

MAYOR/CHAIR MARY MENDOZA
VICE MAYOR/VICE CHAIR HECTOR A. PACHECO
COUNCILMEMBER/BOARDMEMBER SYLVIA BALLIN
COUNCILMEMBER/BOARDMEMBER CINDY MONTAÑEZ
COUNCILMEMBER/BOARDMEMBER CELESTE T. RODRIGUEZ

CITY OF SAN FERNANDO

CITY COUNCIL
AND SUCCESSOR AGENCY TO THE
SAN FERNANDO REDEVELOPMENT AGENCY
REGULAR MEETING AGENDA SUMMARY
MONDAY, APRIL 4, 2022 - 6:00 PM

CITY HALL COUNCIL CHAMBER
117 MACNEIL STREET
SAN FERNANDO, CALIFORNIA 91340
TELECONFERENCE – PURSUANT TO PROVISIONS OF ASSEMBLY BILL 361

SPECIAL NOTICE REGARDING COVID-19

NOTICE OF TELECONFERENCE: Pursuant to Adopted Resolution No. 8098 by the City Council of the City of San Fernando, effective January 12, 2022, the City of San Fernando's Legislative Bodies may participate via teleconference and/or video in Accordance with Government Code Section 54953 as permitted under the provisions of Assembly Bill 361

PUBLIC PARTICIPATION OPTIONS

WATCH THE MEETING:

Live stream with audio and video, via YouTube Live, at:

https://www.youtube.com/c/CityOfSanFernando

Note: Comments submitted via YouTube will not be read into the record.

SUBMIT PUBLIC COMMENT IN PERSON:

Members of the public may provide comments in the City Council Chambers during the Public Comments section of the Agenda by submitting a comment card to the City Clerk.

SUBMIT PUBLIC COMMENT VIA EMAIL:

Members of the public may submit comments **by email** to **cityclerk@sfcity.org** no later than **5:00 p.m. the day of the meeting**, to ensure distribution to the City Council prior to consideration of the agenda. Comments received via email will be distributed to the City Council, read into the record, limited to three minutes, and made part of the official public record of the meeting.

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CALL-IN TO PROVIDE PUBLIC COMMENT LIVE AT THE MEETING:

Members of the public may call-in between 6:00 p.m. and 6:15 p.m. Comments will be heard in the order received, and limited to three minutes. If necessary, the call-in period may be extended by the Mayor. Note: This is audio only and no video.

Call-in Telephone Number: (669) 900-6833

Meeting ID: 833 6022 0211

Passcode: 924965

When connecting to the Zoom meeting to speak, you will be placed in a virtual "waiting area," with your audio disabled, until it is your turn to speak and limited to three minutes.

CALL TO ORDER/ROLL CALL

PLEDGE OF ALLEGIANCE

Led by City Clerk Julia Fritz

APPROVAL OF AGENDA

Recommend that the City Council approve the agenda as presented and move that all ordinances presented tonight be read in title only as authorized under Government Code Section 36934.

PRESENTATIONS

A. EDUCATION COMMISSION CERTIFICATE OF RECOGNITION FOR THE TEACHER SPOTLIGHT AWARD

Stephanie L. Levinson (San Fernando Elementary)

Education Commissioner Nicole Mohr

- B. PRESENTATION OF A CERTIFICATE OF RECOGNITION TO JAVIER VERDIN FOR HIS SERVICE TO THE COMMUNITY
- C. PRESENTATION OF A CERTIFICATE OF PROCLAMATION DECLARING THE MONTH OF APRIL AS AUTISM AWARENESS MONTH
- D. PRESENTATION OF A CERTIFICATE OF PROCLAMATION COMMEMORATING THE VICTIMS OF THE ARMENIAN GENOCIDE AND DECLARING APRIL 24, 2022 AS ARMENIAN GENOCIDE REMEMBRANCE DAY
- E. PRESENTATION OF A CERTIFICATE OF PROCLAMATION DECLARING THE MONTH OF APRIL AS SEXUAL ASSAULT AWARENESS MONTH AND THE DAY OF APRIL 27, 2022 AS DENIM DAY



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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 the room if the Presiding Officer so directs the sergeant-at-arms and such person may be barred from further audience before the City Council.

PUBLIC STATEMENTS

Members of the public may **provide comments in the City Council Chambers** during the Public Comments section of the Agenda by submitting a comment card to the City Clerk.

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Members of the public may provide a live public comment by calling in between 6:00 p.m. and 6:15 p.m. CALL-IN INFORMATION: Telephone Number: (669) 900-6833; Meeting ID: 833 6022 0211; Passcode: 924965

CONSENT CALENDAR

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

1) CONSIDERATION TO ADOPT A RESOLUTION APPROVING THE WARRANT REGISTER

Recommend that the City Council adopt Resolution No. 22-041 approving the Warrant Register.

2) CONSIDERATION TO ADOPT A RESOLUTION RE-AUTHORIZING REMOTE TELECONFERENCE MEETINGS FOR THE PERIOD OF APRIL 14, 2022 TO MAY 13, 2022, OF THE CITY OF SAN FERNANDO'S LEGISLATIVE BODIES IN COMPLIANCE WITH GOVERNMENT CODE SECTION 54953(E) AND OTHER APPLICABLE PROVISIONS OF ASSEMBLY BILL 361

Recommend that the City Council adopt Resolution No. 8134 re-authorizing remote teleconference meetings for the period of April 14, 2022 to May 13, 2022, of the City of San Fernando's Legislative Bodies in compliance with Government Code Section 54953(E) and other applicable provisions of Assembly Bill 361.



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3) CONSIDERATION TO ADOPT A RESOLUTION AUTHORIZING THE DESTRUCTION OF CERTAIN OBSOLETE RECORDS IN ACCORDANCE WITH THE CITY'S RECORDS RETENTION SCHEDULE FOR THE MAINTENANCE AND DISPOSITION OF RECORDS

Recommend that the City Council:

- Adopt Resolution No. 8136 authorizing the destruction of certain records and documents pursuant to the State of California, Government Code Section 34090 and the City's approved Records Retention Schedule for the Maintenance and Disposition of Records; and
- b) Authorize the City Clerk to take all related actions to dispose of such records.
- 4) CONSIDERATION TO ADOPT A RESOLUTION AUTHORIZING THE SUBMITTAL OF A GRANT TO THE HABITAT CONSERVATION FUND AND ACCEPT SUCH FUNDS SHOULD THE GRANT BE AWARDED

Recommend that the City Council:

- a. Adopt Resolution No. 8132 authorizing the preparation and submittal of a grant application to the California Department of Parks and Recreation, Habitat Conservation Fund program for \$45,000 to fund the City of San Fernando, Nature, Adventure & Discovery Camp;
- b. Authorize the City Manager to accept the grant, if awarded;
- c. Authorize the City Manager to execute all related grant documents required for receiving such grant funds pursuant to the terms and conditions of the grant; and
- d. Upon full execution of all grant-related documents, authorize the City Manager to amend the revenue and expenditure budgets to appropriate the grant funds.
- 5) CONSIDERATION TO AWARD A CONSTRUCTION CONTRACT FOR THE PICO STREET IMPROVEMENT PROJECT

Recommend that the City Council:

- a. Approve Budget Resolution No. 8133 to amend the fiscal year 2021-2022 Capital Improvement Budget by \$100,000 from Measure R Funds for the Pico Street Improvement Project;
- b. Accept the lowest responsive bid in the amount of \$465,000 from Hardy & Harper, Inc. for construction of these improvements;



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- c. Approve a construction contract with Hardy & Harper, Inc. for an amount not-to-exceed \$465,000 (Contract No. 2062);
- d. Authorize the City Manager to execute change orders for an amount not-to-exceed 10% of the contract amount, or \$46,500, to cover costs of unforeseen conditions and execute all related documents; and
- e. Approve the Notice of Exemption for the construction of the Pico Street Improvement Project and direct the City Clerk to file it with the Los Angeles County Recorder's Office.

PUBLIC HEARING

6) A PUBLIC HEARING TO CONSIDER ADOPTION OF A RESOLUTION ESTABLISHING THE ALLOCATION OF COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS FOR FISCAL YEAR 2022-2023 INCLUDING A RECREATION SCHOLARSHIP PROGRAM

Recommend that the City Council:

- a. Conduct a Public Hearing;
- Pending public testimony, adopt Resolution No. 8137 approving the allocation of Community Development Block Grant Funds for Fiscal Year 2021-2022 including a Recreation Scholarship Program; and
- c. Authorize the City Manager to submit documentation conveying the City Council's Resolution to the Los Angeles County Community Development Authority for approval.

ADMINISTRATIVE REPORTS

7) UPDATE AND DISCUSSION FROM THE COVID RELIEF PROGRAM AD HOC COMMITTEE RELATED TO AMERICAN RESCUE PLAN ACT FUNDING

Recommend that the City Council:

- a. Receive an update from the COVID Relief Program Ad Hoc related to the City's American Rescue Plan Act funds;
- b. Provide input regarding Councilmember priorities for use of ARPA funds; and
- c. Provide direction to staff, as appropriate.



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8) CONSIDERATION TO AWARD A CONSTRUCTION CONTRACT FOR THE UPPER RESERVOIR REPLACEMENT PROJECT, JOB NO. 7613

Recommend that the City Council:

- a. Approve Budget Resolution No. 8135 to amend Fiscal Year 2021-2022 Capital Improvement Budget by \$1,852,091 from the Water Enterprise Reserve Balance for the Upper Reservoir Replacement Project Budget;
- b. Accept the lowest responsive bid in the amount of \$5,890,000 from Pacific Hydrotech Corporation, for construction of these improvements;
- c. Approve a construction contract with Pacific Hydrotech Corporation, for an amount of \$5,890,000 (Contract No. 2063); and
- d. Authorize the City Manager to execute change orders for an amount not-to-exceed 10% of the contract amount, or \$589,000, to cover costs of unforeseen conditions, and execute all related documents.
- 9) RECEIVE AND FILE AN UPDATE OF COMPLIANCE WITH STATE HOUSING ELEMENT LAW AND EFFORTS IN OBJECTING TO THE REGIONAL HOUSING NEEDS ASSESSMENT (RHNA) ALLOCATION

Recommend that the City Council:

- a. Receive and file an update of compliance with the state Housing Element law and efforts in objecting to the Regional Housing Needs Assessment (RHNA) Allocation; and
- b. Provide related direction to staff, as appropriate.
- 10) DISCUSSION AND CONSIDERATION TO ADOPT ORDINANCE NO. 1709 AMENDING DIVISION 2 OF ARTICLE II OF CHAPTER 90 OF THE SAN FERNANDO MUNICIPAL CODE AND SECTION 90-72 OF THE SAN FERNANDO MUNICIPAL CODE TO EXPAND THE DUTIES OF THE TRANSPORTATION AND SAFETY COMMISSION TO INCLUDE PUBLIC SAFETY.

Recommend that the City Council, introduce for first reading, in title only, and waive further reading to adopt Ordinance No. 1709 "An Ordinance of the City Council of the City of San Fernando, California, amending Division 2 of Article II of Chapter 90 of the San Fernando Municipal Code renaming the Transportation and Safety Commission the Transportation and Public Safety Commission and amending section 90-72 of the San Fernando Municipal Code to expand the duties of the commission to include public safety."



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11) DISCUSSION AND CONSIDERATION REGARDING COMMISSIONER VACANCIES FOR THE PARKS, WELLNESS AND RECREATION COMMISSION

This item was agendized by Councilmember Sylvia Ballin.

12) CONSIDERATION TO APPOINT A PARKS, WELLNESS AND RECREATION COMMISSIONER

This item was agendized by Councilmember Celeste Rodriguez.

STAFF COMMUNICATION INCLUDING COMMISSION UPDATES

GENERAL CITY COUNCIL/BOARD MEMBER COMMENTS AND LIAISON UPDATES

ADJOURNMENT The meeting will adjourn to its next regular meeting.

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.

Julia Fritz, CMC

City Clerk

Signed and Posted: March 31, 2022 (3:30 p.m.)

The Regular Meetings of the City Council of the City of San Fernando also serves as concurrent Regular Meeting s of the Successor Agency to the San Fernando Redevelopment Agency, and, from time to time, such other bodies of the City composed exclusive of the Members of the City Council.

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 or cityclerk@sfcity.org at least 48 hours prior to the meeting.



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Regular Meeting San Fernando City Council and Successor Agency to the San Fernando Redevelopment Agency

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AGENDA REPORT

To: Mayor Mary Mendoza and Councilmembers

From: Nick Kimball, City Manager

By: Sonia Gomez-Garcia, Interim Director of Finance/City Treasurer

Date: April 4, 2022

Subject: Consideration to Adopt a Resolution Approving the Warrant Register

RECOMMENDATION:

It is recommended that the City Council adopt Resolution No. 22-041 (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 special 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. Special 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 Director of Finance/City Treasurer 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 Director of Finance/City Treasurer 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. 22-041

FINANCE DEPARTMENT 117 MACNEIL STREET, SAN FERNANDO, CA 91340 (818) 898-7307

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RESOLUTION NO. 22-041

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN FERNANDO, CALIFORNIA, ALLOWING AND APPROVING FOR PAYMENT DEMANDS PRESENTED ON DEMAND / WARRANT REGISTER NO. 22-041

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 4th day of April 2022.

	Mary Mendoza, Mayor of the City of San Fernando, California
ATTEST:	
Julia Fritz, City Clerk	

CERTIFICATION

vchlist		Voucher List	Page:	1
03/29/2022	6:25:18PM	CITY OF SAN FERNANDO		

Bank code :	bank3					
Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amoun
226243	4/4/2022	888356 ADVANCED AUTO REPAIR	1546		AUTO & BODY REPAIR TO PD#2521	
				12601	041-320-0225-4400	4,459.50
					Total :	4,459.50
226244	4/4/2022	892271 ALL STAR ELITE SPORTS	2799		BASEBALL & BASKETBALL LEAGUE UN	
				12480	017-420-1330-4300	32.57
			2803		BASEBALL & BASKETBALL LEAGUE UN	
				12480	017-420-1330-4300	32.55
					Total :	65.12
226245	4/4/2022	893722 AMPM GLASS & BOARD UP	1155		REPAIRED WINDOW-PD CELLS	
					043-390-0000-4330	350.00
					Total:	350.00
226246	4/4/2022	100184 ANDERSON TROPHY CO.	716171		TROPHIES FOR YOUTH AND ADULT SP	
				12493	017-420-1334-4300	107.26
					Total :	107.26
226247	4/4/2022	100188 ANDY GUMP INC.	INV904407		PORTABLE RESTROOM SERVICE	
				12491	070-384-0000-4260	330.34
			INV904408		PORTABLE RESTROOM SERVICE	
				12491	043-390-0000-4260	211.28
			INV904409		PORTABLE RESTROOM SERVICE	
				12491	043-390-0000-4260 Total :	330.49 872.1 1
					Total :	8/2.1
226248	4/4/2022	893887 ANTHEM SPORTS	333165		SPORTS EQUIPMENT FOR CITY PROG	
				12506	001-420-0000-4300	264.49
					Total :	264.49
226249	4/4/2022	102530 AT & T	818-270-2203		PD NETWORK LINE MAR 2022	
					001-222-0000-4220	232.12
					Total:	232.12
226250	4/4/2022	892412 AT&T MOBILITY	287297930559X0310202		MDT MODEMS PD UNITS FEB 2022	
					001-222-0000-4220	537.39

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226250	4/4/2022	892412 AT&T MOBILITY	(Continued)		Total:	537.39
226251	4/4/2022	894032 AVELAR, MELISSA	TRAVEL-1		PER DIEM-BASIC JAILER & CORRECTION 001-225-3688-4360	180.00
			TRAVEL-2		PER DIEM-BASIC JAILER & CORRECTION	180.00
			TRAVEL-3		001-225-3688-4360 PER DIEM-BASIC JAILER & CORRECTION	180.00
			TDAY/FL 4		001-225-3688-4360	180.00
			TRAVEL-4		PER DIEM-BASIC JAILER & CORRECTION 001-225-3688-4360	180.00
					Total :	720.00
226252	4/4/2022	890980 AVILA, JESSE H.	MAR 2022		GLACVCD TRUSTEE MEMBER STIPENI	450.00
					001-190-0000-4111 Total :	150.00 150.00
226253	4/4/2022	893013 AYSON, LEILANI	MARCH 2022		CONTRACTED INSTRUCTOR: ZUMBA	
				12546	017-420-1337-4260 Total :	276.00 276.00
222254	4/4/2022	000704 DADA IAC MADIA DEDENICE	MADOLLOGGO			270.00
226254	4/4/2022	892784 BARAJAS, MARIA BERENICE	MARCH 2022	12547	CONTRACTED INSTRUCTOR (TBC/CYC 017-420-1337-4260	570.00
					Total :	570.00
226255	4/4/2022	892014 BERNAL, DAVID	MAR 2022		COMMISSIONER'S STIPEND	75.00
					001-150-0000-4111 Total :	75.00 75.00
226256	4/4/2022	893591 BIOMEDICAL WASTE DISPOSAL	111770		BIO WASTE DISPOSAL	
					001-224-0000-4270 Total :	99.00 99.00
						99.00
226257	4/4/2022	888800 BUSINESS CARD	021622		AUTOCAD ANNUAL SUBSCRIPTION 001-135-0000-4260	400.00
			021722		LAFD CODE AMEND. & UNIFORM CODE 001-140-0000-4300	76.00
			022222		STORAGE CONTAINER RENTAL-BASBE	
					017-420-1330-4260	82.00

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226257	4/4/2022	888800 BUSINESS CARD	(Continued)			
			030222		CITY EMAIL - MARCH 2022	
					001-135-0000-4260	1,665.
			030322		CERTIFICATE JACKETS	
					001-101-0000-4300	568.
			030322		CONFERENCE REGISTRATION	
					001-101-0101-4370	99.
			030322		DEPOSIT-SENIOR CLUB TRIP	
					004-2383	278.
			030322		SENIOR CLUB SUPPLIES	
					004-2382	58.
			030722		BREAK ROOM SUPPLIES	
					001-222-0000-4300	168.
			030822		BUSINESS CARDS	
					001-222-0000-4300	118.
					001-105-0000-4300	39
					043-390-0000-4300	33
					001-310-0000-4300	72
			030822		DINNER FOR CC & STAFF-CC MTG 03/0	
					001-101-0000-4300	75.
			030922		WEBCAMS	
					001-222-0000-4300	462
			030922		LODGING-SXSW 2022 CONF 03/11-0315	
					001-101-0102-4370	453
			031022		SENIOR CLUB SUPPLIES	
					004-2382	79
			031022		POSTAGE	
					001-190-0000-4280	174.
			031022		ANNUAL DUES	
			001022		001-105-0000-4380	79.
			031522-1		MOVIE-SENIOR PROGRAM	
			001022 1		001-422-0000-4300	6.
			031522-2		BACKDROP FOR SENIOR DANCE	
			001022-2		004-2382	19.
			031722		MAGNETIC DOOR LATCH	13.
			551722		001-222-0000-4300	11.
			031722		ACADEMY UNIFORMS	11.
			551722		ACADEMI ONI ONNO	

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226257	4/4/2022	888800 BUSINESS CARD	(Continued)			
			031722		001-222-0000-4300 LODGING-SXSW 2022 CONF 03/11-0315 001-101-0102-4370	438.43 1.361.97
			031822		CAR WASH TICKETS 001-222-0000-4320	1,519.20
			031822		BREAK ROOM MICROWAVE REPL 001-222-0000-4300	342.63
					Total :	8,684.21
226258	4/4/2022	887810 CALGROVE RENTALS, INC.	152257-1		CORE DRIL HAND HELD RENTAL 070-384-0000-4250 Total:	169.39 169.39
						109.39
226259	4/4/2022	892464 CANON FINANCIAL SERVICES, INC	28096002	12615	COPIER MAINTENANCE SERVICE-FEB 001-135-0000-4260	651.40
			28244161	12615	COPIER MAINTENANCE SERVICE-MAR 001-135-0000-4260 Total :	651.40 1,302.80
						1,302.60
226260	4/4/2022	103029 CITY OF SAN FERNANDO	4134-4178		REIMBURSEMENT TO WORKERS COM 006-1038 Total:	11,682.65 11,682.65
						. 1,002.00
226261	4/4/2022	100805 COOPER HARDWARE INC.	128972 129403	12454	SUPPLIES FOR P.W. OPS 070-383-0000-4310 SUPPLIES FOR P.W. OPS	57.68
			129446	12454	001-423-0000-4300 SUPPLIES FOR P.W. OPS	76.04
				12454	070-383-0000-4310	103.77 237.49
					Total:	237.49
226262	4/4/2022	892687 CORE & MAIN LP	Q394641	12471	WATER & FIRE SERVICE LINE MATERIA 070-383-0000-4310	3,283.47
			Q399723 Q400571	12471	WATER & FIRE SERVICE LINE MATERIA 070-383-0000-4310 WATER & FIRE SERVICE LINE MATERIA	-986.36
			Q40037 I		WATER & FIRE SERVICE LINE MATERIA	

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226262	4/4/2022	892687 CORE & MAIN LP	(Continued)			
			Q453346	12471	070-383-0000-4310 WATER & FIRE SERVICE LINE MATERIA	1,614.1
			Q455546	12471	070-383-0000-4310	3.965.5
					Total :	7,876.8
226263	4/4/2022	893618 DANA SAFETY SUPPLY INC	779232		BULLETPROOF VEST	
					001-222-0000-4300	777.1
					Total :	777.1
226264	4/4/2022	892472 DE NORA WATER TECHNOLOGIES	9200054757		ON-SITE SODIUM HYPOCHLORITE GEN	
				12455	070-384-0000-4260	1,858.90
					Total:	1,858.90
226265	4/4/2022	894040 DKF SOUTIONS GROUP LLC	20393		RGSTR-SAFETY TRAINING CLASS	
					043-390-0000-4360	1,505.0
					Total :	1,505.00
226266	4/4/2022	890981 FAJARDO, JOEL	FEB MAR 2022		COMMISSIONER'S STIPEND	
					001-150-0000-4111	150.00
					Total :	150.00
226267	4/4/2022	103856 FLAGS USA LLC	96815		REPL FLAGS CIVIC CENTER ST/EVENT	
					001-311-0000-4300	607.85
					030-341-0000-4300 Total :	607.85 1,215.7 0
						1,213.70
226268	4/4/2022	894034 FLEMING, MONICA M.	MARCH 2022		ZUMBA INSTRUCTOR	
					017-420-1337-4260 Total :	176.40 176.4 0
						170.40
226269	4/4/2022	892198 FRONTIER COMMUNICATIONS	209-151-0942-041191		CITY YARD AUTO DIALER 3/10-04/09	
			040 204 2205 042200		070-384-0000-4220 MTA/CREDIT CARD PHONE LINES~	55.56
			818-361-2385-012309		007-440-0441-4220	117.5
					001-190-0000-4220	58.75
			818-361-2472-031415		PW PHONE LINE 03/04-04/03	
					070-384-0000-4220	521.39

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Bank code :	bank3					
Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
226269	4/4/2022	892198 FRONTIER COMMUNICATIONS	(Continued)			
			818-361-7825-120512		HERRITAGE PARK IRR SYSTEM ~	
					001-420-0000-4220	65.88
			818-831-5002-052096		PD SPECIAL ACTIVITIES PHONE 03/04-	
			040 007 0000 004045		001-222-0000-4220	55.65
			818-837-2296-031315		VARIOUS CITY HALL PHONE LINES~	250.02
			818-837-7174-052096		001-190-0000-4220 PD SPECIAL ACTIVITIES PHONE 03/10-	356.93
			616-637-7174-052096		001-222-0000-4220	37.93
			818-898-7385-033105		LAS PALMAS FAX NO. 3/13-4/12	31.93
			010-030-7303-033103		001-420-0000-4220	42.16
					Total :	1,311.76
226270	4/4/2022	892660 G2 CONSTRUCTION, INC.	220310-C		CATCH BASIN MAINTENANCE	
				12511	001-311-0000-4260	206.00
				12511	023-311-0000-4260	13,214.00
					Total :	13,420.00
226271	4/4/2022	893953 GALE, PAUL JOHN	MARCH 2022		KARATE INSTRUCTOR	
				12586	017-420-1326-4260	409.50
					Total :	409.50
226272	4/4/2022	101374 GOVERNMENTJOBS.COM, INC.	INV-25664		SUBSCRIPTION FEE	
ZZOZIZ	4/4/2022	101074 GOVERNMENTOODS.SOM, INC.	1144-23004		001-105-0000-4380	1,049.40
					Total:	1.049.40
						1,010.10
226273	4/4/2022	101376 GRAINGER, INC.	9232476425		SUPPLIES FOR BUILDING, ELECTRICA	
				12482	043-390-0000-4300	202.65
					Total:	202.65
226274	4/4/2022	101482 HERNANDEZ, JAIME	042322		MUSIC FOR SENIOR DANCE ON 04/23/2	
					004-2380	1,100.00
					Total:	1,100.00
226275	4/4/2022	101511 HINDERLITER DE LLAMAS & ASSOC.	SIN015688		CONTRACTUAL SERVICES-TRANS TAX	
					001-130-0000-4270	600.00
					Total:	600.00

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Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amoun
226276	4/4/2022	891777 IRRIGATION EXPRESS	15242842		IRRIGATION SUPPLIES FOR REPAIRS !	
			15243027	12483	043-390-0000-4300 IRRIGATION SUPPLIES FOR REPAIRS /	63.88
				12483	043-390-0000-4300	36.23
			15243460	12483	IRRIGATION SUPPLIES FOR REPAIRS / 043-390-0000-4300	125.64
				12400	Total:	225.75
226277	4/4/2022	889320 IWATER, INC.	9225		TECHNICAL SUPPOT FOR MAP MANAG	
					070-383-0000-4260	2,200.00
					Total :	2,200.00
226278	4/4/2022	101713 JOBS AVAILABLE INC.	2206020		AD FOR DIRECTOR OF FINANCE 001-106-0000-4230	429.00
					Total :	429.00 429.00
226279	4/4/2022	893885 JOHNNY ALLEN TENNIS ACADEMY	MARCH 2022		TENNIS PROGRAM	
				12498	017-420-1327-4260	325.50
					Total :	325.50
226280	4/4/2022	894035 KONA ICE NORTHVALLEY LA	001299		(200) KIDDIE SERVINGS-SPRING JAMB 001-424-0000-4260	550.00
					Total :	550.00
226281	4/4/2022	102007 L.A. COUNTY SHERIFFS DEPT.	222222SG		INMATE MEALS-FEB 2022	
				12484	001-225-0000-4350	458.62
					Total :	458.62
226282	4/4/2022	101971 L.A. MUNICIPAL SERVICES	500-750-1000		ELECTRIC & LIGHTING 13655 FOOTHIL 070-384-0000-4210	187.24
					Total :	187.24
226283	4/4/2022	101852 LARRY & JOE'S PLUMBING	2218549-0001-02		SAMPLE STATION PARTS 1100 BLK O'N	
					070-384-0000-4320	193.26
					Total :	193.26
226284	4/4/2022	101920 LIEBERT CASSIDY WHITMORE	212086		LEGAL SERVICES	667.00
					001-112-0000-4270	667.00

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226284	4/4/2022	101920 LIEBERT CASSIDY WHITMORE	(Continued)			
			212845		LEGAL SERVICES	
					001-112-0000-4270	2,204.00
			212941		LEGAL SERVICES	
					001-112-0000-4270	10,085.01
			212970		LEGAL SERVICES	
					001-112-0000-4270	114.00
			212972		LEGAL SERVICES	
					001-112-0000-4270	2,668.00
					Total:	15,738.01
226285	4/4/2022	101974 LOS ANGELES COUNTY	FEB 2022		ANIMAL CARE & CONTROL SERVICES	
				12526	001-190-0000-4260	5,417.66
					Total :	5,417.60
226286	4/4/2022	102003 LOS ANGELES COUNTY	RE-PW-22030705087		INDUSTRIAL WASTE CHARGES-FEB 20	
				12485	072-360-0000-4450	2,760.4
					Total:	2,760.4
226287	4/4/2022	892477 LOWES	01108		MATL'S FOR LP PARK IRRIG REPAIR	
		002111 201120	0.1.00		043-390-0000-4300	27.00
			01544		MISC SUPPLIES	21.00
					070-383-0000-4310	59.82
			01807		MAT'LS TO REPAIR CELL @ PD	
					043-390-0000-4300	24.89
			01870		WEED CONTROL CESAR CHAVES LAN	
					043-390-0000-4300	29.12
			02057		MISC SUPPLIES	
					070-383-0000-4310	138.42
			02816		SUPPLIES	
					070-383-0000-4310	248.85
					Total :	528.10
226288	4/4/2022	888468 MAJOR METROPOLITAN SECURITY	1105960		ALARM MONITORING AT ALL CITY FACI	
				12486	043-390-0000-4260	15.00
			1105961		ALARM MONITORING AT ALL CITY FACI	
				12486	043-390-0000-4260	25.00

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226288	4/4/2022	888468 MAJOR METROPOLITAN SECURITY	(Continued)			
			1105962		ALARM MONITORING AT ALL CITY FACI	
				12486	043-390-0000-4260	15.0
			1105963		ALARM MONITORING AT ALL CITY FACI	
				12486	043-390-0000-4260	15.0
			1105964		ALARM MONITORING AT ALL CITY FACI	
				12486	043-390-0000-4260	15.0
			1105965		ALARM MONITORING AT ALL CITY FACI	
				12486	043-390-0000-4260	15.0
			1105966		ALARM MONITORING AT ALL CITY FACI	
				12486	043-390-0000-4260	15.0
			1105967		ALARM MONITORING AT ALL CITY FACI	
				12486	043-390-0000-4260	25.0
			1105968		ALARM MONITORING AT ALL CITY FACI	
				12486	043-390-0000-4260	15.0
			1105969		ALARM MONITORING AT ALL CITY FACI	
				12486	043-390-0000-4260	25.0
			1105970		ALARM MONITORING AT ALL CITY FACI	
				12486	043-390-0000-4260	25.0
			1105971		ALARM MONITORING AT ALL CITY FACI	
				12486	070-384-0000-4260	23.0
			1105972		ALARM MONITORING AT ALL CITY FACI	
				12486	070-384-0000-4260	23.0
			1105973		ALARM MONITORING AT ALL CITY FACI	
				12486	070-384-0000-4260	23.0
			1105974		ALARM MONITORING AT ALL CITY FACI	
				12486	070-384-0000-4260	23.0
			2760		ALARM MONITORING AT ALL CITY FACI	
				12486	070-384-0000-4260	275.0
			2761		ALARM MONITORING AT ALL CITY FACI	
				12486	070-384-0000-4260	275.0
			2762		ALARM MONITORING AT ALL CITY FACI	
				12486	070-384-0000-4260	275.0
					Total :	1,122.0
226289	4/4/2022	888242 MCI COMM SERVICE	7DL39365		ALARM LINE 1100 PICO	
					001-420-0000-4220	34.9
					001 120 0000 1220	,

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226289	4/4/2022	888242 MCI COMM SERVICE	(Continued)		Total :	34.93
226290	4/4/2022	891054 MEJIA PENA, YVONNE	FEB 2022		COMMISSIONER'S STIPEND 001-150-0000-4111 Total :	75.00 75.0 0
226291	4/4/2022	102201 MIERZYNSKI, IRMGARD	02/11 - 04/08	12548	CONTRACTED INSTRUCTOR: LINE DAN 017-420-1339-4260 Total :	140.00 140.0 0
226292	4/4/2022	102226 MISSION LINEN SUPPLY	516272898 516635005	12457	LAUNDRY SERVICE FOR PD 001-225-0000-4350 LAUNDRY SERVICE FOR PD	110.24
			516657290	12457	001-225-0000-4350 LAUNDRY SERVICE FOR PD	122.22
			516675449	12457	001-225-0000-4350 LAUNDRY SERVICE FOR PD	109.32
			516701459	12457	001-225-0000-4350 LAUNDRY SERVICE FOR PD	122.22
				12457	001-225-0000-4350 Total :	137.24 601.2 4
226293	4/4/2022	893369 MYRECDEPT.COM	03215578S	12569	SOFTWARE OPERATING SYSTEM REN 001-135-0000-4260	2,995.00
226294	4/4/2022	893633 NORMAN A. TRAUB &	21153		Total : BACKGROUND INVESTIGATION SERVI	2,995.00
				12613	001-222-0000-4260 Total :	3,200.00 3,200.0 0
226295	4/4/2022	894030 NU-SALT LASER INTERNATIONAL	01		DEP-LASER LIGHT SHOW: 4TH OF JUL	
				12618	001-101-0000-4260 Total :	7,500.00 7,500.0 0
226296	4/4/2022	102423 OCCU-MED, INC.	0322901		PRE-EMPLOYMENT PHYSICALS 001-106-0000-4260	1,976.25
					Total :	1,976.25

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26297	4/4/2022	102432 OFFICE DEPOT	227304769001		OFFICE SUPPLIES	
220207 17.	4/4/2022	102432 OFFICE BEFOR	227304703001		001-310-0000-4300	93.69
			228623519001		OFFICE SUPPLIES	33.0
			220023313001		001-222-0000-4300	765.4
			229430512002		OFFICE SUPPLIES	700.4
			225430312002		070-381-0000-4300	216.38
			230538400002		OFFICE SUPPLIES	210.30
			230330400002		001-222-0000-4300	11.29
			230584579001		OFFICE SUPPLIES	11.23
			230304373001		001-222-0000-4300	169.41
			231354301001		OFFICE SUPPLIES	103.41
			231334301001		001-115-0000-4300	74.47
			231358344001		OFFICE SUPPLIES	14.41
			231330344001		001-115-0000-4300	28.80
			231826597001		OFFICE SUPPLIES	20.00
			231020337001		001-222-0000-4300	62.29
			232103588001		OFFICE SUPPLIES	02.23
			232103300001		001-130-0000-4300	325.13
			232711958001		OFFICE SUPPLIES	323.10
			232711930001		070-384-0000-4300	66.48
			232713224001		OFFICE SUPPLIES	00.40
			232713224001		072-360-0000-4300	128.98
			233091111001		OFFICE SUPPLIES	120.50
			255091111001		001-130-0000-4300	163.56
			233104639001		OFFICE SUPPLIES	100.50
			233104039001		001-130-0000-4300	55.41
			233142944001		OFFICE SUPPLIES	55.4
			233142944001		001-310-0000-4300	29.61
			233529595001		OFFICE SUPPLIES	23.01
			233329393001		001-222-0000-4300	25.78
			233529807001		OFFICE SUPPLIES	20.70
			233329007001		001-222-0000-4300	13.77
			233529808001		OFFICE SUPPLIES	10.77
			20002000001		001-222-0000-4300	9.58
			233529809001		OFFICE SUPPLIES	0.00
			233329009001		001-222-0000-4300	92.58
			233562581001		OFFICE SUPPLIES	92.30
			233302361001		OT THE SUPPLIES	

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226297	4/4/2022	102432 OFFICE DEPOT	(Continued)			
			2560009814		001-190-0000-4300 OFFICE SUPPLIES 001-222-0000-4300	114.22 117.39
			2560455990		OFFICE SUPPLIES	117.39
			2560665552		001-424-0000-4300 OFFICE SUPPLIES	140.75
					001-222-0000-4300 Total :	101.54 2,806.52
226298	4/4/2022	893116 PACHECO, HECTOR	FEB 2022 & MAR 2022		COMMISSIONER'S STIPEND	,
220290	4/4/2022	093110 PAGILEGO, FILETOR	1 LD 2022 & WAN 2022		001-150-0000-4111	150.00
					Total :	150.00
226299	4/4/2022	889545 PEREZ, MARIBEL	REIMB.		PROGRAM SUPPLIES	
					001-423-0000-4300	25.11
					017-420-1330-4300	245.14
					Total:	270.25
226300	4/4/2022	891527 PEREZ, MARVIN	FEB 2022 & MAR 2022		COMMISSIONER'S STIPEND	
					001-150-0000-4111	150.00
					Total :	150.00
226301	4/4/2022	102688 PROFESSIONAL PRINTING CENTERS	19725		PURCHASE OF PRE-PRINTED FORMS	
				12519	072-360-0000-4310 Total :	457.54 457.54
						457.54
226302	4/4/2022	102738 QUINTERO ESCAMILLA, VIOLETA	MARCH 2022	10510	CONCTRACTED INSTRUCTOR: SENIOF	000.00
				12549	017-420-1323-4260 Total :	300.00 300.00
226303	4/4/2022	894038 RADAR ENVIRONMENTAL INC	1586		DISPOSAL OF ILLEGAL DUMPING 072-360-0000-4260	1,172.25
					Total :	1,172.25
226304	4/4/2022	102858 RIVERSIDE COUNTY SHERIFF	CORRE99-01		LODGING-BASIC JAILER & CORRECTION	
220004	71712022	102000 MAEROIDE OOUNT OHEMIT	OJINESS-01		001-225-3688-4360	2,652.00

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226304	4/4/2022	102858	102858 RIVERSIDE COUNTY SHERIFF	(Continued)		Total :	2,652.00
226305	4/4/2022	102858	RIVERSIDE COUNTY SHERIFF	TRAVEL		RGSTR-BASIC JAILER & CORR OFFICE 001-225-3688-4360 Total :	710.00 710.00
226306	4/4/2022	893156	RUIZ CARRILLO, MARIA DE LA PAZ	APRIL 2022		SENIOR CLUB DANCE CLEAN UP ON 0- 004-2380 Total :	208.00 208.00
226307	4/4/2022	894041	SAFETY NETWORK	TS-14182		CROSSING SYMBOL SIGNS (MANDATE 001-370-0000-4300 Total :	529.20 529.20
226308	4/4/2022	892856	SALAS, JUAN	REIMB.		STORAGE CONTAINERS FOR SUPPLIE 004-2382 001-422-0000-4300 001-420-0000-4390 Total :	21.47 21.47 3.60 46.54
226309	4/4/2022	103057	SAN FERNANDO VALLEY SUN	11441 11442		2ND READING ORD U-1707 URBAN SB(001-115-0000-4230 PUBLIC HEARING NOTICE BUILDING C	87.75
				11449		001-115-0000-4230 PH NOTICE CDBG FUNDS TO LACDA S	118.13
				11450		001-115-0000-4230 PH NOTICE CDBG REC SCHOLARSHIP	94.50
				11450		001-115-0000-4230 Total :	77.63 378.01
226310	4/4/2022	894033	SEASIDE SANDY LLC	070-2656		CONST MTR DEPOSIT REFUND 070-2656 Total:	925.00 925.00
226311	4/4/2022	893107	SIEMENS MOBILITY INC	5620039014	12553	ON-CALL TRAFFIC SIGNAL MAINTENAN 001-371-0564-4300 Total :	2,748.89 2,748.89

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226312	4/4/2022	103184 SMART & FINAL	0090		1ST AID KIT SUPPLIES	
					001-423-0000-4300	48.25
			0137		BREAK ROOM SUPPLIES 001-222-0000-4300	48.86
			0211		ITEMS FOR SENIOR CLUB DANCE 3/19	40.00
			0211		004-2380	120.99
			0331		ITEMS FOR SENIOR CLUB	
					004-2380	18.65
			0331		ITEMS FOR SENIOR CLUB DANCE	
			0395		004-2380 ITEMS FOR SENIOR CLUB DANCE 3/19	92.44
			0395		004-2380	104.25
			0439		REC PROGRAM SUPPLIES	104.20
					001-423-0000-4300	193.89
			872855		BREAK ROOM SUPPLIES-PW	
					043-390-0000-4300	52.93
					Total :	680.20
226313	4/4/2022	103202 SOUTHERN CALIFORNIA EDISON CO.	700224888278		ELECTRIC-801 EIGHTH ST	
					043-390-0000-4210	24.90
					Total :	24.90
226314	4/4/2022	894010 SPECTRUM	0010518030122		REC PARK CABLE SERVICE 3/1-3/28	
					001-420-0000-4260	247.19
			0283057030522		LP CABLE SERVICE 3/05-4/04	
			10328030522		001-420-0000-4260 CABLE @ CITY HALL 3/05-04/04	258.8
			10320030322		001-190-0000-4220	162.46
					Total:	668.46
226315	4/4/2022	894037 SUNRUN INSTALLATION	BS2101281		BUILDING PERMIT REFUND	
220010	4/4/2022	004007 OGNIKON INOTALEATION	502101201		001-3320-0000	604.13
					055-3719-0154	31.80
			BS2102057		BUILDING PERMIT REFUND	
					001-3320-0000	465.6
					055-3719-0154	17.63

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4/4/2022	894037 894037 SUNRUN INSTALLATION	(Continued)		Total	1,119.17
4/4/2022	103318 TAG/AMS, INC.	2806892		ANNUAL RENEWAL FEE	
				001-106-0000-4380	175.00
				Total	175.00
4/4/2022	103205 THE GAS COMPANY	042-320-6900-7		GAS-910 FIRST	
				043-390-0000-4210	156.49
		088-520-6400-8		GAS-117 MACNEIL	
				043-390-0000-4210	241.5
		090-620-6400-2		120 MACNEIL 2/7-3/9	
				070-381-0000-4210	44.44
				072-360-0000-4210	44.44
				043-390-0000-4210	88.86
		143-287-8131-6			
				043-390-0000-4210	377.89
		162-020-7432-7			
					5.26
				Total	958.89
4/4/2022	101528 THE HOME DEPOT CRC, ACCT#603532202	2490 0123821		SUPPLIES	
				001-370-0000-4300	231.45
		0123822		SMALL TOOLS	
				001-311-0000-4300	162.00
		2015800		SMALL TOOLS	
					210.10
		2371645			
					109.79
		3092514			
					29.88
		3361048			
					181.95
		7023869			
					92.53
				Total	1,017.70
4/4/2022	894039 THE SANDBAG STORE LLC	21033A		SAND SADDLE BAGS	
	4/4/2022 4/4/2022 4/4/2022 4/4/2022	4/4/2022 894037 894037 SUNRUN INSTALLATION 4/4/2022 103318 TAG/AMS, INC. 4/4/2022 103205 THE GAS COMPANY	4/4/2022 894037 894037 SUNRUN INSTALLATION (Continued) 4/4/2022 103318 TAG/AMS, INC. 2806892 4/4/2022 103205 THE GAS COMPANY 042-320-6900-7 088-520-6400-8 090-620-6400-2 143-287-8131-6 162-020-7432-7 4/4/2022 101528 THE HOME DEPOT CRC, ACCT#603532202490 0123821 0123822 2015800 2371645 3092514 3361048 7023869	4/4/2022 894037 894037 SUNRUN INSTALLATION (Continued) 4/4/2022 103318 TAG/AMS, INC. 2806892 4/4/2022 103205 THE GAS COMPANY 042-320-6900-7 088-520-6400-8 090-620-6400-2 143-287-8131-6 162-020-7432-7 4/4/2022 101528 THE HOME DEPOT CRC, ACCT#603532202490 0123821 0123822 2015800 2371645 3092514 3361048 7023869	4/4/2022 103318 TAG/AMS, INC. 2806892 ANNUAL RENEWAL FEE 001-106-0000-4380 Total: 4/4/2022 103318 TAG/AMS, INC. 2806892 ANNUAL RENEWAL FEE 001-106-0000-4380 Total: 4/4/2022 103205 THE GAS COMPANY 042-320-6900-7 GAS-910 FIRST 043-390-0000-4210 088-520-6400-8 GAS-117 MACNEIL 043-390-0000-4210 090-620-6400-2 120 MACNEIL 2/7-3/9 070-381-0000-4210 072-360

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226319	4/4/2022	894039 THE SANDBAG STORE LLC	(Continued)		070-383-0000-4340	504.00 504.00
226320	4/4/2022	103413 TRANS UNION LLC	02204556		CREDIT CHECKS 001-222-0000-4260 Total :	85.00 85.00
226321	4/4/2022	103503 U.S. POSTAL SERVICE, NEOPOST POSTA	GE (15122187		REIMBURSEMENT OF POSTAGE MACH 001-190-0000-4280 Total :	1,500.00 1,500.00
226322	4/4/2022	103444 ULTRA GREENS, INC	53315	12490	LANDSCAPE & PLANT MATERIAL FOR (029-335-0000-4300 Total :	262.86 262.86
226323	4/4/2022	892258 UNIFORM & ACCESSORIES	INV84073 INV84077	12518 12518	UNIFORMS AND UNIFORM ACCESSOR 001-222-0000-4300 UNIFORMS AND UNIFORM ACCESSOR 001-225-0000-4325	222.21 345.93
			INV84095	12518	UNIFORMS AND UNIFORM ACCESSOR 001-222-0000-4325 Total :	571.95 1,140.09
226324	4/4/2022	894036 UPWARD MOBILITY MOBILE ROCK	031422		ROCK CLIMBING WALL-SPRING JAMBO 001-424-0000-4260 Total :	750.00 750.00
226325	4/4/2022	889644 VERIZON BUSINESS	64241771		CITY HALL LONG DIST (Y2619454) FEB 001-190-0000-4220	52.48
			64241772 64241773		CITY YARD LON DIST (Y2619455) FEB 070-384-0000-4220 CITY HALL LONG DIST (Y2619456) FEB	15.75
			64241774		001-190-0000-4220 PD LONG DIST (Y2619457) FEB	26.29
			64241775		001-222-0000-4220 CITY YARD LONG DIST (Y2619458) FEB	127.10

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vchlist		Voucher List
03/29/2022	6:25:18PM	CITY OF SAN FERNANDO

Bank code :	bank3					
Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amoun
226325	4/4/2022	889644 VERIZON BUSINESS	(Continued)			
					070-384-0000-4220	10.49
			64241776		PARKS LONG DIST (Y2619459) FEB	
			64242313		001-420-0000-4220 CITY YARD LON DIST (Y2620611) FEB	16.00
			04242313		001-310-0000-4220	5.25
			64242324		CITY HALL LINES (Y2620636) FEB	
					001-190-0000-4220	57.78
					Total:	311.14
226326	4/4/2022	892081 VERIZON BUSINESS SERVICES	72145788		MPLS PORT ACCESS & ROUTER FOR F	
					001-222-0000-4220	1,032.10
					Total:	1,032.10
226327	4/4/2022	100101 VERIZON WIRELESS-LA	9901453260		VARIOUS PHONE PLANS	
					072-360-0000-4220	50.26
					001-101-0102-4220	50.26
					001-101-0108-4220 001-105-0000-4220	50.97 54.71
					001-105-0000-4220 Total :	206.20
000000	41410000	AND THE MANUEL PLANTS OF A PLIN	000			
226328	4/4/2022	892712 WES KUYKENDALL PHOTOGRAPHY	009		PHOTOGRAPHY SRVS-SPRING JAMBO 001-424-0000-4260	602.81
					001-424-0000-4260 Total :	602.81
226329	4/4/2022	888390 WEST COAST ARBORISTS, INC.	183075		CITY-WIDE TREE TRIMMING	
				12540	072-360-0000-4260 Total :	2,674.00 2,674.0 0
					Total .	2,074.00
226330	4/4/2022	103666 WESTERN CITY MAGAZINE	58221		JOB POSTING-DIR OF FINANCE	
					001-106-0000-4230	300.00
					Total :	300.00
226331	4/4/2022	891531 WILLDAN ENGINEERING	00335721		ON-CALL ENGINEERING SERVICES (12	
				12611	025-311-0182-4600	3,185.00
				12611	012-311-0552-4600	455.00
				12611	012-311-0553-4600	390.00

vchlist		Voucher List	Page:	18
03/29/2022	6:25:18PM	CITY OF SAN FERNANDO		

Bank code :	bank3					
Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
226331	4/4/2022	891531 WILLDAN ENGINEERING	(Continued)			
				12611	012-311-0565-4600	130.00
				12611	024-311-0551-4600	3,185.00
				12611	001-310-0000-4270	4,160.00
			00335722		ON-CALL ENGINEERING SERVICES (12	
				12611	024-311-0551-4600	298.50
			00335834		NPDES CONSULTING SERVICES	
				12610	023-311-0000-4270	11,028.00
			00335850		ON-CALL ENGINEERING SERVICES (12	
				12611	025-311-0182-4600	5,655.00
				12611	012-311-0552-4600	195.00
				12611	012-311-0553-4600	195.00
				12611	012-311-0565-4600	260.00
				12611	001-310-0000-4270	2,316.75
				12611	024-311-0551-4600	1,105.00
			00335851		ON-CALL ENGINEERING SERVICES (12	
				12611	024-311-0551-4600	398.00
			00335985		WELL 7A REGULATORY COMPLIANCE	
				12265	070-381-0000-4270	135.00
			00335989		NPDES CONSULTING SERVICES	
				12610	023-311-0000-4270	10,321.75
					Total :	43,413.00
226332	4/4/2022	892231 WIN-911 SOFTWARE	224XT132-2022616		SCADA ANNUAL RENEWAL	
					070-384-0000-4260	660.00
					Total :	660.00
226333	4/4/2022	892023 WINDSTREAM	74655769		PHONE SERVICES - 02/18-03/17	
					001-222-0000-4220	686.15
					001-420-0000-4220	462.88
					070-384-0000-4220	538.93
					001-190-0000-4220	2,236.27
					Total :	3,924.23
226334	4/4/2022	893867 YOUTH EVOLUTION ACTIVITIES	JAN-FEB 2022		CONTRACTED SERVICES FOR SUMME	
				12515	017-420-1328-4260	717.50
			MARCH 2022	.20.0	CONTRACTED SERVICES FOR SUMME	

vchlist 03/29/2022	6:25:18P	м		Voucher List CITY OF SAN FERNANDO			
Bank code :	bank3						
Voucher	Date	Vendor	Invoice	PO #	Description/Account		Amount
226334	4/4/2022	893867 YOUTH EVOLUTION ACTIVITIES	(Continued)	12515	017-420-1332-4260	Total :	668.50 1,386.00
92	Vouchers fo	or bank code : bank3				Bank total :	186,065.81
92	Vouchers in	this report				Total vouchers :	186,065.81

Voucher Registers are not final until approved by Council.

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SPECIAL CHECKS

EXHIBIT "A" RES. NO. 22-041

 vchlist
 Voucher List

 03/17/2022
 4:19:11PM
 CITY OF SAN FERNANDO

Bank code :	bank3					
Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
225726	2/3/2022	103648 CITY OF SAN FERNANDO	PR 2-4-22		REIMB FOR PAYROLL W/E 1/28/22	
					001-1003	419,484.17
					007-1003	162.15
					017-1003	1,571.93
					027-1003	2,126.03
					029-1003	3,514.21
					030-1003	5,127.11
					041-1003	5,794.09
					043-1003	18,755.12
					070-1003	37,872.15
					072-1003	21,131.67
					094-1003	144.09
					110-1003	3,793.24
					Total :	519,475.96
225885	2/17/2022	103648 CITY OF SAN FERNANDO	PR 2-18-22		REIMB FOR PAYROLL W/E 2-11-22	
					001-1003	421,462.21
					007-1003	162.16
					017-1003	1,569.28
					027-1003	2,145.05
					029-1003	4,629.25
					030-1003	5,910.81
					041-1003	5,739.56
					043-1003	18,397.14
					110-1003	1,195.28
					070-1003	37,353.58
					072-1003	20,828.64
					094-1003	144.09
					Total :	519,537.05
:	2 Vouchers fo	or bank code : bank3			Bank total :	1,039,013.01
:	2 Vouchers in	this report			Total vouchers :	1,039,013.01

 vchlist
 Voucher List
 Page: 2

 03/17/2022
 4:19:11PM
 CITY OF SAN FERNANDO

 Bank code:
 bank3

 Voucher
 Date Vendor
 Invoice
 PO # Description/Account
 Amount

Voucher Registers are not final until approved by Council.

SPECIAL CHECK

EXHIBIT "A"
RES. NO. 22-041

 vchlist
 Voucher List

 03/17/2022
 9:14:51AM
 CITY OF SAN FERNANDO

Bank code :	bank3					
Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
226238	3/17/2022	103648 CITY OF SAN FERNANDO	PR 3/18/22		REIMB FOR PAYROLL W/E 3/11/22	
					001-1003	483,072.71
					007-1003	162.15
					017-1003	1,569.28
					027-1003	4,806.96
					029-1003	4,738.14
					030-1003	5,088.91
					041-1003	7,992.43
					043-1003	18,887.02
					070-1003	42,888.84
					072-1003	26,967.63
					094-1003	144.09
					110-1003	2,723.46
					Total :	599,041.62
1	Vouchers fo	or bank code : bank3			Bank total :	599,041.62
1	Vouchers in	this report			Total vouchers :	599,041.62

Voucher Registers are not final until approved by Council.

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4:35:36PM

vchlist

03/22/2022

SPECIAL CHECKS

EXHIBIT "A"
RES. NO. 22-041
Page: 1

Voucher List CITY OF SAN FERNANDO

Bank code :	bank3					
Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
226239	3/22/2022	103596 CALIFORNIA VISION SERVICE PLAN	DEMAND		VISION INS BENEFITS - MARCH 2022 001-1160 Total :	2,179.87 2,179.87
226240	3/22/2022	891230 DELTA DENTAL INSURANCE COMPANY	DEMAND		DENTAL INS BENEFITS - MARCH 2022 001-1160 Total :	176.22 176.22
226241	3/22/2022	890907 DELTA DENTAL OF CALIFORNIA	DEMAND		DENTAL INS BENEFITS - MARCH 2022 001-1160 Total :	11,040.51 11,040.51
226242	3/22/2022	887627 STANDARD INSURANCE	DEMAND		LIFE/AD&D INS BENEFITS - MARCH 202 001-1160 Total :	3,731.47 3,731.47
	4 Vouchers fo	or bank code : bank3			Bank total :	17,128.07
	4 Vouchers in	this report			Total vouchers :	17,128.07

Voucher Registers are not final until approved by Council.

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AGENDA REPORT

To: Mayor Mary Mendoza and Councilmembers

From: Nick Kimball, City Manager

By: Julia Fritz, City Clerk

Date: April 4, 2022

Subject: Consideration to Adopt a Resolution Re-Authorizing Remote Teleconference

Meetings for the Period of April 14, 2022 to May 13, 2022, of the City of San Fernando's Legislative Bodies in Compliance with Government Code Section

54953(E) and Other Applicable Provisions of Assembly Bill 361

RECOMMENDATION:

It is recommended that the City Council adopt Resolution No. 8134 (Attachment "A") re-authorizing remote teleconference meetings for the period of April 14, 2022 to May 13, 2022, of the City of San Fernando's Legislative Bodies in compliance with Government Code (GC) Section 54953(E) and other applicable provisions of Assembly Bill 361.

BACKGROUND:

- 1. On October 4, 2021, the City Council was presented with an agenda report regarding adopting a resolution to continue remote teleconference meetings of the City of San Fernando's Legislative Bodies under the provisions of Assembly Bill (AB) 361 (Attachment "B"), which was signed into law on September 17, 2021. The City Council did not adopt the resolution, thereby reverting all legislative body meetings to comply with all Ralph M. Brown Act (Brown Act) requirements for public meetings.
- 2. On January 12, 2022, due to the surge of the Omicron variant of the COVID-19 virus, the City Council adopted Resolution No. 8089 to authorize remote teleconference meetings of the City of San Fernando's Legislative bodies under the provisions of AB 361 for a period of 30 days, effective January 12, 2022 through February 11, 2022.
- On February 7, 2022, the City Council adopted Resolution No. 8119
 re-authorizing remote teleconference meetings of the City of San Fernando's Legislative
 bodies under the provisions of AB 361 for a period of 30 days, effective February 12, 2022
 through March 13, 2022.

CITY CLERK DEPARTMENT

REVIEW:

117 MACNEIL STREET, SAN FERNANDO, CA 91340

(818) 898-1204

WWW.SFCITY.ORG Page 31 of 333 Consideration to Adopt a Resolution Re-Authorizing Remote Teleconference Meetings for the Period of April 14, 2022 to May 13, 2022, of the City of San Fernando's Legislative Bodies in Compliance with Government Code Section 54953(E) and Other Applicable Provisions of Assembly Bill 361
Page 2 of 3

4. On March 7, 2022, the City Council adopted Resolution No. 8124 re-authorizing remote teleconference meetings of the City of San Fernando's Legislative bodies under the provisions of AB 361 for a period of 30 days, effective March 14, 2022 through April 13, 2022.

ANALYSIS:

In response to the COVID-19 pandemic, Governor Newsom issued Executive Order N-29-20 that waived certain teleconferencing requirements under the Brown Act, allowing public agencies to conduct public meetings via teleconference, while still complying with open meeting requirements and abiding by public health orders. The Executive Order N-29-20 expired on September 30, 2021.

AB 361 amends the Brown Act's Government Code Section 54953 to allow a local agency the option to hold teleconference meetings without complying with teleconferencing requirements of the Brown Act, if certain circumstances and findings are met. The special circumstances are found particularly in subsection (e) of Section 54953, and require that the legislative body holds a meeting during a proclaimed state of emergency and:

- 1. That state and local officials have imposed or recommended measures to promote social distancing; or
- 2. The legislative body holds a meeting for the purpose of determining, by majority vote, whether as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees; or
- 3. The legislative body holds a meeting and determines by majority vote, that as a result of the emergency, meeting in person would present imminent risks to the health or safety of the attendees.

On March 7, 2022, the City Council adopted Resolution No. 8124 making a determination approving findings in accordance with AB 361, to allow the City to continue the option to hold teleconference meetings without complying with certain teleconferencing requirements of the Brown Act. The resolution is only effective for 30 days and expires on April 13, 2022. The City Council may renew the resolution, every 30 days, at which time a subsequent resolution (Attachment "A") will need to be adopted. If the resolution lapses, the City's Legislative Bodies will be required to comply with the Brown Act (Pre-COVID-19 Pandemic) until a new resolution is adopted to make the initial determinations and findings again.

Consideration to Adopt a Resolution Re-Authorizing Remote Teleconference Meetings for the Period of April 14, 2022 to May 13, 2022, of the City of San Fernando's Legislative Bodies in Compliance with Government Code Section 54953(E) and Other Applicable Provisions of Assembly Bill 361
Page 3 of 3

BUDGET IMPACT:

There is no fiscal impact associated with consideration of the proposed resolution. The cost of the Zoom virtual meeting platform is included in the FY 2021-2022 Adopted Budget.

CONCLUSION:

It is recommended that the City Council adopt Resolution No. 8134 (Attachment "A") re-authorizing remote teleconference meetings for the period of April 14, 2022 to May 13, 2022, of the City of San Fernando's Legislative Bodies in compliance with Government Code (GC) Section 54953(E) and other applicable provisions of Assembly Bill (AB) 361.

ATTACHMENTS:

- A. Resolution No. 8134
- B. Assembly Bill (AB) 361

RESOLUTION NO. 8134

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN FERNANDO, CALIFORNIA, RATIFYING THE PROCLAMATION OF A STATE OF EMERGENCY BY GOVERNOR NEWSOM ON MARCH 4, 2020, AND AUTHORIZING REMOTE TELECONFERENCE MEETINGS FOR ALL LEGISLATIVE BODIES OF THE CITY OF SAN FERNANDO, FROM APRIL 14, 2022 THROUGH MAY 13, 2022, PURSUANT TO GOVERNMENT CODE SECTON 54953(E) IN ACCORDANCE WITH ASSEMBLY BILL 361

WHEREAS, COVID-19 (also known as the "Coronavirus Disease") is a respiratory disease that was first reported in China in December 2019, it has now spread throughout the world, including the State of California and the City of San Fernando ("City"); and

WHEREAS, on March 4, 2020, Governor Gavin Newsom declared a State of Emergency in response to the rising cases of COVID-19 throughout the state of California; and

WHEREAS, on March 4, 2020, the Los Angeles County Board of Supervisors and Los Angeles County Department of Public Health ("LACDPH") declared a local emergency and local public health emergency in response to the spread of COVID-19 throughout the County; and

WHEREAS, on April 10, 2020, in response to the conditions of extreme peril to the safety of persons within the City, the San Fernando City Council ("City Council") declared a local emergency consistent with the declaration of local emergency by the LACPH; and

WHEREAS, on September 16, 2021, Governor Newsom signed into law Assembly Bill No. 361 ("AB 361"), which, until January 1, 2024, authorizes a local agency to use teleconferencing without complying with the teleconferencing requirements imposed by the Ralph M. Brown Act ("Brown Act") when a legislative body of a local agency holds a meeting during a declared state of emergency, as that term is defined, when state or local health officials have imposed or recommended measures to promote social distancing or when the legislative body has determined that meeting in person would present imminent risks to the health or safety of attendees; and

WHEREAS, since the declaration of emergency by LACDPH, LACDPH have issued a series of Health Officer Orders containing mandates and recommendations for keeping individuals safe and preventing the spread of COVID-19; and

WHEREAS, the LACDPH Health Officer Order issued March 23, 2022, and effective April 1, 2022, continues to advise that all individuals and businesses are strongly urged to follow the LACDPH Best Practices Guidance, containing health and safety recommendations for COVID-19;

WHEREAS, the LACDPH Best Practices Guidance provides, among other things:

- 1. Masks are *strongly recommended* in most indoor public settings to prevent transmission of the virus particularly to persons with prolonged, cumulative exposures (e.g., workers and to those with higher risk of illness (e.g., unvaccinated, older persons, or those with underlying medical conditions such as immunocompromised persons); and
- 2. Per state and federal law, visitors and workers must continue to wear masks in specified high-risk settings to continue protecting vulnerable populations and the workforce that delivers critical services in these settings; and
- 3. Identify and regularly clean frequently touched surfaces and objects such as doorknobs, elevator buttons, tools, handrails, phones, headsets, bathroom surfaces and steering wheels;
- 4. Whenever possible, take steps to reduce crowding indoors and encourage physical distancing including, but not limited to:
 - a. Limiting indoor occupancy to increase the physical space between employees at the worksite, between employees and customers, and between customers;
 - Using tape, signs, or other visual cues such as decals or colored tape on the floor, placed six feet apart, to guide customers about where to stand to avoid crowding and to encourage distancing where lines may form; and
 - c. Continuing, where feasible, to offer telework options and continue those teleworking arrangements that do not interfere with business operations as telework significantly reduces the risk of exposure for employees, their households, and communities.

WHEREAS, was surges in COVID-19 variants overseas have the potential to quickly spread in the United States warranting continued vigilance; and

WHEREAS, AB 361 requires legislative bodies that conduct teleconferenced meetings under its the relaxed and abbreviated teleconferencing procedures to give notice of the meeting and post agendas, as described, to allow members of the public to access the meeting and address the legislative body, to give notice of the means by which members of the public may access the meeting and offer public comment, including an opportunity for all persons to attend via a call-in option or an internet-based service option, and to conduct the meeting in a manner that protects the statutory and constitutional rights of the parties and the public appearing before the legislative body; and

WHEREAS, AB 361 requires the legislative body take no further action on agenda items when there is a disruption which prevents the public agency from broadcasting the meeting, or in the event of a disruption within the local agency's control which prevents members of the public from offering public comments, until public access is restored; and

WHEREAS, AB 361 prohibits the legislative body from requiring public comments to be submitted in advance of the meeting and specifies that the legislative body must provide an opportunity for the public to address the legislative body and offer comment in real time; and

WHEREAS, AB 361 prohibits the legislative body from closing the public comment period and the opportunity to register to provide public comment, until the public comment period has elapsed or until a reasonable amount of time has elapsed, as specified; and

WHEREAS, the City Council meetings and meetings of certain other subordinate bodies of the City (e.g, the Planning and Preservation Commission) are open and public, as required by the Brown Act, so that any member of the public may attend, participate, and watch the City Council or City Commission conduct their business; and

WHEREAS, in light of the continuing State declaration of emergency resulting from the COVID-19 pandemic, the continuing recommendation by Los Angeles County Public Health officials to maintain various infection control and containment measures referenced above, the City Council desires to make the findings required by AB 361 to allow the City Council and all City Boards and Commissions to continue to meet under AB 361's abbreviated teleconferencing procedures.

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

- **SECTION 1.** The Recitals set forth above are true and correct and are incorporated into this Resolution by reference; and
- **SECTION 2.** The City Council finds that the State and County declarations of emergency in response to the COVID-19 pandemic remain in place; and
- **SECTION 3.** The City Council finds that local officials, specifically, the Los Angeles County Department of Public Health, has continued to recommend social distancing measures.
- **SECTION 4.** The City of San Fernando staff along with the City Council are hereby authorized and directed to take all actions necessary to carry out the intent and purpose of this Resolution including, taking measures to ensure that meetings of the City Council, the Planning and Preservation Commission and all meetings of other commissions subject to the Brown Act are conducted in accordance with the provisions of Government Code Section 54953(e) to the extent such bodies continue to avail themselves of the relaxed and teleconferencing procedures permitted under AB 361.

SECTION 5. If any section, subsection, sentence, clause, or phrase of this Resolution 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 Resolution. The City Council hereby declares that it would have passed this Resolution and each and every section, subsection, sentence, clause, or phrase not declared invalid or unconstitutional without regard to whether any portion of this Resolution would be subsequently declared invalid or unconstitutional.

SECTION 6. The operational provisions of this Resolution shall take effect April 13, 2022 and expire upon the earlier of the following (i) 12:00 am on May 14, 2022; or (ii) such time the City Council adopts a subsequent resolution in accordance with Government Code section 54953(e)(3) to extend the time during which the legislative bodies of the City of San Fernando may continue to teleconference without compliance with paragraph (3) of subdivision (b) of section 54953.

SECTION 7. The City Clerk shall certify to the adoption of this resolution and shall cause a certified resolution to be filed in the Office of the City Clerk.

PASSED, APPROVED, AND ADOPTED THIS 4th day of April, 2022.

	Mary Mendoza, Mayor of the City of San Fernando, California
ATTEST:	
Julia Fritz, City Clerk	

CERTIFICATION

I, City Clerk of the City of San Fernando, California, do hereby certify that the foregoing is a true, and correct copy of Resolution No. 8134 which was regularly introduced and adopted the City Council of the City of San Fernando, California, at a regular meeting thereof held on 4th day of April, 2022, by the following vote of the City Council:	d by
AYES:	
NAYS:	
ABSENT:	
ABSTAINED:	
IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of City of San Fernando, California, this day of April, 2022.	the
Julia Fritz, City Clerk	

Assembly Bill No. 361

CHAPTER 165

An act to add and repeal Section 89305.6 of the Education Code, and to amend, repeal, and add Section 54953 of, and to add and repeal Section 11133 of, the Government Code, relating to open meetings, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor September 16, 2021.

Filed with Secretary of State September 16, 2021.]

LEGISLATIVE COUNSEL'S DIGEST

AB 361, Robert Rivas. Open meetings: state and local agencies: teleconferences.

(1) Existing law, the Ralph M. Brown Act requires, with specified exceptions, that all meetings of a legislative body of a local agency, as those terms are defined, be open and public and that all persons be permitted to attend and participate. The act contains specified provisions regarding the timelines for posting an agenda and providing for the ability of the public to directly address the legislative body on any item of interest to the public. The act generally requires all regular and special meetings of the legislative body be held within the boundaries of the territory over which the local agency exercises jurisdiction, subject to certain exceptions. The act allows for meetings to occur via teleconferencing subject to certain requirements, particularly that the legislative body notice each teleconference location of each member that will be participating in the public meeting, that each teleconference location be accessible to the public, that members of the public be allowed to address the legislative body at each teleconference location, that the legislative body post an agenda at each teleconference location, and that at least a guorum of the legislative body participate from locations within the boundaries of the local agency's jurisdiction. The act provides an exemption to the jurisdictional requirement for health authorities, as defined. The act authorizes the district attorney or any interested person, subject to certain provisions, to commence an action by mandamus or injunction for the purpose of obtaining a judicial determination that specified actions taken by a legislative body are null and void.

Existing law, the California Emergency Services Act, authorizes the Governor, or the Director of Emergency Services when the governor is inaccessible, to proclaim a state of emergency under specified circumstances.

Executive Order No. N-29-20 suspends the Ralph M. Brown Act's requirements for teleconferencing during the COVID-19 pandemic provided that notice and accessibility requirements are met, the public members are allowed to observe and address the legislative body at the meeting, and that a legislative body of a local agency has a procedure for receiving and swiftly resolving requests for reasonable accommodation for individuals with disabilities, as specified.

This bill, until January 1, 2024, would authorize a local agency to use teleconferencing without complying with the teleconferencing requirements imposed by the Ralph M. Brown Act when a legislative body of a local agency holds a meeting during a declared state of emergency, as that term is defined, when state or local health officials have imposed or recommended measures to promote social distancing, during a proclaimed state of emergency held for the purpose of determining, by majority vote, whether meeting in person would present imminent risks to the health or safety of attendees, and during a proclaimed state of emergency when the legislative body has determined that meeting in person would present imminent risks to the health or safety of attendees, as provided.

This bill would require legislative bodies that hold teleconferenced meetings under these abbreviated teleconferencing procedures to give notice of the meeting and post agendas, as described, to allow members of the public to access the meeting and address the legislative body, to give notice of the means by which members of the public may access the meeting and offer public comment, including an opportunity for all persons to attend via a call-in option or an internet-based service option, and to conduct the meeting in a manner that protects the statutory and constitutional rights of the parties and the public appearing before the legislative body. The bill would require the legislative body to take no further action on agenda items when there is a disruption which prevents the public agency from broadcasting the meeting, or in the event of a disruption within the local agency's control which prevents members of the public from offering public comments, until public access is restored. The bill would specify that actions taken during the disruption are subject to challenge proceedings, as specified.

This bill would prohibit the legislative body from requiring public comments to be submitted in advance of the meeting and would specify that the legislative body must provide an opportunity for the public to address the legislative body and offer comment in real time. The bill would prohibit the legislative body from closing the public comment period and the opportunity to register to provide public comment, until the public comment period has elapsed or until a reasonable amount of time has elapsed, as specified. When there is a continuing state of emergency, or when state or local officials have imposed or recommended measures to promote social distancing, the bill would require a legislative body to make specified findings not later than 30 days after the first teleconferenced meeting pursuant to these provisions, and to make those findings every 30 days thereafter, in order to continue to meet under these abbreviated teleconferencing procedures.

Existing law prohibits a legislative body from requiring, as a condition to attend a meeting, a person to register the person's name, or to provide other information, or to fulfill any condition precedent to the person's attendance.

This bill would exclude from that prohibition, a registration requirement imposed by a third-party internet website or other online platform not under the control of the legislative body.

(2) Existing law, the Bagley-Keene Open Meeting Act, requires, with specified exceptions, that all meetings of a state body be open and public and all persons be permitted to attend any meeting of a state body. The act requires at least one member of the state body to be physically present at the location specified in the notice of the meeting.

The Governor's Executive Order No. N-29-20 suspends the requirements of the Bagley-Keene Open Meeting Act for teleconferencing during the COVID-19 pandemic, provided that notice and accessibility requirements are met, the public members are allowed to observe and address the state body at the meeting, and that a state body has a procedure for receiving and swiftly resolving requests for reasonable accommodation for individuals with disabilities, as specified.

This bill, until January 31, 2022, would authorize, subject to specified notice and accessibility requirements, a state body to hold public meetings through teleconferencing and to make public meetings accessible telephonically, or otherwise electronically, to all members of the public seeking to observe and to address the state body. With respect to a state body holding a public meeting pursuant to these provisions, the bill would suspend certain requirements of existing law, including the requirements that each teleconference location be accessible to the public and that members of the public be able to address the state body at each teleconference location. Under the bill, a state body that holds a meeting through teleconferencing and allows members of the public to observe and address the meeting telephonically or otherwise electronically would satisfy any requirement that the state body allow members of the public to attend the meeting and offer public comment. The bill would require that each state body that holds a meeting through teleconferencing provide notice of the meeting, and post the agenda, as provided. The bill would urge state bodies utilizing these teleconferencing procedures in the bill to use sound discretion and to make reasonable efforts to adhere as closely as reasonably possible to existing law, as provided.

(3) Existing law establishes the various campuses of the California State University under the administration of the Trustees of the California State University, and authorizes the establishment of student body organizations in connection with the operations of California State University campuses.

The Gloria Romero Open Meetings Act of 2000 generally requires a legislative body, as defined, of a student body organization to conduct its business in a meeting that is open and public. The act authorizes the legislative body to use teleconferencing, as defined, for the benefit of the public and the legislative body in connection with any meeting or proceeding authorized by law.

This bill, until January 31, 2022, would authorize, subject to specified notice and accessibility requirements, a legislative body, as defined for purposes of the act, to hold public meetings through teleconferencing and to make public meetings accessible telephonically, or otherwise electronically, to all members of the public seeking to observe and to address the legislative body. With respect to a legislative body holding a public meeting pursuant to these provisions, the bill would suspend certain requirements of existing law, including the requirements that each teleconference location be accessible to the public and that members of the public be able to address the legislative body at each teleconference location. Under the bill, a legislative body that holds a meeting through teleconferencing and allows members of the public to observe and address the meeting telephonically or otherwise electronically would satisfy any requirement that the legislative body allow members of the public to attend the meeting and offer public

comment. The bill would require that each legislative body that holds a meeting through teleconferencing provide notice of the meeting, and post the agenda, as provided. The bill would urge legislative bodies utilizing these teleconferencing procedures in the bill to use sound discretion and to make reasonable efforts to adhere as closely as reasonably possible to existing law, as provided.

- (4) This bill would declare the Legislature's intent, consistent with the Governor's Executive Order No. N-29-20, to improve and enhance public access to state and local agency meetings during the COVID-19 pandemic and future emergencies by allowing broader access through teleconferencing options.
- (5) This bill would incorporate additional changes to Section 54953 of the Government Code proposed by AB 339 to be operative only if this bill and AB 339 are enacted and this bill is enacted last.
- (6) The California Constitution requires local agencies, for the purpose of ensuring public access to the meetings of public bodies and the writings of public officials and agencies, to comply with a statutory enactment that amends or enacts laws relating to public records or open meetings and contains findings demonstrating that the enactment furthers the constitutional requirements relating to this purpose.

This bill would make legislative findings to that effect.

(7) Existing constitutional provisions require that a statute that limits the right of access to the meetings of public bodies or the writings of public officials and agencies be adopted with findings demonstrating the interest protected by the limitation and the need for protecting that interest.

This bill would make legislative findings to that effect.

(8) This bill would declare that it is to take effect immediately as an urgency statute.

DIGEST KEY

Vote: 2/3 Appropriation: no Fiscal Committee: yes Local Program: no

BILL TEXT

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1.

Section 89305.6 is added to the Education Code, to read:

89305.6.

(a) Notwithstanding any other provision of this article, and subject to the notice and accessibility requirements in subdivisions (d) and (e), a legislative body may hold public meetings through teleconferencing and make public meetings accessible telephonically,

or otherwise electronically, to all members of the public seeking to observe and to address the legislative body.

- (b) (1) For a legislative body holding a public meeting through teleconferencing pursuant to this section, all requirements in this article requiring the physical presence of members, the clerk or other personnel of the legislative body, or the public, as a condition of participation in or quorum for a public meeting, are hereby suspended.
- (2) For a legislative body holding a public meeting through teleconferencing pursuant to this section, all of the following requirements in this article are suspended:
- (A) Each teleconference location from which a member will be participating in a public meeting or proceeding be identified in the notice and agenda of the public meeting or proceeding.
- (B) Each teleconference location be accessible to the public.
- (C) Members of the public may address the legislative body at each teleconference conference location.
- (D) Post agendas at all teleconference locations.
- (E) At least one member of the legislative body be physically present at the location specified in the notice of the meeting.
- (c) A legislative body that holds a meeting through teleconferencing and allows members of the public to observe and address the meeting telephonically or otherwise electronically, consistent with the notice and accessibility requirements in subdivisions (d) and (e), shall have satisfied any requirement that the legislative body allow members of the public to attend the meeting and offer public comment. A legislative body need not make available any physical location from which members of the public may observe the meeting and offer public comment.
- (d) If a legislative body holds a meeting through teleconferencing pursuant to this section and allows members of the public to observe and address the meeting telephonically or otherwise electronically, the legislative body shall also do both of the following:
- (1) Implement a procedure for receiving and swiftly resolving requests for reasonable modification or accommodation from individuals with disabilities, consistent with the federal Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12101 et seq.), and resolving any doubt whatsoever in favor of accessibility.
- (2) Advertise that procedure each time notice is given of the means by which members of the public may observe the meeting and offer public comment, pursuant to paragraph (2) of subdivision (e).
- (e) Except to the extent this section provides otherwise, each legislative body that holds a meeting through teleconferencing pursuant to this section shall do both of the following:
- (1) Give advance notice of the time of, and post the agenda for, each public meeting according to the timeframes otherwise prescribed by this article, and using the means otherwise prescribed by this article, as applicable.

- (2) In each instance in which notice of the time of the meeting is otherwise given or the agenda for the meeting is otherwise posted, also give notice of the means by which members of the public may observe the meeting and offer public comment. As to any instance in which there is a change in the means of public observation and comment, or any instance prior to the effective date of this section in which the time of the meeting has been noticed or the agenda for the meeting has been posted without also including notice of the means of public observation and comment, a legislative body may satisfy this requirement by advertising the means of public observation and comment using the most rapid means of communication available at the time. Advertising the means of public observation and comment using the most rapid means of communication available at the time shall include, but need not be limited to, posting such means on the legislative body's internet website.
- (f) All legislative bodies utilizing the teleconferencing procedures in this section are urged to use sound discretion and to make reasonable efforts to adhere as closely as reasonably possible to the otherwise applicable provisions of this article, in order to maximize transparency and provide the public access to legislative body meetings.
- (g) This section shall remain in effect only until January 31, 2022, and as of that date is repealed.

SEC. 2.

Section 11133 is added to the Government Code, to read:

11133.

- (a) Notwithstanding any other provision of this article, and subject to the notice and accessibility requirements in subdivisions (d) and (e), a state body may hold public meetings through teleconferencing and make public meetings accessible telephonically, or otherwise electronically, to all members of the public seeking to observe and to address the state body.
- (b) (1) For a state body holding a public meeting through teleconferencing pursuant to this section, all requirements in this article requiring the physical presence of members, the clerk or other personnel of the state body, or the public, as a condition of participation in or quorum for a public meeting, are hereby suspended.
- (2) For a state body holding a public meeting through teleconferencing pursuant to this section, all of the following requirements in this article are suspended:
- (A) Each teleconference location from which a member will be participating in a public meeting or proceeding be identified in the notice and agenda of the public meeting or proceeding.
- (B) Each teleconference location be accessible to the public.
- (C) Members of the public may address the state body at each teleconference conference location.
- (D) Post agendas at all teleconference locations.

- (E) At least one member of the state body be physically present at the location specified in the notice of the meeting.
- (c) A state body that holds a meeting through teleconferencing and allows members of the public to observe and address the meeting telephonically or otherwise electronically, consistent with the notice and accessibility requirements in subdivisions (d) and (e), shall have satisfied any requirement that the state body allow members of the public to attend the meeting and offer public comment. A state body need not make available any physical location from which members of the public may observe the meeting and offer public comment.
- (d) If a state body holds a meeting through teleconferencing pursuant to this section and allows members of the public to observe and address the meeting telephonically or otherwise electronically, the state body shall also do both of the following:
- (1) Implement a procedure for receiving and swiftly resolving requests for reasonable modification or accommodation from individuals with disabilities, consistent with the federal Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12101 et seq.), and resolving any doubt whatsoever in favor of accessibility.
- (2) Advertise that procedure each time notice is given of the means by which members of the public may observe the meeting and offer public comment, pursuant to paragraph (2) of subdivision (e).
- (e) Except to the extent this section provides otherwise, each state body that holds a meeting through teleconferencing pursuant to this section shall do both of the following:
- (1) Give advance notice of the time of, and post the agenda for, each public meeting according to the timeframes otherwise prescribed by this article, and using the means otherwise prescribed by this article, as applicable.
- (2) In each instance in which notice of the time of the meeting is otherwise given or the agenda for the meeting is otherwise posted, also give notice of the means by which members of the public may observe the meeting and offer public comment. As to any instance in which there is a change in the means of public observation and comment, or any instance prior to the effective date of this section in which the time of the meeting has been noticed or the agenda for the meeting has been posted without also including notice of the means of public observation and comment, a state body may satisfy this requirement by advertising the means of public observation and comment using the most rapid means of communication available at the time. Advertising the means of public observation and comment using the most rapid means of communication available at the time shall include, but need not be limited to, posting such means on the state body's internet website.
- (f) All state bodies utilizing the teleconferencing procedures in this section are urged to use sound discretion and to make reasonable efforts to adhere as closely as reasonably possible to the otherwise applicable provisions of this article, in order to maximize transparency and provide the public access to state body meetings.

(g) This section shall remain in effect only until January 31, 2022, and as of that date is repealed.

SEC. 3.

Section 54953 of the Government Code is amended to read:

54953.

- (a) All meetings of the legislative body of a local agency shall be open and public, and all persons shall be permitted to attend any meeting of the legislative body of a local agency, except as otherwise provided in this chapter.
- (b) (1) Notwithstanding any other provision of law, the legislative body of a local agency may use teleconferencing for the benefit of the public and the legislative body of a local agency in connection with any meeting or proceeding authorized by law. The teleconferenced meeting or proceeding shall comply with all otherwise applicable requirements of this chapter and all otherwise applicable provisions of law relating to a specific type of meeting or proceeding.
- (2) Teleconferencing, as authorized by this section, may be used for all purposes in connection with any meeting within the subject matter jurisdiction of the legislative body. All votes taken during a teleconferenced meeting shall be by rollcall.
- (3) If the legislative body of a local agency elects to use teleconferencing, it shall post agendas at all teleconference locations and conduct teleconference meetings in a manner that protects the statutory and constitutional rights of the parties or the public appearing before the legislative body of a local agency. Each teleconference location shall be identified in the notice and agenda of the meeting or proceeding, and each teleconference location shall be accessible to the public. During the teleconference, at least a quorum of the members of the legislative body shall participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction, except as provided in subdivisions (d) and (e). The agenda shall provide an opportunity for members of the public to address the legislative body directly pursuant to Section 54954.3 at each teleconference location.
- (4) For the purposes of this section, "teleconference" means a meeting of a legislative body, the members of which are in different locations, connected by electronic means, through either audio or video, or both. Nothing in this section shall prohibit a local agency from providing the public with additional teleconference locations.
- (c) (1) No legislative body shall take action by secret ballot, whether preliminary or final.
- (2) The legislative body of a local agency shall publicly report any action taken and the vote or abstention on that action of each member present for the action.
- (3) Prior to taking final action, the legislative body shall orally report a summary of a recommendation for a final action on the salaries, salary schedules, or compensation paid in the form of fringe benefits of a local agency executive, as defined in subdivision (d) of Section 3511.1, during the open meeting in which the final action is to be taken. This paragraph shall not affect the public's right under the California Public Records Act

(Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1) to inspect or copy records created or received in the process of developing the recommendation.

- (d) (1) Notwithstanding the provisions relating to a quorum in paragraph (3) of subdivision (b), if a health authority conducts a teleconference meeting, members who are outside the jurisdiction of the authority may be counted toward the establishment of a quorum when participating in the teleconference if at least 50 percent of the number of members that would establish a quorum are present within the boundaries of the territory over which the authority exercises jurisdiction, and the health authority provides a teleconference number, and associated access codes, if any, that allows any person to call in to participate in the meeting and the number and access codes are identified in the notice and agenda of the meeting.
- (2) Nothing in this subdivision shall be construed as discouraging health authority members from regularly meeting at a common physical site within the jurisdiction of the authority or from using teleconference locations within or near the jurisdiction of the authority. A teleconference meeting for which a quorum is established pursuant to this subdivision shall be subject to all other requirements of this section.
- (3) For purposes of this subdivision, a health authority means any entity created pursuant to Sections 14018.7, 14087.31, 14087.35, 14087.36, 14087.38, and 14087.9605 of the Welfare and Institutions Code, any joint powers authority created pursuant to Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 for the purpose of contracting pursuant to Section 14087.3 of the Welfare and Institutions Code, and any advisory committee to a county-sponsored health plan licensed pursuant to Chapter 2.2 (commencing with Section 1340) of Division 2 of the Health and Safety Code if the advisory committee has 12 or more members.
- (e) (1) A local agency may use teleconferencing without complying with the requirements of paragraph (3) of subdivision (b) if the legislative body complies with the requirements of paragraph (2) of this subdivision in any of the following circumstances:
- (A) The legislative body holds a meeting during a proclaimed state of emergency, and state or local officials have imposed or recommended measures to promote social distancing.
- (B) The legislative body holds a meeting during a proclaimed state of emergency for the purpose of determining, by majority vote, whether as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.
- (C) The legislative body holds a meeting during a proclaimed state of emergency and has determined, by majority vote, pursuant to subparagraph (B), that, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.
- (2) A legislative body that holds a meeting pursuant to this subdivision shall do all of the following:
- (A) The legislative body shall give notice of the meeting and post agendas as otherwise required by this chapter.

- (B) The legislative body shall allow members of the public to access the meeting and the agenda shall provide an opportunity for members of the public to address the legislative body directly pursuant to Section 54954.3. In each instance in which notice of the time of the teleconferenced meeting is otherwise given or the agenda for the meeting is otherwise posted, the legislative body shall also give notice of the means by which members of the public may access the meeting and offer public comment. The agenda shall identify and include an opportunity for all persons to attend via a call-in option or an internet-based service option. This subparagraph shall not be construed to require the legislative body to provide a physical location from which the public may attend or comment.
- (C) The legislative body shall conduct teleconference meetings in a manner that protects the statutory and constitutional rights of the parties and the public appearing before the legislative body of a local agency.
- (D) In the event of a disruption which prevents the public agency from broadcasting the meeting to members of the public using the call-in option or internet-based service option, or in the event of a disruption within the local agency's control which prevents members of the public from offering public comments using the call-in option or internet-based service option, the body shall take no further action on items appearing on the meeting agenda until public access to the meeting via the call-in option or internet-based service option is restored. Actions taken on agenda items during a disruption which prevents the public agency from broadcasting the meeting may be challenged pursuant to Section 54960.1.
- (E) The legislative body shall not require public comments to be submitted in advance of the meeting and must provide an opportunity for the public to address the legislative body and offer comment in real time. This subparagraph shall not be construed to require the legislative body to provide a physical location from which the public may attend or comment.
- (F) Notwithstanding Section 54953.3, an individual desiring to provide public comment through the use of an internet website, or other online platform, not under the control of the local legislative body, that requires registration to log in to a teleconference may be required to register as required by the third-party internet website or online platform to participate.
- (G) (i) A legislative body that provides a timed public comment period for each agenda item shall not close the public comment period for the agenda item, or the opportunity to register, pursuant to subparagraph (F), to provide public comment until that timed public comment period has elapsed.
- (ii) A legislative body that does not provide a timed public comment period, but takes public comment separately on each agenda item, shall allow a reasonable amount of time per agenda item to allow public members the opportunity to provide public comment, including time for members of the public to register pursuant to subparagraph (F), or otherwise be recognized for the purpose of providing public comment.
- (iii) A legislative body that provides a timed general public comment period that does not correspond to a specific agenda item shall not close the public comment period or the

opportunity to register, pursuant to subparagraph (F), until the timed general public comment period has elapsed.

- (3) If a state of emergency remains active, or state or local officials have imposed or recommended measures to promote social distancing, in order to continue to teleconference without compliance with paragraph (3) of subdivision (b), the legislative body shall, not later than 30 days after teleconferencing for the first time pursuant to subparagraph (A), (B), or (C) of paragraph (1), and every 30 days thereafter, make the following findings by majority vote:
- (A) The legislative body has reconsidered the circumstances of the state of emergency.
- (B) Any of the following circumstances exist:
- (i) The state of emergency continues to directly impact the ability of the members to meet safely in person.
- (ii) State or local officials continue to impose or recommend measures to promote social distancing.
- (4) For the purposes of this subdivision, "state of emergency" means a state of emergency proclaimed pursuant to Section 8625 of the California Emergency Services Act (Article 1 (commencing with Section 8550) of Chapter 7 of Division 1 of Title 2).
- (f) This section shall remain in effect only until January 1, 2024, and as of that date is repealed.

SEC. 3.1.

Section 54953 of the Government Code is amended to read:

54953.

- (a) All meetings of the legislative body of a local agency shall be open and public, and all persons shall be permitted to attend any meeting of the legislative body of a local agency in person, except as otherwise provided in this chapter. Local agencies shall conduct meetings subject to this chapter consistent with applicable state and federal civil rights laws, including, but not limited to, any applicable language access and other nondiscrimination obligations.
- (b) (1) Notwithstanding any other provision of law, the legislative body of a local agency may use teleconferencing for the benefit of the public and the legislative body of a local agency in connection with any meeting or proceeding authorized by law. The teleconferenced meeting or proceeding shall comply with all otherwise applicable requirements of this chapter and all otherwise applicable provisions of law relating to a specific type of meeting or proceeding.
- (2) Teleconferencing, as authorized by this section, may be used for all purposes in connection with any meeting within the subject matter jurisdiction of the legislative body. All votes taken during a teleconferenced meeting shall be by rollcall.

- (3) If the legislative body of a local agency elects to use teleconferencing, it shall post agendas at all teleconference locations and conduct teleconference meetings in a manner that protects the statutory and constitutional rights of the parties or the public appearing before the legislative body of a local agency. Each teleconference location shall be identified in the notice and agenda of the meeting or proceeding, and each teleconference location shall be accessible to the public. During the teleconference, at least a quorum of the members of the legislative body shall participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction, except as provided in subdivisions (d) and (e). The agenda shall provide an opportunity for members of the public to address the legislative body directly pursuant to Section 54954.3 at each teleconference location.
- (4) For the purposes of this section, "teleconference" means a meeting of a legislative body, the members of which are in different locations, connected by electronic means, through either audio or video, or both. Nothing in this section shall prohibit a local agency from providing the public with additional teleconference locations.
- (c) (1) No legislative body shall take action by secret ballot, whether preliminary or final.
- (2) The legislative body of a local agency shall publicly report any action taken and the vote or abstention on that action of each member present for the action.
- (3) Prior to taking final action, the legislative body shall orally report a summary of a recommendation for a final action on the salaries, salary schedules, or compensation paid in the form of fringe benefits of a local agency executive, as defined in subdivision (d) of Section 3511.1, during the open meeting in which the final action is to be taken. This paragraph shall not affect the public's right under the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1) to inspect or copy records created or received in the process of developing the recommendation.
- (d) (1) Notwithstanding the provisions relating to a quorum in paragraph (3) of subdivision (b), if a health authority conducts a teleconference meeting, members who are outside the jurisdiction of the authority may be counted toward the establishment of a quorum when participating in the teleconference if at least 50 percent of the number of members that would establish a quorum are present within the boundaries of the territory over which the authority exercises jurisdiction, and the health authority provides a teleconference number, and associated access codes, if any, that allows any person to call in to participate in the meeting and the number and access codes are identified in the notice and agenda of the meeting.
- (2) Nothing in this subdivision shall be construed as discouraging health authority members from regularly meeting at a common physical site within the jurisdiction of the authority or from using teleconference locations within or near the jurisdiction of the authority. A teleconference meeting for which a quorum is established pursuant to this subdivision shall be subject to all other requirements of this section.
- (3) For purposes of this subdivision, a health authority means any entity created pursuant to Sections 14018.7, 14087.31, 14087.35, 14087.36, 14087.38, and 14087.9605 of the Welfare and Institutions Code, any joint powers authority created pursuant to Article 1

(commencing with Section 6500) of Chapter 5 of Division 7 for the purpose of contracting pursuant to Section 14087.3 of the Welfare and Institutions Code, and any advisory committee to a county-sponsored health plan licensed pursuant to Chapter 2.2 (commencing with Section 1340) of Division 2 of the Health and Safety Code if the advisory committee has 12 or more members.

- (e) (1) A local agency may use teleconferencing without complying with the requirements of paragraph (3) of subdivision (b) if the legislative body complies with the requirements of paragraph (2) of this subdivision in any of the following circumstances:
- (A) The legislative body holds a meeting during a proclaimed state of emergency, and state or local officials have imposed or recommended measures to promote social distancing.
- (B) The legislative body holds a meeting during a proclaimed state of emergency for the purpose of determining, by majority vote, whether as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.
- (C) The legislative body holds a meeting during a proclaimed state of emergency and has determined, by majority vote, pursuant to subparagraph (B), that, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.
- (2) A legislative body that holds a meeting pursuant to this subdivision shall do all of the following:
- (A) The legislative body shall give notice of the meeting and post agendas as otherwise required by this chapter.
- (B) The legislative body shall allow members of the public to access the meeting and the agenda shall provide an opportunity for members of the public to address the legislative body directly pursuant to Section 54954.3. In each instance in which notice of the time of the teleconferenced meeting is otherwise given or the agenda for the meeting is otherwise posted, the legislative body shall also give notice of the means by which members of the public may access the meeting and offer public comment. The agenda shall identify and include an opportunity for all persons to attend via a call-in option or an internet-based service option. This subparagraph shall not be construed to require the legislative body to provide a physical location from which the public may attend or comment.
- (C) The legislative body shall conduct teleconference meetings in a manner that protects the statutory and constitutional rights of the parties and the public appearing before the legislative body of a local agency.
- (D) In the event of a disruption which prevents the public agency from broadcasting the meeting to members of the public using the call-in option or internet-based service option, or in the event of a disruption within the local agency's control which prevents members of the public from offering public comments using the call-in option or internet-based service option, the body shall take no further action on items appearing on the meeting agenda until public access to the meeting via the call-in option or internet-based service option is restored. Actions taken on agenda items during a disruption which prevents the

public agency from broadcasting the meeting may be challenged pursuant to Section 54960.1.

- (E) The legislative body shall not require public comments to be submitted in advance of the meeting and must provide an opportunity for the public to address the legislative body and offer comment in real time. This subparagraph shall not be construed to require the legislative body to provide a physical location from which the public may attend or comment.
- (F) Notwithstanding Section 54953.3, an individual desiring to provide public comment through the use of an internet website, or other online platform, not under the control of the local legislative body, that requires registration to log in to a teleconference may be required to register as required by the third-party internet website or online platform to participate.
- (G) (i) A legislative body that provides a timed public comment period for each agenda item shall not close the public comment period for the agenda item, or the opportunity to register, pursuant to subparagraph (F), to provide public comment until that timed public comment period has elapsed.
- (ii) A legislative body that does not provide a timed public comment period, but takes public comment separately on each agenda item, shall allow a reasonable amount of time per agenda item to allow public members the opportunity to provide public comment, including time for members of the public to register pursuant to subparagraph (F), or otherwise be recognized for the purpose of providing public comment.
- (iii) A legislative body that provides a timed general public comment period that does not correspond to a specific agenda item shall not close the public comment period or the opportunity to register, pursuant to subparagraph (F), until the timed general public comment period has elapsed.
- (3) If a state of emergency remains active, or state or local officials have imposed or recommended measures to promote social distancing, in order to continue to teleconference without compliance with paragraph (3) of subdivision (b), the legislative body shall, not later than 30 days after teleconferencing for the first time pursuant to subparagraph (A), (B), or (C) of paragraph (1), and every 30 days thereafter, make the following findings by majority vote:
- (A) The legislative body has reconsidered the circumstances of the state of emergency.
- (B) Any of the following circumstances exist:
- (i) The state of emergency continues to directly impact the ability of the members to meet safely in person.
- (ii) State or local officials continue to impose or recommend measures to promote social distancing.
- (4) For the purposes of this subdivision, "state of emergency" means a state of emergency proclaimed pursuant to Section 8625 of the California Emergency Services Act (Article 1 (commencing with Section 8550) of Chapter 7 of Division 1 of Title 2).

(f) This section shall remain in effect only until January 1, 2024, and as of that date is repealed.

SEC. 4.

Section 54953 is added to the Government Code, to read:

54953.

- (a) All meetings of the legislative body of a local agency shall be open and public, and all persons shall be permitted to attend any meeting of the legislative body of a local agency, except as otherwise provided in this chapter.
- (b) (1) Notwithstanding any other provision of law, the legislative body of a local agency may use teleconferencing for the benefit of the public and the legislative body of a local agency in connection with any meeting or proceeding authorized by law. The teleconferenced meeting or proceeding shall comply with all requirements of this chapter and all otherwise applicable provisions of law relating to a specific type of meeting or proceeding.
- (2) Teleconferencing, as authorized by this section, may be used for all purposes in connection with any meeting within the subject matter jurisdiction of the legislative body. All votes taken during a teleconferenced meeting shall be by rollcall.
- (3) If the legislative body of a local agency elects to use teleconferencing, it shall post agendas at all teleconference locations and conduct teleconference meetings in a manner that protects the statutory and constitutional rights of the parties or the public appearing before the legislative body of a local agency. Each teleconference location shall be identified in the notice and agenda of the meeting or proceeding, and each teleconference location shall be accessible to the public. During the teleconference, at least a quorum of the members of the legislative body shall participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction, except as provided in subdivision (d). The agenda shall provide an opportunity for members of the public to address the legislative body directly pursuant to Section 54954.3 at each teleconference location.
- (4) For the purposes of this section, "teleconference" means a meeting of a legislative body, the members of which are in different locations, connected by electronic means, through either audio or video, or both. Nothing in this section shall prohibit a local agency from providing the public with additional teleconference locations
- (c) (1) No legislative body shall take action by secret ballot, whether preliminary or final.
- (2) The legislative body of a local agency shall publicly report any action taken and the vote or abstention on that action of each member present for the action.
- (3) Prior to taking final action, the legislative body shall orally report a summary of a recommendation for a final action on the salaries, salary schedules, or compensation paid in the form of fringe benefits of a local agency executive, as defined in subdivision (d) of Section 3511.1, during the open meeting in which the final action is to be taken. This paragraph shall not affect the public's right under the California Public Records Act

(Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1) to inspect or copy records created or received in the process of developing the recommendation.

- (d) (1) Notwithstanding the provisions relating to a quorum in paragraph (3) of subdivision (b), if a health authority conducts a teleconference meeting, members who are outside the jurisdiction of the authority may be counted toward the establishment of a quorum when participating in the teleconference if at least 50 percent of the number of members that would establish a quorum are present within the boundaries of the territory over which the authority exercises jurisdiction, and the health authority provides a teleconference number, and associated access codes, if any, that allows any person to call in to participate in the meeting and the number and access codes are identified in the notice and agenda of the meeting.
- (2) Nothing in this subdivision shall be construed as discouraging health authority members from regularly meeting at a common physical site within the jurisdiction of the authority or from using teleconference locations within or near the jurisdiction of the authority. A teleconference meeting for which a quorum is established pursuant to this subdivision shall be subject to all other requirements of this section.
- (3) For purposes of this subdivision, a health authority means any entity created pursuant to Sections 14018.7, 14087.31, 14087.35, 14087.36, 14087.38, and 14087.9605 of the Welfare and Institutions Code, any joint powers authority created pursuant to Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 for the purpose of contracting pursuant to Section 14087.3 of the Welfare and Institutions Code, and any advisory committee to a county-sponsored health plan licensed pursuant to Chapter 2.2 (commencing with Section 1340) of Division 2 of the Health and Safety Code if the advisory committee has 12 or more members.
- (e) This section shall become operative January 1, 2024.

SEC. 4.1.

Section 54953 is added to the Government Code, to read:

54953.

- (a) All meetings of the legislative body of a local agency shall be open and public, and all persons shall be permitted to attend any meeting of the legislative body of a local agency, in person except as otherwise provided in this chapter. Local agencies shall conduct meetings subject to this chapter consistent with applicable state and federal civil rights laws, including, but not limited to, any applicable language access and other nondiscrimination obligations.
- (b) (1) Notwithstanding any other provision of law, the legislative body of a local agency may use teleconferencing for the benefit of the public and the legislative body of a local agency in connection with any meeting or proceeding authorized by law. The teleconferenced meeting or proceeding shall comply with all requirements of this chapter and all otherwise applicable provisions of law relating to a specific type of meeting or proceeding.

- (2) Teleconferencing, as authorized by this section, may be used for all purposes in connection with any meeting within the subject matter jurisdiction of the legislative body. All votes taken during a teleconferenced meeting shall be by rollcall.
- (3) If the legislative body of a local agency elects to use teleconferencing, it shall post agendas at all teleconference locations and conduct teleconference meetings in a manner that protects the statutory and constitutional rights of the parties or the public appearing before the legislative body of a local agency. Each teleconference location shall be identified in the notice and agenda of the meeting or proceeding, and each teleconference location shall be accessible to the public. During the teleconference, at least a quorum of the members of the legislative body shall participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction, except as provided in subdivision (d). The agenda shall provide an opportunity for members of the public to address the legislative body directly pursuant to Section 54954.3 at each teleconference location.
- (4) For the purposes of this section, "teleconference" means a meeting of a legislative body, the members of which are in different locations, connected by electronic means, through either audio or video, or both. Nothing in this section shall prohibit a local agency from providing the public with additional teleconference locations.
- (c) (1) No legislative body shall take action by secret ballot, whether preliminary or final.
- (2) The legislative body of a local agency shall publicly report any action taken and the vote or abstention on that action of each member present for the action.
- (3) Prior to taking final action, the legislative body shall orally report a summary of a recommendation for a final action on the salaries, salary schedules, or compensation paid in the form of fringe benefits of a local agency executive, as defined in subdivision (d) of Section 3511.1, during the open meeting in which the final action is to be taken. This paragraph shall not affect the public's right under the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1) to inspect or copy records created or received in the process of developing the recommendation.
- (d) (1) Notwithstanding the provisions relating to a quorum in paragraph (3) of subdivision (b), if a health authority conducts a teleconference meeting, members who are outside the jurisdiction of the authority may be counted toward the establishment of a quorum when participating in the teleconference if at least 50 percent of the number of members that would establish a quorum are present within the boundaries of the territory over which the authority exercises jurisdiction, and the health authority provides a teleconference number, and associated access codes, if any, that allows any person to call in to participate in the meeting and the number and access codes are identified in the notice and agenda of the meeting.
- (2) Nothing in this subdivision shall be construed as discouraging health authority members from regularly meeting at a common physical site within the jurisdiction of the authority or from using teleconference locations within or near the jurisdiction of the authority. A teleconference meeting for which a quorum is established pursuant to this subdivision shall be subject to all other requirements of this section.

- (3) For purposes of this subdivision, a health authority means any entity created pursuant to Sections 14018.7, 14087.31, 14087.35, 14087.36, 14087.38, and 14087.9605 of the Welfare and Institutions Code, any joint powers authority created pursuant to Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 for the purpose of contracting pursuant to Section 14087.3 of the Welfare and Institutions Code, and any advisory committee to a county-sponsored health plan licensed pursuant to Chapter 2.2 (commencing with Section 1340) of Division 2 of the Health and Safety Code if the advisory committee has 12 or more members.
- (e) This section shall become operative January 1, 2024.

SEC. 5.

Sections 3.1 and 4.1 of this bill incorporate amendments to Section 54953 of the Government Code proposed by both this bill and Assembly Bill 339. Those sections of this bill shall only become operative if (1) both bills are enacted and become effective on or before January 1, 2022, but this bill becomes operative first, (2) each bill amends Section 54953 of the Government Code, and (3) this bill is enacted after Assembly Bill 339, in which case Section 54953 of the Government Code, as amended by Sections 3 and 4 of this bill, shall remain operative only until the operative date of Assembly Bill 339, at which time Sections 3.1 and 4.1 of this bill shall become operative.

SEC. 6.

It is the intent of the Legislature in enacting this act to improve and enhance public access to state and local agency meetings during the COVID-19 pandemic and future applicable emergencies, by allowing broader access through teleconferencing options consistent with the Governor's Executive Order No. N-29-20 dated March 17, 2020, permitting expanded use of teleconferencing during the COVID-19 pandemic.

SEC. 7.

The Legislature finds and declares that Sections 3 and 4 of this act, which amend, repeal, and add Section 54953 of the Government Code, further, within the meaning of paragraph (7) of subdivision (b) of Section 3 of Article I of the California Constitution, the purposes of that constitutional section as it relates to the right of public access to the meetings of local public bodies or the writings of local public officials and local agencies. Pursuant to paragraph (7) of subdivision (b) of Section 3 of Article I of the California Constitution, the Legislature makes the following findings:

This act is necessary to ensure minimum standards for public participation and notice requirements allowing for greater public participation in teleconference meetings during applicable emergencies.

SEC. 8.

(a) The Legislature finds and declares that during the COVID-19 public health emergency, certain requirements of the Bagley-Keene Open Meeting Act (Article 9 (commencing with Section 11120) of Chapter 1 of Part 1 of Division 3 of Title 2 of the Government Code) were suspended by Executive Order N-29-20. Audio and video

teleconference were widely used to conduct public meetings in lieu of physical location meetings, and public meetings conducted by teleconference during the COVID-19 public health emergency have been productive, have increased public participation by all members of the public regardless of their location in the state and ability to travel to physical meeting locations, have protected the health and safety of civil servants and the public, and have reduced travel costs incurred by members of state bodies and reduced work hours spent traveling to and from meetings.

- (b) The Legislature finds and declares that Section 1 of this act, which adds and repeals Section 89305.6 of the Education Code, Section 2 of this act, which adds and repeals Section 11133 of the Government Code, and Sections 3 and 4 of this act, which amend, repeal, and add Section 54953 of the Government Code, all increase and potentially limit the public's right of access to the meetings of public bodies or the writings of public officials and agencies within the meaning of Section 3 of Article I of the California Constitution. Pursuant to that constitutional provision, the Legislature makes the following findings to demonstrate the interest protected by this limitation and the need for protecting that interest:
- (1) By removing the requirement that public meetings be conducted at a primary physical location with a quorum of members present, this act protects the health and safety of civil servants and the public and does not preference the experience of members of the public who might be able to attend a meeting in a physical location over members of the public who cannot travel or attend that meeting in a physical location.
- (2) By removing the requirement for agendas to be placed at the location of each public official participating in a public meeting remotely, including from the member's private home or hotel room, this act protects the personal, private information of public officials and their families while preserving the public's right to access information concerning the conduct of the people's business.

SEC. 9.

This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the California Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order to ensure that state and local agencies can continue holding public meetings while providing essential services like water, power, and fire protection to their constituents during public health, wildfire, or other states of emergencies, it is necessary that this act take effect immediately.

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AGENDA REPORT

To: Mayor Mary Mendoza and Councilmembers

From: Nick Kimball, City Manager

By: Julia Fritz, City Clerk

Date: April 4, 2022

Subject: Consideration to Adopt a Resolution Authorizing the Destruction of Certain

Obsolete Records in Accordance with the City's Records Retention Schedule for

the Maintenance and Disposition of Records

RECOMMENDATION:

It is recommended that the City Council:

- a) Adopt Resolution No. 8136 (Attachment "A") authorizing the destruction of certain records and documents (Attachment "A" Exhibit "A" and "E") pursuant to the State of California, Government Code Section 34090 and the City's approved Records Retention Schedule for the Maintenance and Disposition of Records; and
- b) Authorize the City Clerk to take all related actions to dispose of such records.

BACKGROUND:

- 1. On November 5, 2001, the City Council adopted Resolution No. 6806 (Attachment "B") that approved the City's Records Retention Schedule for the Maintenance and Disposition of Record's Policy and Procedures (the "Policy"). The Resolution states that upon written consent of the City Clerk and City Attorney, and with the approval of the City Council, "the City Clerk may destroy any City record, document, instrument, book or paper, under her charge, without making a copy thereof, after the same is no longer required." The Schedule is used to assign a retention timeframe for records in the custody of each City department and appropriately provides clear and concise direction to staff for the management of City records.
- 2. On March 6, 2020, the City Council adopted Resolution No. 7989 approving the disposition and destruction of approximately 79 boxes of records that were no longer required to be retained.

ADMINISTRATION DEPARTMENT

117 MACNEIL STREET, SAN FERNANDO, CA 91340

(818) 898-1202

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Consideration to Adopt a Resolution Authorizing the Destruction of Certain Obsolete Records of the City in Accordance with the City's Records Retention Schedule for the Maintenance and Disposition of Records

Page 2 of 3

ANALYSIS:

As a public agency, the City is required to actively, and appropriately manage its public records in accordance with Federal and State laws ensuring that the public and other interested parties have open, transparent and easily access City records, while allowing for reasonable destruction of records when necessary.

In 2001, the City Council adopted Resolution No. 6806 (Attachment "B") that adopts a Records Retention Schedule for the Maintenance and Disposition of Records (Policy) and provides a clear and concise description of guidelines for methods to manage the creation, utilization, maintenance, retention, preservation, and the destruction of records.

The resolution authorizes the disposition of City records in accordance with the State of California Government Code Section 34090 by written consent and approval of the City Clerk and the City Attorney. Upon final approval of the City Council, the City Clerk may destroy any City record, document, instrument, book or paper, under his or her charge, without making a copy thereof, after the same is no longer required. This resolution does not authorize the destruction of permanent records set forth in Government Code Section 34090, which includes: (a) records affecting the title of real property or liens thereon; (b) court records on any subject where litigation is pending; (c) records required to be kept by statute; (d) the minutes, ordinances or resolutions of the legislative body.

Since its inception, departments have requested authorization to destroy certain records, and generally facilitated on an annual frequency. The Policy has been successful in appropriately providing direction to staff for each departments management of City records, eliminating duplication of effort, and minimizing and reducing storage space and costs and creating space for the storage of new records.

The following Departments have identified certain records (Attachment "A" - Exhibit "A") that qualify for destruction:

Total:		Boxes
Recreation and Community Services	2	Boxes
Police	45	Boxes
Finance	41	Boxes

Consideration to Adopt a Resolution Authorizing the Destruction of Certain Obsolete Records of the City in Accordance with the City's Records Retention Schedule for the Maintenance and Disposition of Records

Page 3 of 3

BUDGET IMPACT:

The cost to destroy these records is approximately \$3.50 per box and the funds are included in the Fiscal Year 2021-2022 Adopted Budget. The cost will be apportioned to each Department based on the number of boxes to be destroyed.

CONCLUSION:

Staff requests City Council approval for the disposition and destruction of approximately 88 boxes of records that are old, obsolete and no longer necessary for the day-to-day administration of the City. Pursuant to California Government Code Section 34090 and the City's adopted Resolution No. 6806, these records are eligible for destruction and the removal of these boxes will assist in creating storage space for new records.

ATTACHMENTS:

A. Resolution No. 8136

Exhibit "A" – Request for Destruction of Records

Exhibit "B" - Destruction List Approval

Exhibit "C" - Certificate of Destruction

Exhibit "E" – Destruction List for Duplicates and Other Documents

B. Resolution No. 6806

RESOLUTION NO. 8136

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN FERNANDO, AUTHORIZING AND DIRECTING THE CITY CLERK TO DESTROY CERTAIN CITY RECORDS AND DOCUMENTS PURSUANT TO THE GOVERNMENT CODE OF THE STATE OF CALIFORNIA

WHEREAS, Section 34090 of the Government Code of the State of California provides for the destruction of certain City records and documents with the approval of the legislative body by Resolution and the written consent of the City Attorney; and

WHEREAS, a list of City records and documents recommended for destruction has been prepared, attached hereto as Exhibit "A" and "E", Request for Destruction of Records and Destruction List for Duplicates and Other Documents, respectively; and in the opinion of the Department Head concerned, said City records and documents are no longer required; and

WHEREAS, the City Clerk and City Attorney have consented to the destruction of such documents and records Destruction List Approval (Exhibit "B").

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAN FERNANDO HEREBY FINDS AND RESOLVES AS FOLLOWS:

SECTION 1. The City Clerk is hereby authorized and directed to destroy those items listed in Exhibit "A" and "E" pursuant to procedures established in Resolution No. 6806 adopting the City's Retention Schedule for the Maintenance and Disposition of Records Policy and Procedures of the City of San Fernando. When the records are destroyed, the Certificate of Destruction (Exhibit "C") must be completed and original form must be filed with the City Clerk to be maintained as a permanent record attached to this Resolution.

SECTION 2. The Mayor shall sign and the City Clerk shall certify to the passage and adoption of this Resolution. This Resolution shall take effect and be in full force immediately.

PASSED, APPROVED AND ADOPTED by the City Council of the City of San Fernando at a regular meeting held on this 4th day of April 2022.

ATTEST:	Mary Mendoza, Mayor of the City of San Fernando, California
Julia Fritz, City Clerk	

CERTIFICATION

I, City Clerk of the City of San Fernando, California, do hereby certify that the foregoing is a full, true, and correct copy of Resolution No. 8136 which was regularly introduced and adopted by

the City Council of the City of San Fernando, California, at a regular meeting thereof held on the 4th day of April, 2022, by the following vote of the City Council:
AYES:
NAYS:
ABSENT:
ABSTAINED:
IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of San Fernando, California, this day of April, 2022.
India Fritz City Clark
Julia Fritz, City Clerk



REQUEST FOR DESTRUCTION OF RECORDS

DEPARTMENT: FINANCE

Listed below is a detailed list of records for which I am requesting destruction. The list includes a description of each record sufficient for identification, including the retention schedule page number, record series title and contents, record dates, retention requirements and destruction date. Unless otherwise directed, the method of destruction proposed is shredding.

I hereby certify that the records listed below and/or attached are more than two years old and have been retained for the minimum period specified in Resolution No.6806. I further certify that the records listed no longer have any administrative, legal, evidentiary, fiscal or research and historic value and do not affect the title to real property or liens thereon, are not court records, are not, to my knowledge, required to be kept further by a statute, are not the minutes, ordinances or resolutions of the City Council or any City board or committee, and are no longer required by the City. I request authority to destroy same pursuant to Section 34090 of the California Government Code.

Box No.	Record Series Title & Contents	Retention Schedule Page No.	Date(s) of Records	Retention Requirements	Destruction Date
1-8	Correspondence: Closed Water Signature Cards	12	Various	A+2	
9	Warrant (Paid) (AP)	14	2008	A+5	
10-12	Deposit Slips/Receipts (Duplicates)	14	2009-2011	5	
13-23	Warrants (Paid) (A/P)	14	FY 15/16	A+5	
24	Cash Statements	12	FY 12/13-14/15	7	
25	Cash Journal Postings	12	FY 2013-2015	7	
26	Grant Financial Reports	12	1999-2007	CL+7	
27	Rev receipts/Reports	17	FY 15/16	A+5	
28	Journal Entries	12	FY 10/11	A+10	
29	Bank Statements	14	2016	5 Years	
30	General Ledger Reports	12	FY 10/11	A+10	
31	General Ledger Reports	12	FY 11/12	A+10	
32	Rev Receipts/Reports	17	2008-2010	A+5	
33	Correspondence: Water Receipts	12	Dec 2017-Feb 2018	A+2	
34	Correspondence: Water Receipts	12	Mar 2018-May 2018	A+2	

Box No.	Record Series Title & Contents	Retention Schedule Page No.	Date(s) of Records	Retention Requirements	Destruction Date
35	Correspondence: Water Receipts	12	Jun 2018-Aug 2018	A+2	
36	Correspondence: Water Receipts	12	Sep 2018-Nov 2018	A+2	
37	Correspondence: Water Receipts	12	Dec 2018-Feb 2019	A+2	
38	Special Event Files: Film Permits/SF Festivals	31	2004-2016	C+5	
39-41	Deposit Slips /Receipts	14	2014-2016	5	

Department Head Signature

Finance Department

Date

EXHIBIT "A"

REQUEST FOR DESTRUCTION OF RECORDS

DEPARTMENT: RECREATION AND COMMUNITY SERVICES

Listed below is a detailed list of records for which I am requesting destruction. The list includes a description of each record sufficient for identification, including the retention schedule page number, record series title and contents, record dates, retention requirements and destruction date. Unless otherwise directed, the method of destruction proposed is shredding.

I hereby certify that the records listed below and/or attached are more than two years old and have been retained for the minimum period specified in Resolution No.6806. I further certify that the records listed no longer have any administrative, legal, evidentiary, fiscal or research and historic value and do not affect the title to real property or liens thereon, are not court records, are not, to my knowledge, required to be kept further by a statute, are not the minutes, ordinances or resolutions of the City Council or any City board or committee, and are no longer required by the City. I request authority to destroy same pursuant to Section 34090 of the California Government Code.

Box No.	Record Series Title & Contents	Retention Schedule Page No.	Date(s) of Records	Retention Requirements	Destruction Date
1	Program Files- Participation.	29	1995-1997	C+4, C+5 years	
1	Recreation Registration Database Records- Program Data (Inactive)	30	1995-1997	2 years	
2	Program Registration	30	2000-2003	5 years	
					

Record Series Title & Contents	Retention Schedule Page No.	Date(s) of Records	Retention Requirements	Destruction Date
			Record Series Title & Retention Schedule Page No. Records Records Date(s) of Records	

Department Head Signature

Recreation & Community Services
Department

Date

EXHIBIT "A"

REQUEST FOR DESTRUCTION OF RECORDS

DEPARTMENT: POLICE DEPARTMENT

Listed below and/or attached is a detailed list of records for which I am requesting destruction. The list includes a description of each record sufficient for identification, including the retention schedule page no., record series title and contents, record dates, retention requirements and destruction date. Unless otherwise directed, the method of destruction proposed is shredding.

I hereby certify that the records listed below and/or attached are more than two years old and/or have been retained for the minimum period specified in Resolution No. 6806. I further certify that the records listed no longer have any administrative, legal, evidentiary, fiscal or research and historic value and do not affect the title to real property or liens thereon, are not court records, are not, to my knowledge, required to be kept further by a statute, are not the minutes, ordinances or resolutions of the City Council or any City board or committee, and are no longer required by the City. I request authority to destroy same pursuant to Section 34090 of the California Government Code.

Box No.	Record Series Title & Contents	Retention Schedule Page No.	Date(s) of Records	Retention Requirements	Destruction Date
	Vehicle Repossessions	25	2014	3 Years	
1	Handwritten Parking Citations	21	2006-2008	2 Years	April 2022
•	Citation Corrections/Cert. Mail Receipts	21	2011-2017	2 Years	April 2022
	Found Property Closed Receipts	23	2010-2013	5 Years	
2	Applicant LiveScan Forms	22	2010-2013	T + 2 Years	April 2022
3	Applicant LiveScan Forms	22	2008-2009	T + 2 Years	April 2022
4	Vehicle Repossessions	25	2011	3 Years	April 2022
5	Press Logs	22	2015-2016	3 Years	April 2022
6	Duplicate Detective copies of reports	24	2012-2013	6 Months	April 2022
7	Press Logs	22	2011/2016	3 Years	4 11 2022
	Moving Citation Processing Logs	22	2009-2014	3 Years	April 2022
8	Vehicle Repossessions	25	2012	3 Years	April 2022
9	Fingerprint/Miscellaneous Receipt Books	21	2010-2013	2 Years	April 2022
10	Parking Appeals	22	2008-2009	2 Years	April 2022
11	Court sealed documents	23	1995-2016	5 Years	April 2022
12	Applicant LiveScan Forms	22	2016-2017	T + 2 Years	April 2022
13	Applicant LiveScan Forms	22	2010-2014	T + 2 Years	April 2022

Box No.	Record Series Title & Contents	Retention Schedule Page No.	Date(s) of Records	Retention Requirements	Destruction Date
14	Parking Appeals	22	2008-2009	2 Years	April 2022
15	Pawn Receipts Dispatch incident cards (IRC)	23 23	2007 2002	C + 2 Years 2 Years	April 2022
16	911 Teletypes	22	2009-2011	3 Years	April 2022
17	Area Lead Documents	23	1996-1997	2 Years	April 2022
18	Booking Fee Notices	24	2015-2016	6 Months	April 2022
19	Money Transmittals: Cashier Receipts	23	2017	2 Years	April 2022
20	Booking Fee Notices		2009-2012	Law Repealed	April 2022
21	Money Transmittals: Cashier Receipts	23	2018	2 Years	April 2022
22	Booking Fee Notices		2017-2018	Law Repealed	April 2022
23	Daily Logs TriTech Correspondences Jail Food Services Documents Datamaster Logs	22 22 23 22	2017 2003-2015 2012-2014 2014	3 Years 2 Years 2 Years 3 Years	April 2022
24	STC Compliance Documents Parking Disputes	23 22	2011-2014	2 Years 2 Years	April 2022
25	Faxes Data Ticket/FTB Documents Returned Citation Corrections Citation Corrections	22 23 21 21	2010-2013 2010-2013 2009-2014 2009	2 Years 2 Years 2 Years 2 Years 2 Years	April 2022
26	Det. Copies of Moved Sex Registrants	24	Misc	6 Months	April 2022
27	Det. Copies of Moved Sex Registrants Arrest Logs	24 23	Misc 2006-2009	6 Months 10 Years	April 2022
28	Jail Logs Faxed Reports & Background Checks Proof of Corrections Bicycle Registrations	23 22 21 21	2006-2009 2013-2014 2009-2011 1992-2005	10 Years 2 Years 2 Years 3 Years	April 2022
29	Traffic Citations	21	2011-2014	2 Years	April 2022
30	Det. Copies of Moved Sex Registrants	24	Misc	6 Months	April 2022
31	Traffic Citations	21	2006-2008	2 Years	April 2022
32	Faxed Reports Parking Citations Traffic Citations	22 21 21	2018 2016-2018 2015-2016	2 Years 2 Years 2 Years	April 2022
33	CAPP Documents	23	2001-2002	2 Years	April 2022
34	CAPP Documents	23	2001-2004	2 Years	April 2022
35	CAPP Documents	23	2006-2009	2 Years	April 2022
36	CAPP Documents	23	2005-2009	2 Years	April 2022
37	CAPP Documents	23	2007-2009	2 Years	April 2022

Box No.	Record Series Title & Contents	Retention Schedule Page No.	Date(s) of Records	Retention Requirements	Destruction Date	
	Incident Reports	22	2004	3 Years		
38	Arrest Records: Traffic Warrants	21	2004	2 Years		
30	Arrest Records: Non Traffic Warrants	22	2004	10 Years	April 2022	
	Arrest Records: DA Rejects	21	2004	4 Years		
	Incident Reports	22	2004	3 Years		
39	Arrest Records: Traffic Warrants	21	2004	2 Years		
39	Arrest Records: Non Traffic Warrants	22	2004	10 Years	April 2022	
	Arrest Records: DA Rejects	21	2004	4 Years		
	Incident Reports	22	2006	3 Years		
40	Arrest Records: Traffic Warrants	21	2006	2 Years		
40	Arrest Records: Non Traffic Warrants	22	2006	10 Years	April 2022	
	Arrest Records: DA Rejects	21	2006	4 Years		
	Incident Reports	22	2001-2005	3 Years		
4.1	Arrest Records: Traffic Warrants	21	2001-2005	2 Years		
41	Arrest Records: Non Traffic Warrants	22	2001-2005	10 Years	April 2022	
	Arrest Records: DA Rejects	21	2001-2005	4 Years		
	Incident Reports	22	2010	3 Years		
	Arrest Records: Traffic Warrants	21	2010	2 Years		
42	Arrest Records: Non Traffic Warrants	22	2010	10 Years	April 2022	
	Arrest Records: DA Rejects	21	2010	4 Years		
	Incident Reports	22	2004	3 Years		
	Arrest Records: Traffic Warrants	21	2004	2 Years		
43	Arrest Records: Non Traffic Warrants	22	2004	10 Years	April 2022	
	Arrest Records: DA Rejects	21	2004	4 Years		
	Incident Reports	22	2001-2002	3 Years		
	Arrest Records: Traffic Warrants	21	2001-2002	2 Years		
44	Arrest Records: Non Traffic Warrants	22	2001-2002	10 Years	April 2022	
	Arrest Records: DA Rejects	21	2001-2002	4 Years		
	Incident Reports	22	2002	3 Years	-	
	Arrest Records: Traffic Warrants	21	2002	2 Years		
45	Arrest Records: Non Traffic Warrants	22	2002	10 Years	April 2022	
	Arrest Records: DA Rejects	21	2002	4 Years		

Department Head Signature

Police

Department

3 · 2· 2 · 2 o 2 Z Date

EXHIBIT "B"

DESTRUCTION LIST APPROVAL

Attached is a Request for Destruction of Records submitted by Julia Fritz, City Clerk, requesting authorization to destroy the records described in the detailed list which is included with the attached request.

Pursuant to San Fernando City Council Resolution No. 6806, the types of records listed in the City's current records retention schedule are authorized for disposition as outlined in that schedule upon the written consent of the City Clerk and the City Attorney and approval by the City Council. The review by the City Clerk and the City Attorney must include the determination that the records requested for destruction no longer have any administrative value, legal value, evidential value, fiscal value, or research and historical value. The resolution also provides that the destruction of any record shall be by disposal, recycling, shredding or other effective method of destruction, as approved by the City Clerk. All records of a sensitive or confidential nature must be shredded, under the direct supervision of the City Clerk.

found the listed records to be have also determined that t evidentiary, fiscal, or research	cords described in the attached re e in compliance with the establis the subject records no longer h and historical value. I hereby con thod of destruction unless otherwi	hed retention requirements. I have any administrative, legal, desent to their destruction and to
City Clerk	- Date	
found the listed records to be also determined that the subje	cords described in the attached re e in compliance with established r ect records no longer have any ad al value. I hereby consent to their	retention requirements. I have Iministrative, legal, evidentiary,
 City Attorney	 Date	

EXHIBIT "C"

CERTIFICATE OF DESTRUCTION

by the San Fernando City Cle	ction of the records described in the erk and City Attorney on ando City Council Resolution No. 680 shredding.	, pursuant to the
City Clerk	 Date	
list as requested by City Clerk J	to the forgoing authority, the recordulia Fritz were destroyed on:d was shredding and that I, Julia Fritz	I further certify that
Signature	 	 Date

This certification must be completed and signed by the person supervising the destruction of records and the original form must be filed with the City Clerk to be maintained as a permanent record attached to the original Request for Destruction of Records and Destruction List Approval forms.

DESTRUCTION LIST FOR DUPLICATES AND OTHER DOCUMENTS NOT REQUIRING CITY COUNCIL RESOLUTION OR APPROVAL

Box No.	Department:	Type of Item or Name of File or File Series	Inclusive Dates or Date of Last Item
1	Police	2013/2014 Accounts Payable – Duplicates	July 1, 2013 – June 30, 2014
2	Police	2014/2015 Accounts Payable – Duplicates	July 1, 2014 – June 30, 2015
3	Police	2015/2016 Accounts Payable – Duplicates	July 1, 2015 – June 30, 2016
4	Police	2016/2017 Accounts Payable – Duplicates	July 1, 2016 – June 30, 2017
5	Police	Unused Booking Fee Notices	June 30, 2022
6	Police	Unused Booking Fee Notices	June 30, 2022
7	Police	2020 Unused Report Folders	December 31, 2020
8	Police	2020 Unused Report Folders	December 31, 2020
9	Police	2020 & 2021 Unused Report Folders	December 31, 2021
10	Police	Outdated DOJ Disposition Sheets (JUS 8715)	July 1998 Version

APPROVED:	Pepartment Head	3 · 28 - 20 22 Date
7	ity Clerk	Date
7	ity Attorney	Date

CITY OF SAN FERNANDO CITY COUNCIL RESOLUTION NO. __6806

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN FERNANDO, CALIFORNIA, ADOPTING A RETENTION SCHEDULE FOR THE MAINTENANCE AND DISPOSITION OF RECORDS.

The City Council of the City of San Fernando hereby finds and resolves:

WHEREAS, the retention of numerous records is unnecessary after a certain period of time for the effective and efficient operation of the government of the City of San Fernando.

WHEREAS, the approval of guidelines for the ongoing disposition of obsolete City records will assist the City in the effective management of records, as well as provide for the efficient review of records proposed for disposal.

WHEREAS, Section 34090, et seq. of the Government Code of the State of California provides the parameters whereby any City record which has served its purpose and is no longer required may be destroyed.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of San Fernando as follows:

Section 1. The attached Records Retention Schedule, which is attached hereto as Appendix I and incorporated herein by this reference, is hereby approved.

Section 2. The types of records identified in the Records Retention Schedule, generated or received by the City are hereby authorized for disposition as outlined in that schedule in accordance with Section 34090, et seq. of the Government Code of the State of California, upon the written consent of the City Clerk and the City Attorney, and with the approval of the City Council of the City.

Section 3. Upon such written consent and approval, the City Clerk may destroy any City record, document, instrument, book or paper, under his or her charge, without making a copy thereof, after the same is no longer required. This resolution does not authorize the destruction of permanent records set forth in Government Code Section 34090, which include: (a) records affecting the title of real property or liens thereon; (b) court records on any subject where litigation is pending; (c) records required to be kept by statute; (d) records less than two years old; (e) the minutes, ordinances or resolutions of the legislative body or of a City Board or Commission. The review by the City Clerk and the City Attorney shall include the determination that the subject records no longer have any administrative value, legal value, evidential value, fiscal value or research and historical value.

Section 4. The destruction of any record as provided for herein shall be by disposal, recycling, shredding or other effective method of destruction, as approved by the City Clerk. All records of a sensitive or confidential nature shall be shredded, under the direct supervision of the City Clerk.

Section 5. The term "record" or "records," as defined in Government Code Section 14741 and as used herein, shall mean all papers, maps, exhibits, magnetic or paper tapes, photographic films and prints, punched cards, and other documents produced, received, owned or used by the City, regardless of physical form or characteristics; that the term "public records," as defined in Government Code Section 6252 and used herein, shall include any writing containing information relating to the conduct of the public's business prepared, owned, used or retained by the City regardless of physical form or characteristics; and that the term "writing," as defined in Government Code Section 6252 and as used herein, shall mean handwriting, typewriting, printing, photostating, photographing and every other means of recording upon any form of communication or representation, including letters, words, pictures, sounds, or symbol, or combination thereof, and all papers, maps, magnetic or paper tapes, photographic films and prints, magnetic or punched cards, discs, drums and other documents.

Section 6. Any records not specified in the Records Retention Schedule shall not be destroyed without the express approval of the City Attorney and a resolution acted upon by the City Council.

Section 7. On each occasion that a Department Head requests the destruction of records, such request shall be made on a "Request for Destruction of Records" form (see attached sample identified as Exhibit "A"). This form shall include the finding that all of the records are more than two years old and/or have been retained for the minimum retention period as specified in this resolution. This form shall include the determination that the records no longer have any administrative, legal, evidential, fiscal or research and historical value. This form shall also indicate that it includes or has attached to it a detailed list of all of the records with a description sufficient for identification, including the year of the record, the category from the Records Retention Schedule, and a specific description of the record. The City Clerk and the City Attorney shall authorize the destruction of records on a "Destruction List Approval" form (see attached sample identified as Exhibit "B"). This form shall include the determination that the records no longer have any administrative, legal, evidential, fiscal, research or historical value. This form shall also indicate that attached to it is the "Request for Destruction of Records" form and a detailed list of records submitted by the Department Head. A "Certificate of Destruction" form (see attached sample form identified as Exhibit "C") shall be completed when the records have been destroyed. This form shall stipulate the date of the destruction, the destruction method used and who supervised the destruction. If the Department Head designates the records for microfilming, a "Request for Microfilming" form should be submitted to the City Clerk for processing (see attached sample form identified as Exhibit "D"). All four forms shall be maintained as permanent City records in the City Clerk's office. While the attached sample forms may be changed periodically and may even be consolidated, each of them shall retain the titles shown and shall contain the required information specified in this section.

Section 8. Pursuant to Section 34090.7 of the Government Code of the State of California, notwithstanding the provisions of Section 34090, the City Council may prescribe a procedure under which duplicates of City records less than two years old may be destroyed if they are no longer required.

Section 9. The City Council hereby authorizes destruction of duplicate records, utilizing Exhibit "E," attached hereto, with the approval of the Department Head, the City Clerk and the City Attorney.

Section 10. The Records Retention Schedule shall be reviewed on an annual basis by the City Clerk. The review process shall include a legal analysis with regard to any changes in the various statutes. Following a thorough review, the City Clerk shall present the entire Records Retention Schedule with any recommended changes to the City Council for approval.

Section 11. Pursuant to Government Code Section 6200 relating to offenses by an official custodian, every officer having the custody of any record, map or book, or of any paper or proceeding of any court, filed or deposited in any public office, or placed in his or her hands for any purpose, is punishable by imprisonment in the state prison for two, three or four years if, as to the whole or any part of the record, map, book, paper or proceeding, the officer willfully does or permits any other person to do any of the following: (a) steal, remove or secrete; (b) destroy, mutilate or deface; or (c) alter or falsify. Pursuant to Section 6201, relating to offenses by persons other than custodial officers, every person not an officer referred to in Section 6200, who is guilty of any of the acts specified in that section, is punishable by imprisonment in the state prison, or in a county jail not exceeding one year, or by a fine not exceeding one thousand dollars (\$1,000), or by both such fine and imprisonment.

Section 12. Resolution No. 6156 is hereby rescinded.

Section 13. This resolution shall be in full force and effect immediately upon its passage and adoption thereof.

PASSED, APPROVED and ADOPTED this $\frac{5 \text{th}}{}$ day of $\frac{\text{Nov}}{}$, 2001.

ATTEST:

CITY CLÉRK

MAYOR

APPROVED AS TO FORM:

CITY ATTORNEY

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

I, Wilma Miller, City Clerk of the City of San Fernando, do hereby certify that the foregoing resolution was duly adopted at a regular meeting of the City Council of the City of San Fernando held on the 5th day of October, 2001, and was carried by the following roll call vote:

AYES:

Montanez, Hernandez, De La Torre, Di Tomaso, Ramos - 5

NOES:

None - 0

ABSENT:

None - 0

Wilna E. Millar City Clerk

SAMPLE FORM - EXHIBIT A

REQUEST FOR DESTRUCTION OF RECORDS

Listed below and/or attached is a detailed list of records for which I am requesting destruction. The list includes a description of each record sufficient for identification, including the retention schedule page no., record series title and contents, record dates, retention requirements and destruction date. Unless otherwise directed, the method of destruction proposed is					
have bee certify th and histo records, ordinance required	en retained for the minat the records listed oric value and do not are not, to my know	inimum reterno longer had affect the tirledge, require the City Courts authority	ntion period spectave any administ tle to real prope red to be kept funcil or any City	cified in Resolution rative, legal, evide rty or liens thereon or there by a statute, board or committe	are not the minutes, e, and are no longer
	Record	Retention			<u>.</u>
Box No.	Series <u>Title & Contents</u>	Schedule <u>Page No.</u>	Date(s) of <u>Records</u>	Retention Requirements	Destruction <u>Date</u>
1	Fin Correspondence	1	1991-1992 (FOR EXAMPLE)	3 years	1995
		gariganis, Anglise py, garier agreement in managaga, was a wash			
Departm	ent Head Signature	Del	partment	Date	manager process per menerole service and menerole physical services.

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SAMPLE FORM - EXHIBIT "B"

DESTRUCTION LIST APPROVAL

Attached is a Request for Destruction of	of Records submitted by					
(Department Head) of the	Department, dated					
requesting authorization to destroy the records described in the detailed list which is included with						
the (attached) request.						
the City's current records retention sche schedule upon the written consent of the City Council. The review by the City Council that the records requested for destruction evidential value, fiscal value, or research the destruction of any record shall be by	Resolution No. 01, the types of records listed in edule are authorized for disposition as outlined in that he City Clerk and the City Attorney and approval by the clerk and the City Attorney must include the determination on no longer have any administrative value, legal value, he and historical value. The resolution also provides that by disposal, recycling, shredding or other effective method Clerk. All records of a sensitive or confidential nature ervision of the City Clerk.					

found the listed records to be in compliant also determined that the subject records	ribed in the attached request for destruction and have ance with the established retention requirements. I have so no longer have any administrative, legal, evidential, fiscal, by consent to their destruction and to the department-otherwise noted below.					
City Clerk	Date					
found the listed records to be in complia	ribed in the attached request for destruction and have ance with the established retention requirements. I have so no longer have any administrative, legal, evidential, fiscal, by consent to their destruction.					
City Attorney	Date					

12011\0001\647237.1

SAMPLE FORM - EXHIBIT "C"

CERTIFICATE OF DESTRUCTION

I hereby certify that the destruc	tion of the records described in the	e attached list was approved by				
the San Fernando City Clerk on (date) and by the City Attorney on (date)						
pursuant to	o the authority provided by San Fe	rnando City Council Resolution				
	thod of destruction for these record	=				

City Clerk		Date				
•						
I hereby certify that, pursuant to	o the foregoing authority, the recor	rds described in the attached list				
as requested by the	Department were destroye	ed on (date) .				
I further certify that the method		and				
•	the Department Head or his/her des					
destruction of said records.	•					
Signature	Title	Date				
o.B.m.a.	1 1/1/	Dute				

This certification must be completed and signed by the person supervising the destruction of records and the original form must be filed with the City Clerk to be maintained as a permanent record attached to the original Request for Destruction of Records and Destruction List Approval forms.

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ORIGINAL - TO CITY CLERK COPY FOR FILE

DEPARTMENT	

REQUEST FOR MICROFILMING

PAGE NO. ON RETENTION SCHEDULE	NAME OR TYPE OF FILE OR ITEM	APPROXIMATE QUANTITY	SIZE OF ITEMS TO BE FILMED	FOR R O L	MAT F I C		SITION FILES
SCHEDUEL		QOARTIIT	TO BE TALVILLE	L	H E	RETURN	DESTROY
	ORIGINAL FILM WILL BE RETA ARCHIVAL STORAGE. ONE CO USE. <u>IF MORE THAI</u>		FOR DEPARTMENT'S	Maria de Caración			
RECORD CO	ORDINATOR DATE	AAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAA		С	ITY CLE	RK'S OFFICE	

FORM D

DEPARTMENT HEAD

RECEIVED_____

FILMING COMPLETED_____

ROLL NUMBERS____

SAMPLE FORM - EXHIBIT "E"

DESTRUCTION LIST FOR DUPLICATES AND OTHER DOCUMENTS NOT REQUIRING CITY COUNCIL RESOLUTION OR APPROVAL

	Inclusive Dates o
Type of Item or Name of File or File Series	Date of Last Item

APPROVED	•	Date	
	Department Head		DEC. 900
	City Clerk	Date	
•	City Attorney	Date	

April 4, 2022 Regular CC Meeting CITY OF SAN FERNANDO - RORDS RETENTION SCHEDULE

		RETENTION SCHEDULE						
Office of		RETENTION DISPOSITION			ON			
Record	Records Description ADMINISTRATION/CITY					Comments/Statutory Citation		
	CLERK	Office	Inactive	Microfilm	Total	Chall Control of Contr		
CC	Agreements, Contracts & Leases Contract Documents Performance Bonds/	CL	2	Yes	P	Microfilm or permanent. (Duplicate copies of contract documents are in project files and bid files.) (CCP 337.15)		
	Contract Bonds Certificates of Insurance Correspondence Annexation Files Secretary of State Acceptance Certificate Council Approval	Р	-	Yes	P	Microfilm or permanent. (GC34090)		
	Other Documentation Appointments List Assessment District Files Bid Files - Successful Bidder Request for Proposal Invitation to Bid Notice Inviting Bids	5 C A+2	3 8	No No No	5 C+3 A+10	(GC34090) Duplicate series, official is in Finance. (GC34090) (Bid file may include duplicate copy of performance bond and certificate of insurance.) (GC34090; CCP 337.15)		
	Proof of Publication List of Bidders Proposal / Bid Letter Awarding Bid Bid Files – Unsuccessful Bidders Request for Proposal Invitation to Bid List of Bidders	2	3	No	5	(GC34090)		
CC	Proposal / Bid Letter of Notification Bond Files Budget Files (City) City History Files News clippings Photographs	E+2 2 P		No No Yes	E+2 2 P	Duplicate series, official is in Finance. (GC34090) Duplicate series, official is in Finance. (GC34090) Microfilm or permanent (GC34090)		

Keys: A= Audit; AR= Annual Review; C= Current; CL= Closed; E= Expiration; P= Permanent; S= Superseded; T= Termination APPENDIX I

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Ar	oril 4, 2022 Regular CC Meeting					
Office of \		T.	ETENTION	N DISPOSIT	4	
Record	Records Description		CETERITO	I I	-11	Comments/Statutory Citation
Record	ADMINISTRATION/CITY					Confinency Statutory Chatron
	CLERK	Office	Inactive	Microfilm	Total	
	CLERK					
	D1					
	Proclamations					
	City Newsletters			37	D	Davis and (CC24000)
	City Incorporation Documents	P	-	Yes	P	Permanent (GC34090)
	Civil Service Commission	2	5	No	7	Note: Must pass review by City Attorney before final disposition occurs.
	Agendas – Sworn Originals		İ		ъ	(GC34090)
	Civil Service Commission	P	-	Yes	P	Microfilm or permanent (GC34090)
	Minutes & Resolutions	_			_	
	Claims	2	-	No	2	Duplicate series, official is in Risk Management. (GC34090)
	Correspondence	2	-	No	2	(GC34090)
	Council Agendas - Sworn	2	5	No	7	Note: Must pass review by City Attorney before final disposition occurs.
	Originals					(GC34090)
	Council Meetings Notices	3	4	No	7	Note: Must pass review by City Attorney before final disposition occurs.
	Special Meetings					(GC34090)
	Adjourned Meetings					
	Council Minutes	P	-	Yes	P	Permanent (GC34090)
	Council Minutes, Resolutions &	S	-	No	S	
	Ordinances Index					
	Council Ordinances	P	-	Yes	P	Permanent (GC34090)
	Council Resolutions	P	-	Yes	P	Permanent (GC34090)
	Deeds Index	S	-	No	S	Deeds are in Real Property files.
	Deeds Transaction Files	CL	2	Yes	P	Microfilm or permanent (GC34090a)
	Correspondence		:			
	Transmittals		J]		
	Bills of Sale	4				
	Election Candidate Materials -	T	7	Yes	P	Microfilm or permanent (GC34090; GC81009)
	Candidates Elected		V			
	Candidate Statement					
	Nomination Papers &					
	Petitions					
	Campaign Statement (FPPC		-			
	400 Series)		-			
	Statement of Economic					
	Interest (FPPC Form 721)					
	Oath of Office		1			
CC	Election Candidate Materials -	2	5	No	7	(GC34090; GC81009)

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	pril 4, 2022 Regular CC Meeting	I				
Office of		F	RETENTION	N DISPOSITA		
Record	Records Description ADMINISTRATION/CITY CLERK	Office	Inactive	Microfilm	Total	Comments/Statutory Citation
	Candidates Not Elected Candidate Statement Nomination Papers Campaign Statement (FPPC 400 Series) Statement of Economic Interest (FPPC Form 721) Election Files Legal Notices Proof of Publication Certified List of Candidates Election Materials - Roster of Voters (Special Elections) Election Materials - Special Elections Ballots Envelope #4 (Tally Sheets, Copies of Index, Challenge List, Assisted Voters List) Inspectors Receipts for Ballots	CL+1 CL+1 6 months	4	No No -	CL+5 CL+5 6 months	(GC81009) For consolidated elections, Los Angeles County Registrar is the Office of Record for this series. (EC17300) For consolidated elections, Los Angeles County Registrar is the Office of Record for this series. (California Constitution Art. XIII)
	Precinct Officers Appointment Forms Absentee Applications Absentee I.D. Envelopes Code of Fair Campaign Practices Election Petitions Initiatives Referendums Charter Amendments Recalls Election - Precinct Maps Environmental Impact Reports & Studies	8 months 5 25	- P	- No Yes	8 months 5 P	(EC17200) (GC34090) Microfilm or permanent (GC34090)

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A	pril 4, 2022 Regular CC Meeting					
Office of		F	RETENTION	N DISPOSITA	J	
Record	Records Description	-				Comments/Statutory Citation
Accord	ADMINISTRATION/CITY					
	CLERK	Office	Inactive	Microfilm	Total	
CC	Equipment Ownership Records	T+2	-	No	T+2	(GC34090)
	Pink Slips	:				
	Manuals		l			
	Fidelity Bonds - Designated	E+1	4	No	E+5	(GC34090)
	City Employees					
	Fidelity Bond - City					
	Treasurer					
	Fidelity Bond - City Clerk		_		_	251 251
	Franchise Files	CL	2	Yes	P	Microfilm or permanent (GC34090)
	Agreements					
	Correspondence					
	Reports	_			-	D. 1' at Spring Official is in Physician (CC24000)
	General Plan & Amendments	5	2	No	7	Duplicate Series. Official is in Planning. (GC34090)
	General Plan					
	General Plan Elements	2	5	No	7	Note: Must pass review by City Attorney before final disposition occurs.
	Housing Authority Agendas - Sworn Originals	2	3	NO	/	(GC34090)
	Housing Authority Minutes	P	_	Yes	P	Microfilm or permanent (GC34090)
	Housing Authority Resolutions	P	_	Yes	P	Microfilm or permanent (GC34090)
	Insurance Policies &	P	_	Yes	P	Microfilm or permanent Excludes Certificate of Insurance for contractors
	Certificates	•		1 63	1	working for the city. (See Agreements, Contracts & Leases.) Excludes
	City-owned policies					Certificates of Insurance for permit-holders (kept by Building Dept.).
	City owned ponetes		ŀ			(GC34090)
	Manuals, Policies, Procedures &	S+5	-	No	S+5	(GC34090)
	Bulletins					
	Municipal Code &	Р	-	Yes	P	Microfilm or permanent (GC34090)
	Amendments					
	Parking Authority Agendas -	2	5	No	7	Note: Must pass review by City Attorney before final disposition occurs.
	Sworn Originals					(GC34090)
	Parking Authority Minutes	P	-	Yes	P	Microfilm or permanent (GC34090)
	Parking Authority Resolutions	P	-	Yes	P	Microfilm or permanent (GC34090)
	Planning Commission	2	5	No	7	Note: Must pass review by City Attorney before final disposition occurs.
	Agendas – Sworn Originals					(GC34090)
	Planning Commission Minutes	5	-	No	5	Duplicate series, originals are in Planning. (GC34090)
	& Resolutions					

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A	pril 4, 2022 Regular CC Meeting					
Office of		R	RETENTION	disposia.	. \	
Record	Records Description	100				Comments/Statutory Citation
	ADMINISTRATION/CITY CLERK	Office	Inactive	Microfilm	Total	The state of the s
	Project Files	CL+1	4	No	CL+5	(GC34090)
CC	Public Hearings Files Notice Proof of Publication Transmittal Letter from Department Returned Certified Mail	CL+1	6	No	CL+7	(GC34090)
	Purchasing Records Purchase Orders Request for Payment Requisitions	2	-	No	2	Duplicate series, official is in Finance. (GC34090)
	Real Property Files Deeds Easements Liens Condemnations Title Insurance Records	Р	-	Yes	P	Microfilm or permanent (GC34090)
	Records Management Documents Retention Schedules Destroyed Records Lists Stored Records Lists	Р	-	Yes	P	Microfilm or permanent (GC34090)
	Redevelopment Agency Agendas - Sworn Originals	2	5	No	7	Note: Must pass review by City Attorney before final disposition occurs. (GC34090)
	Redevelopment Agency Minutes	Р	-	Yes	P	Microfilm or permanent (GC34090)
	Redevelopment Agency Resolutions	Р	-	Yes	P	Microfilm or permanent (GC34090)
	Software & Documentation	S	-	No	S	(Note: Nonrecord)
	Statement of Economic Interest - Designated City Employees, Officeholders & Appointees	5	Р	Yes	P	Microfilm or permanent (GC81009)

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A	oril 4, 2022 Regular CC Meeting			·····	, `.	
Office of	Records Description ADMINISTRATION/CITY CLERK	I	RETENTIO	N DISPOSIT	_1	
Record		Office	Inactive	Microfilm	Total	Comments/Statutory Citation
CC	FPPC Form 730 - City Employees FPPC Form 721 - Officeholders & Appointees Studies & Reports Subject & Correspondence Files Uniform Codes Building Code Mechanical Code National Electrical Code Plumbing Code	2 2 P	-	No No Yes	2 2 P	(GC34090) (GC34090) Microfilm or permanent (GC34090)

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		R	ETENTION	DISPOSITIO	DN	
Office of Record	Records Description COMMUNITY DEVELOPMENT	Office	Inactive	Microfilm	Total	Comments/Statutory Citation
	Block Grants	All Control				number to the second to the
Plan	Grants - CDBG Program Administration Files	С	4	No	C+4	7 CFR 3016.42
	Grants - CDBG Project Administration Files	С	4	No	C+4	7 CFR 3016.42
	Grants - Grant Administration & Implementation Files	С	4	No	C+4	7 CFR 3016.42
	Building & Safety					
B & S	Building & Safety - Address Files	Р	-	Yes	P	Microfilm or permanent (GC34090)
	Building & Safety - Building Numbering Maps	P	-	Yes	P	Microfilm or permanent (GC34090)
:	Building & Safety - Counter Manual:	S	-	No	S	(GC34090)
	Fee Schedules Procedures & Instructions					
	Building & Safety - Disaster Response Program Files	S	2	No	S+2	(GC34090)
	Disaster Response Plan Resources/Contacts Lists			,		
	Building & Safety - Earthquake Records - Inspections/Address Log	С	5	No	C + 5	(GC 34090)

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A	pril 4, 2022 Regular CC Meeting					
		R	ETENTION	N DISPOSIÀ	A STATE	
Office of Record	Records Description COMMUNITY DEVELOPMENT	Office	Inactive	Microfilm	Total	Comments/Statutory Citation
B & S	Building & Safety - Plan	P	-	Yes	Р	Microfilm or permanent (GC 34090)
	Review Files:					
	Building Permits					
	Plumbing Permits		1	İ		
	Electrical Permits					
	Heating/Ventilation/A.C. Permits					
	Sign permits					
	Inspections Record Sheets					
	Drawings					
	Certificates of Occupancy					
	Substandard Housing Abatement					
	Correspondence & Backup Data					
	Building & Safety - Plans & Drawings (Commercial Structures)	T	-	-	Т	(H&S 19850)
	Building & Safety - Plans & Drawings (Residential)	Т	-	-	Т	(H&S 19850)
	Building & Safety - Sewer Maps & Indexes	P	-	Yes	Р	(GC 34090)
	Disaster Incidents Files: Damage Reports/Assessments & Supporting Data	A	5	No	A+5	Note: This record is for files documentary disaster incidents damages and claims for reimbursement from agencies such as FEMA an DES (GC 34090)
	Engineering - Grading Bonds & Releases	P	-	Yes	Р	Microfilm or permanent (GC 34090)
	Engineering – Grading Permits	P	-	Yes	P	Microfilm or permanent (GC 34090)

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	1974 - 1974 - 1974 - 1974 - 1974 - 1974 - 1974 - 1974 - 1974 - 1974 - 1974 - 1974 - 1974 - 1974 - 1974 - 1974	1	RETENTION	disposia.	JN .		
Office of Record	Records Description COMMUNITY DEVELOPMENT	Office	Inactive	Microfilm	Total	Comments/Statutory Citation	
	Code Enforcement					m sense sense enganeración de session de sense sen	
B & S	Code Enforcement – Case Files	С	3		C+3	(PC 801)	
	Planning		47.5			TO CONTRACT STATE OF THE STATE	
Plan	Administrative Permits, e.g., Modifications, Outdoor dining	P	-	Yes	P	Microfilm or permanent (GC 34090)	
	Appeals: Planning Commission Decisions Directors Decisions	P	-	Yes	P	Microfilm or permanent (GC 34090)	
	Business Registration	E	4	No	E+4	(B&P 17927)	
	Case Logs (Project Logs)	P	-	Yes	P	Microfilm or permanent (GC 34090)	
	CEQA Legal Notices: Notices of Exemption Notices of Completion Notices of Preparation Notices of Determination	P	-	Yes	P	Microfilm or permanent (GC 34090)	
	Development Review: Agendas Declaration of Postings Minutes Correspondence	P	-	Yes	P	Microfilm or permanent (GC 34090)	
	Economic Development	P	-	Yes	P	Microfilm or permanent (GC 34090)	
	General Plan Records: Environmental documents Correspondence & Supporting Data	P	-	Yes	P	Microfilm or permanent (GC 34090)	
	Land Divisions	P	-	Yes	P	Microfilm or permanent (GC 34090)	

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April 4,	2022	Regular	CC	Meeting
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	BIGGER	RETENTION DISPOSITION			-N	
Office of Record	Records Description COMMUNITY DEVELOPMENT	Office	Inactive	Microfilm	Total	Comments/Statutory Citation
	Lot Line Adjustments	Р	-	Yes	P	Microfilm or permanent (GC 34090)
Plan	Minor Development Permits: Parcel Maps	C P	5 -	No Yes	C+5 P	(GC 34090) Microfilm or permanent (GC 34090)
	Planning Commission Agendas: Original Agendas; Declarations of Posting	P	-	Yes	P	Microfilm or permanent (GC 34090)
	Planning Commission Meetings - Audio Tapes	1	-	No	1	(GC 34090.7)
	Planning Commission Minutes	P	-	Yes	P	Microfilm or permanent (GC 34090)
	Planning Commission Notices	5	_	No	5	(GC 34090)
	Planning Commission Packets	5	-	No	5	(GC 34090)
	Planning Commission Reference Collection:	4	-	No	4	(GC 34090)
	Reports & Studies from Outside Sources;			į		
	Planning Texts (Guides, Procedures, Reference);					
	Planning Publications/ Periodicals;					
	Legislation					
	Planning Commission Resolutions	P	-	Yes	P	Microfilm or permanent (GC 34090)

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Office of		R	RETENTION DISPOSITION			The state of the s
Record	Records Description COMMUNITY DEVELOPMENT	Office	Inactive	Microfilm	Total	Comments/Statutory Citation
Plan	Planning - Project Files (Unclassified Use Permits): Environmental Documents Correspondence Applications & Supporting Data	Р	-	Yes	P	Microfilm or permanent (GC 34090)
	Planning - Public Information Materials (Front Counter): Zoning Standards Applications & Checklists Procedures & Guidelines Consultants Lists Fees Schedules Maps, Plans & Drawings (Public Viewing Copies)	AR	2	No	AR + 2	(GC 34090.7)
	Sign Permits	P	-	Yes	Р	Microfilm or permanent (GC 34090)
	Site Plan Review	P	-	Yes	P	Microfilm or permanent (GC 34090)
	Specific Projects	P	-	Yes	P	Microfilm or permanent (GC 34090)
	Temporary Use Permits	C	3	No	C+3	(GC 34090)
	Tract Maps	P	-	Yes	P	Microfilm or permanent (GC 34090)
	Unclassified Use Permits	P	-	Yes	Р	Microfilm or permanent (GC 34090)
	Variances	P	-	Yes	P	Microfilm or permanent (GC 34090)
	Zoning Changes/General Plan Amendments	P	-	Yes	Р	Microfilm or permanent (GC 34090)

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A	pril 4, 2022 Regular CC Meeting					
		T	RETENTIO	N DISPOSITA		
Office of Record	Records Description FINANCE/TREASURER	Office	Inactive	Microfilm	Total	Comments/Statutory Citation
	Accounting/Administrative	Paris Control				Andrewing State Control of the Contr
Fin	Annual Reports	2	P	Yes	P	Microfilm or Permanent, includes State Controller, Street Annual Gas Tax (GC34090)
	Audit Proposals - Successful with Related Documents	С	P	Yes	Р	Microfilm or permanent; file successful bids with contract in City Clerk's office (CCP 337)
	Audit Proposals - Unsuccessful/Rejected with Related Documents	2	-	No	3	(GC34090)
	Annual Audit Reports	2	P	Yes	Р	Microfilm or permanent (GC34090)
	Audit Reports, Grants	2	P	Yes	P	Microfilm or permanent (GC34090)
	Cash Statements	2	5	No	7	(GC34090)
	Chart of Accounts	2	Р	Yes	Р	Microfilm or permanent (GC34090)
Treas	Check Registers	2	3	No	5	(GC34090, CCP 337)
Fin	Correspondence	2	1	No	3	(GC34090)
	Fiscal Analysis	2	5	No	7	(GC34090)
	Fixed Assets Inventories	5	_	No	5	(GC34090)
	Fund Advances	2	5	No	7	(GC34090)
	Fund Transfers	2	5	No	7	(GC34090)
	General Ledgers, Trial Bal, Rev and Exp	2	8	No	A+10	(GC34090; CCP 337)
	Grant Audit Reports	2	P	Yes	P	Microfilm or permanent (GC34090)
	Grant Financial Records	2	5	No	CL+7	(GC34090; 7CFR 3016.42)
	Grants, Successful, w/Related Documents	2	5	No	CL+7	(GC34090; CFR 3016.42)
	Grants, Unsuccessful	2	1	No	3	(GC34090)
	Journal Entries/Vouchers	3	7	No	A+10	(GC34090; CCP 337)
	Petty Cash Vouchers	2	5	No	7	(GC34090)
	Policies & Procedures, Finance Dept.	S		Yes	S+10	(GC34090)

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	Through the second seco	F	RETENTIO	N DISPOSITI	ON	Comments/Statutory Citation
Office of Record	Records Description FINANCE/TREASURER	Office	Inactive	Microfilm	Total	
Fin	Refundable Deposits	2	5	No	7	(GC34090)
	Regulations & Policy, City	С	2	No	C+2	(GC34090)
	Reports & Studies (Special City)	С	P	Yes	P	Microfilm or permanent for research/historic value (GC34090)
	Reports, Accounting	2	5	No	A+7	(GC34090)
Treas	Reports, Treasurer's	2	P	Yes	P	Microfilm or permanent (GC34090; CCP 337.5)
	Warrant Registers, A/P	P	-	Yes	Р	Microfilm or permanent (GC34090)
Fin	Worksheets & Back-up data	2	-	No	2	(GC34090)
	Accounts Payable & Purchasing					
Fin	1099 Forms	2	3	No	5	(GC34090)
1 111	Accounts Payable	A+2	3	No	A+5	(GC34090)
	Bid Notices/Affidavits of	С	P	Yes	P	Microfilm or permanent (GC34090)
	Publication Bids for Equipment/ Supplies					
	Cancelled	2	1	No	3	(GC34090)
	Successful with Related	Ā	5	No	A+5	(File successful bids with contracts in City Clerk's office (GC34090; CCP 337)
	Documents					
	Unsuccessful/Rejected with Related Documents Bids for Services	2	1	No	3	(GC34090)
	Equipment Disposition; Auction Lists, Reports, Bills of Sale	A	4	No	A +4	Audit +4 years after disposition of equipment (GC34090)
	Equipment Purchase Agreements	С		No	C+10	Current + 10 years after disposition of equipment (original contract with City Clerk) (GC34090; CCP 337.15)
	Purchase Requisitions	A+2	3	No	A+5	If grant-related, 3 years after disposal or per specific grant requirements; may wish to keep equipment P.O.'s until disposal of equipment (GC34090; CCP 337)
		-				

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Aı	oril 4, 2022 Regular CC Meeting					
	Control of the Contro	F	RETENTIO	N DISPOSITIO	ON	Comments/Statutory Citation
Office of Record	Records Description FINANCE/TREASURER	Office	Inactive	Microfilm	Total	
	Assessment District Financial Records			STORY SHEET		
Fin	Assessment District – Financial Records (Assessed Valuations Correspondence)	С	P	Yes	Р	Microfilm or permanent (GC34090)
	Assessment Proceedings	С	3	No	C + 3	(GC34090)
	Financing Programs –	С	3	No	C + 3	(GC34090)
	Reference					
	Banking					
Fin	Agreements, Banking (Copy)	T	3	No	T+3	(GC34090)
Treas	Armored Transport Receipts	2	-	No	2	(GC34090)
	Checks & Credit Card Slips,	2	3	No	5	(GC34090)
	Returned	_		.,	-	V 1 1 B 11 0 VV 1 (GG2 (GG2)
	Checks, Cancelled, General	2	3	No	5	Includes Payroll & Housing (GC34090)
	Checks, Stale-Dated, Checks Unused	2		No	3	(GC34090)
Fin	Debit/Credit Memos	2	3	No	5	(GC34090)
	Deposit Corrections	2	3	No	5	(GC34090)
Treas	Deposit Slips/Receipts	2	3	No	5	(GC34090)
Fin	Reports, Banking	2	3	No	5	(GC34090)
Treas	Signature Authorization Cards, Faxes	A	5	No	A+5	(GC34090)
Fin	Statements & Reconciliations	2	3	No	5	(GC34090; 26 CFR 31.6001-1)
	Stop Payments	2	3	No	5	(GC34090; 26 CFR 31.6001-1)
	Warrants (Paid) (A/P)	A+2	3	No	A+5	(GC34090)
	Wire Transfers	2	3	No	5	(GC34090)

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A	pril 4, 2022 Regular CC Meeting				Z^*\	
Office of		F	RETENTIO	N DISPOSITI	ON	Comments/Statutory Citation
Record	Records Description FINANCE/TREASURER	Office	Inactive	Microfilm	Total	
	Bond Issues/Debt Service					
Fin	Bond Authorization & Related Public Hearing Records, Investor Lists, Prospectus, Accepted Proposals, Certificates, Notices,	CL	P	Yes	Р	Microfilm or permanent (GC34090; CCP 337.5)
	Correspondence	_	1	No	2	(CC24000)
	Bond Bids/Proposals, Rejected Bond Registers	2 C	P P	No Yes	3 P	(GC34090) Microfilm or permanent (GC34090; CCP 337.5)
	Bonds & Coupons, Paid/	CL	3	No	CL +3	(GC34090; GC53921)
	Canceled (Revenue Bonds)			110		(0031070, 0033721)
	Budgeting					
Fin	Budget, Annual City	2	Р	Yes	Р	Microfilm or permanent (GC34090)
1 111	Budget, Capital Improvements	2	_	Yes	P	Microfilm or permanent (GC34090)
	Budget, Departmental	2	1	No	3	(GC34090)
	Budget Manual & Calendar	2	1	No	3	(GC34090)
	Budget Requests, Departmental	2	1	No	3	(GC34090)
	Budget Requests, External	2	1	No	3	(GC34090)
	Budget, Revenue Sharing	2	P	Yes	P	Microfilm or permanent (GC34090)
	Revenue Estimates	2	3	No	5	(GC34090)
	Funding/Grants					
Fin	HIDTA	CL	7	No	CL+7	(GC34090)
	ОСЈР	CL	7	No	CL+7	(GC34090)
	Prop A	CL	7	No	CL+7	(GC34090)
	Prop C	CL	7	No	CL+7	(GC34090)
	State Gas Tax	CL	7	No	CL+7	(GC34090)
	Investments	_				
Fin	Certificates of Deposit	2	3	No	5	(GC34090)
	Investment Portfolio; Statements & Related documents	С	P	Yes	Р	Microfilm or permanent (GC34090; CCP 337.5; GC53607)

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RETENTION DISPOSITION Office of Record Records Description RETENTION DISPOSITION Comments/Statutory Citation	
Accords Description	
FINANCE/TREASURER Office Inactive Microfilm Total	
Payroll	
Fin Deductions/Authorizations T 4 No T+4 Including leave slip, W-2 forms (GC34090; 29 CFR 516.2)	
Employee Salary Verifications 3 - No 3 (GC34090)	
Individual Employee Payroll T P Yes P Microfilm or permanent (GC34090)	ļ
Payroll Master S P Yes P Microfilm or permanent (GC34090)	}
Payroll Registers T P Yes P Microfilm or permanent (GC34090, GC37207)	
Payroll Reports T 4 No T+4 (26 CFR 31.6001-1)	
Retirement Reports (PERS, T P Yes P Microfilm or permanent (GC34090)	
PARS)	
Tax Records 2 4 No 6 (29 USC 436)	
Time Cards/Sheets 1 4 No 5 (29 CFR 516.2-516.6)	
Travel/Mileage Expenses 2 3 No 5 (GC34090)	
Vacation/Sick Leave Reports T 4 No T+4 (29 CFR 516.2-516.6)	
W-2 Forms/Reports 2 4 No 6 (29 CFR 516.2-516.6)	
Pension & Retirement Funds	
Report Report	
Fin Deferred Compensation C P Yes P Microfilm or permanent (GC34090)	
Reports Rep	
Retirement Plan Agreements C P Yes P Microfilm or permanent; file original contracts with City Clerk (GC34090)	1
(including PERS, PARS),	
Amendments, Related Records	1
Retirement Plan Reports C P Yes P Microfilm or permanent (GC34090)	
Revenues & Taxation	
Treas Accounts Receivable 2 3 No A+5 (GC34090)	
Fin Alarm Permits T 3 No T+3 (GC34090)	
BL Business License Applications T 4 No T+4 (GC34090; CCP 337)	
Business License - Revocations T 4 No T+4 (GC34090; CCP 337)	
Business Licenses/Renewals T 4 No T+4 (GC34090; CCP 337)	
Fin Census Records P - Yes P Microfilm or permanent (GC34090)	
Excise Tax 2 3 No 5 (GC34090)	
False Alarms C 3 No C+3 Retain in department while current (GC34090)	

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A	pril 4, 2022 Regular CC Meeting					
Office of Record	Records Description	R	ETENTIO	N DISPOSITE	ON	Comments/Statutory Citation
	FINANCE/TREASURER	Office	Inactive	Microfilm	Total	
Fin	Fee Schedules	S	P	Yes	P	Microfilm or permanent (City Clerk should append to Resolution of adoption)
						(GC34090)
	Fee Studies	С	P	Yes	P	Microfilm or permanent (GC34090)
	Fee Waiver Requests	T	3	No	T+3	(GC34090)
	Funding Applications (Includes	2	3	No	A +5	(GC34090)
	State & Local Sources)					
Treas	Property Tax	2	3	No	5	(GC34090)
Fin	Revenue Receipts/Reports	2	3	No	A+5	(GC34090)
	Sales and Use Tax	2	3	No	5	(GC34090)
Treas	T.O.T.	2	3	No	5	(GC34090)
	Treasurer Bank Statements	A+2	-	No	A+2	(FC3368, FC30210; GC43900, et seq.)
	U.U.T.	2	3	No	5	(GC34090)

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CITY OF SAN FERNANDO - RECORDS RETENTION SCHEDULE

Office of	PHARMS TO SECURE THE TABLE	Į.	RETENTION	N DISPOSITIO	ON I	Comments/Statutory Citation
Record	Records Description LEGAL	Office	Inactive	Microfilm	Total	
Legal	Amicus Curiae and Misc	C+1	P	Yes	Р	Microfilm or permanent (GC34090)
	Appeals, Civil	C+1	3	No	C+4	(CCP 583.320(a)(3); GC34090)
	Bankruptcy	C+1	P	Yes	P	Microfilm or permanent (GC34090)
	Case Log and/or Index	P	-	Yes	P	Microfilm or permanent (GC34090)
	Correspondence	2	-	No	2	(GC34090)
	Litigation – Anti-Trust	C+1	P	Yes	P	Microfilm or permanent (GC34090)
	Litigation – Case Listing	P	-	Yes	P	Microfilm or permanent (GC34090)
	Litigation – Civil – Non Tort	C+1	P	Yes	P	Microfilm or permanent (GC34090)
	Litigation – Civil Tort	C+1	P	Yes	P	Microfilm or permanent (GC34090)
	Litigation – Criminal	C+1	P	Yes	P	Microfilm or permanent (GC34090)
	Litigation – General	C+1	3	No	C+4	(GC34090)
	Litigation – High Profile	P	•	Yes	P	Microfilm or permanent (GC34090)
	Prosecutions	C+1	P	Yes	P	Microfilm or permanent (GC34090)
	Subpoenas	C+1	3	No	C+4	(GC34090)

<u>Keys</u>: A= Audit; AR= Annual Review; C= Current; CL= Closed; E= Expiration; P= Permanent; S= Superseded; T= Termination APPENDIX I

CITY OF SAN FERNANDO - RECORDS RETENTION SCHEDULE

		F	RETENTION			
Office of Record	Records Description PERSONNEL	Office	Inactive	Microfilm	Total	Comments/Statutory Citation
Pers	Employee Benefits Administration Records: Plan Documents; Enrollment Forms; Correspondence and Backup Data	Р	-	Yes	Р	Microfilm or permanent (29 USC 1113)
	Employee Rights (Non-Sworn Employees): Arbitration, Grievances, Union Requests, Complaints, Disciplinary Actions	Т	2	No	T+2	(GC12946. 29 USC 211, 203, 207)
	Hourly Employees	T	6		T+6	(GC 12946; 29 CFR 1627.3)
	Negotiation	P	-	Yes	P	Microfilm or permanent (29 USC 211, 203, 207)
	PERS, Social Security, SSI	P	-	Yes	P	Microfilm or permanent (29 CFR 1627.3; GC12946, GC34090)
	Personnel – Employee Handbook	P	-	Yes	P	Microfilm or permanent (GC34090)
	Personnel – Employee Incentive Award Program Files: Suggestion Forms; Correspondence and Backup	2	-	No	2	(GC34090)
	Personnel Files: Former Employees Receiving Retirement and DOC Benefits	Р	<u></u>	Yes	P	Microfilm or permanent (GC34090)
	Personnel Files: (Safety and Non-Safety) Resumes; Applications; Personnel Action Forms; Performance Evaluations; Correspondence; Direct Deposit Authorizations	Т	6	No	T+6	(29 USC 1113, GC12946)
	Recruitment Files: Job Position Announcements; Applicant Responses & Resumes; Correspondence and Backup	С	3	No	C+3	(29 CFR 1627.3)

Keys: A= Audit; AR= Annual Review; C= Current; CL= Closed; E= Expiration; P= Permanent; S= Superseded; T= Termination APPENDIX I

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	pril 4, 2022 Regular CC Meeting	F	RETENTION	N DISPOSI'A	JN	
Office of Record	Records Description PERSONNEL	Office	Inactive	Microfilm	Total	Comments/Statutory Citation
Pers	Resumes (Unsolicited)	2	•••	No	2	(GC34090)
	Rules & Regulations	P	<u></u>	Yes	Р	Microfilm or permanent (GC34090)
	Risk Management	E. Carlotte				
Pers	Accident Reports/Incident Reports	5	-	No	5	(GC34090)
	Claim Files (against the City or City Personnel); Claim Letters, Forms, Correspondence, Court Transcripts, Backup Data	С	5	No	C+5	(GC34090, PC832.5)
	Claims Loss Runs (Fiscal Year End)	5	-	No	5	(GC34090, PC832.5)
	Claims Loss Runs (Monthly)	2	**	No	2	(GC34090)
	SCJPIA Certificates of Liability: Certificates and Backup Data	P	-	Yes	P	Microfilm or permanent (GC34090)
	Workers' Compensation Insurance Administration Records: Loss Analyses; Statements; Correspondence and Backup Data	5	-	No	5	(GC34090)
	Workers' Compensation Insurance Policies	Р	-	Yes	Р	Microfilm or permanent (GC34090)

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CITY OF SAN FERNANDO

ECORDS RETENTION SCHEDULE

	Landing Comment of Com	R	ETENTION	DISPOSITIO	ON	Comments/Statutory Citation
Office of	Records Description					And the second s
Record	POLICE	Office	Inactive	Microfilm	Total	The property of the party of th
Pol	Alarm Records	2	***	No	2	(GC34090)
	Arrest Records					
	Drunk (Not	2	-	No	2	(GC34090)
	Prosecuted)					
	Registers	5	-	No	5	(GC34090)
	Rejected by D.A.	4	-	No	4	(GC34090)
	Traffic Warrants	2	-	No	2	(GC34090)
	(for Local or Foreign					
	Agency)		ocypa macrocolata			
	Auction Receipts and Records	2	-	No	2	(GC34090)
	Audio Recordings of Telephone and Radio Communications (Dispatch)*	100 days	-	No	100 days	100 days; (GC34090.6)
	Bail Receipts	2	_	No	2	(GC34090)
	Bicycle Licenses	3	-	No	3	(GC34090)
	Case Files		-			
	Homicide -	P	-	Yes	P	Microfilm or permanent (PC799)
	Investigator's File					
	Narcotics (no arrest cases)	CL	2	No	CL+2	(GC34090)
	Officer Involved Shootings	CL	25	No	CL+25	(GC34090)
	Child Abuse Reports – Felony	10	-	No	10	(Department of Justice Regulates)
	Citations					(Department of Justice Regulates)
	Animal Control	2	-	No	2	(GC34090)
	Marijuana	2	-	No	2	(H&S 11361.5)
	Parking	2	_	No	2	(GC34090)
	Traffic	2	_	No	2	(GC34090)
	Concealed Weapons Permits	3	-	No	3	(GC34090)

<u>Keys</u>: A= Audit; AR= Annual Review; C= Current; CL= Closed; E= Expiration; P= Permanent; S= Superseded; T= Termination APPENDIX I

	pril 4, 2022 Regular CC Meeting					
		RI	ETENTION	DISPOSI	N	
			r	r		Comments/Statutory Citation
Office of	Records Description					The second of th
Record	POLICE	Office	Inactive	Microfilm	Total	The transfer where the property of the control of t
	Correspondence	2	-	No	2	(GC34090)
:	Court Records					
	Daily Schedule (Duplicates)	С	1	No	C+1	(GC34090.7)
	Sign-in Logs	С	2	No	C+2	(GC34090)
	Tracking System Records	С	2	No	C+2	(GC34090)
	Crime Reports**	3	-	No	3	(Department of Justice Regulates)
	Criminal Arrest Files***	10	-	No	10	(Department of Justice Regulates)
	Daily Activity Records and Logs (i.e., NOT reports)	3	-	No	3	(GC34090)
Pol	Daily Reports**	3	-	No	3	(Department of Justice Regulates)
	Deceased Criminal Arrest Files	10	-	No	10	(Department of Justice Regulates)
	Employment Applications Background	5	-	No	5	EEOC Complaint can be filed within 49 mos.; (GC12946)
	Investigation	5	-	No	5	EEOC Complaint can be filed within 49 mos.; (GC12946)
	Unprocessed					
	"Factual Innocence" (Sealed Records)		-	No		Destroy 3 years from sealing (PC851.8)
	Felony Crime Reports: Capital Crimes, Crimes Punishable by Death, Life Imprisonment	P	-	Yes	P	Microfilm or permanent (PC799)
	Fingerprint	:				
	Applicants' Files	T	2	<u></u>	T + 2	(GC34090)
	Inked/Palm Cards	С	20	-	C + 20	Persons booked into detention facility; copies distributed to County, State and Federal agencies
	Immigration Letters	2	-	No	2	1-9's
	Incident Reports**	3	<u>-</u>	No	3	(Department of Justice Regulates)

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	April 4, 2022 Regular CC Meeting					
		R	ETENTION	DISPOSITA	A	
Office of Record	Records Description POLICE	Office	Inactive	Microfilm	Total	Comments/Statutory Citation
	Index Cards					
	Field Interview	5	-	No	5	(GC34090)
	Police Dispatch	2	-	No	2	(GC34090)
	 Jail					
	Inspections	2	-	No	2	(GC34090)
	Register (Daily	10	-	No	10	(Department of Justice Regulates)
	Record of Persons					
	Booked)					
	Juvenile Arrest Files, Reports		-	No		Upon Notification from Juvenile Court Judge
	Juvenile - Sealed Records	5	-	No	5	Destroy 5 years from sealing; Welfare & Institutions Code 781(d)
	Licenses and Permits - Records of Expired Licenses and Permits	3	-	No	3	(GC34090)
	Lost and Found Records	5	_	No	5	(GC34090)
	Miscellaneous Reports	2	-	No	2	(GC34090)
	Misdemeanor/Infractions Reports**	3	-	No	3	(Department of Justice Regulates)
	Money Transmittals	2	_	No	2	(GC34090)
	Non-Criminal Occurrences	C	2	No	C + 2	(GC34090)
Pol	Officer Involved Shootings	CL	25	No	CL + 25	(GC34090)
	Parades & Special Events	CL	2	No	CL + 2	(GC34090)
	Pawnbrokers, Secondhand Dealers (Duplicates, i.e., Pink Copies) Permits	С	2	No	C + 2	Originals to licensee; (blue) copies to DOJ; (pink) copies retained by City. Renewals issued annually; (GC34090)
	Alcoholic Beverage Control License	2	-	No	2	(GC34090)

	pril 4, 2022 Regular CC Meeting				<u> </u>	
1990/2007/251 1990/2007/251	The state of the s	R	ETENTION	DISPOSIT		Comments/Statutory Citation
Office of	Records Description					To place the second of the sec
Record	POLICE	Office	Inactive	Microfilm	Total	
	Personnel Files					
	Internal Affairs	5	-	No	5	(PC832.5)
	Investigations					
	(including Citizen's					
	Complaints and					
	Pitchess Motions)					
	Terminated Employees	5	-	No	5	EEOC Complaint can be filed within 49 months; (GC12946)
	Photo Negatives (Inmates)	С	20	No	C + 20	By prisoner number
	Press Releases	С	2	No	C + 2	(GC34090)
	Property Control Files	С	2	No	C + 2	(GC34090)
	Rap Sheets	CL	2	No	CL + 2	(GC34090)
	Reports – Duplicates	6 mos.	-	No	6 mos.	(GC34090.7)
	Restraining Orders, Emergency Protective Orders, Temporary Restraining Orders, Legal Stipulations, Orders After Hearing (Duplicates)	С	-	No	С	Destroy after law enforcement actions and effective date of restraining order has expired
	Schedules					
	Daily	C	2	-	C + 2	(GC34090)
	Watch Assignments/ Timekeeping Records	С	2	-	C + 2	(GC34090)
	Statistical (Crime Analysis)	P	-	Yes	P	Microfilm or permanent (GC34090)
	Statistical (UCR), Uniform Crime Reports Mandatory to DOJ (LEIC)	P	-	Yes	P	Originals sent to FBI, DOJ; Microfilm or permanent (GC34090)
	Subpoenas	C	2	No	C + 2	(GC34090)
	Swap Meet Merchant Control Sheets	2	-	No	2	(GC34090)
Pol	Traffic Collisions					
	Non Injury	3	-	No	3	(GC34090)
	One or More Injuries	5	-	No	5	(GC34090)

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	pril 4, 2022 Regular CC Meeting				···			
		R	RETENTION DISPOSIT.			Comments/Statutory Citation		
Office of Record	Records Description POLICE	Office	Inactive	Microfilm	Total			
	Training							
	Bulletins	P	-	Yes	P	Microfilm or permanent (GC34090)		
	Event Files	C	2	No	C + 2	(GC34090)		
	Vehicles							
	Impounded/Stored/	3	-	No	3	(GC34090)		
	Repossessed/							
	Recovered	1						
	Stolen	5		No	5	(GC34090)		
	Video Surveillance/Security (Jail)	13 mos.	-	No	13 mos.	(GC34090.6)		
	Warrant Recall Sheets	2	-	No	2	(GC34090)		
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	pril 4, 2022 Regular CC Meeting					
		RETENTION DISPOSIT				Comments/Statutory Citation
Office of Record	Records Description POLICE	Office	Inactive	Microfilm	Total	
Pol	Warrants Felony	Recall after 10 yrs.; Exception: Murder/ Escape	-	No	Recall after 10 yrs.; Exception: Murder/ Escape	(Recommended by the California Law Enforcement Warrant Officer's Association)
	Misdemeanor Criminal	Recall after 5 yrs;	-	No	Recall after 5 yrs;	(Recommended by the California Law Enforcement Warrant Officer's Association)
	Parking	Recall after 1 yr.	-	No	Recall after 1 yr.	(Recommended by the California Law Enforcement Warrant Officer's Association)
	Traffic	Recall after 5 yrs.	-	No	Recall after 5 yrs.	(Recommended by the California Law Enforcement Warrant Officer's Association)
	Traffic Collision Fatalities	P	-	Yes	Р	Microfilm or permanent (Recommended by the California Law Enforcement Warrant Officer's Association)

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- * In vent that the recordings are evidence in any claim filed or any pending ation, they shall be preserved until pending litigation is resolved.
- "Crime Reports," "Daily Reports," "Incident Reports," and "Misdemeanor Reports" refer to daily blotters, incident summaries or investigative reports that do not involve felonies. The reports can be destroyed after three years, provided that a copy of said report has been placed with the case file. The case files should be destroyed according to guidelines set forth for individual case files.
- *** You can legally retain the records for two years; however, you should notify the Department of Justice that you are purging source documents before you destroy them.

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Office of Record		RETENTION DISPOSITION				Comments/Statutory Citation	
Record	Records Description PUBLIC WORKS	Office	Inactive	Microfilm	Total		
PW	Capital Improvement Projects (CIP) Plans & Drawings: Final, As-Built Plans & Drawings	Р	-	Yes	P	Microfilm or permanent (GC 34090)	
	Federal Highway Administration Funding (FHWA) Administrative Files: Applications/Funding Requests & Supporting Data Budgeting Analyses Correspondence w/ Local Administrative Agencies (Including CALTRANS) Studies & Reports	С	3	No	C+3	(49 CFR 18.42)	
	Supporting Data Grants/Funding Files Intersections/Streets/Signals Maps - Final, Recorded Maps, Including: Subdivision Maps Parcel Maps Assessment Districts Record Of Survey Improvement Plans Tract Maps Construction (Final, As- Constructed Only) Utilities - Storm Drain	C P P	10	No Yes Yes	C + 10 P P	(7 CFR 3016.42) Microfilm or permanent (GC 34090) Microfilm or permanent (GC 34090)	
	NPDES – Program Files Operations & Maintenance Projects Files: Service Requests Correspondence & Supporting Data	P 2	-	Yes No	P 2	Microfilm or permanent (GC 34090) (GC 34090)	

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Office of	April 4, 2022 Regular CC Meeting	RETENTION DISPOSITION				Comments/Statutory Citation	
Record	Records Description PUBLIC WORKS	Office	Inactive	Microfilm	Total		
PW	Public Works - Performance Bonds/Labor & Materials Bonds	С	2	No	C+2	(GC 34090)	
	Engineering	200					
Eng	Capital Improvement Project (CIP) Files	С	10	No	C+10	(CCP 337.15)	
	Capital Improvement Projects (CIP) Right-of-Way Documentation:	P	-	Yes	Р	Microfilm or permanent (GC 34090)	
	Deeds						
	Quitclaims	1					
	Easements						
	Consultants/Suppliers/Vendors Information	AR	-	No	AR	(GC 34090)	
	Disaster Incidents Files	A	5	No	A+5	(GC 34090)	
	Encroachment Permits Log	5	-	No	5	(GC 34090)	
	Grading Permits	P	-	Yes	P	Microfilm or permanent (GC 34090)	
	Land Development Projects Files	P	-	Yes	P	Microfilm or permanent (GC 34090)	
	Organizations Files	2	-	No	2	(GC 34090)	
	Permits: Encroachment Permits Excavation Permits	P	-	Yes	P	Microfilm or permanent (GC 34090)	
	Policies & Procedures for Engineering Operations	S	10	No	S + 10	(GC 34090)	

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	Records Description	RETENTION DISPOSITION				Comments/Statutory Citation			
Office of RECREATION AND COMMUNITY SERVICE		Office	Inactive	Microfilm	Total				
Rec	Brochures Advertisers Files	2	-	No	2	(GC 34090)			
	Brochures Artwork	С	2	No	C+2	(GC 34090)			
	Facilities Reservation Forms	2	-	No	2	(GC 34090)			
	History Files:	P	-	Yes	P	Microfilm or permanent (GC 34090)			
	Publicity Binders Photos Binders Department Publications								
	History Files: Flyers Brochures	2	-	No	2	(GC 34090)			
	Press Releases Park Master Plans Files: Environmental Documents Correspondence & Supporting Data	P	-	Yes	P	Microfilm or permanent (GC 34090)			
	Parks/Facilities Construction Projects	С	10	No	C+10	(GC 337.15)			
	Personnel - Instructor Contracts	Е	2	No	E+2	(GC 34090)			
	Program Evaluations	2	-	No	2	(GC 34090)			
	Program Proposals Files	2	-	No	2	(GC 34090)			
	Program Registrations/Waivers of Liability	5	-	No	5	(GC 34090)			
	Programs Files (City- Participation)	С	4	No	C+4	(GC 34090)			
	Programs Files (City- Sponsored):	С	5	No	C+5	(GC 34090)			

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A second	April 4, 2022 Regular CC Meeting Records Description	RETENTION DISPOSIA			JN .	Comments/Statutory Citation
Office of Record	RECREATION AND COMMUNITY SERVICES	Office	Inactive	Microfilm	Total	
Rec	Recreation Registration Database Records: Registrant Data (Active) Program Data (Active) Program Data(Inactive/Historical) Special Events Files: Requests Maps, Plans & Drawings Correspondence & Supporting Data Permits/Applications	2 C	5	No No	C+5	(GC 34090) (GC 34090)

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AGENDA REPORT

To: Mayor Mary Mendoza and Councilmembers

From: Nick Kimball, City Manager

By: Julian J. Venegas, Director of Recreation and Community Services

Date: April 4, 2022

Subject: Consideration to Adopt a Resolution Authorizing the Submittal of a Grant to the

Habitat Conservation Fund and Accept Such Funds Should the Grant be Awarded

RECOMMENDATION:

It is recommended that the City Council:

- Adopt Resolution No. 8132 (Attachment A") authorizing the preparation and submittal of a grant application to the California Department of Parks and Recreation, Habitat Conservation Fund program for \$45,000 to fund the City of San Fernando, Nature, Adventure & Discovery Camp;
- b. Authorize the City Manager to accept the grant, if awarded;
- c. Authorize the City Manager to execute all related grant documents required for receiving such grant funds pursuant to the terms and conditions of the grant; and
- d. Upon full execution of all grant-related documents, authorize the City Manager to amend the revenue and expenditure budgets to appropriate the grant funds.

BACKGROUND:

- 1. On February 5, 2018, the City Council adopted the Park and Recreation Master Plan (PMP) as an instrument for developing a comprehensive vision for the park facility improvements and recreational programs offered to the residents of San Fernando. The PMP identified several activities and programs that would enhance the quality of life for the community.
- 2. The most popular responses for desired recreational programming identified in the PMP were the following activities: Stress Relief, Aerobics, Spinning or Fitness, Yoga/Meditation, Camps for Youth, Community Events, Music, Arts and Crafts, Swimming, Holiday and Seasonal Celebrations, and Cooking Classes.

RECREATION AND COMMUNITY SERVICES DEPARTMENT 208 PARK AVENUE, SAN FERNANDO, CA 91340 (818) 898-1290 WWW.SFCITY.ORG

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- 3. On September 29, 2018, Recreation and Community Services (RCS) staff initiated the "Family Hike" program to address the needs identified in the PMR and lead the first ever Paramount Ranch trail hike. The program drew a total of 48 participants, including children, adults, and seniors, who enjoyed the natural setting.
- 4. On October 15, 2018, RCS staff submitted a grant application to the Habitat Conservation Fund to expand the Family Hike Program into a multi-year program that offered San Fernando residents the opportunity to visit local hiking trails and state parks. The City's grant application was successful and the State awarded \$26,486 to implement the Family Hiking and Wildlife/Environmental Stewardship program. The program provides twelve (12) hiking activities from July 1, 2019 through June 30, 2024 funding cycle.
- 5. On January 11, 2022, the California Department of Parks and Recreation, Habitat Conservation Fund program announced a new funding cycle allocating approximately \$2 million towards eligible projects that included elements of nature interpretation and wildlife areas access.

ANALYSIS:

As a disadvantaged community, many San Fernando residents face financial, transportation, and cultural barriers that hinder their ability to experience the wildlife area activities. Studies show such programs provide the following benefits:

- a. Contact with nature offers considerable promise in addressing a range of health challenges afflicting our community. Obesity, cardiovascular disease, depression, and anxiety have become public health priorities.
- b. Youth living in underserved communities have less exposure to nature because of the lack of parks, trails, rivers, and other open spaces. Safe transportation options become viable barriers to reaching such spaces. When provided the opportunity, children are more likely to experience the rewarding transformative powers of connecting with nature (National Recreation and Park Association).
- c. Outdoor recreation settings will meet residents' social and psychological needs (Manning, 2011).
- d. Direct experiences with nature will form the foundation for a sense of stewardship and active care for the environment, which is vital for the protection of life-sustaining planet now and in the future (Bratman G.N. Hamilton JP, Daily GC. The impacts of nature experience on human cognitive function and mental health; Manning, 2011).

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e. Play in natural areas during childhood is associated with seeking natural environments for restoration and recreation in adulthood and with stewardship, behaviors to protect the environment (Ward-Thompson C, Aspinall P, Montarzino A. The childhood factor: adult visits to green spaces and the significance of childhood experience.)

Staff has identified an opportunity to partially fund a program to address some of the improvements identified in the PMP and provide nature programming through a competitive grant program from the Habitat Conservation Fund. The California Department of Parks and Recreation administers the Habitat Conservation Fund, which allocates approximately \$2 million annually to cities, counties, and districts.

The purpose of the Habitat Conservation Fund grant is to protect, restore, and enhance wildlife habitat and fisheries that are vital to maintaining California's quality of life. The impact of the increasing human population in the State of California has resulted in an urgent need to fund projects protecting the rapidly disappearing wildlife habitats that support the state's unique and varied wildlife resources. Eligible projects include nature interpretation programs to bring urban residents into park and wildlife areas, protection of various plant and animal species, and acquisition and development of wildlife corridors and trails.

If the City is awarded the Habitat Conservation grant, the Recreation and Community Services Department will expand the existing Family Hiking program to include the San Fernando Nature, Adventure, and Discovery Camp program. The Program will provide youth ages 10-17 an opportunity to explore the outdoors, learn about wildlife and the environment while participating in traditional camp programs like archery, mountain biking, hiking, science, dance, and more. The residential camp experience provides youth to take on new challenges, develop a sense of supervised independence, and commit to being better individuals.

The grant funds will allow the City to send a minimum of thirty (30) youth to a residential camp in the San Bernardino Mountains for a week. RCS is collaborating with UCLA's UniCamp and the North Valley Family YMCA to provide the camp experience. Both of these agencies have administered and run residential camps for more than eighty (80) years. Grant funds will also be used for transportation to and from the campsite and some administrative costs.

As the global pandemic continues to change and force us all to adapt, restrictions, especially on gathering places make a big impact on how youth interact while they're in and after school. The San Fernando Nature, Adventure, and Discovery Camp will provide a safe outdoor environment where youth can reconnect with each other and with nature. The social-emotional learning skills taught during camp will help campers and volunteers alike readjust to a post-pandemic world as they prepare for classes in the upcoming academic year. Summer camp, time and again, serves as a way to reduce the summer learning loss as a result of being away from school for the summer months. This program is necessary now, more than ever, as pandemic restrictions create additional learning challenges for youth.

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BUDGET IMPACT:

There will be no budget impact to the Fiscal Year 2021-2022 General Fund to submit the grant application and there is no need to appropriate funds at this time. Should the City be awarded the grant, staff is requesting authorization for the City Manager to appropriate revenue and expenditures equal to the grant award in the Operating Grants Fund – Recreation and Community Service Grant (Fund 110). The grant does require a dollar-for-dollar match of awarded funds, which means a \$45,500 grant requires the same amount in matching funds. The match can be met with donated materials and services. (e.g., In-Kind services, Force-Account Labor, other grant funds, etc.).

The RCS Department plans to meet the match by collaborating with UCLA UniCamp and the North Valley Family YMCA who both run residential camps and who both have agreed to provide Inkind services and Force-Account Labor that will offset the City's match. The City's in-kind match will consist of staff cost, department supplies, volunteer hours, and Prop A funding. The required match will be leveraged over three (3) fiscal years and is expected to be \$15,000 per Fiscal year.

The table below details the proposed cost for the 3-year program, which includes staff time, supplies, volunteer hours and trip fees.

Activity Summer Residential Camp	Grant	Required Match	Total
Staff (Admin, Managers, Operations)	\$7,761	\$7,761	\$ 15,522
Camp Counselors	\$2,775	\$2,775	\$ 5,550
Activity Leaders	\$1,749	\$1,749	\$ 3,498
Meal Prep. (work)	\$1,281	\$1,281	\$ 2,562
Room & Board	\$14,036	\$14,036	\$ 28,072
Supplies	\$1,559	\$1,559	\$ 3,118
Transportation	\$3,734	\$3,734	\$ 7,468
Utilities	\$1,528	\$1,528	\$ 3,056
Camp Lease & Licensing	\$9,117	\$9,117	\$ 18,234
Equipment for Activities	\$1,460	\$1,460	\$ 2,920
	\$45,000	\$45,000	\$90,000

Matched Sources	Total
Proposition A – Transportation Funds	\$ 1,842
Community Services Division – Staff and supplies	\$ 13,158
UCLA UniCamp	\$ 15,000
YMCA	\$ 15,000
Total of Match Sources	\$ 45,000

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CONCLUSION:

It is recommended that the City Council adopt Resolution No. 8132 authorizing the preparation and submittal of grant application to the California Department of Parks and Recreation, Habitat Conservation Fund program to fund the Family Hiking and Wildlife/Environmental Stewardship Program.

ATTACHMENTS:

A. Resolution 8132

RESOLUTION NO. 8132

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN FERNANDO, CALIFORNIA, AUTHORIZING THE APPLICATION FOR GRANT FUNDS FROM THE HABITAT CONSERVATION FUND PROGRAM.

WHEREAS, the people of the State of California have enacted the California Wildlife Protection Act of 1990, which provides funds to the State of California for grants to local agencies to acquire, enhance, restore or develop facilities for public recreation and fish and wildlife habitat protection purposes; and

WHEREAS, the State Department of Parks and Recreation has been delegated the responsibility for the administration of the HCF Program, setting up necessary procedures governing project application under the HCF Program; and

WHEREAS, said procedures established by the State Department of Parks and Recreation require the applicant to certify by resolution the approval of application(s) before submission of said application(s) to the State; and

WHEREAS, the applicant will enter into a contract with the State of California to complete the project(s);

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

- **SECTION 1.** Approves the filing of an application for the Habitat Conservation Fund Program; and
- **SECTION 2.** Certifies that said applicant has or will have available, prior to commencement of any work on the project included in this application, the required match and sufficient funds to complete the project; and
- **SECTION 3.** Certifies that the applicant has or will have sufficient funds to operate and maintain the project(s), and
- **SECTION 4.** Certifies that the applicant has reviewed, understands, and agrees to the provisions contained in the contract shown in the grant administration guide; and
- **SECTION 5.** Delegates the authority to the City Manager to conduct all negotiations, execute and submit all documents, including, but not limited to applications, agreements, amendments, payment requests and so on, which may be necessary for the completion of the project.

SECTION 6. Agrees to comply with all applicable federal, state and local laws, ordinances, rules, regulations and guidelines.

SECTION 7. The City Clerk shall certify to the adoption of this resolution and shall cause a certified resolution to be filed in the Office of the City Clerk.

PASSED, APPROVED, AND ADOPTED this 4 day of April 2022.

ATTEST:	Mary Mendoza, Mayor of the City of San Fernando California
Julia Fritz, City Clerk	

CERTIFICATION

I, City Clerk of the City of San Fernando, California, do hereby certify that the foregoing is a full,

the City Co	correct copy of Resolution No. 8132, which was regularly introduced and adopted by ouncil of the City of San Fernando, California, at a regular meeting thereof, held on the April, 2022, by the following vote of the City Council:
AY	'ES:
NA	AYS:
АВ	SSENT:
АВ	SSTAINED:
	WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the n Fernando, California, this day of April, 2022.
	Julia Fritz, City Clerk

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AGENDA REPORT

To: Mayor Mary Mendoza and Councilmembers

From: Nick Kimball, City Manager

By: Matt Baumgardner, Director of Public Works

Date: April 4, 2022

Subject: Consideration to Award a Construction Contract for the Pico Street Improvement

Project

RECOMMENDATION:

It is recommended that the City Council:

- a. Approve Budget Resolution No. 8133 (Attachment "A") to amend the fiscal year (FY) 2021-2022 Capital Improvement Budget by \$100,000 from Measure R Funds for the Pico Street Improvement Project;
- b. Accept the lowest responsive bid in the amount of \$465,000 from Hardy & Harper, Inc. for construction of these improvements;
- c. Approve a construction contract with Hardy & Harper, Inc. for an amount not-to-exceed \$465,000 (Attachment "B" - Contract No. 2062);
- d. Authorize the City Manager to execute change orders for an amount not-to-exceed 10% of the contract amount, or \$46,500, to cover costs of unforeseen conditions and execute all related documents; and
- e. Approve the Notice of Exemption for the construction of the Pico Street Improvement Project and direct the City Clerk to file it with the Los Angeles County Recorder's Office (Attachment "C").

BACKGROUND:

- 1. On March 18, 2019, the City Council adopted Resolution No. 7906 approving the use of Community Development Block Grant (CDBG) funds for the Pico Street Improvement project.
- 2. On June 21, 2021, the City Council approved an additional appropriation of \$50,000 in SB-1 funding as part of the Fiscal Year (FY) 2021-2022 budget cycle, to cover additional costs for engineering design and construction management.

PUBLIC WORKS DEPARTMENT

REVIEW:

117 MACNEIL STREET, SAN FERNANDO, CA 91340

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Consideration to Award Construction Contract for the Pico Street Improvement ProjectPage 2 of 4

- 3. On February 7, 2022, City Council authorized the formal solicitation for bids for the Pico Street Improvement Project to be advertised and publicly noticed for no less than 30 days prior to the opening of bids.
- 4. On March 8, 2022, four bids were received and opened by the City Clerk.

ANALYSIS:

The Pico Street Improvement Project will consist of a grind and overlay of an approximate 0.4-mile section of Pico Street, between Kalisher Street and Brand Boulevard. In addition to street paving, the project will include removal and replacement of certain sections of curb and gutter, sidewalk, and drive approaches, as well as reconstruction of non-ADA compliant wheelchair ramps, along this section of Pico Street.

CDBG funds may be used to make improvements to streets and sidewalks in CDBG qualified census tracks. Due to limited funding for street improvements at the time, the City Council approved using FY 2019-2020 CDBG funds for street resurfacing on Pico Street, which is in a CDBG qualified census track.

Housing and Urban Development (HUD) Section 3 requirement.

This is a HUD Section 3 construction contract, which requires that bidders must commit to employ low-income residents from the local community to be considered a Section 3 responsive bidder. Any bidder that does not commit to these requirements shall be considered a non-responsive bidder.

A pre-bid meeting was held, pursuant to guidelines set forth by the Los Angeles County Development Authority (LACDA), with interested contractors to inform them about requirements that need to be met in order to be considered a responsive bidder. A Section 3 responsive bidder is a bidder who submits a Section 3 Business Certification form with their bid, documenting that they:

- Are 51% owned by low-income residents; or
- Employ low-income residents (30% or more permanent full-time employees are income qualified); and
- Included signed Section 3 Resident Certification forms from each qualified employee with the bid.

Any bidder who does not submit the required Section 3 forms with the bid is considered non-responsive to the Section 3 requirements and cannot receive consideration for the bid.

Consideration to Award Construction Contract for the Pico Street Improvement Project

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Bid Analysis.

Staff analyzed the bids received and determined that although EC Construction was the apparent low bidder, they did not sign the Section 3 Form. As a result, the lowest responsive bidder was determined to be Hardy & Harper, since they submitted the signed Section 3 Form. The table below summarizes the bids received:

RANK	BIDDER	BID AMOUNT	SECTION 3 RESPONSIVE
1	Hardy & Harper, Inc.	\$465,000.00	Yes
2	Palp, Inc, DBA Excel Paving	\$477,694.00	Yes
3	R.C. Becker & Son	\$510,913.42	Yes
4	EC Construction	\$456,729.60	No

Project Schedule.

The project is expected to begin in late April 2022, and completed within two months – by the end of June 2022.

California Environmental Quality Act (CEQA).

Pursuant to the guidelines of the California Environmental Quality Act (CEQA), this project is considered *Categorically Exempt* under Title 14 of the California Code of Regulations, Section 15301, as a Class 1(c) exemption for resurfacing and patching of streets.

BUDGET IMPACT:

Bid results were higher than anticipated for the project, which can be attributed to the sharp increases in petroleum products like the asphalt concrete that is used in paving. Funding for this project is included in the FY 2021-2022 Adopted Budget (with the exception of Measure R funding), as follows:

SOURCES		
Fund	Account Number	Allocation
CDBG	026-3693-0182	\$ 479,325
SB-1	025-3693-0000	\$ 50,000
Measure R	012-3210-0000	\$ 100,000
Total Sources:		\$ 629,325

USES			
Activity	Account Number	C	ost
Engineering/Administration/Construction Management/Inspection/Testing/Compliance	012/025-311-0182-4600	\$	117,825
Construction	012/025/026-311-0182- 4600	\$	511,500
Total Uses:		\$	629,325

Consideration to Award Construction Contract for the Pico Street Improvement Project Page 4 of 4

Additional funding using Measure R Funds in the amount of \$100,000 will be required to complete the project, including a 10% contingency for the project, as well as administrative and management costs.

CONCLUSION:

It is recommended that the City Council approve and authorize the City Manager to execute a construction contract with Hardy & Harper, Inc. and all recommended actions necessary to successfully execute the project.

ATTACHMENT:

- A. Contract No. 2062
- B. Resolution No. 8133
- C. Notice of Exemption

HARDY & HARPER, INC.

Pico Street Improvements (between Kalisher Street and S. Brand Blvd Street), CDBG Project No. 602080-19 Plans (P-731) and Specifications (Job No. 7610)

THIS AGREEMENT, made and entered into this 4th day of April, 2022, by and between CITY OF SAN FERNANDO, a municipal corporation of the State of California, hereinafter referred to as "CITY" and HARDY & HARPER, INC., hereinafter, "CONTRACTOR."

WITNESSETH:

That the CITY and the CONTRACTOR, for the consideration hereinafter named, mutually agree as follows:

- 1. The complete contract consists of the Contract Documents which includes all of the following documents incorporated herein by this reference: Approved <u>Pico Street Improvements</u> (between Kalisher Street and S Brand Blvd.), CDBG Project No. 602080-19 Plans (P-731) and Specifications (Job No. 7610), Notice Inviting Bids, Instructions to Bidders, Contractor's Proposal, Contract/Agreement, Special Provisions, Technical Provisions, and all modifications and amendments thereto.
- 2. CONTRACTOR shall perform everything required to be performed, shall provide and furnish all the labor, materials, necessary tools, expendable equipment, and all utility and transportation services required for the following work of improvement: <u>Pico Street Improvements (between Kalisher Street and S Brand Blvd.), CDBG Project No. 602080-19 Plans (P-731) and Specifications (Job No. 7610)</u> (the "Work of Improvement") all in accordance with the Contract Documents and Contractor's Proposal dated March 8, 2022.

CONTRACTOR agrees to perform all the work and furnish all the materials at his own cost and expense necessary to construct and complete in a good and workman-like manner and to the satisfaction of the City Engineer of the CITY, the Work of Improvement in accordance with the plans, specifications, and Contract Documents (the "Specifications") therefore prepared by City's Engineering Department and adopted by the City Council.

3. CITY agrees to pay and CONTRACTOR agrees to accept in full payment for this Work of Improvement the stipulated sum of Four Hundred Sixty-Five Thousand Dollars (\$465,000).

CITY agrees to make monthly payments and final payment in accordance with the method set forth in the Specifications.

CONTRACT NO. 2062

Pico Street Improvement Project (between Kalisher Street and S Brand Blvd.), CDBG Project No. 602080-19 Plans (P-731) and Specifications (Job No. 7610) Page 2 of 7

- 4. CONTRACTOR agrees to commence construction of the Work of Improvement within ten (10) days after issuance of a Notice To Proceed, and to continue in a diligent and workman-like manner without interruption, and to complete the construction thereof within thirty (30) working days from the date the Notice to Proceed is issued.
- 5. Time is of essence of this Contract, and it is agreed that it would be impracticable or extremely difficult to ascertain the extent of actual loss or damage which the CITY will sustain by reason of any delay in the performance of this Agreement. It is, therefore, agreed that CONTRACTOR will pay as liquidated damages to the CITY the following sum: Five Hundred Dollars (\$500.00) for each day's delay beyond the time herein prescribed for finishing work. If liquidated damages are not paid, as designated by the CITY, the CITY may deduct the amount thereof from any money due or that may become due the CONTRACTOR under this Agreement in addition to any other remedy available to CITY. The CONTRACTOR shall not be assessed liquidated damages for any delay caused by the failure of a public utility to relocate or remove an existing utility required for the performance of this Contract.
- 6. The CONTRACTOR will pay, and will require all subcontractors to pay, all employees on the work of improvement a salary or wage at least equal to the prevailing salary or wage established for such work as set forth in the wage determinations for this work. Travel and subsistence pay shall be paid in accordance with Labor Code Section 1773.8. The CONTRACTOR shall forfeit to the CITY, as penalty, Fifty Dollars (\$50.00) for each calendar day or portion thereof for each worker paid (either by him or any subcontractors under him) less than the prevailing rate described above on the work provided for in this Agreement, all in accordance with Section 1775 of the Labor Code of the State of California. CONTRACTOR, by executing this Agreement, hereby certifies that it shall adopt the current general prevailing Federal and/or State rates of wages applicable to the Work of Improvement. Contractor understands this is a federally assisted construction project and Federal Labor Standards, including Davis-Bacon Act requirements, will be enforced. Contractor acknowledges that if Federal and State wage rates are applicable, then the higher of the two will prevail.

Section 3 of the Housing and Urban Development Act of 1968, As Amended:

The work to be performed under this Contract is subject to the requirements of Section 3 of the Housing and Urban Development Act of 1968, as amended, 12 U.S.C. 1701u (Section 3). The purpose of Section 3 is to ensure that employment and other economic opportunities generated by HUD assistance or HUD-assisted projects covered by Section 3, shall, to the greatest extent feasible, be directed to low- and very low-income persons, particularly persons who are recipients of HUD assistance for housing.

The parties to this Contract agree to comply with HUD's regulations in 24 CFR Part 75, which implements Section 3. As evidenced by their execution of this Contract, the parties to this Contract certify that they are under no contractual obligation or other impediment that would prevent them from complying with Part 75 of the regulations.

CONTRACT NO. 2062

Pico Street Improvement Project (between Kalisher Street and S Brand Blvd.), CDBG Project No. 602080-19 Plans (P-731) and Specifications (Job No. 7610) Page 3 of 7

The Contractor agrees to send to each labor organization or representative of workers with which the Contractor has a collective bargaining Contract or other understanding, if any, a notice advising the labor organization or workers' representative of the Contractor's commitments under Section 3, and will post copies of the notice in conspicuous places at the work site where both employees and applicants for training and employment positions can see the notice. The notice shall describe the Section 3, shall set forth the minimum number and job titles subject to hire, availability of apprenticeship and training positions, the qualifications for each, and the name and location of the person(s) taking applications for each of the positions; and the anticipated date the work shall begin.

The Contractor agrees to include this Section 3 contract language in every subcontract subject to compliance with regulations in 24 CFR Part 75, and agrees to take appropriate action, as provided in an applicable provision of the subcontract or in this Section 3 contract language, upon a finding that the subcontractor is in violation of the regulations in 24 CFR Part 75. The Contractor will not subcontract with any subcontractor where the Contractor has notice or knowledge that the subcontractor has been found in violation of the regulations in 24 CFR Part 75. The Contractor will certify that any vacant employment positions, including training positions, that are filled (1) after the Contractor is selected, but before the Contract is executed, and (2) with persons other than those to whom the regulations of 24 CFR Part 75 require employment opportunities to be directed, were not filled to circumvent the Contractor's obligations under 24 CFR Part 75.

Noncompliance with HUD's regulations in 24 CFR Part 75 may result in sanctions, termination of this Contract for default, and debarment or suspension from future HUD assisted contracts.

- 7. The CONTRACTOR or SUBCONTRACTOR shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. The contractor shall carry out applicable requirements of 49 CFR, Part 26 in the award and administration of DOT-assisted contracts. Failure by the contractor to carry out these requirements is a material breach of this contract, which may result in the termination of this contract, or such other remedy as City deems appropriate.
- 8. Attention is directed to Section 7108.5 of the California Business and Professions Code, which requires a prime CONTRACTOR or SUBCONTRACTOR to pay any SUBCONTRACTOR not later than 10 days of receipt of each progress payment, unless otherwise agreed to in writing. In addition, Federal Regulation (49 CFR 26.29) requires a prime CONTRACTOR or SUBCONTRACTOR to pay a SUBCONTRACTOR no later than 30 days of receipt of each payment, unless any delay or postponement of payment among the parties takes place only for a good cause and with the prior written approval of the CITY. Section 7108.5 of the California Business and Professions Code also contains enforcement actions and penalties. These requirements apply to both DBE and non-DBE subcontractors.

CONTRACT NO. 2062

Pico Street Improvement Project (between Kalisher Street and S Brand Blvd.), CDBG Project No. 602080-19 Plans (P-731) and Specifications (Job No. 7610) Page 4 of 7

9. Federal Regulation (49 CFR 26.29) requires the following method be used in federal-aid contracts to ensure prompt and full payment of any retainage kept by the prime CONTRACTOR or SUBCONTRACTOR to a SUBCONTRACTOR:

The CITY may hold retainage from the prime CONTRACTOR and provide for prompt and regular incremental acceptances of portions of the contract, pay retainage to prime CONTRACTORS based on the acceptances, and include a contract clause obligating the prime contract and subcontractors to pay all retainage owed to all SUBCONTRACTORS for satisfactory completion of the accepted work within 30 days after receipt of the retainage. This clause must require the prompt release of retainage payments from the prime CONTRACTOR to the SUBCONTRACTOR within a specified number of days after the SUBCONTRACTOR'S work is satisfactorily completed.

In the above method, a SUBCONTRACTOR'S work is satisfactorily completed when all tasks called for in the contract have been accomplished and documented as required by the CITY. The work of a SUBCONTRACTOR covered by that acceptance is deemed to be satisfactorily completed, when the CITY has made an incremental acceptance of a portion of the contract work. Federal Regulation (49 CFR 26.29) also requires that any delay or postponement of payment among the parties may take place only for good cause, must have the prior written approval of the agency, and that appropriate means of enforcement such as those contained in Section 7108.5 of the California Business and Professions Code must be included in the contract.

- 10. In the performance of this Contract, not more than eight (8) hours shall constitute a day's work, and the CONTRACTOR shall not require more than eight (8) hours in a day from any person employed by him hereunder, except as provided in the Labor Code of the State of California. The CONTRACTOR shall adhere to Article 3, Chapter 1, Part 7 (Sections 1810, et seq.) of the Labor Code of the State of California, and it is agreed that the CONTRACTOR shall forfeit to the CITY as a penalty the sum of Fifty Dollars (\$50.00) for each worker employed in the execution of this Contract by the CONTRACTOR or any subcontractor for each calendar day during which any worker is required or permitted to labor more than eight (8) hours in violation of that article.
- 11. CONTRACTOR, by executing this Agreement hereby certifies: "I am aware of the provisions of Section 3700 of the Labor Code which requires every employer to be insured against liability for Worker's Compensation or to undertake self-insurance in accordance with the provisions of that Code, and I will comply with such provisions before commencing the performance of the work of this Contract."

CONTRACT NO. 2062

Pico Street Improvement Project (between Kalisher Street and S Brand Blvd.), CDBG Project No. 602080-19 Plans (P-731) and Specifications (Job No. 7610) Page 5 of 7

12. CONTRACTOR shall, prior to the execution of this Contract, furnish two bonds approved by the CITY, one in the amount of One Hundred Percent (100%) of the Contract price, to guarantee the faithful performance of the work, and one in the amount of One Hundred Percent (100%) of the Contract price to guarantee payment of all claims for labor and materials furnished. This Contract shall not become effective until such bonds are supplied to and approved by the CITY.

13. COVID-19 Vaccinations of LACDA Contractor Personnel

- 13.1 At the Contractor's sole cost, the Contractor shall comply with Chapter 2.212 (COVID-19 Vaccinations of County Contactor Personnel) of Los Angeles County Code Title 2 Administration, Division 4. All employees of the Contractor and persons working on its behalf, including but not limited to, Subcontractors of any tier (collectively, "Contractor Personnel"), must be fully vaccinated against the novel coronavirus 2019 ("COVID-19") prior to (1) interacting in person with LACDA employees, interns, volunteers, and commissioners ("LACDA workforce members"), (2) working on LACDA and County owned or controlled property while performing services under this Contract, and/or (3) coming into contact with the public while performing services under this Contract, and/or (3) coming into contact with the public while performing services under this Contract (collectively, "In-Person Services").
- 13.2 The Contractor Personnel are considered "fully vaccinated" against COVID-19 two (2) weeks or more after they have received (1) the second dose in a 2-dose COVID-19 vaccine series (e.g. Pfizer-BioNTech or Moderna), (2) a single-dose COVID-19 vaccine (e.g. Johnson and Johnson [J&J]/Janssen), or (3) the final dose of any COVID-19 vaccine authorized by the World Health Organization ("WHO").
- 13.3 Prior to assigning the Contractor Personnel to perform In-Person Services, the Contractor shall obtain proof that such the Contractor Personnel have been fully vaccinated by confirming the Contractor Personnel is vaccinated through any of the following documentation: (1) official COVID-19 Vaccination Record Card (issued by the Department of Health and Human Services, CDC or WHO Yellow Card), which includes the name of the person vaccinated, type of vaccine provided, and date of the last dose administered ("Vaccination Record Card"); (2) copy (including a photographic copy) of a Vaccination Record Card; (3) documentation of vaccination from a licensed medical provider; (4) a digital record that includes a quick response ("QR") code that when scanned by a SMART HealthCard reader displays to the reader client name, date of birth, vaccine dates, and vaccine type, and the QR code confirms the vaccine record

CONTRACT NO. 2062

Pico Street Improvement Project (between Kalisher Street and S Brand Blvd.), CDBG Project No. 602080-19 Plans (P-731) and Specifications (Job No. 7610) Page 6 of 7

as an official record of the State of California; or (5) documentation of vaccination from the Contractors who follow the CDPH vaccination records guidelines and standards. The Contractor shall also provide written notice to LACDA before the start of work under this Contract that its Contractor Personnel are in compliance with the requirements of this section. The Contractor shall retain such proof of vaccination for the document retention period set forth in this Contract and must provide such records to the LACDA for audit purposes, when required by LACDA.

- 13.4 The Contractor shall evaluate any medical or sincerely held religious exemption request of its Contractor Personnel, as required by law. If the Contractor has determined that the Contractor Personnel is exempt pursuant to a medical or sincerely held religious reason, the Contractor must also maintain records of the Contractor Personnel's testing results. The Contractor must provide such records to the LACDA for audit purposes, when required by LACDA. The unvaccinated exempt Contractor Personnel must meet the following requirements prior to (1) interacting in person with LACDA workforce members, (2) working on LACDA or County owned or controlled property while performing services under this Contract, and/or (3) coming into contact with the public while performing services under this Contract:
 - A. Test for COVID-19 with either a polymerase chain reaction ("PCR") or antigen test has an Emergency Use Authorization ("EUA") by the FDA or is operating per the Laboratory Developed Test requirements by the U.S. Centers for Medicare and Medicaid Services. Testing must occur at least weekly, or more frequently as required by LACDA or other applicable law, regulation or order.
 - B. Wear a mask that is consistent with CDC recommendations at all times while on LACDA or County controlled or owned property, and while engaging with members of the public and LACDA workforce members.
 - C. Engage in proper physical distancing, as determined by the applicable LACDA department that the Contract is with.
- 13.5 In addition to complying with the requirements of this section, the Contractor shall also comply with all other applicable local, departmental, State, and federal laws, regulations and requirements for COVID-19."

CONTRACT NO. 2062

Pico Street Improvement Project (between Kalisher Street and S Brand Blvd.), CDBG Project No. 602080-19 Plans (P-731) and Specifications (Job No. 7610) Page 7 of 7

IN WITNESS WHEREOF, the said CONTRACTOR and the CITY ADMINISTRATOR and CITY CLERK of the CITY have caused the names of said parties to be affixed hereto, each in triplicate, the day and year first above written.

CITY OF SAN FERNANDO:	HARDY & HARPER, INC.
By: Nick Kimball, City Manager	Ву:
Date:	Name:
ATTEST:	Title:
By: Julia Fritz, City Clerk	Date:
Date:	Ву:
APPROVED AS TO FORM:	Name:
By: Richard Padilla, City Attorney	Title:
Date:	Date:

RESOLUTION NO. 8133

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN FERNANDO, CALIFORNIA, AMENDING THE BUDGET FOR THE FISCAL YEAR 2021-22 ADOPTED ON JUNE 21, 2021

WHEREAS, the City of Council has received and considered the proposed adjustment to the budget for Fiscal Year 2021-22, commencing July 1, 2021, and ending June 30, 2022; 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 Pico Street Improvement Project requires additional funding through Measure R to repave street and remove and replace additional sidewalk, curb and gutter, and drive approaches; and

WHEREAS, an annual budget for the City of San Fernando for the Fiscal Year beginning July 1, 2021 and ending June 30, 2022, a copy of which is on file in the City Clerk's Office, was adopted on June 21, 2021.

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:

MEASURE R FUNDING: PICO STREET IMPROVEMENT PROJECT

Increase in Expenses \$100,000

Account No. 012-311-0182-4600

SECTION 2. The City Clerk shall certify to the adoption of this resolution and shall cause a certified resolution to be filed in the Office of the City Clerk.

PASSED, APPROVED, AND ADOPTED this 4th day of April, 2022.

	Mary Mendoza, Mayor of the City of San Fernando, California
ATTEST:	
	_
Julia Fritz, City Clerk	_

CERTIFICATION

City Clerk of the City of San Fernando, California, do hereby certify that the foregoing is a full, rue, and correct copy of Resolution No. 8133 which was regularly introduced and adopted by he City Council of the City of San Fernando, California, at a regular meeting thereof held on the the day of April, 2022, by the following vote of the City Council:
AYES:
NOES:
ABSENT:
ABSTAINED:
IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the
City of San Fernando, California, this day of April, 2022.
Julia Fritz, City Clerk

NOTICE OF EXEMPTION

TO: County Clerk/Registrar-Recorder

County of Los Angeles Environmental Filings 12400 E. Imperial Hwy Norwalk, CA 90650 **FROM:** Public Works Department

City of San Fernando 117 N. Macneil Street San Fernando, CA 92340

NO FEE REQUIRED (Gov't Code Sec 6103 & 27383) Recorded For The Benefit Of The City Of San Fernando

Project Title and Location (including county):

Pico Street Improvement Project, CDBG Project No. 602080-19, City Project No. 7610 Location: Pico Street, from Brand Boulevard to Kalisher Street.

Project Description:

The project involves the grinding and resurfacing of street pavement, dig-outs, reconstruction of cross gutters, wheelchair ramps, sidewalks, drive approaches, curb and gutters, adjusting to grade of manholes, valves and striping.

Name of Public Agency Approving Project:

City of San Fernando - Public Works Department

Name of Person/Agency Carrying Out Project:

Matthew Baumgardner, P.E., Director of Public Works / City of San Fernando

Exempt Status: (Check one)			
	Ministerial (Sec. 21080 (b) (1); 15268);	
	Declared Emergency (Sec. 21080 (b) (3); 15269(a));		
	Emergency Project (Sec. 21080 (b) (4); 15269(b) (c));		
	Emergency Project (Sec. 21080 (b) (4); 15269(b) (c));		
\boxtimes	Categorical Exemption:	Section: <u>15311</u>	Class: 1(c)

Reasons why project is exempt:

The work falls under the category of repairs and maintenance of existing highways and streets, sidewalks, gutters. Therefore, this project qualifies for a Categorical Exemption Section 15311 Class 1(c) under exemption for repair and maintenance of existing streets and has no significant effects on the environment.

Lead Agency Contact Person and Phone Number:

Statutory Exemption: Section:

Matthew Baumgardner, P.E., Director of Public Works (818) 898-1222; mbaumgardner@sfcity.org

Prepared and filed by the City of San Fernando Public Works Department by:

Matthew Baumgardner	, Director of Public Works
Dulasta d Massa a sad T	141-

Class:

Signature

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Date

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AGENDA REPORT

To: Mayor Mary Mendoza and Councilmembers

From: Nick Kimball, City Manager

Date: April 4, 2022

Subject: A Public Hearing to Consider Adoption of a Resolution Establishing the Allocation

of Community Development Block Grant Funds for Fiscal Year 2022-2023 Including

a Recreation Scholarship Program

RECOMMENDATION:

It is recommended that the City Council:

- a. Conduct a Public Hearing;
- b. Pending public testimony, adopt Resolution No. 8137 (Attachment "A") approving the allocation of Community Development Block Grant (CDBG) Funds for Fiscal Year (FY) 2021-2022 including a Recreation Scholarship Program; and
- c. Authorize the City Manager to submit documentation conveying the City Council's Resolution to the Los Angeles County Community Development Authority for approval.

BACKGROUND:

- 1. The City receives an annual allocation of federal Community Development Block Grant (CDBG) funding from the U.S. Department of Housing and Urban Development (HUD) through its participation in the Los Angeles Urban County CDBG Program administered by the Los Angeles County Development Authority (LACDA). CDBG funds can only be used for eligible Community Development projects meeting national program goals, which include assisting the low and moderate-income residents of the community.
- 2. This will be the 48th year that the federal government has made CDBG funds available to counties and cities across the nation, hence CDBG funding for the upcoming fiscal year (FY 2022-2023) is referred to as "48th year" CDBG grant funds.
- 3. On March 8, 2022, the COVID-19 Relief Program Ad Hoc (Pacheco, Rodriguez) met to discuss the FY 2022-2023 CDBG allocation and developed a consensus recommendation to City Council to authorize \$200,000 from FY 2022-2023 CDBG allocation toward the current Small Business Grant Program and the remaining amount (projected \$25,000) toward a Recreation Scholarship Program for San Fernando residents.

ADMINISTRATION DEPARTMENT (818) 898-1202 REVIEW: ☐ Deputy City Manager □ City Manager A Public Hearing to Consider Adoption of a Resolution Establishing the Allocation of Community Development Block Grant Funds for Fiscal Year 2022-2023 Including a Recreation Scholarship Program Page 2 of 3

- 4. On March 21, 2022, the City Council approved the allocation of \$200,000 of the City's Fiscal Year (FY) 2022-2023 Community Development Block Grant funds toward the Small Business Grant Program through the LACDA Revolving Grant Fund.
- 5. The total amount available in the coming fiscal year, FY 2022-2023, is \$225,000.

ANALYSIS:

The federal CDBG Program supports community development activities to build stronger and more resilient communities. To support community development, activities are identified through an ongoing process. Activities may address needs such as infrastructure, economic development projects, public facilities installation, community centers, housing rehabilitation, public services, clearance/acquisition, microenterprise assistance, code enforcement, homeowner assistance, etc.

Eligible Expenditures.

To be eligible for CDBG funding consideration, the City's proposed project(s) must meet one of the following two national program general objectives:

- 1. Benefit low and moderate income persons; and/or
- 2. Aid in the prevention neighborhood deterioration.

Projects submitted under the low and moderate income objective can be qualified by one of two methods. It can be located and primarily serve residents within the "eligible area-benefit zones" (Per Attachment "B", 3 of the City's 4 Census tracts are considered eligible area-benefit zones), or it can be approved as a "direct benefit" project. A direct benefit project is one directly serving only low and moderate income individuals, whose eligibility is determined by obtaining individual/household income and residency verification.

At least 85% of the yearly CDBG allocation must be used to benefit low and moderate income persons. A maximum of 20% of the current year allocation may be devoted to public service projects or programs. CDBG funding is no longer available to pay for the planning and administration as a separately funded program/activity. However, the City can recover planning and administration costs incurred within the administration and implementation of an approved CDBG funded program/project.

Procedure.

In order to receive federal CDBG funds through LACDA, the City must determine its intended allocations of available CDBG funds for the upcoming fiscal year, provide an opportunity for public input and comment on such proposed uses, and submit an adopted City Council Resolution or approved City Council meeting minutes to LACDA conveying the City's intended allocations. These intended uses are then reviewed by LACDA and approved if they are in conformance with federal CDBG eligibility requirements and LACDA procedures.

A Public Hearing to Consider Adoption of a Resolution Establishing the Allocation of Community Development Block Grant Funds for Fiscal Year 2022-2023 Including a Recreation Scholarship Program Page 3 of 3

The City utilizes the noticed public hearing process to accept public comments and input regarding the CDBG program and the proposed allocation of funds for the upcoming 48th program year. This Public Hearing has been noticed by posting in the City Hall bulletin board (see Attachment "C").

Proposed CDBG Funds Allocations.

On March 21, 2022, City Council approved allocating \$200,000 of the City's FY2022-2023 CDBG funds toward the Small Business Grant Program. The Ad Hoc Committee recommends that the remaining FY 2022-2023 CDBG funds (approximately \$25,000) be allocated toward Recreation Program Scholarship Funding to significantly decrease the cost for San Fernando residents participating in Recreation programming.

Pursuant to City Council direction on March 21, 2022, the following programs are recommended:

Recreation Program Scholarship Fund – Provide scholarships to qualified residents to cover a significant portion of the cost of participating in City run recreation programs, including, but not limited to, summer day camp, youth and adult sports programs, San Fernando 1-mile run, and fitness classes. This is considered a Public Service Project and is, therefore, capped at 20% of the total allocation. The recommended budget allocation is \$25,000.

Small Business Grant Program (ratification) – This program was approved by City Council on March 21, 2022, and provides \$10,000 grants to small businesses impacted by COVID-19 through a program administered by LACDA. The approved CDBG budget allocation is \$200,000.

Adoption of the attached Resolution (Attachment "A") will document the City's process and the City Council's determinations on planned allocations of available CDBG funding for the upcoming 48th CDBG program year.

BUDGET IMPACT:

The City receives an annual CDBG allocation, which is projected to be \$225,000 in FY 2022-2023. CDBG funds must be used to serve low- and moderate-income area of the community and assist with economic recovery. If the proposed allocations are approved by City Council, they will be included in the FY 2022-2023 Adopted Budget.

CONCLUSION:

Staff recommends that City Council adopt Resolution No. 8137 approving the proposed FY 2022-2023 CDBG funded programs and direct staff to submit the necessary documents.

ATTACHMENTS:

- A. Resolution No. 8137
- B. Eligible Area-Benefit Zones Map
- C. Public Notice

RESOLUTION NO. 8137

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN FERNANDO, CALIFORNIA, APPROVING PROJECTS FOR FORTY-EIGHTH PROGRAM YEAR (2022-2023) COMMUNITY DEVELOPMENT BLOCK GRANT FUNDING

WHEREAS, on August 22, 1974, the President of the United States signed into law the Housing and Community Development Act of 1974 (Act); and

WHEREAS, the primary goals of Title I of the Act are the development of viable urban communities by providing decent housing and a suitable living environment, and expanding economic opportunities, principally for persons of low and moderate income; and

WHEREAS, the City of San Fernando has received notification of the estimated availability of \$225,500 in federal Community Development Block Grant (CDBG) funds to further the attainment of these goals during Fiscal Year 2022-2023; and

WHEREAS, project proposals have been requested for the programming of these funds; and

WHEREAS, the City has published information regarding eligible activities under the Act and has duly noticed and conducted a public hearing to solicit comments and suggestions from the community for the utilization of these funds.

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

- **SECTION 1.** That the City of San Fernando desires to fund eligible Community Development Block Grant Projects with 48th Program Year Funds.
- **SECTION 2.** That City staff is hereby directed to submit to Los Angeles County, through this document, the City's intent to approve and fund the listed project.
- **SECTION 3.** That City staff is hereby directed to prepare and submit documentation required for the approval and implementation of approved 48th Program Year Community Development Block Grant Fund projects as may be amended and as may be necessary.
- **SECTION 4.** That the City Manager is directed and authorized to submit the City's final list of proposed updated projects for Fiscal Year 2022-2023 to the County of Los Angeles, reflecting the funding allocations set forth herein, as indicated in Exhibit "A". Should the City's final allocation vary from the allocated figures contained herein, the City Manager is authorized to allocate the variance in an amount not to exceed 20% of the approved project allocations.

<u>SECTION 5.</u> That the City Manager is directed and authorized to execute all documentation required for CDBG program and project implementation for Fiscal Year 2022-2023 as may be necessary.

SECTION 6. The City Clerk shall certify to the adoption of this Resolution and shall cause this Resolution and this certification to be filed in the Office of the City Clerk, and said copy to be submitted to the County of Los Angeles.

PASSED, APPROVED, AND ADOPTED this 4th day of April 2022.

	Mary Mendoza, Mayor of the City of San Fernando, California
ATTEST:	
Julia Fritz, City Clerk	

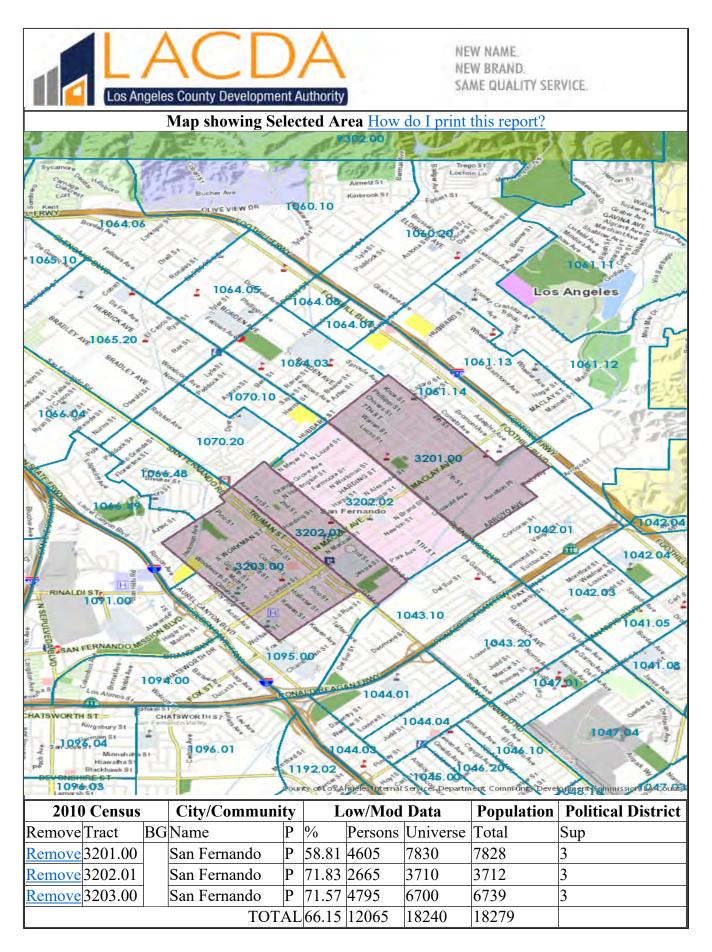
CERTIFICATION

I, City Clerk of the City of San Fernando, California, do hereby certify that the foregoing true, and correct copy of Resolution No. 8137 which was regularly introduced and ado the City Council of the City of San Fernando, California, at a regular meeting thereof held 4 th day of April, 2022, by the following vote of the City Council:	pted by
AYES:	
NAYS:	
ABSENT:	
ABSTAINED:	
IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official sea City of San Fernando, California, this day of April, 2021.	l of the
Julia Fritz, City Clerk	

CITY OF SAN FERNANDO FORTY-EIGHTH PROGRAM YEAR (FY 2022-2023)

COMMUNITY DEVELOPMENT BLOCK GRANT APPROVED PROJECTS- UPDATED

SUBMITTING ORGANIZATION	PROJECT TITLE	FY 2022-2023 CDBG Allocation
CITY OF SAN FERNANDO Recreation and Community Services	Recreation Program Scholarships	\$25,000
CITY OF SAN FERNANDO City Manager's Office	Small Business Grant Program (Revolving Fund)	\$200,000
TOTAL		\$225,000



ATTACHMENT "C"

CITY COUNCIL

Mayor Mary Mendoza

VICE MAYOR HECTOR A. PACHECO

COUNCILMEMBER SYLVIA BALLIN

COUNCILMEMBER
CINDY MONTAÑEZ

COUNCILMEMBER
CELESTE T. RODRIGUEZ

NOTICE OF PUBLIC HEARING

BY THE CITY COUNCIL OF THE CITY OF SAN FERNADO TO CONSIDER A FISCAL YEAR 2022-2023 COMMUNITY DEVELOPMENT BLOCK GRANT PROJECT TO FUND THE CREATION OF A RECREATION SCHOLARSHIP PROGRAM FOR SAN FERNANDO RESIDENTS

NOTICE IS HEREBY GIVEN that the City Council of the City of San Fernando will conduct a Public Hearing to consider the use of Fiscal Year 2022-2023 Community Development Block Grant (CDBG) funds on April 4, 2022 for the purpose of creating a Recreation Scholarship Program to be funded in the amount of \$25,000.

Project	Budget
Recreation Scholarship Program	\$25,000

Copies of the staff report will be available for public review after 12:00 noon on Friday, April 1, 2022 on the City's website https://ci.san-fernando.ca.us/ and at the City Clerk's Office, 117 Macneil Street, San Fernando, CA 91340. Questions may be referred to Julian Venegas, Director of Recreation and Community Services at jvenegas@sfcity.org.

The meeting will be held in the City Council Chamber, 117 Macneil Street, San Fernando, California 91340 on April 4, 2022 at 6:00 p.m. or as soon thereafter as the matter may be heard. At that time any interested person is welcome to attend and be heard on this matter.

Dated this 17th day of March 2022 City of San Fernando, California

Julia Fritz, CMC City Clerk

PUBLIC WORKS DEPARTMENT

117 Macneil Street San Fernando California 91340

(818) 898-1222

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AGENDA REPORT

To: Mayor Mendoza and Councilmembers

From: Nick Kimball, City Manager

April 4, 2022 Date:

Subject: Update and Discussion from the COVID Relief Program Ad Hoc Committee Related

to American Rescue Plan Act Funding

RECOMMENDATION:

It is recommended that the City Council:

- a. Receive an update from the COVID Relief Program Ad Hoc related to the City's American Rescue Plan Act (ARPA) funds;
- b. Provide input regarding Councilmember priorities for use of ARPA funds; and
- c. Provide direction to staff, as appropriate.

BACKGROUND:

- 1. On March 12, 2021, President Biden signed the American Rescue Plan Act (ARPA) into law. ARPA provides, among other items, payments to individuals of up to \$1,400 per person, extended unemployment benefits, and \$350 billion in fiscal stimulus funding paid directly to state and local governments.
- 2. Through the fiscal stimulus payments, the City of San Fernando will receive a total of \$5,818,340 in ARPA funds, which can be used to address impacts from the COVID-19 pandemic.
- 3. On April 19, 2021, the City Council approved renaming the CDBG Ad Hoc Committee to the COVID Relief Program Ad Hoc and amended the scope of the Ad Hoc to include developing recommendations for appropriating ARPA funds.
- 4. On July 13, 2021, the City received its first distribution of ARPA funds in the amount of \$2,909,170. The second distribution is expected on or about July 13, 2022. These funds must be spent within three (3) years; on or before July 2024.

117 MACNEIL STREET, SAN FERNANDO, CA 91340

CITY COUNCIL

(818) 898-1201

Page 2 of 5

- 5. On September 7, 2021, City Council accepted ARPA funds, appropriated \$250,000 to fund COVID-19 response expenditures, and directed staff to move forward with engaging a professional services firm to assist with administration of the ARPA funds.
- 6. On October 4, 2021, City Council approved an Agreement with Hinderliter, de Llamas and Associates (HdL) to provide COVID-19 Relief and Economic Recovery Program Administration Services related to the City's ARPA funds.
- 7. The COVID Relief Program Ad Hoc has been meeting regularly since October to discuss an allocation strategy for ARPA funds, among other things.

ANALYSIS:

The Coronavirus State and Local Fiscal Recovery Funds (SLFRF) were approved as part of the American Rescue Plan Act to provide \$350 billion to state, local, and Tribal governments across the United States to support the response to, and recovery from, the COVID-19 public health emergency. The program aims to provide governments with the resources needed to:

- Fight the pandemic and support families and businesses struggling with its public health and economic impacts,
- Maintain vital public services, even amid declines in revenue, and
- Build a strong, resilient, and equitable recovery by making investments that support longterm growth and opportunity.

In late January 2022, the U.S. Department of the Treasury issued the ARPA program Final Rule, including eligible uses, restricted uses, reporting requirements, and other program administration guidelines (Attachment "A"). The final rules are meant to deliver broader flexibility and greater simplicity in the program. Among other clarifications and changes, the Final Rule provides the features below. The Final Rule takes effect on April 1, 2022.

Replacing Lost Public Sector Revenue

The Final Rule offers a standard allowance for revenue loss of \$10 million, allowing recipients to select between a standard amount of revenue loss or complete a full revenue loss calculation. Recipients that select the standard allowance may use that amount – in many cases their full award – for government services, with streamlined reporting requirements. Since San Fernando's total allocation of \$5.8 million is less than the \$10 million standard revenue loss allowance, the City may elect to take the full amount as "Revenue Loss" to allow the greatest flexibility to expend the funds.

<u>Public Health and Economic Impacts</u>

In addition to programs and services, the Final Rule clarifies that recipients can use funds for capital expenditures that support an eligible COVID-19 public health or economic response.

Update and Discussion from the COVID Relief Program Ad Hoc Committee Related to American Rescue Plan Act Funding

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For example, recipients may build certain affordable housing, childcare facilities, schools, hospitals, and other projects consistent with final rule requirements.

The Final Rule also provides an expanded set of households and communities that are presumed to be "impacted" and "disproportionately impacted" by the pandemic, thereby allowing recipients to provide responses to a broad set of households and entities without requiring additional analysis. Further, the Final Rule provides a broader set of uses available for these communities as part of COVID-19 public health and economic response, including making affordable housing, childcare, early learning, and services to address learning loss during the pandemic eligible in all impacted communities and making certain community development and neighborhood revitalization activities eligible for disproportionately impacted communities.

Lastly, the Final Rule allows for a broader set of uses to restore and support government employment, including hiring above a recipient's pre-pandemic baseline, providing funds to employees that experienced pay cuts or furloughs, avoiding layoffs, and providing retention incentives.

Premium Pay

The Final Rule delivers more streamlined options to provide premium pay, by broadening the share of eligible workers who can receive premium pay without a written justification while maintaining a focus on lower-income and frontline workers performing essential work.

Water, Sewer & Broadband Infrastructure

The Final Rule significantly broadens eligible broadband infrastructure investments to address challenges with broadband access, affordability, and reliability, and adds additional eligible water and sewer infrastructure investments, including a broader range of lead remediation, and storm water management projects.

The full Final Rule is included at Attachment "A."

COVID Relief Program Ad Hoc

The Ad Hoc Committee has been working with staff and HdL to discuss evaluation criteria for potential programs and projects to put forward as part of an ARPA expenditure plan. However, there was a fair amount of uncertainty related to the types of programs and projects that would be eligible while the Department of the Treasury was developing the Final Rule. With the release of the Final Rule for ARPA funding eligibility, the Ad Hoc Committee is requesting feedback from City Council regarding evaluation criteria and priorities for programs/projects to include as part of an ARPA expenditure plan.

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Program/Project Evaluation Criteria

Staff discussed a number of possible evaluation criteria with the Ad Hoc Committee, which are presented below. The evaluation criteria's are meant to assign a priority based on the extent to which the proposed program/project addresses:

- a. The economic recovery goals of ARPA, including, but not limited to, supporting families and businesses struggling with COVID-19 public health and economic impacts. Existing programs/projects, or programs/projects with a lower administrative burden will have a shorter implementation timeline.
- b. The infrastructure goals of ARPA, including investing in water, sewer, and broadband infrastructure.
- c. City Council priorities as identified at the 2022 Strategic Planning Study Session and/or City Council Strategic Goals 2022-2027.
- d. A program or project that received community support through the Community Survey or Business Survey.
- e. A program or project that has a low probability of receiving funding through other sources (e.g. other grants).
- f. A funding gap for a current City program or project.

This list of evaluation criteria is not exhaustive and meant to be a guide when evaluating potential programs and projects to include in the ARPA expenditure plan.

Revenue Loss Election

Additionally, the Ad Hoc is seeking direction regarding the Revenue Loss standard allowance. The Ad Hoc Committee recommends that the City take the full ARPA allocation (\$5,818,340) as Revenue Loss under the standard allowance provision, which will provide the City with the most flexibility to spend the funds. Funds accepted as "Revenue Loss" are available to spend on government services, which generally include any service traditionally provided by a government, including construction of roads and other infrastructure, provision of public safety and other services, and health and educational services. Funds spent under government services are subject to streamlined reporting and compliance requirements.

The following uses are restricted and may not be spent as government services:

- Funds may not be used to make a deposit to a pension fund.
- Funds may not be used to pay debt service on loans or replenish financial reserves.
- Funds may not be used to pay litigation settlements or judgments.

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BUDGET IMPACT:

There is no impact to the budget by discussing this item. The City will receive a total of \$5,818,340 in ARPA funds, which can be used to address economic impacts from the COVID-19 pandemic.

CONCLUSION:

It is recommended that the City Council receive an update from the COVID Relief Program Ad Hoc related to the City's ARPA funds and provide input regarding Councilmember priorities for use of ARPA funds.

ATTACHMENTS:



Coronavirus State & Local Fiscal Recovery Funds: Overview of the Final Rule

U.S. DEPARTMENT OF THE TREASURY



The Overview of the Final Rule provides a summary of major provisions of the final rule for informational purposes and is intended as a brief, simplified user guide to the final rule provisions.

The descriptions provided in this document summarize key provisions of the final rule but are non-exhaustive, do not describe all terms and conditions associated with the use of SLFRF, and do not describe all requirements that may apply to this funding. Any SLFRF funds received are also subject to the terms and conditions of the agreement entered into by Treasury and the respective jurisdiction, which incorporate the provisions of the final rule and the guidance that implements this program.



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Introduction

The Coronavirus State and Local Fiscal Recovery Funds (SLFRF), a part of the American Rescue Plan, delivers \$350 billion to state, local, and Tribal governments across the country to support their response to and recovery from the COVID-19 public health emergency. The program ensures that governments have the resources needed to:

- Fight the pandemic and support families and businesses struggling with its public health and economic impacts,
- Maintain vital public services, even amid declines in revenue, and
- Build a strong, resilient, and equitable recovery by making investments that support long-term growth and opportunity.

EARLY PROGRAM IMPLEMENTATION

In May 2021, Treasury published the Interim final rule (IFR) describing eligible and ineligible uses of funds (as well as other program provisions), sought feedback from the public on these program rules, and began to distribute funds. The IFR went immediately into effect in May, and since then, governments have used SLFRF funds to meet their immediate pandemic response needs and begin building a strong and equitable recovery, such as through providing vaccine incentives, development of affordable housing, and construction of infrastructure to deliver safe and reliable water.

As governments began to deploy this funding in their communities, Treasury carefully considered the feedback provided through its public comment process and other forums. Treasury received over 1,500 comments, participated in hundreds of meetings, and received correspondence from a wide range of governments and other stakeholders.

KEY CHANGES AND CLARIFICATIONS IN THE FINAL RULE

The final rule delivers broader flexibility and greater simplicity in the program, responsive to feedback in the comment process. Among other clarifications and changes, the final rule provides the features below.

Replacing Lost Public Sector Revenue

The final rule offers a standard allowance for revenue loss of \$10 million, allowing recipients to select between a standard amount of revenue loss or complete a full revenue loss calculation. Recipients that select the standard allowance may use that amount – in many cases their full award – for government services, with streamlined reporting requirements.

Public Health and Economic Impacts

In addition to programs and services, the final rule clarifies that recipients can use funds for capital expenditures that support an eligible COVID-19 public health or economic response. For example, recipients may build certain affordable housing, childcare facilities, schools, hospitals, and other projects consistent with final rule requirements.



In addition, the final rule provides an expanded set of households and communities that are presumed to be "impacted" and "disproportionately impacted" by the pandemic, thereby allowing recipients to provide responses to a broad set of households and entities without requiring additional analysis. Further, the final rule provides a broader set of uses available for these communities as part of COVID-19 public health and economic response, including making affordable housing, childcare, early learning, and services to address learning loss during the pandemic eligible in all impacted communities and making certain community development and neighborhood revitalization activities eligible for disproportionately impacted communities.

Further, the final rule allows for a broader set of uses to restore and support government employment, including hiring above a recipient's pre-pandemic baseline, providing funds to employees that experienced pay cuts or furloughs, avoiding layoffs, and providing retention incentives.

Premium Pay

The final rule delivers more streamlined options to provide premium pay, by broadening the share of eligible workers who can receive premium pay without a written justification while maintaining a focus on lower-income and frontline workers performing essential work.

Water, Sewer & Broadband Infrastructure

The final rule significantly broadens eligible broadband infrastructure investments to address challenges with broadband access, affordability, and reliability, and adds additional eligible water and sewer infrastructure investments, including a broader range of lead remediation and stormwater management projects.

FINAL RULE EFFECTIVE DATE

The final rule takes effect on April 1, 2022. Until that time, the interim final rule remains in effect; funds used consistently with the IFR while it is in effect are in compliance with the SLFRF program.

However, recipients can choose to take advantage of the final rule's flexibilities and simplifications now, even ahead of the effective date. Treasury will not take action to enforce the interim final rule to the extent that a use of funds is consistent with the terms of the final rule, regardless of when the SLFRF funds were used. Recipients may consult the *Statement Regarding Compliance with the Coronavirus State and Local Fiscal Recovery Funds Interim Final Rule and Final Rule*, which can be found on Treasury's website, for more information on compliance with the interim final rule and the final rule.



Overview of the Program

The Coronavirus State and Local Fiscal Recovery Funds (SLFRF) program provides substantial flexibility for each jurisdiction to meet local needs within the four separate eligible use categories. This Overview of the Final Rule addresses the four eligible use categories ordered from the broadest and most flexible to the most specific.

Recipients may use SLFRF funds to:

- **Replace lost public sector revenue**, using this funding to provide government services up to the amount of revenue loss due to the pandemic.
 - Recipients may determine their revenue loss by choosing between two options:
 - A standard allowance of up to \$10 million in aggregate, not to exceed their award amount, during the program;
 - Calculating their jurisdiction's specific revenue loss each year using Treasury's formula, which compares actual revenue to a counterfactual trend.
 - Recipients may use funds up to the amount of revenue loss for government services; generally, services traditionally provided by recipient governments are government services, unless Treasury has stated otherwise.
- Support the COVID-19 public health and economic response by addressing COVID-19 and its impact on public health as well as addressing economic harms to households, small businesses, nonprofits, impacted industries, and the public sector.
 - Recipients can use funds for programs, services, or capital expenditures that respond to the public health and negative economic impacts of the pandemic.
 - To provide simple and clear eligible uses of funds, Treasury provides a list of
 enumerated uses that recipients can provide to households, populations, or classes (i.e.,
 groups) that experienced pandemic impacts.
 - Public health eligible uses include COVID-19 mitigation and prevention, medical expenses, behavioral healthcare, and preventing and responding to violence.
 - Eligible uses to respond to negative economic impacts are organized by the type of beneficiary: assistance to households, small businesses, and nonprofits.
 - Each category includes assistance for "impacted" and "disproportionately impacted" classes: impacted classes experienced the general, broad-based impacts of the pandemic, while disproportionately impacted classes faced meaningfully more severe impacts, often due to preexisting disparities.
 - To simplify administration, the final rule presumes that some populations and groups were impacted or disproportionately impacted and are eligible for responsive services.

Coronavirus State & Local Fiscal Recovery Funds: Overview of the Final Rule

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- Eligible uses for assistance to impacted households include aid for reemployment, job training, food, rent, mortgages, utilities, affordable housing development, childcare, early education, addressing learning loss, and many more uses.
- Eligible uses for assistance to impacted small businesses or nonprofits include loans or grants to mitigate financial hardship, technical assistance for small businesses, and many more uses.
- Recipients can also provide assistance to impacted industries like travel, tourism, and hospitality that faced substantial pandemic impacts, or address impacts to the public sector, for example by re-hiring public sector workers cut during the crisis.
- Recipients providing funds for enumerated uses to populations and groups that
 Treasury has presumed eligible are clearly operating consistently with the final rule.
 Recipients can also identify (1) other populations or groups, beyond those presumed
 eligible, that experienced pandemic impacts or disproportionate impacts and (2) other
 programs, services, or capital expenditures, beyond those enumerated, to respond to
 those impacts.
- Provide premium pay for eligible workers performing essential work, offering additional support to those who have and will bear the greatest health risks because of their service in critical sectors.
 - Recipients may provide premium pay to eligible workers generally those working inperson in key economic sectors – who are below a wage threshold or non-exempt from the Fair Labor Standards Act overtime provisions, or if the recipient submits justification that the premium pay is responsive to workers performing essential work.
- Invest in water, sewer, and broadband infrastructure, making necessary investments to improve access to clean drinking water, to support vital wastewater and stormwater infrastructure, and to expand affordable access to broadband internet.
 - Recipients may fund a broad range of water and sewer projects, including those eligible
 under the EPA's Clean Water State Revolving Fund, EPA's Drinking Water State
 Revolving Fund, and certain additional projects, including a wide set of lead
 remediation, stormwater infrastructure, and aid for private wells and septic units.
 - Recipients may fund high-speed broadband infrastructure in areas of need that the
 recipient identifies, such as areas without access to adequate speeds, affordable
 options, or where connections are inconsistent or unreliable; completed projects must
 participate in a low-income subsidy program.

While recipients have considerable flexibility to use funds to address the diverse needs of their communities, some restrictions on use apply across all eligible use categories. These include:

• **For states and territories:** No offsets of a reduction in net tax revenue resulting from a change in state or territory law.



- For all recipients except for Tribal governments: No extraordinary contributions to a pension fund for the purpose of reducing an accrued, unfunded liability.
- For all recipients: No payments for debt service and replenishments of rainy day funds; no satisfaction of settlements and judgments; no uses that contravene or violate the American Rescue Plan Act, Uniform Guidance conflicts of interest requirements, and other federal, state, and local laws and regulations.

Under the SLFRF program, funds must be used for costs incurred on or after March 3, 2021. Further, funds must be obligated by December 31, 2024, and expended by December 31, 2026. This time period, during which recipients can expend SLFRF funds, is the "period of performance."

In addition to SLFRF, the American Rescue Plan includes other sources of funding for state and local governments, including the <u>Coronavirus Capital Projects Fund</u> to fund critical capital investments including broadband infrastructure; the <u>Homeowner Assistance Fund</u> to provide relief for our country's most vulnerable homeowners; the <u>Emergency Rental Assistance Program</u> to assist households that are unable to pay rent or utilities; and the <u>State Small Business Credit Initiative</u> to fund small business credit expansion initiatives. Eligible recipients are encouraged to visit the Treasury website for more information.



Replacing Lost Public Sector Revenue

The Coronavirus State and Local Fiscal Recovery Funds provide needed fiscal relief for recipients that have experienced revenue loss due to the onset of the COVID-19 public health emergency. Specifically, SLFRF funding may be used to pay for "government services" in an amount equal to the revenue loss experienced by the recipient due to the COVID-19 public health emergency.

Government services generally include any service traditionally provided by a government, including construction of roads and other infrastructure, provision of public safety and other services, and health and educational services. Funds spent under government services are subject to streamlined reporting and compliance requirements.

In order to use funds under government services, recipients should first determine revenue loss. They may, then, spend up to that amount on general government services.

DETERMINING REVENUE LOSS

Recipients have two options for how to determine their amount of revenue loss. Recipients must choose one of the two options and cannot switch between these approaches after an election is made.

1. Recipients may elect a "standard allowance" of \$10 million to spend on government services through the period of performance.

Under this option, which is newly offered in the final rule Treasury presumes that up to \$10 million in revenue has been lost due to the public health emergency and recipients are permitted to use that amount (not to exceed the award amount) to fund "government services." The standard allowance provides an estimate of revenue loss that is based on an extensive analysis of average revenue loss across states and localities, and offers a simple, convenient way to determine revenue loss, particularly for SLFRF's smallest recipients.

All recipients may elect to use this standard allowance instead of calculating lost revenue using the formula below, including those with total allocations of \$10 million or less. Electing the standard allowance does not increase or decrease a recipient's total allocation.

2. Recipients may calculate their actual revenue loss according to the formula articulated in the final rule.

Under this option, recipients calculate revenue loss at four distinct points in time, either at the end of each calendar year (e.g., December 31 for years 2020, 2021, 2022, and 2023) or the end of each fiscal year of the recipient. Under the flexibility provided in the final rule, recipients can choose whether to use calendar or fiscal year dates but must be consistent throughout the period of performance. Treasury has also provided several adjustments to the definition of general revenue in the final rule.

To calculate revenue loss at each of these dates, recipients must follow a four-step process:



- a. Calculate revenues collected in the most recent full fiscal year prior to the public health emergency (i.e., last full fiscal year before January 27, 2020), called the *base year revenue*.
- b. Estimate *counterfactual revenue*, which is equal to the following formula, where *n* is the number of months elapsed since the end of the base year to the calculation date:

base year revenue
$$\times (1 + growth \ adjustment)^{\frac{n}{12}}$$

The *growth adjustment* is the greater of either a standard growth rate—5.2 percent—or the recipient's average annual revenue growth in the last full three fiscal years prior to the COVID-19 public health emergency.

c. Identify *actual revenue*, which equals revenues collected over the twelve months immediately preceding the calculation date.

Under the final rule, recipients must adjust actual revenue totals for the effect of tax cuts and tax increases that are adopted after the date of adoption of the final rule (January 6, 2022). Specifically, the estimated fiscal impact of tax cuts and tax increases adopted after January 6, 2022, must be added or subtracted to the calculation of actual revenue for purposes of calculation dates that occur on or after April 1, 2022.

Recipients may subtract from their calculation of actual revenue the effect of tax increases enacted prior to the adoption of the final rule. Note that recipients that elect to remove the effect of tax increases enacted before the adoption of the final rule must also remove the effect of tax decreases enacted before the adoption of the final rule, such that they are accurately removing the effect of tax policy changes on revenue.

d. Revenue loss for the calculation date is equal to *counterfactual revenue* minus *actual revenue* (adjusted for tax changes) for the twelve-month period. If actual revenue exceeds counterfactual revenue, the loss is set to zero for that twelve-month period. Revenue loss for the period of performance is the sum of the revenue loss on for each calculation date.

The supplementary information in the final rule provides an example of this calculation, which recipients may find helpful, in the Revenue Loss section.



SPENDING ON GOVERNMENT SERVICES

Recipients can use SLFRF funds on government services up to the revenue loss amount, whether that be the standard allowance amount or the amount calculated using the above approach. **Government services generally include** *any service* **traditionally provided by a government**, unless Treasury has stated otherwise. Here are some common examples, although this list is not exhaustive:

- ✓ Construction of schools and hospitals
- Road building and maintenance, and other infrastructure
- ✓ Health services
- General government administration, staff, and administrative facilities
- ✓ Environmental remediation
- Provision of police, fire, and other public safety services (including purchase of fire trucks and police vehicles)

Government services is the most flexible eligible use category under the SLFRF program, and funds are subject to streamlined reporting and compliance requirements. Recipients should be mindful that certain restrictions, which are detailed further in the Restrictions on Use section and apply to all uses of funds, apply to government services as well.



Responding to Public Health and Economic Impacts of COVID-19

The Coronavirus State and Local Fiscal Recovery Funds provide resources for governments to meet the public health and economic needs of those impacted by the pandemic in their communities, as well as address longstanding health and economic disparities, which amplified the impact of the pandemic in disproportionately impacted communities, resulting in more severe pandemic impacts.

The eligible use category to respond to public health and negative economic impacts is organized around the types of assistance a recipient may provide and includes several sub-categories:

- public health,
- assistance to households,
- assistance to small businesses,
- assistance to nonprofits,
- aid to impacted industries, and
- public sector capacity.

In general, to identify eligible uses of funds in this category, recipients should (1) identify a COVID-19 public health or economic impact on an individual or class (i.e., a group) and (2) design a program that responds to that impact. Responses should be related and reasonably proportional to the harm identified and reasonably designed to benefit those impacted.

To provide simple, clear eligible uses of funds that meet this standard, Treasury provides a non-exhaustive list of enumerated uses that respond to pandemic impacts. Treasury also presumes that some populations experienced pandemic impacts and are eligible for responsive services. In other words, recipients providing enumerated uses of funds to populations presumed eligible are clearly operating consistently with the final rule.¹

Recipients also have broad flexibility to (1) identify and respond to other pandemic impacts and (2) serve other populations that experienced pandemic impacts, beyond the enumerated uses and presumed eligible populations. Recipients can also identify groups or "classes" of beneficiaries that experienced pandemic impacts and provide services to those classes.

¹ However, please note that use of funds for enumerated uses may not be grossly disproportionate to the harm. Further, recipients should consult the Capital Expenditures section for more information about pursuing a capital expenditure; please note that enumerated capital expenditures are not presumed to be reasonably proportional responses to an identified harm except as provided in the Capital Expenditures section.



Step	1. Identify COVID-19 public health or economic impact	2. Design a response that addresses or responds to the impact
Analysis	 Can identify impact to a specific household, business or nonprofit or to a class of households, businesses, or nonprofits (i.e., group) Can also identify disproportionate impacts, or more severe impacts, to a specific beneficiary or to a class 	 Types of responses can include a program, service, or capital expenditure Response should be related and reasonably proportional to the harm Response should also be reasonably designed to benefit impacted individual or class
Simplifying Presumptions	Final Rule presumes certain populations and classes are impacted and disproportionately impacted	Final Rule provides non-exhaustive list of enumerated eligible uses that respond to pandemic impacts and disproportionate impacts

To assess eligibility of uses of funds, recipients should first determine the sub-category where their use of funds may fit (e.g., public health, assistance to households, assistance to small businesses), based on the entity that experienced the health or economic impact.² Then, recipients should refer to the relevant section for more details on each sub-category.

While the same overall eligibility standard applies to all uses of funds to respond to the public health and negative economic impacts of the pandemic, each sub-category has specific nuances on its application. In addition:

- Recipients interested in using funds for capital expenditures (i.e., investments in property, facilities, or equipment) should review the Capital Expenditures section in addition to the eligible use sub-category.
- Recipients interested in other uses of funds, beyond the enumerated uses, should refer to the section on "Framework for Eligible Uses Beyond Those Enumerated."

² For example, a recipient interested in providing aid to unemployed individuals is addressing a negative economic impact experienced by a household and should refer to the section on assistance to households. Recipients should also be aware of the difference between "beneficiaries" and "sub-recipients." Beneficiaries are households, small businesses, or nonprofits that can receive assistance based on impacts of the pandemic that they experienced. On the other hand, sub-recipients are organizations that carry out eligible uses on behalf of a government, often through grants or contracts. Sub-recipients do not need to have experienced a negative economic impact of the pandemic; rather, they are providing services to beneficiaries that experienced an impact.



RESPONDING TO THE PUBLIC HEALTH EMERGENCY

While the country has made tremendous progress in the fight against COVID-19, including a historic vaccination campaign, the disease still poses a grave threat to Americans' health and the economy. Providing state, local, and Tribal governments the resources needed to fight the COVID-19 pandemic is a core goal of the Coronavirus State and Local Fiscal Recovery Funds, as well as addressing the other ways that the pandemic has impacted public health. Treasury has identified several public health impacts of the pandemic and enumerated uses of funds to respond to impacted populations.

- **COVID-19 mitigation and prevention.** The pandemic has broadly impacted Americans and recipients can provide services to prevent and mitigate COVID-19 to the general public or to small businesses, nonprofits, and impacted industries in general. Enumerated eligible uses include:
 - √ Vaccination programs, including vaccine incentives and vaccine sites
 - Testing programs, equipment and sites
 - Monitoring, contact tracing & public health surveillance (e.g., monitoring for variants)
 - ✓ Public communication efforts
 - ✓ Public health data systems
 - COVID-19 prevention and treatment equipment, such as ventilators and ambulances
 - ✓ Medical and PPE/protective supplies
 - ✓ Support for isolation or quarantine
 - Ventilation system installation and improvement
 - Technical assistance on mitigation of COVID-19 threats to public health and safety
 - Transportation to reach vaccination or testing sites, or other prevention and mitigation services for vulnerable populations

- Support for prevention, mitigation, or other services in congregate living facilities, public facilities, and schools
- Support for prevention and mitigation strategies in small businesses, nonprofits, and impacted industries
- Medical facilities generally dedicated to COVID-19 treatment and mitigation (e.g., ICUs, emergency rooms)
- Temporary medical facilities and other measures to increase COVID-19 treatment capacity
- Emergency operations centers & emergency response equipment (e.g., emergency response radio systems)
- ✓ Public telemedicine capabilities for COVID-19 related treatment



- **Medical expenses.** Funds may be used for expenses to households, medical providers, or others that incurred medical costs due to the pandemic, including:
 - Unreimbursed expenses for medical care for COVID-19 testing or treatment, such as uncompensated care costs for medical providers or out-of-pocket costs for individuals
 - Paid family and medical leave for public employees to enable compliance with COVID-19 public health precautions
- ✓ Emergency medical response expenses
- ✓ Treatment of long-term symptoms or effects of COVID-19

- Behavioral health care, such as mental health treatment, substance use treatment, and other behavioral health services. Treasury recognizes that the pandemic has broadly impacted Americans' behavioral health and recipients can provide these services to the general public to respond.
 Enumerated eligible uses include:
 - Prevention, outpatient treatment, inpatient treatment, crisis care, diversion programs, outreach to individuals not yet engaged in treatment, harm reduction & long-term recovery support
 - Enhanced behavioral health services in schools
 - Services for pregnant women or infants born with neonatal abstinence syndrome
- Support for equitable access to reduce disparities in access to high-quality treatment
- Peer support groups, costs for residence in supportive housing or recovery housing, and the 988 National Suicide Prevention Lifeline or other hotline services
- Expansion of access to evidence-based services for opioid use disorder prevention, treatment, harm reduction, and recovery
- Behavioral health facilities & equipment
- Preventing and responding to violence. Recognizing that violence and especially gun violence –
 has increased in some communities due to the pandemic, recipients may use funds to respond in
 these communities through:
 - Referrals to trauma recovery services for victims of crime
 - Community violence intervention programs, including:
 - Evidence-based practices like focused deterrence, with wraparound services such as behavioral therapy, trauma recovery, job training, education, housing and relocation services, and financial assistance
- ✓ In communities experiencing increased gun violence due to the pandemic:
 - Law enforcement officers focused on advancing community policing
 - Enforcement efforts to reduce gun violence, including prosecution
 - Technology & equipment to support law enforcement response



RESPONDING TO NEGATIVE ECONOMIC IMPACTS

The pandemic caused severe economic damage and, while the economy is on track to a strong recovery, much work remains to continue building a robust, resilient, and equitable economy in the wake of the crisis and to ensure that the benefits of this recovery reach all Americans. While the pandemic impacted millions of American households and businesses, some of its most severe impacts fell on low-income and underserved communities, where pre-existing disparities amplified the impact of the pandemic and where the most work remains to reach a full recovery.

The final rule recognizes that the pandemic caused broad-based impacts that affected many communities, households, and small businesses across the country; for example, many workers faced unemployment and many small businesses saw declines in revenue. The final rule describes these as "impacted" households, communities, small businesses, and nonprofits.

At the same time, the pandemic caused disproportionate impacts, or more severe impacts, in certain communities. For example, low-income and underserved communities have faced more severe health and economic outcomes like higher rates of COVID-19 mortality and unemployment, often because pre-existing disparities exacerbated the impact of the pandemic. The final rule describes these as "disproportionately impacted" households, communities, small businesses, and nonprofits.

To simplify administration of the program, the final rule presumes that certain populations were "impacted" and "disproportionately impacted" by the pandemic; these populations are presumed to be eligible for services that respond to the impact they experienced. The final rule also enumerates a non-exhaustive list of eligible uses that are recognized as responsive to the impacts or disproportionate impacts of COVID-19. Recipients providing enumerated uses to populations presumed eligible are clearly operating consistently with the final rule.

As discussed further in the section Framework for Eligible Uses Beyond Those Enumerated, recipients can also identify other pandemic impacts, impacted or disproportionately impacted populations or classes, and responses.



Assistance to Households

Impacted Households and Communities

Treasury presumes the following households and communities are impacted by the pandemic:

- Low- or-moderate income households or communities
- Households that experienced unemployment
- Households that experienced increased food or housing insecurity
- Households that qualify for the Children's Health Insurance Program, Childcare Subsidies through the Child Care Development Fund (CCDF) Program, or Medicaid
- ✓ When providing affordable housing programs: households that qualify for the National Housing Trust Fund and Home Investment Partnerships Program
- ✓ When providing services to address lost instructional time in K-12 schools: any student that lost access to in-person instruction for a significant period of time

Low- or moderate-income households and communities are those with (i) income at or below 300 percent of the Federal Poverty Guidelines for the size of the household based on the most recently published poverty guidelines or (ii) income at or below 65 percent of the area median income for the county and size of household based on the most recently published data. For the vast majority of communities, the Federal Poverty Guidelines are higher than the area's median income and using the Federal Poverty Guidelines would result in more households and communities being presumed eligible. Treasury has provided an easy-to-use spreadsheet with Federal Poverty Guidelines and area median income levels on its website.

Recipients can measure income for a specific household or the median income for the community, depending on whether the response they plan to provide serves specific households or the general community. The income thresholds vary by household size; recipients should generally use income thresholds for the appropriate household size but can use a default household size of three when easier for administration or when measuring income for a general community.

The income limit for 300 percent of the Federal Poverty Guidelines for a household of three is \$65,880 per year.³ In other words, recipients can always presume that a household earning below this level, or a community with median income below this level, is impacted by the pandemic and eligible for services to respond. Additionally, by following the steps detailed in the section Framework for Eligible Uses Beyond Those Enumerated, recipients may designate additional households as impacted or disproportionately impacted beyond these presumptions, and may also pursue projects not listed below in response to these impacts consistent with Treasury's standards.

³ For recipients in Alaska, the income limit for 300 percent of the Federal Poverty Guidelines for a household of three is \$82,350 per year. For recipients in Hawaii, the income limit for 300 percent of the Federal Poverty Guidelines for a household of three is \$75,780 per year.



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Treasury recognizes the enumerated projects below, which have been expanded under the final rule, as eligible to respond to impacts of the pandemic on households and communities:

- ✓ Food assistance & food banks
- Emergency housing assistance: rental assistance, mortgage assistance, utility assistance, assistance paying delinquent property taxes, counseling and legal aid to prevent eviction and homelessness & emergency programs or services for homeless individuals, including temporary residences for people experiencing homelessness
- ✓ Health insurance coverage expansion
- Benefits for surviving family members of individuals who have died from COVID-19
- Assistance to individuals who want and are available for work, including job training, public jobs programs and fairs, support for childcare and transportation to and from a jobsite or interview, incentives for newly-employed workers, subsidized employment, grants to hire underserved workers, assistance to unemployed individuals to start small businesses & development of job and workforce training centers
- Financial services for the unbanked and underbanked

- ✓ Burials, home repair & home weatherization
- Programs, devices & equipment for internet access and digital literacy, including subsidies for costs of access
- Cash assistance
- ✓ Paid sick, medical, and family leave programs
- Assistance in accessing and applying for public benefits or services
- Childcare and early learning services, home visiting programs, services for child welfareinvolved families and foster youth & childcare facilities
- Assistance to address the impact of learning loss for K-12 students (e.g., high-quality tutoring, differentiated instruction)
- Programs or services to support long-term housing security: including development of affordable housing and permanent supportive housing
- Certain contributions to an Unemployment Insurance Trust Fund⁴

⁴ Recipients may only use SLFRF funds for contributions to unemployment insurance trust funds and repayment of the principal amount due on advances received under Title XII of the Social Security Act up to an amount equal to (i) the difference between the balance in the recipient's unemployment insurance trust fund as of January 27, 2020 and the balance of such account as of May 17, 2021, plus (ii) the principal amount outstanding as of May 17, 2021 on any advances received under Title XII of the Social Security Act between January 27, 2020 and May 17, 2021. Further, recipients may use SLFRF funds for the payment of any interest due on such Title XII advances. Additionally, a recipient that deposits SLFRF funds into its unemployment insurance trust fund to fully restore the pre-pandemic balance may not draw down that balance and deposit more SLFRF funds, back up to the pre-pandemic balance. Recipients that deposit SLFRF funds into an unemployment insurance trust fund, or use SLFRF funds to repay principal on Title XII advances, may not take action to reduce benefits available to unemployed workers by changing the computation method governing regular unemployment compensation in a way that results in a reduction of average weekly benefit amounts or the number of weeks of benefits payable (i.e., maximum benefit entitlement).



Disproportionately Impacted Households and Communities

Treasury presumes the following households and communities are disproportionately impacted by the pandemic:

- ✓ Low -income households and communities
- Households residing in Qualified Census Tracts
- Households that qualify for certain federal benefits⁵
- Households receiving services provided by Tribal governments
- Households residing in the U.S. territories or receiving services from these governments

Low-income households and communities are those with (i) income at or below 185 percent of the Federal Poverty Guidelines for the size of its household based on the most recently published poverty guidelines or (ii) income at or below 40 percent of area median income for its county and size of household based on the most recently published data. For the vast majority of communities, the Federal Poverty Guidelines level is higher than the area median income level and using this level would result in more households and communities being presumed eligible. Treasury has provided an easy-to-use spreadsheet with Federal Poverty Guidelines and area median income levels on its website.

Recipients can measure income for a specific household or the median income for the community, depending on whether the service they plan to provide serves specific households or the general community. The income thresholds vary by household size; recipients should generally use income thresholds for the appropriate household size but can use a default household size of three when easier for administration or when measuring income for a general community.

The income limit for 185 percent of the Federal Poverty Guidelines for a household of three is \$40,626 per year.⁶ In other words, recipients can always presume that a household earning below this level, or a community with median income below this level, is disproportionately impacted by the pandemic and eligible for services to respond.

⁵ These programs are Temporary Assistance for Needy Families (TANF), Supplemental Nutrition Assistance Program (SNAP), Free- and Reduced-Price Lunch (NSLP) and/or School Breakfast (SBP) programs, Medicare Part D Low-Income Subsidies, Supplemental Security Income (SSI), Head Start and/or Early Head Start, Special Supplemental Nutrition Program for Women, Infants, and Children (WIC), Section 8 Vouchers, Low-Income Home Energy Assistance Program (LIHEAP), and Pell Grants. For services to address educational disparities, Treasury will recognize Title I eligible schools as disproportionately impacted and responsive services that support the school generally or support the whole school as eligible.

⁶ For recipients in Alaska, the income limit for 185 percent of the Federal Poverty Guidelines for a household of three is \$50,783 per year. For recipients in Hawaii, the income limit for 185 percent of the Federal Poverty Guidelines for a household of three is \$46,731 per year



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Treasury recognizes the enumerated projects below, which have been expanded under the final rule, as eligible to respond to disproportionate impacts of the pandemic on households and communities:

- Pay for community health workers to help households access health & social services
- Remediation of lead paint or other lead hazards
- Primary care clinics, hospitals, integration of health services into other settings, and other investments in medical equipment & facilities designed to address health disparities
- Housing vouchers & assistance relocating to neighborhoods with higher economic opportunity
- Investments in neighborhoods to promote improved health outcomes

- ✓ Improvements to vacant and abandoned properties, including rehabilitation or maintenance, renovation, removal and remediation of environmental contaminants, demolition or deconstruction, greening/vacant lot cleanup & conversion to affordable housing⁷
- Services to address educational disparities, including assistance to high-poverty school districts & educational and evidence-based services to address student academic, social, emotional, and mental health needs
- Schools and other educational equipment & facilities

⁷ Please see the final rule for further details and conditions applicable to this eligible use. This includes Treasury's presumption that demolition of vacant or abandoned residential properties that results in a net reduction in occupiable housing units for low- and moderate-income individuals in an area where the availability of such housing is lower than the need for such housing is ineligible for support with SLFRF funds.



Assistance to Small Businesses

Small businesses have faced widespread challenges due to the pandemic, including periods of shutdown, declines in revenue, or increased costs. The final rule provides many tools for recipients to respond to the impacts of the pandemic on small businesses, or disproportionate impacts on businesses where pre-existing disparities like lack of access to capital compounded the pandemic's effects.

Small businesses eligible for assistance are those that experienced negative economic impacts or disproportionate impacts of the pandemic and meet the definition of "small business," specifically:

- Have no more than 500 employees, or if applicable, the size standard in number of employees
 <u>established</u> by the Administrator of the Small Business Administration for the industry in which
 the business concern or organization operates, and
- 2. Are a small business concern as defined in section 3 of the Small Business Act⁸ (which includes, among other requirements, that the business is independently owned and operated and is not dominant in its field of operation).

Impacted Small Businesses

Recipients can identify small businesses impacted by the pandemic, and measures to respond, in many ways; for example, recipients could consider:

- ✓ Decreased revenue or gross receipts
- √ Financial insecurity
- ✓ Increased costs

- √ Capacity to weather financial hardship
- √ Challenges covering payroll, rent or mortgage, and other operating costs

Assistance to small businesses that experienced negative economic impacts includes the following enumerated uses:

- Loans or grants to mitigate financial hardship, such as by supporting payroll and benefits, costs to retain employees, and mortgage, rent, utility, and other operating costs
- √ Technical assistance, counseling, or other services to support business planning

Disproportionately Impacted Small Businesses

Treasury presumes that the following small businesses are disproportionately impacted by the pandemic:

⁸ 15 U.S.C. 632.



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- √ Small businesses operating in Qualified Census Tracts
- √ Small businesses operated by Tribal governments or on Tribal lands
- √ Small businesses operating in the U.S. territories

Assistance to disproportionately impacted small businesses includes the following enumerated uses, which have been expanded under the final rule:

- √ Rehabilitation of commercial properties, storefront improvements & façade improvements
- √ Technical assistance, business incubators & grants for start-up or expansion costs for small businesses
- ✓ Support for microbusinesses, including financial, childcare, and transportation costs



Assistance to Nonprofits

Nonprofits have faced significant challenges due to the pandemic's increased demand for services and changing operational needs, as well as declines in revenue sources such as donations and fees. Nonprofits eligible for assistance are those that experienced negative economic impacts or disproportionate impacts of the pandemic and meet the definition of "nonprofit"—specifically those that are 501(c)(3) or 501(c)(19) tax-exempt organizations.

Impacted Nonprofits

Recipients can identify nonprofits impacted by the pandemic, and measures to respond, in many ways; for example, recipients could consider:

- Decreased revenue (e.g., from donations and fees)
- ✓ Financial insecurity
- ✓ Increased costs (e.g., uncompensated increases in service need)
- Capacity to weather financial hardship
- Challenges covering payroll, rent or mortgage, and other operating costs

Assistance to nonprofits that experienced negative economic impacts includes the following enumerated uses:

- Loans or grants to mitigate financial hardship
- Technical or in-kind assistance or other services that mitigate negative economic impacts of the pandemic

Disproportionately Impacted Nonprofits

Treasury presumes that the following nonprofits are disproportionately impacted by the pandemic:

- Nonprofits operating in Qualified Census Tracts
- Nonprofits operated by Tribal governments or on Tribal lands
- Nonprofits operating in the U.S. territories

Recipients may identify appropriate responses that are related and reasonably proportional to addressing these disproportionate impacts.

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Aid to Impacted Industries

Recipients may use SLFRF funding to provide aid to industries impacted by the COVID-19 pandemic. Recipients should first designate an impacted industry and then provide aid to address the impacted industry's negative economic impact.

This sub-category of eligible uses does not separately identify disproportionate impacts and corresponding responsive services.

- **1. Designating an impacted industry.** There are two main ways an industry can be designated as "impacted."
 - 1. If the industry is in the travel, tourism, or hospitality sectors (including Tribal development districts), the industry is impacted.
 - 2. If the industry is outside the travel, tourism, or hospitality sectors, the industry is impacted if:
 - a. The industry experienced at least 8 percent employment loss from pre-pandemic levels, or
 - b. The industry is experiencing comparable or worse economic impacts as the national tourism, travel, and hospitality industries as of the date of the final rule, based on the totality of economic indicators or qualitative data (if quantitative data is unavailable), and if the impacts were generally due to the COVID-19 public health emergency.

Recipients have flexibility to define industries broadly or narrowly, but Treasury encourages recipients to define narrow and discrete industries eligible for aid. State and territory recipients also have flexibility to define the industries with greater geographic precision; for example, a state may identify a particular industry in a certain region of a state as impacted.

2. Providing eligible aid to the impacted industry. Aid may only be provided to support businesses, attractions, and Tribal development districts operating prior to the pandemic and affected by required closures and other efforts to contain the pandemic. Further, aid should be generally broadly available to all businesses within the impacted industry to avoid potential conflicts of interest, and Treasury encourages aid to be first used for operational expenses, such as payroll, before being used on other types of costs.

⁹ Specifically, a recipient should compare the percent change in the number of employees of the recipient's identified industry and the national Leisure & Hospitality sector in the three months before the pandemic's most severe impacts began (a straight three-month average of seasonally-adjusted employment data from December 2019, January 2020, and February 2020) with the latest data as of the final rule (a straight three-month average of seasonally-adjusted employment data from September 2021, October 2021, and November 2021). For parity and simplicity, smaller recipients without employment data that measure industries in their specific jurisdiction may use data available for a broader unit of government for this calculation (e.g., a county may use data from the state in which it is located; a city may use data for the county, if available, or state in which it is located) solely for purposes of determining whether a particular industry is an impacted industry.



Treasury recognizes the enumerated projects below as eligible responses to impacted industries.

- Aid to mitigate financial hardship, such as supporting payroll costs, lost pay and benefits for returning employees, support of operations and maintenance of existing equipment and facilities
- Technical assistance, counseling, or other services to support business planning
- ✓ COVID-19 mitigation and infection prevention measures (see section Public Health)

As with all eligible uses, recipients may pursue a project not listed above by undergoing the steps outlined in the section Framework for Eligible Uses Beyond Those Enumerated.



PUBLIC SECTOR CAPACITY

Recipients may use SLFRF funding to restore and bolster public sector capacity, which supports government's ability to deliver critical COVID-19 services. There are three main categories of eligible uses to bolster public sector capacity and workforce: Public Safety, Public Health, and Human Services Staff; Government Employment and Rehiring Public Sector Staff; and Effective Service Delivery.

Public Safety, Public Health, and Human Services Staff

SLFRF funding may be used for payroll and covered benefits for public safety, public health, health care, human services and similar employees of a recipient government, for the portion of the employee's time spent responding to COVID-19. Recipients should follow the steps below.

1. Identify eligible public safety, public health, and human services staff. Public safety staff include:

- Police officers (including state police officers)
- ✓ Sheriffs and deputy sheriffs
- Firefighters
- ✓ Emergency medical responders
- ✓ Correctional and detention officers
- Dispatchers and supervisor personnel that directly support public safety staff

Public health staff include:

- Employees involved in providing medical and other physical or mental health services to patients and supervisory personnel, including medical staff assigned to schools, prisons, and other such institutions
- Laboratory technicians, medical examiners, morgue staff, and other support services essential for patient care
- Employees of public health departments directly engaged in public health matters and related supervisory personnel

Human services staff include:

- Employees providing or administering social services and public benefits
- Child welfare services employees
- Child, elder, or family care employees

2. Assess portion of time spent on COVID-19 response for eligible staff.

Recipients can use a variety of methods to assess the share of an employees' time spent responding to COVID-19, including using reasonable estimates—such as estimating the share of time based on discussions with staff and applying that share to all employees in that position.

For administrative convenience, recipients can consider public health and safety employees entirely devoted to responding to COVID-19 (and their payroll and benefits fully covered by SLFRF) if the



employee, or his or her operating unit or division, is "primarily dedicated" to responding to COVID-19. Primarily dedicated means that more than half of the employee, unit, or division's time is dedicated to responding to COVID-19.

Recipients must periodically reassess their determination and maintain records to support their assessment, although recipients do not need to track staff hours.

3. Use SLFRF funding for payroll and covered benefits for the portion of eligible staff time spent on COVID-19 response. SLFRF funding may be used for payroll and covered benefits for the portion of the employees' time spent on COVID-19 response, as calculated above, through the period of performance.

Government Employment and Rehiring Public Sector Staff

Under the increased flexibility of the final rule, SLFRF funding may be used to support a broader set of uses to restore and support public sector employment. Eligible uses include hiring up to a pre-pandemic baseline that is adjusted for historic underinvestment in the public sector, providing additional funds for employees who experienced pay cuts or were furloughed, avoiding layoffs, providing worker retention incentives, and paying for ancillary administrative costs related to hiring, support, and retention.

- **Restoring pre-pandemic employment.** Recipients have two options to restore pre-pandemic employment, depending on the recipient's needs.
 - If the recipient simply wants to hire back employees for pre-pandemic positions: Recipients
 may use SLFRF funds to hire employees for the same positions that existed on January 27,
 2020 but that were unfilled or eliminated as of March 3, 2021. Recipients may use SLFRF
 funds to cover payroll and covered benefits for such positions through the period of
 performance.
 - If the recipient wants to hire above the pre-pandemic baseline and/or would like to have flexibility in positions: Recipients may use SLFRF funds to pay for payroll and covered benefits associated with the recipient increasing its number of budgeted FTEs up to 7.5 percent above its pre-pandemic baseline. Specifically, recipients should undergo the following steps:
 - a. Identify the recipient's budgeted FTE level on January 27, 2020. This includes all budgeted positions, filled and unfilled. This is called the *pre-pandemic baseline*.
 - b. Multiply the pre-pandemic baseline by 1.075. This is called the *adjusted pre-* pandemic baseline.
 - c. Identify the recipient's budgeted FTE level on March 3, 2021, which is the beginning of the period of performance for SLFRF funds. Recipients may, but are not required to, exclude the number of FTEs dedicated to responding to the COVID-19 public health emergency. This is called the *actual number of FTEs*.
 - d. Subtract the *actual number of FTEs* from the *adjusted pre-pandemic baseline* to calculate the number of FTEs that can be covered by SLFRF funds. Recipients do not have to hire for the same roles that existed pre-pandemic.



Recipients may use SLFRF funds to cover payroll and covered benefits through the period of performance; these employees must have begun their employment on or after March 3, 2021. Recipients may only use SLFRF funds for additional FTEs hired over the March 3, 2021 level (i.e., the *actual number of FTEs*).

- **Supporting and retaining public sector workers.** Recipients can also use funds in other ways that support the public sector workforce. ¹⁰ These include:
 - Providing additional funding for employees who experienced pay reductions or were furloughed since the onset of the pandemic, up to the difference in the employee's pay, taking into account unemployment benefits received.
 - Maintaining current compensation levels to prevent layoffs. SLFRF funds may be used to maintain current compensation levels, with adjustments for inflation, in order to prevent layoffs that would otherwise be necessary.
 - Providing worker retention incentives, including reasonable increases in compensation to persuade employees to remain with the employer as compared to other employment options. Retention incentives must be entirely additive to an employee's regular compensation, narrowly tailored to need, and should not exceed incentives traditionally offered by the recipient or compensation that alternative employers may offer to compete for the employees. Treasury presumes that retention incentives that are less than 25 percent of the rate of base pay for an individual employee or 10 percent for a group or category of employees are reasonably proportional to the need to retain employees, as long as other requirements are met.
- Covering administrative costs associated with administering the hiring, support, and retention programs above.

Effective Service Delivery

SLFRF funding may be used to improve the efficacy of public health and economic programs through tools like program evaluation, data, and outreach, as well as to address administrative needs caused or exacerbated by the pandemic. Eligible uses include:

Supporting program evaluation, data, and outreach through:

¹⁰ Recipients should be able to substantiate that these uses of funds are substantially due to the public health emergency or its negative economic impacts (e.g., fiscal pressures on state and local budgets) and respond to its impacts. See the final rule for details on these uses.



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- Program evaluation and evidence resources
- Data analysis resources to gather, assess, share, and use data
- Technology infrastructure to improve access to and the user experience of government IT systems, as well as technology improvements to increase public access and delivery of government programs and services
- Community outreach and engagement activities
- Capacity building resources to support using data and evidence, including hiring staff, consultants, or technical assistance support

• Addressing administrative needs, including:

- Administrative costs for programs responding to the public health emergency and its economic impacts, including non-SLFRF and non-federally funded programs
- Address administrative needs caused or exacerbated by the pandemic, including addressing backlogs caused by shutdowns, increased repair or maintenance needs, and technology infrastructure to adapt government operations to the pandemic (e.g., video-conferencing software, data and case management systems)



CAPITAL EXPENDITURES

As described above, the final rule clarifies that recipients may use funds for programs, services, and capital expenditures that respond to the public health and negative economic impacts of the pandemic. Any use of funds in this category for a capital expenditure must comply with the capital expenditure requirements, in addition to other standards for uses of funds.

Capital expenditures are subject to the same eligibility standard as other eligible uses to respond to the pandemic's public health and economic impacts; specifically, they must be related and reasonably proportional to the pandemic impact identified and reasonably designed to benefit the impacted population or class.

For ease of administration, the final rule identifies enumerated types of capital expenditures that Treasury has identified as responding to the pandemic's impacts; these are listed in the applicable subcategory of eligible uses (e.g., public health, assistance to households, etc.). Recipients may also identify other responsive capital expenditures. Similar to other eligible uses in the SLFRF program, no preapproval is required for capital expenditures.

To guide recipients' analysis of whether a capital expenditure meets the eligibility standard, recipients (with the exception of Tribal governments) must complete and meet the requirements of a written justification for capital expenditures equal to or greater than \$1 million. For large-scale capital expenditures, which have high costs and may require an extended length of time to complete, as well as most capital expenditures for non-enumerated uses of funds, Treasury requires recipients to submit their written justification as part of regular reporting. Specifically:

If a project has total capital expenditures of	and the use is enumerated by Treasury as eligible, then	and the use is beyond those enumerated by Treasury as eligible, then	
Less than \$1 million	No Written Justification required	No Written Justification required	
Greater than or equal to \$1 million, but less than \$10 million	Written Justification required but recipients are not required to submit as part of regular reporting to Treasury	Written Justification required and recipients must submit as part of regu	
\$10 million or more	Written Justification required and recipients must submit as part of regular reporting to Treasury	reporting to Treasury	

A Written Justification includes:

• Description of the harm or need to be addressed. Recipients should provide a description of the specific harm or need to be addressed and why the harm was exacerbated or caused by the public health emergency. Recipients may provide quantitative information on the extent and the type of harm, such as the number of individuals or entities affected.



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- Explanation of why a capital expenditure is appropriate. For example, recipients should include an explanation of why existing equipment and facilities, or policy changes or additional funding to pertinent programs or services, would be inadequate.
- Comparison of proposed capital project against at least two alternative capital expenditures and demonstration of why the proposed capital expenditure is superior. Recipients should consider the effectiveness of the capital expenditure in addressing the harm identified and the expected total cost (including pre-development costs) against at least two alternative capital expenditures.

Where relevant, recipients should consider the alternatives of improving existing capital assets already owned or leasing other capital assets.

Treasury presumes that the following capital projects are generally ineligible:

- Construction of new correctional facilities as a response to an increase in rate of crime
- Construction of new congregate facilities to decrease spread of COVID-19 in the facility
- Construction of convention centers, stadiums, or other large capital projects intended for general economic development or to aid impacted industries

In undertaking capital expenditures, Treasury encourages recipients to adhere to strong labor standards, including project labor agreements and community benefits agreements that offer wages at or above the prevailing rate and include local hire provisions. Treasury also encourages recipients to prioritize in their procurements employers with high labor standards and to prioritize employers without recent violations of federal and state labor and employment laws.



FRAMEWORK FOR ELIGIBLE USES BEYOND THOSE ENUMERATED

As described above, recipients have broad flexibility to identify and respond to other pandemic impacts and serve other populations that experienced pandemic impacts, beyond the enumerated uses and presumed eligible populations. Recipients should undergo the following steps to decide whether their project is eligible:

Step	1. Identify COVID-19 public health or economic impact	2. Design a response that addresses or responds to the impact
Analysis	 Can identify impact to a specific household, business or nonprofit or to a class of households, businesses or nonprofits (i.e., group) Can also identify disproportionate impacts, or more severe impacts, to a specific beneficiary or to a class 	 Types of responses can include a program, service, or capital expenditure Response should be related and reasonably proportional to the harm Response should also be reasonably designed to benefit impacted individual or class

- 1. Identify a COVID-19 public health or negative economic impact on an individual or a class. Recipients should identify an individual or class that is "impacted" or "disproportionately impacted" by the COVID-19 public health emergency or its negative economic impacts as well as the specific impact itself.
 - "Impacted" entities are those impacted by the disease itself or the harmful
 consequences of the economic disruptions resulting from or exacerbated by the COVID19 public health emergency. For example, an individual who lost their job or a small
 business that saw lower revenue during a period of closure would both have
 experienced impacts of the pandemic.
 - "Disproportionately impacted" entities are those that experienced disproportionate public health or economic outcomes from the pandemic; Treasury recognizes that pre-existing disparities, in many cases, amplified the impacts of the pandemic, causing more severe impacts in underserved communities. For example, a household living in a neighborhood with limited access to medical care and healthy foods may have faced health disparities before the pandemic, like a higher rate of chronic health conditions, that contributed to more severe health outcomes during the COVID-19 pandemic.

The recipient may choose to identify these impacts at either the individual level or at a class level. If the recipient is identifying impacts at the individual level, they should retain documentation supporting the impact the individual experienced (e.g., documentation of lost revenues from a small business). Such documentation can be streamlined in many cases (e.g., self-attestation that a household requires food assistance).

Recipients also have broad flexibility to identify a "class" – or a group of households, small businesses, or nonprofits – that experienced an impact. In these cases, the recipients should



first identify the class and the impact that it faced. Then, recipients only need to document that the individuals served fall within that class; recipients do not need to document a specific impact to each individual served. For example, a recipient could identify that restaurants in the downtown area faced substantial declines in revenue due to decreased foot traffic from workers; the recipient could develop a program to respond to the impact on that class and only needs to document that the businesses being served are restaurants in the downtown area.

Recipients should keep the following considerations in mind when designating a class:

- There should be a relationship between the definition of the class and the proposed response. Larger and less-specific classes are less likely to have experienced similar harms, which may make it more difficult to design a response that appropriately responds to those harms.
- Classes may be determined on a population basis or on a geographic basis, and the
 response should be appropriately matched. For example, a response might be designed
 to provide childcare to single parents, regardless of which neighborhood they live in, or
 a response might provide a park to improve the health of a disproportionately impacted
 neighborhood.
- Recipients may designate classes that experienced disproportionate impact, by
 assessing the impacts of the pandemic and finding that some populations experienced
 meaningfully more severe impacts than the general public. To determine these
 disproportionate impacts, recipients:
 - May designate classes based on academic research or government research publications (such as the citations provided in the supplementary information in the final rule), through analysis of their own data, or through analysis of other existing data sources.
 - May also consider qualitative research and sources to augment their analysis, or when quantitative data is not readily available. Such sources might include resident interviews or feedback from relevant state and local agencies, such as public health departments or social services departments.
 - O Should consider the quality of the research, data, and applicability of analysis to their determination in all cases.
- Some of the enumerated uses may also be appropriate responses to the impacts experienced by other classes of beneficiaries. It is permissible for recipients to provide these services to other classes, so long as the recipient determines that the response is also appropriate for those groups.
- Recipients may designate a class based on income level, including at levels higher than
 the final rule definition of "low- and moderate-income." For example, a recipient may
 identify that households in their community with incomes above the final rule threshold
 for low-income nevertheless experienced disproportionate impacts from the pandemic
 and provide responsive services.
- **2. Design a response that addresses or responds to the impact.** Programs, services, and other interventions must be reasonably designed to benefit the individual or class that experienced



the impact. They must also be related and reasonably proportional to the extent and type of impact experienced. For example, uses that bear no relation or are grossly disproportionate to the type or extent of the impact would not be eligible.

"Reasonably proportional" refers to the scale of the response compared to the scale of the harm, as well as the targeting of the response to beneficiaries compared to the amount of harm they experienced; for example, it may not be reasonably proportional for a cash assistance program to provide a very small amount of aid to a group that experienced severe harm and a much larger amount to a group that experienced relatively little harm. Recipients should consider relevant factors about the harm identified and the response to evaluate whether the response is reasonably proportional. For example, recipients may consider the size of the population impacted and the severity, type, and duration of the impact. Recipients may also consider the efficacy, cost, cost-effectiveness, and time to delivery of the response.

For disproportionately impacted communities, recipients may design interventions that address broader pre-existing disparities that contributed to more severe health and economic outcomes during the pandemic, such as disproportionate gaps in access to health care or pre-existing disparities in educational outcomes that have been exacerbated by the pandemic.



Premium Pay

The Coronavirus State and Local Fiscal Recovery Funds may be used to provide premium pay to eligible workers performing essential work during the pandemic. Premium pay may be awarded to eligible workers up to \$13 per hour. Premium pay must be in addition to wages or remuneration (i.e., compensation) the eligible worker otherwise receives. Premium pay may not exceed \$25,000 for any single worker during the program.

Recipients should undergo the following steps to provide premium pay to eligible workers.

- 1. Identify an "eligible" worker. Eligible workers include workers "needed to maintain continuity of operations of essential critical infrastructure sectors." These sectors and occupations are eligible:
 - ✓ Health care
 - ✓ Emergency response
 - ✓ Sanitation, disinfection & cleaning
 - Maintenance
 - Grocery stores, restaurants, food production, and food delivery
 - ✓ Pharmacy
 - ✓ Biomedical research
 - ✓ Behavioral health
 - ✓ Medical testing and diagnostics
 - Home and community-based health care or assistance with activities of daily living
 - ✓ Family or child care
 - ✓ Social services
 - ✓ Public health
 - ✓ Mortuary
 - Critical clinical research, development, and testing necessary for COVID-19 response

- State, local, or Tribal government workforce
- Workers providing vital services to Tribes
- Educational, school nutrition, and other work required to operate a school facility
- ✓ Laundry
- ✓ Elections
- Solid waste or hazardous materials management, response, and cleanup
- Work requiring physical interaction with patients
- ✓ Dental care
- Transportation and warehousing
- Hotel and commercial lodging facilities that are used for COVID-19 mitigation and containment

Beyond this list, the chief executive (or equivalent) of a recipient government may designate additional non-public sectors as critical so long as doing so is necessary to protecting the health and wellbeing of the residents of such jurisdictions.

- 2. Verify that the eligible worker performs "essential work," meaning work that:
 - Is not performed while teleworking from a residence; and
 - Involves either:
 - a. regular, in-person interactions with patients, the public, or coworkers of the individual that is performing the work; or
 - b. regular physical handling of items that were handled by, or are to be handled by, patients, the public, or coworkers of the individual that is performing the work.



- 3. Confirm that the premium pay "responds to" workers performing essential work during the COVID-19 public health emergency. Under the final rule, which broadened the share of eligible workers who can receive premium pay without a written justification, recipients may meet this requirement in one of three ways:
 - Eligible worker receiving premium pay is earning (with the premium included) at or below 150 percent of their residing state or county's average annual wage for all occupations, as defined by the Bureau of Labor Statistics' <u>Occupational Employment and Wage Statistics</u>, whichever is higher, on an annual basis; or
 - Eligible worker receiving premium pay is not exempt from the Fair Labor Standards Act overtime provisions; or
 - If a worker does not meet either of the above requirements, the recipient must submit written justification to Treasury detailing how the premium pay is otherwise responsive to workers performing essential work during the public health emergency. This may include a description of the essential worker's duties, health, or financial risks faced due to COVID-19, and why the recipient determined that the premium pay was responsive. Treasury anticipates that recipients will easily be able to satisfy the justification requirement for front-line workers, like nurses and hospital staff.

Premium pay may be awarded in installments or lump sums (e.g., monthly, quarterly, etc.) and may be awarded to hourly, part-time, or salaried or non-hourly workers. Premium pay must be paid in addition to wages already received and may be paid retrospectively. A recipient may not use SLFRF to merely reimburse itself for premium pay or hazard pay already received by the worker, and premium pay may not be paid to volunteers.



Water & Sewer Infrastructure

The Coronavirus State and Local Fiscal Recovery Funds may be used to make necessary investments in water and sewer infrastructure. State, local, and Tribal governments have a tremendous need to address the consequences of deferred maintenance in drinking water systems and removal, management, and treatment of sewage and stormwater, along with additional resiliency measures needed to adapt to climate change.

Recipients may undertake the eligible projects below:

PROJECTS ELIGIBLE UNDER EPA'S CLEAN WATER STATE REVOLVING FUND (CWSRF)

Eligible projects under the CWSRF, and the final rule, include:

- Construction of publicly owned treatment works
- Projects pursuant to implementation of a nonpoint source pollution management program established under the Clean Water Act (CWA)
- Decentralized wastewater treatment systems that treat municipal wastewater or domestic sewage
- Management and treatment of stormwater or subsurface drainage water
- ✓ Water conservation, efficiency, or reuse measures

- Development and implementation of a conservation and management plan under the CWA
- Watershed projects meeting the criteria set forth in the CWA
- Energy consumption reduction for publicly owned treatment works
- Reuse or recycling of wastewater, stormwater, or subsurface drainage water
- Security of publicly owned treatment works

Treasury encourages recipients to review the EPA handbook for the CWSRF for a full list of eligibilities.

PROJECTS ELIGIBLE UNDER EPA'S DRINKING WATER STATE REVOLVING FUND (DWSRF)

Eligible drinking water projects under the DWSRF, and the final rule, include:

- Facilities to improve drinking water quality
- Transmission and distribution, including improvements of water pressure or prevention of contamination in infrastructure and lead service line replacements
- New sources to replace contaminated drinking water or increase drought resilience, including aquifer storage and recovery system for water storage
- Green infrastructure, including green roofs, rainwater harvesting collection, permeable pavement
- Storage of drinking water, such as to prevent contaminants or equalize water demands
- Purchase of water systems and interconnection of systems
- ✓ New community water systems

Treasury encourages recipients to review the EPA handbook for the DWSRF for a full list of eligibilities.



ADDITIONAL ELIGIBLE PROJECTS

With broadened eligibility under the final rule, SLFRF funds may be used to fund additional types of projects— such as additional stormwater infrastructure, residential wells, lead remediation, and certain rehabilitations of dams and reservoirs— beyond the CWSRF and DWSRF, if they are found to be "necessary" according to the definition provided in the final rule and outlined below.

- Culvert repair, resizing, and removal, replacement of storm sewers, and additional types of stormwater infrastructure
- ✓ Infrastructure to improve access to safe drinking water for individual served by residential wells, including testing initiatives, and treatment/remediation strategies that address contamination
- Dam and reservoir rehabilitation if primary purpose of dam or reservoir is for drinking water supply and project is necessary for provision of drinking water
- ✓ Broad set of lead remediation projects eligible under EPA grant programs authorized by the Water Infrastructure Improvements for the Nation (WIIN) Act, such as lead testing, installation of corrosion control treatment, lead service line replacement, as well as water quality testing, compliance monitoring, and remediation activities, including replacement of internal plumbing and faucets and fixtures in schools and childcare facilities

A "necessary" investment in infrastructure must be:

- (1) responsive to an identified need to achieve or maintain an adequate minimum level of service, which may include a reasonable projection of increased need, whether due to population growth or otherwise,
- (2) a cost-effective means for meeting that need, taking into account available alternatives, and
- (3) for investments in infrastructure that supply drinking water in order to meet projected population growth, projected to be sustainable over its estimated useful life.

Please note that DWSRF and CWSRF-eligible projects are generally presumed to be necessary investments. Additional eligible projects generally must be responsive to an identified need to achieve or maintain an adequate minimum level of service. Recipients are only required to assess cost-effectiveness of projects for the creation of new drinking water systems, dam and reservoir rehabilitation projects, or projects for the extension of drinking water service to meet population growth needs. Recipients should review the supplementary information to the final rule for more details on requirements applicable to each type of investment.

APPLICABLE STANDARDS & REQUIREMENTS

Treasury encourages recipients to adhere to strong labor standards, including project labor agreements and community benefits agreements that offer wages at or above the prevailing rate and include local hire provisions. Treasury also encourages recipients to prioritize in their procurements employers with high labor standards and to prioritize employers without recent violations of federal and state labor and employment laws.



Broadband Infrastructure

The Coronavirus State and Local Fiscal Recovery Funds may be used to make necessary investments in broadband infrastructure, which has been shown to be critical for work, education, healthcare, and civic participation during the public health emergency. The final rule broadens the set of eligible broadband infrastructure investments that recipients may undertake.

Recipients may pursue investments in broadband infrastructure meeting technical standards detailed below, as well as an expanded set of cybersecurity investments.

BROADBAND INFRASTRUCTURE INVESTMENTS

Recipients should adhere to the following requirements when designing a broadband infrastructure project:

- 1. Identify an eligible area for investment. Recipients are encouraged to prioritize projects that are designed to serve locations without access to reliable wireline 100/20 Mbps broadband service (meaning service that reliably provides 100 Mbps download speed and 20 Mbps upload speed through a wireline connection), but are broadly able to invest in projects designed to provide service to locations with an identified need for additional broadband investment. Recipients have broad flexibility to define need in their community. Examples of need could include:
 - Lack of access to a reliable high-speed broadband connection
- Lack of affordable broadband
- ✓ Lack of reliable service

If recipients are considering deploying broadband to locations where there are existing and enforceable federal or state funding commitments for reliable service of at least 100/20 Mbps, recipients must ensure that SLFRF funds are designed to address an identified need for additional broadband investment that is not met by existing federal or state funding commitments. Recipients must also ensure that SLFRF funds will not be used for costs that will be reimbursed by the other federal or state funding streams.

2. Design project to meet high-speed technical standards. Recipients are required to design projects to, upon completion, reliably meet or exceed symmetrical 100 Mbps download and upload speeds. In cases where it is not practicable, because of the excessive cost of the project or geography or topography of the area to be served by the project, eligible projects may be designed to reliably meet or exceed 100/20 Mbps and be scalable to a minimum of symmetrical 100 Mbps download and upload speeds.

Treasury encourages recipients to prioritize investments in fiber-optic infrastructure wherever feasible and to focus on projects that will achieve last-mile connections. Further, Treasury encourages recipients to prioritize support for broadband networks owned, operated by, or affiliated with local governments, nonprofits, and co-operatives.



- 3. **Require enrollment in a low-income subsidy program.** Recipients must require the service provider for a broadband project that provides service to households to either:
 - Participate in the FCC's Affordable Connectivity Program (ACP)
- Provide access to a broad-based affordability program to low-income consumers that provides benefits commensurate to ACP

Treasury encourages broadband services to also include at least one low-cost option offered without data usage caps at speeds sufficient for a household with multiple users to simultaneously telework and engage in remote learning. Recipients are also encouraged to consult with the community on affordability needs.

CYBERSECURITY INVESTMENTS

SLFRF may be used for modernization of cybersecurity for existing and new broadband infrastructure, regardless of their speed delivery standards. This includes modernization of hardware and software.

APPLICABLE STANDARDS & REQUIREMENTS

Treasury encourages recipients to adhere to strong labor standards, including project labor agreements and community benefits agreements that offer wages at or above the prevailing rate and include local hire provisions. Treasury also encourages recipients to prioritize in their procurements employers with high labor standards and to prioritize employers without recent violations of federal and state labor and employment laws.



Restrictions on Use

While recipients have considerable flexibility to use Coronavirus State and Local Fiscal Recovery Funds to address the diverse needs of their communities, some restrictions on use of funds apply.

OFFSET A REDUCTION IN NET TAX REVENUE

• States and territories may not use this funding to directly or indirectly offset a reduction in net tax revenue resulting from a change in law, regulation, or administrative interpretation beginning on March 3, 2021, through the last day of the fiscal year in which the funds provided have been spent. If a state or territory cuts taxes during this period, it must demonstrate how it paid for the tax cuts from sources other than SLFRF, such as by enacting policies to raise other sources of revenue, by cutting spending, or through higher revenue due to economic growth. If the funds provided have been used to offset tax cuts, the amount used for this purpose must be repaid to the Treasury.

DEPOSITS INTO PENSION FUNDS

- No recipients except Tribal governments may use this funding to make a deposit to a pension fund. Treasury defines a "deposit" as an extraordinary contribution to a pension fund for the purpose of reducing an accrued, unfunded liability. While pension deposits are prohibited, recipients may use funds for routine payroll contributions connected to an eligible use of funds (e.g., for public health and safety staff). Examples of extraordinary payments include ones that:
 - Reduce a liability incurred prior to the start of the COVID-19 public health emergency and occur outside the recipient's regular timing for making the payment
- Occur at the regular time for pension contributions but is larger than a regular payment would have been

ADDITIONAL RESTRICTIONS AND REQUIREMENTS

Additional restrictions and requirements that apply across all eligible use categories include:

- No debt service or replenishing financial reserves. Since SLFRF funds are intended to be used prospectively, recipients may not use SLFRF funds for debt service or replenishing financial reserves (e.g., rainy day funds).
- No satisfaction of settlements and judgments. Satisfaction of any obligation arising under or
 pursuant to a settlement agreement, judgment, consent decree, or judicially confirmed debt
 restructuring in a judicial, administrative, or regulatory proceeding is itself not an eligible use.
 However, if a settlement requires the recipient to provide services or incur other costs that are
 an eligible use of SLFRF funds, SLFRF may be used for those costs.
- Additional general restrictions. SLFRF funds may not be used for a project that conflicts with or contravenes the purpose of the American Rescue Plan Act statute (e.g., uses of funds that



U.S. DEPARTMENT OF THE TREASURY

undermine COVID-19 mitigation practices in line with CDC guidance and recommendations) and may not be used in violation of the Award Terms and Conditions or conflict of interest requirements under the Uniform Guidance. Other applicable laws and regulations, outside of SLFRF program requirements, may also apply (e.g., laws around procurement, contracting, conflicts-of-interest, environmental standards, or civil rights).



Program Administration

The Coronavirus State and Local Fiscal Recovery Funds final rule details a number of administrative processes and requirements, including on distribution of funds, timeline for use of funds, transfer of funds, treatment of loans, use of funds to meet non-federal match or cost-share requirements, administrative expenses, reporting on use of funds, and remediation and recoupment of funds used for ineligible purposes. This section provides a summary for the most frequently asked questions.

TIMELINE FOR USE OF FUNDS

Under the SLFRF, funds must be used for costs incurred on or after March 3, 2021. Further, costs must be obligated by December 31, 2024, and expended by December 31, 2026.

TRANSFERS

Recipients may undertake projects on their own or through subrecipients, which carry out eligible uses on behalf of a recipient, including pooling funds with other recipients or blending and braiding SLFRF funds with other sources of funds. Localities may also transfer their funds to the state through section 603(c)(4), which will decrease the locality's award and increase the state award amounts.

LOANS

Recipients may generally use SLFRF funds to provide loans for uses that are otherwise eligible, although there are special rules about how recipients should track program income depending on the length of the loan. Recipients should consult the final rule if they seek to utilize these provisions.

NON-FEDERAL MATCH OR COST-SHARE REQUIREMENTS

Funds available under the "revenue loss" eligible use category (sections 602(c)(1)(C) and 603(c)(1)(C) of the Social Security Act) generally may be used to meet the non-federal cost-share or matching requirements of other federal programs. However, note that SLFRF funds may not be used as the non-federal share for purposes of a state's Medicaid and CHIP programs because the Office of Management and Budget has approved a waiver as requested by the Centers for Medicare & Medicaid Services pursuant to 2 CFR 200.102 of the Uniform Guidance and related regulations.

SLFRF funds beyond those that are available under the revenue loss eligible use category may not be used to meet the non-federal match or cost-share requirements of other federal programs, other than as specifically provided for by statute. As an example, the Infrastructure Investment and Jobs Act provides that SLFRF funds may be used to meet the non-federal match requirements of authorized Bureau of Reclamation projects and certain broadband deployment projects. Recipients should consult the final rule for further details if they seek to utilize SLFRF funds as a match for these projects.

ADMINISTRATIVE EXPENSES

SLFRF funds may be used for direct and indirect administrative expenses involved in administering the program. For details on permissible direct and indirect administrative costs, recipients should refer to Treasury's Costs incurred for the same purpose in like circumstances must be treated consistently as either direct or indirect costs.



REPORTING, COMPLIANCE & RECOUPMENT

Recipients are required to comply with Treasury's <u>Compliance and Reporting Guidance</u>, which includes submitting mandatory periodic reports to Treasury.

Funds used in violation of the final rule are subject to remediation and recoupment. As outlined in the final rule, Treasury may identify funds used in violation through reporting or other sources. Recipients will be provided with an initial written notice of recoupment with an opportunity to submit a request for reconsideration before Treasury provides a final notice of recoupment. If the recipient receives an initial notice of recoupment and does not submit a request for reconsideration, the initial notice will be deemed the final notice. Treasury may pursue other forms of remediation and monitoring in conjunction with, or as an alternative to, recoupment.

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AGENDA REPORT

To: Mayor Mary Mendoza and Councilmembers

From: Nick Kimball, City Manager

By: Matt Baumgardner, Director of Public Works

Date: April 4, 2022

Subject: Consideration to Award a Construction Contract for the Upper Reservoir

Replacement Project, Job No. 7613

RECOMMENDATION:

It is recommended that the City Council:

- a. Approve Budget Resolution No. 8135 (Attachment "A") to amend Fiscal Year (FY) 2021-2022 Capital Improvement Budget by \$1,852,091 from the Water Enterprise Reserve Balance for the Upper Reservoir Replacement Project Budget;
- b. Accept the lowest responsive bid in the amount of \$5,890,000 from Pacific Hydrotech Corporation, for construction of these improvements;
- c. Approve a construction contract with Pacific Hydrotech Corporation, for an amount of \$5,890,000 (Attachment "B" Contract No. 2063); and
- d. Authorize the City Manager to execute change orders for an amount not-to-exceed 10% of the contract amount, or \$589,000, to cover costs of unforeseen conditions, and execute all related documents.

BACKGROUND:

- 1. On July 19, 2021, the City Council authorized the formal solicitation of bids for the Upper Reservoir Replacement Project.
- 2. On July 20, 2021, staff sent the bid package to various construction bid rooms and advertised the project in the San Fernando Sun and on the city website.
- 3. During July and August 2021, staff reached out directly to over 20 contractors with experience constructing water reservoirs similar to the City's upper reservoir.
- 4. On September 3, 2021, the City received one bid from Pacific Hydrotech Corporation for \$6,575,600.

PUBLIC WORKS DEPARTMENT

REVIEW:

117 MACNEIL STREET, SAN FERNANDO, CA 91340

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- 5. On September 21, 2021, staff recommended to City Council that the project be re-bid since the bid was in excess of available funds and lacked sufficient response from interested contractors.
- 6. On December 16, 2021, staff sent the bid package to various construction bid advertisement websites and advertised the project in the San Fernando Sun and on the city website.
- 7. On February 24, 2022, the City received and opened two bids for the replacement of Reservoir 4 from Pacific Hydrotech Corporation and Caliagua, Incorporated.

ANALYSIS:

Upper Reservoir No. 4 is a circular reinforced concrete water storage tank located near the intersection of Hubbard Avenue and Foothill Boulevard and built in the early 1960s that was designed to hold one million gallons of water at full capacity. The tank has been limited to approximately half this capacity due to cracks that have developed over time in the tank's wall. A new design has been developed, which focuses on replacing the existing circular tank with a square-shaped, reinforced concrete tank with a new total capacity of 1.1 million gallons of storage.

In addition to the reservoir replacement, the design will implement several piping modifications leading into and out of the reservoir to improve hydraulic flow. Extensive work will be required on the project site, but also in the road on Foothill Boulevard and Hubbard Avenue to make changes to the water mains. The project also includes improvements to security at the reservoir site, including lighting, wrought-iron fencing, and a new motorized security gate.

Analysis of September 2021 Bid.

Following the receipt of only one bid in September 2021, the City's consultant, John Robinson Consulting, reached out to the eight interested bidders and the 22 contractors to which staff directly advertised the project in July and August 2021, to get their feedback on why they chose not to bid on the project. With up to 30 contractors potentially bidding on the project, staff was anticipating a highly competitive bid process.

The findings from the bid analysis is as follows:

- For some contractors, the nine-month schedule was not sufficient time based on their current workload and construction schedule.
- For all contractors, there were many projects being bid in August 2021. As a result, most estimators were too busy to study the project and provide a bid.
- For some contractors, providing time-off during August 2021 for their busy construction estimation department was very important.
- For the one bid that was submitted, it was determined that a premium of approximately \$1,000,000 was being charged to complete the project within the nine-month schedule.

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This was due to estimated 12-hour shifts and Saturday work shifts to complete the project on time.

Based on this bid analysis and conversations with contractors, the project team felt that there would be more competition and better pricing if the City rebid the project with slightly different specifications. This would be due to refreshed estimation departments having the time and resources to bid on the project over September and October 2021. By extending the construction schedule from nine months to fourteen months, the labor cost premium of \$1,000,000 seen in the lone bid would be reduced.

Analysis of February 2022 Bid.

Staff received two bids by the bid deadline on February 24, 2022. Staff analyzed the bids received and determined that Pacific Hydrotech Corporation submitted the lowest responsive bid. The table below summarizes the bids received:

RANK	BIDDER	BID AMOUNT
1	Pacific Hydrotech Corporation	\$5,890,000.00
2	Caliagua, Incorporated	\$6,484,000.00

While staff and John Robinson originally felt a re-bid of the project would see a significant increase in the number of bids, current research has demonstrated that water reservoir bidding over the last several months in southern California, and the State as a whole, has seen a sharp drop-off in response and increase in cost. On average, projects similar in scope to the Upper Reservoir Replacement Project are seeing a bid response from two to three qualified contractors.

Construction Cost Estimate.

The project design team of John Robinson Consulting, Inc. and Kennedy/Jenks Consultants originally established a construction cost range for this project of \$3,200,000 to \$4,200,000. This was based on their experience with similar projects.

The original bid came in at \$6,575,600 in September 2021 and the February 2022 re-bid of \$5,890,000 resulted in a reduction of \$685,600. Staff attributes the sharp overall increase from the original engineer's estimate to the rising costs of labor and materials that started during COVID and has persisted throughout the construction industry. Cost for construction materials alone are experiencing a great deal of volatility. As an example, asphalt bids on paving projects are increasing by a minimum of 40 percent. Other materials like lumber, concrete, and steel, which will be used heavily on this project, experienced an increase of close to 20 percent in the United States over the past year – the highest year-over-year increase in building materials since 1970 per the US Census Bureau.

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Project Schedule.

The project is expected to begin in June 2022 and completed by December 2023.

BUDGET IMPACT:

The Upper Reservoir Replacement Project is being funded through a \$5,000,000 reimbursable grant from the California Department of Water Resources (DWR). These funds were appropriated through an agreement with the DWR in FY 2018-2019. Additional funds totaling \$50,000 were appropriated from the Water Fund in the FY 2021-2022 Adopted Budget for a grant match requirement. Staff proposes to utilize \$800,000 in previously appropriated, but unassigned, water capital funds on the project. To date, funds have been used during the grant initiation, design, and initial construction management phases.

Funding for this project is included in the FY 2021-2022 Adopted Budget (with the exception of additional funding need shown in italics), as follows:

SOURCES					
Fund	Account Number	Allocation			
Department of Water Resources	010-3686-0716	\$	5,000,000		
Water Fund (Grant Match Appropriation)	070-3686-0716	\$	50,000		
Water Fund (Unassigned Water Capital Funds)	070-3686-0716	\$	800,000		
Water Fund Reserve Balance	070-3686-0716	\$	1,852,091		
Total Sources:		\$	7,702,091		

USES					
Activity	Account Number	Cost			
DWR Grant Administration Fee	010-385-0716-4600	\$	200,000		
Grant Match Requirement	070-385-0716-4600	\$	50,000		
Design and Specifications	010-385-0716-4600	\$	545,345		
Construction Management	010-385-0716-4600	\$	427,746		
Construction	010/070-385-0716-4600	\$	5,890,000		
Contingency (10%)	010/070-385-0716-4600	\$	589,000		
Total Uses:		\$	7,702,091		

That said, the unassigned fund balance of the Water fund would be decreased from \$2,729,370 to \$877,279. However, the Upper Reservoir project will be completed over a period of two fiscal years and therefore, will have sufficient cash flow to complete the project.

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CONCLUSION:

Staff requests that the City Council award a construction contract to Pacific Hydrotech Corporation for the Upper Reservoir Replacement Project, and all recommended actions necessary to successfully execute the project.

ATTACHMENT:

- A. Contract No. 2063
- B. Resolution No. 8135

ATTACHMENT "A" CONTRACT NO. 2063

CONSTRUCTION CONTRACT

PACIFIC HYDROTECH CORPORATION UPPER RESERVOIR REPLACEMENT PROJECT, JOB NO. 7613

THIS CONSTRUCTION CONTRACT (hereinafter, "Contract" or "Agreement") is made and entered into this 4th day of April 2022 (hereinafter, the "Effective Date") by and between the CITY OF SAN FERNANDO, a municipal corporation (hereinafter, "CITY" or "Owner") and PACIFIC HYDROTECH CORPORATION (hereinafter, "CONTRACTOR" or "Contractor"). For the purposes of this Agreement, CITY and CONTRACTOR may be referred to collectively by the capitalized term "Parties." The capitalized term "Party" may refer to CITY or CONTRACTOR interchangeably as appropriate.

RECITALS

WHEREAS, CITY requires construction services for UPPER RESERVOIR REPLACEMENT PROJECT, JOB NO. 7613 (hereinafter, the "Project"); and

WHEREAS, CITY issued notice inviting competitive bids for the Project on December 16, 2021; and

WHEREAS, following the opening of bids on February 22, 2022, CONTRACTOR was determined to be the lowest responsive and responsible bidder for the Project; and

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

I.

THE CONTRACT DOCUMENTS

- 1.1 The complete Contract consists of the following documents ("Contract Documents") which are incorporated in this Contract by their reference:
 - a) Invitation to Bid entitled "00010 Invitation to Bid" dated, December 16, 2021 (hereinafter, the "Bid Solicitation Packet");
 - b) CONTRACTOR's submitted Bid Proposal, dated February 22, 2022, which is attached hereto as **Exhibit "A"**;
 - c) CONTRACTOR's submitted Designation of Subcontractors, dated February 24, 2022, which is hereto as **Exhibit "B"**;
 - d) This Contract (Contract No. 2063)
 - e) CONTRACTOR's Bid Security dated February 14, 2022, which is attached hereto as **Exhibit "C"**;

Upper Reservoir Replacement Project, Job No. 7613 Page 2 of 7

- f) CONTRACTOR's Payment Bond No. 0242258113, dated March 28, 2022, a true and correct copy of which is attached hereto as Exhibit "D";
- g) CONTRACTOR's Performance Bond No. 024258113, dated March 28, 2022, a true and correct copy of which is attached hereto as Exhibit "E";
- h) CONTRACTOR's submitted Non-Collusion Declaration, dated February 23, 2022, which is attached and incorporated hereto as **Exhibit "F"**;
- i) CONTRACTOR's Certification Regarding Worker's Compensation, which is attached and incorporated hereto as Exhibit "G";
- i) Drawings;
- k) Specifications of the Bid Solicitation Packet;
- 1) Supplementary and Special Conditions to the Bid Solicitation Packet, if any;
- m) All documents made a part of this Contract under the terms of the Bid Solicitation Packet; and
- n) All Change Orders approved by CITY.

II.

WORK TO BE PERFORMED

2.1 The CONTRACTOR agrees to furnish all tools, equipment, apparatus, facilities, labor, transportation, and material necessary to perform and complete in a good and workmanlike manner, UPPER RESERVOIR REPLACEMENT PROJECT, JOB NO. 7613, as called for, and in the manner designated in, and in strict conformity with the Contract Documents. It is understood and agreed that the tools, equipment, apparatus, facilities, labor, transportation, and material shall be furnished and the Work performed and completed as required in the Contract Documents under the sole direction and control of the CONTRACTOR, and subject to inspection and approval of the CITY, or its representatives. The CITY hereby designates as its representative for the purpose of this Contract the following named person: The Director of Public Works and Utilities.

The Work is generally described as follows:

The replacement of an existing 1.0 MG circular concrete reservoir as shown in the Drawings and more fully described in Section 01010 Summary of Work Article 1.01 Work Covered by Contract Documents.

The Contract Documents which define the Work covered by this Agreement are those prepared by the Design Engineer Kennedy/Jenks Consultants and filed in the office of the City Clerk and identified by the signatures of the parties to this Agreement.

The Work was designed by and the Contract Documents were prepared by Kennedy/Jenks Consultants herein referred to as the Design Engineer.

CONSTRUCTION CONTRACT

Upper Reservoir Replacement Project, Job No. 7613

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The Owner's representative during the construction phase will be John Robinson herein referred to as the Engineer who will assume the duties and responsibilities and will have the rights and authority assigned to the Engineer in the Contract Documents in connection with the completion of the Work in accordance with the Contract Documents.

CONTRACT NO. 2063

III. **CONTRACT PRICE**

3.1 The CITY agrees to pay, and the CONTRACTOR agrees to accept, in full payment for the work, above agreed to be done, the sum of FIVE MILLION EIGHT HUNDRED NINETY THOUSAND DOLLARS (\$5,890,000) for the Project (hereinafter, the "Bid Price" or "Contract Price").

IV. **COMPLETION DATE**

4.1 The Project shall be commenced on the date specified in the Notice to Proceed. The total project shall be completed THREE HUNDRED FORTY FOUR (344) working days after the date of the Notice to Proceed. The terms "workday" or "working day" mean any day of the week excluding Saturday, Sunday or any federal holiday.

NOTICE AND SERVICE THEREOF

- 5.1 Any notice from one party to the other under the Contract shall be in writing and shall be dated and signed by the Party giving such notice or by a duly authorized representative of such Party. Any such notice shall not be effective for any purpose whatsoever unless served in the following manner, namely:
 - a) If the notice is given to the CITY, by personal delivery thereof, or by depositing the same in the United States mail, enclosed in a sealed envelope, postage prepaid, and certified; addressed to the CITY at:

City of San Fernando Public Works Department Attn: Director of Public Works City of San Fernando City Hall 117 Macneil Street San Fernando, CA 91340

b) If the notice is given to the CONTRACTOR, by personal delivery thereof to said CONTRACTOR or to its duly authorized representative at the site of the project, or by depositing the same in the United States mail, enclosed in a sealed envelope, postage prepaid, and certified; addressed to the CONTRACTOR at:

CONSTRUCTION CONTRACT

CONTRACT NO. 2063

Upper Reservoir Replacement Project, Job No. 7613 Page 4 of 7

Pacific Hydrotech Corporation

Attn: Joselito Guintu 314 E. 3rd Street Perris, CA 92570

Phone No.: (951) 943-8803

If the notice is given to the surety or any other person, by personal delivery to such surety or other person, or by depositing the same in the United States mail, enclosed in a sealed envelope, addressed to such surety or other person, as the case may be, at the address of such surety or person last communicated by it to the party giving the notice, postage prepaid and certified.

VI. **LIQUIDATED DAMAGES**

- 6.1 Liquidated damages as provided for in the General Conditions of the Contract shall be in the sum of Ten Thousand Dollars (\$10,000) for each and every day as defined therein for each different scope of work as defined by the Base Bid and each change order except as otherwise specified in the General Conditions.
- 6.2 It is agreed by the parties to this Contract that time is of the essence. In the event all the Work is not completed before or upon the expiration of the time limit as set in the Contract Documents, or within any time extensions that may have been granted, damage will be sustained by the City; and that it may be impracticable to determine the actual amount of damage by reason of such delay. Accordingly, it is agreed that the Contractor shall pay to the City as damages the amount set forth for each and every day's delay in finishing the Work in excess of the number of days specified. Liquidated damages shall be paid at a rate of ten thousand dollars (\$10,000) per day unless otherwise stated in the Contract Documents. The parties expressly agree that the liquidated damage clause found in the Contract Documents is reasonable under the circumstances existing at the time the Contract was made. The City shall have the right to deduct the amount of liquidated damages from any money due or to become due the Contractor.
- 6.3 In addition, the City shall have the right to charge to the Contractor and to deduct from the final or progress payments for the Work the actual cost to the City of legal, engineering, inspection, superintendence, and other expenses, which are directly chargeable to the Contract and which accrue during the period of such delay, except that the cost of final inspection and preparation of the final estimate shall not be included in the charges.
- Exclusions: The Contractor shall not be liable for liquidated damages or delays caused by 6.4 the removal or relocation of utilities when such removal or relocation is the responsibility of the City or the owner of the utility under Government Code section 4215.

CONSTRUCTION CONTRACT

Upper Reservoir Replacement Project, Job No. 7613

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VII. PREVAILING WAGE

- 7.1 Copies of the prevailing rate of per diem wages as determined by the Director of the Department of Industrial Relations in accordance with Labor Code Section 1773 are on file at the CITY, and copies are available for inspection at that office to any interested party on request. Bidders shall be responsible for verifying with the Director of the Department of Industrial Relations that all such copies of the prevailing rate provided by the CITY are current and accurate. The requirement to pay the wage rate so specified is further detailed in the General Conditions. Copies of the prevailing rate of per diem wages may also be obtained from the Department of Industrial Relations, P.O. Box 420603, San Francisco, CA 94142-0603, Attn: Chief, Division of Labor **Statistics** online and Research or at: http://www.dir.ca.gov/oprl/DPreWageDetermination.htm.
- 7.2 Hours of Labor: Eight-hour labor constitutes a legal day's work. The Contractor shall forfeit, as penalty to the Owner, twenty-five dollars (\$25.00) for each worker employed in the execution of the contract by him or by any subcontractor, for each calendar day during which any worker is required or permitted to labor more than eight (8) hours in any one calendar day and forty (40) hours in any one calendar week, except as permitted by the provisions of Article 3, Chapter 1, Part 7, Division 2 (commencing with Section 1810) of the Labor Code of the State of California.
- 7.3 Apprentices: In accordance with the provisions of Section 1777.5 of the Labor Code, and in accordance with the regulations of the California Apprenticeship Council, properly registered, apprentices may be employed in the prosecution of the work.
 - Information relative to number of apprentices, identifications, wages, hours of employment and standards of working conditions shall be obtained from the Director of the Department of Industrial Relations, who is the Administrative Officer of the California Apprenticeship Council.
- 7.4 Prohibited Employment Discrimination: Attention is directed to Section 1735 of the California Labor Code, which reads as follows:

"A contractor shall not discriminate in the employment of persons upon public works on any basis listed in subdivision (a) of Section 12940 of the Government Code, as those bases are defined in Sections 12926 and 12926.1 of the Government Code, except as otherwise provided in Section 12940 of the Government Code. Every contractor for public works who violates this section is subject to all the penalties imposed for a violation of this chapter."

CONTRACT NO. 2063

Upper Reservoir Replacement Project, Job No. 7613

Page 6 of 7

7.5 Workers' Compensation Insurance: In accordance with the provisions of Article 5, Chapter 1, Part 7, Division 2 (commencing with Section 1860) and Chapter 4, Part 1, Division 4 (commencing with Section 3700) of the California Labor Code, the Contractor is required to secure the payment of compensation to his employees and shall for that purpose obtain and keep in effect adequate Workers' Compensation Insurance.

The undersigned Contractor is aware of the provisions of Section 3700 of the Labor Code, which requires every employer to be insured against liability for Workers' Compensation claims or to undertake self-insurance in accordance with the provisions of that Code, and will comply with such provisions before commencing the performance of the Work in this contract.

- 7.6 Security for Compensation: The Contractor hereby stipulates that the provisions of Section 1775 of the California Labor Code will be complied with. The Contractor further agrees to secure the payment of compensation to his employees in accordance with the provisions of Section 3700 of the California Labor Code.
- 7.7 Contractor Claims Against the City: Effective January 1, 1991, the California Legislature enacted a requirement that all contract claims of \$375,000.00 or less on local government public works contracts must be submitted to mediation and judicial arbitration. Article 1.5 (Sections 20104 through 20104.6, inclusive) of Chapter 1 of Part 3 of the Public Contract Code concerning Resolution of Construction Claims, is hereby incorporated into this agreement. See Supplementary Conditions for a summary of the timing provisions in Section 20104 through 20104.6.
- 7.8 Contractor's License: The Contractor declares that it possesses a valid California Contractor's License of the required class at the time of signing this Agreement. The Contractor shall affirm its license number, classification and expiration date on this Agreement.

The following statement is included in accordance with Section 7030 of the California Business and Professions Code: "Contractors are required by law to be licensed and regulated by the Contractors State License Board. Any questions concerning a Contractor may be referred to the Registrar, Contractors State License Board, P.O. Box 26000, Sacramento, California 95826."

VIII. **CONTRACTOR REGISTRATION**

8.1 By the execution of this Contract, CONTRACTOR hereby certifies that it is registered with the California Department of Industrial Relations as required pursuant to Labor Code section 1725.5 (contractor registration).

CONTRACT NO. 2063

CONSTRUCTION CONTRACT

Upper Reservoir Replacement Project, Job No. 7613

Page 7 of 7

CONTRACT NO. 2063

IX. MISCELLANEOUS

- 9.1 Terms used in this Contract, which are defined in Article 1 of the General Conditions, will have the meanings indicated in the General Conditions.
- 9.2 No assignment by a party hereto of any rights under or interests in the Contract Documents will be binding on another party hereto without the written consent of the party sought to be bound; and specifically but without limitation, moneys that may become due and moneys that are due may not be assigned without such consent (except to the extent that the effect of this restriction may be limited by law), and unless specifically stated to the contrary in any written consent to an assignment no assignment will release or discharge the assignor from any duty or responsibility under the Contract Documents.
- 9.3 The Owner and the CONTRACTOR each binds itself, its partners, successors, assigns and legal representatives to the other party hereto, its partners, successors, assigns and legal representatives in respect of all covenants, agreements and obligations contained in the Contract Documents

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 FERNANDO:	PACIFIC HYDROTECH CORPORATION:
By: Nick Kimball, City Manager	Ву:
Date:	Name:
APPROVED AS TO FORM:	Title:
By: Richard Padilla, Assistant City Attorney	Date:
Date:	

DOCUMENT NUMBER 00300

BID PROPOSAL

Proposal to: City of San Fernando

Public Works Department San Fernando City Hall

117 Macneil Street, San Fernando, CA 91340

The undersigned Bidder hereby proposes to furnish and deliver all necessary labor, tools, equipment, and other means of construction to perform the work required for the completion of the project entitled **UPPER RESERVOIR REPLACEMENT PROJECT** in accordance with the intent of all plans, specifications, and addenda issued by the City of San Fernando, Public Works Department prior to the opening of the bid proposals.

Bidder has read the accompanying instructions to Bidders, has carefully examined the location(s) of the proposed work, and has examined all Contract Documents, drawings and addenda issued by the City and will contract with the City to construct the project, complete and in satisfactory condition.

Bidder will complete the Work for the following lump sum price(s):

BASE BID (Add)

FIVE MILLION EIGHT HUNDRED NINETY THOUSAND DOLLARS? (\$5,0510,000')

(use words)

ZERO CENTS (figures)

344

The Bidder further agrees to complete all work required under the Contract within 306 working days from the date designated in the Notice to Proceed, and to accept in full payment therefore the price indicated on the Bid Schedule. The terms "working days" or "work days" means any day of the week, excluding Saturday, Sunday and any federally observed holiday.

The Bidder acknowledges that it understands that a waiting period from time of bid opening until award may be sixty (60) calendar days during which time Bidder may not withdraw its bid. The Bidder further acknowledges that it has adjusted its bid price to include all possible items which may influence the proposal during the waiting period. Requests for bid price change due to the delay shall not be agreed to by the City.

Company Name: Pacific Hydrotech Corporation	_
Bidder's Name (Printed): 405 (1) (1) (1) (1) (1) (1) (1) (1) (1) (1)	
Bidder's Signature: Date: 2/14/22	
Address: 314 E 3rd Street, Perris, CA	
Phone Number: 951-943-8803	

00300 - 1

Bid Proposal

Contractor's License Number: 518355

Classification: A , B

Expiration Date: 9/30/2023

DOCUMENT NUMBER 00430

DESIGNATION OF SUBCONTRACTORS

DESIGNATION OF SUBCONTRACTORS

In compliance with Sections 4100-4114 of the California Public Contract Code each Bidder shall submit the name, contractor license number, and business location of each subcontractor who will perform work or labor or render service to the Contractor for the construction of the work performed under these specifications in excess of one-half (1/2) of one percent (1%) of the prime Contractor's total bid. If the Contractor fails to specify a subcontractor for any portion of the work to be performed under the Contract, it shall be deemed to have agreed to perform such portion itself, and it shall not be permitted to subcontract that portion of the work except under the conditions hereinafter set forth. (Attach additional forms as necessary)

Name Subcontractor	Street Address of Shop, Mill or Office	Types of Work/Category of Contract	\$ Value of Work to be Performed	DIR Registration Number	Subcontractor's License Number/ Type/Exp. Date
TEAM WEST	2733 VISTAAVE	FENGING	\$226,224.	100768825	934352 A C-13
CONTRACTING	PLOOMINGTON (A				6/30/2023
	92316				
STANDARD	1905 LIKID AVE.	DEMOLITION	\$18,340.	1000047290	1020112 0-21
DEMOLITION	VENTURA, (A				11/36/2022
	93004	2.7	The Paris and		
VERTICAL	11316 N. WOOSIDE	DECK SHIPING	\$158,000-	1000031068	1002142 (-6117-3
HORIZON	AVE. GITEH.				3/3/12023
SCAPPOLT	GANTEE (A 92071				

If no subcontractors will be used, write "None" here: I declare under penalty of perjury that the foregoing is true and contractors will be used, write "None" here: I declare under penalty of perjury that the foregoing is true and contractors will be used, write "None" here: I declare under penalty of perjury that the foregoing is true and contractors will be used, write "None" here: I declare under penalty of perjury that the foregoing is true and contractors will be used, write "None" here: I declare under penalty of perjury that the foregoing is true and contractors will be used, write "None" here: I declare under penalty of perjury that the foregoing is true and contractors will be used. Page 1979 April 19	ect and this Declaration is executed this 24TH day
Contractor Company Name: Pacific Hydrotech Corporation	
SUBCONTRACTOR FORM MUST	BE RETURNED WITH BID
CMC BORAR 5476 INDUSTRIAL PROMY. REBAR \$410,943 SANBERNAPDINO, CA 92401	1000000198 778010 C-60 4130 12022

00430 - 1

Designation of Subcontractors

of

DOCUMENT NUMBER 00430

DESIGNATION OF SUBCONTRACTORS

DESIGNATION OF SUBCONTRACTORS

In compliance with Sections 4100-4114 of the California Public Contract Code each Bidder shall submit the name, contractor license number, and business location of each subcontractor who will perform work or labor or render service to the Contractor for the construction of the work performed under these specifications in excess of one-half (1/2) of one percent (1%) of the prime Contractor's total bid. If the Contractor fails to specify a subcontractor for any portion of the work to be performed under the Contract, it shall be deemed to have agreed to perform such portion itself, and it shall not be permitted to subcontract that portion of the work except under the conditions hereinafter set forth. (Attach additional forms as necessary)

Name Subcontractor	Street Address of Shop, Mill or Office	Types of Work/Category of Contract	\$ Value of Work to be Performed	DIR Registration Number	Subcontractor's License Number/ Type/Exp. Date
WHERER	2734 AVALONST.	AC PAVING &	=43.994-	1000002223	639771 A
PAVING	RYBUSITERAGION	ISITE (DNCRETE			4/30/2023
NATIONAL	26713 madigin	COATINGS ?	140,719.	1000013795	986430 C-33 C-61
I DATING 3	ANE MUKHETA	WARBRAKOFING		,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	D-12/A 10/31/2022
TANING.	CA. 925102				
MARINA	3707 W. GARDEN	LANDSCADING	5146,792.	1000000019	492862 A B (-27
LANDSCADE	GROVE BLYD.				C-29 C-36 C-61
	DRANGE (A91868)				D-49/D-59
					613012022

I declare under penalty FERPUARY , 20	of perjury that the foregoing is true and correct a 222, in Perris California. Pacific Hydrotech Corporation	and this Declaration is execute	ed this <u>Z4 TH</u> day o
Contractor Company Na	me: Facilie Hydrotech Corporation	-	
V	SUBCONTRACTOR FORM MUST BE F	RETURNED WITH BID	
FAITH ELEGIPLE	1980 ORANGETICE W. ELECTRICAL? SUITE # 106, REDUANDS, INSTRUMENTATION CA, 92314	\$ 227.540 1000711046	976648 C-10/ C-31 9/30/2022

00430 - 1

Designation of Subcontractors

EXHIBIT "C"

BID BOND

				Pacific Hydrotech	n Corporation	1			, as	princi	ipal;
and L	iberty M	utual Insurar	nce Company	, a	s Surety,	are	hereby held	and			
CITY	OF	SAN	FERNANDO), hereinafte							
Ten Pe	ercent of	Amount Bid	dolla	ars(\$	10%		_), which su	ım is	equal t	o at le	east
ten p truly	ercent to be	(10%) of made,	the total am	ount of the Bi jointly and s	d for the	Work	, payment o	f which	ch sum,	well	and

The condition of the above obligation is such that whereas the Principal has submitted to the City a certain Bid, attached hereto and made a part hereof, to enter into a Contract, in writing, for the construction of: **Upper Reservoir Replacement Project**

NOW, THEREFORE,

- a) If the Bid is rejected, or in the alternative,
- b) If the Bid is accepted and the Principal shall sign and deliver a Contract, in the form of a Contract attached hereto (all completed in accordance with said Bid and Contract), and shall in all other respects perform the agreement created by the acceptance of said Bid;

Then, this obligation shall be void, otherwise the same shall remain in force and effect; it being expressly understood and agreed that the liability of the Surety for any and all default of the Principal hereunder shall be the amount of this obligation as herein stated.

The Surety, for value received, hereby stipulates and agrees that the obligations of said Surety and its bond shall be in no way impaired or affected by any extension of the time within which the City may accept such bid, and said Surety does hereby waive notice of any such extension.

IN WITNESS THEREOF, the above-bounded parties have executed this instrument under their several seals this 14th day of February, 20 22, the name and corporate seal of each corporate party being hereto affixed and duly signed by its undersigned representative, pursuant to authority of its governing body.

Pacific Hydrotech Corporation

Pacific Hydrotech Corporation

Affix

(Individual Principal)
314 East 3rd Street, Perris, CA 92570

(Business Address)
Liberty Mutual Insurance Company

(Individual Principal) Surety
790 The City Drive South, Suite 200, Orange, CA 92868

(Business Address)

Lawrence F. McMahon, Attorney-in-Fact

END OF BID SECURITY

CALIFORNIA ACKNOWLEDGMENT

CIVIL CODE § 1189

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A notary public or other officer completing this certificate to which this certificate is attached, and not the truthfulr	verifies only the identity of the individual who signed the document ness, accuracy, or validity of that document.
State of California	1
County ofRIVERSIDE	.]
February 24, 2022 before me,	KRISTINE LEW, NOTARY PUBLIC
Date	Here Insert Name and Title of the Officer
ersonally appeared JOSELITO GUINTU	
7.13, 4.7 Table 20132	Name(s) of Signer(s)
	that he/streated the same in his/tentified signature(s) on the instrument the person(s), or the entity of the instrument.
KRISTINE LEW Notary Public - California Riverside County Commission # 2314071 My Comm. Expires Dec 25, 2023	I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct. WITNESS my hand and official seal.
Place Notary Seal and/or Stamp Above	Signature Signature of Notary Public
Completing this information co	an deter alteration of the document or this form to an unintended document.
	nis form to an unintended document.
Description of Attached Document Title or Type of Document: BID BOND	
Document Date: 02-14-2022	N. 1. (D 1
	Number of Pages: 1
Signer(s) Other Than Named Above:	
Capacity(ies) Claimed by Signer(s) Signer's Name: Joselito Guintu	Signer's Name: NONE
☑ Corporate Officer – Title(s): VICE PRESIDENT	☐ Corporate Officer — Title(s):
□ Partner - □ Limited □ General	□ Partner - □ Limited □ General
☐ Individual ☐ Attorney in Fact	☐ Individual ☐ Attorney in Fact
☐ Trustee ☐ Guardian or Conservat	tor Trustee Guardian or Conservator Other:

Signer is Representing: __

©2018 National Notary Association

Signer is Representing: PACIFIC HYDROTECH CORPORATION

	s certificate verifies only the identity of the individual who signed
	ched, and not the truthfulness, accuracy or validity of that document.
STATE OF CALIFORNIA	1
County of San Diego	}
July 17 July 21 July 2	
On FEB 1 4 2022 before me,	Maria Guise , Notary Public,
Date	Insert Name of Notary exactly as it appears on the official seal
personally appeared	Lawrence F. McMahon
	Name(s) of Signer(s)
	who proved to me on the basis of satisfactory evidence to be the person(場) whose name(場) is/排件 subscribed to the within instrument and acknowledged to me that he/排件/排件 executed the same in his/消件/排件 authorized capacity(場場), and that by his/消件/排件 signature(場) on the instrument the person(場), or the entity upon behalf of which the person(場) acted, executed the instrument.
MARIA GUISE COMMISSION # 2283717 B Notary Public - California ORANGE COUNTY My Comm Expires Apr. 14, 2023	I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.
Andrew of the same	Witness my hand and official seal.
	Signature Military
Place Notary Seal Above	Signature of Notary Public Maria Guise
	OPTIONAL
	OPTIONAL —
Though the information below is not required be and could prevent fraudulent remove	OPTIONAL by law, it may prove valuable to persons relying on the document all and reattachment of the form to another document.
Description of Attached Document	
Description of Attached Document Title or Type of Document:	by law, it may prove valuable to persons relying on the document all and reattachment of the form to another document.
Description of Attached Document Title or Type of Document: Document Date:	Number of Pages:
Description of Attached Document Fitle or Type of Document: Document Date: Signer(s) Other Than Named Above:	Number of Pages:
Description of Attached Document Fitle or Type of Document: Document Date: Signer(s) Other Than Named Above: Capacity(ies) Claimed by Signer(s)	ny law, it may prove valuable to persons relying on the document all and reattachment of the form to another document. Number of Pages:
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Description of Attached Document Fitle or Type of Document: Document Date: Signer(s) Other Than Named Above: Capacity(ies) Claimed by Signer(s) Signer's Name:	Number of Pages: Signer's Name: Individual
Description of Attached Document Fitle or Type of Document: Document Date: Signer(s) Other Than Named Above: Capacity(ies) Claimed by Signer(s) Signer's Name: Individual Corporate Officer — Title(s): Partner Limited General	Number of Pages: Signer's Name: Individual Corporate Officer — Title(s): Partner Limited General
Description of Attached Document Fitle or Type of Document: Document Date: Signer(s) Other Than Named Above: Capacity(ies) Claimed by Signer(s) Signer's Name: Individual Corporate Officer — Title(s): Partner Limited General	Number of Pages: Signer's Name: Individual Corporate Officer — Title(s): PRINT Attorney in Fact RIGHT THUMBPRINT
Description of Attached Document Title or Type of Document: Document Date: Signer(s) Other Than Named Above: Capacity(ies) Claimed by Signer(s) Signer's Name: Individual Corporate Officer — Title(s): Partner Limited General Attorney in Fact Trustee RIGHT THUMBE	Number of Pages: Signer's Name: Individual Corporate Officer — Title(s): PRINT Attorney in Fact Trustee Or Signer RIGHT THUMBPRINT OF SIGNER
Description of Attached Document Title or Type of Document: Document Date: Signer(s) Other Than Named Above: Capacity(ies) Claimed by Signer(s) Signer's Name: Individual Corporate Officer — Title(s): Partner □ Limited □ General Attorney in Fact □ Trustee RIGHT THUMBE	Number of Pages: Signer's Name: Individual Corporate Officer — Title(s): PRINT Attorney in Fact Trustee Or Signer RIGHT THUMBPRINT OF SIGNER
Description of Attached Document Title or Type of Document: Document Date: Signer(s) Other Than Named Above: Capacity(ies) Claimed by Signer(s) Signer's Name: Individual Corporate Officer — Title(s): Partner Limited General Attorney in Fact Trustee Guardian or Conservator Tog of thumb h	Signer's Name: Individual Corporate Officer — Title(s): PRINT Attorney in Fact Trustee Guardian or Conservator Top of thumb here
Description of Attached Document Title or Type of Document: Document Date: Signer(s) Other Than Named Above: Capacity(ies) Claimed by Signer(s) Signer's Name: Individual Corporate Officer — Title(s): Partner Limited General Attorney in Fact Trustee Guardian or Conservator Tog of thumb h	Signer's Name: Individual Corporate Officer — Title(s): PRINT Attorney in Fact Trustee Guardian or Conservator Top of thumb here

This Power of Attorney limits the acts of those named herein, and they have no authority to bind the Company except in the manner and to the extent herein stated.

> Liberty Mutual Insurance Company The Ohio Casualty Insurance Company West American Insurance Company

Certificate No: 8204402-024019

POWER OF ATTORNEY

KNOWN ALL PERSONS BY THESE PRESENTS: That The Ohio Casualty Insurance Company is a corporation duly organized under the laws of the State of New Har	mpshire, that
Liberty Mutual Insurance Company is a corporation duly organized under the laws of the State of Massachusetts, and West American Insurance Company is a corporation du	uly organized
under the laws of the State of Indiana (herein collectively called the "Companies"), pursuant to and by authority herein set forth, does hereby name, constitute and appoint, I	Dale G.
Harshaw; Geoffrey Shelton; Janice Martin; John R. Qualin; Lawrence F. McMahon; Minna Huovila; Sarah Myers, Tara Bacon	

all of the city of each individually if there be more than one named, its true and lawful attorney-in-fact to make, state of CA San Diego execute, seal, acknowledge and deliver, for and on its behalf as surety and as its act and deed, any and all undertakings, bonds, recognizances and other surety obligations, in pursuance of these presents and shall be as binding upon the Companies as if they have been duly signed by the president and attested by the secretary of the Companies in their own proper

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Companies and the corporate seals of the Companies have been affixed thereto this 22nd day of October 2020 .

INSU





Liberty Mutual Insurance Company The Ohio Casualty Insurance Company West American Insurance Company

By:

David M. Carey, Assistant Secretary

State of PENNSYLVANIA County of MONTGOMERY ss

(POA) verification inquiries, HOSUR@libertymutual.com On this 22nd day of October , 2020 before me personally appeared David M. Carey, who acknowledged himself to be the Assistant Secretary of Liberty Mutual Insurance Company, The Ohio Casualty Company, and West American Insurance Company, and that he, as such, being authorized so to do, execute the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my notarial seal at King of Prussia, Pennsylvania, on the day and year first above written.



COMMONWEALTH OF PENNSYLVANIA

Notarial Seal Pastella, Notary Public Upper Merion Twp., Montgomery County My Commission Expires March 28, 2021

This Power of Attorney is made and executed pursuant to and by authority of the following By-laws and Authorizations of The Ohio Casualty Insurance Company, Liberty Mutual Insurance Company, and West American Insurance Company which resolutions are now in full force and effect reading as follows:

ARTICLE IV - OFFICERS: Section 12. Power of Attorney.

bond and/or Power of Any officer or other official of the Corporation authorized for that purpose in writing by the Chairman or the President, and subject to such limitation as the Chairman or the President may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Corporation to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact, subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Corporation by their signature and execution of any such instruments and to attach thereto the seal of the Corporation. When so executed, such instruments shall be as binding as if signed by the President and attested to by the Secretary. Any power or authority granted to any representative or attorney-in-fact under the provisions of this article may be revoked at any time by the Board, the Chairman, the President or by the officer or officers granting such power or authority.

ARTICLE XIII - Execution of Contracts: Section 5. Surety Bonds and Undertakings.

Any officer of the Company authorized for that purpose in writing by the chairman or the president, and subject to such limitations as the chairman or the president may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Company by their signature and execution of any such instruments and to attach thereto the seal of the Company. When so executed such instruments shall be as binding as if signed by the president and attested by the secretary.

Certificate of Designation - The President of the Company, acting pursuant to the Bylaws of the Company, authorizes David M. Carey, Assistant Secretary to appoint such attorneys-infact as may be necessary to act on behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations

Authorization - By unanimous consent of the Company's Board of Directors, the Company consents that facsimile or mechanically reproduced signature of any assistant secretary of the Company, wherever appearing upon a certified copy of any power of attorney issued by the Company in connection with surety bonds, shall be valid and binding upon the Company with the same force and effect as though manually affixed.

I, Renee C. Llewellyn, the undersigned, Assistant Secretary, The Ohio Casualty Insurance Company, Liberty Mutual Insurance Company, and West American Insurance Company do hereby certify that the original power of attorney of which the foregoing is a full, true and correct copy of the Power of Attorney executed by said Companies, is in full force and effect and

14th IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seals of said Companies this day of







Renee C. Llewellyn, Assistant Secretary

f Attorney or email I

For bor please

BOND NUMBER: 024258113
Premium included in
Performance Bond.

PAYMENT BOND

Pacific Hydrotech

The CITY OF SAN FERNANDO, hereinafter "City," has awarded to <u>Corporation</u>, hereinafter "Contractor," a Contract for the work described as follows:

UPPER RESERVOIR REPLACEMENT PROJECT

WHEREAS, the Contractor is required by the Contract and by the provisions of Third Division, Part 4, Title 15, Chapter 7 of the Civil Code to furnish a bond in connection with the Contract, as hereinafter set forth.

Pacific Hydrotech
NOW, THEREFORE, we, Corporation—, the undersigned Contractor, as Principal, and
Liberty Mutual Insurance Company, a corporation organized and existing under the laws of the State of
Massachusetts——duly authorized to transact business under the laws of the State of
California, as Surety, are held and firmly bound unto the City of San Fernando in the sum of*
[WRITTEN NUMBER] [(NUMBER)], said sum being not less than one hundred (100)
percent of the total Contract amount payable by the City, under the terms of the Contract,
for which payment well and truly to be made, we bind ourselves, our heirs, executors and
administrators, successors and assigns, jointly and severally, firmly by these presents.

* Five Million Eight Hundred Ninety Thousand and 00/100 (\$5,890,000.00)

THE CONDITION OF THIS OBLIGATION IS SUCH, THAT, if the Contractor, its heirs, executors, administrators, successors, and assigns or subcontractors shall fail to pay for any materials, provisions, provender or other supplies or teams, implements or machinery used in, upon, for or about the performance of the work contracted to be done, or shall fail to pay for any work or labor thereon of any kind, or shall fail to pay any persons named in Civil Code section 9100, or shall fail to pay for amounts due under the Unemployment Insurance Code with respect to such work or labor thereon of any kind, or shall fail to pay for any amounts required to be deducted, withheld, and paid over to the Employment Development Department from the wages of employees of the Contractor and subcontractors pursuant to Section 13020 of the Unemployment Insurance Code with respect to such work or labor, and provided that the claimant shall have complied with the provisions of that code, the Surety or Sureties hereon will pay for the same in an amount not exceeding the sum specified in the Contract; otherwise, the above obligation shall be void. In case suit is brought upon this bond, the Surety will pay reasonable attorneys' fees to the prevailing party to be fixed by the court.

This bond shall insure to the benefit of any and all persons, companies and corporations entitled to file claims under Section 9100 of the Civil Code, so as to give a right of action to them or to their assigns in any suit brought upon this bond.

It is further stipulated that the Surety of this bond shall not be exonerated or released from the obligation of the bond by any change, extension of time for performance, addition, alteration, or modification in, to, or of any contract, plans, specifications, or agreement pertaining or relating to any scheme or work of improvement described above or pertaining or relating to the furnishing of labor, materials, or equipment therefor, nor by any change or modification of any terms of payment or extension of the time for any payment pertaining

(Seal)

(Seal)

or relating to any scheme or work of improvement described above, nor by any rescission or attempted rescission of the Contract, agreement, or bond, nor by any conditions precedent or subsequent in the bond attempting to limit the right of recovery of claimants otherwise entitled to recover under any such contract or agreement or under the bond, nor by any fraud practiced by any person other than the claimant seeking to recover on the bond, and that this bond be construed most strongly against the Surety and in favor of all persons for whose benefit such bond is given, and under no circumstances shall Surety be released from liability to those for whose benefit such bond has been given, by reason of any breach of contract between the City and original contractor or on the party of the obligee named in such bond, but the sole conditions of recovery shall be that claimant is a person described in Sections 8400 and 8402 of the California Civil Code and has not been paid the full amount of its claim and that Surety does hereby waive notice of any such change, extension of time, addition, alteration, or modification.

IN WITNESS WHEREOF, we have hereunto set our hands and seals this 28th day of March , 2022 .

Pacific Hydrotech Corporation

By (Contractor as Principal)

Liberty Mutual Insurance Company

By

Lawrence F. McMahon, Attorney-in-Fact

NOTE: If Contractor is a Partnership, all partners should execute Bond.

IMPORTANT: Surety companies executing Bonds must appear on the Treasury Department's most current list (Circular 570 as amended) and be authorized to transact business in California.

A notary public or other officer completing this certific to which this certificate is attached, and not the truth	cate verifies only the identity of the individual who signed the document hfulness, accuracy, or validity of that document.
State of California County ofRIVERSIDE	_}
on MARCH 29, 2022 before m	RRISTINE LEW, NOTARY PUBLIC
Date Dersonally appeared J. KIRK HARNS	Here Insert Name and Title of the Officer
resorting appeared	Name(s) of Signer(s)
uthorized capacity(Jex), and that by his/KexXK ipon behalf of which the person(x) acted, exec	I certify under PENALTY OF PERJURY under the
RISTINE LEW Notary Public - California Riverside County Commission # 2314071 My Comm. Expires Dec 25, 2023 Place Notary Seal and/or Stamp Above	I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct. WITNESS my hand and official seal. Signature of Notary Public
RISTINE LEW Notary Public - California Riverside County Commission # 2314071 My Comm. Expires Dec 25, 2023 Place Notary Seal and/or Stamp Above Completing this information	I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct. WITNESS my hand and official seal. Signature of Notary Public
RISTINE LEW Notary Public - California Riverside County Commission # 2314071 My Comm. Expires Dec 25, 2023 Place Notary Seal and/or Stamp Above Completing this information	I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct. WITNESS my hand and official seal. Signature of Notary Public of this form to an unintended document.
RISTINE LEW Notary Public - California Riverside County Commission # 2314071 My Comm. Expires Dec 25, 2023 Place Notary Seal and/or Stamp Above Completing this information fraudulent reattachment	I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct. WITNESS my hand and official seal. Signature of Notary Public of this form to an unintended document.

ENCIMBERAL DE LA CONTRACTOR DE LA CONTRA

☐ Corporate Officer - Title(s): _

Signer is Representing:

☐ Individual

☐ Trustee ☐ Other: _

□ Partner - □ Limited □ General

☐ Attorney in Fact

☐ Guardian or Conservator

©2018 National Notary Association

□ Individual

□ Trustee

□ Other:

Signer is Representing: PACIFIC HYDROTECH CORPORATION

☐ Attorney in Fact

☐ Guardian or Conservator

□ Partner - □ Limited □ General

A notary public or other officer completing	LL-PURPOSE ACKNOWLEDGMENT Civil Code § 1189 Ing this certificate verifies only the identity of the individual who signed
the document, to which this certificate is	attached, and not the truthfulness, accuracy or validity of that document.
STATE OF CALIFORNIA	1
	}
County of San Diego	
on MAR 2 8 7022 before me.	Maria Guise , Notary Public,
Dn MAR 2 8 2022 before me,	Insert Name of Notary exactly as it appears on the official seal
personally appeared	Lawrence F. McMahon
	Name(s) of Signer(s)
MARIA GUISE COMMISSION # 2283717	who proved to me on the basis of satisfactory evidence to be the person(樹) whose name(樹) is/樹樓 subscribed to the within instrument and acknowledged to me that he/樹樹/開始 executed the same in his/開始/開始 authorized capacity (場場) and that by his/開始/開始/明朝 signature(場) on the instrument the person(樹), or the entity upon behalf of which the person(樹) acted, executed the instrument. I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true.
Notary Public - California 9 ORANGE COUNTY My Comm Expires Apr 14, 2023	and correct.
	Witness my hand and official seal.
	Signatura
Place Notary Seal Above	Signature Signature of Notary Public Maria Guise
Place Notary Seal Above	Signature of Notary Public Maria Guise
	Signature of Notary Public Maria Guise OPTIONAL
Though the information below is not require and could prevent fraudulent re-	Signature of Notary Public Maria Guise
	Signature of Notary Public Maria Guise OPTIONAL
Though the information below is not required and could prevent fraudulent resolution of Attached Document	Signature of Notary Public Maria Guise OPTIONAL
Though the information below is not required and could prevent fraudulent resolution of Attached Document Title or Type of Document:	Signature of Notary Public Maria Guise OPTIONAL red by law, it may prove valuable to persons relying on the document moval and reattachment of the form to another document.
Though the information below is not required and could prevent fraudulent resolution of Attached Document Title or Type of Document: Document Date:	Signature of Notary Public Maria Guise OPTIONAL red by law, it may prove valuable to persons relying on the document moval and reattachment of the form to another document.
Though the information below is not required and could prevent fraudulent resolution of Attached Document Title or Type of Document: Document Date: Signer(s) Other Than Named Above: Capacity(ies) Claimed by Signer(s)	OPTIONAL red by law, it may prove valuable to persons relying on the document moval and reattachment of the form to another document. Number of Pages:
Though the information below is not required and could prevent fraudulent report of Attached Document Title or Type of Document: Document Date: Signer(s) Other Than Named Above:	OPTIONAL red by law, it may prove valuable to persons relying on the document moval and reattachment of the form to another document. Number of Pages:
Though the information below is not required and could prevent fraudulent resolution of Attached Document Title or Type of Document: Document Date: Signer(s) Other Than Named Above: Capacity(ies) Claimed by Signer(s)	Signer's Name: Signer's Name: Individual
Though the information below is not require and could prevent fraudulent report fraudulent f	Signer's Name: Signer's Name: Individual
Though the information below is not required and could prevent fraudulent resolution of Attached Document Title or Type of Document: Cocument Date: Capacity(ies) Claimed by Signer(s) Cigner's Name: Individual Corporate Officer — Title(s): Partner	Signer's Name: Individual Corporate Officer — Title(s):
Though the information below is not require and could prevent fraudulent resolution of Attached Document Title or Type of Document: Document Date: Signer(s) Other Than Named Above: Capacity(ies) Claimed by Signer(s) Signer's Name: Individual Corporate Officer — Title(s): Partner Limited General Attorney in Fact RIGHT TH	Signer's Name: Corporate Officer — Title(s): Partner Limited General
Though the information below is not require and could prevent fraudulent report and could prevent fraudulent report of Attached Document Title or Type of Document: Document Date: Signer(s) Other Than Named Above: Capacity(ies) Claimed by Signer(s) Signer's Name: Individual Corporate Officer — Title(s): Partner	Signer's Name:
Though the information below is not require and could prevent fraudulent report and could prevent fraudulent report of Attached Document Title or Type of Document: Document Date: Signer(s) Other Than Named Above: Capacity(ies) Claimed by Signer(s) Signer's Name: Individual Corporate Officer — Title(s): Partner	Signer's Name: Individual Corporate Officer — Title(s): Pattern Limited General RIGHT THUMBPRINT IGNER Trustee Trustee Corporate Officer Corporate Offic
Though the information below is not require and could prevent fraudulent resolution of Attached Document Title or Type of Document: Document Date: Signer(s) Other Than Named Above: Capacity(ies) Claimed by Signer(s) Signer's Name: Individual Corporate Officer — Title(s): Partner	Signer's Name: Individual Corporate Officer — Title(s): Partner Limited General ItUMBPRINT Trustee Guardian or Conservator Top of thumb here



This Power of Attorney limits the acts of those named herein, and they have no authority to bind the Company except in the manner and to the extent herein stated.

> Liberty Mutual Insurance Company The Ohio Casualty Insurance Company West American Insurance Company

Certificate No: 8204402-024019

POWER OF ATTORNEY

KNOWN ALL PERSONS BY THESE PRESENTS: That The Chio Casualty Insurance Company is a corporation duly organized under the laws of the State of New I-	lampshire, that
Liberty Mutual Insurance Company is a corporation duly organized under the laws of the State of Massachusetts, and West American Insurance Company is a corporation	duly organized
under the laws of the State of Indiana (herein collectively called the "Companies"), pursuant to and by authority herein set forth, does hereby name, constitute and appoint,	Dale G.
Harshaw, Geoffrey Shelton; Janice Martin; John R. Qualin; Lawrence F. McMahon; Minna Huovila, Sarah Myers; Tara Bacon	

all of the city of San Diego state of each individually if there be more than one named, its true and lawful attorney-in-fact to make, execute, seal, acknowledge and deliver, for and on its behalf as surety and as its act and deed, any and all undertakings, bonds, recognizances and other surety obligations, in pursuance of these presents and shall be as binding upon the Companies as if they have been duly signed by the president and attested by the secretary of the Companies in their own proper

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Companies and the corporate seals of the Companies have been affixed thereto this 22nd day of October 2020 .







Liberty Mutual Insurance Company The Onio Casualty Insurance Company West American Insurance Company

David M. Carey, Assistant Secretary

State of PENNSYLVANIA County of MONTGOMERY

(POA) verification inquiries, HOSUR@libertymutual.com. , 2020 before me personally appeared David M, Carey, who acknowledged himself to be the Assistant Secretary of Liberty Mutual Insurance On this 22nd day of October Company, The Ohio Casualty Company, and West American Insurance Company, and that he, as such, being authorized so to do, execute the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my notarial seal at King of Prussia, Pennsylvania, on the day and year first above written.



COMMONWEALTH OF PENNSYLVANIA

Notarial Seal Teresa Pastella, Notary Public Upper Merian Twp., Montgamery County My Commission Expires Merch 28, 2021 her. Pennsylvania Association of Notaries eresa Pastella, Notary Public

This Power of Attorney is made and executed pursuant to and by authority of the following By-laws and Authorizations of The Ohio Casualty Insurance Company, Liberty Mutual Insurance Company, and West American Insurance Company which resolutions are now in full force and effect reading as follows:

ARTICLE IV - OFFICERS; Section 12, Power of Attorney.

nd and/or Power of call 610-832-8240 or or Power Any officer or other official of the Corporation authorized for that purpose in writing by the Chairman or the President, and subject to such limitation as the Chairman or the President may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Corporation to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact, subject to the limitations set forth in their respective powers of attorney, shall any and all undertakings, bonds, recognizances and other surety obligations. Such according any such instruments and to attach thereto the seal of the Corporation. When so executed, such have full power to bind the Corporation by their signature and execution of any such instruments and to attach thereto the seal of the Corporation. When so executed, such For bor please instruments shall be as binding as if signed by the President and attested to by the Secretary. Any power or authority granted to any representative or attorney-in-fact under the provisions of this article may be revoked at any time by the Board, the Chairman, the President or by the officer or officers granting such power or authority.

ARTICLE XIII - Execution of Contracts: Section 5, Surety Bonds and Undertakings,

Any officer of the Company authorized for that purpose in writing by the chairman or the president, and subject to such limitations as the chairman or the president may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings. bonds, recognizances and other surety obligations. Such attorneys-in-fact subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Company by their signature and execution of any such instruments and to attach thereto the seal of the Company. When so executed such instruments shall be as binding as if signed by the president and attested by the secretary.

Certificate of Designation - The President of the Company, acting pursuant to the Bylaws of the Company, authorizes David M. Carey, Assistant Secretary to appoint such attorneys-infact as may be necessary to act on behalf of the Company to make, execute, seal, acknowledge and deliver as surely any and all undertakings, bonds, recognizances and other surely obligations.

Authorization - By unanimous consent of the Company's Board of Directors, the Company consents that facsimile or mechanically reproduced signature of any assistant secretary of the Company, wherever appearing upon a certified copy of any power of attorney issued by the Company in connection with surety bonds, shall be valid and binding upon the Company with the same force and effect as though manually affixed.

I, Renee C. Llewellyn, the undersigned, Assistant Secretary, The Ohio Casualty Insurance Company, Liberty Mutual Insurance Company, and West American Insurance Company do hereby certify that the original power of attorney of which the foregoing is a full, true and correct copy of the Power of Attorney executed by said Companies, is in full force and effect and has not been revoked,

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seals of said Companies this 28th







Renee C. Llewellyn, Assistant Secretary

f Attorney or email I

EXHIBIT "E"

BOND NUMBER: 024258113 PREMIUM: \$40,365.00 Subject to adjustment based on final contract price.

PERFORMANCE BOND

The CITY OF SAN FERNANDO, hereinafter "City," entered into a Contract dated ______, 20____ with Pacific Hydrotech Corporation hereinafter Contractor," for the work described as follows:

UPPER RESERVOIR REPLACEMENT PROJECT

WHEREAS, said Contractor is required under terms of said Contract to furnish a bond for the faithful performance of said Contract; and

WHEREAS, the Contract is by reference made a part hereof.

NOW, THEREFORE, we, Pacific Hydrotech Co oration , the undersigned Contractor, as Principal, and Liberty Mutual insurance Company [corporate surety] , a corporation organized and existing under the laws of the State of Massachusetts , and duly authorized to transact business under the laws of the State of California, as Surety, are held and firmly bound unto the City*in the penal sum of [WRITTEN NUMBER] [(NUMBER)], lawful money of the United States, said sum being not less than one hundred percent (100%) of the total Contract amount, for the payment of which sum be made, we bind ourselves, our heirs, executors, administrators, and successors, jointly and severally, firmly by these presents. *of San Fernando

** Five Million Eight Hundred Ninety Thousand and 00/100 (\$5,890,000.00)

THE CONDITION OF THIS OBLIGATION IS SUCH, THAT, if the above-bounded Contractor, its heirs, executors, administrators, successors or assigns, shall in all things stand to and abide by, and perform the covenants, conditions, and agreements in said Contract and any alterations thereof made as therein provided, on its part, to be kept and performed at the time and in the manner therein specified, and in all respects according to their true intent and meaning, and shall indemnify and save harmless the City, its officers and agents, as therein stipulated, then this obligation shall become null and void; otherwise it shall be and remain in full force and virtue.

As a condition precedent to the satisfactory completion of said Contract, the above obligation in said amount shall hold good for a period of one (1) year after the completion and acceptance of said work, during which time if the above-bounded Contractor, its heirs, executors, administrators, successors or assigns shall fail to make full, complete, and satisfactory repair and replacements or totally protect the City from loss or damage made evident during said period of one (1) year from the date of acceptance of said work, and resulting from or caused by defective materials or faulty workmanship in the prosecution of the work done, the above obligation in said sum shall remain in full force and effect. However, anything in this paragraph to the contrary notwithstanding, the obligation of the Surety hereunder shall continue so long as any obligation of the Contractor remains.

CALIFORNIA ACKNOWLEDGMENT	CIVIL CODE § 118
A notary public or other officer completing this certificate veri to which this certificate is attached, and not the truthfulness	fies only the identity of the individual who signed the document, accuracy, or validity of that document.
State of California County ofRIVERSIDE	
On MARCH 29, 2022 before me. KRI	STINE LEW, NOTARY PUBLIC
Date Dersonally appeared J. KIRK HARNS	Here Insert Name and Title of the Officer
	Name(s) of Signer(s)
who proved to me on the basis of satisfactory evidence the within instrument and acknowledged to me that but his MANNA signath behalf of which the person(x) acted, executed the person(x) acted.	ature(3) on the instrument the person(3), or the entity
KRISTINE LEW Notary Public - California Riverside County Commission # 2314071 My Comm. Expires Dec 25, 2023	I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct. WITNESS my hand and official seal.
Place Notary Seal and/or Stamp Above	Signature of Notary Public
Completing this information can be	deter alteration of the document or form to an unintended document.
Description of Attached Document Title or Type of Document: PERFORMANCE BOND	
Document Date: 03/28/2022	Number of Pages: 2
Signer(s) Other Than Named Above:	
Capacity(ies) Claimed by Signer(s) Signer's Name: J. KIRK HARNS Corporate Officer — Title(s); PRESIDENT Partner — Limited — General Individual — Attorney in Fact	Signer's Name: NONE Corporate Officer – Title(s): Partner – Limited General Individual Attorney in Fact
☐ Trustee ☐ Guardian or Conservator ☐ Other: Signer is Representing: PACIFIC HYDROTECH CORPORATION	☐ Trustee ☐ Guardian or Conservator ☐ Other: ☐ Guardian or Conservator

©2018 National Notary Association

And the Surety, for value received, hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the Contract or to the work to be performed thereunder or the specifications accompanying the same shall, in any way, affect its obligations on this bond and it does hereby waive notice of any such change, extension of time, alteration, or addition to the terms of the Contract or to the work or the specifications. Said Surety hereby waives the provisions of Sections 2819 and 2845 of the Civil Code of the State of California.

In the event suit is brought upon this bond by the City and judgment is recovered, the Surety shall pay all costs incurred by the City in such suit, including reasonable attorneys' fees to be fixed by the Court.

day of _	ereunto set our hands and seals this28th
	Pacific Hydrotech Corporation
	By KIRIO HARLAS - PRES
(Seal)	Liberty Mutual Insurance Company
(Seal)	By Lawrence F. McMahon, Attorney-in-Fact

NOTE: If Contractor is a Partnership, all parties must execute the Bond.

IMPORTANT: Surety companies executing Bonds must appear on the Treasury Department's most current list (Circular 570 as amended) and be authorized to transact business in California.

	CAL	IFORNIA ALL-	PURPOSE ACKNOWLEDGMEN	VT Civil Code § 1189
) (1.1.) (1.1.) (1.1.) (1.1.) (1.1.) (1.1.) (1.1.) (1.1.)	s certificate verifies only the identity of the Individ	
	ACCOUNT OF STREET	h this certificate is atta	ched, and not the truthfulness, accuracy or validi	ty of that document.
STATE	OF CALIFORNIA		1	
Count	y of San Diego		5	
	MAR 2 8 2022	77 3-72		
On _		before me,	Maria Guise	, Notary Public,
	Date		Insert Name of Notary exactly as it appears on the official se-	al
person	ally appeared		Lawrence F. McMahon Name(s) of Signer(s)	
		******	who proved to me on the basis of section be the person(場) whose name(場) is within instrument and acknowledged executed the same in his/片片/片片 and that by his/片片/片片/ upon behalf person(場), or the entity upon behalf acted, executed the instrument.	### subscribed to the to me that he/####################################
	COMMIS. Notary ORA	RIA GUISE SION # 2283717 a Public - California NGE COUNTY Expres Apr. 14, 2023	I certify under PENALTY OF PERJ the State of California that the foreg and correct.	URY under the laws of going paragraph is true
	-		Witness my hand and official seal.	
			Signature Made	
	Place Notary Sea	al Above	Signature of Notary Public Maria	Guise
			OPTIONAL -	
Descr	ugh the information b and could prev Iption of Attached D		by law, it may prove valuable to persons rely al and reattachment of the form to another	ing on the document document.
	nent Date:		Number of Pages:	
Docum	ioni Dato.		(validation of rages,	
Signer	(s) Other Than Name	d Above:		
Capac	ity(ies) Claimed by	Signer(s)		
Signer	's Name:		Signer's Name:	
☐ Indi			☐ Individual	
	porate Officer — Title(
Parl	The state of the s		☐ Partner ☐ Limited ☐ Gener	
	rney in Fact	RIGHT THUMB	Name of the last o	RIGHT THUMBPRINT
☐ Trus	ardian or Conservator	OF SIGNE		OF SIGNER
_	er:	Top of thumb	Other:	Top of thumb here
	is Representing: Company		Signer is Representing:	
Surety	Sompariy			



This Power of Attorney limits the acts of those named herein, and they have no authority to bind the Company except in the manner and to the extent herein stated.

> Liberty Mutual Insurance Company The Ohio Casualty Insurance Company West American Insurance Company

Certificate No: 8204402-024019

POWER OF ATTORNEY

KNOWN ALL PERSONS BY THESE PRESENTS: That The Ohio Casualty Insurance Company is a corporation duly organized under the laws of the State of New Hampshire, that Liberty Mutual Insurance Company is a corporation duly organized under the laws of the State of Massachusetts, and West American Insurance Company is a corporation duly organized under the laws of the State of Indiana (herein collectively called the "Companies"), pursuant to and by authority herein set forth, does hereby name, constitute and appoint, Dalc G. Harshaw, Geoffre, Shelton, Janice Martin; John R. Qualin; Lawrence F. McMahon; Minna Huovila; Sarah Myers, Tara Bacon

each individually if there be more than one named, its true and lawful attorney-in-fact to make, all of the city of state of execute, seal, acknowledge and deliver, for and on its behalf as surety and as its act and deed, any and all undertakings, bonds, recognizances and other surety obligations, in pursuance of these presents and shall be as binding upon the Companies as if they have been duly signed by the president and attested by the secretary of the Companies in their own proper

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Companies and the corporate seals of the Companies have been affixed thereto this 22nd day of October 2020







Liberty Mutual Insurance Company The Ohio Casualty Insurance Company West American Insurance Company

By:

David M. Carey, Assistant Secretary

State of PENNSYLVANIA County of MONTGOMERY

October . 2020 before me personally appeared David M. Carey, who acknowledged himself to be the Assistant Secretary of Liberty Mutual Insurance Company, The Ohio Casualty Company, and West American Insurance Company, and that he, as such, being authorized so to do, execute the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my notarial seal at King of Prussia, Pennsylvania, on the day and year first above written.



COMMONWEALTH OF PENNSYLVANIA

Netarial Seal Teresa Pastella, Notary Public Upper Merion Twp., Montgomery County My Commission Expires March 28, 2021 per Pannsylvania Association of Notaries eresa Pastella. Notary Public

This Power of Attorney is made and executed pursuant to and by authority of the following By-laws and Authorizations of The Ohio Casualty Insurance Company, Liberty Mutual Insurance Company, and West American Insurance Company which resolutions are now in full force and effect reading as follows:

ARTICLE IV - OFFICERS: Section 12. Power of Attorney.

Any officer or other official of the Corporation authorized for that purpose in writing by the Chairman or the President, and subject to such limitation as the Chairman or the President may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Corporation to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact, subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Corporation by their signature and execution of any such instruments and to attach thereto the seal of the Corporation. When so executed, such instruments shall be as binding as if signed by the President and attested to by the Secretary. Any power or authority granted to any representative or attorney-in-fact under the provisions of this article may be revoked at any time by the Board, the Chairman, the President or by the officer or officers granting such power or authority,

ARTICLE XIII - Execution of Contracts: Section 5. Surety Bonds and Undertakings.

Any officer of the Company authorized for that purpose in writing by the chairman or the president, and subject to such limitations as the chairman or the president may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Company to make, execute, seal, acknowledge and deliver as surely any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Company by their signature and execution of any such instruments and to attach thereto the seal of the Company. When so executed such instruments shall be as binding as if signed by the president and attested by the secretary.

Certificate of Designation - The President of the Company, acting pursuant to the Bylaws of the Company, authorizes David M. Carey, Assistant Secretary to appoint such attorneys-infact as may be necessary to act on behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations.

Authorization - By unanimous consent of the Company's Board of Directors, the Company consents that facsimile or mechanically reproduced signature of any assistant secretary of the Company, wherever appearing upon a certified copy of any power of attorney issued by the Company in connection with surety bonds, shall be valid and binding upon the Company with the same force and effect as though manually affixed.

I, Renee C. Llewellyn, the undersigned, Assistant Secretary, The Ohio Casualty Insurance Company, Liberty Mutual Insurance Company, and West American Insurance Company do hereby certify that the original power of attorney of which the foregoing is a full, true and correct copy of the Power of Attorney executed by said Companies, is in full force and effect and has not been revoked.

28th IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seals of said Companies this







Renee C. Llewellyn, Assistant Secretary

(POA) verification inquiries, HOSUR@libertymutual.com.

nd and/or Power of Attorney call 610-832-8240 or email

For

DOCUMENT 00480

NON-COLLUSION DECLARATION

STATE OF CALIFORNIA
COUNTY OF LOS ANGELES)
The undersigned declares:
I am the of Pacific Hydrotech Corp, the party making the foregoing bid.
The bid is not made in the interest of, or on behalf of, any undisclosed person, partnership, company, association, organization, or corporation. The bid is genuine and not collusive or sham. The Bidder has not directly or indirectly induced or solicited any other Bidder to put in a false or sham bid. The Bidder has not directly or indirectly colluded, conspired, connived, or agreed with any Bidder or anyone else to put in a sham bid, or to refrain from bidding. The Bidder has not in any manner, directly or indirectly, sought by agreement, communication, or conference with anyone to fix the bid price of the Bidder or any other Bidder, or to fix any overhead, profit, or cost element of the bid price, or of that of any other Bidder. All statements contained in the bid are true. The Bidder has not, directly or indirectly, submitted its bid price or any breakdown thereof, or the contents thereof, or divulged information or data relative thereto, to any corporation, partnership, company, association, organization, bid depository, or to any member or agent thereof, to effectuate a collusive or sham bid, and has not paid, and will not pay, any person or entity for such purpose.
Any person executing this declaration on behalf of a Bidder that is a corporation, partnership, joint venture, limited liability company, limited liability partnership, or any other entity, hereby represents that it has full power to execute, and does execute, this declaration on behalf of the Bidder.
I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this declaration is executed on <a example.com="" href="https://example.com/linearing/linearing-new-color=" https:="" linea<="" linearing-new-color="https://example.com/linearing-new-color=" td="">
Bidder's Name (Printed): Bidder's Signature: (Same Signature as on Proposal)
Bidder's Title: VICE PRESIDENT

EXHIBIT "G"

DOCUMENT NUMBER 00414

SECURITY FOR COMPENSATION CERTIFICATE (To be submitted with Bid) (Required by Section 1861, California Labor Code)

TO: City of San Fernando 117 Macneil Street San Fernando, CA 91340

I am aware of the provisions of Section 3700 of the Labor Code of the State of California which require every employer to be insured against liability for workers' compensation claims or to undertake self-insurance in accordance with the provisions of that Code, and I will comply with such provisions before commencing the performance of the Work of this Contract.

(Signature of Bidder)

(Type or Print Name)

UB MOOSIDEN (

(Title

Pacific Hydrotech Corporation

(Company)

314 E 3rd Street, Perris, CA 92570

(Business Address)

1836 LUCY LANE, CORONA CA 92879

(Place of Residence)

END OF SECURITY FOR COMPENSATION CERTIFICATE

RESOLUTION NO. 8135

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN FERNANDO, CALIFORNIA, AMENDING THE BUDGET FOR THE FISCAL YEAR 2021-22 ADOPTED ON JUNE 21, 2021

WHEREAS, the City of Council has received and considered the proposed adjustment to the budget for Fiscal Year 2021-22, commencing July 1, 2021, and ending June 30, 2022; 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 Upper Reservoir Replacement Project requires additional funding through Water Enterprise Funds to build a new 1.1-million gallon water reservoir, piping improvements, security fencing and gates, and lighting; and

WHEREAS, an annual budget for the City of San Fernando for the Fiscal Year beginning July 1, 2021 and ending June 30, 2022, a copy of which is on file in the City Clerk's Office, was adopted on June 21, 2021.

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:

WATER ENTERPRISE FUND: UPPER RESERVOIR REPLACEMENT PROJECT

Increase in Expenditures
Account No. 070-385-0716-4600

SECTION 2. The City Clerk shall certify to the adoption of this resolution and shall cause a certified resolution to be filed in the Office of the City Clerk.

\$1,852,091

PASSED, APPROVED, AND ADOPTED this 4th day of April, 2022.

	Mary Mendoza, Mayor of the City of San Fernando, California
ATTEST:	
Julia Fritz, City Clerk	_

CERTIFICATION

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AGENDA REPORT

To: Mayor Mary Mendoza and Councilmembers

From: Nick Kimball, City Manager

By: Kanika Kith, Director of Community Development

Date: April 4, 2022

Subject: Receive and File an Update of Compliance with State Housing Element Law and

Efforts in Objecting to the Regional Housing Needs Assessment (RHNA) Allocation

RECOMMENDATION:

It is recommended that the City Council:

a. Receive and file an update of compliance with the state Housing Element law and efforts in objecting to the Regional Housing Needs Assessment (RHNA) Allocation; and

b. Provide related direction to staff, as appropriate.

BACKGROUND:

- 1. Since 1969, the State has required all cities and counties in California to adopt a Housing Element to adequately plan for and accommodate each jurisdiction's fair share of existing and projected housing needs for all economic segments of the community. The Housing Element is a chapter of the General Plan that serves as each jurisdiction's blueprint for how it plans to grow and develop. Policies and ordinances enacted by local jurisdictions must be compatible with state housing goals and regional housing needs.
- 2. The City of San Fernando is one of 197 local jurisdictions within the Southern California Association of Governments (SCAG), which is responsible for assigning the Regional Housing Needs Assessment (RHNA) allocation in Los Angeles, Orange, Riverside, San Bernardino, Imperial, and Ventura counties. State law requires updating the Housing Element every eight years to include policies and programs to meet existing and future housing needs for the City, as established by the California Department of Housing and Community Development (HCD) and SCAG.
- 3. On August 22, 2019, HCD issued a RHNA of 1.34 million units (1,344,740 units) to the SCAG region, this number reflects the housing units that local jurisdictions in the region must plan for during the 8-year period from October 2021 to October 2029.

COMMUNITY DEVELOPMENT DEPARTMENT

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- 4. On September 18, 2019, SCAG sent a letter to HCD objecting HCD's RHNA of 1.34 million units for the SCAG region, and provided two alternatives, RHNA of 823,808 units and 920,772 units, which would be 39 percent and 32 percent less than HCD's RHNA, respectively. SCAG's Objection Letter is included as Attachment "A".
- 5. On October 15, 2019, in response to SCAG's Objection to HCD's RHNA, HCD issued a final determination of 1,341,827 housing units for SCAG's region. HCD did not alter its RHNA approach based on SCAG's objection. Letter from HCD to SCAG is included as Attachment "B"
- 6. On September 4, 2020, SCAG issued a draft of the 6th Cycle (2021 to 2029) RHNA allocation to all its member jurisdictions, which assigned 1,791 housing units to the City of San Fernando.
- 7. On October 26, 2020, the City filed an appeal of the RHNA allocation to SCAG arguing that the allocation does not reflect local planning factors such as jobs-housing balance, sewer and water infrastructure constraints, and availability of land in the City, among other issues.
- 8. On November 17, 2020, the City along with many other cities in the SCAG's region, sent a letter (Attachment "C") to SCAG President Rex Richardson to convene a closed session meeting of the SCAG Regional Council to discuss why SCAG decided not to pursue litigation against HCD.
- 9. On January 11, 2021, SCAG 6th Cycle RHNA Appeals Board considered and denied the appeal filed by the City, thus reaffirming the draft allocation of 1,791 housing units. Out of 52 jurisdictions who filed the appeal, only two jurisdictions (City of Pico Rivera and County of Riverside) received a re-allocation that was granted due to a mathematical miscalculation on SCAG's behalf.
- 10. On March 4, 2021, SCAG finalized their 6th Cycle RHNA Allocation plan that increased the total allocation to the City of San Fernando from 1,791 to 1,795 units.
- 11. On June 21, 2021, the Orange County Council of Governments (OCCOG) filed a writ of mandate against HCD challenging the department's application of state law to calculate RHNA figures. On November 18, 2021, the court ruled to dismiss the lawsuit holding that the court lacks jurisdiction over the RHNA challenge based on the decision in City of Irvine v. Southern California Assn. of Governments (2009). In City of Irvine, the court held that the administrative procedure established by statute to challenge a RHNA allocation precludes judicial review of that decision. The OCCOG Board voted to appeal the decision at their December 6, 2021 Board Meeting.

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ANALYSIS:

On March 21, 2022, Councilmember Ballin requested a letter be sent to the State legislature to express opposition to the ambitious housing production goal for the 6th Cycle set by both HCD and SCAG. These goals represent a 325 percent increase of housing units in the SCAG region, and a 827 percent increase of housing unit for the City of San Fernando.

Supporting Councilmember Ballin's request, the City Council requested that staff provide an update on actions the San Fernando, and other cities in the SCAG region, have taken to oppose HCD and SCAG's RHNA allocations as well as options currently available to oppose the RHNA allocation.

As requested by the City Council, below is a brief summary of efforts taken by the City and SCAG in opposing the RHNA allocation, as well as current options to oppose the RHNA allocation.

SCAG's Opposition to RHNA received from HCD

In 2019, after SCAG received its RHNA of 1,344,740 units for the SCAG's region from HCD for the 6th Cycle, SCAG sent a letter to HCD expressing objection to HCD's RHNA and methodologies. SCAG's main objection was based on two major concerns (1) HCD did not base it determination on population projection reflected in SCAG's Regional Transportation Plan Growth Forecast, and (2) HCD compared household overcrowding and cost burden rates to national average rather than rates in comparable regions. Along with the objection letter, SCAG provided two calculation alternatives that would reduce the RHNA for SCAG's region to 823,808 units and 920,772 units, 39 percent and 32 percent less respectively than HCD's RHNA.

In response to SCAG's objection, HCD issued a final determination of 1,341,827 housing units for SCAG's region, or 2,913 units fewer than the original RHNA for the region.

With the final RHNA determination from HCD, SCAG issued a draft of the 6th Cycle RHNA allocation to all its member jurisdictions, which assigned 1,791 housing units to the City of San Fernando. The final RHNA allocation for the City was increased to 1,795 housing units because successful appeals by the City of Pico Rivera and County of Riverside, who received a deduction in their RHNA allocation due to a mathematical error by SCAG. This resulted in SCAG redistributing the remaining units to other jurisdictions in the SCAG region.

City's Objections to RHNA

On October 26, 2020, the City filed an appeal request to SCAG, in accordance with state law, seeking a reduction in its allocation and argued that the allocation does not reflect local planning factors such as jobs-housing balance, sewer and water infrastructure constraints, and availability of land in the City, among other issues. Ultimately the appeal request was denied and the City was provided a final allocation of 1,795 units.

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In November 2020, the City joined other cities in the SCAG's region asking SCAG to explain why they decided to not pursue litigation against HCD. Specifically, the City requested SCAG President Rex Richardson to convene a closed session meeting of the SCAG Regional Council to discuss the recommendation from the RHNA Litigation Committee against pursuing a legal challenge against HCD.

Other Efforts In Opposition to RHNA

On June 21, 2021, the OCCOG filed a writ of mandate against HCD. The cities of Redondo Beach, Lakewood, Torrance, Cerritos, Downey and Whittier joined OCCOG as petitioners. On November 18, 2021, the court ruled to dismiss the lawsuit. On January 18, 2022, the OCCOG filed an appeal of the court's decision and this case is pending.

It should be noted that SCAG filed a demurrer in the OCCOG's lawsuit against HCD arguing that the case is barred by the decision in the City of Irvine case. SCAG also stated that the relief sought – namely, recalculating RHNA figures -- would be disruptive to its 197 jurisdictions and cause delay in creation of urgently needed housing, while litigation makes its way through the court system.

Additionally, a Ballot Initiative to amend the California Constitution to allow local jurisdictions to override state housing laws was submitted on August 26, 2021 to the State Attorney General Office. The Ballot Initiative was led by "Brand-Huang-Mendoza Tripartisan Land Use Initiative" committee. If passed, the new law would allow local land use and zoning ordinances to override conflicting state laws such as Senate Bill 9, Density Bonus, Housing Accountability Act approval requirements, and Housing Element requirements. On February 14, 2022, the City Council directed staff to send a letter in support of this Ballot Initiative to the Attorney General Office (Attachment "D").

Consequences for Non-Compliance and Options for Objecting to RHNA

SCAG decided to not pursue litigation against HCD, and therefore, there is currently no large effort that staff is aware of, other than the OCCOG appeal, challenging RHNA. Similar to San Fernando, most cities are in California are working with HCD on finalizing their Housing Element for certification from HCD. The potential consequences for failing to comply with Housing Element law, and other housing laws, can be significant, and may include any of the following:

- Revocation of Housing Element
 - HCD may revoke findings of substantial compliance if City's actions are inconsistent with adopted housing element or housing element law, after multiple attempts to work with agency on corrective action;
- Exposure to Litigation, Fines & Fees

Page 5 of 6

- Litigation that may be brought against the City by the State Attorney General for violations of Housing Element law, as well as other housing laws, or directly by HCD;
- Litigation by outside entities (housing advocacy groups, developers) or individuals;
- Exposing the City to court fines starting at \$10,000 to \$600,000 per month (may be multiplied by a factor of three to six, in extreme instances), plus attorneys' fees;
- Mandatory Compliance and Loss of Local Land Use and Permitting Authority Potential Consequences of Lawsuits
 - Court-mandated approval of certain housing projects;
 - Court-orders to strip the City Council of land use authority;
 - o Court-ordered mandatory rezoning of land within the City;
 - In extreme cases, the court may appoint agent with all powers necessary to bring City's Housing Element into compliance with state law Suspension of the City's authority to issue building permits for new construction;
- Ineligible for Funding
 - The City will be ineligible for certain types of state and federal grant funding that require compliance with housing element law as an eligibility criterion and which funds may be used to fund transportation, infrastructure and housing programs and projects (e.g. Caltrans SB 1 Sustainable Communities Grant, Affordable Housing and Sustainable Communities Program, SB 2 Planning Grant, Prop 1 Housing Programs and Veterans Bond; and
- Four-Year Housing Element Cycle
 - Placement of the City in a shorter four-year housing element update cycle instead of the current eight-year cycle – among other penalties.

HCD's process for accountability is intended to be iterative and hinges on progressive sanctions. However, any of the potential consequences of non-compliance would be costly for the City and would require the use of taxpayer funds and staff resources to address. Although the State has been relatively relaxed when issuing consequences for non-compliance in the past, the current housing shortage and increased efforts by the State to force local housing construction signal a potential increase in imposing consequences to those jurisdictions that do not comply.

Consequently, staff recommends that the City continue to work diligently with HCD to finalize the Housing Element and maintain compliance with Housing Element law and other state housing laws.

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In a separate effort, the City Council could consider the options below for expressing its objection to the RHNA allocation.

- 1. The City may file an amicus brief (not a party to the litigation, but support the litigation)supporting the OCCOG appeal.
- 2. The City may file a joint amicus brief with other cities supporting the OCCOG appeal.
- 3. The City, and its residents, may send letters to the elected State Representatives expressing opposition to the RHNA allocation.
- 4. The City may endorse "Our Neighborhood Voices," a coalition that is campaigning to restore a balance of power between state and local government by putting communities back in charge of local land use decisions.

BUDGET IMPACT:

Legislative advocacy programs are included in the annual work program for the City Manager's Office. Therefore, funding for this effort is included in the Fiscal Year 2021-2022 Adopted Budget. Estimated costs for additional legal action will be provided by the City Attorney's Office if requested.

CONCLUSION:

Staff recommends that the City Council (1) receive and file an update of compliance with Housing Element law and efforts in opposing the Regional Housing Needs Assessment (RHNA) Allocation; and (2) provide direction to staff, as appropriate.

ATTACHMENT:

- A. SCAG's Objection Letter
- B. HCD Final Determination Letter
- C. City's Letter to SCAG
- D. City's Letter of Support for the Brand-Huang-Mendoza Tripartisan Land Use Initiative



SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS 900 Wilshire Blvd., Ste. 1700 Los Angeles, CA 90017 T: (213) 236-1800 www.scag.ca.gov

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Energy & Environment Linda Parks, Ventura County

Transportation Cheryl Viegas-Walker, El Centro September 18, 2019

Mr. Doug McCauley Acting Director Housing & Community Development (HCD) 2020 W. El Camino Ave. Sacramento, CA 95833

Subject: SCAG's Objection to HCD's Regional Housing Need Determination

Dear Mr. McCauley,

This letter represents the Southern California Association of Governments (SCAG)'s formal objection to HCD's Regional Housing Need Determination as submitted to SCAG on August 22, 2019 and is made in accordance with Government Code Section 65584.01(c)(2)(A) and (B). At the outset, please know that SCAG is fully aware that the State of California is in the midst of a housing crisis and that resolving this crisis requires strong partnerships with state, regional and local entities in addition to private and non-profit sectors.

As such, SCAG desires to be an active and constructive partner with the State and HCD on solving our current housing crisis, and this objection should not suggest otherwise. We are in fact currently setting up a housing program that will assist our local jurisdictions on activities and policies that will lead to actual housing unit construction.

In the context of the 6th cycle Regional Housing Needs Assessment (RHNA) process, SCAG appreciates the collaboration with HCD as reflected in the numerous consultation sessions on the regional determination and other staff engagement on housing issues with the objective of making RHNA a meaningful step toward addressing our housing crisis.

As you are aware, HCD transmitted its Regional Housing Needs Determination of 1,344,740 units for the SCAG region last month. This number reflects the housing units that local jurisdictions in the region must plan for during the 8-year period from October 2021 to October 2029. At the September 5, 2019 meeting, SCAG Regional Council authorized staff to file an objection to HCD on regional housing need determination pursuant to Government Code Section 65584.01(c).

I would like to note that SCAG's objection focuses on the process and adherence to state housing law requirements and not necessarily to the regional housing need determination number. The ultimate aim of this objection, as discussed at length by the Regional Council, is to ensure the most technically and legally credible basis for a regional determination so that the 197 local jurisdictions in the SCAG region can approach the difficult task of zoning to accommodate regional needs with the backing of the most robust and realistic target that is possible.

One of our major concerns is that HCD did not base its determination on SCAG's RTP/SCS Growth Forecast, which was inconsistent with Government Code 65584.01(c)(2)(A). Another major concern is that pursuant to Government Code 65584.01(c) (2) (B), HCD's determination of housing need in the SCAG region is not a reasonable application of the methodology and assumptions described in statute. Specifically, HCD compared household overcrowding and cost-burden rates in the SCAG region to national averages rather than to rates in comparable regions as statutorily required. These and two additional basis for objections are described in detail in the section below which also includes a deduction for household growth on tribal land and a concern that the vacancy rate standards used by HCD are not substantiated by data, analysis, or literature. In addition, the attached EXCEL worksheet and technical documentation contain SCAG's alternative proposed 6th cycle RHNA determination, which would consist of a range of total housing unit need between 823,808 and 920,772.

BASIS FOR SCAG OBJECTION

Use of SCAG's Population Forecast

HCD did not base its determination on SCAG's RTP/SCS Growth Forecast, which was provided in the original consultation package and via follow-up email to HCD. Government Code 65584.01(a) indicates [emphasis added]:

"(a) The department's determination shall be based upon population projections produced by the Department of Finance and regional population forecasts used in preparing regional transportation plans, in consultation with each council of governments. If the total regional population forecast for the projection year, developed by the council of governments and used for the preparation of the regional transportation plan, is within a range of 1.5 percent of the total regional population forecast for the projection year by the Department of Finance, then the population forecast developed by the council of governments shall be the basis from which the department determines the existing and projected need for housing in the region. If the difference between the total population projected by the council of governments and the total population projected for the region by the Department of Finance is greater than 1.5 percent, then the department and the council of governments shall meet to discuss variances in methodology used for population projections and seek agreement on a population projection for the region to be used as a basis for determining the existing and projected housing need for the region. If no agreement is reached, then the population projection for the region shall be the population projection for the region prepared by the Department of Finance as may be modified by the department as a result of discussions with the council of governments."

SCAG projects total regional population to grow to 20,725,878 by October, 2029. SCAG's projection differs from Department of Finance (DOF) projection of 20,689,591, which was issued by DOF in May, 2018, by 0.18%. The total population provided in HCD's determination is 20,455,355, reflecting an updated DOF projection, differs from SCAG's projection by 1.32%. As SCAG's total projection is within the statutory tolerance of 1.5%, accordingly HCD is to use SCAG's population forecast.

While HCD has emphasized that consistency in approach to the 6th cycle RHNA across regions is a priority, deference to the Council of Governments' forecast as specified in statute is an important aspect of regional planning. Federal requirements for SCAG's Regional Transportation Plan necessitate a forecast of population, households, and employment for evaluating future land use patterns and measuring future travel demand as well as air quality conformity under the federal Clean Air Act. In addition, under SB 375, the State requires SCAG to develop a Sustainable Communities Strategy which is a coordination of transportation and land use in the regional planning process to achieve State's climate goals. Both federal and State requirements are predicated on SCAG's forecast of population, households and employment.

As a result, SCAG has a long-established and well-respected process for producing a balanced forecast of population, households, and employment for the region, the details of which can be found in each Regional Transportation Plan (e.g. http://scagrtpscs.net/Documents/2016/final/f2016RTPSCS_DemographicsGrowthForecast.pdf). SCAG's quadrennial growth forecast begins with a consensus on appropriate assumptions of fertility, migration, immigration, household formation, and job growth by a panel of state and regional experts including members of DOF's Demographic Research Unit. In addition, SCAG co-hosts an annual demographic workshop with the University of Southern California to keep state and regional experts and stakeholders appraised of demographic and economic trends (https://www.scag.ca.gov/calendar/Pages/DemographicWorkshop.aspx).

SCAG places a high priority on generating its own forecasts of population, households, and employment and ensuring the highest possible degree of consistency and integrity of its projections for transportation, land use, and housing planning purposes.

Use of Comparable Regions

Pursuant to Government Code 65584.01(c)(2)(B), HCD's determination of housing need in the SCAG region is not a reasonable application of the methodology and assumptions described in statute. Specifically, HCD compared household overcrowding and cost-burden rates in the SCAG region to national averages rather than to rates in comparable regions as statutorily required.

SCAG's initial consultation package provided an approach using comparable regions to evaluate household overcrowding SCAG staff met with HCD staff in-person in both Los Angeles and Sacramento to discuss adjustment criteria and how to define a comparable region to Southern California, as our region's size precludes a straightforward comparison. At the direction of HCD, SCAG staff refined its methodology for identifying comparable regions and provided a state-of-the-practice analysis supported by recent demographic and economic literature which determined

that the most appropriate comparison to the SCAG region would be an evaluation against the San Jose, New York, San Francisco, Miami, Seattle, Chicago, San Diego, Washington D.C., Houston, and Dallas metropolitan areas. Despite this collaboration on the subject between HCD and SCAG, HCD elected to reject this approach and instead used national average statistics, which include small metropolitan areas and rural areas having little in common with Southern California.

HCD's choice to use national averages:

- Is inconsistent with the statutory language of SB 828, which added the comparable region standard to RHNA law in order to improve the technical robustness of measures of housing need.
- Is inconsistent with empirical data as economic and demographic characteristics differ dramatically based on regional size and context. For comparison, the median-sized metropolitan region in the country is Fargo, North Dakota with a population of 207,500. That is not a meaningful basis of comparison for the nation's largest MPO.
- Is inconsistent with HCD's own internal practice for the 6th cycle of RHNA. The regional need determination for the Sacramento Area Council of Governments (SACOG), issued on July 18, 2019, was the first 6th cycle RHNA determination following SB 828's inclusion of the comparable region standard. During their consultation process with HCD, SACOG also produced a robust technical analysis to identify comparable regions for the purposes of using overcrowding and cost-burden statistics to determine regional housing needs. However, HCD's final determination for SACOG used this analysis while the SCAG region was held to a different and less reasonable standard.

Improved Vacancy Rate Comparison

HCD seemingly uses unrealistic comparison points to evaluate healthy market vacancy, which is also an unreasonable application of the methodology and assumptions described in statute. While SB 828 specifies a vacancy rate for a healthy rental housing market as no less than 5 percent, healthy market vacancy rates for for-sale housing are not specified. HCD's practice is to compare actual, ACS vacancy rates for the region versus a 5 percent total vacancy rate (i.e. owner and renter markets combined).

During the consultation process, SCAG discussed this matter with HCD staff and provided several points of comparison including historical data, planning standards, and comparisons with other regions. In addition, SCAG staff illustrated that given tenure shares in the SCAG region, HCD's suggestion of a 5 percent total vacancy rate is mathematically equivalent to an 8 percent rental market vacancy rate plus a 2.25 percent for-sale housing vacancy rate. However, in major metropolitan regions, vacancy rates this high are rarely experienced outside of severe economic recessions such as the recent, housing market-driven Great Recession. Given the region's current housing shortage, the high volume of vacant units envisioned in HCD's planning target would be rapidly absorbed, making it an unrealistic standard.

SCAG staff's original suggestion of 5 percent rental vacancy and 1.5 percent for-sale vacancy (resulting in a 3.17 percent total vacancy rate based on current tenure shares) is in fact *higher* than the observed rate in the comparable regions defined above. It is also above Federal Housing Authority standards for regions experiencing slow or moderate population growth. It is also above the very liberal standard of 6 percent for for-rent housing and 2 percent for for-sale housing suggested by the California Office of Planning and Research (equivalent to 3.90 percent total vacancy based on SCAG tenure shares) which would also be a more reasonable application of the methodology.¹

Additional Considerations

In addition to the three key points above, SCAG's proposed alternative includes several other corrections to technical shortcomings in HCD's analysis of regional housing needs.

- 1. HCD's evaluation of replacement need is based on an arbitrary internal standard of 0.5 percent to 5.0 percent of total housing units. 2010-2019 demolition data provided by DOF suggest that over an 8.25-year period, it is reasonable to expect that 0.14 percent of the region's total housing units will be demolished, but not replaced. This would form the basis of a more reasonable housing needs determination, as DOF's survey represents the most comprehensive and robust data available.
- 2. Anticipated household growth on tribal land was not excluded from the regional determination as indicated in the consultation package and follow-up communications. Tribal entities within the SCAG region have repeatedly requested that this estimate be excluded from the RHNA process entirely since as sovereign nations, state law does not apply. SCAG's proposed approach is to subtract estimates of household growth on tribal land from the regional determination and ensure that these figures are also excluded from local jurisdictions' annual progress reports (APRs) of new unit construction to HCD during the 6th cycle.
- 3. A refinement to the adjustment for cost burden would yield a more reasonable determination of regional housing needs. SCAG has repeatedly emphasized the shortcomings of and overlap across various ACS-based measures of housing need. Furthermore, the relationship between new unit construction and cost burden is poorly understood (i.e., what will be the impact of new units on cost, and by extension, cost-burden). Nonetheless, SCAG recognizes that the region's cost burden exceeds that of comparable regions and proposes one modification to HCD's methodology, which currently considers cost burden separately by lower and higher income categories.

While housing security is dependent on income, it is also heavily dependent on tenure. While spending above 30 percent of gross income on housing for renters can reflect true housing insecurity, spending above this threshold for owners is substantially less problematic. This is particularly true for higher income homeowners, who generally benefit from housing shortages as it results in home value appreciation. Thus, a more reasonable application of cost burden

¹ See Nelson, AC. (2004), *Planner's Estimating Guide Projecting Land-Use and Facility Needs*. Planners Press, American Planning Association, Chicago. P. 25.

statistics would exclude cost-burden experienced by moderate and above-moderate owner households and instead make an adjustment based on three of the four income and tenure combinations: lower-income renters, higher-income renters, and lower-income owners.

4. From our review, HCD's data and use of data is not current. In large metropolitan regions, there is no reasonable basis for using 5-year ACS data, which reflects average conditions from 2013 to 2017. For cost-burden adjustments, HCD relies on 2011-2015 CHAS data. By the beginning of the 6th cycle of RHNA, some of the social conditions upon which the determination is based will be eight years old.

During the consultation process, SCAG staff provided HCD with Excel-version data of all inputs needed to replicate their methodology using ACS 2017 1-year data (the most recent available); however, this was not used. The Census bureau is scheduled to release ACS 2018 1-year data on September 26, 2019. SCAG staff would support replicating the same analysis, but substituting 2018 data when it becomes available in order to ensure the most accurate estimates in planning for the region's future.

Finally, given that the manner and order in which modifications are made affects the total housing need, the attachments demonstrate two alternatives with varying interpretations of three of the above points (see boldface, red text in attachments):

- Vacancy rate comparison SCAG's originally proposed values versus an alternative which emerged from the consultation process
- Replacement need DOF survey value versus HCD's current practice
- Cost burden measure whether or not to include higher-income homeowners in this adjustment

We appreciate your careful consideration of this objection. RHNA is a complex process and we recognize the difficult positions that both SCAG and HCD are in but are hopeful that our agencies can reach a reasonable conclusion with respect to the regional need determination. Please contact me if you have questions. I look forward to continuing our close partnership to address the housing crisis in our state.

Sincerely,

Kome Ajise

Executive Director

Kome Ajise

Attachments

- 1. SCAG Alternative Determination
- 2. Excel version: SCAG Alternative Determination and supporting data
- 3. HCD Letter on Regional Need Determination, August 22, 2019

Attachment 1 SCAG Alternative Determination

1 OPTION A: SCAG region housing needs, June 30 2021-October	r 1 2029 (8.25 Year	rs)		
2 Population: Oct 1, 2029 (SCAG 2020 RTP/SCS Forecast)				20,725,878
3 - Less Group Quarters Population (SCAG 2020 RTP/SCS Fo	recast)			-327,879
4 Household (HH) Population, Oct 1, 2029				20,397,998
Household Formation Groups	SCAG Projected HH Population	Headship rate - see Table 2	Projected Households	
	20,397,998		6,668,498	
under 15 years	3,812,391		n/a	
15 - 24 years	2,642,548		147,005	
25 - 34 years	2,847,526		864,349	
35 - 44 years	2,821,442		1,304,658	
45 - 54 years	2,450,776		1,243,288	
55 - 64 years	2,182,421		1,116,479	
65 -74 years	1,883,181		1,015,576	
75 - 84 years	1,167,232		637,415	
85+	590,480		339,727	((() 100
5 Projected Households (Occupied Unit Stock)	T			6,668,498
6 + Vacancy	Owner	Renter		
Tenure Share (ACS 2017 1-year)	52.43%	47.57%		
Households by Tenure	3,496,058	3,172,440		
Healthy Market Vacancy Standard	1.50%	5.00%		
SCAG Vacancy (ACS 2017 1-year)	1.13%	3.30%		
Difference	0.37%	1.70%		
Vacancy Adjustment	12,953	53,815		66,768
7 + Overcrowding (Comparison Point vs. Region ACS %)	5.20%	9.82%	4.62%	308,264
8 + Replacement Adj (Actual DOF Demolitions)		0.14%		9,335
- Household Growth on Tribal Land (SCAG Estimate)				-2,766
9 - Occupied Units (HHs) estimated June 30, 2021 (from DOF date	a)			-6,250,261
10 + Cost-burden Adjustment (Comparison Point vs. Region)				23,969
6th Cycle Regional Housing Need Assessment (RHNA)	·			823,808

1	OPTION B: SCAG region housing needs, June 30 2021-October	1 2029 (8.25 Year	s)		
2	Population: Oct 1, 2029 (SCAG 2020 RTP/SCS Forecast)				20,725,878
3	- Less Group Quarters Population (SCAG 2020 RTP/SCS Fo.	recast)			-327,879
4	Household (HH) Population, Oct 1, 2029	20,397,998			
	Household Formation Groups	SCAG Projected HH Population	Headship rate - see Table 2	Projected Households	
		20,397,998		6,668,498	
	under 15 years	3,812,391		n/a	
	15 - 24 years	2,642,548		147,005	
	25 - 34 years	2,847,526		864,349	
	35 - 44 years	2,821,442		1,304,658	
	45 - 54 years	2,450,776		1,243,288	
	55 - 64 years	2,182,421		1,116,479	
	65 -74 years	1,883,181		1,015,576	
	75 - 84 years	1,167,232		637,415	
-	85+	590,480		339,727	6,668,498
-1	Projected Households (Occupied Unit Stock)				0,000,490
6	+ Vacancy	Owner	Renter		
	Tenure Share (ACS 2017 1-year)	52.43%	47.57%		
	Households by Tenure	3,496,058	3,172,440		
	Healthy Market Vacancy Standard	2.00%	6.00%		
	SCAG Vacancy (ACS 2017 1-year)	1.13%	3.30%		
	Difference	0.87%	2.70%		
	Vacancy Adjustment	30,433	85,540		115,973
7	+ Overcrowding (Comparison Point vs. Region ACS %)	5.20%	9.82%	4.62%	308,264
8	+ Replacement Adj (HCD minimum standard) 0.50%			33,340	
	- Household Growth on Tribal Land (SCAG Estimate)				-2,766
9	9 - Occupied Units (HHs) estimated June 30, 2021 (from DOF data)				-6,250,261
10	+ Cost-burden Adjustment (Comparison Point vs. Region)				47,724
	6th Cycle Regional Housing Need Assessment (RHNA)				920,772

- 1 Projection period: Gov. Code 65588(f) specifies RHNA projection period start is December 31 or June 30, whichever date most closely precedes end of previous RHNA projection period end date. RHNA projection period end date is set to align with planning period end date. The planning period end date is eight years following the Housing Element due date, which is 18 months following the Regional Transportation Plan adoption rounded to the 15th or end of the month.
- 2-5 Population, Group Quarters, Household Population, & Projected Households: Pursuant to Government Code Section 65584.01, projections were extrapolated from SCAG's Regional Transportation Plan projections. <u>Population</u> reflects total persons. <u>Group Quarter Population</u> reflects persons in a dormitory, group home, institution, military, etc. that do not require residential housing. <u>Household Population</u> reflects persons requiring residential housing. <u>Projected Households</u> reflect the propensity of persons, by age-groups, to form households at different rates based on Census trends.
- Vacancy Adjustment: Pursuant to Government Code 65584.01, a 5% minimum is considered to be healthy market vacancy in the for-rent housing market. Vacancy rates in the for-sale market are unspecified in statute. SCAG's analysis of vacancy rates suggests a healthy market standard of 5% for fore-rent housing and 1.5% for for-sale housing. After extensive consultation with HCD, a review of historical trends, regional and national comparison, and various planning standards, a more liberal vacancy standard of 6% for for-rent housing and 2% for for-sale housing may also be supported by this analysis. These standards are compared against ACS 2017 1-year data based on the renter/owner share in the SCAG region.
- 7 Overcrowding Adjustment: In regions where overcrowding is greater than the Comparable Region Rate, an adjustment is applied based on the amount the region's overcrowding rate (9.82%) exceeds the Comparable Region Rate (5.20%). Data is from 2017 1-year ACS.
- 8 Replacement Adjustment: A replacement adjustment is applied based on the current 10-year average % of demolitions according to local government annual reports to Department of Finance. While these data suggest an adjustment of 0.14% is most appropriate, SCAG recognizes that HCD's internal practice is to use an adjustment factor of 0.5%.
- 9 Occupied Units: Reflects DOF's estimate of occupied units at the start of the projection period (June 30, 2021).

10

Cost Burden Adjustment: A cost-burden adjustment is applied to the projected need by comparing the difference in cost-burden by income and tenure group for the region to the cost-burden by income and tenure group for comparable regions. Data are from 2017 1-year ACS and the ACS \$50,000/year household income threshold is used to distinguish between lower and higher income groups. The lower income RHNA is increased by the percent difference between the region and the comparison region cost burden rate for households earning approximately 80% of area median income and below (88.89%-84.39%=4.51% for renters and 27.33%-20.97%=6.36% for owners), then this difference is applied to very low- and low-income RHNA proportionate to the share of the population these groups currently represent (Very Low=63% of lower, Low=37% of lower). The higher income RHNA is increased by the percent difference between the region and the comparison region cost burden rate (67.15%-65.53%=1.62% for renters and 23.78%-17.06%=6.72% for owners) for households earning above 80% Area Median Income, then this difference is applied to moderate and above moderate income RHNA proportionate to the share of the population these groups currently represent (Moderate=29% of higher, Above Moderate=71% of higher). SCAG's analysis of the cost-burden measure suggests that it may be less appropriate to apply for higher-income owners and it may be excluded from the adjustment.

Option A: Regional Housing Need Allocation (RHNA) Determination SCAG Region

June 30, 2021 through October 1, 2029

<u>Income</u>	Category	<u>Percent</u>	<u>H</u>	ousing Unit Need
	Very-Low *	25.8%		212,284
	Low	15.1%		124,375
	Moderate	17.1%		140,601
	Above-Moderate	42.1%		246 547
	Above-ivioderate	42.1%		346,547
	Total	100.0%		823,808
	* Extremely-Low	14.6%	included in Very-	Low Category
	= : : : : ; = = : :			

Option B: Regional Housing Need Allocation (RHNA) Determination SCAG Region

June 30, 2021 through October 1, 2029

Income Category	Percent	Housing Unit N	eed
Very-Low *	25.8%	231,	084
Low	15.1%	135,	390
Moderate	17.1%	159,	982
Above-Moderate	42.1%	394,	316
	400.00/		
Total	100.0%	920,	//2
* Extremely-Low	14.6%	included in Very-Low Category	
		mendada miritary zam Garagary	

Income Distribution: Income categories are prescribed by California Health and Safety Code (Section 50093, et.seq.). Percents are derived based on ACS reported household income brackets and county median income, then adjusted based on the percent of cost-burdened households in the region compared with the percent of cost burdened households nationally.

April 4, 2022 Regular CC Meeting STATE OF CALIFORNIA - BUSINESS, CONSUMER SERVICES AND HOUSING AGENCY

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT DIVISION OF HOUSING POLICY DEVELOPMENT

2020 W. El Camino Avenue, Suite 500 Sacramento, CA 95833 (916) 263-2911 / FAX (916) 263-7453 www.hcd.ca.gov



October 15, 2019

Kome Ajise Executive Director Southern California Association of Governments 900 Wilshire Boulevard, Suite 1700 Los Angeles, CA 90017

Dear Executive Director Ajise,

RE: Final Regional Housing Need Assessment

The California Department of Housing and Community Development (HCD) has received and reviewed your objection to the Southern California Association of Governments (SCAG)'s Regional Housing Needs Assessment (RHNA) provided on August 22, 2019. Pursuant to Government Code (Gov. Code) section 65584.01(c)(3), HCD is reporting the results of its review and consideration, along with a final written determination of SCAG's RHNA and explanation of methodology and inputs.

As a reminder, there are several reasons for the increase in SCAG's 6th cycle Regional Housing Needs Assessment (RHNA) as compared to the 5th cycle. First, as allowed under Gov. Code 65584.01(b)(2), the 6th cycle RHNA applied housing need adjustment factors to the region's total projected households, thus capturing existing and projected need. Second, overcrowding and cost burden adjustments were added by statute between 5th and 6th cycle; increasing RHNA in regions where incidents of these housing need indicators were especially high. SCAG's overcrowding rate is 10.11%, 6.76% higher than the national average. SCAG's cost burden rate is 69.88% for lower income households, and 18.65% for higher income households, 10.88% and 8.70% higher than the national average respectively. Third, the 5th cycle RHNA for the SCAG region was impacted by the recession and was significantly lower than SCAG's 4th cycle RHNA.

This RHNA methodology establishes the minimum number of homes needed to house the region's anticipated growth and brings these housing need indicators more in line with other communities, but does not solve for these housing needs. Further, RHNA is ultimately a requirement that the region zone sufficiently in order for these homes to have the potential to be built, but it is not a requirement or guarantee that these homes will be built. In this sense, the RHNA assigned by HCD is already a product of moderation and compromise; a minimum, not a maximum amount of planning needed for the SCAG region.

For these reasons HCD has not altered its RHNA approach based on SCAG's objection. However, the cost burden data input has been updated following SCAG's objection due to the availability of more recent data. Attachment 1 displays the minimum RHNA of **1,341,827** total homes among four income categories for SCAG to distribute among its local governments. Attachment 2 explains the methodology applied pursuant to Gov. Code section 65584.01.

Page 2 of 7

The following briefly responds to each of the points raised in SCAG's objection:

Use of SCAG's Population Forecast

SCAG's overall population estimates for the end of the projection period <u>exceed</u> Department of Finance's (DOF) population projections by 1.32%, however the SCAG household projection derived from this population forecast is 1.96% <u>lower</u> than DOF's household projection. This is a result of SCAG's population forecast containing 3,812,391 under 15-year old persons, compared to DOF's population projection containing 3,292,955 under 15-year old persons; 519,436 more persons within the SCAG forecast that are anticipated to form no households. In this one age category, DOF's projections differ from SCAG's forecast by 15.8%.

Due to a greater than 1.5% difference in the population forecast assessment of under 15-year olds (15.8%), and the resulting difference in projected households (1.96%), HCD maintains the use of the DOF projection in the final RHNA.

Use of Comparable Regions

While the statute allows for the council of government to determine and provide the comparable regions to be used for benchmarking against overcrowding and cost burden, Gov. Code 65584.01(b)(2) also allows HCD to "accept or reject information provided by the council of governments or modify its own assumptions or methodology based on this information." Ultimately, HCD did not find the proposed comparable regions an effective benchmark to compare SCAG's overcrowding and cost burden metrics to. HCD used the national average as the comparison benchmark, which had been used previously throughout 6th cycle prior to the addition of comparable region language into the statute starting in January 2019. As the housing crisis is experienced nationally, even the national average does not express an ideal overcrowding or cost burden rate; we can do more to reduce and eliminate these worst-case housing needs.

Vacancy Rate

No changes have been made to the vacancy rate standard used by HCD for the 6th cycle RHNA methodology.

Replacement Need

No changes have been made to the replacement need minimum of adjustment .5%. This accounts for replacement homes needed to account for homes potentially lost during the projection period.

Household Growth Anticipated on Tribal Lands

No changes have been made to reduce the number of households planned in the SCAG region by the amount of household growth expected on tribal lands. The region should plan for these homes outside of tribal lands.

Overlap between Overcrowding and Cost Burden

No changes have been made to overcrowding and cost burden methodology. Both factors are allowed statutorily, and both are applied conservatively in the current methodology.

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Data Sources

No changes have been made to the data sources used in the methodology. 5-year American Community Survey data allows for lower margin of error rates and is the preferred data source used throughout this cycle. With regard to cost burden rates, HCD continues to use the Comprehensive Housing Affordability Strategy, known as CHAS data. These are custom tabulations of American Community Survey requested by the U.S. Department of Housing and Urban Development. These customs tabulations display cost burden by income categories, such as lower income, households at or below 80% area median income; rather than a specific income, such as \$50,000. The definition of lower income shifts by region and CHAS data accommodates for that shift. The 2013-2016 CHAS data became available August 9, 2019, shortly prior to the issuance of SCAG's RHNA determination so that data is now used in this RHNA.

Next Steps

As you know, SCAG is responsible for adopting a RHNA allocation methodology for the *projection* period beginning June 30, 2021 and ending October 15, 2029. Pursuant to Gov. Code section 65584(d), SCAG's RHNA allocation methodology must further the following objectives:

- (1) Increasing the housing supply and the mix of housing types, tenure, and affordability in all cities and counties within the region in an equitable manner, which shall result in each jurisdiction receiving an allocation of units for low- and very-low income households.
- (2) Promoting infill development and socioeconomic equity, the protection of environmental and agricultural resources, the encouragement of efficient development patterns, and the achievement of the region's greenhouse gas reductions targets provided by the State Air Resources Board pursuant to Section 65080.
- (3) Promoting an improved intraregional relationship between jobs and housing, including an improved balance between the number of low-wage jobs and the number of housing units affordable to low-wage workers in each jurisdiction.
- (4) Allocating a lower proportion of housing need to an income category when a jurisdiction already has a disproportionately high share of households in that income category, as compared to the countywide distribution of households in that category from the most recent American Community Survey.

 (5) Affirmatively furthering fair housing.

Pursuant to Gov. Code section 65584.04(e), to the extent data is available, SCAG shall include the factors listed in Gov. Code section 65584.04(e)(1-12) to develop its RHNA allocation methodology. Pursuant to Gov. Code section 65584.04(f), SCAG must explain in writing how each of these factors was incorporated into the RHNA allocation methodology and how the methodology furthers the statutory objectives described above. Pursuant to Gov. Code section 65584.04(h), SCAG must consult with HCD and submit its draft allocation methodology to HCD for review.

Page 4 of 7

HCD appreciates the active role of SCAG staff in providing data and input throughout the consultation period. HCD especially thanks Ping Chang, Ma'Ayn Johnson, Kevin Kane, and Sarah Jepson.

HCD looks forward to its continued partnership with SCAG to assist SCAG's member jurisdictions meet and exceed the planning and production of the region's housing need. Just a few of the support opportunities available for the SCAG region this cycle include:

- SB 2 Planning Grants and Technical Assistance (application deadline November 30, 2019)
- Regional and Local Early Action Planning Grants
- Permanent Local Housing Allocation

Dougly R. Mc Ceuley

If HCD can provide any additional assistance, or if you, or your staff, have any questions, please contact Megan Kirkeby, Assistant Deputy Director for Fair Housing, at megan.kirkeby@hcd.ca.gov.

Sincerely,

Douglas R. McCauley Acting Director

Enclosures

ATTACHMENT 1

HCD REGIONAL HOUSING NEED DETERMINATION

SCAG: June 30, 2021 – October 15, 2029 (8.3 years)

Income Category	<u>Percent</u>	Housing Unit Need
Very-Low*	26.2%	351,796
Low	15.4%	206,807
Moderate	16.7%	223,957
Above-Moderate	41.7%	559,267
Total	100.0%	1,341,827
* Extremely-Low	14.5%	Included in Very-Low Category

Notes:

Income Distribution:

Income categories are prescribed by California Health and Safety Code (Section 50093, et.seq.). Percents are derived based on ACS reported household income brackets and regional median income, then adjusted based on the percent of cost-burdened households in the region compared with the percent of cost burdened households nationally.

ATTACHMENT 2

HCD REGIONAL HOUSING NEED DETERMINATION SCAG: June 30, 2021 – October 15, 2029 (8.3 years)

<u>Methodology</u>

SCAG: June 30, 2021-October 15, 2029 (8.3 Years) HCD Determined Population, Households, & Housing Need					
1.					
2.					-363,635
3.	Household (HH) Population: October	15, 2029			20,079,930
	Household Formation Groups	HCD Adjusted DOF Projected	DOF HH Formation	HCD Adjusted DOF Projected	
		HH Population	Rates	Households	
		20,079,930		6,801,760	
	under 15 years	3,292,955	n/a	n/a	
	15 – 24 years	2,735,490	6.45%	176,500	
	25 – 34 years 2,526,620 32.54% 822,045				
	35 – 44 years 2,460,805 44.23% 1,088,305				
	45 – 54 years 2,502,190 47.16% 1,180,075				
	55 – 64 years 2,399,180 50.82% 1,219,180				
	65 – 74 years	2,238,605	52.54%	1,176,130	
	75 – 84 years	1,379,335	57.96%	799,455	
	85+	544,750	62.43%	340,070	
4. Projected Households (Occupied Unit Stock)					6,801,760
5. + Vacancy Adjustment (2.63%)					178,896
6.	6. + Overcrowding Adjustment (6.76%)				
7.					34,010
8 Occupied Units (HHs) estimated (June 30, 2021)				-6,250,261	
9. + Cost Burden Adjustment (Lower Income: 10.63%, Moderate and Above Moderate Income: 9.28%)				117,505	
6 th Cycle Regional Housing Need Assessment (RHNA)				1,341,827	

Explanation and Data Sources

- 1-4. Population, Group Quarters, Household Population, & Projected Households: Pursuant to Government Code Section 65584.01, projections were extrapolated from Department of Finance (DOF) projections. <u>Population</u> reflects total persons. <u>Group Quarter Population</u> reflects persons in a dormitory, group home, institution, military, etc. that do not require residential housing. <u>Household Population</u> reflects persons requiring residential housing. <u>Projected Households</u> reflect the propensity of persons, by age-groups, to form households at different rates based on Census trends.
- 5. Vacancy Adjustment: HCD applies a vacancy adjustment based on the difference between a standard 5% vacancy rate and the region's current "for rent and sale" vacancy percentage to provide healthy market vacancies to facilitate housing availability and resident mobility. The adjustment is the difference between standard 5% and region's current vacancy rate (2.37%) based on the 2013-2017 5-year American Community Survey (ACS) data. For SCAG that difference is 2.63%.
- 6. Overcrowding Adjustment: In region's where overcrowding is greater than the U.S overcrowding rate of 3.35%, HCD applies an adjustment based on the amount the region's overcrowding rate (10.11%) exceeds the U.S. overcrowding rate (3.35%) based on the 2013-2017 5-year ACS data. For SCAG that difference is 6.76%.

Continued on next page

7. Replacement Adjustment: HCD applies a replacement adjustment between .5% & 5% to total housing stock based on the current 10-year average of demolitions in the region's local

Page **7** of **7**

government annual reports to Department of Finance (DOF). For SCAG, the 10-year average is .14%, and SCAG's consultation package provided additional data on this input indicating it may be closer to .41%; in either data source the estimate is below the minimum replacement adjustment so the minimum adjustment factor of .5% is applied.

- 8. Occupied Units: Reflects DOF's estimate of occupied units at the start of the projection period (June 30, 2021).
- 9. Cost Burden Adjustment: HCD applies an adjustment to the projected need by comparing the difference in cost-burden by income group for the region to the cost-burden by income group for the nation. The very-low and low income RHNA is increased by the percent difference (69.88%-59.01%=10.88%) between the region and the national average cost burden rate for households earning 80% of area median income and below, then this difference is applied to very low- and low-income RHNA proportionate to the share of the population these groups currently represent. The moderate and above-moderate income RHNA is increased by the percent difference (18.65%-9.94%=8.70%) between the region and the national average cost burden rate for households earning above 80% Area Median Income, then this difference is applied to moderate and above moderate income RHNA proportionate to the share of the population these groups currently represent. Data is from 2013-2016 Comprehensive Housing Affordability Strategy (CHAS).

CITY COUNCIL

November 17, 2020 INCORPORAT

MAYOR

JOEL FAJARDO

VICE MAYOR HECTORA, PACHECO

COUNCILMEMBER Sylvia Ballin

COUNCILMEMBER ROBERT C. GONZALES

COUNCILMEMBER Mary Mendoza

1911 The Honorable Rex Richardson, President Southern California Association of Governments 900 Wilshire Boulevard, Suite 1700

Los Angeles, CA 90017

SUBJECT: City of San Fernando Support for Request to Convene a Special Closed

Meeting of the SCAG Regional Council to Discuss

Recommendations of the SCAG RHNA Litigation Committee

Dear President Richardson:

We have been monitoring the information and discussions that have been raised by jurisdictions, on whether the State Department of Housing and Community Development (HCD) followed housing law in issuing a housing need of 1.34 million units to the SCAG region. This was an issue that was raised by SCAG staff in its own September 18, 2019 objection letter to HCD, and a reason why SCAG initially established and convened meetings of a SCAG RHNA Litigation Committee back in late 2019. At that time, it was reported that no litigation would be pursued.

Since that time, and at the request of SCAG RHNA Subcommittee Chair Peggy Huang, we understand that you reconvened the SCAG RHNA Litigation Committee, and further, that a meeting was held on November 2, 2020 to continue discussions on the issue. You reported out at the November 4, 2020 SCAG Executive/Administration Committee meeting and the November 5, 2020 SCAG Regional Council meeting, that there was a general consensus of the RHNA Litigation Committee that SCAG not pursue any litigation actions against HCD.

At the November 5, 2020 Regional Council meeting, two Regional Council members asked if a special closed session of the SCAG Regional Council could be scheduled, to further discuss the recommendation of the RHNA Litigation Committee and receive the information that was presented to the RHNA Litigation Committee. You responded that you needed to hear from a cross-section of members and be respectful of all viewpoints, to see if there are any concerns with the recommendation of the RHNA Litigation Committee.

The City of San Fernando is responding to your outreach. We support the request that the SCAG Regional Council conduct a special closed meeting to discuss the RHNA Litigation Committee's recommendation. As a SCAG member jurisdiction,

OFFICE OF THE **CITY COUNCIL**

117 Macneil Street San Fernando California 91340

(818) 898-1201

THE HONORABLE REX RICHARDSON

City of San Fernando Support for Request to Convene a Special Closed Meeting of the SCAG Regional Council to Discuss the Recommendations of the SCAG RHNA Litigation Committee Page 2 of 2

we feel this discussion has direct relevance to our jurisdiction and our RHNA allocation, and merits the additional consideration and recommendation of the Regional Council. We hope that this special meeting can be convened immediately.

Sincerely,

Joel Fajardo, Ma**y**or City of San Fernando

cc: Kome Ajise, SCAG Executive Director SCAG Regional Council District 67 Representative Hon. Hector Pacheco of City of San Fernando

John Bwarie, San Fernando Valley Council of Governments

CITY COUNCIL

February 14, 2022

Mayor.

MARY MENDOZA

VICE MAYOR

HECTOR A. PACHECO

COUNCILMEMBER Sylvia Ballin

COUNCILMEMBER CINDY MONTAÑEZ

COUNCILMEMBER CELESTE T. RODRIGUEZ

1911 Honorable Rob Bonta

Attorney General of California

1300 | Street, 17th Floor

Sacramento, CA 95814

SUBJECT: Letter of support for the Brand-Huang-Mendoza Tripartisan Land Use

Initiative and Ballot Initiative No. 21-0016A1, titled "Provides that Local Land-Use and Zoning Laws Override Conflicting State Laws. Initiative

Constitutional Amendment"

Dear Attorney General Bonta:

The City Council of the City of San Fernando (City) hereby expresses its support to the Brand-Huang-Mendoza Tripartisan Land Use Initiative and its Ballot Initiative No. 21-0016A1, titled "Provides That Local Land-Use and Zoning Laws Override Conflicting State Laws. Initiative Constitutional Amendment." We applaud your efforts to pass this needed Constitutional Amendment to make local zoning and land use decisions a local community affair and not of State interest.

Although the City appreciates the intent of the State Legislature passing Senate Bill 9 (SB 9) to boost housing production, SB 9 overreaches that purpose by usurping local land use and zoning authority and threatening our cherished City's orderly and beneficial development. SB 9 inhibits our ability to effectively plan for and implement policies to stimulate the efficient production of affordable housing in the City.

The City Council is concerned about potentially significant impacts that SB 9 will have on the character of our residential neighborhoods and the quality of life of our citizens. At 2.4 square miles, the City is entirely built-out and zoned predominantly for single-family housing, and with our existing densely built neighborhoods, many of the City's streets already face serious traffic congestion and parking shortages. There are additional concerns related to environmental quality and emergency-response effectiveness that coincide with unplanned residential density increases. SB 9 undermines the City's ability to address such challenges through safe and effective planning.

It is crucial for our City to maintain its land use authority in order to provide the best solutions for current and future residents. It is important to retain the ability to determine which projects require review beyond ministerial approval, what

OFFICE OF THE CITYCOUNCIL

117 Macneil Street San Fernando **C**ALIFORNIA 91340

(818) 898-1201

HONORABLE ATTORNEY GENERAL BONTA

Letter of support for the Brand-Huang-Mendoza Tripartisan Land Use Initiative and Ballot Initiative No. 21-0016A1, titled "Provides that Local Land-Use and Zoning Laws Override Conflicting State Laws. Initiative Constitutional Amendment" Page 2 of 2

parking requirements are appropriate for various neighborhoods, and what housing plans and programs are suitable and practical for each community based on their unique circumstances and needs. Zoning and land use authority must rest with the local government in order to effectively solve the statewide housing crisis with solutions that address the unique needs and conditions of each unique local community. For these reasons, we support the Brand-Huang-Mendoza Tripartisan Land Use Initiative committee and the ballot initiative aimed at providing that local land-use and zoning laws override conflicting state laws.

Sincerely,

Mary Mendoza

Hector A. Pacheco

Vice Mayor

py va la

Councilmember Councilmember

Celeste T. Rodriguez

Councilmember

cc: Honorable Gavin Newsom, California Governor

Honorable Robert Hertzberg, California State Senator and Majority Leader, 18th Senate District

Honorable Luz Rivas, California State Assemblymember, 39th Assembly District

Ronda Paschal, Deputy Legislative Secreatary, Office of Governor Newsom Jennifer Quan, Regional Public Affairs Manager, League of California Cities (JQuan@cacities.org)

League of California Cities (CityLetters@calcities.org)

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AGENDA REPORT

Page 275 of 333

To: Mayor Mendoza and Councilmembers

From: Nick Kimball, City Manager

By: Fabian Valdez, Police Chief

Date: April 4, 2022

Subject: Discussion and Consideration to Adopt Ordinance No. 1709 Amending Division 2

of Article II of Chapter 90 of the San Fernando Municipal Code and Section 90-72 of the San Fernando Municipal Code to Expand the Duties of the Transportation

and Safety Commission to Include Public Safety.

RECOMMENDATION:

It is recommended that the City Council introduce for first reading, in title only, and waive further reading to adopt Ordinance No. 1709 "An Ordinance of the City Council of the City of San Fernando, California, amending Division 2 of Article II of Chapter 90 of the San Fernando Municipal Code renaming the Transportation and Safety Commission the Transportation and Public Safety Commission and amending section 90-72 of the San Fernando Municipal Code to expand the duties of the commission to include public safety."

BACKGROUND:

- On June 15, 2020, then Vice Mayor Hector A. Pacheco submitted an agenda report to City Council recommending the creation of a Public Safety Commission Ad Hoc Committee to study the possible establishment of a Public Safety Commission. City Council approved the request and appointed then Mayor Joel Fajardo and Vice Mayor Pacheco to serve on the newly formed Ad Hoc Committee.
- 2. The Ad Hoc Committee met on multiple occasions to discuss possible organization, roles and responsibilities of a Public Safety Commission.
- 3. On January 4, 2021, City Council approved reorganization of the City Council Ad Hoc Committees and appointed then Vice Mayor Mendoza and Councilmember Pacheco to the Public Safety Commission Ad Hoc Committee.
- 4. On September 2, 2021, after several meetings, the Ad Hoc Committee finalized recommendations to City Council related to the organization, roles and responsibilities of a Public Safety Commission.

CITY COUNCIL 117 MACNEIL STREET, SAN FERNANDO, CA 91340 (818) 898-1201 WWW.SFCITY.ORG

Discussion and Consideration to Adopt Ordinance No. 1709 Amending Division 2 of Article II of Chapter 90 of the San Fernando Municipal Code and Section 90-72 of the San Fernando Municipal Code to Expand the Duties of the Transportation and Safety Commission to Include Public Safety.

Page 2 of 4

- 5. On October 4, 2021, City Council discussed the recommendations of the Ad Hoc Committee and directed staff to present the recommendations and seek input from the Transportation and Safety Commission at its regularly scheduled November meeting. Additionally, City Council directed staff to discuss the Ad Hoc Committee recommendations with the new Police Chief once one was hired.
- 6. On November 3, 2022, the Transportation and Safety Commission discussed the recommendations of the Ad Hoc Committee and concurred with the recommendation to rename the current Transportation and Safety Commission to the Transportation and Public Safety Commission and add certain Public Safety advisory roles and responsibilities to their existing roles and responsibilities.

ANALYSIS:

Currently, Sec 90-72 of the San Fernando Municipal Code outlines the duties of the Transportation and Safety Commission to include:

- 1) Developing practicable means for coordinating the activities of all city officers and agencies having authority with respect to the administration of enforcement of traffic regulations;
- 2) Develop and assist in the preparation and publication of transportation safety and traffic reports;
- 3) Receive complaints having to do with traffic matters; and
- 4) Recommend to the city council, the chief of the traffic division and other city officials' ways and means for improving traffic conditions and the administration and enforcement of transportation safety and traffic regulations.

The goal of the proposed re-formed Transportation and Public Safety Commission would be to expand the current Transportation and Safety Commission role and create a community-based venue for the Police Department to present information to the public in the spirt of transparency. Additionally, San Fernando community members would be provided a forum to strengthen community-policing approaches through collaboration, respect and transparency while sharing public safety information with the broader public.

Furthermore, the proposed re-formed Transportation and Public Safety Commission would also assist with planning and marketing various public safety events, such as National Night Out, Neighborhood Watch, Business Watch and other community events that support increased public safety in San Fernando.

Discussion and Consideration to Adopt Ordinance No. 1709 Amending Division 2 of Article II of Chapter 90 of the San Fernando Municipal Code and Section 90-72 of the San Fernando Municipal Code to Expand the Duties of the Transportation and Safety Commission to Include Public Safety.

Page 3 of 4

The proposed ordinance expands the roles and responsibilities of the Transportation and Public Safety Commission to include:

- 1) Act solely as an advisory board to the City Council;
- 2) Act as an advocate for public safety and traffic services with respect to matters relating to public safety;
- 3) Understand police and fire operations, crime prevention, emergency preparedness, traffic and transportation;
- 4) Provide a venue for City staff to present police related information to the public;
- 5) Act as an advisory board on any other matters which may be assigned to it from time to time by the City Council in an advisory capacity.

The proposed Transportation and Public Safety Commission role will be limited to the items listed above and WILL NOT include:

- 1) Providing direction to the police department or the Chief of Police;
- 2) Providing direction or oversight with police department policies, procedures, or personnel;
- 3) Providing direction or oversight of police department external or internal operations;
- 4) Investigating police department matters or complaints; and
- 5) Reviewing police department investigations.

The proposed Transportation and Public Safety Commission will be a key component to the San Fernando Police Department's continued commitment to transparency and community based policing by providing a public forum to communicate public safety statistics and programs that impact the San Fernando community.

BUDGET IMPACT:

There is no impact to the budget by discussing this item. Public Works Department staff currently provide support to the Transportation and Safety Commission. Staffing for the proposed re-formed Commission would be split between the Police Department and the Public Works Department. It is estimated that it would require approximately 2 hours per month for the Executive Assistant and 2-4 hours per month of other police personnel to prepare reports and present to the Commission.

Discussion and Consideration to Adopt Ordinance No. 1709 Amending Division 2 of Article II of Chapter 90 of the San Fernando Municipal Code and Section 90-72 of the San Fernando Municipal Code to Expand the Duties of the Transportation and Safety Commission to Include Public Safety.

Page 4 of 4

CONCLUSION:

It is recommended that City Council introduce for first reading, in title only, and waive further reading to adopt Ordinance No. 1709 "An Ordinance of the City Council of the City of San Fernando, California, amending Division 2 of Article II of Chapter 90 of the San Fernando Municipal Code renaming the Transportation and Safety Commission the Transportation and Public Safety Commission and amending section 90-72 of the San Fernando Municipal Code to expand the duties of the commission to include public safety."

ATTACHMENTS:

A. Ordinance No. 1709

ORDINANCE NO. 1709

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN FERNANDO, CALIFORNIA, AMENDING DIVISION 2 (TRANSPORTATION AND SAFETY COMMISSION) OF ARTICLE II (ADMINISTRATION AND ENFORCEMENT) OF CHAPTER 90 (TRAFFIC AND VEHICLES) OF THE SAN FERNANDO MUNICIPAL CODE TO RENAME THE TRANSPORTATION AND SAFETY COMMISSION TO THE TRANSPORTATION AND PUBLIC SAFETY COMMISSION, AMENDING SECTION 90-72 OF THE SAN FERNANDO MUNICIPAL CODE TO EXPAND THE DUTIES OF THE COMMISSION TO INCLUDE PUBLIC SAFETY

WHEREAS, the Transportation and Safety Commission ("Commission") of the City of San Fernando ("City") is comprised of five members appointed by a councilperson; and

WHEREAS, the duties of the Commission include receiving complaints regarding traffic matters and advising the City Council of the City of San Fernando ("City Council") and other City officials regarding City activities, reports, policies, services and programs related to improving traffic conditions, transportation safety and traffic regulations; and

WHEREAS, the City Council wishes to expand the scope of duties of the Commission to include public safety responsibilities and to change the name to the Transportation and Public Safety Commission.

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

SECTION 1. The facts set forth in the recitals above are true and correct.

SECTION 2. This Ordinance amends the San Fernando Municipal Code to change the name of the "Transportation and Safety Commission" referenced under Division 2 (Transportation and Safety Commission) of Article II (Administration and Enforcement) of Chapter 90 (Traffic and Vehicles) of the San Fernando Municipal Code to the "Transportation and Public Safety Commission". All reference to the term "Transportation and Safety Commission" as set forth under Division 2 (Transportation and Safety Commission) of Article II (Administration and Enforcement) of Chapter 90 (Traffic and Vehicles) of the San Fernando Municipal Code or under any other part of the San Fernando Municipal Code are hereby amended to now state "Transportation and Public Safety Commission".

SECTION 3. The title of Division 2 (Transportation and Safety Commission) of Article II (Administration and Enforcement) of Chapter 90 (Traffic and Vehicles) of the San Fernando Municipal Code is amended and retitled to read "Division 2 – Transportation and Public Safety Commission".

SECTION 4. Section 90-72 (Duties generally) of Division 2 (Transportation and Public Safety Commission) of Article II (Administration and Enforcement) of Chapter 90 (Traffic and Vehicles) of the San Fernando Municipal Code is amended to add a new subsection (5) which shall state:

advisory board to the city council and an advocate for public safety and traffic services with respect to matters relating to public safety, including understanding police and fire operations, crime prevention, emergency preparedness, traffic and transportation, and any other matters which may be assigned to it from time to time by the city council, and shall study and make recommendations as to such matters directly to the city council in an advisory capacity. Unless expressly authorized by the city council, the commission shall not represent itself to be acting for or on behalf of the city council, nor shall it commit the officers, employees, or staff of the City in any manner or to any course of action. To the contrary, the commission shall act as a study center and clearinghouse for advisory action to the city council. The commission shall have no authority or jurisdiction to make, recommend, or approve any action with regard to public safety personnel actions or investigations."

SECTION 5. The City Clerk shall cause this ordinance or a summary hereof to be published in a newspaper of general circulation, published in the County of Los Angeles and circulated in the City, and if applicable, to be posted, in accordance with Section 36933 of the California Government Code; shall certify to the adoption of this ordinance and shall cause a certified copy of this ordinance, together with proof of publication, to be filed in the Office of the City Clerk.

SECTION 6. This ordinance shall go into effect and be I full force effective at 12:01 a.m. on the thirty-first (31st) day after its passage.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of San Fernando this 4th day of April, 2022.

ATTEST:	
Julia Fritz, City Clerk	Mary Mendoza, Mayor of the City of San Fernando, California
APPROVED AS TO FORM:	
Richard A. Padilla	
Assistant City Attorney	

CERTIFICATION

true, and correct copy of Ordinance No. 1709 which by the City Council of the City of San Fernando, California	ch was introduced on April 4, 2022, and adopted California at a regular meeting thereof held on
the day of, 2022, by the following vote	of the City Council:
AYES:	
NAYS:	
ABSENT:	
ABSTAINED:	
IN WITNESS WHEREOF, I have hereunto s City of San Fernando, California, this day of	et my hand and affixed the official seal of the f,
	Julia Fritz, City Clerk

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AGENDA REPORT

To: Mayor Mary Mendoza and Councilmembers

From: Councilmember Sylvia Ballin

Date: April 4, 2022

Subject: Discussion and Consideration Regarding Commissioner Vacancies for the Parks,

Wellness and Recreation Commission

RECOMMENDATION:

I have placed this on the agenda for City Council discussion regarding Commissioner Vacancies for the Parks, Wellness and Recreation Commission, including suspending the Commission until the vacancies are filled.

BACKGROUND:

- In March 2021, an unscheduled vacancy occurred as Commissioner Saydith Navarro resigned from the Parks, Wellness and Recreation Commission ("Commission"). Former Councilmember Robert Gonzales appointed Ms. Navarro to the Commission in December 2012.
- 2. In June 2021, a second unscheduled vacancy occurred as Commissioner Sandra Richards resigned from the Parks, Wellness and Recreation Commission. Vice Mayor Hector A. Pacheco appointed Ms. Richards to the Commission in March 2019.
- 3. The July, October, November and December 2021 and the March 2022 Regular Commission meetings were canceled due to a lack of quorum.
- 4. On March 21, 2022, Councilmember Ballin requested an agenda item to discuss the Commissioner vacancies for the Parks, Wellness and Recreation Commission during the City Council Comments portion of the agenda.

ADMINISTRATION DEPARTMENT

117 MACNEIL STREET, SAN FERNANDO, CA 91340

(818) 898-1202

WWW.SFCITY.ORG

Discussion and Consideration Regarding Commissioner Vacancies for the Parks, Wellness and Recreation Commission

Page 2 of 2

ANALYSIS:

Staff Comments

The Parks, Wellness and Recreation Commission ("Commission") was established to assist the City Council with the master planning and development of the City's park facilities, recreational and cultural programming (Attachment "A"). The Commission consists of five (5) members, with full participation and voting rights. Each Commissioner is appointed by a different appointing Councilmember, with such appointment being ratified by the City Council.

San Fernando Municipal Code:

Pursuant to the San Fernando Municipal Code (Attachment "A"), vacancies shall be filled by appointment by the City Councilmember that assigned the vacating Commissioner. The Municipal Code is silent on the process of filling an unscheduled prolonged vacancy position.

City Council Procedural Manual:

Section 11.2 of the City Council Procedural Manual (Attachment "B") states:

11.2 SELECTION OF CITY COUNCIL LIAISON

After the procedure prescribed in Section 11.1 has been completed, the Mayor, with the consent of a majority of the City Council, may appoint new City Council liaisons to the various City Committees and Commissions (emphases added), or as liaison to any other organization as may be appropriate. Nothing in this Section would prohibit the Mayor, with approval of a majority of the City Council from making changes or other appointments during any other time.

The City Council Procedural Manual may potentially indicate that the Mayor may appoint a commissioner to fill the vacancy, with the consent of a majority of City Council; however, the process is unclear.

Staff is seeking direction from City Council to develop a process to fill an unscheduled prolonged Commissioner vacancy, if appropriate.

BUDGET IMPACT:

There is no impact to the budget by discussing this item. However, the Parks, Wellness and Recreation Commission monthly stipend is included in the Recreation and Community Services Department Fiscal Year 2021-2022 Adopted Budget. If staff is directed to take additional action subsequent to discussion by City Council, staff will provide a budget impact associated with the action at a future meeting.

ATTACHMENT:

- A. San Fernando Municipal Code Parks, Wellness and Recreation Commission
- B. City Council Procedural Manual

City Code Pertaining to All Commissions

PARKS, WELLNESS AND RECREATION COMMISSION

Sec. 54-56. Created.

There is created and established a recreation and community services commission in and for the city, which shall be known as the "parks, wellness and recreation commission." All references in this Code to the "recreation and community services" commission shall be to the parks, wellness and recreation commission.

(Ord. No. 1586, § 4, 3-16-2009)

Sec. 54-57. Composition and appointment of members.

The parks, wellness and recreation commission shall consist of five members, each with full participation and voting rights. Each member shall be appointed by a different appointing councilperson, with such appointment to be ratified by the city council. Such members of the parks, wellness and recreation commission shall be registered voters and city residents.

(Ord. No. 1586, § 4, 3-16-2009)

Sec. 54-58. Officers.

The members shall organize the parks, wellness and recreation commission and shall select a chair and vice-chair. In the absence of the chair and vice-chair, any other member shall call the commission to order, whereupon a chair shall be elected from the members present to preside for that meeting.

(Ord. No. 1586, § 4, 3-16-2009)

Sec. 54-59. Compensation of members.

The council shall fix the amount of compensation, if any, to be paid to the members of the parks, wellness and recreation commission.

(Ord. No. 1586, § 4, 3-16-2009)

Sec. 54-60. Meetings generally.

Members of the parks, wellness and recreation commission shall meet at such time and place as may be fixed by resolution.

(Ord. No. 1586, § 4, 3-16-2009)

Sec. 54-61. Quorum.

Three members of the parks, wellness and recreation commission shall constitute a quorum for the transaction of business, but a lesser number may adjourn from time to time for want of a quorum until a quorum can be obtained.

City Code Pertaining to All Commissions

(Ord. No. 1586, § 4, 3-16-2009)

Sec. 54-62. Absence from meetings.

- (a) Absence from three consecutive regular meetings of the parks, wellness and recreation commission by a member with or without consent of the commission shall be deemed to constitute a retirement of such member, and his office shall become vacant. The vacancy thus created shall thereafter be filled by appointment by the city councilmember so assigned of a successor to fill the unexpired term of office.
- (b) Absence from three regular meetings of the commission in a 12-month period by a member without consent of the commission or absence from four regular meetings of the commission within a 12-month period by a member with the consent of the commission shall be deemed to constitute a retirement of such member, and the office shall become vacant. The vacancy thus created shall thereafter be filled by appointment by the city councilmember so assigned of a successor to fill the unexpired term of office.

(Ord. No. 1586, § 4, 3-16-2009)

Sec. 54-63. Powers and duties generally.

The powers and duties of the parks, wellness and recreation commission shall be:

- (1) Initiating studies, investigations and surveys and making recommendations to the city council relative to the creation, operation, maintenance, management and control of the community recreation programs of parks, playgrounds and indoor and outdoor recreational activities.
- (2) Subject to the prior approval of the city council, adopting by resolution, rules and regulations not inconsistent with this code and city ordinances, for the maintenance, improvement, use and operation of the parks, playgrounds, bathing facilities, recreation centers and other similar facilities of the city. A complete file of such rules and regulations shall be maintained in both the city clerk's office and that of the director of recreation and community services, with resolutions in the customary form and numbered numerically.
- (3) Participate in the development of a master plan for all parks and playgrounds owned and operated by the city and, upon approval of the plans by the city council, working consistently toward the achievement of the plan and for the improvement of the plan as originally approved.
- (4) Initiating studies, investigations and surveys and making recommendations to the city council relative to health, wellness and fitness, including such activities and programs created and/or maintained for the same by the director of recreation and community services.
- (5) Upon request of the city council, making other investigations, reports and recommendations upon subjects or other matters referred to it by the city council.

(Ord. No. 1586, § 4, 3-16-2009)

Sec. 54-64. Powers and duties concerning city-owned historic resources.

The following sites and improvements are declared by the city council to be historic resources. The parks, wellness, and recreation commission shall have responsibility for programming the maintenance, improvement, use and operation of these city-owned historic resources, subject to approval by the city council:

- (1) The Lopez Adobe site including the Lopez Adobe and the Lopez-Villegas House at the southwesterly corner of the intersection of South Maclay Avenue and Pico Street.
- (2) Such other historic resources as the council shall from time to time select and add to this section by amendment.

(Ord. No. 1586, § 4, 3-16-2009)

Sec. 54-65. Rules and regulations.

Subject to the approval of the city council, the parks, wellness and recreation commission may make and alter such rules and regulations for its organization and procedures as are consistent with this article and other sections of this Code and city ordinances and with state laws.

(Ord. No. 1586, § 4, 3-16-2009)

Sec. 54-66. Reports and records.

The parks, wellness and recreation commission shall keep an accurate record of all its proceedings and transactions and shall render annually, on a calendar basis, a full report of the commission's transactions and recommendations to the council.

(Ord. No. 1586, § 4, 3-16-2009)

Sec. 54-67. Incurring financial liability.

Neither the parks, wellness and recreation commission nor any person connected with the commission shall incur any financial liability in the name of the city.



PROCEDURAL MANUAL

CITY COUNCIL OF THE CITY OF SAN FERNANDO

Adopted: July 3, 1995 Resolution No. 6434 Amended: March 16, 1998 Resolution No. 6604 August 7, 2000 Resolution No. 6743 July 21, 2003 Ordinance No. 1543 July 20, 2009 Resolution No. 7328 December 7, 2009 Resolution No. 7346 May 3, 2010 Resolution No. 7376 September 19, 2011 Resolution No. 7454 Resolution No. 7664 May 4, 2015 Resolution No. 7704 October 19, 2015 May 7, 2018 Resolution No. 7850 Resolution No. 7883 August 20, 2018 March 18, 2019 Resolution No. 7907 August 19, 2019 Resolution No. 7916

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PREAMBLE

These rules are enacted pursuant to Government Code Section 36813 to provide decorum and order at City Council meetings and to promote the efficient conduct of those meetings. The rules govern the procedures of the City Council itself and the conduct of individual Councilmembers. It is also intended that the rules govern the conduct of City staff and members of the public who attend City Council meetings. In the event of a conflict between these rules of procedures and any provision of State or Federal law, including but not limited to the Ralph M. Brown Act codified at Section 54950 et seq. of the California Government Code, the State or Federal law controls.

The source for many guidelines is set forth beneath the text of the section.

Because circumstances may differ from one meeting to the next, these rules are intended as guidelines, and are not inflexible rules. Accordingly, they may be waived at any meeting, by Motion, in accordance with Robert's Rules of Order.

1. MEETINGS

1.1 REGULAR MEETINGS

Consistent with Section 2-61 (regular meetings) of the San Fernando Municipal Code, regular meetings of the City Council of the City of San Fernando are held in the Council Chambers of the City Hall, 117 Macneil Street, San Fernando, California, on the first and third Mondays of each month at 6:00 p.m. When the day of the regular Council meeting falls on a legal holiday, the meeting will be held at the same hour on the next succeeding day that is not a holiday. The foregoing notwithstanding, the City Council will not convene for regular City Council meetings that would otherwise occur on the third Monday in December, unless the City Council, by majority vote of the body, determines in any given year that such meeting should be held. Nothing in this section shall prevent the City Council from calling any special meeting, adjourned special meeting, adjourned regular meeting or emergency meeting in the month of December that may be deemed necessary for the conduct of City business.

1.2 ADJOURNED MEETINGS

Any meeting may be adjourned to a time, place and date certain, but not beyond the next regular meeting.

1.3 SPECIAL MEETINGS

Special meetings may be called at any time by the Mayor or three members of the City Council by a written notice as outlined in Section 1.4 below. Only matters contained in the notice may be considered.

1.4 MEETING NOTICES (REGULAR, SPECIAL AND ADJOURNED)

Notices for regular meetings are to be posted with the regular meeting in the manner prescribed under Section 2.3 and in accordance with State law. As prescribed by Government Code Sections 54955 and 54956, notices for special meeting or meetings that have been adjourned by the City Clerk shall be delivered to each member of the City Council and to each local newspaper of general circulation and radio or television station requesting such notice in writing. The notice shall be delivered personally via electronic delivery and shall be received at least 24 hours before the time of the meeting as specified in the notice. The City Clerk shall also comply with all other noticing and posting requirements set forth under Government Code Sections 54955 and 54956 as applicable.

1.5 MEETINGS TO BE PUBLIC

All regular, adjourned, and special meetings of the City Council shall be open to the public; provided, however, the City Council may hold closed sessions for purposes outlined in the following section. (Government Code Section 54953)

1.6 CLOSED SESSIONS - MATTERS OF DISCUSSION

The City Council may hold closed sessions, from which the public may be excluded, for consideration of any item for which closed sessions are permitted by State law. The following subjects are typically conducted in closed session:

- a. LICENSE/PERMIT DETERMINATION (Government Code Section 54956.7)
- b. CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Government Code Section 54956.8)
- c. CONFERENCE WITH LEGAL COUNSEL EXISTING LITIGATION (Government Code Section 54956.9, Subdivision (a) of Section 54956.9)
- d. CONFERENCE WITH LEGAL COUNSEL ANTICIPATED LITIGATION (Subdivision (b) of Section 54956.9)
- e. LIABILITY CLAIMS (Government Code Section 54956.95)
- f. THREAT TO PUBLIC SERVICE OR FACILITIES (Government Code Section 54957)

- g. PUBLIC EMPLOYEE APPOINTMENT (Government Code Sections 54957 and 54957.6)
 - i. PUBLIC EMPLOYMENT
 - ii. PUBLIC EMPLOYEE PERFORMANCE EVALUATION
 - iii. PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE
 - iv. CONFERENCE WITH LABOR NEGOTIATOR (Government Code Section 54957.6)
- h. CASE REVIEW/PLANNING (Government Code Section 54957.8)
- REPORT INVOLVING TRADE SECRET (Sections 1461, 32106, and 32155 of the Health and Safety Code or Sections 37606 and 37624.3 of the Government Code)
- j. Any other purpose specifically authorized by law.

The City Council shall publicly report at the public meeting during which the closed session is held any action taken and the roll call vote thereon, unless a late time is permitted for such report. In no case shall the report be delayed later than the next regular meeting of the City Council.

1.7 CLOSED SESSIONS CONFIDENTIALITY

All matters discussed during closed sessions shall be private and confidential. The disclosure by any person of the topics or details of such matters is prohibited, except by the City Attorney who is designated to make any disclosures required by State law.

1.8 QUORUM; VOTE REQUIREMENTS

- a. Three of the City Council's five total members shall constitute a quorum. A quorum of the City Council shall be required for the City Council to conduct a City Council meeting and transact official business.
- b. Except as otherwise provided by applicable State or federal law, if a quorum or more of the City Council's total membership is present for a vote on an item of business, motions on such items may be approved by a simple majority of the members present and participating in the vote, excluding those members who have recused themselves from a vote. Member who abstain on a motion but who do not recuse themselves shall be counted toward the quorum.

- c. Paragraph (b) of this Section notwithstanding, as required by Government Code Section 36936, resolutions, orders for the payment of money and ordinances shall require no less than three (3) affirmative votes of the total membership of the City Council in order to be approved.
- d. Paragraphs (b) and (c) of this Section notwithstanding, as required by State law, urgency ordinances and urgency interim zoning ordinances within the meaning of Government Code Sections 36937 and 65858, respectively shall require a minimum of (4) affirmative votes of the City Council's total membership to be approved. The City Council shall comply with all other applicable supermajority approval requirements prescribed by State or federal law for certain ordinances, resolutions or motions.

1.9 UNEXCUSED ABSENCES

- a. If a Councilmember, without the prior permission of the City Council, is absent from all regular meetings of the City Council for 60 days consecutively from the last regular meeting he/she attended, his/her office becomes vacant and shall be filled as any other vacancy, as provided by Government Code Section 36513.
- b. If a Councilmember is absent without permission for two (2) consecutive regular meetings, the City Clerk shall use his or her best efforts to send a courtesy e-mail and regular mail notice to the absent Councilmember within fourteen (14) business days of the second missed regular meeting, notifying him or her of the provisions of this policy and Government Code Section 36513. The delivery of such notice is purely a courtesy extended to members of the City Council and failure of the City Clerk to deliver or timely deliver such notice shall not operate to prevent the seat of a Councilmember who has been absent without permission from all regular meetings of the City Council for 60 or more consecutive days from being declared vacant. It is the personal responsibility of each Councilmember to keep track of his or her attendances of all meetings of the City Council so to avoid vacating his or her City Council seat.
- c. If a regular meeting of the City Council is cancelled or is otherwise rescheduled for any reason, the 60 consecutive unexcused absence period shall reset for all members of the City Council.

2. <u>AGENDA PROCEDURES AND ORDER OF BUSINESS</u>

2.1 AGENDA

The order of business of each City Council meeting shall be as contained in the Agenda prepared by the City Manager. The City Council shall follow the order of

business as outlined in the prepared Agenda. Items may be taken out of order by the Presiding Officer or by majority consent of the City Council.

The Agenda for all regular meetings, with all background staff reports, shall be available to the public at the meeting and 72 hours in advance of the meeting (usually on Thursday of the prior week) at the City Clerk's office.

The Agenda may be amended in accordance with State law, prior to any meeting.

2.2 AGENDA DEADLINE

a. A citizen requesting to place an item on a City Council agenda may submit a written request at any time to the City Council (or any Councilmember). The request may also be made during the public comment portion of a City Council meeting.

Items raised by the public during public comment, may be referred to staff by the City Council for follow up and possible placement on a future agenda for formal action.

A Councilmember wishing to sponsor a citizen request may place the item on an upcoming agenda under the heading "Administrative Reports."

- b. When a member of the City Council wishes to have an item placed on an agenda of an upcoming City Council meeting, the following procedures shall be followed:
 - i. The member wishing to have an item placed on an agenda for an upcoming meeting shall provide the City Clerk with an agenda report that provides a general description of the item, the desired action and includes any other relevant written materials or information which the member would like to have considered at the meeting. The agenda report and any other supplementary material must be submitted to the City Clerk by 12:00 p.m. the Wednesday preceding the City Council meeting. Except as provided in paragraph b.ii. of this Section 2.2, all items requested to be placed on an agenda by a Councilmember shall appear on the agenda for discussion and action. No items, however, shall be placed on the agenda without an agenda report.
 - ii. Items that have been previously agendized, discussed and determined by action of the City Council are discouraged from being placed on the agenda for an upcoming meeting by a Councilmember unless the Councilmember can demonstrate a change of circumstances pertaining to the item or present new

information of substantial importance that was not known at the time previous City Council action occurred. In such case, the Councilmember must follow the procedures set forth in paragraph b.i above and include in the agenda report the reason for reconsideration of the item, i.e., changed circumstances, new information, etc., with supporting information. The item shall be tentatively placed on the agenda as a repeat item under the heading "Administrative Reports." The repeat item, however, shall not be discussed nor acted upon by the City Council unless the repeat item is first approved for discussion as set forth in Section 2.5.

2.3 POSTING OF NOTICE AND AGENDA

Copies of the Notice and Agenda shall be delivered and posted in accordance with State law.

- a. Location of Posting Notices and Agendas shall be posted at the following locations:
 - Bulletin board at City Hall, 117 Macneil Street, San Fernando, California, 91340; and
 - ii. City's website: www.sfcity.org.

2.4 ROLL CALL

A roll call of Councilmembers shall be held at the beginning of each City Council meeting by the City Clerk, who shall enter the names of those present in the minutes.

2.5 APPROVAL OF AGENDA

The agenda shall include an item entitled "Approval of Agenda" to occur immediately after "roll call." During the "Approval of Agenda" portion of the meeting, the City Council shall determine whether to consider repeat items submitted by Councilmembers pursuant to paragraph b.2. of Section 2.2. A Councilmember may make a motion to approve the agenda as presented or make a motion to approve the agenda with the elimination of the repeat item(s) tentatively placed on the agenda under the heading "Administrative Report". If the agenda is approved as presented, the request to consider a repeat item is deemed approved and discussion and action on that item may occur during City Council items.

2.6 APPROVAL OF CONSENT CALENDAR

Consent Calendar includes agenda items that are non-controversial or routine in nature, or have been previously discussed at length and there is group consensus. These items are grouped together and voted on in one motion. Any Councilmember may request that an item on the Consent Calendar be removed to be discussed and considered separately.

If the Consent Calendar includes second reading and adoption of an Ordinance, the motion to approve the Consent Calendar shall include a statement that the City Council waive full reading and adopt the ordinance by title only, unless full reading was already waived as part of the motion to approve the ordinance for first reading.

2.7 APPROVAL OF MINUTES

Unless the reading of the minutes of the previous Council meeting is requested by a majority of the City Council, such minutes may be approved without reading if the Clerk has previously furnished each Councilmember with a copy thereof.

2.8 PUBLIC HEARINGS

The following procedure for conducting public hearings should be followed:

- a. The Presiding Officer shall introduce the public hearing matter by title and open the public hearing.
- b. At the direction of the City Manager, the appropriate staff member presents the staff report and recommendations. The City Council may pose questions to City staff.
- c. If the public hearing is a quasi judicial proceeding, the applicant or appellant whose matter is before the City Council shall be afforded the opportunity address the City Council on the matter and receive questions from the City Council before proceedings are opened up for public comment.
- d. The Presiding Officer shall open the public comment and testimony portion of the public hearing.
- e. Councilmember should refrain from interrupting or posing questions to members of the public during their allotted time to speak, however the Presiding Officer may interject if the person speaking becomes disruptive to the proceedings or otherwise fails to comply with meeting decorum rules or if the person speaking is discussing issues unrelated to the business at hand. Councilmembers may also interject with motions to raise points of privilege (e.g., to advise that the Councilmember cannot hear the speaker or that

there is some other condition of the proceedings that is disruptive or distracting).

- f. After all members of the public have been given an opportunity to comment on the public hearing matter, the Presiding Officer will announce closing of the public comment portion of the public hearing.
- g. If the public hearing is a quasi judicial proceeding, the applicant or appellant whose matter is before the City Council shall be afforded the opportunity to respond to questions posed by members of the public and/or rebut or provide clarification response to comments and other assertions made by members of the public.
- h. Councilmembers may the pose additional questions to City staff and/or project applicants or appellants before it begins deliberations on the matter.
- i. The City Council shall then deliberate on the matter until such time as the City Council is ready to entertain a motion to close the public hearing and vote on the matter.
- j. If the City Council wishes to receive additional information before taking action on the matter, the City Council may move to reopen the public hearing so that the City Council may receive additional information. The City Council may also move to continue the public hearing.

2.9 PUBLIC HEARING ITEMS

The following are typical items which require the holding of a public hearing by the City Council prior to formal action:

- a. Abandonment of Streets(Amendments to Fees and Areas of Benefit)
- b. Amendments to the Zoning and Ordinances which are Site Specific
- c. Budget Adoption
- d. Conditional Use Permit Appeals
- e. Franchises, Granting of
- f. General Plan Amendments
- g. Grant/Fund Applications When Federal/State Regulations so Mandate
- h. Housing and Community Development Act Funds
- i. Moratorium Extensions

- j. Thoroughfare Improvements
- k. Underground Utility Districts, Establishment of
- I. Vehicle Code Enforcement on Private Streets
- m. Zoning Map Changes
- n. Zone Variance Appeals

Other typical items may come before the City Council from time to time, for which State or Federal laws require the holding of a public hearing. In addition, the City Council may call for a public hearing for other items.

2.10 NON-AGENDA ITEMS

No matters other than those appearing on the posted agenda shall be acted upon by the City Council except in accordance with the procedures set forth in the Ralph M. Brown Act, codified at Section 54950 et seq. of the California Government Code. Any request to place a matter of business on a future agenda must be made in accordance with paragraph b of Section 2.2.

A proposal to create an Ad Hoc Committee for a matter or topic not directly related to the City Council's consideration and deliberation of an agendized action item must be agendized at a future meeting date before final action to create the Ad Hoc committee and to appoint its members can be taken.

2.11 ADJOURNMENT

To allow clarification of the record, a motion to adjourn a meeting to the next regular meeting should specify this. A motion to adjourn to an adjourned meeting shall specify the date, time and place of said adjourned meeting.

3. PRESIDING OFFICER

3.1 PRESIDING OFFICER

The Mayor shall be the Presiding Officer at all meetings of the City Council. In the absence of the Mayor, the Vice Mayor shall preside. In the absence of both the Mayor and Vice Mayor, the City Council shall elect a temporary Presiding Officer to serve until the arrival of the Mayor or Vice Mayor or until adjournment.

3.2 CALL TO ORDER

The meeting of the City Council shall be called to order by the Mayor or if the Mayor is absent, the Vice Mayor. In the absence of both the Mayor and the Vice

Mayor, the meeting shall be called to order by the City Clerk, whereupon the City Clerk shall immediately call for the selection of a temporary Presiding Officer. In the absence of a quorum of three (3) Councilmembers, the City Clerk shall call the meeting to order and declare the same adjourned to a stated day and hour.

3.3 PARTICIPATION OF PRESIDING OFFICER

The Presiding Officer is primarily responsible for the conduct of the meeting; however, may move, second and debate from the Chair, subject only to such limitations of debate as are imposed on all Councilmembers, and shall not be deprived of any of the rights and privileges of a Councilmember by reason of being the Presiding Officer.

3.4 QUESTION OR MOTION TO BE STATED

The Presiding Officer may verbally restate each question immediately prior to calling for the vote. Following the vote, the Presiding Officer (or City Clerk) shall announce whether the question was carried or defeated, and may summarize the action taken by the City Council before proceeding to the next item of business.

3.5 SIGNING OF DOCUMENTS

The Mayor shall sign ordinances, resolutions and contracts approved by the City Council. In the absence of the Mayor, the Vice Mayor shall sign all such documents as have been adopted and approved by the City Council. In the absence of the Mayor and Vice Mayor, the temporary Presiding Officer shall sign all such documents.

3.6 MAINTENANCE OF ORDER

The Presiding Officer is responsible for the maintenance of order and decorum at all time. No person shall be allowed to speak who has not first been recognized by the Presiding Officer. All questions and remarks should be addressed to the Presiding Officer.

3.7 DURATION OF MEETING

If a meeting exceeds four hours, the Presiding Officer may call for a motion to adjourn all remaining items of business to an adjourned meeting, a special meeting or to the next regular meeting. For purposes of this section, the four-hour limit is inclusive of any special meeting, adjourned regular meeting or adjourned special meeting held immediately before or after a regular meeting

4. RULES, DECORUM, AND ORDER

4.1 POINTS OF ORDER

The Presiding Officer shall determine all Points of Order subject to the right of any Councilmember to appeal to the City Council. If an appeal is taken, the question shall be, "Shall the decision of the Presiding Officer be sustained?" in which event a majority vote shall govern and conclusively determine such question of order.

4.2 DECORUM AND ORDER – COUNCILMEMBER

- a. Councilmembers shall accord the utmost courtesy to each other, to City employees, and to the general public appearing before the City Council and shall refrain at all times from derogatory remarks.
- b. Every Councilmember desiring to speak shall address the Presiding Officer and, upon recognition by the Presiding Officer, shall confine discussion to the question under debate.
- c. Every Councilmember desiring to question the administrative staff should address questions to the City Manager or City Attorney who shall be entitled to either answer the inquiry directly or to designate some member of the staff for that purpose.
- d. A Councilmember, once recognized, shall not be interrupted while speaking, unless called to order by the Presiding Officer, or a Point of Order is raised by another Councilmember, or the speaker chooses to yield to questions from another Councilmember.
- e. If a Councilmember is called to order while speaking, he/she shall cease speaking immediately until the question of order is determined; and if ruled out of order shall remain silent or shall alter his remarks so as to comply with rules of the City Council.
- f. Any Councilmember may move to require the Presiding Officer to enforce the rules. A majority of the City Council shall require enforcement of the rules if the Presiding Officer has refused.

4.3 DECORUM AND ORDER – EMPLOYEES

Members of the Administrative staff and employees of the City shall observe the same rules of procedure and decorum applicable to members of the City Council. The City Manager shall insure that all City employees observe such decorum. Any staff member, including the City Manager, desiring to address the City Council or members of the public shall first be recognized by the Presiding Officer. All

remarks should be addressed to the Presiding Officer and not to any one individual Councilmember or public member.

4.4 DECORUM AND ORDER - PUBLIC

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. 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 the room if the Presiding Officer so directs the sergeant-at-arms and such person may be barred from further audience before the City Council.

Unrecognized remarks from the audience, clapping, stamping of feet, whistles, yells and similar demonstrations which do not permit the meeting to proceed in an orderly manner shall not be permitted by the Presiding Officer, who may direct the sergeant at-arms to remove such offenders from the room if they do not cease upon request by the Presiding Officer. Aggravated cases shall be prosecuted by appropriate complaint signed by the Presiding Officer.

4.5 ENFORCEMENT OF DECORUM

The Chief of Police shall be ex-officer sergeant-at-arms of the City Council. He/she shall carry out all orders and instructions given him by the Presiding Officer for the purpose of maintaining decorum in the City Council Chambers. Upon instructions from the Presiding Officer, it shall be the duty of the Chief of Police or his representative to eject any person from the City Council Chambers or place such person under arrest or both. (Robert's Rules of Order)

4.6 PERSONAL INTEREST

No Councilmember disqualified from participation under State law or the City's Conflict of Interest Code shall remain at the Council dais during the debate or vote on any such matter. The Councilmember shall publicly state the grounds for disqualification on the record and upon acceptance by the Presiding Officer shall leave the Council dais during the debate or vote on the issue.

4.7 LIMITATIONS OF DEBATE

No Councilmember should be allowed to speak more than once upon any one subject until every Councilmember choosing to speak has spoken. Merely asking a question, or making a suggestion, is not considered as speaking. (Robert's Rules of Order)

4.8 DISSENTS AND PROTESTS

Any Councilmember shall have the right to express dissent from, or protest to, any action of the Council and request that the reason be entered into the minutes. (Robert's Rules of Order)

4.9 PROCEDURES IN ABSENCE OF RULES

In the absence of a rule to govern a point or procedure, Robert's Rules of Order shall govern. (Suggested League of California Cities Procedure)

5. ADDRESSING THE CITY COUNCIL

5.1 MANNER OF ADDRESSING THE CITY COUNCIL

During the public comment portion of a regular meeting, members of the public may address the City Council on agenda items before consideration or on any subject matter within the City Council's jurisdiction.

No member of the public shall enter into any discussion without first being recognized by the Presiding Officer. (Robert's Rules of Order). All remarks and questions shall be addressed to the Presiding Officer and not to any individual Councilmember, staff member or other person.

Any member of the public desiring to address the City Council shall present the City Clerk with a speaker's card, stating his/her name. For purpose of staff follow up, the speaker may also provide his/her address.

Members of the public that cannot attend the meeting may submit a letter or statement to include in the record, which must be received by the City Clerk's Office no later than 12:00 pm on the day of the meeting to be provided to City Council and made available for public review. The City Clerk will not read written comments and the member of the public must be present to address the City Council. Public comment will not be accepted via telephone or video conference, or other medium of communication.

During a public hearing, all remarks shall be limited to the subject under consideration. For a special meeting, members of the public may address the City Council concerning any item listed on the agenda before or during consideration. Unlike regular meetings, the City Council does not have to allow public comment on non-agenda matters.

5.2 TIME LIMITATION

Any public member addressing the City Council shall limit his address to three (3) minutes unless further time is granted by the Presiding Officer or majority of the City Council.

The Presiding Officer shall have the discretion but not the obligation to allow members of the public to comment on items appearing on the agenda under Administrative Reports and Consent Calendar sections of the agenda.

5.3 ADDRESSING THE CITY COUNCIL AFTER MOTION IS MADE

After a motion has been made, no member of the public shall address the City Council without securing permission of the Presiding Officer or by a majority vote of the City Council. (Suggested League of California Cities Procedure)

5.4 WRITTEN CORRESPONDENCE

The City Manager is authorized to receive and open all mail addressed to the City Council as a whole, and give it immediate attention to the end that all administrative business, not necessarily requiring City Council action, may be disposed of between City Council meetings. Any communication requiring City Council action will be reported to the City Council at its next regular meeting together with a report and recommendation of the City Manager. The City Manager is authorized to open mail addressed to individual Councilmembers, unless specifically requested otherwise from an individual member.

6. <u>MOTIONS</u>

6.1 PROCESSING OF MOTIONS

When a motion is made and seconded, it may be stated by the Presiding Officer before debate. A motion may be withdrawn by the mover without the consent of the Councilmember seconding it.

6.2 MOTIONS OUT OF ORDER

The Presiding Officer, or a majority of the City Council, may at any time permit a member to introduce an ordinance, resolution or motion presently on the agenda out of the regular agenda order. (Reference Sections 2.1) (Robert's Rules of Order)

6.3 DIVISION OF MOTION

If a motion contains two or more divisible propositions, the Presiding Officer may, and upon request of a Councilmember shall (unless appealed by another Councilmember), divide the same. (Robert's Rules of Order)

6.4 PRECEDENCE OF MOTIONS

When a motion is before the City Council, no other motion shall be entertained except the following:

- a. Adjourn
- b. Fix Hour of Adjournment
- c. Table
- d. Previous Question
- e. Amend
- f. Postpone (Robert's Rules of Order).

6.5 MOTION TO ADJOURN (NOT DEBATABLE)

A motion to adjourn shall be in order at any time except as follows:

- a. When repeated without intervening business or discussion,
- b. When made as an interruption of a Councilmember while speaking,
- c. When the previous question has been ordered, or
- d. While a vote is being taken.

A motion to adjourn "to another time" (i.e., to an adjourned meeting) shall be undebatable and unamendable, except as to the time set. (Robert's Rules of Order)

6.6 MOTION TO FIX HOUR OF ADJOURNMENT

A motion to specify a definite hour to which the subject meeting shall be adjourned is undebatable and unamendable, except as to the time set. (Robert's Rules of Order)

6.7 MOTION TO TABLE

A motion to table shall be used to temporarily bypass the subject and shall preclude all amendments or debate of the subject under consideration. If the motion shall prevail, the matter may be "taken from the table" at any time prior to the end of the next meeting. (Robert's Rules of Order)

6.8 MOTION TO CALL FOR THE PREVIOUS QUESTION

Such a motion shall be used to close debate on the main motion and shall be undebatable. If the motion fails, debate shall be reopened if the motion passes, a vote shall be taken on the main motion. (Robert's Rules of Order)

6.9 MOTION TO AMEND

A motion to amend shall be debatable only as to the amendment. An amendment modifying the intention of a motion shall be in order, but an amendment relating to a different matter shall not be in order. A substitute motion on the same subject shall be acceptable and voted first, then the main motion as amended. (Robert's Rules of Order)

6.10 MOTION TO CONTINUE

Motions to continue to a definite time shall be amendable and debatable as to suitability of postponement and time set for postponement. (Robert's Rules of Order)

6.11 GENERAL CONSENT

Unless otherwise required as noted in Section 7.2, the City Council may by general, unanimous or silent consent do business with less regard for formal motions. Where there appears to be no objection, the formality of voting can be avoided by the Presiding Officer asking if there is any objection by any Councilmember to the proposed action, and, if there is none, the Presiding Officer shall announce the result. The action thus taken is by general consent of the City Council. (Robert's Rules of Order)

7. VOTING

7.1 VOTING PROCEDURE

Motions shall be adopted by voice vote, roll call vote or by the general consent/"no objection" method, as described in Section 6.11. The results of the vote shall be entered in full in the minutes.

The order of a roll call vote shall be designated by the City Clerk, with the Mayor voting last.

Except as otherwise provided herein, the "no objection" method for expediting lengthy agendas may be used unless any Councilmember requests a voice or roll call vote. The approval of the motion in the minutes shall be reflected as a "no objection" vote or that the motion "carried unanimously". (Robert's Rules of Order)

Roll call votes shall be taken on all ordinances, resolutions, or orders for the payment of money unless the vote is unanimous.

Motions requiring a 4/5ths affirmative vote shall be announced by City staff prior to City Council consideration of the motion.

7.2 VOTING

Every ordinance, resolution or order for the payment of money requires three affirmative votes (with the exception of urgency ordinances, which require four affirmative votes). Any member may change his vote on any item before the next order of business. The votes shall be lost motions and may be reconsidered. (Robert's Rules of Order)

7.3 FAILURE TO VOTE

Every Councilmember should vote unless disqualified for cause. Abstentions shall not be counted as a vote.

7.4 RECONSIDERATION

Any member who voted with the majority may move a reconsideration of any action at the same meeting. After a motion for reconsideration has once been acted upon, no other motion for reconsideration thereof shall be made without unanimous consent of the City Council. (Robert's Rules of Order)

8. RESOLUTIONS

8.1 RESOLUTIONS PREPARED IN ADVANCE

Where a resolution has been prepared in advance, the procedure shall be: staff/City Council report (if needed), discussion (if needed), motion, second, City Council votes, and results declared. All resolutions shall be read in full, unless the full reading is waived by unanimous consent of the City Council. Items of the Consent Calendar are automatically deemed to have the full reading waived by common consent. (Suggested League of California Cities Procedure)

8.2 RESOLUTIONS NOT PREPARED IN ADVANCE

Where a resolution has not been prepared in advance, the procedure shall be to instruct the City Attorney or City Manager to prepare a resolution for presentation at the next City Council meeting. (Suggested League of California Cities Procedure)

8.3 URGENCY RESOLUTIONS

In matters of urgency, a resolution may be presented verbally in motion form together with specific instructions for written preparation for later execution. After the resolution has been verbally stated, the voting procedure for resolutions prepared in advance as stated in Section 8.1 shall be followed. Urgency resolutions shall be avoided except when absolutely necessary and shall be avoided entirely when resolutions are required by law or in improvements acts, zoning matters and force account work on public project. (Suggested League of California Cities Procedure)

9. ORDINANCES

9.1 INTRODUCTION (FIRST READING)

At the time of introduction, an ordinance shall be read in full, unless, after reading the title, reading is waived by unanimous consent of the City Council. The procedure for introduction of an ordinance shall be: reading of the title by the Presiding Officer or City staff member, motion to introduce first reading, second, discussion (if needed), City Council votes, and results declared. (Suggested League of California Cities Procedure)

9.2 ADOPTION (SECOND READING)

With the sole exception of ordinances which take effect immediately (as outlined in the following sections), no ordinance shall be adopted by the City Council on the day of introduction, nor within five days thereafter, nor at any time other than a regular or adjourned meeting.

If the Ordinance was unanimously approved at the time of introduction, adoption (second reading) of the ordinance may be placed on the Consent Calendar with the recommendation that City Council waive full reading of the ordinance and adopt by title only. If it was not unanimously approved at the time of introduction, the ordinance shall be read in full unless, after reading the title, the full reading is waived by unanimous consent of City Council. Unless approved on the Consent Calendar, the procedure for adoption of an ordinance shall be: reading of the title by the Presiding Officer or City staff member, motion to pass,

second reading and adoption of ordinance second, discussion, vote and result declared. (Suggested League of California Cities Procedure)

9.3 AMENDMENT FOLLOWING INTRODUCTION

In the event that an ordinance is altered after its introduction, a motion for an amended introduction shall be required. The ordinance shall not be considered for adoption until five days thereafter and not at any meeting other than a regular or adjourned meeting. The correction of typographical or clerical errors shall not constitute making an alteration within the meaning of this Section.

9.4 EFFECTIVE DATE

All ordinances, except as listed below, shall become effective 30 days after adoption, or upon such later date as may be designated in the ordinance. The following ordinances shall become effective immediately upon adoption:

- a. Urgency Ordinances;
- b. Ordinances calling, or otherwise relating to, an election;
- c. Ordinances relating to street improvement proceedings;
- d. Ordinances relating to taxes for the usual and current expenses of the City; or
- e. Ordinances covered by particular provisions of law prescribing the manner of their passage and adoption.

9.5 PUBLISHING

It shall be the duty of the City Clerk to cause each ordinance to be published within 15 days after adoption with the names of those Councilmembers voting for and against the ordinance.

9.6 URGENCY ORDINANCES

Any ordinance declared by the City Council to be necessary as an urgency measure for preserving the public peace, health or safety, and containing a statement of the reasons for its urgency, may be introduced and adopted at the same meeting. Such Ordinance must be passed by a least four affirmative votes.

10. MINUTES

10.1 PREPARATION OF MINUTES

It is the City Clerk's responsibility to maintain the record (minutes) of City Council meetings. Minutes shall be approved by the City Council, to lend further weight to the accuracy and completeness of the record. The City Clerk shall have exclusive responsibility for preparation of the minutes and any directions for changes to conform with fact shall be made by action of the City Council.

The City Clerk shall keep "Action Minutes" in order to maintain a full and true record of all proceedings of the City Council. The minutes shall consist of a clear and concise statement of each and every City Council action including the motions made and the vote thereon. Reasons for making motions or voting, City Council debate and audience reaction are generally not included in the minutes. Such items may be included if considered to be particularly relevant or otherwise necessary by the City Clerk.

10.2 ABSENCE OF CITY CLERK

If the City Clerk is absent from a City Council meeting, the Deputy City Clerk shall act. If there is none, the Mayor shall appoint one of the Councilmembers as City Clerk Pro Tem. (Government Code Section 36804)

11. **REORGANIZATION**

11.1 SELECTION OF MAYOR AND VICE MAYOR

Pursuant to Government Code Section 36801 "The City Council shall meet at the meeting at which the declaration of the election results for a general municipal election is made pursuant to Elections Code Sections 10262 and 10263 and, following the declaration of the election results and the installation of elected officials, choose one of its members as Mayor and one of its members as Mayor Pro Tempore." The terms of office of the Mayor of the City Council and Vice Mayor shall be for one year, or until their successors have been chosen. In those years in which a general municipal election is not held, the City Council shall choose a Mayor of the City Council and Vice Mayor at the first regular meeting in December. Nothing herein shall be deemed or construed to prohibit any person from serving any number of consecutive one-year terms in any office in this City.

The following procedure shall be used:

Election of Mayor:

- a. City Clerk opens the nominations for the position of Mayor
- b. Nomination(s) is/are made for Mayor, and seconded
- c. Hearing no objections, motion to close nominations
- d. City Clerk conducts a roll call vote and each Councilmember announces their vote for Mayor until a Mayor is elected by majority vote
- e. City Clerk announces the results

Election of Vice Mayor: (City Clerk to follow steps a-e above)

11.2 SELECTION OF CITY COUNCIL LIAISONS AND DELEGATES

After the procedure prescribed in Section 11.1 has been completed, the Mayor, with the consent of a majority of the City Council, may appoint new City Council liaisons/delegates to the various City Committees and Commissions, or as liaison/delegate to any other organization as may be appropriate. Nothing in this Section would prohibit the Mayor, with approval of a majority of the City Council from making changes or other appointments during any other time.

12. COMMITTEES

12.1 GENERAL

The Mayor may, subject to concurrence of a majority of the City Council: (a) designate standing and ad hoc committees (collectively "Committee"); and (b) make appointments to all committees.

Each standing committee shall consist of two (2) Councilmembers. An ad hoc committee may consist of either one or two Councilmembers.

12.2 PURPOSE

The primary purpose of each Committee is to provide a forum for the thorough vetting of matters within the committee's subject matter jurisdiction, before they are presented to the City Council. A secondary purpose is to provide guidance to City staff on matters within the committee's subject matter jurisdiction, enabling staff to obtain interim guidance as they develop and refine matters for presentation to the City Council. The objective is to eliminate, to the extent possible, those situations where the City Council is forced to deal with large and difficult issues at their meetings without any prior formal discussion or analytical input to guide staff's work product.

Ad hoc committees shall have a clear and definite scope and will be dissolved upon completion of the scope, unless otherwise extended by the City Council with a new scope. Ad hoc committees are less formal than standing committees and are therefore not subject to the requirements of the Ralph M. Brown Act.

12.3 LIMITATIONS ON AUTHORITY

No committee may approve a contract or expenditure of funds.

No committee may provide any direction to City staff, the City Attorney, or consultants engaged by the City, except that a City Council standing committee may provide such direction at a duly noticed meeting of a standing committee, where such direction concerns a matter that is within the subject matter jurisdiction of the standing committee, such direction does not conflict with the policies or direction established by the City Council, and where such direction will not result in an expenditure of resources in excess of the applicable amounts allocated in the approved annual budget.

12.4 APPLICABLE LAWS AND REGULATIONS

All City Council standing committees shall comply with the requirements of the Ralph M. Brown Act. All City Council standing committees shall comply with the procedures set forth in Sections 1 through 5, inclusive, of this Procedural Manual, to the extent reasonably practicable. In the event of any conflicts between the provisions of Sections 1 through 5 and the provisions of this Section 12, the latter shall control.

12.5 MEETING DATE AND TIME

By agreement of both members, each standing committee shall establish a time and place for regular meetings, as required by the Ralph M. Brown Act. In order to minimize the extra demands on City staff, and to maximize public participation, each standing committee shall, to the maximum extent possible, conduct its business at the regularly scheduled meeting.

12.6 QUORUM

Only one member of a committee must be present in order to establish a quorum. The scheduling of meetings so as to facilitate the participation of both members of a two-person committee is strongly encouraged.

12.7 STAFFING

The City Manager shall appoint a staff member to be the primary staff liaison for each standing committee. The designated staff liaison shall coordinate all meetings of the standing committee, ensure that each meeting is recorded via audio-tape and cause the recorded audio-tape(s) to be delivered to the City Clerk upon completion of the meeting. The recorded audio-tape(s) shall be retained by the City Clerk for the same period as recorded audiotapes of City Council meetings. The designated staff liaison shall work with the City Manager to ensure that the appropriate staff member(s) attend the meetings of the standing

committee, and that the direction provided by the standing committee is carried out.

12.8 AGENDAS

The agenda for all regular meetings of a standing committee, with all background staff reports, shall be available to the public at the meeting and 72 hours in advance of the regular meeting (24 hours in advance of a special meeting) at the City Clerk's office. The Agenda may be amended in accordance with State law, prior to any meeting.

When the City Council desires to have an item placed on an agenda for an upcoming meeting of a standing committee, the City Council shall provide the designated staff liaison with that directive at a meeting of the City Council. At that time, the City Council may also charge the designated staff liaison with the responsibly for conducting preliminary research and collecting/preparing any written materials that may aid the Committee in its discussion of the matter.

12.9 REPORT ON ACTIVITIES OF STANDING COMMITTEES

The agendas for City Council meetings shall include a section entitled Standing Committee Updates. The Committee Chair is responsible for making a brief report on the activities of the committee to the full City Council. If there is nothing to report, then "Nothing to Report" is an acceptable comment.

All written materials presented to a standing committee are public records, and shall be maintained as directed by the City Clerk.

13. PROCEDURE FOR FILLING CITY COUNCIL VACANCIES

- 13.1 If a vacancy occurs to any City Council seat, the vacancy may be filled by appointment or by special election in compliance with Government Code Section 36512(b). The filling of vacancies by appointment shall be subject to the restrictions of Government Code section 36512(d)(1) which prohibits the filling of a vacancy by appointment if the appointment would result in a majority of the members serving on the City Council being appointees.
- 13.2 If the City Council elects to fill a vacancy to a City Council seat by appointment, any appointment shall be made in subject to the following procedures:
 - a. At a regular or special meeting of the City Council, the City Council shall direct the City Clerk to make an application available, at the earliest possible date and time, for individuals interested in being appointed to the vacant City Council seat, and establish a reasonable due date for the applications.

- b. At a regular or special meeting of the City Council, the City Council will allow all applicants to address the City Council for the purpose of stating their experience and qualifications for being granted the appointment. The City Council shall determine the uniform amount of time candidates will receive to address the City Council.
- c. Following the presentations by potential appointees, the City Council will receive comment from interested members of the public.
- d. Following public comment, the City Council may commence deliberation on one of the following options:
 - i. Make an appointment to fill the vacant City Council position and direct the City Clerk to administer the Oath of Office; or
 - ii. Defer making an appointment until Councilmembers have had additional time to consider the applicants, and a further opportunity should they wish to interview the finalists one-onone.
- e. As provided under Government Code Section 36512, if the City Council does not fill the vacancy by appointment within 60 days from the date of the vacancy or fails to call an election within 60 days from the date of the vacancy, the vacant seat shall automatically be filled by election as provided under Government Code section 36512 and other applicable laws.

14. PRIORITY GOAL SETTING MEETING

- 14.1 The City Council shall hold a special study session every year during the budget process to set priorities and goals for the subsequent fiscal year. The purpose of setting goals and priorities is to provide the City Manager with guidance for allocating funds in the City Manager's Proposed Budget.
 - a. City Council goals articulate city-wide long-term strategic goals and objectives that the organization strives to achieve over the next three to five years. Goals tend to remain relatively stable over time.
 - b. Priorities are specific short-term items that are reasonably achievable in the upcoming fiscal year. Priorities typically fit within city-wide goals but provide more specific focus for the upcoming fiscal year.
- 14.2 When setting goals and priorities, City Council shall take into consideration staff resources available to accomplish said goals and priorities. The goals and priorities should be reviewed semi-annually (i.e., twice a year) with the City Manager and updated to reflect goals and priorities that are reasonably

attainable given limited staff resources.

15. OFFICIAL LETTERHEAD AND OTHER STATIONERY USE POLICIES

15.1 AUTHORIZED USE OF LETTERHEAD

Official City letterhead or any other official Stationery of the City must be used with care to avoid misunderstandings, including but not limited to, misrepresentations of official City Council-approved policies or actions. When authorized or otherwise directed by a majority of the City Council at a duly noticed meeting of the City Council, official City letterhead and/or other official Stationery may be used by members of the City Council to communicate official City Council-approved action or policy. Without the prior approval of the City Council but subject to the restrictions and requirements of this Section below and Section 15.3, an individual Councilmember may use official City letterhead and/or other official Stationary for the following purposes, provided the Councilmember makes clear in the correspondence that he or she is communicating in his or her individual capacity and not on behalf of the City or the City Council as a body: (i) to acknowledge the receipt of communications submitted to the Councilmember by members of the public; (ii) to offer simple congratulations or appreciation to members of the public for their civic involvement or personal achievements which reflect positively on the San Fernando community; (iii) to offer simple condolences and/or best wishes to members of the public who have endured personal hardship or loss; (iv) to respond to inquires by members of the public seeking publicly available and nonprivileged information about City programs or services; or (v) to request information from other public agencies or non-City organizations. When using official letterhead or other official Stationery to communicate with others, City Councilmembers must expressly state in their communication whether or not they are communicating in their individual capacity or whether they are communicating in a representative capacity for the City Council and/or the City. In order to communicate in a representative capacity for the City Councilmember must have received formal direction or authorization from a majority of the City Council at a duly noticed meeting of the City Council.

15.2 UNAUTHORIZED USE OF OFFICIAL LETTERHEAD OR OTHER OFFICIAL STATIONERY

In addition to any other prohibition set forth under this Chapter, elsewhere in this Manual, under the San Fernando Municipal Code or State law or Federal law, no member of the City Council communicating with any other person or entity through the medium of official City letterhead or other official Stationery of the City, may represent that he or she is communicating or otherwise acting in a representative capacity for the City Council or the City or communicating a position or opinion in the name of the City Council or the City unless the City

Council has been expressly authorized to do so by a majority of the City Council at a duly noticed meeting of the City Council. The City Council reserves the right to request that any communications using City letterhead or other City Stationery which are issued in the name of the City Council or the City must be reviewed and vetted by the City Council as a body at a duly noticed meeting of the City Council before the communication is disseminated. Under no circumstances may City letterhead or other official Stationary be used in any manner that (i) would constitute a violation of Government Code Section 8314, Government Code Section 82041.5 or any other applicable statute or regulation governing the use of public resources; or (ii) that discloses confidential or privileged information that a Councilmember has acquired in his or her official capacity as a member of the City Council where such disclosure may only be made with the consent of the City Council acting as a body and such consent has not been formally granted by the City Council acting as body.

15.3 PREPARATION OF COMMUNICATIONS USING OFFICIAL LETTERHEAD OR OTHER OFFICIAL STATIONERY

It shall be the official policy of the City to have all City Councilmember communications using official City letterhead or other official Stationery prepared by secretarial staff of the City Manager's office, with prior verbal or written notice by the requesting Councilmember to the City Manager. City secretarial staff may not commence the drafting of such communications until the City Manager has confirmed either verbally or in writing that the City Manager has been notified of a Councilmember's request to communicate using official City letterhead or other official Stationery of the City. The City Manager reserves the right to review all such communications before they are disseminated to verify compliance with these policies and the City Manager further reserves the right to seek input and direction from the City Council at a duly noticed meeting of the City Council before authorizing staff to disseminate any such communications. Councilmembers shall not receive personalized official letterhead or Stationery nor shall Councilmembers be entitled to maintain their own stock of letterhead or Stationery or maintain electronic templates of such Stationery. The rights and duties of the City Manager under this Chapter shall be delegated to the person who has been formally designated by the City Manager or a majority of the City Council to act in place of the City Manager during any period time in which the City Manager is on vacation, on extended leave or is otherwise physically unable to discharge his or her duties at the time the request is made.

15.4 COUNTERFEIT LETTERHEAD OR STATIONERY

Except as may otherwise be allowed under City Council Resolution No. 6904 approved May 5, 2003, no member of the City Council may affix the City seal or any other City logo on any personal letterhead, Stationery or any other written

document, whether or not such letterhead, Stationery or document is transmitted in paper form or electronically. All such written communications improperly bearing the City seal or any other City logo shall be deemed unauthorized and counterfeit.

15.5 DEFINITIONS

a. "City seal" shall have the same meaning as set forth under Section 1-13 of the San Fernando Municipal Code as the same may be amended from time to time. The City seal as described under Section 1-13 appears as follows:



b. "City logo(s)" shall mean and include all logos or designs used for purposes of symbolically representing the authority of the City of San Fernando and the capacity of its officers, employees and agents as representatives of the City of San Fernando. City logos include, but are not limited to this image:



16. STATEMENTS OF ECONOMIC INTEREST

16.1 FORM 700 OVERVIEW

One of the main laws designed to prevent self-dealing in governmental decision-making is the Political Reform Act of 1974 (the PRA). The PRA is codified under the California Government Code. The PRA requires that most state and local government officials disclose their personal income and assets, as well as disqualify themselves from participating in certain governmental decisions that may impact their personal economic interests. As required under the PRA, local elected officials must annually disclose their economic interests through a form referred to as the Form 700 – Statement of Economic Interests (the Form 700). The Form 700 is filed annually with the City Clerk. Any member of the public is permitted to inspect and copy a Form 700 during normal business hours. Members of the City Council and the Planning and Preservation Commission shall be mindful of PRA requirements to complete an annual Form 700 and to complete the same upon assuming and departing from public office also as required under the PRA.

16.2 TIMELY SUBMISSION OF ANNUAL STATEMENTS OF ECONOMIC INTEREST

The City Clerk notifies those required to file a Form 700 of the precise filing deadline. Under State law, annual Form 700's are due by or before April 1st of each year or such other date as the Fair Political Practices Commission may prescribe by regulation for local elected officials. The Form 700 must also be filed within thirty (30) days of assuming or leaving office. Irrespective of notice provided by the City Clerk or any other City official or employee, it is the individual responsibility of each member of each City Council and each member of the Planning and Preservation Commission to keep themselves aware of filing deadlines and to file a Form 700 by or before the prescribed deadline.

16.3 REVIEW BY CITY CLERK AND CITY ATTORNEY

The City Clerk, as the City's filing officer for the submission of Form 700's, shall perform those duties set forth under Government Code Section 81010 and such other tasks, duties and responsibilities as may be prescribed by the Fair Political Practices Commission. Upon request made by a City Councilmember or member of the Planning and Preservation Commission, the City Attorney shall also conduct a facial review of the requesting filer's Form 700. The City Attorney shall be given a minimum of ten (10) calendar days to complete its review. A facial review consists of reviewing statements for the following items: (a) the cover sheet includes the name and address of the filer, the period covered and the type of statement; (b) the summary page is completed and the required schedules are attached; (c) all information is legible and readable reproductions of the statement can be made; and (d) the verification is complete. Neither the City Clerk nor the City Attorney are responsible for verifying the truth of representations made by a filer in their Form 700 nor are they under any duty to perform any sort of investigation or inquiry as to the truth or accuracy of such representations or whether a filer has fully identified all disclosable interests. The filer shall be solely and exclusively responsible for any errors or omissions in the filer's Form 700, notwithstanding review by the City Clerk or the City Attorney.

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AGENDA REPORT

To: Mayor Mary Mendoza and Councilmembers

Councilmember Celeste Rodriguez From:

Date: April 4, 2022

Subject: Consideration to Appoint a Parks, Wellness and Recreation Commissioner

RECOMMENDATION:

I recommend that Robert Gonzales be appointed as my representative to the Parks, Wellness and Recreation Commission (Attachment "A").

BACKGROUND/ANALYSIS:

- 1. Pursuant to the City's Code (Attachment "B"), each Councilmember may appoint one Commissioner to each Commission (i.e., Planning and Preservation Commission; Parks, Wellness, and Recreation Commission; Transportation and Safety Commission; and Education Commission), with such appointment to be ratified by the full City Council. For appointment consideration, interested residents must submit an application to the nominating City Councilmember, at which time the proposed appointment considered by the City Council to approve and ratify.
- 2. In March 2021, an unscheduled vacancy occurred as Commissioner Saydith Navarro resigned from the Parks, Wellness and Recreation Commission ("Commission"). Former Councilmember Robert Gonzales appointed Ms. Navarro to the Commission in December 2012.
- 3. On March 30, 2022, Robert Gonzales submitted an application (Attachment "C") seeking consideration as my representative to be appointed to the Parks, Wellness and Recreation Commission. The appointment would fill the unscheduled vacancy due to the resignation of Commissioner Saydith Navarro in March 2021.

BUDGET IMPACT:

CITY COUNCIL

The City pays each Commissioner \$75 for attendance at up to one (1) meeting per month. A total of \$900 per Commissioner is appropriated in each responsible Department's budget. Sufficient funds are included in the Fiscal Year 2021-2022 adopted Budget.

117 MACNEIL STREET, SAN FERNANDO, CA 91340

(818) 898-1201

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Consideration to Appoint a Parks, Wellness and Recreation Commissioner

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CONCLUSION:

I recommend Robert Gonzales be appointed as my representative Commissioner to serve on the Parks, Wellness and Recreation Commission to fill the unscheduled vacancy due to the resignation of Commissioner Saydith Navarro in March 2021.

ATTACHMENTS:

- A. Request to Agendize an Item for City Council Discussion/Consideration
- B. City Code
- C. Commissioner Application



REQUEST TO AGENDIZE AN ITEM FOR CITY COUNCIL DISCUSSION/CONSIDERATION

	300331011, 00	131D LIVA	11011	
CITY COUNCILMEMBER INFORMAT	TION			
NAME			TITLE	
Celeste Rodriguez			Councilmember	
ITEM INFORMATION				
SUBJECT Title of the item you are requesting t	to be agendized.			
Approintment to the Parks, Wellr	ness and Recreation	Commission	n	
PRIORITIES	BUDGET FISCAL IMPACT			
Is this included in the current FY priorities?	Is this a budgeted item?	Is there a fisco	al impact? If yes, indicate amount.	
☐ Yes ☑ No	☐ Yes ☑ No	☐ Yes	☑ No \$	
BACKGROUND/ANALYSIS Provide the reason y	ou are requesting this item b	e agendized.	1 11	
I would like to nominate Robert (C. Gonzales to serve	as my repre	esentative on the Parks, Wellness	
and Recreation Commission.		The state of the s		
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	AUG. 31	, 1911		
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	<i>I4//E</i>			
	Jan Park	11/1/		
ATTACHMENTS Do you have any attachments	to include?			
☑ Yes ☐ No				
RECOMMENDATION Indicate the direction yo	u are recommending.			
Appoint Robert C. Gonzales to the	ne Parks, Wellness a	and Recreati	on Commission.	

PARKS, WELLNESS AND RECREATION COMMISSION

Sec. 54-56. Created.

There is created and established a recreation and community services commission in and for the city, which shall be known as the "parks, wellness and recreation commission." All references in this Code to the "recreation and community services" commission shall be to the parks, wellness and recreation commission.

(Ord. No. 1586, § 4, 3-16-2009)

Sec. 54-57. Composition and appointment of members.

The parks, wellness and recreation commission shall consist of five members, each with full participation and voting rights. Each member shall be appointed by a different appointing councilperson, with such appointment to be ratified by the city council. Such members of the parks, wellness and recreation commission shall be registered voters and city residents.

(Ord. No. 1586, § 4, 3-16-2009)

Sec. 54-58. Officers.

The members shall organize the parks, wellness and recreation commission and shall select a chair and vice-chair. In the absence of the chair and vice-chair, any other member shall call the commission to order, whereupon a chair shall be elected from the members present to preside for that meeting.

(Ord. No. 1586, § 4, 3-16-2009)

Sec. 54-59. Compensation of members.

The council shall fix the amount of compensation, if any, to be paid to the members of the parks, wellness and recreation commission.

(Ord. No. 1586, § 4, 3-16-2009)

Sec. 54-60. Meetings generally.

Members of the parks, wellness and recreation commission shall meet at such time and place as may be fixed by resolution.

(Ord. No. 1586, § 4, 3-16-2009)

Sec. 54-61. Quorum.

Three members of the parks, wellness and recreation commission shall constitute a quorum for the transaction of business, but a lesser number may adjourn from time to time for want of a quorum until a quorum can be obtained.

(Ord. No. 1586, § 4, 3-16-2009)

Sec. 54-62. Absence from meetings.

- (a) Absence from three consecutive regular meetings of the parks, wellness and recreation commission by a member with or without consent of the commission shall be deemed to constitute a retirement of such member, and his office shall become vacant. The vacancy thus created shall thereafter be filled by appointment by the city councilmember so assigned of a successor to fill the unexpired term of office.
- (b) Absence from three regular meetings of the commission in a 12-month period by a member without consent of the commission or absence from four regular meetings of the commission within a 12-month period by a member with the consent of the commission shall be deemed to constitute a retirement of such member, and the office shall become vacant. The vacancy thus created shall thereafter be filled by appointment by the city councilmember so assigned of a successor to fill the unexpired term of office.

(Ord. No. 1586, § 4, 3-16-2009)

Sec. 54-63. Powers and duties generally.

The powers and duties of the parks, wellness and recreation commission shall be:

- (1) Initiating studies, investigations and surveys and making recommendations to the city council relative to the creation, operation, maintenance, management and control of the community recreation programs of parks, playgrounds and indoor and outdoor recreational activities.
- (2) Subject to the prior approval of the city council, adopting by resolution, rules and regulations not inconsistent with this code and city ordinances, for the maintenance, improvement, use and operation of the parks, playgrounds, bathing facilities, recreation centers and other similar facilities of the city. A complete file of such rules and regulations shall be maintained in both the city clerk's office and that of the director of recreation and community services, with resolutions in the customary form and numbered numerically.
- (3) Participate in the development of a master plan for all parks and playgrounds owned and operated by the city and, upon approval of the plans by the city council, working consistently toward the achievement of the plan and for the improvement of the plan as originally approved.
- (4) Initiating studies, investigations and surveys and making recommendations to the city council relative to health, wellness and fitness, including such activities and programs created and/or maintained for the same by the director of recreation and community services.
- (5) Upon request of the city council, making other investigations, reports and recommendations upon subjects or other matters referred to it by the city council.

(Ord. No. 1586, § 4, 3-16-2009)

Sec. 54-64. Powers and duties concerning city-owned historic resources.

The following sites and improvements are declared by the city council to be historic resources. The parks, wellness, and recreation commission shall have responsibility for programming the maintenance, improvement, use and operation of these city-owned historic resources, subject to approval by the city council:

- (1) The Lopez Adobe site including the Lopez Adobe and the Lopez-Villegas House at the southwesterly corner of the intersection of South Maclay Avenue and Pico Street.
- (2) Such other historic resources as the council shall from time to time select and add to this section by amendment.

(Ord. No. 1586, § 4, 3-16-2009)

Sec. 54-65. Rules and regulations.

Subject to the approval of the city council, the parks, wellness and recreation commission may make and alter such rules and regulations for its organization and procedures as are consistent with this article and other sections of this Code and city ordinances and with state laws.

(Ord. No. 1586, § 4, 3-16-2009)

Sec. 54-66. Reports and records.

The parks, wellness and recreation commission shall keep an accurate record of all its proceedings and transactions and shall render annually, on a calendar basis, a full report of the commission's transactions and recommendations to the council.

(Ord. No. 1586, § 4, 3-16-2009)

Sec. 54-67. Incurring financial liability.

Neither the parks, wellness and recreation commission nor any person connected with the commission shall incur any financial liability in the name of the city.



APPLICATION TO SERVE ON A CITY COMMISSION

This is a public document. To assist the City Council in evaluating each applicant in the selection of Commission Members, please provide as complete of a response as possible to all questions.

APPLICANT INFORMATION			
NAME		PHONE NO.	
Robert Gonzales			
RESIDENCE ADDRESS	CITY & STATE	<u> </u>	ZIP CODE
	San Fernar	ndo	91340
MAILING ADDRESS If different than above	CITY & STATE		ZIP CODE
EMAIL ADDRESS Business or personal to be used for Commission activity			
EMPLOYER	POSITION		
	III III	Maintenance Sune	rvisor
BUSINESS ADDRESS	ity of Los Angeles Senior Park Maintenance Supervisor USINESS ADDRESS CITY & STATE ZIP CODE		ZIP CODE
5333 Zoo Dr.	Los Angele		
BUSINESS PHONE	Los Angele	3, Oa	30027 3000
323-644-6008			
ARE YOU A REGISTERED VOTER OF THE CITY OF SAN FERNANDO?	No. of the last of	A Contract	
YES NO	- SSER 1835		
DO YOU OWN PROPERTY IN THE CITY OF SAN FERNANDO? If yes, please li	st the address(es)	1 101	
✓ YES NO			1
San Fernando CA. 91340			1
		7 1	1
			8
DO YOU OWN OR OPERATE A BUSINESS IN SAN FERNANDO? If yes, please state the name and nature of the business YES NO			
MEMBER COMMITMENT			
I am willing to fulfill all requirements of a City Commission	er, including bu	ut not limited to:	
 As Planning and Preservation Commissioner, I am willing to file financial disclosure statements (Form 700), a public record, as required by the State and the City's Conflict of Interest Code. 			
 I understand that absence from three consecutive regular meetings shall be deemed to constitute my retirement. 			
 I am willing to attend/complete the required two hours of State mandated AB1234 Ethics Training every two years. 			
Please also attach and submit a brief bio statement to this application.			
I agree to all requirements mentioned above and have provided all correct and truthful information in this application.			
APPLICANT SIGNATURE DATE 3/30/2022			



APPLICATION TO SERVE ON A CITY COMMISSION

COMMISSION APPLICATION CHOICE(S) Please indicate which Commission you are interested in
EDUCATION COMMISSION Must be at least 18 years old and a registered voter of the City of San Fernando
What is your understanding of the duties as a member of the Education Commission?
PARKS, WELLNESS, AND RECREATION COMMISSION Must be at least 18 years old and a registered voter of the City of San Fernando
What is your understanding of the duties as a member of the Parks, Wellness, and Recreation Commission? Conduct and participate in public meetings for the benefit of our community in regards to programs,
art, and events. We must also vet opportunities and provide recommendations to assist the City
Council with decision making.
The state of the s
163/
PLANNING AND PRESERVATION COMMISSION Must be at least 18 years old and a registered voter of the City of San Fernando
What is your understanding of the duties as a member of the Planning and Preservation Commission?
INCORPORATED
AUG 21 1011
AUG. 31, 1911
A//EARNY
T TRANSPORTATION AND CAFFTY COMMISSION
TRANSPORTATION AND SAFETY COMMISSION Must be at least 18 years old and a registered voter of the City of San Fernando
What is your understanding of the duties as a member of the Transportation and Safety Commission?
PLEASE ATTACH AND SUBMIT A BRIEF BIO STATEMENT TO THIS APPLICATION

Robert C. Gonzales is a public servant with expertise in recreation, community service, park maintenance and public administration. Robert began his career in public service with the City of San Fernando as a Counselor in Training (CIT) for the summer camp program at the age of 14. He continued to serve San Fernando in various capacities including as a City Lifequard, Swim Team Coach, After School and Summer Program Counselor, and Recreation Coordinator. Robert has a passion for community service and green space which he has fostered through his professional career with the City of Los Angeles Recreation and Parks Department. Over the last 19 years, he has worked his way through the organization from a part-time employee to currently serving in a senior role overseeing ground maintenance for the Los Angeles Zoo. Robert Gonzales served on the San Fernando City Council from 12/2012-12/2020 giving him the ability to understand the administrative nuances of funding and policy considerations for the City of San Fernando Recreation and Community Service Department. As a City Councilmember he supported the development and implementation of programs and projects that the Parks, Wellness and Recreation Commission now oversees, including the mural program. Robert holds a Master of Science in Leadership and Management from the University of La Verne.