



SAN FERNANDO CITY COUNCIL
REGULAR MEETING NOTICE AND AGENDA
MAY 21, 2018 – 6:00 PM
CITY HALL COUNCIL CHAMBERS
117 MACNEIL STREET
SAN FERNANDO, CA 91340

CALL TO ORDER/ROLL CALL

Mayor Sylvia Ballin
Vice Mayor Antonio Lopez
Councilmember Jaime Soto
Councilmember Joel Fajardo
Councilmember Robert C. Gonzales

PLEDGE OF ALLEGIANCE

Led by Deputy City Manager/Director of Finance Nick Kimball

APPROVAL OF AGENDA

PRESENTATIONS

- a) USE OF EXPANDED POLYSTYRENE IN RESTAURANTS IN THE CITY OF SAN FERNANDO
Parent Pioneers/Padres Pioneros and
Department of Chicana/o Studies at California State University, Northridge
- b) NATIONAL PUBLIC WORKS WEEK – MAY 20-26
Director of Public Works/City Engineer Yazdan (Yaz) Emrani
- c) MENTAL HEALTH AWARENESS MONTH - MAY
La Tina Jackson, LA County Department of Mental Health, Regional Service Area Director
- d) NATIONAL POLICE WEEK – MAY 13-19
Police Chief Anthony Vairo

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- e) TREE CITY USA RECOGNITION
Director of Public Works/City Engineer Yazdan (Yaz) Emrani

DECORUM AND ORDER

The City Council, elected by the public, must be free to discuss issues confronting the City in an orderly environment. Public members attending City Council meetings shall observe the same rules of order and decorum applicable to the City Council ([SF Procedural Manual](#)). Any person making impertinent derogatory or slanderous remarks or who becomes boisterous while addressing the City Council or while attending the City Council meeting, may be removed from

PUBLIC STATEMENTS – WRITTEN/ORAL

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

CITY COUNCIL - LIAISON UPDATES**CONSENT CALENDAR**

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

- 1) REQUEST TO APPROVE THE MINUTES OF MAY 7, 2018 – SPECIAL MEETING**
- 2) CONSIDERATION TO ADOPT A RESOLUTION APPROVING THE WARRANT REGISTER**

Recommend that the City Council adopt Resolution No. 18-052 approving the Warrant Register.

- 3) CONSIDERATION TO ADOPT A RESOLUTION APPROVING THE INVESTMENT POLICY FOR FISCAL YEAR (FY) 2018-2019**

Recommend that the City Council adopt Resolution No. 7858 approving the annual Investment Policy for FY 2018-2019.

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4) CONSIDERATION TO ADOPT A RESOLUTION AUTHORIZING THE CITY TREASURER AND DEPUTY CITY TREASURER TO INVEST SURPLUS FUNDS

Recommend that the City Council adopt Resolution No. 7859 authorizing the City Treasurer and Deputy City Treasurer to invest surplus funds.

5) CONSIDERATION TO APPROVE A SECOND AMENDMENT TO THE ADMINISTRATIVE CONTRACT WITH LIEBERT CASSIDY WHITMORE TO CONTINUE TO PROVIDE LABOR NEGOTIATOR SERVICES

Recommend that the City Council:

- a. Approve a Second Amendment Professional Services Agreement (Contract No. 1873(b) with Liebert Cassidy Whitmore to increase the total not-to-exceed amount from \$50,000 to \$75,000; and
- b. Authorize the City Manager to execute all related documents.

6) CONSIDERATION OF FISCAL YEAR (FY) 2018-2019 LANDSCAPING AND LIGHTING ASSESSMENT DISTRICT (LLAD) APPROVAL OF ENGINEER'S REPORT AND SETTING THE DATE FOR THE PUBLIC HEARING

Recommend that the City Council:

- a. Adopt Resolution No. 7854 approving the Engineer's Report for FY 2018-2019 LLAD; and
- b. Adopt Resolution No. 7855 declaring the City Council's intention to order the annual assessments for FY 2018-2019 LLAD and setting the date for the Public Hearing on June 18, 2018.

7) CONSIDERATION TO APPROPRIATE AIR QUALITY MANAGEMENT DISTRICT FUNDS FOR THE COMPRESSED NATURAL GAS UPGRADE PROJECT

Recommend that the City Council adopt Resolution No. 7853 amending the FY 2017-2018 adopted budget appropriating \$35,000 in Air Quality Management District funds for the local match related to the Compressed Natural Gas Upgrade Project.

8) CONSIDERATION TO ACCEPT AND APPROPRIATE GRANT FUNDS FROM THE ACTIVE TRANSPORTATION PROGRAM (ATP) AND MOBILE SOURCE AIR POLLUTION REDUCTION COMMITTEE (MSRC) FOR THE PACOIMA WASH BIKEWAY PROJECT

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Recommend that the City Council:

- a. Accept \$973,000 in ATP and \$354,000 in MSRC grant funds for the Pacoima Wash Bikeway Project;
- b. Adopt Resolution No. 7856 amending the FY 2017-2018 adopted budget appropriating the grant expenditures and revenues for the Pacoima Wash Bikeway Project; and
- c. Authorize the City Manager to execute all related documents.

9) CONSIDERATION TO APPROVE HOMELESS CONNECT DAY AND THE USE OF THE CITY SEAL

Recommend that the City Council:

- a. Approve Homeless Connect Day in the City to be held on July 19, 2018;
- b. Authorize the use of Las Palmas Park to host the event and waive any and all event fees;
- c. Approve the use of the City seal on Homeless Connect Day print material and social media pursuant to City Council Resolution No. 6904; and
- d. Authorize the Police Department to pursue donations to support the event.

PUBLIC HEARING**10) CONSIDERATION TO APPROVE REGULATIONS IN DESIGNATED ELECTRIC VEHICLE CHARGING STATION PARKING STALLS AND ADOPT RELATED FEES**

Recommend that the City Council:

- a. Conduct a Public Hearing,
- b. Pending public testimony, introduce for first reading, in title only, and waive further reading of Ordinance No. 1676, "An Ordinance of the City Council of the City of San Fernando, California, Amending Article IV (Stopping, Standing and Parking) of Chapter 90 (Traffic and Vehicles) of the San Fernando Municipal Code by the Addition of a New Division 9 (Electric Vehicle Charging Stations) to Regulate the Parking in Designated Electric Vehicle Charging Station Parking Stalls;"
- c. Accept and approve fee structure for public use of City-owned Electric Vehicle Charging Stations;

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- d. Adopt Resolution No. 7857 establishing a schedule of rates for the use of City-owned Electric Vehicle Charging Stations; and
- e. Allow the adjustment of fees when deemed necessary.

11) CONSIDERATION TO ADOPT AN ORDINANCE AUTHORIZING THE SERVING AND CONSUMPTION OF ALCOHOLIC BEVERAGES AT CITY RECREATIONAL FACILITIES SUBJECT TO REGULATIONS AND PERMIT CONDITIONS

Recommend that the City Council:

- a. Conduct a Public Hearing; and
- b. Pending public testimony, introduce for first reading, in title only, and waive further reading of Ordinance No. 1677, "An Ordinance of the City Council of the City of San Fernando, California, Amending Section 54-18 (Intoxicating Liquor Prohibited) of Article I (In General) of Chapter 54 (Parks And Recreation) of the San Fernando Municipal Code to Authorize the Presence and Consumption of Alcohol at City Recreational Facilities Subject To Permit Conditions."

ADMINISTRATIVE REPORTS**12) FISCAL YEAR (FY) 2018-2019 BUDGET STUDY SESSION NO. 1**

Recommend that the City Council review and discuss the FY 2018-2019 Proposed Budget.

13) REQUEST FOR AN UPDATE REGARDING PROPAGANDA AND FLIERS CODE ENFORCEMENT

This item is placed on the agenda by Councilmember Jaime Soto.

14) REQUEST FOR AN UPDATE REGARDING ICE CREAM TRUCK VENDOR OPERATIONS REGULATION

This item is placed on the agenda by Councilmember Jaime Soto.

DEPARTMENT HEADS - COMMISSION UPDATES**GENERAL COUNCIL COMMENTS**

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STAFF COMMUNICATION**ADJOURNMENT**

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

Elena G. Chávez, CMC

City Clerk

Signed and Posted: May 17, 2018 (4:00 p.m.)

Agendas and complete Agenda Packets (including staff reports and exhibits related to each item) are posted on the City's Internet website (www.sfcity.org). These are also available for public reviewing prior to a meeting in the City Clerk Department. 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 Department 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 website 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 Department at (818) 898-1204 at least 48 hours prior to the meeting.

Regular Meeting

San Fernando City Council

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**SAN FERNANDO CITY COUNCIL
MINUTES**

**MAY 7, 2018 – 5:00 P.M.
SPECIAL MEETING**

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

CALL TO ORDER/ROLL CALL

Mayor Sylvia Ballin called the meeting to order at 5:02 p.m.

Present:

Council: Mayor Sylvia Ballin, Vice Mayor Antonio Lopez and Councilmembers Joel Fajardo and Robert C. Gonzales

Staff: City Manager Alexander P. Meyerhoff, Assistant City Attorney Richard Padilla and City Clerk Elena G. Chávez

Absent: Councilmember Jaime Soto

APPROVAL OF AGENDA

Assistant City Attorney Padilla reported that there was a need to add a walk-on item to the Closed Session agenda regarding G.C. §54956.8 real property negotiations. The item came to staff's attention after the agenda was posted and there is a need for immediate action.

Motion by Councilmember Fajardo, seconded by Vice Mayor Lopez, to approve the agenda as amended. By consensus, the motion carried.

PUBLIC STATEMENTS – WRITTEN/ORAL

None

RECESS TO CLOSED SESSION (5:04 P.M.)

By consensus, Councilmembers recessed to the following Closed Session as announced by Assistant City Attorney Padilla:

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

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Designated City Negotiators:

City Manager Alexander P. Meyerhoff
Deputy City Manager/Director of Finance Nick Kimball
City Attorney Rick Olivarez
Assistant City Attorney Richard Padilla

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

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

B) PUBLIC EMPLOYEE PERFORMANCE EVALUATION

G.C. §54957

Title of Employee: City Manager

C) PUBLIC EMPLOYEE PERFORMANCE EVALUATION

G.C. §54957

Title of Employee: City Clerk

D) CONFERENCE WITH REAL PROPERTY NEGOTIATOR

G.C. §54956.8

Property: 1320 San Fernando Road, City of San Fernando
Assessor Parcel Number 2521-016-900
City Negotiators: City Manager Alexander P. Meyerhoff
City Attorney Rick Olivarez
Assistant City Attorney Richard Padilla
Negotiating Parties: Brookwood Group, Inc.
c/o Michael Gion
Under Negotiation: Price and Terms of Payment as it Relates to Leasing or Purchasing of
Real Property

E) CONFERENCE WITH REAL PROPERTY NEGOTIATOR

G.C. §54956.8

Property: City owned parcels at Assessor Parcel Numbers 2521-031-901, 902 &
903 (San Fernando Mission Blvd., between Celis St. and Pico St.),
City of San Fernando
City Negotiators: City Manager Alexander P. Meyerhoff
City Attorney Rick Olivarez
Assistant City Attorney Richard Padilla

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Negotiating Parties: Aszkenazy Development, Inc.
c/o Aaron Aszkenazy

Under Negotiation: Price and Terms of Payment as it Relates to Leasing or Purchasing of Real Property

F) CONFERENCE WITH LEGAL COUNSEL TO DISCUSS FACTS AND CIRCUMSTANCES WHICH MAY CREATE EXPOSURE TO LITIGATION

G.C. § 54956.9(d)(2) AND 54956.9(e)(3)

One (1) Matter

G) CONFERENCE WITH REAL PROPERTY NEGOTIATOR

G.C. §54956.8

Property: City owned parcel at Assessor Parcel Number 2521-031-903 (San Fernando Mission Blvd. and Celis St.), City of San Fernando

City Negotiators: City Manager Alexander P. Meyerhoff
City Attorney Rick Olivarez
Assistant City Attorney Richard Padilla

Negotiating Parties: Jack in the Box Inc.
Michael Tohikian, Hot Spot Properties, Inc.

Under Negotiation: Price and Terms of Payment as it Relates to Leasing or Purchasing of Real Property

RECESS (5:04 P.M.)

Recess was called at this time in order to continue with the regular meetings of the Successor Agency and the City Council.

RECONVENE/RECESS (8:11 P.M.)

RECONVENE/REPORT OUT FROM CLOSED SESSION (8:54 P.M.)

Assistant City Attorney Padilla stated that Councilmember Soto was absent and reported the following:

Item A – An update was provided by staff but no final action taken.

Item B – General discussion; no final action taken.

Item C – Matter will be carried over for a future meeting.

Item D – An update was provided by staff. Feedback was provided by the City Council, but no final action taken. Councilmember Gonzales did not participate in the discussion of this item.

Item F – A general update was provided by staff but no final action taken.

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Items E & G (Companion items) – An update was provided by staff but no final action taken.

ADJOURNMENT (8:54 P.M.)

Motion by Councilmember Fajardo, seconded by Vice Mayor Lopez, to adjourn. By consensus, the meeting was adjourned.

I do hereby certify that the foregoing is a true and correct copy of the minutes of May 7, 2018, meeting as approved by the San Fernando City Council.

*Elena G. Chávez, CMC
City Clerk*

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AGENDA REPORT

To: Mayor Sylvia Ballin and Councilmembers

From: Alexander P. Meyerhoff, City Manager
By: Nick Kimball, Deputy City Manager/Director of Finance

Date: May 21, 2018

Subject: Consideration to Adopt a Resolution Approving the Warrant Register

RECOMMENDATION:

It is recommended that the City Council adopt Resolution No. 18-052 (Attachment "A") approving the Warrant Register.

BACKGROUND:

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

The Deputy City Manager/Director of Finance 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 City Manager/Director of Finance hereby certifies that each warrant has been reviewed for completeness and that sufficient funds are available for payment of the warrant register.

ATTACHMENT:

A. Resolution No. 18-052

ATTACHMENT "A"**RESOLUTION NO. 18-052****RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN FERNANDO ALLOWING AND APPROVING FOR PAYMENT DEMANDS PRESENTED ON DEMAND/ WARRANT REGISTER NO. 18-052****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, 2018.

Sylvia Ballin, Mayor

ATTEST:

Elena G. Chávez, City Clerk

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

I HEREBY CERTIFY that the foregoing Resolution was approved and adopted at a regular meeting of the City Council held on the 21st day of May, 2018, by the following vote to wit:

AYES:

NOES:

ABSENT:

Elena G. Chávez, City Clerk

EXHIBIT "A"

vchlist

05/16/201811:31:44AM

Voucher List

CITY OF SAN FERNANDO

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Bank code :bank3

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
210183	5/21/2018	100031 A-1 LAWNMOWER INC.	77172		CASTER WHEELS & PIVOT-PK0083 041-320-0390-4400	302.79
					Total :	302.79
210184	5/21/2018	890104 ABBA TERMITE & PEST CONTROL	35256		LIVE BEE REMOVAL-706 HARPS WATEI 070-383-0000-4260	95.00
					Total :	95.00
210185	5/21/2018	100066 ADS ENVIRONMENTAL SERVICES,INC	22291.22-0218	11718	FEB-WASTEWATER FLOW MONITORIN 072-360-0000-4260	910.00
			22291.22-0418	11718	APR-WASTEWATER FLOW MONITORIN 072-360-0000-4260	1,615.05
					Total :	2,525.05
210186	5/21/2018	888356 ADVANCED AUTO REPAIR	1232	11675	VEHICLE REPAIRS AND BODY WORK-F 041-320-0311-4400	180.95
			1234	11675	VEHICLE REPAIRS AND BODY WORK-V 070-382-0000-4400	406.69
			1235	11675	VEHICLE REPAIRS AND BODY WORK-C 041-320-0152-4400	614.65
					Total :	1,202.29
210187	5/21/2018	887377 AKEMON, DOLORES	MAY 2018		COMMISSIONER'S STIPEND 001-310-0000-4111	50.00
					Total :	50.00
210188	5/21/2018	889043 ALADIN JUMPERS	851		STAGE RENTAL FOR SENIOR EXPO 004-2346	313.00
			852		BALLOONS FOR SENIOR EXPO 004-2346	133.00
					Total :	446.00
210189	5/21/2018	100143 ALONSO, SERGIO	APRIL 2018		MMAP INSTRUCTOR 109-424-3678-4260	1,140.00
					Total :	1,140.00

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vchlist

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Bank code :bank3

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
210190	5/21/2018	892285 APARICIO, MARGARITA	2000090.003		SENIOR TRIP REFUND 004-2383	80.00
					Total :	80.00
210191	5/21/2018	100025 APWA	747540		PW WEEK GIVEAWAYS 043-390-0000-4300 041-320-0000-4300 070-381-0000-4430 001-341-0301-4300 001-370-0301-4300 001-310-0000-4300	53.82 53.82 53.82 53.82 53.82 53.82
					Total :	322.92
210192	5/21/2018	892869 ARMENTA, LUZ	33-1745-06		WATER ACCT REFUND-1044 HOLLISTE 070-2010	15.77
					Total :	15.77
210193	5/21/2018	888321 ARRIZON, FRANCISCO	MAY 2018		COMMISSIONER'S STIPEND 001-310-0000-4111	50.00
					Total :	50.00
210194	5/21/2018	100222 ARROYO BUILDING MATERIALS, INC	207111	11685	LOCAL HARDWARE PURCHASES 070-383-0301-4300	139.59
			207496	11685	LOCAL HARDWARE PURCHASES 070-383-0301-4300	155.50
					Total :	295.09
210195	5/21/2018	892772 ARSENAL TOOL, LLC	30096	11748	26" WALK-BEHIND CONCRETE SAW 070-385-0000-4500	616.94
			30096A	11748	26" WALK-BEHIND CONCRETE SAW 070-385-0000-4500	524.04
			30139		ROCK DRILL REPAIR 070-383-0000-4320	220.59
					Total :	1,361.57
210196	5/21/2018	889913 BALLIN, SYLVIA	REIMB.		WOMEN'S CONF & WATER NOW ALLIAI 001-101-0101-4380	54.00

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Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
210196	5/21/2018	889913 BALLIN, SYLVIA	(Continued)		001-101-0101-4370 001-101-0101-4380	41.29 25.00
					Total :	120.29
210197	5/21/2018	890546 BARAJAS, CRYSTAL	APRIL 2018		MMAP MENTOR INSTRUCTOR 109-424-3678-4260	272.00
					Total :	272.00
210198	5/21/2018	892784 BARAJAS, MARIA BERENICE	03/31/18-05/04/18 03/31/18-05/04/18 03/31/18-05/25/18		CYCLING INSTRUCTOR 017-420-1337-4260 CROSSFIT/CARDIO INSTRUCTOR 017-420-1337-4260 TRX STRENGTH TRAINING INSTRUCTO 017-420-1337-4260	80.00 250.00 100.00
					Total :	430.00
210199	5/21/2018	892787 BATMAZYAN, MARGARITE	04/16/18-05/25/18		SENIOR ZUMBA INSTRUCTOR 017-420-1322-4260	660.00
					Total :	660.00
210200	5/21/2018	892426 BEARCOM	4655995R 4691331	11679 11614	VEHICLE COMPUTERS FOR PATROL, C 001-225-0000-4500 COMPUTER MAINTENANCE CONTRAC 001-135-0000-4260	119,799.42 7,173.35
					Total :	126,972.77
210201	5/21/2018	100342 BELDEN, ANTHONY	REIMB.		REIMB OF WORK BOOTS 001-222-0000-4300	100.00
					Total :	100.00
210202	5/21/2018	892014 BERNAL, DAVID	MAY 2018		COMMISSONER'S STIPEND 001-310-0000-4111	50.00
					Total :	50.00
210203	5/21/2018	890838 BLUE TARP CREDIT SERVICES	40155152 40170696	11686	VEHICLE MAINTENANCE AND REPAIR I 043-390-0000-4300 VEHICLE MAINTENANCE AND REPAIR I	44.95
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Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
210203	5/21/2018	890838 BLUE TARP CREDIT SERVICES	(Continued)	11686	041-320-0000-4400	748.98
					Total :	793.93
210204	5/21/2018	892865 BLUE360 MEDIA LLC	INV-16912		CA PENAL CODE BOOKS (7) 001-222-0000-4300	420.84
					Total :	420.84
210205	5/21/2018	892881 BULLOCK, RACHEL	2018 SCHOLARSHIP		2018 SCHOLARSHIP AWARD PROGRAM 053-2950	500.00
					Total :	500.00
210206	5/21/2018	888800 BUSINESS CARD	040418 040418 040618 040918 040918 040918 040918 041118 041618 041718 041818		CONF LODGING-2018 WOMEN'S CONF 001-101-0101-4370 STORAGE BINS FOR EXERCISE EQUIP 017-420-1337-4300 CREDIT CARD MAGNETIC STRIP READ 001-224-0000-4300 BUSINESS CARDS 043-390-0000-4300 001-420-0000-4300 001-150-0000-4300 001-310-0000-4300 WEBINAR REGISTRATION 001-105-0000-4360 DECORATIONS FOR LP SENIOR CLUB 004-2380 DECORATIONS-SENIOR CLUB DANCE 004-2380 AMAZON PRIME-ANNUAL MEMBERSHIP 001-190-0000-4380 CONF LODGING-CAPIO ANNUAL CONF 001-105-0000-4370 DVD PLAYER 001-105-0000-4300 SUMMIT REGISTRATION 001-420-0000-4360	629.46 79.19 56.74 31.13 88.87 33.75 57.74 20.00 26.99 39.04 108.90 578.97 60.19 50.00
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Bank code :		bank3				
Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
210206	5/21/2018	888800 BUSINESS CARD	(Continued)			
			041818		001-422-0000-4370 ADMIN PRINTER TONER	50.00
					001-105-0000-4300	85.39
					001-101-0000-4300	85.40
					001-115-0000-4300	85.39
			041818		REPL PRINTER	
					001-131-0000-4300	295.90
			041918		SUPPLIES-SCHOLARSHIP AWARD CER	
					001-115-0000-4450	67.72
			041918		EXTERNAL HARD DRIVE FOR RCS	
					001-420-0000-4300	131.99
			042318		EOC PROJECTOR UPGRADE	
					001-250-0000-4300	2,400.77
			042418		LP CLUB DAY TRIP	
					004-2383	1,540.62
			043018		CONF LODGING-GSMO ANNUAL CONF	
					001-105-0000-4370	782.48
			043018		CONF LODGING REFUND-GSMO ANNU	
					001-105-0000-4370	-195.62
			043018		FINANCE CHARGES	
					001-190-0000-4435	2.00
			043018		DECORATION-SENIOR CLUB DANCE	
					004-2380	39.04
					Total :	7,232.05
210207	5/21/2018	888800 BUSINESS CARD	042318		CLASSIFIED AD	
					001-224-0000-4270	10.45
			050218		BATTERY	
					001-222-0000-4300	89.53
					Total :	99.98
210208	5/21/2018	890368 C & M TOPSOIL, INC	65717		INFIELD MIX	
					043-390-0000-4300	21.21
					Total :	21.21
210209	5/21/2018	888290 CAAIR RESOURCES BOARD	P-38645-0718		ARB PERMITS	

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Bank code :		bank3				
Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
210209	5/21/2018	888290 CAAIR RESOURCES BOARD	(Continued)			
					041-320-0000-4450	1,955.00
					Total :	1,955.00
210210	5/21/2018	892862 CAAL, CARLOS	2000088.003		SENIOR TRIP REFUND	
					004-2383	60.00
			2000092.003		SENIOR TRIP REFUND	
					004-2383	40.00
					Total :	100.00
210211	5/21/2018	100466 CACEO	300007667		ANNUAL MEMBERSHIP FEE	
					001-152-0000-4380	95.00
			300008174		ANNUAL MEMBERSHIP FEE	
					001-152-0000-4380	95.00
					Total :	190.00
210212	5/21/2018	892221 CASILLAS, JOCELYN	2018 SCHOLARSHIP		2018 SCHOLARSHIP AWARD PROGRAM	
					053-2950	500.00
					Total :	500.00
210213	5/21/2018	892880 CHAVEZ, ARACELY	2018 SCHOLARSHIP		2018 SCHOLARSHIP AWARD PROGRAM	
					053-2950	500.00
					Total :	500.00
210214	5/21/2018	891767 CHAVEZ, ELIZABETH	03/31/18-05/04/18		ZUMBA INSTRUCTOR	
					017-420-1337-4260	100.00
					Total :	100.00
210215	5/21/2018	100713 CITY OF GLENDALE	GLN0000007688		WATERMASTER COST SHARE AGREEM	
					070-381-0000-4270	1,514.70
					Total :	1,514.70
210216	5/21/2018	100731 CITY OF LOS ANGELES	74WP170000142	11640	O&M PORTION OF ASSSC-MAY 2018	
					072-365-0629-4600	196,525.00
			74WP170000143	11641	ASSSC CAPITAL PORTION-MAY 2018	
					072-360-0629-4260	147,704.00
					Total :	344,229.00

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210217	5/21/2018	103029 CITY OF SAN FERNANDO	17971-17973		REIMB TO WORKER'S COMP ACCT 006-1035	4,244.66
					Total :	4,244.66
210218	5/21/2018	100805 COOPER HARDWARE INC.	110753	11672	MISC SUPPLIES FOR PW OPERATIONS 043-390-0000-4300	15.21
			110850	11672	MISC SUPPLIES FOR PW OPERATIONS 043-390-0000-4300	18.60
			110856	11672	MISC SUPPLIES FOR PW OPERATIONS 001-341-0301-4300	84.26
			110996	11672	MISC SUPPLIES FOR PW OPERATIONS 043-390-0000-4300	15.42
			111097	11672	MISC SUPPLIES FOR PW OPERATIONS 070-383-0301-4300	31.72
					Total :	165.21
210219	5/21/2018	892687 CORE & MAIN LP	1778393	11681	WATER METERS & FIRE SERVICE MATI 070-383-0301-4300	1,517.24
					Total :	1,517.24
210220	5/21/2018	100499 CPCA	10402		MEMBERSHIP RENEWAL 001-222-0000-4380	440.00
					Total :	440.00
210221	5/21/2018	103868 DAVID EVANS & ASSOCIATES, INC	417076	11727	DESIGN SERVICES FOR SRTS CYCLE 012-311-0552-4600	16,908.50
			417077	11728	DESIGN SERVICES FOR SRTS CYCLE 012-311-0553-4600	5,953.50
					Total :	22,862.00
210222	5/21/2018	892871 DE LOS SANTOS, EDUARDO	52-1920-03		WATER ACCT REFUND-1942 CHIVERS 070-2010	4.16
					Total :	4.16
210223	5/21/2018	892883 DEL TORO, LORENA	2018 SCHOLARSHIP		2018 SCHOLARSHIP AWARD PROGRAM 053-2950	500.00
					Total :	500.00

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210224	5/21/2018	891533 DEXYP	610037040533		DOMAIN RGSTR & EMAIL HOSTING-AP 001-190-0000-4220	56.73
					Total :	56.73
210225	5/21/2018	891425 DIAZ, MARISOL	REIMB.		ITEMS PURCHASED-SENIOR CLUB EVI 004-2382	35.14
					004-2346	50.90
					Total :	86.04
210226	5/21/2018	892872 DOUMANIAN & ASSOCIATES	28171		LEGAL SERVICES 001-112-0000-4270	3,571.54
					Total :	3,571.54
210227	5/21/2018	892884 DREXLER, ANGELA	2018 SCHOLARSHIP		2018 SCHOLARSHIP AWARD PROGRAM 053-2953	500.00
					Total :	500.00
210228	5/21/2018	101010 DUTHIE POWER SERVICES INC.	A52763	11699	GENERATOR MAINTENANCE AND REP. 041-320-0000-4260	756.55
					Total :	756.55
210229	5/21/2018	890879 EUROFINS EATON ANALYTICAL, INC	L0377813		WATER ANALYSIS-F721891 070-384-0000-4260	139.60
			L0377815		WATER ANALYSIS-F722122 070-384-0000-4260	139.60
			L0377842		WATER ANALYSIS-F722909 070-384-0000-4260	139.60
			L0378303		WATER ANALYSIS-F723689 070-384-0000-4260	139.60
			L0378304		WATER ANALYSIS-F723766 070-384-0000-4260	139.60
			L0379008		WATER ANALYSIS-F724533 070-384-0000-4260	139.60
			L0379009		WATER ANALYSIS-F723775 070-384-0000-4260	24.00
			L0379472		WATER ANALYSIS-F725061 070-384-0000-4260	139.60

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210229	5/21/2018	890879 EUROFINS EATON ANALYTICAL, INC	(Continued) L0380184		WATER ANALYSIS-F726246 070-384-0000-4260	139.60
					Total :	1,140.80
210230	5/21/2018	890981 FAJARDO, JOEL	REIMB.		WELLNESS BENEFIT REIMB. FY17/18 001-101-0103-4140	63.41
			REIMB.		PARKING FEE-LEAGUE OF CA. CITIES 001-101-0103-4380	5.00
					Total :	68.41
210231	5/21/2018	891622 FARMER BROTHERS	67899094		BREAK ROOM SUPPLIES 001-222-0000-4300	29.75
					Total :	29.75
210232	5/21/2018	101147 FEDEX	6-164-88427		COURIER SERVICE 001-190-0000-4280	72.66
					Total :	72.66
210233	5/21/2018	103856 FLAGS USA INC.	70281		US FLAGS 001-341-0301-4300	432.50
					Total :	432.50
210234	5/21/2018	890365 FLORES, BARBARA	72003876		PARKING CITATION REFUND 001-3430-0000	110.00
			72003877		PARKING CITATION REFUND 001-3430-0000	120.00
					Total :	230.00
210235	5/21/2018	892663 FRESNO CITY COLLEGE	13576747		RGSTR-BACKGROUND INVESTOR COL 001-225-0000-4360	111.00
					Total :	111.00
210236	5/21/2018	892198 FRONTIER COMMUNICATIONS	209-150-5145-010598		PAC 50 TO SHERIFFS 001-222-0000-4220	569.82
			209-150-5250-081292		RADIO REPEATER 001-222-0000-4220	45.95
			209-150-5251-040172		MWD METER	
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210236	5/21/2018	892198 FRONTIER COMMUNICATIONS	(Continued)		070-384-0000-4220	45.95
			209-151-4939-1029990		MUSIC CHANNEL 001-190-0000-4220	41.82
			209-151-4941-102990		POLICE PAGING 001-222-0000-4220	50.85
			209-151-4943-081292		RADIO REPEATER 001-222-0000-4220	45.95
			209-188-4361-031792		RCS PHONE LINES 001-420-0000-4220	103.15
			209-188-4362-031792		POLICE MAJOR PHONE LINES 001-222-0000-4220	567.11
			209-188-4363-031892		VARIOUS PHONE LINES 001-190-0000-4220	72.80
					070-384-0000-4220	216.35
					001-420-0000-4220	247.33
			818-361-2385-012309		MTA PHONE LINE & CREDIT CARD PHC 007-440-0441-4220	39.40
					001-190-0000-4220	19.70
			818-361-3728-080105		ENGINEERING FAX LINE 001-310-0000-4220	33.89
			818-361-3958-091407		CNG STATION PHONE LINE 074-320-0000-4220	47.38
			818-365-5097-120298		PD NARCOTICS VAULT 001-222-0000-4220	33.25
			818-837-1509-032207		PWV PHONE LINE 001-190-0000-4220	24.14
			818-838-1841-112596		ENGINEERING FAX MODEM 001-310-0000-4220	34.00
			818-838-4969-021803		PD ALARM PANEL 001-222-0000-4220	106.22
					Total :	2,345.06
210237	5/21/2018	101296 GEMINI GROUP L.L.C.	118-13232		2017 ANNUAL WATER QUALITY REPOR 070-381-0000-4430	2,243.00
					Total :	2,243.00
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210238	5/21/2018	891664 GOLDEN TOUCH CLEANING, INC	65096	11608	APR-JANITORIAL SERVICES CONTRAC 043-390-0000-4260	13,095.50
					Total :	13,095.50
210239	5/21/2018	101376 GRAINGER, INC.	9754927383	11658	SUPPLIES FOR BLDG AND LANDSCAPE 043-390-0000-4300	322.17
			9767002307	11658	SUPPLIES FOR BLDG AND LANDSCAPE 043-390-0000-4300	322.17
			9767467393	11658	SUPPLIES FOR BLDG AND LANDSCAPE 043-390-0000-4300	24.38
			9767467401	11658	SUPPLIES FOR BLDG AND LANDSCAPE 043-390-0000-4300	16.99
			9767467419	11658	SUPPLIES FOR BLDG AND LANDSCAPE 043-390-0000-4300	146.26
			9767762298	11658	SUPPLIES FOR BLDG AND LANDSCAPE 043-390-0000-4300	50.95
			9767765143	11658	SUPPLIES FOR BLDG AND LANDSCAPE 043-390-0000-4300	380.61
			9767765150	11658	SUPPLIES FOR BLDG AND LANDSCAPE 043-390-0000-4300	71.50
			9767984405	11658	SUPPLIES FOR BLDG AND LANDSCAPE 043-390-0000-4300	51.33
			9768243256	11658	SUPPLIES FOR BLDG AND LANDSCAPE 043-390-0000-4300	73.13
			9769663387	11658	SUPPLIES FOR BLDG AND LANDSCAPE 043-390-0000-4300	188.77
					Total :	1,648.26
210240	5/21/2018	101434 GUZMAN, JESUS ALBERTO	APRIL 2018		MMAP INSTRUCTOR 109-424-3678-4260	2,600.00
					Total :	2,600.00
210241	5/21/2018	101512 HDL, COREN & CONE	0025183-IN		CONTRACT SERVICES PROPERTY TAX 001-130-0000-4270	1,465.75
					Total :	1,465.75
210242	5/21/2018	892863 HERNANDEZ, JOSE A	PERMIT 4484		METER INSTALL REFUND	

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210242	5/21/2018	892863 HERNANDEZ, JOSE A	(Continued)		070-3840-0000 070-3835-0000	945.00 1,821.00
					Total :	2,766.00
210243	5/21/2018	888309 HI 2 LO VOLTAGE WIRING CO, INC	18225		MONITORING SERVICES 04/01/18-06/30 001-222-0000-4260	75.00
					Total :	75.00
210244	5/21/2018	892559 HOFFMAN, RICHARD	2018 SCHOLARSHIP		2018 SCHOLARSHIP AWARD PROGRAM 053-2955	1,000.00
					Total :	1,000.00
210245	5/21/2018	892864 HOU, TIMOTHY	REIMB.		REIMB. OF LODGING -SCAG AWARD LL 001-150-0000-4370	199.69
					Total :	199.69
210246	5/21/2018	101593 I.M.S.A.	IMSA ID 118236		2018 MEMBERSHIP RENEWAL 043-390-0000-4360	100.00
					Total :	100.00
210247	5/21/2018	101599 IMAGE 2000 CORPORATION	196707		VARIOUS COPIER MAINT CONTRACT 0 001-135-0000-4260	1,336.17
					072-360-0000-4450	28.14
			199742		ADMIN COPIER TONERS-SHIPPIING FE 001-190-0000-4320	141.55
					001-190-0000-4300	29.00
					Total :	1,534.86
210248	5/21/2018	891570 INNOVATIVE TELECOM. SYSTEMS	2317		INTALL & PRG PW ANALYST PHONE; AI 001-190-0000-4260	115.00
			2320		001-190-0000-4220	191.19
					TELEPHONE EQUIP MAINT-JUNE 2018 001-190-0000-4260	395.00
					Total :	701.19
210249	5/21/2018	101647 INTERSTATE BATTERY	30075781	11751	BATTERIES FOR FLEET 041-1215	241.30

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210249	5/21/2018	101647 101647 INTERSTATE BATTERY	(Continued)			Total : 241.30
210250	5/21/2018	892682 IPS GROUP, INC.	33396	11759	PARKING METER PROGRAM-APRIL 001-190-0000-4300	271.94 Total : 271.94
210251	5/21/2018	891777 IRRIGATION EXPRESS	15114957-00	11659	MISC. IRRIGATION SUPPLIES FOR REF 043-390-0000-4300	573.83
			15115029-00	11659	MISC. IRRIGATION SUPPLIES FOR REF 043-390-0000-4300	306.42
			15115031-00	11659	MISC. IRRIGATION SUPPLIES FOR REF 043-390-0000-4300	65.59
					Total :	945.84
210252	5/21/2018	887952 J. Z. LAWNMOWER SHOP	18944	11690	SMALL EQUIPMENT REPAIR 043-390-0000-4300	68.74
			18945	11690	SMALL EQUIPMENT REPAIR 043-390-0000-4300	37.18
					Total :	105.92
210253	5/21/2018	889680 JIMENEZ LOPEZ, JUAN MANUEL	APRIL 2018		MMAP INSTRUCTOR 109-424-3678-4260	1,560.00 Total : 1,560.00
210254	5/21/2018	892885 JIMENEZ, MARIA	2018 SCHOLARSHIP		2018 SCHOLARSHIP AWARD PROGRAM 053-2953	440.00
					053-101-0101-4430	60.00
					Total :	500.00
210255	5/21/2018	102387 K.R. NIDA CORPORATION	2001479		HANDHELD RADIO REPL BATTERY 001-341-0301-4300	84.38 Total : 84.38
210256	5/21/2018	892879 KARWA, PORUS	2018 SCHOLARSHIP		2018 SCHOLARSHIP AWARD PROGRAM 053-2950	500.00 Total : 500.00
210257	5/21/2018	891794 KIMBALL, NICK	REIMB.		RGSTR-SCAG AWARD LUNCHEON	
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210257	5/21/2018	891794 KIMBALL, NICK	(Continued)		001-130-0000-4370	150.00 Total : 150.00
210258	5/21/2018	101768 KIMBALL-MIDWEST	6310001		MISC NUTS, BOLTS & HARDWARE 041-1215	219.39 Total : 219.39
210259	5/21/2018	891738 KNIGHT COMMUNICATIONS INC	2010956	11588	IT MANAGEMENT SERVICES-MAY 2018 001-135-0000-4270	10,000.00 Total : 10,000.00
210260	5/21/2018	101837 LAKE NATOMA INN	TRAVEL		LODGING-POST SBSLI CLASS 418 TR/ 001-225-0000-4370	285.00 Total : 285.00
210261	5/21/2018	100886 LOS ANGELES DAILY NEWS	0011094098		PUBLICATION-GLENOAKS PROJ PUBLI 012-311-6673-4600	410.20 Total : 410.20
210262	5/21/2018	892243 MAGALY'S TAMALES	052218		FOOD FOR 2018 SCHOLARSHIP AWAR 001-115-0000-4450	165.00 Total : 165.00
210263	5/21/2018	892878 MAGANA, BERENICE	2018 SCHOLARSHIP		2018 SCHOLARSHIP AWARD PROGRAM 053-2950	500.00 Total : 500.00
210264	5/21/2018	888254 MCCALLA COMPANY	187541		WIPES & GLOVES 001-222-0000-4300	511.15 Total : 511.15
210265	5/21/2018	888242 MCI COMM SERVICE	7DK54968		MTA PHONE LINE 007-440-0441-4220	33.61 Total : 33.61
210266	5/21/2018	891630 MGT OF AMERICA, INC.	33426	11749	CONSULTING SERVICES FOR SB90 CL 001-130-0000-4270	1,425.00
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210266	5/21/2018	891630	891630 MGT OF AMERICA, INC.	(Continued)		Total : 1,425.00
210267	5/21/2018	892140	MICHAEL BAKER	1006942	FEB-CDBG ADMINISTRATIVE & LABOR	3,465.00
				1012876	MAR-CDBG ADMINISTRATIVE & LABOR	2,400.00
					026-311-0159-4260	Total : 5,865.00
210268	5/21/2018	102226	MISSION LINEN SUPPLY	507258513	LAUNDRY	112.89
				507286633	001-225-0000-4350	81.02
				507305994	LAUNDRY	136.92
				507333216	001-225-0000-4350	81.02
					001-225-0000-4350	Total : 411.85
210269	5/21/2018	892867	MITCHELL, TOMASA	31-0505-05	WATER ACCT REFUND-655 FOURTH	59.01
					070-2010	Total : 59.01
210270	5/21/2018	892876	MORALES, FERNANDO	2018 SCHOLARSHIP	2018 SCHOLARSHIP AWARD PROGRAM	1,000.00
					053-2955	Total : 1,000.00
210271	5/21/2018	892535	MORAN, YOVANNI	03/31/18-05/04/18	YOGA INSTRUCTOR	125.00
					017-420-1337-4260	Total : 125.00
210272	5/21/2018	891542	MR "B" PRINTING INC.	38857	PROGRAM FLYERS	465.37
					001-423-0000-4300	Total : 465.37
210273	5/21/2018	102325	NAPA AUTO PARTS	5478-961053	MAT'L'S NEEDED FOR LOCK REPAIR	21.93
					043-390-0000-4300	Total : 21.93

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210274	5/21/2018	891355 NAREZ, FABIAN	APRIL 2018		MMAP MENTOR INSTRUCTOR 109-424-3678-4260	272.00 272.00
210275	5/21/2018	892875 NAVA, MARLENE	2018 SCHOLARSHIP		2018 SCHOLARSHIP AWARD PROGRAM 053-2955	1,000.00 1,000.00
210276	5/21/2018	892877 OCHOA, RACHEL	2018 SCHOLARSHIP		2018 SCHOLARSHIP AWARD PROGRAM 053-2955	1,000.00 1,000.00
210277	5/21/2018	892877 OCHOA, RACHEL	2018 SCHOLARSHIP		2018 SCHOLARSHIP AWARD PROGRAM 053-2950	500.00 500.00
210278	5/21/2018	102432 OFFICE DEPOT	128413535001		DESK MONITOR RISER	211.19
			128462645001		OFFICE SUPPLIES	106.95
			130038745001		HP PRINTER TONER	212.46
					001-101-0000-4300	212.46
					001-105-0000-4300	212.46
					001-115-0000-4300	115.08
			131090130001		OFFICE SUPPLIES	37.70
			131103435001		OFFICE SUPPLIES	363.70
			132766044001		OFFICE SUPPLIES	85.73
			132766209001		OFFICE SUPPLIES	633.57
			134062928001		(3) DESK MONITOR RISERS	172.39
			134063059001		001-130-0000-4300	
					OFFICE SUPPLIES	
					001-222-0000-4300	
			2182156350		OFFICE SUPPLIES	

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210278	5/21/2018	102432 OFFICE DEPOT	(Continued)			
			2183595004		001-420-0000-4300 OFFICE SUPPLIES	13.51
					001-341-0301-4300	15.00
			2183618602		041-320-0000-4300 OFFICE SUPPLIES	260.34
					041-320-0000-4300	49.21
					Total :	2,701.75
210279	5/21/2018	890095 O'REILLY AUTOMOTIVE STORES INC	4605-279872	11666	VEHICLE MAINTENANCE & REPAIRS	
			4605-282654	11666	001-311-0000-4430 VEHICLE MAINTENANCE & REPAIRS	127.90
					001-311-0000-4430	26.38
					Total :	154.28
210280	5/21/2018	892360 PARKING COMPANY OF AMERICA	INVM0012284	11731	DIAL A RIDE AND TROLLEY SERVICES-	
				11731	008-313-0000-4260	1,131.18
					007-440-0442-4260	44,069.43
					Total :	45,200.61
210281	5/21/2018	892868 PEREZ, KATHLEEN	62-1792-08		WATER ACCT REFUND-1506 FOURTH	
					070-2010	69.74
					Total :	69.74
210282	5/21/2018	889545 PEREZ, MARIBEL	REIMB.		MILEAGE REIMB. - PARK SUMMIT & CP	
					001-420-0000-4390	43.96
					Total :	43.96
210283	5/21/2018	889763 PEREZ-HELLIWELL, JENNIFER	MAY 2018		COMMISSIONER'S STIPEND	
					001-310-0000-4111	50.00
					Total :	50.00
210284	5/21/2018	891379 PROTECT YOUTH SPORTS	597864		VOLUNTEERS BACKGROUND CHECK	
					017-420-1337-4260	251.40
					Total :	251.40
210285	5/21/2018	102697 PROVIDENCE HOLY CROSS	72000067070600		PROFESSIONAL SERVICES	
					001-225-0000-4350	35.00

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210285	5/21/2018	102697 PROVIDENCE HOLY CROSS	(Continued)			
					Total :	35.00
210286	5/21/2018	102738 QUINTERO ESCAMILLA, VIOLETA	APRIL 2018		SENIOR MUSIC INSTRUCTOR	
					017-420-1323-4260	240.00
					Total :	240.00
210287	5/21/2018	890464 R.H.F. INC.	72838		REPAIR & RECERTIFICATION OF LIDAF	
					001-222-0000-4320	413.66
					Total :	413.66
210288	5/21/2018	890947 RAIN FOR RENT	1181145	11772	EMERGENCY PUMP RENTAL DURING F	
					072-360-0000-4250	2,839.93
					Total :	2,839.93
210289	5/21/2018	102776 RAMIREZ FLORES, NANCY	FEB-APRIL 2018		MMAP PROJ ASSISTANT	
					108-424-3694-4260	575.00
					Total :	575.00
210290	5/21/2018	102779 RAMIREZ, THOMAS	APRIL 2018		KARATE INSTRUCTOR	
					017-420-1326-4260	540.00
					Total :	540.00
210291	5/21/2018	892368 REYES, MIGUEL ANGEL	04/16/18-05/25/18		LIFTING & ENERGY TRAINING INSTRU	
					017-420-1322-4260	360.00
					Total :	360.00
210292	5/21/2018	102855 RIO HONDO REGIONAL	RPL-206945		REPL STL DTD CK-RGSTR FTO TRAINII	
					001-2140	38.00
					Total :	38.00
210293	5/21/2018	892036 ROTHSCHILD, DEBORAH	04/16/18-05/25/18		STRETCH TO THE MUSIC INSTRUCTOR	
					017-420-1322-4260	600.00
					Total :	600.00
210294	5/21/2018	102929 ROYAL PAPER CORPORATION	4779074		JANITORIAL SUPPLIES	
					001-423-0000-4300	240.90
					001-424-0000-4300	240.90

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vchlist 05/16/2018 11:31:44AM		Voucher List CITY OF SAN FERNANDO				Page: 19
Bank code :		bank3				
Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
210294	5/21/2018	102929 102929 ROYAL PAPER CORPORATION	(Continued)			Total : 481.80
210295	5/21/2018	892882 RUIZ, FRIDA	2018 SCHOLARSHIP		2018 SCHOLARSHIP AWARD PROGRAM 053-2950	500.00 Total : 500.00
210296	5/21/2018	887575 SAN FERNANDO EXPLORER POST 521	REIMB.		REIMB-SUMMER ACADEMY FEES-(2) R 001-226-0230-4430	354.07 Total : 354.07
210297	5/21/2018	103051 SAN FERNANDO POLICE	FY17-18		CIF-2018 NATIONAL NIGHT OUT EVENT 053-101-0111-4430	500.00 Total : 500.00
210298	5/21/2018	892416 SANCHEZ, KARLA	03/31/18-05/04/18		ZUMBA INSTRUCTOR 017-420-1337-4260	350.00 Total : 350.00
210299	5/21/2018	887466 SIMON'S POWER EQUIPMENT, INC.	136081 136083		(2) TRIMMERS 001-341-0301-4300 (2) TRIMMERS 001-341-0301-4300	794.85 780.61 Total : 1,575.46
210300	5/21/2018	103184 SMART & FINAL	22773 48716 49149 53879 53918 56487 56488		TABLE CLOTHES FOR MOTHER'S DAY 004-2380 SENIOR CLUB TRIP SUPPLIES 004-2383 SENIOR CLUB MEETING SUPPLIES 004-2380 BREAK ROOM SUPPLIES 001-222-0000-4300 ENP COFFEE SUPPLIES 004-2346 BREAK ROOM SUPPLIES 001-222-0000-4300 CONDIMENTS FOR INMATE MEALS 001-225-0000-4350	103.40 59.10 90.48 27.92 93.66 80.09 54.40
						Page: 19

vchlist 05/16/2018 11:31:44AM		Voucher List CITY OF SAN FERNANDO				Page: 20
Bank code :		bank3				
Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
210300	5/21/2018	103184 103184 SMART & FINAL	(Continued)			Total : 509.05
210301	5/21/2018	890553 SMART SOURCE OF CALIFORNIA LLC	1443390		AP & PR CHECK STOCK 001-190-0000-4300 072-360-0000-4300 070-381-0000-4300	1,241.57 620.79 620.78 Total : 2,483.14
210302	5/21/2018	103218 SOLIS, MARGARITA	59-70		PETTY CASH REIMBURSEMENT 001-106-0000-4270 001-222-0000-4300 001-225-0000-4350 001-225-3688-4360 043-390-0000-4360 070-381-0000-4370 001-424-0000-4300	51.20 89.60 28.45 4.00 11.08 21.46 24.02 Total : 229.81
210303	5/21/2018	892367 SOLIS, MARGARITA	007;014-022		L P SENIOR PETTY CASH REIMB. 004-2380	255.95 Total : 255.95
210304	5/21/2018	103202 SOUTHERN CALIFORNIA EDISON CO.	2-02-682-7675		ELECTRIC-VARIOUS LOCATIONS 043-390-0000-4210	3,526.92 Total : 3,526.92
210305	5/21/2018	103251 STANLEY PEST CONTROL	033560 37516		PEST CONTROL-PD 043-390-0000-4260 PEST CONTROL-REC PARK 043-390-0000-4260	94.00 95.00 Total : 189.00
210306	5/21/2018	100532 STATE OF CALIFORNIA, DEPARTMENT OF JUSTICE	299190		LIVESCAN FINGERPRINTING-APRIL 20 004-2386 001-222-0000-4270	2,738.00 66.00 Total : 2,804.00
210307	5/21/2018	103299 SUPREME SALES COMPANY, INC.	18775		INMATE SUPPLIES	
						Page: 20

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Bank code : bank3						
Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
210307	5/21/2018	103299 SUPREME SALES COMPANY, INC.	(Continued)		001-225-0000-4350	753.50
					Total :	753.50
210308	5/21/2018	102978 SWRCB-DWOC	OP 46141		WATER GRADE 2D CERT RENEWAL	
					043-390-0000-4360	80.00
					Total :	80.00
210309	5/21/2018	888946 TEKWERKS	20333		WEBSITE MAINTENANCE	
					001-135-0000-4260	1,084.00
					Total :	1,084.00
210310	5/21/2018	892848 TERRA FORM LANDSCAPE CO.	17452	11768	LAYNE PARK IMPROVEMENT PROJEC1	
					118-423-0000-4600	17,500.00
					Total :	17,500.00
210311	5/21/2018	101528 THE HOME DEPOT CRC, ACCT#603532202490	1071088		AIRLINE REPAIR	
			3024544		041-320-0000-4450	40.32
			4490993		MATL'S TO INSTALL CONDUIT FOR LIGI	
					043-390-0000-4330	271.45
			5280200		TOOLS FOR ALL BUILDING MAINT	218.90
					043-390-0000-4330	
			6064884		TOOLS FOR ALL BUILDING MAINT	137.45
					043-390-0000-4330	
			6070236		REPL LIGHT BULBS-PD	82.60
					043-390-0000-4330	
			6070237		BATTERY CHRGR REPL & MATL'S TO B	88.42
					043-390-0000-4330	
			6070296		MAINT SUPPLIES FOR PARKS	91.08
					043-390-0000-4330	
			6785672		PAINT-PIONEER & RUDY ORTEGA PARI	182.11
					043-390-0000-4330	
			9023806		TOOLS FOR ALL BUILDING MAINT	438.90
					043-390-0000-4330	
					CLEANING MATL'S-LP PARK SNACK BA	127.78
					043-390-0000-4330	

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vchlist 05/16/2018 11:31:44AM		Voucher List CITY OF SAN FERNANDO				Page: 22
Bank code : bank3						
Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
210311	5/21/2018	101528 101528 THE HOME DEPOT CRC, ACCT#603532202490	(Continued)			Total : 1,679.01
210312	5/21/2018	890833 THOMSON REUTERS	838118536		DET INVESTIGATION TOOLS SUPPORT	
					001-135-0000-4260	182.97
					Total :	182.97
210313	5/21/2018	103903 TIME WARNER CABLE	10328042718		CABLE-CITY HALL 05/05-06/04	
			10518042118		001-190-0000-4220	128.33
			222204042018		CABLE-REC PARK 04/29-05/28	
					001-420-0000-4260	205.53
					CABLE-PW 04/29-05/28	
					043-390-0000-4260	98.13
					Total :	431.99
210314	5/21/2018	892525 T-MOBILE	958769818		HOTSPOT & TABLET CONNECTION	
					001-420-0000-4220	79.69
					Total :	79.69
210315	5/21/2018	887591 TOM BROHARD & ASSOCIATES	2018-21	11651	APR-PROF TRAFFIC ENGINEERING &	
					001-310-0000-4270	1,100.00
					Total :	1,100.00
210316	5/21/2018	892866 TOP NOTCH LOCKSMITH	6729		LOCK SMITH SERVICES	
					001-222-0000-4270	250.00
					Total :	250.00
210317	5/21/2018	103413 TRANS UNION LLC	4806518		CREDIT CHECKS	
					001-222-0000-4260	77.87
					Total :	77.87
210318	5/21/2018	892738 TRANSIT SYSTEMS UNLIMITED, INC	62383		CNG FUEL	
			62415		007-313-3630-4402	364.45
					041-320-0320-4402	531.76
					COUNCIL BUS-50 PLUS CLUB TO GETT	
					007-440-0443-4260	670.00
					Total :	1,566.21
210319	5/21/2018	891103 TRITECH	PA0007533		ACI INTERFACE	

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CITY OF SAN FERNANDO

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Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
210319	5/21/2018	891103 TRITECH	(Continued)	11220	001-190-0000-4500	7,082.25
				11220	001-135-0000-4260	1,118.25
					Total :	8,200.50
210320	5/21/2018	890998 TRUJILLO, RODOLFO	MAY 2018		COMMISSIONER'S STIPEND	
					001-310-0000-4111	50.00
					Total :	50.00
210321	5/21/2018	103444 ULTRA GREENS, INC	E163		DROUGHT TOLERANT PLANTS-GATEWAY	
					043-390-0000-4330	1,992.90
					Total :	1,992.90
210322	5/21/2018	103445 UNDERGROUND SERVICE ALERT	420180671		(35) USA DIGALERT TICKETS	
					070-381-0000-4260	67.75
					Total :	67.75
210323	5/21/2018	888241 UNITED SITE SERVICES OF CA INC	114-6615121		PORTABLE TOILET RENTAL-12900 DRC	
					070-384-0000-4260	140.99
			114-6616482		PORTABLE TOILET RENTAL-LAYNE PARK	
					043-390-0000-4260	461.69
			114-6637628		PORTABLE TOILET RENTAL-REC PARK	
					001-420-0000-4260	173.81
					Total :	776.49
210324	5/21/2018	100101 VERIZON WIRELESS-LA	9805778560		PLANNING CELL PHONE PLAN	
					001-140-0000-4220	5.40
			9805828266		PD CELL PHONE PLANS & MDT MODEM	
					001-222-0000-4220	241.55
					001-152-0000-4220	114.03
			98060686060		PD CELL PHONE PLANS	
					001-222-0000-4220	154.89
			9806078222		CITY YARD CELL PHONE PLANS	
					070-384-0000-4220	110.31
					043-390-0000-4220	24.07
					041-320-0000-4220	24.07
					072-360-0000-4220	31.89

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Voucher List
CITY OF SAN FERNANDO

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Bank code : bank3

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
210324	5/21/2018	100101 VERIZON WIRELESS-LA	(Continued)		VARIOUS CELL PHONE PLANS	
			9806088392		001-106-0000-4220	66.96
					070-384-0000-4220	49.86
					001-310-0000-4220	33.99
					Total :	857.02
210325	5/21/2018	888390 WEST COAST ARBORISTS, INC.	135929	11613	ANNUAL CITY TREE TRIMMING CONTR	
					011-311-0000-4260	864.00
					Total :	864.00
210326	5/21/2018	890970 WEX BANK	54092809		FUEL FOR CITY FLEET	
					041-320-0152-4402	286.52
					041-320-0221-4402	176.00
					041-320-0222-4402	218.40
					041-320-0224-4402	546.47
					041-320-0225-4402	3,504.84
					041-320-0226-4402	2.00
					041-320-0228-4402	765.30
					041-320-0311-4402	333.56
					041-320-0312-4402	2.00
					041-320-0320-4402	46.71
					041-320-0346-4402	4.00
					041-320-0370-4402	179.00
					041-320-0390-4402	1,499.29
					041-320-0420-4402	2.00
					007-313-3630-4402	235.02
					029-335-0000-4402	119.89
					070-381-0000-4402	2.00
					070-382-0000-4402	197.40
					070-383-0000-4402	933.76
					070-384-0000-4402	233.58
					072-360-0000-4402	142.43
					Total :	9,430.17
210327	5/21/2018	889138 WIEDER, CAROL	040218		INTERPRETATION SERVICES-CC MTG	
					001-101-0000-4270	250.00

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Voucher List
CITY OF SAN FERNANDO

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Bank code : bank3

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
210327	5/21/2018	889138 889138 WIEDER, CAROL	(Continued)			Total : 250.00
210328	5/21/2018	891531 WILLDAN ENGINEERING	00616108	11736	DESIGN SERVICES FOR STREET RESL 012-311-6673-4600	9,328.50
			00616109	11736	DESIGN SERVICES FOR STREET RESL 012-311-6673-4600	10,408.50
			00616192	11736	DESIGN SERVICES FOR STREET RESL 012-311-6673-4600	14,706.66
			00616193	11736	DESIGN SERVICES FOR STREET RESL 012-311-6673-4600	4,276.75
					Total :	38,720.41
210329	5/21/2018	892785 WONG, MICHELLE	03/31/18-05/04/18		YOGA INSTRUCTOR 017-420-1337-4260	125.00
					Total :	125.00
210330	5/21/2018	892870 WORDEN, PAMELA	52-0790-10		WATER ACCT REFUND-2008 KNOX 070-2010	54.69
					Total :	54.69
148 Vouchers for bank code :		bank3			Bank total :	743,887.40
148 Vouchers in this report					Total vouchers :	743,887.40

Voucher Registers are not final until approved by Council.

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HANDWRITTEN CHECKS

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05/03/2018 4:23:18PM		CITY OF SAN FERNANDO					
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Bank code :		bank3					
Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount	
209809	4/5/2018	892836 RODRIGUEZ, RAMON	39-2045-09		REFUND-ATM OVERAGE-1134 GRIFFIT		
					001-190-0000-4437	1,000.00	
					Total :	1,000.00	
209810	4/5/2018	103648 CITY OF SAN FERNANDO	PR 4-6-18		REIMB FOR PAYROLL W/E 3-30-18		
					001-1003	323,548.09	
					007-1003	725.81	
					008-1003	1,322.14	
					018-1003	63,049.62	
					027-1003	4,332.83	
					029-1003	1,598.77	
					041-1003	9,454.90	
					043-1003	13,307.95	
					070-1003	36,198.11	
					072-1003	22,297.75	
					119-1003	1,434.04	
					120-1003	2,467.73	
					Total :	479,737.74	
209919	4/11/2018	103596 CALIFORNIA VISION SERVICE PLAN	DEMAND		VISION INS. BENEFITS - APRIL 2018		
					001-1160	2,451.39	
					Total :	2,451.39	
209920	4/11/2018	891230 DELTA DENTAL INSURANCE COMPANY	DEMAND		DENTAL INS BENEFITS - APRIL 2018		
					001-1160	234.96	
					Total :	234.96	
209921	4/11/2018	890907 DELTA DENTAL OF CALIFORNIA	DEMAND		DENTAL INS BENEFITS - APRIL 2018		
					001-1160	11,831.42	
					Total :	11,831.42	
209922	4/17/2018	892835 LAMC CULINARY ARTS INSTITUTE	MC2402		CUPCAKES-2018 SCHOLARSHIP AWAR		
					001-115-0000-4450	120.45	
					Total :	120.45	
209923	4/19/2018	887627 STANDARD INSURANCE	DEMAND		LIFE/AD&D INSURANCE BENEFITS-APF		
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						Page: 1	

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05/03/2018 4:23:18PM		CITY OF SAN FERNANDO					
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Bank code :		bank3					
Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount	
209923	4/19/2018	887627 STANDARD INSURANCE	(Continued)		001-1160	3,586.31	
						Total :	3,586.31
209924	4/19/2018	103648 CITY OF SAN FERNANDO	PR 04-13-18		REIMB. PAYROLL FOR W/E 4-13-18		
					043-1003	14,477.12	
					070-1003	35,288.10	
					072-1003	22,595.66	
					120-1003	1.58	
					119-1003	1,436.81	
					001-1003	343,725.78	
					007-1003	725.81	
					008-1003	1,322.16	
					017-1003	293.61	
					018-1003	64,132.58	
					027-1003	5,315.55	
					029-1003	1,598.76	
					041-1003	9,991.85	
						Total :	500,905.37
209925	4/23/2018	892845 EMRANI, YAZDAN T.	REIMB.		TRAVEL REIMB-ASCE CONFERENCE O		
					001-310-0000-4370	83.33	
					070-381-0000-4370	83.33	
					072-360-0000-4360	83.34	
					001-310-0000-4370	25.00	
					070-381-0000-4370	25.00	
					072-360-0000-4360	25.00	
					001-310-0000-4370	32.00	
					070-381-0000-4370	32.00	
					072-360-0000-4360	32.00	
					001-310-0000-4370	77.65	
					070-381-0000-4370	77.65	
					072-360-0000-4360	77.66	
						Total :	653.96
9 Vouchers for bank code :		bank3				Bank total :	1,000,521.60

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Voucher List

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CITY OF SAN FERNANDO

Bank code : bank3

<u>Voucher</u>	<u>Date</u>	<u>Vendor</u>	<u>Invoice</u>	<u>PO #</u>	<u>Description/Account</u>	<u>Amount</u>
9		Vouchers in this report			Total vouchers :	1,000,521.60

Voucher Registers are not final until approved by Council.

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HANDWRITTEN CHECKS

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Voucher List

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CITY OF SAN FERNANDO

Bank code : bank3

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
210176	5/7/2018	888800 BUSINESS CARD	040218		CONF LODGING-WATER NOW ALLIANC 001-101-0101-4370	146.79
			040318		CITY COUNCIL BUS-SF MIDDLE SCHOC 007-440-0443-4260	478.66
			040418		CC & STAFF DINNER-CC MTG 04/04/18 001-101-0000-4300	40.36
			040418		CC & STAFF DINNER-CC MTG 04/04/18 001-101-0000-4300	54.79
			041818		CC & STAFF DINNER-CC MTG 04/16/18 001-101-0000-4300	42.36
			041818		CC & STAFF DINNER-CC MTG 04/16/18 001-101-0000-4300	58.10
					Total :	821.06
210177	5/7/2018	102779 RAMIREZ, THOMAS	MARCH 2018		KARATE INSTRUCTOR 017-420-1326-4260	540.00
					Total :	540.00
2 Vouchers for bank code : bank3					Bank total :	1,361.06
2 Vouchers in this report					Total vouchers :	1,361.06

Voucher Registers are not final until approved by Council.

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HANDWRITTEN CHECKS

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Voucher List

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CITY OF SAN FERNANDO

Bank code : bank3

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
210182	5/15/2018	891860 CARL WARREN & COMPANY	10339-10355		REIMB. TO ITF ACCT (LIABILITY CLAIM; 006-1037	38,086.95
Total :						38,086.95
1 Vouchers for bank code : bank3						Bank total : 38,086.95
1 Vouchers in this report						Total vouchers : 38,086.95

Voucher Registers are not final until approved by Council.

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AGENDA REPORT

To: Mayor Sylvia Ballin and Councilmembers

From: Alexander P. Meyerhoff, City Manager
By: Nick Kimball, Deputy City Manager/Director of Finance
Margarita Solis, City Treasurer

Date: May 21, 2018

Subject: Consideration to Adopt a Resolution to Approve the Investment Policy for Fiscal Year 2018-2019

RECOMMENDATION:

It is recommended that the City Council adopt Resolution No. 7858 (Attachment "A"), approving the Investment Policy for Fiscal Year 2018-2019.

BACKGROUND:

1. On January 1, 1996, SB 564 went into effect which requires that the City Treasurer render annually to the legislative body for consideration at a public meeting, a statement of investment policy.
2. Since 1996, the Investment Policy has been reviewed annually by the City Manager, Finance Director and City Treasurer and has been presented to the City Council for approval.
3. The proposed Policy has been reviewed by City Manager, Director of Finance, and City Treasurer.
4. On May 15, 2017, the City Council adopted the FY 2017-2018 Investment Policy.
5. On December 4, 2017, the City Council amended the FY 2017-2018 Investment Policy to reflect higher Federal Deposit Insurance Company (FDIC) limits, which allows the City to invest more in certain securities while minimizing risk.
6. The policy is being amended to decrease confusion when interpreting certain investment concentration limits and to reflect the current Federal Deposit Insurance Corporation (FDIC) limits.

Consideration to Adopt a Resolution to Approve the Investment Policy for Fiscal Year 2018-2019Page 2 of 2

ANALYSIS:

The ultimate investment goal of a good investment policy is to enhance the economic status of the City while protecting funds under management and meeting the daily cash flow demands of the City. The proposed Investment Policy requires investments be selected based on safety, liquidity, and yield, in that order, and are made in accordance with California Government Code, Sections 53600 et. seq.

The City attempts to obtain the highest yield possible when selecting investments, providing that criteria for safety and liquidity are met.

The proposed Investment Policy authorizes investment in a number of investment vehicles that may offer higher yields while maintaining the safety and liquidity criteria.

BUDGET IMPACT:

Investment in higher yield investments may result in additional investment income earned by all City funds.

CONCLUSION:

Approval of the annual Investment Policy by the City Council will ensure that the City complies with the SB 564 requirement.

ATTACHMENT:

A. Resolution No. 7858, including Exhibit 1 - Investment Policy

ATTACHMENT "A"**RESOLUTION NO. 7858****A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
SAN FERNANDO, CALIFORNIA, APPROVING THE
ANNUAL INVESTMENT POLICY FOR FISCAL YEAR 2018-
2019.**

WHEREAS, Senate Bill 564, effective January 1, 1996, requires the City Treasurer present a statement of investment policy annually to the City Council; and

WHEREAS, a responsible investment policy enhances the economic status of the City while protecting funds under management and meeting the daily cash flow demands of the City.

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

SECTION 1. The City Council hereby establishes the Investment Policy, attached hereto as Exhibit "1" and incorporated herein by this reference.

PASSED, APPROVED, AND ADOPTED this 21st day of May, 2018.

Sylvia Ballin, Mayor

ATTEST:

Elena G. Chávez, City Clerk

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

I HEREBY CERTIFY that the foregoing Resolution was approved and adopted at a regular meeting of the City Council held on the 21st day of May, 2018, by the following vote to wit:

AYES:

NOES:

ABSENT:

Elena G. Chávez, City Clerk

POLICY/PROCEDURE

SUBJECT	ISSUANCE	
INVESTMENT POLICY	ORIGINAL DATE	EFFECTIVE
	05/21/2018	05/21/2018
	CURRENT DATE	EFFECTIVE
CATEGORY	POLICY NO.	SUPERSEDES
FINANCE	FIN-	12/4/2017

MANAGEMENT POLICY/PROCEDURES

SECTION I. PURPOSE

This Policy is intended to provide specific criteria for the prudent investment of City funds. The ultimate investment goal is to enhance the economic status of the City while protecting funds under management and meeting the daily cash flow demands of the City.

SECTION II. STATEMENT OF POLICY

The City’s cash management system is designed to accurately monitor and forecast expenditures and revenues, thus enabling the City to invest funds to the fullest extent possible. The City attempts to earn the highest yield obtainable while keeping within the investment criteria established for the safety and liquidity of public funds.

The Finance Director shall establish procedures that separate the internal responsibility for management and accounting of the investment portfolio. An analysis by an external independent auditor shall be conducted annually to review internal controls, account activity and compliance with policies and procedures.

San Fernando operates its temporary pooled idle cash investment under the prudent investor standard (i.e., such a trustee must act with the “care, skill, prudence and diligence...that a prudent investor...would use in the conduct of funds of a like character and with like aims, to safeguard the principal and maintain the liquidity needs of the agency”). This affords the City a broad spectrum of investment opportunities as long as the investment is deemed prudent and allowable under current legislation of the State of California (Government Code Section 53600 et seq.)

Criteria for selecting investments and the order of priority are:

1. SAFETY – The safety and risk associated with an investment refers to the potential loss of principal, accrued interest or both. Protection of the public funds entrusted to the Treasurer is the paramount criteria used to evaluate the investment instruments available.
2. LIQUIDITY – This refers to the ability to convert an investment to cash at any moment in time with minimal risk of forfeiting a portion of principal or interest. Liquidity is an essential investment requirement especially in light of the City’s need to be able to meet emergency financing demands of the community at any time.

3. **YIELD** – It is the potential dollar earnings an investment can provide and is described as the market rate of return. As a general rule, yields tend to mirror the inherent risk and liquidity characteristics of the particular investment and thus can only be evaluated after those investment criteria are satisfied.

Authorized Investments

All investments shall be made in accordance by the California Government Code, Sections 53600 et. seq. Within the context of these limitations and based on the cost at the time of purchase, the following investments are authorized as further limited herein:

1. **U.S. Treasuries**

The U.S. Treasury Bills, Bonds, and Notes, or those for which the full faith and credit of the U.S. are pledged for payment of principal and interest provided that:

- a) There is no limitation as to the percentage of the portfolio that can be invested in this category.

2. **U.S. Agencies**

The Obligations issued by the Government National Mortgage Association (GNMA), the Federal Farm Credit Bank System (FFCB), the Federal Home Loan Bank Board (FHLB), Federal Home Loan Mortgage Corporation (FHLMC), Federal National Mortgage Association (FNMA), and the Student Loan Marketing Association (SLMA) provided that:

- a) No more than 30% of the cost (book) value of the portfolio will be invested in any one agency.

3. **Bankers' Acceptances**

Bills of exchange or time drafts drawn on and accepted by a commercial bank provided that:

- a) Bankers' Acceptances purchased may not exceed 180 days to maturity or 25% of the cost (book) value of the portfolio;
- b) No more than 5% of the cost (book) value of the portfolio may be invested in Bankers' Acceptances issued by any one bank;
- c) Prior to the purchase of any Banker's Acceptance, the portfolio manager shall review the rating of the issuing bank; and
- d) Bankers' Acceptances of issuing financial institutions shall have both a short and long term rating in the highest category by at least one nationally recognized rating agency at the time of purchase.

4. Commercial Paper

- a) The paper is ranked P1 by Moody's Investor Services and A1 by S&P, and have an minimum of A by both rating agencies;
- b) Issued by a domestic corporation having assets in excess of \$500 million;
- c) Purchases of eligible paper may not exceed 270 days to maturity nor represent more than 10% of the outstanding paper of an issuing corporation;
- d) May not exceed 15% of the cost value of the portfolio at time of purchase; and
- e) No more than 5% of the cost value of the portfolio may be invested in Commercial Paper issued by any one corporation.

5. Certificates of Deposit

- a) Negotiable Certificates of Deposit issued by nationally or state chartered banks or state or federal savings institutions. Purchases of negotiable certificates of deposit may not exceed 30% of the City's Investment Cash at the time of purchase. Investment in any one institution may not exceed more than 5% of the City's Investment Cash at the time of purchase. Cash will be invested only in FDIC Insured certificates.
- b) Time Deposits Non Negotiable and collateralized in accordance with the California Government Code, may be purchased through banks or savings and loan associations. Since time deposits are not liquid, no more than 25% of the investment portfolio may be invested in this investment type. Investment in any one institution may not exceed more than 5% of the City's Investment Cash at the time of purchase. Cash will be invested only in fully collateralized certificates. Collateral for a given investment must be 110% of principal for government securities collateral and 150% of principal for first mortgage collateral.
- c) For investments greater than \$100,000 the institution must maintain \$100 million in assets. For investments greater than \$300,000 the institution must maintain at least \$300 million in assets.
- d) The city will not invest in any institution less than five years old.

6. Repurchase Agreements

- a) No more than 20% of the cost value of the portfolio may be invested in repurchase agreements at any time; and
- b) The maturity of repurchase agreements shall not exceed 75 days.

In order to conform with provisions of the Federal Bankruptcy Code which provides for the liquidation of securities held as collateral for repurchase agreements, the only securities acceptable as collateral

shall be securities that are direct obligations of, or that are fully guaranteed as to principal and interest by, the United States Government such as Treasury bills, Treasury notes or Treasury bonds with less than a five-year maturity.

7. Local Agency Investment Fund (LAIF)

- a) The City may invest in the LAIF established by the State Treasurer for the benefit of local agencies up to the maximum permitted by State Law.

8. Municipal Bonds

- a) Municipal Securities of any California local agency including bonds, notes, warrants or other indebtedness, provided the issuer has a minimum credit rating of "AA" by one of the following: Moody's, Standard & Poor's, or Fitch. Municipal bonds shall be limited to a 60 months maximum maturity.

Upon any announcement of negative credit watch or downgrade by a major rating agency of any issue within the portfolio, the investment manager should contact the Finance Director and recommend a course of action. If at any time a security falls below "investment grade," the investment manager should obtain the best bid and take the necessary steps toward liquidation.

9. Corporate Medium Term Notes

- a) Corporate Medium Term Notes, provided the issuer has a minimum credit rating of "AA" by one of the following: Moody's, Standard & Poor's, or Fitch. Corporate bonds shall be limited to a 60 months maximum maturity.
- b) Issued by a domestic corporation having assets in excess of \$500 million; Issued by corporations organized and operating within the United States or by depository institutions licensed by the United States or any state and operating within the United States.
- c) The aggregate total of all purchased medium term notes may not exceed 30% of the cost value of the portfolio; and
- d) No more than 5% of the cost value of the portfolio may be invested in notes issued by one corporation.

Upon any announcement of negative credit watch or downgrade by a major rating agency of any issue within the portfolio, the investment manager should contact the Finance Director and recommend a course of action. If at any time a security falls below "investment grade," the investment manager should obtain the best bid and take the necessary steps toward liquidation.

10. Money Market Mutual Funds

- a) Must have a rating of AAA/Aaa or an equivalent by one or more national rating agencies with no load maintained at \$1 par value;

- b) No more than 20% of portfolio value may be invested;
- c) Investment in a single mutual fund will not to exceed 10% of the cost value (book value) of the total portfolio exclusive of the fiscal agent cash portfolio; and
- d) The City's investment in any specific mutual fund will not exceed 2% of that mutual fund's total assets.

Considerations for Investments

The City attempts to obtain the highest yield possible when selecting investments, providing that criteria for safety and liquidity are met. Ordinarily, because investments normally carry a positive yield curve, (i.e., longer term investments have higher rates than shorter maturities), the City attempts to stagger its maturities to meet anticipated cash needs in such a way that new investment money can be placed in maturities that carry a higher rate that is available in the short market of 30 days or under. Furthermore, maturities are selected to anticipate cash needs of the City, thereby obviating the need for forced liquidation.

City Constraints

The City Treasurer is responsible for managing the City's investment portfolio in accordance with Federal and State laws as well as this policy. Longer term investments (i.e., over one year) are limited to maturities of five years or less.

The City strives to maintain an appropriate level of investment of all funds through daily and projected cash flow determinations. Idle cash management and investment transactions are the responsibility of the City Treasurer in consultation with the Finance Director.

The basic premise underlying the City's investment philosophy is, and will continue to be, to insure that money is always safe and available when needed.

The City Treasurer or the Deputy Treasurer and/or Finance Director in the absence of the City Treasurer shall continually review the financial condition of proposed depositories of City funds. The City should demand a copy of the latest financial statements and audit reports prior to investment and any reports issued during the period of the investment.

Investment Strategy

1. When making an investment decision, the purchase of an investment is made with the intent of holding that investment to maturity.
2. Cash flow projections are fully utilized to balance the liquidity needs at all times.
3. At least bi-weekly, economic forecasts are obtained from financial experts in the field through bankers and brokers.

4. Close rapport is maintained with the City Manager, Finance Director, Public Works and other departments having a significant impact on cash flow.
5. The City will invest all City and Successor Agency to the Redevelopment Agency funds and the estimated checking accounts float, except for those amounts required by the City's banks to pay for bank services furnished to the City.
6. Depending on market conditions, time deposits are maintained in commercial banks and savings and loan institutions. Particular attention is paid to investment opportunities available from financial institutions within the City of San Fernando so as to contribute to the economic vitality of the community.
7. Safekeeping: Securities purchased from brokers/dealers shall be held in third party safekeeping by the City's third party custodian. Said securities shall be held in the name of the City of San Fernando with the trustee executing investment transactions as directed by the Treasurer.

Prohibited and Restricted Investments

The City will not invest in derivative-type investments which are now prohibited by law, inverse floaters, range notes, interest-only strips derived from a mortgage pool, equity linked securities, swaps, margin/leveraging, and any security that could result in zero interest accrual if held to maturity. The City will not invest in reverse repurchase agreements. The City will not engage in speculative buying.

Investment Policy Adoption

The investment plan and strategy are reviewed and updated as needed, and no less often than annually.

SECTION III. EXCEPTIONS

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

SECTION IV. AUTHORITY

By order of City Council Resolution No. 7858, Policy adopted by the City Council on May 21, 2018.

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AGENDA REPORT

To: Mayor Sylvia Ballin and Councilmembers

From: Alexander P. Meyerhoff, City Manager
By: Margarita Solis, City Treasurer

Date: May 21, 2018

Subject: Consideration to Adopt a Resolution Authorizing the City Treasurer and Deputy City Treasurer to Invest Surplus Funds

RECOMMENDATION:

It is recommended that the City Council adopt Resolution No. 7859 (Attachment "A") authorizing the City Treasurer and Deputy City Treasurer to invest surplus funds.

BACKGROUND/ANALYSIS:

Pursuant to Government Code Section 53607, the City Council may delegate to the City Treasurer the authority to make investments. The City Council has delegated this authority to the City Treasurer and Deputy City Treasurer in past years. The Government Code requires that, if the City Council wishes to delegate this authority to the Treasurer, this delegation must be readopted annually.

The Resolution would renew for one year the delegation to the City Treasurer and Deputy City Treasurer the authority to invest surplus funds of the City.

BUDGET IMPACT:

There is no impact associated adopting this resolution.

ATTACHMENT:

A. Resolution No. 7859

ATTACHMENT “A”**RESOLUTION NO. 7859****A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
SAN FERNANDO, CALIFORNIA, AUTHORIZING THE CITY
TREASURER AND DEPUTY CITY TREASURER TO INVEST
SURPLUS FUNDS**

WHEREAS, the City Council of the City of San Fernando has determined that, as a policy and practice of the City, any monies (“Surplus Funds”) in a sinking fund of, or surplus money in, its treasury not required for the immediate necessities of the City, may be invested in such a manner as to maximize the return thereof for the benefit of the City, its citizens and its taxpayers.

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

SECTION 1. Any portion of any Surplus Funds in a sinking fund of, or surplus money in, the City Treasury not required for the immediate necessities of the City may be invested by the City in any investment medium permissible under state law for the investment of the funds of a General Law city.

SECTION 2. The investment of all Surplus Funds shall be made and maintained pursuant to Section 53601 of Title 5, Division 2 of the California Government Code.

SECTION 3. The authority of the City Council to invest or to reinvest surplus funds of the City, or to sell or exchange securities so purchased, is hereby delegated by the City Council to the Treasurer of the City (“Treasurer”) and to the Deputy Treasurer of the City (“Deputy Treasurer”), who both shall assume full responsibility for such transactions until such time as this delegation of authority is revoked, and who shall make monthly reports of any and all such transactions to the City Council.

SECTION 4. The authority of the City Council is hereby delegated to the Treasurer or Deputy Treasurer to deposit for safekeeping with a federally chartered or state chartered savings and loan association, a trust company or a state or national bank located within the State of California or with the Federal Reserve Bank of San Francisco or any branch thereof within the state, or with any Federal Reserve Bank or with any state or national bank located in any city designated as a reserve city by the Boards of Governors of the Federal Reserve System, the bonds, notes, bills, debentures, obligations, certificates of indebtedness, warrants, or other evidences of indebtedness in which the Surplus Funds of the City is invested pursuant to this Resolution. The Treasurer or Deputy Treasurer shall take from such financial institution a receipt for securities so deposited. The Treasurer or Deputy Treasurer shall not be responsible for securities delivered to and receipted for by a financial institution until they are withdrawn from the financial institution by the Treasurer or Deputy Treasurer.

PASSED, APPROVED, AND ADOPTED this 21st day of May, 2018.

Sylvia Ballin, Mayor

ATTEST:

Elena G. Chávez, City Clerk

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

I HEREBY CERTIFY that the foregoing Resolution was approved and adopted at a regular meeting of the City Council held on the 21st day of May, 2018, by the following vote to wit:

AYES:

NOES:

ABSENT:

Elena G. Chávez, City Clerk

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AGENDA REPORT

To: Mayor Sylvia Ballin and Councilmembers

From: Alexander P. Meyerhoff, City Manager
By: Nick Kimball, Deputy City Manager/Director of Finance

Date: May 21, 2018

Subject: Consideration to Approve a Second Amendment to the Administrative Contract with Liebert Cassidy Whitmore to Continue to Provide Labor Negotiator Services

RECOMMENDATION:

It is recommended that the City Council:

- a. Approve a Second Amendment Professional Services Agreement (Attachment "A" - Contract No. 1873(b)) with Liebert Cassidy Whitmore to increase the total not-to-exceed amount from \$50,000 to \$75,000; and
- b. Authorize the City Manager to execute all related documents.

BACKGROUND:

1. Liebert Cassidy Whitmore (LCW) is a law firm specializing in California labor and employment law since 1980. LCW has offices in Los Angeles, San Diego, Fresno, San Francisco, and Sacramento and employs 85 staff attorneys.
2. LCW has been providing the City with special labor and employment law services since 2012. LCW has a Labor Relations Practice Group that specializes in negotiating labor agreements for public agencies.
3. On April 1, 2017, the Interim City Manager entered into an administrative contract (Attachment "B") for Labor Negotiator Services for an amount not-to-exceed \$25,000 with LCW related to the forthcoming negotiations with the San Fernando Public Employees Association (SFPEA). Per the agreement, the City pays a monthly retainer of \$3,450 during negotiations to take advantage of reduced hourly rates under the retainer arrangement.
4. The scope of services provided by LCW related to this Agreement include:

Consideration to Approve an Amendment to the Administrative Contract with Liebert Cassidy Whitmore to Continue to Provide Labor Negotiator ServicesPage 2 of 3

- a. MOU review/audit to identify issues for legal compliance, provide suggestions to increase clarity and reduce ambiguity by improving contract language, and offer suggestions/alternatives to be considered in contract negotiations.
 - b. Training on costing labor contracts, compiling demographic data, preparing for impasse proceedings, and other training programs to develop skills for internal staff.
 - c. Strategy development and advice on key areas including FLSA items, cost restructuring, pension issues, employee benefits, and discipline/appeal processes. Provide advice and consultation on the scope of meet and confer subjects and alternative approaches to manage meet and confer obligations.
 - d. Drafting contract language compliant with legal parameters and consulting on the preparation and presentation of proposals.
 - e. Conducting or reviewing salary/compensation survey data, market comparable agencies, and options for inclusion of information during the meet and confer process.
5. On November 16, 2017, the City Council approved a first amendment to the Agreement with LCW (Attachment "C") to increase the not-to-exceed compensation from \$25,000 to \$50,000 due to extended negotiations with the SFPEA/SEIU Local 721.

ANALYSIS:

LCW is currently providing negotiator services for the City related to negotiating a successor MOU with the SFPEA/SEIU Local 721, which expired on June 30, 2017. Due to a number of critical issues, negotiations with that unit have extended beyond the initial time-table. Additionally, the MOUs for San Fernando Management Group and San Fernando Police Civilians Association expire on June 30, 2018 and the San Fernando Police Officers' Association expires on June 30, 2019.

LCW's expertise and continued assistance will be critical in the upcoming negotiations with the afore mentioned bargaining units. In order to continue receiving labor negotiation services without interruption, staff is recommending increasing the contract with LCW by an additional \$25,000 to ensure there is sufficient contract authority to complete negotiations.

BUDGET IMPACT:

The City included \$80,000 in the General Fund for Labor Attorney Services in Fiscal Year 2017-2018, which includes the labor negotiation services, as well as special personnel and employment law matters that arise during the course of operations. There are sufficient funds

Consideration to Approve an Amendment to the Administrative Contract with Liebert Cassidy Whitmore to Continue to Provide Labor Negotiator ServicesPage 3 of 3

currently available to cover the increased cost of the Negotiation Services contract. However, if any significant personnel matters arise during the fiscal year, a budget amendment may be necessary to appropriate additional funds toward Labor Attorney Services.

CONCLUSION:

Staff recommends approving the increase to Labor Negotiator Services contract with LCW to continue the services required to complete negotiation of a successor MOU with the SFPEA.

ATTACHMENTS:

- A. Contract No. 1873(b)
- B. Contract No. 1873
- C. Contract No. 1873(a)



ATTACHMENT "A"
CONTRACT NO. 1873(b)

SECOND AMENDMENT PROFESSIONAL SERVICES AGREEMENT

LIEBERT CASSIDY WHITMORE

Labor Negotiator Services

THIS SECOND AMENDMENT (hereinafter, "Second Amendment") to that certain agreement entitled "Professional Services Agreement – Labor Negotiator Services" administrative contract dated April 1, 2017 (hereinafter, "Master Agreement"), is hereby made and entered into this 21st day of May, 2018 (hereinafter, "Effective Date") by and between CITY OF SAN FERNANDO, a municipal corporation (hereinafter, "CITY") and Liebert Cassidy Whitmore, A Professional Corporation (hereinafter, "CONSULTANT"). For purposes of this Second Amendment, the capitalized term "Parties" shall be a collective reference to both CITY and CONSULTANT. The capitalized term "Party" may refer to either CITY or CONSULTANT, interchangeably.

RECITALS

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

WHEREAS, exaction of the Master Agreement was executed by the Parties on April 1, 2017 (A true and correct copy of the Master Agreement is attached and incorporated hereto as Exhibit "A"); and

WHEREAS, a First Amendment was approved by the City Council at its meeting of November 6, 2017 under Agenda Item 3.

WHEREAS, this Second Amendment was approved by the City Council at its meeting of May 21, 2018 under Agenda Item ____.

WHEREAS, the capitalized term "Contract" shall refer to the Master Agreement as amended by way of the First and Second Amendments; and

WHEREAS, the Parties now wish to modify the Master Agreement by increasing the compensation Not-To-Exceed \$75,000 as a result of additional MOU negotiation services; and

NOW, THEREFORE, in consideration of the mutual agreements contained herein, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, and intending to be legally bound hereby, the Parties agree as follows:

SECTION 1. The Not-To-Exceed Sum set forth under Section 1.3(B) of the Master Agreement shall not exceed the budgeted aggregate sum of \$75,000.

SECTION 2. Except as otherwise set forth in this Second Amendment, the Master Agreement shall remain binding, controlling, and in full force and effect. Section 1.3(B) of the

SECOND AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT**Labor Negotiator Services**Page 2 of 2

Master Agreement notwithstanding, this Second Amendment, together with the Master Agreement and First Amendment, shall constitute the entire, complete, final, and exclusive expression of the Parties with respect to the matters addressed in both documents (Entire Agreement). In the event of a conflict or inconsistency between the provisions of this Second Amendment, including any and all attachments to this Second Amendment and the provisions of the Master Agreement, including all exhibits attached to the Master Agreement, the provisions of the Second Amendment and its attachments shall govern and control but only to the extent of the conflict and no further.

SECTION 3. The provisions of this Second Amendment shall be deemed a part of the Master Agreement and except, as otherwise provided under this Second Amendment, the Master Agreement and all provisions contained therein shall remain binding and enforceable.

IN WITNESS WHEREOF, the Parties hereto have caused this Second Amendment to be executed on the day and year first appearing above.

CITY:**City of San Fernando**

By: _____
Alexander P. Meyerhoff, City Manager

CONSULTANT:**Liebert Cassidy Whitmore**

By: _____
Name: _____
Title: _____

APPROVED AS TO FORM

By: _____
Richard Padilla, Assistant City Attorney



PROFESSIONAL SERVICES AGREEMENT

Liebert Cassidy Whitmore

Labor Negotiator Services

THIS PROFESSIONAL SERVICES AGREEMENT ("Agreement") is made and entered into this 1st day of April 2017 (hereinafter, the "Effective Date"), by and between the CITY OF SAN FERNANDO, a municipal corporation ("CITY") and Liebert Cassidy Whitmore, A Professional Corporation (hereinafter, "CONSULTANT"). For the purposes of this Agreement CITY and CONSULTANT may be referred to collectively by the capitalized term "Parties." The capitalized term "Party" may refer to CITY or CONSULTANT interchangeably.

NOW, THEREFORE, for and in consideration of the mutual covenants and conditions herein contained, CITY and CONSULTANT agree as follows:

I. ENGAGEMENT TERMS

- 1.1 **SCOPE OF SERVICES:** Subject to the terms and conditions set forth in this Agreement and all exhibits attached and incorporated hereto, CONSULTANT agrees to perform the services and tasks set forth in **Exhibit "A"** (hereinafter referred to as the **"Scope of Services"**). CONSULTANT further agrees to furnish to CITY all labor, materials, tools, supplies, equipment, services, tasks and incidental and customary work necessary to competently perform and timely complete the services and tasks set forth in the Scope of Services. For the purposes of this Agreement the aforementioned services and tasks set forth in the Scope of Services shall hereinafter be referred to generally by the capitalized term "Work."
- 1.2 **TERM:** This Agreement shall have a term of one (1) year commencing from Effective Date, unless CITY issues written notice of its intent not to authorize an additional extension term(s). Nothing in this Section shall operate to prohibit or otherwise restrict the CITY's ability to terminate this Agreement at any time for convenience or for cause.
- 1.3 **COMPENSATION:**
 - A. CONSULTANT shall perform the various services and tasks set forth in the Scope of Services in accordance with the compensation schedule which is included in as Exhibit A (hereinafter, the "Approved Rate Schedule").
 - B. Section 1.3(A) notwithstanding, CONSULTANT's total compensation during the Term of this Agreement or any extension term shall not exceed the budgeted aggregate sum of \$25,000 (hereinafter, the "Not-to-Exceed Sum"), unless such added expenditure is first approved by the CITY acting in consultation with the

PROFESSIONAL SERVICES AGREEMENT

Labor Negotiator Services

Page 2 of 16

City Manager and the Finance Director. In the event CONSULTANT's charges are projected to exceed the Not-to-Exceed Sum prior to the expiration of the Term or any single extension term, CITY may suspend CONSULTANT's performance pending CITY approval of any anticipated expenditures in excess of the Not-to-Exceed Sum or any other CITY-approved amendment to the compensation terms of this Agreement.

- 1.4 PAYMENT OF COMPENSATION: Following the conclusion of each calendar month, CONSULTANT shall submit to CITY an itemized invoice indicating the services and tasks performed during the recently concluded calendar month, including services and tasks performed and the reimbursable out-of-pocket expenses incurred. If the amount of CONSULTANT's monthly compensation is a function of hours worked by CONSULTANT's personnel, the invoice shall indicate the number of hours worked in the recently concluded calendar month, the persons responsible for performing the Work, the rate of compensation at which such services and tasks were performed, the subtotal for each task and service performed and a grand total for all services performed. Within thirty (30) calendar days of receipt of each invoice, CITY shall notify CONSULTANT in writing of any disputed amounts included in the invoice. Within forty-five (45) calendar day of receipt of each invoice, CITY shall pay all undisputed amounts included on the invoice. CITY shall not withhold applicable taxes or other authorized deductions from payments made to CONSULTANT.
- 1.5 ACCOUNTING RECORDS: CONSULTANT shall maintain complete and accurate records with respect to all matters covered under this Agreement for a period of three (3) years after the expiration or termination of this Agreement. CITY shall have the right to access and examine such records, without charge, during normal business hours. CITY shall further have the right to audit such records, to make transcripts therefrom and to inspect all program data, documents, proceedings, and activities.
- 1.6 ABANDONMENT BY CONSULTANT: In the event CONSULTANT ceases to perform the Work agreed to under this Agreement or otherwise abandons the undertaking contemplated herein prior to the expiration of this Agreement or prior to completion of any or all tasks set forth in the Scope of Services, CONSULTANT shall deliver to CITY immediately and without delay, all materials, records and other work product prepared or obtained by CONSULTANT in the performance of this Agreement. Furthermore, CONSULTANT shall only be compensated for the reasonable value of the services, tasks and other work performed up to the time of cessation or abandonment, less a deduction for any damages, costs or additional expenses which CITY may incur as a result of CONSULTANT's cessation or abandonment.

PROFESSIONAL SERVICES AGREEMENT

Labor Negotiator Services

Page 3 of 16

II. PERFORMANCE OF AGREEMENT

- 2.1 CITY'S REPRESENTATIVES: The CITY hereby designates the City Manager and Personnel Manager (hereinafter, the "CITY Representatives") to act as its representatives for the performance of this Agreement. The City Manager shall be the chief CITY Representative. The CITY Representatives or their designee shall act on behalf of the CITY for all purposes under this Agreement. CONSULTANT shall not accept directions or orders from any person other than the CITY Representatives or their designee.
- 2.2 CONSULTANT REPRESENTATIVE: CONSULTANT hereby designates Adrianna Guzman to act as its representative for the performance of this Agreement (hereinafter, "CONSULTANT Representative"). CONSULTANT Representative shall have full authority to represent and act on behalf of the CONSULTANT for all purposes under this Agreement. CONSULTANT Representative or his designee shall supervise and direct the performance of the Work, using his best skill and attention, and shall be responsible for all means, methods, techniques, sequences and procedures and for the satisfactory coordination of all portions of the Work under this Agreement. Notice to the CONSULTANT Representative shall constitute notice to CONSULTANT.
- 2.3 COORDINATION OF SERVICE; CONFORMANCE WITH REQUIREMENTS: CONSULTANT agrees to work closely with CITY staff in the performance of the Work and this Agreement and shall be available to CITY staff and the CITY Representatives at all reasonable times. All work prepared by CONSULTANT shall be subject to inspection and approval by CITY Representatives or their designees.
- 2.4 STANDARD OF CARE; PERFORMANCE OF EMPLOYEES: CONSULTANT represents, acknowledges and agrees to the following:
- A. CONSULTANT shall perform all Work skillfully, competently and to the highest standards of CONSULTANT's profession;
 - B. CONSULTANT shall perform all Work in a manner reasonably satisfactory to the CITY;
 - C. CONSULTANT shall comply with all applicable federal, state and local laws and regulations, including the conflict of interest provisions of Government Code Section 1090 and the Political Reform Act (Government Code Section 81000 et seq.);
 - D. CONSULTANT understands the nature and scope of the Work to be performed under this Agreement as well as any and all schedules of performance;

PROFESSIONAL SERVICES AGREEMENT

Labor Negotiator Services

Page 4 of 16

- E. All of CONSULTANT's employees and agents possess sufficient skill, knowledge, training and experience to perform those services and tasks assigned to them by CONSULTANT; and
- F. All of CONSULTANT's employees and agents (including but not limited to subcontractors and subconsultants) possess all licenses, permits, certificates, qualifications and approvals of whatever nature that are legally required to perform the tasks and services contemplated under this Agreement and all such licenses, permits, certificates, qualifications and approvals shall be maintained throughout the term of this Agreement and made available to CITY for copying and inspection.

The Parties acknowledge and agree that CONSULTANT shall perform, at CONSULTANT's own cost and expense and without any reimbursement from CITY, any services necessary to correct any errors or omissions caused by CONSULTANT's failure to comply with the standard of care set forth under this Section or by any like failure on the part of CONSULTANT's employees, agents, contractors, subcontractors and subconsultants. Such effort by CONSULTANT to correct any errors or omissions shall be commenced immediately upon their discovery by either Party and shall be completed within seven (7) calendars days from the date of discovery or such other extended period of time authorized by the CITY Representatives in writing and in their sole and absolute discretion. The Parties acknowledge and agree that CITY's acceptance of any work performed by CONSULTANT or on CONSULTANT's behalf shall not constitute a release of any deficiency or delay in performance. The Parties further acknowledge, understand and agree that CITY has relied upon the foregoing representations of CONSULTANT, including but not limited to the representation that CONSULTANT possesses the skills, training, knowledge and experience necessary to perform the Work skillfully, competently and to the highest standards of CONSULTANT's profession.

- 2.5 ASSIGNMENT: The skills, training, knowledge and experience of CONSULTANT are material to CITY's willingness to enter into this Agreement. Accordingly, CITY has an interest in the qualifications and capabilities of the person(s) who will perform the services and tasks to be undertaken by CONSULTANT or on behalf of CONSULTANT in the performance of this Agreement. In recognition of this interest, CONSULTANT agrees that it shall not assign or transfer, either directly or indirectly or by operation of law, this Agreement or the performance of any of CONSULTANT's duties or obligations under this Agreement without the prior written consent of the CITY. In the absence of CITY's prior written consent, any attempted assignment or transfer shall be ineffective, null and void and shall constitute a material breach of this Agreement.
- 2.6 CONTROL AND PAYMENT OF SUBORDINATES; INDEPENDENT CONTRACTOR: The Work shall be performed by CONSULTANT or under CONSULTANT's strict supervision.

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CONSULTANT will determine the means, methods and details of performing the Work subject to the requirements of this Agreement. CITY retains CONSULTANT on an independent contractor basis and not as an employee. CONSULTANT reserves the right to perform similar or different services for other principals during the term of this Agreement, provided such work does not unduly interfere with CONSULTANT's competent and timely performance of the Work contemplated under this Agreement and provided the performance of such services does not result in the unauthorized disclosure of CITY's confidential or proprietary information. Any additional personnel performing the Work under this Agreement on behalf of CONSULTANT are not employees of CITY and shall at all times be under CONSULTANT's exclusive direction and control. CONSULTANT shall pay all wages, salaries and other amounts due such personnel and shall assume responsibility for all benefits, payroll taxes, Social Security and Medicare payments and the like. CONSULTANT shall be responsible for all reports and obligations respecting such additional personnel, including, but not limited to: Social Security taxes, income tax withholding, unemployment insurance, disability insurance, workers' compensation insurance and the like.

- 2.7 REMOVAL OF EMPLOYEES OR AGENTS: If any of CONSULTANT's officers, employees, agents, contractors, subcontractors or subconsultants is determined by the CITY Representatives to be uncooperative, incompetent, a threat to the adequate or timely performance of the tasks assigned to CONSULTANT, a threat to persons or property, or if any of CONSULTANT's officers, employees, agents, contractors, subcontractors or subconsultants fail or refuse to perform the Work in a manner acceptable to the CITY, such officer, employee, agent, contractor, subcontractor or subconsultant shall be promptly removed by CONSULTANT and shall not be re-assigned to perform any of the Work.
- 2.8 COMPLIANCE WITH LAWS: CONSULTANT shall keep itself informed of and in compliance with all applicable federal, State or local laws to the extent such laws control or otherwise govern the performance of the Work. CONSULTANT's compliance with applicable laws shall include without limitation compliance with all applicable Cal/OSHA requirements.
- 2.9 NON-DISCRIMINATION: In the performance of this Agreement, CONSULTANT shall not discriminate against any employee, subcontractor, subconsultant, or applicant for employment because of race, color, creed, religion, sex, marital status, sexual orientation, national origin, ancestry, age, physical or mental disability or medical condition.
- 2.10. INDEPENDENT CONTRACTOR STATUS: The Parties acknowledge, understand and agree that CONSULTANT and all persons retained or employed by CONSULTANT are, and shall at all times remain, wholly independent contractors and are not officials, officers,

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employees, departments or subdivisions of CITY. CONSULTANT shall be solely responsible for the negligent acts and/or omissions of its employees, agents, contractors, subcontractors and subconsultants. CONSULTANT and all persons retained or employed by CONSULTANT shall have no authority, express or implied, to bind CITY in any manner, nor to incur any obligation, debt or liability of any kind on behalf of, or against, CITY, whether by contract or otherwise, unless such authority is expressly conferred to CONSULTANT under this Agreement or is otherwise expressly conferred by CITY in writing.

III. INSURANCE

3.1 DUTY TO PROCURE AND MAINTAIN INSURANCE: Prior to the beginning of and throughout the duration of the Work, CONSULTANT will procure and maintain policies of insurance that meet the requirements and specifications set forth under this Article. CONSULTANT shall procure and maintain the following insurance coverage, at its own expense:

- A. Commercial General Liability Insurance: CONSULTANT shall procure and maintain Commercial General Liability Insurance ("CGL Coverage") as broad as Insurance Services Office Commercial General Liability coverage (occurrence Form CG 0001) or its equivalent. Such CGL Coverage shall have minimum limits of no less than One Million Dollars (\$1,000,000.00) per occurrence and Two Million Dollars (\$2,000,000.00) in the general aggregate for bodily injury, personal injury, property damage, operations, products and completed operations, and contractual liability.
- B. Automobile Liability Insurance: CONSULTANT shall procure and maintain Automobile Liability Insurance as broad as Insurance Services Office Form Number CA 0001 covering Automobile Liability, Code 1 (any auto). Such Automobile Liability Insurance shall have minimum limits of no less than One Million Dollars (\$1,000,000.00) per accident for bodily injury and property damage.
- C. Workers' Compensation Insurance/ Employer's Liability Insurance: A policy of workers' compensation insurance in such amount as will fully comply with the laws of the State of California and which shall indemnify, insure and provide legal defense for both CONSULTANT and CITY against any loss, claim or damage arising from any injuries or occupational diseases occurring to any worker employed by or any persons retained by CONSULTANT in the course of carrying out the Work contemplated in this Agreement.

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- D. Errors & Omissions Insurance: For the full term of this Agreement and for a period of three (3) years thereafter, CONSULTANT shall procure and maintain Errors and Omissions Liability Insurance appropriate to CONSULTANT's profession. Such coverage shall have minimum limits of no less than One Million Dollars (\$1,000,000.00) per occurrence and shall be endorsed to include contractual liability.
- 3.2 ADDITIONAL INSURED REQUIREMENTS: The CGL Coverage and the Automobile Liability Insurance shall contain an endorsement naming the CITY and CITY's elected and appointed officials, officers, employees, agents and volunteers as additional insureds.
- 3.3 REQUIRED CARRIER RATING: All varieties of insurance required under this Agreement shall be procured from insurers admitted in the State of California and authorized to issue policies directly to California insureds. Except as otherwise provided elsewhere under this Article, all required insurance shall be procured from insurers who, according to the latest edition of the Best's Insurance Guide, have an A.M. Best's rating of no less than A:VII. CITY may also accept policies procured by insurance carriers with a Standard & Poor's rating of no less than BBB according to the latest published edition the Standard & Poor's rating guide. As to Workers' Compensation Insurance/ Employer's Liability Insurance, the CITY Representatives are authorized to authorize lower ratings than those set forth in this Section.
- 3.4 PRIMACY OF CONSULTANT'S INSURANCE: All policies of insurance provided by CONSULTANT shall be primary to any coverage available to CITY or CITY's elected or appointed officials, officers, employees, agents or volunteers. Any insurance or self-insurance maintained by CITY or CITY's elected or appointed officials, officers, employees, agents or volunteers shall be in excess of CONSULTANT's insurance and shall not contribute with it.
- 3.5 WAIVER OF SUBROGATION: All insurance coverage provided pursuant to this Agreement shall not prohibit CONSULTANT or CONSULTANT's officers, employees, agents, subcontractors or subconsultants from waiving the right of subrogation prior to a loss. CONSULTANT hereby waives all rights of subrogation against CITY.
- 3.6 VERIFICATION OF COVERAGE: CONSULTANT acknowledges, understands and agrees, that CITY's ability to verify the procurement and maintenance of the insurance required under this Article is critical to safeguarding CITY's financial well-being and, indirectly, the collective well-being of the residents of the CITY. Accordingly, CONSULTANT warrants, represents and agrees that it shall furnish CITY with original certificates of insurance and endorsements evidencing the coverage required under this Article on forms satisfactory to CITY in its sole and absolute discretion. **The certificates of insurance and endorsements for each insurance policy shall be signed by a person authorized by that insurer to bind coverage on its behalf, and shall be on forms provided by the CITY if**

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requested. All certificates of insurance and endorsements shall be received and approved by CITY as a condition precedent to CONSULTANT's commencement of any work or any of the Work. Upon CITY's written request, CONSULTANT shall also provide CITY with certified copies of all required insurance policies and endorsements.

IV. INDEMNIFICATION

- 4.1 CONSULTANT shall, to the fullest extent permitted by law, indemnify, defend and hold harmless CITY, and its officials, employees, agents and volunteers from and against any and all claims, damages, judgments, awards, losses and costs, including attorneys fees, or any damage whatsoever, including but not limited to death or injury to any person and damage to any property, resulting from the misconduct, negligent acts, errors or omissions of COUNSEL or any of its officers, employees, volunteers, subcontractors or agents in the performance of this Contract, except such damage as is caused by the sole negligence or intentional misconduct of CITY or any of its officials, employees, agents or volunteers.

V. TERMINATION

- 5.1 TERMINATION WITHOUT CAUSE: CITY may terminate this Agreement at any time for convenience and without cause by giving CONSULTANT a minimum of five (5) calendar days prior written notice of CITY's intent to terminate this Agreement. Upon such termination for convenience, CONSULTANT shall be compensated only for those services and tasks which have been performed by CONSULTANT up to the effective date of the termination. CONSULTANT may not terminate this Agreement except for cause as provided under Section 5.2, below. If this Agreement is terminated as provided herein, CITY may require CONSULTANT to provide all finished or unfinished Documents and Data, as defined in Section 6.1 below, and other information of any kind prepared by CONSULTANT in connection with the performance of the Work. CONSULTANT shall be required to provide such Documents and Data within fifteen (15) calendar days of CITY's written request. No actual or asserted breach of this Agreement on the part of CITY pursuant to Section 5.2, below, shall operate to prohibit or otherwise restrict CITY's ability to terminate this Agreement for convenience as provided under this Section.

5.2 EVENTS OF DEFAULT; BREACH OF AGREEMENT:

- A. In the event either Party fails to perform any duty, obligation, service or task set forth under this Agreement (or fails to timely perform or properly perform any such duty, obligation, service or task set forth under this Agreement), an event of default (hereinafter, "Event of Default") shall occur. For all Events of Default,

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the Party alleging an Event of Default shall give written notice to the defaulting Party (hereinafter referred to as a "Default Notice") which shall specify: (i) the nature of the Event of Default; (ii) the action required to cure the Event of Default; (iii) a date by which the Event of Default shall be cured, which shall not be less than the applicable cure period set forth under Sections 5.2.B and 5.2C below or if a cure is not reasonably possible within the applicable cure period, to begin such cure and diligently prosecute such cure to completion. The Event of Default shall constitute a breach of this Agreement if the defaulting Party fails to cure the Event of Default within the applicable cure period or any extended cure period allowed under this Agreement.

- B. CONSULTANT shall cure the following Events of Defaults within the following time periods:
- i. Within three (3) business days of CITY's issuance of a Default Notice for any failure of CONSULTANT to timely provide CITY or CITY's employees or agents with any information and/or written reports, documentation or work product which CONSULTANT is obligated to provide to CITY or CITY's employees or agents under this Agreement. Prior to the expiration of the 3-day cure period, CONSULTANT may submit a written request for additional time to cure the Event of Default upon a showing that CONSULTANT has commenced efforts to cure the Event of Default and that the Event of Default cannot be reasonably cured within the 3-day cure period. The foregoing notwithstanding, CITY shall be under no obligation to grant additional time for the cure of an Event of Default under this Section 5.2 B.i. that exceeds seven (7) calendar days from the end of the initial 3-day cure period; or
 - ii. Within fourteen (14) calendar days of CITY's issuance of a Default Notice for any other Event of Default under this Agreement. Prior to the expiration of the 14-day cure period, CONSULTANT may submit a written request for additional time to cure the Event of Default upon a showing that CONSULTANT has commenced efforts to cure the Event of Default and that the Event of Default cannot be reasonably cured within the 14-day cure period. The foregoing notwithstanding, CITY shall be under no obligation to grant additional time for the cure of an Event of Default under this Section 5.2B.ii that exceeds thirty (30) calendar days from the end of the initial 14-day cure period.

In addition to any other failure on the part of CONSULTANT to perform any duty, obligation, service or task set forth under this Agreement (or the failure to timely perform or properly perform any such duty, obligation, service or task), an Event of Default on the part of CONSULTANT shall include, but shall not be limited to the

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following: (i) CONSULTANT's refusal or failure to perform any of the services or tasks called for under the Scope of Services; (ii) CONSULTANT's failure to fulfill or perform its obligations under this Agreement within the specified time or if no time is specified, within a reasonable time; (iii) CONSULTANT's and/or its employees' disregard or violation of any federal, state, local law, rule, procedure or regulation; (iv) the initiation of proceedings under any bankruptcy, insolvency, receivership, reorganization, or similar legislation as relates to CONSULTANT, whether voluntary or involuntary; (v) CONSULTANT's refusal or failure to perform or observe any covenant, condition, obligation or provision of this Agreement; and/or (vi) CITY's discovery that a statement representation or warranty by CONSULTANT relating to this Agreement is false, misleading or erroneous in any material respect.

- C. CITY shall cure any Event of Default asserted by CONSULTANT within forty-five (45) calendar days of CONSULTANT's issuance of a Default Notice, unless the Event of Default cannot reasonably be cured within the 45-day cure period. Prior to the expiration of the 45-day cure period, CITY may submit a written request for additional time to cure the Event of Default upon a showing that CITY has commenced its efforts to cure the Event of Default and that the Event of Default cannot be reasonably cured within the 45-day cure period. The foregoing notwithstanding, an Event of Default dealing with CITY's failure to timely pay any undisputed sums to CONSULTANT as provided under Section 1.4, above, shall be cured by CITY within five (5) calendar days from the date of CONSULTANT's Default Notice to CITY.
- D. CITY, in its sole and absolute discretion, may also immediately suspend CONSULTANT's performance under this Agreement pending CONSULTANT's cure of any Event of Default by giving CONSULTANT written notice of CITY's intent to suspend CONSULTANT's performance (hereinafter, a "Suspension Notice"). CITY may issue the Suspension Notice at any time upon the occurrence of an Event of Default. Upon such suspension, CONSULTANT shall be compensated only for those services and tasks which have been rendered by CONSULTANT to the reasonable satisfaction of CITY up to the effective date of the suspension. No actual or asserted breach of this Agreement on the part of CITY shall operate to prohibit or otherwise restrict CITY's ability to suspend this Agreement as provided herein.
- E. No waiver of any Event of Default or breach under this Agreement shall constitute a waiver of any other or subsequent Event of Default or breach. No waiver, benefit, privilege, or service voluntarily given or performed by a Party shall give the other Party any contractual rights by custom, estoppel, or otherwise.

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- F. The duties and obligations imposed under this Agreement and the rights and remedies available hereunder shall be in addition to and not a limitation of any duties, obligations, rights and remedies otherwise imposed or available by law. In addition to any other remedies available to CITY at law or under this Agreement in the event of any breach of this Agreement, CITY, in its sole and absolute discretion, may also pursue any one or more of the following remedies:
- i. Upon written notice to CONSULTANT, the CITY may immediately terminate this Agreement in whole or in part;
 - ii. Upon written notice to CONSULTANT, the CITY may extend the time of performance;
 - iii. The CITY may proceed by appropriate court action to enforce the terms of the Agreement to recover damages for CONSULTANT's breach of the Agreement or to terminate the Agreement; or
 - iv. The CITY may exercise any other available and lawful right or remedy.

CONSULTANT shall be liable for all legal fees plus other costs and expenses that CITY incurs upon a breach of this Agreement or in the CITY's exercise of its remedies under this Agreement.

- G. In the event CITY is in breach of this Agreement, CONSULTANT's sole remedy shall be the suspension or termination of this Agreement and/or the recovery of any unpaid sums lawfully owed to CONSULTANT under this Agreement for completed services and tasks.

5.3 SCOPE OF WAIVER: No waiver of any default or breach under this Agreement shall constitute a waiver of any other default or breach, whether of the same or other covenant, warranty, agreement, term, condition, duty or requirement contained in this Agreement. No waiver, benefit, privilege, or service voluntarily given or performed by a Party shall give the other Party any contractual rights by custom, estoppel, or otherwise.

5.4 SURVIVING ARTICLES, SECTIONS AND PROVISIONS: The termination of this Agreement pursuant to any provision of this Article or by normal expiration of its term or any extension thereto shall not operate to terminate any Article, Section or provision contained herein which provides that it shall survive the termination or normal expiration of this Agreement.

VI. MISCELLANEOUS PROVISIONS

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- 6.1 DOCUMENTS & DATA; LICENSING OF INTELLECTUAL PROPERTY: All Documents and Data shall be and remain the property of CITY without restriction or limitation upon their use or dissemination by CITY. For purposes of this Agreement, the term “Documents and Data” means and includes all reports, analyses, correspondence, plans, drawings, designs, renderings, specifications, notes, summaries, strategies, charts, schedules, spreadsheets, calculations, lists, data compilations, documents or other materials developed and/or assembled by or on behalf of CONSULTANT in the performance of this Agreement and fixed in any tangible medium of expression, including but not limited to Documents and Data stored digitally, magnetically and/or electronically. This Agreement creates, at no cost to CITY, a perpetual license for CITY to copy, use, reuse, disseminate and/or retain any and all copyrights, designs, and other intellectual property embodied in all Documents and Data. CONSULTANT shall require all subcontractors and subconsultants working on behalf of CONSULTANT in the performance of this Agreement to agree in writing that CITY shall be granted the same right to copy, use, reuse, disseminate and retain Documents and Data prepared or assembled by any subcontractor or subconsultant as applies to Documents and Data prepared by CONSULTANT in the performance of this Agreement.
- 6.2 CONFIDENTIALITY: All data, documents, discussion, or other information developed or received by CONSULTANT or provided for performance of this Agreement are deemed confidential and shall not be disclosed by CONSULTANT without prior written consent by CITY. CITY shall grant such consent if disclosure is legally required. Upon request, all CITY data shall be returned to CITY upon the termination or expiration of this Agreement. CONSULTANT shall not use CITY’s name or insignia, photographs, or any publicity pertaining to the Work in any magazine, trade paper, newspaper, television or radio production or other similar medium without the prior written consent of CITY.
- 6.3 FALSE CLAIMS ACT: CONSULTANT warrants and represents that neither CONSULTANT nor any person who is an officer of, in a managing position with, or has an ownership interest in CONSULTANT has been determined by a court or tribunal of competent jurisdiction to have violated the False Claims Act, 31 U.S.C., Section 3789 et seq. and the California False Claims Act, Government Code Section 12650 et seq.
- 6.4 NOTICES: All notices permitted or required under this Agreement shall be given to the respective Parties at the following addresses, or at such other address as the respective Parties may provide in writing for this purpose:

CONSULTANT:

Liebert Cassidy Whitmore
6033 West Century Blvd, 5th Floor
Los Angeles, CA 90045
Attn: J. Scott Tiedemann/Managing

CITY:

City of San Fernando
City Manager’s Office
117 Macneil Street
San Fernando, CA 91340

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Partner
Phone: (310) 981-2000
Fax: (310) 337-0837
Email: STiedemann@lcwlegal.com

Attn: City Manager
Phone: (818) 898-1203
Fax: (818) 365-8090

Such notices shall be deemed effective when personally delivered or successfully transmitted by facsimile as evidenced by a fax confirmation slip or when mailed, forty-eight (48) hours after deposit with the United States Postal Service, first class postage prepaid and addressed to the Party at its applicable address.

- 6.5 COOPERATION; FURTHER ACTS: The Parties shall fully cooperate with one another, and shall take any additional acts or sign any additional documents as is reasonably necessary, appropriate or convenient to achieve the purposes of this Agreement.
- 6.6 SUBCONTRACTING: CONSULTANT shall not subcontract any portion of the Work required by this Agreement, except as expressly stated herein, without the prior written approval of CITY. Subcontracts (including without limitation subcontracts with subconsultants), if any, shall contain a provision making them subject to all provisions stipulated in this Agreement, including provisions relating to insurance requirements and indemnification.
- 6.7 CITY'S RIGHT TO EMPLOY OTHER CONSULTANTS: CITY reserves the right to employ other contractors in connection with the various projects worked upon by CONSULTANT.
- 6.8 PROHIBITED INTERESTS: CONSULTANT warrants, represents and maintains that it has not employed nor retained any company or person, other than a *bona fide* employee working solely for CONSULTANT, to solicit or secure this Agreement. Further, CONSULTANT warrants and represents that it has not paid nor has it agreed to pay any company or person, other than a *bona fide* employee working solely for CONSULTANT, any fee, commission, percentage, brokerage fee, gift or other consideration contingent upon or resulting from the award or making of this Agreement. For breach or violation of this warranty, CITY shall have the right to rescind this Agreement without liability. For the term of this Agreement, no member, officer or employee of CITY, during the term of his or her service with CITY, shall have any direct interest in this Agreement, or obtain any present or anticipated material benefit arising therefrom.
- 6.9 TIME IS OF THE ESSENCE: Time is of the essence for each and every provision of this Agreement.
- 6.10 GOVERNING LAW AND VENUE: This Agreement shall be interpreted and governed according to the laws of the State of California. In the event of litigation between the Parties, venue, without exception, shall be in the Los Angeles County Superior Court of

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the State of California. If, and only if, applicable law requires that all or part of any such litigation be tried exclusively in federal court, venue, without exception, shall be in the Central District of California located in the City of Los Angeles, California.

- 6.11 ATTORNEYS' FEES: If either Party commences an action against the other Party, either legal, administrative or otherwise, arising out of or in connection with this Agreement, the prevailing Party in such litigation shall be entitled to have and recover from the losing Party reasonable attorneys' fees and all other costs of such action.
- 6.12 SUCCESSORS AND ASSIGNS: This Agreement shall be binding on the successors and assigns of the Parties.
- 6.13 NO THIRD PARTY BENEFIT: There are no intended third party beneficiaries of any right or obligation assumed by the Parties. All rights and benefits under this Agreement inure exclusively to the Parties.
- 6.14 CONSTRUCTION OF AGREEMENT: This Agreement shall not be construed in favor of, or against, either Party but shall be construed as if the Parties prepared this Agreement together through a process of negotiation and with the advice of their respective attorneys.
- 6.15 SEVERABILITY: If any portion of this Agreement is declared invalid, illegal, or otherwise unenforceable by a court of competent jurisdiction, the remaining provisions shall continue in full force and effect.
- 6.16 AMENDMENT; MODIFICATION: No amendment, modification or supplement of this Agreement shall be valid or binding unless executed in writing and signed by both Parties, subject to CITY approval. The requirement for written amendments, modifications or supplements cannot be waived and any attempted waiver shall be void and invalid.
- 6.17 CAPTIONS: The captions of the various articles, sections and paragraphs are for convenience and ease of reference only, and do not define, limits, augment, or describe the scope, content, or intent of this Agreement.
- 6.18 INCONSISTENCIES OR CONFLICTS: In the event of any conflict or inconsistency between the provisions of this Agreement and any of the exhibits attached hereto, the provisions of this Agreement shall control.
- 6.19 ENTIRE AGREEMENT: This Agreement including all attached exhibits is the entire, complete, final and exclusive expression of the Parties with respect to the matters addressed herein and supersedes all other agreements or understandings, whether oral or written, or entered into between CITY and CONSULTANT prior to the execution of this

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Agreement. No statements, representations or other agreements, whether oral or written, made by any Party which are not embodied herein shall be valid or binding. No amendment, modification or supplement to this Agreement shall be valid and binding unless in writing and duly executed by the Parties pursuant to Section 6.15, above.

- 6.20 COUNTERPARTS: This Agreement shall be executed in three (3) original counterparts each of which shall be of equal force and effect. No handwritten or typewritten amendment, modification or supplement to any one counterparts shall be valid or binding unless made to all three counterparts in conformity with Section 6.16, above. One fully executed original counterpart shall be delivered to CONSULTANT and the remaining two original counterparts shall be retained by CITY.

(SIGNATURE PAGE TO FOLLOW)

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IN WITNESS WHEREOF, the Parties hereto have caused this Agreement to be executed the day and year first appearing in this Agreement, above.

CITY OF SAN FERNANDOBy: 

Nick Kimball, Interim City Manager

LIEBERT CASSIDY WHITMOREBy: Name: Brian P. WalterTitle: Secretary

Re: LCW Proposal for Negotiations Services

March 14, 2017

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- Represent the City at impasse proceedings, including preparation and representation through the impasse process, preparation of press releases, supervising media relations, meeting with elected officials, and making those appearances provided for by the City employee relations ordinance, as requested by the City.

Most of our negotiation work involves multiple units and we are adept at handling multiple concurrent negotiations. When possible we attempt to schedule meetings with various units back to back as to reduce travel time.

Rates and Service Structure

We understand the need to manage the cost of legal services and frequently work with clients to create budgets and cost strategies that suit them. Additionally, because our practice is statewide we share briefs, motions, points and authorities, research memos and opinion letters so that we do not research issues and principles of law that other members of the firm have recently worked on. Of course, we provide the most updated briefs and arguments in the course of our practicing efficiently and effectively. Invoices are payable upon receipt and due within 30 days.

Pricing offered on a time-and-materials basis would be based on the standard hourly rates listed below:

Adrianna Guzman \$305
Jeffrey Freedman \$350

Expenses

Unlike many firms, we do not bill for secretarial or word processing time or telephone charges. Facsimile transmissions are billed at the rate of \$.50 per page for outgoing faxes only. We make every effort to email documents rather than fax them. Copying is charged at fifteen cents (\$.15) per page. Additional prints, postage and special deliveries (i.e. Fed-Ex, UPS, DHL, messenger service), and other hired deliveries completed at the request of the client or necessary to comply with court or other deadlines will also be billed to the client.

Our firm bills for travel time at the attorney's hourly rate - for the time it takes to travel from the office to our client and back, or the time it takes from the attorney's residence to our client and back, whichever is less.

Retainer Option

We can also offer the City a retainer option. Our typical monthly retainer for negotiations is \$3,450 for the first unit and \$920 for each additional unit. The monthly hours are then capped based on the reduced hourly rate of \$290 for Adrianna Guzman or \$335 for Jeff Freedman. For example, if we were to negotiate one unit, the monthly rate would be \$3,450, which would cover an average of 11.9 hours of service per month (142.8 hours annually) for Adrianna or 10.3 hours of service per month (123.6 hours annually) for Jeff. Any time over the annual cap would be billed at the standard hourly rates.

Re: *LCW Proposal for Negotiations Services*

March 14, 2017

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The retainer covers preparation, telephone consultation, travel time, attendance at governing board meetings, and negotiations. It does not cover post-mediation proceedings, such as factfinding or interest arbitration. This is billed at the negotiator's standard hourly rates. This retainer would be in effect for an entire one year period, with the option to renew annually. Negotiations can also be billed hourly based on the attorney rate described above.

Conclusion

We welcome the opportunity to assist the City. We recognize that your purpose is to serve the needs of the community and so our goal is to help you achieve this mission. We are most rewarded when we have the opportunity to collaborate with our clients to create solutions that make them successful. We offer our commitment to the City to provide it with superior service, timely and efficient work product and professional people with whom to work.

If we can provide additional information or if you would like to interview the firm, please contact us.



FIRST AMENDMENT PROFESSIONAL SERVICES AGREEMENT

LIEBERT CASSIDY WHITMORE

Labor Negotiator Services

THIS FIRST AMENDMENT (hereinafter, "First Amendment") to that certain agreement entitled "Professional Services Agreement – Labor Negotiator Services" administrative contract dated April 1, 2017 (hereinafter, "Master Agreement"), is hereby made and entered into this 6th day of November, 2017 (hereinafter, "Effective Date") by and between CITY OF SAN FERNANDO, a municipal corporation (hereinafter, "CITY") and Liebert Cassidy Whitmore, A Professional Corporation (hereinafter, "CONSULTANT"). For purposes of this First Amendment, the capitalized term "Parties" shall be a collective reference to both CITY and CONSULTANT. The capitalized term "Party" may refer to either CITY or CONSULTANT, interchangeably.

RECITALS

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

WHEREAS, exaction of the Master Agreement was executed by the Parties on April 1, 2017 (A true and correct copy of the Master Agreement is attached and incorporated hereto as Exhibit "A"); and

WHEREAS, the Parties now wish to modify the Master Agreement by increasing compensation Not-To-Exceed \$50,000 as a result of additional MOU negotiation services; and

WHEREAS, the capitalized term "Contract" shall refer to the Master Agreement as amended by way of this First Amendment; and

WHEREAS, this First Amendment was approved by the City Council at its meeting of November 6, 2017 under Agenda Item 3.

NOW, THEREFORE, in consideration of the mutual agreements contained herein, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, and intending to be legally bound hereby, the Parties agree as follows:

SECTION 1. The Not-To-Exceed Sum set forth under Section 1.3(B) of the Master Agreement shall not exceed the budgeted aggregate sum of \$50,000.

SECTION 2. Except as otherwise set forth in this First Amendment, the Master Agreement shall remain binding, controlling, and in full force and effect. Section 1.3(B) of the Master Agreement notwithstanding, this First Amendment, together with the Master Agreement, shall constitute the entire, complete, final, and exclusive expression of the Parties with respect to the matters addressed in both documents (Entire Agreement). In the event of a

FIRST AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT

Labor Negotiator Services

Page 2 of 2

conflict or inconsistency between the provisions of this First Amendment, including any and all attachments to this First Amendment and the provisions of the Master Agreement, including all exhibits attached to the Master Agreement, the provisions of the First Amendment and its attachments shall govern and control but only to the extent of the conflict and no further.

SECTION 3. The provisions of this First Amendment shall be deemed a part of the Master Agreement and except, as otherwise provided under this First Amendment, the Master Agreement and all provisions contained therein shall remain binding and enforceable.

IN WITNESS WHEREOF, the Parties hereto have caused this First Amendment to be executed on the day and year first appearing above.

CITY:**City of San Fernando**By: 

Alexander P. Meyerhoff, City Manager

CONSULTANT:**Liebert Cassidy Whitmore**By: Name: J. Scott TiebenmanTitle: Managing Partner**APPROVED AS TO FORM**By: 

Richard Padilla, Assistant City Attorney

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AGENDA REPORT

To: Mayor Sylvia Ballin and Councilmembers

From: Alexander P. Meyerhoff, City Manager
By: Yazdan T. Emrani, P.E., Director of Public Works /City Engineer

Date: May 21, 2018

Subject: Consideration of Fiscal Year (FY) 2018-2019 Landscaping and Lighting Assessment District (LLAD) Approval of Engineer's Report and Setting the Date for the Public Hearing

RECOMMENDATION:

It is recommended that the City Council:

- a. Adopt Resolution No. 7854 (Attachment "A") approving the Engineer's Report for FY 2018-2019 Landscaping and Lighting Assessment District (LLAD); and
- b. Adopt Resolution No. 7855 (Attachment "B") declaring the City Council's intention to order the annual assessments for FY 2018-2019 LLAD and setting the date for the Public Hearing on June 18, 2018.

BACKGROUND:

1. On February 5, 2018, the City Council adopted Resolution 7834 to initiate proceedings and order the preparation of the Engineer's Report for the FY 2018-2019 levy of annual assessments for the City's street lighting. Assessments under the LLAD are to be used for street lighting purposes only.
2. The LLAD has been in effect in the City since FY 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. The City Council has previously approved the methodology for assessments and staff will continue with the same methodology this year.

**Consideration of Fiscal Year (FY) 2018-2019 Landscaping and Lighting Assessment District (LLAD)
Approval of Engineer's Report and Setting the Date for the Public Hearing**Page 2 of 2

ANALYSIS:

Per the Engineer's Report, the assessments collected this year will not be sufficient to fully fund operations and maintenance costs. For FY 2018-2019, staff estimates the total levy assessment amount to be \$331,181, which is the maximum assessment rate as approved in the 2003 ballot. The total operations and maintenance costs for FY 2018-2019 is estimated at \$412,992, which exceeds the maximum amount the City may assess by \$81,811.

In order to address the additional operations and maintenance costs for FY 2018-2019, General Funds will be budgeted until the assessed amount can be increased. Under Proposition 218, which became effective in FY 1997-1998, new or increased assessments, or existing assessments not imposed exclusively to fund capital costs or operations and maintenance may not be routinely imposed.

BUDGET IMPACT:

The cost to prepare the LLAD Engineer's Report has been included in the FY 2018-2019 proposed budget. The General Fund will be subsidizing the district up to \$81,811.

CONCLUSION:

The Engineer's Report prepared by Willdan Financial Services for FY 2018-2019 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.

Since assessments do not cover all of the maintenance costs associated with the district, the City has traditionally utilized the General Fund to maintain service levels. In light of existing budget constraints, next year it may be prudent to increase assessment amounts to cover rising maintenance costs, or consider reducing service. This action would require a vote of properties in the assessment area prior to the approval of any increase.

ATTACHMENTS:

- A. Resolution No. 7854
- B. Resolution No. 7855

ATTACHMENT “A”**RESOLUTION NO. 7854****A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
SAN FERNANDO, CALIFORNIA, APPROVING THE
ENGINEER’S REPORT FOR CERTAIN STREET LIGHTING
MAINTENANCE IN THE CITY OF SAN FERNANDO
LANDSCAPING AND LIGHTING ASSESSMENT DISTRICT
FISCAL YEAR 2018-2019**

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”);

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, 2018.

Sylvia Ballin, Mayor

ATTEST:

Elena G. Chávez, City Clerk

APPROVED AS TO FORM:

Rick R. Olivarez, City Attorney

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

I 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, 2018, by the following vote to wit:

AYES:

NOES:

ABSENT:

Elena G. Chávez, City Clerk



City of San Fernando

Landscaping and Lighting Assessment District

2018/2019 ENGINEER'S ANNUAL LEVY REPORT

Intent Meeting: May 21, 2018

Public Hearing: June 18, 2018

27368 Via Industria
Suite 200

Temecula, CA 92590

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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 Assessment 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 _____, 2018.

Willdan Financial Services
Assessment Engineer

By: _____

Susana Hernandez
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 Assessment District (the “District”) is prepared pursuant to a resolution of the City Council of the City of San Fernando (the “City”) 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 (in Section 7 of this report) 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 2018/2019 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 2(d) 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 2(i) 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 4(a) 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)

$$\text{District-wide Lighting (DLR)} = \frac{\text{Budgeted Intersection Safety Light Cost}}{\text{Total Assessable Footage (TAF)}}$$

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.

Residential SLB	= 1.0	x	RF	(Residential Frontage)
Residential ALB	= 0.5	x	RAF	(Residential Alley Frontage)
Industrial SLB	= 2.5	x	MF	(Industrial Frontage)
Industrial ALB	= 1.0	x	MAF	(Industrial Alley Frontage)
Commercial SLB	= 3.0	x	CF	(Commercial Frontage)
Commercial ALB	= 1.0	x	CAF	(Commercial Alley Frontage)

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

Total Local Footage (TLF)= RF+2.5(MF)+3.0(CF)+0.5(RAF)+MAF+CAF)
(Adjusted Footage) (All assessed parcels)

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

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

Total Assessment = District-wide Assessment + Local Lighting Assessment

Residential Assessment	=	(RF x DLR) + [(1(RF) + .5(RAF)) x LLR]
Industrial Assessment	=	(MF x DLR) + [(1(MF) + .5(MAF)) x LLR]
Commercial Assessment	=	(CF x DLR) + [(1(CF) + .5(CAF)) x LLR]

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 2018/2019, 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 COSTS		FISCAL YEAR 2018/2019 BUDGET*
OPERATING EXPENSES:		
	Utilities	\$195,567
	Contractual Services	40,500
	Department Supplies/Equipment Maintenance/Tools	375
	Cost Allocation	45,025
Total Operating Expenses		\$281,467
PERSONNEL EXPENSES:		
	Personnel Costs	\$126,277
	Overtime	1,500
Total Personnel Expenses		\$127,777
CITY INCIDENTAL COSTS:		
	Consultant Engineering & Legal Services	\$2,500
	County Assessor	1,248
Total City Incidental Costs		\$3,748
Total Operating and Personnel Costs		\$412,992
Levy Adjustments		
	General Fund	(81,810)
Total Levy Adjustments		(81,810)
TOTAL BALANCE TO LEVY		\$331,181
District Statistics		
	Total Number of Parcels	5,176
	Number of Assessed Parcels	4,990
	Total Assessable Footage (District-wide Lighting)	375,847
	Total Adjusted Footage (Local Lighting)	541,786
District-wide Assessment Rate		
	Maximum Rate	\$0.2262
	Applied Rate	\$0.2262
Local Lighting Assessment Rate		
	Maximum Rate	\$0.4477
	Applied Rate	\$0.4477

*Totals may not foot due to rounding.

SECTION 6. ASSESSMENT ROLL

The net amount to be assessed upon assessable lands within the District for Fiscal Year 2018/2019 is \$331,181.36. The Fiscal Year 2018/2019 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 were approved and applied in Fiscal Year 2017/2018.

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 SIMENSIONS OF ALL LOTS AND PARCLES 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
LEIVED 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 TOLL
FOR THE EXACT AMOUNT OF EACH ASSESSMENT AGAINST EACH PARCEL WITHIN SAID
ASSESSMENT DISTRICT.

DATE

CITY CLERK

DRAWN BY: S.A. IBRAHIM

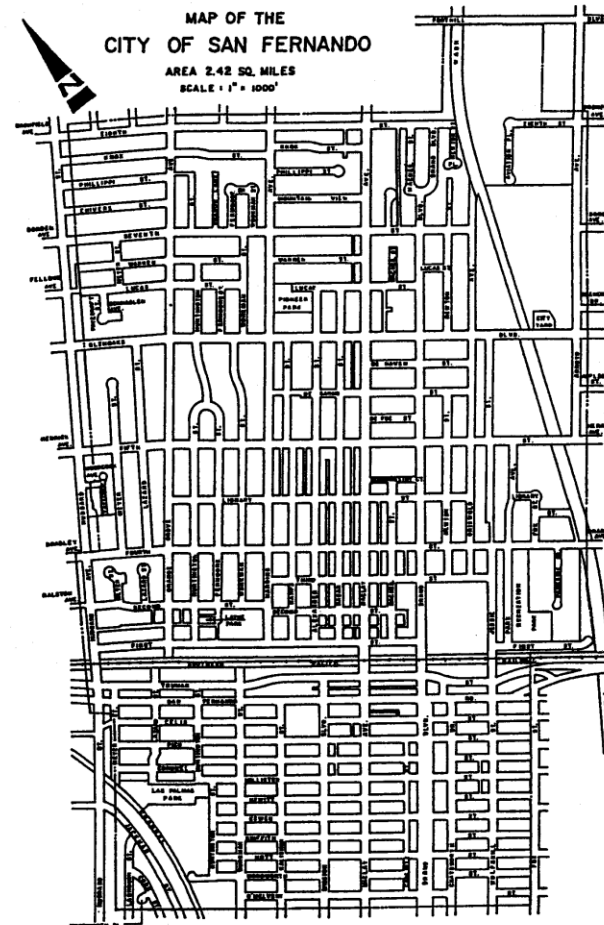
CHECKED BY: EDWIN G. GALVEZ 4/7/00

APPROVED:


CITY ENGINEER

51505
RCE.NO

4/7/00
DATE



ATTACHMENT "B"**RESOLUTION NO. 7855**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN FERNANDO, CALIFORNIA, DECLARING ITS INTENTION TO LEVY AND COLLECT ASSESSMENTS WITHIN THE CITY OF SAN FERNANDO LANDSCAPING AND LIGHTING ASSESSMENT DISTRICT FOR FISCAL YEAR 2018-2019 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 2018-2019 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 2018-2019 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 2018-2019.

SECTION 5. DESCRIPTION OF IMPROVEMENTS

That the proposed improvements for Fiscal Year 2018-2019 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 June 18, 2018, 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, 2018.

Sylvia Ballin, Mayor

ATTEST:

Elena G. Chávez, City Clerk

APPROVED AS TO FORM:

Rick R. Olivarez, City Attorney

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

I 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, 2018, by the following vote to wit:

AYES:

NOES:

ABSENT:

Elena G. Chávez, City Clerk

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AGENDA REPORT

To: Mayor Sylvia Ballin and Councilmembers

From: Alexander P. Meyerhoff, City Manager
By: Yazdan T. Emrani, P.E., Director of Public Works/City Engineer

Date: May 21, 2018

Subject: Consideration to Appropriate Air Quality Management District Funds for the Compressed Natural Gas Upgrade Project

RECOMMENDATION:

It is recommended that the City Council adopt Resolution No. 7853 (Attachment "A") amending the Fiscal Year (FY) 2017-2018 adopted budget appropriating \$35,000 in Air Quality Management District (AQMD) funds for the local match related to the Compressed Natural Gas Upgrade Project.

BACKGROUND:

1. In 2008, the City was awarded a Federal grant of approximately \$1.6 Million to improve the City's existing CNG fueling station, located at 120 Macneil Street, and purchase new transit vehicles.
2. In November 2014, the City was notified by the Mobile Source Air Pollution Review Committee (MSRC) and South Coast Air Quality Management District (SCAQMD) that \$387,091 in funding through the Clean Transportation Funding grant program was also awarded for improvements to the City's CNG fueling station.
3. On July 18, 2016, the City Council accepted the \$387,091 awarded by the Mobile Source Air Pollution Review Committee (MSRC) via the Clean Transportation Funding Grant Program and authorized the City Manager, or designee, to execute the grant agreement with MSRC.
4. On July 18, 2016, the City Council awarded Contract No. 1824 to Clean Energy for the Compressed Natural Gas (CNG) Fueling Station Upgrade Project.

Consideration to Appropriate Air Quality Management District Funds for the Compressed Natural Gas Upgrade ProjectPage 2 of 2

ANALYSIS:

The CNG Fueling Station Upgrade Project is federally funded and requires a 20 percent local match. The federal grant funds were obtained through the Federal Transit Authority (FTA) 5309 program and the local match obtained through the Mobile Source Air Pollution Review Committee (MSRC) Clean Transportation Funding grant program.

To be eligible to receive grant funds through MSRC's Clean Transportation Program, the City is required to use a portion of its AB 2766 Motor Vehicle Subvention Program funds, which is allocated annually, towards its local match. The City dedicated \$35,000 in AB 2766 funds to be used in conjunction with the \$387,091 from the MSRC to be used as its local match for the CNG Fueling Station Project; total local match of \$422,091. The \$35,000 in AB 2766 funds is available within the Fund 16 (Air Quality Management District) fund balance but has not been appropriated for use during FY 2017-2018.

BUDGET IMPACT:

The \$35,000 is available within the Air Quality Management District Fund 16 fund balance. The expenditure will not impact the City's General Fund as Fund 16 is a Special Fund.

CONCLUSION:

Staff recommends the City Council to adopt Resolution No. 7853 amending the FY 2017-2018 adopted budget appropriating \$35,000 in AQMD funds for the local match related to the Compressed Natural Gas Upgrade Project.

ATTACHMENT:

A. Resolution No. 7853

ATTACHMENT “A”**RESOLUTION NO. 7853****A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
SAN FERNANDO, CALIFORNIA, AMENDING THE BUDGET
FOR THE FISCAL YEAR 2017-2018 ADOPTED ON JUNE 19, 2017**

WHEREAS, the City of Council has received and considered the proposed adjustment to the budget for Fiscal Year 2017-2018, commencing July 1, 2017, and ending June 30, 2018; and

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

WHEREAS, the City's requires funding for the Local Match for the Compressed Natural Gas Upgrade Project; and

WHEREAS, an annual budget for the City of San Fernando for the Fiscal Year beginning July 1, 2017 and ending June 30, 2018, a copy of which is on file in the City Clerk's Office, was adopted on June 19, 2017.

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

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

Fund 16: Air Quality Management District

Increase in Expenditures	\$35,000
016-310-3661-4600	

PASSED, APPROVED, AND ADOPTED this 21st day of May, 2018.

Sylvia Ballin, Mayor

ATTEST:

Elena G. Chávez, City Clerk

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

I HEREBY CERTIFY that the foregoing Resolution was approved and adopted at a regular meeting of the City Council held on the 21st day of May, 2018, by the following vote to wit:

AYES:

NOES:

ABSENT:

Elena G. Chávez, City Clerk

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AGENDA REPORT

To: Mayor Sylvia Ballin and Councilmembers

From: Alexander P. Meyerhoff, City Manager
By: Yazdan T. Emrani, P.E., Director of Public Works/City Engineer

Date: May 21, 2018

Subject: Consideration to Accept and Appropriate Grant Funds from the Active Transportation Program (ATP) and Mobile Source Air Pollution Reduction Committee (MSRC) for the Pacoima Wash Bikeway Project

RECOMMENDATION:

It is recommended that the City Council:

- a. Accept \$973,000 in Active Transportation Program (ATP) and \$354,000 in Mobile Source Air Pollution Reduction Committee (MSRC) grant funds for the Pacoima Wash Bikeway Project; and
- b. Adopt Resolution No. 7856 (Attachment "A") amending the Fiscal Year (FY) 2017-2018 adopted budget appropriating the grant expenditures and revenues for the Pacoima Wash Bikeway Project;
- c. Authorize the City Manager to execute all related documents.

BACKGROUND:

1. In FY 2003-2004, California State Polytechnic University, Pomona's Department of Landscape Architecture prepared the Pacoima Wash Greenway Master Plan that covers a length of 3.2 miles; 1.6 miles of the Pacoima Wash runs through the City of San Fernando.
2. In 2007 the City successfully applied to the Metropolitan Transportation Authority (Metro) Call for Projects for funding of the Pacoima Wash Bikeway Project. The City was awarded a total of \$1,513,000. However, METRO rescinded this award due to the Federal Government changing the rules for funding bicycle and pedestrian projects leading to funding of more types of projects with less money.
3. In September 2013, new legislation was passed to establish the Active Transportation Program (ATP) and fund the 2014 Metro Call for Projects. However, this legislation and

Consideration to Accept and Appropriate Grant Funds from the Active Transportation Program (ATP) and Mobile Source Air Pollution Reduction Committee (MSRC) for the Pacoima Wash Bikeway Project
Page 2 of 3

another piece of legislation created a Metro Call for Projects funding gap of \$90 million that includes the City's Pacoima Bikeway Project grant.

4. In February 2017, due to the \$90 million funding gap, Metro withdrew its previously-approved Call funding for 49 bicycle and pedestrian projects, Pacoima Wash Project being one, and required cities to apply directly to the state for ATP funding for their projects.
5. On March 17, 2014, the City Council approved the preparation and submittal of a State of California Active Transportation Program grant application to replace the \$1,513,000 in funds received from the original 2007 Metro Call for Projects grant which were later rescinded by Metro.
6. On September 4, 2015, the City submitted an application for Clean Transportation Funding from the MSRC Local Government Match Program to obtain matching funds for the Pacoima Wash Bikeway Project.
7. On November 6, 2015, the City was notified by the MSRC that it was awarded \$354,000 in grant funds for the Pacoima Wash Bikeway Project.
8. In 2017, the City was awarded \$973,000 in grants funds through the ATP Cycle 3 Call for Projects Program for the Pacoima Wash Bikeway Project.

ANALYSIS:

The Pacoima Wash is a tributary of the Los Angeles River running from Angeles National Forest in the north to the Tujunga Wash in the south. In FY 2003-2004, California State Polytechnic University, Pomona's Department of Landscape Architecture prepared the Pacoima Wash Greenway Master Plan that covers a length of 3.2 miles; 1.6 miles of the Pacoima Wash runs through the City of San Fernando.

The Pacoima Wash, a channelized tributary of the Los Angeles River, currently divides neighborhoods creating potential unsafe trespassing across the 65-foot channel and forcing pedestrians and bicyclists onto highly traveled roadways with Class II, III or no bike and pedestrian facilities.

The proposed project enhances quality of life within the community and implements elements of the recently approved Safe and Active Streets Plan.

Project- Construction Phase One

The Project would result in construction of a 12-foot wide, 1.34-mile long Class I Bicycle/Pedestrian Path along the Pacoima Wash from the southern end of Pacoima Wash

Consideration to Accept and Appropriate Grant Funds from the Active Transportation Program (ATP) and Mobile Source Air Pollution Reduction Committee (MSRC) for the Pacoima Wash Bikeway Project
Page 3 of 3

Natural Park at Eighth Street. At this point of the Class I bicycle and pedestrian path, a prefabricated bridge connecting communities from opposite sides of the Pacoima Wash, will be installed parallel to the southeast side of the Wash and end at Fourth Street and Bradley Avenue. The project also includes: at-grade crossings at Fifth Street, Fourth Street, and Glenoaks Boulevard; six community access points; lighting, fencing, signing and striping.

Future phases of this project will connect along the Pacoima Wash northward to Angeles National Forest and southward to the San Fernando Road Class I Bikeway and Haddon Pedestrian Bridge.

Current Status of Project

The City partnered with the Mountains Recreation and Conservation Authority (MRCA) for design support on the project. MRCA utilized Surface Transportation Project funds for the development of the engineering and construction plans. The final plan is complete and has been submitted to Caltrans for approval and a “notice to proceed” with construction. MRCA has also submitted the needed permit applications with the United States Army Corps of Engineers (USACE) and is awaiting their approval. It is estimated that the construction for this project will start in Fall of 2018.

Maintenance

It is anticipated that the City will provide ongoing maintenance of the facility once it is operational.

BUDGET IMPACT:

The revenues and expenditures will be budgeted within Fund 10 (Capital Grants Fund) as part of the FY 2017-2018 Adopted Budget.

CONCLUSION:

Staff recommends the City Council accept the \$973,000 in Active Transportation Program and \$354,000 in Mobile Source Air Pollution Reduction Committee grant funds and adopt Resolution No. 7856 amending the FY 2017-2018 adopted budget and appropriating the grant expenditures and revenues.

ATTACHMENT:

A. Resolution No. 7856

ATTACHMENT “A”**RESOLUTION NO. 7856****A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
SAN FERNANDO, CALIFORNIA, AMENDING THE BUDGET
FOR THE FISCAL YEAR 2017-2018 ADOPTED ON JUNE 19, 2017**

WHEREAS, the City of Council has received and considered the proposed adjustment to the budget for Fiscal Year 2017-18, commencing July 1, 2017, and ending June 30, 2018; and

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

WHEREAS, the City’s requires funding from multiple sources to complete the Pacoima Wash Bikeway Project; and

WHEREAS, an annual budget for the City of San Fernando for the Fiscal Year beginning July 1, 2017 and ending June 30, 2018, a copy of which is on file in the City Clerk’s Office, was adopted on June 19, 2017.

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

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

CAPITAL GRANTS: Pacoima Wash Bikeway Project (010):

Increase in Revenues	\$973,000
010-3686-0551	

Increase in Expenditures	\$973,000
010-311-0551-4600	

Increase in Revenues	\$354,000
010-3686-0551	

Increase in Expenditures	\$354,000
010-311-0551-4600	

PASSED, APPROVED, AND ADOPTED this 21st day of May, 2018.

Sylvia Ballin, Mayor

ATTEST:

Elena G. Chávez, City Clerk

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

I HEREBY CERTIFY that the foregoing Resolution was approved and adopted at a regular meeting of the City Council held on the 21st day of May, 2018, by the following vote to wit:

AYES:

NOES:

ABSENT:

Elena G. Chávez, City Clerk

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AGENDA REPORT

To: Mayor Sylvia Ballin and Councilmembers

From: Alexander P. Meyerhoff, City Manager
By: Anthony Vairo, Police Chief
Irwin Rosenberg, Police Sergeant

Date: May 21, 2018

Subject: Consideration to Approve Homeless Connect Day and the Use of the City Seal

RECOMMENDATION:

It is recommended that the City Council:

- a. Approve Homeless Connect Day in the City of San Fernando to be held on July 19, 2018;
- b. Authorize the use of Las Palmas Park to host the event and waive any and all event fees;
- c. Approve the use of the City seal on Homeless Connect Day print material and social media pursuant to City Council Resolution No. 6904 (Attachment "A"); and
- d. Authorize the Police Department to pursue donations to support the event.

BACKGROUND:

1. On November 16, 2017, the City, under the coordination of the Police Department, hosted its first Homeless Connect Day in the City of San Fernando located at Recreation Park.
2. The event drew over 80 homeless persons locally and helped to provide essential services and potential housing placement for many of the attendees.
3. The event provided free breakfast and lunch donated by local private persons, businesses and through the support of Los Angeles County Supervisor Sheila Kuehl's Office.

ANALYSIS:

The City has continued to see a slow steady increase in the population of homeless persons residing on our streets and in public areas, as well as private property areas in and around the

Consideration to Approve Homeless Connect Day and Use of the City SealPage 2 of 3

City. Businesses and residents have complained about the homeless population and staff has worked hard to connect homeless persons with available resources. Staff has also engaged in appropriate enforcement activities to discourage public health violations, as well as violations of City ordinances. The Police Department has encouraged members of the homeless community to continue to participate in local Homeless Connect Days held in Sylmar and other areas. Very few have participated in events outside San Fernando, even when offered transportation. The first Homeless Connect Day held in the City of San Fernando was in November 2017, and provided invaluable resources for homeless persons.

The goal of Homeless Connect Day is to link people experiencing homelessness with long-term services and housing so that they may end their experience of homelessness. To accomplish this, the Homeless Connect Day includes: 1) Homeless services providers; 2) assistance with critical needs; 3) incentives to connect to services; 4) showers; and 5) meals. Homeless service providers include: Los Angeles Homeless Services Authority (LAHSA), housing providers, health providers, mental health providers, substance abuse treatment agencies, employment assistance, veterans' assistance agencies, agencies serving transition age youth, etc.

This proposed event would be co-sponsored by Los Angeles County Supervisor Sheila Kuehl, State Senator Robert Hertzberg, and the City of San Fernando. The concept is to provide a one-stop approach for homeless persons to be assessed and intake processed for essential services including mental health services, housing, hygiene needs, public assistance and other important available resources.

The resources provided by the event sponsors would be as follows:

- Secure the core services needed for housing placement and stabilization;
- Provide the core services signage and partner navigation map;
- Complete an initial intake with each participant (LAHSA);
- Collect Connect Day services data including follow-up services provided in the 30 days post event;
- Compile the data and create the Connect Day presentation;
- Conduct the evaluation of the event to get same day feedback; and
- Provide outreach and transportation of participants.

As the host, the City will provide the following:

- Secure the Connect Day venue (proposing Las Palmas Park Gym);
- Provide tables and chairs;
- Authorize use of the City Seal to be used on print material and social media for the event using a flyer template created by Supervisor Kuehl's Office (Attachment "B");
- Advertising Connect Day in the surrounding community, particularly to Neighborhood Watch and other interested civic groups;
- Provide water and paper products through donations from local businesses;
- Set-up/break-down event;

Consideration to Approve Homeless Connect Day and Use of the City SealPage 3 of 3

- Secure any additional service providers (if desired) such as pet grooming, haircuts, etc.;
- Provide “passports” that encourage participants to visit service providers; and
- Invite media to cover the event via a press release and social media campaign.

Example of Homeless services to be available:

- Los Angeles Homeless Services Authority (LASHA)
- Northeast Valley Health Corporation
- Department of Public Social Services
- Homeless Court (City Attorney Office Citation Project, also serve county homeless)
- Operation Healthy Homecoming
- Tarzana Treatment Center
- Olive View Community Mental Health Urgent Care
- The Salvation Army
- LA Family Housing
- The Village Family Services
- Hope Mill
- Shower trucks
- Free lunch will be provided courtesy of In and Out Burger Corporation

BUDGET IMPACT:

There will be minimal direct staff cost associated with this event as Recreation and Community Services Department can utilize staff already scheduled to work at the park and the Police Department will use one Police Sergeant during their regularly scheduled shift. The event will also utilize volunteers and Police Explorers to assist with setup and breakdown for the event.

As a City event, there is no cost to rent the gym at Las Palmas Park.

CONCLUSION:

Staff is requesting the City Council approve the event to be hosted in the City at Las Palmas Park, authorize the use of the City Seal and waive any and all fees for the event. A Homeless Connect Day would benefit local homeless persons and address a concern raised often by residents and business members of the community.

ATTACHMENTS:

- A. Resolution No. 6904
- B. Sample flyer

ATTACHMENT "A"**RESOLUTION NO. 6904****A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN FERNANDO, AMENDING THE STANDARD MANAGEMENT PROCEDURE REGARDING USE OF CITY SEAL**

WHEREAS, the City Council adopted a standard management procedure for the use of the City seal on August 3, 1987.

WHEREAS, the City Council desires to revise the procedure to limit the use of the City seal, as provided in this resolution.

WHEREAS, it shall be City policy that the City seal, as described in Municipal Code Section 1-13, shall only be used as provided in this policy. The purpose of this policy is to:

- A. Ensure that the City seal is not used for inappropriate events and affairs.
- B. Control use of the City seal so as to prevent unauthorized use, which could imply City participation, support, or sponsorship in commercial, political, or non-City events.

THE CITY COUNCIL OF THE CITY OF SAN FERNANDO HEREBY FINDS AND RESOLVES:

The City has designated an official seal, which serves to identify City involvement in some manner. Typically, the seal is used on City stationary, City vehicles, brochures and other information. It is important that some guidelines be followed so that the seal be used in an appropriate manner. Therefore, the following guidelines shall be followed pertaining to the City seal:

1. The City seal may be used on all City related literature, material, vehicles, etc., and for City sponsored or co-sponsored functions and events.
2. The City seal may be used on t-shirts, hats, calendars and other like material when sponsored by the City upon approval of the City Administrator.
3. The City seal may not be used by organizations other than the City without prior approval of a majority of the City Council.
4. The City seal may not be used for political or commercial purposes.
5. In cases where it is unclear whether a proposed use of the seal is appropriate, three members of the City Council must approve the use as a scheduled item on a City Council agenda.

PASSED, APPROVED and ADOPTED this 5th day of May, 2003.

Dr. José Hernández
Mayor José Hernández, Ph.D.

ATTEST:

Elena G. Chávez
Elena G. Chávez, City Clerk

APPROVED AS TO FORM:

Michael Estrada
Michael Estrada, City Attorney

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

I, Elena G. Chávez, City Clerk of the City of San Fernando, do hereby certify that the foregoing Resolution was duly adopted by the City Council of the City of San Fernando and signed by the Mayor of the City of San Fernando at a regular meeting held on the 5th day of May, 2003; and that the same was passed by the following vote:

AYES: Hernández, De La Torre, Veres, Ruelas, Martinez - 5

NOES: None

ABSENT: None

Elena G. Chávez
Elena G. Chávez, City Clerk

SAN FERNANDO

HOMELESS

CONNECT DAY



Thursday, November 16, 2017

10am – 1pm

WHERE:

San Fernando Recreation Park
208 Park Avenue
San Fernando, CA 91340

This event is a collaboration between the Los Angeles County, City of San Fernando, the State of California and non-profit agencies that will provide free services to homeless individuals in need of assistance.



Veterans are welcome & encouraged to participate

Lunch will be provided to participants on a first come, first served basis. For more information, please contact Moses Ledesma at mledesma@bos.lacounty.gov or by phone at (818) 901-3831



Sheila Kuehl
Supervisor Sheila Kuehl

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AGENDA REPORT

To: Mayor Sylvia Ballin and Councilmembers

From: Alexander P. Meyerhoff, City Manager
By: Yazdan T. Emrani, P.E., Director of Public Works/City Engineer

Date: May 21, 2018

Subject: Consideration to Approve Regulations in Designated Electric Vehicle Charging Station Parking Stalls and Adopt Related Fees

RECOMMENDATION:

It is recommended that the City Council:

- a. Conduct a Public Hearing,
- b. Pending public testimony, introduce for first reading, in title only, and waive further reading of Ordinance No. 1676 (Attachment "A") "An Ordinance of the City Council of the City of San Fernando, California, Amending Article IV (Stopping, Standing and Parking) of Chapter 90 (Traffic and Vehicles) of the San Fernando Municipal Code by the Addition of a New Division 9 (Electric Vehicle Charging Stations) to Regulate the Parking in Designated Electric Vehicle Charging Station Parking Stalls;"
- c. Accept and approve fee structure for public use of City-owned Electric Vehicle (EV) Charging Stations;
- d. Adopt Resolution No. 7857 (Attachment "B") establishing a schedule of rates for the use of City-owned Electric Vehicle Charging Stations; and
- e. Allow the adjustment of fees when deemed necessary.

BACKGROUND:

1. On October 2, 2017, the City Council approved the purchase of EV Charging Stations for installation at five City-owned parking lots; one dual-port station at each location.
2. On February 15, 2018, EV Charging Stations were installed.
3. On March 28, 2018, EV Charging Station locations were striped and marked.

Consideration to Approve Regulations in Designated Electric Vehicle Charging Station Parking Stalls and Adopt Related FeesPage 2 of 4

ANALYSIS:

On February 15, 2018, Level 2 EV Charging Stations were installed at five City owned parking; the stations are operational and ready to be used. The motivating factor for making EV stations available to the public was to take a proactive step towards reducing the City's carbon footprint and playing a role in providing the infrastructure necessary to support the State's goal of 1.5 million electric cars on the road by 2025.

Before the stations are available to the public, the City must first establish regulations regarding the use of the stations and associated designated parking stalls as well as a fee structure for the consumption of electricity used to charge vehicles. Based on staff's analysis, a fee of \$0.30 per Kilowatt hour (kWh) for off-peak and \$0.40 per kWh during peak-hours is appropriate.

Establishing charging fees will allow the City to recover expenditures associated with owning and operating the five new dual-port Level 2 EV charging stations. On-going expenses associated with the EV charging stations include: energy costs (electricity and demand charges); estimated annual maintenance (\$352 per port annually); fees from the station manufacturer and service provider (ChargePoint), network service (\$228 per port annually); and the collection of session fees (10% of the session fees). The network service fee covers software upgrades, station programming, cellular connections, and 24/7 driver support. The total annual operating cost is \$5,800 or \$1,160 per station.

Electric utility fees associated with use of EV charging stations are difficult to estimate as they vary depending on Southern California Edison's (SCE) rate schedule, time of day, day of the week, and season (summer or winter) in which charging occurs. Electric utility fees include both energy charges for the electricity consumed (\$ per kWh) and demand charges (\$ per kW).

Commercial customers can have large variations in their electrical use, and so are assessed demand charges that cover SCE's costs associated with keeping equipment (transformers, wires, substations, etc.) on standby to allow for enough electricity to be supplied during peak consumption periods. Demand charges are assessed based on the highest average kW measured in a 15-minute interval during the billing period. Demand charges are triggered by simultaneous use of lighting, elevators, gates, and other existing equipment; if charging stations are used at the same time, their electrical consumption will add an increase to the existing demand charges.

Fee Analysis

Cities typically charge per kWh, but some cities, such as the City of Rialto and the City of Calabasas, charge per hour. Rialto charges \$1.00 per hour and Calabasas charges \$1.00 per hour for first two hours then \$2.00 an hour thereafter. A kWh charge gives the end user a more accurate charge than a per hour charge. On average, a vehicle can pull anywhere from 2.7 to 7.2 kWh per hour. The City's Level 2 charging stations have a maximum charge of 6.6 kilowatts

Consideration to Approve Regulations in Designated Electric Vehicle Charging Station Parking Stalls and Adopt Related FeesPage 3 of 4

(kW) per hour which translates to 20 to 25 miles of range for an hour a charging. Staff reviewed the rate structures of nearby municipalities and used them as a basis in the development of a recommended fee structure.

Staff performed an analysis to determine a recommended EV charging fee. In short, the analysis considered fixed and variable costs and weighed those against potential charging fee revenues at anticipated utilization rates. For the first five years of operation, the City would pay ChargePoint a fixed administration and maintenance charge of \$5,800 annually. Variable costs include a networking processing surcharge from ChargePoint of 10 percent of revenue, which covers the wireless networking required for the chargers to communicate status and to process payments. The last variable cost is the cost of the electricity provided by SCE, the City's electric utility. SCE bases the relevant rates on time of use and season, meaning that rates vary depending upon the time of day and time of year that the electricity is used, either on peak (currently 12:00 pm – 6:00 pm), mid peak (varies depending upon season), or off peak (all other hours). SCE typically charges higher rates for the summer season (June 1 to September 30) than for the winter season (October 1 to May 31). The principle underlying reason for differentiating rates between seasons and time of day is that it costs SCE more to provide power during those peak times than during mid or off peak times.

After performing the analysis, staff determined that a rate of 30 cents per kWh during all off peak times and a rate of 40 cents per kWh during summer or peak times (June 1 to September 30, from 12:00 pm – 6:00 pm) represents an appropriate fee structure that balances both affordability for potential customers and cost recovery for the City to provide the EV charging service. The recommended fees are in line with what other jurisdictions charge customers, yet also enable the City to fully cover variable costs and, depending on overall utilization, to recover all or a significant portion of fixed costs.

BUDGET IMPACT:

The impact to the City's adopted budget over the next five years will not be substantial due to having a five year networking and maintenance agreement with ChargePoint in place. However, the overall fiscal impact will also depend on the percent utilization of the EV stations by the general public. That said, having the networking and maintenance agreement in place will allow the City to set-aside revenues, generated during each of the first five years of operation, to prepare for the sun-setting of the networking and maintenance agreement. The utilization and related fees collected will be reviewed and adjusted annually to ensure the City is appropriately recovering the cost of the EV stations.

Consideration to Approve Regulations in Designated Electric Vehicle Charging Station Parking Stalls and Adopt Related FeesPage 4 of 4

CONCLUSION:

Staff recommends the City Council to: conduct a public hearing; introduce for first reading, in title only, and waive further reading of Ordinance No. 1676 establishing regulations related to EV stations and related parking stalls; accept and approve staff's recommended fee structure for public use of City-owned EV Charging Stations; adopt Resolution No. 7857 establishing a schedule of rates for the use of City-owned EV Charging Stations and allow the adjustment of fees when deemed necessary.

ATTACHMENTS:

- A. Ordinance No. 1676
- B. Resolution No. 7857

ATTACHMENT “A”**ORDINANCE NO. 1676**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN FERNANDO, CALIFORNIA, AMENDING ARTICLE IV (STOPPING, STANDING AND PARKING) OF CHAPTER 90 (TRAFFIC AND VEHICLES) OF THE SAN FERNANDO MUNICIPAL CODE BY THE ADDITION OF A NEW DIVISION 9 (ELECTRIC VEHICLE CHARGING STATIONS) TO REGULATE THE PARKING IN DESIGNATED ELECTRIC VEHICLE CHARGING STATION PARKING STALLS

RECITALS

WHEREAS, the City of San Fernando (“City”) wishes to advance the use of electric vehicle charging stations by all of its citizens, businesses and industries;

WHEREAS, Section 22511 of the California Vehicle Code provides, among other things, that a municipality may adopt an ordinance or resolution providing for the designation of stalls or spaces in an off-street parking facility owned or operated by a municipality for the exclusive purpose of charging and parking a vehicle that is connected for electric charging purposes;

WHEREAS, the City does not currently have an ordinance or resolution which grants the City the authority to designate stalls or spaces for electric charging purposes or to prohibit nonelectric vehicles from occupying stalls or spaces intended for electric vehicles to charge, pursuant to Section 22511 of the California Vehicle Code; and

WHEREAS, the City desires to amend the San Fernando Municipal Code (“City Code”) to include regulations governing parking and charging of electric vehicles.

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

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

SECTION 2. Reserved Sections 90-460 through 90-485 found under Division 8 (Permit Parking Program) of Article IV (Stopping, Standing and Parking) of Chapter 90 (Traffic and Vehicles) of the San Fernando City Code are hereby deleted in their entirety.

SECTION 3. Article IV (Stopping, Standing and Parking) of Chapter 90 (Traffic and Vehicles) of the San Fernando City Code is amended by the addition of a new Division 9 (Electric Vehicle Charging Stations), which shall read as follows:

DIVISION 9. ELECTRIC VEHICLE CHARGING STATIONS

Sec. 90-460. Definitions.

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

“Charging” means an electric vehicle parked at an electric vehicle charging station and is electrically connected to the charging station equipment.

“Electric vehicle” means a “motor vehicle” as defined in the California Vehicle Code, and (i) which displays the State of California Air Board ZEV (Zero Emission Vehicle) sticker or (ii) any vehicle defined by the Air Resources Board as “off-vehicle charge capable” meaning a vehicle having the capability to charge a battery from an off-vehicle electric energy source that cannot be connected or coupled to the vehicle in any manner while the vehicle is being driven.

“Electric vehicle charging station” or “charging station” means any level of electric vehicle supply equipment station that is designed and built in compliance with Article 625 of the California Electrical Code, as it reads on the effective date of this division, and delivers electricity from a source outside of an electric vehicle into a plug-in electric vehicle.

Sec. 90-461. Designation of electric vehicle parking spaces.

(a) Designation of parking spaces. The public works director, or designee, is authorized in accordance with the purposes of this division to designate spaces in off-street public parking facilities for the exclusive parking of electric vehicles that are connected to electric vehicle charging stations for the purpose of transfer of electricity to the battery or other energy storage device of an electric vehicle.

(b) Signs or markings. Upon designation of a parking space or spaces for the exclusive use of electric vehicles pursuant to subsection (a) of this section, above, the public works department shall place signs or markings giving adequate notice that the parking space or spaces are restricted and to be used only for such electric vehicles. The signs or markings shall be in compliance with Section 22511 of the California Vehicle Code indicating that vehicles left standing in violation of the restriction may be removed. The parking restriction shall not apply to the designated parking spaces until the sign or markings have been placed.

Sec. 90-462. Electric vehicle parking restriction.

(a) Where a sign designating a parking space for the exclusive use of charging electric vehicles is posted, no person shall park in that space:

- (i) any nonelectric motor vehicle;
- (ii) any electric vehicle that is not connected to the electric vehicle charging station;

- (iii) any electric vehicle that is not charging; or
- (iv) any electric vehicle that has been charging for more than four hours.

(b) The police department and such other parking enforcement personnel as the City may designate are authorized to cite and/or remove or cause the removal of vehicles parked in violation of this section in accordance with Section 22511 of the California Vehicle Code.

Sec. 90-463. Usage Fees.

The City Council may, by resolution, establish and from time to time amend a schedule of fees which the City may charge members of the public for each electric vehicle charging session.

Sec. 90-464. Violations.

Any person violating any of the provisions of this Division shall be, for every such offense, guilty of an infraction. The City Council may, by resolution, establish and from time to time amend a schedule of fines for any violation of this Division.

SECTION 4. CEQA. The City Council finds that the proposed action is not a project as defined by the California Environmental Quality Act (CEQA) (CCR, Title 14, Chapter 3 (“CEQA Guidelines”), Article 20, Section 15378). In addition, CEQA Guidelines Section 15061 includes the general rule that CEQA applies only to activities which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. Because the proposed action and this matter have no potential to cause any effect on the environment, or because it falls within a category of activities excluded as projects pursuant to CEQA Guidelines section 15378, this matter is not a project. Because the matter does not cause a direct or any reasonably foreseeable indirect physical change on or in the environment, this matter is not a project. Any subsequent discretionary projects resulting from this action will be assessed for CEQA applicability.

SECTION 5. Severability. If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council declares that it would have passed this Ordinance and each and every section, subsection, sentence, clause or phrase not declared invalid or unconstitutional without regard to whether any portion of the Ordinance would be subsequently declared invalid or unconstitutional.

SECTION 6. 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 7. Certification. The City Clerk is hereby authorized and directed to certify to the passage of this Ordinance by the City Council and shall cause it to be published or posted as required by law.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of San Fernando a regular meeting held on _____ day of _____, 2018.

Sylvia Ballin, Mayor

ATTEST:

Elena G. Chávez, City Clerk

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

I, ELENA G. CHÁVEZ, City Clerk of the City of San Fernando, do hereby certify that the foregoing Ordinance was adopted a regular meeting of the City Council held on the 21st day of May, 2018 and was carried by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Elena G. Chávez, City Clerk

ATTACHMENT “B”**RESOLUTION NO. 7857**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
SAN FERNANDO, CALIFORNIA, ESTABLISHING A SCHEDULE
OF RATES FOR THE USE OF CITY-OWNED ELECTRIC
VEHICLE CHARGING STATIONS IN ACCORDANCE WITH
SECTION 90-463 (USAGE FEES) OF DIVISION 9 (ELECTRIC
VEHICLE CHARGING STATIONS) OF CHAPTER 90 (TRAFFIC
AND VEHICLES) OF THE SAN FERNANDO MUNICIPAL CODE**

WHEREAS, the City of San Fernando (“City”) wishes to advance the use of electric vehicle charging stations by all of its citizens, businesses and industries;

WHEREAS, Section 22511 of the California Vehicle Code provides, among other things, that a municipality may adopt an ordinance or resolution providing for the designation of stalls or spaces in an off-street parking facility owned or operated by a municipality for the exclusive purpose of charging and parking a vehicle that is connected for electric charging purposes;

WHEREAS, as of the date of this Resolution, the City has submitted to the City Council for first reading an ordinance (“Ordinance No. 1676”) which grants the City the authority to designate stalls or spaces for electric charging purposes; authorizes the City to establish rates for the use of City charging stations; and prohibits nonelectric vehicles from occupying stalls or spaces intended for electric vehicles to charge, pursuant to Section 22511 of the California Vehicle Code;

WHEREAS, Ordinance No. 1676 creates a new Division 9 (Electric Vehicle Charging Stations) to Chapter 90 (Traffic and Vehicles) of the San Fernando Municipal Code, which includes a new Section 90-463 (Usage Fees) which authorizes the City to establish fees for the consumption of electricity from City charging stations; and

WHEREAS, the City Council, in accordance with Section 90-463 wishes to set a schedule of charges for the use of its charging stations subject to and conditioned upon Ordinance No.1676 taking effect.

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

SECTION 1. The foregoing Recitals are true and correct.

SECTION 2. The City Council hereby adopts the following schedule of rates for the usage of City-owned electric vehicle charging stations:

- (a) \$0.40 per Kilowatt hours for on-peak (June 1 to September 30, from Noon – 6 PM);

- and
 (b) \$0.30 per Kilowatt hours for off-peak (All other times)

Signage advising members of the public of these rates shall reference San Fernando Municipal Code Section 90-463. A true and correct copy of this resolution shall also be maintained at the Public Works Department for interested members of the public to inspect and copy upon request.

SECTION 3. This Resolution shall take effect immediately upon adoption by the City Council. The City Clerk shall certify to the adoption of this Resolution.

PASSED, APPROVED, AND ADOPTED this 21st day of May, 2018.

 Sylvia Ballin, Mayor

ATTEST:

 Elena G. Chávez, City Clerk

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

I HEREBY CERTIFY that the foregoing Resolution was approved and adopted at a regular meeting of the City Council held on the 21st day of May, 2018, by the following vote to wit:

AYES:

NOES:

ABSENT:

 Elena G. Chávez, City Clerk

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AGENDA REPORT

To: Mayor Sylvia Ballin and Councilmembers

From: Alexander P. Meyerhoff, City Manager
By: Richard Padilla, Assistant City Attorney

Date: May 21, 2018

Subject: Consideration to Adopt an Ordinance Authorizing the Serving and Consumption of Alcoholic Beverages at City Recreational Facilities Subject to Regulations and Permit Conditions

RECOMMENDATION:

It is recommended that the City Council:

- a. Conduct a Public Hearing;
- b. Pending public testimony, introduce for first reading, in title only, and waive further reading of Ordinance No. 1677 (Attachment "A") "An Ordinance of the City Council of the City of San Fernando, California, Amending Section 54-18 (Intoxicating Liquor Prohibited) of Article I (In General) of Chapter 54 (Parks And Recreation) of the San Fernando Municipal Code to Authorize the Presence and Consumption of Alcohol at City Recreational Facilities Subject To Permit Conditions."

BACKGROUND:

Per Section 54-18 (Intoxicating Liquor Prohibited) of the San Fernando Municipal Code, "[n]o person shall bring into or upon any park, playground or recreation center any intoxicating liquor or consume any intoxicating liquor in or upon any park, playground or recreation center." It is now proposed that the City of San Fernando ("City") modify this prohibition to allow the serving and consumption of alcoholic beverages in connection with organized events and functions at these locations, subject to standard regulation and permit conditions. Under the proposed ordinance "alcoholic beverages" includes alcohol, spirits, liquor, wine, beer and every liquid or solid containing alcohol, spirits, wine or beer, and which contains one-half of one percent or more of alcohol by volume and which is fit for beverage purposes, either alone or when diluted, mixed or combined with other substances.

Consideration to Adopt an Ordinance Authorizing the Serving and Consumption of Alcoholic Beverages at City Recreational Facilities Subject to Regulations and Permit ConditionsPage 2 of 3

ANALYSIS:

In order for the City to allow for the regulated serving and consumption of alcoholic beverages at City parks, playgrounds, recreation centers and other recreational facilities in connection with organized events, the City must first modify Section 54-18 in the manner described above. The attached Ordinance creates an exception to the general prohibition of Section 54-18 by providing that the City Council may establish policies and procedures for the serving and consumption of alcoholic beverages at organized events. The authorization to allow the serving and consumption of alcohol will remain dormant, however, pending the adoption of policies and procedures, no person (who does not hold a valid and unexpired permit) going forward would be allowed to consume or serve alcohol at any park, playground, recreation center or recreational facility nor will be allowed to serve or consume alcohol at these locations.

The attached Ordinance must be approved for first and second reading and would take effect 30 days after the second reading. Between the time of the first reading and the date by which the ordinance takes effect, City staff will need to develop a more details set of policies and procedures for the issuance of alcoholic beverage permits. As referenced in the attached Ordinance, this regulatory scheme could include requirements that the permittee: (i) obtain appropriate licenses from the California Department of Alcoholic Beverage Control; (ii) provide security from a duly licensed security firm pre-approved by the San Fernando Police Department at the permittee's sole cost and expense; (iii) obtain special event insurance satisfactory to the City, naming the City as an additional insured for certain anticipated liabilities and risks associated with the presence and consumption of alcoholic beverages on City property; (iv) indemnify, defend and hold harmless the City from certain liabilities and risks associated with the presence and consumption of alcoholic beverages on city property; and/or (v) provide a security deposit to the City.

Until such time as the City Council adopts such policies and procedures, the City will be under no obligation to issue alcoholic beverage permits and will not be obligated to accept or process applications for such permits.

BUDGET IMPACT:

There is no impact associated with adopted the proposed ordinance. Should the City Council adopt the proposed Ordinance, staff will develop an application fee to ensure that the City is recovering the cost for additional review and compliance efforts. The proposed fee will need to be adopted by resolution and be presented at a future meeting.

Consideration to Adopt an Ordinance Authorizing the Serving and Consumption of Alcoholic Beverages at City Recreational Facilities Subject to Regulations and Permit ConditionsPage 3 of 3

CONCLUSION:

It is recommended that the City Council:

1. Waive full reading of the attached ordinance and approve for first reading; and
2. Direct City staff to commence with the development of more detailed policies and procedures for the regulated serving and consumption of alcoholic beverages at City parks, playgrounds, recreation centers and other recreational facilities.

ATTACHMENT:

- A. Ordinance No. 1677

ATTACHMENT "A"**ORDINANCE NO. 1677**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN FERNANDO, CALIFORNIA, AMENDING SECTION 54-18 (INTOXICATING LIQUOR PROHIBITED) OF ARTICLE I (IN GENERAL) OF CHAPTER 54 (PARKS AND RECREATION) OF THE SAN FERNANDO MUNICIPAL CODE TO AUTHORIZE THE PRESENCE AND CONSUMPTION OF ALCOHOL AT CITY RECREATIONAL FACILITIES SUBJECT TO PERMIT CONDITIONS

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

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

SECTION 2. Section 54-18 (Intoxicating Liquor Prohibited) of Article I (In General) of Chapter 54 (Parks and Recreation) of the San Fernando Municipal Code is hereby amended in its entirety to now state the following:

54-18 Regulation of Alcoholic Beverages at City Recreational Facilities.

- (a) Except as otherwise authorized under the terms, conditions and restrictions set forth under a valid and unexpired alcoholic beverage permit issued by the city, no person shall bring into or upon any park, playground, recreation center or any other recreational facility of the city any alcoholic beverage or consume any such alcoholic beverage in or upon any such park, playground recreation center or other recreational facility of the city. For purposes of this section, the term "alcoholic beverages" means and includes alcohol, spirits, liquor, wine, beer and every liquid or solid containing alcohol, spirits, wine or beer, and which contains one-half of one percent or more of alcohol by volume and which is fit for beverage purposes, either alone or when diluted, mixed or combined with other substances.
- (b) The City Council, by resolution may establish and from time-to-time amend, written policies and procedures for the issuance of temporary permits authorizing, subject to conditions, the serving and consumption of alcoholic beverages at any one or more of the facilities referenced under subsection (a), above, in connection with organized events or other organized community functions. No person may serve, consume or otherwise bring alcoholic beverages onto any park, playground, recreation center or other recreational facility of the city without, or outside of the authorization set forth in, a valid and unexpired alcoholic beverage permit issued by the City in accordance with the City's adopted policies and

procedures. The Council, by resolution, may also suspend any existing policies and procedures pending the adoption of updated and amended policies and procedures. Such city policies and procedures may include, without limitation, requirements that the permittee (i) obtain appropriate licenses from the California Department of Alcoholic Beverage Control; (ii) provide security from a duly licensed security firm pre-approved by the San Fernando Police Department at the permittee's sole cost and expense; (iii) obtain special event insurance satisfactory to the city, naming the city as an additional insured for certain anticipated liabilities and risks associated with the presence and consumption of alcoholic beverages on city property; (iv) indemnify, defend and hold harmless the city from certain liabilities and risks associated with the presence and consumption of alcoholic beverages on city property; and/or (v) provide a security deposit to the city. The foregoing requirements are not exhaustive of the requirements that the city may impose under the City Council-approved policies and procedures.

- (c) Until such time as the City Council approves the written policies and procedures referenced under subsection (b) of this Section, above, no alcoholic beverage permits may be issued by the city and the city shall be under no obligation to accept or process applications for alcoholic beverage permits while the approval of policies and procedures by the City Council remains pending or at any such time thereafter when existing policies and procedures have been suspended by resolution of the City Council.

SECTION 3. CEQA. The City Council finds that the proposed action is not a project as defined by the California Environmental Quality Act (CEQA) (CCR, Title 14, Chapter 3 ("CEQA Guidelines"), Article 20, Section 15378). In addition, CEQA Guidelines Section 15061 includes the general rule that CEQA applies only to activities which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. Because the proposed action and this matter have no potential to cause any effect on the environment, or because it falls within a category of activities excluded as projects pursuant to CEQA Guidelines section 15378, this matter is not a project. Because the matter does not cause a direct or any reasonably foreseeable indirect physical change on or in the environment, this matter is not a project. Any subsequent discretionary projects resulting from this action will be assessed for CEQA applicability.

SECTION 4. Severability. If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council declares that it would have passed this Ordinance and each and every section, subsection, sentence, clause or phrase not declared invalid or unconstitutional without regard to whether any portion of the Ordinance would be subsequently declared invalid or unconstitutional.

SECTION 5. 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 6. Certification. The City Clerk is hereby authorized and directed to certify to the passage of this Ordinance by the City Council and shall cause it to be published or posted as required by law.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of San Fernando a regular meeting held on _____ day of _____, 2018.

Sylvia Ballin, Mayor

ATTEST:

Elena G. Chávez, City Clerk

APPROVED AS TO FORM:

Richard Padilla, City Attorney

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

I, ELENA G. CHÁVEZ, City Clerk of the City of San Fernando, do hereby certify that the foregoing Ordinance was adopted a regular meeting of the City Council held on the _____ day of _____, 2018 and was carried by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Elena G. Chávez, City Clerk

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AGENDA REPORT

To: Mayor Sylvia Ballin and Councilmembers

From: Alexander P. Meyerhoff, City Manager
By: Nick Kimball, Deputy City Manager/Director of Finance

Date: May 21, 2018

Subject: Fiscal Year 2018-2019 Budget Study Session No. 1

RECOMMENDATION:

It is recommended that the City Council review and discuss the Fiscal Year (FY) 2018-2019 Proposed Budget.

BACKGROUND:

1. On March 5, 2018, the City Council received a presentation of the FY 2016-2017 final audited financials, FY 2017-2018 Mid-year Budget update, and FY 2018-2019 Budget Outlook. This marked the kick-off of the FY 2018-2019 Budget season.
2. On April 2, 2018, the City Council received a presentation of prior years' City-wide Strategic Goals and City Council Priorities and staff discussed the work program for FY 2018-2019.
3. During the months of March and April 2018, the City Manager and Deputy City Manager/Director of Finance met with each Department to develop the FY 2018-2019 Proposed Budget, which includes revenues and expenditures for the General Fund, Enterprise Funds, and all Special Revenue Funds.

ANALYSIS:

The FY 2018-2019 Proposed Budget is considered a Maintenance of Effort budget, which means it is based on providing the same level of service as FY 2017-2018. Departments were asked to continue to hold the line and develop their FY 2018-2019 operating budget requests assuming the same amount of funding as the current year. After initial review of the budget, the City Manager is recommending a \$151,675 in ongoing enhancements, which are offset by increased ongoing revenue, and \$172,500 in one-time enhancements for the General Fund.

Fiscal Year 2018-2019 Budget Study Session No. 1Page 2 of 3

Overall, the General Fund has a budget surplus (i.e., total revenue less total expenditures) of approximately \$176,000. Since the General Fund has an overall deficit, the budget surplus serves as the City's reserve to address unforeseen circumstances during the fiscal year.

The General Fund operating budget deficit (i.e., ongoing revenue less ongoing expenditures) is estimated to be a little more than \$1 million in FY 2018-2019. The operating budget deficit had been projected to be less than \$500,000 in FY 2018-2019; however, the loss of Sam's Club had a significant impact on ongoing revenue and the City had to include approximately \$120,000 in new on-going costs related to water consumption at City facilities, parks and medians.

Measure A

Measure A is expected to raise approximately \$2.45 million in FY 2018-2019 and will be used to pay down debt, fund one-time enhancements, reduce the General Fund deficit fund balance, and cover the operating budget deficit. More detail on Measure A expenditures can be found in the City Manager's Budget Message in the Proposed Budget document.

Capital Improvements

The FY 2018-2019 includes funding for a number of critical capital improvements to address the large backlog of deferred maintenance. Funding for these capital improvements is provided primarily through Special Funds, Water Fund and Sewer Fund.

<u>Category</u>	<u>Amount Budgeted</u>	<u>Funding Source(s)</u>
Street and Sidewalk Improvements	\$ 1,607,000	Multiple Special Funds
Water System & Street Improvements	\$ 969,000	Water Fund
Sewer System & Street Improvements	\$ 1,522,707	Sewer Fund
Total:	\$ 4,098,707	

More analysis of the FY 2018-2019 Proposed Budget can be found in the City Manager's Budget message included in the Proposed Budget document.

BUDGET IMPACT:

The total Proposed Budget for all funds is approximately \$42.4 million. The Proposed General Fund budget is \$19.343 million. In accordance with the City's Budget Policy, the FY 2018-2019 Proposed General Fund Budget represents a balance budget, with General Fund revenues of \$19.519 million and expenditures of \$19.343 million, estimating a surplus of \$176,000.

CONCLUSION:

The objective of the FY 2018-2019 Proposed Budget is three-fold: 1) address the operating budget deficit; 2) reduce the General Fund deficit fund balance; and 3) fund critical one-time

Fiscal Year 2018-2019 Budget Study Session No. 1Page 3 of 3

needs to upgrade the City's infrastructure. With Measure A expiring in two (2) years, staff's focus is to reduce the General Fund's annual operating deficit and deficit fund balance as quickly as possible while balancing the need for critical infrastructure upgrades to the City's technology, streets, sewer system, and water system.

ATTACHMENTS:

- A. FY 2018-2019 Proposed Budget - provided under separate cover and is available on the City's website at the following link: <http://ci.san-fernando.ca.us/finance/financial-documents/>

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AGENDA REPORT

To: Mayor Sylvia Ballin and Councilmembers

From: Councilmember Jaime Soto

Date: May 21, 2018

Subject: Request for an Update Regarding Propaganda and Fliers Code Enforcement

RECOMMENDATION:

I have placed this on the agenda and would like staff to provide an update.

BUDGET IMPACT:

There is no impact to the budget by discussing this item. Additional future costs to be determined based on City Council direction.

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AGENDA REPORT

To: Mayor Sylvia Ballin and Councilmembers

From: Councilmember Jaime Soto

Date: May 21, 2018

Subject: Request for an Update Regarding Ice Cream Truck Vendor Operations Regulation

RECOMMENDATION:

I have placed this on the agenda and would like staff to provide an update.

BUDGET IMPACT:

There is no impact to the budget by discussing this item. Additional future costs to be determined based on City Council direction.

ATTACHMENT:

A. February 5, 2018 Conformed Agenda Report

**APPROVED / OTHER ACTION****BY CITY COUNCIL****AGENDA REPORT**

Staff to report back regarding noise ordinance, limiting hours, and state regulations regarding emissions.

egc
City Clerk

To: Mayor Sylvia Ballin and Councilmembers

From: Councilmember Jaime Soto

Date: February 5, 2018

Subject: Request for an Update Regarding Ice Cream Truck Vendor Operations and Their Pollution/Emission Impacts in the City

RECOMMENDATION:

I have placed this on the agenda and would like staff to provide an update.

BUDGET IMPACT:

There is no impact to the budget by discussing this item. Additional future costs to be determined based on City Council direction.

ATTACHMENT:

A. March 21, 2016 Conformed Agenda Report re. Ice Cream Truck Standards



APPROVED / OTHER ACTION
By City Council
AGENDA REPORT

No formal action taken (could be brought up during City Council priorities discussion)


City Clerk

To: Brian Saeki, San Fernando City Manager

From: Rick Olivarez, City Attorney
Isabel Birrueta, City Attorney

Date: March 21, 2016

Subject: Ice Cream Truck Emissions Standards

RECOMMENDATION:

It is recommended that the City Council provide further direction to the City Attorney and City Staff regarding next steps that may include amongst other things:

- Education of residents about how to report emissions violations to CARB via a flyer, quarterly newsletter, et cetera; and
- Consideration of any possible non-emission based regulations for ice cream trucks with a legitimate legal purpose and have the ancillary benefit of curbing emissions.

BACKGROUND

1. On February 16, 2016, Councilmember Jaime Soto requested that the City Council consider assessment of potential enforcement emissions of ice cream trucks and related vendors. Subsequent to discussion, the City Council directed the City Attorney and City Staff to conduct an initial review regarding existing regulations for mobile source emissions related with the operation of an ice cream trucks within the City of San Fernando at report back at a future meeting.

ANALYSIS:

I. Review of Existing State Regulations

The California Air Resource Board's ("CARB") emission standards for vehicles vary depending on vehicle size and class. In addition to passenger vehicles, light-duty trucks, and medium-duty vehicles ("MDV," classes 1-5), CARB regulates: (1) diesel trucks and buses – *i.e.* trucks and buses with a gross vehicle weight of 14,000+ lbs.; (2) drayage trucks – *i.e.* diesel-fueled trucks transporting cargo; (3) tractors and box type trailers; and (4) transport refrigeration units (aka TRUs or Reefers).

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After reviewing the specifications of trucks commonly used as ice cream trucks, it appears many “ice cream” trucks would fall under the classification MDV3, MDV4 or MDV5. MDVs are vehicles with a gross vehicle weight (GVW) of 6,100-14,000 lbs. The MDV3 category included vehicles such as the Dodge Ram 1500 truck, Ford Expedition and most Suburbans, which were subject to LEV emission levels for NMOG and NOx that were 160% and 200% higher than those for passenger cars. The MDV4 and MDV5 categories also include vehicles such as the Ford Excursion, the largest Suburban model, and the Dodge Ram 2500 and 3500 trucks.

Currently, all ice cream truck business operators are required to obtain a City of San Fernando Business License and renew said license on an annual basis. Per the City’s Finance Department, there are currently six (6) Ice Cream Truck business that are licensed by the city. The city does not currently have the make and model of the vehicles operated and it is not a requirement in the city’s business license application process.

II. Municipalities Cannot Regulate Vehicle Emissions

The Federal Clean Air Act preempts state and local governments from adopting or enforcing vehicle emissions standards. The U.S. Environmental Protection Agency (“EPA”) has broad authority to regulate automotive emissions pursuant to the Commerce Clause of the United States Constitution. The EPA’s authority is so broad that its regulations effectively preempt all state and local laws in the field of automotive emissions. In fact, even California’s Administrative agency charged with regulating emissions, CARB, had to obtain a waiver from the EPA in 2009 before its greenhouse gas emission standards could come into effect and be enforced.¹ Accordingly, regulating emissions for vehicles, including ice cream trucks, falls beyond the power of local city government.

III. Emissions Standards

While the emission standards applicable to an ice cream truck depend on the class and weight of the vehicle, we have determined that many food, catering and ice cream trucks fall under CARB’s emission standards for MDV3-MDV5. The applicable low emission vehicle (“LEV”) standards are set forth in the following page.

¹ Health & Saf. Code, § 39601(a), provides CARB “shall adopt and implement motor vehicle emission standards, in-use performance standards, and motor vehicle fuel specifications for the control of air contaminants and sources of air pollution which the state board has found to be necessary, cost effective, and technologically feasible... unless preempted by federal law.”

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California LEV I Exhaust 50,000-Mile Emission Standards Exhaust Mass Emission Standards for Medium-Duty Vehicles 3-5							
<i>Vehicle Type</i>	<i>Mileage for Compliance</i>	<i>Vehicle Emission Category</i>	<i>NMOG (g/mi)</i>	<i>Carbon Monoxide (g/mi)</i>	<i>Oxides of Nitrogen (g/mi)</i>	<i>Formaldehyde (mg/mi)</i>	<i>Diesel Particulate (g/mi)</i>
MDV3s (5751-8500 lbs. TW)	50,000	Tier 1	0.39	5.0	1.1	22	n/a
		LEV	0.195	5.0	0.6	22	n/a
		ULEV	0.117	5.0	0.6	11	n/a
		SULEV	0.059	2.5	0.3	6	n/a
MDV4s 8501 -10,000 lbs. TW	50,000	Tier 1	0.46	5.5	1.3	28	n/a
		LEV	0.230	5.5	0.7	28	n/a
		ULEV	0.138	5.5	0.7	14	n/a
		SULEV	0.069	2.8	0.35	7	n/a
MDV5s 10,001-14,000 lbs. TW	50,000	Tier 1	0.60	7.0	2.0	36	n/a
		LEV	0.300	7.0	1.0	36	n/a
		ULEV	0.180	7.0	1.0	18	n/a
		SULEV	0.09	3.5	0.5	9	n/a

LEV II Exhaust Mass Emission Standards for New 2004 and Subsequent Model LEVs, ULEVs, and SULEVs in the Passenger Car, Light-Duty Truck and Medium-Duty Vehicle Classes							
<i>Vehicle Type</i>	<i>Mileage for Compliance</i>	<i>Vehicle Emission Category</i>	<i>NMOG (g/mi)</i>	<i>Carbon Monoxide (g/mi)</i>	<i>Oxides of Nitrogen (g/mi)</i>	<i>Formaldehyde (mg/mi)</i>	<i>Diesel Particulate¹ (g/mi)</i>
MDVs 8501 – 10,000 lbs. GVW (MDV4) Vehicles in this category are tested at their adjusted loaded vehicle weight	120,000	LEV	0.195	6.4	0.2	32	0.12
		ULEV	0.143	6.4	0.2	16	0.06
		SULEV	0.100	3.2	0.1	8	0.06
MDVs 10,001-14,000 lbs. GVW (MDV5) Vehicles in this category are tested at their adjusted loaded vehicle weight	120,000	LEV	0.230	7.3	0.4	40	0.12
		ULEV	0.167	7.3	0.4	21	0.06
		SULEV	0.117	3.7	0.2	10	0.06

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IV. Alternatives to Regulating Emissions at the Local Level

While the city cannot directly regulate vehicle emissions on the local level, it can regulate ice cream trucks in a number of ways. For example, the city could regulate (1) the times ice cream trucks are allowed to operate; (2) the zones and places in which ice cream trucks are allowed to operate; (3) the use of amplified sound by ice cream trucks; and (4) the types of vehicles that are allowed to operate as ice cream trucks within city boundaries. Additionally, the city may consider an outright prohibition on ice cream trucks. If the city decides to pursue any of these regulations or an outright ban, it will be imperative to contact legal counsel to ensure that the proposed regulation complies with all applicable laws.

V. Reporting Emissions Violations**a. Complaint by Phone**

CARB's Complaint Program conducts special investigations of air pollution complaints from all over the State of California, monitors CARB's complaint hotline, informs Air Pollution Control Districts of possible violations of district rules, and assists in conducting selected complaint investigations. The number to CARB's Vehicle Complaint Hotline is 1-800-END-SMOG (1-800-363-7664).

b. Smoking Vehicle Complaint

CARB also has an online complaint form that can be used to report a smoking vehicle. That form can be filled out and submitted at: <http://www.arb.ca.gov/enf/complaints/svc2.htm>

c. Idling Commercial Vehicle Complaint

In addition to emissions regulation, CARB regulations prohibit commercial vehicles with a Gross Vehicle Weight or "GVW" of 10,000 lbs. or heavier from idling for more than five minutes. Within 100 feet of a school or other restricted area, the driver of such a vehicle must shut down the engine immediately upon arrival and leave within 30 seconds of starting the engine. Fines for violations range from \$300-\$1,000 per day.

CARB's complaint form for idling commercial vehicles is available at:
<http://www.arb.ca.gov/enf/complaints/icv.htm>

BUDGET IMPACT:

Determining the impact to the City Budget would be contingent on City Council direction regarding such things as the cost for a separate flyer from the quarterly newsletter and/or cost

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of City Attorney and City Staff time to prepare and review the proposed changes to the city's regulations. In addition, establishment of any new regulations for ice cream trucks may result in a loss of tax revenue. However, revenue from ice cream vendors is most likely only a nominal amount of the City's total income from taxes.

CONCLUSION:

There are a number of ways that the City can indirectly curb ice cream truck emissions. Ultimately, this is a policy decision to be made by the City Council based on input from City residents.