and oral staff reports, and Planning and Preservation Commission recommendations, the City Council does hereby conclude as follows:

- (a) The Lopez Adobe Ancillary Building Project is in full compliance with the Lopez Adobe Preservation Plan;
- (b) The Lopez Adobe Ancillary Building will result in an ancillary facility with public restrooms and storage/office room necessary to support the future use of the Lopez Adobe building as a house museum;
- (c) The approval of the Lopez Adobe Ancillary Building Project will facilitate the completion of the rehabilitation work on the Lopez Adobe building and site consistent with the City-adopted Lopez Adobe Preservation Plan and consistent with existing contractual obligations between the City of San Fernando and the National Park Service and the California Cultural and Historical Endowment.

Section 4. The City Council hereby approves the conceptual design for the ancillary facility to be designed and built at the Lopez Adobe site pursuant to the Lopez Adobe Ancillary Building Project and determines that the Initial Study and Mitigated Negative Declaration prepared in association with the proposed ancillary facility conceptual design accurately determines that the approved project will not have a significant adverse impact on the environment as it pertains to the Lopez Adobe building and site, a National Register of Historic Places landmark.

Section 5. This Resolution shall go into effect immediately upon adoption.

PASSED, APPROVED AND ADOPTED this 21st day of May, 2012.

Brenda Esqueda, 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 21st day of May, 2012 by the following vote to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Elena G. Chávez, City Clerk

FINAL

MITIGATED NEGATIVE DECLARATION AND INITIAL STUDY

**LOPEZ ADOBE PROJECT
1100 PICO STREET
SAN FERNANDO, CALIFORNIA**



LEAD AGENCY:

**CITY OF SAN FERNANDO
COMMUNITY DEVELOPMENT DEPARTMENT
117 MACNEIL STREET
SAN FERNANDO, CALIFORNIA 91340**

MAY 14, 2012

CITY OF SAN FERNANDO
MITIGATED NEGATIVE DECLARATION AND INITIAL STUDY • LOPEZ ADOBE PROJECT

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CITY OF SAN FERNANDO
MITIGATED NEGATIVE DECLARATION AND INITIAL STUDY • LOPEZ ADOBE PROJECT

MITIGATED NEGATIVE DECLARATION

PROJECT NAME: Lopez Adobe Project

PROJECT ADDRESS: 1100 Pico Street

CITY AND COUNTY: San Fernando, Los Angeles County

PROJECT DESCRIPTION: The City of San Fernando recently oversaw the relocation of the Lopez-Villegas House from its original site (1320 San Fernando Road) to its present location at 1100 Pico Street six years ago. The current project involves the construction of a small outbuilding located in the southwestern corner of the property. The City of San Fernando Community Development Department (the designated lead agency) is overseeing the environmental review for a proposal to construct this small outbuilding that will have a total floor area of approximately 400 square feet. The single level building would contain public restrooms, an office, and a storage room. The architecture will be designed to appear as an outbuilding with smooth stucco finish and a composite shingle roof. The proposed improvement is consistent with the Lopez Adobe Preservation Plan.

FINDINGS: The environmental analysis provided in the attached initial study indicates that the proposed project will not result in any significant adverse unmitigable impacts. For this reason, the City of San Fernando has determined that a mitigated negative declaration is the appropriate environmental document for the proposed project. The following findings may be made based on the analysis contained in the attached initial study:

- The approval and subsequent implementation of the proposed project *will not* have the potential to degrade the quality of the environment with adherence to the recommended mitigation.
- The approval and subsequent implementation of the proposed project *will not* have the potential to achieve short-term goals to the disadvantage of long-term environmental goals with adherence to the recommended mitigation.
- The approval and subsequent implementation of the proposed project *will not* have impacts that are individually limited, but cumulatively considerable, when considering planned or proposed development in the immediate vicinity.
- The approval and subsequent implementation of the proposed project *will not* have environmental effects that will adversely affect humans, either directly or indirectly with adherence to the recommended mitigation.

The findings of the analysis are summarized in the initial study that is attached to this mitigated negative declaration. The project is also described in greater detail in the attached initial study.

Signature

Date

San Fernando Community Development Department

SECTION 1. INITIAL STUDY

1.1 INTRODUCTION TO THIS INITIAL STUDY

The City of San Fernando Community Development Department (referred to hereinafter as the lead agency) is overseeing the environmental review of a proposal to construct a small outbuilding with a total floor area of approximately 400 square feet. The single level building would contain public restrooms, an office, and a storage room. The architecture will be designed to appear as an outbuilding with smooth stucco finish and a composite shingle roof. The proposed improvement is consistent with the Lopez Adobe Preservation Plan.

The proposed Lopez Adobe site improvements are considered to be a project pursuant to the California Environmental Quality Act (CEQA). This initial study has been prepared pursuant to the CEQA Guidelines and the local environmental guidelines of the City. The CEQA Guidelines state that the purposes of an initial study include the following:

- To provide the City with information to use as the basis for deciding whether to prepare an environmental impact report (EIR), mitigated negative declaration, or negative declaration for the proposed project;
- To facilitate the project's environmental assessment during the early phases of the proposed project's design; and,
- To eliminate unnecessary EIRs.

Although this initial study was prepared with consultant support, the analysis, conclusions, and findings made as part of its preparation, fully represent the independent judgment and position of the City of San Fernando acting in its capacity as lead agency. Copies of the initial study and the *Notice of Intent to Adopt a Mitigated Negative Declaration* will be forwarded to responsible agencies and will be made available to the public for review and comment. A 20-day public review period will be provided to allow these entities and other interested parties to comment on the proposed project and the mitigated negative declaration.

1.2 MANDATORY FINDINGS OF SIGNIFICANCE

The environmental analysis indicated that the proposed project will not result in any unmitigable significant adverse impacts. The following findings of significance may be made with respect to the proposed project.

- The proposed project *will not* have the potential to degrade the quality of the environment, with the implementation of the recommended mitigation.
- The proposed project *will not* have the potential to achieve short-term goals to the disadvantage of long-term environmental goals.
- The proposed project *will not* have impacts that are individually limited and cumulatively considerable.
- The proposed project *will not* have environmental effects that will adversely affect humans, either directly or indirectly, with adherence to the mitigation recommendations herein.

CITY OF SAN FERNANDO
MITIGATED NEGATIVE DECLARATION AND INITIAL STUDY • LOPEZ ADOBE PROJECT

1.3 PROJECT LOCATION AND DESCRIPTION

The City of San Fernando is located in the northeast portion of the San Fernando Valley in Los Angeles County. The City has a total land area of 2.4 square miles and is surrounded by the City of Los Angeles on all sides. Major physiographic features located in the vicinity of the City include the San Gabriel Mountains (located approximately three miles to the north), the Pacoima Wash (located along the eastern side of the City), Hansen Lake (located three miles to the southeast of the City), and the Los Angeles Reservoir (located approximately four miles to the northwest).¹ The City of San Fernando is located 22 miles from downtown Los Angeles. Other communities located near San Fernando include Sylmar, Sun Valley, Mission Hills, and Pacoima.² These latter named communities are also part of the City of Los Angeles. Regional access to the City of San Fernando (“the City”) and the project site is possible from three freeways located in the area: the Interstate 5 Freeway (I-5), the State Route 118 (SR-118), and the Interstate 210 Freeway (I-210). The I-5 Freeway is located to the southwest of the City with ramp connections at South Brand Boulevard and San Fernando Mission Boulevard. State Route 118 (the Ronald Reagan Freeway) is located to the east of the City and has ramp connections at San Fernando Road and Glenoaks Boulevard. Finally, the I-210 Freeway is located to the north of the City and provides ramp connections at Maclay Street and Hubbard Street.³ The location of the City in a regional context is shown in Exhibit 1. A City -wide map is provided in Exhibit 2.

The proposed improvement, consisting of a small outbuilding, will be located within the southwest corner of the Lopez Adobe property. The address for the Lopez Adobe is 1100 Pico Street. The site is located on the southwest corner of S. Maclay Avenue and Pico Street. A vicinity map is provided in Exhibit 3. An aerial photograph of the site and surrounding area is provided in Exhibit 4. The original site plan included in the Lopez Adobe Preservation Plan is provided in Exhibit 5 while the site plan for the revised outbuilding is shown in Exhibit 6. Building elevations for the proposed outbuilding are provided in Exhibit 7. Finally, photographs of the site are provided in Exhibits 8 and 9. The proposed project will involve the construction of a small outbuilding with a total floor area of approximately 400 square feet. The single level building would contain public restrooms, an office, and a storage room. The architecture will be designed to appear as an outbuilding with smooth stucco finish and a composite shingle roof. The proposed improvement is consistent with the Lopez Adobe Preservation Plan. The City of San Fernando seeks to accomplish the following objectives as part of the proposed project’s review and implementation:

- To ensure that the proposed uses in conformance with the policies and objectives outlined in the City of San Fernando General Plan;
- To ensure that the proposed use is compatible with the surrounding area within the Lopez Adobe property; and,
- To mitigate any potential environmental effects that may arise as part of the proposed project’s implementation.

The proposed project will require the following discretionary approvals from the San Fernando City Council:

- Approval of the mitigated negative declaration; and,
- Approval of the mitigation monitoring program.

¹ United States Geological Survey. San Fernando 7 ½ Minute Quadrangle.

² These communities are communities that are part of the City of Los Angeles.

³ American Map Corporation. Street Atlas [for] Los Angeles and Orange Counties. 2001

CITY OF SAN FERNANDO
MITIGATED NEGATIVE DECLARATION AND INITIAL STUDY • LOPEZ ADOBE PROJECT

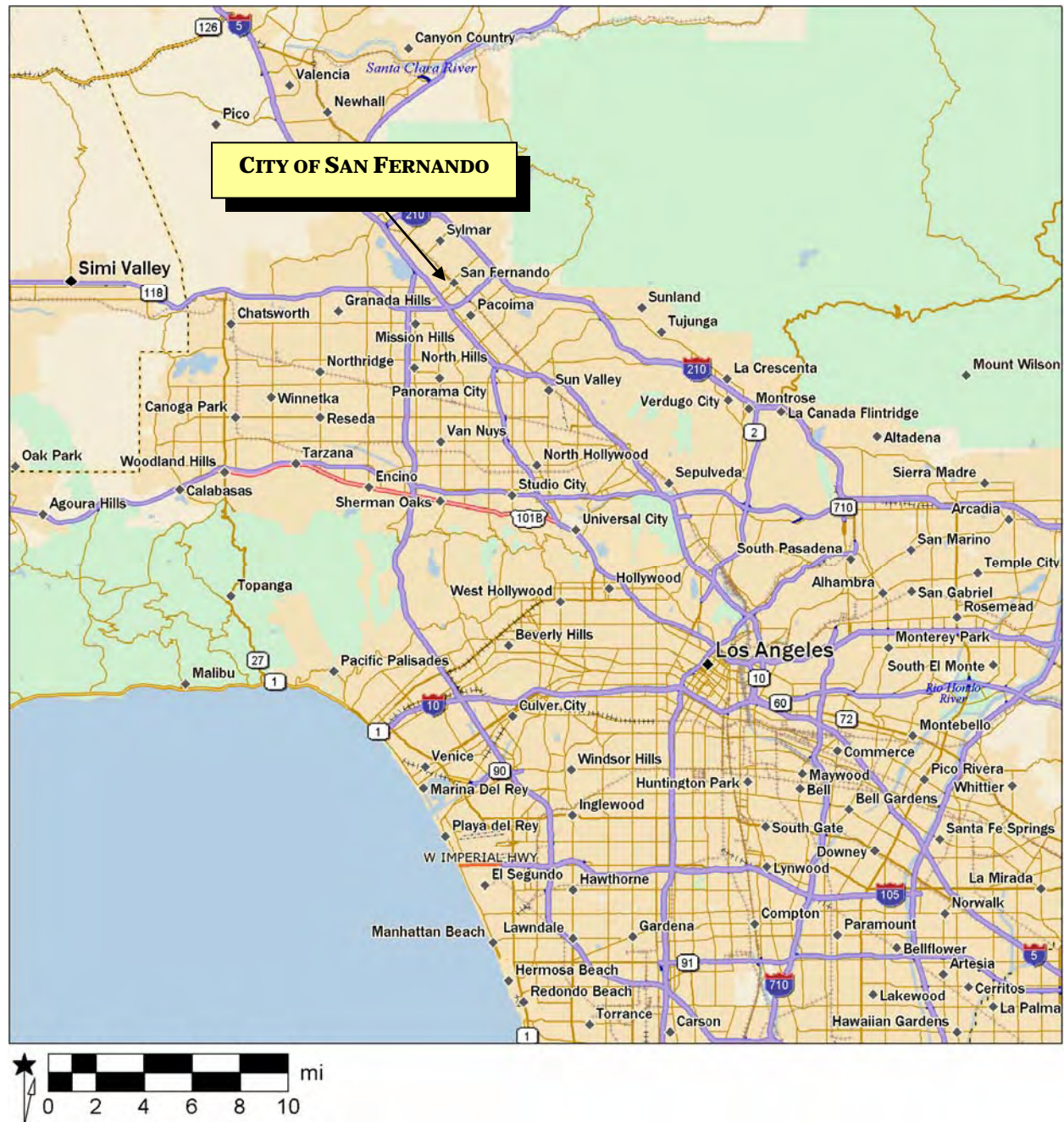


EXHIBIT 1
REGIONAL LOCATION
Source: Blodgett/Baylosis Associates

CITY OF SAN FERNANDO
MITIGATED NEGATIVE DECLARATION AND INITIAL STUDY • LOPEZ ADOBE PROJECT

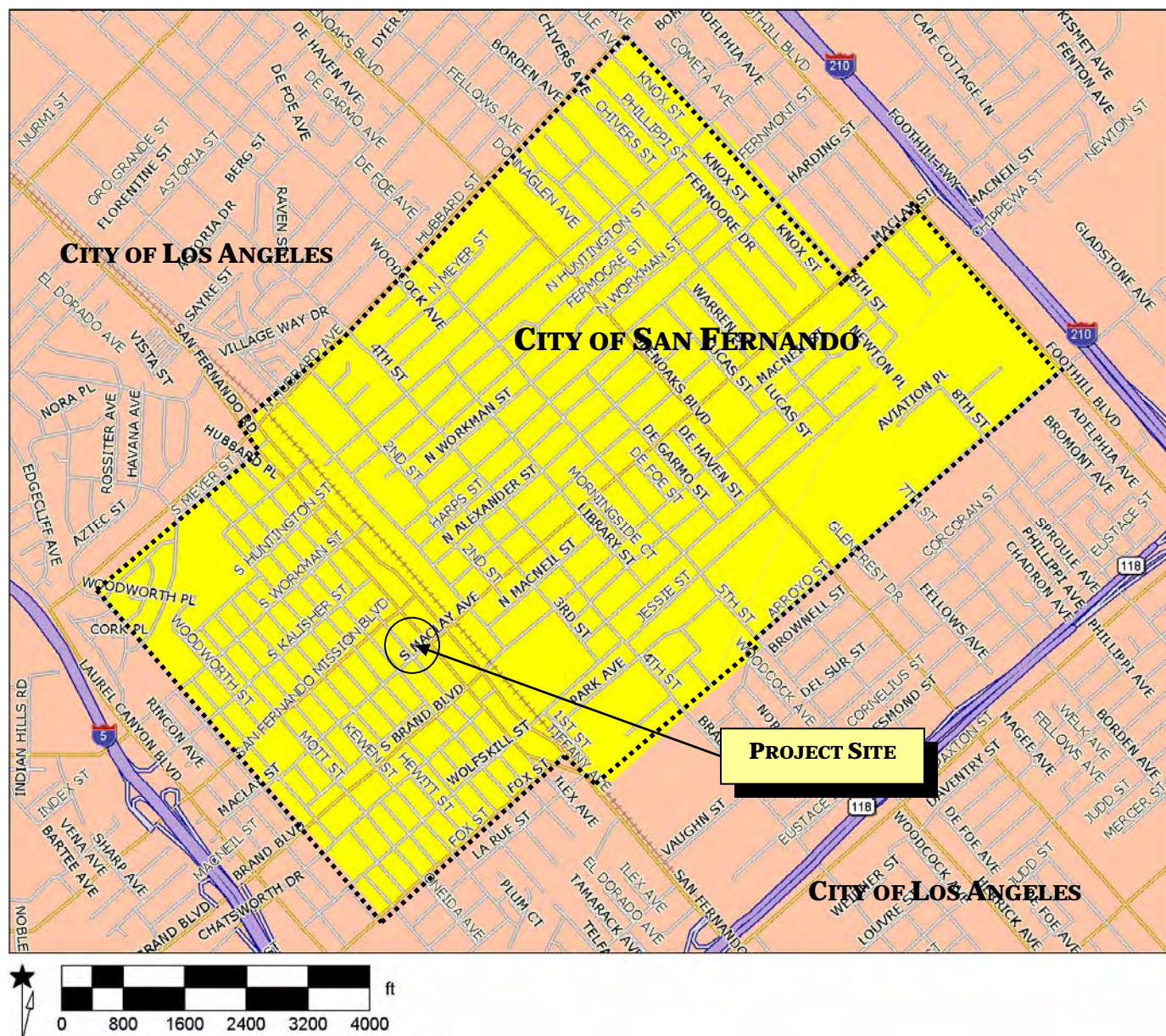


EXHIBIT 2
PROJECT SITE'S LOCATION IN THE CITY OF SAN FERNANDO
SOURCE: DELORME MAPS, 2009

CITY OF SAN FERNANDO
MITIGATED NEGATIVE DECLARATION AND INITIAL STUDY • LOPEZ ADOBE PROJECT

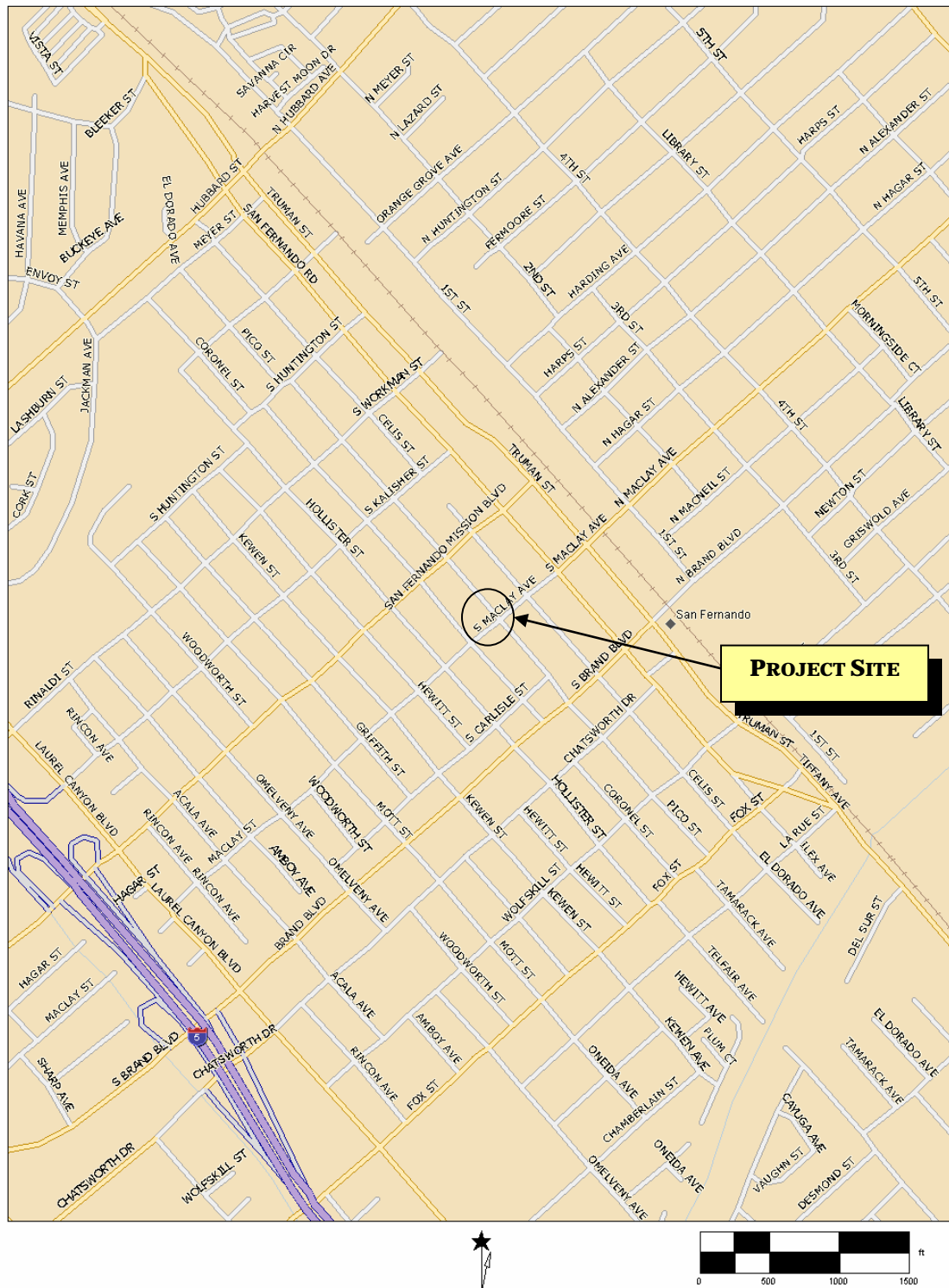


EXHIBIT 3 VICINITY MAP

SOURCE: DELORME MAPS, 2009

CITY OF SAN FERNANDO
MITIGATED NEGATIVE DECLARATION AND INITIAL STUDY • LOPEZ ADOBE PROJECT



EXHIBIT 4
AERIAL PHOTOGRAPH
SOURCE: GOOGLE 2011

CITY OF SAN FERNANDO
MITIGATED NEGATIVE DECLARATION AND INITIAL STUDY • LOPEZ ADOBE PROJECT

Originally Proposed Building with Kitchen

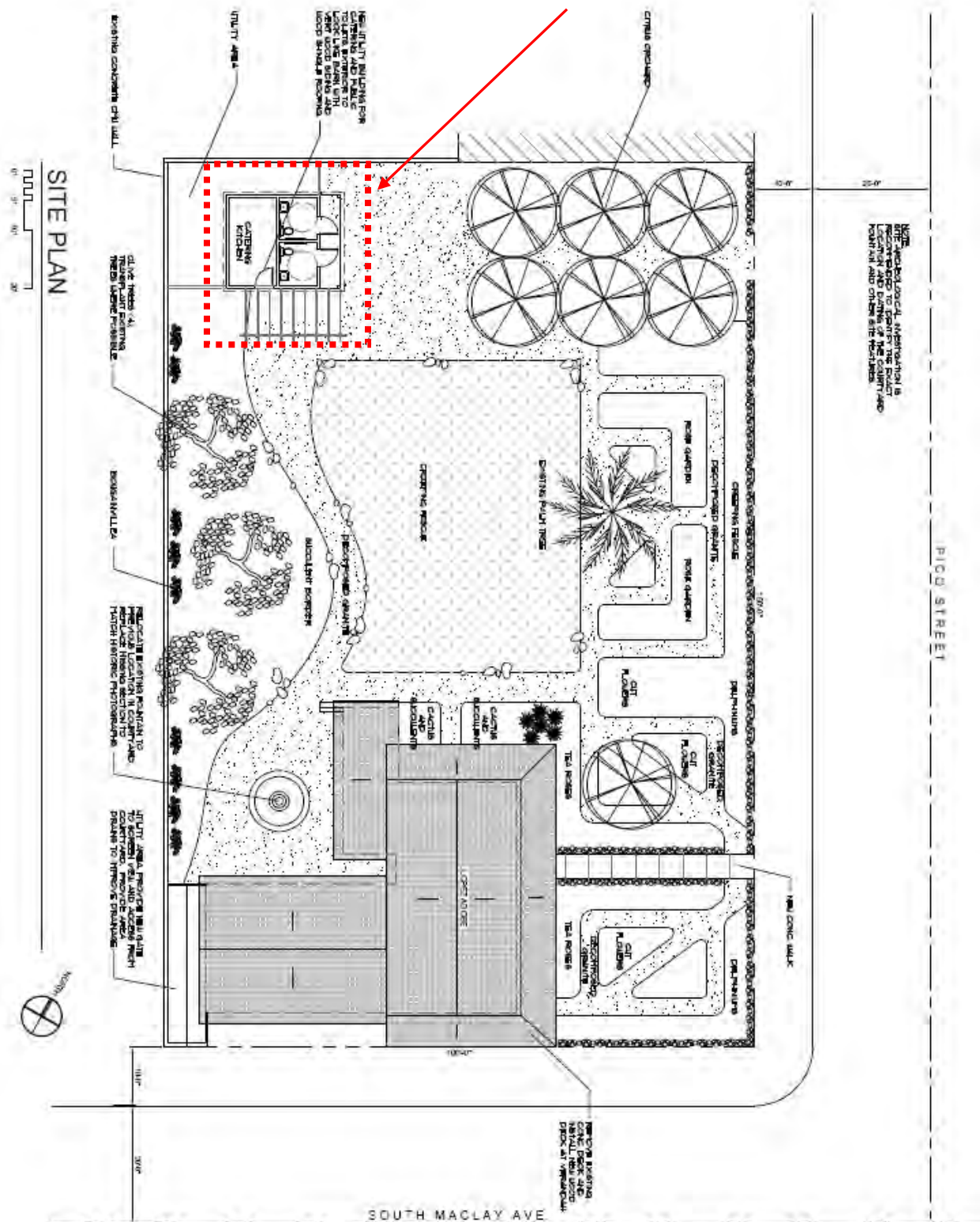


EXHIBIT 5

APPROVED SITE PLAN IN THE LOPEZ ADOBE PRESERVATION PLAN

SOURCE: LOPEZ ADOBE PRESERVATION PLAN

CITY OF SAN FERNANDO
MITIGATED NEGATIVE DECLARATION AND INITIAL STUDY • LOPEZ ADOBE PROJECT

**Proposed Ancillary Building with Restroom, Office,
and Storage Facilities**

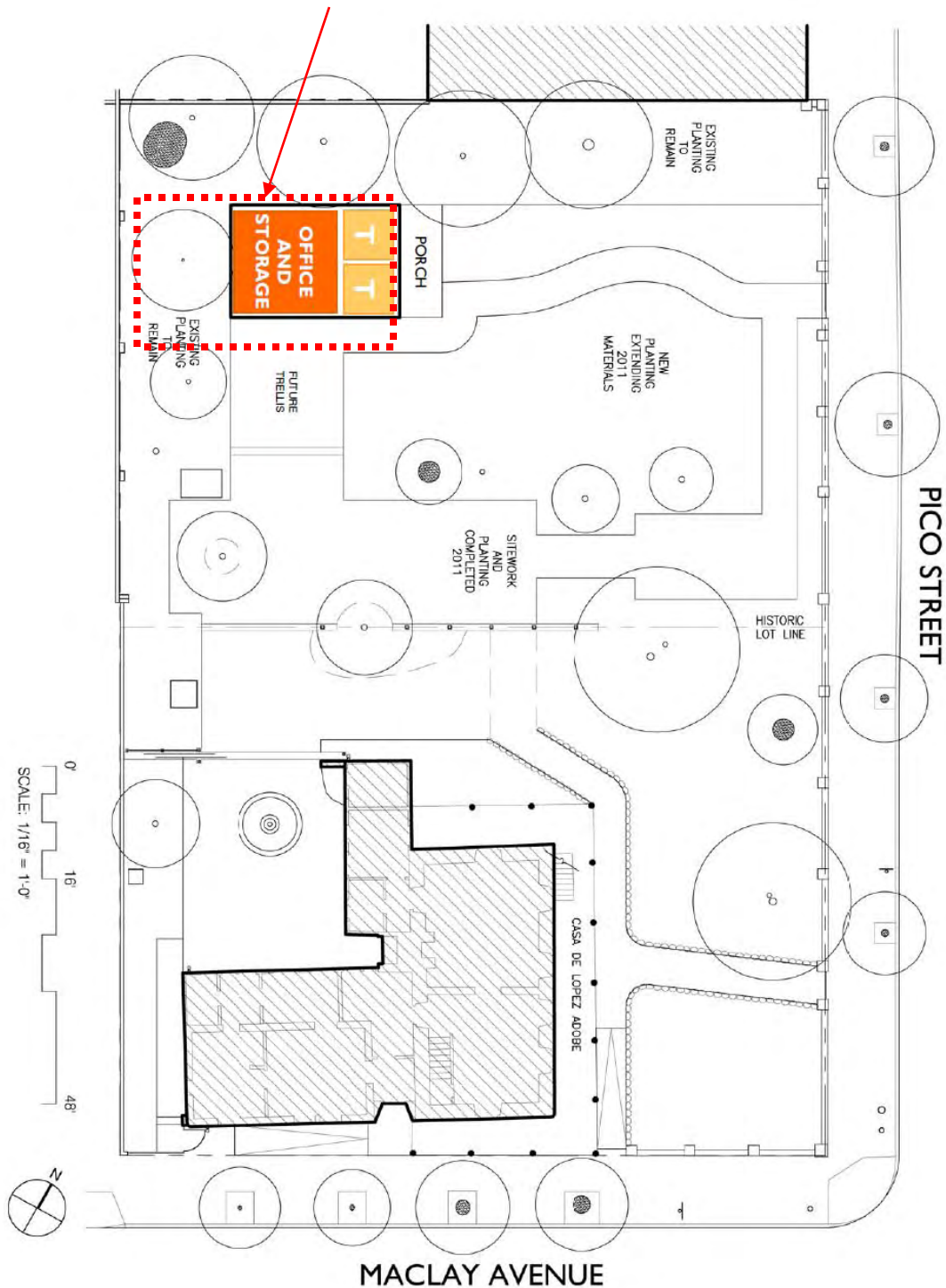
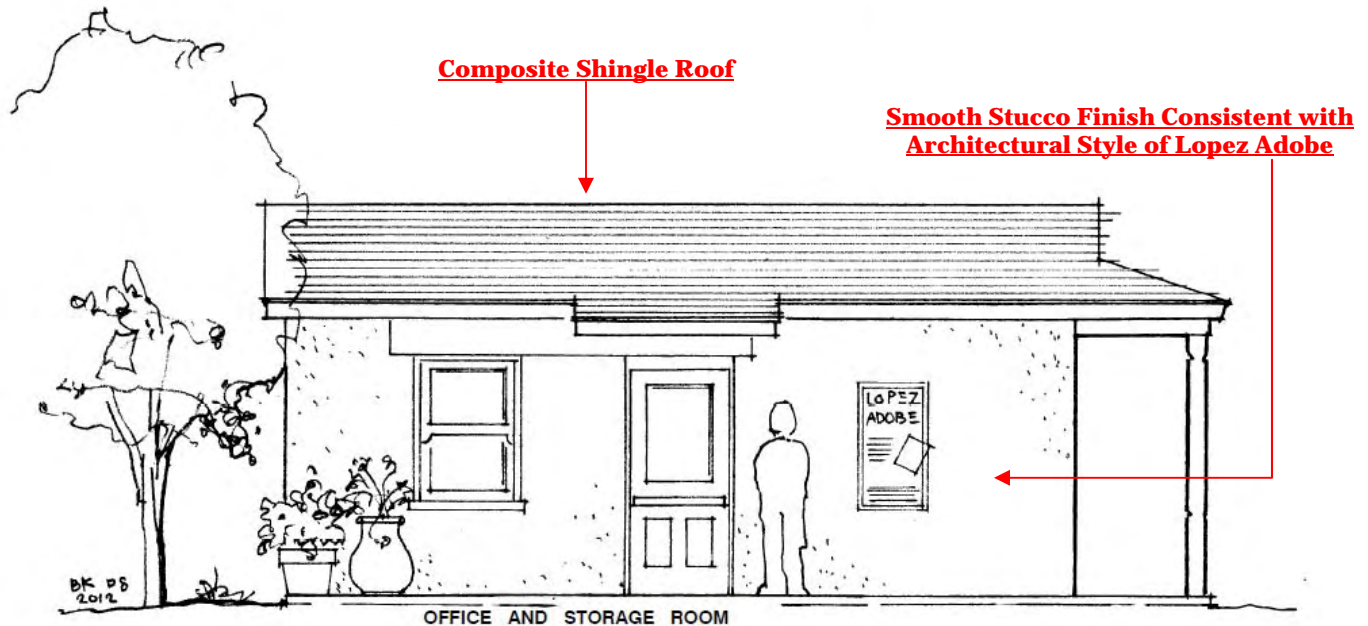


EXHIBIT 6
SITE PLAN WITH THE REVISED OUTBUILDING

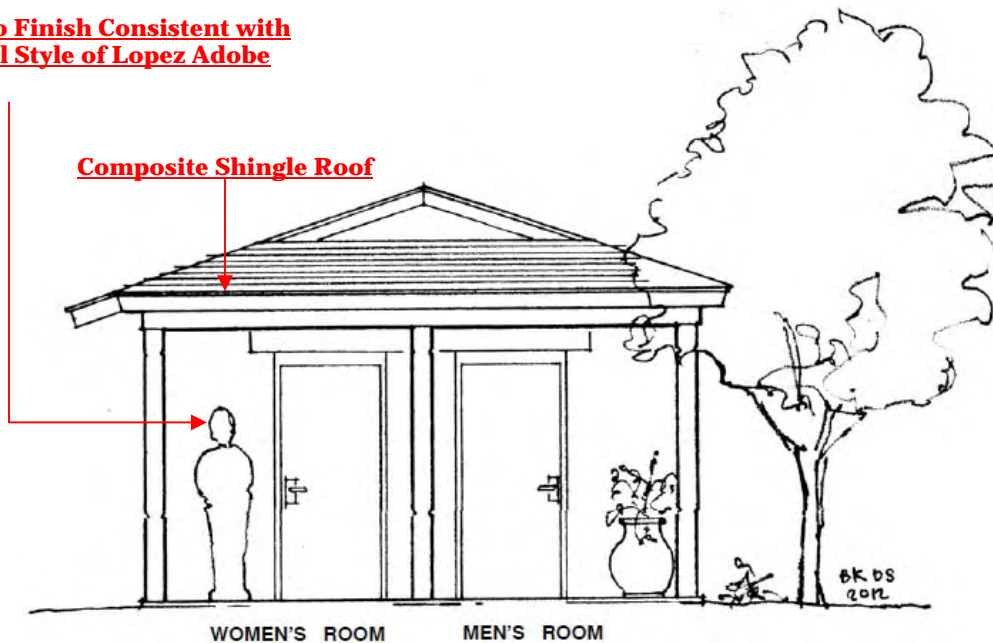
SOURCE: CITY OF SAN FERNANDO

CITY OF SAN FERNANDO
MITIGATED NEGATIVE DECLARATION AND INITIAL STUDY • LOPEZ ADOBE PROJECT



ANCILLARY BUILDING :: CONCEPT SOUTH FACADE

Smooth Stucco Finish Consistent with Architectural Style of Lopez Adobe



ANCILLARY BUILDING :: CONCEPT EAST FACADE

EXHIBIT 7

PROPOSED ELEVATIONS FOR THE OUTBUILDING

SOURCE: LOPEZ ADOBE PRESERVATION PLAN

CITY OF SAN FERNANDO
MITIGATED NEGATIVE DECLARATION AND INITIAL STUDY • LOPEZ ADOBE PROJECT



Front view (from Maclay Avenue) of the Lopez Adobe.



Side view (looking east) of the Lopez Adobe.

EXHIBIT 8
SITE PHOTOGRAPHS
SOURCE: BLODGETT/BAYLOSIS ASSOCIATES

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View looking east from the project site.



View of the site location where the new out building will be located.

EXHIBIT 9
SITE PHOTOGRAPHS
SOURCE: BLODGETT/BAYLOSIS ASSOCIATES

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1.4 ENVIRONMENTAL ANALYSIS

This section of the initial study analyzes the potential environmental impacts that may result from the proposed project's implementation. The issue areas evaluated in this initial study include the following:

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| <ul style="list-style-type: none"> • Aesthetics; • Agricultural & Forestry; • Air Quality; • Biological Resources; • Cultural Resources; • Geology & Soils; • Greenhouse Gas Emissions; • Hazards & Hazardous Materials; • Hydrology & Water Quality; | <ul style="list-style-type: none"> • Land Use & Planning; • Mineral Resources; • Noise; • Population & Housing; • Public Services; • Recreation; • Transportation; and, • Utilities. |
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The environmental analysis included in this section reflects the initial study checklist format used by the City of San Fernando in its environmental review process. Under each issue area, an analysis of impacts is provided in the form of questions and answers. For the evaluation of potential impacts, questions are stated and an answer is provided according to the analysis undertaken as part of this initial study's preparation. To each question, there are four possible responses:

- *No Impact.* The proposed project *will not* have any measurable environmental impact on the environment.
- *Less than Significant Impact.* The proposed project *may have* the potential for affecting the environment, although these impacts will be below levels or thresholds that the City of San Fernando or other responsible agencies consider to be significant.
- *Less than Significant Impact with Mitigation.* The proposed project *may have* the potential to generate impacts that will have a significant impact on the environment. However, the level of impact may be reduced to levels that are less than significant with the implementation of mitigation measures.
- *Potentially Significant Impact.* The proposed project may result in environmental impacts that are significant.

This initial study will assist the City in making a determination as to whether there is a potential for significant adverse impacts on the environment associated with the implementation of the proposed project.

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Aesthetic Impacts	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
A. Would the project have a substantial adverse affect on a scenic vista?		X		
B. Would the project substantially damage scenic resources, including but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?				X
C. Would the project create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?		X		

Environmental Determination

- A.** The City's local relief is generally level and ranges from 1,017 feet above mean sea level (AMSL) to 1,250 feet AMSL. This generally level topography is due to the City's location over an alluvial fan that is the result of the deposition of water-borne materials from the mountains and hillside areas located to the north (the City is located in the northeastern portion of the San Fernando Valley near the south-facing base of the San Gabriel Mountains). The dominant scenic vistas from the project area include the views of the Santa Susana Mountains, located to the west, and the San Gabriel Mountains located to the north. No scenic highways or corridors are located in the immediate area. The proposed project will involve the construction of a small outbuilding with a total floor area of approximately 400 square feet. The single level building would contain public restrooms, an office, and a storage room. The architecture will be designed to appear as an outbuilding with smooth stucco finish and a composite shingle roof. The proposed improvements are also consistent with the Lopez Adobe Preservation Plan. The proposed building will be separate from the main building and will not detract from the existing views of the residence. Therefore, the proposed project will not obstruct any significant views or view-sheds in the area. *Mitigation has been identified to ensure that the new outbuilding is in conformance with the Lopez Adobe Preservation Plan.*
- B.** Much of the City's architectural character was derived from the San Fernando Mission, founded in 1797. Notable historically significant buildings that are located within the City include the Casa de Lopez Adobe (the location of the project site), the Morningside Elementary School Auditorium, and the historic Post Office. In addition to the Mission Revival style, other architectural styles found within the area include Spanish Colonial Revival, Mediterranean, and Monterey. The architecture of the proposed out building will include an outbuilding with smooth stucco finish and a composite shingle roof. The proposed improvement will also be consistent with the Lopez Adobe Preservation Plan. In addition, there are no natural views in the area that would be affected. As a result, no significant adverse impact on views will result.
- C.** Existing sources of light and glare in the area include decorative lighting, security lighting, interior lighting, and vehicle headlights. The proposed project will not generate any new sources of excessive light and glare. *Mitigation has been added to ensure that any new exterior building lighting will be properly mounted and shielded so the neighboring residences are not adversely impacted.*

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Sources

- United States Geological Survey. *The National Map [Terra Server USA]. San Fernando, California.* July 1, 1998.
 - California Department of Transportation. *Official Designated Scenic Highways.* www.dot.ca.gov
 - City of San Fernando. *San Fernando General Plan.*
 - Blodgett/Baylosis Associates. *Site Survey* (the site survey was conducted on Wednesday, April 4, 2012).
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Agriculture and Forestry Resources Impacts	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
A. Would the project convert Prime Farmland, Unique Farmland or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				X
B. Would the project conflict with existing zoning for agricultural use, or a Williamson Act contract?				X
C. Would the project conflict with existing zoning for or cause rezoning of, forest land (as defined in Public Resources Code §4526), or zoned timberland production (as defined by Government Code §51104(g))?				X
D. Would the project result in the loss of forest land or the conversion of forest land to a non-forest use?				X
E. Would the project involve other changes in the existing environment that, due to their location or nature, may result in conversion of farmland to non-agricultural use or the conversion of forestland to non-forest land use?				X

Environmental Determination

- A.** No agricultural activities are located within either project site or on adjacent parcels, nor does the City of San Fernando General Plan or Zoning Ordinance provide for any agricultural land use designation. The soils that underlie the site are classified as belonging to the Hanford Association. This soil group is classified by the United States Department of Agriculture (USDA) as suitable for development. These soils are not included in the state's listing of prime farmland, unique farmland, or farmland of statewide importance. As a result, no impacts associated with the conversion of farmland to non-farmland are anticipated.
- B.** No active agricultural activities are located within the project site nor are any such uses found in the adjacent parcels. The City's applicable general plan and zoning designations do not contemplate agricultural land uses on-site or in the surrounding area. In addition, the project site is not subject to a Williamson Act contract. As a result, no impacts on existing or future Williamson Act contracts will result from the proposed project.
- C.** The City of San Fernando and the project site is located in the midst of a larger urban area and no forest lands are located in the City or within this portion of the Los Angeles County. The City's general plan and zoning ordinance do not specifically provide for any forest land preservation. As a result, no impacts on forest lands or timber resources will result from the proposed project's implementation.

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Environmental Determination (continued)

- D.** No forest lands are found within San Fernando nor does the applicable general plan and zoning land use designations provide for any forest land protection. Furthermore, no loss or conversion of existing forest lands will result from the implementation of the proposed project. As a result, no significant adverse impacts are anticipated with the proposed project's implementation.
- E.** No agricultural activities or farmland uses are located in the City or within the project area. The proposed project will not involve the conversion of any existing producing farmland area to an urban use and no significant adverse impacts are anticipated.

Sources

- Blodgett/Baylosis Associates. *Site Survey* (the site survey was conducted on Wednesday, April 4, 2012).
 - California, State of. Department of Conservation. *Farmland Mapping and Monitoring Program*. July 13, 1995.
 - State of California. *The California Land Conservation [Williamson] Act, 2010 Status Report*. November 2010.
 - United States Geological Survey. TerraServer USA. *The National Map. San Fernando, California*. July 1, 1979.
 - Refer to exhibit included in Supporting Documentation.
-

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Air Quality Impacts	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
A. Would the project conflict with or obstruct implementation of the applicable air quality plan?				X
B. Would the project violate any air quality standard or contributes substantially to an existing or projected air quality violation?			X	
C. Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions, which exceed quantitative thresholds for ozone precursors)?			X	
D. Would the project expose sensitive receptors to substantial pollutant concentrations?				X
E. Would the project create objectionable odors affecting a substantial number of people?				X

Environmental Determination

- A.** The proposed project will involve the construction of a small outbuilding with a total floor area of approximately 400 square feet. The single level building would contain public restrooms, an office, and a storage room. The proposed project will not affect any regional population, housing, and employment projections prepared for the City by the Southern California Association of Governments (SCAG). Specific criteria for determining a project's conformity with the AQMP is defined in Chapter 12 of the Air Quality Management Plan (AQMP) and Section 12.3 of the SCAQMD's CEQA Air Quality Handbook. Criteria 1 considers whether or not a project results in an increase in the frequency or severity of an existing air quality violation or contributes to the continuation of an existing air quality violation. Criteria 2 considers whether or not a project exceeds the assumptions included in the AQMP or other regional growth projections relevant to the AQMP's implementation. The proposed project will not result in any significant increase in criteria pollutant emissions (Criteria 1). The proposed project is consistent with the adopted City of San Fernando General Plan (Consistency Criteria 2) land use designation. As a result, the project would not be in conflict with, or result in an obstruction of an applicable air quality plan and no adverse impacts are anticipated.
- B.** The proposed project will involve the construction of a small outbuilding with a total floor area of approximately 400 square feet. The single level building would contain public restrooms, an office, and a storage room. Long-term emissions will continue to be from employees and visitors to the museum. These new improvements will result in limited energy use and the attendant air emissions. No significant additional long term emissions will result from the proposed project's implementation. The proposed outbuilding will not, by itself, result in any additional mobile emissions. As a result, the potential air quality impacts are less than significant.

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Environmental Determination (continued)

- C.** As indicated in the previous section, very limited short-term emissions are anticipated due to the small size of the new building and the limited construction activities. In addition, the long term emissions will be less than significant.
- D.** Sensitive receptors refer to land uses and/or activities that are especially sensitive to poor air quality. Sensitive receptors are located adjacent to the project site. The project will not generate additional traffic and, as a result, is not expected to result in the creation of any hot-spots that would exceed the State's 1-hour or 8-hour standards. As a result, no significant adverse impacts are anticipated.
- E.** The SCAQMD has identified those land uses that are typically associated with odor complaints. These uses include activities involving livestock, rendering facilities, food processing plants, chemical plants, composting activities, refineries, landfills, and businesses involved in fiberglass molding. The proposed project will involve the construction of a small outbuilding with a total floor area of approximately 400 square feet. The single level building would contain public restrooms, an office, and a storage room. The proposed improvement is consistent with the Lopez Adobe Preservation Plan. No odors were observed during field visits to the site. The proposed use will not generate any new obnoxious odors. As a result, no adverse odor impacts are anticipated.
-

Sources

- South Coast Air Quality Management District, *Final 2007 Air Quality Plan*, Adopted June 2007.
 - South Coast Air Quality Management District. *CEQA Air Quality Handbook*. April 1993 [as amended 2009]. Table 11-4.
 - South Coast Air Quality Management District. *AQMD Rules and Regulation Handbook*. Rule 1155 adopted December 4, 2009.
 - South Coast Air Quality Management District. *CEQA Air Quality Handbook, Appendix 9*. 2004 (as amended).
 - Blodgett/Baylosis Associates. *Site Survey* (the site survey was conducted on Wednesday, April 4, 2012).
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Biological Resources Impacts	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
A. Would the project have a substantial adverse effect either directly or through habitat modifications, have on any species identified as a candidate, sensitive or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U. S. Fish and Wildlife Service?				X
B. Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?				X
C. Would the project have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				X
D. Would the project have a substantial adverse effect in interfering substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory life corridors, or impede the use of native wildlife nursery sites?				X
E. Would the project have a substantial adverse effect in conflicting with any local policies or ordinances, protecting biological resources, such as a tree preservation policy or ordinance?				X
F. Would the project have a substantial adverse effect by conflicting with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?				X

Environmental Determination

- A.** The City of San Fernando is urbanized and plant life is limited to non-native, introduced, and ornamental species that are used for landscaping. The Lopez Adobe grounds are landscaped with various ornamental and native plant species. The proposed use and its implementation will involve no significant impacts on protected species. The area in which the outbuilding will be placed consists of gravel surfaces. In addition, the new outbuilding will have a relatively small footprint (400 square feet) and will be located within an area that consists of gravel surfaces. Thus, the proposed project will not have any adverse impact on sensitive plants or animals and no impacts are anticipated.

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Environmental Determination (continued)

- B.** The project site and the surrounding properties are developed and do not contain any natural or protected natural plant communities or habitats. The proposed project will not impact any "Waters of the U.S." and no wetland resources will be affected. The surrounding area is presently developed, with no natural communities or habitats on-site or in the surrounding area. Thus, the proposed project will not affect any natural riparian habitats and no impacts are anticipated.
- C.** No wetland or riparian areas are found in the Lopez Adobe site or in the surrounding areas. Therefore, no impacts on wetlands are expected with the proposed development.
- D.** The animal species common to the site and the surrounding area are typical of those found in an urbanized setting. No areas located near the project site function as a wildlife movement corridor. No locally designated species are located within the City. In addition, no significant mature trees (Heritage Trees) will be impacted by the proposed project. Thus, no impact to local policies and programs related to resource management will result from the project's implementation.
- E.** The proposed project will not involve the removal of the existing landscaped areas. The proposed outbuilding has a relatively small footprint (400 square feet). The project will not result in the removal of any trees. Thus, no impacts on locally-designated species will occur as part of the proposed project's implementation.
- F.** As indicated previously, the project site is not located within an area governed by a habitat conservation or community conservation plan. As a result, no adverse impacts on local, regional, or state habitat conservation plans will result from the proposed project's implementation.

Sources:

- Blodgett/Baylosis Associates. *Site Survey* (the site survey was conducted on Wednesday, April 4, 2012).
 - California Department of Fish and Game, *Natural Diversity Database*, 2011
 - United State Geological Survey. *San Fernando 7 ½ Minute Quadrangle*. Release Date March 25, 1999.
 - Refer to exhibit included in Supporting Documentation.
-

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Cultural Resources Impacts	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
A. Would the project cause a substantial adverse change in the significance of a historical resource as defined in §15064.5 of the CEQA Guidelines?		X		
B. Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5 of the CEQA Guidelines?				X
C. Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?				X
D. Would the project disturb any human remains, including those interred outside of formal cemeteries?				X

Environmental Determination:

- A.** The construction of the proposed outbuilding would not cause an adverse change to the historic character of the Casa de Lopez Adobe ("Lopez Adobe") building and site located at 1100 Pico Street. The project would not include any physical demolition, destruction, relocation, or alteration of the Lopez Adobe building. The proposed outbuilding, which includes accessible restroom facilities and an office and storage room area, would be located at the southwest corner of the subject property. The proposed design and placement of the ancillary building at the historic site would not impair the historical significance of the designated historic building and site by maintaining a design and site placement that is secondary to and compatible with the historic Adobe structure and surrounding opens space areas.

The purpose of the proposed outbuilding is to provide restroom, office, and storage facilities in an ancillary building to minimize any potential deterioration or physical damage of the historic structure and any archival materials within the structure that would otherwise be associated with the use of existing restroom, living room, and kitchen facilities within the Adobe structure. The restroom facilities would provide handicap accessible male and female restrooms onsite to patrons, preserving the condition of all original fixtures within the restrooms of the Lopez Adobe, which are not ADA compliant and limit potential water damage due to flooding of existing toilets and/or sinks. Additionally, the office/storage room within the ancillary facility would provide administrative offices for the Lopez Adobe for volunteers and conservators to conduct day to day administrative and archive assessment services associated with the Adobe's future use as a house museum. Also, the office/storage room would provide a needed location for the assessment of 3-dimensional artifacts previously housed at the Lopez Adobe, which are not being used for exhibition or are being assessed for relocation to alternate city facilities. Furthermore, the revised outbuilding proposal eliminates the catering kitchen that was previously being considered as part of the preservation plan. The kitchen facility was deemed to be less of a priority than the office and storage facilities to facilitate the Adobe's future use as a house museum and any food preparation services required as part of the future use of the building and site could be accommodated off-site through the use of an off-site kitchen and/or catering services.

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Environmental Determination (continued)

Eliminating the kitchen also eliminated the need to further expand the size of the building and introduce additional mechanical, plumbing, and electrical infrastructure that would have the potential to detract from the historic character of the existing historic Adobe structure and site's remaining open space area. Furthermore, the elimination of the kitchen reduced the potential for kitchen fires within the ancillary facility that could have impacted the existing Adobe building and surrounding landscaped areas.

The proposed outbuilding and the associated perimeter landscape/hardscape improvements would be designed and constructed in compliance with the approved Lopez Adobe Preservation Plan and would follow the Secretary of the Interior's Standards that incorporate design elements that are compatible with the historic character of the Adobe structure and site. The new outbuilding would be constructed as a free standing structure at the southwest sector of the subject property in order to reduce any potential visual impact associated with construction of a new building at the historic site. Furthermore, limiting the buildings use to restrooms and an office/storage room maintains the relatively small scale of the building (approximately 400 square feet), which is set back near the rear (southwest) portion of the property providing the needed public facilities to operate the Adobe as a house museum while maintain the greatest amount of open space possible at the subject site. The ancillary building would incorporate a smooth stucco finish to the exterior walls and an asphalt shingle roof. The simplification in building materials of the outbuilding differentiates it from the Lopez Adobe while incorporating a similar design treatment to allow for good integration on the property. The scale and proportion of the ancillary building is intended to recall the character of the Lopez Adobe, which has one-story wings in the rear, and residentially scaled and proportioned doors, windows, and porches. However, the placement of the restrooms towards the front facing façade of subject building as viewed from Pico Street makes it clear to visitors that the outbuilding is new and visually distinct and subordinate to the historic Adobe building and site. Therefore, the overall design of the outbuilding, coupled with its proposed location ensures that the new building is not out of scale or an otherwise inappropriate design. *While the proposed outbuilding would be constructed in compliance with the approved Lopez Adobe Preservation Plan, mitigation has been identified to ensure that the new outbuilding and any related activities do not impact the historic Adobe.*

- B.** The project site has been previously developed, and no archaeological resources were reported. No archaeological resources are expected to be found on-site because past grading, excavation activities, and development have disturbed the entire project site. As a result, no impacts are anticipated.
 - C.** The potential for paleontological resources in the area is considered low, as no resources have been uncovered in the area. Very limited excavation is envisioned as part of the proposed project's implementation as it relates to footings and underground utilities. The site has already been disturbed due to the previous grading that has occurred. Thus, the proposed project will not adversely impact any paleontological resources.
 - D.** There are no cemeteries located in the immediate area that would be affected by the proposed project. In addition, the project site does not contain any religious or sacred structure. Thus, no impacts on existing religious facilities in the City will occur with the implementation of the proposed project.
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Sources

- California State Parks, Office of Historic Preservation. www.parks.ca.gov. 2010
 - California Dept. of Conservation. State Office of Historic Preservation. 2010.
 - McCawley, William. *The First Angelinos, The Gabrielino Indians of Los Angeles*. 1996.
 - United State Geological Survey. *San Fernando 7 ½ Minute Quadrangle*. Release Date March 25, 1999
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Geology Impacts	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
A. Would the project result in or expose people to potential impacts involving the exposure of people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, ground shaking, liquefaction, or landslides?			X	
B. Would the project result in or expose people to potential impacts involving substantial soil erosion or the loss of topsoil?				X
C. Would the project result in or expose people to potential impacts involving the location on a geologic unit or a soil that is unstable, or that would become unstable as a result of the project, and potentially result in on or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?				X
D. Would the project result in or expose people to potential impacts involving the location on expansive soil, as defined in California Building Code (2010), creating substantial risks to life or property?				X
E. Would the project result in or expose people to potential impacts involving soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?				X

Environmental Determination

- A.** The most probable major sources of a significant earthquake affecting the San Fernando area include the San Andreas fault zone, located approximately five miles to the northwest, and the Sierra Madre Fault zone, located approximately two miles to the north and southwest. Both the San Andreas and Sierra Madre zones have been recognized for some time as being active. The 1971 San Fernando earthquake occurred on a branch of the Sierra Madre fault zone, and has resulted in the entire length of the Sierra Madre fault zone being considered potentially active. Both the San Andreas and Sierra Madre zones have been associated with surface rupturing as well as significant ground shaking effects. However, no active faults are known to exist in the City. The proposed project will involve the construction of a small outbuilding with a total floor area of approximately 400 square feet. The single level building would contain public restrooms, an office, and a storage room. The site is not located within an area that is subject to fault rupture or liquefaction. The project site will continue to be exposed to potential ground shaking in the event of an earthquake and the degree of ground shaking is dependent on the location of the earthquake epicenter, the earthquake's intensity, and a number of other variables. As a result, the proposed impacts are less than significant.

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Environmental Determination (continued)

- B.** As indicated previously, limited excavation will be required for the structural supports. Given the developed character of the project site and the limited area of disturbance, no significant adverse impacts related to expansive soil erosion or loss of topsoil are anticipated
- C.** Recent studies completed by the CGS Seismic Hazard Zones Mapping Program indicate the project sites are not located within an area subject to potential slope failure. The sites are also located on level terrain that has previously undergone development. As a result, no impacts due to potential unstable soils are anticipated.
- D.** Given the developed character of the surrounding parcels, no significant adverse constraints related to expansive soils are anticipated. The soils that underlie the project site belong to the Hanford Soils Association. These soils do not represent a constraint to development according to the United States Department of Agriculture (USDA). The existing improvements within the surrounding properties also support this conclusion. As a result, no impacts are anticipated.
- E.** No septic tanks will be used as part of proposed project. As a result, no impacts associated with the use of septic tanks will occur as part of the proposed project's implementation. The outbuilding will have a direct connection with the existing sanitary sewer system.
-

Sources

- California Geological Survey. *Preliminary Map of Seismic Hazard Zones*. 2011.
 - U.S. Geological Survey, *Evaluating Earthquake Hazards in the Los Angeles Region - An Earth Science Perspective*, USGS Professional Paper 1360, 1985.
 - United States Department of Agriculture, Soil Conservation Service. *Report and General Soil Map, Los Angeles County, California*. Rev. 1969.
 - Refer to exhibit included in Supporting Documentation.
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Greenhouse Gas Emissions Impacts	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
A. Would the project result in the generation of greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?			X	
B. Would the project increase the potential for conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing emissions of greenhouse gasses?				X

Environmental Determination

- A.** The passage of Assembly Bill (AB) 32, the California Global Warming Solutions Act of 2006, established the California target to achieve reductions in GHG to 1990 GHG emission levels by the year 2020. The proposed project is an infill use. The proposed project will involve the construction of a small outbuilding with a total floor area of approximately 400 square feet. The single level building would contain public restrooms, an office, and a storage room. In addition, the proposed project will not result in the generation of any significant daily CO₂ emissions. As a result, the impacts related to additional greenhouse gas emissions resulting from the proposed project's implementation are considered to be less than significant.
- B.** AB 32 requires the reduction of GHG emissions to 1990 levels, which would require a minimum 28 percent reduction in business as usual GHG emissions for the entire state. The proposed project will not involve or require any variance from an adopted plan, policy, or regulation governing GHG emissions. As a result, no significant adverse impacts related to a potential conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing emissions of greenhouse gasses are anticipated.

Sources

- California, State of. OPR Technical Advisory – CEQA and Climate Change: Addressing Climate Change through the California Environmental Quality Act (CEQA) Review. June 19, 2008.
-

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Hazardous Materials Impacts	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
A. Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?				X
B. Would the project create a significant hazard to the public or the environment or result in reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?				X
C. Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				X
D. Would the project be located on a site, which is included on a list of hazardous material sites compiled pursuant to Government Code Section 65962.5, and as a result, would it create a significant hazard to the public or the environment?				X
E. Would the project be located within an airport land use plan, or where such a plan has not been adopted, within two miles of a public airport or a public use airport, would the project result in a safety hazard for people residing or working in the project area?				X
F. Would the project be located within the vicinity of a private airstrip, result in a safety hazard for people residing or working in the project area?				X
G. Would the project impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan?				X
H. Would the project expose people or structures to a significant risk of loss, injury, or death involving wild lands fire, including where wild lands are adjacent to urbanized areas or where residences are intermixed with wild lands?				X

Environmental Determination

- A.** The Environmental Protection Agency's (EPA's) *Environfacts* Database was consulted to identify EPA-regulated facilities within the project area. The site is not included on this list.

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Environmental Determination (continued)

- B.** The proposed project will involve the construction of a small outbuilding with a total floor area of approximately 400 square feet. The single level building would contain public restrooms, an office, and a storage room. The proposed uses will not result in the generation of any hazardous materials other than those household products used in routine maintenance and cleaning. As a result, no impacts are anticipated.
 - C.** The proposed project will involve the construction of a small outbuilding with a total floor area of approximately 400 square feet. The single level building would contain public restrooms, an office, and a storage room. The proposed uses will not result in the generation of any hazardous materials. As a result, no significant adverse impacts are anticipated from the proposed use.
 - D.** The Environmental Protection Agency's (EPA's) Environfacts Database was consulted to identify EPA-regulated facilities within the project area. The site is not included on this list. As a result, no other impacts to a site, which is included on a list of hazardous material sites compiled pursuant to Government Code Section 65962.5, are anticipated.
 - E.** The project site is not located within two miles of an operational public airport. Whiteman Airport is located 2.2 miles to the southeast of the project site. The nearest major airports in the surrounding region include Burbank-Glendale Airport (located approximately nine miles to the southeast), Los Angeles International Airport (located approximately 25 miles to the south), and Van Nuys Airport (located approximately seven miles to the south).
 - F.** The project site is not located within two miles of an operational private airport or airstrip.
 - G.** The proposed new outbuilding will not require the closure of any adjacent local street during construction activities. As a result, no impacts on emergency response or evacuation are expected with the implementation of the proposed project.
 - H.** The City of San Fernando is fully developed with no risk of wild fire associated with natural vegetation. The site is and the adjacent parcels are improved. No areas of native vegetation are found in the surrounding parcels and, as a result, there is no wildfire risk from off-site locations.
-

Sources

- United State Geological Survey. *San Fernando 7 ½ Minute Quadrangle*. Release Date March 25, 1999
 - California, State of, Department of Toxic Substances Control, *DTSC's Hazardous Waste and Substances Site List - Site Cleanup (Cortese List)*, 2009.
 - United States Environmental Protection Agency. *Environfacts Database, Multisystem Search*. www.epa.gov/envirofw/
 - Blodgett/Baylosis Associates. *Site Survey* (the site survey was conducted on Wednesday, April 4, 2012).
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CITY OF SAN FERNANDO
MITIGATED NEGATIVE DECLARATION AND INITIAL STUDY • LOPEZ ADOBE PROJECT

Hydrology and Water Quality Impacts	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
A. Would the project violate any water quality standards or waste discharge requirements?				X
B. Would the project substantially deplete groundwater supplies or interfere substantially with groundwater recharge in such a way that would cause a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?				X
C. Would the project substantially alter the existing drainage pattern of the site or area, including the alteration of the course of a stream or river, in a manner, which would result in substantial erosion or siltation on or off-site?				X
D. Would the project substantially alter the existing drainage pattern of the site or area, including the alteration of the course of a stream or river, in a manner that would result in flooding on-or off-site?				X
E. Would the project create or contribute runoff water, which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?				X
F. Would the project substantially degrade water quality?				X
G. Would the project place housing within a 100-year flood hazard area as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				X
H. Would the project place within a 100-year flood hazard area, structures that would impede or redirect flood flows?				X
I. Would the project expose people or structures to a significant risk of flooding because of dam or levee failure?				X
J. Would the project result in inundation by seiche, tsunami, or mudflow?				X

CITY OF SAN FERNANDO
MITIGATED NEGATIVE DECLARATION AND INITIAL STUDY • LOPEZ ADOBE PROJECT

Environmental Determination

- A.** The proposed project will not generate excessive runoff to the storm water system. Runoff will continue to occur from building roofs, parking areas, and other impervious surfaces. Limited amounts of new impervious surfaces will be created by the proposed project. The existing landscaped and gravel surfaces located in the yard areas will remain. The new outbuilding will result in approximately 400 square feet of impervious surfaces. The surrounding unpaved ground surface will facilitate the percolation of storm water runoff.
 - B.** Groundwater resources in the area consist of interlayered bedrock and aquifers, which are common in the Central Los Angeles groundwater basin. The project site is within a completely urbanized area and is not located near the shoreline or other water body. Water supply in the City is derived from local groundwater wells maintained and operated by local water purveyors and imported water from the Metropolitan Water District (MWD). Limited amounts of new impervious surfaces will be created by the proposed project. The new outbuilding will result in approximately 400 square feet of impervious surfaces. The surrounding unpaved ground surface will facilitate the percolation of storm water runoff. As a result, no groundwater impacts will result.
 - C.** Limited amounts of new impervious surfaces will be created by the proposed project. The existing landscaped and gravel surfaces located in the yard areas will remain. The new outbuilding will result in approximately 400 square feet of impervious surfaces. The surrounding unpaved ground surface will facilitate the percolation of storm water runoff. As a result, the proposed project's implementation will not result in any soil erosion or loss of topsoil following development.
 - D.** There are no lakes or streams within the area that would be affected by the proposed project. No natural stream channels remain within the immediate area. In addition, there will not be any increase in storm water surface runoff conveyed to the existing storm drain system. As a result, no impacts will occur as part of the proposed project's implementation.
 - E.** No surface water bodies are found within the adjacent parcels that would be affected by the proposed project. The nature and extent of storm water runoff ultimately discharged into the existing storm drain system will not change from the existing levels. In addition, no water wells will be affected by the proposed project. As a result, no impacts are anticipated.
 - F.** Storm water runoff will not increase from the site or the surrounding area and very limited amounts of new impervious surfaces will be created by the proposed project. The existing landscaped and gravel surfaces located in the yard areas will remain. The new outbuilding will result in approximately 400 square feet of impervious surfaces. The surrounding unpaved ground surface will facilitate the percolation of storm water runoff. As a result, no impacts from the proposed project will result.
 - G.** The project site is not located within a designated flood hazard area as identified by Federal Emergency Management Agency (FEMA). The proposed project will not impede or redirect the flows of potential floodwater. Furthermore, the project site is not located within a designated flood hazard area, as defined by FEMA's Flood Insurance Mapping Program (FIRM). Therefore, no impacts related to flood flows are associated with the proposed project's implementation.
 - H.** As indicated previously, the project site is not located within a designated flood hazard area as identified by FEMA. The proposed project will not impede or redirect the flows of potential floodwater. Therefore, no flood-related impacts are associated with the proposed project's implementation.
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CITY OF SAN FERNANDO
MITIGATED NEGATIVE DECLARATION AND INITIAL STUDY • LOPEZ ADOBE PROJECT

Environmental Determination (continued)

- I.** There are three dams located in the vicinity of the City that include the Hansen Dam, the Lopez Dam, and the Los Angeles Reservoir Dam. The U. S. Army Corps of Engineers has prepared emergency plan maps indicating the potential inundation area for the Hansen and Lopez Dams. The potential inundation area for the Hansen Dam is located south of the dam, outside the City boundaries. The potential inundation area includes a small portion of the northeasterly corner of the City though the site is located outside the inundation area. The Los Angeles Reservoir Dam is located to the southwest of the City and the potential inundation area is located further south of the reservoir. Since the project sites are located outside the potential inundation area of these reservoirs, no impacts are anticipated.
- J.** The City of San Fernando is located inland from the Pacific Ocean, and thus, the project site will not be exposed to the effects of a tsunami. No dams, reservoirs or volcanoes are located near the project site that would present seiche or volcanic hazards. As a result, no impacts related to seiche, tsunami or mudflow would result.

Sources

- Blodgett/Baylosis Associates. *Site Survey* (the site survey was conducted on Wednesday, April 4, 2012).
 - United State Geological Survey. *San Fernando 7 ½ Minute Quadrangle*. Release Date March 25, 1999.
 - Federal Emergency Management Agency. Intranetix Viewer. [http:// map1.msc.fema.gov /idms/IntraView](http://map1.msc.fema.gov/idms/IntraView)
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CITY OF SAN FERNANDO
MITIGATED NEGATIVE DECLARATION AND INITIAL STUDY • LOPEZ ADOBE PROJECT

Land Use and Planning Impacts	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
A. Would the project physically divide an established community, or otherwise result in an incompatible land use?				X
B. Would the project conflict with an applicable land use plan, policy, or regulation of an agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental effect?				X
C. Would the project conflict with any applicable habitat conservation or natural community conservation plan?				X

Environmental Determination

- A.** The proposed improvements will be located within the southwest corner of the Lopez Adobe property and will involve the construction of a small outbuilding with a total floor area of approximately 400 square feet. The proposed project will be located within the existing Lopez Adobe property and no division of any existing residential neighborhoods will occur. As a result, no land use impacts are anticipated.
- B.** The architecture will be designed to appear as an outbuilding with smooth stucco finish and a composite shingle roof. The proposed project will not require a zone change or a general plan amendment. As a result, no land use impacts are anticipated.
- C.** No natural open space areas are located within the proposed project site or in the surrounding area. In addition, no adjacent properties are subject to habitat conservation plans. The project sites and the surrounding parcels are not subject to a habitat conservation plan or local coastal plan (LCP). Finally, there are no designated Significant Ecological Areas (SEAs) located within one mile of the City. As a result, the proposed project will not result in any impact on a habitat conservation plan or natural community conservation plan. The proposed project is consistent with the Lopez Adobe Preservation Plan.

Sources

- Blodgett/Baylosis Associates. *Site Survey* (the site survey was conducted on Wednesday, April 4, 2012).
- San Fernando, City of. *San Fernando General Plan*.
- San Fernando, City of. *Zoning Ordinance*.
- Refer to exhibit included in Supporting Documentation.

CITY OF SAN FERNANDO
MITIGATED NEGATIVE DECLARATION AND INITIAL STUDY • LOPEZ ADOBE PROJECT

Mineral Resources Impacts	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
A. Would the project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				X
B. Would the project result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?				X

Environmental Determination

- A.** Natural resources that are utilized by development include air, mineral, water, sand and gravel, timber, energy, and other resources used for construction and operation. The City of San Fernando does not contain any significant mineral or timber resources. Thus, the project will not result in any significant adverse effects on mineral resources in the region and no impacts will occur.
- B.** There are no mineral, oil or energy extraction and/or generation activities located within the project site. Review of maps provided by the California Department of Conservation indicated that there are no oil wells located within the project site or in the vicinity. The resources and materials used in the new construction will not include any materials that are considered to be rare or unique. Thus, the proposed project will not result in any significant adverse effects on mineral resources in the region.

Sources

- Blodgett/Baylosis Associates. *Site Survey* (the site survey was conducted on Wednesday, April 4, 2012).
 - United State Geological Survey. *San Fernando 7 ½ Minute Quadrangle*. Release Date March 25, 1999.
 - California, State of. Department of Conservation. *Oil, Gas, and Geothermal – District 1 Maps*. 2011
-

CITY OF SAN FERNANDO
MITIGATED NEGATIVE DECLARATION AND INITIAL STUDY • LOPEZ ADOBE PROJECT

Noise Impacts	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
A. Would the project result in exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?				X
B. Would the project result in exposure of people to or generation of excessive ground-borne noise levels?				X
C. Would the project result in substantial permanent increase in ambient noise levels in the project vicinity above noise levels existing without the project?		X		
D. Would the project result in substantial temporary or periodic increases in ambient noise levels in the project vicinity above levels existing without the project?				X
E. For a project located with an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				X
F. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?				X

Environmental Determination

- A.** Noise-sensitive land uses include nursing homes, libraries, schools, hospitals, homes, and other uses that are susceptible to loud noises due to the type of activities that are conducted in these areas (e.g., sleep, rest, concentration, study, relaxation, or listening). Noise sensitive residential uses about the project site on the north side. The proposed project will involve the construction of a small outbuilding with a total floor area of approximately 400 square feet. The single level building would contain public restrooms, an office, and a storage room. All activities within the Lopez Adobe property will continue to be subject to the City's noise control requirements. As a result, the proposed project will not result in any significant adverse impacts to sensitive receptors.
- B.** All activities within the Lopez Adobe property will continue to be subject to the City's noise control requirements. As a result, the proposed project will not result in any significant adverse noise exposure impacts.
- C.** All activities within the Lopez Adobe property will continue to be subject to the City's noise control requirements. *Mitigation has been added to ensure that no alarms or public address systems will be permitted.*

CITY OF SAN FERNANDO
MITIGATED NEGATIVE DECLARATION AND INITIAL STUDY • LOPEZ ADOBE PROJECT

Environmental Determination (continued)

- D.** All construction activities associated with the proposed ancillary facility will be required to comply with the City's noise control requirements. As a result, the proposed project will not result in any significant adverse noise exposure impacts.
- E.** The project site is not located within two miles of an operational public airport. Whiteman Airport is located 2.2 miles to the southeast of the project site. The nearest major airports in the surrounding region include Burbank-Glendale Airport (located approximately nine miles to the southeast), Los Angeles International Airport (located approximately 25 miles to the south), and Van Nuys Airport (located approximately seven miles to the south). As a result, no significant aircraft noise exposure impacts will occur.
- F.** The project site is not located within two miles of an operational public airport. As a result, the proposed project will not expose persons to excessive aircraft noise from operations at any private airport in the area.

Sources

- Bugliarello, et. al., *The Impact of Noise Pollution*, Chapter 127, 1975.
 - Blodgett/Baylosis Associates. *Site Survey* (the site survey was conducted on Wednesday, April 4, 2012).
 - United States Geological Survey. TerraServer USA. *The National Map – San Fernando,, California*. July 1, 1979
 - USEPA, Protective Noise Levels. 1971.
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CITY OF SAN FERNANDO
MITIGATED NEGATIVE DECLARATION AND INITIAL STUDY • LOPEZ ADOBE PROJECT

Population and Housing Impacts	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
A. Would the project induce substantial growth in an area either directly or indirectly (e.g., through projects in an undeveloped area or extension of major infrastructure)?				X
B. Would the project displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				X
C. Would the project displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				X

Environmental Determination

- A.** The proposed project will involve the construction of a small outbuilding with a total floor area of approximately 400 square feet. The single level building would contain public restrooms, an office, and a storage room. No additional population growth will result from the proposed project's implementation. As a result, no significant adverse growth inducing impacts are anticipated.
- B.** There are no dwelling units located on, or persons residing within, the project site. The site is currently occupied by the existing Lopez Adobe that will serve as a museum. The proposed outbuilding will not involve the removal of any units and no displacement of existing housing units will result.
- C.** No housing units will be displaced as part of the proposed project's implementation. As a result, no persons will be displaced as part of the project's implementation and no replacement housing will be required.

Sources

- Blodgett/Baylosis Associates. *Site Survey* (the site survey was conducted on Wednesday, April 4, 2012).
-

CITY OF SAN FERNANDO
MITIGATED NEGATIVE DECLARATION AND INITIAL STUDY • LOPEZ ADOBE PROJECT

Public Services Impacts	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
A. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the construction of which would cause significant environmental impacts in order to maintain acceptable service ratios, response times or other performance objectives in fire protection services?			X	
B. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the construction of which would cause significant environmental impacts in order to maintain acceptable service ratios, response times or other performance objectives in police protection services?				X
C. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the construction of which would cause significant environmental impacts in order to maintain acceptable service ratios, response times or other performance objectives in school services?				X
D. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the construction of which would cause significant environmental impacts in order to maintain acceptable service ratios, response times or other performance objectives in other governmental services?				X

Environmental Determination

- A.** The proposed project will involve the construction of a small outbuilding with a total floor area of approximately 400 square feet. The single level building would contain public restrooms, an office, and a storage room. The City of San Fernando is served by the City of Los Angeles Fire Department that operates from three nearby fire stations. The stations are located in the neighboring communities of the City of Los Angeles. Compliance with fire code requirements and approval of the site plan by the Fire Department are expected to reduce potential impacts to levels that are less than significant.
- B.** Law enforcement services in the City are provided by the San Fernando Police Department that was established following incorporation. The Police Department operates from a facility located at 910 First Street in the City of San Fernando Civic Center complex. The proposed project will involve the construction of a small outbuilding with a total floor area of approximately 400 square feet. The single level building would contain public restrooms, an office, and a storage room. As a result, no significant adverse impacts related to the demand on law enforcement services are anticipated to result from the proposed project's implementation.

CITY OF SAN FERNANDO
MITIGATED NEGATIVE DECLARATION AND INITIAL STUDY • LOPEZ ADOBE PROJECT

Environmental Determination (continued)

- C.** Public educational services in or within close proximity of the City are provided by the Los Angeles Unified School District that operates a total of nine schools that serve City residents. Facilities that serve local residents include one high school, two middle schools six elementary schools and a continuation school. One middle school is located within the City's corporate limits. No additional employment generation will be created by the proposed project. As a result, no significant adverse impacts on schools are anticipated to result from the proposed project.
- D.** No new governmental services will be needed to implement the proposed project. As a result, the proposed project will not result in any impact on existing governmental services.

Sources

- Blodgett/Baylosis Associates. *Site Survey* (the site survey was conducted on Wednesday, April 4, 2012).
 - United States Geological Survey. TerraServer USA. *The National Map – San Fernando, California*. July 1, 1979
 - County of Los Angeles Fire Department. Hometown Fire Stations.
<http://fire.lacounty.gov/HometownFireStations/HometownFireStations.asp>
 - County of Los Angeles Sheriff's Department. <http://sheriff.lacounty.gov/wps/portal/lasd>
-

CITY OF SAN FERNANDO
MITIGATED NEGATIVE DECLARATION AND INITIAL STUDY • LOPEZ ADOBE PROJECT

Recreation Impacts	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
A. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?				X
B. Would the project affect existing recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?				X

Environmental Determination

- A.** The Lopez Adobe was restored between 1974 and 1975 and opened as a historical site in 1975. The adobe is owned and operated by the City of San Fernando. The proposed project will involve the construction of a small outbuilding with a total floor area of approximately 400 square feet. The single level building would contain public restrooms, an office, and a storage room. There are no City parks located in close proximity to the project site. The proposed project will not create a direct demand for park facilities based on the proposed use. Thus, no impacts on park facilities are expected.
- B.** The proposed project will not affect existing park facilities in the City. The proposed project site is not located immediately adjacent to any existing park, nor is it utilized for any recreational use. Additionally, no new employment generation will result from the proposed use. As a result, no impacts upon recreational facilities are anticipated.

Sources

- Blodgett/Baylosis Associates. *Site Survey* (the site survey was conducted on Wednesday, April 4, 2012).
 - United States Geological Survey. TerraServer USA. *The National Map – San Fernando,, California*. July 1, 1979
-

CITY OF SAN FERNANDO
MITIGATED NEGATIVE DECLARATION AND INITIAL STUDY • LOPEZ ADOBE PROJECT

Transportation Impacts	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
A. Would the project cause a conflict with an applicable plan, ordinance, or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to, intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit)?				X
B. Would the project exceed, either individually or cumulatively, a level of service standard established by the County congestion management agency for designated roads or highways?				X
C. Would the project result in a change in air traffic patterns, including either an increase in traffic levels or a change in the location that results in substantial safety risks?				X
D. Would the project substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?				X
E. Would the project result in inadequate emergency access?				X
F. Would the project conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?				X

Environmental Determination

- A.** The proposed project will involve the construction of a small outbuilding with a total floor area of approximately 400 square feet. The single level building would contain public restrooms, an office, and a storage room. No new employment will be associated with the proposed use and the current employment levels will not significantly change. No additional significant traffic volumes will be generated by the proposed project. As a result, no significant impacts are anticipated.
- B.** The Los Angeles County *Congestion Management Program* (CMP) indicates that a traffic analysis is required at designated CMP intersections if it is anticipated that a proposed project would contribute 50 or more vehicle trips to the intersection during either the morning or afternoon peak hours. There are no designated CMP intersections in the City. No additional significant amount of traffic will be generated by the proposed project. As a result, no impacts are anticipated.

CITY OF SAN FERNANDO
MITIGATED NEGATIVE DECLARATION AND INITIAL STUDY • LOPEZ ADOBE PROJECT

Environmental Determination (continued)

- C.** The proposed project would not result in any changes in air traffic patterns. As a result, no significant adverse impacts will result.
- D.** The overall local circulation system will remain unchanged. The proposed project will involve the construction of a small outbuilding with a total floor area of approximately 400 square feet. The single level building would contain public restrooms, an office, and a storage room. The new outbuilding will be located in the southwest corner of the site. As a result, no significant adverse impacts will result.
- E.** Access to the site will not change with the approval of the proposed project. No new construction or alterations to the existing roadways are proposed.
- F.** The Metropolitan Transit Authority (MTA) provides bus service on most of the adjacent arterial roadways in the City. Public transit service in the project vicinity is provided by the Los Angeles County Metropolitan Transportation Authority (MTA). The proposed project will not impact any existing bus stops.

Sources

- United States Geological Survey. TerraServer USA. *The National Map – San Fernando,, California*. July 1, 1979
 - Blodgett/Baylosis Associates. *Site Survey* (the site survey was conducted on Wednesday, April 4, 2012).
-

CITY OF SAN FERNANDO
MITIGATED NEGATIVE DECLARATION AND INITIAL STUDY • LOPEZ ADOBE PROJECT

Utilities Impacts	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
A. Would the project exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?				X
B. Would the project require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental impacts?				X
C. Would the project require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				X
D. Would the project have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?				X
E. Would the project result in a determination by the provider that serves or may serve the project that it has inadequate capacity to serve the project's projected demand in addition to the provider's existing commitments?				X
F. Would the project be served by a landfill with insufficient permitted capacity to accommodate the project's solid waste disposal needs?				X
G. Would the project comply with federal, state, and local statutes and regulations related to solid waste?				X

Environmental Determination

- A.** The proposed project will involve the construction of a small outbuilding with a total floor area of approximately 400 square feet. The single level building would contain public restrooms, an office, and a storage room. The wastewater that will be generated as part of the proposed project's implementation will be minimal. The wastewater generation will be related to the proposed public restrooms. As a result, the potential waste water impacts will be less than significant.
- B.** The County Sanitation Districts maintain and operate the sewer system in the City of San Fernando. The project site is served by the Los Angeles County Sanitation District No. 2. Sewer lines are maintained by the Los Angeles County Department of Public Works with sewage from the City conveyed through sewer mains into the Joint Water Pollution Control Plant (JWPCP) in Carson. The single level building would contain public restrooms, an office, and a storage room. Thus, no new water or wastewater infrastructure will be required to serve the project, and no impacts are expected.

CITY OF SAN FERNANDO
MITIGATED NEGATIVE DECLARATION AND INITIAL STUDY • LOPEZ ADOBE PROJECT

Environmental Determination (continued)

- C.** No additional off-site flood control infrastructure will be required to accommodate the proposed use. The proposed project will not generate excessive runoff to the storm water system. Runoff will continue to occur from building roofs, parking areas, and other impervious surfaces. Limited amounts of new impervious surfaces will be created by the proposed project. The existing landscaped and gravel surfaces located in the yard areas will remain. The new outbuilding will result in approximately 400 square feet of impervious surfaces. As a result, no significant impacts are anticipated.
- D.** The proposed project will involve the construction of a small outbuilding, with a total floor area of approximately 400 square feet. The single level building would contain public restrooms, an office, and a storage room. No significant increase in water consumption is anticipated. As a result, the no impacts are anticipated.
- E.** The project site is served by the Los Angeles County Sanitation District No. 2. Sewer lines are maintained by the County Department of Public Works with sewage from the City conveyed through sewer mains into the Joint Water Pollution Control Plant (JWPCP) in Carson. No additional treatment capacity will be required as part of the proposed project's operation. As a result, no significant adverse impacts are anticipated.
- F.** The proposed use, like all other development in San Fernando, will be required to adhere to City and county ordinances related to waste reduction and recycling. Limited additional solid waste will be generated by the proposed project. As a result, no significant adverse impacts are anticipated.
- G.** The proposed project, like all other development in San Fernando, will be required to adhere to City and county ordinances related to waste reduction and recycling. The proposed project will be required to comply with all pertinent City regulations concerning trash removal and recycling. As a result, no impacts are anticipated.

Sources

- Los Angeles County Sanitation Districts. www.lacsd.org/about/serviceareamap.asp
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CITY OF SAN FERNANDO
MITIGATED NEGATIVE DECLARATION AND INITIAL STUDY • LOPEZ ADOBE PROJECT

SECTION 2. MITIGATION MONITORING PROGRAM

2.1 FINDINGS

In accordance with the requirements of Section 21081(a) and 21081.6 of the Public Resources Code, the City of San Fernando can make the following additional findings:

- A Mitigation Reporting or Monitoring Program will be required for the proposed project;
- Site plans and/or building plans, submitted for approval by the responsible monitoring agency, shall include any other the required standard conditions or conditions of approval; and,
- An accountable enforcement agency or monitoring agency shall be identified for the standard conditions adopted as part of the decision-maker's final determination.

2.2 MITIGATION MEASURES

The following mitigation measures are applicable to the proposed project.

Mitigation Measure 1 (Aesthetics Mitigation). The architecture of the outbuilding must conform to those design requirements outlined in the Lopez Adobe Preservation Plan and the Secretary of the Interior's Standards for Rehabilitation and appropriate presentation briefs.

Mitigation Measure 2 (Aesthetics Mitigation) The exterior lighting that will be used as part of the proposed project must be installed and shielded in such a manner to eliminate light trespass on the neighboring properties.

Mitigation Measure 3 (Cultural Resources). Should historical or unique archaeological or paleontological resources be discovered during the proposed excavation work, contingency funding and a time allotment sufficient to allow for implementation of avoidance measures or appropriate mitigation must be made available. Included as part of the avoidance measures and/or mitigation measures are to require that a qualified professional archeological monitor be present during further onsite demolition, grading, trenching, and/or other excavation on the project site. Any significant archeological deposits or features encountered shall be avoided. Work can continue on other parts of the project site while historical or unique archaeological resource mitigation takes place, pursuant to the provisions established in section 21082 of the Public Resources Code. (CEQA Guidelines, 15064.5, subdivision f; see also Public Resources Code 21083.2, subdivision I).

Mitigation Measure 4 (Noise Mitigation). All activities within the Lopez Adobe property will continue to be subject to the City's noise control requirements. No audible alarms or public address systems will be permitted.

The monitoring and reporting on the implementation of these measures, including the period for implementation, monitoring agency, and the monitoring action, are identified in the table provided below and on the following page.

CITY OF SAN FERNANDO
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Mitigation Monitoring Program		
Required Mitigation	Enforcement Agency	Monitoring Phase
Mitigation Measure 1 (Aesthetics Mitigation). The architecture of the outbuilding must conform to those design requirements outlined in the Lopez Adobe Preservation Plan and the Secretary of the Interior's Standards for Rehabilitation and appropriate presentation briefs.	Community Development Dept.	During the planning and design phase.
Mitigation Measure 2 (Aesthetics Mitigation) The exterior lighting that will be used as part of the proposed project must be installed and shielded in such a manner to eliminate light trespass on the neighboring properties.	Community Development Dept.	During the planning and design phase.
Mitigation Measure 3 (Cultural Resources). Should historical or unique archaeological or paleontological resources be discovered during the proposed excavation work, contingency funding and a time allotment sufficient to allow for implementation of avoidance measures or appropriate mitigation must be made available. Included as part of the avoidance measures and/or mitigation measures are to require that a qualified professional archeological monitor be present during further on-site demolition, grading, trenching, and/or other excavation on the project site. Any significant archeological deposits or features encountered shall be avoided. Work can continue on other parts of the project site while historical or unique archaeological resource mitigation takes place, pursuant to the provisions established in section 21082 of the Public Resources Code. (CEQA Guidelines, 15064.5, subdivision f; see also Public Resources Code 21083.2, subdivision I).	Community Development Dept.	During the planning and design phase and continuing over its operational life.
Mitigation Measure 4 (Noise Mitigation). All activities within the Lopez Adobe property will continue to be subject to the City's noise control requirements. No audible alarms or public address systems will be permitted.	Community Development Dept.	Continuing over its operational life.
Source: Blodgett/Baylosis Associates, 2012.		

CITY OF SAN FERNANDO
MITIGATED NEGATIVE DECLARATION AND INITIAL STUDY • LOPEZ ADOBE PROJECT

SECTION 3. SUPPORTING DOCUMENTATION

CITY OF SAN FERNANDO
MITIGATED NEGATIVE DECLARATION AND INITIAL STUDY • LOPEZ ADOBE PROJECT

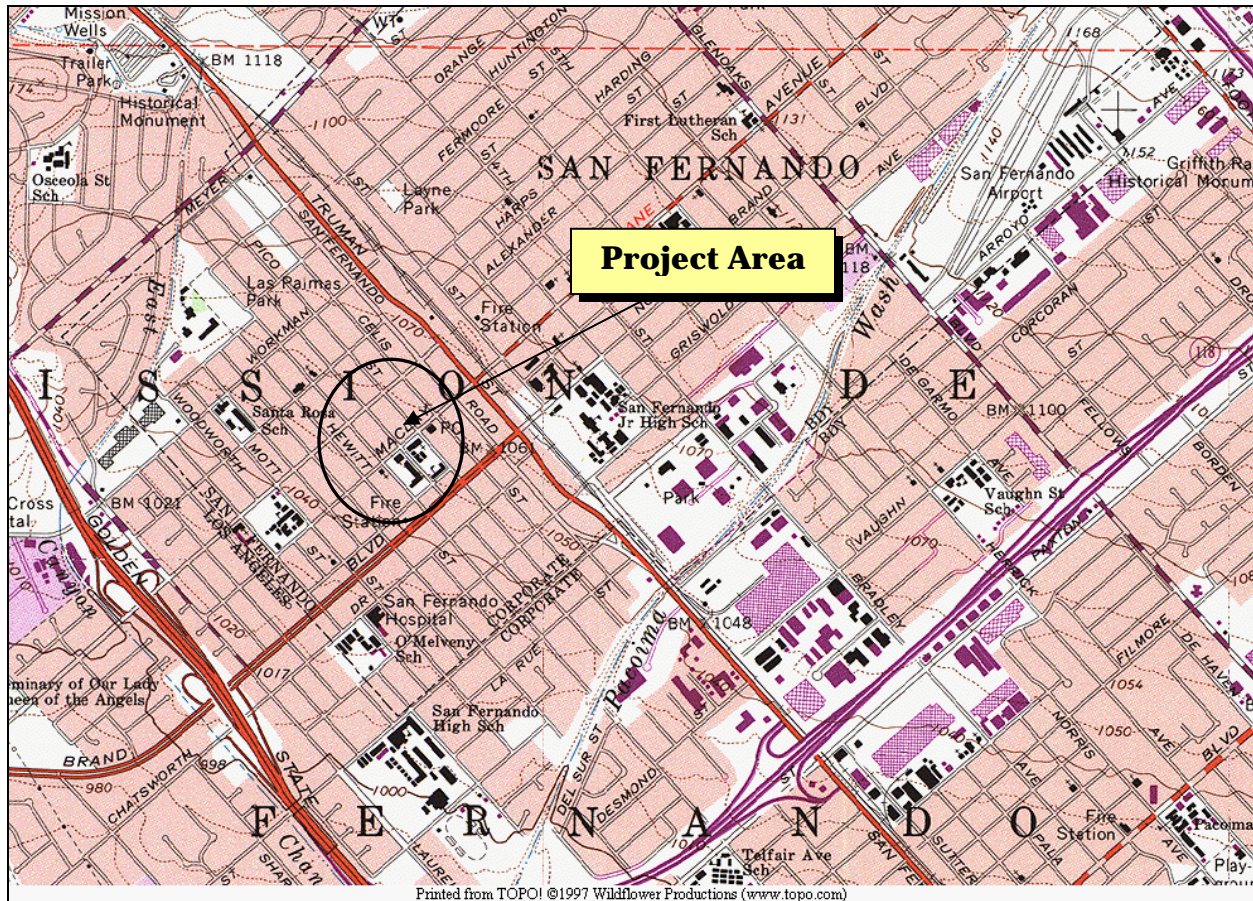


EXHIBIT A-1
TOPOGRAPHIC MAP AND LAND COVER
Source: United States Geological Survey

CITY OF SAN FERNANDO
MITIGATED NEGATIVE DECLARATION AND INITIAL STUDY • LOPEZ ADOBE PROJECT

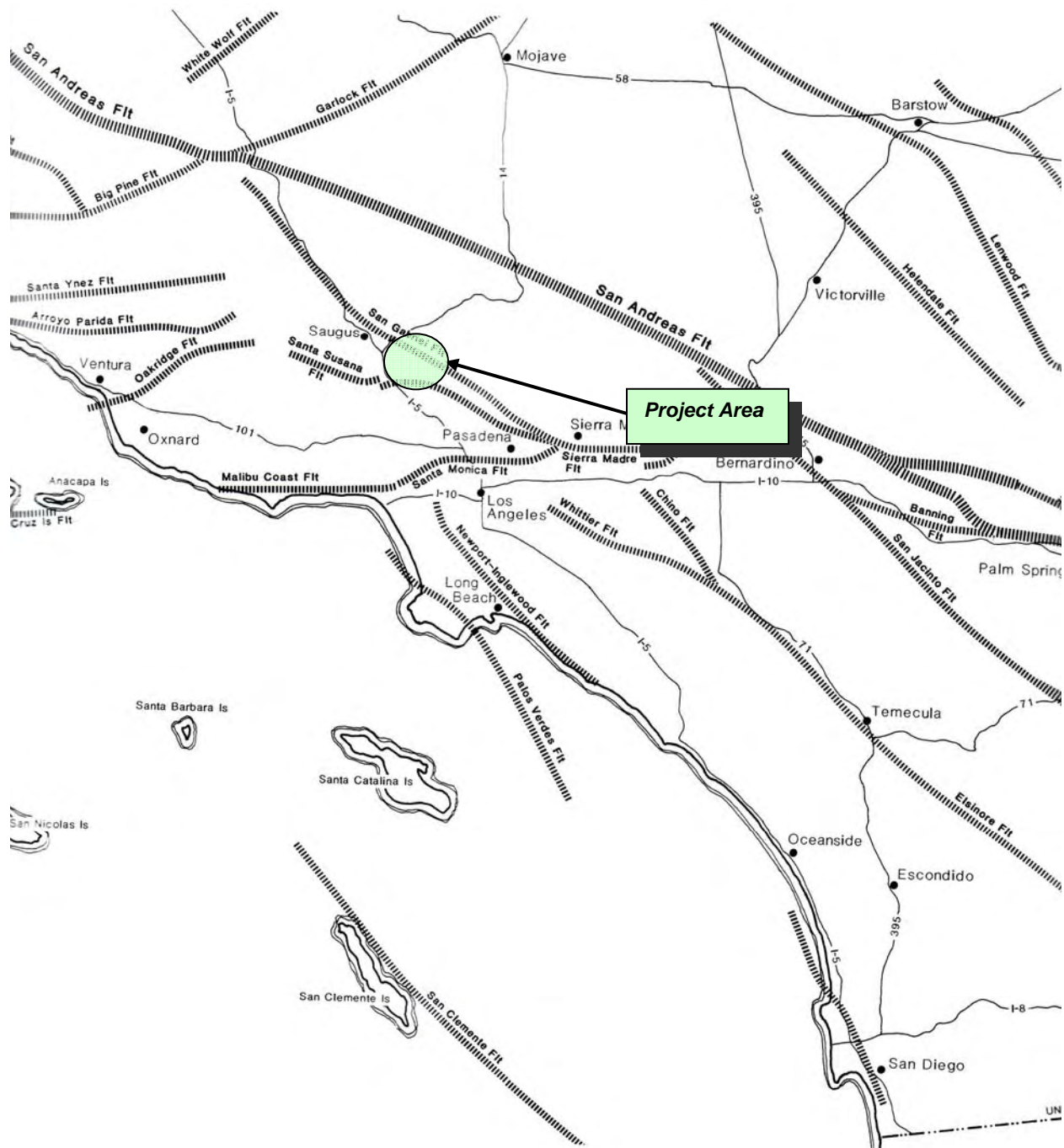


EXHIBIT A-2
EARTHQUAKE FAULTS IN THE REGION
Source: Blodgett/Baylosis Associates

CITY OF SAN FERNANDO
MITIGATED NEGATIVE DECLARATION AND INITIAL STUDY • LOPEZ ADOBE PROJECT

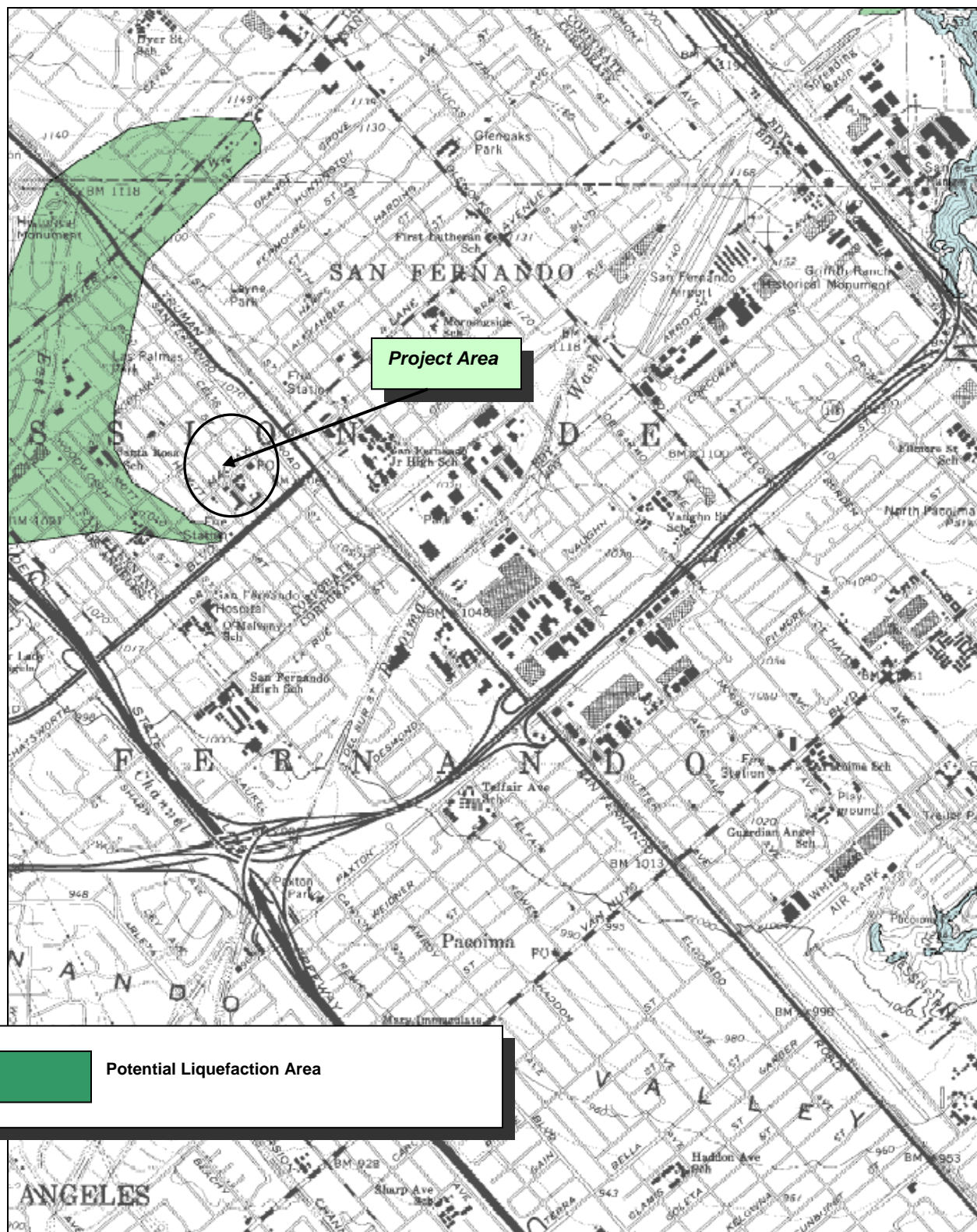


EXHIBIT A-3
LIQUEFACTION IN THE AREA
Source: California Geological Survey

CITY OF SAN FERNANDO
MITIGATED NEGATIVE DECLARATION AND INITIAL STUDY • LOPEZ ADOBE PROJECT

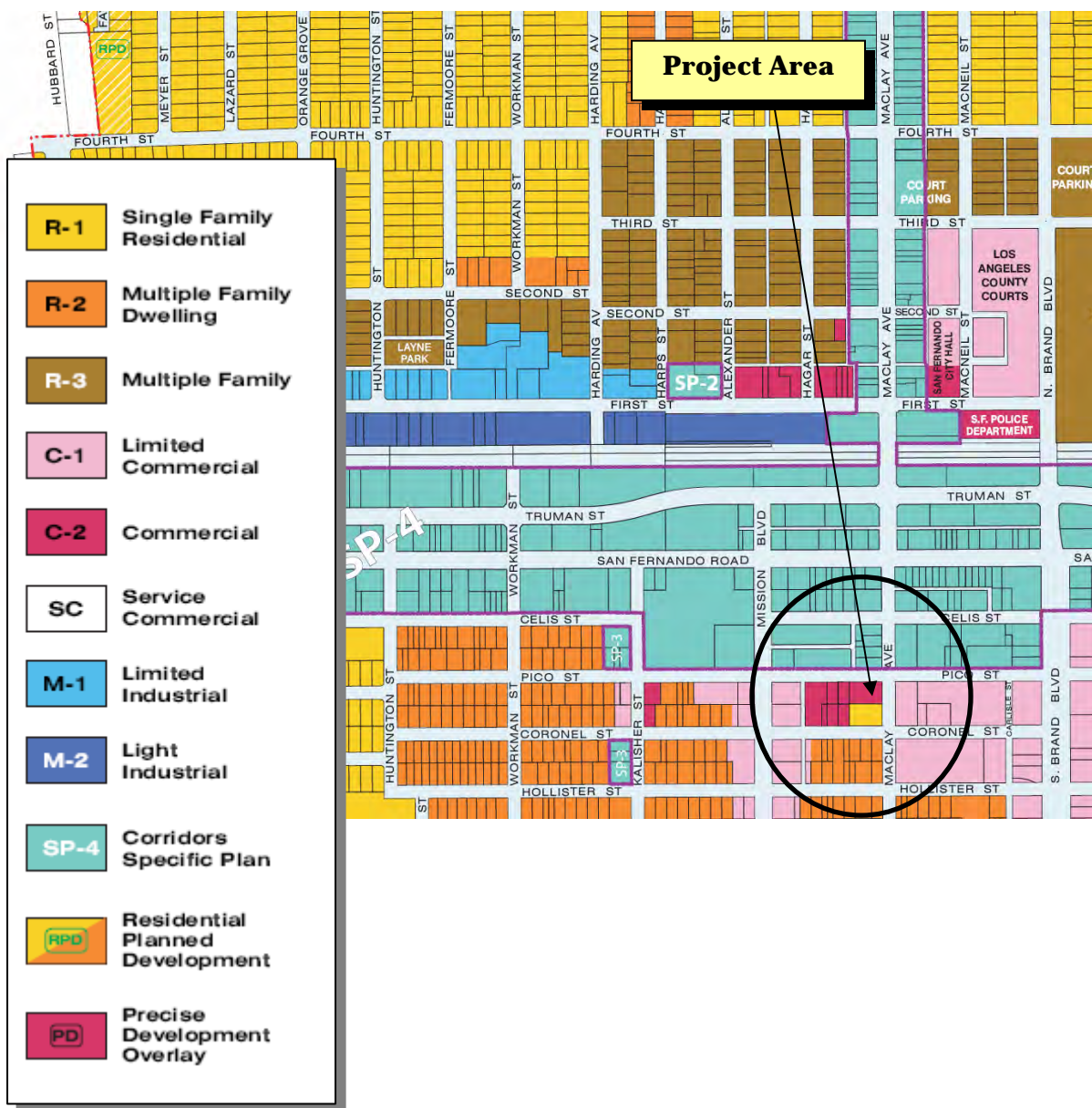


EXHIBIT 3-5
ZONING MAP
SOURCE: CITY OF SAN FERNANDO

CITY OF SAN FERNANDO
MITIGATED NEGATIVE DECLARATION AND INITIAL STUDY • LOPEZ ADOBE PROJECT

SECTION 4. COMMENT LETTERS ON THE DRAFT MND/INITIAL STUDY

CITY OF SAN FERNANDO
MITIGATED NEGATIVE DECLARATION AND INITIAL STUDY • LOPEZ ADOBE PROJECT

STATE OF CALIFORNIA

Edmund G. Brown, Jr., Governor

NATIVE AMERICAN HERITAGE COMMISSION

915 CAPITOL MALL, ROOM 364
SACRAMENTO, CA 95814
(916) 653-6251
Fax (916) 657-5390
Web Site www.nahc.ca.gov
ds_nahc@pacbell.net



MAY 08 2012

Community Development

May 1, 2012

Mr. Fred Ramirez

City of San Fernando Community Development Department

117 Macneil Street
San Fernando, CA 91340

Re: SCH#2012041058 CEQA Notice of Completion; proposed Mitigated Negative Declaration for the for the **"Lopez Adobe Ancillary Building Project;"** located in the City of San Fernando; Los Angeles County, California.

Dear Mr. Ramirez:

The Native American Heritage Commission (NAHC), the State of California 'Trustee Agency' for the protection and preservation of Native American cultural resources pursuant to California Public Resources Code §21070 and affirmed by the Third Appellate Court in the case of EPIC v. Johnson (1985: 170 Cal App. 3rd 604).

This letter includes state and federal statutes relating to Native American historic properties of religious and cultural significance to American Indian tribes and interested Native American individuals as 'consulting parties' under both state and federal law. State law also addresses the freedom of Native American Religious Expression in Public Resources Code §5097.9.

The California Environmental Quality Act (CEQA – CA Public Resources Code 21000-21177, amendments effective 3/18/2010) requires that any project that causes a substantial adverse change in the significance of an historical resource, that includes archaeological resources, is a 'significant effect' requiring the preparation of an Environmental Impact Report (EIR) per the CEQA Guidelines defines a significant impact on the environment as 'a substantial, or potentially substantial, adverse change in any of physical conditions within an area affected by the proposed project, including ... objects of historic or aesthetic significance.' In order to comply with this provision, the lead agency is required to assess whether the project will have an adverse impact on these resources within the 'area of potential effect (APE)', and if so, to mitigate that effect. The NAHC did conduct a Sacred Lands File (SLF) search within the 'area of potential effect (APE)': the results are as follows: No Native American cultural resources were found in the APE.

The NAHC "Sacred Sites," as defined by the Native American Heritage Commission and the California Legislature in California Public Resources Code §§5097.94(a) and 5097.96. Items in the NAHC Sacred Lands Inventory are confidential and exempt from the Public Records Act pursuant to California Government Code §6254 (r).

Early consultation with Native American tribes in your area is the best way to avoid unanticipated discoveries of cultural resources or burial sites once a project is underway. Culturally affiliated tribes and individuals may have knowledge of the religious and cultural significance of the historic properties in the project area (e.g. APE). We strongly urge that you make contact with the list of Native American Contacts on the attached list of Native American

CITY OF SAN FERNANDO
MITIGATED NEGATIVE DECLARATION AND INITIAL STUDY • LOPEZ ADOBE PROJECT

contacts, to see if your proposed project might impact Native American cultural resources and to obtain their recommendations concerning the proposed project. Pursuant to CA Public Resources Code § 5097.95, the NAHC requests cooperation from other public agencies in order that the Native American consulting parties be provided pertinent project information. Consultation with Native American communities is also a matter of environmental justice as defined by California Government Code §65040.12(e). Pursuant to CA Public Resources Code §5097.95, the NAHC requests that pertinent project information be provided consulting tribal parties. The NAHC recommends *avoidance* as defined by CEQA Guidelines §15370(a) to pursuing a project that would damage or destroy Native American cultural resources and Section 2183.2 that requires documentation, data recovery of cultural resources.

Furthermore, the NAHC if the proposed project is under the jurisdiction of the statutes and regulations of the National Environmental Policy Act (e.g. NEPA; 42 U.S.C. 4321-43351). Consultation with tribes and interested Native American consulting parties, on the NAHC list, should be conducted in compliance with the requirements of federal NEPA and Section 106 and 4(f) of federal NHPA (16 U.S.C. 470 *et seq.*), 36 CFR Part 800.3 (f) (2) & .5, the President's Council on Environmental Quality (CSQ, 42 U.S.C 4371 *et seq.* and NAGPRA (25 U.S.C. 3001-3013) as appropriate. The 1992 *Secretary of the Interiors Standards for the Treatment of Historic Properties* were revised so that they could be applied to all historic resource types included in the National Register of Historic Places and including cultural landscapes. Also, federal Executive Orders Nos. 11593 (preservation of cultural environment), 13175 (coordination & consultation) and 13007 (Sacred Sites) are helpful, supportive guides for Section 106 consultation. The aforementioned Secretary of the Interior's *Standards* include recommendations for all 'lead agencies' to consider the historic context of proposed projects and to "research" the cultural landscape that might include the 'area of potential effect.'

Confidentiality of "historic properties of religious and cultural significance" should also be considered as protected by California Government Code §6254(r) and may also be protected under Section 304 of the NHPA or at the Secretary of the Interior discretion if not eligible for listing on the National Register of Historic Places. The Secretary may also be advised by the federal Indian Religious Freedom Act (cf. 42 U.S.C., 1996) in issuing a decision on whether or not to disclose items of religious and/or cultural significance identified in or near the APEs and possibility threatened by proposed project activity.

Furthermore, Public Resources Code Section 5097.98, California Government Code §27491 and Health & Safety Code Section 7050.5 provide for provisions for inadvertent discovery of human remains mandate the processes to be followed in the event of a discovery of human remains in a project location other than a 'dedicated cemetery'.

To be effective, consultation on specific projects must be the result of an ongoing relationship between Native American tribes and lead agencies, project proponents and their contractors, in the opinion of the NAHC. Regarding tribal consultation, a relationship built around regular meetings and informal involvement with local tribes will lead to more qualitative consultation tribal input on specific projects.

Finally, when Native American cultural sites and/or Native American burial sites are prevalent within the project site, the NAHC recommends 'avoidance' of the site as referenced by CEQA Guidelines Section 15370(a).

CITY OF SAN FERNANDO
MITIGATED NEGATIVE DECLARATION AND INITIAL STUDY • LOPEZ ADOBE PROJECT

If you have any questions about this response to your request, please do not hesitate to contact me at (916) 653-6251.

Sincerely,



Dave Singleton
Program Analyst

Cc: State Clearinghouse

Attachment: Native American Contact List

CITY OF SAN FERNANDO
MITIGATED NEGATIVE DECLARATION AND INITIAL STUDY • LOPEZ ADOBE PROJECT

Native American Contacts
Los Angeles County
May 1, 2012

Beverly Salazar Folkes
1931 Shadybrook Drive
Thousand Oaks, CA 91362
folkes@msn.com
805 492-7255
(805) 558-1154 - cell

Chumash
Tataviam
Fernandeño

Kitanemuk & Yowlumne Tejon Indians
Delia Dominguez, Chairperson
115 Radio Street
Bakersfield, CA 93305
deedominguez@juno.com
(626) 339-6785

Yowlumne
Kitanemuk

Fernandeno Tataviam Band of Mission Indians
Ronnie Salas, Cultural Preservation Department
601 South Brand Boulevard, Suite 102
San Fernando CA 91340
rsalas@tataviam-nsn.gov
(818) 837-0794 Office

Fernandeno
Tataviam

(818) 837-0796 Fax

San Fernando Band of Mission Indians
John Valenzuela, Chairperson
P.O. Box 221838
Newhall, CA 91322
tsen2u@hotmail.com
(661) 753-9833 Office
(760) 885-0955 Cell
(760) 949-1604 Fax

Fernandeño
Tataviam
Serrano
Vanyume
Kitanemuk

LA City/County Native American Indian Comm
Ron Andrade, Director
3175 West 6th St, Rm. 403
Los Angeles, CA 90020
randrade@css.lacounty.gov
(213) 351-5324
(213) 386-3995 FAX

Randy Guzman - Folkes
6471 Cornell Circle
Moorpark, CA 93021
ndnRandy@yahoo.com
(805) 905-1675 - cell

Chumash
Fernandeño
Tataviam
Shoshone Paiute
Yaqui

Tongva Ancestral Territorial Tribal Nation
John Tommy Rosas, Tribal Admin.
Private Address
Gabrielino Tongva
tattnlaw@gmail.com
310-570-6567

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of the statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH#2012041058; CEQA Notice of Completion; proposed Mitigated Negative Declaration for the Lopez Adobe Ancillary Building Project; located in the City of San Fernando; Los Angeles County, California.

ATTACHMENT "C"**RESOLUTION NO. 2012-04**

A RESOLUTION OF THE PLANNING AND PRESERVATION COMMISSION RECOMMENDING THAT THE CITY COUNCIL ADOPT THE INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION OF ENVIRONMENTAL IMPACT FOR THE LOPEZ ADOBE ANCILLARY BUILDING PROJECT AND APPROVE THE CONCEPTUAL DESIGN FOR THE ANCILLARY BUILDING TO BE CONSTRUCTED AT THE LOPEZ ADOBE SITE AT 1100 PICO STREET

WHEREAS, the Planning and Preservation Commission is charged with the responsibility to oversee the implementation of the City's preservation goals, policies, and programs as it pertains to the protection and enhancement of the city's historic resources including the Casa de Lopez Adobe a National Register of Historic Places landmark that represents a distinct and important element of the city's cultural, social and architectural history and which is also of state and national historical significance;

WHEREAS, the Planning and Preservation Commission has reviewed the proposed Lopez Adobe Ancillary Building Project, which includes the conceptual plan for the development of an ancillary building with public restrooms and office/storage facilities at the Lopez Adobe site at 1100 Pico Street;

WHEREAS, the Planning Commission has considered the Lopez Adobe Ancillary Building Project as to its consistency with the Lopez Adobe Preservation Plan previously adopted by the City Council in June of 2004;

WHEREAS, the Planning and Preservation Commission has determined that the Lopez Adobe Preservation Plan is intended to preserve the Lopez Adobe as a significant structure reflecting the history of San Fernando and the Lopez Adobe Preservation Plan assists the City in its overall goal of developing the Lopez Adobe as one of the most prominent historical resources within the City of San Fernando and as a future house museum;

WHEREAS, a public hearing was held by the Planning and Preservation Commission on the proposed Lopez Adobe Ancillary Building Project and associated Initial Study and Mitigated Negative Declaration on May 1, 2012 at 7:00 p.m., and proper public notice was duly given; and

NOW, THEREFORE, the Planning and Preservation Commission of the City of San Fernando hereby resolves as follows:

SECTION 1: The Planning and Preservation Commission has evaluated any potential environmental impacts associated with the implementation of the Lopez Adobe

Ancillary Building Project. An Initial Study and Mitigated Negative Declaration of Environmental Impact have been prepared for the project in accordance with the provisions of the California Environmental Quality Act (Public Resources Code Section 21000, et seq.), the State CEQA Guidelines (14 Code of Regulations Section 15000, et seq.) and the City's CEQA procedures. Based upon the Initial Study, the proposed Mitigated Negative Declaration and the comments thereon, the Planning and Preservation Commission finds that the Mitigated Negative Declaration represents the independent judgment of the City and that there is no substantial evidence that the construction of the proposed ancillary building at the Casa de Lopez Adobe site with mitigation measures incorporated will have a significant adverse environmental impact on the Casa de Lopez Adobe building and site, which is designated on the National Register of Historic Places and is also a state and local historic resource. The documents constituting the record on which this decision is based are on file in the City.

SECTION 2: The Planning and Preservation Commission has reviewed the facts contained in this Resolution, the Initial Study and Mitigated Negative Declaration, the Lopez Adobe Preservation Plan, public comments, staff reports, and other components of the legislative record; and does hereby conclude as follows:

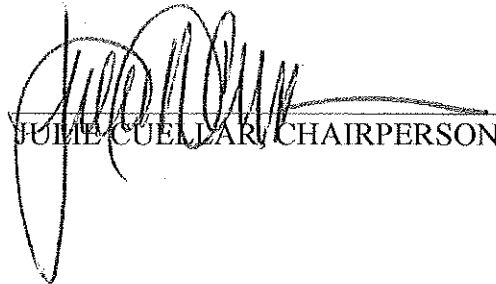
- (a) The Lopez Adobe Ancillary Building Project is in full compliance with the Lopez Adobe Preservation Plan;
- (b) The Lopez Adobe Ancillary Building will result in an ancillary facility with public restrooms and office/storage area necessary to support the future use of the Lopez Adobe building as a house museum;
- (c) The approval of the Lopez Adobe Ancillary Building Project will facilitate the completion of the rehabilitation work on the Lopez Adobe building and site consistent with the city-adopted Lopez Adobe Preservation Plan and consistent with existing contractual obligations between the City of San Fernando and the National Park Service and the California Cultural and Historical Endowment.

SECTION 3: The Planning and Preservation Commission of the City of San Fernando does hereby recommend that the City Council: adopt the Initial Study and Mitigated Negative Declaration of environmental impact for the Lopez Adobe Ancillary Building Project, and adopt the conceptual plan for the ancillary building to allow for the design and build of said facility with needed public restrooms and office/storage area in support of the future use of the Lopez Adobe building as a house museum.

SECTION 4: The Secretary shall certify that the foregoing Resolution was adopted by the Planning and Preservation Commission of the City of San Fernando at the duly noticed regular meeting held on the 1st day of May 2012, and shall transmit copies to the City Council.

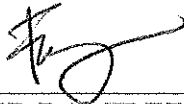
BE IT FURTHER RESOLVED that based on the foregoing, the Planning and Preservation Commission hereby recommends approval to the City Council of the Lopez Adobe Ancillary Building Project, the Initial Study, and the Mitigated Negative Declaration.

PASSED, APPROVED AND ADOPTED THIS 1st day of May 2012.



JULIE CUELLAR, 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 1st day of May 2012; and that the same was passed by the following vote, to wit:

AYES: 4 – J. Ruelas, M. Rodriguez, J. Cuellar, and A. durham

NOES: 0 - None

ABSENT: 0 - None

ABSTAIN: 0 - None



FRED RAMIREZ, SECRETARY TO THE PLANNING
AND PRESERVATION COMMISSION

**ATTACHMENT "D"**

**CITY OF SAN FERNANDO
COUNCIL CHAMBERS**

PLANNING AND PRESERVATION COMMISSION AGENDA

Regular Meeting

May 1, 2012

1. **CALL TO ORDER**
7:00 P.M.
2. **PLEDGE OF ALLEGIANCE**
3. **ROLL CALL**
Chairperson Julie Cuellar, Vice-chair Mario Rodriguez, Commissioners, Alvin F. Durham and Jose Ruelas
4. **APPROVAL OF AGENDA**
May 1, 2012
5. **PUBLIC STATEMENTS**
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 wishes to address the Commission on community planning matters not pertaining to items on this agenda.
6. **CONSENT CALENDAR**
Items on the consent calendar are considered routine and may be acted on by a single motion to adopt the staff recommendation or report. If the Commission wishes to discuss any item, it should first be removed from the consent calendar.
 - Minutes from the Special Planning and Preservation Commission Meeting held on Wednesday, March 14, 2012.
7. **NEW BUSINESS**

A: Subject:	Mitigated Negative Declaration and Lopez Adobe Ancillary Building Project
Location:	Casa de Lopez Adobe Site, 1100 Pico Street, San Fernando, CA 91340
Applicant:	City of San Fernando, Community Development Department, 117 Macneil Street, San Fernando, CA 91340
Proposal:	The proposed development consists of the construction of a small outbuilding for public restrooms and office/storage area located in the southwestern corner of the site of the Casa de Lopez Adobe, a National Register of Historic Places landmark located at 1100 Pico Street, San Fernando.

*Planning and Preservation Commission Agenda**May 1, 2012**Page 2*

Recommendation: Staff recommends that the Planning and Preservation Commission review and recommend approval to the City Council of the Mitigated Negative Declaration and conceptual plan to construct an ancillary facility that includes public restroom and a storage/office room at the Casa de Lopez Adobe site pursuant to the city-approved Lopez Adobe Preservation Plan, pursuant to Planning and Preservation Commission Resolution 2012-04 ("Attachment 1").

If, in the future, you wish to challenge the items listed above in Court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice or in written correspondence delivered to the City Planning Commission at, or prior to, the public hearing. Decisions of Planning and Preservation Commission may be appealed to the City Council within 10 days following the final action.

8. **STAFF COMMUNICATIONS**

9. **COMMISSION COMMENTS**

10. **ADJOURNMENT**

June 5, 2012

Any public writings distributed to the Planning and Preservation Commission regarding any item on this regular meeting agenda will also be made available at the Community Development Department public counter 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 or accommodation to attend or participate in this meeting, including auxiliary aids or services please call the Community Development Department office at (818) 898-1227 at least 48 hours prior to the meeting.



PLANNING AND PRESERVATION COMMISSION STAFF REPORT

DATE: May 1, 2012

TO: SAN FERNANDO PLANNING AND PRESERVATION COMMISSION

FROM: Fred Ramirez, City Planner 

SUBJECT: **Mitigated Negative Declaration & Lopez Adobe Ancillary Building Project**

LOCATION(S): Casa de Lopez Adobe Site-1100 Pico Street
Assessors Parcel No(s): 2521-030-901

PROPOSAL: The proposed development consists of the construction of a small outbuilding for public restrooms and office/storage area located in the southwestern corner of the site of the Casa de Lopez Adobe, a National Register of Historic Places landmark located at 1100 Pico Street, San Fernando, CA 91340.

APPLICANT: City of San Fernando, Community Development Department, 117 Macneil Street, San Fernando, CA 91340

RECOMMENDATION:

Staff recommends that the Planning and Preservation Commission review and recommend approval to the City Council of the Mitigated Negative Declaration and conceptual plan to construct an ancillary facility that includes public restrooms and a storage/office room at the Casa de Lopez Adobe site pursuant to the city-approved Lopez Adobe Preservation Plan, pursuant to Planning and Preservation Commission Resolution 2012-04 (Attachment 1).

BACKGROUND

1. On Friday, April 20, 2012, Community Development staff circulated a Mitigated Negative Declaration and Initial Study for the Lopez Adobe Project for public review pursuant to the requirements of the California Environmental Quality Project. (See Attachment 2.) The project provides for the construction of a small single level outbuilding that will have a total floor area of approximately 400 square feet at the southwest corner of the Lopez Adobe site; a National Register of Historic Places landmark building and site.

The proposed outbuilding would contain public restrooms, an office, and a storage room. The architecture of the ancillary structure has been designed to appear as an outbuilding

May 1, 2012

Mitigated Negative Declaration and Lopez Adobe Ancillary Building Project

1100 Pico Street

Page 2

with a smooth stucco finish and a composite shingle roof, in a manner that is consistent with the Lopez Adobe Preservation Plan and compatible to the Casa de Lopez Adobe. The Notice of Intent to Adopt the Mitigated Negative Declaration identified a 30-day public review period from April 21, 2012 to May 21, 2012 and included notice of public hearings before the Planning and Preservation Commission (May 1, 2012) and the City Council (May 21, 2012).

2. On April 27, 2012, Community Development Department staff submitted the proposed conceptual design of the outbuilding with public restrooms and office/storage room to the California Office of Historic Preservation and the National Park Services for review as part of the "Section 106 Review" process pursuant to the National Historic Preservation Act for a National Register of Historic Places site.
3. On May 31, 2012, City Planner Fred Ramirez and members of the design team will testify before the California Cultural and Historical Endowment (CCHE) Board in Sacramento, California regarding the city's request to modify its CCHE grant agreement budget. The budget request would provide the necessary funding to design and build the aforementioned outbuilding that would include on-site public restrooms and office/storage facilities in support of the future use of the Lopez Adobe building as a house museum. If the budget adjustment is approved by the CCHE Board, the ancillary building would have to be designed and built by December 31, 2012.

ANALYSIS:

The construction of the proposed outbuilding would not cause an adverse change to the historic character of the Casa de Lopez Adobe ("Lopez Adobe") building and site located at 1100 Pico Street. The project would not include any physical demolition, destruction, relocation, or alteration of the Lopez Adobe building. The proposed outbuilding, which includes accessible restroom facilities and an office and storage room area, would be located at the southwest corner of the subject property. (See Attachment 3.)

The proposed design and placement of the ancillary building at the historic site would not impair the historical significance of the designated historic building and site by maintaining a design and site placement that is secondary to and compatible with the historic Adobe structure and surrounding open space areas. (See Attachment 3.)

The purpose of the proposed outbuilding is to provide restroom, office, and storage facilities in an ancillary building to minimize any potential deterioration or physical damage of the historic structure and any archival materials within the structure that would otherwise be associated with the use of existing restrooms, living room, and kitchen facilities within the Adobe structure. The restroom facilities would provide handicap accessible male and female restrooms onsite to patrons, preserving the condition of all original fixtures within the restrooms of the Lopez Adobe, which are not ADA compliant and limit potential water damage due to flooding of existing toilets and/or sinks.

May 1, 2012

Mitigated Negative Declaration and Lopez Adobe Ancillary Building Project

1100 Pico Street

Page 3

Additionally, the office/storage room within the ancillary facility would provide administrative offices for the Lopez Adobe for volunteers and conservators to conduct day to day administrative and archive assessment services associated with the Adobe's future use as a house museum. Also, the office/storage room would provide a needed location for the assessment of 3-dimensional artifacts previously housed at the Lopez Adobe, which are not being used for exhibition or are being assessed for relocation to alternate city facilities. Furthermore, the revised outbuilding proposal eliminates the catering kitchen that was previously being considered as part of the preservation plan. The kitchen facility was deemed to be less of a priority than the office and storage facilities to facilitate the Adobe's future use as a house museum and any food preparation services required as part of the future use of the building and site could be accommodated off-site through the use of an off-site kitchen and/or catering services.

Removing the kitchen from the design has also eliminated the need to further expand the size of the building and introduce additional mechanical, plumbing, and electrical infrastructure that would have the potential to detract from the historic character of the existing historic Adobe structure and site's remaining open space area. The omission of the kitchen from the design will eliminate any potential fire risk associated with kitchen fires within the ancillary facility that could have impacted the existing Adobe building and surrounding landscaped areas.

Limiting the ancillary building's use to restrooms and a office/storage room maintains the relatively small scale of the building (approximately 400 square feet), which is set back near the rear (southwest) portion of the property providing the needed public facilities to operate the Adobe as a house museum while maintain the greatest amount of open space possible at the subject site. The ancillary building would incorporate a smooth stucco finish to the exterior walls and an asphalt shingle roof. The simplification in building materials of the outbuilding differentiates it from the Lopez Adobe while incorporating a similar design treatment to allow for good integration on the property. The scale and proportion of the ancillary building is intended to recall the character of the Lopez Adobe, which has one-story wings in the rear, and residentially scaled and proportioned doors, windows, and porches. However, the placement of the restrooms towards the front facing façade of subject building as viewed from Pico Street makes it clear to visitors that the outbuilding is new and visually distinct and subordinate to the historic Adobe building and site. Therefore, the overall design of the outbuilding, coupled with its proposed location ensures that the new building is not out of scale or an otherwise inappropriate design.

While the proposed outbuilding would be constructed in compliance with the approved Lopez Adobe Preservation Plan (Attachment 4), mitigation measures have been included as part of the environmental assessment (Attachment 2) in order to ensure that the new outbuilding and any related activities do not impact the historic Lopez Adobe building and site.

May 1, 2012

Mitigated Negative Declaration and Lopez Adobe Ancillary Building Project

1100 Pico Street

Page 4

CONCLUSION:

In light of the forgoing analysis, it is staff's assessment that the proposed outbuilding and the associated perimeter landscape/hardscape improvements would be designed and constructed in compliance with the approved Lopez Adobe Preservation Plan and the applicable Secretary of the Interior's Standards. The proposed ancillary facility will incorporate design elements that are compatible with the historic character of the Adobe structure and site. The new outbuilding placement at the southwest corner of the subject property will provide public accessible facilities in support of the Adobe's use as a house museum while allowing the Lopez Adobe building and larger landscaped grounds to be the prominent architectural features of property.

Based on the above findings, staff recommends that the Planning and Preservation Commission recommend City Council approval of conceptual plan for the Lopez Adobe ancillary facility as proposed by city staff and adoption of the associated Initial Study and Mitigated Negative Declaration, pursuant to Planning and Preservation Commission Resolution 2012-04 (Attachment 1).

ATTACHMENTS (4):

1. Planning and Preservation Resolution 2012-04
 2. Mitigated Negative Declaration & Initial Study: Lopez Adobe Project (April 19, 2012)
 3. April 9, 2012 Memorandum to State Historic Preservation Officer regarding Lopez Adobe:
Review of Material Project Changes
 4. Lopez Adobe Preservation Plan
-

RESOLUTION NO. 2012-04

A RESOLUTION OF THE PLANNING AND PRESERVATION COMMISSION RECOMMENDING THAT THE CITY COUNCIL ADOPT THE INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION OF ENVIRONMENTAL IMPACT FOR THE LOPEZ ADOBE ANCILLARY BUILDING PROJECT AND APPROVE THE CONCEPTUAL DESIGN FOR THE ANCILLARY BUILDING TO BE CONSTRUCTED AT THE LOPEZ ADOBE SITE AT 1100 PICO STREET

WHEREAS, the Planning and Preservation Commission is charged with the responsibility to oversee the implementation of the City's preservation goals, policies, and programs as it pertains to the protection and enhancement of the city's historic resources including the Casa de Lopez Adobe a National Register of Historic Places landmark that represents a distinct and important element of the city's cultural, social and architectural history and which is also of state and national historical significance;

WHEREAS, the Planning and Preservation Commission has reviewed the proposed Lopez Adobe Ancillary Building Project, which includes the conceptual plan for the development of an ancillary building with public restrooms and office/storage facilities at the Lopez Adobe site at 1100 Pico Street;

WHEREAS, the Planning Commission has considered the Lopez Adobe Ancillary Building Project as to its consistency with the Lopez Adobe Preservation Plan previously adopted by the City Council in June of 2004;

WHEREAS, the Planning and Preservation Commission has determined that the Lopez Adobe Preservation Plan is intended to preserve the Lopez Adobe as a significant structure reflecting the history of San Fernando and the Lopez Adobe Preservation Plan assists the City in its overall goal of developing the Lopez Adobe as one of the most prominent historical resources within the City of San Fernando and as a future house museum;

WHEREAS, a public hearing was held by the Planning and Preservation Commission on the proposed Lopez Adobe Ancillary Building Project and associated Initial Study and Mitigated Negative Declaration on May 1, 2012 at 7:00 p.m., and proper public notice was duly given; and

NOW, THEREFORE, the Planning and Preservation Commission of the City of San Fernando hereby resolves as follows:

SECTION 1: The Planning and Preservation Commission has evaluated any potential environmental impacts associated with the implementation of the Lopez Adobe

Ancillary Building Project. An Initial Study and Mitigated Negative Declaration of Environmental Impact have been prepared for the project in accordance with the provisions of the California Environmental Quality Act (Public Resources Code Section 21000, et seq.), the State CEQA Guidelines (14 Code of Regulations Section 15000, et seq.) and the City's CEQA procedures. Based upon the Initial Study, the proposed Mitigated Negative Declaration and the comments thereon, the Planning and Preservation Commission finds that the Mitigated Negative Declaration represents the independent judgment of the City and that there is no substantial evidence that the construction of the proposed ancillary building at the Casa de Lopez Adobe site with mitigation measures incorporated will have a significant adverse environmental impact on the Casa de Lopez Adobe building and site, which is designated on the National Register of Historic Places and is also a state and local historic resource. The documents constituting the record on which this decision is based are on file in the City.

SECTION 2: The Planning and Preservation Commission has reviewed the facts contained in this Resolution, the Initial Study and Mitigated Negative Declaration, the Lopez Adobe Preservation Plan, public comments, staff reports, and other components of the legislative record; and does hereby conclude as follows:

- (a) The Lopez Adobe Ancillary Building Project is in full compliance with the Lopez Adobe Preservation Plan;
- (b) The Lopez Adobe Ancillary Building will result in an ancillary facility with public restrooms and office/storage area necessary to support the future use of the Lopez Adobe building as a house museum;
- (c) The approval of the Lopez Adobe Ancillary Building Project will facilitate the completion of the rehabilitation work on the Lopez Adobe building and site consistent with the city-adopted Lopez Adobe Preservation Plan and consistent with existing contractual obligations between the City of San Fernando and the National Park Service and the California Cultural and Historical Endowment.

SECTION 3: The Planning and Preservation Commission of the City of San Fernando does hereby recommend that the City Council: adopt the Initial Study and Mitigated Negative Declaration of environmental impact for the Lopez Adobe Ancillary Building Project, and adopt the conceptual plan for the ancillary building to allow for the design and build of said facility with needed public restrooms and office/storage area in support of the future use of the Lopez Adobe building as a house museum.

SECTION 4: The Secretary shall certify that the foregoing Resolution was adopted by the Planning and Preservation Commission of the City of San Fernando at the duly noticed regular meeting held on the 1st day of May 2012, and shall transmit copies to the City Council.

BE IT FURTHER RESOLVED that based on the foregoing, the Planning and Preservation Commission hereby recommends approval to the City Council of the Lopez Adobe Ancillary Building Project, the Initial Study, and the Mitigated Negative Declaration.

PASSED, APPROVED AND ADOPTED THIS 1st day of May 2012.

JULIE CUELLAR, 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 1st day of May 2012; and that the same was passed by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

FRED RAMIREZ, SECRETARY TO THE PLANNING
AND PRESERVATION COMMISSION

ORIGINAL FILED

ATTACHMENT 2

APR 20 2012

LOS ANGELES COUNTY CLERK



Notice of Intent to Adopt a Mitigated Negative Declaration and Public Hearing Notice for the Lopez Adobe Ancillary Building Project

NOTICE IS HEREBY GIVEN that the City of San Fernando Community Development Department (the "City") has prepared an Initial Study to provide a comprehensive assessment of any potential environmental impacts associated with the proposed construction of a small outbuilding located in the southwestern corner of the site of the Casa de Lopez Adobe located at 1100 Pico Street, San Fernando, CA 91340. The project proposal consists of a small single level outbuilding that will have a total floor area of approximately 400 square feet. The proposed outbuilding would contain public restrooms, an office, and a storage room. The architecture of the ancillary structure will be designed to appear as an outbuilding with a smooth stucco finish and a composite shingle roof, in a manner that is consistent with the Lopez Adobe Preservation Plan and compatible to the Casa de Lopez Adobe.

In accordance with the provisions of the California Environmental Quality Act (CEQA), this notice is intended to advise all interested individuals that the City as the "Lead Agency" has determined that the proposed project will not have a significant adverse impact on the environment with the implementation of specific mitigation measures and therefore intends to adopt a Mitigated Negative Declaration for the project.

Pursuant to the CEQA Guidelines, the Lead Agency is providing a 30-day public comment period during which all interested individuals can submit comments to the City of San Fernando Community Development Department on the Initial Study and Mitigated Negative Declaration document. The 30-day public comment period for the Initial Study, Mitigated Negative Declaration, and associated Mitigation Monitoring Plan is from Saturday, April 21, 2012 to Monday, May 21, 2012. Subsequent to the public review period, the Planning and Preservation Commission and City Council will hold separate public hearings to consider the proposed project including the mitigated negative declaration, and an associated mitigation monitoring plan. The following section provides detailed information about the scheduled public hearing date(s) and the project:

PUBLIC HEARINGS:

Planning and Preservation Commission

Date: Tuesday, May 1, 2012

Time: 7:00 p.m.

Location: City of San Fernando City Hall - Council Chambers
117 Macneil Street
San Fernando, CA 91340

City Council Public Hearing

Date: Monday, May 21, 2012

Time: 6:00 p.m.

Location: City of San Fernando City Hall - Council Chambers
117 Macneil Street
San Fernando, CA 91340

PROJECT TITLE:

Lopez Adobe Ancillary Building Project

APPLICANT:

City of San Fernando, Community Development Department, 117 Macneil Street, San Fernando, CA 91340

PROJECT LOCATION:

1100 Pico Street, San Fernando, CA 91340
(Los Angeles County Assessors' Parcel Number: 2521-030-901)

PROJECT DESCRIPTION:

The proposed project consist of the construction of a small outbuilding located in the southwestern corner of the site of the Casa de Lopez Adobe located at 1100 Pico Street, San Fernando, CA 91340. The project proposal consists of a small single level outbuilding that will have a total floor area of approximately 400 square feet. The proposed outbuilding would contain public restrooms, an office, and a storage room. The architecture of the ancillary structure will be designed to appear as an outbuilding with a smooth stucco finish and a composite shingle roof, in a manner that is consistent with the Lopez Adobe Preservation Plan and compatible to the Casa de Lopez Adobe.

**ENVIRONMENTAL
ASSESSMENT:**

The City of San Fernando is the designated Lead Agency overseeing the environmental review for the Project. As the Lead Agency, the City of San Fernando has prepared an Initial Study to determine the nature and extent of the environmental review required for the Project. On the basis of the Initial Study prepared for the Project, it has been determined that the proposed residential development will have potential environmental impacts that can be mitigated to levels that are less than significant. Therefore, a Mitigated Negative Declaration and Mitigation Monitoring Plan have been prepared.

A copy of the Initial Study, Mitigated Negative Declaration, Mitigation Monitoring Plan, and other materials used as baseline information by the Lead Agency to make the determination that the proposed project merits adoption of a Mitigated Negative Declaration are available for review at the Community Development Department, 117 Macneil Street, San Fernando, CA 91340, the Los Angeles County Library located at 217 N. Maclay Avenue, San Fernando, CA 91340, Las Palmas Park, 505 S. Huntington Street, San Fernando, CA 91340, and at Recreation Park located at 208 Park Avenue, San Fernando, CA 91340. Documents are also available online at: www.sfcity.org/environmental.

PUBLIC REVIEW PERIOD:

The 30-day public comment period for the Initial Study, Mitigated Negative Declaration, and Mitigation Monitoring Plan is from **Saturday, April 21, 2012 to Monday, May 21, 2012.** (Notice is pursuant to Section 21092.5 of the Public Resources Code.)

If you wish to challenge the action taken on this matter in court, you may be limited to raising only those issues you or someone else raised at the public hearings described in this notice, or in written correspondence delivered to the City of San Fernando at, or prior to, the public hearings.



FRED RAMIREZ
City Planner

CITY OF SAN FERNANDO
MITIGATED NEGATIVE DECLARATION AND INITIAL STUDY • LOPEZ ADOBE PROJECT

**MITIGATED NEGATIVE DECLARATION
AND
INITIAL STUDY**

**LOPEZ ADOBE PROJECT
1100 PICO STREET
SAN FERNANDO, CALIFORNIA**



LEAD AGENCY:

**CITY OF SAN FERNANDO
COMMUNITY DEVELOPMENT DEPARTMENT
117 MACNEIL STREET
SAN FERNANDO, CALIFORNIA 91340**

APRIL 19, 2012

**COMPLETE DRAFT INITIAL STUDY AND
MITIGATED NEGATIVE DECLARATION
PROVIDED AS
ATTACHMENT “B”**

Notice of Completion & Environmental Document Transmittal

Mail to: State Clearinghouse, P.O. Box 3044, Sacramento, CA 95812-3044 (916) 445-0613
 For Hand Delivery/Street Address: 1400 Tenth Street, Sacramento, CA 95814

SCH #

Project Title: Lopez Adobe Ancillary Building Project

Lead Agency: City of San Fernando

Contact Person: Fred Ramirez

Mailing Address: 117 Macneil Street

Phone: (818) 898-7316

City: San Fernando

Zip: CA

County: Los Angeles

Project Location: County: Los Angeles

City/Nearest Community: San Fernando

Cross Streets: Pico Street/Hewitt Street

Zip Code: 91340

Longitude/Latitude (degrees, minutes and seconds): 34° 16' 55.5" N / 118° 26' 36.2" W Total Acres: 0.344 acres

Assessor's Parcel No.: 2521-030-901

Section: CA

Twp.: T2N

Range: R16W

Base:

Within 2 Miles: State Hwy #: I-5 and SR 118

Waterways: Pacoima Wash

Airports: Whiteman Airport-WHP

Railways: Southern Pacific RR

Schools: Saint Ferdinand's School

Document Type:CEQA: ☐ NOP☐ Draft EIRNEPA: ☐ NOIOther: ☐ Joint Document☐ Early Cons☐ Supplement/Subsequent EIR☐ EA☐ Final Document☐ Neg Dec

(Prior SCH No.)

☐ Draft EIS☐ Other:☒ Mit Neg Dec

Other:

☐ FONSI**Local Action Type:**☐ General Plan Update☐ Specific Plan☐ Rezone☐ Annexation☐ General Plan Amendment☐ Master Plan☐ Prezone☐ Redevelopment☐ General Plan Element☐ Planned Unit Development☐ Use Permit☐ Coastal Permit☐ Community Plan☒ Site Plan☐ Land Division (Subdivision, etc.)☐ Other:**Development Type:**☐ Residential: Units

Acres

☒ Office: Sq.ft. 400

Acres

Employees

☐ Transportation: Type☐ Commercial: Sq.ft.

Acres

Employees

☐ Mining: Mineral☐ Industrial: Sq.ft.

Acres

Employees

☐ Power: Type

MW

☐ Educational:☐ Waste Treatment: Type

MGD

☐ Recreational:☐ Hazardous Waste: Type☐ Water Facilities: Type

MGD

☐ Other:**Project Issues Discussed in Document:**☒ Aesthetic/Visual☐ Fiscal☒ Recreation/Parks☐ Vegetation☒ Agricultural Land☒ Flood Plain/Flooding☐ Schools/Universities☒ Water Quality☒ Air Quality☒ Forest Land/Fire Hazard☐ Septic Systems☐ Water Supply/Groundwater☒ Archeological/Historical☒ Geologic/Seismic☐ Sewer Capacity☐ Wetland/Riparian☒ Biological Resources☒ Minerals☐ Soil Erosion/Compaction/Grading☐ Growth Inducement☐ Coastal Zone☒ Noise☐ Solid Waste☒ Land Use☐ Drainage/Absorption☒ Population/Housing Balance☒ Toxic/Hazardous☐ Cumulative Effects☐ Economic/Jobs☒ Public Services/Facilities☐ Traffic/Circulation☒ Other: Greenhouse Gases**Present Land Use/Zoning/General Plan Designation:**

Residential / R-2 (Multiple Family Residential) / MDR (Medium Family Residential)

Project Description: (please use a separate page if necessary)

The project proposal consists of a small single level outbuilding that will have a total floor area of approximately 400 square feet. The proposed outbuilding would contain public restrooms, an office, and a storage room. The architecture will be designed to appear as an outbuilding with smooth stucco finish and a composite shingle roof, in a manner that is consistent with the Lopez Adobe Preservation Plan and compatible to the Casa de Lopez Adobe, a historic resource located at 1100 Pico Street, San Fernando, CA, 91340.

Note: The State Clearinghouse will assign identification numbers for all new projects. If a SCH number already exists for a project (e.g. Notice of Preparation or previous draft document) please fill in.

Reviewing Agencies Checklist

Lead Agencies may recommend State Clearinghouse distribution by marking agencies below with and "X".
If you have already sent your document to the agency please denote that with an "S".

<input checked="" type="checkbox"/> Air Resources Board	<input checked="" type="checkbox"/> Office of Historic Preservation
<input type="checkbox"/> Boating & Waterways, Department of	<input type="checkbox"/> Office of Public School Construction
<input type="checkbox"/> California Emergency Management Agency	<input type="checkbox"/> Parks & Recreation, Department of
<input type="checkbox"/> California Highway Patrol	<input type="checkbox"/> Pesticide Regulation, Department of
<input type="checkbox"/> Caltrans District # _____	<input type="checkbox"/> Public Utilities Commission
<input type="checkbox"/> Caltrans Division of Aeronautics	<input checked="" type="checkbox"/> Regional WQCB # <u>4</u>
<input type="checkbox"/> Caltrans Planning	<input type="checkbox"/> Resources Agency
<input type="checkbox"/> Central Valley Flood Protection Board	<input type="checkbox"/> Resources Recycling and Recovery, Department of
<input type="checkbox"/> Coachella Valley Mtns. Conservancy	<input type="checkbox"/> S.P. Bay Conservation & Development Comm.
<input type="checkbox"/> Coastal Commission	<input type="checkbox"/> San Gabriel & Lower L.A. Rivers & Mtns. Conservancy
<input type="checkbox"/> Colorado River Board	<input type="checkbox"/> San Joaquin River Conservancy
<input type="checkbox"/> Conservation, Department of	<input type="checkbox"/> Santa Monica Mtns. Conservancy
<input type="checkbox"/> Corrections, Department of	<input type="checkbox"/> State Lands Commission
<input type="checkbox"/> Delta Protection Commission	<input type="checkbox"/> SWRCB: Clean Water Grants
<input type="checkbox"/> Education, Department of	<input type="checkbox"/> SWRCB: Water Quality
<input type="checkbox"/> Energy Commission	<input type="checkbox"/> SWRCB: Water Rights
<input checked="" type="checkbox"/> Fish & Game Region # <u>5</u>	<input type="checkbox"/> Tahoe Regional Planning Agency
<input type="checkbox"/> Food & Agriculture, Department of	<input type="checkbox"/> Toxic Substances Control, Department of
<input type="checkbox"/> Forestry and Fire Protection, Department of	<input type="checkbox"/> Water Resources, Department of
<input type="checkbox"/> General Services, Department of	<input type="checkbox"/> Other: _____
<input type="checkbox"/> Health Services, Department of	<input type="checkbox"/> Other: _____
<input type="checkbox"/> Housing & Community Development	
<input checked="" type="checkbox"/> Native American Heritage Commission	

Local Public Review Period (to be filled in by lead agency)

Starting Date April 21, 2012

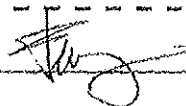
Ending Date May 21, 2012

Lead Agency (Complete if applicable):

Consulting Firm: Blodgett Baylosis Associates
 Address: 16388 East Colima Road, Suite 206
 City/State/Zip: Hacienda Heights, CA 91745
 Contact: Marc Blodgett
 Phone: (626) 336-0033

Applicant: City of San Fernando
 Address: 117 Macneil Street
 City/State/Zip: San Fernando, CA 91340
 Phone: (818) 898-7316

Signature of Lead Agency Representative: _____

 (FRED RAMIREZ)

Date: 4/19/2012

Authority cited: Section 21083, Public Resources Code. Reference: Section 21161, Public Resources Code.

ATTACHMENT 3

To: Milford Wayne Donaldson FAIA

State Historic Preservation Officer

From: Peyton Hall, FAIA

Date: April 9, 2012

Attn: Susan K. Stratton

**Re: Lopez Adobe, City of San Fernando
Save America's Treasures Grant
(NPS Grant Number 06-04-ML-0011)
(CCHE Grant Agreement No. 07-B4-27)**

We are writing on behalf of the City of San Fernando to describe and evaluate a material change to the previously reviewed project at the Lopez Adobe property in the City of San Fernando. We meet the Secretary of the Interior's Professional Qualifications for Architectural Historian, Historian, Architect, and Historic Architect.

The following items are included:

1. Project chronology and reason for the material change
2. Description and evaluation of the impacts/effects of the material change
3. Estimated submittal date to the California Office of Historic Preservation (OHP) and the National Park Service (NPS)
4. Estimated time required for review by OHP and NPS

MEMO

Lopez Adobe: Review of Material Project Changes

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5. City of San Fernando's CEQA process
6. Attachments of supporting material

2

CC: Federico Ramirez, City Planner

1. Project chronology and reason for the material change

- a. On January 17, 2006, the City Council approved Resolution No. 7084 supporting the City's application to the State of California Cultural and Historical Endowment (CCHE) Grant Program for a grant to complete the rehabilitation work on the Lopez Adobe site. The Lopez Adobe is listed on the National Register of Historic Places.
- b. On March 6, 2006, the City Council approved funding to relocate and mothball the historic Lopez-Villegas House at the Lopez Adobe site at 1100 Pico Street, on a lot adjacent to and contiguous with the Lopez Adobe land. The Lopez-Villegas House is an approximately 900 square foot single story residential structure that is a city-designated historic landmark. The residential structure, which was previously owned by descendants of Geronimo and Catalina Lopez (original owners of the Lopez Adobe) was intended to be rehabilitated as the ancillary facility that would include restrooms, storage, kitchen, and office areas to support the proposed use of the Lopez Adobe building as a house museum. The Lopez-Villegas House is a historic structure; however, it has been relocated; it is not standing on its original site, nor is the property adjacent to the Lopez Adobe its original site.
- c. In conjunction with the relocation of the Lopez Villegas House in early 2006, the city contracted with the firm of Drisko Studio Architects, Inc. to provide the City with professional architectural design services for the preparation of construction drawings and building specifications for the rehabilitation of the Lopez Adobe building and site. The design and construction documents were prepared to comply with the Secretary of the Interior's Standards for Rehabilitation in order to protect its character and integrity, maintain its eligibility for listing on the National Register of Historic Places, and assure that any impacts would be insignificant and there would be no adverse effects.
- d. In addition to the city's direct funding contribution, the project's sources of funds require the city to comply with state and federal requirements for historic resources and National Register properties. These funding sources include up to \$602,734 from the California Cultural and Historical Endowment (CCHE), \$354,000 in Community Development Block Grant (CDBG) funds that were

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Lopez Adobe: Review of Material Project Changes

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allocated to this project as part of the City's federal CDBG fund allocations for Fiscal Year (FY) 2007-08 (33rd CDBG Program Year) and FY 2008-09 (34th CDBG Program Year), and a grant from the Save America's Treasures program administered by the National Park Service.

- e. Both state and federal funding sources require all proposed work to be meet the Secretary of the Interior's Standards for the Treatment of Historic Properties. This compliance is assured through the review and approval of all construction drawings and associated building specifications by the California State Historic Preservation Officer and the National Park Service through the "Section 106 Review" process required pursuant to the National Historic Preservation Act of 1966, as amended. Over the past six years the project architect and their historic preservation consultant have assisted the city in submission, review, consultation, and findings of no adverse effect by the rehabilitation of the Lopez Adobe building and site.
- f. On April, 27, 2006, City representatives attended the CCHE Board's hearing on grant awards in Sacramento. This included a presentation by consultant project manager Christy Johnson McAvoy of Historic Resources Group, and subsequent public comments to the Board by Mayor Pro Tem Julie Ruelas, City Administrator Jose Pulido, Community Development Director Paul Deibel, and Senior Planner Fred Ramirez.
- g. On April 28, 2006, the Board of the California Cultural and Historical Endowment (CCHE) approved the City of San Fernando's application for a matching grant of \$602,735 to cover approximately half of the cost to rehabilitate the Lopez Adobe for operation as a house museum.
- h. On July 27, 2006, the Board of the California Cultural and Historical Endowment appropriated a capital improvements grant of \$602,734 as matching grant monies to rehabilitate the Lopez Adobe per the City adopted Lopez Adobe Preservation Plan.
- i. On August 4, 2006, the CCHE notified the City of the Board's appropriation and provided staff with a copy of the Grant Agreement that must be entered into between the City of San Fernando and the CCHE.
- j. In October of 2008, construction documents for rehabilitation were submitted to CCHE, to SHPO and to NPS Section 106 Review.
- k. On July 8, 2009, the City received a letter from SHPO finding that the project would have "No Significant Adverse Effect" on the environment based on the proposed rehabilitation of the Lopez Adobe building and site.
- l. On October 13, 2009, the City received a letter from NPS concurring with the finding of no significant adverse effect on the property.
- m. On October 27, 2009, the City received a second letter from SHPO finding that the project would not have a significant adverse effect on the environment. This

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Lopez Adobe: Review of Material Project Changes

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letter provided language as necessary for the environmental clearance required by the Los Angeles County Community Development Commission (CDC). Since the City receives its annual allocation of federal CDBG funds from the CDC, SHPO must first provide the City with the required environmental clearance in order for the CDC to then grant the City authorization to use CDBG funds to complete the rehabilitation of the Lopez Adobe building and site.

- n. On July 1, 2010, the LA County CDC approved the submitted bid documents included as part of the August 2010 Project Manual that was used to solicit prospective bidders for the project.
- o. On August 23, 2010, the City's Community Development Department initiated the process to solicit bids for the project through the Notice Inviting Bids for the Lopez Adobe Rehabilitation Project.
- p. On September 29, 2010, five prospective contractors submitted bids to undertake the Lopez Adobe Rehabilitation Project.
- q. On November 1, 2010, City Council awarded a construction contract to the lowest responsive bidder, Access Pacific, Inc, to undertake the first construction phase of the Lopez Adobe Rehabilitation Project.
- r. On January 3, 2011, the contractor began work on the first phase of the Lopez Adobe Rehabilitation Project.
- s. On June 6, 2011, the City of San Fernando Redevelopment Agency ("the Agency") considered the potential costs associated with the partial rehabilitation of the Lopez-Villegas house, which were anticipated to cost between \$130,000 to \$400,000 due in part to the current condition of the building, the required code and safety retrofit work, accessible ramp construction, and abatement of lead based paint and asbestos floor tiles.
- t. The potential rehabilitation work required for the Lopez-Villegas House is cost prohibitive. The proposed alternative is the construction of an ancillary facility, smaller than the Lopez-Villegas House, but consistent with the Lopez Adobe Preservation Plan. The Preservation Plan includes the addition of an ancillary building to house public toilets, storage, and office uses to support of the Lopez Adobe's use as a house museum and reduce impact due to use on the historic structure. The attached Site Plan is an excerpt from the Lopez Adobe Preservation Plan that is part of the Lopez Adobe Historic Structures Report prepared by the firm of Architect Milford Wayne Donaldson in February 2006. The proposed ancillary facility does not include a kitchen as original planned.
- u. The kitchen is excluded from the ancillary facility for three reasons. First, the physical area necessary to build a separated kitchen area within the ancillary building would have expanded the footprint of the new structure and taken away from the necessary storage and office areas that are essential to city and volunteer museum staff in order to safely store archival materials. The size of the resulting

MEMO

Lopez Adobe: Review of Material Project Changes

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structure is not consistent with the intent of the Lopez Adobe Preservation Plan to make the public's use and enjoyment of the Lopez Adobe building (house museum) and surrounding grounds (open space) the primary focus of the site while avoiding adverse effects on the character of the site. Second, the resulting additional costs associated with providing the necessary facilities as required by the governing public health department would have added significantly to the cost of the structure. Third, in order to insure the long term maintenance of the building and surrounding grounds, eliminating the kitchen facility reduces operating and maintenance costs to a viable budget for the long term.

- v. On August 1, 2011, the Notice of Completion for Lopez Adobe Rehabilitation Project (Phase 1) was approved by the City Council.
- w. On August 10, 2011, the City Council's standing committee approved the proposed relocation of the Lopez-Villegas House to the City-owned lot at 1320 San Fernando Road. The proposed relocation would allow the locally designated historic resource to be stored on the Lopez Adobe site until funds become available for its rehabilitation and/or the City Council decides on an alternative approach for the future use of the building. Subsequent to discussion, City staff was directed to forward the proposed relocation for the full Council's consideration.
- x. On October 5, 2011, CCHE staff informed City staff that the project had been granted an additional six month extension from December 31, 2011 through June 30, 2012. The extension will allow City staff to request the use of \$163,000 in unexpended CCHE grant funds to design and build an approximate 400 square ancillary facility at the southwest corner of the property to support the use of the Lopez Adobe building as a house museum.
- y. The proposed development of an ancillary facility at the subject site would be part of "Phase 2" of the Lopez Adobe Rehabilitation Project. These funds would be appropriated in order to offset the project shortfall associated with the unavailability of Agency funds from Project Area No. 2 during FY 2011-2012 to build the ancillary facility. CCHE Board consideration of the City's request to use CCHE funds to design and build the ancillary facility is anticipated to take place in early 2012.
- z. During this interim period, City staff has been working with Drisko Studio Architects Inc. to finalize the conceptual plans for review and approval by the California State Historic Preservation Officer through the "Section 106 Review" process required pursuant to the National Historic Preservation Act. In addition, City staff will have completed the environmental assessment of the proposed second phase of the project pursuant to the California Environmental Quality Act.
- aa. On October 17, 2011, the City Council approved relocation of the Lopez Villegas House from the Lopez Adobe site at 1100 Pico Street to the city-owned property

MEMO

Lopez Adobe: Review of Material Project Changes

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at 1320 San Fernando Road and directed city staff to look for potential adaptive reuse opportunities with property owners of vacant lots in the city in order to restore the use of the Lopez-Villegas House as a single family home.

- bb. In early March 2012, a private property owner with a residential zoned vacant parcel in the city approached city planning staff with a proposal to purchase and relocate the structure to his residential parcel and repair the structure with the final purpose of adaptively reusing the building as a single family home. The City Council standing committee directed staff to work with the prospective purchaser on a proposal for consideration by the city council. The project applicant will appear before the city's planning commission in early May 2012 to seek approval of the relocation of the Lopez Villegas House to his residential lot. Subsequent to the commission's recommendation for approval of the relocation, the project proposal would be submitted to the City Council for final review and approval in early July 2012.
- cc. Current updated cost estimates for the proposed rehabilitation of the Lopez-Villegas house have increased to approximately \$500,000. Therefore, it is even less viable to make the structural retrofit, hazardous materials abatement, and accessibility upgrades necessary to house public restrooms facilities, a kitchen, a storage/archival room, and office area within the structure.
- dd. As the City enters into Phase 2 of the Lopez Adobe Rehabilitation Project, it has become necessary to consider an alternative ancillary facility that can be designed and built with available funds. City staff estimates that the design and construction costs of an alternative ancillary facility can be fully funded by \$163,000 in unexpended CCHE grant funds. As previously noted, CCHE Board consideration and approval of the City's request to use CCHE funds to design and build the ancillary facility will allow the project to be completed by December 2012. The proposed alternative ancillary facility will be designed consistent with the Lopez Adobe Preservation Plan approved by the city council in 2004. Included in this memorandum is the assessment of the new facilities consistency with the Lopez Adobe Preservation Plan, which is designed to protect the Lopez Adobe building and site a cultural landmark of national, state, and local historical significance.

2. Description and evaluation of the impacts/effects of the material change

We previously reviewed schematic design and construction drawings for a project at the Lopez Adobe site at 1100 Pico Street in the City of San Fernando, California. That work was found to conform to the Secretary of the Interior's Standards for Rehabilitation following submittal to and reviews by the California Office of Historic Preservation and the National Park Service.

MEMO

Lopez Adobe: Review of Material Project Changes

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Herewith we review additional drawings that are titled "Lopez Adobe, San Fernando/Ancillary Building Concept Site Plan," prepared by "Drisko Studio Architects, January 2012." This material is attached to this memorandum as an Appendix. The proposed material change to the project is to omit relocating the "Lopez Villegas House" to the unbuilt lot north of and adjacent to the Lopez Adobe, and to build a new, smaller ancillary building nearer the rear of the north lot. The ancillary building will contain two accessible toilets and an office and archival storage space.

Following is an outline of the project changes shown on the attached drawings.

- a. Do not build a foundation and install the Lopez Villegas House. This house is historic structure that would have been relocated to this property from another site. The structure has historical associations with individuals who are associated with the Lopez Adobe. However, this house was not originally at this site and does not contribute to its significance.
- b. Do not build a trellis at the rear (west) side of the footprint that was proposed for the Lopez Villegas House. The trellis would have been used to shelter visitors and users for the variety of public uses that will occur at the site.
- c. Do not build the sidewalks, ramps, steps and fences at the front (east), side (north), and rear (west) yards of the footprint that was proposed for the Lopez Villegas House.
- d. Enlarge the planted area that was planned at the side (south) yard of the Lopez Villegas House toward the north, encompassing most of the footprint of the area that was to have been covered by the House. The plant types will follow the previously reviewed scheme for this planter.
- e. Add an informal walkway, paved with stabilized decomposed granite, that extends the walkway that is near to and parallel with the front sidewalk, and returns to the front of the ancillary building, parallel to the side (north) property line and existing plants.
- f. Add a one-story ancillary toilet and office/storage building that is approximately 14 feet wide and 24 feet deep in plan. This building has a gable roof finished with mineral-surfaced asphalt composition shingles. There is a partial hip on the front (east) face that provides for a gable and eaves over a front porch. Wall finishes are painted sand-finished cement plaster. Doors and windows have painted wood frames, trimmed out on top of the plaster surface. Doors are flush painted solid core wood. Windows are painted wood double hung sash, with a single light.

MEMO

Lopez Adobe: Review of Material Project Changes

HISTORIC RESOURCES GROUP

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Following is a review of the project for conformance with the ten standards listed in the Secretary of the Interior's Standards for Rehabilitation. The Guidelines to the Standards for Rehabilitation and the appropriate Preservation Briefs have been consulted as appropriate.

1. A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.

There is no change in use at the site; the existing non-original but compatible reuse as a historic house museum site is retained. The omission of the Lopez Villegas house and addition of the ancillary building does not alter the existing use of the property.

2. The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.

Character is retained through the preservation of substantially all extant character-defining materials, and exterior and interior spatial relationships. The historic character of the Lopez Adobe as described in the Historic Structure Report is retained because character-defining features, spaces, and spatial relationships are retained. There is relatively minor restoration work, and no alterations, removals, or additions to the building. The omission of the Lopez Villegas house and addition of the ancillary building does not alter the historic character of the property, which is currently primarily open space to the northwest of the Lopez Adobe.

3. Each property will be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.

The omission of the Lopez Villegas house and addition of the ancillary building does not add any features that might be mistaken for historic development. The ancillary building has less variation in plane of the exterior cement plaster, window sash without divided lights, and an asphalt shingle rather than tile roof. The simplification of the ancillary building differentiates it from the historic character of the Lopez Adobe.

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4. Changes to a property that have acquired historic significance in their own right will be retained and preserved.

There are no alterations that have acquired significance over time.

5. Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.

The omission of the Lopez Villegas house and addition of the ancillary building does not affect any distinctive materials or finishes.

6. Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.

The omission of the Lopez Villegas house and addition of the ancillary building does not result in any changes in repair or replacement of historic features.

7. Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.

The omission of the Lopez Villegas house and addition of the ancillary building does not result in any chemical or physical treatments to historic materials.

8. Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.

The omission of the Lopez Villegas house and addition of the ancillary building does not result in any changes in the scope of ground-disturbing activity. These areas were over-excavated, backfilled, and/or recompact for building construction in 1962-1963, and therefore do not have any prehistoric or historic objects or information.

9. New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work shall be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.

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Lopez Adobe: Review of Material Project Changes

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The omission of the Lopez Villegas house and addition of the ancillary building results in the addition of a much smaller second building to the site. The revised project is similar to the site plan proposed in the 2003 Preservation Plan prepared by Milford Wayne Donaldson, Architect (refer to Appendix A).

- *The new ancillary building is free standing at the northwest sector of the property, and therefore does not affect historic materials and features.*
- *The new ancillary building does not destroy spatial relationships on the property because the addition is relatively small in scale and set back near the rear such that there is no substantial change in the existing condition.*
- *The new building is differentiated from the old work at the Lopez Adobe. The ancillary building has less variation in plane of the exterior cement plaster, window sash without divided lights, and an asphalt shingle rather than tile roof. The simplification of the ancillary building differentiates it from the historic character of the Lopez Adobe.*
- *The new ancillary building is compatible with the historic materials (cement plaster walls; wood doors and windows).*
- *The size of the ancillary building is very small compared to the Lopez Adobe, thereby purposefully visually subordinated and easy to distinguish from the primary structure on the property.*
- *The scale and proportion (wall width to eaves height) of the ancillary building is intended to recall the character of the Lopez Adobe, which has one-story wings in the rear, and residentially scaled and proportioned doors, windows, and porches.*
- *The massing of the ancillary building is simple and compact, and sited apart from and set back from the Lopez Adobe to make it more compatible by subordination to the historic site structures and yards.*

10. New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

The omission of the Lopez Villegas house and addition of the ancillary building results in the addition of a much smaller second building to the site. The proposed work is undertaken so that it does not touch significant landscape or the historic

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building on the site. Therefore, the ancillary building can be removed in the future with no effect on the historic property and its environment.

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The Secretary of the Interior defines "rehabilitation" as "the act or process of making possible a compatible use for a property through repair, alterations, and additions while preserving those portions or features which convey its historical, cultural, or architectural values." The proposed work is substantially consistent with the Historic Structure Report (hereafter, "HSR") prepared by Architect Milford Wayne Donaldson, FAIA, and conforms with the Secretary of the Interior's Standards for the Treatment of Historic Properties. We have applied the Standards for Rehabilitation, because there are compatible changes to the site plan that do not restore pre-existing conditions. The proposed work, as revised, meets all of the ten Standards for Rehabilitation. Compliance with the Standards for Rehabilitation is a criterion that assures that there is no negative impact, and no significant adverse effect, on a historic property. Therefore, the revised project, with material change, should be reviewed favorably under the local landmark ordinances, under CEQA, and under Section 106 review. The Lopez Adobe will retain its eligibility for the National Register of Historic Places.

3. Approximate submittal dates to the California Office of Historic Preservation (OHP) and the National Park Service (NPS)

Estimated submittal date to OHP: April 20, 2012

Estimated submittal date to NPS: April 20, 2012

4. Estimated time required for review by OHP and NPS

At the request of CCHÉ we have estimated review time of approximately 30 days for each agency, for a total of 60 days. However, we understand that there is no programmatic requirement for review time, and we cannot know if additional information or consultation will be requested. Therefore, the estimated multi-agency review time may be less than 60 days, or may exceed 60 days.

5. City of San Fernando's CEQA process

Once approval has been received by OHP and NPS, the City of San Fernando will issue a CEQA Notice of Determination regarding the revisions to the project. The

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city's environmental consultant is currently preparing an environmental assessment for the material changes to the previously reviewed project.

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6. Attachments of supporting material

List of attachments:

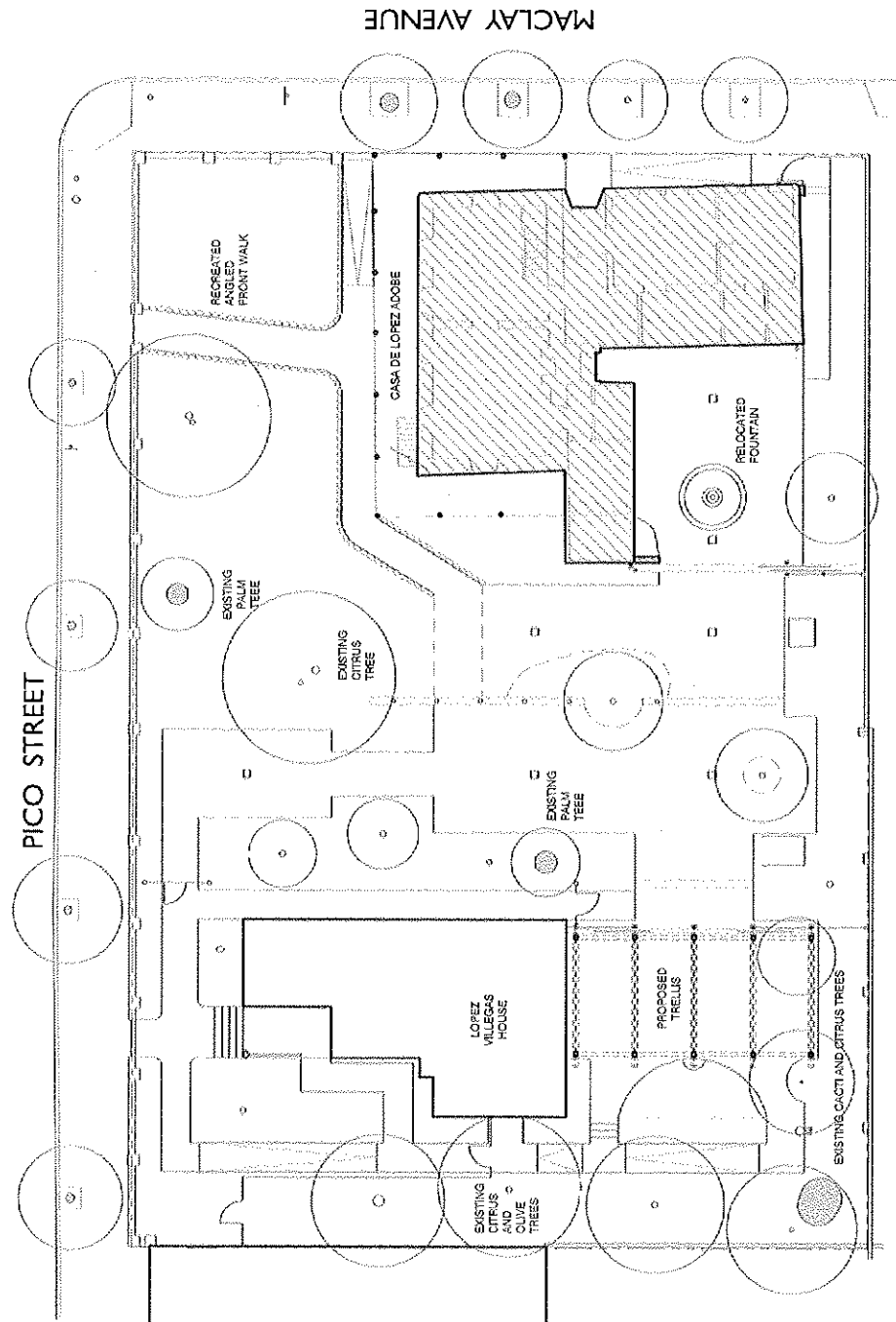
- a. 2009 Site Plan illustrating earlier proposed footprint of Lopez-Villegas House on lot adjacent to Lopez Adobe property
- b. 2012 Photos of current site conditions and schematic elevation drawings of proposed ancillary building in lieu of Lopez-Villegas House relocation
- c. 2012 Revised site plan illustrating location of proposed ancillary building in lieu of Lopez-Villegas House relocation
- d. 2009 Memorandum of responses to issues raised by SHPO and NPS
- e. 2008 Memorandum of review of revised site plan and landscape plan
- f. 2008 Memorandum of review of construction drawings for conformance
- g. 2009 SHPO letter of concurrence with NPS
- h. 2009 NPS letter finding of no adverse effect
- i. 2009 City of San Fernando letter of transmittal to SHPO, and attached previous SHPO and NPS letters

MEMO

Lopez Adobe: Review of Material Project Changes

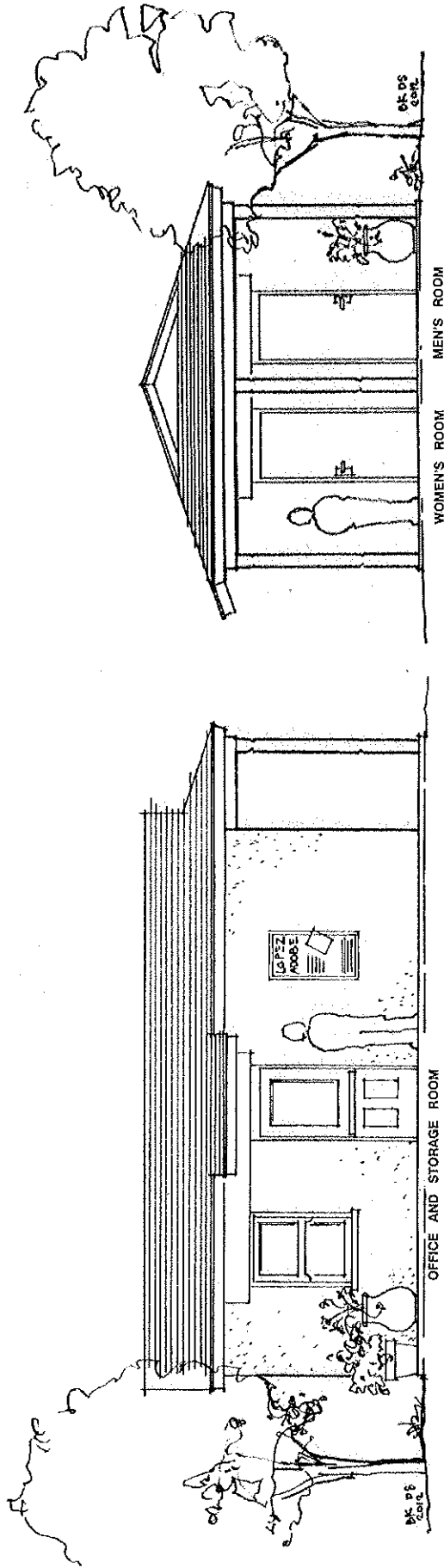
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2009 SITE PLAN
Prepared by: Drisko Studio Architects

LOPEZ ADOBE :: SAN FERNANDO
ANCILLARY BUILDING CONCEPT SITE PLAN



ANCILLARY BUILDING :: CONCEPT SOUTH FACADE

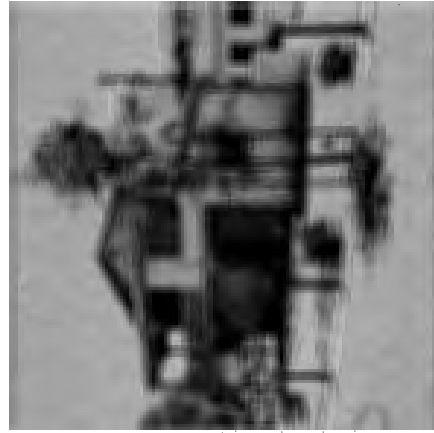
ANCILLARY BUILDING :: CONCEPT EAST FACADE



EXISTING CACTUS, CITRUS AND OLIVE TREES TO REMAIN



VIEW FROM ADOBE TOWARD ANCILLARY BUILDING



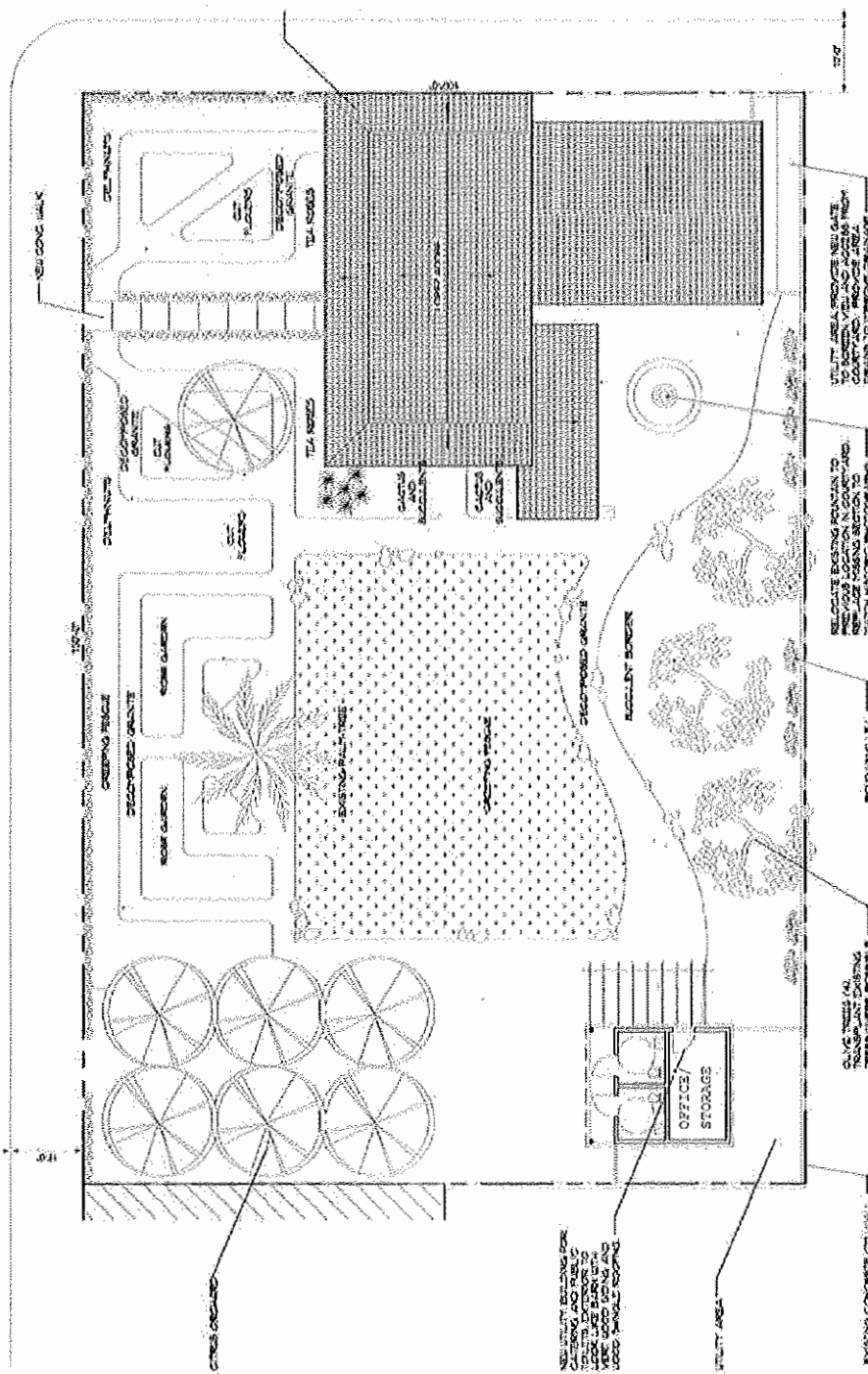
VIEW FROM ANCILLARY BUILDING TOWARD ADOBE



ANCILLARY BUILDING DETAILS TO BE DIFFERENTIATED BUT COMPATIBLE WITH THE HISTORIC ADOBE

LOPEZ ADOBE :: SAN FERNANDO ANCILLARY BUILDING CONCEPT SITE PLAN

DRISKO STUDIO ARCHITECTS
JANUARY 2012



SITE PLAN **2003 PRESERVATION PLAN**
Prepared by: Milford Wayne Donaldson Architect

LOPEZ ADOBE :: SAN FERNANDO
ANCILLARY BUILDING CONCEPT SITE PLAN



HISTORIC RESOURCES GROUP

Date: June 8, 2009
Project: Lopez Adobe Rehabilitation
To: Drisko Studio
Attn.: Robert Knight
From: Peyton Hall, FAIA, Historic Architect
Kari Fowler, Senior Preservation Planner
Re: Review of Construction Drawings for Revised Site Plan and Landscape Plan

1.0 General

- 1.1 We found that the construction drawings are consistent with the concepts and comments from the California Office of Historic Preservation (hereafter, "SHPO") and the National Park Service (hereafter, "NPS"). We have not received or reviewed construction specifications. This memorandum follows-up our written comments during re-design (February 2008) and upon completion of redesigned schematic drawings (October 2008).
- 1.2 In our opinion, the proposed work continues to conform substantially with recommendations in the Historic Structure Report prepared by Architect Milford Wayne Donaldson, FAIA.
- 1.3 In our opinion, the proposed work continues to conform to the Secretary of the Interior's Standards for Treatment of Historic Properties. The appropriate treatment criteria for the site as a whole are the Standards for Rehabilitation. The site has been altered subsequent to the period of significance. There is not adequate documentation to complete a restoration of the site's setting (landscape and hardscape). The project proposes to add an additional historic structure on a lot adjacent to the Lopez Adobe lot, and provide a connection between the two areas of the site. Therefore, rehabilitation is the appropriate choice since there will be compatible uses, repairs, some alteration of the setting, and some addition to the setting, while preserving those existing features of the existing building and its setting that are character-defining features.

2.0 Outline of and response to issues raised by SHPO and NPS

2.1 *Relocation of the Lopez-Villegas House*

The current drawings delineate this work as "not in contract" work that will be completed at a later phase. However, there is no change in the schematic design.

HISTORIC RESOURCES GROUP

Lopez Adobe Rehabilitation
June 8, 2009

Page 2

2.2 *Rear Yard at Lopez-Villegas House Site*

There is no change in the proposed design concept.

2.3 *Interstitial Space (between Lopez Adobe Site and Lopez-Villegas House Site)*

There is no change in the proposed design concept.

2.4 *Site Boundary at Lopez Adobe*

There is no change in the proposed design concept.

2.5 *Front (east) and Side (south) Yards at Lopez Adobe & Conservation of Adobe Walls*

There is no change in the proposed design concept.

SHPO and NPS comments included the good recommendation to mitigate the risk of hidden moisture by installing a moisture monitoring system. The project has added this scope of work, and you have researched and will specify a monitoring system. The monitoring system is detailed in the detailed drawings. The new hardware was adequately researched for this application; the required interventions are minimal, not visible to most people who visit, easily accessed for monitoring purposes, and easily adaptable to new technologies so that these same interventions can hopefully serve a useful purpose for many decades to come.

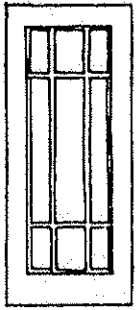
We recommend that your specifications for concrete work at the front yard, and for the walk and ramp at the south end of the Lopez Adobe along Maclay Avenue allow for submission and review of concrete composition and finishing information and mock-up samples (off the building) for matching and compatibility.

6. *Rear Yard at Lopez Adobe Site*

There is no change in the proposed design concept.

7. *Decomposed Granite Selections*

There is no change in the proposed design concept.



HISTORIC RESOURCES GROUP

Date: October 21, 2008
Project: Lopez Adobe Rehabilitation
To: Drisko Studio
Attn.: Robert Knight
From: Peyton Hall, FAIA, Historic Architect
Kari Fowler, Senior Preservation Planner
Re: Review of Revised Site Plan and Landscape Plan

1.0 General

- 1.1 Thank you conferring with the City of San Fernando, Melvyn Green Associates, the project structural engineer, PGA Design, the project landscape architect, and ourselves for review of and revisions to the proposed work at the Lopez Adobe site. This effort is in response to questions and comments from the California Office of Historic Preservation (hereafter, "SHPO") and the National Park Service (hereafter, "NPS"). Our comments on the previous design were summarized in our letter dated February 19, 2008. In the interest of efficiency, the observations and comments in this memorandum are focused on the issues brought up by SHPO and NPS. This is not a comprehensive review of all the project scope..
- 1.2 We observed that it is the intent of the City of San Fernando and the project team to understand and respond to all of the SHPO and NPS comments. To that end, you and the City of San Fernando have provided additional information, including searching for more archival documents, reconfirming the dates and provenance of archival documents. You have conducted two meetings and two conference calls with us in order to analyze the issues and discuss rehabilitation concepts.
- 1.3 During our meetings with the project team, the City of San Fernando continued to monitor the project design for consistency with programmatic and functional requirements. We understand that the City understands and supports the proposed design revisions.
- 1.4 In our opinion, the proposed work conforms substantially with recommendations in the Historic Structure Report prepared by Architect Milford Wayne Donaldson, FAIA.
- 1.5 In our opinion, the proposed work conforms to the Secretary of the Interior's Standards for Treatment of Historic Properties. The appropriate treatment criteria for the site as a whole are the Standards for Rehabilitation. The site has been altered subsequent to the period of significance. There is not adequate documentation to complete a restoration of the site's setting (landscape and hardscape). The project proposes to add an additional historic structure on a lot adjacent to the Lopez Adobe lot, and provide a connection between the two areas of the site. Therefore, rehabilitation is the appropriate choice since there will be compatible uses, repairs, some alteration of the setting, and some addition to the setting, while preserving those existing features of the existing building and its setting that are character-defining features.

HISTORIC RESOURCES GROUP

Lopez Adobe Rehabilitation
October 21, 2008

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- 1.6 Please do not hesitate to contact us, and to encourage SHPO and NPS staff to contact us with any questions or requests for clarification. We believe that this review process has resulted in a better design that provides for more appropriate settings for the two historic houses while continuing to meet the programmatic and functional requirements of the City of San Fernando. Underlying everyone's desires and intentions, including community members, is a deep and abiding interest in the history and significance of the Lopez Adobe and Lopez-Villegas House. A significant component of the issues discussion is the result of the community's desire to visit, use, and enjoy the Lopez Adobe site.

2.0 Outline of and response to issues raised by SHPO and NPS

2.1 *Relocation of the Lopez-Villegas House*

The Lopez-Villegas House is associated historically with the Lopez family. While removing buildings from their original setting is not recommended, relocation to vacant lots adjacent to those lots which constitute the historic Lopez Adobe site is an opportunity to preserve a house that contributes to the historic character of the City of San Fernando as well as the story of the Lopez family.

This scope of work includes setting the Lopez-Villegas House on a permanent foundation. In the future the house will be adaptively reused as an accessory structure, accommodating toilet rooms, catering facilities, and spaces for offices and storage. In the future, the visitor orientation may be located here and serve as the starting point for visitors to the Lopez Adobe. The rehabilitation work on the Lopez-Villegas house, exterior and interior, is not yet funded or designed, and will not be started or completed until some uncertain date following the completion of the currently proposed work. If the work is undertaken during the course of the currently proposed work, that additional scope of work will be submitted for review to SHPO and NPS.

A new accessory building was proposed on the site to accommodate the uses proposed for the Lopez-Villegas House. The building relocation eliminates the need to construct a new building. The uses planned for the Lopez-Villegas house contributes to the conservation of the Lopez Adobe and improve its interpretation by removing non-historic programmatic and functional uses to another building.

The Lopez-Villegas House requires a compatible setting at its new location. To that end, a lot has been defined on the northernmost portion of the property with an interpretive site boundary. The placement on the new site is comparable to the placement on the original lot in that the new site is a narrow, deep, interior (not corner) lot, adjacent to a residential property (the Lopez Adobe), and the front elevation of the house will face the street. The compass orientation of the Lopez Villegas House will be altered because it was originally built on the east side of a north-south street, facing west, whereas the new site, adjacent to the Lopez Adobe, is on the west side of a north-south street, facing east.

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Lopez Adobe Rehabilitation
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Originally the Lopez-Villegas House was set back 15-feet from the front lot at the property line. The previously submitted site plan proposed a relocated setback of 20 feet to conform to current zoning requirements and accommodate the perceived need for more open space at the front. The revised site plan changes the front setback to 15 feet in order to replicate the original front setback. The left side yard (as one faces the Lopez Villegas House), is proposed to be 5 feet wide, which also replicates the original side yard.

The house's original lot width was 75 feet; the project proposes an interpretive site lot of 50 feet. Therefore, at the new location, the house's setting will still have unequal side yards, but the wider "right" side yard on the north will be narrower than it was at the original site. The spatial and visual relationships between the house and street are substantially retained.

The south site boundary is delineated by a 4 to 5-foot tall hedge, with low 3-foot wide gates at the front and rear. The project proposes a physically and visually defined setting for the Lopez-Villegas House that is designed spatially and landscaped with the objective of appropriateness and compatibility with the character and period of the Lopez-Villegas House. This site is a neighbor of, but separate from, the Lopez Adobe and its setting.

2.2 *Rear Yard at Lopez-Villegas House Site*

The existing wood trellis is a non-significant addition to the Lopez Adobe and will be removed. A new and more compatibly designed and located wood trellis will be constructed in the rear yard of the Lopez-Villegas House. The site benefits by removing an incompatible addition from the more significant Lopez Adobe, and replacing it with a smaller rear yard addition at the less significant house. The trellis is a wood structure and will be planted with climbing vines.

A fence is required to secure the portions of the site that cannot be seen from the site. This is a functional requirement of the City of San Fernando in order to reduce the risk of fires and vandalism from the vagrants who frequent the site. The fencing on the site has been relocated from a north-south orientation between the two houses (therefore, easily visible from the front at Pico Street), to the side yard building lines, parallel to the houses, so that the fencing is all at the rear of the properties, and only visible obliquely from the front. The fencing will be metal for maximum transparency. The design objective, to be presented during the detailed design phase for review, is simple detailing on the metal fence components that distinguish it from an ordinary steel picket without adding too many decorative elements to the setting of a prosaic vernacular structure.

Simple stone pavers are proposed under the trellis to accommodate catering carts and connecting to adjacent ramp and stair. Remaining rear yard surfaces will be planted or grass, recognition of the residential character of the Lopez-Villegas House and its historic setting.

HISTORIC RESOURCES GROUP

Lopez Adobe Rehabilitation
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2.3 *Interstitial Space (between Lopez Adobe Site and Lopez-Villegas House Site)*

The fundamental site and landscape design concept is that each of the two historic houses has its own distinct and appropriate lots and landscape settings, with a space between those sites that meets the programmatic need to accommodate groups of visitors (e.g., introductory and interpretive presentations and crowd management for bus loads of school children, or community gatherings and weddings). The forward portion is characterized as an “ante-room” or gateway to the Lopez Adobe, where school children or tour groups can gather as they approach the Adobe from the Lopez-Villegas House. Views of the Adobe from this portion of the site have been preserved. The rear portion of the site provides a long bench and simple planters beneath a large shade tree that screens the contemporary apartment building beyond this site. This interstitial site will be visually demarcated from both the Lopez Adobe site and the Lopez-Villegas House site by a concrete threshold in the ground plane as well as the plants that are shown in the landscape plan.

2.4 *Site Boundary at Lopez Adobe*

The site boundary at the Adobe will be delineated by a series of wood fence posts and a row of pomegranate shrubs measuring 3 to 4.5 feet in height in a planter bed. Unlike the “visual barrier” at the Lopez-Villegas hedge on the north side of the central space, the Lopez Adobe line is visually permeable, less formal, and less heavily planted. The center of the site boundary is punctuated by a shade tree and a grouping of planting beds with decomposed granite mulch, creating an island of vegetation in an otherwise large area of unstabilized/stabilized walkable decomposed granite surface. There will also be a line of fence posts extending across the area along the site boundary.

2.5 *Front Yard at Lopez Adobe & Conservation of Adobe Walls*

The front yard design at the Adobe restores the angled concrete walk to the front of the Adobe, a second angled concrete walk on the Adobe’s west side, and stone edging along both concrete walks. All of these features are indicated on the 1972 site plan (HSR Appendix C, Landscape Report, page 7), which is consistent with conditions at the property at the time of the 1960 HABS photographs, which are within the Period of Significance established by the HSR/Preservation Plan (Option 3: Period of Significance 1881-1961). Restoration of the sidewalk to the “angled” configuration with rounded corners where it joins the veranda is documented by the photographic documentation from the 1930s and 1960s, reinforced by the site plan dated 1972.

The angled front walk with stone edging appears in a photograph from the 1930s (Photo H8, HSR). The front walk has been radiused where it intersects the perpendicular walkway that runs along the front of the veranda to recreate the condition shown in 1960 HABS photo #4 (Photo H10, HSR). Both the angle of the front walk and the radiused intersection are consistent with the 1972 site plan. The existing non-significant walkway is inconsistent with the documentation from the period of significance, dysfunctional (it dead ends centered on a veranda post), and visually disconcerting. The property benefits by the proposed restoration. The river rock pillars at the street to the front of the Adobe, which are consistent in design and location with archival sources, are retained. A second angled walk on the north side of the veranda, with stone edging, appears in a 1935 photograph. This latter photograph is attached, since this is additional documentation that was not included in the HSR.

HISTORIC RESOURCES GROUP

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The reasoning behind the recommendation of a wooden boardwalk in the HSR/Preservation Plan is to provide a breathable foundation for the Adobe. It is fundamentally good as a general recommendation to provide highly permeable surfaces and finishes on adobe walls and adjacent ground surfaces in order to conserve the adobe. Removal of cementitious finishes at the Lopez Adobe walls and adjacent veranda walkway is highly problematic in this case because of the effects of intervention by removal of cementitious wall finishes, and because the existing concrete walkway appears in photographs from 1935, 1936 and 1955, and HABS photos H9 and H10, all of which are within the period of significance. The concrete walkway is a character-defining feature.

If it were necessary to sacrifice the concrete walkway in order to save the adobe walls, then that difficult alternative should be considered. However, there is no reason to do so, as the existing conditions at the surface and below the surface do not present a threat to the adobe walls. There is a letter attached to this submittal provided by Melvyn Green Associates, which has extensive experience in the assessment and repair of adobe structures. Melvyn Green reiterates the recommendation on which this project has relied since the start of design that the closed paved surface be retained in order to continue to divert surface water away from the walls and foundations.

SHPO and NPS comments included the good recommendation to mitigate the risk of hidden moisture by installing a moisture monitoring system. The project has added this scope of work, and you have researched and will specify a monitoring system.

At the suggestion of SHPO, you reviewed the slope conditions at the south end of the Lopez Adobe, along Maclay Avenue. As recommended, the proposed handrail adjacent to the adobe wall will be deleted from the project because the slope is low enough not to require the addition of the railings. This decreases the visual effect of the alterations for accessibility.

6. *Rear Yard at Lopez Adobe Site*

The yard behind the Lopez Adobe will be finished with unstabilized decomposed granite surface and will extend north of the fountain as indicated on the 1972 site plan. Metal fencing and gates (refer to the comments on the rear yard of the Lopez-Villegas House) will extend between the corner of the Lopez Adobe's kitchen wing and rear property line. This will be a rolling gate to maximize clearance around the fountain.

7. *Decomposed Granite Selections*

There will be three types of decomposed granite used on the property: stabilized, unstabilized and mulch. Refer to the drawing notes for location of yard finishes.



HISTORIC RESOURCES GROUP

MEMORANDUM

Date: February 19, 2008
Project: Lopez Adobe Rehabilitation
To: Drisko Studio
Attn.: Robert Knight
From: Peyton Hall, FAIA, Historic Preservation Consultant
Re: Summary Review of Construction Drawings

We previously reviewed schematic design drawings in a memorandum dated March 26, 2007. We have received from you nine sheets titled Lopez Adobe, Progress Prints, dated February 3, 2008. We discussed the work delineated in conference with you recently.

We still find that the proposed work is substantially consistent with the Historic Structure Report (hereafter, "HSR") prepared by Architect Milford Wayne Donaldson, FAIA, and conforms with the Secretary of the Interior's Standards for the Treatment of Historic Properties. We have still applied the Standards for Rehabilitation, because there are compatible changes to the site plan that do not restore pre-existing conditions.

The project conforms with the Secretary of the Interior's Standards for Rehabilitation:

1. There is no change in use at the site; the existing non-original but compatible reuse as a historic house museum is retained.
2. The historic character of the Lopez Adobe as described in the Historic Structure Report are substantially retained because character-defining features, spaces, and spatial relationships are retained. There is relatively minor restoration work, and no alterations, removals, or additions to the building.
3. No changes have been proposed that would add features, spaces, or landscape features that might be mistaken for the authentic historic development at this site.
4. Substantially all features that have gained significance, as identified in the HSR, will be retained.
5. Distinctive materials, features, finishes, construction techniques, and craftsmanship, as identified in the HSR, will be retained. This applies, for example to all adobe, plaster, and wood features and finishes.
6. There is no notable replacement of historic fabric; in general, character-defining features will be retained, and repaired or refinished where appropriate.
7. No chemical or physical treatments are proposed.
8. There will be ground-disturbing activity as a part of this project. We do not provide archaeological services and not information has been provided regarding archaeology at this site. We recommend that the site be monitored during excavation and that a qualified archaeologist be available for making recommendations.

HISTORIC RESOURCES GROUP

Page 2

Lopez Adobe Rehabilitation

February 19, 2008

9. The proposed additions and alterations may be summarized as structural hardware for seismic strengthening, an accessible ramp, hardscape, landscape, and the relocation of the Lopez-Villegas House onto a lot adjacent to the pre-existing Lopez Adobe site. The structural hardware is hidden, and beneficial to the preservation of the historic building. The ramp is located at a secondary elevation in a side yard setback, and has no substantial impact on the material and visual character of the Lopez Adobe building. Hardscape and landscape interventions near the Lopez Adobe are selective and limited, with minimal changes to the yard setting. The HSR did not contemplate the subsequent program to move the Lopez-Villegas House onto a lot adjacent to the Lopez Adobe site. The relocated Lopez-Villegas House is set in a relationship to the street that recalls its original location. There is a broad, informally designed landscaped space between the two houses that separates the two visually while providing for a variety of programmed outdoor functions. Thus, no features of the Lopez Adobe setting that are significant in defining its historic character have been removed or radically changed.
10. The new additions and adjacent or related new construction will be reversible, such that the Lopez Adobe and its setting will be unimpaired if those features are removed. This criteria of reversibility of additions generally does not apply to features such as hidden structural hardware; the Guidelines to the Standards for Rehabilitation recommend that known structural problems be treated.

General comments:

- A. It is beneficial to the conservation of the Lopez Adobe that Improvements in site drainage will reduce the risk of moisture damage to adobe walls from surface drainage and subterranean moisture.
- B. Williams Conservation has provided a high level of care in finish investigation, augmenting the information available in the Historic Structure Report. Selective probes provided addition information that informed the Architect's decisions on the removal of, retention of, and addition of finishes, particularly floor finishes.
- C. The documents provide for protection of historic fabric during construction.
- D. The documents provide for limiting removal of historic fabric to the minimum required to construct seismic improvements.
- E. Lighting fixtures will be added to meet functional requirements; however, the exterior fixtures are discreetly mounted and do not result in a visual change of character.
- F. Key notes on the floor plans are comprehensive, detailed, and accurately referenced to the areas of work so that interventions can be more easily limited to the areas of work.
- G. Replicated features are based on good documentation, and are thoroughly delineated and dimensioned on the drawings.

STATE OF CALIFORNIA - THE RESOURCES AGENCY

ARNOLD SCHWARZENEGGER, Governor

**OFFICE OF HISTORIC PRESERVATION
DEPARTMENT OF PARKS AND RECREATION**

P.O. BOX 942898
SACRAMENTO, CA 94296-0001
(916) 653-0624 Fax: (916) 653-9824
calshpo@ohp.parks.ca.gov
www.ohp.parks.ca.gov

Received



JUL 10 2009

Community Development

July 8, 2009

In Reply Refer To: NPS050620A

Hampton Tucker, Chief
Historic Preservation Grants Division
National Parks Service
1849 C Street, N.W.
Washington, D.C. 20240

RE: Lopez Adobe, Save America's Treasures Grant, City of San Fernando, CA

Dear Mr. Tucker:

Our office recently received and reviewed the draft plans and specifications for the preservation of the Lopez Adobe, which is a Save America's Treasures grant project (NPS Grant Number 06-04-ML-0011). This set of plans and specifications were provided to address comments contained in a December 30, 2008, letter from my office. These concerns included:

- Whether the 12" wide colored concrete curb was proposed as an interpretive tool for visitors, and whether it was used to establish an historic property line, and
- How the cut and repair of the historic concrete porch floor to install a perimeter adobe wall drain will be accomplished to minimize effects to the historic floor.

The drawings submitted did not address the first concern of the colored concrete curb. My staff called Bob Knight of Drisko Studio, who confirmed that the curb is used as an interpretive tool and to establish a historic lot line. He also related that the curb inclusion as a lot line delineator was negotiated by the NPS and SHPO. The curb color is described as gold-brown color to blend with the decomposed granite surface material, limiting my office's concern that the curb would be intrusive. In addition, details 7 and 8 on Drawing A5.01 show the sawcutting, drain installation, and concrete replacement to match existing porch for the perimeter of the adobe. The new score joint is called out to match existing score joints at the repair interface. I recommend that the color be matched as closely as possible to minimize the difference between new work and existing. The color will never match exactly so the new work will still be apparent.

The grantee has adequately addressed these concerns, and the project appears to be consistent with the historic character of the building and the Secretary of Interior's Standards for Rehabilitation. Therefore, I concur with your finding and agree that pursuant to 36 CFR § 800.4(d) a finding of No Adverse Effect is appropriate for the undertaking as described. Thank you for seeking my comments and considering historic properties as part of your project planning. If you have any questions or concerns, please contact Mark Beason, Project Review Unit historian, at (916) 653-8902 or mbeason@parks.ca.gov.

Sincerely,

Milford Wayne Donaldson, FAIA
State Historic Preservation Officer

Cc Federico Ramirez



United States Department of the Interior

NATIONAL PARK SERVICE
1849 G Street, N.W.
Washington, D.C. 20240

ATTACHMENT 1

OCT 13 2009

Community Development

IN REPLY REFER TO:

H36(2256)

OCT 13 2009

Mr. Fred Ramirez
City of San Fernando
117 Macneil Street
San Fernando, CA 91340

Dear Mr. Ramirez:

This letter is in response to the information submitted regarding your Save America's Treasures Grant, Number 06-04-MJ-001-1, with the National Park Service. We recently reviewed the revised construction drawings for the Lopez Adobe, 1100 Pico Street, San Fernando, CA prepared by Drisko Studio (dated August 31, 2009). The issues previously conditioned, including the concrete curbing, the drainage at the porch, and the density of the plantings have been satisfactorily addressed.

In addition, NPS acknowledges the receipt of a letter dated July 8, 2009 from the California State Historic Preservation Office confirming that the proposed grant-assisted work will have no adverse effect to the historic property. Receipt of this letter satisfies Special Condition #20, Compliance with Section 106 of the National Historic Preservation Act. Please keep in mind that any further changes to these approved plans must be reviewed by the State Office and NPS prior to beginning construction.

If you have any questions, please feel free to contact Megan Brown of my staff at 202-354-2062, by fax at 202-371-1794 or by email at megan_brown@nps.gov.

Sincerely,

Hampton Tucker

Chief, Historic Preservation Grants Division



CITY OF

San Fernando

Historic & Visionary

SENT VIA E-MAIL AND MAIL

October 22, 2009

**Office of Historic Preservation
Local Government Unit
P.O. Box 942896
Sacramento CA 94296-0001
Attention: Lucinda Woodward**

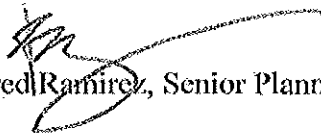
Dear Ms. Woodward:

The purpose of this letter is to complete the city's obligation under Section 106 review as it pertains to obtaining state authorization to proceed with the City of San Fernando's use of Community Development Block Grant (CDBG) funds to complete the Lopez Adobe's rehabilitation. I am submitting the state and federal agency letters finding no significant adverse effect for the Lopez Adobe rehabilitation project (Save America's Treasures Grant, Number 06-04-ML-0011). These letters note the findings of no significant adverse effect received from the State Historic Preservation Officer and the National Park Service as per Section 106 Review of the National Historic Preservation Act.

If you have any questions regarding this request for Section 106 review and finding of no significant adverse effect as it relates to the use of federal CDBG funds to preserve the Lopez Adobe, please feel free to contact me at (818) 898-7316.

Thank you in advance for your assistance in this matter.

Sincerely,



Fred Ramirez, Senior Planner

Attachments:

1. July 8, 2009, State Historic Preservation Officer Letter
2. October 13, 2009, National Park Service Letter

ATTACHMENT NO. 1

STATE OF CALIFORNIA - THE RESOURCES AGENCY
OFFICE OF HISTORIC PRESERVATION
DEPARTMENT OF PARKS AND RECREATION
P.O. BOX 942899
SACRAMENTO, CA 94296-0001
(916) 653-0624 Fax: (916) 653-0824
calshpo@ohp.parks.ca.gov
www.ohp.parks.ca.gov

ARNOLD SCHWARZENEGGER, Governor

Received



JUL 10 2009

Community Development

July 8, 2009

In Reply Refer To: NPS050820A

Hampton Tucker, Chief
Historic Preservation Grants Division
National Parks Service
1849 C Street, N.W.
Washington, D.C. 20240

RE: Lopez Adobe, Save America's Treasures Grant, City of San Fernando, CA

Dear Mr. Tucker:

Our office recently received and reviewed the draft plans and specifications for the preservation of the Lopez Adobe, which is a Save America's Treasures grant project (NPS Grant Number 06-04-ML-0011). This set of plans and specifications were provided to address comments contained in a December 30, 2008, letter from my office. These concerns included:

- Whether the 12" wide colored concrete curb was proposed as an interpretive tool for visitors, and whether it was used to establish an historic property line, and
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The drawings submitted did not address the first concern of the colored concrete curb. My staff called Bob Knight of Drisko Studio, who confirmed that the curb is used as an interpretive tool and to establish a historic lot line. He also related that the curb inclusion as a lot line delineator was negotiated by the NPS and SHPO. The curb color is described as gold-brown color to blend with the decomposed granite surface material, limiting my office's concern that the curb would be intrusive. In addition, details 7 and 8 on Drawing A5.01 show the sawcutting, drain installation, and concrete replacement to match existing porch for the perimeter of the adobe. The new score joint is called out to match existing score joints at the repair interface. I recommend that the color be matched as closely as possible to minimize the difference between new work and existing. The color will never match exactly so the new work will still be apparent.

The grantee has adequately addressed these concerns, and the project appears to be consistent with the historic character of the building and the Secretary of Interior's Standards for Rehabilitation. Therefore, I concur with your finding and agree that pursuant to 36 CFR § 800.4(d) a finding of No Adverse Effect is appropriate for the undertaking as described. Thank you for seeking my comments and considering historic properties as part of your project planning. If you have any questions or concerns, please contact Mark Beason, Project Review Unit historian, at (916) 653-8902 or mbeason@parks.ca.gov.

Sincerely,

Milford Wayne Donaldson, FAIA
State Historic Preservation Officer

Cc Federico Ramirez

ATTACHMENT NO. 2

IN REPLY REFER TO:

United States Department of the Interior

NATIONAL PARK SERVICE
1049 G Street, N.W.
Washington, D.C. 20240

Received

OCT 13 2009

Community Development

H36(2256)

OCT 13 2009

Mr. Fred Ramirez
City of San Fernando
117 Macneil Street
San Fernando, CA 91340

Dear Mr. Ramirez:

This letter is in response to the information submitted regarding your Save America's Treasures Grant, Number 06-04-ML-0011, with the National Park Service. We recently reviewed the revised construction drawings for the Lopez Adobe, 1100 Pico Street, San Fernando, CA prepared by Drisko Studio (dated August 31, 2009). The issues previously conditioned, including the concrete curbing, the drainage at the porch, and the density of the plantings have been satisfactorily addressed.

In addition, NPS acknowledges the receipt of a letter dated July 8, 2009 from the California State Historic Preservation Office confirming that the proposed grant-assisted work will have no adverse effect to the historic property. Receipt of this letter satisfies Special Condition #20, Compliance with Section 106 of the National Historic Preservation Act. Please keep in mind that any further changes to these approved plans must be reviewed by the State Office and NPS prior to beginning construction.

If you have any questions, please feel free to contact Megan Brown of my staff at 202-354-2062, by fax at 202-371-1794 or by email at megan_brown@nps.gov.

Sincerely,

Hampton Tucker
Chief, Historic Preservation Grants Division

ATTACHMENT 1

STATE OF CALIFORNIA - THE RESOURCES AGENCY

ARNOLD SCHWARZENEGGER, Governor

**OFFICE OF HISTORIC PRESERVATION
DEPARTMENT OF PARKS AND RECREATION**

P.O. BOX 942896
SACRAMENTO, CA 94296-0001
(916) 653-6624 Fax: (916) 653-9824
calshpo@ohp.parks.ca.gov
www.ohp.parks.ca.gov

Received

OCT 29 2009

Community Development

October 27, 2009

REPLY TO: HUD091026A

Fred Ramirez
Senior Planner
City of San Fernando
Community Development
117 Mac Neil Street
San Fernando, CA 91340-2993

Dear Mr. Ramirez:

RE: PRESERVATION OF LOPEZ ADOBE, 1100 PICO STREET, SAN FERNANDO

Thank you for submitting the above referenced undertaking to my office for review and comment pursuant to Section 106 of the National Historic Preservation Act and its implementing regulations found at 36 CFR Part 800.

This undertaking has previously been reviewed by my office under Section 106 of the National Historic Preservation Act under the Save America's Treasures program. This review found that the proposed work conformed to the Secretary of the Interior's Standards for Rehabilitation.

Your current submittal indicates that the undertaking will also receive assistance from the Community Development Block Grant program. Based on our earlier review, I am pleased to concur with your finding that the undertaking will have no adverse effect on historic properties.

If you have questions, please do not hesitate to contact Lucinda Woodward, Supervisor of the Local Government Unit, at (916) 653-9116.

Sincerely,



Milford Wayne Donaldson, FAIA
State Historic Preservation Officer



May 22, 2008

**Office of Historic Preservation
California Department of Parks and Recreation
1416 9th Street, Room 1442-7
Sacramento, CA 95814
Attention: Milford Wayne Donaldson, FAIA, State Historic Preservation Officer**

Dear Mr. Donaldson:

I am submitting the Lopez Adobe Preservation Project for Section 106 Review by the State Office of Historic Preservation. Pursuant to our Save America's Treasures Grant Program administered by the National Park Service, the City of San Fernando is submitting construction drawings for the proposed preservation work on the Lopez Adobe site (a National Register Historic Place). Included is the Lopez Adobe Preservation Plan that includes the Historic Structures Report, Preservation Plan, and Landscape Plan which have guided the development of the attached construction documents. Also, included is the Lopez Adobe Site Assessment for the Placement of the Lopez-Villegas House. The Lopez-Villegas House will be used as an ancillary facility to the Lopez Adobe building providing restrooms, kitchen area, and offices to support the Lopez Adobe's use as a house museum.

If you have any questions regarding the proposed preservation work feel free to contact project architects, Kaitlin Drisko and/or Robert Knight. See their contact information noted below:

Drisko Studio :: Kaitlin Drisko Architect
1624 Wilshire Boulevard, Santa Monica, CA 90403
t:310.828.1761 f:310.943.1638 e:kdrisko@driskostudio.net

Thank you in advance for your assistance in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Fred Ramirez".

Fred Ramirez, Senior Planner

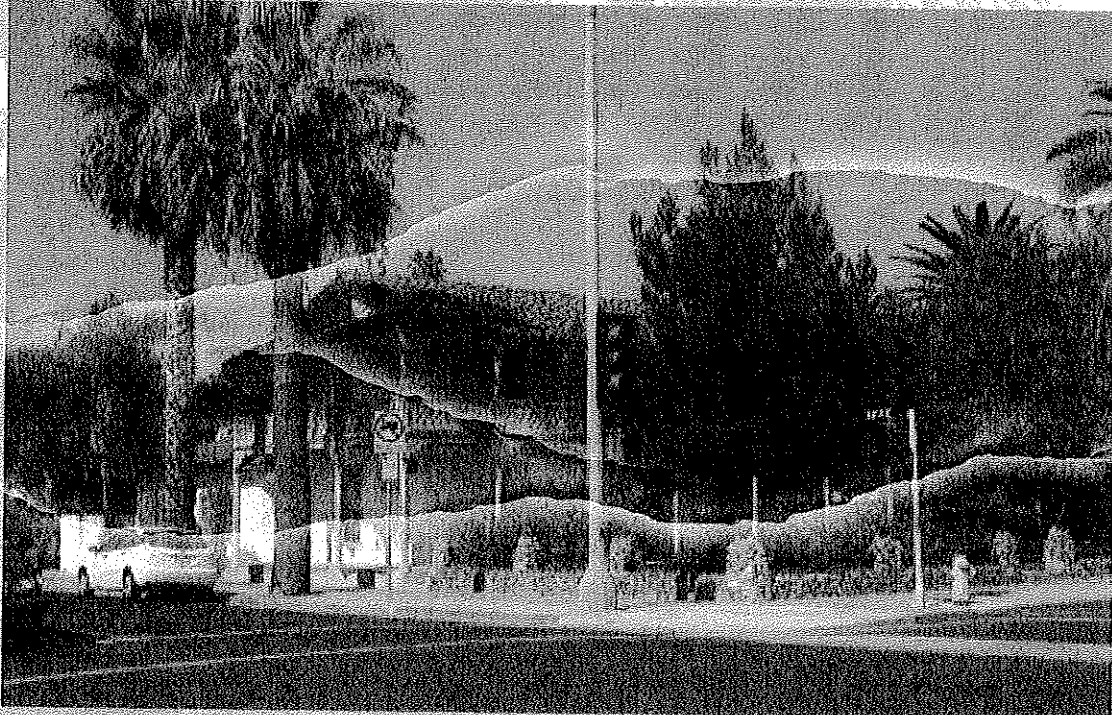
Attachments:

1. Construction Drawings
2. Lopez Adobe Preservation Plan
3. Lopez Adobe Site Assessment for the Placement of Lopez-Villegas House



ATTACHMENT 4

LOPEZ ADOBE PRESERVATION PLAN



PREPARED BY:
ARCHITECT MILFORD WAYNE DONALDSON, FAIA
530 SIXTH AVENUE
SAN DIEGO, CA 92101
619.239.7888

PREPARED FOR:
CITY OF SAN FERNANDO
COMMUNITY DEVELOPMENT
117 N. MACNEIL STREET
SAN FERNANDO, CA 91340

APRIL 26, 2004

**COMPLETE DOCUMENT AVAILABLE
UPON REQUEST**



**CITY OF SAN FERNANDO
PLANNING COMMISSION**

ATTACHMENT "E"

**DRAFT MINUTES OF MAY 1, 2012 - 7:00 P.M.
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 Chairperson Julie Cuellar at 7:02 P.M.

PLEDGE OF ALLEGIANCE

Led by Vice-chair Mario Rodriguez

ROLL CALL

The following persons were recorded as present:

PRESENT:

Chairperson Julie Cuellar, Vice-chair Mario Rodriguez, Commissioners Alvin F. Durham, and Jose Ruelas

ABSENT:

None

ALSO PRESENT:

City Planner Fred Ramirez, Assistant Planner Edgar Arroyo, and Community Development Secretary Michelle De Santiago

APPROVAL OF AGENDA

Commissioner A. Durham moved to approve the agenda of May 1, 2012. Seconded by Vice-chair M. Rodriguez, the motion carried with the following vote:

AYES:	A. Durham, M. Rodriguez, J. Cuellar, and J. Ruelas
NOES:	None
ABSENT:	None
ABSTAIN:	None

CONSENT CALENDAR

Commissioner J. Ruelas moved to approve the minutes of March 14, 2012. Seconded by Commissioner A. Durham, the motion carried with the following vote:

AYES:	J. Ruelas, A. Durham, J. Cuellar and M. Rodriguez
NOES:	None
ABSENT:	None
ABSTAIN:	None

UNFINISHED BUSINESS

None

Planning Commission Minutes of May 1, 2012
Page 2 of 3

PUBLIC HEARING 7A:

Mitigated Negative Declaration and Lopez Adobe Ancillary Building Project – Casa de Lopez Adobe site, 1100 Pico Street, San Fernando, CA 91340 – City of San Fernando, 117 Macneil Street, San Fernando, CA 91340 – The proposed development consists of the construction of a small outbuilding for public restrooms and office/storage area located in the southwestern corner of the site of the Casa de Lopez Adobe, a National Register of Historic Places landmark.

STAFF PRESENTATION

City Planner Fred Ramirez provided the presentation recommending that the Planning and Preservation Commission review and recommend approval to the City Council of the Mitigated Negative Declaration and conceptual plan to construct an ancillary facility that includes public restroom and a storage/office room as the Casa de Lopez Adobe site pursuant to the city approved Lopez Adobe Preservation Plan, pursuant to Planning and Preservation Commission Resolution 2011-04.

PUBLIC TESTIMONY

None

COMMISSION DISCUSSION

J. Ruelas asked if the proposed office building would be used on a daily basis or staffed at all times and who would be responsible for the maintenance of the bathroom facilities and they be locked in the evening.

F. Ramirez indicated that the future budget will have to consider city staffing and/or volunteers as par of the house museum's operations. He stated that staffing of the storage/office room and maintenance of the restroom facilities would have to be re-evaluated once the project is complete and that the extension for completion is December of 2012.

M. Rodriguez stated some concern with the possibility of loss to the existing foliage once the structure is built. He stated that there has been some loss to the existing rose garden because of the Lopez Villegas house that was there. He asked about a plaque that used to be on the grounds with regard to a tree donation.

F. Ramirez indicated that the orchards at the Lopez Adobe were removed as part of the Lopez Adobe Preservation Plan, he stated that the house was also positioned so that it did not interfere with the vegetation at the grounds. Additionally, he stated that the rose garden is not part of the original landscape feature of the Lopez Adobe. He said they that the rose garden was introduced in the 80s when the landscaping was redone at the Lopez Adobe.

M. Rodriguez stated that he would like to see a trellis and grass area so that visitors can have a shade area.

F. Ramirez indicated that a trellis would be contrary to the Secretary of Interior standards and the period of significance of the Lopez Adobe building and site.

J. Cuellar asked for details about how the proposed building will be used.

F. Ramirez indicated that the storage/office room would be climate controlled and it would house items that are not currently being displayed at the Lopez Adobe.

J. Cuellar suggested that staff give the Commission a tour of the Lopez Adobe once it is complete.

Planning Commission Minutes of May 1, 2012
Page 3 of 3

Subsequent to discussion, Commissioner J. Ruelas moved to recommend approval. Seconded by Vice-chair M. Rodriguez, the motion carried with the following vote:

AYES:	J. Ruelas, M. Rodriguez, J. Cuellar, and A. Durham
NOES:	None
ABSENT:	None
ABSTAIN:	None

STAFF COMMUNICATIONS

Fred Ramirez provided the Commission with an update regarding:

- Nueva Esperanza's fence installation
- 857 N. Brand Blvd and the non-responsiveness from the current property owner
- 650 Glenoaks Blvd., garage/carport structures
- Notice to all business owners along Maclay Avenue regarding signage

COMMISSION COMMENTS

J. Cuellar thanked City Planner Fred Ramirez for his leadership in the Community Development Department.

PUBLIC STATEMENTS

None

ADJOURNMENT

Commissioner A. Durham moved to adjourn to June 5, 2012. Second by Vice-chair M. Rodriguez, the motion carried with the following vote:

AYES:	A. Durham, M. Rodriguez, J. Cuellar, and J. Ruelas
NOES:	None
ABSENT:	None
ABSTAIN:	None

7:57 P.M.

Fred Ramirez

Planning Commission Secretary

STATE OF CALIFORNIA

ATTACHMENT "F"
Edmund G. Brown, Jr., Governor**NATIVE AMERICAN HERITAGE COMMISSION**

915 CAPITOL MALL, ROOM 364
SACRAMENTO, CA 95814
(916) 653-6251
Fax (916) 657-5390
Web Site www.nahc.ca.gov
ds_nahc@pacbell.net



May 1, 2012

MAY 08 2012

Community Development

Mr. Fred Ramirez

City of San Fernando Community Development Department

117 Macneil Street
San Fernando, CA 91340

Re: SCH#2012041058 CEQA Notice of Completion; proposed Mitigated Negative Declaration for the for the "Lopez Adobe Ancillary Building Project;" located in the City of San Fernando; Los Angeles County, California.

Dear Mr. Ramirez:

The Native American Heritage Commission (NAHC), the State of California 'Trustee Agency' for the protection and preservation of Native American cultural resources pursuant to California Public Resources Code §21070 and affirmed by the Third Appellate Court in the case of EPIC v. Johnson (1985: 170 Cal App. 3rd 604).

This letter includes state and federal statutes relating to Native American historic properties of religious and cultural significance to American Indian tribes and interested Native American individuals as 'consulting parties' under both state and federal law. State law also addresses the freedom of Native American Religious Expression in Public Resources Code §5097.9.

The California Environmental Quality Act (CEQA – CA Public Resources Code 21000-21177, amendments effective 3/18/2010) requires that any project that causes a substantial adverse change in the significance of an historical resource, that includes archaeological resources, is a 'significant effect' requiring the preparation of an Environmental Impact Report (EIR) per the CEQA Guidelines defines a significant impact on the environment as 'a substantial, or potentially substantial, adverse change in any of physical conditions within an area affected by the proposed project, including ... objects of historic or aesthetic significance.' In order to comply with this provision, the lead agency is required to assess whether the project will have an adverse impact on these resources within the 'area of potential effect (APE)', and if so, to mitigate that effect. The NAHC did conduct a Sacred Lands File (SLF) search within the 'area of potential effect (APE)': the results are as follows: No Native American cultural resources were found in the APE.

The NAHC "Sacred Sites," as defined by the Native American Heritage Commission and the California Legislature in California Public Resources Code §§5097.94(a) and 5097.96. Items in the NAHC Sacred Lands Inventory are confidential and exempt from the Public Records Act pursuant to California Government Code §6254 (r).

Early consultation with Native American tribes in your area is the best way to avoid unanticipated discoveries of cultural resources or burial sites once a project is underway. Culturally affiliated tribes and individuals may have knowledge of the religious and cultural significance of the historic properties in the project area (e.g. APE). We strongly urge that you make contact with the list of Native American Contacts on the attached list of Native American

contacts, to see if your proposed project might impact Native American cultural resources and to obtain their recommendations concerning the proposed project. Pursuant to CA Public Resources Code § 5097.95, the NAHC requests cooperation from other public agencies in order that the Native American consulting parties be provided pertinent project information. Consultation with Native American communities is also a matter of environmental justice as defined by California Government Code §65040.12(e). Pursuant to CA Public Resources Code §5097.95, the NAHC requests that pertinent project information be provided consulting tribal parties. The NAHC recommends *avoidance* as defined by CEQA Guidelines §15370(a) to pursuing a project that would damage or destroy Native American cultural resources and Section 2183.2 that requires documentation, data recovery of cultural resources.

Furthermore, the NAHC if the proposed project is under the jurisdiction of the statutes and regulations of the National Environmental Policy Act (e.g. NEPA; 42 U.S.C. 4321-43351). Consultation with tribes and interested Native American consulting parties, on the NAHC list, should be conducted in compliance with the requirements of federal NEPA and Section 106 and 4(f) of federal NHPA (16 U.S.C. 470 *et seq.*), 36 CFR Part 800.3 (f) (2) & .5, the President's Council on Environmental Quality (CSQ, 42 U.S.C 4371 *et seq.* and NAGPRA (25 U.S.C. 3001-3013) as appropriate. The 1992 *Secretary of the Interiors Standards for the Treatment of Historic Properties* were revised so that they could be applied to all historic resource types included in the National Register of Historic Places and including cultural landscapes. Also, federal Executive Orders Nos. 11593 (preservation of cultural environment), 13175 (coordination & consultation) and 13007 (Sacred Sites) are helpful, supportive guides for Section 106 consultation. The aforementioned Secretary of the Interior's *Standards* include recommendations for all 'lead agencies' to consider the historic context of proposed projects and to "research" the cultural landscape that might include the 'area of potential effect.'

Confidentiality of "historic properties of religious and cultural significance" should also be considered as protected by California Government Code §6254(r) and may also be protected under Section 304 of the NHPA or at the Secretary of the Interior discretion if not eligible for listing on the National Register of Historic Places. The Secretary may also be advised by the federal Indian Religious Freedom Act (cf. 42 U.S.C., 1996) in issuing a decision on whether or not to disclose items of religious and/or cultural significance identified in or near the APEs and possibility threatened by proposed project activity.

Furthermore, Public Resources Code Section 5097.98, California Government Code §27491 and Health & Safety Code Section 7050.5 provide for provisions for inadvertent discovery of human remains mandate the processes to be followed in the event of a discovery of human remains in a project location other than a 'dedicated cemetery'.

To be effective, consultation on specific projects must be the result of an ongoing relationship between Native American tribes and lead agencies, project proponents and their contractors, in the opinion of the NAHC. Regarding tribal consultation, a relationship built around regular meetings and informal involvement with local tribes will lead to more qualitative consultation tribal input on specific projects.

Finally, when Native American cultural sites and/or Native American burial sites are prevalent within the project site, the NAHC recommends 'avoidance' of the site as referenced by CEQA Guidelines Section 15370(a).

If you have any questions about this response to your request, please do not hesitate to contact me at (916) 653-6251.

Sincerely,



Dave Singleton
Program Analyst

Cc: State Clearinghouse

Attachment: Native American Contact List

Beverly Salazar Folkes

1931 Shadybrook Drive
 Thousand Oaks, CA 91362

folkes@msn.com

805 492-7255

(805) 558-1154 - cell

Chumash

Tataviam

Fernandeño

Kitanemuk & Yowlumne Tejon Indians

Delia Dominguez, Chairperson

115 Radio Street

Bakersfield, CA 93305

deedominguez@juno.com

(626) 339-6785

Yowlumne

Kitanemuk

Fernandeno Tataviam Band of Mission Indians

Ronnie Salas, Cultural Preservation Department

601 South Brand Boulevard, Suite 102

San Fernando CA 91340

rsalas@tataviam-nsn.gov

(818) 837-0794 Office

(818) 837-0796 Fax

Fernandeno

Tataviam

San Fernando Band of Mission Indians

John Valenzuela, Chairperson

P.O. Box 221838

Newhall, CA 91322

tsen2u@hotmail.com

(661) 753-9833 Office

(760) 885-0955 Cell

(760) 949-1604 Fax

Fernandeño

Tataviam

Serrano

Vanyume

Kitanemuk

LA City/County Native American Indian Comm

Ron Andrade, Director

3175 West 6th St, Rm. 403

Los Angeles, CA 90020

randrade@css.lacounty.gov

(213) 351-5324

(213) 386-3995 FAX

Randy Guzman - Folkes

6471 Cornell Circle

Moorpark, CA 93021

ndnRandy@yahoo.com

(805) 905-1675 - cell

Chumash

Fernandeño

Tataviam

Shoshone Paiute

Yaqui

Tongva Ancestral Territorial Tribal Nation

John Tommy Rosas, Tribal Admin.

Private Address

Gabrielino Tongva

tattnlaw@gmail.com

310-570-6567

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of the statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH#2012041058; CEQA Notice of Completion; proposed Mitigated Negative Declaration for the Lopez Adobe Ancillary Building Project; located in the City of San Fernando; Los Angeles County, California.

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PUBLIC WORKS DEPARTMENT

MEMORANDUM

TO: Mayor Brenda Esqueda and Councilmembers

FROM: Al Hernández, City Administrator
By: Ron Ruiz, Public Works Director

DATE: May 21, 2012

SUBJECT: Re-introduction of Ordinance for Prima Facie Speed Limits

RECOMMENDATION:

It is recommended that the City Council re-introduce for first reading, in title only, and waive further reading of “An Ordinance of the City of San Fernando Amending Sections 90-941 and 90-942 of Chapter 90 of the City of San Fernando City Code (SFCC) Relating to Speed Limits” (Attachment “A”).

BACKGROUND:

1. On March 15, 2005, the City Engineer presented the 2005 Traffic Speed Zone Study to the City Clerk. The 2005 Traffic Speed Zone Study was conducted by Tom Brohard and Associates and indicated no speed limit changes were necessary and therefore required no City Council action.
2. On December 6, 2011, the City contacted Tom Brohard and Associates and requested a quote to conduct the traffic study again since the 2005 Traffic Speed Zone Study was going to expire in 2012. The City received and reviewed Mr. Brohard’s quote and asked him to proceed with work for the report.
3. On April 11, 2012, Mr. Brohard presented the Engineering and Traffic Speed Survey Report for Speed Limits, 2012 (the Report) to the Transportation and Safety Commission and pointed out his findings. The Report recommended changes to the prima facie speed limits of six street segments within the City based on the survey results.
4. On May 7, 2012, the City Council approved the recommended changes to the City’s prima facie speed limits made within the Report, excluding the recommendation to increase the prima facie speed limit on the segment of Maclay Avenue from the north City limit to Glenoaks Boulevard from 30 miles per hour (MPH) to 35 MPH.

Re-introduction of Ordinance for Prima Facie Speed Limits

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ANALYSIS:

Mr. Brohard provided the Report to the City Council at the May 7, 2012 City Council meeting. At this meeting the City Council approved the Report's recommended changes to the City's prima facie speed limits, excluding a recommendation to increase the prima facie speed limit on the segment of Maclay Avenue from the north City limit to Glenoaks Boulevard from 30 MPH to 35 MPH. The City Council directed staff that the prima facie speed limit for this segment of Maclay Avenue should remain 30 MPH (Attachment "B").

CONCLUSION:

Staff has modified the draft Ordinance presented to the City Council during the May 7, 2012 City Council meeting in order to implement the Council's directive to staff.

BUDGET IMPACT:

None.

ATTACHMENTS:

- A. Ordinance
- B. Resolution No. 7479 (adopted May 7, 2012)

ATTACHMENT “A”**ORDINANCE NO. ____**

**AN ORDINANCE OF THE CITY OF SAN FERNANDO
AMENDING SECTIONS 90-941 AND 90-942 OF CHAPTER
90 OF THE CITY OF SAN FERNANDO CITY CODE
RELATING TO SPEED LIMITS**

The City Council of the City of San Fernando does ordain as follows:

Section 1. Section 90-941 (“Speed limits amending state speed limits”) of Article XI (“Schedules”) of Chapter 90 (“Traffic and Vehicles”) of the San Fernando City Code is hereby amended to read as follows:

“Sec. 90-941. Decrease of local speed limits.

It is determined and declared, upon the basis of an engineering and traffic investigation, that for safe operation of vehicles on the following streets the prima facie speed limit shall be as set forth on those designated streets or parts of streets when signs are erected giving notice thereof, in accordance with Vehicle Code § 22358:

Name of Street or Portion Affected	Declared Prima Facie Speed Limit (miles per hour)
Arroyo Avenue, from Glenoaks Boulevard to north city limits	35
Arroyo Street, from Glenoaks Boulevard to Fifth Street	30
Brand Boulevard, from Fourth Street to Glenoaks Boulevard	30
Brand Boulevard, from Truman Street to Fourth Street	30
Brand Boulevard, from Truman Street to the south city limits	35
Chatsworth Drive, from the south city limits to San Fernando Road	30
Eighth Street, from west city limits to Maclay Avenue	25
Fifth Street, from west city limits to east city limits	30
First Street, from Hubbard Avenue to Maclay Avenue	30
Fourth Street, from west city limits to east city limits	30
Glenoaks Boulevard, from west city limits to east city limits	40
Harding Avenue, from north city limits to Glenoaks Boulevard	25
Harding Avenue, from Glenoaks Boulevard to Fourth Street	25
Harding Avenue, from Fourth Street to First Street	25
Hubbard Avenue, from south city limits to north city limits	35
Maclay Avenue from Truman Street to Fourth Street	25
Maclay Avenue, from Fourth Street to Glenoaks Boulevard	30
Maclay Avenue, from Glenoaks Boulevard to north city limits	30
Mission Boulevard, from south city limits to Truman Street	35
Orange Grove Avenue, from Glenoaks Boulevard to north city limits	25
Orange Grove Avenue, from Glenoaks Boulevard to Fourth Street	25

San Fernando Road, from Kittridge Street to east city limits	30
San Fernando Road, from west city limits to Mission Boulevard	35
Seventh Street, from west city limits to Maclay Avenue	25
Truman Street, from west city limits to east city limits	35
Workman Street, from south city limits to San Fernando Road	25"

Section 2. Section 90-942 ("Speed limits amending state speed limits") of Article XI ("Schedules") of Chapter 90 ("Traffic and Vehicles") of the San Fernando City Code is hereby amended to read as follows:

"Sec. 90-942. Decrease of speed limits on narrow streets.

It is determined upon the basis of an engineering and traffic investigation that the state prima facie speed limit of 25 miles per hour in a business or residence district or in a public park on any street having a roadway not exceeding 25 feet in width is more than is reasonable or safe under the conditions found to exist upon such streets, and it is declared that the prima facie speed limit shall be 15 miles per hour on those designated streets or parts thereof when signs are erected giving notice thereof, in accordance with Vehicle Code § 22358.3:

Name of Street or Portion Affected	Declared Prima Facie Speed Limit (miles per hour)
Park Avenue, from Fourth Street to First Street	15
San Fernando Road, from Mission Boulevard to Kittridge Street	15"

Section 3. Severability. If any section, subsection, subdivision, paragraph, sentence, clause or phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this ordinance or any part thereof. The City Council hereby declares that it would have passed each section, subsection, paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional, or invalid, or ineffective.

Section 4. The City Clerk shall certify to the passage of this Ordinance and shall cause this Ordinance to be published or posted as required by law.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of San Fernando at a regular meeting held on this ____ day of _____, 2012.

Brenda Esqueda, Mayor

ATTEST:

Elena G. Chávez, City Clerk

APPROVED AS TO FORM:

Maribel S. Medina, City Attorney

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

I HEREBY CERTIFY that the foregoing Ordinance was adopted a regular meeting of the City Council held on the ____ day of _____, 2012 and was carried by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Elena G. Chávez, City Clerk

ATTACHMENT "B"**RESOLUTION NO. 7479****A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN FERNANDO APPROVING THE ENGINEERING AND TRAFFIC STUDY REPORT FOR SPEED LIMITS, 2012 AND, AS MODIFIED, THE PRIMA FACIE SPEED LIMITS RECOMMENDED TO BE ESTABLISHED ON THE HIGHWAY SEGMENTS INCLUDED IN THE ENGINEERING AND TRAFFIC SPEED SURVEY REPORT FOR SPEED LIMITS, 2012**

WHEREAS, California Vehicle Code Sections 22357, 22358 and 22358.3 permit a local authority, on the basis of a traffic and engineering survey, to establish prima facie speed limits on highways within their jurisdiction;

WHEREAS, Section 40802 of the California Vehicle Code requires that the speed limits be justified by a traffic and engineering survey not less than every five (5) to ten (10) years in order to use radar, laser or other electronic devices for enforcement of speed limits with the City;

WHEREAS, the Public Works Director has caused such a survey to be conducted and a report prepared by Tom Brohard and Associates;

WHEREAS, Tom Brohard and Associates completed the engineering and traffic survey within the City on April 5, 2012, in compliance with the requirements of Section 627 of the California Vehicle Code and the standards set forth in Section 2B.13 of the California Manual on Uniform Traffic Control Devices, 2012 Edition;

WHEREAS, the results of the engineering and traffic survey are contained in a report prepared by Tom Brohard and Associates entitled "Engineering and Traffic Speed Survey Report for Speed Limits, 2012"; and

WHEREAS, the Public Works Director recommends that the City Council approve of (i) the Engineering and Traffic Speed Survey Report for Speed Limits, 2012 and (ii) the prima facie speed limits recommended to be established on the highway segments included in the Engineering and Traffic Speed Survey Report for Speed Limits, 2012.

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 finds that all of the facts set forth in this Resolution are true and correct.

Section 2. The City Council has reviewed the Engineering and Traffic Speed Survey Report for Speed Limits, 2012.

Section 3. The City Council approves of (i) the Engineering and Traffic Speed Survey Report for Speed Limits, 2012 and (ii) the prima facie speed limits recommended to be

established on the highway segments included in the Engineering and Traffic Speed Survey Report for Speed Limits, 2012, excluding the recommendation to increase the prima facie speed limit on the segment of Maclay Avenue from the north City limit to Glenoaks Boulevard from thirty (30) miles per hour ("MPH") to thirty-five (35) MPH, which prima facie speed limit shall continue to be thirty (30) MPH.

Section 4. The City Clerk shall certify to the passage and adoption of this Resolution and it shall thereupon take effect.

PASSED, APPROVED, AND ADOPTED this 7th day of May, 2012.

Brenda Esqueda, Mayor

ATTEST:

Elena G. Chávez, City Clerk

APPROVED AS TO FORM:

Maribel S. Medina, City Attorney

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 7th day of May, 2012, by the following vote to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Elena G. Chávez, City Clerk

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RECREATION AND COMMUNITY SERVICES DEPARTMENT

MEMORANDUM

TO: Mayor Brenda Esqueda and Councilmembers

FROM: Al Hernández, City Administrator
By: Ismael Aguila, Recreation and Community Services Operations Manager

DATE: May 21, 2012

SUBJECT: Approval of Service Agreement with Mission Ambulance for the Lifeguard Staffing Services at the San Fernando Regional Pool Facility

RECOMMENDATION:

It is recommended that the City Council:

- a. Approve a Service Agreement (Attachment "A") with Mission Ambulance to provide staffing services (including lifeguards, senior lifeguards, and pool attendants) for the San Fernando Regional Pool Facility; and
- b. Authorize the Mayor and the City Administrator to execute the Agreement.

BACKGROUND:

1. In June 2009, the City Council met with the San Fernando Aquatics Foundation to discuss their request to take over the day-to-day operations of the San Fernando Regional Pool Facility. After much discussion, the Foundation informed the City Council that they were not interested, at that time, to take over the operations of the Pool Facility.
2. In June and July 2009, the City Council held several meetings to discuss the City budget. Specific discussion was held concerning the operations and maintenance of the Pool Facility. Staff requested that a six-month budget be prepared due to the fact that the Pool Facility had not been in operation for one year and staff was unsure as to what the actual expenses may be for an entire year. Staff wanted to review, at Mid-Year Budget Review, the overall operations and maintenance for the Pool Facility to determine if additional expenses or revenues would need to be added to the budget. The City Council agreed to approve a six-month budget for the Pool Facility and to discuss further at Mid-Year Budget Review.
3. On July 20, 2009, the City Council adopted the Fiscal Year (FY) 2009-2010 City Budget which included an expense and revenue budget for the operations and maintenance of the Pool Facility for the six-month period of July-December 2009.

Approval of Service Agreement with Mission Ambulance for the Lifeguard Staffing Services at the San Fernando Regional Pool Facility

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4. On January 19, 2010, the City Council adopted a Resolution approving a six-month budget for the operations and maintenance of the Pool Facility for January-June 2010. The projected revenue shortfall of \$185,705 for the six-month period was approved to be covered by ending cash balance in Fund 17. At the meeting, staff was directed to prepare an item for a future City Council study session. The item was to include options that could possibly help to reduce the projected revenue shortfall for FY 2010-2011.
5. On February 16, 2010, the Recreation and Community Services (RCS) Director presented several options to City Council to increase revenues and decrease expenses for the FY 2010-2011 operation and maintenance at the Pool Facility. The City Council directed that the item be placed on the next Education, Parks, Arts, Health, Youth and Aging (EPAH) Standing Committee agenda for further discussion.
6. On February 23, 2010, the EPAH Standing Committee discussed the proposed revenue enhancing and expenditure decreasing alternatives and directed the RCS Director to bring back, at the next EPAH meeting, a comprehensive plan detailing the alternatives.
7. On March 23, 2010, a comprehensive plan for the operation and maintenance of the Pool Facility was presented to the EPAH Standing Committee. The EPAH Standing Committee directed the RCS Director to agendize this item for discussion and approval by the City Council.
8. On April 5, 2010, the City Council approved the City takeover of full operations of the Pool Facility and authorized the RCS Director to begin preparations for the City to assume responsibility for the operation of the Pool Facility, effective July 3, 2010. Preparations for the takeover were to include the approval and adoption of new job specifications for the positions of Pool Manager, Senior Lifeguard, and Lifeguard.
9. On April 14, 2010, the City Council approved Resolutions adopting the job specifications for aquatics staff, amendment to the Table of Organization, and Salary Plan and Schedule.
10. On September 12, 2010, the contract with Los Angeles County Department of Parks and Recreation was terminated and the City resumed responsibility for day-to-day operations of the Pool Facility. After much discussion, the City Council decided to close the Pool Facility to save costs to the City while leaving the Olympic-size pool open for lane rentals to serve the community.
11. On April 18, 2011, the City Council directed the staff to work with the City Attorney to negotiate a Service Agreement with San Fernando Fire and Rescue (SFFR) to provide staffing services for the Pool Facility.
12. On May 2, 2011, the City Council approved a Service Agreement with SFFR to provide staffing services for the Pool Facility.
13. On June 11, 2011, the Pool Facility reopened to the general public.

Approval of Service Agreement with Mission Ambulance for the Lifeguard Staffing Services at the San Fernando Regional Pool Facility

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14. On April 27, 2012, the RCS Department released a Request for Proposals (RFP) for lifeguard services for the Pool Facility.
15. On May 11, 2012, the RCS Department received three proposals in response to the released RFP.

ANALYSIS:

Use of the Aquatics Facility

The City of San Fernando RCS Department plays an important role as the key provider of free/low-cost resources accessible for residents to be physically active year-round. In particular, the Pool Facility offers families a place to play and exercise while also serving as a community gathering place throughout the summer months. Since the re-opening of the Pool Facility in June of 2011, over 3,400 individuals (18,000 visits) living in and around the City have participated in aquatics programs, which include swimming lessons, water exercise classes, recreational play, lap swimming, and competitive water sports.

Aquatic Management

The City of San Fernando resumed operations of the Pool Facility on September 12, 2010. In June of 2011, the City outsourced staffing services of the Pool Facility to SFFR. Since then, the City has been successful in increasing revenues, streamlining operations and recovering approximately 61% of all expenses.

Mission Ambulance

For over 10 years, Mission has been providing basic and advanced critical care medical transportation services and special event staffing in Southern California. Mission provides skilled staff consisting of Emergency Medical Technicians and Registered Nurses ready to serve 24 hours a day, 7 days a week. In addition, Mission provides lifeguard services for various country clubs and community pools. More recently, Mission has consulted with SFFR to provide staffing services for the Pool Facility.

Services to be provided by Mission Ambulance

Mission will provide lifeguard staffing services for the Pool Facility. These services will include the responsibility to hire appropriate lifeguard staffing (including senior lifeguards, lifeguards, and pool attendants) for the daily operations and maintenance of the pools and rental facility. The City will have the responsibility of pool operations management that includes marketing, programming, and pool system maintenance. The hired lifeguards will be under the supervision of the San Fernando Regional Pool Facility Supervisor.

Criteria for Award

The selection of Mission to provide staffing services for the San Fernando Regional Pool Facility was based on the following four objectives.

1. *Level of experience and training of personnel assigned for the contract;*
It was determined that Mission has a better understanding of state/local laws for first responders and lifesaving personnel. In addition, the company is more familiar with

Approval of Service Agreement with Mission Ambulance for the Lifeguard Staffing Services at the San Fernando Regional Pool Facility

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California employment laws & regulations, which would result in a smoother transition for City and staff. Mission has demonstrated excellent working relations and knowledge of the facility and staff.

2. *Breadth and depth of company resources;*

Mission has the capability to provide extra lifeguards for any emergencies that may arise. In addition, they are able to provide and make available to the Pool Facility lifesaving equipment. As a vendor, Mission has multiple certified instructors available to train lifeguards at no additional costs.

3. *Ability to meet specifications, terms, and conditions of the RFP; and*

Mission responded and is able to provide the scope of work described in the RFP with no additional charges and/or changes in the proposed contract.

4. *Pricing structure.*

	City of San Fernando	Mission	USA Pools	AMI
Staffing Costs	\$236,484	\$243,268	\$212,025	\$220,300

After careful review, staff recommended that Mission could provide the highest quality of service for the Pool Facility and meet all of the requirements set forth in the RFP. No single objective constituted the basis for selection.

CONCLUSION:

It is recommended that the City Council approve and authorize the Mayor and the City Administrator to execute a Service Agreement with Mission to provide staffing services that includes: lifeguards, senior lifeguards, and pool attendants for the Pool Facility. The agreement with Mission will ensure the City of San Fernando continues to provide quality services at the Pool Facility.

BUDGET IMPACT:

There will be no budget impact to the General Fund for FY 2011-2012. This item is being budgeted for FY 2012-2013.

ATTACHMENT:

A. Lifeguard Staffing Service Agreement

ATTACHMENT "A"**SAN FERNANDO REGIONAL POOL FACILITY STAFFING AGREEMENT**

This agreement ("Agreement") is made this 21st day of May 2012, by and between the City of San Fernando, a California municipal corporation ("City") and Mission Ambulance, a California Business, ("Mission").

Mission agrees to provide, and the City hereby agrees, to subscribe for the services of temporary workers ("Associates") employed by Mission and other ancillary services provided by Mission, including, but not limited to personnel placement, upon the following terms and conditions:

A. Mission's Responsibilities:

1. Mission will recruit, screen and hire associates for temporary assignment at the San Fernando Regional Pool Facility ("Pool Facility") by June 8, 2012 in accordance with the job requirements and job descriptions attached hereto as Exhibit A and incorporated herein by this reference.
2. No Mission Associate shall be referred to the City unless he or she meets the job requirements set forth in Exhibit A for the position for which the Associate is being referred.
3. Mission will, for an additional fee, perform or obtain legally-permissible drug testing and physicals of prospective Associates. Mission will also notify the City of any prospective Associate so that the City can perform background checks.
4. Mission will ensure that an Employment Eligibility Verification Form (1-9) is completed for each associate assigned at the Pool Facility. Mission will retain these forms.
5. Mission will maintain all personnel files and payroll records for its Associates.
6. Mission has sole responsibility to determine and set the level of compensation and fringe benefits of its Associates. The City has no authority to alter, change, or increase the compensation and/or benefits of Mission Associates without Mission express agreement.
7. Mission will withhold, pay, and report all taxes and issue associate W-2 forms at the end of each year with respect to each of its Associates assigned to the Pool Facility, as required by law.
8. Mission shall at all times during the term of this Agreement carry, maintain, and keep in full force and effect, the insurance listed below:
 - 1) Commercial General Liability Insurance with minimum limits of One Million Dollars (\$1,000,000) for each occurrence and in the aggregate for any personal injury, death, loss or damage. In addition, VENDOR will add the City as an additional insured.
 - 2) Automobile Liability Insurance for any owned, non-owned or hired vehicle used in connection with the performance of this Agreement with minimum limits of One Million Dollars (\$1,000,000) per accident for bodily injury and property damage.

- 3) Worker's Compensation insurance as required by the State of California.
- 4) Professional Liability Insurance with a minimum limit of One Million Dollars (\$1,000,000) per occurrence.

The policies required by this Agreement shall be issued by an insurer licensed to do business in the State of California and with an A.M. Best rating of at least A-:VII or better.

Mission agrees that if it does not keep the insurance required in this Agreement in full force and effect, the City may either immediately terminate this Agreement or, if insurance is available at a reasonable cost, after reasonable notice to Mission, City may take out the necessary insurance and pay, at Mission expense, the premium thereon.

Prior to commencement of work under this Agreement, and throughout the term of this Agreement, Mission shall file with the City's Risk Manager a properly executed certificate or certificates of insurance and endorsements evidencing compliance with the requirements of this Section. Such certificates shall disclose Mission self-insured retentions or deductibles, which are subject to City approval, which shall not be unreasonably withheld. Mission agrees to provide certified copies of insurance policies if requested by City. All evidence of insurance and notices of cancellation shall be mailed to:

The City of San Fernando
Attn: Michael Okafor
117 Macneil Street
San Fernando, CA 91340

Mission shall provide proof that policies of insurance expiring during the term of this Agreement have been renewed or replaced with other policies providing at least the same coverage. Such proof will be furnished at least two weeks prior to the expiration of the coverages.

The commercial general liability and business automobile liability insurance policies shall contain an endorsement naming the City, its elected officials, officers, agents, employees, attorneys, servants, volunteers, successors and assigns as additional insureds. The commercial general and business automobile liability insurance policies shall be primary to any other coverage available to the City. Any insurance or self-insurance maintained by City, its officers, employees, agents or volunteers, shall be in excess of Mission commercial general and business automobile liability insurance and shall not contribute with it.

All insurance policies shall contain an endorsement providing that the policies cannot be canceled or reduced except on thirty (30) days' prior written notice to City.

No insurance coverage provided pursuant to this Agreement shall prohibit Mission, and Mission employees, agents, subcontractors, or volunteers from waiving the right of subrogation prior to a loss. Mission hereby waives all rights of subrogation against City.

9. Mission shall comply with applicable laws and regulations, at all times in the performance of this Agreement. To the extent Mission violates this paragraph; Mission will accept full responsibility for any resulting bodily injury or property damage.

B. City's Responsibilities:

1. The City will not require Mission Associates to perform any duties beyond those that are called for in the applicable job descriptions attached hereto as Exhibit A, without the prior written approval of Mission. The City will promptly notify Mission of any desire to change the material terms and conditions of an Associate's temporary employment, or to change the job duties. Such changes shall be subject to the mutual agreement of the City and Mission.
2. The City must provide signed written verification of Associates' hours to Mission by 9:00 am on the 1st and the 16th of each month for the pay period preceding those dates. Mission pay periods are the 1st through the 15th with the pay date of the 22nd, and 16th through the last day of the month with the pay date on the 7th of the following month. Verification shall be in the form of the City's signature on Mission or City's timecards or Associate detail reports from time and attendance systems. The City's signature authorizes and requires the City to pay Mission for all hours indicated in accordance with Section D.4.
3. The City agrees that, except as set forth in paragraphs 5 and 6 of Section A, it is responsible for compliance with all applicable state and federal wage and hour laws related to Mission Associates providing services at the Aquatic Facility, including, but not limited to, ensuring that all required rest and meal periods are taken by Mission Associates as required, that all record keeping requirements are complied with, that alternative workweek schedules, if applicable, are in compliance with state or federal law, and by not permitting Mission Associates to work hours in excess of the hours reported to Mission for payment. To the extent the City violates this paragraph, the City will accept full responsibility for any loss or liability caused or incurred.
4. The City will exercise good judgment and management relating to the day-to-day supervision of Mission Associates. Mission will provide appropriate supervision and training, specifically tailored to the job requirements of Mission Associates assigned to the City's worksite, including all applicable safety and hazardous materials training.
5. The City will provide a safe work environment for Mission Associates including but not limited to maintaining its premises and work areas in compliance with all applicable health and safety laws and regulations.
6. The City will notify Mission immediately in the event of a work-related injury to a Mission Associate. The City will notify Mission immediately in the event of a discrimination or sexual harassment complaint involving a Mission Associate.
7. The City will notify Mission promptly if the City should decide it no longer wishes to accept the services of any particular Mission Associate. In that event, Mission will immediately end the assignment of the Associate.

8. City will perform background checks with respect to criminal conviction records, driving records, credit history, etc. of prospective Associates.

C. Other Terms and Conditions

The City and Mission agree to the following additional terms and conditions with respect to the provision of Associates by Mission to the City:

1. The City acknowledges that Mission does not furnish insurance to cover damage or physical loss caused by the operation of any vehicle or machinery operated by Mission Associates for the City's benefit or at the request of the City. The City agrees to accept full responsibility for any claim arising from Mission Associate being asked by the City to operate machinery or equipment, or drive a vehicle, whether owned or rented by either City or Mission Associate.
2. The City agrees to assume sole responsibility, and hold Mission harmless, for any losses or claims that result from a Mission Associate having been assigned by the City the responsibility for handling or possession of any cash, securities or other valuables. Similarly, the City agrees to assume complete responsibility, and hold Mission harmless for any losses or claims that result from Mission Associates having been entrusted by the City with any unattended property or premises.
3. Any use of subcontractors must be approved in writing by the City.

D. Terms and Conditions of Payment

1. City agrees to compensate Mission for the services provided under this Agreement, and Mission agrees to accept in full satisfaction for such services, a sum not-to-exceed Two Hundred Forty Thousand Two Hundred Sixty Eight Dollars and Nero Cents (\$240,268.00). It is anticipated that Mission will provide the City with 3-6 Senior Lifeguards at a rate of \$21.82/per hour, 18-22 Lifeguards at a rate of \$19.57/per hour, and 2-4 Locker Room Attendants at a rate of \$14.81/per hour. The compensation payable hereunder includes all services provided pursuant to this Agreement. City shall not withhold applicable federal or state payroll or any other required taxes, or other authorized deductions from each payment made to Mission. No claims for compensation in excess of the not-to-exceed amount will be allowed unless such additional compensation is authorized by City in writing. All requests for compensation in excess of the not-to-exceed amount must be submitted to the City Representative and approved by the City Council.
2. The City and Mission understand and agree that Mission service rate shall be adjusted according to federal and state overtime laws, where applicable. In the event overtime pay, time-and-a-half, double-time, including holiday pay, is paid to an associate, Mission service rates shall increase commensurately. It is further understood and agreed that Mission reserves the right to adjust service rates to compensate for mandatory adjustments to FICA, FUTA, SUI, Workers' Compensation and any federal or state mandated programs or benefits.

3. Service rates may be adjusted at any time upon mutual consent of Mission and the City.
4. **Billing Terms**
An itemized invoice for temporary services, based on hours shown on Mission or City time cards or associate detail reports from time and attendance systems that have been verified by the City in accordance with Section B.2 (which verified documents shall be attached to the invoice), will be delivered by Mission to City. Such invoice is DUE AND PAYABLE 30 DAYS AFTER INVOICE DATE, if the invoice is accompanied by the required documentation. Invoices that are undisputed by City for more than thirty (30) days after the invoice date will be presumed correct.
5. **Past Due Accounts**
If any account becomes past due, the entire unpaid balance of the invoice becomes immediately due and payable. Mission shall have the right to litigate in Civil Court in Los Angeles County, California all debt-collection matters. In the event collection action is initiated by Mission to collect such debt, or any portion thereof, City agrees to pay any additional sums, including but not limited to, collection costs, and reasonable attorneys' fees.

E. Conversion to Regular Full-Time Status

The City may convert a Mission associate currently on assignment with City or who has been provided by Mission within the past six months, to its payroll at no additional cost, upon mutual agreement with Mission. No associate may be converted if City's account balance is past due.

F. Guarantee

If Mission is notified during the first 4 hours of an associate's assignment that City is not satisfied with the quality of work of the associate, Mission will provide City with a replacement associate within a reasonable time at no additional charge to the City.

G. Representations and Qualifications

1. This Agreement and any attachments constitute the entire Agreement and neither the Agreement nor any amendment shall be valid or enforceable unless in writing and signed by authorized representatives of both parties.
2. All notices or other communications required or permitted to be given under this Agreement shall be directed to Mission and to City at the addresses specified below.
3. City and Mission are equal employment opportunity employers, and agree that they will not harass, discriminate against or retaliate against any Mission Associates on the basis of race, religion, national origin, age, sex, disability,

marital status or any' other category protected by law. The City and Mission, on their own behalf, each represent that it has in place policies prohibiting, harassment in the workplace (including sexual harassment). City and Mission further agree not to engage in, nor permit any agent of City, vendor, contractor or other third-party at City's worksite to engage in any practice that constitutes unlawful discrimination, sexual harassment or other illegal harassment of Mission Associates.

H. Termination of Agreement/Termination of Services

This staffing agreement between the City and Mission will expire on June 30, 2013, unless extended by mutual agreement of the parties. This Agreement may be terminated by either party upon 30 days written notice to the other party, or immediately upon the breach of any provisions listed in Sections A.1 through A.9.

I. Agreements to Indemnify

1. City shall indemnify, defend and hold harmless Mission and its employees, officers and directors (collectively, the "Mission Indemnitees") from any and all losses (including court costs and reasonable attorneys' fees), and claims of any kind, which the Mission Indemnitees may incur, or which may be claimed against the Mission Indemnitees as a result of City's material breach of any of its responsibilities under this Agreement, including any violation by City of any applicable federal, state, or local laws, including OSHA, at the work site of Mission Associates assigned to City. Mission shall give City prompt notice of any such claim or lawsuit and shall cooperate with City and its counsel in the defense of such claim or lawsuit.
2. Mission shall indemnify, defend and hold harmless City and its employees, officers, and council members (collectively, the "City Indemnitees") from any and all losses resulting in bodily injury or property damage (including court costs and reasonable attorneys' fees), which the City Indemnities may incur, or which may be claimed against the City Indemnitees as a result of Mission material breach of any of its responsibilities under this Agreement, including any violation by Mission of any applicable federal, state, or local laws. City shall give Mission prompt notice of any such claim or lawsuit and shall cooperate with Mission and its counsel in the defense of such claim or lawsuit.
3. Notwithstanding paragraph 1 of this Section I, Mission shall hold harmless, indemnify and defend the City Indemnitees from losses or expenses incurred in connection with any workers' compensation claim or workers' compensation lawsuit brought by a Mission Associate arising from a work-related injury sustained while such Associate was working on assignment at City, except for such losses or expenses resulting from the gross negligence or willful misconduct of City, its employees or agents. City shall give Mission prompt notice of any such claim or lawsuit and shall cooperate with Mission and its counsel in the defense of such claim or lawsuit.

4. Notwithstanding any provisions to the contrary, in no event will either party be liable to the other for any special, incidental, indirect or consequential damages (including lost profits) arising out of this Agreement whether in an action for or arising out of breach of contract, tort, or any other cause of action.
5. The provisions of this Section I shall survive the expiration or termination of this Agreement, for a period of three years.

J. Waiver

Failure by either party at any time to require the performance of the other party or to claim a breach of any provision of this Agreement will not be considered a waiver of any prior or subsequent breach or failure to perform under the terms of this Agreement.

K. Governing Law

This Agreement shall be governed by and construed in accordance with the laws of the State of California. Any action to enforce or interpret this Agreement shall be brought in a court of competent jurisdiction in Los Angeles County, California.

L. Partial Invalidity

Should any provision of this Agreement be held to be invalid or unenforceable, the remaining provisions of this Agreement shall remain in full force and shall stand as if the unenforceable provision did not exist.

IN WITNESSES WHEREOF, The City of San Fernando and Mission Ambulance have caused this Agreement to be executed on the date written above and effective on the "date" set forth below:

ACCEPTED:
MISSION AMBULANCE

ACCEPTED:
THE CITY OF SAN FERNANDO

By: _____

By:_____

Print Name:

Print Name:

Title:

Title:

Address:

Address:

Date:

Date:

EXHIBIT “A”**CITY OF SAN FERNANDO****SENIOR LIFEGUARD****DEFINITION**

Under supervision, in the absence of the Pool Manager, performs manager duties; assists the pool manager with the operation and administration of the department's Aquatics Program. This would encompass the areas of programs, personnel, and pool maintenance.

EXAMPLES OF ESSENTIAL DUTIES

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

1. Enforces all state and local regulations concerning the health and safety of all persons using the pool.
2. Maintains discipline among pool patrons.
3. Organizes swim tests and instructional programs for staff and pool patrons.
4. Participates in the testing and interviewing of potential pool staff.
5. Supervises the pool staff.
6. Acts in the capacity of lifeguard whenever necessary.
7. Renders First Aid, C.P.R., and other emergency services.
8. Assists the pool manager in maintenance of the pool.
9. Adheres to City and departmental policies and procedures.
10. Performs other related duties as assigned.

JOB-RELATED AND ESSENTIAL QUALIFICATIONS**Knowledge of:**

1. Principles and methods of operating a public swimming pool.
2. Water safety rules; care and maintenance of pool supplies and equipment.

Ability to:

1. Enforce swimming pool rules and regulations.
2. Establish and maintain effective working relationships with the general public and staff.
3. Train, direct and supervise pool personnel.
4. Apply C.P.R. and First Aid.
5. Prepare and present concise written and oral reports.
6. Understand and speak Spanish (desirable).

[SENIOR LIFEGUARDS POSITION PAGE 2]**Experience and Training Guidelines****Training:**

Must have a current American Red Cross Lifeguard Certificate, Water Safety Instructor (WSI) as well as First Aid and C.P.R. (BLS-AED) Certificates. Lifeguard Instructor and Emergency Medical Technician certification are desirable.

Water Safety Instructor Certificate, E.R. Instruction Certificate and Safety training for Swim coaches Certificate is highly desirable.

Experience:

Minimum of one year (960 hours) experience as a Lifeguard is required.

Special Requirement:

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

Must have valid California Class C Driver's license at the time of appointment.

Essential duties require the following physical abilities and environmental conditions:

Ability to sit, kneel, stand, walk, crouch, squat, stoop, reach, twist, climb, and lift at least 50 Lbs., may be exposed to the sun, and work under high and low temperatures (mostly between 40 and 115 degrees); may be exposed to frequent loud noises and toxic/poisonous substance, as well as slippery surfaces.

CITY OF SAN FERNANDO

LIFEGUARD

DEFINITION

Under direction, to monitor and control activities of swimmers, enforce swimming pool rules, rescue and treat children and adults in distress.

EXAMPLE OF ESSENTIAL DUTIES

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

7. Observes swimmers and pool area and responds to unsafe acts or conditions.
8. Maintains order and discipline.
9. Enforces all rules and regulations of the pool.
10. Administers First Aid and artificial respiration.
11. Performs maintenance for pool deck area.
12. Prepares accident and incident reports.
13. Conducts swimming classes, beginning through advanced.
14. Adheres to City and departmental policies and procedures.
15. Performs other related duties as required.

JOB-RELATED AND ESSENTIAL QUALIFICATIONS

Knowledge of:

16. Principles and methods of operating a public swimming pool.
17. Care and maintenance of pool supplies and equipment.
18. Water safety rules.

Ability to:

19. Enforce swimming pool rules and regulations.
20. Establish and maintain effective working relationships with the general public, children, and staff.
21. Train pool personnel.
22. Apply C.P.R. and First Aid.
5. Speak Spanish (desirable).

[LIFEGUARDS POSITION PAGE 2]**Training and Experience Guidelines****Training:**

Must possess a current Lifeguard Training Certificate, Standard First Aid Certificate, C.P.R. (BLS-AED) Certificate for Professional Rescuer Certificate at the time of appointment. Water Safety Instructor Certificate is highly desirable.

Experience:

Paid or volunteer experience working with people desired, but not required.

Special Requirements:

Must be at least 17 years of age.

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

Must possess a valid California Class C Driver's License at the time of appointment.

Essential duties require the following physical abilities and environmental conditions:

Ability to sit, stand, walk, kneel, crouch, squat, stoop, reach, twist, climb and lift at least 50 Lbs., may be exposed to sun, and work under high and low temperatures (mostly between 40 and 115 degrees); may be exposed to frequent loud noises and toxic/poisonous substances, as well as slippery surfaces.

CITY OF SAN FERNANDO

POOL ATTENDANT

DEFINITION

Under direction, monitor and control activities of locker room guests, enforce locker room rules, and ensure availability of equipment and/or supplies; and complying with health and safety requirements.

EXAMPLE OF ESSENTIAL DUTIES

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

1. Inspects locker and shower facilities for the purpose of ensuring that it is suitable for safe operations.
2. Monitors inventory levels of toilette/cleaning items in locker, shower, and restroom facilities and other cleaning supplies for the purpose of ensuring the availability of supplies as needed.
3. Performs minor repairs to equipment and facilities for the purpose of maintaining facilities and equipment in safe operating condition.
4. Responds to inquiries from staff and public for the purpose of conveying information regarding swimming pool/locker room operations, etc.
5. Stocks chemicals and other supplies for the purpose of maintaining adequate quantities and security of items.

JOB-RELATED AND ESSENTIAL QUALIFICATIONS

Knowledge of:

1. Principles and methods of maintaining a public locker room.
2. Care and maintenance of locker room facility and equipment.
3. Locker room safety rules.

Ability to:

1. Enforce locker room rules and regulations.
2. Establish and maintain effective working relationships with the general public, children, and staff.
3. Apply C.P.R. and First Aid.
4. Speak Spanish (desirable).

[POOL ATTENDANT POSITION PAGE 2]**Training and Experience Guidelines****Training:**

Must possess a current Standard First Aid Certificate, C.P.R. (BLS-AED) Certificate prior to assignment.

Experience:

Paid or volunteer experience working with people desired, but not required.

Special Requirements:

Must be at least 17 years of age.

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

Must possess a valid California Class C Driver's License at the time of appointment.

Essential duties require the following physical abilities and environmental conditions:

Ability to sit, stand, walk, kneel, crouch, squat, stoop, reach, twist, climb and lift at least 50 Lbs., may be exposed to sun, and work under high and low temperatures (mostly between 40 and 115 degrees); may be exposed to frequent loud noises and toxic/poisonous substances, as well as slippery surfaces.

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PUBLIC WORKS DEPARTMENT

MEMORANDUM

TO: Mayor Brenda Esqueda and Councilmembers

FROM: Al Hernández, City Administrator
By: Ron Ruiz, Public Works Director

DATE: May 21, 2012

SUBJECT: Park Avenue Project Update

RECOMMENDATION:

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

BACKGROUND:

The Park Avenue Street Project (PASP) consists of street repaving on Park Avenue between First Street and Fourth Street. In March 2011, the Park Avenue Streetscape project was completed after a series of delays involving Southern California Edison. The PASP will be the culmination of a long term effort by the City to revitalize the area. The project has an estimated budget of \$170,000.

ANALYSIS:

The PASP was originally scheduled for construction from April through June 2012 before the commencement of summer programming at the Regional Pool Facility. Both the Public Works and the Recreation and Community Services Departments conducted preliminary planning to address any parking concerns during construction.

On March 12, 2012, construction commenced for the multi-family housing development at 131 Park Avenue. Back in the start of the new fiscal year, when the city budget was approved for PASP, it was not known when the multi-family housing project would commence construction.

Due to the construction of the multi-family housing project it was determined that the PASP would need to be rescheduled in order to 1) allow for construction vehicles on Park Avenue for the multi-family housing project and more importantly; 2) if the PASP was completed before the multi-family housing project, the street would likely be damaged by construction trucks accessing the area. Given the importance of aesthetics, street repairs after the fact would be difficult to implement in a manner that would be acceptable to the City.

Park Avenue Project Update

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After Public Works' consultation with the City Administrator and communication with the Mayor, it was concluded that the project would be rescheduled to a later date.

Coincidentally, members of the project development for the multi-family housing project came to the Public Works office to ask that the PASP be rescheduled to a later date after the completion of their project due to construction activities associated with their project and the same realization that the street repaving would be damaged. City staff concurred.

CONCLUSION:

The project has been rescheduled for construction in spring 2013, after completion of the project of the multi-family housing project. Project completion will occur before the summer 2013 Regional Pool programming commences.

BUDGET IMPACT:

None

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OFFICE OF THE CITY ATTORNEY**MEMORANDUM**

TO: Mayor Brenda Esqueda and Councilmembers

FROM: Maribel S. Medina, City Attorney

DATE: May 21, 2012

SUBJECT: Adoption of Ordinance Establishing Rules of Decorum for Meetings

RECOMMENDATION:

It is recommended that the City Council introduce for first reading, in title only, and waive further reading of "An Ordinance of the City Council of the City of San Fernando, California Amending the San Fernando Municipal Code by Adding a New Division 3 – Rules of Decorum for Meetings to Chapter 2 and Amending Section 1-10 (General Penalty; Infraction)" (Attachment "A").

BACKGROUND:

The Brown Act requires that every agenda for regular meetings must provide an opportunity for members of the public to directly address the legislative body on any item within the subject matter jurisdiction of the legislative body, and before or during consideration of the item. *Government Code Section 54954.3*. Similar rules apply to special meetings.

The City has in place a Procedural Manual governing City Council meetings, including rules of decorum. The Procedural Manual appears to have been initially prepared pursuant to Resolution 6434 on July 3, 1995 and has been updated various times through the years. However, because the provisions of the Procedural Manual were not codified in the City's Municipal Code, there is no enforcement mechanism.

During recent meetings, individual members of the public have utilized public comment to disrupt City Council meetings. Therefore, in order to protect the free exercise of First Amendment rights and comply with the provisions of the Ralph M. Brown Act while ensuring that the City Council is able to conduct its business, it is necessary to adopt the proposed rules of decorum.

The public will continue to be permitted to comment on items on the agenda and during the public statement portion of the agenda comment on items not on the agenda, but within the subject matter jurisdiction of the City Council. However, the proposed ordinance provides for

Adoption of Ordinance Establishing Rules of Decorum for Meetings

Page 2

the warning and removal of members of the public who use public comment to disrupt, disturb or otherwise impede the orderly conduct of the Council meetings.

The Brown Act specifically permits the adoption of rules to deal with disruptions during City Council meetings. Government Code Section 54957.9 states:

“In the event that any meeting is willfully interrupted by a group or groups of persons so as to render the orderly conduct of such meeting unfeasible and order cannot be restored by the removal of individuals who are willfully interrupting the meeting, the members of the legislative body conducting the meeting may order the meeting room cleared and continue in session. . .”

Therefore, in order to ensure the City Council is able to conduct its business in an orderly environment, public comment in the Council Chambers during City Council meetings must address items within the subject matter jurisdiction of the City Council. Individuals making impertinent derogatory and slanderous remarks which are disruptive to the meeting, and continue to do so after two warnings may be asked to leave by the presiding officer. In addition, the proposed ordinance would make violation of the rules of decorum an infraction

CONCLUSION:

The adoption of the Rules of Decorum at City Council meetings will provide members of the public with clear rules governing the orderly manner in which the City Council meetings will be conducted.

BUDGET IMPACT:

None.

ATTACHMENT:

A. Ordinance

ATTACHMENT “A”**ORDINANCE NO. _____****AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN FERNANDO, CALIFORNIA AMENDING THE SAN FERNANDO MUNICIPAL CODE BY ADDING A NEW DIVISION 3 - RULES OF DECORUM FOR MEETINGS TO CHAPTER 2 AND AMENDING SECTION 1-10 (GENERAL PENALTY; INFRACTION)****RECITALS**

WHEREAS, the Mayor and members of City Council value the input of the members of the public; and

WHEREAS, the Mayor and members of the City Council acknowledge and support the protections afforded under the First Amendment; and

WHEREAS, the Mayor and members of the City Council acknowledge that they are bound by the mandates of the Ralph M. Brown Act, codified in the California Government Code; and

WHEREAS, the Brown Act’s intent is to ensure “. . . public commissions, boards and councils and other public agencies in this State exist to aid in the conduct of the people’s business. It is the intent of the law that their actions be taken openly and that their deliberations be conducted openly”; and

WHEREAS, in order to ensure orderly meetings in compliance with the intent of the Brown Act, it is necessary to adopt rules of decorum to avoid disruptions, disturbances and other conduct which otherwise impedes the orderly conduct of the City Council meetings.

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

SECTION 1. Amendment of Code. Chapter 2 (Administration) of Article II (City Council) of the San Fernando Municipal Code is hereby amended to add Division 3 entitled, “Rules of Decorum for Meetings” to read as follows:

“Section 2-91. Decorum.

A. Meetings of the City Council shall be conducted in an orderly manner to ensure that the public has a full opportunity to be heard and that the deliberative process of the Council is retained at all times. The presiding officer of the Council, who shall be the Mayor, Vice Mayor or, in their absence, other member so designated by the Council, shall be responsible for maintaining the order and decorum of meetings.

B. Rules of Decorum. While any meeting of the City Council is in session, the following rules of order and decorum shall be observed:

1. Councilmembers. The members of the City Council shall preserve order and decorum, and a member shall not by conversation or other means delay or interrupt the Council proceedings or disturb any other member while speaking.

2. City Staff Members. Employees of the City shall observe the same rules of order and decorum as those which apply to the members of Council.

3. Persons Addressing the Council. Public oral communications at the City Council meetings should not be a substitute for any item that can be handled administratively during the normal working hours of the municipal government. The primary purpose of oral communications is to allow members of the public the opportunity to formally communicate with the City Council as a whole, for within the subject matter jurisdiction of the City Council that cannot be handled during the regular working hours of the City government. Each person who addresses the Council shall do so in an orderly manner and shall not make personal, impertinent, slanderous or profane remarks to any member of the Council, staff or general public. Any person who makes such remarks, or who utters loud, threatening, personal or abusive language, or engages in any other disorderly conduct which disrupts, disturbs or otherwise impedes the orderly conduct of any Council meeting shall, at the discretion of the presiding officer or a majority of the Council, be barred from further audience before the Council during that meeting.

4. Members of the Audience. No person in the audience at a Council meeting shall engage in disorderly or boisterous conduct, including the utterance of loud, threatening or abusive language, whistling, stamping of feet or other acts that disturb, disrupt or otherwise impede the orderly conduct of any Council meeting. Any person who conducts himself in the aforementioned manner shall, at the discretion of the presiding officer or a majority of the Council, be barred from further audience before the Council during that meeting.

Section 2-92. Addressing the Council.

A person wishing to address the Council regarding an item that is on the Council meeting agenda shall submit a request on the form provided, or he or she may seek recognition by the presiding officer of the Council during discussion of any such item. Persons wishing to discuss a nonagenda item may seek recognition by the presiding officer during the oral communications portion of the meeting. No person shall address the Council without first being recognized by the presiding officer. The following procedures shall be observed by persons addressing the Council:

1. Each person shall step to the podium provided for the use of the public and shall state his or her name and address; the organization, if any, which he or she represents; and, if during the oral communications portion of the meeting, the subject he or she wishes to discuss.

2. Each person shall confine his or her remarks to the Council agenda item or approved oral communications subject being discussed.

3. Each person shall limit his or her remarks to three (3) minutes, unless further time is granted by the presiding officer.

4. All remarks shall be addressed to the Council as a whole and not to any single member thereof, or to any individual staff member or member of the public, unless in response to a question from an individual Council member.

5. No question may be asked of a member of the Council or of the City staff without permission of the presiding officer.

Section 2-93. Enforcement of Decorum.

The rules of decorum set forth above shall be enforced in the following manner:

1. **Warning.** The presiding officer shall request that a person who is breaching the rules of decorum be orderly and silent. If, after receiving two warnings from the presiding officer, a person persists in disturbing the meeting, the presiding officer shall order him or her, to leave the Council meeting. If such person does not remove himself or herself, the presiding officer may order any law enforcement officer who is on duty at the meeting as sergeant-at-arms of the Council to remove that person from the Council chambers.

2. **Removal.** Any law enforcement officer who is serving as sergeant-at-arms of the Council shall carry out all orders and instructions given by the presiding officer for the purpose of maintaining order and decorum at the Council meeting. Upon instruction of the presiding officer, it shall be the duty of the sergeant-at-arms to remove from the Council meeting any person who is disturbing the proceedings of the Council, as requested by the presiding officer.

3. **Resisting Removal.** Any person who resists removal by the sergeant-at-arms shall be charged with a violation of this section.

4. **Penalty.** Any person who violates any provision of this section shall, pursuant to Section 1-10 be guilty of an infraction.

5. **Adjournment.** If a meeting of the Council is disturbed or disrupted in such a manner as to make infeasible or improbable the restoration of order, the meeting may be adjourned or continued by the presiding officer or a majority of the Council, and any remaining Council business may be considered at the next meeting.”

SECTION 2. Amendment of Code. Section 1-10(b) (General Penalty; Infraction) shall be amended to add violation of this new Division 3 as an infraction.

SECTION 3: Severability. If any section, subsection, subdivision, paragraph, sentence, clause or phrase in this Ordinance, or any part thereof, is held invalid or unconstitutional, such decision shall not affect the validity of the remaining sections or portions of this chapter or part thereof. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase of this Ordinance irrespective of the fact that any one or more sections, subdivisions, paragraphs, sentences, clauses or phrases may be 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 shall certify to the passage of this ordinance and shall cause this ordinance to be published and posted in the manner prescribed by law.

PASSED, APPROVED and ADOPTED by the City Council of the City of San Fernando at a regular meeting held on this ____ day of ____ 2012.

Brenda Esqueda, Mayor

ATTEST:

Elena G. Chávez, City Clerk

APPROVED AS TO FORM:

Maribel S. Medina, City Attorney

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

I, ELENA G Chavez, City Clerk of the City of San Fernando, do hereby certify that the foregoing Ordinance was adopted at a regular meeting of the City Council held on the _____ day of May, 2012 and was carried by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Elena G. Chávez, City Clerk