



CHAIR DAVID BERNAL
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COMMISSIONER SYLVIA BALLIN

CITY OF SAN FERNANDO

PLANNING & PRESERVATION COMMISSION REGULAR MEETING AGENDA SUMMARY MONDAY, NOVEMBER 13, 2023 – 6:30 PM

CITY HALL COUNCIL CHAMBERS
117 MACNEIL STREET
SAN FERNANDO, CALIFORNIA 91340

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 person in the City Council Chambers during the Public Comments section of the Agenda by submitting a comment card to the Board Secretary.

SUBMIT PUBLIC COMMENT VIA EMAIL:

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

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

Members of the Public may **call-in between 6:30 p.m. and 6:45 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 Chair.

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

Meeting ID: 896 2370 9376

Passcode: 194996

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

TELECONFERENCE REQUESTS/DISCLOSURE

Recommend consideration of requests received for remote teleconference meeting participation made by members of the City’s legislative bodies, as permitted under the provisions of Assembly Bill (AB) 2449, Government Code Section 54953, and the City of San Fernando adopted Resolution No. 8215, effective March 1, 2023.

PLEDGE OF ALLEGIANCE

Led by Commissioner Solorio

APPROVAL OF AGENDA

Recommend that the Planning and Preservation Commission approve the agenda as presented.

DECORUM AND ORDER

City Commissioners are appointed by City Council and must be free to discuss issues confronting the city in an orderly environment. Member of the public attending City Commission 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 a City Commission or while attending a City Commission 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 Commission.

PUBLIC STATEMENTS

Members of the public may [provide comments in person in the City Council Chambers](#) during the Public Comments section of the Agenda by submitting a comment card to the Board Secretary.

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Members of the public may submit comments by email to communitydevelopment@sfcity.org no later than **5:00 p.m. the day of the meeting**, to ensure distribution to the Planning and Preservation Commission prior to consideration of the agenda. Comments received via email will be distributed to the Planning and Preservation Commission and read into the record.

Members of the public may provide a **live public comment by calling in between 6:30 p.m. and 6:45 p.m. CALL- IN INFORMATION: Telephone Number: (669) 900-6833; Meeting ID: 896 2370 9376; Passcode: 194996**

CONSENT CALENDAR

None

PUBLIC HEARING

- 1) **PROJECT NO. CUP 2022-001 – CONDITIONAL USE PERMIT AND A LETTER OF PUBLIC CONVENIENCE OR NECESSITY FOR A TYPE 40 ABC LICENSE TO PERMIT THE SALE OF BEER FOR ON-SITE CONSUMPTION DURING SPECIAL EVENTS IN CONJUNCTION WITH AN ANCILLARY NIGHTCLUB USE TO AN OPERATING RECORD STORE (MIDNIGHT HOUR RECORDS) LOCATED AT 1103 SAN FERNANDO ROAD.**

Recommend that the Planning and Preservation Commission:

- a. Conduct a Public Hearing;
- b. After testimony, adopt Planning and Preservation Commission Resolution No. ____ approving Conditional Use Permit No. 2022-001 for a Type 40 ABC license to permit the sale of beer for on-site consumption during special events in conjunction with an ancillary nightclub use to an operating record store (Midnight Hour Records) located at 1103 San Fernando Road.

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ADMINISTRATIVE REPORTS

2) REORGANIZATION OF THE PLANNING AND PRESERVATION COMMISSION – SELECTION OF VICE CHAIR

Recommend that the Planning and Preservation Commission appoint a Vice Chair to preside over the Commission meetings through the 2023 calendar year.

3) PRESENTATION AND DISCUSSION REGARDING CITY COUNCIL APPROVED DRAFT ESTABLISHING “GUIDELINES FOR BOARDS, COMMISSIONS AND COMMITTEES” HANDBOOK

Recommend that the Planning and Preservation Commission:

- a. Receive the presentation on the Guidelines for Boards, Commissions and Committees Handbook; and
- b. Provide recommendation, as appropriate.

4) CONFORMANCE REPORT REGARDING MODIFICATIONS TO THE PREVIOUSLY APPROVED PROJECTS SPR2015-019 AT 1001 GLENOAKS BLVD.

Recommend that the Planning and Preservation Commission:

- a. Staff recommends that the Planning and Preservation Commission receive and file conformance review of modifications to the previously approved project SPR2015-019, the development of a six-unit condominium project at 1001 Glenoaks Blvd.

STAFF COMMUNICATION

GENERAL COMMISSION COMMENTS

ADJOURNMENT The meeting will adjourn to its next regular meeting.

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AFFIDAVIT OF POSTING

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.

Dated: _____ at: _____

Signed By: _____

Agendas and complete Agenda Packets (including staff reports and exhibits related to each item) are posted on the City's Internet Web site (www.sfcity.org). These are also available for public reviewing prior to a meeting at the Community Development Department Public Counter. Any public writings distributed by the Planning and Preservation Commission to at least a majority of the Commissioners regarding any item on this regular meeting agenda will also be made available at the Community Development Department Public Counter located at 117 Macneil Street, San Fernando, CA, 91340 during normal business hours. In addition, the City may also post such documents on the City's Web Site at www.sfcity.org. In accordance with the Americans with Disabilities Act of 1990, if you require a disability-related modification/ accommodation to attend or participate in this meeting, including auxiliary aids or services please call the Community Development Department Office at (818) 898-1227 at least 48 hours prior to the meeting.

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AGENDA REPORT

To: Planning and Preservation Commission

From: Erika Ramirez, Director of Community Development
By: Malinda Lim, Contract Planner

Date: November 13, 2023

Subject: Project No. CUP 2022-001 – Conditional Use Permit and a Letter of Public Convenience or Necessity for a Type 40 ABC license to permit the sale of beer for on-site consumption during special events in conjunction with an ancillary nightclub use to an operating record store (Midnight Hour Records) located at 1103 San Fernando Road.

RECOMMENDATION:

Staff recommends that the Planning and Preservation Commission:

- a. Conduct a Public Hearing;
- b. After testimony, adopt Planning and Preservation Commission Resolution No. ____ approving Conditional Use Permit No. 2022-001 for a Type 40 ABC license to permit the sale of beer for on-site consumption during special events in conjunction with an ancillary nightclub use to an operating record store (Midnight Hour Records) located at 1103 San Fernando Road.

BACKGROUND:

1. In January 2015, the San Fernando Corridors Specific Plan was adopted as SP-4.
2. On October 26, 2017, SP-5 was adopted to replace SP-4 in its entirety. SP-5 was an update of the policies and strategies of SP-4, modified to recognize Metro's public transportation project (The East San Fernando Valley Transit Corridor project), projected to start in 2019.
3. In July 2021, The Midnight Hour Records obtained a Commercial Business Occupancy (CBO) permit to operate as a retail use and live music venue, both of which are permitted uses in the SP-5 Downtown District. The CBO permit does not grant permission to sell alcohol.
4. In December 2021, the applicant submitted an application to the Department of Alcoholic Beverage Control (ABC) for a Type 40 alcohol license (On Sale Beer for a bar or tavern).

Due to the overconcentration of existing alcohol licenses within the census tract, ABC also required the applicant to obtain a Letter of Public Convenience or Necessity from the City.

5. Starting in 2021, the Midnight Hour Records started hosting music events in the store, with live music and dancing. The applicant did not sell alcohol at the events, but allowed featured performers to bring their own alcohol and consume it on the premises. Performing musicians were often share alcohol with attendees.
6. From January 1, 2021 to October 31, 2023, the San Fernando Police Department (SFPD) received 17 calls for service that originated from Midnight Hour Records during the time of the music events. The table below summarizes the calls.

SUMMARY OF CALLS FOR SERVICE RE: MIDNIGHT HOUR RECORDS			
YEAR:	2021	2022	2023
# OF CALLS:	3	12	2
SUMMARY:	Parking, theft	Overdose, consuming alcohol outside of the business, physical assault, extra patrol	Parking, unhoused report

The SFPD stated that the number of calls and the severity of the calls involving the business have caused a strain of resources on the department.

7. In mid-2022, the applicant contacted the City of San Fernando Planning Division to express interest in serving alcohol for on-site consumption during the live music events.
8. In June 2022, the Planning Division received a Conditional Use Permit application for a Type 40 alcohol license to permit the sale of beer for on-site consumption.
9. On November 22, 2022, the Planning Division and SFPD met with the applicant to discuss the CUP application and the concerns of the SFPD related to the consumption of alcohol at the live music events that had been taking place. In addition, Planning staff inquired about the applicant's knowledge and experience with selling alcohol. Concluding the meeting, staff suggested the use of licensed and experienced vendors to sell beer during the events.
10. In July 2023, the Planning Division received a letter from the applicant to change the project description on the CUP application, requesting alcohol to be sold by outside vendors or caterers with a Type 58 License to sell and to serve alcohol during 21-years-and-over events at the project location.

11. CUP 2022-001 was scheduled for a public hearing before the Planning and Preservation Commission at their regularly scheduled meeting of June 12, 2023. The item was continued to July 10, 2023 to allow the applicant to be present at the hearing.
12. The regularly scheduled Planning and Preservation Commission meetings of July 10, 2023 and August 14, 2023 were canceled and all scheduled public hearing items were continued to the next regularly scheduled meeting of September 11, 2023.
13. At the regularly scheduled Planning and Preservation Commission meeting of September 11, 2023, CUP 2022-001 was continued to November 13, 2023 to allow additional time for conditions of approval to be updated and finalized and also to allow the applicant to be present at the hearing.

ANALYSIS:

Pursuant to SP-5 Section 4.4.G.a.- Alcoholic Sales are subject to San Fernando City Municipal Code Chapter 106 (Zoning), article II, Division 4, Subdivisions II (Section 106-176 et seq.), except when served for on-site consumption ancillary to the operation of a sit-down restaurant including microbreweries, and sports bars, with table service that is a “bonafide public eating place” as that term is defined in San Fernando Municipal Code Section 106-177, are permitted by right. The Project Site is located in the Downtown District of SP-5 and the primary permitted use is retail with an ancillary nightclub use that allows for occasional live entertainment events.

Site Description

The Project site (outlined in red) is generally flat and rectangular measuring approximately 4,500 square feet comprised of two parcels tied together on the northwest corner of the intersection of Maclay Avenue and San Fernando Road. An alley is located at the rear of the building. The San Fernando Police Station (outlined in blue) is located less than a half mile from the project site. It is currently developed entirely by a single story commercial building that attached to the adjacent single story commercial building that creates a series of single story attached street facing commercial buildings for the entire block from Maclay Avenue to San Fernando Mission Boulevard westernly along San Fernando Road.

Figure 1: Project Location



Figure 2: Looking north from the intersection of N. MacLay Avenue and San Fernando Road

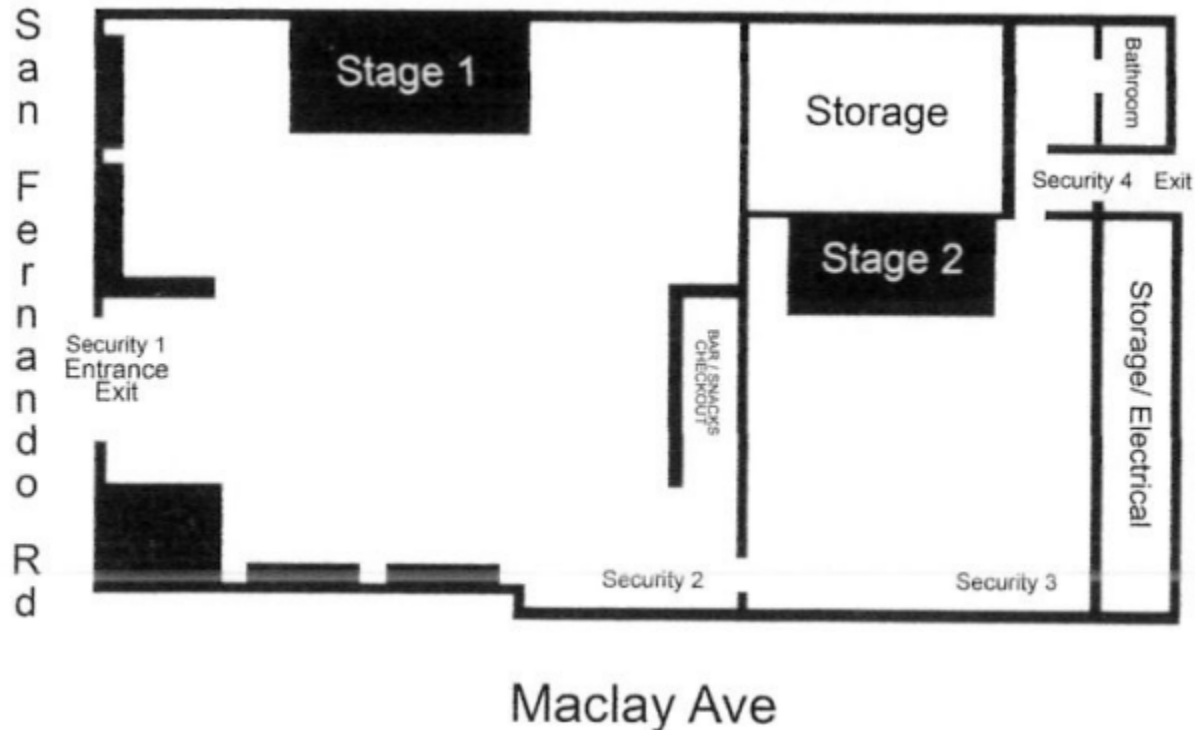


The subject tenant, Midnight Hour Records faces San Fernando Road and occupies the entire 4,500 square feet of the building's interior area. There is no outside area. The project's parking

area is along San Fernando Road or in surrounding public parking lots. Properties surrounding the site to the south, east, and west are in the Downtown District within the zone of SP-5 and developed with single –story commercial buildings. Properties to the north are also in the Downtown District within the zone of SP-5; however, they have a Neighborhood Services Overlay. These northerly properties are also developed with one-story commercial buildings.

Project Description

Midnight Hour Records hosts live music performances from time to time. There are a total of nine (9) employees and 8 to 9 staff members are onsite at any given time. The retail operation is open on Wednesdays through Saturdays from 12 p.m. to 7 p.m. and Sundays from 12 p.m. to 4 p.m., closed on Mondays and Tuesdays. A floor plan of the store is shown below.



The applicant is requesting approval of a Conditional Use Permit to allow the sale of alcohol (beer only) for on-site consumption within the approximately 4,500 square-foot store by outside vendors or catering services which hold a Type 58 License solely during the scheduled live music events. The applicant is in process for a Type 40 License (On Sale Beer for a bar or tavern) from the California Department of Alcoholic Beverages Control (ABC). A Letter of Public Convenience or Necessity approval from the Planning and Preservation Commission is also required to allow for the sale of alcohol for on-site consumption at the location because it is located within an over concentrated census tract.

Alcoholic Beverage Sales

The proposed sale of alcoholic beverages at Midnight Records is to be restricted to beer during the 21 years of age and older live music events only and sold and served by a licensed outside vendor. This is to ensure the sale and serving of alcohol remains incidental to the ancillary use of a nightclub and the retail use remains as the primary permitted use of the commercial space. As conditioned, the business operator/management will be ultimately responsible for overseeing the number of alcoholic beverages provided to patrons in accordance with the applicable State statutes to reduce the likelihood that patrons engage in excessive drinking. In addition, the licensed vendor will monitor the number of alcoholic beverages and will not serve to anyone that displays any signs of excessive drinking. Vendors with the Type 58 license are trained to be aware if a person(s) should be restricted from purchase and consumption of alcohol. In addition, the following aspects of the applicant's proposal will be incorporated into the CUP's conditions of approval:

- 1) Alcohol would be sold by outside vendors, who are licensed by ABC to sell alcohol at events as a caterer.
- 2) Sales of alcohol during retail hours will be prohibited.
- 3) Alcohol would be sold only at events restricted to persons 21 years of age and older.
- 4) Alcohol will be prohibited during events where all ages are permitted in order to deter any underage drinking.
- 5) A maximum of 12 live entertainment events annually.
- 6) Security will be provided at all live entertainment events.
- 7) Security checks and designated area for the sale and serving of alcohol shall be restricted to locations designated on the floor plan submitted as part of the CUP application. The applicant has provided various floor plan layouts designed for specific type of events (all ages, 21 and over, etc.) indicating the locations of security checks and where alcohol is sold and permitted. Security will be provided by a separate security company. The security checks will also keep track of the number of people within each space to help limit the number of people permitted within the building at any given time. In addition to the security guards, there will be employees of applicant who will be present to help minimize

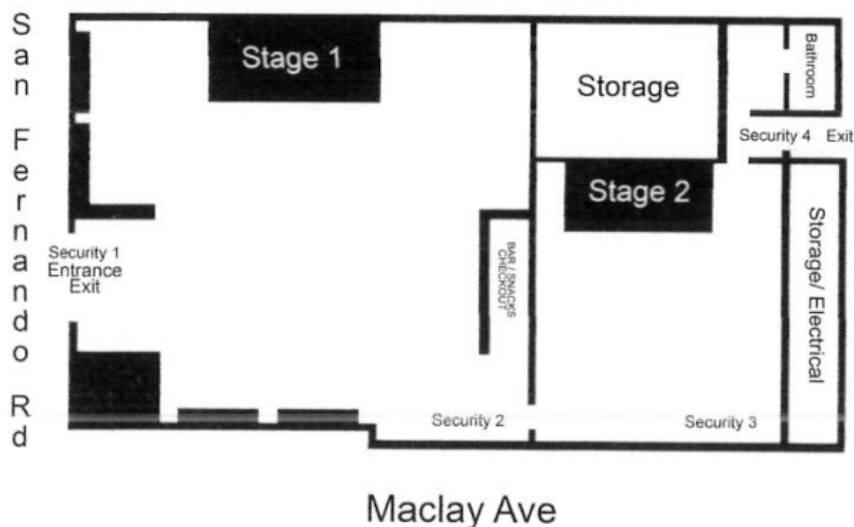
any incidents. Each employee has or will have attended and completed an emergency and safety training by Regulatory Safety Management Incorporated. These floor plans have been reviewed by the Police Department and were found to be sufficient in addition to the conditions of approval.

Staff has been in contact with the case officer from the Department of Alcoholic Beverage Control (ABC) and with the SFPD regarding CUP2022-001. ABC had not received any protest from the public or nearby consideration points or residences to date. With the severity and frequency of the calls for service, the Police Department, ABC, and staff have reached a consensus for the sale of alcohol on the premises to be through a licensed vendor with a Type 58 license. The applicant has agreed with this determination and is supportive of the restrictions place as Conditions of Approval. Vendors with a Type 58 license are required to receive authorization from ABC for each catered event and submit the application at least three days, but no more than 30 days, prior to the event date. ABC works with the Police Department on review of each catered event request to ensure that the permit holder meets the minimum requirements prior to the event. Therefore, each Type 58 caterer may only be on the premises if all three parties involved, the applicant, ABC, and SFPD approve.

Under Section 106-182(b) and (c) of the San Fernando Zoning Code, standard conditions apply to all on-sale CUPs. These conditions are 27 to 45 of the Conditions of Approval document. In addition to the standard conditions, twenty conditions specific to this site and have been added to mitigate concerns from selling and serving alcohol during the live music events. Specifically alcohol is limited to beer only, the number of live music events are limited to 12, security is required, and there will be a one-year review by the Planning and Preservation Committee. Special conditions are listed in the conditions of approval as conditions #10 through #30. Listed below are a few key conditions.

- *Condition #11 Alcoholic beverages (beer only), shall only be sold during the 12 annual live music events which are restricted to patrons 21 years and older and with the following restrictions:*
 - a. *The sale of alcoholic beverages shall only be sold by vendors with a Type 58 license hired by the applicant and restricted to the area designated on the floor plan for the sale and serving of alcohol.*
 - b. *All alcoholic consumption must occur in doors.*
 - c. *Alcohol sales and serving is restricted to the hours of Wednesdays, Thursdays and Sundays from 8pm to 12am and Fridays and Saturdays from 8pm to 1am.*
- *Condition #12 The applicant's vendor shall receive authorization from the Department of Alcoholic Beverage Control and the San Fernando Police Department for each catered event and shall submit the clearance application at least three days, but no more than 30 days, prior to the event date to ensure that the permit holder meets the minimum requirements prior to the event.*

- *Condition #13 Each of the 12 live music events shall:*
 - a. *Be scheduled for one day only and shall not be scheduled for consecutive days.*
 - b. *Include no more than one performance or one band.*
 - c. *Require a minimum of six (6) security personnel to be on guard starting one hour before the start time of the event until one hour after all patrons have left the premises during the live music event. The guards shall be at the location where alcohol is to be sold, entrances, and exists.*
- *Condition #14 Events that occur less than one calendar week apart require written notification to the Planning Division and the Police Department one week prior and are subject to joint written approval.*
- *Condition #16 At each live music event security personnel shall:*
 - a. *Check all bags of patrons upon entrance.*
 - b. *Prevent re-entry during the hours of alcoholic sales.*
 - c. *Enforce all house rules within and immediately surrounding the property from one hour before the scheduled event and at least one hour after the scheduled event ends.*
 - d. *Patrol outside for any drinking of alcoholic beverages.*
 - e. *Patrol inside to ensure order is maintained.*
 - f. *Be stationed in the area in which alcohol is being sold, entrances and exits.*
- *Condition #17 Performances shall be designated to Stage 1 only, as shown in the floor plan below. Any changes to the floor plan shall be submitted for review and approval by the San Fernando Police Department.*



- *Condition #19 No weapons, including but not limited to, firearms, knives, box cutters, and pepper spray are permitted.*
- *Condition #20 The surveillance monitoring system shall be installed at the entrances and exits of the business as well as in the general areas of public access excluding restrooms. At least one camera installed at the rear of the building shall be directed towards the alley.*
- *Condition #21 The alarm system shall be maintained in a manner that would prevent any accidental/false activation, as the time spent responding to and investigating these types of calls severely impacts law enforcement services in other areas of the city. Training about the proper use of the alarm system shall be provided to all employees of the business to eliminate any accidental activation.*
- *Condition #23 A ride share program shall be established to offer patrons a ride home if needed and provide evidence of such program to the Planning Division.*
- *Condition #24 The event shall comply with all applicable SFMC Noise regulations.*
- *Condition #25 All graffiti shall be removed within 48 hours of its application.*
- *Condition #26 The applicant shall provide to the Planning Division quarterly reports of noise and nuisance complaints as well as any incident reports from the San Fernando Police Department and a copy of internal logs kept of the same activities.*
- *Condition #27 The business owner/management and applicant will be responsible for requiring and enforcing that there is no loitering as a result of this CUP on the public right-of-way and/or in front of adjacent properties. Loitering that is caused by the establishment in the public right-of-way, and/or in front of adjacent properties shall be strictly and reasonably enforced.*
- *Condition #29 The Property Owner and Applicant shall allow authorized City officials, or their designees, access to the Property where there is reasonable cause to believe the Property is not in compliance with these Conditions of Approval or other requirements of the SFMC.*
- *Condition #30 One calendar year, or soon thereafter, from the first live music event with alcohol sales as permitted under this conditional use permit, the Planning Division shall provide a report to the Planning and Preservation Commission on the sale and consumption of alcohol, including any complaints or code enforcement and police cases. Based on the results, the Planning and Preservation Commission may revise the conditions of approval, impose new conditions, or direct staff to initiate proceedings to revoke the CUP.*

FINDINGS

General Plan Compliance

The General Plan land use designation of the site is San Fernando Corridors Specific Plan (SP-5), which provides for the systematic implementation of the San Fernando General Plan as it relates to the development of properties located in the Specific Plan area. A variety of uses including night clubs and alcohol sales are permitted or conditionally permitted. The establishment of the use is consistent with the General Plan.

Zoning Code Analysis

The subject property is within the Downtown District of the San Fernando Corridors Specific Plan (SP-5). The Downtown District is San Fernando's functional center and contains most of the city's primary destinations – the shopping district along Maclay Avenue, the Civic Center, and the San Fernando Mall.

Live-entertainment and the nightclub uses are permitted by right within the Downtown District. The sale of alcoholic beverages served for on-site consumption not ancillary to the operation of a sit-down restaurant including microbreweries and sports bars with table service that is a "bonafide" public eating place is subject to a Conditional Use Permit (CUP) per Section 106-176 of the San Fernando Zoning Code.

Staff recommends that the Planning and Preservation Commission grant a Conditional Use Permit to allow the sale and consumption of alcohol limited to beer only (Type 40) at the Midnight Hour Record store subject to the conditions listed in Exhibit A of Attachment A of this report. This restricts the sale of alcoholic beverages to a licensed vendor with a Type 58 License, which the applicant must hire prior to an event and is only to be sold during the 12 live music events. There are several other conditions as noted in the staff report above on the live music events themselves as well as on the sale and consumption of alcohol. This provides an opportunity for the business owner to demonstrate that they are able to have alcohol safely consumed and administered on-site within the required conditions.

As noted above, a proposed condition of approval calls for the Planning Division to provide a report to the Planning and Preservation Commission one year from the approval on the sale and consumption of alcohol. This report shall include complaints, code enforcement and/or police cases. The Commission shall hear the report to determine whether the conditions of approval shall be modified to add, delete or revise conditions or whether the CUP shall be revoked.

Staff recommends approval of this CUP for the following reasons:

- Alcohol would be limited to beer only.
- Alcohol will be monitored and controlled by Type 58 license holders who are skilled and experienced in the sale of alcohol at these types of events.
- Conditions of approval would now be applied which were not in place or enforced when the illicit consumption of alcohol was occurring.

Based on the discussion above, staff recommends that the Planning and Preservation Commission make the findings for approval as provided in the Resolution, included as Attachment A, pursuant to San Fernando Municipal Code (SFMC) Section 106-145.

Other Liquor Licenses and Public Convenience

In addition for a CUP request, a Letter of Public Convenience and Necessity is required by the State, specifically the Department of Alcoholic Beverage Control when the number of alcohol licenses exceed the total number of alcohol licenses designated for on-sale and off-sale licenses within a given census tract. The subject property is within Census Tract 3203 which, per ABC's standards, should be limited to a total of four (4) alcohol licenses permitted within the census tract, three (3) for on-site sales and one (1) for off-site sales. Currently, Census Tract 3203 is overconcentrated for both on- and off-site sales, per ABC's standards.

Attachment D shows Census Tract 3203 within which The Midnight Hour Records store is located and the locations of other active on-sale liquor licenses. There are approximately sixteen (16) other establishments within the census tract that provide on-site liquor sales. (see Table 1 in Attachment D for a list of active on-site and off-site alcohol licenses within Census Tract 3203). Census Tract 3203 does have existing liquor licenses, however, alcohol available for purchase are typical of nightclubs and patrons are not permitted to bring their own alcohol. In addition, for events where alcohol will be available for purchase and permitted only to patrons ages 21 and over, re-entry is not permitted. Staff has checked with the Police Department for the number of intoxication related service calls received within the immediate vicinity of the project site. From the beginning of 2021 to October 31, 2023, the Police Department has received 15 service calls for the business with two of the service calls relating to public intoxication.

In addition, the subject property is within the Downtown District of the San Fernando Corridors Specific Plan (SP-5). This district is the city's functional center and contains most of the city's primary destinations – the shopping district along Maclay Avenue, the Civic Center, and the San Fernando Mall. It is staff's analysis that allowing the sale of alcohol at this location would constitute a public convenience due to the use of the business, being the only nightclub establishment in the city, and a destination for visitors.

The standard and proposed conditions of approval will help reduce the number and occurrence of incidents at the property through increase of security and limited number of music events with alcohol available for sale and consumption.

Based on the discussion above, staff recommends that the Planning and Preservation Commission make the findings for approval as provided in the Resolution, included as Attachment A, pursuant to San Fernando Municipal Code (SFMC) Section 106-180.

ENVIRONMENTAL REVIEW

The project qualifies for exemption from further environmental review under California Environmental Quality Act (CEQA) based on CEQA Guidelines section 15301, Class 1 – Existing Facilities. Class 1 exemption includes the interior and exterior alterations involving such things as interior partitions, plumbing, and electrical conveyances.

The project site is in an urbanized area with no environmentally sensitive habitats or species of concern on the property, there has been no successive effort to intensify land uses in the area, and no unusual circumstances exist that would pose a reasonable possibility of having a significant effect on the environment, and the project does not involve or affect historic resources. Based on this analysis, no significant environmental effects would result from this project and the use of a categorical exemption is appropriate.

PUBLIC NOTIFICATION

On June 12 2023, a public hearing notice was published in the print and online versions of the legal advertisement section of the *San Fernando Sun Newspaper* (Attachment “C”). In addition, on June 12, 2023, a public hearing notice was posted at the Project Site, at the two City Hall bulletin boards, and at the local branch of the Los Angeles County Library at 217 N. Maclay Avenue. Notices of the public hearing for this CUP and LPCN request were also mailed to all property owners of record within a 500-foot radius of the Project Site.

At the Planning and Preservation Commission meeting of June 12, 2023. The item was continued to July 10, 2023 and therefore did not require additional notification. The regularly scheduled Planning and Preservation Commission meetings of July 10, 2023 and August 14, 2023 were canceled and all scheduled public hearing items were continued to the next regularly scheduled meeting of September 11, 2023. This again did not require additional public notification. At the regularly scheduled Planning and Preservation Commission meeting of September 11, 2023, CUP 2022-001 was continued to November 13, 2023. Because the continuance was to a date certain, no additional public notification was required.

ATTACHMENTS:

- A. CUP 2022-001 Resolution No. 2023-03
 - a. Exhibit A – Conditions of Approval
- B. Business Operations
- C. Security Plan
- D. Map and List of Establishments Within Census Tract 3203 With an Active Alcohol License

RESOLUTION NO. 2023-03

A RESOLUTION OF THE PLANNING AND PRESERVATION COMMISSION OF THE CITY OF SAN FERNANDO, CALIFORNIA, APPROVAL OF CONDITIONAL USE PERMIT NO. 2022-001 AND DETERMINATION OF PUBLIC CONVENIENCE OR NECESSITY TO ALLOW THE SALE OF BEER FOR ON-SITE CONSUMPTION (LICENSE TYPE 40) BY CATERERS WITH A TYPE 58 ALCOHOL LICENSE IN CONJUNCTION WITH LIVE ENTERTAINMENT EVENTS AT MIDNIGHT HOUR RECORDS LOCATED AT 1103 SAN FERNANDO ROAD (APN: 2521-033-001)

WHEREAS, in July 2021, the owner of Midnight Hour Records obtained their Commercial Business Occupancy permit to operate as a retail store and a nightclub (live music venue) as an ancillary use, which are by-right (permitted) uses in the Downtown District of the San Fernando Corridors Specific Plan (SP-5); and

WHEREAS, the subject property is located at 1103 San Fernando Road, El Monte, California (APN: 2521-033-001); and

WHEREAS, in December 2021, the applicant submitted an application for alcohol Type 40 license (On Sale Beer for a bar or tavern) to the Department of Alcoholic Beverage Control (ABC), which required the applicant to obtain a Letter of Public Convenience or Necessity from the City; and

WHEREAS, commencing in 2021, the San Fernando Police Department (SFPD) received numerous service calls at the business involving alcohol consumption and low-level crimes. The applicant has worked with Planning Division staff and SFPD to mitigate concerns at the subject property; and

WHEREAS, pursuant to SP-5 Section 4.4.G.a., any sale of alcoholic beverages is subject to San Fernando City Code Chapter 106 (Zoning), Article II, Division 4, Subdivision II (Section 106-176 et seq.) and would require approval of a Conditional Use Permit; and

WHEREAS, in June 2022, the Planning Division received a Conditional Use Permit application from applicant for the sale of beer (Type 40 alcohol license) for consumption on or off the premises in conjunction with live entertainment events held at the project site; and

WHEREAS, in July 2023, the Planning Division received a revised CUP application from applicant requesting alcohol be sold by a third-party vendor/caterer with a Type 58 License to sell and serve alcohol during concert events at the project location; and

WHEREAS, the proposed project has been reviewed for compliance with the applicable development standards within the Downtown District; and

WHEREAS, the proposed project will not change the existing commercial use and is consistent with the commercial land use designation of the General Plan of San Fernando Corridors Specific Plan (SP-5); and

WHEREAS, the proposed project is considered a “project” as defined by the California Environmental Quality Act (CEQA), Public Resources Code Section 21000 et seq.; and

WHEREAS, the project has been reviewed for compliance with the California Environmental Quality Act (CEQA) and it qualifies for an exemption from further environmental review pursuant to CEQA Guidelines section 15301, Class 1 -Existing Facilities; and

WHEREAS, on November 13, 2023, the City of San Fernando Planning and Preservation Commission held a duly noticed public hearing, as required by law, and at which time public testimony was taken concerning the proposed Conditional Use Permit No. 2022-001 and the issuance of a letter of Public Convenience or Necessity in conformance with the San Fernando Municipal Code, General Plan, and SP-5.

NOW, THEREFORE, THE PLANNING AND PRESERVATION COMMISSION OF THE CITY OF SAN FERNANDO, CALIFORNIA, DOES HEREBY FIND, DETERMINE, AND RESOLVE AS FOLLOWS:

SECTION 1: ENVIRONMENTAL REVIEW FINDINGS

This project has been reviewed by the City for compliance with the California Environmental Quality Act (CEQA). The project site is in an urbanized area with no environmentally sensitive habitats or species of concern on the property, there has been no successive effort to intensify land uses in the area, and no unusual circumstances exist that would pose a reasonable possibility of having a significant effect on the environment, and the project does not involve or affect historic resources. Based on this analysis, no significant environmental effects would result from this project and the use of a categorical exemption is appropriate. As such, the proposed project is exempt from CEQA review pursuant to CEQA Guidelines section 15301, Class 1 – Existing Facilities exemption.

SECTION 2. FINDINGS FOR CONDITIONAL USE PERMIT

Pursuant to San Fernando Municipal Code Section 106-145 the following findings shall be made for approval of a Conditional Use Permit:

Finding 1: The proposed use is one conditionally permitted within the subject zone and complies with all of the applicable sections of this chapter.

Evidence: The General Plan Land Use designation of the project site is San Fernando Corridors Specific Plan (SP-5), which provides for the systematic implementation of the San Fernando General Plan as it relates to the development of properties located in the Specific Plan area. A variety of uses including night clubs and alcohol sales are permitted. The establishment of the use is consistent with the General Plan.

Finding 2: The proposed use would not impair the integrity and character of the zone in which it is to be located.

Evidence: The subject property is within the Downtown District of the San Fernando Corridors Specific Plan (SP-5). This district permits various retail uses and sale of alcohol. The proposed

Conditional Use Permit does not change the parcel or use of the site, and therefore, is in compliance with the City's Zoning Code.

Finding 3: The subject site is physically suitable for the type of land use being proposed.

Evidence: The proposed Conditional Use Permit does not change the parcel or use of the site. There are designated areas within the business floor plan for the sale of alcohol. Therefore, the site is physically suitable as proposed.

Finding 4: The proposed use is compatible with the land uses presently on the subject property.

Evidence: The Midnight Hour Records is a retail store and a music venue/club. Alcohol is typically available for purchase at clubs and ancillary to the club experience. The Conditional Use Permit does not change the existing commercial use of the project site, except for providing patrons the option to purchase alcohol when there is a music event and therefore, is compatible with the land use present on the subject property.

Finding 5: The proposed use would be compatible with existing and future land uses within the zone and the general area in which the proposed use is to be located.

Evidence: The General Plan land use designation of the site is San Fernando Corridors Specific Plan (SP-5), which provides for the systematic implementation of the San Fernando General Plan as it relates to the development of properties located in the Specific Plan area. A variety of uses including night clubs and alcohol sales are permitted. The Conditional Use Permit does not change the existing commercial use of the project site and therefore, is compatible with the land use present on the subject property.

Finding 6: There would be adequate provisions for water, sanitation, and public utilities and services to ensure that the proposed use would not be detrimental to public health and safety.

Evidence: The project site contains an existing building which is equipped with adequate provisions for water, sanitation, and public utilities and services. The proposed Conditional Use Permit does not propose any physical changes to the project site.

Finding 7: There would be adequate provisions for public access to serve the subject proposal.

Evidence: The Midnight Hour Records is located on the corner of Maclay Avenue and San Fernando Road. An alley runs behind the building and parking is provided in front of the building and within nearby city-owned parking lots.

Finding 8: The proposed use would be appropriate in light of an established need for the use at the proposed location.

Evidence: The subject property is within the Downtown District of the San Fernando Corridors Specific Plan (SP-5). This district is the city's functional center and contains most of the city's primary destinations – the shopping district along Maclay Avenue, the Civic Center, and the San

Fernando Mall. It is staff's analysis that allowing the sale of alcohol at this location would constitute a public convenience due to the use of the business, being the only nightclub establishment in the city, and a destination for visitors.

Finding 9: The proposed use is consistent with the objectives, policies, general land uses and programs of the city's general plan.

Evidence: The General Plan land use designation of the site is San Fernando Corridors Specific Plan (SP-5), which provides for the systematic implementation of the San Fernando General Plan as it relates to the development of properties located in the Specific Plan area. A variety of uses including night clubs and alcohol sales are permitted. The proposed Conditional Use Permit does not change the existing commercial use of the project site, except for providing customers the opportunity to purchase alcohol for off-site consumption and therefore, is consistent with the General Plan.

Finding 10: The proposed use would not be detrimental to the public interest, health, safety, convenience or welfare.

Evidence: Conditions of approval include surveillance and prohibiting the consumption of alcohol outside of the premises for safety reasons. The Midnight Hour Records will have alcohol limited to beer (Type 40) sold and served by a vendor with a Type 58 license. This license requires the vendor and their employees to complete training required by the Department of Alcoholic Beverage Control prior to the sales and handling of alcohol. In addition, the applicant will have security guards present for each music event to help maintain safety.

SECTION 3. SUPPLEMENTAL FINDINGS FOR CONDITIONAL USE PERMIT AND FOR DETERMINING PUBLIC CONVENIENCE OR NECESSITY

Pursuant to San Fernando Municipal Code Section 106-178 the following findings shall be made for approval of a Conditional Use Permit:

Finding 1: The existing or proposed use does not or will not encourage or intensify crime within the reporting district that it is located.

Evidence: Many of the conditions of approval include crime prevention and safety practices such as requiring security guards, security checks, alcohol to be sold by licensed vendors, limiting the days and times in which the live music events may take place and restricting the events to 21 year and older patrons. These conditions will ensure there is order during the music events thus not intensifying crime in the reporting district.

Finding 2: The existing or proposed use does not or will not adversely impact any residential use, church, hospital, educational institution, day care facility, park, or library within the surrounding area.

Evidence: The live music events will occur at night, after which schools, day cares, parks, libraries and churches have long closed for business. In addition, all activity will be restricted to indoors

to reduce noise impacts. In addition, the business will offer a safe home program to ensure patrons will not drive intoxicated and therefore, will reduce potential accidents in the nearby residential neighborhoods.

Finding 3: The distance separation requirements in section 106-179 are met.

Evidence: The subject property is a minimum of six hundred feet from residential uses, churches or places of worship, hospitals, educational institutions, nursery schools, day camps, day care centers, public parks, or playgrounds. The nearest uses listed are St. Ferdinand Catholic Church that measures 617 feet away and San Fernando Middle School that measures 961 feet away.

Finding 4: The proposed use will serve a public convenience or necessity as required by the State Department of Alcohol Beverage Control (ABC) and pursuant to section 106-180.

Factor 1: Whether the sale of alcoholic beverages as part of the proposed use would serve a niche market in the city that would not otherwise be filled by other existing businesses with alcoholic beverage licenses in the surrounding area.

Evidence: The subject property is within the Downtown District of the San Fernando Corridors Specific Plan (SP-5). This district is the city's functional center and contains most of the city's primary destinations – the shopping district along Maclay Avenue, the Civic Center, and the San Fernando Mall. For events where alcohol will be available for purchase and permitted only to patrons ages 21 and over, re-entry is not permitted. Therefore, granting of the CUP to allow for the sale and consumption of alcohol on the premises would constitute a public convenience for patrons who would like to purchase and consume alcohol throughout an event and would otherwise be denied re-entry for leaving the building to purchase alcohol.

Factor 2: The extent to which the proposed use enhances the convenience of purchasing alcoholic beverages in conjunction with other specialty food sales or services.

Evidence: All 16 existing on-site liquor licenses within the census tract are in conjunction to an eating establishment. The Midnight Hour Records is the only nightclub venue within the city. Alcohol available for purchase are typical of nightclubs and patrons are not permitted to bring their own alcohol.

Factor 3: The extent to which the proposed use in conjunction with the redevelopment of an existing or proposed building or structure will enhance the architectural character at the location of the proposed use and the surrounding area.

Evidence: The project does not propose any exterior changes to the building.

Factor 4: The manner in which the proposed use is to be conducted (special or unique features), including the extent to which the proposed use will include training of employees through ABC or an authorized third party to assure well-trained staff knowledgeable in the serving of alcoholic beverages safely, responsibly, and legally as well as in order to prevent illicit drug activity at the location of the proposed use.

Evidence: The Midnight Hour Records understands and takes seriously the responsibility that comes with selling alcoholic beverages. The applicant is requesting a Type 40 license but will limit the sale of alcohol for purchase through a vendor with a Type 58 license. Type 58 licensees are required to be well-trained and knowledgeable in the serving of alcoholic beverages safely, responsibly, and legally. Facilities with a Type 58 license are required to receive authorization from ABC for each catered event and submit the application at least three days, but no more than 30 days, prior to the event date. ABC works with the Police Department on review of each catered event request to ensure that the permit holder meets the minimum requirements prior to the event. Therefore, each Type 58 caterer may only be on the premises if all three parties involved, the applicant, ABC, and the Police Department approve.

Factor 5: The extent to which the proposed use compliments uses in the surrounding area.

Evidence: There are multiple eateries, retail stores, a dentistry, and other commercial uses within the immediate vicinity. These uses do not offer a space for music artists to perform, and the Midnight Hour Records is the only nightclub within the city and therefore, the proposed use would complement uses in the surrounding area by offering something different.

Factor 6: The extent to which the proposed use, location, and/or operator has a history or law enforcement problems.

Evidence: The establishment had fifteen calls for services from 2021 to October 31, 2023. These calls for service include parking issues, theft, overdose, homelessness, and public intoxication. Twelve of the fifteen service calls occurred in 2022 and only two calls have been received to date in 2023. The applicant has met with Planning Division staff and SFPD regarding the concerns involving law enforcement. The parties agreed that including conditions that include operational requirements, safety measures and require contracting a third-party vendor with a Type 58 License to sell alcohol during events would mitigate the prior law enforcement challenges of the operator.

Factor 7: The crime rate in the reporting district as compared to neighboring districts in the city and/or adjacent cities.

Evidence: From the beginning of 2021 to October 31, 2023, the Police Department has received fifteen service calls for the business with two of the service calls relating to public intoxication. The business is located within the Downtown District of San Fernando which is the City's functional center and contains most of the city's primary destinations – the shopping district along Maclay Avenue, the Civic Center, and the San Fernando Mall. Neighboring districts in the city had similar number in service calls.

Factor 8: The number of alcohol-related police calls for service, crimes or arrests in the reporting district and adjacent districts within the city.

Evidence: The project site is located within the Downtown District of San Fernando where a large concentration of businesses with an alcohol license exist. Within this district there were 12

alcohol-related service calls, crimes or arrests. The neighboring districts consist of residential and industrial uses and received no alcohol-related police calls for service, crimes or arrests between January 2021 to October 31, 2023.

SECTION 4. RECORD OF PROCEEDING

The documents and other materials that constitute the record of the proceedings upon which the Planning and Preservation Commission's decision is based, which include, but are not limited to, the environmental documents, staff reports, as well as all materials that support the staff reports for the proposed project and are located in the Community Development Department of the City of San Fernando at 117 Macneil Street, San Fernando, CA 91340. The custodian of these documents is the City Clerk of the City of San Fernando.

SECTION 5. DETERMINATION

The Project is consistent with the objectives, policies, and general land uses and programs provided in the City's General Plan and the applicable development standards for the Downtown District of the San Fernando Corridors Specific Plan (SP-5). Therefore, the Planning and Preservation Commission approves Conditional Use Permit No. 2022-001 and issues a letter of Public Convenience or Necessity, subject to conditions of approval attached hereto as Exhibit "A".

SECTION 6. CERTIFICATION OF THE RESOLUTION

The Secretary of the Planning and Preservation Commission of the City of San Fernando, California, shall certify the adoption of this resolution.

PASSED, APPROVED, AND ADOPTED this 13th day of November, 2023, by the following votes:

AYES:

NOES:

ABSENT:

ABSTAIN:

DAVID BERNAL, CHAIRPERSON

ATTEST:

ERIKA RAMIREZ, SECRETARY TO THE PLANNING
AND PRESERVATION COMMISSION

EXHIBIT "A"
CONDITIONS OF APPROVAL

PROJECT NO.: Conditional Use Permit 2022-001

PROJECT ADDRESS: 1101 San Fernando Road, San Fernando, CA 91340
(Assessor's Parcel No. 2521-033-001)

PROJECT DESCRIPTION: Allow on-site sale of alcohol at the address above by vendors in possession of a valid Type 58 liquor license issued by the State of California, subject to the further limitations imposed by these conditions of approval, as a secondary use at the property.

The following conditions shall be made a part of the approval of the project, and shall be complied with in their entirety, as determined by the Community Development Department:

1. Conditional Use Permit Entitlement. This Conditional Use Permit is granted for the land described in this application and any attachments thereto, as reviewed by the Preservation and Planning Commission on November 13, 2023, except as herein modified to comply with these Conditions of Approval.
2. Within thirty (30) days of approval of Conditional Use Permit 2022-001, the applicant shall certify his or her acceptance of the conditions of approval or modifications thereto by signing below that he or she accepts and shall be bound by all of the conditions.

Applicant's Signature

Date

Print Name

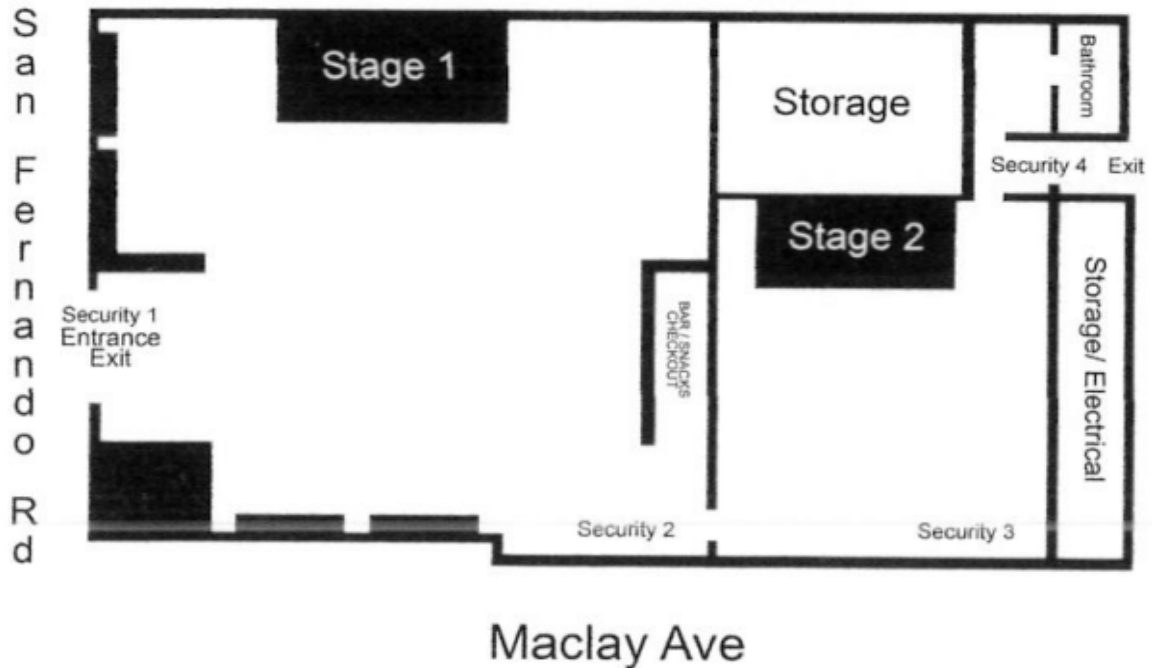
Date

3. Indemnification. The property owner and the project applicant, shall indemnify, protect, hold harmless and defend the City and any agency or instrumentality thereof, and/or any of its officers, employees and agents from any and all claims, actions, or proceedings against the City to attack, set aside, void, annul, seek monetary damages resulting from an approval of the City, or any agency or instrumentality thereof, advisory agency, appeal board or legislative body including actions approved by the voter of the City, concerning the entitlement application. City shall promptly notify both the property owner and developer of any claim, action, or proceeding to which this condition is applicable and shall further cooperate fully in the defense of the action. The City reserves its right to

take any and all action the City deems to be in the best interest of the City and its citizens in regard to such defense. The property owner and developer shall defend, indemnify and hold harmless the City for all costs and fees incurred in additional investigation or study of, or for supplementing, redrafting, revising, or amending, any document (such as an environmental impact report or related environmental assessment) if made necessary through the initiation of the project.

4. This Conditional Use Permit allows for the on-site sale of beer only for on-site consumption incidental to an ancillary nightclub use during the restricted live music events at 1101 San Fernando Road by vendors in possession of a valid Type 58 liquor license issued by the State of California, subject to the further limitations imposed by these conditions of approval.
5. Only persons employed by the licensed vendor may be engaged in any way in the sale of alcohol or the monitoring of its use.
6. The proposed Conditional Use Permit shall be in compliance with all of the provisions of Chapter 106 (Zoning) Article II Division 4 of the San Fernando Municipal Code. The applicant shall also comply with all other requirements of any applicable federal, state, or local law, ordinance, or regulation.
7. The applicant shall be required to submit to the Planning Division the following:
 - a. California State Department of Alcoholic Beverage Control (ABC) application.
 - b. Copy of ABC license upon issuance of said license; and
 - c. Copy of each license suspension or citation issued by ABC upon such issuance.
8. The City reserves the right to request of the California Department of Alcoholic Beverage Control (ABC) additional conditions, such as hours of operation restrictions, restriction of the type of alcohol sold, or other conditions that the City may deem necessary in order to reduce potential impacts.
9. Consumption of alcohol shall meet and always be in compliance with the requirements of the California Department of Alcoholic Beverage Control (ABC).
10. The premises shall be maintained primarily as a retail use with an ancillary nightclub use with 12 annual live music events.
11. Alcoholic beverages (beer only), shall only be sold during the 12 annual live music events which are restricted to patrons 21 years and older and with the following restrictions:
 - a. The sale of alcoholic beverages shall only be sold by vendors with a Type 58 license hired by the applicant and restricted to the area designated on the floor plan for the sale and serving of alcohol.
 - b. All alcoholic consumption must occur in doors.

- c. Alcohol sales and serving is restricted to the hours of Wednesdays, Thursdays and Sundays from 8pm to 12am and Fridays and Saturdays from 8pm to 1am.
- 12. The applicant's vendor shall receive authorization from the Department of Alcoholic Beverage Control and the San Fernando Police Department for each catered event and shall submit the clearance application at least three days, but no more than 30 days, prior to the event date to ensure that the permit holder meets the minimum requirements prior to the event.
- 13. Each of the 12 live music events shall:
 - a. Be scheduled for one day only and shall not be scheduled for consecutive days.
 - b. Include no more than one performance or one band.
 - c. Require a minimum of six (6) security personnel shall be on guard starting one hour before the start time of the event until one hour after all patrons have left the premises during the live music event. The guards shall be at the location where alcohol is to be sold, entrances, and exits.
- 14. Events that occur less than one calendar week apart require written notification to the Planning Division and the Police Department one week prior and are subject to joint written approval.
- 15. Security personnel shall be from a creditable security company with all required licenses and certification. Documentation of the security company the applicant proposes to contract to serve as on-site security during the 12 annual live music events shall be submitted for review and approval of the Planning Division and San Fernando Police Department at a minimum of one week prior to the event.
- 16. At each live music event security personnel shall:
 - a. Check all bags of patrons upon entrance.
 - b. Prevent re-entry during the hours of alcoholic sales.
 - c. Enforce all house rules within and immediately surrounding the property from one hour before the scheduled event and at least one hour after the scheduled event ends.
 - d. Patrol outside for any drinking of alcoholic beverages.
 - e. Patrol inside to ensure order is maintained.
 - f. Be stationed in the area in which alcohol is being sold, entrances and exits.
- 17. Performances shall be designated to Stage 1 only, as shown in the floor plan below. Any changes to the floor plan shall be reviewed and approved by the San Fernando Police Department.



18. No attendee wearing gang attire and/or affiliated gang colors shall be permitted into an event.
19. No weapons, including but not limited to, firearms, knives, box cutters, and pepper spray are permitted.
20. The surveillance monitoring system shall be installed at the entrances and exits of the business as well as in the general areas of public access excluding restrooms. At least one camera installed at the rear of the building shall be directed towards the alley. This system would assist law enforcement in identifying subjects possibly involved in criminal activity on the premises.
21. The alarm system shall be maintained in a manner that would prevent any accidental/false activation, as the time spent responding to and investigating these types of calls severely impacts law enforcement services in other areas of the city. Training about the proper use of the alarm system should be provided to all employees of the business to eliminate any accidental activation.
22. The applicant shall inform all employees of the restrictions set forth in this CUP.
23. A ride share program shall be established to offer patrons a ride home if needed and provide evidence of such program to the Planning Division.
24. The project shall comply with all applicable SFMC Noise regulations.
25. All graffiti shall be removed within 48 hours of its application.

26. The applicant shall provide to the Planning Division quarterly reports of noise and nuisance complaints as well as any incident reports from the San Fernando Police Department and a copy of internal logs kept of the same activities.
27. The business owner/management and applicant will be responsible for requiring and enforcing that there is no loitering as a result of this CUP on the public right-of-way and/or in front of adjacent properties. Loitering that is caused by the establishment in the public right-of-way, and/or in front of adjacent properties shall be strictly and reasonably enforced.
28. In the event of a change in tenancy of the existing retail use and ancillary nightclub use, the operator of the new retail use and/or ancillary nightclub use shall submit a request to modify this Conditional Use Permit prior to the issuance of any building permit, approval of any business tax certificate or CBO. The Planning and Preservation Commission shall consider the modification request and may modify, add or delete conditions contained herein.
29. The Property Owner and Applicant shall allow authorized City officials, or their designees, access to the Property where there is reasonable cause to believe the Property is not in compliance with these Conditions of Approval or other requirements of the SFMC.
30. One calendar year, or soon thereafter, from the first live music event with alcohol sales as permitted under this conditional use permit, the Planning Division shall provide a report to the Planning and Preservation Commission on the sale and consumption of alcohol, including any complaints or code enforcement and police cases. Based on the results, the Planning and Preservation Commission may revise the conditions of approval, impose new conditions, or direct staff to initiate proceedings to revoke the CUP.

Standard Conditions for All On-Sale CUPs Section 106-182(b) and (c)

The following are standard conditions which apply to all on-site alcohol sales.

31. Alcoholic beverages shall not be permitted to be consumed in the parking area or other exterior areas of the premises, except for designated outdoor areas approved as part of the CUP application. (106-182(b)(1))
32. Alcoholic beverages shall not be sold for consumption off the premises. (106-182(b)(2))
33. The hours of operation, including deliveries to the proposed establishment, shall be reviewed and approved by the planning commission as part of the CUP application in order to ensure compatibility with the surrounding area. (106-182(b)(3))
34. All employees who serve or sell alcoholic beverages shall successfully complete a

responsible beverage service training program that meets the requirements of ABC. Records of such training shall be maintained on the premises and made available to the police department personnel upon request. (106-182(b)(4))

35. Loitering in the public right-of-way, parking area and in front of adjacent properties is prohibited. All individuals discovered loitering on the property shall immediately be removed from the premises by the owner. Should the owner fail to abate the problems, the San Fernando Police Department reserves the right to abate the problem, and the permit/alcohol license may be subject to revocation. (106-182(c)(1))
36. Windows shall comply with the City's sign regulations in order to provide clear and unobstructed view of the cash register and sales area from the parking lot and street. Exceptions for on-sale outlets may be reviewed and approved by the Chief Planning Official. (106-182(c)(2))
37. The following signs shall be conspicuously posted onsite:
 - a. Exterior signs referencing Penal Code § 602.1. Such signs shall be clearly visible from the establishment's parking area and shall include the police department's phone number.
 - b. An interior sign in English and Spanish stating: "We ID everyone under 26 years of age for alcohol sales" with minimum dimensions of eight inches by 11 inches. (106-182(c)(3))
38. Exterior public telephones that permit incoming calls shall not be located on the premises. (106-182(c)(4))
39. Electronic games, including video games, shall not be located on the premises. (106-182(c)(5))
40. Exterior lighting of the parking area shall provide adequate lighting for patrons while not producing glare or light spill over disturbing surrounding residential or commercial areas. (106-182(c)(6))
41. A security camera system approved by the Police Department shall be installed on the premises and shall be maintained in proper working order at all times. The security camera system shall be subject to inspection by the Police Department. The system must be capable of producing retrievable images on film, tape or digital storage device, such as DVD or USB, that can be made a permanent record and that can be enlarged through projection or other means. The video or digital recordings generated by the system shall be maintained for a minimum period of 30 days. (106-182(c)(7))
42. The establishment shall implement preventive architectural design features as approved by the Chief of Police and the Chief Planning Official in order to maintain a secure site by controlling access to the facility, open sight lines, adequate lighting levels, ambient noise

levels and circulation patterns. (106-182(c)(8))

43. Special security measures such as security guards, door monitors, and burglar alarm systems may be required at the sole discretion of the City and its agents, as a condition of approval with final determination made by the Chief of Police and the Chief Planning Official on a case-by-case basis. (106-182(c)(9))
44. Litter and trash receptacles shall be located at convenient locations, both inside and outside establishment, and trash and debris shall be removed on a daily basis. (106-182(c)(10))
45. The exterior of the establishment, including all signs, accessory buildings and structures shall be maintained free of litter and graffiti at all times. All graffiti shall be removed from the premises within 24 hours of its discovery. (106-182(c)(11))
46. With regard to the CUP, applications that are approved based in part upon the fact that alcohol sales on the premises are incidental to the sale of other products, proof satisfactory to the chief planning official shall be annually submitted to show that the sale of alcohol has remained incidental to the sale of other products. (106-182(c)(12))
47. Within 30 days of approval of the CUP, applicant shall certify his or her acceptance of the conditions placed on the approval by signing a statement that he or she accepts as shall be bound by all the conditions. (106-182(c)(13))
48. Violation of, or noncompliance with, any of the conditions shall constitute grounds for revocation of the CUP. (106-182(c)(14))
49. Expansion or enlargement of the business premises over the life of the structure or the use shall be subject to the CUP approval process. (106-182(c)(15))

Operational Details

In regards to alcohol sales at Midnight Hour Records this operational plan is meant to be put in place in order to have a clear vision of responsibilities as well as to communicate our goals. Alcohol sales will not be our primary use for the space as we will continue to primarily operate as a record store and venue. Alcohol sales are intended as additional sales opportunity within the framework of the main business.

Operational days:

No alcohol will be sold on Mondays and Tuesdays as we are usually closed (unless special event or space rental occurs).

We are looking to self restrict alcohol sales during retail hours (Wednesday - Saturday 12pm - 7pm and Sun 12pm-4pm) unless special event or space rental occurs.

Alcohol will also be restricted entirely during all ages events in order to deter any underage drinking.

Alcohol will be sold in the small back lounge on a daily basis from 8pm-12am on Wednesdays, Thursdays and Sundays, and 8pm-1am on Fridays and Saturdays, barring any all ages event occurring, and operating as a 21+ space.

No all ages entry from 8pm-12am on Wednesdays, Thursdays and Sundays, and 8pm-1am on Fridays and Saturdays, unless alcohol is completely restricted.

Once weekly, either Friday or Saturday, alcohol will be sold in the main room from 8pm-1am for club events.

Implementation:

House rules will be posted in large format upon entry and surrounding the building.

On site security will be enforcing all house rules within and surrounding the property during hours in which alcohol will be served.

Security will patrol outside for any drinking of alcoholic beverages.

Security will be checking all bags upon entry.

No ins and outs/ re-entry will be allowed during hours of alcoholic sales.

All employees will be trained by ABC and fully comply with all of their regulations.

An uber program will be implemented to be offered to patrons if necessary.

House Rules

All artists must confirm they have read the house rules.

- No weapons
- No chains or sharp accessories
- No outside drinks/ canteens/ flasks
- No alcohol whatsoever
- No outside food/ snacks
- No smoking
- Must be 21+ to carry tobacco products
- No narcotics/ drugs
- No fighting or physical intimidation
- No stage diving or jumping
- No crowd surfing
- No large bags/ backpacks/ luggage
- No musical instruments (artists excluded)
- No pets during venue hours (service animals excluded)
- No nudity
- No lasers
- No fireworks
- No boomboxes/ bluetooth speakers
- No umbrellas/ folding chairs
- No strollers during venue hours
- No roller blades/ heeleys/ hoverboards/ skateboards
- No distribution of unauthorized promotional materials

Staff has a right to enforce these rules for the general safety of attendees, artists, and staff, as well as the preservation of the venue.

Concert Protocols:

All staffers must not allow drugs, alcohol, or weapons. Any drug/alcohol use or overly aggressive behavior is seen at any point inform the rest of staff to come up with a quick and safe solution for the problem.

Back room:

Two people minimum must be in the backroom at all times. A number of issues can come up if anyone leaves their post so if necessary get someone to cover your position.

Responsibilities:

Position one must be by the back exit. They will be responsible for helping bands load in, pointing them to the check in person, checking in on the restroom to ensure no drug use, assault, defacing of property, etc is occurring, and keeping a general eye on the crowd for any issues (drug or alcohol use, fights, etc). Please ensure you have a staff shirt, walkie talkie, flashlight, and charged cell phone.

Position two will be the stage tech. They must make sure that the bands know the equipment specs, if anyone needs to borrow gear they ensure its return, keep an eye out on gear so it doesn't get damaged, keep an eye out on the crowd for any issues (drug or alcohol use, fights, etc). Please ensure you have a staff shirt, walkie talkie, flashlight, and charged cell phone.

Front room:

Three people minimum must be in the front room at all times. A number of issues can come up if anyone leaves their post so if necessary get someone to cover your position.

Responsibilities:

Position one pre show responsibilities include ensuring check in of all band members before show starts. They must have wristbands on, know where all emergency exits and emergency aid stations are, and must know who the staff they'll be working directly with is. Introduce yourself, provide wrist bands, let them know your position, etc. Have one member of each band sign off on the form showing that we have gone through safety and responsibility.

Position one show responsibilities include checking everyones bags/ purses/ backpacks, oversized clothing that clearly sag due to hidden items, boxes, etc. If the person keeps going in and out we must check every single time they come back in.

Position two will be the check-out. Every purchase no matter how small must have a bag receipt. Keep an eye out on the crowd for any issues (theft, drug or alcohol use, fights, etc)

Position three is a floater. They must walk around and check in with every staff member to get a general sense of the night. They must watch over people within the area to ensure no theft, violence, drug/ alcohol use is occurring. If necessary they will relieve the position of anyone needing a break, help, etc.

The Midnight Hour Records

Safety and Emergency Procedures

It is the intent of Midnight Hour records to provide a safe environment for staff, customers, production crew, performers, event attendees and the general public. The safety and emergency procedures have been developed and outlined to ensure a safe experience for all involved. Failure to comply with the safety rules and emergency procedures, knowingly causing a hazard or unsafe condition to exist, or acting in such a manner that greatly endangers you, the people around you, or causes the loss or damage of material, will result in immediate termination, halting/canceling event without pay, removal from the premises, and blacklisting from the premises and future events.

Staff Checklist:

1. Know the locations of all emergency exits and evacuation points.
2. Know the locations of all fire extinguishers throughout the facility.
3. Know the locations of all first aid equipment such as first aid kits, Narcan, blood-borne pathogens kits, etc.
4. Know the location of all electrical control panels.
5. Ensure your phone is fully charged and you have an open line of communication between you and other staff.
6. Ensure your flashlight is fully charge.
7. Ensure your staff radio is fully charged, readily accessible, and operational.
8. Ensure you are wearing a staff shirt or other identifier.
9. Familiarize yourself with production, crew, promoters, and performers prior to the event. Follow proper check-in protocol, and keep an open line of communication between them and yourself.
10. Should a situation arise, radio in for help or backup and alert the rest of the staff.
11. Stay vigilant. If you notice any suspicious behavior or anything that may be a safety concern, radio in to your supervisor, alert the staff, and await guidance.
12. Report all safety concerns immediately.
13. Report all accidents, with or without injury, mishaps/close calls immediately.
14. Report any and all threats. This can include social media threats, verbal, and prior or during an event.
15. Ensure you have your set of keys for all doors.

Medical Emergencies - Staff:

1. Staff must provide at least 2 valid emergency contact names and telephone numbers. These individuals will only be contacted in the event that you have had a medical emergency.
2. Disclose any medical issues, allergies, or pre existing conditions, as well as medications you may take, with your supervisor or manager. In the event that you have a medical emergency while at work, this information will be helpful for your coworkers to render aid to you before emergency personnel arrive. This is also helpful because an emergency operator can offer help over the phone if they know what they are dealing with. The more information you can give emergency personnel the better.
3. If you take any medication, be sure to have some on hand in the event that you need it.
4. Should a staff member be facing a medical emergency, remain calm, assess the situation quickly, call 911, and render any aid possible. Depending on the situation, it may be necessary to clear all customers from the room.
5. After the emergency. All involved parties will be required to submit a written statement, signed and dated, about the events. This will be used for regulatory purposes as well as improve our level of response.

Medical Emergencies- Customers, production/crew, performers, event attendees:

1. Stay vigilant during business hours or during events. Medical emergencies can range from health issues, drug overdoses, or injuries. Know the signs, and keep a watchful eye on everyone.
2. Stay calm. Assess the situation promptly and act quickly. Alert all staff members via radio. If necessary, call for assistance. Anyone who is able to leave their post must offer assistance promptly.
3. Arrive to the location of the emergency with a first aid kit and blood-borne pathogens kit.
4. If necessary, call 911 immediately. If the person is experiencing an opioid overdose, administer Narcan immediately.
5. If you are asked to render aid and can safely do so, wear personal protective equipment (gloves, masks, dams/cpr oral barrier)
6. Clear the affected area immediately. If this is not possible, move the person to a clear area if you can do so safely.
7. Turn on the house lights.
8. If necessary, the band should stop or the event should be halted, and attendees should exit the building in a prompt but orderly fashion.
9. Get as much information from the person or their friends. (Name, number, emergency contact, medical issues, drug usage, etc).
10. Ensure medical personnel and law enforcement have clear access and can be directed in.
11. If the person declined medical attention and an ambulance, provide them with a waiver stating they have declined medical attention.
12. After the emergency. All involved parties will be required to submit a written statement, signed and dated, about the events. This will be used for regulatory purposes as well as improve our level of response.

Fire: If you can safely put out a small fire with the provided fire extinguishers, you may do so. If not, consider the following:

1. Know the locations of ALL fire extinguishers in the building. Ensure that they are readily accessible, fully charged, and unobstructed at all times.
2. Know the location of all electrical control panels. Keep this area unobstructed and accessible at all times.
3. Keep all emergency exits unobstructed and accessible at all times.
4. In the event of a fire, your first priority and responsibility is to sound the facility alarm. If the facility does not have an alarm, verbally make an announcement that there is a fire and to evacuate the building. Call 911.
5. Evacuate the building calmly but promptly. Ensure all customers, staff, visitors, etc. have safely exited the building. Smoke and deadly vapors/gases will fill the room promptly making it difficult to breath and see. **DO NOT RE ENTER THE BUILDING FOR BELONGINGS.**
6. Evacuation point should be far enough away from the building to avoid falling debris, smoke inhalation, heat, and flames.
7. After a fire, do not re enter the building without the permission of a fire marshal, law enforcement official, or emergency responder. Smoke, dust and

carcinogens, may be present. The structure may be compromised and re entry may be unsafe. Hidden hazards such as broken glass, nails, and metal
el, and wooden splinters may also be present.
e fire was minor and the fire department has deemed the premises safe, please clean up the area, allow the area to air out, and install air purifiers or
efore allowing people to re enter.
ot overload electrical outlets or circuits.
not use any electrical equipment that is in bad shape.

Quake:

and cover. Seek shelter under a sturdy table or object. If this is not possible, duck and cover your head and neck. Avoid shelving, light fixtures,
its, etc.
the shaking stops, remain in place until you feel that it is safe to exit the building. Remember, there will be aftershocks.
ptly evacuate the facility and regroup in the evacuation point. Ensure you are free from falling trees, light posts, electrical poles and wires, signs,
SURE ALL EMPLOYEES, CUSTOMERS, VISITORS, ETC. HAVE EVACUATED.
re allowing anyone to re enter the building, a safety walkthrough will be conducted. Ensure there is no structural damage, product shelving and
e stable, no windows are broken, no gas or water lines have ruptured, no electrical issues, no fires/no sparks. If the building has been deemed safe
try, please proceed with caution, conditions can change.
event of a major earthquake, consider closing shop or canceling the event for the day. There will be aftershocks.

Chemical Spills:

amiliarize yourself with all chemical SDS (safety data sheets) before use.
in chemicals should not be and cannot be used during business hours.
e all uses of chemicals are done so in accordance with the SDS. Ensure areas are well ventilated and proper PPE is being used.
DO NOT MIX CHEMICALS. The mixtures can be deadly.
event of an accidental release or spill, consult with the SDS for proper control and clean up measures.
doubt, evacuate the building, call the fire department, hazmat, poison control, etc, and seek assistance. Alert your neighboring businesses.
d there be chemical spill nearby, consult with emergency personnel for further guidance. If you are asked to evacuate, please do so in a timely
and avoid the area until clear.

Severe weather: Wildfires, rainstorms, floods, etc:

informed with local news, emergency and law enforcement personnel. These situations can change rapidly. If you feel the need to evacuate the
lose the shop, please do so. If you have been asked to evacuate, please do so immediately.

Assaults, Rapes, Violence, Intimidation, Threats, etc:

reats must be reported immediately and taken seriously. Threats can range from in person to online/social media, and can be verbal, physical, or
All threats must be treated as credible and action must be taken promptly.
event that a neighboring business is the target of crime or violence, The Midnight Hour **MUST** shelter in place. Promptly lock the doors, turn off
e, usher all staff to the backroom and lock the door. Wait by the rear exit in the event that you will need the evacuate. Remain calm, take cover
olid objects if necessary. Prepare yourselves to do the following: Run, hide, or fight as a last resort.
event that store faces a robbery and you are facing a weapon such as a gun or a knife, do not try and fight. Comply with the robber and give
money or merchandise. Fighting or chasing them may get you killed or injured. If you hurt them, you will likely be liable for their injury.
notice anyone overly intoxicated with anyone displaying predatory behavior towards them, make the situation known with the team, and
e what action needs to be taken.
one feels they are being the victim of predatory or creepy behavior, ensure that you offer them assistance such as calling them a cab, uber, or
ing them to their car and visibly seeing them drive away, removing the predator/intimidator from the premises, etc.
ce, harassment, threats, slurs, etc. must not be tolerated. Consult with your supervisor and determine what the corrective action should be.
tely no weapons are allowed onto the premises, with the exception of pocket knives or boxcutters carried by staff.

ckpacks, luggage, or large containers allowed on the premises.
gs or alcohol allowed on the premises.
oking on the premises.

Emergency Contacts:

EMERGENCIES: 911

26-589-1750

18-317-7692

ty Safety Management/Ryan San Martin (safety consultant available for phone consultations, questions, and concerns) – 805-231-3253

Emergency Contacts: In employee files.

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Earthquake:

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Chemical Spills:

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Extreme Weather:

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area or c

Robbery:

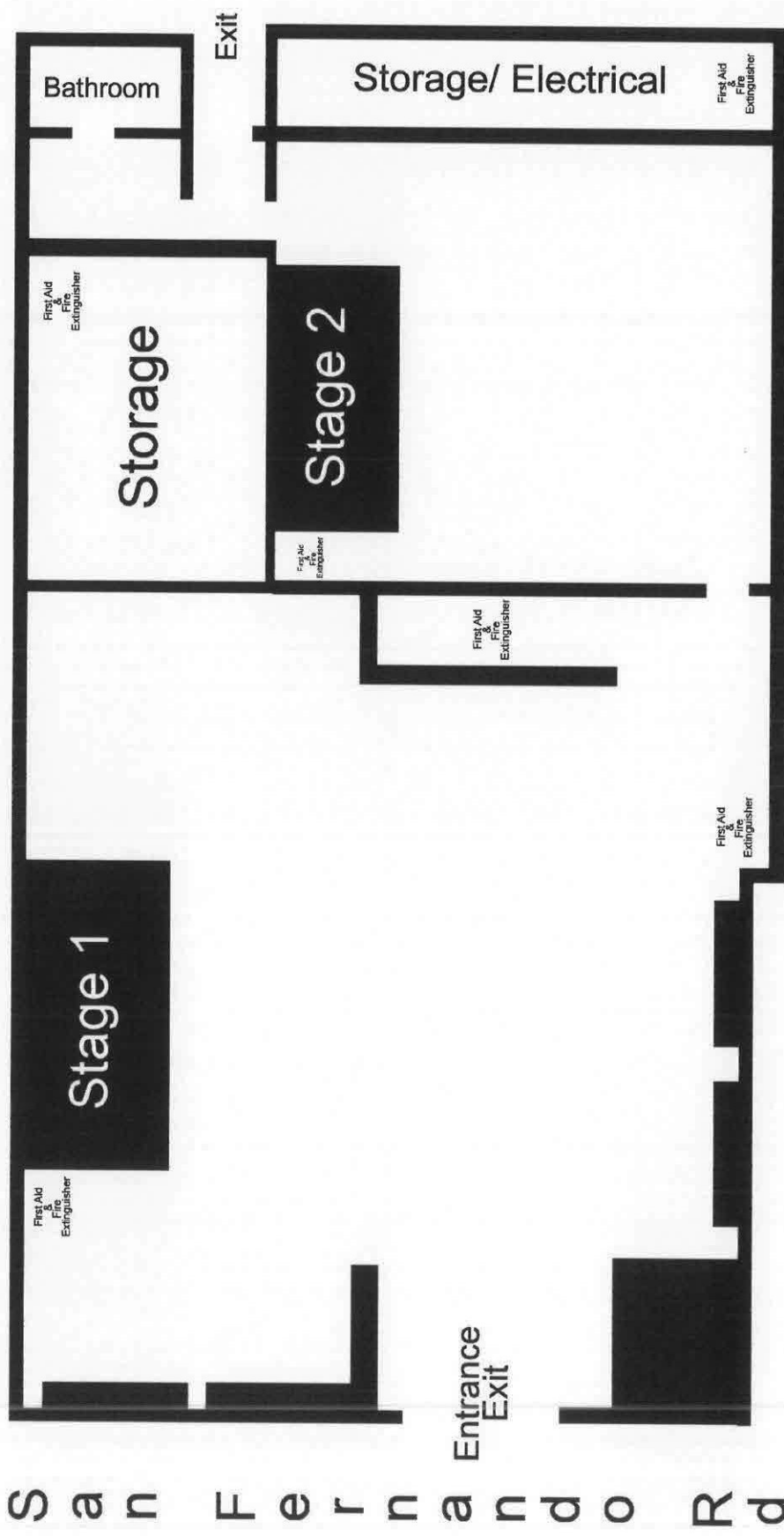
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MISC:

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3. No sm

Emergency Contacts:

ALL EM
Sergio: 6
Alyssa: 8
Regulator
Individua



S a n F e r n a n d o R d

MacLay Ave

License Number	Status	License Type	Orig. Iss. Date	Expir. Date	Primary Owner	Premises Addr.	Business Name	Geo Code
2493	ACTIVE	52	6/6/1995	3/31/2023	AMERICAN LEGION SAN FERNANDO POST 176	602 PICO ST,SAN FERNANDO, CA 91340	Census Tract: 3203.00	AMERICAN LEGION SAN FERNANDO POST 1949
2493	ACTIVE	58	6/6/1995	3/31/2023	AMERICAN LEGION SAN FERNANDO POST 176	602 PICO ST,SAN FERNANDO, CA 91340	Census Tract: 3203.00	AMERICAN LEGION SAN FERNANDO POST 1949
9379	ACTIVE	57	1/20/1938	9/30/2022	ELKS LODGE SAN FERNANDO 1539	804 PICO ST,SAN FERNANDO, CA 91340	Census Tract: 3203.00	ELKS LODGE SAN FERNANDO 1539 1949
9379	ACTIVE	58	1/20/1938	9/30/2022	ELKS LODGE SAN FERNANDO 1539	804 PICO ST,SAN FERNANDO, CA 91340	Census Tract: 3203.00	ELKS LODGE SAN FERNANDO 1539 1949
35114	ACTIVE	20	9/1/1976	4/30/2023	OSORIO, FRANCISCO	666 S KALISHER ST,SAN FERNANDO, CA 91340	Census Tract: 3203.00	EL SALTARIN MARKET 1949
298168	ACTIVE	48	8/15/1994	7/31/2023	GOMEZ, RAUL G	1113 SAN FERNANDO RD,SAN FERNANDO, CA 91340	Census Tract: 3203.00	EL POTRO BAR 1949
314453	ACTIVE	21	3/15/1996	2/28/2023	HASROUN, DENISE	568 SAN FERNANDO MISSION BLVD,SAN FERNANDO, CA 91340	Census Tract: 3203.00	RAULS LIQUOR 1949
321383	ACTIVE	20	8/7/1996	7/31/2023	SATBANI, KHALIL	601 MACLAY ST,SAN FERNANDO, CA 91340	Census Tract: 3203.00	MACLAY MOBIL 1949
346983	ACTIVE	47	9/28/1999	8/31/2022	PUEBLO RESTAURANT INC	455 SAN FERNANDO MISSION BLVD,SAN FERNANDO, CA 91340	Census Tract: 3203.00	CASA TORRES 1949
420341	ACTIVE	20	1/3/2005	6/30/2023	7 ELEVEN INC	776 N MACLAY AVE,SAN FERNANDO, CA 91340	Census Tract: 3203.00	7 ELEVEN STORE 2133 17889D 1949
435668	ACTIVE	20	2/24/2006	1/31/2023	PIONEER MARKET INC	465 S BRAND BLVD,SAN FERNANDO, CA 91340	Census Tract: 3203.00	PIONEER MARKET INC 1949
463177	ACTIVE	20	2/21/2008	3/31/2023	HMZ INC	1753 TRUMAN ST,SAN FERNANDO, CA 91340-3143	Census Tract: 3203.00	HMZ INC 1949
468440	ACTIVE	21	8/25/2008	7/31/2023	BANNA, MOUNA	901 TRUMAN ST,SAN FERNANDO, CA 91340-3316	Census Tract: 3203.00	CORK N JUG 1949
484961	ACTIVE	41	1/21/2010	12/31/2022	RUIZ, HELENA	1118 PICO ST,SAN FERNANDO, CA 91340-3514	Census Tract: 3203.00	LOS CAMARONES TACOS MARISCOS 1949
520988	ACTIVE	21	7/3/2012	6/30/2023	VALLARTA FOOD ENTERPRISES INC	757 S WORKMAN ST,SAN FERNANDO, CA 91340-4154	Census Tract: 3203.00	VALLARTA SUPERMARKETS 1949
521623	ACTIVE	47	10/4/2012	9/30/2022	LOS HERMANOS MEXICAN FOODS INC	1047-49 SAN FERNANDO RD,SAN FERNANDO, CA 91340-3312	Census Tract: 3203.00	LOS TRES HERMANOS RESTAURANT 1949
525173	ACTIVE	21	5/9/2013	4/30/2023	BODEGA LATINA CORPORATION	315 SAN FERNANDO MISSION BLVD,SAN FERNANDO, CA 91340-3508	Census Tract: 3203.00	EL SUPER 1949
534818	ACTIVE	20	8/15/2013	7/31/2022	SOTO, CLAUDIA ELENA	727 HEWITT ST,SAN FERNANDO, CA 91340-4016	Census Tract: 3203.00	ADOBE MARKET 1949
541255	ACTIVE	21	3/7/2014	2/28/2023	HUB LIQUOR, INC.	1542 SAN FERNANDO RD,SAN FERNANDO, CA 91340-3113	Census Tract: 3203.00	HUB LIQUOR 1949
547047	ACTIVE	41	2/17/2015	1/31/2023	CHIPOTLE MEXICAN GRILL INC	1100 TRUMAN ST ,SAN FERNANDO, CA 91340	Census Tract: 3203.00	CHIPOTLE MEXICAN GRILL STORE #2236 1949
550595	ACTIVE	41	12/19/2014	11/30/2022	CARRILLOS TORTILLERIA INCORPORATED	1242 PICO ST,SAN FERNANDO, CA 91340-3503	Census Tract: 3203.00	CARRILLOS TORTILLERIA 1949
552595	ACTIVE	21	5/20/2015	4/30/2023	M & I MAJERS, INC.	1648 SAN FERNANDO RD,SAN FERNANDO, CA 91340-3115	Census Tract: 3203.00	MAJERS MINI MARKET 1949
570013	ACTIVE	20	7/19/2016	6/30/2023	PAJAPATI, RAJESH BHOGILAL	552 S KALISHER ST,SAN FERNANDO, CA 91340-3951	Census Tract: 3203.00	SHREE KRISHNA 1949
585686	ACTIVE	47	8/10/2018	7/31/2023	OSORNIO, MONICA RAMONA	1009 TRUMAN ST,SAN FERNANDO, CA 91340-3317	Census Tract: 3203.00	EL PESCADOR 1949
589321	ACTIVE	48	4/1/2018	2/28/2023	TRUMAN HOUSE TAVERN INC THE	911 SAN FERNANDO RD,SAN FERNANDO, CA 91340-3310	Census Tract: 3203.00	1949
589757	ACTIVE	21	6/26/2018	2/28/2023	GARFIELD BEACH CVS LLC	1204 SAN FERNANDO RD,SAN FERNANDO, CA 91340-3205	Census Tract: 3203.00	CVS PHARMACY #10807 1949
596092	ACTIVE	41	1/28/2020	12/31/2022	IZAGUIRRE & RODRIGUEZ, INC	913 SAN FERNANDO RD,SAN FERNANDO, CA 91340-3310	Census Tract: 3203.00	BUENAZO FINE PERUVIAN CUISINE 1949
605025	ACTIVE	41	7/12/2019	6/30/2023	ROSARITO FISH MARKET DELI INC.	1534 SAN FERNANDO RD,SAN FERNANDO, CA 91340-3113	Census Tract: 3203.00	ROSARITO FISH MARKET DELI INC 1949
614272	ACTIVE	41	5/4/2020	4/30/2023	POKI TO MAS LLC	1201 TRUMAN ST STE E1,SAN FERNANDO, CA 91340-3241	Census Tract: 3203.00	POKITOMAS 1949
614735	ACTIVE	47	7/1/2020	6/30/2023	TACOSWAY SAN FERNANDO	1245 SAN FERNANDO RD,SAN FERNANDO, CA 91340-3231	Census Tract: 3203.00	TACOS WAY 1949
616079	REVPEN	41	5/26/2020	4/30/2022	GONZALEZ, VIRGINIA GABRIELA	1419 SAN FERNANDO RD , UNIT A,SAN FERNANDO, CA 91340-3229	Census Tract: 3203.00	MARISCOS EL CULICHI 1949
618739	ACTIVE	40	11/30/2020	10/31/2022	LINARES, BLANCA GABRIELA	739 TRUMAN ST,SAN FERNANDO, CA 91340	Census Tract: 3203.00	JAMES RESTAURANT 1949
628123	ACTIVE	41	4/6/2022	3/31/2023	BODEVI INC.	909 SAN FERNANDO RD ,SAN FERNANDO, CA 91340-3310	Census Tract: 3203.00	1949
628300	ACTIVE	41	7/19/2021	2/28/2023	CAMARILLO TEJEDA, ALBERTO	1030-1/2 SAN FERNANDO RD,SAN FERNANDO, CA 91340-3313	Census Tract: 3203.00	LA CASA DEL PESCADOR RESTAURANT 1949
	On-sale: 18		Near project site					
	Off-sale: 16							

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AGENDA REPORT

To: Chair Bernal and Commissioners

From: Erika Ramirez, Director of Community Development

Date: November 13, 2023

Subject: Reorganization of the Planning and Preservation Commission – Selection of Vice Chair

RECOMMENDATION:

It is recommended that the Planning and Preservation Commission appoint a Vice Chair to preside over the Commission meetings through the 2023 calendar year.

DISCUSSION:

On July 25, 2023 The Planning and Preservation Commission received a notice of resignation from former Vice Chair Yvonne Pena. This has left the Vice Chair vacant. The newly appointed Vice Chair will preside over the Commission meetings through the 2023 calendar year.

ATTACHMENT:

- A. Planning and Preservation Commission Bylaws and Rules of Procedures

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

BYLAWS AND RULES OF PROCEDURES
(Adopted June 8, 2020)

ORGANIZATION AND OFFICERS

A. Organization

The Planning and Preservation Commission (Commission) shall consist of five (5) members, each with full participation and voting rights.

B. Officers

1. Selection

- a. A Chair and Vice-Chair shall be elected annually from among the Commission's membership at the January meeting to serve at the pleasure of the Commission. If no January meeting is held, the selection will occur at the next scheduled meeting of the Commission.
- b. The Vice-Chair shall succeed the Chair if he/she vacates his/her office before his/her term is completed, the Vice-Chair to serve the unexpired term of the vacated office. A new Vice-Chair shall be elected at the next regular meeting.
- c. 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.

2. Responsibilities

The responsibilities and powers of the members of the Commission shall be as follows:

a. Chair

- (1) Preside at all meetings of the Commission.
- (2) Call special meetings of the Commission in accordance with legal requirements and the rules of Procedure.
- (3) Sign documents of the Commission.

(4) See that all actions of the Commission are properly taken.

b. Vice-Chair

During the absence, disability or disqualification of the Chair the Vice-Chair shall exercise or perform all the duties and be subject to all the responsibilities.

C. Duties and Powers

1. The Commission shall have the power to recommend to the City Council, after a public hearing, the adoption of or amendments to elements of a General Plan, or any part thereof, for the physical development of the City.
2. The Commission shall exercise such functions with respect to land subdivision, planning, and zoning as may be prescribed by ordinance.

D. Rules of Order

Except as otherwise provided in these Bylaws and Rules of Procedure (Rules of Procedure), “Rosenberg’s Rules of Order (Revised 2011)” as the same may be modified from time to time, shall be used as a guide to the conduct of the meetings of the Commission provided, however, that the failure of the Commission to conform to said rules of order shall not in any instance, be deemed to invalidate the action taken. In the event of any conflict or inconstancy between the procedures or protocols called for under the San Fernando Municipal Code, State law or federal law and the procedures or protocols called for under Rosenberg’s Rules of Order, the procedures and/or protocols of the former shall govern and control.

Each Commission member should do his/her part to treat each fellow Commission member with respect and to ensure that meetings proceed in an orderly and constructive manner.

MEETINGS

A. Public Meetings

All meetings shall be held in full compliance with the provision of State law, Ordinances of the City, and these Rules of Procedure.

B. Regular Meetings

1. All meetings shall be held on the 2nd Monday of the month at 6:30 p.m. in the Council Chambers of City Hall, except as otherwise permitted by law.

2. Whenever a regular meeting falls on a public holiday or regular Council meeting, no regular meeting shall be held on that day. Such regular meeting may be rescheduled to the next business day, another day, or canceled by motion adopted by the Commission.

C. Adjourned Meetings

In the event it is the wish of the Commission to adjourn its meeting to a certain hour on another day, a specific date, time, and place must be set by the Commission prior to the regular motion to adjourn.

D. Special Meetings

Special meetings of the Commission may be held at any time upon the call of the Chair or by a majority of the voting members of the Commission or upon request of the City Council following at least 24 hours' notice to each member of the Commission. The time and place of the special meeting shall be determined by the convening authority.

E. Study Sessions/Workshops

1. The Commission may be convened as a whole or as a committee of the whole in the same manner as prescribed for the calling of a special meeting for the purpose of holding a study session provided that no official action shall be taken and no quorum shall be required.
2. Such meetings shall be open to the public; but, unless the Commission invites evidence or comments to be given, participation by interested members of the public shall not take place at such study sessions.

F. Agenda

1. An agenda for each meeting of the Commission shall be prepared by the Community Development Director or his/her staff person.
2. There shall be attached to each agenda a report of matters pending action by the Commission.
3. A copy of the agenda shall be posted at City Hall and on the City's website for a period of three calendar days not counting the day of meeting or the day of posting.

G. Order of Meetings

1. **The Order of Business Shall Be as Follows:**

- a. The Chair shall take the chair precisely at the hours appointed for the meeting and shall immediately call the Commission to order.
- b. Members present and absent shall be recorded.
- c. The agenda shall be approved as submitted or revised.
- d. The minutes of any preceding meeting shall be submitted for approval.
- e. The public shall be advised of the procedures to be followed in the meeting.
- f. The Commission shall then hear and act upon those proposals scheduled for consideration or public hearing, together with such other matters of business and report as the Commission finds to require Commission consideration.
- g. Any member of the audience may comment on any matter which is not listed on the agenda.
- h. Adjournment.

2. **Presentation of Hearing of Proposals (Optional)**

The following shall be the order of procedure for public hearings:

- a. The Chair shall announce the subject of the public hearing, as advertised.
- b. If a request is made for continuance, a motion may be made and voted upon to continue the public hearing to a definite time and date.
- c. The staff shall be asked to present the substance of the application, staff report and recommendation, and to answer technical questions of the Commission.
- d. **Order of Testimony and Time Allotment.** The order of testimony and time allotment shall be as follows:
 - (1) Applicants/Proponents' statements (Maximum time allocation of 15 minutes)
 - (2) Opponents' statements (Maximum time allocation of 15 minutes)
 - (3) If necessary, a rebuttal from either side (Maximum time allocation of 5 minutes each for either side)
 - (4) Public hearing closed
 - (5) The Commission shall then deliberate and either determine the matter or continue the matter to another date and time certain.
- e. **Rules of Testimony.** The rules of testimony shall be as follows:
 - (1) Persons presenting testimony to the Commission are requested to give their name and address for the record.
 - (2) If there are numerous people in the audience who wish to participate on the issue, and it is known that all represent the same opinion, a spokesman can be selected to speak for the entire group. The spokesman will thus have the opportunity of speaking for a reasonable length of time and presenting a complete case.
 - (3) To avoid unnecessary cumulative evidence, the Chair may limit the number of witnesses or the time of testimony on a particular issue.

A default time limit shall be 5 minutes per testimony, but that time limit can be extended at the discretion of the Chair.

- (4) Irrelevant and off-the-subject comments will be ruled out of order.
- (5) The Chair will not permit any complaints regarding the staff or individual commissioners during a public hearing. Complaints should be submitted in writing or presented verbally as a separate item on the agenda.
- (6) No person shall address the Commission without first securing the permission of the Chair to do so.
- (7) All comments shall be addressed to the Commission. All questions shall be placed through the Chair.

H. Motions

- 1. A motion to adjourn shall always be in order except during roll call.
- 2. The Chair, or other presiding officer, may make and second motions and debate from the chair subject only to such limitations of debate as are imposed on all members of the Commission.

I. Voting

1. Voting Requirements

- a. A quorum shall consist of a majority of the Commission membership.
- b. A majority vote of the Commission present is necessary for it to take action.
- c. When a member of the Commission abstains from voting on any matter before it because of a potential conflict of interest, or for any other reason, said vote shall not constitute nor be considered as either a vote in favor of or opposition to the matter being considered.

2. Voting Order

The Chair will ask for a motion, then a second, and then a roll call vote will be taken with the Chair voting last.

3. Recording of Votes

The minutes of the Commission's proceeding shall show the vote of each member, including if they were absent or failed to vote on a matter considered.

4. Disqualification from Voting

A member shall disqualify himself/herself from voting in accordance with the Government code §87100 et seq, Financial Conflicts of Interest and §1090 et seq, Financial Interest in Contracts. When a person disqualifies (recuse)

himself/herself, he/she shall state prior to the consideration of such matter by the Commission that he/she is disqualifying him/herself due to a possible conflict of interest and shall then leave the voting area. Any member who disqualifies himself/herself can still speak on a matter as a private citizen.

REVIEW AND AMENDMENTS PROCEDURE

- A. The Rules of Procedure shall be reviewed in January of each year by the Commission. The Commission, or review subcommittee, shall present their recommendation for amending, or not amending, these rules.
- B. In addition, these Rules of Procedure may be amended at any meeting of the Commission by a majority of the membership of the Commission provided that notice of the proposed amendment is received by each commissioner not less than 5 days prior to said meeting.



AGENDA REPORT

To: Chair David Bernal and Commissioners

From: Julia Fritz, City Clerk

Date: November 7, 2023

Subject: Presentation and Discussion Regarding City Council Approved Draft Establishing *"Guidelines for Boards, Commissions and Committees"* Handbook

RECOMMENDATION:

It is recommended that the Planning and Preservation Commission:

- a. Receive the presentation on the Guidelines for Boards, Commissions and Committees Handbook; and
- b. Provide recommendations, as appropriate.

BACKGROUND:

1. On May 22, 2023, the City Clerk presented the City Clerk Departments Proposed Objectives and Work Plan for Fiscal Year (FY) 2023-2024, which included adopting and implementing City Guidelines for Boards, Commissions and Committees ("Handbook") (Exhibit "A" to Attachment "A").
2. On June 20, 2023, the City Council adopted the City's FY 2023-2024 Budget, which included approval of \$3,500 allocation for developing a handbook for Commissioners and for a potential consultant to facilitate a training program for the Commissioners.
3. On October 16, 2023, the City Council approved the draft proposed Handbook with minor edits and directed staff to bring back to the City Council for final approval, subsequent to providing a presentation to each of the City's Commissions to receive feedback, if any.

ANALYSIS:

In response to the evolving needs of the community, the City Council plays a pivotal role in shaping the City's future. Central to this process are the Commissioners and Committees, who are essential advisory bodies comprised of dedicated community members appointed by the City Council. These bodies serve an important function by providing recommendations on various matters within their purview. In addition to advising the City Council, some Commissions, such as the Planning and Preservation Commission, have legislative duties. These Commissions and Committees help ensure that the City Council's decisions are informed and well-rounded.

The City has four (4) active Commissions: 1) Education Commission, 2) Planning and Preservation Commission, 3) Parks, Wellness and Recreation Commission, and 4) Transportation and Public Safety Commission. The primary focus of these Commissions are, in general to review City programs, projects, and community issues. These advisory bodies provide greater community participation, outreach, opportunities for civic engagement, insight into community needs, and provides recommendations to assist with informed decisions by the City Council.

Currently, there is no single document outlining Commission operations. While Commissions support City Council's decisions, the absence of uniform guidelines, processes, and Commissioner training can cause confusion among Commissioner's, City staff, and the public. To address this challenge, the City Clerk's Office has prepared the Guidelines Handbook for Commissioners and City staff liaisons. This Handbook aims to provide resources, establish consistency, increase transparency, enhance public participation and engagement in the way Commissions conduct business and carry out their advisory role to the City Council.

The Handbook provides general information to Commissioners, such as:

- Membership Qualifications, Selection and Appointment Process
- Onboarding of New Commissioners
- Commissions Scope and Authority
- Commissioner Roles and Responsibilities
- Parliamentary Procedures
- Meeting Compliance and Regulations
- Helpful Resources

By providing consistency and transparency, this Handbook aims to enhance public engagement and strengthen the advisory role of the Commissions, thereby improving the City's decision-making processes. The Handbook will also serve as the basis for the upcoming Commissioner training to be developed.

BUDGET IMPACT:

The FY 2023-2024 Adopted Budget included an appropriation for \$3,500 towards contractual services to facilitate Commissioners training. To implement the Handbook, in-house training can be achieved and potentially return any unused appropriation to the General Fund.

CONCLUSION:

It is recommended that the Planning and Preservation Commission receive a presentation establishing the City’s Guidelines for Boards, Commissions and Committees handbook (Exhibit “A” of Attachment “A”).

ATTACHMENTS:

- A. Resolution No. 8260, including:
 - Exhibit “A” – Guidelines for Boards, Commissions and Committees



ATTACHMENT "A"
EXHIBIT "A"

CITY OF SAN FERNANDO
GUIDELINES FOR BOARDS, COMMISSIONS
AND COMMITTEES



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Welcome!

Congratulations on becoming a valued member of the City of San Fernando team as a City Commissioner! I am thrilled to have you on board, as your appointment holds immense significance for your Commission's vital role in advising the San Fernando City Council on matters of utmost importance to our community.

This comprehensive Commissioners Guidelines has been thoughtfully crafted to provide you with essential information pertaining to your participation in public meetings, expectations regarding attendance, and the pivotal roles of Commissioners, staff, and Council liaisons as you collaborate with your Commission on the development of its advisory areas.

Your dedication and contributions as a Commissioner will undoubtedly make a positive impact on our community and enhance the effectiveness of the San Fernando City Council. Your commitment to service is truly commendable, and I eagerly anticipate witnessing the remarkable work you will accomplish on your Commission, representing the best interests of the San Fernando community.

Thank you for your unwavering commitment and valuable service to the San Fernando community. Together, we will continue to strive for excellence and make a lasting difference.

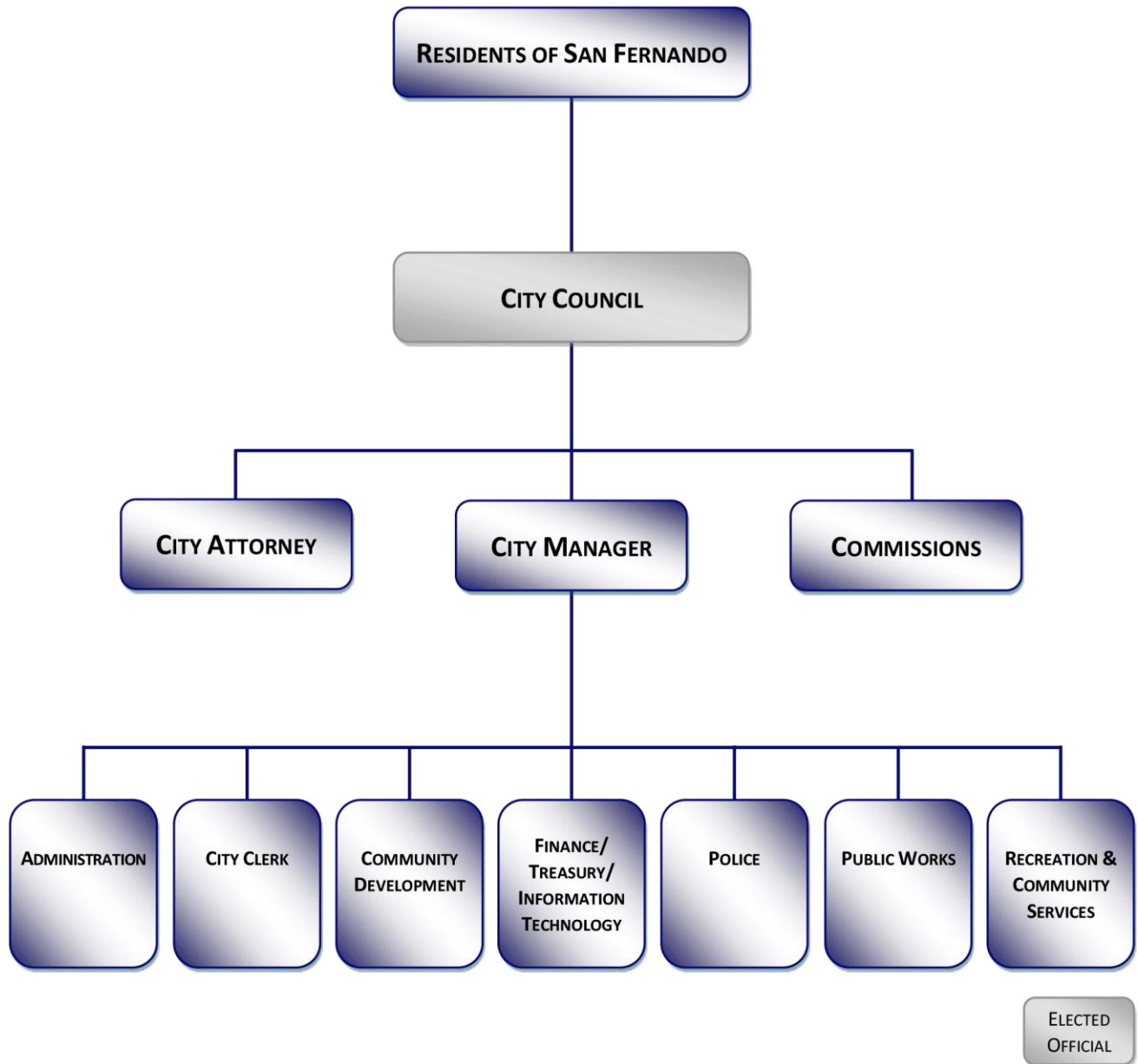
Warm Regards,

Nick Kimball
City Manager



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CITY ORGANIZATION CHART





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INTRODUCTION AND OVERVIEW

City of San Fernando is a California municipality of approximately 24,500 residents, and incorporated as a General Law City in August of 1911. The City of San Fernando is governed by a five-member City Council elected to staggering four-year terms by voters of San Fernando on the November ballot, held on each even year. In December of each year, the City Council holds an annual reorganization to select a Mayor and Vice Mayor from among the five Council members. The appointments are made by a majority vote of the City Council and are for a one-year term until the next annual reorganization.

The City Council is the legislative body responsible for making all major policy decisions and direction for the City of San Fernando, including adoption of the City's annual budget, major land use plans, infrastructure projects and facility and program activities. The Council relies on advisory input from many sources, including the City Commissions.

CITY COMMISSIONS: ROLES, RESPONSIBILITIES, AUTHORITY AND SPECIAL ASSIGNMENTS

ROLES

Commissioners serve as voluntary members from the community advising the City Council on policies related to the purpose of their Commission. They are expected to attend all meetings, actively participate and deliberate, and vote on any matters that are requested for recommendation to the City Council.

Once per year, Commissioners will vote to elect a Chair and Vice Chair of the Commission, and referred to as, the Annual Reorganization. The Chair is responsible for leading the meetings of the Commission. The Chair shall call the meeting to order, state items to be discussed on the agenda, permit all members the opportunity to be heard, allow for comments from the public, call for a vote when required and work directly with the staff liaison to ensure a successful meeting. The Vice Chair shall serve the role of Chair in the absence of the Chair.

ANNUAL REORGANIZATION PROCESS

The Annual Reorganization general occurs in July at the Commissions regular meeting. The terms of office of the Chair of the Commission and Vice Chair shall be for one year, or until their successors have been chosen. 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 for the selection of a Chair:

- a. Commission Secretary opens the nominations for the position of Chair
- b. Nomination(s) is/are made for Chair, and seconded
- c. Hearing no objections, motion to close nominations
- d. Commission Secretary conducts a roll call vote and request each Commissioner announce their vote for Chair until a Chair is elected by majority vote
- e. Commission Secretary announces the results

Procedures a-e above are followed to select the Vice Chair.

The City Council serves as the ultimate deliberative body regarding all business and policy matters for the city. Any requests for significant work by Commissions shall be considered by the City Council, resulting in recommendations. The City Council will then vote to approve applicable recommendations on any city policy or expenditure(s). Commissioners do not direct or delegate work tasks to City staff and Commission liaisons. Commission annual work plan activities and assignments are to be completed by Commissioners.

The City Attorney may be available to provide legal advice when asked by the staff liaison regarding the Brown Act, parliamentary procedure, or on topics related to the Commission's business. Except for the Planning Commission, the City Attorney will not attend Commission meetings on a regular basis.

RESPONSIBILITY

There are four (4) City of San Fernando Commissions. Each Commission consists of five (5) City Council-appointed representatives. Please refer to **Exhibit "A"**, attached herewith, for a detailed description of each Commission, as outlined in the San Fernando City Code.

A brief general overview of each City Commission is provided below and corresponding meeting day and time:

Education Commission. (Ord. No. 1605, § 1, 5-16-2011)

Regular Meeting Day and Time: Monthly on the last Tuesday, at 4:30PM

Staff Liaison: Director of Recreation and Community Services

The duties of the Education Commission is to:

- (a) Establish and act as a liaison between the city and local school administrations, the city's school board representative for the Los Angeles Unified School District and representatives from other public and private schools operated in the city;
- (b) Initiate studies, investigations, surveys and make recommendations to the City Council regarding local K-12 education and local higher learning, educational grant and educational scholarship opportunities.
- (c) Coordinate with the city police chief on the implementation of the School Resource Officer Program in local Los Angeles Unified School District schools and the deployment of a school resource officer at those schools.
- (d) Subject to the approval of the City Council, the education Commission may make and alter such rules and regulations for its organization and procedure as are consistent with this chapter, other city ordinances and state law.

Parks, Wellness and Recreation Commission. (Ord. No. 1586, § 4, 3-16-2009)

Regular Meeting Day and Time: Monthly on the Second Thursday, at 6:30PM

Staff Liaison: Director of Recreation and Community Services

The powers and duties of the 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;
- (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.

- (6) Planning and implementing cultural special events and planning and Commissioning art in public places (e.g., murals, sculptures, city monuments, etc.).
- (7) Developing a list of activities that would be presented for council approval. Such activities will address a diverse and broad approach to culture, not any one culture. The activities would introduce the community to all cultures in this city and beyond.
- (8) Identifying and, subject to City Council approval, securing outside funds to implement its activities, thereby saving City resources.

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 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:

- (a) The Lopez Adobe site at the southwesterly corner of the intersection of South Maclay Avenue and Pico Street.
- (b) Such other historic resources as the council shall from time to time select and add to this section by amendment.

Planning and Preservation Commission. (Ord. No. 1586, § 1, 3-16-2009)

Regular Meeting Day and Time: Monthly on the Second Monday, at 6:30PM

Staff Liaison: Director of Community Development

The duties of the planning and preservation Commission shall include the following:

- (a) Initiating studies, investigations and surveys and making recommendations to the City Council relative to the designation, selection, establishment, maintenance, management, and control of historic resources and the preservation thereof; and
- (b) Upon request of the City Council, making other investigations, reports, and recommendations upon subjects related to the implementation of the historic preservation element of the general plan and Ch. 106, art. VI, div. 14, of this Code, or other matters related to the city's historic preservation program referred to it by the City Council.
- (c) The planning and preservation Commission may make and alter rules and regulations for its organization and procedure consistent with state laws and this article and other city ordinances.

Transportation and Public Safety Commission. (City Code 1709, § 13.26.3)

Regular Meeting Day and Time: Monthly on the First Thursday, at 6:00PM

Staff Liaison: Director of Public Works and Police Chief

The duties of the Transportation and Public Safety Commission is to:

- (1) Suggest the most practicable means for coordinating the activities of all city officers and agencies having authority with respect to the administration or enforcement of traffic regulations;
- (2) Stimulate 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.

- (5) The Transportation and Public Safety Commission shall act solely as an 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.

AUTHORITY

The City Manager shall appoint a City staff liaison to each Commission to provide staff support and work closely with the Chair to develop the meeting agendas and any information gathered for benefit of the Commissioners. Extensive training is provided in particular to the City's Planning and Preservation Commissioners, commensurate with those duties related to land use decision making – serving as a quasi-judicial body.

All Commissions are intended to be an advisory body (excluding the Planning and Preservation Commission) only and serve at the pleasure of the City Council. Commissions are not allowed to direct City staff that will result in an expenditure of staff resources exceeding the applicable amounts allocated in the approved annual budget.

The City Attorney may be available to provide legal advice when asked by the staff liaison regarding the Brown Act, parliamentary procedure, or on topics related to the Commission's business. Except for the Planning and Preservation Commission, the City Attorney will not attend Commission meetings on a regular basis.

SPECIAL ASSIGNMENTS: AD HOC COMMITTEES

From time to time, as needs arise, the Commissions may choose to form an Ad Hoc Committee, which are less formal in nature, have a clear and definite scope and will be dissolved upon completion of the scope, unless otherwise extended by the Commission with a new scope or unfinished scope. Ad Hoc Committees are not subject to the requirements of the Ralph M. Brown Act. Ad Hoc Committees consist of City staff and two Commissioners that are appointed by the Commission and shall report back to the Commission at appropriate intervals regarding informational updates and upon conclusion of the task assigned by the Commission. Ad Hoc Committee's service concludes once a final report is provided, scope of work is completed, or as the Commission directs.

MEMBERSHIP RECRUITMENT, APPLICATION, APPOINTMENT, TERM LIMITS AND ORIENTATION PROCESS

MEMBERSHIP RECRUITMENT, APPLICATION

To apply, the person must be 18 years old, a registered voter and resides in the City of San Fernando. Interested applicants must complete an ["Application to Serve on a City Commission"](#) (**Exhibit "B"**) with a biography and submit both documents to the City Clerk's Office via email: cityclerk@sfcity.org; delivery in person or through the US postal mail service, City Hall 117 Macneil Street, San Fernando. Copies of applications are provided to the appointing Councilmember for their consideration and with their final recommendation to approve the appointment is ratified by the City Council.

APPOINTMENT, TERM LIMITS AND ORIENTATION PROCESS

Appointment of City Commissioners. (Ord. No. 1648, § 3, 12-7-2015) (**Exhibit "C"**)

- (a) The City Council shall have the authority to appoint individuals to City Commissions.
- (b) Appointed members of Boards and Commissions serve at the pleasure of the City Council, pursuant to Government Code Section 36506.

Method of appointment to Commissions. (Ord. No. 1648, § 3, 12-7-2015)

Unless otherwise specified in the City Code, each City Councilmember is, assigned a position that correlates to a position on each Commission. That Councilmember will have the authority to nominate an individual to serve in the assigned position on the Commission. Each such nomination shall require ratification by a majority of the City Council.

Removal of Commission Members; Vacancies. (Ord. No. 1648, § 3, 12-7-2015)

- (a) All Commissioners serve at the pleasure of the City Council and any Commissioner may be removed, with or without cause, either by a majority of the entire membership of the City Council or by the Councilmember who individually appointed such Commissioner.
- (b) If vacancies in any Commission occur, other than by expiration of the term, such vacancies shall be filled by appointment for the unexpired portion of the term. The City Councilmember who nominated the vacating Commissioner shall nominate a replacement Commissioner, subject to ratification by a majority of the City Council.

Term of Commissioners. (Ord. No. 1648, § 3, 12-7-2015)

The term of office for each Commission member shall be one year; however, each member shall continue in the position beyond one year until replaced by the assigned City Councilmember or until the member resigns.

Rules of Decorum for Commissions. (Ord. No. 1648, § 3, 12-7-2015)

- (a) Decorum and order—Commissioners.
 - (1) Commissioners shall accord the utmost courtesy to each other, to city employees, and to the public appearing before the Commission and shall refrain at all times from rude and derogatory remarks, reflections as to integrity, abusive comments, and statements as to motives and personalities.

-
- (2) Every Commissioner desiring to speak shall address the Chair of the Commission and, upon recognition by such Chair, shall confine discussion to the question under debate.
 - (3) Every Commissioner desiring to question administrative staff should address questions to the City Manager who may answer the inquiry directly or designate the appropriate staff member to timely respond to such inquiry.
 - (4) A Commissioner, once recognized, shall not be interrupted while speaking, unless called to order by the Chair of the Commission, or a point of order is raised by another Commissioner, or the speaker chooses to yield to questions from another Commissioner.
 - (5) Any Commissioner may move to require the Chair of the Commission to enforce the rules. A majority of the Commission shall require enforcement of the rules if the Chair of the Commission has refused.
- (b) Decorum and order—Employees. Members of administrative staff and city employees shall observe the same rules of procedure and decorum applicable to members of Commissions. The City Manager shall ensure that all city employees observe such decorum. Any staff member, including the City Manager, desiring to address the Commission or members of the public shall first be recognized by the Chair of the Commission. All remarks should be addressed to the Chair of the Commission and not to any one individual Commissioner or member of the public.
 - (c) Decorum and order—Public. Members of the public attending Commission meetings shall observe the same rules of order and decorum applicable to the Commission. Each person who addresses the Commission shall not make personal, impertinent, slanderous or profane remarks to any member of the Commission, staff or general public. Any person who makes such remarks, or who utters loud, threatening, personal or abusive language, or engages in any other disorderly conduct which disrupts, disturbs or otherwise impedes the orderly conduct of the Commission meeting shall, at the discretion of the Chair of the Commission or a majority of the Commission, be barred from further audience before Commission during that meeting.
 - (d) Personal interest. No Commissioner disqualified from participation under state or local law shall remain at the Commission dais during the debate or vote on such matter. The Commissioner shall publicly state the grounds for disqualification on the record and, upon acceptance by the Chair of the Commission, leave the dais during the debate or vote on the issue.
 - (e) Limitations on debate. No Commissioner shall be allowed to speak more than once upon any one subject until every Commissioner choosing to speak has spoken. Merely asking a question, or making a suggestion, is not considered speaking.
 - (f) Dissents and protests. Any Commissioner shall have the right to express dissent from, or protest to, any action of the Commission and request that the reason be entered into the minutes.
 - (g) Procedures in absence of rules. In the absence of a rule to govern a point or procedure, Robert's Rules of Order shall govern.

ORIENTATION PROCESS/ONBOARDING

The staff liaison shall provide onboarding to newly appointed Commissioners. Training is provided in particular to the Planning and Preservation Commissioners, commensurate with those duties related to land use decision making – serving as a quasi-judicial body - per the San Fernando Municipal Code. It is the Commissioner's responsibility to ensure staff has up-to-date contact information and regularly monitors their City issued email to allow for communication for distribution of agendas or other important information. A "Check-off List for New/Outgoing Commissioners", (**Exhibit "D"**) is used to ensure that every aspect of the new Commissioner appointment be covered during the onboarding process.

COMMISSIONER PARTICIPATION

The primary purpose of each Commission is to provide a forum for the thorough vetting of matters within the commission'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 commission'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.

When attending Commission meetings, all voting members have the opportunity and right to participate and be heard. The Chair of the Commission holds the responsibility for the Decorum and Order at the meetings, and shall permit each Commissioner to offer comments and make motions on matters on the meeting agenda pursuant to the Parliamentary Procedure (**Exhibit "E"**).

Additionally, some Commissions are expected to participate outside of the regular meetings. For example, Planning and Preservation Commissioners may attend the annual Planners Institute offered by the League of California Cities. Several Commissions participate in various events throughout the year and other participation in Commission events may be required.

COMPENSATION

Commissioners receive a monthly stipend of \$100/per Commission meeting attended, maximum one Commission meeting per month.

MEETINGS, AGENDAS, LAWS AND REGULATIONS

MEETING INFORMATION AND AGENDAS

Advisory groups are generally required to hold regular meetings on regularly specified meeting dates and at regularly scheduled times. Meetings are to be open and public with an agenda published and posted 72 hours before the meeting. (See "The Brown Act" section.)

Adjourned meetings are those called by the chairperson to complete business on an agenda that is not acted upon during the regular meeting. A specified date and time is announced to the public and recorded in the minutes.

A special meeting may be called by the chairperson or a majority of the members. Twenty-four (24) hours of advance notice is required. The notice of the special meeting must contain the time, place, and the subject matter to be discussed. Only items included in the agenda notice are allowed. If you need to schedule a special meeting, Inform your staff liaison as soon as possible.

APPLICABLE LAWS AND REGULATIONS

All City Council Commissions shall comply with the requirements of the Ralph M. Brown Act. Each Commission has an established date, 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 Commission shall, to the maximum extent possible, conduct its business at the regularly scheduled meeting.

The Political Reform Act of 1974 (PRA), codified in the California Government Code, aims to prevent self-dealing in governmental decision-making. It mandates the disclosure of personal income and assets by most state and local officials and requires them to abstain from decisions that could affect their economic interests. Members of the City Council and the Planning and Preservation Commission are required to complete an annual Form 700 (**Exhibit "F"**) and to complete the same upon assuming and departing from public office/Commission are also required under the PRA.

REQUIRED ATTENDANCE / POLICY FOR REMOVAL

Commissioners are expected to attend all regular meetings. Meetings are scheduled at specified times each month or at regular intervals. Commissioners attendance and participation in the business of the Commission is necessary for the success of the Commission in achieving its annual work plan goals. When a Commissioner is unable to attend a meeting, it is courteous to notify the City staff liaison and Commission Chair of expected absence.

If any Commissioner is absent from three or more meetings in a year, that information will be reported to the City Council and can be grounds for removal. This policy allows for another resident to be appointed to the Commission. Attendance is tracked by City staff and the City Clerk shall report to the City Council quarterly.

RESIGNATION

If a Commissioner is no longer available to serve, the Commissioner must submit a resignation in writing by sending a written communication to the staff liaison or the City Clerk. Since the term has not expired, the resignation is treated as an Unscheduled Vacancy, and by state law a 20-day Notice of an Unscheduled Vacancy (**Exhibit “G”**), must be immediately posted by the City Clerk to invite new applicants for the vacant Commission seat. The notice is posted physically in the display case in front of City Hall and on the City’s website. Final appointment to the Commission shall not be made by the City Council for at least 10 working days after the posting of the Unscheduled Vacancy notice by the City Clerk.

CODE OF CONDUCT

City Commissioners are representatives of the City while serving in their role as volunteer Commissioners, both while in attendance at meetings and while present at City functions as, a Commissioner. All Commissioners shall adhere to ethical behavior at all times and that entails compliance with the City of San Fernando’s City Wide Policies and Procedures adopted on April 4, 1997 “Code of Ethics and Conduct” (**Exhibit “H”**).

City officials including appointed City Commissioners shall be required to participate in state-mandated ethics training (commonly referred to as AB1234). Such training is available online from the FPPC, on YouTube, and from the City Attorney.

Here are the current resource links to fulfill Commissioners ethics training course below; however, from time to time course availability may be subject to change and an alternative would be provided at the time of change:

Fair Political Practices Commission:

<https://www.fppc.ca.gov/content/fppc-v2/fppc-www/learn/public-officials-and-employees-rules-/ethics-training.html>

Institute for Local Government:

<http://www.ca-ilg.org/ethics-education-ab-1234-training>

Upon completion of the training, Commissioners shall file a signed certificate with the City Clerk, which shall remain on file in the Clerk’s office for the length of service of the Commissioner.

CALIFORNIA’S RALPH M. BROWN ACT

The Brown Act or Open Meetings law is found in the California Government Code section 54950 et seq. This significant law was enacted in 1953 to guarantee the public’s right to attend and participate in all meetings of local legislative bodies. Those bodies include Boards, Commissions and Committees, whether permanent or temporary, decision-making (such as Planning Commission) or advisory (all others). Most importantly, according to this law, all meetings must be properly noticed for participants and for the public. City staff must ensure this occurs for all Commissions.

Notably, a majority of the members of any Commission may not discuss or deliberate on any business within the subject matter jurisdiction of the Commission except at a noticed meeting, and this includes in person interactions as well as serial or indirect communications.

The agenda for a regular meeting must be posted in a location at the meeting site and freely accessible to members of the public at least 72 hours before the meeting. Any meeting not established as a regular meeting is a “Special” meeting and the special meeting agenda must be posted at least 24 hours prior to the meeting.

Agendas must be posted at the building where the meeting occurs, and in San Fernando, also on the City’s website. Agendas for all meetings held at San Fernando City Hall are posted on the outside board for this purpose at the northwest entry to the building.

Meetings that are not properly noticed are not permitted. That would include “serial” meetings – which would be when one Commissioner contacts another, who then contacts another Commissioner by phone, e-mail or in person. All business of the Commission must be listed on the agenda, posted, and discussed at a public meeting held in an accessible location. Therefore, care must be taken to ensure that if a quorum (half of the members + 1) is gathered at a public or private place, no public business shall be discussed. For this purpose, e-mail communication between Commissioners should be avoided including the use of “Reply All” to any staff notices sent via e-mail to the entire Commission.

PARLIAMENTARY PROCEDURE AT MEETINGS

Meetings shall operate using standard parliamentary procedures (**Exhibit “E”**) following an approved meeting agenda. Most entities follow Robert’s Rules of Order (or, in the alternative Rosenberg’s). Procedures generally include:

1. Establish and post a written agenda.
2. Agenda includes a Call to Order, Roll Call, note start and ending times.
3. Action by Motions made, seconded, discussed and voted upon.
4. Adjourn the meeting to conclude or continue the meeting to a date certain.

One Commissioner can make a motion to approve an action, another member shall second the motion aloud, and then the Commission Chair shall call for a vote. Staff will record the number of votes in favor, the number opposed and any abstaining. The Chair will announce the result of the vote. Voting is most frequently done by voice, aloud, and may also be done by roll call or by a show of hands.

Motions may also be voted upon to open and close a public hearing, to adjourn (end) the meeting, or other necessary actions of the Commission. Training on these technical procedures is available and staff liaisons will schedule for new members.

RESOURCES AVAILABLE FOR COMMISSIONERS

City of San Fernando web page for Commissions: <https://ci.san-fernando.ca.us/commissions-boards/>

League of California Cities: Ralph M. Brown Act: <https://www.calcities.org/resource/open-public-v-a-guide-to-the-ralph-m.-brown-act>

Fair Political Practices Commission (FPPC): <https://www.fppc.ca.gov/about-fppc.html>

Parliamentary Procedure: video to be determined.

Roberts Rules of Order: <https://robertsrules.com/>

CONFLICT OF INTEREST GUIDELINES

State of California Fair Political Practices Commission (“FPPC”) regulates reporting of potential conflicts of interest, according to the Political Reform Act. It mandates the filing of annual forms, known as Form 700/Statement of Economic Interests (**Exhibit “F”**) in accordance with the City’s adopted Conflict of Interest Code. City Council, specified City staff, and the Planning and Preservation Commissioners must file Form 700 with the City Clerk each year. Its purpose is to reveal any potential conflicts of interest, relative to any financial interests held solely within the City of San Fernando. Forms must be filed initially when first appointed (Assuming Office), annually by April 1 each year, and then once more when departing the Commission upon resignation or conclusion of the term (Leaving Office). More information and Form 700 is available online the FPPC website at <https://www.fppc.ca.gov/about-fppc.html>

Please feel free to contact the San Fernando City Clerk with any questions at: City Clerk, 117 Macneil Street, Email: cityclerk@sfcity.org, Telephone: 818-898-1204, Office Hours: Monday - Thursday 7:30 a.m. – 5:30 p.m., Fridays 8:00 a.m. – 5:00 p.m.

CITY CODE PERTAINING TO ALL COMMISSIONS

EDUCATION COMMISSION

Sec. 2-614. Created; composition; appointment; qualifications.

- (a) There is established an education commission in and for the city.
- (b) The education commission shall consist of five members.
- (c) Each member shall be appointed in accordance with section 2-34 of this Code.
- (d) Each member shall, at all times during their incumbencies, be a resident and registered voter of the city.

(Ord. No. 1605, § 1, 5-16-2011)

Sec. 2-615. Officers; compensation.

- (a) The members of the education commission shall annually in June elect one of its number as chair and one of its number as vice-chair, each to serve for a one-year term or until a successor is elected. The city clerk shall serve as secretary to the education commission. In the absence of the chair, the vice-chair, and/or the secretary, any other member shall call the meeting to order, whereupon a chair and/or a secretary shall be elected from the members present to preside for that meeting.
- (b) The city council shall fix the amount of compensation, if any, to be paid to the members of the education commission.

(Ord. No. 1605, § 1, 5-16-2011)

Sec. 2-616. Meetings; quorum.

- (a) The members of the education commission shall meet at least once a quarter at such time and place as it may fix by resolution. Special meetings may be called at any time by the chair of the commission or four members thereof by written notice served upon each member of the commission at least 48 hours before the time for the proposed meeting. Proper posting and Brown Act procedures will be followed.
- (b) Three members of the education 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. 1605, § 1, 5-16-2011)

Sec. 2-617. Absence from meetings.

- (a) Absence from three consecutive regular meetings of the education 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 a successor to fill the unexpired term of office pursuant to section 2-35 of this Code.

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- (b) Absence from three regular meetings of the education 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 his office shall become vacant. The vacancy thus created shall thereafter be filled by a successor to fill the unexpired term of office pursuant to section 2-35 of this Code.
- (c) Any member whose absences from regular meetings of the commission are deemed to constitute a retirement of such member under this section shall have the right to appeal the deemed retirement. The city council may overturn the deemed retirement if it determines that the absences of the member were the result of unusual circumstances.

(Ord. No. 1605, § 1, 5-16-2011)

Sec. 2-618. Powers and duties; rules and regulations; reports and records.

- (a) The powers and duties of the education commission shall be as follows:
 - (1) Establish and act as a liaison between the city and local school administrations, the city's school board representative for the Los Angeles Unified School District and representatives from other public and private schools operated in the city.
 - (2) Initiate studies, investigations, surveys and make recommendations to the city council regarding local K-12 education and local higher learning, educational grant and educational scholarship opportunities.
 - (3) Coordinate with the city police chief on the implementation of the School Resource Officer Program in local Los Angeles Unified School District schools and the deployment of a school resource officer at those schools.
- (b) Subject to the approval of the city council, the education commission may make and alter such rules and regulations for its organization and procedure as are consistent with this chapter, other city ordinances and state law.
- (c) The education commission shall keep an accurate record of all its proceedings and activities and shall render annually, on a calendar basis, a full report of the commission's activities and recommendations to city council.

(Ord. No. 1605, § 1, 5-16-2011)

Sec. 2-619. Incurring financial liability.

Neither the education commission nor any person connected with the commission shall incur any financial liability in the name of the city.

(Ord. No. 1605, § 1, 5-16-2011)

Sec. 2-620. Reserved.

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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 "San Fernando Parks, Wellness and Recreation Commission." For purposes of this article, the capitalized word "commission" shall hereinafter refer to said San Fernando Parks, Wellness and Recreation Commission or the recreation and community services commission.

(Ord. No. 1586, § 4, 3-16-2009; Ord. No. 1689, § 3, 11-18-2019)

Sec. 54-57. Composition and appointment of members; cultural arts liaisons.

- (a) The commission shall consist of five members, 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 in accordance with the provisions of Government Code § 54974. Such members of the parks, wellness and recreation commission shall be registered voters and city residents.
- (b) The commission may also appoint a maximum of two persons to serve as cultural arts liaisons. The cultural liaisons: (i) shall serve in advisory capacity to the commission only; (ii) shall serve at the pleasure of the commission and the city council and may be removed and replaced at any time with cause or without cause by majority of either the commission's or the city council's full membership; (iii) shall not be considered members of the commission and shall have no right to vote on commission business; (iv) shall attend such meetings of the commission as may requested by the commission; and (v) may include nonresidents of the city. The commission reserves the right to develop such additional criteria for the appointment of cultural liaisons provided that such additional criteria is not in conflict with federal or state law, this Code or such other policies of the city as may be established and from time-to-time amended by the city council.

(Ord. No. 1586, § 4, 3-16-2009; Ord. No. 1689, § 3, 11-18-2019)

Sec. 54-58. Officers.

The commission's members shall select from among themselves commissioners who will serve in the capacity of chair and vice chair for the commission. In the absence of the chair and vice, any other member shall call the commission to order, whereupon a chair shall be selected from the members present to preside for that meeting. Cultural arts liaisons may not serve as chair, vice chair or any other commission officer.

(Ord. No. 1586, § 4, 3-16-2009; Ord. No. 1689, § 3, 11-18-2019)

Sec. 54-59. Compensation of members.

The council shall fix the amount of compensation, if any, to be paid to commission members. Commissioners may not be compensated for any meetings or gatherings of the commission other than regular meetings of the commission.

Cultural arts liaisons shall not receive any compensation for their service as cultural liaisons.

(Ord. No. 1586, § 4, 3-16-2009; Ord. No. 1689, § 3, 11-18-2019)

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Sec. 54-60. Meetings generally.

By resolution of the commission, the commission may establish a regular meeting schedule, provided that the commission shall schedule no more than one regular meeting each month. No meeting may be convened if city support staff is unavailable to participate in such meeting. Any adjourned meeting or special meeting requested by the commission shall be subject to the approval of the city manager based on the availability of city support staff to participate in such additional meetings. All meetings shall be subject to the provisions of the Ralph M. Brown Act (Government Code § 54950 et seq.).

(Ord. No. 1586, § 4, 3-16-2009; Ord. No. 1689, § 3, 11-18-2019)

Sec. 54-61. Quorum.

Three members of the 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. Cultural arts liaisons shall not be counted to constitute a quorum.

(Ord. No. 1586, § 4, 3-16-2009; Ord. No. 1689, § 3, 11-18-2019)

Sec. 54-62. Absence from meetings.

- (a) Absence from three consecutive regular meetings of the commission by a member without the prior consent of the commission shall constitute an abandonment of the office and the absent commissioner's seat on the commission shall be deemed vacated. 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. The city council shall comply with the provisions of Government Code § 54974 before filing any vacancy.

(Ord. No. 1586, § 4, 3-16-2009; Ord. No. 1689, § 3, 11-18-2019)

Sec. 54-63. Powers and duties generally.

The powers and duties of the 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

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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.
- (6) Planning and implementing cultural special events and planning and commissioning art in public places (e.g., murals, sculptures, city monuments, etc.).
- (7) Developing a list of activities that would be presented for council approval. Such activities will address a diverse and broad approach to culture, not any one culture. The activities would introduce the community to all cultures in this city and beyond.
- (8) Identifying and, subject to city council approval, securing outside funds to implement its activities, thereby saving city resources.

(Ord. No. 1586, § 4, 3-16-2009; Ord. No. 1689, § 3, 11-18-2019)

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 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 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; Ord. No. 1689, § 3, 11-18-2019)

Sec. 54-65. Rules and regulations.

Subject to the approval of the city council, the 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; Ord. No. 1689, § 3, 11-18-2019)

CITY CODE PERTAINING TO ALL COMMISSIONS

Sec. 54-66. Reports and records.

The 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; Ord. No. 1689, § 3, 11-18-2019)

Sec. 54-67. Incurring financial liability.

Neither the commission nor any person connected with the commission shall incur any financial liability in the name of the city.

(Ord. No. 1586, § 4, 3-16-2009; Ord. No. 1689, § 3, 11-18-2019)

Secs. 54-68—54-95. Reserved.**PLANNING AND PRESERVATION COMMISSION****Sec. 62-26. Established.**

A planning commission for the city is established pursuant to Government Code § 65101 and shall be known as the planning and preservation commission. All references in this Code to the "planning commission" or "city planning commission" shall be to the planning and preservation commission. All references in ch. 106, art. VI, div. 14, of this Code to the "commission" shall be to the planning and preservation commission.

(Ord. No. 1702 , § 3, 8-16-2021)

Sec. 62-27. Composition and appointment of members.

The planning and preservation commission shall be composed of five members, each with full participation and voting rights. Such members shall be registered voters and city residents. Each member shall be appointed by a different appointing councilperson, with such appointment to be ratified by the city council.

(Ord. No. 1702 , § 3, 8-16-2021)

Sec. 62-28. Compensation.

The council shall fix the amount of compensation, if any, to be paid to the members of the planning and preservation commission.

(Ord. No. 1702 , § 3, 8-16-2021)

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Sec. 62-29. Officers.

The members shall organize the planning and preservation commission and shall elect 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. The community development director shall serve as secretary.

(Ord. No. 1702 , § 3, 8-16-2021)

Sec. 62-30. Meetings generally.

- (a) The members of the planning and preservation commission shall meet once each month, at such time and place as may be fixed by resolution, and may hold such other meetings as from time to time may be called in the form and manner required by law.
- (b) The planning and preservation commission shall discuss at least once a quarter matters pertaining to trees and the city's urban forest during regularly scheduled commission meetings.

(Ord. No. 1702 , § 3, 8-16-2021)

Sec. 62-31. Absence from meetings.

- (a) Absence from three consecutive regular meetings of the planning and preservation commission by a member with or without 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.
- (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. 1702 , § 3, 8-16-2021)

Sec. 62-32. Quorum.

Three members of the planning and preservation 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 and until a quorum can be obtained.

(Ord. No. 1702 , § 3, 8-16-2021)

CITY CODE PERTAINING TO ALL COMMISSIONS

Sec. 62-33. Rules and regulations.

The planning and preservation commission may make and alter rules and regulations for its organization and procedure consistent with state laws and this article and other city ordinances.

(Ord. No. 1702 , § 3, 8-16-2021)

Sec. 62-34. Records and reports.

The planning and preservation commission shall keep an accurate record of all its proceedings and transactions. The commission shall also, upon demand of the council, make other investigations and reports upon subjects within its jurisdiction.

(Ord. No. 1702 , § 3, 8-16-2021)

Sec. 62-35. Powers and duties generally.

The planning and preservation commission shall have the powers and shall perform the duties prescribed by the city council and by state law for planning commissions established pursuant to Government Code § 65101.

In addition, for purposes of ch. 106, art. VI, div. 14, of this Code, the duties of the planning and preservation commission shall include the following:

- (1) Initiating studies, investigations and surveys and making recommendations to the city council relative to the designation, selection, establishment, maintenance, management, and control of historic resources and the preservation thereof.
- (2) Upon request of the city council, making other investigations, reports, and recommendations upon subjects related to the implementation of the historic preservation element of the general plan and ch. 106, art. VI, div. 14, of this Code, or other matters related to the city's historic preservation program referred to it by the city council.

(Ord. No. 1702 , § 3, 8-16-2021)

Sec. 62-36. Powers and duties, trees and city's urban forest.

In addition to the duties discussed in section 62-35, the planning and preservation commission shall have duties related to trees and the city's urban forest, including the following:

- (1) To act in an advisory capacity to the city council on matters pertaining to the improvement and beautification of the city's urban forest, and to provide an official entity through which the city may organize and implement plans.
- (2) To establish procedures and rules of operation, as it deems necessary to give effect to the intent and purpose of this article, subject to the approval of the city council, and to perform such other duties as may be prescribed by the city council.
- (3) To oversee the preparation of, the reviewing of, and the recommendation of a city-owned tree inventory, master plan, and work plan/budget to the city council for implementation.
- (4) To be instrumental in evaluating needs, setting goals, and establishing policies for the community forestry program.

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- (5) To recommend legislation to the city council regarding the urban forest.
- (6) To provide information regarding the selection, planning and maintenance of trees on public property.

(Ord. No. 1702 , § 3, 8-16-2021)

Secs. 62-37—62-60. Reserved.

TRANSPORTATION AND PUBLIC SAFETY COMMISSION**Sec. 90-71. Established; composition; appointment and compensation of members; officers.**

- (a) There is established a transportation and public safety commission of five members to be appointed by a different appointing councilperson, with such appointment to be ratified by the city council. Each member shall have full participation and voting rights. Each member shall also be a registered voter and city resident. Such members so appointed shall be persons who do not hold any office or position with the city. The terms of office of each member shall be one year.
- (b) The members shall organize the transportation and public safety commission and shall elect 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.

(Code 1957, § 13.25; Ord. No. 1586, § 6, 3-16-2009; Ord. No. 1709 , § 2, 4-18-2022)

Sec. 90-72. Duties generally.

It shall be the duty of the transportation and public safety commission to:

- (1) Suggest the most practicable means for coordinating the activities of all city officers and agencies having authority with respect to the administration or enforcement of traffic regulations;
- (2) Stimulate 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.
- (5) The transportation and public safety commission shall act solely as an 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

CITY CODE PERTAINING TO ALL COMMISSIONS

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.

(Code 1957, § 13.26; Ord. No. 1709 , §§ 2, 4, 4-18-2022)

Sec. 90-73. Meetings generally.

The members of the transportation and public safety commission shall meet at such time and place as may be fixed by resolution and may hold such other meetings as from time to time may be called in the form and manner required by law.

(Code 1957, § 13.26.1; Ord. No. 1709 , § 2, 4-18-2022)

Sec. 90-74. Absences from meetings.

- (a) Absence from three consecutive regular meetings of the transportation and public safety commission by a member with or without 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.
- (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.

(Code 1957, § 13.26.2; Ord. No. 1709 , § 2, 4-18-2022)

Sec. 90-75. Compensation.

Each of the members of the transportation and public safety commission shall receive compensation as the city council shall, from time to time, determine and fix by resolution.

(Code 1957, § 13.26.3; Ord. No. 1709 , § 2, 4-18-2022)

Sec. 90-76. Removal of members.

Members of the transportation and public safety commission shall be removed from office as provided in sections 2-35 and 90-74 of this Code.

(Code 1957, § 13.26.4; Ord. No. 1709 , § 2, 4-18-2022)

Secs. 90-77—90-100. Reserved.

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.	
RESIDENCE ADDRESS	CITY & STATE	ZIP CODE	
MAILING ADDRESS <i>If different than above</i>	CITY & STATE	ZIP CODE	
EMAIL ADDRESS <i>Business or personal to be used for Commission activity</i>			
EMPLOYER	POSITION		
BUSINESS ADDRESS	CITY & STATE	ZIP CODE	
BUSINESS PHONE			
ARE YOU A REGISTERED VOTER OF THE CITY OF SAN FERNANDO? <input type="checkbox"/> YES <input type="checkbox"/> NO			
DO YOU OWN PROPERTY IN THE CITY OF SAN FERNANDO? <i>If yes, please list the address(es)</i> <input type="checkbox"/> YES <input type="checkbox"/> NO			
DO YOU OWN OR OPERATE A BUSINESS IN SAN FERNANDO? <i>If yes, please state the name and nature of the business</i> <input type="checkbox"/> YES <input type="checkbox"/> NO			

MEMBER COMMITMENT

I am willing to fulfill all requirements of a City Commissioner, including but 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
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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?

☐ **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?

☐ **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

- CODE
Chapter 2 - ADMINISTRATION
ARTICLE V. - BOARDS, COMMISSIONS, COMMITTEES, AGENCIES AND AUTHORITIES
DIVISION 1. GENERALLY

DIVISION 1. GENERALLY

Sec. 2-401. Appointment of city commissioners.

- (a) The city council shall have the authority to appoint individuals to city commissions.
- (b) Appointed members of boards and commissions serve at the pleasure of the city council, pursuant to Government Code Section 36506.
- (c) For purposes of this Division 1, "commissions" shall include, but not be limited to, city commissions, boards, committees, and other bodies comprised of members appointed by the city council.

(Ord. No. 1648, § 3, 12-7-2015)

Sec. 2-402. Method of appointment to commissions.

Unless otherwise specified in this code, each city councilmember will be assigned a position that will correlate to a position on each commission. That councilmember will have the authority to nominate an individual to serve in the assigned position on the commission. Each such nomination shall require ratification by a majority of the city council.

(Ord. No. 1648, § 3, 12-7-2015)

Sec. 2-403. Removal of commission members; vacancies.

- (a) All commissioners serve at the pleasure of the city council and any commissioner may be removed, with or without cause, either by a majority of the entire membership of the city council or by the councilmember who individually appointed such commissioner.
- (b) If vacancies in any commission occur, other than by expiration of the term, such vacancies shall be filled by appointment for the unexpired portion of the term. The city council member who nominated the vacating commission member shall nominate a replacement commissioner, subject to ratification by a majority of the city council.

(Ord. No. 1648, § 3, 12-7-2015)

Sec. 2-404. Term of commissioners.

The term of office for each commission member shall be one year; however, each member shall continue in the position beyond one year until replaced by the assigned city councilmember or until the member resigns.

(Ord. No. 1648, § 3, 12-7-2015)

Sec. 2-405. Rules of decorum for commissions.

- (a) *Decorum and order—Commissioners.*

BOARDS, COMMISSIONS, COMMITTEES, AGENCIES AND AUTHORITIES

- (1) Commissioners shall accord the utmost courtesy to each other, to city employees, and to the public appearing before the commission and shall refrain at all times from rude and derogatory remarks, reflections as to integrity, abusive comments, and statements as to motives and personalities.
- (2) Every commissioner desiring to speak shall address the chair of the commission and, upon recognition by such chair, shall confine discussion to the question under debate.
- (3) Every commissioner desiring to question administrative staff should address questions to the city manager who may answer the inquiry directly or designate the appropriate staff member to timely respond to such inquiry.
- (4) A commissioner, once recognized, shall not be interrupted while speaking, unless called to order by the chair of the commission, or a point of order is raised by another commissioner, or the speaker chooses to yield to questions from another commissioner.
- (5) Any commissioner may move to require the chair of the commission to enforce the rules. A majority of the commission shall require enforcement of the rules if the chair of the commission has refused.
- (b) *Decorum and order—Employees.* Members of administrative staff and city employees shall observe the same rules of procedure and decorum applicable to members of commissions. The city manager shall ensure that all city employees observe such decorum. Any staff member, including the city manager, desiring to address the commission or members of the public shall first be recognized by the chair of the commission. All remarks should be addressed to the chair of the commission and not to any one individual commissioner or member of the public.
- (c) *Decorum and order—Public.* Members of the public attending commission meetings shall observe the same rules of order and decorum applicable to the commission. Each person who addresses the commission shall not make personal, impertinent, slanderous or profane remarks to any member of the commission, staff or general public. Any person who makes such remarks, or who utters loud, threatening, personal or abusive language, or engages in any other disorderly conduct which disrupts, disturbs or otherwise impedes the orderly conduct of the commission meeting shall, at the discretion of the chair of the commission or a majority of the commission, be barred from further audience before commission during that meeting.
- (d) *Personal interest.* No commissioner disqualified from participation under state or local law shall remain at the commission dais during the debate or vote on such matter. The commissioner shall publicly state the grounds for disqualification on the record and, upon acceptance by the chair of the commission, leave the dais during the debate or vote on the issue.
- (e) *Limitations on debate.* No commissioner shall be allowed to speak more than once upon any one subject until every commissioner choosing to speak has spoken. Merely asking a question, or making a suggestion, is not considered speaking.
- (f) *Dissents and protests.* Any commissioner shall have the right to express dissent from, or protest to, any action of the commission and request that the reason be entered into the minutes.
- (g) *Procedures in absence of rules.* In the absence of a rule to govern a point or procedure, Robert's Rules of Order shall govern.

(Ord. No. 1648, § 3, 12-7-2015)

Secs. 2-406—2-425. Reserved.

CHECK-OFF LIST FOR NEW/OUTGOING COMMISSIONERS

EXHIBIT "D"

Respective Department	Follow-Up	
City Clerk	Notify affected department regarding new proposed Commissioner (i.e., application submitted by Councilmember for upcoming agenda).	
Department	Notify outgoing Commissioner regarding upcoming City Council agenda item (most likely, they are aware that they may be replaced due to a new Councilmember on board).	
Department	New:	<p>After City Council approval:</p> <ul style="list-style-type: none"> • Request IT to set up an email account for the Commissioner (i.e., Commissioner will be provided with login instructions and a temporary password). • Follow up with Commissioner to make sure email is working. • Request IT to update the email distribution list for the particular Commission group (i.e., add new Commissioner and remove outgoing). • Reach out to new Commissioner to set up meeting to discuss onboarding, Commission meeting objectives, Commissioner Roles and responsibilities, explain the purpose of the Commission acting as an advisory body to the City Council.
	Outgoing:	<ul style="list-style-type: none"> • Follow up with the Councilmember and inquire how they would like to recognize their outgoing Commissioner. <ul style="list-style-type: none"> ○ If the request is for recognition to take place at a City Council meeting, agendaize under Presentations. ○ If not, send the Commissioner a separation letter along with a Certificate of Appreciation (request from Administration). Samples are in the E Drive. ○ Request that Saalex deactivate outgoing Commissioner's email.
Department	<p>Follow up with Finance - new Commissioner to complete W-9 Form (Commissioners are not considered employees therefore, payroll forms are not necessary)</p> <p>Request a vendor number to pay Commissioners monthly meeting stipend of \$100/per meeting only paid once a month.</p>	
Department	Order Commissioner's business cards.	
Personnel	Provide the new Commissioner with information regarding Senate Bill (SB) 1343 required training, i.e., "Prevention of Sexual Harassment and Abusive Conduct in the Workplace".	
City Clerk	Provide the Commissioner information regarding AB1234 Ethics Training.	
City Clerk	Provide to only <u>Planning and Preservation Commissioners</u> information regarding FPPC Form 700 Statement of Economic Interests Conflict of Interest requirements (Assuming/Leaving Office).	
City Clerk	Update List of Commissions/Committees	
Department	After new Commissioner is given the oath at their first meeting, provide the City Clerk Department with the copy.	

PARLIAMENTARY MEETING PROCESS & GUIDELINES

CALL TO ORDER

- **Chair** calls meeting to order; announces body, date and time for the record
- **Chair** asks **Clerk** to call roll
 - **Clerk** calls roll; **Chair announces** result for the record*
- **Chair** leads Pledge of Allegiance (or asks someone else to)
- **Chair** announces each order of business as it arises and announces each item...

PRESENTATIONS:

- **Chair** announces the item; asks **Staff** for introduction
 - **Staff** introduces the item and presenter
- Presentation is made; generally no more than 5 minutes
- **Chair** asks **Members** if they have questions for the presenter; recognizes each Member
- **Chair** thanks the presenter. No action may be taken.

Repeat for each item

PUBLIC COMMENT PERIOD:

*Members of public submit speaker slips to staff no later than the closure of public comment period;
Staff passes speaker slips to Chair*

- **Chair** announces **open public comment period**
- **Clerk** calls each speaker to podium;
- **Clerk** operates timer, 3 minutes per speaker**
- When there are no more speakers, **Chair** announces **closure of public comment period**

CONSENT CALENDAR:

- **Chair** announces the item; asks if any **Members** wish to **pull an item** for discussion
 - *Any item pulled is heard like a Business Item following approval of remaining Consent items.*
- A **motion is made** to adopt consent items as presented or the remaining items if any are pulled
 - The **motion is seconded**
- **Chair** asks the **Clerk** to call roll for the vote
 - **Clerk calls roll; Chair announces** results for record*
- *Any pulled items are heard in the same way as Business Items below.*

PUBLIC HEARINGS:

Same as Business Items below, except "Public Comment Period" is referred to as "**Public Hearing**."

- For **Appeal Hearings**, in between Staff's report and Member deliberation, the following occurs, moderated by the **Chair**:
 - **Chair**: Announces that the Public Hearing is now open and requests staffs presentation
 - **Project Applicant** is given extended speaking time (Chair's discretion; typically 10 minutes)
 - Appellant is given extended speaking time (equal to Applicant)

- **Chair:** Announces **opening of public comments/testimony** for 3 minutes each
- **Clerk** calls each speaker to podium;
- **Clerk** operates timer, 3 minutes per speaker**
- When there are no more speakers, **Chair** announces **closure of public comment period**
- Applicant is given rebuttal period (Chair's discretion; typically 5 minutes)
- Appellant is given rebuttal period (equal to Applicant)
- **Chair** recognizes each **Member** for their chance to **speak and state positions**
- **Chair** facilitates **Member deliberation**
- When discussion is complete, the **Chair** will ask for a **motion**
 - The mover may call on the Chair or other members to help clarify a motion
 - The **motion is seconded**
- **Chair** asks the **Clerk** to call roll for the vote
 - **Clerk calls roll; Chair announces** results for record*

ADMINISTRATIVE REPORT ITEMS:

- **Chair** announces the item; asks **Staff** for report
- **Staff presents report** materials or gives oral report;
 - **Staff** clearly identifies the **recommendation or requested action**
- **Chair** asks **Members** if they have technical questions for **Staff**;
- **Chair** facilitates **Member deliberation**
- **Chair** recognizes each **Member** for their chance to **speak and state positions**
- When discussion is long or complex, the **Chair** keeps deliberation focused on staff's request
- When discussion is complete, a **motion is made**
 - The mover may call on the Chair or other members to help clarify a motion
 - The **motion is seconded**
- **Chair** asks the **Clerk** to call roll for the vote
 - **Clerk calls roll; Chair announces** results for record*

Repeat for each item

STAFF COMMUNICATION/UPDATES

- **Chair** announces the item
- **Staff** makes comments
- **Chair** asks **Members** if they have technical questions for **Staff**;
- **Chair** recognizes each **Member** who wishes to ask questions
- **Chair** thanks the staff member. No action may be taken.

MEMBER COMMENTS/LIAISON UPDATES

- **Chair** announces the item
- **Chair** asks **Members** if they have comments or technical questions for **Staff**;
- **Chair** recognizes each **Member** who wishes to ask questions
- **Members** may request a matter be scheduled for action on a future agenda
- **Chair** will assess whether there is consensus for the future item
- No other action may be taken.

ADJOURNMENT

- ☐ **Chair** notes that there is no further business
- ☐ **Chair** announces **adjournment**; announces time for the record

***Roll Call Notes**

Attendance/Roll Call, can be called in the order of choice: *Members in alpha order by last name, or by seniority, etc., then Vice-Chair, then Chair last.*

Chair announces results for the record in the form of "*Motion to (Approve/Deny/etc.) (Passes/Fails) (# Yes votes) to (# No votes), (Names) voting Yes and (Names) voting No.*"

****Etiquette Notes**

The Chair is the facilitator of discussion and meeting process; members wishing to speak turn on their microphone light and wait to be recognized by the Chair; the Chair ensures that each member has a chance to be heard. The Chair will call on Staff for additional input when needed.

The Chair will interrupt public speakers who have gone over their time limit, corral other members who get off-topic, and maintain audience order. The Chair generally speaks last, asks questions last, and votes last. The Chair rarely moves or seconds.

Generally, the Chair and Vice-Chair are addressed by members and staff as "Madam/Mister Chair/Vice-Chair" or "Chair/Vice-Chair X." Other members are "Commissioner X," or "Council/Committee/Board Member X."

Staff are typically addressed as "Mr./Ms. X." The City Clerk is sometimes addressed as "Madam/Mister Clerk."

2022-2023 Statement of Economic Interests



Form 700

A Public Document

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Helpful Resources

- Video Tutorials
- Reference Pamphlet
- Excel Version
- FAQs
- Gift and Travel Fact Sheet for State and Local Officials

California Fair Political Practices Commission

1102 Q Street, Suite 3000 • Sacramento, CA 95811

Email Advice: advice@fppc.ca.gov

Toll-free advice line: 1 (866) ASK-FPPC • 1 (866) 275-3772

Telephone: (916) 322-5660 • Website: www.fppc.ca.gov

December 2022

Quick Start Guide

Detailed instructions begin on page 3.

WHEN IS THE ANNUAL STATEMENT DUE?

- March 1 – Elected State Officers, Judges and Court Commissioners, State Board and Commission members listed in Government Code Section 87200
- April 1 – Most other filers

WHERE DO I FILE?

Most people file the Form 700 with their agency. If you're not sure where to file your Form 700, contact your filing officer or the person who asked you to complete it.

ITEMS TO NOTE!

- The Form 700 is a public document.
- Only filers serving in active military duty may receive an extension on the filing deadline.
- You must also report interests held by your spouse or registered domestic partner.
- Your agency's conflict of interest code will help you to complete the Form 700. You are encouraged to get your conflict of interest code from the person who asked you to complete the Form 700.

NOTHING TO REPORT?

Mark the "No reportable interests" box on Part 4 of the Cover Page, and submit only the signed Cover Page. Please review each schedule carefully!

Schedule	Common Reportable Interests	Common Non-Reportable Interests
A-1: Investments	Stocks, including those held in an IRA or 401K. Each stock must be listed.	Insurance policies, government bonds, diversified mutual funds, funds similar to diversified mutual funds.
A-2: Business Entities/Trusts	Business entities, sole proprietorships, partnerships, LLCs, corporations and trusts. (e.g., Form 1099 filers).	Savings and checking accounts, cryptocurrency, and annuities.
B: Real Property	Rental property in filer's jurisdiction, or within two miles of the boundaries of the jurisdiction.	A residence used exclusively as a personal residence (such as a home or vacation property).
C: Income	Non-governmental salaries. Note that filers are required to report only half of their spouse's or partner's salary.	Governmental salary (from school district, for example).
D: Gifts	Gifts from businesses, vendors, or other contractors (meals, tickets, etc.).	Gifts from family members.
E: Travel Payments	Travel payments from third parties (not your employer).	Travel paid by your government agency.

Note: Like reportable interests, non-reportable interests may also create conflicts of interest and could be grounds for disqualification from certain decisions.

QUESTIONS?

- advice@fppc.ca.gov
- (866) 275-3772 Mon-Thurs, 9-11:30 a.m.

E-FILING ISSUES?

- If using your agency's system, please contact technical support at your agency.
- If using FPPC's e-filing system, write to form700@fppc.ca.gov.

What's New

Gift Limit Increase

The gift limit increased to **\$520** for calendar years **2021** and **2022**.

Who must file:

- Elected and appointed officials and candidates listed in Government Code Section 87200
- Employees, appointed officials, and consultants filing pursuant to a conflict of interest code ("code filers"). **Obtain your disclosure categories, which describe the interests you must report, from your agency;** they are not part of the Form 700
- Candidates running for local elective offices that are designated in a conflict of interest code (e.g., county sheriffs, city clerks, school board trustees, and water board members)

Exception:

- Candidates for a county central committee are not required to file the Form 700
- Employees in newly created positions of existing agencies

For more information, see Reference Pamphlet, page 3, at www.fppc.ca.gov.

Where to file:

87200 Filers

State offices	⇒	Your agency
Judicial offices	⇒	The clerk of your court
Retired Judges	⇒	Directly with FPPC
County offices	⇒	Your county filing official
City offices	⇒	Your city clerk
Multi-County offices	⇒	Your agency

Code Filers — State and Local Officials, Employees, and Consultants Designated in a Conflict of Interest

Code: File with your agency, board, or commission unless otherwise specified in your agency's code (e.g., Legislative staff files directly with FPPC). In most cases, the agency, board, or commission will retain the statements.

Members of Newly Created Boards and Commissions: File with your agency or with your agency's code reviewing body pursuant to Regulation 18754.

Employees in Newly Created Positions of Existing Agencies: File with your agency or with your agency's code reviewing body. (See Reference Pamphlet, page 3.)

Candidates file as follow:

State offices, Judicial offices and multi-county offices	⇒	County elections official with whom you file your declaration of candidacy
County offices	⇒	County elections official
City offices	⇒	City Clerk
Public Employee's Retirement System (CalPERS)	⇒	CalPERS
State Teacher's Retirement Board (CalSTRS)	⇒	CalSTRS

How to file:

The Form 700 is available at www.fppc.ca.gov. Form 700 schedules are also available in Excel format. Each Statement must have a handwritten "wet" signature or "secure electronic signature," meaning either (1) a signature submitted using an approved electronic filing system or (2) if permitted by the filing officer, a digital signature submitted via the filer's agency email address. (See Regulations 18104 and 18757.) Companies such as Adobe and DocuSign offer digital signature services. All statements are signed under the penalty of perjury and must be verified by the filer. See Regulation 18723.1(c) for filing instructions for copies of expanded statements.

When to file:

Annual Statements

⇒ March 1, 2023

- Elected State Officers
- Judges and Court Commissioners
- State Board and State Commission Members listed in Government Code Section 87200

⇒ April 3, 2023

- Most other filers

Individuals filing under conflict of interest codes in city and county jurisdictions should verify the annual filing date with their filing official or filing officer.

Statements postmarked by the filing deadline are considered filed on time.

Statements of 30 pages or less may be emailed or faxed by the deadline as long as the originally signed paper version is sent by first class mail to the filing official within 24 hours.

Assuming Office and Leaving Office Statements

Most filers file within 30 days of assuming or leaving office or within 30 days of the effective date of a newly adopted or amended conflict of interest code.

Exception:

If you assumed office between October 1, 2022, and December 31, 2022, and filed an assuming office statement, you are not required to file an annual statement until March 1, 2024, or April 1, 2024, whichever is applicable. The annual statement will cover the day after you assumed office through December 31, 2023. (See Reference Pamphlet, page 6, for additional exceptions.)

Candidate Statements

File no later than the final filing date for the declaration of candidacy or nomination documents. A candidate statement is not required if you filed an assuming office or annual statement for the same jurisdiction within 60 days before filing a declaration of candidacy or other nomination documents.

Late Statements

There is no provision for filing deadline extensions unless the filer is serving in active military duty. (See page 19 for information on penalties and fines.)

Amendments

Statements may be amended at any time. You are only required to amend the schedule that needs to be revised. It is not necessary to amend the entire filed form. The amended schedule(s) is attached to your original filed statement. Obtain amendment schedules at www.fppc.ca.gov.

Types of Statements

Assuming Office Statement:

If you are a newly appointed official or are newly employed in a position designated, or that will be designated, in a state or local agency's conflict of interest code, your assuming office date is the date you were sworn in or otherwise authorized to serve in the position. If you are a newly elected official, your assuming office date is the date you were sworn in.

- Report: Investments, interests in real property, and business positions held on the date you assumed the office or position must be reported. In addition, income (including loans, gifts, and travel payments) received during the 12 months prior to the date you assumed the office or position.

For positions subject to confirmation by the State Senate or the Commission on Judicial Appointments, your assuming office date is the date you were appointed or nominated to the position.

- Example: Maria Lopez was nominated by the Governor to serve on a state agency board that is subject to state Senate confirmation. The assuming office date is the date Maria's nomination is submitted to the Senate. Maria must report investments, interests in real property, and business positions Maria holds on that date, and income (including loans, gifts, and travel payments) received during the 12 months prior to that date.

If your office or position has been added to a newly adopted or newly amended conflict of interest code, use the effective date of the code or amendment, whichever is applicable.

- Report: Investments, interests in real property, and business positions held on the effective date of the code or amendment must be reported. In addition, income (including loans, gifts, and travel payments) received during the 12 months prior to the effective date of the code or amendment.

Annual Statement:

Generally, the period covered is January 1, 2022, through December 31, 2022. If the period covered by the statement is different than January 1, 2022, through December 31, 2022, (for example, you assumed office between October 1, 2021, and December 31, 2021 or you are combining statements), you must specify the period covered.

- Investments, interests in real property, business positions held, and income (including loans, gifts, and travel payments) received during the period covered by the statement must be reported. Do not change the preprinted dates on Schedules A-1, A-2, and B unless you are required to report the acquisition or disposition of an interest that did not occur in 2022.

- If your disclosure category changes during a reporting period, disclose under the old category until the effective date of the conflict of interest code amendment and disclose under the new disclosure category through the end of the reporting period.

Leaving Office Statement:

Generally, the period covered is January 1, 2022, through the date you stopped performing the duties of your position. If the period covered differs from January 1, 2022, through the date you stopped performing the duties of your position (for example, you assumed office between October 1, 2021, and December 31, 2021, or you are combining statements), the period covered must be specified. The reporting period can cover parts of two calendar years.

- Report: Investments, interests in real property, business positions held, and income (including loans, gifts, and travel payments) received during the period covered by the statement. Do not change the preprinted dates on Schedules A-1, A-2, and B unless you are required to report the acquisition or disposition of an interest that did not occur in 2022.

Candidate Statement:

If you are filing a statement in connection with your candidacy for state or local office, investments, interests in real property, and business positions held on the date of filing your declaration of candidacy must be reported. In addition, income (including loans, gifts, and travel payments) received during the 12 months prior to the date of filing your declaration of candidacy is reportable. Do not change the preprinted dates on Schedules A-1, A-2, and B.

Candidates running for local elective offices (e.g., county sheriffs, city clerks, school board trustees, or water district board members) must file candidate statements, as required by the conflict of interest code for the elected position. The code may be obtained from the agency of the elected position.

Amendments:

If you discover errors or omissions on any statement, file an amendment as soon as possible. You are only required to amend the schedule that needs to be revised; it is not necessary to refile the entire form. Obtain amendment schedules from the FPPC website at www.fppc.ca.gov.

Note: Once you file your statement, you may not withdraw it. All changes must be noted on amendment schedules.

Expanded Statement:

If you hold multiple positions subject to reporting requirements, you may be able to file an expanded statement for each position, rather than a separate and distinct statement for each position. The expanded statement must cover all reportable interests for all jurisdictions and list all positions on the Form 700 or on an attachment for which it is filed. The rules and processes governing the filing of an expanded statement are set forth in Regulation 18723.1.

STATEMENT OF ECONOMIC INTERESTS
COVER PAGE
A PUBLIC DOCUMENT

Please type or print in ink.

NAME OF FILER (LAST) (FIRST) (MIDDLE)

1. Office, Agency, or Court

Agency Name (Do not use acronyms)

Division, Board, Department, District, if applicable

Your Position

► If filing for multiple positions, list below or on an attachment. (Do not use acronyms)

Agency: Position:

2. Jurisdiction of Office (Check at least one box)

State

Judge, Retired Judge, Pro Tem Judge, or Court Commissioner
(Statewide Jurisdiction)

Multi-County

County of

City of

Other

3. Type of Statement (Check at least one box)

Annual: The period covered is January 1, 2022, through
December 31, 2022.

Leaving Office: Date Left / /
(Check one circle.)

-or-

The period covered is / /, through
December 31, 2022.

The period covered is January 1, 2022, through the date of
leaving office.

-or-

Assuming Office: Date assumed / /

The period covered is / /, through
the date of leaving office.

Candidate: Date of Election and office sought, if different than Part 1:

4. Schedule Summary (required)

► Total number of pages including this cover page:

Schedules attached

Schedule A-1 - Investments – schedule attached

Schedule C - Income, Loans, & Business Positions – schedule attached

Schedule A-2 - Investments – schedule attached

Schedule D - Income – Gifts – schedule attached

Schedule B - Real Property – schedule attached

Schedule E - Income – Gifts – Travel Payments – schedule attached

-or- **None - No reportable interests on any schedule**

5. Verification

MAILING ADDRESS STREET CITY STATE ZIP CODE
(Business or Agency Address Recommended - Public Document)

DAYTIME TELEPHONE NUMBER EMAIL ADDRESS
()

I have used all reasonable diligence in preparing this statement. I have reviewed this statement and to the best of my knowledge the information contained herein and in any attached schedules is true and complete. I acknowledge this is a public document.

I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date Signed (month, day, year)

Signature (File the originally signed paper statement with your filing official.)

Instructions Cover Page

Enter your name, mailing address, and daytime telephone number in the spaces provided. **Because the Form 700 is a public document, you may list your business/office address instead of your home address.**

Part 1. Office, Agency, or Court

- Enter the name of the office sought or held, or the agency or court. Consultants must enter the public agency name rather than their private firm's name. (Examples: State Assembly; Board of Supervisors; Office of the Mayor; Department of Finance; Hope County Superior Court).
- Indicate the name of your division, board, or district, if applicable. (Examples: Division of Waste Management; Board of Accountancy; District 45). **Do not use acronyms.**
- Enter your position title. (Examples: Director; Chief Counsel; City Council Member; Staff Services Analyst).
- If you hold multiple positions (i.e., a city council member who also is a member of a county board or commission) you may be required to file separate and distinct statements with each agency. To simplify your filing obligations, in some cases you may instead complete a single expanded statement and file it with each agency.
 - The rules and processes governing the filing of an expanded statement are set forth in Regulation 18723.1. To file an expanded statement for multiple positions, enter the name of each agency with which you are required to file and your position title with each agency in the space provided. **Do not use acronyms.** Attach an additional sheet if necessary. Complete one statement disclosing all reportable interests for all jurisdictions. Then file the expanded statement with each agency as directed by Regulation 18723.1(c).

If you assume or leave a position after a filing deadline, you must complete a separate statement. For example, a city council member who assumes a position with a county special district after the April annual filing deadline must file a separate assuming office statement. In subsequent years, the city council member may expand their annual filing to include both positions.

Example:

Brian Bourne is a city council member for the City of Lincoln and a board member for the Camp Far West Irrigation District – a multi-county agency that covers the Counties of Placer and Yuba. The City is located within Placer County. Brian may complete one expanded statement to disclose all reportable interests for both offices and list both positions on the Cover Page. Brian will file the expanded statement with each the City and the District as directed by Regulation 18723.1(c).

Part 2. Jurisdiction of Office

- Check the box indicating the jurisdiction of your agency and, if applicable, identify the jurisdiction. Judges, judicial candidates, and court commissioners have statewide jurisdiction. All other filers should review the Reference Pamphlet, page 13, to determine their jurisdiction.
- If your agency is a multi-county office, list each county in which your agency has jurisdiction.

- If your agency is not a state office, court, county office, city office, or multi-county office (e.g., school districts, special districts and JPAs), check the "other" box and enter the county or city in which the agency has jurisdiction.

Example:

This filer is a member of a water district board with jurisdiction in portions of Yuba and Sutter Counties.

1. Office, Agency, or Court	
Agency Name (Do not use acronyms) Feather River Irrigation District	
Division, Board, Department, District, if applicable N/A	Your Position Board Member
► If filing for multiple positions, list below or on an attachment. (Do not use acronyms)	
Agency: N/A	Position:
2. Jurisdiction of Office (Check at least one box)	
<input type="checkbox"/> State	<input type="checkbox"/> Judge or Court Commissioner (Statewide Jurisdiction)
<input checked="" type="checkbox"/> Multi-County Yuba & Sutter Counties	<input type="checkbox"/> County of
<input type="checkbox"/> City of	<input type="checkbox"/> Other

Part 3. Type of Statement

Check at least one box. The period covered by a statement is determined by the type of statement you are filing. If you are completing a 2022 annual statement, **do not** change the pre-printed dates to reflect 2023. Your annual statement is used for reporting the **previous year's** economic interests. Economic interests for your annual filing covering January 1, 2023, through December 31, 2023, will be disclosed on your statement filed in 2024. See Reference Pamphlet, page 4.

Combining Statements: Certain types of statements for the same position may be combined. For example, if you leave office after January 1, but before the deadline for filing your annual statement, you may combine your annual and leaving office statements. File by the earliest deadline. Consult your filing officer or the FPPC.

Part 4. Schedule Summary

- Complete the Schedule Summary after you have reviewed each schedule to determine if you have reportable interests.
- Enter the total number of completed pages including the cover page and either check the box for each schedule you use to disclose interests; **or** if you have nothing to disclose on any schedule, check the "No reportable interests" box. Please **do not** attach any blank schedules.

Part 5. Verification

Complete the verification by signing the statement and entering the date signed. Each statement must have an original "wet" signature unless filed with a secure electronic signature. (See page 3 above.) All statements must be signed under penalty of perjury and be verified by the filer pursuant to Government Code Section 81004. See Regulation 18723.1(c) for filing instructions for copies of expanded statements.

When you sign your statement, you are stating, under penalty of perjury, that it is true and correct. Only the filer has authority to sign the statement. An unsigned statement is not considered filed and you may be subject to late filing penalties.

SCHEDULE A-1**Investments****Stocks, Bonds, and Other Interests**

(Ownership Interest is Less Than 10%)

*Investments must be itemized.**Do not attach brokerage or financial statements.***CALIFORNIA FORM 700**

FAIR POLITICAL PRACTICES COMMISSION

Name

► NAME OF BUSINESS ENTITY

GENERAL DESCRIPTION OF THIS BUSINESS

FAIR MARKET VALUE

\$2,000 - \$10,000	\$10,001 - \$100,000
\$100,001 - \$1,000,000	Over \$1,000,000

NATURE OF INVESTMENT

Stock Other _____ (Describe)

Partnership Income Received of \$0 - \$499
Income Received of \$500 or More (Report on Schedule C)

IF APPLICABLE, LIST DATE:

____/____/22 ____/____/22
ACQUIRED DISPOSED

► NAME OF BUSINESS ENTITY

GENERAL DESCRIPTION OF THIS BUSINESS

FAIR MARKET VALUE

\$2,000 - \$10,000	\$10,001 - \$100,000
\$100,001 - \$1,000,000	Over \$1,000,000

NATURE OF INVESTMENT

Stock Other _____ (Describe)

Partnership Income Received of \$0 - \$499
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IF APPLICABLE, LIST DATE:

____/____/22 ____/____/22
ACQUIRED DISPOSED

► NAME OF BUSINESS ENTITY

GENERAL DESCRIPTION OF THIS BUSINESS

FAIR MARKET VALUE

\$2,000 - \$10,000	\$10,001 - \$100,000
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Income Received of \$500 or More (Report on Schedule C)

IF APPLICABLE, LIST DATE:

____/____/22 ____/____/22
ACQUIRED DISPOSED

► NAME OF BUSINESS ENTITY

GENERAL DESCRIPTION OF THIS BUSINESS

FAIR MARKET VALUE

\$2,000 - \$10,000	\$10,001 - \$100,000
\$100,001 - \$1,000,000	Over \$1,000,000

NATURE OF INVESTMENT

Stock Other _____ (Describe)

Partnership Income Received of \$0 - \$499
Income Received of \$500 or More (Report on Schedule C)

IF APPLICABLE, LIST DATE:

____/____/22 ____/____/22
ACQUIRED DISPOSED

► NAME OF BUSINESS ENTITY

GENERAL DESCRIPTION OF THIS BUSINESS

FAIR MARKET VALUE

\$2,000 - \$10,000	\$10,001 - \$100,000
\$100,001 - \$1,000,000	Over \$1,000,000

NATURE OF INVESTMENT

Stock Other _____ (Describe)

Partnership Income Received of \$0 - \$499
Income Received of \$500 or More (Report on Schedule C)

IF APPLICABLE, LIST DATE:

____/____/22 ____/____/22
ACQUIRED DISPOSED

► NAME OF BUSINESS ENTITY

GENERAL DESCRIPTION OF THIS BUSINESS

FAIR MARKET VALUE

\$2,000 - \$10,000	\$10,001 - \$100,000
\$100,001 - \$1,000,000	Over \$1,000,000

NATURE OF INVESTMENT

Stock Other _____ (Describe)

Partnership Income Received of \$0 - \$499
Income Received of \$500 or More (Report on Schedule C)

IF APPLICABLE, LIST DATE:

____/____/22 ____/____/22
ACQUIRED DISPOSED

Comments: _____

Instructions – Schedules A-1 and A-2 Investments

“Investment” means a financial interest in any business entity (including a consulting business or other independent contracting business) that is located in, doing business in, planning to do business in, or that has done business during the previous two years in your agency’s jurisdiction in which you, your spouse or registered domestic partner, or your dependent children had a direct, indirect, or beneficial interest totaling \$2,000 or more at any time during the reporting period. (See Reference Pamphlet, page 13.)

Reportable investments include:

- Stocks, bonds, warrants, and options, including those held in margin or brokerage accounts and managed investment funds (See Reference Pamphlet, page 13.)
- Sole proprietorships
- Your own business or your spouse’s or registered domestic partner’s business (See Reference Pamphlet, page 8, for the definition of “business entity.”)
- Your spouse’s or registered domestic partner’s investments even if they are legally separate property
- Partnerships (e.g., a law firm or family farm)
- Investments in reportable business entities held in a retirement account (See Reference Pamphlet, page 15.)
- If you, your spouse or registered domestic partner, and dependent children together had a 10% or greater ownership interest in a business entity or trust (including a living trust), you must disclose investments held by the business entity or trust. (See Reference Pamphlet, page 16, for more information on disclosing trusts.)
- Business trusts

You are not required to disclose:

- Government bonds, diversified mutual funds, certain funds similar to diversified mutual funds (such as exchange traded funds) and investments held in certain retirement accounts. (See Reference Pamphlet, page 13.) (Regulation 18237)
- Bank accounts, savings accounts, money market accounts and certificates of deposits
- Cryptocurrency
- Insurance policies
- Annuities
- Commodities
- Shares in a credit union
- Government bonds (including municipal bonds)

Reminders

- Do you know your agency’s jurisdiction?
- Did you hold investments at any time during the period covered by this statement?
- Code filers – your disclosure categories may only require disclosure of specific investments.

- Retirement accounts invested in non-reportable interests (e.g., insurance policies, mutual funds, or government bonds) (See Reference Pamphlet, page 15.)
- Government defined-benefit pension plans (such as CalPERS and CalSTRS plans)
- Certain interests held in a blind trust (See Reference Pamphlet, page 16.)

Use Schedule A-1 to report ownership of less than 10% (e.g., stock). Schedule C (Income) may also be required if the investment is not a stock or corporate bond. (See second example below.)

Use Schedule A-2 to report ownership of 10% or greater (e.g., a sole proprietorship).

To Complete Schedule A-1:

Do not attach brokerage or financial statements.

- Disclose the name of the business entity. Do not use acronyms for the name of the business entity.
- Provide a general description of the business activity of the entity (e.g., pharmaceuticals, computers, automobile manufacturing, or communications).
- Check the box indicating the highest fair market value of your investment during the reporting period. If you are filing a candidate or an assuming office statement, indicate the fair market value on the filing date or the date you took office, respectively. (See page 20 for more information.)
- Identify the nature of your investment (e.g., stocks, warrants, options, or bonds).
- An acquired or disposed of date is only required if you initially acquired or entirely disposed of the investment interest during the reporting period. The date of a stock dividend reinvestment or partial disposal is not required. Generally, these dates will not apply if you are filing a candidate or an assuming office statement.

Examples:

Frank Byrd holds a state agency position. Frank’s conflict of interest code requires full disclosure of investments. Frank must disclose stock holdings of \$2,000 or more in any company that is located in or does business in California, as well as those stocks held by Frank’s spouse or registered domestic partner and dependent children.

Alice Lance is a city council member. Alice has a 4% interest, worth \$5,000, in a limited partnership located in the city. Alice must disclose the partnership on Schedule A-1 and income of \$500 or more received from the partnership on Schedule C.

SCHEDULE A-2
Investments, Income, and Assets
of Business Entities/Trusts
(Ownership Interest is 10% or Greater)

▶ 1. BUSINESS ENTITY OR TRUST			
Name _____			
Address (Business Address Acceptable) _____			
Check one			
Trust, go to 2	Business Entity, complete the box, then go to 2		
GENERAL DESCRIPTION OF THIS BUSINESS			
<table style="width: 100%; border: none;"> <tr> <td style="width: 50%; vertical-align: top; padding-bottom: 10px;"> FAIR MARKET VALUE \$0 - \$1,999 \$2,000 - \$10,000 \$10,001 - \$100,000 \$100,001 - \$1,000,000 Over \$1,000,000 </td> <td style="width: 50%; vertical-align: top; padding-bottom: 10px;"> IF APPLICABLE, LIST DATE: <div style="display: flex; justify-content: space-around; align-items: center;"> <div style="text-align: center;"> <u> </u> / <u> </u> / 22 ACQUIRED </div> <div style="text-align: center;"> <u> </u> / <u> </u> / 22 DISPOSED </div> </div> </td> </tr> </table>		FAIR MARKET VALUE \$0 - \$1,999 \$2,000 - \$10,000 \$10,001 - \$100,000 \$100,001 - \$1,000,000 Over \$1,000,000	IF APPLICABLE, LIST DATE: <div style="display: flex; justify-content: space-around; align-items: center;"> <div style="text-align: center;"> <u> </u> / <u> </u> / 22 ACQUIRED </div> <div style="text-align: center;"> <u> </u> / <u> </u> / 22 DISPOSED </div> </div>
FAIR MARKET VALUE \$0 - \$1,999 \$2,000 - \$10,000 \$10,001 - \$100,000 \$100,001 - \$1,000,000 Over \$1,000,000	IF APPLICABLE, LIST DATE: <div style="display: flex; justify-content: space-around; align-items: center;"> <div style="text-align: center;"> <u> </u> / <u> </u> / 22 ACQUIRED </div> <div style="text-align: center;"> <u> </u> / <u> </u> / 22 DISPOSED </div> </div>		
NATURE OF INVESTMENT <div style="display: flex; justify-content: space-between; align-items: flex-end;"> Partnership Sole Proprietorship _____ Other </div>			
YOUR BUSINESS POSITION _____			

► 2. IDENTIFY THE GROSS INCOME RECEIVED (INCLUDE YOUR PRO RATA SHARE OF THE GROSS INCOME TO THE ENTITY/TRUST)

\$0 - \$499	\$10,001 - \$100,000
\$500 - \$1,000	OVER \$100,000
\$1,001 - \$10,000	

▶ 3. LIST THE NAME OF EACH REPORTABLE SINGLE SOURCE OF INCOME OF \$10,000 OR MORE (Attach a separate sheet if necessary.)
None or Names listed below

► 4. INVESTMENTS AND INTERESTS IN REAL PROPERTY HELD OR LEASED BY THE BUSINESS ENTITY OR TRUST

Check one box:

INVESTMENT	REAL PROPERTY
<hr/>	
Name of Business Entity, if Investment, or Assessor's Parcel Number or Street Address of Real Property	
<hr/>	
Description of Business Activity or City or Other Precise Location of Real Property	
<hr/>	
FAIR MARKET VALUE	IF APPLICABLE, LIST DATE:
\$2,000 - \$10,000	
\$10,001 - \$100,000	<u> </u> / <u> </u> / <u>22</u>
\$100,001 - \$1,000,000	<u> </u> / <u> </u> / <u>22</u>
Over \$1,000,000	ACQUIRED DISPOSED
<hr/>	
NATURE OF INTEREST	
Property Ownership/Deed of Trust	Stock Partnership
Leasehold <u> </u>	Other <u> </u>
Yrs. remaining	
Check box if additional schedules reporting investments or real property are attached	

1. BUSINESS ENTITY OR TRUST	
Name	
Address (Business Address Acceptable)	
Check one <div style="display: flex; justify-content: space-around; align-items: center;"> Trust, go to 2 Business Entity, complete the box, then go to 2 </div>	
GENERAL DESCRIPTION OF THIS BUSINESS	
FAIR MARKET VALUE <div style="margin-top: 10px;"> <input type="checkbox"/> \$0 - \$1,999 <input type="checkbox"/> \$2,000 - \$10,000 <input type="checkbox"/> \$10,001 - \$100,000 <input type="checkbox"/> \$100,001 - \$1,000,000 <input type="checkbox"/> Over \$1,000,000 </div>	IF APPLICABLE, LIST DATE: <div style="margin-top: 10px; display: flex; justify-content: space-around;"> <div style="text-align: center;"> <u> </u> / <u> </u> / <u>22</u> ACQUIRED </div> <div style="text-align: center;"> <u> </u> / <u> </u> / <u>22</u> DISPOSED </div> </div>
NATURE OF INVESTMENT <div style="display: flex; justify-content: space-between; align-items: center; margin-top: 10px;"> Partnership Sole Proprietorship <div style="flex-grow: 1; border-bottom: 1px solid black; position: relative;"> Other </div> </div>	
YOUR BUSINESS POSITION	

2. IDENTIFY THE GROSS INCOME RECEIVED (INCLUDE YOUR PRO RATA SHARE OF THE GROSS INCOME <u>TO</u> THE ENTITY/TRUST)	
\$0 - \$499	\$10,001 - \$100,000
\$500 - \$1,000	OVER \$100,000
\$1,001 - \$10,000	

[illegible]

► 4. INVESTMENTS AND INTERESTS IN REAL PROPERTY HELD OR LEASED BY THE BUSINESS ENTITY OR TRUST

Check one box:

INVESTMENT	REAL PROPERTY
------------	---------------

Name of Business Entity, if Investment, or
 Assessor's Parcel Number or Street Address of Real Property _____

Description of Business Activity or
 City or Other Precise Location of Real Property _____

FAIR MARKET VALUE	IF APPLICABLE, LIST DATE:
\$2,000 - \$10,000	
\$10,001 - \$100,000	<u> </u> / <u> </u> / <u>22</u>
\$100,001 - \$1,000,000	<u> </u> / <u> </u> / <u>22</u>
Over \$1,000,000	ACQUIRED DISPOSED

NATURE OF INTEREST

Property Ownership/Deed of Trust	Stock	Partnership
----------------------------------	-------	-------------

Leasehold Other
 Yrs. remaining

Check box if additional schedules reporting investments or real property are attached

Comments: _____

Instructions – Schedule A-2

Investments, Income, and Assets of Business Entities/Trusts

Use Schedule A-2 to report investments in a business entity (including a consulting business or other independent contracting business) or trust (including a living trust) in which you, your spouse or registered domestic partner, and your dependent children, together or separately, had a 10% or greater interest, totaling \$2,000 or more, during the reporting period and which is located in, doing business in, planning to do business in, or which has done business during the previous two years in your agency's jurisdiction. (See Reference Pamphlet, page 13.) A trust located outside your agency's jurisdiction is reportable if it holds assets that are located in or doing business in the jurisdiction. Do not report a trust that contains non-reportable interests. For example, a trust containing only your personal residence not used in whole or in part as a business, your savings account, and some municipal bonds, is not reportable.

Also report on Schedule A-2 investments and real property held by that entity or trust if your pro rata share of the investment or real property interest was \$2,000 or more during the reporting period.

To Complete Schedule A-2:

Part 1. Disclose the name and address of the business entity or trust. If you are reporting an interest in a business entity, check "Business Entity" and complete the box as follows:

- Provide a general description of the business activity of the entity.
- Check the box indicating the highest fair market value of your investment during the reporting period.
- If you initially acquired or entirely disposed of this interest during the reporting period, enter the date acquired or disposed.
- Identify the nature of your investment.
- Disclose the job title or business position you held with the entity, if any (i.e., if you were a director, officer, partner, trustee, employee, or held any position of management). A business position held by your spouse is not reportable.

Part 2. Check the box indicating **your pro rata** share of the **gross** income received **by** the business entity or trust. This amount includes your pro rata share of the **gross** income **from** the business entity or trust, as well as your community property interest in your spouse's or registered domestic partner's share. Gross income is the total amount of income before deducting expenses, losses, or taxes.

Part 3. Disclose the name of each source of income that is located in, doing business in, planning to do business in, or that has done business during the previous two years in your agency's jurisdiction, as follows:

- Disclose each source of income and outstanding loan **to the business entity or trust** identified in Part 1 if your pro rata share of the **gross** income (including your community property interest in your spouse's or registered domestic partner's share) to the business entity or trust from that source was \$10,000 or more during the reporting period. (See Reference Pamphlet, page 11, for examples.) Income from governmental sources may be reportable if not considered salary. See Regulation 18232. Loans from commercial lending institutions made in the lender's regular course of business on terms available to members of the public without regard to your official status are not reportable.
- Disclose each individual or entity that was a source of commission income of \$10,000 or more during the reporting period through the business entity identified in Part 1. (See Reference Pamphlet, page 8.)

You may be required to disclose sources of income located outside your jurisdiction. For example, you may have a client who resides outside your jurisdiction who does business on a regular basis with you. Such a client, if a reportable source of \$10,000 or more, must be disclosed.

Mark "None" if you do not have any reportable \$10,000 sources of income to disclose. Phrases such as "various clients" or "not disclosing sources pursuant to attorney-client privilege" are not adequate disclosure. (See Reference Pamphlet, page 14, for information on procedures to request an exemption from disclosing privileged information.)

Part 4. Report any investments or interests in real property held or leased **by the entity or trust** identified in Part 1 if your pro rata share of the interest held was \$2,000 or more during the reporting period. Attach additional schedules or use FPPC's Form 700 Excel spreadsheet if needed.

- Check the applicable box identifying the interest held as real property or an investment.
- If investment, provide the name and description of the business entity.
- If real property, report the precise location (e.g., an assessor's parcel number or address).
- Check the box indicating the highest fair market value of your interest in the real property or investment during the reporting period. (Report the fair market value of the portion of your residence claimed as a tax deduction if you are utilizing your residence for business purposes.)
- Identify the nature of your interest.
- Enter the date acquired or disposed only if you initially acquired or entirely disposed of your interest in the property or investment during the reporting period.

SCHEDULE B

Interests in Real Property

(Including Rental Income)

Name

▶ ASSESSOR'S PARCEL NUMBER OR STREET ADDRESS

CITY

FAIR MARKET VALUE

\$2,000 - \$10,000

\$10,001 - \$100,000

\$100,001 - \$1,000,000

Over \$1,000,000

IF APPLICABLE, LIST DATE:

 _____/_____/22
 ACQUIRED

 _____/_____/22
 DISPOSED

NATURE OF INTEREST

Ownership/Deed of Trust

Easement

Leasehold

Yrs. remaining

Other

IF RENTAL PROPERTY, GROSS INCOME RECEIVED

\$0 - \$499

\$500 - \$1,000

\$1,001 - \$10,000

\$10,001 - \$100,000

OVER \$100,000

SOURCES OF RENTAL INCOME: If you own a 10% or greater interest, list the name of each tenant that is a single source of income of \$10,000 or more.

None

▶ ASSESSOR'S PARCEL NUMBER OR STREET ADDRESS

CITY

FAIR MARKET VALUE

\$2,000 - \$10,000

\$10,001 - \$100,000

\$100,001 - \$1,000,000

Over \$1,000,000

IF APPLICABLE, LIST DATE:

 _____/_____/22
 ACQUIRED

 _____/_____/22
 DISPOSED

NATURE OF INTEREST

Ownership/Deed of Trust

Easement

Leasehold

Yrs. remaining

Other

IF RENTAL PROPERTY, GROSS INCOME RECEIVED

\$0 - \$499

\$500 - \$1,000

\$1,001 - \$10,000

\$10,001 - \$100,000

OVER \$100,000

SOURCES OF RENTAL INCOME: If you own a 10% or greater interest, list the name of each tenant that is a single source of income of \$10,000 or more.

None

* You are not required to report loans from a commercial lending institution made in the lender's regular course of business on terms available to members of the public without regard to your official status. Personal loans and loans received not in a lender's regular course of business must be disclosed as follows:

NAME OF LENDER*

ADDRESS (Business Address Acceptable)

BUSINESS ACTIVITY, IF ANY, OF LENDER

INTEREST RATE

TERM (Months/Years)

_____%

None

HIGHEST BALANCE DURING REPORTING PERIOD

\$500 - \$1,000

\$1,001 - \$10,000

\$10,001 - \$100,000

OVER \$100,000

Guarantor, if applicable

NAME OF LENDER*

ADDRESS (Business Address Acceptable)

BUSINESS ACTIVITY, IF ANY, OF LENDER

INTEREST RATE

TERM (Months/Years)

_____%

None

HIGHEST BALANCE DURING REPORTING PERIOD

\$500 - \$1,000

\$1,001 - \$10,000

\$10,001 - \$100,000

OVER \$100,000

Guarantor, if applicable

Comments:

Instructions – Schedule B Interests in Real Property

Report interests in real property located in your agency's jurisdiction in which you, your spouse or registered domestic partner, or your dependent children had a direct, indirect, or beneficial interest totaling \$2,000 or more any time during the reporting period. Real property is also considered to be "within the jurisdiction" of a local government agency if the property or any part of it is located within two miles outside the boundaries of the jurisdiction or within two miles of any land owned or used by the local government agency. (See Reference Pamphlet, page 13.)

Interests in real property include:

- An ownership interest (including a beneficial ownership interest)
- A deed of trust, easement, or option to acquire property
- A leasehold interest (See Reference Pamphlet, page 14.)
- A mining lease
- An interest in real property held in a retirement account (See Reference Pamphlet, page 15.)
- An interest in real property held by a business entity or trust in which you, your spouse or registered domestic partner, and your dependent children together had a 10% or greater ownership interest (Report on Schedule A-2.)
- Your spouse's or registered domestic partner's interests in real property that are legally held separately by him or her

You are not required to report:

- A residence, such as a home or vacation cabin, used exclusively as a personal residence (However, a residence in which you rent out a room or for which you claim a business deduction may be reportable. If reportable, report the fair market value of the portion claimed as a tax deduction.)
- Some interests in real property held through a blind trust (See Reference Pamphlet, page 16.)
 - **Please note:** A non-reportable property can still be grounds for a conflict of interest and may be disqualifying.

To Complete Schedule B:

- Report the precise location (e.g., an assessor's parcel number or address) of the real property.
- Check the box indicating the fair market value of your interest in the property (regardless of what you owe on the property).
- Enter the date acquired or disposed only if you initially acquired or entirely disposed of your interest in the property during the reporting period.
- Identify the nature of your interest. If it is a leasehold,

Reminders

- Income and loans already reported on Schedule B are not also required to be reported on Schedule C.
- Real property already reported on Schedule A-2, Part 4 is not also required to be reported on Schedule B.
- Code filers – do your disclosure categories require disclosure of real property?

disclose the number of years remaining on the lease.

- If you received rental income, check the box indicating the gross amount you received.
- If you had a 10% or greater interest in real property and received rental income, list the name of the source(s) if your pro rata share of the gross income from any single tenant was \$10,000 or more during the reporting period. If you received a total of \$10,000 or more from two or more tenants acting in concert (in most cases, this will apply to married couples), disclose the name of each tenant. Otherwise, mark "None."
- Loans from a private lender that total \$500 or more and are secured by real property may be reportable. **Loans from commercial lending institutions made in the lender's regular course of business on terms available to members of the public without regard to your official status are not reportable.**

When reporting a loan:

- Provide the name and address of the lender.
- Describe the lender's business activity.
- Disclose the interest rate and term of the loan. For variable interest rate loans, disclose the conditions of the loan (e.g., Prime + 2) or the average interest rate paid during the reporting period. The term of a loan is the total number of months or years given for repayment of the loan at the time the loan was established.
- Check the box indicating the highest balance of the loan during the reporting period.
- Identify a guarantor, if applicable.

If you have more than one reportable loan on a single piece of real property, report the additional loan(s) on Schedule C.

Example:

Allison Gande is a city planning commissioner. During the reporting period, Allison received rental income of \$12,000, from a single tenant who rented property owned in the city's jurisdiction. If Allison received \$6,000 each from two tenants, the tenants' names would not be required because no single tenant paid her \$10,000 or more. A married couple is considered a single tenant.

ASSESSOR'S PARCEL NUMBER OR STREET ADDRESS 4600 24th Street	
CITY Sacramento	
FAIR MARKET VALUE <input type="checkbox"/> \$2,000 - \$10,000 <input type="checkbox"/> \$10,001 - \$100,000 <input checked="" type="checkbox"/> \$100,001 - \$1,000,000 <input type="checkbox"/> Over \$1,000,000	IF APPLICABLE, LIST DATE: ACQUIRED XX/XX/XX DISPOSED XX/XX/XX
NATURE OF INTEREST <input type="checkbox"/> Ownership/Deed of Trust <input type="checkbox"/> Easement <input type="checkbox"/> Leasehold <input type="checkbox"/> Yrs. remaining <input type="checkbox"/> Other	
IF RENTAL PROPERTY, GROSS INCOME RECEIVED <input type="checkbox"/> \$0 - \$499 <input type="checkbox"/> \$500 - \$1,000 <input type="checkbox"/> \$1,001 - \$10,000 <input checked="" type="checkbox"/> \$10,001 - \$100,000 <input type="checkbox"/> OVER \$100,000	
SOURCES OF RENTAL INCOME: If you own a 10% or greater interest, list the name of each tenant that is a single source of income of \$10,000 or more. <input type="checkbox"/> None Henry Wells	
NAME OF LENDER* Sophia Petrolo	
ADDRESS (Business Address Acceptable) 2121 Blue Sky Parkway, Sacramento	
BUSINESS ACTIVITY, IF ANY, OF LENDER Restaurant Owner	
INTEREST RATE 8 % <input type="checkbox"/> None	TERM (Months/Years) 15 Years
HIGHEST BALANCE DURING REPORTING PERIOD <input type="checkbox"/> \$500 - \$1,000 <input type="checkbox"/> \$1,001 - \$10,000 <input checked="" type="checkbox"/> \$10,001 - \$100,000 <input type="checkbox"/> OVER \$100,000	
<input type="checkbox"/> Guarantor, if applicable	
Comments:	

SCHEDULE C

Income, Loans, & Business Positions

(Other than Gifts and Travel Payments)

CALIFORNIA FORM 700
FAIR POLITICAL PRACTICES COMMISSION
Name _____

▶ 1. INCOME RECEIVED		▶ 1. INCOME RECEIVED	
NAME OF SOURCE OF INCOME _____		NAME OF SOURCE OF INCOME _____	
ADDRESS <i>(Business Address Acceptable)</i> _____		ADDRESS <i>(Business Address Acceptable)</i> _____	
BUSINESS ACTIVITY, IF ANY, OF SOURCE _____		BUSINESS ACTIVITY, IF ANY, OF SOURCE _____	
YOUR BUSINESS POSITION _____		YOUR BUSINESS POSITION _____	
GROSS INCOME RECEIVED	No Income - Business Position Only	GROSS INCOME RECEIVED	No Income - Business Position Only
\$500 - \$1,000	\$1,001 - \$10,000	\$500 - \$1,000	\$1,001 - \$10,000
\$10,001 - \$100,000	OVER \$100,000	\$10,001 - \$100,000	OVER \$100,000
CONSIDERATION FOR WHICH INCOME WAS RECEIVED		CONSIDERATION FOR WHICH INCOME WAS RECEIVED	
Salary	Spouse's or registered domestic partner's income (For self-employed use Schedule A-2.)	Salary	Spouse's or registered domestic partner's income (For self-employed use Schedule A-2.)
Partnership (Less than 10% ownership. For 10% or greater use Schedule A-2.) _____		Partnership (Less than 10% ownership. For 10% or greater use Schedule A-2.) _____	
Sale of _____ <i>(Real property, car, boat, etc.)</i>		Sale of _____ <i>(Real property, car, boat, etc.)</i>	
Loan repayment _____		Loan repayment _____	
Commission or Rental Income, list each source of \$10,000 or more _____		Commission or Rental Income, list each source of \$10,000 or more _____	
Other _____ <i>(Describe)</i>		Other _____ <i>(Describe)</i>	

▶ 2. LOANS RECEIVED OR OUTSTANDING DURING THE REPORTING PERIOD

* You are not required to report loans from a commercial lending institution, or any indebtedness created as part of a retail installment or credit card transaction, made in the lender's regular course of business on terms available to members of the public without regard to your official status. Personal loans and loans received not in a lender's regular course of business must be disclosed as follows:

NAME OF LENDER* _____ ADDRESS <i>(Business Address Acceptable)</i> _____ BUSINESS ACTIVITY, IF ANY, OF LENDER _____ HIGHEST BALANCE DURING REPORTING PERIOD \$500 - \$1,000 \$1,001 - \$10,000 \$10,001 - \$100,000 OVER \$100,000	INTEREST RATE _____% None SECURITY FOR LOAN None Personal residence Real Property _____ <i>Street address</i> _____ <i>City</i> Guarantor _____ Other _____ <i>(Describe)</i>
--	---

Comments: _____

Instructions – Schedule C

Income, Loans, & Business Positions

(Income Other Than Gifts and Travel Payments)

Reporting Income:

Report the source and amount of gross income of \$500 or more you received during the reporting period. Gross income is the total amount of income before deducting expenses, losses, or taxes and includes loans other than loans from a commercial lending institution. (See Reference Pamphlet, page 11.) You must also report the source of income to your spouse or registered domestic partner if your community property share was \$500 or more during the reporting period.

The source and income must be reported only if the source is located in, doing business in, planning to do business in, or has done business during the previous two years in your agency's jurisdiction. (See Reference Pamphlet, page 13.) Reportable sources of income may be further limited by your disclosure category located in your agency's conflict of interest code.

Reporting Business Positions:

You must report your job title with each reportable business entity even if you received no income during the reporting period. Use the comments section to indicate that no income was received.

Commonly reportable income and loans include:

- Salary/wages, per diem, and reimbursement for expenses including travel payments provided by your employer
- Community property interest (50%) in your spouse's or registered domestic partner's income - **report the employer's name and all other required information**
- Income from investment interests, such as partnerships, reported on Schedule A-1
- Commission income not required to be reported on Schedule A-2 (See Reference Pamphlet, page 8.)
- Gross income from any sale, including the sale of a house or car (Report your pro rata share of the total sale price.)
- Rental income not required to be reported on Schedule B
- Prizes or awards not disclosed as gifts
- Payments received on loans you made to others
- An honorarium received prior to becoming a public official (See Reference Pamphlet, page 10.)
- Incentive compensation (See Reference Pamphlet, page 12.)

Reminders

- Code filers – your disclosure categories may not require disclosure of all sources of income.
- If you or your spouse or registered domestic partner are self-employed, report the business entity on Schedule A-2.
- Do not disclose on Schedule C income, loans, or business positions already reported on Schedules A-2 or B.

You are not required to report:

- Salary, reimbursement for expenses or per diem, or social security, disability, or other similar benefit payments received by you or your spouse or registered domestic partner from a federal, state, or local government agency.
- Stock dividends and income from the sale of stock unless the source can be identified.
- Income from a PERS retirement account.

(See Reference Pamphlet, page 12.)

To Complete Schedule C:

Part 1. Income Received/Business Position Disclosure

- Disclose the name and address of each source of income or each business entity with which you held a business position.
- Provide a general description of the business activity if the source is a business entity.
- Check the box indicating the amount of gross income received.
- Identify the consideration for which the income was received.
- For income from commission sales, check the box indicating the gross income received and list the name of each source of commission income of \$10,000 or more. (See Reference Pamphlet, page 8.) **Note: If you receive commission income on a regular basis or have an ownership interest of 10% or more, you must disclose the business entity and the income on Schedule A-2.**
- Disclose the job title or business position, if any, that you held with the business entity, even if you did not receive income during the reporting period.

Part 2. Loans Received or Outstanding During the Reporting Period

- Provide the name and address of the lender.
- Provide a general description of the business activity if the lender is a business entity.
- Check the box indicating the highest balance of the loan during the reporting period.
- Disclose the interest rate and the term of the loan.
 - For variable interest rate loans, disclose the conditions of the loan (e.g., Prime + 2) or the average interest rate paid during the reporting period.
 - The term of the loan is the total number of months or years given for repayment of the loan at the time the loan was entered into.
- Identify the security, if any, for the loan.

CALIFORNIA FORM 700 FAIR POLITICAL PRACTICES COMMISSION Name _____ _____
--

SCHEDULE D

Income – Gifts

► NAME OF SOURCE *(Not an Acronym)*

 ADDRESS *(Business Address Acceptable)*

 BUSINESS ACTIVITY, IF ANY, OF SOURCE

DATE (mm/dd/yy)	VALUE	DESCRIPTION OF GIFT(S)
____/____/____	\$ _____	_____
____/____/____	\$ _____	_____
____/____/____	\$ _____	_____

► NAME OF SOURCE *(Not an Acronym)*

 ADDRESS *(Business Address Acceptable)*

 BUSINESS ACTIVITY, IF ANY, OF SOURCE

DATE (mm/dd/yy)	VALUE	DESCRIPTION OF GIFT(S)
____/____/____	\$ _____	_____
____/____/____	\$ _____	_____
____/____/____	\$ _____	_____

► NAME OF SOURCE *(Not an Acronym)*

 ADDRESS *(Business Address Acceptable)*

 BUSINESS ACTIVITY, IF ANY, OF SOURCE

DATE (mm/dd/yy)	VALUE	DESCRIPTION OF GIFT(S)
____/____/____	\$ _____	_____
____/____/____	\$ _____	_____
____/____/____	\$ _____	_____

► NAME OF SOURCE *(Not an Acronym)*

 ADDRESS *(Business Address Acceptable)*

 BUSINESS ACTIVITY, IF ANY, OF SOURCE

DATE (mm/dd/yy)	VALUE	DESCRIPTION OF GIFT(S)
____/____/____	\$ _____	_____
____/____/____	\$ _____	_____
____/____/____	\$ _____	_____

► NAME OF SOURCE *(Not an Acronym)*

 ADDRESS *(Business Address Acceptable)*

 BUSINESS ACTIVITY, IF ANY, OF SOURCE

DATE (mm/dd/yy)	VALUE	DESCRIPTION OF GIFT(S)
____/____/____	\$ _____	_____
____/____/____	\$ _____	_____
____/____/____	\$ _____	_____

► NAME OF SOURCE *(Not an Acronym)*

 ADDRESS *(Business Address Acceptable)*

 BUSINESS ACTIVITY, IF ANY, OF SOURCE

DATE (mm/dd/yy)	VALUE	DESCRIPTION OF GIFT(S)
____/____/____	\$ _____	_____
____/____/____	\$ _____	_____
____/____/____	\$ _____	_____

Comments: _____

Instructions – Schedule D

Income – Gifts

A gift is anything of value for which you have not provided equal or greater consideration to the donor. A gift is reportable if its fair market value is \$50 or more. In addition, multiple gifts totaling \$50 or more received during the reporting period from a single source must be reported.

It is the acceptance of a gift, not the ultimate use to which it is put, that imposes your reporting obligation. Except as noted below, you must report a gift even if you never used it or if you gave it away to another person.

If the exact amount of a gift is unknown, you must make a good faith estimate of the item's fair market value. Listing the value of a gift as "over \$50" or "value unknown" is not adequate disclosure. In addition, if you received a gift through an intermediary, you must disclose the name, address, and business activity of both the donor and the intermediary. You may indicate an intermediary either in the "source" field after the name or in the "comments" section at the bottom of Schedule D.

Commonly reportable gifts include:

- Tickets/passes to sporting or entertainment events
- Tickets/passes to amusement parks
- Parking passes not used for official agency business
- Food, beverages, and accommodations, including those provided in direct connection with your attendance at a convention, conference, meeting, social event, meal, or like gathering
- Rebates/discounts not made in the regular course of business to members of the public without regard to official status
- Wedding gifts (See Reference Pamphlet, page 16)
- An honorarium received prior to assuming office (You may report an honorarium as income on Schedule C, rather than as a gift on Schedule D, if you provided services of equal or greater value than the payment received. See Reference Pamphlet, page 10.)
- Transportation and lodging (See Schedule E.)
- Forgiveness of a loan received by you

Reminders

- Gifts from a single source are subject to a \$520 limit in 2022. (See Reference Pamphlet, page 10.)
- Code filers – you only need to report gifts from reportable sources.

Gift Tracking Mobile Application

- FPPC has created a gift tracking app for mobile devices that helps filers track gifts and provides a quick and easy way to upload the information to the Form 700. Visit FPPC's website to download the app.

You are not required to disclose:

- Gifts that were not used and that, within 30 days after receipt, were returned to the donor or delivered to a charitable organization or government agency without being claimed by you as a charitable contribution for tax purposes
- Gifts from your spouse or registered domestic partner, child, parent, grandparent, grandchild, brother, sister, and certain other family members (See Regulation 18942 for a complete list.). The exception does not apply if the donor was acting as an agent or intermediary for a reportable source who was the true donor.
- Gifts of similar value exchanged between you and an individual, other than a lobbyist registered to lobby your state agency, on holidays, birthdays, or similar occasions
- Gifts of informational material provided to assist you in the performance of your official duties (e.g., books, pamphlets, reports, calendars, periodicals, or educational seminars)
- A monetary bequest or inheritance (However, inherited investments or real property may be reportable on other schedules.)
- Personalized plaques or trophies with an individual value of less than \$250
- Campaign contributions
- Up to two tickets, for your own use, to attend a fundraiser for a campaign committee or candidate, or to a fundraiser for an organization exempt from taxation under Section 501(c)(3) of the Internal Revenue Code. The ticket must be received from the organization or committee holding the fundraiser.
- Gifts given to members of your immediate family if the source has an established relationship with the family member and there is no evidence to suggest the donor had a purpose to influence you. (See Regulation 18943.)
- Free admission, food, and nominal items (such as a pen, pencil, mouse pad, note pad or similar item) available to all attendees, at the event at which the official makes a speech (as defined in Regulation 18950(b)(2)), so long as the admission is provided by the person who organizes the event.
- Any other payment not identified above, that would otherwise meet the definition of gift, where the payment is made by an individual who is not a lobbyist registered to lobby the official's state agency, where it is clear that the gift was made because of an existing personal or business relationship unrelated to the official's position and there is no evidence whatsoever at the time the gift is made to suggest the donor had a purpose to influence you.

To Complete Schedule D:

- Disclose the full name (not an acronym), address, and, if a business entity, the business activity of the source.
- Provide the date (month, day, and year) of receipt, and disclose the fair market value and description of the gift.

- Mark either the gift or income box.
- Mark the “501(c)(3)” box for a travel payment received from a nonprofit 501(c)(3) organization or the “Speech” box if you made a speech or participated in a panel. Per Government Code Section 89506, these payments may not be subject to the gift limit. However, they may result in a disqualifying conflict of interest.
- For gifts of travel, provide the travel destination.

► NAME OF SOURCE (*Not an Acronym*) _____

ADDRESS (*Business Address Acceptable*) _____

CITY AND STATE _____

501 (c)(3) or DESCRIBE BUSINESS ACTIVITY, IF ANY, OF SOURCE _____

DATE(S): ____/____/____ - ____/____/____ AMT: \$ _____
(If gift)

► MUST CHECK ONE: Gift **-or-** Income

Made a Speech/Participated in a Panel _____

Other - Provide Description _____

► If Gift, Provide Travel Destination _____

► NAME OF SOURCE (*Not an Acronym*) _____

ADDRESS (*Business Address Acceptable*) _____

CITY AND STATE _____

501 (c)(3) or DESCRIBE BUSINESS ACTIVITY, IF ANY, OF SOURCE _____

DATE(S): ____/____/____ - ____/____/____ AMT: \$ _____
(*If gift*)

► MUST CHECK ONE: Gift **-or-** Income

Made a Speech/Participated in a Panel _____

Other - Provide Description _____

► If Gift, Provide Travel Destination _____

Comments: _____

Instructions – Schedule E Travel Payments, Advances, and Reimbursements

Travel payments reportable on Schedule E include advances and reimbursements for travel and related expenses, including lodging and meals.

Gifts of travel may be subject to the gift limit. In addition, certain travel payments are reportable gifts, but are not subject to the gift limit. To avoid possible misinterpretation or the perception that you have received a gift in excess of the gift limit, you may wish to provide a specific description of the purpose of your travel. (See the FPPC fact sheet entitled "Limitations and Restrictions on Gifts, Honoraria, Travel, and Loans" to read about travel payments under section 89506(a).)

You are not required to disclose:

- Travel payments received from any state, local, or federal government agency for which you provided services equal or greater in value than the payments received, such as reimbursement for travel on agency business from your government agency employer.
- A payment for travel from another local, state, or federal government agency and related per diem expenses when the travel is for education, training or other inter-agency programs or purposes.
- Travel payments received from your employer in the normal course of your employment that are included in the income reported on Schedule C.
- A travel payment that was received from a nonprofit entity exempt from taxation under Internal Revenue Code Section 501(c)(3) for which you provided equal or greater consideration, such as reimbursement for travel on business for a 501(c)(3) organization for which you are a board member.

Note: Certain travel payments may not be reportable if reported via email on Form 801 by your agency.

To Complete Schedule E:

- Disclose the full name (not an acronym) and address of the source of the travel payment.
- Identify the business activity if the source is a business entity.
- Check the box to identify the payment as a gift or income, report the amount, and disclose the date(s).
 - **Travel payments are gifts** if you did not provide services that were equal to or greater in value than the payments received. You must disclose gifts totaling \$500 or more from a single source during the period covered by the statement.

When reporting travel payments that are gifts, you must provide a description of the gift, the **date(s)** received, and the **travel destination**.

- **Travel payments are income** if you provided services that were equal to or greater in value than the

payments received. You must disclose income totaling \$500 or more from a single source during the period covered by the statement. You have the burden of proving the payments are income rather than gifts. When reporting travel payments as income, you must describe the services you provided in exchange for the payment. You are not required to disclose the date(s) for travel payments that are income.

Example:

City council member MaryClaire Chandler is the chair of a 501(c)(6) trade association, and the association pays for MaryClaire's travel to attend its meetings. Because MaryClaire is deemed to be providing equal or greater consideration for the travel payment by virtue of serving on the board, this payment may be reported as income. Payments for MaryClaire to attend other events for which they are not providing services are likely considered gifts.

Note that the same payment from a 501(c)(3) would NOT be reportable.

▶ NAME OF SOURCE (Not an Acronym)	
Health Services Trade Association	
ADDRESS (Business Address Acceptable)	
1230 K Street, Suite 610	
CITY AND STATE	
Sacramento, CA	
<input type="checkbox"/> 501 (c)(3) or DESCRIBE BUSINESS ACTIVITY, IF ANY, OF SOURCE	
Association of Healthcare Workers	
DATE(S):	AMT: \$ 550.00
(If gift)	
▶ MUST CHECK ONE: <input type="checkbox"/> Gift -or- <input checked="" type="checkbox"/> Income	
<input type="radio"/> Made a Speech/Participated in a Panel	
<input checked="" type="radio"/> Other - Provide Description Travel reimbursement for board meeting.	
▶ If Gift, Provide Travel Destination	

Example:

Mayor Kim travels to China on a trip organized by China Silicon Valley Business Development, a California nonprofit, 501(c)(6) organization. The Chengdu Municipal People's Government pays for Mayor Kim's airfare and travel costs, as well as meals and lodging during the trip. The trip's agenda shows that the trip's purpose is to promote job creation and economic activity in China and in Silicon Valley, so the trip is reasonably related to a governmental purpose.

Thus, Mayor Kim must report the gift of travel, but the gift is exempt from the gift limit. In this case, the travel payments are not subject to the gift limit because the source is a foreign government and because the travel is reasonably related to a governmental purpose. (Section 89506(a)(2).) Note that Mayor Kim could be disqualified from participating in or making decisions about The Chengdu Municipal People's Government for 12 months. Also note that if China Silicon Valley Business Development (a 501(c)(6) organization) paid for the travel costs rather than the governmental organization, the payments would be subject to the gift limits. (See the FPPC fact sheet, Limitations and Restrictions on Gifts, Honoraria, Travel and Loans, at www.fppc.ca.gov.)

▶ NAME OF SOURCE (Not an Acronym)	
Chengdu Municipal People's Government	
ADDRESS (Business Address Acceptable)	
2 Caoshi St. CaoShiJie, Qingyang Qu, Chengdu Shi,	
CITY AND STATE	
Sichuan Sheng, China, 610000	
<input type="checkbox"/> 501 (c)(3) or DESCRIBE BUSINESS ACTIVITY, IF ANY, OF SOURCE	
DATE(S):	AMT: \$ 3,874.38
(If gift)	
▶ MUST CHECK ONE: <input checked="" type="checkbox"/> Gift -or- <input type="checkbox"/> Income	
<input type="radio"/> Made a Speech/Participated in a Panel	
<input checked="" type="radio"/> Other - Provide Description Travel reimbursement for trip to China.	
▶ If Gift, Provide Travel Destination	
Sichuan Sheng, China	

Restrictions and Prohibitions

The Political Reform Act (Gov. Code Sections 81000-91014) requires most state and local government officials and employees to publicly disclose their economic interests including personal assets and income. The Act's conflict of interest provisions also disqualify a public official from taking part in a governmental decision if it is reasonably foreseeable that the decision will have a material financial effect on these economic interests as well as the official's personal finances and those of immediate family. (Gov. Code Sections 87100 and 87103.) The Fair Political Practices Commission (FPPC) is the state agency responsible for issuing the attached Statement of Economic Interests, Form 700, and for interpreting the Act's provisions.

Gift Prohibition

Gifts received by most state and local officials, employees, and candidates are subject to a limit. In 2021-2022, the gift limit increased to \$520 from a single source during a calendar year.

Additionally, state officials, state candidates, and certain state employees are subject to a \$10 limit per calendar month on gifts from lobbyists and lobbying firms registered with the Secretary of State. See Reference Pamphlet, page 10.

State and local officials and employees should check with their agency to determine if other restrictions apply.

Disqualification

Public officials are, under certain circumstances, required to disqualify themselves from making, participating in, or attempting to influence governmental decisions that will affect their economic interests. This may include interests they are not required to disclose. For example, a personal residence is often not reportable, but may be grounds for disqualification. Specific disqualification requirements apply to 87200 filers (e.g., city councilmembers, members of boards of supervisors, planning commissioners, etc.). These officials must publicly identify the economic interest that creates a conflict of interest and leave the room before a discussion or vote takes place at a public meeting. For more information, consult Government Code Section 87105, Regulation 18707, and the Guide to Recognizing Conflicts of Interest page at www.fppc.ca.gov.

Honorarium Ban

Most state and local officials, employees, and candidates are prohibited from accepting an honorarium for any speech given, article published, or attendance at a conference, convention, meeting, or like gathering. (See Reference Pamphlet, page 10.)

Loan Restrictions

Certain state and local officials are subject to restrictions on loans. (See Reference Pamphlet, page 14.)

Post-Governmental Employment

There are restrictions on representing clients or employers before former agencies. The provisions apply to elected state officials, most state employees, local elected officials, county chief administrative officers, city managers, including the chief administrator of a city, and general managers or chief administrators of local special districts and JPAs. The FPPC website has fact sheets explaining the provisions.

Late Filing

The filing officer who retains originally-signed or electronically filed statements of economic interests may impose on an individual a fine for any statement that is filed late. The fine is \$10 per day up to a maximum of \$100. Late filing penalties may be reduced or waived under certain circumstances.

Persons who fail to timely file their Form 700 may be referred to the FPPC's Enforcement Division (and, in some cases, to the Attorney General or district attorney) for investigation and possible prosecution. In addition to the late filing penalties, a fine of up to \$5,000 per violation may be imposed.

For assistance concerning reporting, prohibitions, and restrictions under the Act:

- Email questions to advice@fppc.ca.gov.
- Call the FPPC toll-free at (866) 275-3772.

Form 700 is a Public Document Public Access Must Be Provided

Statements of Economic Interests are public documents. The filing officer must permit any member of the public to inspect and receive a copy of any statement.

- Statements must be available as soon as possible during the agency's regular business hours, but in any event not later than the second business day after the statement is received. Access to the Form 700 is not subject to the Public Records Act procedures.
- No conditions may be placed on persons seeking access to the forms.
- No information or identification may be required from persons seeking access.
- Reproduction fees of no more than 10 cents per page may be charged.

Questions and Answers

General

- Q. What is the reporting period for disclosing interests on an assuming office statement or a candidate statement?
- A. On an assuming office statement, disclose all reportable investments, interests in real property, and business positions held on the date you assumed office. In addition, you must disclose income (including loans, gifts and travel payments) received during the 12 months prior to the date you assumed office.

On a candidate statement, disclose all reportable investments, interests in real property, and business positions held on the date you file your declaration of candidacy. You must also disclose income (including loans, gifts and travel payments) received during the 12 months prior to the date you file your declaration of candidacy.

- Q. I hold two other board positions in addition to my position with the county. Must I file three statements of economic interests?
- A. Yes, three are required. However, you may instead complete an expanded statement listing the county and the two boards on the Cover Page or an attachment as the agencies for which you will be filing. Disclose all reportable economic interests in all three jurisdictions on the expanded statement. File the expanded statement for your primary position providing an original "wet" signature unless filed with a secure electronic signature. (See page 3 above.) File copies of the expanded statement with the other two agencies as required by Regulation 18723.1(c). Remember to complete separate statements for positions that you leave or assume during the year.
- Q. I am a department head who recently began acting as city manager. Should I file as the city manager?
- A. Yes. File an assuming office statement as city manager. Persons serving as "acting," "interim," or "alternate" must file as if they hold the position because they are or may be performing the duties of the position.

- Q. My spouse and I are currently separated and in the process of obtaining a divorce. Must I still report my spouse's income, investments, and interests in real property?
- A. Yes. A public official must continue to report a spouse's economic interests until such time as dissolution of marriage proceedings is final. However, if a separate property agreement has been reached prior to that time, your estranged spouse's income may not have to be reported. Contact the FPPC for more information.
- Q. As a designated employee, I left one state agency to work for another state agency. Must I file a leaving office statement?
- A. Yes. You may also need to file an assuming office statement for the new agency.

Investment Disclosure

- Q. I have an investment interest in shares of stock in a company that does not have an office in my jurisdiction. Must I still disclose my investment interest in this company?
- A. Probably. The definition of "doing business in the jurisdiction" is not limited to whether the business has an office or physical location in your jurisdiction. (See Reference Pamphlet, page 13.)
- Q. My spouse and I have a living trust. The trust holds rental property in my jurisdiction, our primary residence, and investments in diversified mutual funds. I have full disclosure. How is this trust disclosed?
- A. Disclose the name of the trust, the rental property and its income on Schedule A-2. Your primary residence and investments in diversified mutual funds registered with the SEC are not reportable.
- Q. I am required to report all investments. I have an IRA that contains stocks through an account managed by a brokerage firm. Must I disclose these stocks even though they are held in an IRA and I did not decide which stocks to purchase?
- A. Yes. Disclose on Schedule A-1 or A-2 any stock worth \$2,000 or more in a business entity located in or doing business in your jurisdiction.

Questions and Answers Continued

- Q. The value of my stock changed during the reporting period. How do I report the value of the stock?
- A. You are required to report the highest value that the stock reached during the reporting period. You may use your monthly statements to determine the highest value. You may also use the entity's website to determine the highest value. You are encouraged to keep a record of where you found the reported value. Note that for an assuming office statement, you must report the value of the stock on the date you assumed office.
- Q. I am the sole owner of my business, an S-Corporation. I believe that the nature of the business is such that it cannot be said to have any "fair market value" because it has no assets. I operate the corporation under an agreement with a large insurance company. My contract does not have resale value because of its nature as a personal services contract. Must I report the fair market value for my business on Schedule A-2 of the Form 700?
- A. Yes. Even if there are no *tangible* assets, intangible assets, such as relationships with companies and clients are commonly sold to qualified professionals. The "fair market value" is often quantified for other purposes, such as marital dissolutions or estate planning. In addition, the IRS presumes that "personal services corporations" have a fair market value. A professional "book of business" and the associated goodwill that generates income are not without a determinable value. The Form 700 does not require a precise fair market value; it is only necessary to check a box indicating the broad range within which the value falls.
- Q. I own stock in IBM and must report this investment on Schedule A-1. I initially purchased this stock in the early 1990s; however, I am constantly buying and selling shares. Must I note these dates in the "Acquired" and "Disposed" fields?
- A. No. You must only report dates in the "Acquired" or "Disposed" fields when, during the reporting period, you initially purchase a reportable investment worth \$2,000 or more or when you dispose of the entire investment. You are not required to track the partial trading of an investment.
- Q. On last year's filing I reported stock in Encoe valued at \$2,000 - \$10,000. Late last year the value of this stock fell below and remains at less than \$2,000. How should this be reported on this year's statement?
- A. You are not required to report an investment if the value was less than \$2,000 during the **entire** reporting period. However, because a disposed date is not required for stocks that fall below \$2,000, you may want to report the stock and note in the "comments" section that the value fell below \$2,000. This would be for informational purposes only; it is not a requirement.
- Q. We have a Section 529 account set up to save money for our son's college education. Is this reportable?
- A. If the Section 529 account contains reportable interests (e.g., common stock valued at \$2,000 or more), those interests are reportable (not the actual Section 529 account). If the account contains solely mutual funds, then nothing is reported.

Income Disclosure

- Q. I reported a business entity on Schedule A-2. Clients of my business are located in several states. Must I report all clients from whom my pro rata share of income is \$10,000 or more on Schedule A-2, Part 3?
- A. No, only the clients located in or doing business on a regular basis in your jurisdiction must be disclosed.
- Q. I believe I am not required to disclose the names of clients from whom my pro rata share of income is \$10,000 or more on Schedule A-2 because of their right to privacy. Is there an exception for reporting clients' names?
- A. Regulation 18740 provides a procedure for requesting an exemption to allow a client's name not to be disclosed if disclosure of the name would violate a legally recognized privilege under California or Federal law. This regulation may be obtained from our website at www.fppc.ca.gov. (See Reference Pamphlet, page 14.)

Questions and Answers Continued

Q. I am sole owner of a private law practice that is not reportable based on my limited disclosure category. However, some of the sources of income to my law practice are from reportable sources. Do I have to disclose this income?

A. Yes, even though the law practice is not reportable, reportable sources of income to the law practice of \$10,000 or more must be disclosed. This information would be disclosed on Schedule C with a note in the "comments" section indicating that the business entity is not a reportable investment. The note would be for informational purposes only; it is not a requirement.

Q. I am the sole owner of my business. Where do I disclose my income - on Schedule A-2 or Schedule C?

A. Sources of income to a business in which you have an ownership interest of 10% or greater are disclosed on Schedule A-2. (See Reference Pamphlet, page 8.)

Q. My spouse is a partner in a four-person firm where all of their business is based on their own billings and collections from various clients. How do I report my community property interest in this business and the income generated in this manner?

A. If your spouse's investment in the firm is 10% or greater, disclose 100% of your spouse's share of the business on Schedule A-2, Part 1 and 50% of your spouse's income on Schedule A-2, Parts 2 and 3. For example, a client of your spouse's must be a source of at least \$20,000 during the reporting period before the client's name is reported.

Q. How do I disclose my spouse's or registered domestic partner's salary?

A. Report the name of the employer as a source of income on Schedule C.

Q. I am a doctor. For purposes of reporting \$10,000 sources of income on Schedule A-2, Part 3, are the patients or their insurance carriers considered sources of income?

A. If your patients exercise sufficient control by selecting you instead of other doctors, then your patients, rather than their insurance carriers, are sources of income to you. (See Reference Pamphlet, page 14.)

Q. I received a loan from my grandfather to purchase my home. Is this loan reportable?

A. No. Loans received from family members are not reportable.

Q. Many years ago, I loaned my parents several thousand dollars, which they paid back this year. Do I need to report this loan repayment on my Form 700?

A. No. Payments received on a loan made to a family member are not reportable.

Real Property Disclosure

Q. During this reporting period we switched our principal place of residence into a rental. I have full disclosure and the property is located in my agency's jurisdiction, so it is now reportable. Because I have not reported this property before, do I need to show an "acquired" date?

A. No, you are not required to show an "acquired" date because you previously owned the property. However, you may want to note in the "comments" section that the property was not previously reported because it was used exclusively as your residence. This would be for informational purposes only; it is not a requirement.

Q. I am a city manager, and I own a rental property located in an adjacent city, but one mile from the city limit. Do I need to report this property interest?

A. Yes. You are required to report this property because it is located within 2 miles of the boundaries of the city you manage.

Q. Must I report a home that I own as a personal residence for my daughter?

A. You are not required to disclose a home used as a personal residence for a family member unless you receive income from it, such as rental income.

Q. I am a co-signer on a loan for a rental property owned by a friend. Since I am listed on the deed of trust, do I need to report my friend's property as an interest in real property on my Form 700?

A. No. Simply being a co-signer on a loan for property does not create a reportable interest in that real property.

Questions and Answers Continued

Gift Disclosure

- Q. If I received a reportable gift of two tickets to a concert valued at \$100 each, but gave the tickets to a friend because I could not attend the concert, do I have any reporting obligations?
- A. Yes. Since you accepted the gift and exercised discretion and control of the use of the tickets, you must disclose the gift on Schedule D.
- Q. Julia and Jared Benson, a married couple, want to give a piece of artwork to a county supervisor. Is each spouse considered a separate source for purposes of the gift limit and disclosure?
- A. Yes, each spouse may make a gift valued at the gift limit during a calendar year. For example, during 2022 the gift limit was \$520, so the Bensons may have given the supervisor artwork valued at no more than \$1,040. The supervisor must identify Jared and Julia Benson as the sources of the gift.
- Q. I am a Form 700 filer with full disclosure. Our agency holds a holiday raffle to raise funds for a local charity. I bought \$10 worth of raffle tickets and won a gift basket valued at \$120. The gift basket was donated by Doug Brewer, a citizen in our city. At the same event, I bought raffle tickets for, and won a quilt valued at \$70. The quilt was donated by a coworker. Are these reportable gifts?
- A. Because the gift basket was donated by an outside source (not an agency employee), you have received a reportable gift valued at \$110 (the value of the basket less the consideration paid). The source of the gift is Doug Brewer and the agency is disclosed as the intermediary. Because the quilt was donated by an employee of your agency, it is not a reportable gift.
- Q. My agency is responsible for disbursing grants. An applicant (501(c)(3) organization) met with agency employees to present its application. At this meeting, the applicant provided food and beverages. Would the food and beverages be considered gifts to the employees? These employees are designated in our agency's conflict of interest code and the applicant is a reportable source of income under the code.
- A. Yes. If the value of the food and beverages consumed by any one filer, plus any other gifts received from the same source during the reporting period total \$50 or more, the food and beverages would be reported using the fair market value and would be subject to the gift limit.
- Q. I received free admission to an educational conference related to my official duties. Part of the conference fees included a round of golf. Is the value of the golf considered informational material?
- A. No. The value of personal benefits, such as golf, attendance at a concert, or sporting event, are gifts subject to reporting and limits.

CITY COUNCIL

MAYOR
CELESTE T. RODRIGUEZ

VICE MAYOR
MARY MENDOZA

COUNCILMEMBER
JOEL FAJARDO

COUNCILMEMBER
CINDY MONTAÑEZ

COUNCILMEMBER
MARY SOLORIO

UNSCHEDULED VACANCY NOTICE

**City of San Fernando
Planning and Preservation Commission**

The San Fernando City Council is now accepting applications for appointment to the San Fernando Planning and Preservation Commission ("Commission") to fill one (1) unscheduled vacancy for the term of office from the date of appointment through December 2023 and shall continue in the position beyond one year until replaced by the appointing City Councilmember or until the member resigns.

Applicants must be at least 18 years old, a registered voter and reside within the City jurisdiction. It is encouraged that applicants be involved or employed in the field of Planning and Preservation and culture or related subjects. Commissioners receive a monthly meeting attendance stipend of \$100.00.

The Planning and Preservation Commission consists of five Commission members. During the Commissions annual reorganization, Commissioners must choose members to serve as Chair and as Vice Chair; and the terms of office shall be for one year or until successors chosen.

**City Hall Council Chambers
117 Macneil Street
Monthly Meetings held on the Second Tuesday
Starts at 6:30 p.m.**

Applications will be accepted from June 26, 2023 through July 10, 2023 by 5:30 p.m. To obtain an application to apply, please contact Julia Fritz, City Clerk at (818) 898-1204 or via email at cityclerk@sfcity.org.

Dated this 26th day of June 2023
City of San Fernando, California
/s/Julia Fritz, CMC
City Clerk

CITY CLERK
DEPARTMENT

117 MACNEIL STREET
SAN FERNANDO
CALIFORNIA
91340

(818) 898-1204

WWW.SFCITY.ORG

cc: Kanika Kith, Deputy City Manager/Economic Development

CITY OF SAN FERNANDO		POLICY/PROCEDURE
NUMBER		SUBJECT Code of Ethics and Conduct
ORIGINAL ISSUE April 4, 1997	EFFECTIVE April 4, 1997	
CURRENT ISSUE	EFFECTIVE	CATEGORY Management Policy & Procedures
SUPERSEDES		

I. PURPOSE AND SCOPE

The purpose of this regulation is to:

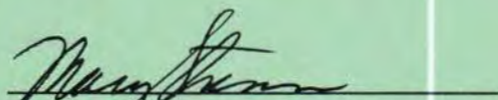
- A. Summarize for the first time in a single document a broad code of ethics and conduct that will apply equally to all employees, despite individual job duties and responsibilities.
- B. Emphasize that each employee in city government occupies a position of public trust that demands the highest moral and ethical standard of conduct.

II. POLICY

- A. No employee shall engage in any business or transaction or shall have a financial or other personal interest, direct or indirect, which is incompatible with the proper discharge of their official duties or would tend to impair their independence or judgement or action in the performance of such duties.
- B. Every employee shall immediately disclose the nature and extent of any interest, direct or indirect, which may conflict with their responsibility or duty, or which, because of their position, may influence a decision. Such disclosure shall be reported to the City Administrator via the Department Head in the form of a memorandum.
- C. Any employee desiring to apply for a city-sponsored program shall inform the City Administrator via the Department Head in memorandum form. The memorandum shall be immediately forwarded to the City Attorney for review as to any potential violation of applicable conflict of interest rules.

AUTHORITY

By order of the City Administrator


Mary Strenn, City Administrator

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To: Planning and Preservation Commission

From: Erika Ramirez, Director of Community Development
Marina Khrustaleva, Associate Planner

Date: November 13, 2023

Subject: Conformance Report regarding modifications to the previously approved project SPR2015-019, the development of a six-unit condominium project at 1001 Glenoaks Blvd.

RECOMMENDATION:

Staff recommends that the Planning and Preservation Commission receive and file conformance review of modifications to the previously approved project SPR2015-019, the development of a six-unit condominium project at 1001 Glenoaks Blvd.

BACKGROUND:

1. On March 5, 2019, the Planning and Preservation Commission approved Site Plan Review 2015-019, as well as Zone Change 2018-002, and Conditional Use Permit 2018-006 for the development of a six-unit condominium project at 1001 Glenoaks Blvd within the existing C-1 Limited Commercial zone which was proposed to change to Multiple Family R-2 Residential Planned Development (RPD) zone (Resolution No. 2019-004).
2. The implementation of the project has been significantly delayed and impeded by the Covid-19 pandemic. Due to labor force shortage and growing construction materials prices, the property owners had to reconsider some approved design elements to finalize the construction in a reasonable timeframe.
3. In July 2023, the property owner, Fred Partovi, requested the final inspection from the City. Upon the inspection, Planning staff recognized multiple modifications to the previously approved plans, as well as non-compliance with the number of Conditions of Approval. Staff worked closely with the Public Works Department and the applicant to meet the Conditions of Approval and bring the design as close to the approved version as possible.
4. On 10/6/2023, the project received a final sign off on the Job Card from Planning and Public Works.

ANALYSIS:

On July 14, 2023, Planning staff conducted a site visit at 1001 Glenoaks Blvd. to verify that the six-unit condominium project had been built according to the approved plans. Staff recognized multiple modifications to architectural design and landscape plan. In July-October, the applicant

provided upgrades to the property to bring the design as close to the approved version as possible. Some discrepancies with the previously approved plans have been corrected:

Modifications to Approved Plans (corrected)	Applicant's Action
Proposed wood details (front porch posts and fascia, posts and beams on porches on the north elevation, brackets under the balconies and bay windows) are replaced with simplified concrete details.	Wood braces have been installed under 2 balconies facing Glenoaks Blvd.
Wood trellis above the large first floor window on the east elevation is missing; tile overhangs over garden windows are missing.	Wood trellis have been installed above the large first floor window on the east elevation over garden windows on the south elevation. Tile overhangs proved to be too heavy and unsafe.
The dual-color painting scheme (red and beige) on the north elevation turned into one color only (beige).	The elevation has been re-painted according to the approved color scheme.
The existing CMU wall was proposed to be re-stuccoed and painted – not done.	CMU wall has been painted.
Provided landscaping didn't match the approved conceptual landscape plan. Condition of Approval No. 5 requested to submit a complete landscaping plan, including plants, pavement, and irrigation (that haven't been done).	The detailed landscape and irrigation plans have been submitted, reviewed, and approved by the City Engineer. Landscaping has been implemented per approved plans.

Some modifications to the previously approved plans have been deemed minor or not feasible to correct. The following chart outlines the extent of the modifications and explains applicant's reasoning for each change:

Modifications to Approved Plans (remaining)	Applicant's Response
The distance between the top edge of the second floor windows and the cornice has been eliminated.	Distance between the top edge of the second floor window and the cornice was reduced because the architect drew all elevations based on doors and windows being 6'-8" high. However, we put 8' high doors and windows, therefore windows headers were pushed 16" higher toward 9' high ceiling.

Conformance Report regarding modifications to the previously approved project SPR2015-019, the development of a six-unit condominium project at 1001 Glenoaks Blvd.

Page 3 of 4

Wood top rails on the balconies are replaced with metal rails.	Wood top rails are not maintenance free and will deteriorate over short period of time, therefore, they have been replaced with metal rails.
Dark brown vinyl windows with divided lights have been replaced with simplified white vinyl windows without mullions.	White windows have been approved by Planning Division (Gerardo Marquez) at the job site, based on the presented sample.
Entry doors with divided lights have been replaced with solid doors with one glass opening.	Existing doors have been approved by Planning Division (Gerardo Marquez) via email.
Decorative culture stone veneer was proposed to cover the full height of the ground floor. It has been lowered to less than a half of the ground floor height; it is completely missing on the north elevation.	At this stage it is very difficult and costly, if not impossible to install veneer over stucco color coat. Furthermore, these veneer is natural stone, and a new batch will never match the existing veneer. Applicant requests a permission to leave the veneer at the existing height.
An enclosed staircase on the left side of the front elevation became an open staircase. The decorative arched pedestrian gate is missing.	Decorative arched wall was deemed structurally not sound and was removed from the plans during the building plan check process.
Obscure glass doors to one-car garages are replaced with dark-brown vinyl garage doors.	Solid garage doors have been installed for security reasons.
Small vertical windows to the left of the balconies on the first and second floors on the south elevation are missing.	Missing windows were a design flaw, they were proposed at the level of landing between floors.
A new projecting telecommunication closet on the ground floor on the back (east) elevation is created.	The applicant chose not to take any space from garage of the last unit for the telecommunication closet and added it to the exterior.
Four small square windows on the ground floor on the back (east) elevation are missing.	Four small windows shown in the back would have been right behind 2' x 2' soffits built in all garages for utilities, therefore, they have been removed.
Large second floor windows on recessed portions of the wall on the north elevation became smaller. Bay windows and smaller windows on the second floor of the gabled parts on the north elevation are switched. Smaller vertical windows became very small horizontal windows.	The approved plans did not provide a window schedule. The applicant asked contractors to scale windows on page A-3 and determined they were 4' wide. Therefore, they used 4' x 4'-6" windows.

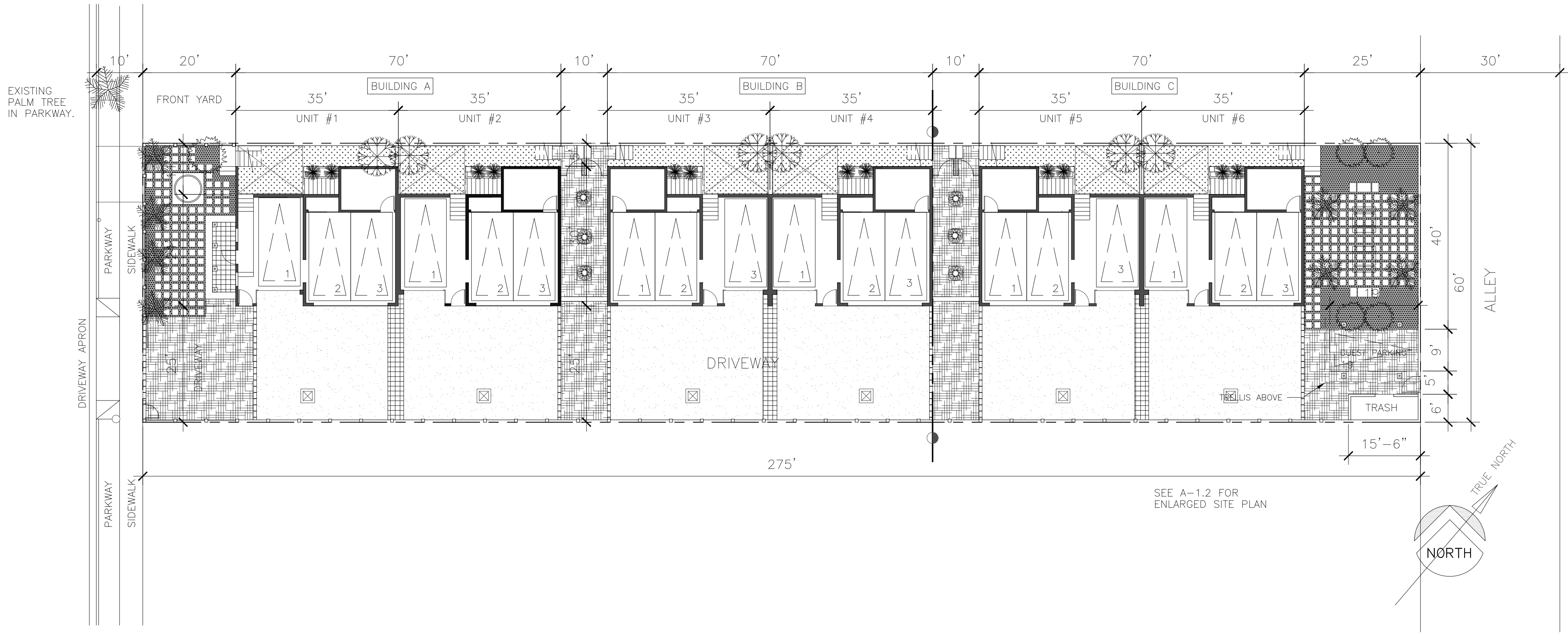
CONCLUSION:

Staff recommends that the Planning and Preservation Commission receive and file staff report regarding modifications to the previously approved project SPR2015-019, the development of a six-unit condominium project at 1001 Glenoaks Blvd.

ATTACHMENTS:

- A. Approved set of plans, project SPR2015-019
- B. Photo documentation of modifications to the previously approved project

GLENOAKS BOULEVARD



Revisions	



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KEY PLAN / PROJECT INFORMATION
NEW 6 UNIT CONDOMINIUM
AT
1001 GLENOAKS BOULEVARD
SAN FERNANDO, CA 91340

date	SEP. 2016
drawn	TS
check	k.s.
scale	1/8"=1'-0"
sheet	

A-1
of ± sheets

KEY PLAN
SCALE: 1/16"=1'-0"

1

Propose Project: (6) 3 BEDROOM CONDOMINIUMS
Address: 1001 Glenoaks Boulevard, San Fernando, Ca. 91340
APN: 2515-016-017
Legal Description: Tract No 1948 Ex of ST Lot 16
Zone: Existing Zone; C1
New Zone; R2-PD
Lot Area; 16,500 S.F. (60x275)
F.A.R. 2,562 S.F. per UNIT
No of Units Allow:16,500 / 2,562 = 6.44 Units = 6 Units
Number of Buildings: (3) Duplex Townhouses
Type of Construction: Type V B
Fire Sprinkler: Fully Sprinkler Throughout
Building Foot print: (3) X 1,925.62 = 5,776.86 S.F.
Building to Land area Ratio: 5,776.86/16,500 = 35%
Building Height: 35'
Easement: None

PROJECT DATA TABLE:			
a.	Total landscaping square footage:		
	Common area:	1,591.75 S.F.	
	Landscape at unit area:	1,320.00 S.F.	
	Total:	2,911.75 S.F.	
b.	Total hardscaping square footage:		
		1,381.25 S.F.	
c.	Square footage breakdown per unit:		
	Ground Floor;	PARKING	891.00 S.F.
	Second Floor;	LIVING	667.50 S.F.
	Third Floor;	BEDROOM	900.15 S.F.
	Building Area per Unit:		2,458.00 S.F.
	Total 6 Units:		14,748.00 S.F.

- d. Common Area square footage per unit:** 2,435.5 S.F./6UNITS = 406 S.F. per unit.
- e. Open Space square footage per unit:** 220 S.F.
- f. Total Open Space square footage:** 1,320.00 S.F.
- g. Storage Room square footage:** 103.5 s.f. per unit

Parking Analysis: Required;

2.5 Cars per 3 bedroom unit = 2.5x6= 15 cars
Guest parking 2/10 car per unit = (6x2)/10 = 1.2 car = 1 car
Total required = 16 cars

Provided;

3 Cars per 3 bedroom unit = 6x3 = 18 cars
Guest parking 2/10 car per unit - (6x2)/10 = 1.2 car = 1 car
Total provided = 19 cars

- A-1.1 KEY PLAN, PROJECT INFORMATION
A-1.2 SITE PLAN
- A-2 OVERALL GARAGE PLAN AND SECOND FLOOR PLAN
A-3 OVERALL THIRD FLOOR PLAN AND ROOF PLAN
- A-4.1 ENLARGED BUILDING A PLANS
A-4.2 ENLARGED BUILDING B, C PLANS
- A-5.1 OVERALL BUILDING ELEVATIONS
A-5.2 BUILDING A ELEVATIONS
A-5.3 BUILDING B ELEVATIONS, BLDG C SIMILAR
- A-6.1 BIRD'S EYE VIEW
A-6.2 STREET VIEW
A-6.3 PERSPECTIVE DETAIL VIEW



PROJECT INFORMATION
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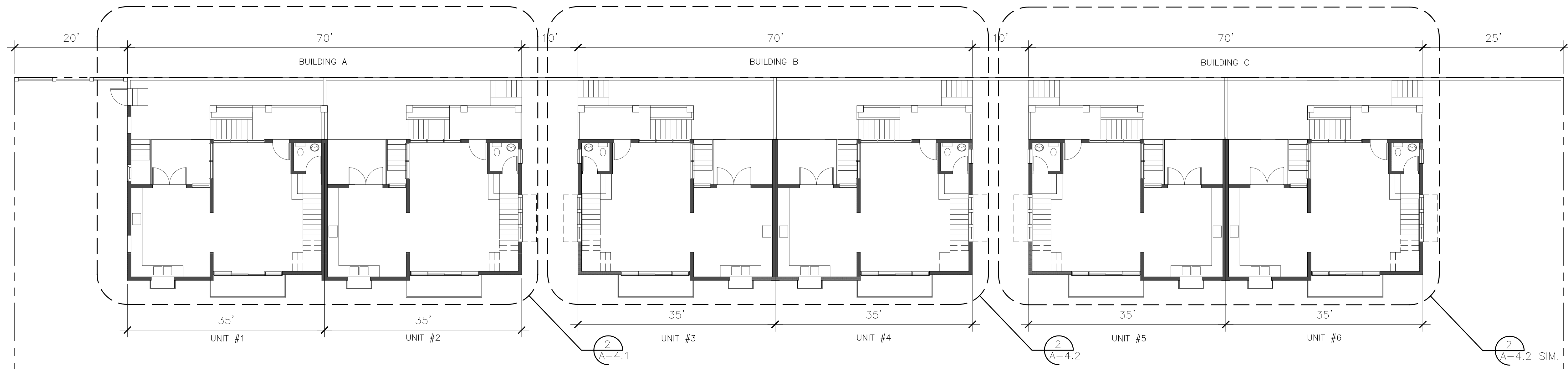
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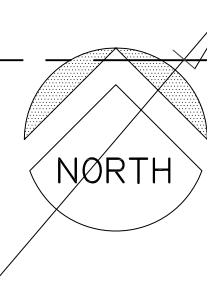
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VICINITY MAP
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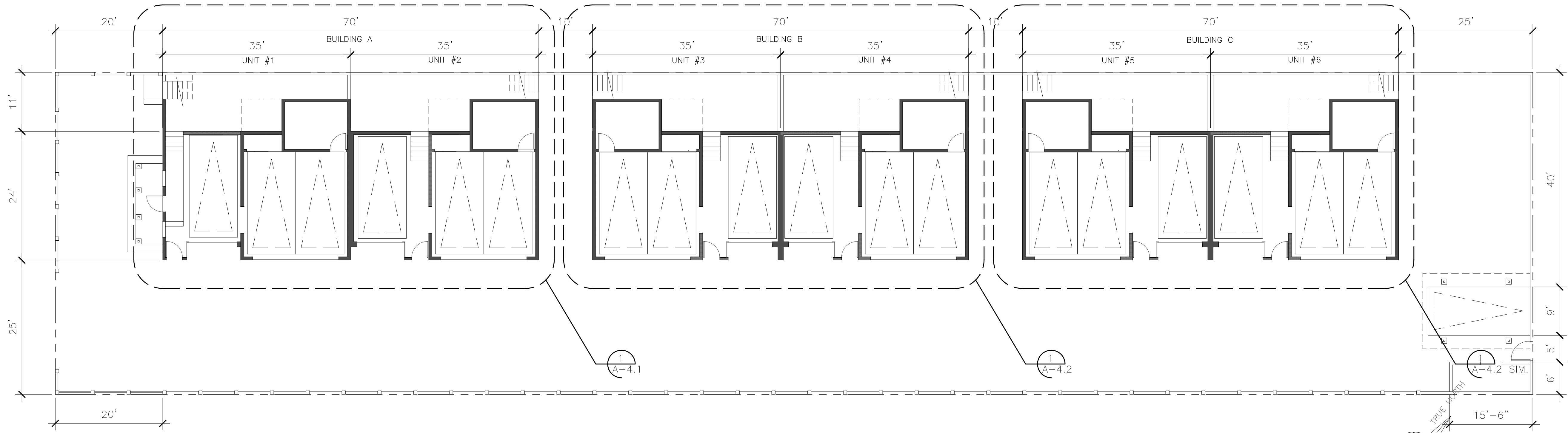
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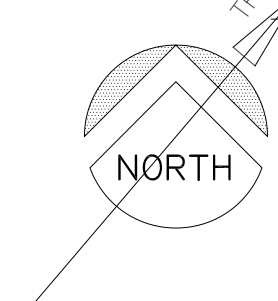
SEE SHEET A-4.1 AND A-4.2
FOR DETAILED PLAN



OVERALL SECOND FLOOR PLAN
SCALE: 3/32"=1'-0"

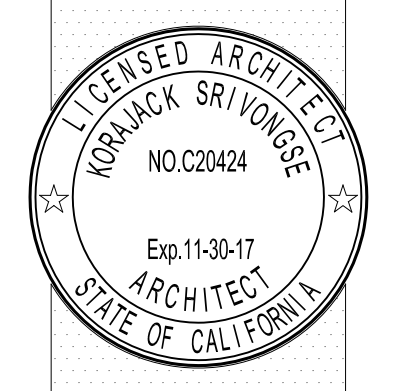


SEE SHEET A-4.1 AND A-4.2
FOR DETAILED PLAN



OVERALL GARAGE PLAN
SCALE: 3/32"=1'-0"

Revisions	



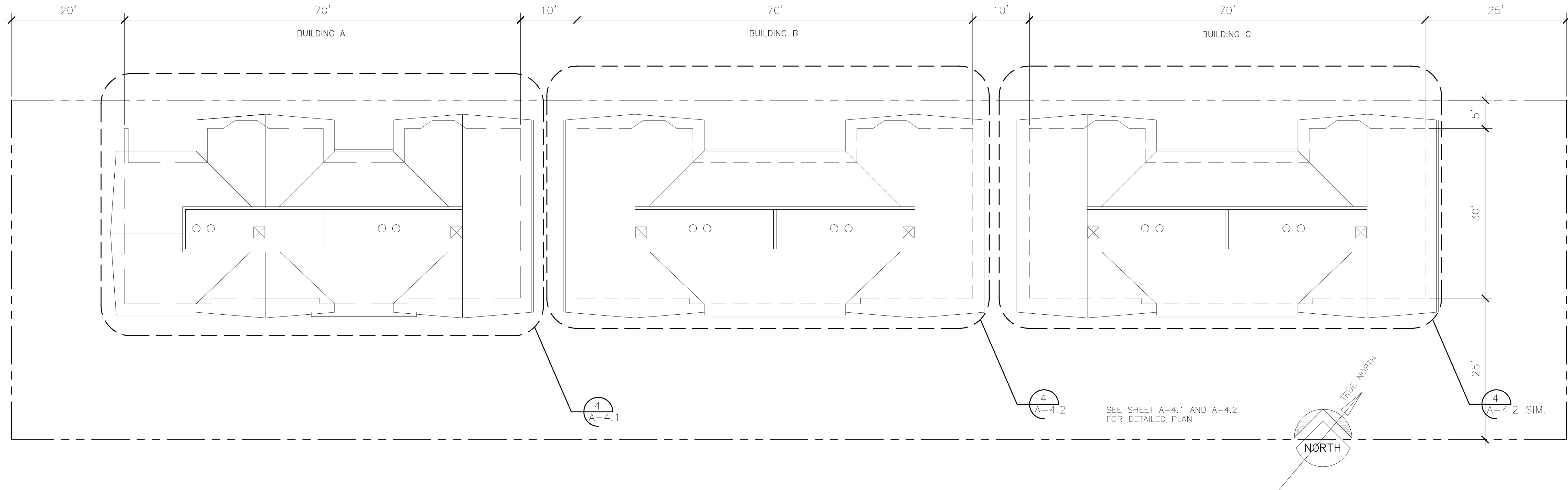
Karajack Srivongse, Architect
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Telephone 562 900 4476 E-mail : ksrivongse@pbio.com

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TEL. XXX

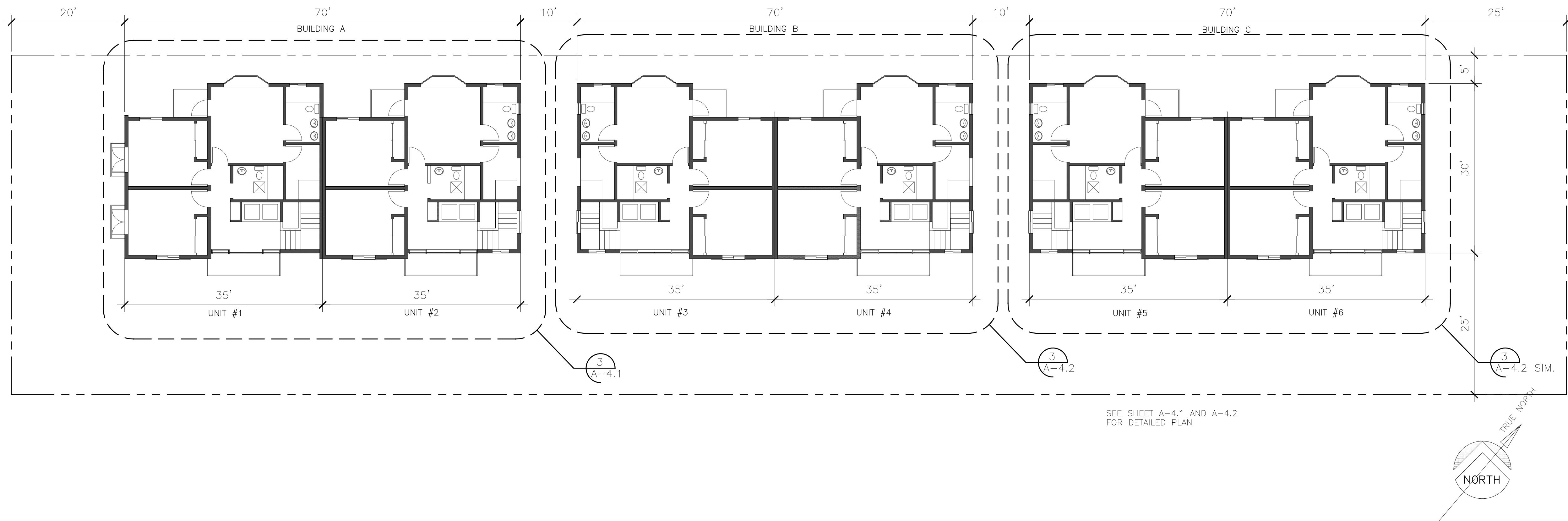
SITE PLAN / ROOF PLAN
NEW 6 UNIT CONDOMINIUM
AT
1001 GLENOAKS BOULEVARD
SAN FERNANDO, CA 91340

date	SEP, 2016
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check	k.s.
scale	3/32"=1'-0"
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A-2
of ± sheets

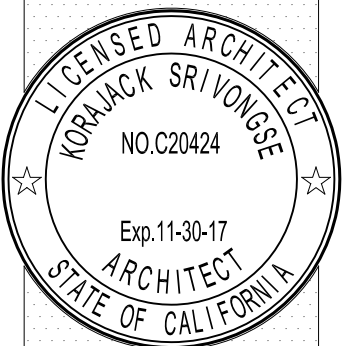


OVERALL ROOF PLAN
SCALE: 1/16"=1'-0"



OVERALL THIRD FLOOR PLAN
SCALE: 1/8"=1'-0"

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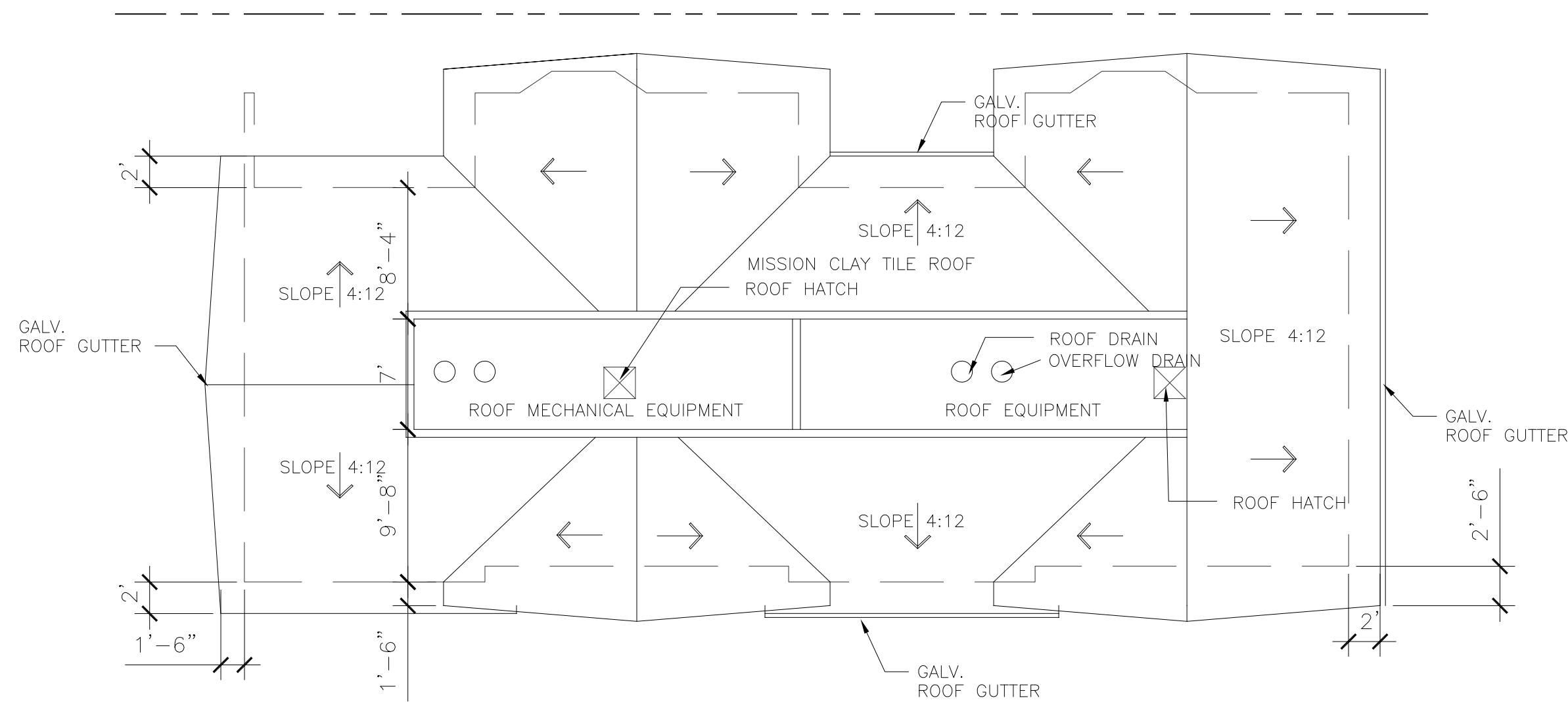
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FIRST AND SECOND OVERALL FLR PLAN
NEW 6 UNIT CONDOMINIUM
AT
1001 GLENOAKS BOULEVARD
SAN FERNANDO, CA 91340

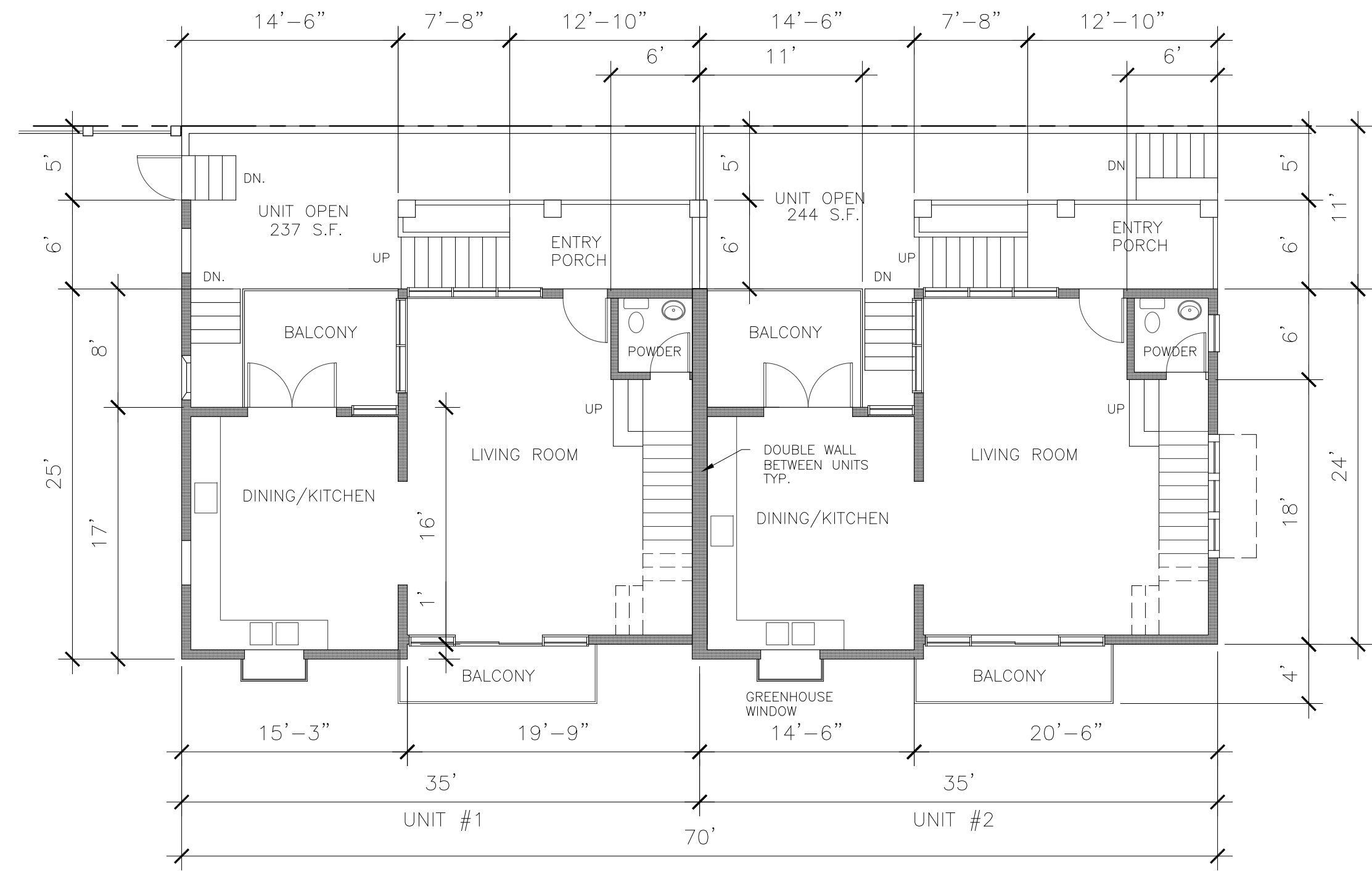
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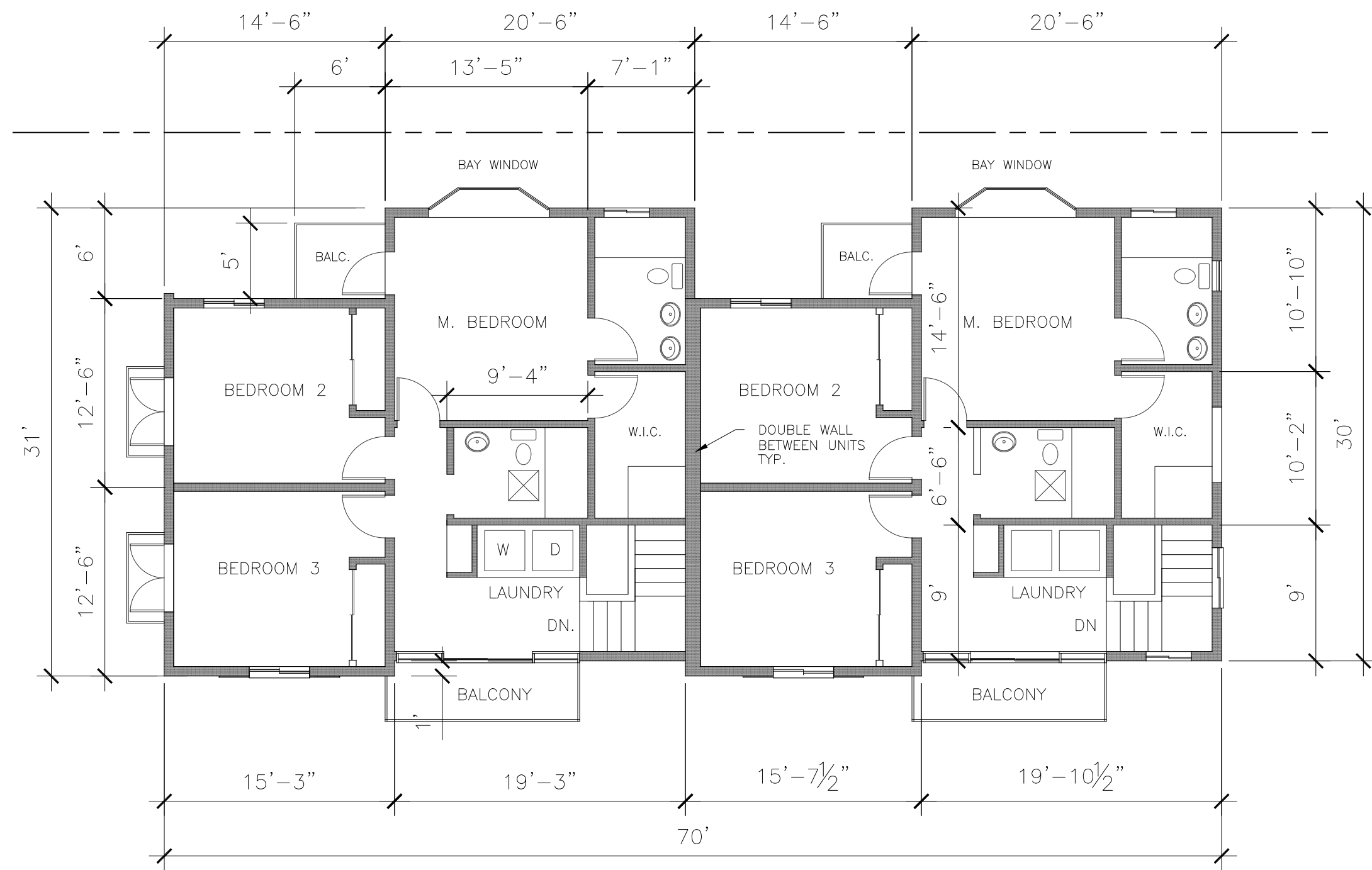
ROOF PLAN

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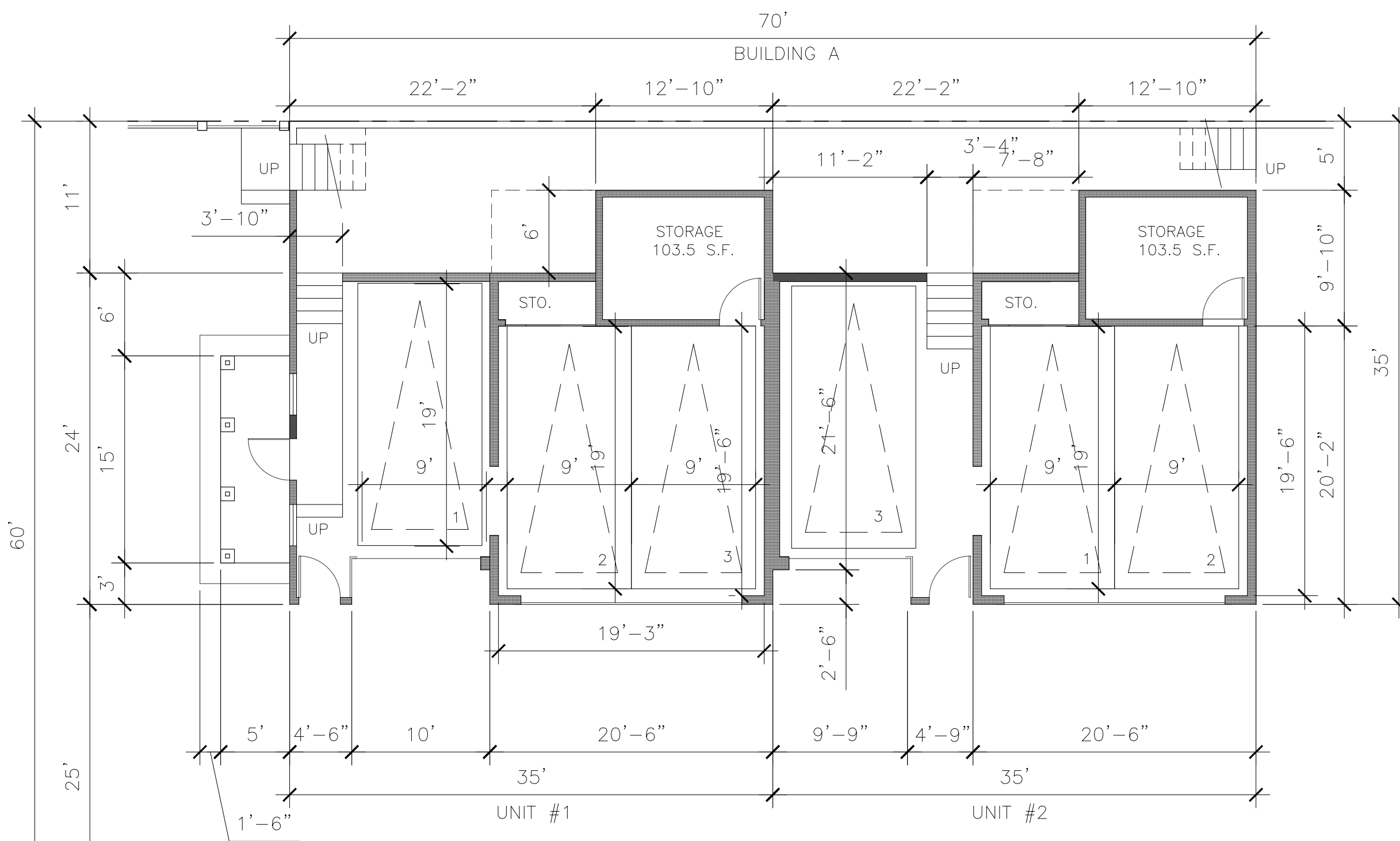
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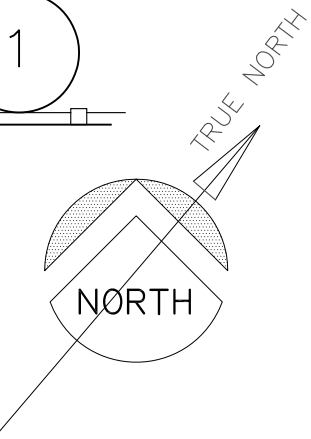
THIRD FLOOR PLAN

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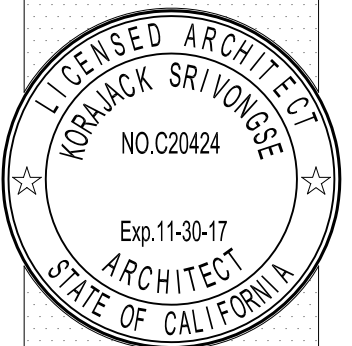


GARAGE PLAN

1



Revisions	



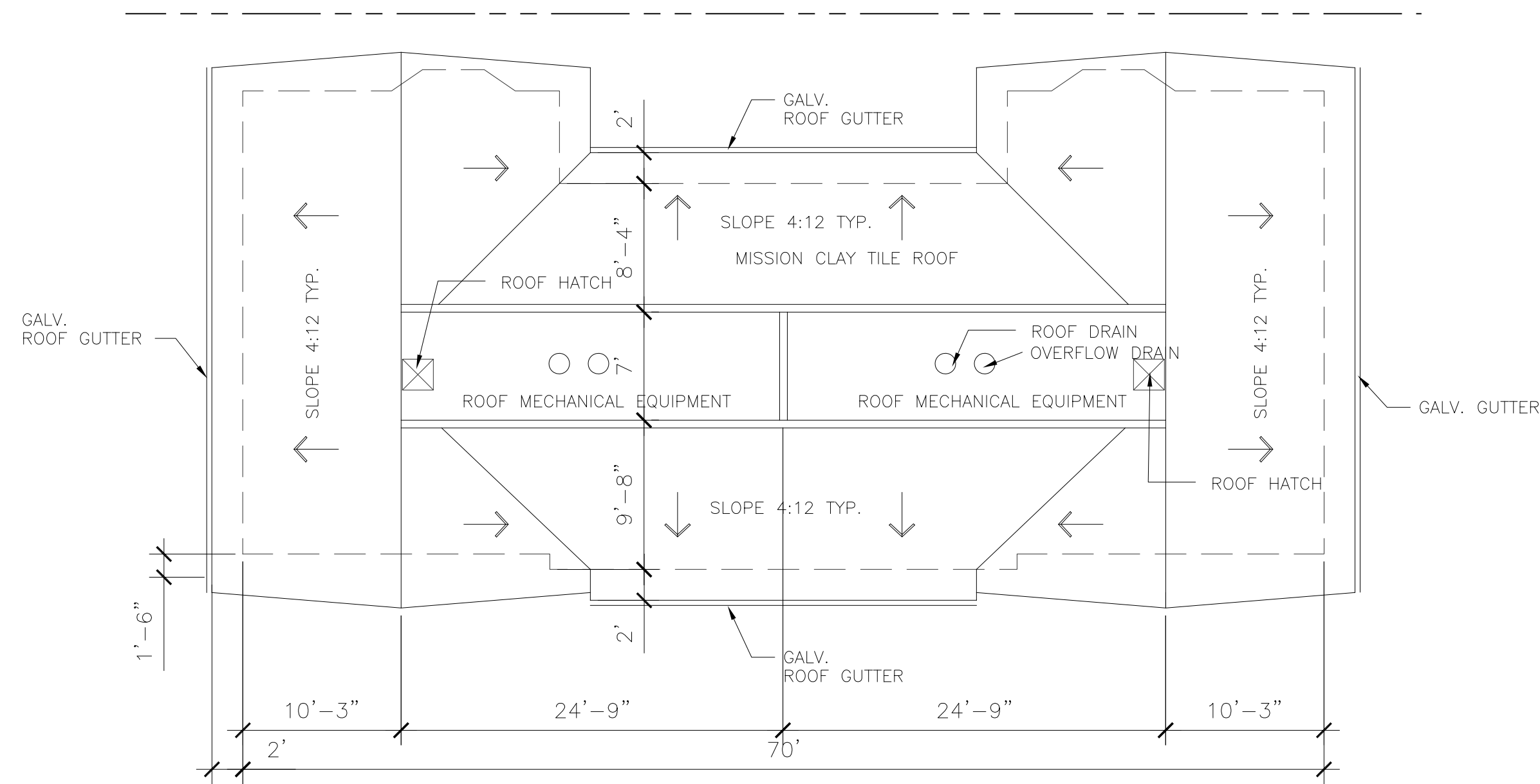
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BUILDING A PLANS
NEW 6 UNIT CONDOMINIUM
AT
1001 GLENOAKS BOULEVARD
SAN FERNANDO, CA 91340

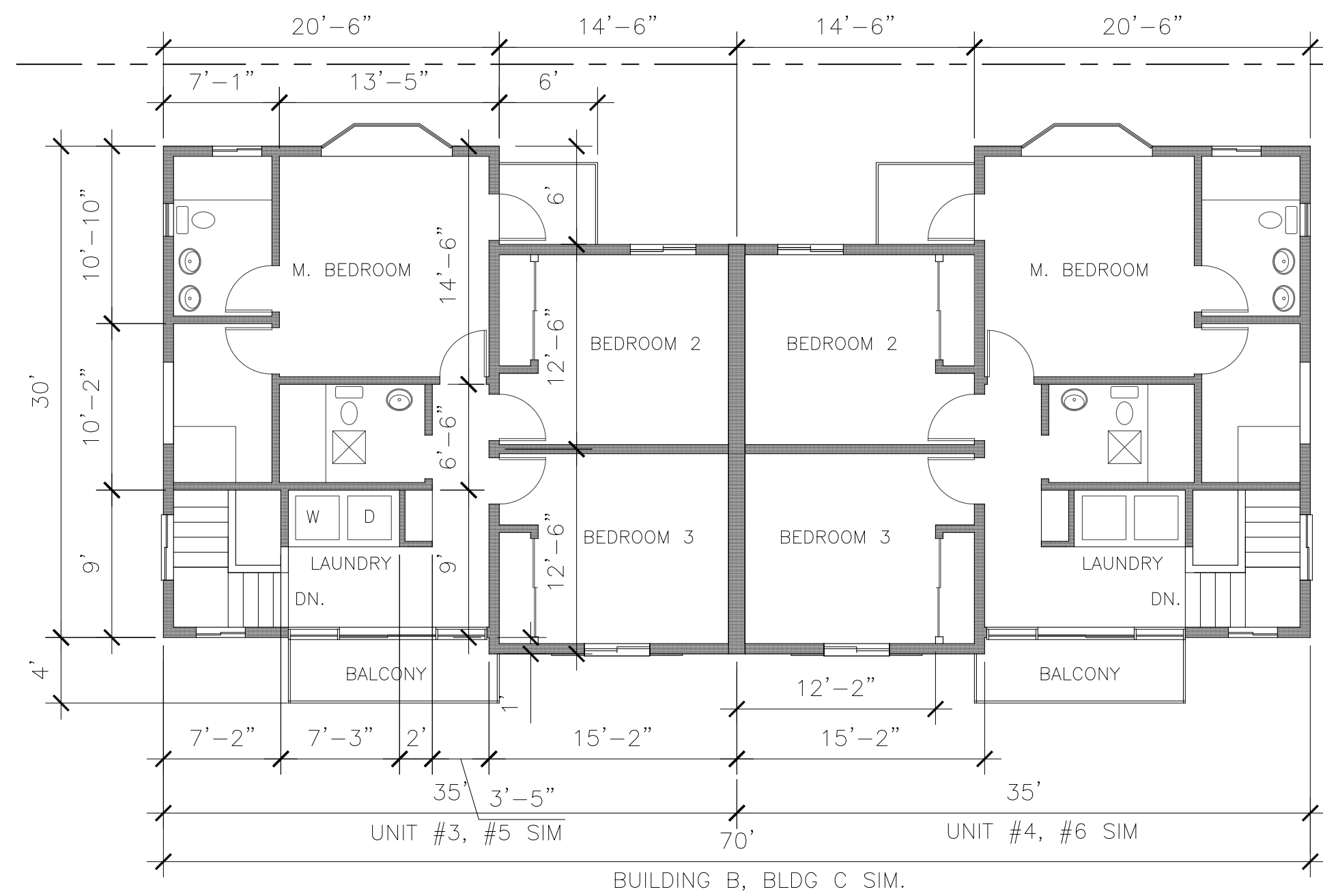
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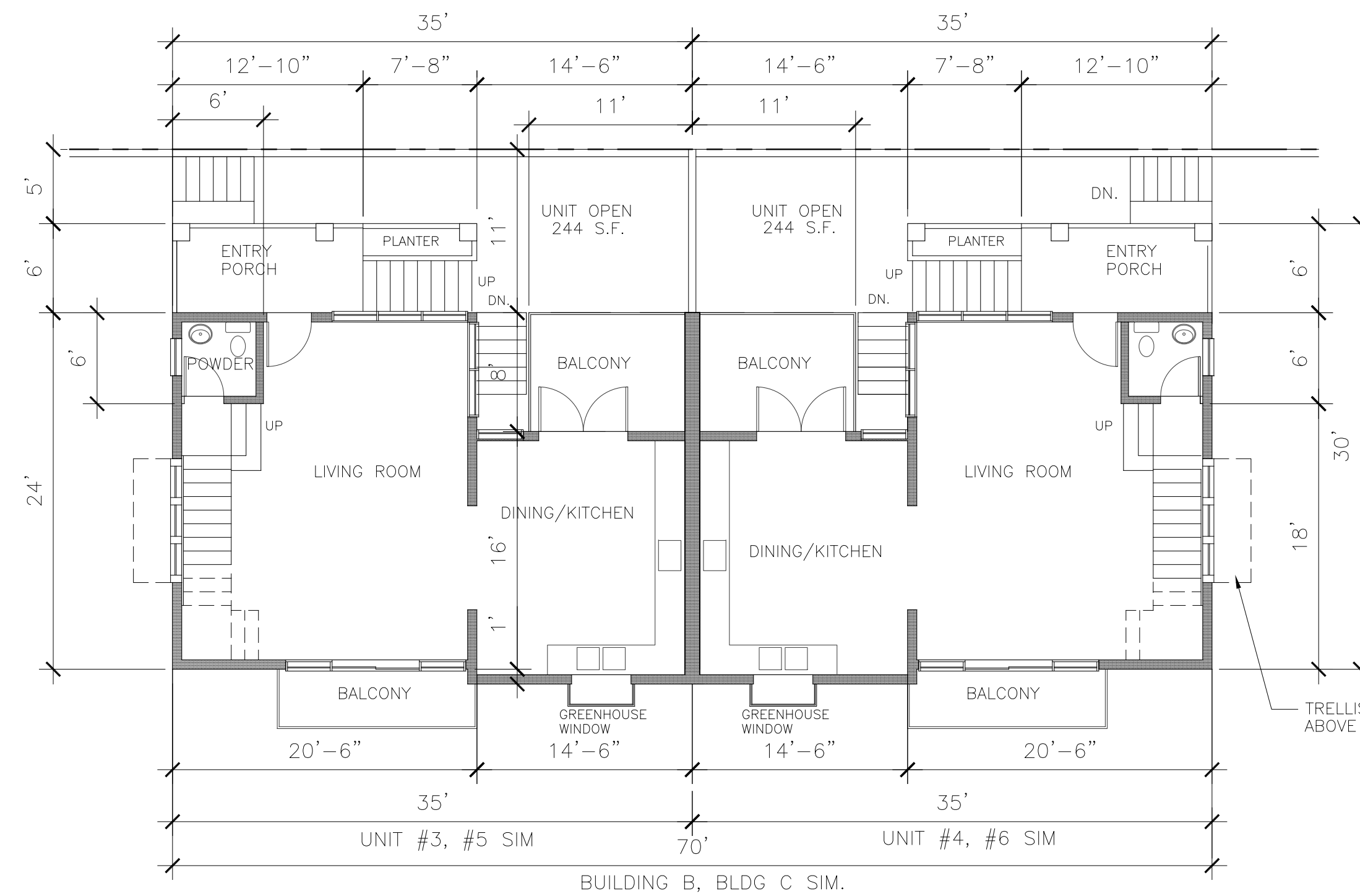
ROOF PLAN

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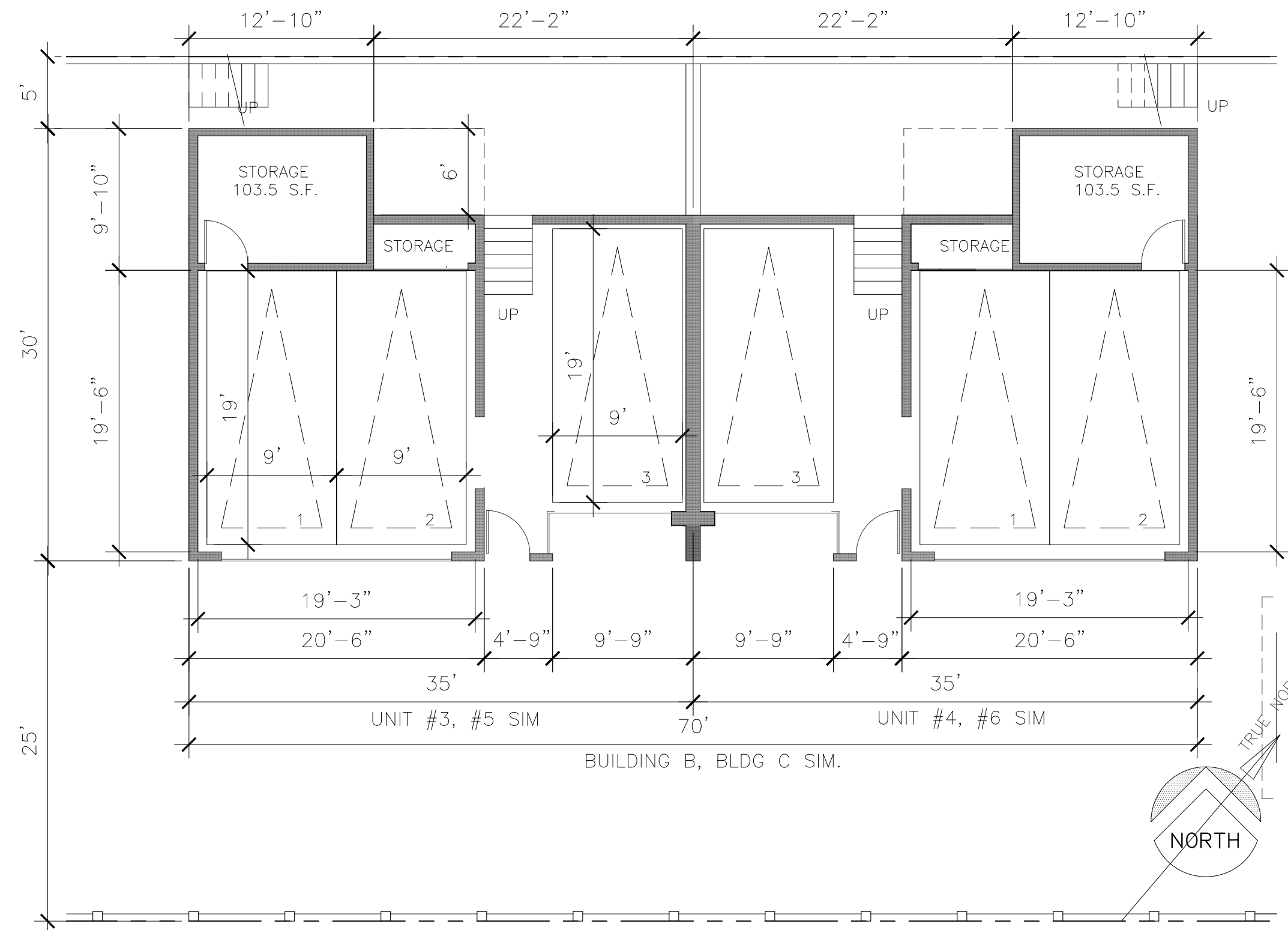
THIRD FLOOR PLAN

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SECOND FLOOR PLAN

2



GARAGE PLAN

1

Revisions	



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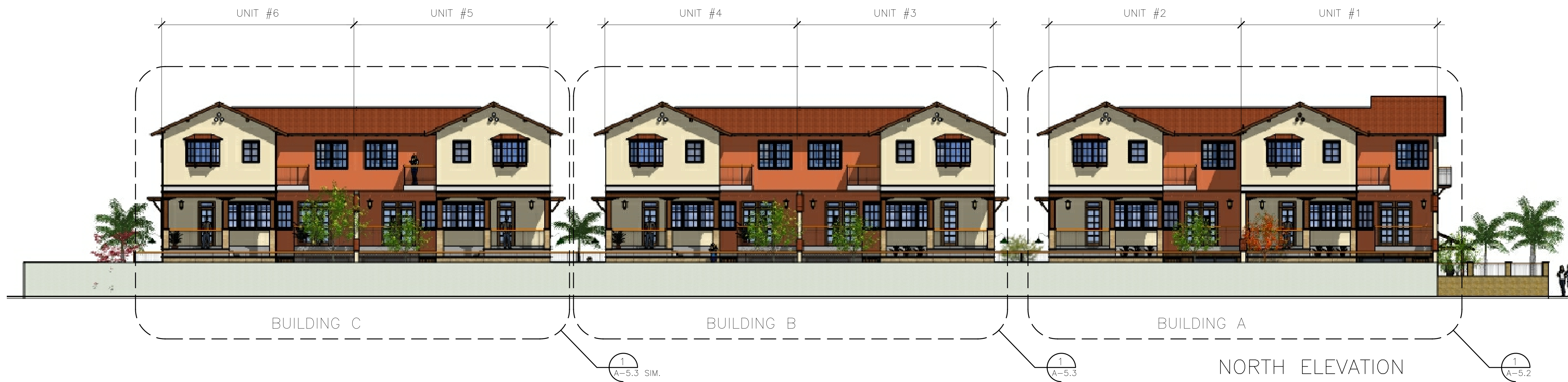
OWNER
PARTOVI BROTHERS
XXXXXX
ENCINO CALIFORNIA 91316
TEL. XXX

BUILDING B PLANS, BUILDING C SIM
NEW 6 UNIT CONDOMINIUM
AT
1001 GLENOAKS BOULEVARD
SAN FERNANDO, CA 91340

date	SEP, 2016
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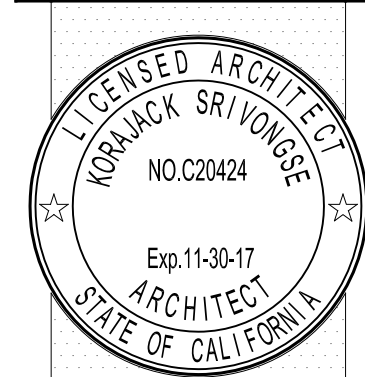
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END ELEVATIONS SEE SHEET A-5.2 AND A-5.3

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BUILDING SITE ELEVATIONS
NEW 6 UNIT CONDOMINIUM
AT
1001 GLENOAKS BOULEVARD
SAN FERNANDO, CA 91340

date	SEP, 2016
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of ± sheets



SOUTH ELEVATION

FACING DRIVEWAY

4



WEST ELEVATION

FACING GLENOAKS BLVD.

2



EAST ELEVATION

FACING COURT

3



NORTH ELEVATION

FACING SIDE YARD

1

1. SMOOTH TROWELED EXTERIOR CEMENT PLASTER.

2. MISSION CLAY TILE ROOFING.

3. GALVANIZED SECTIONAL GARAGE DOOR WITH LIGHT SLOTS.

4. VINYL DBL PANE GLASS DOORS/ WINDOWS. (DARK BROWN)

5. WROUGHT IRON BALCONY GUARDRAIL, PAINTED ACCENT TOP RAIL.

6. GARDEN WINDOW.

7. PAINTED GALVANIZED ROOF GUTTER.

8. PAINTED GALVANIZED DOWNSPOUT.

9. GARAGE SECTIONAL OVERHEAD DOOR OBSCURE GLASS.

10. WROUGHT IRON SWING GATES.

11. BAY WINDOW.

12. YARD FENCE.

13. DECORATIVE WOOD SHUTTER.

14. TRELLIS

15. CULTURE STONE FINISH AND TRIM.

16. WALL SCONCES.

17. WALL MOUNTED DOME LIGHT.

18. CLAY PIPES ATTIC VENTS.

19. DECORATIVE FLOOR BAND.

20. ORNAMENTAL WROUGHT IRON GRILL.

21. DECORATIVE ACCENT TILE.

22. CARPORT TRELLIS.

23. ROUGH FINISHED WOOD DOOR.

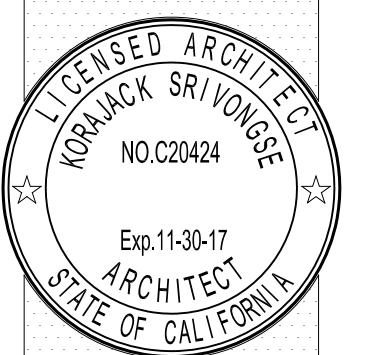
24. EXPOSED DECORATIVE RAFTER TAILS.

25. (E) CMU PROPERTY LINE WALL (PAINT)

26. (N) SLUMP BLOCK PROPERTY LINE WALL WITH PILASTER @ 10' ON CENTER.

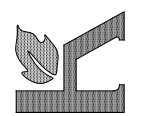
27. ENTRY PORCH STRUCTURE.

Revisions	



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ENLARGED BLDG A ELEVATIONS
NEW 6 UNIT CONDOMINIUM

AT
1001 GLENOAKS BOULEVARD
SAN FERNANDO, CA 91340

date	SEP, 2016
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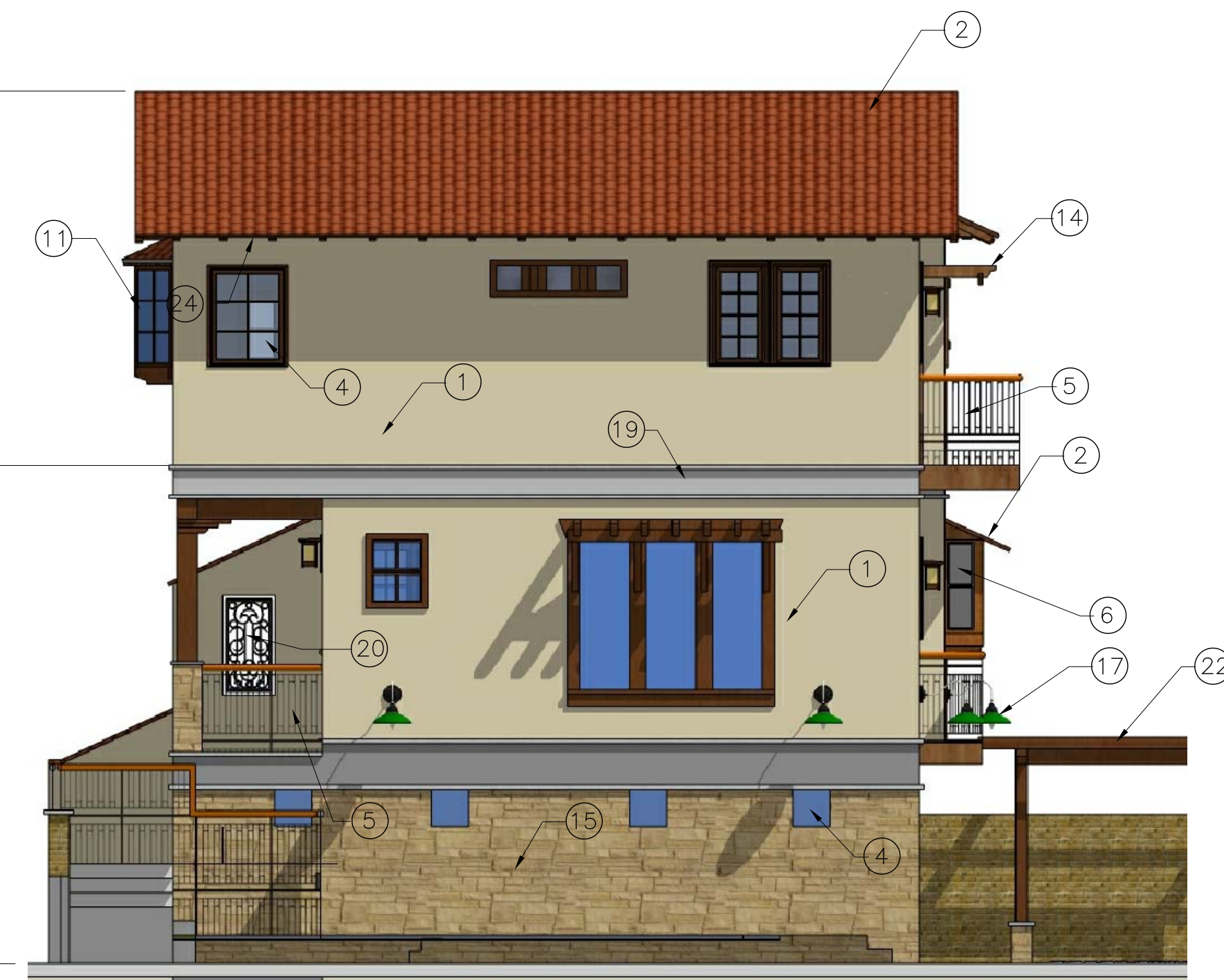
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SOUTH ELEVATION

FACING DRIVEWAY

4



WEST ELEVATION

FACING GLENOAKS BLVD.

2



EAST ELEVATION

FACING COURT

3



NORTH ELEVATION

FACING SIDE YARD

1

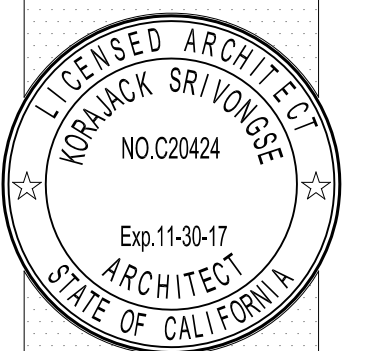
- ① SMOOTH TROWELED EXTERIOR CEMENT PLASTER.
- ② MISSION CLAY TILE ROOFING.
- ③ GALVANIZED SECTIONAL GARAGE DOOR WITH LIGHT SLOTS.
- ④ VINYL DBL PANE GLASS DOORS/ WINDOWS. (DARK BROWN)
- ⑤ WROUGHT IRON BALCONY GUARDRAIL, PAINTED ACCENT TOP RAIL.
- ⑥ GARDEN WINDOW.
- ⑦ PAINTED GALVANIZED ROOF GUTTER.

- ⑧ PAINTED GALVANIZED DOWNSPOUT.
- ⑨ GARAGE SECTIONAL OVERHEAD DOOR OBSCURE GLASS.
- ⑩ WROUGHT IRON SWING GATES.
- ⑪ BAY WINDOW.
- ⑫ 24" YARD FENCE ON TOP OF (E) WALL.
- ⑬ DECORATIVE WOOD SHUTTER.
- ⑭ TRELLIS

- ⑮ CULTURE STONE FINISH AND TRIM.
- ⑯ WALL SCONCES.
- ⑰ WALL MOUNTED DOME LIGHT.
- ⑱ CLAY PIPES ATTIC VENTS.
- ⑲ DECORATIVE FLOOR BAND.
- ⑳ ORNAMENTAL WROUGHT IRON GRILL.

- ㉑ DECORATIVE ACCENT TILE.
- ㉒ CARPORT TRELLIS.
- ㉓ ROUGH FINISHED WOOD DOOR.
- ㉔ EXPOSED DECORATIVE RAFTER TAILS.
- ㉕ (E) CMU PROPERTY LINE WALL (PAINT)
- ㉖ (N) SLUMP BLOCK PROPERTY LINE WALL WITH PILASTER @ 10' ON CENTER.
- ㉗ ENTRY PORCH STRUCTURE.

Revisions	



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ENLARGED BLDG B ELEVATIONS, BLDG C SIM.
NEW 6 UNIT CONDOMINIUM
AT
1001 GLENOAKS BOULEVARD
SAN FERNANDO, CA 91340

date	SEP, 2016
drawn	TS
check	k.s.
scale	3/16"=1'-0"
sheet	

A-5.3

of ± sheets



LOOKING SOUTH




LOOKING NORTH

BIRD'S EYE VIEW

NEW 6 UNIT CONDOMINIUM
AT
1001 GLENOAKS BOULEVARD
SAN FERNANDO, CA 91340

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Revisions	
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STREET VIEW SOUTH SIDE



STREET VIEW NORTH SIDE

Revisions	
△	
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PERSPECTIVE VIEW
 NEW 6 UNIT CONDOMINIUM
 AT
 1001 GLENOAKS BOULEVARD
 SAN FERNANDO, CA 91340

date	SEP, 2016
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scale	NTS
sheet	

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 of ± sheets



STREET FRONT PORCH



TYPICAL UNIT ENTRY PORCH



COURT BETWEEN BUILDINGS



GUEST PARKING TRELLIS
TRASH ENCLOSURE, REAR YARD LANDSCAPE

Revisions	
△	
△	
△	
△	
△	



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PERSPECTIVE DETAIL VIEWS
NEW 6 UNIT CONDOMINIUM
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SAN FERNANDO, CA 91340

date	SEP, 2016
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check	k.s.
scale	NTS
sheet	

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of ± sheets

Approved



Implemented



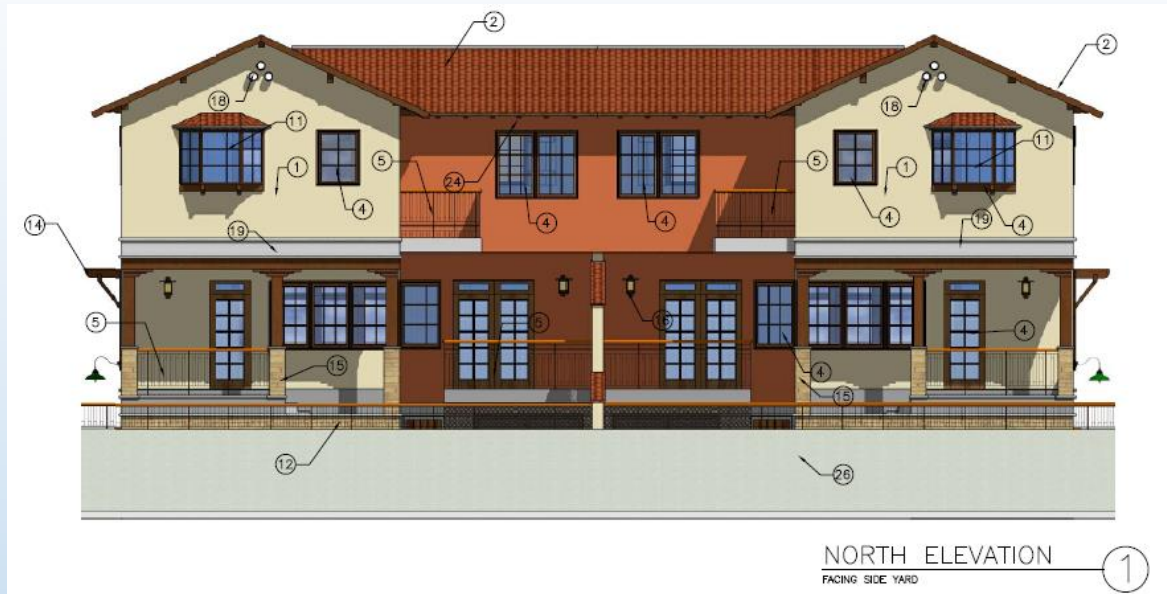
Approved



Implemented



Approved



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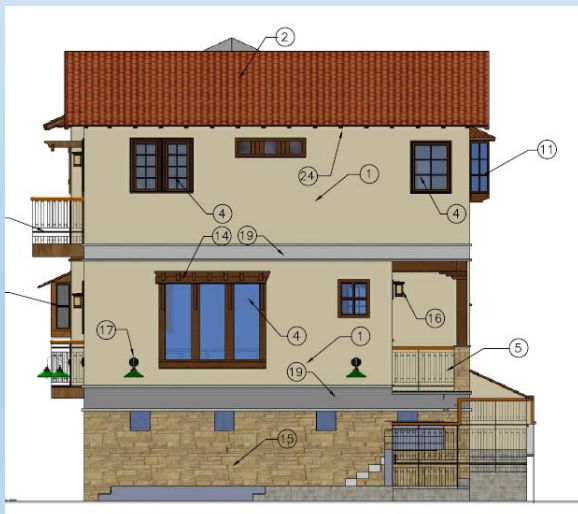
Approved



Implemented



Approved



Implemented



Approved Landscape Plan



Geijera parviflora / Australian Willow



Laurus nobilis / Sweet bay



Lagerstroemia L. 'Miami' / Crape Myrtle



Dianeella n. 'Little Rev' /
Flax Lily



Dianella †, 'variegata' /
Flax Lily



Dietes bicolor /
Fortnight Lily



Diets iridioides Variegated
Variegated Fortnight Lily



ysa' / *Parthenocissus tricuspidata* /
y Boston Ivy



Lantana nr. 'Gold Rush'
 Lantana



Ligustrum J. 'Texense' /
Japanese Privet



Saxifraga trifasciata /
Mother In Law's Tongue



Westringia f. 'Wynabbie Gem' /
Coast Rosemary

TREE LEGEND

SYN.	BOTANICAL NAME	COMMON NAME	SIZE	QTY.	REMARKS	WUCOLS	
  	* <i>Geijera parviflora</i>	Australian Willow	24"box	6		low 0.3	
	* <i>Laurus nobilis</i>	Sweet Bay	24"box	5			low 0.3
	* <i>Lagerstroemia</i> i. 'Miami'	Crape Myrtle	24"box	2			low 0.3

* Points claimed for low water use plants

LANDSCAPE AREA	1,012 (485 sq ft)
IRRIGATION WATER SUPPLY TYPE	POTABLE WATER SUPPLY

EXPANDING WATER SYSTEMS SHALL
BE USED FOR WATER FEATURES

A MINIMUM 3" LAYER OF MULCH SHALL BE APPLIED ON ALL EXPOSED SOIL SURFACES OF PLANTING AREAS EXCEPT TURF AREAS, BEDDING OR ROOTING GREENHOUSES, OR BUILT-UP AREAS. APPLICATIONS SHALL BE CONTINUED.

FOR SOILS LESS THAN 40% ORGANIC MATTER IN THE TOP 6" OF SOIL, COMPOST AT A RATE OF 1/2 ACREBUSH IS + CLOSE SPACES PER 1,000 SF OF PENICILLIN AND 3440 IS INCORPORATED TO A DEPTH OF 6" INTO SOIL.

NOTE











All groundcover areas where plants are 3' or greater to have geotextile fabric installed 3" below finished grade w/ 3" shredded bark above to eliminate weed growth.

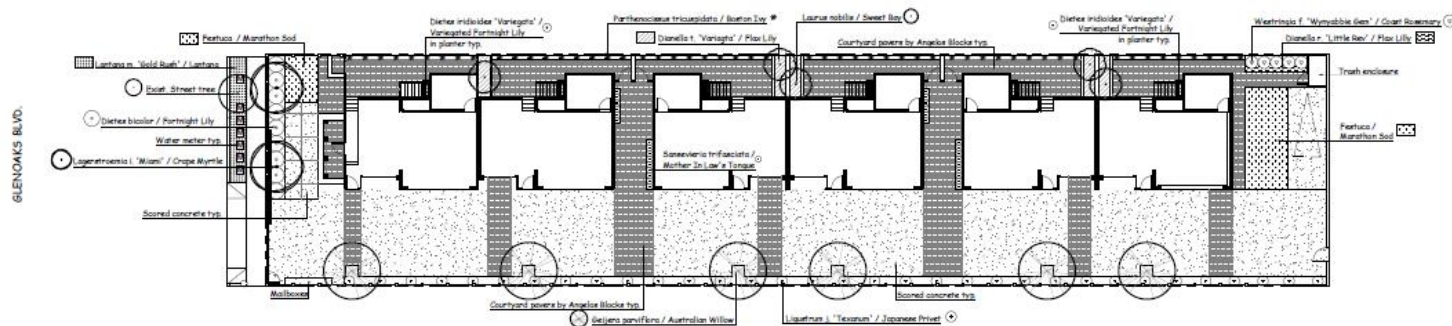
Waterproofing and drains in planters by others.

All trees to be planted with commercial root barriers.

3" deep shredded Cedar bark to spread between plants.

SHRUBS AND GROUND COVER LEGEND

SYM.	BOTANICAL NAME	COMMON NAME	SIZE	QTY.	REMARKS	WUCOLI
	Dianella n. 'Little Rev'	Flax Lily	5-gal	24/oc		low 0.3
	Dianella t. 'Variegata'	Flax Lily	5-gal	24/oc		low 0.3
	* Dietes bicolor	Fortnight Lily	5-gal	9		low 0.3
	* Dietes individes 'Variegata'	Variegated Fortnight Lily	5-gal	12		low 0.3
	Forsythia	Manethoon Sod	sod	-		low 0.3
	Lantana m. 'Gold Rush'	Lantana	5-gal	24/oc		low 0.3
	* Ligustrum j. 'Texanum'	Japanese Privet	5-gal	32		low 0.3
	* Parthenocissus tricuspidata	Boston Ivy	5-gal	54		low 0.3
	* Sesuvia inflatocarpa	Mother In Law's Tongue	5-gal	30		low 0.3
	* Westringia f. 'Wynnyabbie Gem'	Coast Rosemary	5-gal	5		low 0.3



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