

**AGENDA OF A REGULAR MEETING - NATIONAL CITY CITY COUNCIL/
COMMUNITY DEVELOPMENT COMMISSION – HOUSING AUTHORITY OF
THE CITY OF NATIONAL CITY**



**COUNCIL CHAMBERS
CIVIC CENTER
1243 NATIONAL CITY BOULEVARD
NATIONAL CITY, CALIFORNIA
TUESDAY, DECEMBER 17, 2019 – 6:00 PM**

ALEJANDRA SOTELO-SOLIS
Mayor

RON MORRISON
Vice Mayor

JERRY CANO
Councilmember

GONZALO QUINTERO
Councilmember

MONA RIOS
Councilmember

*1243 National City Blvd.
National City, CA 91950
619-336-4240*

*Meeting agendas and
minutes available on web*

WWW.NATIONALCITYCA.GOV

ORDER OF BUSINESS: Public sessions of all Regular Meetings of the City Council / Community Development Commission - Housing Authority (hereafter referred to as Elected Body) begin at 6:00 p.m. on the first and third Tuesday of each month. Public Hearings begin at 6:00 p.m. unless otherwise noted. Closed Meetings begin in Open Session at 5:00 p.m. or such other time as noted, and after announcing closed session items, convenes into a Closed Meeting. If a workshop is scheduled, the subject and time of the workshop will appear on the agenda. The Mayor and Council members also sit as the Chairperson and Members of the Board of the Community Development Commission (CDC).

REPORTS: All open session agenda items and reports as well as all documents and writings distributed to the Elected Body less than 72 hours prior to the meeting, are available for review at the entry to the Council Chambers. Regular Meetings of the Elected Body are webcast and archived on the City's website **www.nationalcityca.gov**.

PUBLIC COMMENTS: Prior to the Business portion of the agenda, the Elected Body will receive public comments regarding any matters within the jurisdiction of the City and/or the Community Development Commission. Members of the public may also address any item on the agenda at the time the item is considered by the Elected Body. Persons who wish to address the Elected Body are requested to fill out a "Request to Speak" form available at the entrance to the City Council Chambers, and turn in the completed form to the City Clerk. The Mayor or Chairperson will separately call for testimony of those persons who have turned in a "Request to Speak" form. If you wish to speak, please step to the podium at the appropriate time and state your name and address (optional) for the record. The time limit established for public testimony is three minutes per speaker unless a different time limit is announced. Speakers are encouraged to be brief. The Mayor or Chairperson may limit the length of comments due to the number of persons wishing to speak or if comments become repetitious or unrelated.

WRITTEN AGENDA: With limited exceptions, the Elected Body may take action only upon items appearing on the written agenda. Items not appearing on the agenda must be brought back on a subsequent agenda unless they are of a demonstrated emergency or urgent nature, and the need to take action on such items arose after the agenda was posted.

CONSENT CALENDAR: Consent calendar items involve matters which are of a routine or noncontroversial nature. All consent items are

adopted by approval of a single motion by the City Council. Prior to such approval, any item may be removed from the consent portion of the agenda and separately considered upon request of a Councilmember, a staff member, or a member of the public.

Upon request, this agenda can be made available in appropriate alternative formats to persons with a disability in compliance with the Americans with Disabilities Act. Please contact the City Clerk's Office at (619) 336-4228 to request a disability-related modification or accommodation. Notification 24-hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

Spanish audio interpretation is provided during Elected Body Meetings. Audio headphones are available in the lobby at the beginning of the meeting.

Audio interpretación en español se proporciona durante sesiones del Consejo Municipal. Los audífonos están disponibles en el pasillo al principio de la junta.

Spanish to English interpretation services are available to members of the public who wish to speak to the City Council during the meeting. "Request to Speak" forms requesting interpretation must be filed within the first two hours of the meeting.

Español a los servicios de interpretación Inglés de audio está disponibles para los miembros del público que desean hablar con el Ayuntamiento durante del Consejo Municipal. "Solicitud para hablar de" formas solicitud de interpretación deben ser presentadas dentro de las dos primeras horas del Consejo Municipal.

COUNCIL REQUESTS THAT ALL CELL PHONES AND PAGERS BE TURNED OFF DURING CITY COUNCIL MEETINGS.

OPEN TO THE PUBLIC

A. CITY COUNCIL

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE TO THE FLAG

PUBLIC COMMENTS (THREE-MINUTE TIME LIMIT)

PROCLAMATIONS AND CERTIFICATES

1. [National City Recognizes Be the Match Bone Marrow Drive](#)

AWARDS AND RECOGNITIONS

2. [Employee of the Quarter 2019 - Scott Robinson, Fire Captain. \(Fire\)](#)

PRESENTATIONS

3. [California's 2020 Housing Laws. \(Carlos Aguirre, Director of the National City Housing Authority and Myra Martinez, San Diego State University Master's Program Intern\)](#)
4. [Community HousingWorks Request for Proposals Selection For Funding Paradise Creek Community Garden Operator](#)

INTERVIEWS / APPOINTMENTS

5. [Selection of Vice Mayor. \(City Attorney\)](#)
6. [Interviews and Appointments: Various Boards and Commissions. \(City Clerk\)](#)

REGIONAL BOARDS AND COMMITTEE REPORTS (FIVE-MINUTE TIME LIMIT)

CONSENT CALENDAR

7. [Motion of the City Council of the City of National City approving the waiving of the reading of the text of the Ordinances or Resolutions that are having a Public Hearing considered at this meeting and providing that such Ordinances or Resolutions shall be introduced and/or adopted after a reading of the title only. \(City Clerk\)](#)

8. [Resolution of the City Council of the City of National City: 1\) authorizing the Mayor to execute Program Supplement Agreement \(PSA\) No. F18 with the State of California Department of Transportation \(Caltrans\) for the Palm Avenue Road Rehabilitation Project to allow for reimbursement of up to \\$611,932 in eligible project expenditures through the Federal Repurposed Earmark Project fund; and 2\) authorizing the establishment of an Engineering Grants Fund appropriation of \\$611,932 and corresponding revenue budget. \(Engineering/Public Works\)](#)
9. [Resolution of the City Council of the City of National City approving the establishment of an Engineering Grants Fund appropriation of \\$914,300 and corresponding revenue budget to allow for reimbursement of eligible project expenditures through the California River Parkways Grant Program, administered by the California Natural Resources Agency for the Paradise Creek Pedestrian and Bicycle Pathway Phase I Project. \(Engineering/Public Works\)](#)
10. [Resolution of the City Council of the City of National City authorizing the installation of red curb "No Parking" at various intersections along "D" Avenue, between E. 1st Street and E. 7th Street to enhance visibility and access to the intersections \(TSC No. 2019-12\). \(Engineering/Public Works\)](#)
11. [Resolution of the City Council of the City of National City authorizing the installation of red curb "No Parking" at the intersection of E. 5th Street and S. "V" Avenue to enhance visibility at the intersection \(TSC No. 2019-13\). \(Engineering/Public Works\)](#)
12. [Resolution of the City Council of the City of National City authorizing the installation of red curb "No Parking" at the intersection of E. Plaza Blvd and the alley located between "C" Avenue and "D" Avenue to enhance visibility and access from the alley onto E. Plaza Blvd \(TSC No. 2019-14\). \(Engineering/Public Works\)](#)
13. [Resolution of the City Council of the City of National City approving effective January 1, 2020, the salary schedule for the Part-Time and Seasonal employee classifications and NCMEA salary schedule, as amended and adjusting upward classifications with salary ranges below the 2020 State of California minimum wage. \(Human Resources\)](#)
14. [Resolution of the City Council of the City of National City approving the first amendment to the agreement by and between the City of National City and Taser International Inc., to increase the number of body worn camera licenses and storage space for the footage captured by body worn cameras for a total not-to-exceed amount of \\$24,977.28 covering the duration of the Agreement \(Police\)](#)

15. [Report regarding Capital Improvement Projects completed under the limits set forth by the Uniform Public Construction Cost Accounting Act \(“Act”\). \(Engineering/Public Works\)](#)
16. [National City Sales Tax Update - Second Quarter 2019. \(Finance\)](#)
17. [Warrant Register #19 for the period of 10/30/19 through 11/5/19 in the amount of \\$3,338,691.23. \(Finance\)](#)
18. [Warrant Register #20 for the period of 11/6/19 through 11/12/19 in the amount of \\$352,354.81. \(Finance\)](#)

PUBLIC HEARINGS: ORDINANCES AND RESOLUTIONS

NON CONSENT RESOLUTIONS

19. [Resolution of the City Council of the City of National City acknowledging receipt of a report made by the Chief of Emergency Services of the National City Fire Department regarding the inspection of certain occupancies required to perform annual inspections in such occupancies pursuant to Sections 13146.2 and 13146.3 of the California Health and Safety Code. \(Fire\)](#)
20. [Resolution of the City Council of the City of National City in collaboration with the County of San Diego, the City of Chula Vista, the City of Coronado, the City of Imperial Beach, the City of San Diego, the Regional Water Quality Control Board and the Unified Port of San Diego identifying improvement projects in the Tijuana River Valley to capture transboundary flows of sewage and sediment. \(City Manager\)](#)
21. [Resolution of the City Council of the City of National City authorizing the Mayor to execute a two year agreement between the City of National City and Bureau Veritas for a not-to-exceed amount of \\$800,000 to provide on-call plan reviews, permit processing, construction inspections, code enforcement services and related services for various City departments including but not limited to Building, Fire and Engineering. \(Building\)](#)
22. [Resolution of the City Council of the City of National City extending the date on which residential rental fees or taxes due and payable to the City for the year 2020, therefore deferring delinquency by sixty-one days, to May 1, 2020, due to the impact of the temporary relocation of Department of Finance staff upon the provision of services and processing times of applications. \(Finance\)](#)
23. [Resolution of the City Council of the City of National City extending the date on which business taxes due and payable to the City for the year 2020, therefore deferring delinquency by thirty-one days, to April 1, 2020, due to the impact of the temporary relocation of Department of Finance](#)

[staff upon the provision of services and processing times of applications.
\(Finance\)](#)

NEW BUSINESS

24. [Notice of Decision - Planning Commission approval of a Conditional Use Permit \(CUP\) for the on-site sale of distilled spirits, extension of operating hours, and addition of a bar at an existing restaurant \(Slappy's Burgers and Brews\) located at 1105 E. Plaza Blvd., Suite D. \(Applicant: Rafael Vasquez\) \(Case File No. 2019-28 CUP\) \(Planning\)](#)

B. COMMUNITY DEVELOPMENT COMMISSION - HOUSING AUTHORITY

CONSENT RESOLUTIONS - HOUSING AUTHORITY

PUBLIC HEARINGS: RESOLUTIONS - HOUSING AUTHORITY

NON CONSENT RESOLUTIONS - HOUSING AUTHORITY

NEW BUSINESS - HOUSING AUTHORITY

C. REPORTS

STAFF REPORTS

25. [Fiscal Year 2019 and 1st Quarter Fiscal Year 2020 Budget Review.
\(Finance\)](#)
26. [Furlough Update. \(City Manager\)](#)

MAYOR AND CITY COUNCIL

CLOSED SESSION REPORT

ADJOURNMENT

Regular Meeting of the City Council and Community Development Commission - Housing Authority of the City of National City - Tuesday - January 21, 2020 - 6:00 p.m. - Council Chambers - National City, California

City Council and Community Development Commission - Housing Authority of the City of National City Meeting Schedule for the Period January 7, 2020 through January 21, 2020:

January 07 - Dispense with Meeting - 6:00 p.m.
January 21 - Regular Meeting - 6:00 p.m.

In observance of the Employee Work Furlough, City Offices will be closed from Monday, December 23, 2019 through Friday, January 3, 2020. City Offices will reopen on Monday, January 6, 2020.

The following page(s) contain the backup material for Agenda Item: [National City Recognizes Be the Match Bone Marrow Drive](#)
Please scroll down to view the backup material.

Item # ____
12/17/19

National City Recognizes Be the Match Bone Marrow Drive

The following page(s) contain the backup material for Agenda Item: [Employee of the Quarter 2019 - Scott Robinson, Fire Captain. \(Fire\)](#)
Please scroll down to view the backup material.



CITY OF NATIONAL CITY
M E M O R A N D U M

DATE: December 2, 2019
TO: Brad Raulston, City Manager
FROM: Robert J. Meteau, Jr., Human Resources Director 
SUBJECT: EMPLOYEE OF THE QUARTER PROGRAM

The Employee Recognition Program communicates the City's appreciation for outstanding performance. In doing so, it recognizes employees who maintain high standards of personal conduct and make significant contributions to the workplace and community.

The employee to be recognized for the 4th Quarter of calendar year 2019 is:

Scott Robinson – Fire Captain

By copy of this memo, the employee is invited to attend the Council meeting on Tuesday, December 17, 2019 to be recognized for his achievement and service.

Attachment

cc: Scott Robinson
Frank Parra – Director of Emergency Services
Sergio Mora – Battalion Chief
Mayor's Confidential Assistant
Human Resources – Office File

The Fire Department would like to submit Captain Scott Robinson as the recipient of the Fire Department Employee of the Quarter.

Captain Robinson, in an effort to better serve our residents, developed and implemented a first of its kind flu vaccination program that makes flu vaccines available, free of charge, to all National City residents and visitors alike.

Scott identified a need and through his passion and contacts in the field of EMS, was able to recruit partners in our Community and in the Healthcare services to establish and implement a forward thinking program designed to benefit those in need of Flu vaccinations.

Scott's hard work, commitment to better serve our customers and a true passion in the field of pre-hospital care makes him the ideal candidate for recognition as The City of National City Employee of the Quarter.

r/s

Sergio Mora
Battalion Chief
National City Fire Department.

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DEC 02 2019

CITY OF NATIONAL CITY
HUMAN RESOURCES DEPARTMENT

The following page(s) contain the backup material for Agenda Item: [California's 2020 Housing Laws. \(Carlos Aguirre, Director of the National City Housing Authority and Myra Martinez, San Diego State University Master's Program Intern\)](#)

Please scroll down to view the backup material.

Item # ____

12/17/19

California's 2020 Housing Laws

**(Carlos Aguirre, Director of the National City Housing Authority and
Myra Martinez, San Diego State University Master's Program Intern)**

December 17, 2019

CALIFORNIA'S 2020 HOUSING LAWS

-  Tenant Protections
-  Streamlining, Increasing Density, and Reducing Barriers to Production
-  Accessory Dwelling Unit and "Triplexes"
-  Surplus Land Availability/Planning Impact Fee Data
-  CEQA and Housing

PRESENTATION SUMMARY

2



Source: San Diego Union-Tribune

TENANT PROTECTIONS

- AB 1482 - The Tenant Protection Act of 2019 enacts a cap of 5 percent plus inflation per year on rent increases statewide for the next 10 years. The new law does not apply a cap to vacant units, and owners can continue to reset rents to market rate at vacancy. It also prevents landlords from evicting certain tenants without landlords first providing a reason for the eviction and requires relocation assistance.
- AB 1110 - Noticing rent increases requires a 90-day notice, rather than a 60-day notice, before a landlord may increase the rent of a month to month tenant by more than 10%
- SB 329 - Housing discrimination prohibits landlords from discriminating against tenants who rely on housing assistance paid directly to landlords, such as sections 8 Vouchers, to help pay for rent.
- SB 18 - The Keep Californians Housing Act removes the Dec 31, 2019 sunset date on a law which gives tenants at least 90 days notice before their tenancy can be terminated if the landlord loses ownership of their rental property as a result of foreclosure sale.

3



STREAMLINING, INCREASING DENSITY AND REDUCING BARRIERS TO PRODUCTION

- SB 330 – Restricts cities and counties from taking actions to inhibit housing development, such as downzoning and housing moratoriums.
- AB 1763 – Provides an 80% density bonus and four incentives or concessions for 100% affordable housing projects.
- AB 101 – Requires fines of up to \$100,000 per month for failure to comply with court order to adopt compliant housing element.

4



ACCESSORY DWELLING UNITS AND “TRIPLEXES”

- AB 68, AB 587, AB 670, AB 671, AB 881, SB 13 – Limits local jurisdictions’ ability to restrict the development of accessory dwelling units (ADUs).

5



SURPLUS LAND AVAILABILITY, PLANNING, AND IMPACT FEE DATA

- AB 1486, AB 1255 – Strengthens Surplus Land Act requirements and requires preparation and publication of a central inventory of surplus land.
- SB 6 – Creates a process for an internet-accessible database of land suitable for residential development as identified in local general plan housing elements.
- AB 1483 – Requires local jurisdictions to post housing development information on their websites and make regular updates.

6



CEQA AND HOUSING

- AB 1560- Defines major transit stops broadening the definition to include rapid transit.
- SB 744- No Place Like Home Projects streamlines the approval process for supportive housing project under the No Place Like Home Program

REFERENCE

Holland and Knight Alert.
 "California's 2020 Housing Laws:
 What you need to know"

<https://www.hklaw.com/en/insights/publications/2019/10/californias-2020-housing-laws-what-you-need-to-know>.

Myers Nave. "Housing Law Update:
 A Summary of California's New
 Housing Laws"

<https://www.meyersnave.com/housing-law-update-a-summary-of-californias-new-housing-laws/>



The following page(s) contain the backup material for Agenda Item: [Community HousingWorks Request for Proposals Selection For Funding Paradise Creek Community Garden Operator](#)

Please scroll down to view the backup material.

Item # ____
12/17/19

**COMMUNITY HOUSINGWORKS REQUEST FOR PROPOSALS
SELECTION FOR FUNDING PARADISE CREEK COMMUNITY
GARDEN OPERATOR**

The following page(s) contain the backup material for Agenda Item: [Selection of Vice Mayor. \(City Attorney\)](#)
Please scroll down to view the backup material.

**CITY OF NATIONAL CITY, CALIFORNIA
COUNCIL AGENDA STATEMENT**

MEETING DATE: December 17, 2019

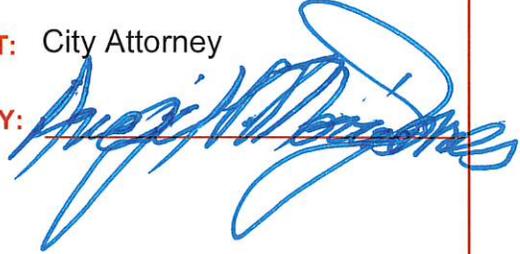
AGENDA ITEM NO. |

ITEM TITLE: Selection of Vice Mayor

PREPARED BY: Angil P. Morris-Jones

DEPARTMENT: City Attorney

PHONE: Ext. 4222

APPROVED BY: 

EXPLANATION:

Please see attached staff report.

FINANCIAL STATEMENT:

APPROVED: _____ **Finance**

ACCOUNT NO. |

APPROVED: _____ **MIS**

N/A

ENVIRONMENTAL REVIEW:

N/A

ORDINANCE: INTRODUCTION: FINAL ADOPTION:

STAFF RECOMMENDATION:

BOARD / COMMISSION RECOMMENDATION:

N/A

ATTACHMENTS:

Staff Report

Mayor
Alejandra Sotelo-Solis
Council Members
Ron Morrison
Mona Rios
Jerry Cano
Gonzalo Quintero



City Attorney
Angil P. Morris-Jones
Senior Assistant City Attorney
Nicole Pedone
Deputy City Attorney
Roberto M. Contreras

MEMORANDUM

TO: Mayor and City Council **DATE:** December 17, 2019
FROM: City Attorney
SUBJECT: Selection of the Vice-Mayor

Councilmember Ron Morrison's term as Vice Mayor will end on Tuesday, December 17, 2019. As you know, on November 20, 2018, the City Council adopted Policy No. 120 as the Selection of Vice Mayor Procedure. The express purpose of Policy No. 120 is to provide every member of the City Council with an opportunity to serve as Vice Mayor.

Policy No. 120 provides that the selection is made on the basis of the length of time that a member has served on the City Council, and whether or not the member has previously had the opportunity to serve. The Policy provides that the position of Vice Mayor shall be rotated among the Councilmembers so that each Councilmember services one (1) year as Vice Mayor during his/her four (4) year term. A copy of the Selection of Vice Mayor Policy No. 120 is attached hereto.

The selection of the Vice Mayor may be accomplished by approval of a motion.


Angil P. Morris Jones
City Attorney

Attachments

CITY COUNCIL POLICY

CITY OF NATIONAL CITY

TITLE: Selection of Vice Mayor

POLICY: # 120

ADOPTED: November 20, 2018

AMENDED:

PURPOSE

In order to provide every member of the City Council with an opportunity to serve as Vice Mayor, it is the policy of the City Council that selection be made on the basis of the length of time that a member has served on the City Council, and whether or not the member has previously had the opportunity to serve.

POLICY

It is the policy of the City Council of the City of National City that the position of Vice Mayor shall be rotated among the Councilmembers so that each Councilmember serves one (1) year as Vice Mayor during his/her four (4) year term. The City Council shall select the Vice Mayor in accordance with the procedure set forth herein.

1. As a general law city, selection of the Vice Mayor is governed by Sections 36801 and 34905 of the California Government Code. Section 36801 provides:

The city council shall meet at the meeting at which the declaration of the election results for a general municipal election is made pursuant to Sections 10262 and 10263 of the Elections Code and, following the declaration of the election results and the installation of elected officials, choose one of its number as mayor, and one of its number as mayor pro tempore. [Referred to as the "vice mayor" in National City.]

Because National City has a directly elected Mayor, pursuant to Title 4, Division 2, Article 3 of the Government Code, the provisions of Section 36801 pertaining to the City Council selecting the Mayor do not apply; the Council selects only the Vice Mayor.

TITLE: Selection of Vice Mayor	POLICY: #120
ADOPTED: November 20, 2018	AMENDED:

2. The Vice Mayor shall have the powers and duties as specified in Government Code Section 36802 which provides that the Mayor shall preside at the meetings of the City Council and that if the Mayor is absent or unable to act, the Vice Mayor has all of the powers and duties of the Mayor.
3. The term of Vice Mayor shall be for one year and, in accordance with Government Code Section 36801, selection of the Vice Mayor shall occur upon certification of the election results. For purposes of this policy, the election assumes the general election held in November and certification of the election results generally occurring in December.
4. The Vice Mayor shall be the Councilmember with the most seniority who has not been Vice Mayor in the last three consecutive years. In the event two or more Councilmembers have equal seniority and have not been Vice Mayor in the last three consecutive years, the Councilmember with the most votes in their last regular general election shall serve as Vice Mayor.
5. In the event of a vacancy on the City Council that is filled by appointment, the appointee shall not be included in the rotation for Vice Mayor during the appointed term of office.

RELATED POLICY REFERENCES

- California Government Code
- California Elections Code

The following page(s) contain the backup material for Agenda Item: [Interviews and Appointments: Various Boards and Commissions. \(City Clerk\)](#)
Please scroll down to view the backup material.

**CITY OF NATIONAL CITY, CALIFORNIA
COUNCIL AGENDA STATEMENT**

MEETING DATE: December 17, 2019

AGENDA ITEM NO. |

ITEM TITLE:

Interviews and Appointments: Various Boards & Commissions. (City Clerk)

PREPARED BY: Michael R. Dalla |

DEPARTMENT: City Clerk

PHONE: (619) 336-4226 |

APPROVED BY:  _____

EXPLANATION:

See attached.

FINANCIAL STATEMENT:

APPROVED: _____ **Finance**

ACCOUNT NO. |

APPROVED: _____ **MIS**

ENVIRONMENTAL REVIEW:

ORDINANCE: INTRODUCTION: FINAL ADOPTION:

STAFF RECOMMENDATION:

Interview and appoint as desired.

BOARD / COMMISSION RECOMMENDATION:

ATTACHMENTS:

Explanation
Applications |

BOARDS & COMMISSIONS – CURRENT VACANCIES AND EXPIRED TERMS
December 17, 2019

ADVISORY HOUSING COMMITTEE

(Appointing Authority: City Council)

There are two (2) un-filled positions on this newly created committee. There is one (1) new Applicant (**Denisse Roldan Newell**).

<u>Name</u>	<u>Interviewed</u>
Denisse Roldan Newell	No

CIVIL SERVICE COMMISSION

(Appointing Authority: City Council)

There are two (2) expiring terms on the Civil Service Commission (**Leslie Coyote and David Garcia**). Mr. Garcia does not wish to be reappointed. Leslie Coyote has indicated a desire to be reappointed. There are no new applicants.

<u>Name</u>	<u>Interviewed</u>
Leslie Coyote	Incumbent (desires reappointment)
Expired Term	No applicants

LIBRARY BOARD OF TRUSTEES

(Appointing Authority: Mayor, subject to confirmation by City Council)

There is one (1) vacancy on the Library Board of Trustees (**Deborah Hernandez**). Cheryl Howrey-Colmenero is the Alternate member of the Board. As provided in Title 16 of the Municipal Code: *'An alternate member is automatically eligible for appointment as a regular member, provided the alternate member is in good standing (e.g., good attendance record).'*

There is one (1) additional Applicant (**Coyote Moon**).

<u>Name</u>	<u>Interviewed</u>
Cheryl Howrey-Colmenero	Current Alternate Member
Coyote Moon	Currently on Traffic Safety

PARKS, RECREATION & SENIOR CITIZENS ADVISORY BOARD (PRSCAB) (Appointing Authority: Mayor, subject to confirmation by City Council)

There is one (1) vacancy and one (1) expiring term (**Nora McMains**). Mrs. McMains desires to be reappointed. A 4/5 vote is required for reappointment. There is one (1) new Applicant (**Joseph Crawford**).

<u>Name</u>	<u>Interviewed</u>
Nora McMains	Incumbent (desires reappointment)
Joseph Crawford	Yes

PUBLIC ART COMMITTEE

(Appointing Authority: Mayor, subject to confirmation by City Council)

There is one (1) expiring term on the Public Art Committee (**William Virchis**). Mr. Virchis has indicated a desire to be reappointed. There is one (1) new Applicant (**Jacqueline Schliapnik**).

<u>Name</u>	<u>Interviewed</u>
William Virchis	Incumbent (desires reappointment)
Jacqueline Schliapnik	Yes

TRAFFIC SAFETY COMMITTEE

(Appointing Authority: Mayor, subject to confirmation by City Council)

There are two (2) expiring terms on the Traffic Safety Committee (**Christopher Coyote and Richard Sherman**). Mr. Coyote has indicated a desire to be reappointed. Mr. Sherman does not wish to be reappointed. There is one (1) new Applicant (**Christine Stein**).

<u>Name</u>	<u>Interviewed</u>
Christopher Coyote	Incumbent (desires reappointment)
M. Christine Stein	No

CITY OF NATIONAL CITY
APPLICATION FOR APPOINTMENT
TO CITY BOARDS, COMMISSIONS, AND COMMITTEES

- | | |
|--|---|
| <input type="checkbox"/> Community & Police Relations Commission* (CPRC) | <input type="checkbox"/> Civil Service Committee |
| <input type="checkbox"/> Library Board of Trustees | <input type="checkbox"/> Planning Commission |
| <input checked="" type="checkbox"/> Parks, Recreation & Senior Citizens Advisory Board | <input type="checkbox"/> Public Art Committee* |
| <input type="checkbox"/> Veterans & Military Families Advisory Committee* | <input type="checkbox"/> Traffic Safety Committee |

➤ Applicants must be residents of the City of National City except for those marked by an * and all applicants must be U.S. Citizens.

➤ Applicants for the Community and Police Relations Commission must pass a criminal background check prior to appointment.

Name: Joseph L. Crawford E-Mail: crawp787@gmail.com

Home Address: 1317 D. avenue Apt 607 Tel. No. (619) 793-6902

Business Affiliation: For The People Promotions Title: Administrator

Business Address: National City P.O. Box Tel. No. (619) 477-1085

Length of Residence in National City: 5 yrs San Diego County: 43 California: 43

Educational Background: 12th Grade, City College, Columbia School of Broadcasting
IT Technical College, (Small Business Administration)

Occupational Experience: Youth Development, Computer Operation
Ex-offender Services, Crime Prevention and Dance + Theater

Professional or Technical Organization Memberships: Model Ex-offenders, Alpha
Project, Crime Prevention

Civic or Community Experience, Membership, or Previous Public Service Appointments:
Community Theater, Organizing Park & Rec. Activities

Experience or Special Knowledge Pertaining to Area of Interest: Neighborhood Association,
Crime Prevention, Dance, Poetry, Theater

Have you ever been convicted of a felony crime? No: Yes: misdemeanor crime? No: Yes:
 If any convictions were expunged disclosure is not required. Convictions are not necessarily disqualifying. Please feel free to provide an explanation or information regarding yes answers to the above two questions.

Date: 08/9/19 Signature: Joseph L. Crawford

Please feel free to provide additional information or letters of endorsement.

Return completed form to: Office of the City Clerk, 1243 National City Blvd., National City, CA 91950

Thank you for your interest in serving the City of National City.

Pursuant to the California Public Records Act, information on this form may be released to the public upon request.

RECEIVED
 CITY CLERK
 2019 OCT 19 2:18
 CITY OF NATIONAL CITY

CITY OF NATIONAL CITY

APPLICATION FOR APPOINTMENT TO CITY BOARDS, COMMISSIONS, AND COMMITTEES

- Community & Police Relations Commission* (CPRC)
- Library Board of Trustees
- Parks, Recreation & Senior Citizens Advisory Board
- Veterans & Military Families Advisory Committee*
- Civil Service Committee
- Planning Commission
- Public Art Committee*
- Traffic Safety Committee
- Advisory Housing Committee*

➤ Applicants must be residents of the City of National City except for those marked by an asterisk (*). All applicants must be U.S. Citizens.

➤ Applicants for the Community and Police Relations Commission must pass a criminal background check prior to appointment.

➤ Applicants for the Advisory Housing Committee must have subject matter expertise in housing-related issues.

Name: Coyote moon E-Mail: coyotemoon@gmail.com

Home Address: 2219 E 11th St Tel. No.: 6195405473

Business Affiliation: _____ Title: _____

Business Address: _____ Tel. No.: _____

Length of Residence in National City: 5 yr San Diego County: 6 yr California: _____

Educational Background: BA, Information Systems, AA - small gas engine repair

Occupational Experience: SDGE / Sempra Energy - Power analyst portfolio manager

Professional or Technical Organization Memberships: N/A

Civic or Community Experience, Membership, or Previous Public Service Appointments: NC Traffic Safety Committee

Experience or Special Knowledge Pertaining to Area of Interest: San Diego City college work study - Library

Have you ever been convicted of a felony crime? No: Yes: _____ misdemeanor crime? No: Yes: _____
 If any convictions were expunged disclosure is not required. Convictions are not necessarily disqualifying. Please feel free to provide an explanation or information if "Yes" was marked for the above two questions.

Date: 12/2/2019

Signature: [Signature]

RECEIVED
 CITY CLERK
 2019 DEC -2 PM 1:29
 CITY OF NATIONAL CITY

Please feel free to provide additional information or letters of endorsement.

Return completed form to: Office of the City Clerk, 1243 National City Blvd., National City, CA 91950

Thank you for your interest in serving the City of National City.

Pursuant to the California Public Records Act, information on this form may be released to the public upon request.

Revised: Nov. 2019

CITY OF NATIONAL CITY

APPLICATION FOR APPOINTMENT TO CITY BOARDS, COMMISSIONS, AND COMMITTEES

- Community & Police Relations Commission* (CPRC)
Library Board of Trustees
Parks, Recreation & Senior Citizens Advisory Board
Veterans & Military Families Advisory Committee*
Civil Service Committee
Planning Commission
Public Art Committee*
Traffic Safety Committee
[X] Advisory Housing Committee*

Applicants must be residents of the City of National City except for those marked by an asterisk (*). All applicants must be U.S. Citizens.
Applicants for the Community and Police Relations Commission must pass a criminal background check prior to appointment.
Applicants for the Advisory Housing Committee must have subject matter expertise in housing-related issues.

Name: Denisse Roldan Newell E-Mail: DENISSEWINS@gmail.com
Home Address: 10427 ELMHURST DRIVE Tel. No.: (619) 339-2302
Business Affiliation: AXIA REAL ESTATE GROUP Title: REALTOR
Business Address: 1450 France Road, STE. 303 Tel. No.: (619) 339-2302

Length of Residence in National City: 0 San Diego County: 37+ yrs California: 37+ yrs

Educational Background: B.A., ENGLISH, NATIONAL UNIVERSITY 2003; High School Diploma, BONITA VISTA HIGH 1994

Occupational Experience: Licensed Realtor since 2014; President, NATL. ASSOC. OF HISP. REAL ESTATE PROFESSIONALS, SAN DIEGO BOARD

Professional or Technical Organization Memberships: NAREP; PACIFIC SOUTHWEST ASSOCIATION OF REALTORS

Civic or Community Experience, Membership, or Previous Public Service Appointments: 2019 - Present 2019 NAREP PRESIDENT, San Diego Board of Directors, NAREP Regional Adv. Dir.

Experience or Special Knowledge Pertaining to Area of Interest: Real Estate Investments, INVESTOR PURCHASES

Have you ever been convicted of a felony crime? No: [X] Yes: ___ misdemeanor crime? No: ___ Yes: ___ If any convictions were expunged disclosure is not required. Convictions are not necessarily disqualifying. Please feel free to provide an explanation or information if "Yes" was marked for the above two questions.

Date: 12/4/19 Signature: [Handwritten Signature]

RECEIVED CITY OF NATIONAL CITY FILE 2019 DEC 10 10:42 AM

Please feel free to provide additional information or letters of endorsement. Return completed form to: Office of the City Clerk, 1243 National City Blvd., National City, CA 91950 Thank you for your interest in serving the City of National City.

CITY OF NATIONAL CITY
APPLICATION FOR APPOINTMENT
TO CITY BOARDS, COMMISSIONS, AND COMMITTEES

RECEIVED
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- Community & Police Relations Commission* (CPRC)
- Library Board of Trustees
- Parks, Recreation & Senior Citizens Advisory Board
- Veterans & Military Families Advisory Committee*

- Civil Service Committee
- Planning Commission
- Public Art Committee*
- Traffic Safety Committee

2019 JUN 12 AM 11:37
CITY OF NATIONAL CITY

> Applicants must be residents of the City of National City except for those marked by an * and all applicants must be U.S. Citizens.

> Applicants for the Community and Police Relations Commission must pass a criminal background check prior to appointment.

Name: Jacqueline Schliapnik E-Mail: jackie@1045radio latina. ca
 Home Address: 1018 E. Lexington Ave #21 Tel. No.: 619.607.7113
 Business Affiliation: Radio Latina 104.5 FM Title: Account Executive
 Business Address: 1690 W. Frontage Rd. CV. 91911 Tel. No.: 619.336.7800.
 Length of Residence in National City: _____ San Diego County: 17 California: _____
 Educational Background: Bachelors Degree - Communications
Broadcast Electronic Arts
 Occupational Experience: Actor, MC, Voice over Artist,
Community Activist
 Professional or Technical Organization Memberships: SD Hispanic Chamber of Commerce

Civic or Community Experience, Membership, or Previous Public Service Appointments:
Community Activism

Experience or Special Knowledge Pertaining to Area of Interest: I have studied art
my whole life and know how important it is to our society.

Have you ever been convicted of a felony crime? No: Yes: ___ misdemeanor crime? No: ___ Yes: ___
 If any convictions were expunged disclosure is not required. Convictions are not necessarily disqualifying. Please feel free to provide an explanation or information regarding yes answers to the above two questions.

Date: 6/6/19 Signature: J Schliapnik

Please feel free to provide additional information or letters of endorsement.

Return completed form to: Office of the City Clerk, 1243 National City Blvd., National City, CA 91950

Thank you for your interest in serving the City of National City.

Pursuant to the California Public Records Act, information on this form may be released to the public upon request.

Revised: February 2019



June 7, 2019

To: The Public Art Committee

I have worked with Jacqueline Schliapnik for 6 years at Radio Latina 104.5 FM.

She serves as an Account Executive and dedicated Promotions Liason at station events.

Jackie has volunteered her time and talents to many organizations. She acted as Master of Ceremonies at Cinco de Mayo Con Orgullo in Chicano Park (2019). She Co-Hosted Kids Care Fest, an event providing Medical and Dental Care for kids under 18, for the Grossmont Healthcare District (2017-18) She hosted The Science and Art Expo in Barrio Logan in Spring 2019.

Jackie is passionate about the arts, and her mission is to elevate their role in the community. She performed in the play "Fefu and her Friends" at Olive Wood Gardens in National City (May 2018). She played the role of Sue, an independent woman in the 1930's, and had the opportunity to showcase her many talents by singing opera. This experience reinforced how important creativity and the arts are in her life and in the lives of others. Jacqueline also founded and produced an online radio station for Latinos world-wide.

Jacqueline Schliapnik's decades of experience in media, and devotion to theater and the arts would be a great asset to the Public Art Committee for National City.

Best Regards,

Ellen Ascher - Senior Account Executive - Radio Latina XLTN 104.5 FM

IMAGEN GROUP LLC
2405 HUNTER AVE, NATIONAL CITY, CA 94131

Tel: (619) 336-7800 / Fax: (619) 420-1092
www.1045radiolatina.com



June 7th, 2019

To whom it may concern:

I am the programming Director for Radio Latina 104.5. I have known and worked with Jacqueline Schliapnik for over 6 years at Radio Latina. She is an Account Executive developing local advertising business and also works with the promotions team on station events.

We work together but also have a friendship. I see her passion for the community and her interest in making positive change. She recently made a dream come true of seeing all the art she studied as a child in the gate program, when she visited the Louvre in Paris and found herself finally face to face with some of the most poignant pieces of artwork in history like the Mona Lisa by Leonardo Da Vinci and Degas famous ballerinas amongst many.

Jackie enjoys singing, dancing, acting and voice over work as the arts have been a constant in her life. She would be happy to bring the arts to the forefront of the community by actively participating in that creative process.

The arts have been proven to be an important thread in the building of a community and we need more people willing to do so. Jacqueline Schliapnik would be highly recommended for the Public Art Committee of National City.

Thank you,


Libia Sausa
Radio Latina Program Director
619-336-7800

IMAGEN GROUP, INC.
2403 Hoover Ave., National City, CA 91950

Tel: (619) 336-7800 / Fax: (619) 420-1092
www.1045radiolatina.com

CITY OF NATIONAL CITY
APPLICATION FOR APPOINTMENT
TO CITY BOARDS, COMMISSIONS, AND COMMITTEES

- | | |
|---|--|
| <input type="checkbox"/> Community & Police Relations Commission* (CPRC) | <input type="checkbox"/> Civil Service Committee |
| <input type="checkbox"/> Library Board of Trustees | <input type="checkbox"/> Planning Commission |
| <input type="checkbox"/> Parks, Recreation & Senior Citizens Advisory Board | <input type="checkbox"/> Public Art Committee* |
| <input type="checkbox"/> Veterans & Military Families Advisory Committee* | <input checked="" type="checkbox"/> Traffic Safety Committee |

➤ Applicants must be residents of the City of National City except for those marked by an * and all applicants must be U.S. Citizens.

➤ Applicants for the Community and Police Relations Commission must pass a criminal background check prior to appointment.

Name: M. Christine Stein E-Mail: pacifica2619@gmail.com

Home Address: 3431 Tobias Ct Tel. No. 209-505-4361

Business Affiliation: N/A Title: _____

Business Address: N/A Tel. No.: _____

Length of Residence in National City: 6 yrs San Diego County: 6 yrs California: All my life

Educational Background: 13+ many other credits not applicable to degree - mgmt, critical analysis, HR etc.

Occupational Experience: REF FED CIVIL SERV, CIVIL ENG ASST, COMPUTER TECH, PRODUCTION CONTROL, REGIONAL MGR

Professional or Technical Organization Memberships: PAST - PERSONNEL MGRS ASSO, HISPANIC WOMEN'S ASSO, DEVELOPED & RAN LOW INCOME YOUTH EMPLOYMENT PGM - CIV SERV

Civic or Community Experience, Membership, or Previous Public Service Appointments: PAST MEM CIVIL SERVICE BOARD - NC, HELP/MANAGE GIRLS SOFTBALL

Experience or Special Knowledge Pertaining to Area of Interest: ASSISTED SURVYORS (CIVIL ENG) IN ROUTING/REROUTING TRAFFIC DURING SPEC PROJECT - PROD COST DELIVERY

Have you ever been convicted of a felony crime? No: Yes: ___ misdemeanor crime? No: Yes: ___
 If any convictions were expunged disclosure is not required. Convictions are not necessarily disqualifying. Please feel free to provide an explanation or information regarding yes answers to the above two questions.

Date: 11-7-2019 Signature: M Christine Stein

Please feel free to provide additional information or letters of endorsement.

Return completed form to: Office of the City Clerk, 1243 National City Blvd., National City, CA 91950

Thank you for your interest in serving the City of National City

Pursuant to the California Public Records Act, information on this form may be released to the public upon request.

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 CITY OF NATIONAL CITY

The following page(s) contain the backup material for Agenda Item: [Motion of the City Council of the City of National City approving the waiving of the reading of the text of the Ordinances or Resolutions that are having a Public Hearing considered at this meeting and providing that such Ordinances or Resolutions shall be introduced and/or adopted after a reading of the title only. \(City Clerk\)](#)

Please scroll down to view the backup material.

Item # ____
12/17/19

**MOTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL
CITY APPROVING THE WAIVING OF THE READING OF THE
TEXT OF THE ORDINANCES CONSIDERED AT THIS MEETING
AND PROVIDING THAT SUCH ORDINANCES SHALL BE
INTRODUCED AND/OR ADOPTED AFTER A READING
OF THE TITLE ONLY.**

(City Clerk)

The following page(s) contain the backup material for Agenda Item: [Resolution of the City Council of the City of National City: 1\) authorizing the Mayor to execute Program Supplement Agreement \(PSA\) No. F18 with the State of California Department of Transportation \(Caltrans\) for the Palm Avenue Road Rehabilitation Project to allow for reimbursement of up to \\$611,932 in eligible project expenditures through the Federal Repurposed Earmark Project fund; and 2\) authorizing the establishment of an Engineering Grants Fund appropriation of \\$611,932 and corresponding revenue budget. \(Engineering/Public Works\)](#)

Please scroll down to view the backup material.

**CITY OF NATIONAL CITY, CALIFORNIA
COUNCIL AGENDA STATEMENT**

MEETING DATE: December 17, 2019

AGENDA ITEM NO.

ITEM TITLE:

Resolution of the City Council of the City of National City, 1) authorizing the Mayor to execute Program Supplement Agreement (PSA) No. F18 with the State of California Department of Transportation (Caltrans) for the Palm Avenue Road Rehabilitation Project to allow for reimbursement of up to \$611,932 in eligible project expenditures through the Federal Repurposed Earmark Project fund; and 2) authorizing the establishment of an Engineering Grants Fund appropriation of \$611,932 and corresponding revenue budget.

PREPARED BY: Jose Lopez, P.E., Associate Civil Engineer

DEPARTMENT: Engineering/Public Works

PHONE: 619-336-4312

APPROVED BY: 

EXPLANATION:

See attached.

FINANCIAL STATEMENT:

APPROVED:  Finance

ACCOUNT NO.

APPROVED: MIS

Federal Repurposed Earmark Project - \$611,932

Revenue Account No. 296-06035-3498

Expenditure Account No. 296-409-500-598-3498 (Palm Avenue Road Rehabilitation)

Required Local Match - \$152,983 (appropriated through FY 2020 CIP Budget)

Expenditure Account No. 109-409-500-598-6035(Street Resurfacing)

ENVIRONMENTAL REVIEW:

Caltrans Determination of Categorical Exclusion under 23 CFR 771.117(c): activity (c)(3), approved June 4, 2019.

ORDINANCE: INTRODUCTION: FINAL ADOPTION:

STAFF RECOMMENDATION:

Adopt Resolution authorizing the Mayor to execute PSA No. F18 with Caltrans for the Palm Avenue Road Rehabilitation Project to allow for reimbursement of up to \$611,932 in Federal Repurposed Earmark Project funds.

BOARD / COMMISSION RECOMMENDATION:

N/A

ATTACHMENTS:

1. Explanation w/Exhibit
2. Program Supplement Agreement
3. Resolution

Explanation

On August 2, 2016, City Council adopted Resolution No. 2016-114 authorizing the City Manager to execute Earmark Repurposing Sheets for submittal to SANDAG to repurpose Federal Earmarked SAFETEA-LU Funds in the amount of \$611,931 from the I-805 Sound Walls Project to local roadway rehabilitation projects, and committing to a 20% local match in the amount of \$152,983 using local Prop A TransNet funds as required for repurposing. The amount authorized was rounded up from \$611,931.34 to \$611,932.

On July 25, 2019, Caltrans authorized the City to proceed with the construction phase.

The Palm Avenue Road Rehabilitation project will provide a 2" grind and overlay on 1.1 miles of Palm Avenue from Division Street to E. 18th Street within the existing right-of way, and upgrade ADA ramps to the current standard within the project limits, as well as address damaged cross gutter, and curb and gutter. The project will also improve pedestrian crossings through the installation of accessibility enhancements at the following intersections:

- 1) Palm Avenue & E. 1st Street
- 2) Palm Avenue & E. 14th Street
- 3) Palm Avenue & E. 7th Street
- 4) Laurel Avenue & E. 1st Street
- 5) Norton Avenue & E. 1st Street

City Council Resolution authorizing the Mayor to execute Program Supplement Agreement No. F18 to Administering Agency-State Master Agreement No. 5066F15 is required to allow for reimbursement of eligible project expenditures through the Federal Repurposed Earmark Project fund.

PROGRAM SUPPLEMENT NO. F018
to
ADMINISTERING AGENCY-STATE AGREEMENT
FOR FEDERAL-AID PROJECTS NO 11-5066F15

Adv Project ID Date: July 31, 2019
1119000069 Location: 11-SD-0-NATC
Project Number: FERPL16-5066(038)
E.A. Number:
Locode: 5066

This Program Supplement hereby adopts and incorporates the Administering Agency-State Agreement for Federal Aid which was entered into between the Administering Agency and the State on 07/11/16 and is subject to all the terms and conditions thereof. This Program Supplement is executed in accordance with Article I of the aforementioned Master Agreement under authority of Resolution No. _____ approved by the Administering Agency on _____ (See copy attached).

The Administering Agency further stipulates that as a condition to the payment by the State of any funds derived from sources noted below obligated to this PROJECT, the Administering Agency accepts and will comply with the special covenants or remarks set forth on the following pages.

PROJECT LOCATION: Along 1.1 miles of Palm Avenue from Division St to E. 18th St.

TYPE OF WORK: Provide roadway rehabilitation (grinding & new overlay), repair of concrete sidewalks, curb & gutters **LENGTH:** 0.0(MILES)

Estimated Cost	Federal Funds		Matching Funds	
	RPS9		LOCAL	OTHER
\$1,278,744.00	\$611,932.00		\$152,983.00	\$513,829.00

CITY OF NATIONAL CITY

By ALEJANDRA SOTELO-SOLIS
Title MAYOR
Date DECEMBER 17, 2019
Attest MICHAEL DALLA, CITY CLERK

STATE OF CALIFORNIA
Department of Transportation

By _____
Chief, Office of Project Implementation
Division of Local Assistance
Date _____

I hereby certify upon my personal knowledge that budgeted funds are available for this encumbrance:

Accounting Officer Jennie Fox Date 7/31/19 \$611,932.00

SPECIAL COVENANTS OR REMARKS

1. A. The ADMINISTERING AGENCY will advertise, award and administer this project in accordance with the current published Local Assistance Procedures Manual.

B. ADMINISTERING AGENCY agrees that it will only proceed with work authorized for specific phase(s) with an "Authorization to Proceed" and will not proceed with future phase(s) of this project prior to receiving an "Authorization to Proceed" from the STATE for that phase(s) unless no further State or Federal funds are needed for those future phase(s).

C. STATE and ADMINISTERING AGENCY agree that any additional funds which might be made available by future Federal obligations will be encumbered on this PROJECT by use of a STATE-approved "Authorization to Proceed" and Finance Letter. ADMINISTERING AGENCY agrees that Federal funds available for reimbursement will be limited to the amounts obligated by the Federal Highway Administration.

D. Award information shall be submitted by the ADMINISTERING AGENCY to the District Local Assistance Engineer within 60 days of project contract award and prior to the submittal of the ADMINISTERING AGENCY'S first invoice for the construction contract.

Failure to do so will cause a delay in the State processing invoices for the construction phase. Attention is directed to Section 15.7 "Award Package" of the Local Assistance Procedures Manual.

E. ADMINISTERING AGENCY agrees, as a minimum, to submit invoices at least once every six months commencing after the funds are encumbered for each phase by the execution of this Project Program Supplement Agreement, or by STATE's approval of an applicable Finance Letter. STATE reserves the right to suspend future authorizations/obligations for Federal aid projects, or encumbrances for State funded projects, as well as to suspend invoice payments for any on-going or future project by ADMINISTERING AGENCY if PROJECT costs have not been invoiced by ADMINISTERING AGENCY for a six-month period.

If no costs have been invoiced for a six-month period, ADMINISTERING AGENCY agrees to submit for each phase a written explanation of the absence of PROJECT activity along with target billing date and target billing amount.

ADMINISTERING AGENCY agrees to submit the final report documents that collectively constitute a "Report of Expenditures" within one hundred eighty (180) days of PROJECT completion. Failure of ADMINISTERING AGENCY to submit a "Final Report of Expenditures" within 180 days of PROJECT completion will result in STATE imposing sanctions upon ADMINISTERING AGENCY in accordance with the current Local Assistance Procedures Manual.

F. Administering Agency shall not discriminate on the basis of race, religion, age, disability, color, national origin, or sex in the award and performance of any Federal-

SPECIAL COVENANTS OR REMARKS

assisted contract or in the administration of its DBE Program Implementation Agreement. The Administering Agency shall take all necessary and reasonable steps under 49 CFR Part 26 to ensure nondiscrimination in the award and administration of Federal-assisted contracts. The Administering Agency's DBE Implementation Agreement is incorporated by reference in this Agreement. Implementation of the DBE Implementation Agreement, including but not limited to timely reporting of DBE commitments and utilization, is a legal obligation and failure to carry out its terms shall be treated as a violation of this Agreement. Upon notification to the Administering Agency of its failure to carry out its DBE Implementation Agreement, the State may impose sanctions as provided for under 49 CFR Part 26 and may, in appropriate cases, refer the matter for enforcement under 18 U.S.C. 1001 and/or the Program Fraud Civil Remedies Act of 1986 (31 U.S.C. 3801 et seq.).

G. Any State and Federal funds that may have been encumbered for this project are available for disbursement for limited periods of time. For each fund encumbrance the limited period is from the start of the fiscal year that the specific fund was appropriated within the State Budget Act to the applicable fund Reversion Date shown on the State approved project finance letter. Per Government Code Section 16304, all project funds not liquidated within these periods will revert unless an executed Cooperative Work Agreement extending these dates is requested by the ADMINISTERING AGENCY and approved by the California Department of Finance.

ADMINISTERING AGENCY should ensure that invoices are submitted to the District Local Assistance Engineer at least 75 days prior to the applicable fund Reversion Date to avoid the lapse of applicable funds. Pursuant to a directive from the State Controller's Office and the Department of Finance; in order for payment to be made, the last date the District Local Assistance Engineer can forward an invoice for payment to the Department's Local Programs Accounting Office for reimbursable work for funds that are going to revert at the end of a particular fiscal year is May 15th of the particular fiscal year. Notwithstanding the unliquidated sums of project specific State and Federal funding remaining and available to fund project work, any invoice for reimbursement involving applicable funds that is not received by the Department's Local Programs Accounting Office at least 45 days prior to the applicable fixed fund Reversion Date will not be paid. These unexpended funds will be irrevocably reverted by the Department's Division of Accounting on the applicable fund Reversion Date.

H. As a condition for receiving federal-aid highway funds for the PROJECT, the Administering Agency certifies that NO members of the elected board, council, or other key decision makers are on the Federal Government Exclusion List. Exclusions can be found at www.sam.gov.

2. A. ADMINISTERING AGENCY shall conform to all State statutes, regulations and procedures (including those set forth in the Local Assistance Procedures Manual and the Local Assistance Program Guidelines, hereafter collectively referred to as "LOCAL ASSISTANCE PROCEDURES") relating to the federal-aid program, all Title 23 Code of

SPECIAL COVENANTS OR REMARKS

Federal Regulation (CFR) and 2 CFR Part 200 federal requirements, and all applicable federal laws, regulations, and policy and procedural or instructional memoranda, unless otherwise specifically waived as designated in the executed project-specific PROGRAM SUPPLEMENT.

B. Invoices shall be submitted on ADMINISTERING AGENCY letterhead that includes the address of ADMINISTERING AGENCY and shall be formatted in accordance with LOCAL ASSISTANCE PROCEDURES.

C. ADMINISTERING AGENCY must have at least one copy of supporting backup documentation for costs incurred and claimed for reimbursement by ADMINISTERING AGENCY. ADMINISTERING AGENCY agrees to submit supporting backup documentation with invoices if requested by State. Acceptable backup documentation includes, but is not limited to, agency's progress payment to the contractors, copies of cancelled checks showing amounts made payable to vendors and contractors, and/or a computerized summary of PROJECT costs.

D. Indirect Cost Allocation Plan/Indirect Cost Rate Proposals (ICAP/ICRP), Central Service Cost Allocation Plans and related documentation are to be prepared and provided to STATE (Caltrans Audits & Investigations) for review and approval prior to ADMINISTERING AGENCY seeking reimbursement of indirect costs incurred within each fiscal year being claimed for State and federal reimbursement. ICAPs/ICRPs must be prepared in accordance with the requirements set forth in 2 CFR, Part 200, Chapter 5 of the Local Assistance Procedural Manual, and the ICAP/ICRP approval procedures established by STATE.

E. STATE will withhold the greater of either two (2) percent of the total of all federal funds encumbered for each PROGRAM SUPPLEMENT or \$40,000 until ADMINISTERING AGENCY submits the Final Report of Expenditures for each completed PROGRAM SUPPLEMENT PROJECT.

F. Payments to ADMINISTERING AGENCY for PROJECT-related travel and subsistence (per diem) expenses of ADMINISTERING AGENCY forces and its contractors and subcontractors claimed for reimbursement or as local match credit shall not exceed rates authorized to be paid rank and file STATE employees under current State Department of Personnel Administration (DPA) rules. If the rates invoiced by ADMINISTERING AGENCY are in excess of DPA rates, ADMINISTERING AGENCY is responsible for the cost difference, and any overpayments inadvertently paid by STATE shall be reimbursed to STATE by ADMINISTERING AGENCY on demand within thirty (30) days of such invoice.

G. ADMINISTERING AGENCY agrees to comply with 2 CFR, Part 200, Uniform Administrative Requirements, Cost Principles and Audit Requirement for Federal Awards.

H. ADMINISTERING AGENCY agrees, and will assure that its contractors and subcontractors will be obligated to agree, that Contract Cost Principles and Procedures,

SPECIAL COVENANTS OR REMARKS

48 CFR, Federal Acquisition Regulations System, Chapter 1, Part 31, et seq., shall be used to determine the allowability of individual PROJECT cost items.

I. Every sub-recipient receiving PROJECT funds under this AGREEMENT shall comply with 2 CFR, Part 200, 23 CFR, 48 CFR Chapter 1, Part 31, Local Assistance Procedures, Public Contract Code (PCC) 10300-10334 (procurement of goods), PCC 10335-10381 (non-A&E services), and other applicable STATE and FEDERAL regulations.

J. Any PROJECT costs for which ADMINISTERING AGENCY has received payment or credit that are determined by subsequent audit to be unallowable under 2 CFR, Part 200, 23 CFR, 48 CFR, Chapter 1, Part 31, and other applicable STATE and FEDERAL regulations, are subject to repayment by ADMINISTERING AGENCY to STATE.

K. STATE reserves the right to conduct technical and financial audits of PROJECT WORK and records and ADMINISTERING AGENCY agrees, and shall require its contractors and subcontractors to agree, to cooperate with STATE by making all appropriate and relevant PROJECT records available for audit and copying as required by the following paragraph:

ADMINISTERING AGENCY, ADMINISTERING AGENCY'S contractors and subcontractors, and STATE shall each maintain and make available for inspection and audit by STATE, the California State Auditor, or any duly authorized representative of STATE or the United States all books, documents, papers, accounting records, and other evidence pertaining to the performance of such contracts, including, but not limited to, the costs of administering those various contracts and ADMINISTERING AGENCY shall furnish copies thereof if requested. All of the above referenced parties shall make such AGREEMENT, PROGRAM SUPPLEMENT, and contract materials available at their respective offices at all reasonable times during the entire PROJECT period and for three (3) years from the date of submission of the final expenditure report by the STATE to the FHWA.

L. ADMINISTERING AGENCY, its contractors and subcontractors shall establish and maintain a financial management system and records that properly accumulate and segregate reasonable, allowable, and allocable incurred PROJECT costs and matching funds by line item for the PROJECT. The financial management system of ADMINISTERING AGENCY, its contractors and all subcontractors shall conform to Generally Accepted Accounting Principles, enable the determination of incurred costs at interim points of completion, and provide support for reimbursement payment vouchers or invoices set to or paid by STATE.

M. ADMINISTERING AGENCY is required to have an audit in accordance with the Single Audit Act of 2 CFR 200 if it expends \$750,000 or more in Federal Funds in a single fiscal year of the Catalogue of Federal Domestic Assistance.

N. ADMINISTERING AGENCY agrees to include all PROGRAM SUPPLEMENTS adopting the terms of this AGREEMENT in the schedule of projects to be examined in

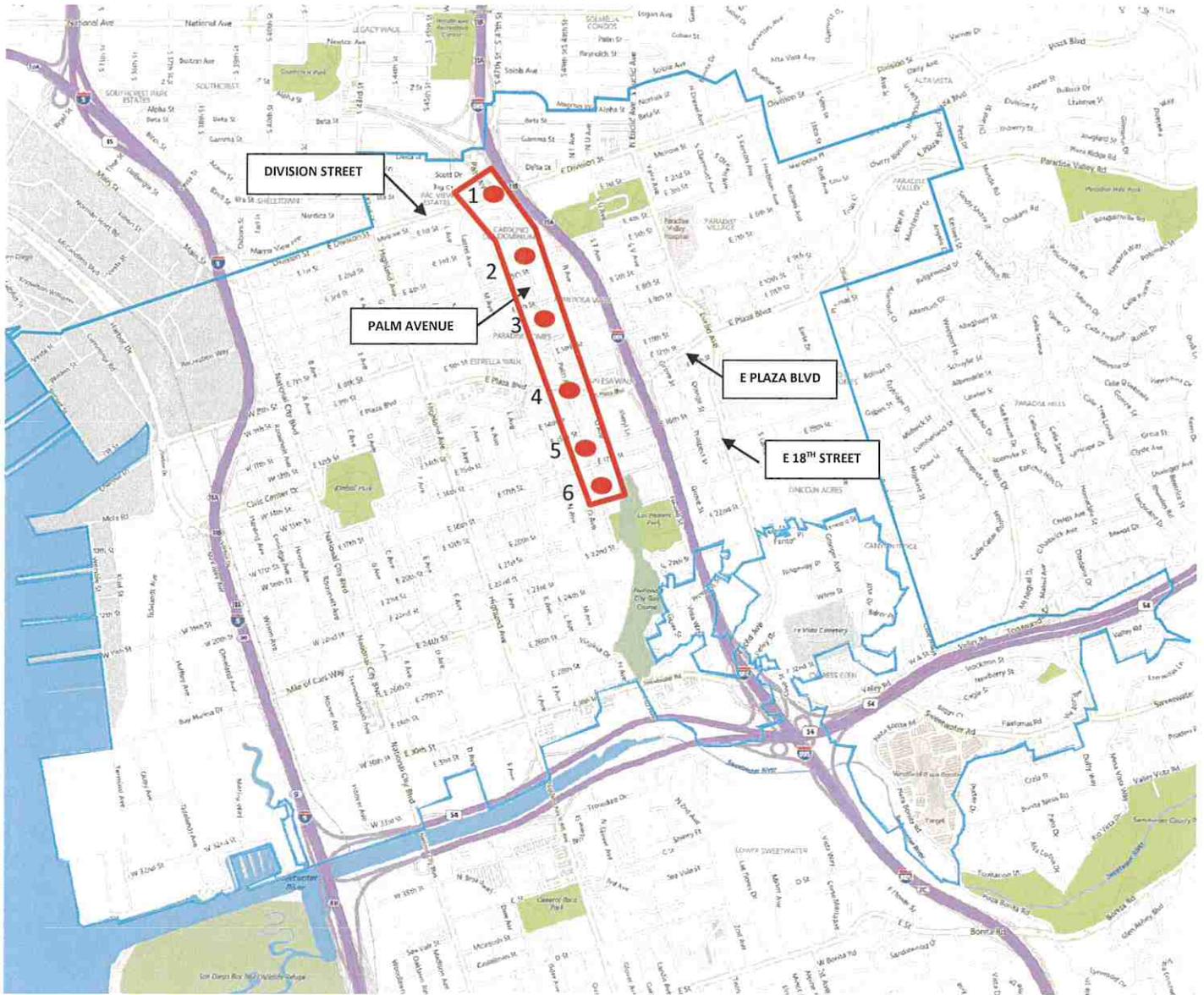
SPECIAL COVENANTS OR REMARKS

ADMINISTERING AGENCY's annual audit and in the schedule of projects to be examined under its single audit prepared in accordance with 2 CFR, Part 200.

O. ADMINISTERING AGENCY shall not award a non-A&E contract over \$5,000, construction contracts over \$10,000, or other contracts over \$25,000 [excluding professional service contracts of the type which are required to be procured in accordance with Government Code sections 4525 (d), (e) and (f)] on the basis of a noncompetitive negotiation for work to be performed under this AGREEMENT without the prior written approval of STATE. Contracts awarded by ADMINISTERING AGENCY, if intended as local match credit, must meet the requirements set forth in this AGREEMENT regarding local match funds.

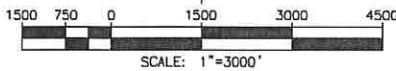
P. Any subcontract entered into by ADMINISTERING AGENCY as a result of this AGREEMENT shall contain provisions B, C, F, H, I, K, and L under Section 2 of this agreement.

LOCATION MAP



LEGEND

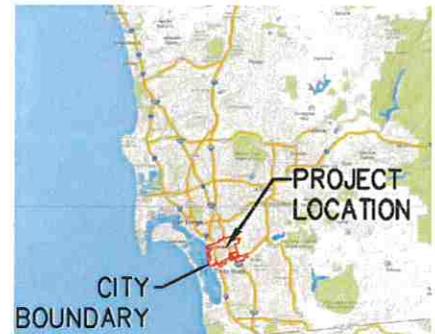
- PROJECT SIGNALIZED LOCATION
- CORRIDOR LIMITS
- CITY BOUNDARY



Int. #	Signalized Intersection
1	Palm Ave and Division St
2	Palm Ave and E. 4th St
3	Palm Ave and E. 8th St
4	Palm Ave and E. Plaza Blvd
5	Palm Ave and E. 16th St
6	Palm Ave and E. 18th St

* NOTE: ALL PROPOSED WORK IS WITHIN CITY RIGHT OF WAY

VICINITY MAP



VICINITY/LOCATION MAP

CITY OF NATIONAL CITY
 PALM AVENUE REHABILITATION PROJECT
 FERPL16 5066(38)

ATTACHMENT

RESOLUTION NO. 2019 –

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY, 1) AUTHORIZING THE MAYOR TO EXECUTE THE PROGRAM SUPPLEMENT AGREEMENT (PSA) NO. F18 WITH THE STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION (CALTRANS) FOR THE PALM AVENUE ROAD REHABILITATION PROJECT TO ALLOW FOR REIMBURSEMENT OF UP TO \$611,932 IN ELIGIBLE PROJECT EXPENDITURES THROUGH THE FEDERAL REPURPOSED EARMARK PROJECT FUND; AND 2) AUTHORIZING THE ESTABLISHMENT OF AN ENGINEERING GRANTS FUND APPROPRIATION OF \$611,932 AND CORRESPONDING REVENUE BUDGET

WHEREAS, on August 2, 2016, the City Council adopted Resolution No. 2016-114 authorizing the City Manager to execute Earmark Repurposing Sheets for submittal to SANDAG to repurpose Federal Earmarked SAFETEA-LU Funds in the amount of \$611,931 from the I-805 Sound Walls Project to local roadway rehabilitation projects, and committing to a 20% local match in the amount of \$152,983 using local Prop A TransNet funds as required for repurposing; and

WHEREAS, the amount authorized was rounded up from \$611,931.34 to \$611,932; and

WHEREAS, on July 25, 2019, Caltrans authorized the City of National City to proceed with the construction phase; and

WHEREAS, the Palm Avenue Road Rehabilitation project will provide a 2” grind and overlay on 1.1 miles of Palm Avenue from Division Street to East 18th Street within the existing right-of way, and upgrade ADA ramps to the current standard within the project limits, as well as address damaged cross gutter, and curb and gutter; and

WHEREAS, the project will also improve pedestrian crossings through the installation of accessibility enhancements at the following intersections:

- 1) Palm Avenue & E. 1st Street
- 2) Palm Avenue & E. 14th Street
- 3) Palm Avenue & E. 7th Street
- 4) Laurel Avenue & E. 1st Street
- 5) Norton Avenue & E. 1st Street

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of National City hereby authorizes the Mayor to execute the Program Supplement Agreement (PSA) No. F18 with the State of California Department of Transportation (Caltrans) for the Palm Avenue Road Rehabilitation Project to allow for reimbursement of up to \$611,932 in Federal Repurposed Earmark Project funds.

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BE IT FURTHER RESOLVED, that the City Council hereby authorizes the establishment of an Engineering Grants Fund appropriation of \$611,932 and corresponding revenue budget.

PASSED and ADOPTED this 17th day of December, 2019.

Alejandra Sotelo-Solis, Mayor

ATTEST:

Michael R. Dalla, City Clerk

APPROVED AS TO FORM:

Angil P. Morris Jones
City Attorney

The following page(s) contain the backup material for Agenda Item: [Resolution of the City Council of the City of National City approving the establishment of an Engineering Grants Fund appropriation of \\$914,300 and corresponding revenue budget to allow for reimbursement of eligible project expenditures through the California River Parkways Grant Program, administered by the California Natural Resources Agency for the Paradise Creek Pedestrian and Bicycle Pathway Phase I Project. \(Engineering/Public Works\)](#)

Please scroll down to view the backup material.

**CITY OF NATIONAL CITY, CALIFORNIA
COUNCIL AGENDA STATEMENT**

MEETING DATE: December 17, 2019

AGENDA ITEM NO.

ITEM TITLE:

Resolution of the City Council of the City of National City approving the establishment of an Engineering Grants Fund appropriation of \$914,300 and corresponding revenue budget to allow for reimbursement of eligible project expenditures through the California River Parkways Grant Program, administered by the California Natural Resources Agency for the Paradise Creek Pedestrian and Bicycle Pathway Phase I Project.

PREPARED BY: Jose Lopez, P.E., Associate Civil Engineer

DEPARTMENT: Engineering/Public Works

PHONE: 619-336-4312

APPROVED BY: 

EXPLANATION:

See attached.

FINANCIAL STATEMENT:

APPROVED:  Finance

ACCOUNT NO.

APPROVED: _____ MIS

California River Parkways Grant Program - \$914,300

Revenue Account No. 296-06585-3463

Expenditure Account No. 296-409-500-598-6585 (Paradise Creek Pedestrian and Bicycle Pathway Phase I Project)

No local match required; \$5,000 of "in-kind" staff support is proposed to administer the grant.

ENVIRONMENTAL REVIEW:

N/A. CEQA is not necessary for land acquisition.

ORDINANCE: INTRODUCTION: FINAL ADOPTION:

STAFF RECOMMENDATION:

Adopt Resolution approving the establishment of an Engineering Grants Fund appropriation of \$914,300 and corresponding revenue budget to allow for reimbursement of eligible project expenditures through the California River Parkways Grant Program.

BOARD / COMMISSION RECOMMENDATION:

N/A

ATTACHMENTS:

1. Explanation w/ attachments
2. Resolution

Explanation

On March 19, 2019 City Council adopted Resolution No. 2019-30 approving the filing of an application for grant funds for the Paradise Creek Pedestrian and Bicycle Pathway Phase I Project ("Project") through the California River Parkways Grant Program, administered by the California Natural Resources Agency.

On April 3, 2019, Staff was notified that the City's grant application was selected for funding under the California River Parkways Grant Program, in the amount of \$914,300 for the Project.

The grant funds will be used acquire the welding shop located at 140 W. 18th Street ("Property"). Staff has been working with the property owner to reach a Purchase and Sale Agreement. On November 25, 2019, an Agreement was reached for the purchase and sale of the Property.

Phase II of the project would include demolition of the welding shop, site remediation and site preparation to expand natural vegetation along Paradise Creek, construct drainage features to mitigate flooding, and provide pedestrian and bicycle pathways through the site for access to Paradise Creek Educational Park. Staff will seek other grant opportunities to fund the site improvements.

Staff is requesting authorization to establish an Engineering Grants Fund appropriation of \$914,300 and corresponding revenue budget to allow for reimbursement of eligible project expenditures through the California River Parkways Grant Program, administered by the California Natural Resources Agency for the Project.

No local match is required; \$5,000 of "in-kind" staff support is proposed to administer the grant.

Phase I photos



Property proposed for acquisition (brown building and fenced area). Photo taken from W 18th Street, looking south/southwest.



Flooding at property proposed for acquisition (brown building, right foreground). Photo taken at intersection of W 18th Street and Hoover Avenue, looking east.

RESOLUTION NO. 2019 –

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY
APPROVING THE ESTABLISHMENT OF AN ENGINEERING GRANTS FUND
APPROPRIATION OF \$914,300 AND CORRESPONDING REVENUE BUDGET TO
ALLOW FOR THE REIMBURSEMENT OF ELIGIBLE PROJECT EXPENDITURES
THROUGH THE CALIFORNIA RIVER PARKWAYS GRANT PROGRAM,
ADMINISTERED BY THE CALIFORNIA NATURAL RESOURCES AGENCY FOR THE
PARADISE CREEK PEDESTRIAN AND BICYCLE PATHWAY PHASE I PROJECT**

WHEREAS, on March 19, 2019, the City Council adopted Resolution No. 2019-30 approving the filing of an application for grant funds for the Paradise Creek Pedestrian and Bicycle Pathway Phase I Project (“Project”) through the California River Parkways Grant Program, administered by the California Natural Resources Agency; and

WHEREAS, on April 3, 2019, staff was notified that the City’s grant application was selected for funding under the California River Parkways Grant Program, in the amount of \$914,300 for the Project; and

WHEREAS, the grant funds will be used to acquire the welding shop located at 140 W. 18th Street (“Property”); and

WHEREAS, an agreement was reached on November 25, 2019, for the purchase and sale of the Property; and

WHEREAS, Phase II of the project would include demolition of the welding shop, site remediation and site preparation to expand natural vegetation along Paradise Creek, construct drainage features to mitigate flooding, and provide pedestrian and bicycle pathways through the site for access to Paradise Creek Educational Park; and

WHEREAS, no local match is required; \$5,000 of “in-kind” staff support is proposed to administer the grant.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of National City hereby authorizes the establishment of an Engineering Grants Fund appropriation of \$914,300 and corresponding revenue budget to allow for the reimbursement of eligible project expenditures through the California River Parkways Grant Program, administered by the California Natural Resources Agency for the Project.

PASSED and ADOPTED this 17th day of December, 2019.

Alejandra Sotelo-Solis, Mayor

ATTEST:

Michael R. Dalla, City Clerk

APPROVED AS TO FORM:

Angil P. Morris Jones, City Attorney

The following page(s) contain the backup material for Agenda Item: [Resolution of the City Council of the City of National City authorizing the installation of red curb "No Parking" at various intersections along "D" Avenue, between E. 1st Street and E. 7th Street to enhance visibility and access to the intersections \(TSC No. 2019-12\).](#)
[\(Engineering/Public Works\)](#)

Please scroll down to view the backup material.

**CITY OF NATIONAL CITY, CALIFORNIA
COUNCIL AGENDA STATEMENT**

MEETING DATE: December 17, 2019

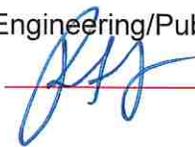
AGENDA ITEM NO.

ITEM TITLE:

Resolution of the City Council of the City of National City authorizing the installation of red curb "No Parking" at various intersections along "D" Avenue, between E. 1st Street and E. 7th Street to enhance visibility and access to the intersections (TSC No. 2019-12).

PREPARED BY: Carla Hutchinson, Assistant Engineer - Civil *C.H.*, **DEPARTMENT:** Engineering/Public Works

PHONE: 619-336-4388

APPROVED BY: 

EXPLANATION:

See attached.

FINANCIAL STATEMENT:

ACCOUNT NO.

N/A

APPROVED: _____ **Finance**

APPROVED: _____ **MIS**

ENVIRONMENTAL REVIEW:

N/A

ORDINANCE: INTRODUCTION: FINAL ADOPTION:

STAFF RECOMMENDATION:

Adopt Resolution authorizing installation of red curb "No Parking" at various intersections along "D" Avenue, between E. 1st Street and E. 7th Street.

BOARD / COMMISSION RECOMMENDATION:

At their meeting on November 13, 2019, the Traffic Safety Committee approved staff's recommendation to install red curb "No Parking" at various intersections along "D" Avenue, between E. 1st Street and E. 7th Street.

ATTACHMENTS:

1. Explanation w/ Exhibit
2. Staff Report to the Traffic Safety Committee on November 13, 2019 (TSC No. 2019-12)
3. Resolution

EXPLANATION

Several residents contacted Engineering staff expressing safety concerns regarding various intersections along "D" Avenue, between E. 1st Street and E. 7th Street, citing one accident that occurred within the past few months. Area residents have requested red curb "no parking" in these intersections to improve visibility and enhance safety for the vehicles exiting E. 1st Street through E. 7th Street onto "D" Avenue.

Staff performed a site evaluation. "D" Avenue, between E. 1st Street and E. 7th Street, is a 2-lane local road with posted speed limit of 25 mph and unrestricted parallel parking on both sides of the streets. Staff confirmed that the intersections of E. 1st Street through E. 7th Street, along "D" Avenue, are stop controlled for eastbound and westbound traffic. Also, staff observed that there is existing red curb "no parking" in some of these intersections, due to existing fire hydrants and bus stops. Please see attached exhibit.

Staff evaluated the line of site for vehicles attempting to exit any of these streets (E. 1st Street through E. 7th Street) onto "D" Avenue and confirmed that it is difficult to see oncoming traffic when vehicles are parked very close to the intersections. Therefore, staff recommends installing red curb "no parking" on the intersections of "D" Avenue, between E. 1st Street and E. 7th Street, as shown in the attached exhibit.

Staff also reviewed the traffic collision history for this intersection, which confirmed there were fifteen (15) "reported" traffic collisions within the past four years. The NCPD report shows that four crashes at the intersection were caused by failure right-of way requirements in the intersection (CVC 21800). See attachment for traffic collision summary table.

This item was presented to the Traffic Safety Committee on November 13, 2019. Staff sent notices to area residents inviting them to attend the Traffic Safety Committee Meeting and/or contact staff with any questions. Mr. Bradley Bong was in attendance to speak in support of the item.

Staff presented the results of the site evaluation and after discussion, the Traffic Safety Committee unanimously approved staff's recommendation for the following traffic safety enhancements:

1. Install 20 feet of red curb "No Parking" on the on the north side of E. 1st Street, west of "D" Avenue. This will result in the loss of one (1) on-street parking space;
2. Install 10 feet of red curb "No Parking" on the north side of E. 1st Street, east of "D" Avenue. This will not result in the loss of on-street parking;
3. Install 20 feet of red curb "No Parking" on the on the south side of E. 1st Street, east of "D" Avenue. This will result in the loss of one (1) on-street parking space;
4. Install 10 feet of red curb "No Parking" on the south side of E. 1st Street, west of "D" Avenue. This will not result in the loss of on-street parking;

5. Install 10 feet of red curb "No Parking" on the on the north side of E. 2nd Street, east of "D" Avenue. This will not result in the loss of on-street parking;
6. Install 10 feet of red curb "No Parking" on the south side of E. 2nd Street, west of "D" Avenue. This will not result in the loss of on-street parking;
7. Install 20 feet of red curb "No Parking" on the north side of E. 3rd Street, west of "D" Avenue. This will result in the loss of one (1) on-street parking space;
8. Install 10 feet of red curb "No Parking" on the south side of E. 3rd Street, west of "D" Avenue. This will not result in the loss of on-street parking;
9. Install 20 feet of red curb "No Parking" on the south side of E. 3rd Street, east of "D" Avenue. This will result in the loss of one (1) on-street parking space;
10. Install 10 feet of red curb "No Parking" on the north side of E. 4th Street, east of "D" Avenue. This will not result in the loss of on-street parking;
11. Install 20 feet of red curb "No Parking" on the north side of E. 5th Street, west of "D" Avenue. This will result in the loss of one (1) on-street parking space;
12. Install 10 feet of red curb "No Parking" on the south side of E. 5th Street, west of "D" Avenue. This will not result in the loss of on-street parking;
13. Install 20 feet of red curb "No Parking" on the south side of E. 5th Street, east of "D" Avenue. This will result in the loss of one (1) on-street parking space;
14. Install 10 feet of red curb "No Parking" on the north side of E. 6th Street, east of "D" Avenue. This will not result in the loss of on-street parking;
15. Install 20 feet of red curb "No Parking" on the north side of E. 6th Street, west of "D" Avenue. This will result in the loss of one (1) on-street parking space;
16. Install 10 feet of red curb "No Parking" on the south side of E. 6th Street, west of "D" Avenue. This will not result in the loss of on-street parking;
17. Install 20 feet of red curb "No Parking" on the south side of E. 6th Street, east of "D" Avenue. This will result in the loss of one (1) on-street parking space;
18. Install 10 feet of red curb "No Parking" on the south side of E. 7th Street, west of "D" Avenue. This will not result in the loss of on-street parking;
19. Install 20 feet of red curb "No Parking" on the north side of E. 7th Street, west of "D" Avenue. This will result in the loss of one (1) on-street parking space.

If approved by City Council, all work will be performed by City Public Works

Location Map with Recommended Enhancements (TSC Item: 2019-12)



**NATIONAL CITY TRAFFIC SAFETY COMMITTEE
AGENDA REPORT FOR NOVEMBER 13, 2019**

ITEM NO. 2019-12

ITEM TITLE: REQUEST TO INSTALL RED CURB "NO PARKING" AT VARIOUS INTERSECTIONS ALONG "D" AVENUE, BETWEEN E. 1ST STREET AND E. 7TH STREET TO ENHANCE VISIBILITY AND ACCESS TO THE INTERSECTIONS.

PREPARED BY: Carla Hutchinson, Assistant Engineer - Civil
Engineering & Public Works Department

DISCUSSION:

Several residents contacted Engineering staff expressing safety concerns regarding various intersections along "D" Avenue, between E. 1st Street and E. 7th Street, citing one accident that occurred within the past few months. Area residents have requested red curb "no parking" in these intersections to improve visibility and enhance safety for the vehicles exiting E. 1st Street through E. 7th Street onto "D" Avenue.

Staff performed a site evaluation. "D" Avenue, between E. 1st Street and E. 7th Street, is a 2-lane local road with posted speed limit of 25 mph and unrestricted parallel parking on both sides of the streets. Staff confirmed that the intersections of E. 1st Street through E. 7th Street, along "D" Avenue, are stop controlled for eastbound and westbound traffic. Also, staff observed that there is existing red curb "no parking" in some of these intersections, due to existing fire hydrants and bus stops. Please see attached exhibit.

Staff evaluated the line of site for vehicles attempting to exit any of these streets (E. 1st Street through E. 7th Street) onto "D" Avenue and confirmed that it is difficult to see oncoming traffic when vehicles are parked very close to the intersections. Therefore, staff recommends installing red curb "no parking" on the intersections of "D" Avenue, between E. 1st Street and E. 7th Street, as shown in the attached exhibit.

Staff also reviewed the traffic collision history for this intersection, which confirmed there were fifteen (15) "reported" traffic collisions within the past four years. The NCPD report shows that four crashes at the intersection were caused by failure right-of way requirements in the intersection (CVC 21800). See attachment for traffic collision summary table.

STAFF RECOMMENDATION:

Based on evaluation of existing conditions, staff recommends the following safety enhancements:

1. Install 20 feet of red curb "No Parking" on the on the north side of E. 1st Street, west of "D" Avenue. This will result in the loss of one (1) on-street parking space;

2. Install 10 feet of red curb "No Parking" on the north side of E. 1st Street, east of "D" Avenue. This will not result in the loss of on-street parking;
3. Install 20 feet of red curb "No Parking" on the on the south side of E. 1st Street, east of "D" Avenue. This will result in the loss of one (1) on-street parking space;
4. Install 10 feet of red curb "No Parking" on the south side of E. 1st Street, west of "D" Avenue. This will not result in the loss of on-street parking;
5. Install 10 feet of red curb "No Parking" on the on the north side of E. 2nd Street, east of "D" Avenue. This will not result in the loss of on-street parking;
6. Install 10 feet of red curb "No Parking" on the south side of E. 2nd Street, west of "D" Avenue. This will not result in the loss of on-street parking;
7. Install 20 feet of red curb "No Parking" on the north side of E. 3rd Street, west of "D" Avenue. This will result in the loss of one (1) on-street parking space;
8. Install 10 feet of red curb "No Parking" on the south side of E. 3rd Street, west of "D" Avenue. This will not result in the loss of on-street parking;
9. Install 20 feet of red curb "No Parking" on the south side of E. 3rd Street, east of "D" Avenue. This will result in the loss of one (1) on-street parking space;
10. Install 10 feet of red curb "No Parking" on the north side of E. 4th Street, east of "D" Avenue. This will not result in the loss of on-street parking;
11. Install 20 feet of red curb "No Parking" on the north side of E. 5th Street, west of "D" Avenue. This will result in the loss of one (1) on-street parking space;
12. Install 10 feet of red curb "No Parking" on the south side of E. 5th Street, west of "D" Avenue. This will not result in the loss of on-street parking;
13. Install 20 feet of red curb "No Parking" on the south side of E. 5th Street, east of "D" Avenue. This will result in the loss of one (1) on-street parking space;
14. Install 10 feet of red curb "No Parking" on the north side of E. 6th Street, east of "D" Avenue. This will not result in the loss of on-street parking;
15. Install 20 feet of red curb "No Parking" on the north side of E. 6th Street, west of "D" Avenue. This will result in the loss of one (1) on-street parking space;
16. Install 10 feet of red curb "No Parking" on the south side of E. 6th Street, west of "D" Avenue. This will not result in the loss of on-street parking;
17. Install 20 feet of red curb "No Parking" on the south side of E. 6th Street, east of "D" Avenue. This will result in the loss of one (1) on-street parking space;
18. Install 10 feet of red curb "No Parking" on the south side of E. 7th Street, west of "D" Avenue. This will not result in the loss of on-street parking;
19. Install 20 feet of red curb "No Parking" on the north side of E. 7th Street, west of "D" Avenue. This will result in the loss of one (1) on-street parking space.

ATTACHMENTS:

1. Public Request;
2. Public Notice;
3. Location Map with Recommended Enhancements;
4. Photos;
5. Traffic Collision History.

2019-12



PUBLIC REQUEST FORM

Contact Information

Name:	Various area residents		
Address:	D Avenue		
Phone:		Email:	

Request Information

Location:			
Request:	Traffic accidents on D Avenue, between E. 1st Street and E. 7th Street		
Attachments:	<input type="checkbox"/> Yes	<input type="checkbox"/> No	Description: _____

Internal Use Only:

Request Received By:	Carla Hutchinson	Date:	9/11/19			
Received via:	<input type="checkbox"/> Counter/In-Person	<input checked="" type="checkbox"/> Telephone	<input type="checkbox"/> Email	<input type="checkbox"/> Fax	<input type="checkbox"/> Referral:	
Assigned To:						
Notes:						



November 6, 2019

Resident/Property Owner

Subject: TRAFFIC SAFETY COMMITTEE (TSC) ITEM NO. 2019-12

REQUEST TO INSTALL RED CURB "NO PARKING" AT VARIOUS INTERSECTIONS ALONG "D" AVENUE, BETWEEN E. 1ST STREET AND E. 7TH STREET TO ENHANCE VISIBILITY AND ACCESS TO THE INTERSECTIONS.

Dear Sir/Madame:

The City of National City would like to invite you to our next public Traffic Safety Committee Meeting scheduled for **Wednesday, November 13, 2019, at 1:00 P.M.** in the 2nd Floor Large Conference Room of the Civic Center Building, 1243 National City Boulevard, to discuss the above-referenced item.

The City Hall is ADA compliance. Please note that there are two disabled persons parking spaces in front of City Hall on the east side of National City that provide direct access on the 2nd Floor of City Hall via a pedestrian bridge.

If you have any questions, comments, and/or concerns, please contact the Engineering Department at 619-336-4380 and reference Traffic Safety Committee Item Number 2019-12.

Sincerely,

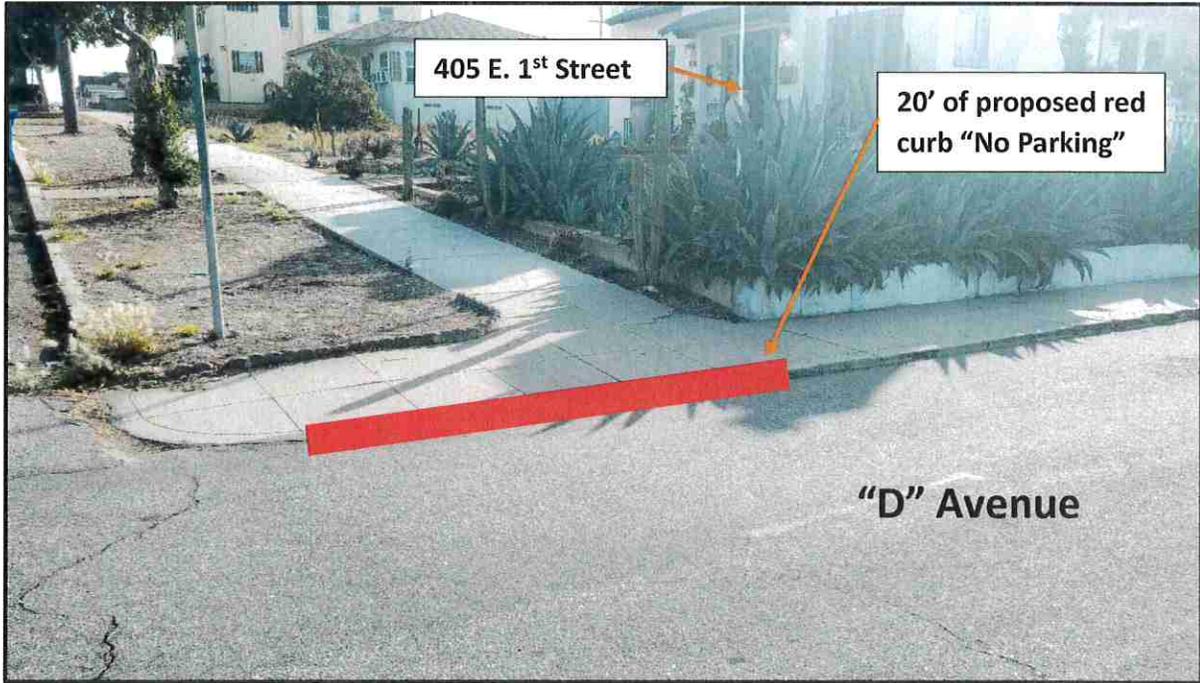
Stephen Manganiello
City Engineer

SM:ch

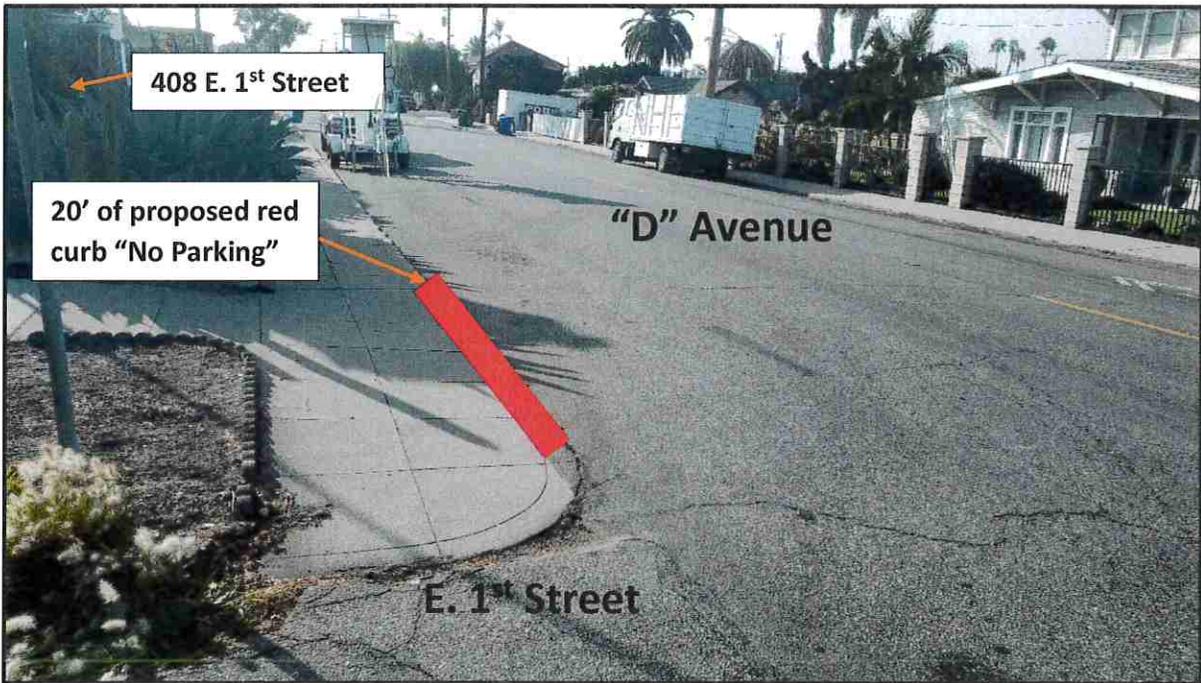
Enclosure: Location Map with Recommended Enhancements

2019-12

1234 National City Boulevard, National City, CA 91950-6530
(619) 336-4380 Fax (619) 336-4397 engineering@nationalcityca.gov



Location of proposed red curb "No Parking" on southeast corner of E. 1st Street & D Avenue (looking east)



Location of proposed red curb "No Parking" on southeast corner of E. 1st Street & D Avenue (looking south)



Location of proposed red curb "No Parking" on northeast corner of E. 1st Street & D Avenue (looking north)



Location of proposed red curb "No Parking" on northeast corner of E. 1st Street & D Avenue (looking east)



Location of proposed red curb "No Parking" on northwest corner of E. 1st Street & D Avenue (looking north)



Location of proposed red curb "No Parking" on northwest corner of E. 1st Street & D Avenue (looking west)



Location of proposed red curb "No Parking" on southwest corner of E. 1st Street & D Avenue (looking south)



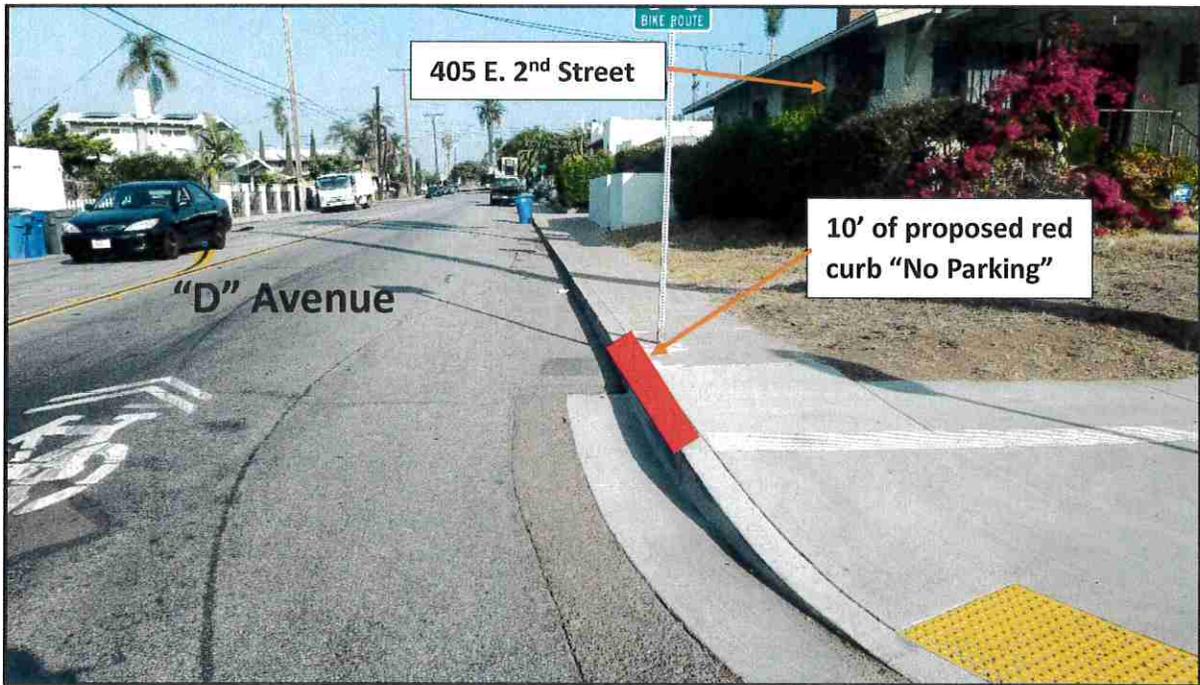
Location of proposed red curb "No Parking" on southwest corner of E. 1st Street & D Avenue (looking west)



Location of proposed red curb "No Parking" on southwest corner of E. 2nd Street & D Avenue (looking south)



Location of proposed red curb "No Parking" on southwest corner of E. 2nd Street & D Avenue (looking west)



Location of proposed red curb "No Parking" on northeast corner of E. 2nd Street & D Avenue (looking north)



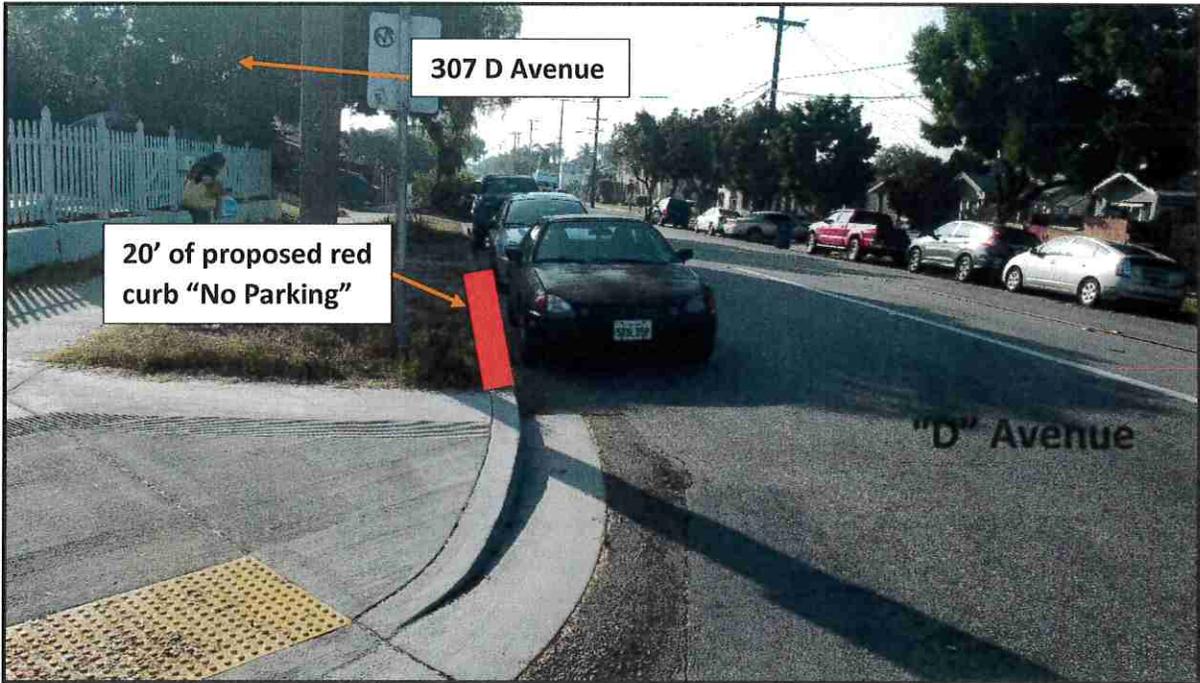
Location of proposed red curb "No Parking" on northeast corner of E. 2nd Street & D Avenue (looking east)



Location of proposed red curb "No Parking" on northwest corner of E. 3rd Street & D Avenue (looking north)



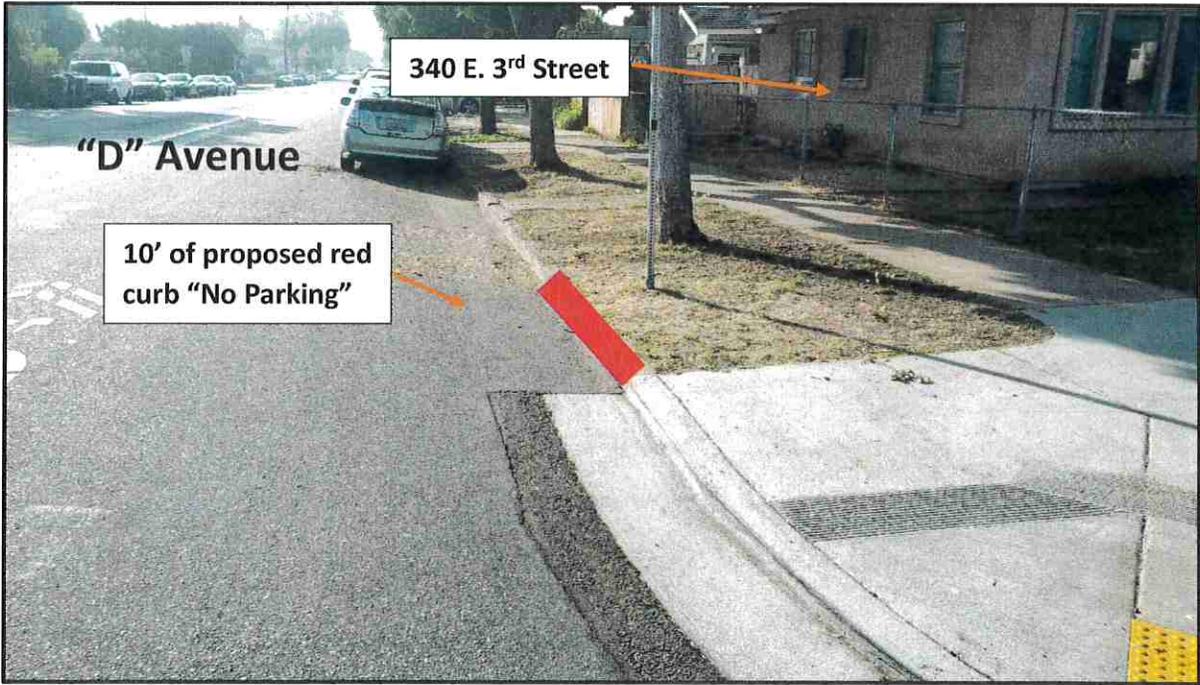
Location of proposed red curb "No Parking" on northwest corner of E. 3rd Street & D Avenue (looking west)



Location of proposed red curb "No Parking" on southeast corner of E. 3rd Street & D Avenue (looking south)



Location of proposed red curb "No Parking" on southeast corner of E. 3rd Street & D Avenue (looking east)



Location of proposed red curb "No Parking" on southwest corner of E. 3rd Street & D Avenue (looking south)



Location of proposed red curb "No Parking" on southwest corner of E. 3rd Street & D Avenue (looking west)



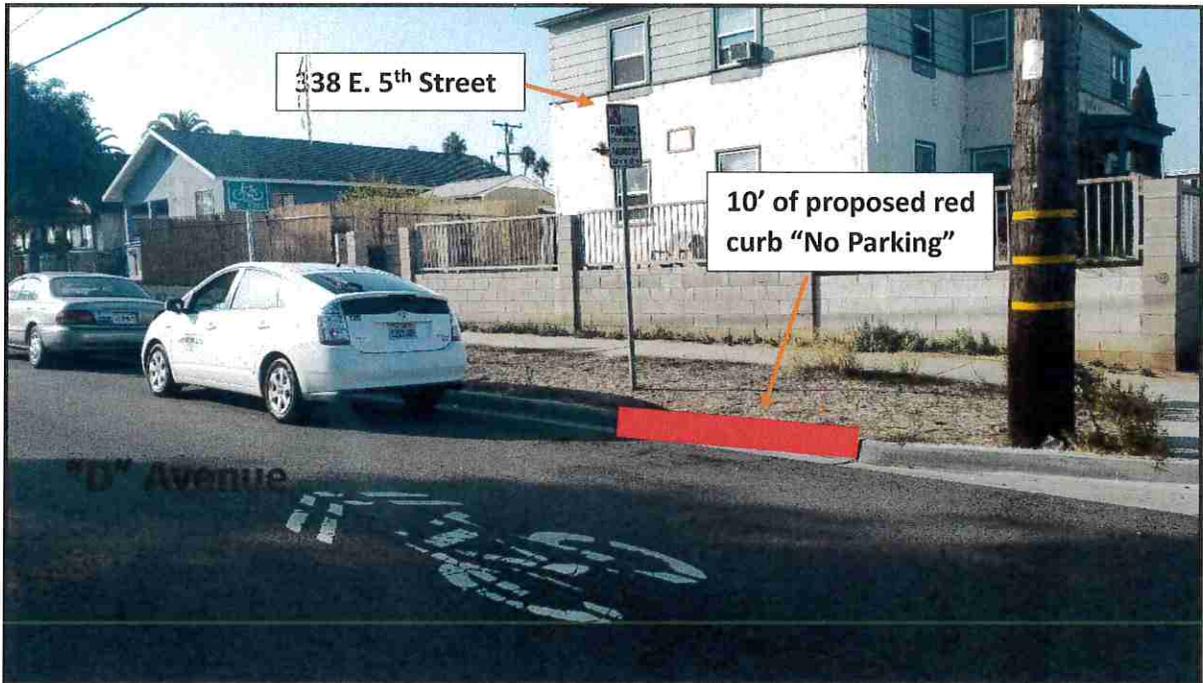
Location of proposed red curb "No Parking" on northeast corner of E. 4th Street & D Avenue (looking north)



Location of proposed red curb "No Parking" on northeast corner of E. 4th Street & D Avenue (looking east)



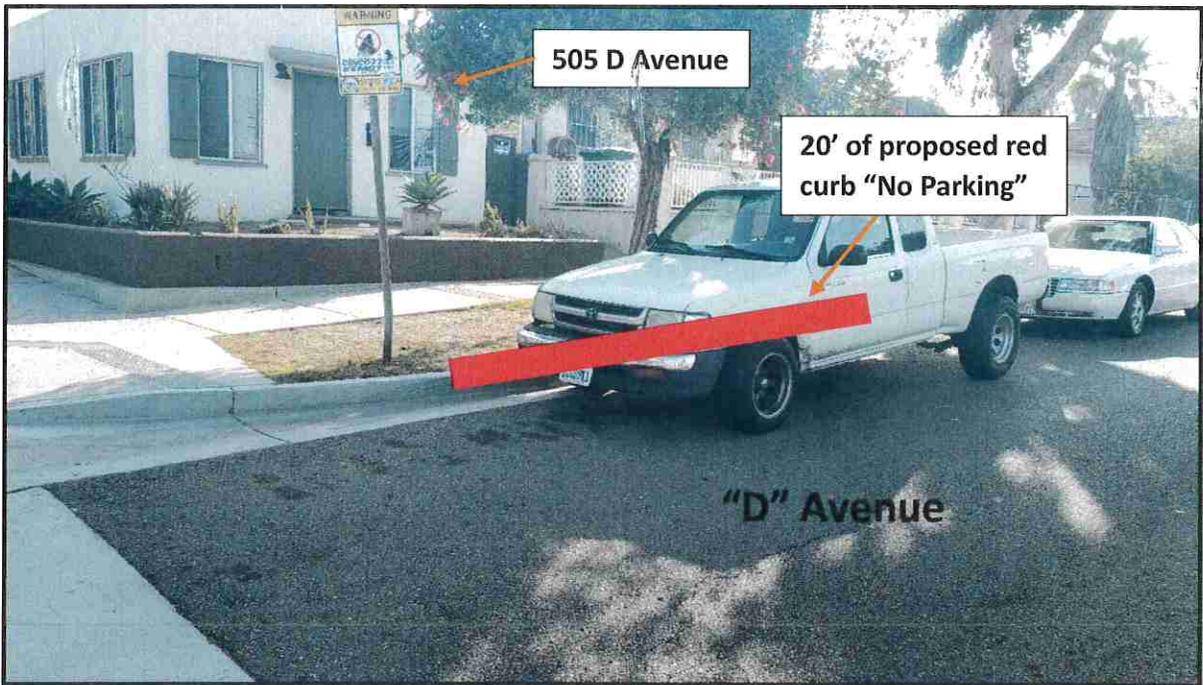
Location of proposed red curb "No Parking" on southwest corner of E. 5th Street & D Avenue (looking south)



Location of proposed red curb "No Parking" on southwest corner of E. 5th Street & D Avenue (looking west)



Location of proposed red curb "No Parking" on southeast corner of E. 5th Street & D Avenue (looking south)



Location of proposed red curb "No Parking" on southeast corner of E. 5th Street & D Avenue (looking east)



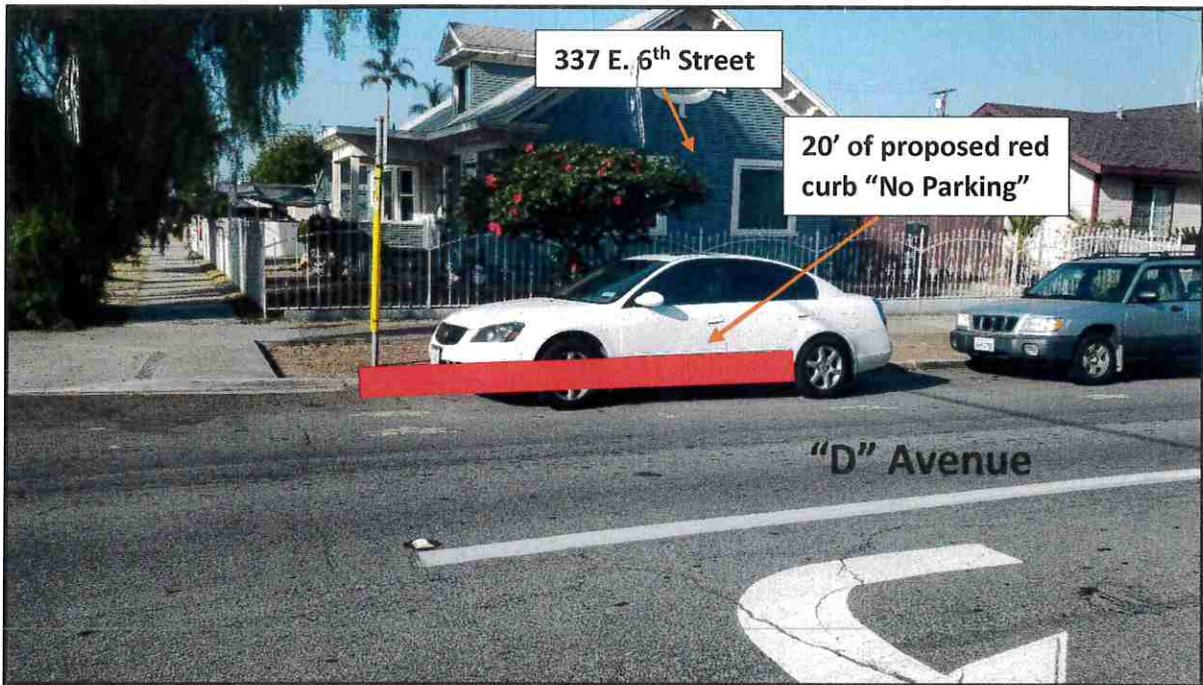
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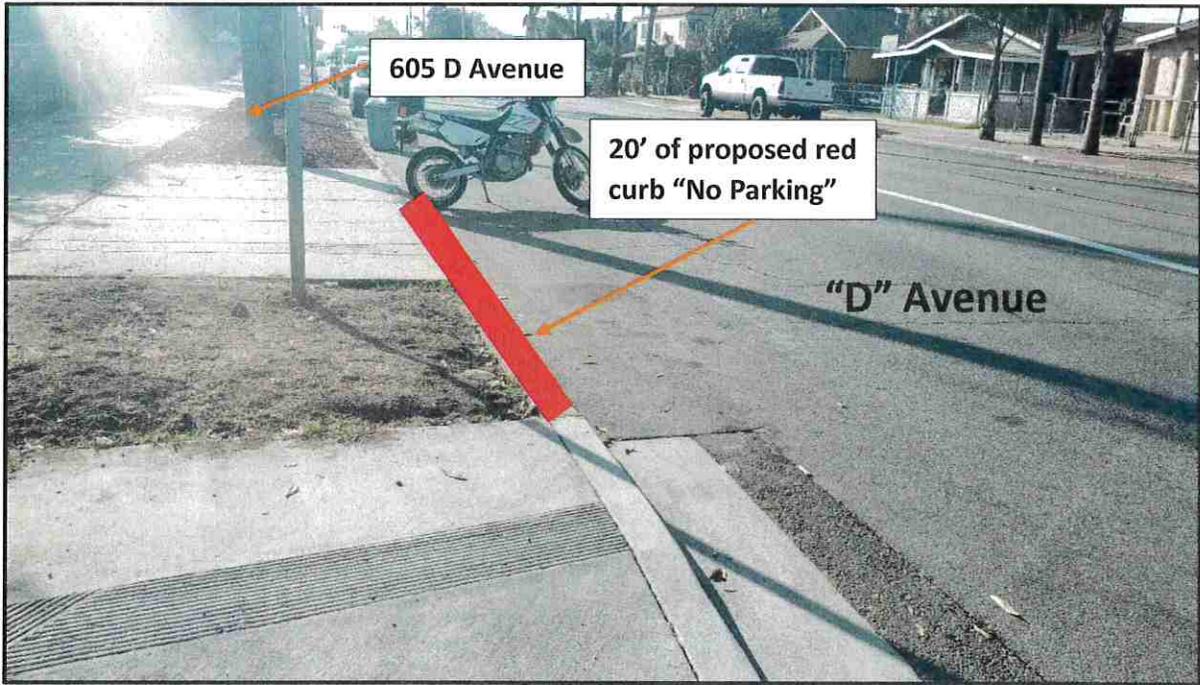
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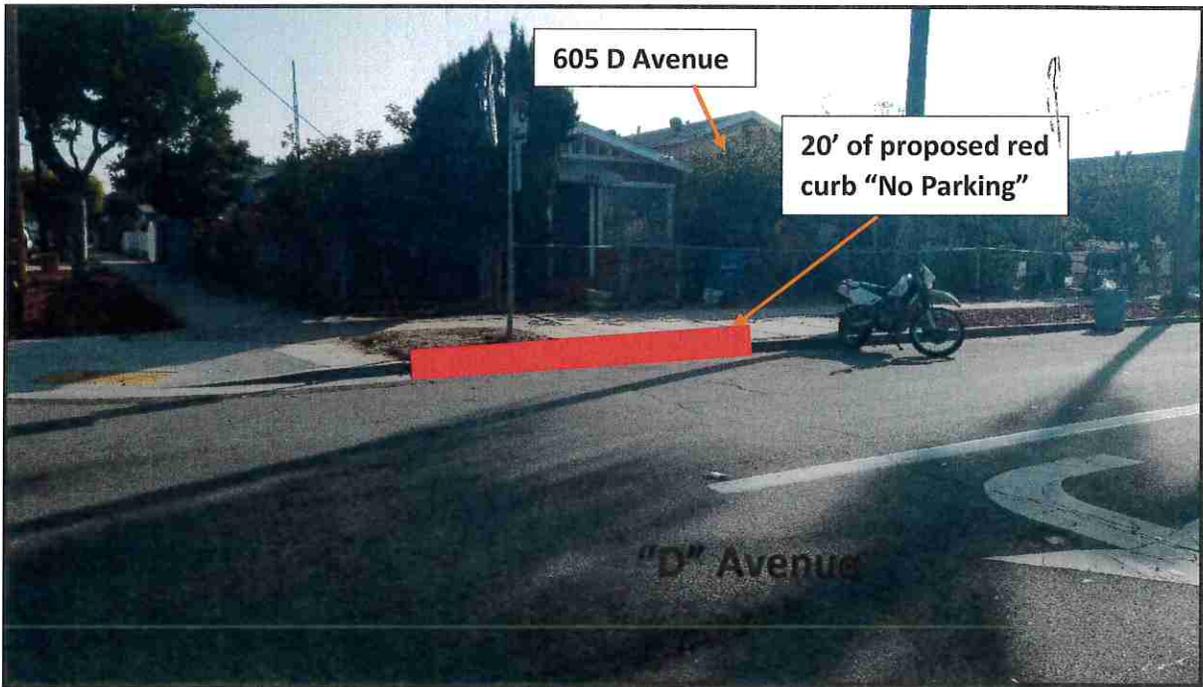
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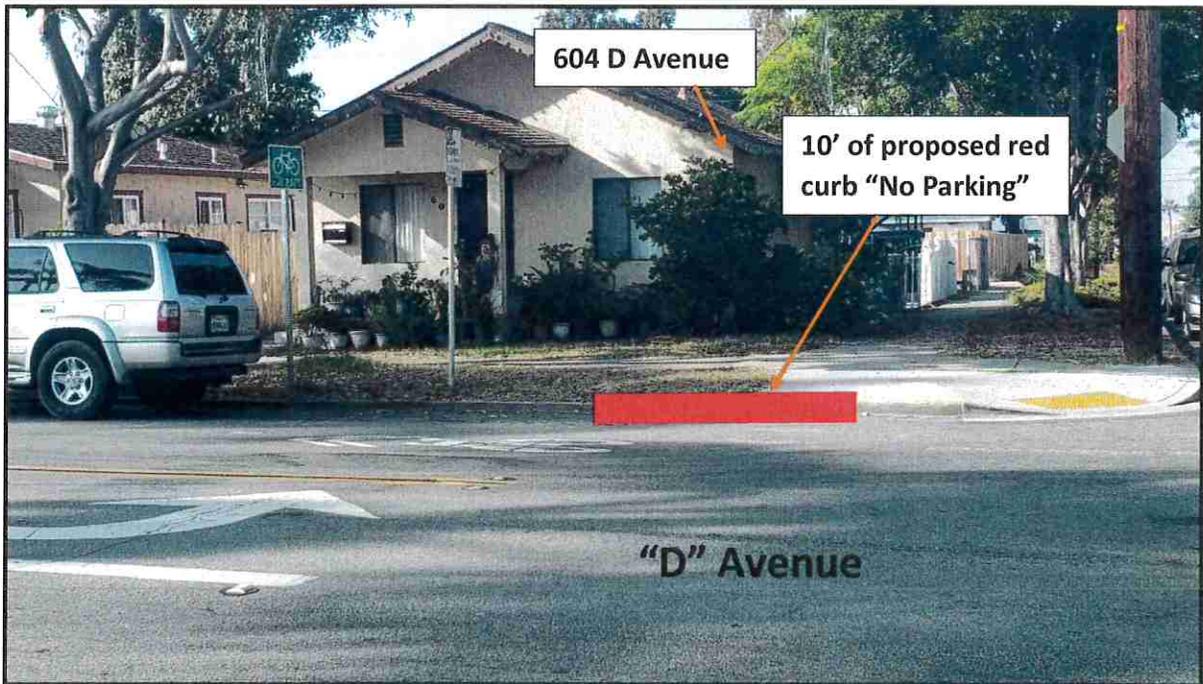
Location of proposed red curb "No Parking" on southeast corner of E. 6th Street & D Avenue (looking south)



Location of proposed red curb "No Parking" on southeast corner of E. 6th Street & D Avenue (looking east)



Location of proposed red curb "No Parking" on southwest corner of E. 6th Street & D Avenue (looking south)



Location of proposed red curb "No Parking" on southwest corner of E. 6th Street & D Avenue (looking west)



Location of proposed red curb "No Parking" on southwest corner of E. 7th Street & D Avenue (looking south)



Location of proposed red curb "No Parking" on southwest corner of E. 7th Street & D Avenue (looking west)



Location of proposed red curb "No Parking" on northwest corner of E. 7th Street & D Avenue (looking north)

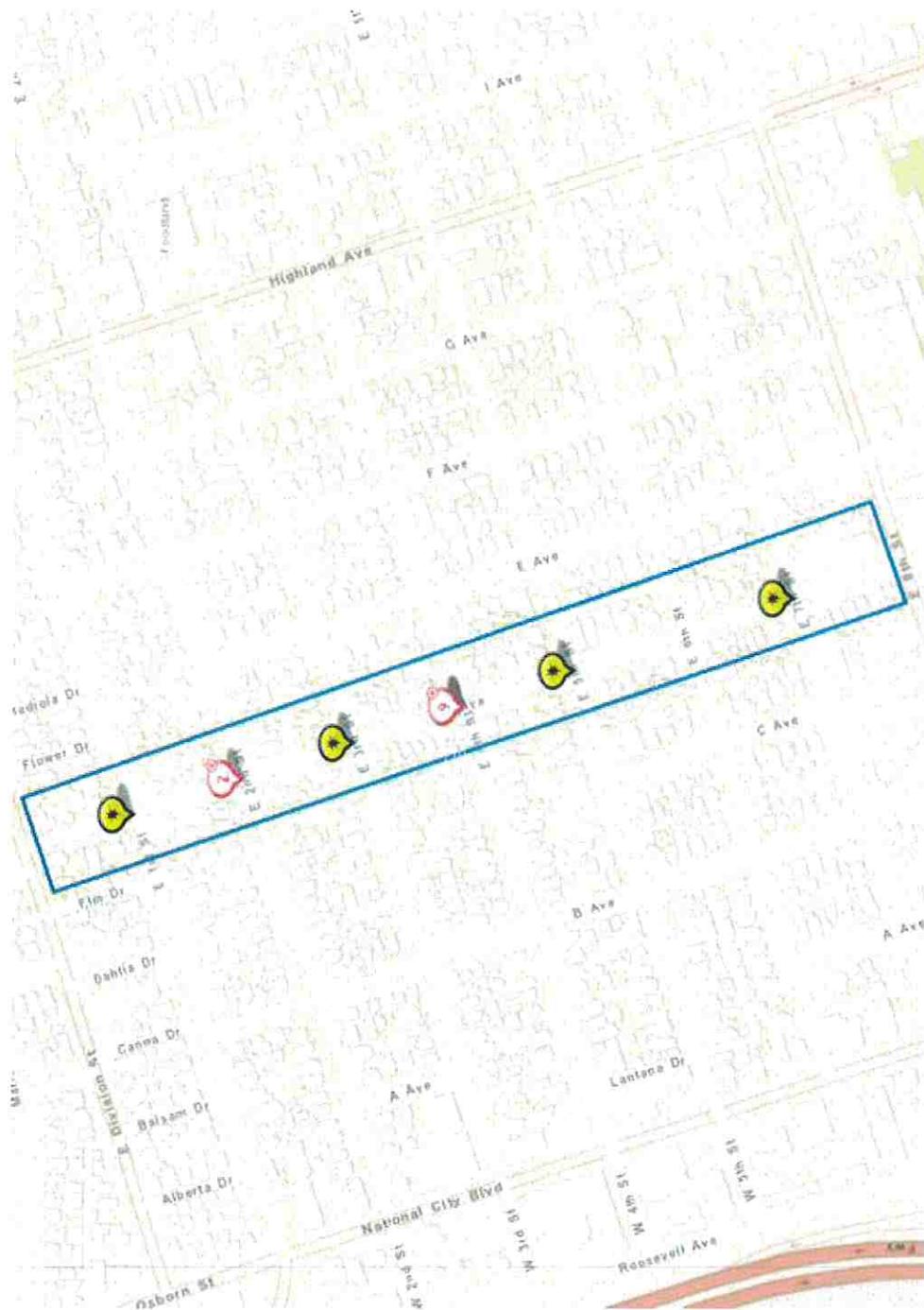


Location of proposed red curb "No Parking" on northwest corner of E. 7th Street & D Avenue (looking west)

Traffic Collision History (NCPD Records Division)

From November 5, 2015 – November 5, 2019, there were fifteen (15) “reported” traffic collisions on “D” Avenue, between E. 1st Street and E. 7th Street.

AGENCY	ACTIVITY NUMBER	DATE	VIOLATION CODE	VIOLATION DESCRIPTION	ADDRESS	INJURY FLAG	NUMBER INJURED	NUMBER KILLED	HIT & RUN FLAG	VEHICLE LEVEL	PEDESTRIAN RELATED	CHARGE LEVEL
NATIONAL CITY	1703681	7/10/2017 5:48	VC 21802A	RIGHT-OF-WAY-FROM STOP INTERSECTION (I)	E02ND & D AVENUE, NC, 91950	N	0	0	N	N	N	INFRACTION
NATIONAL CITY	1568649	12/14/2015 21:49	VC 218152A	DUI ALCOHOL AND/OR DRUGS	E04TH STREET & D AVENUE, NC,	N	0	0	N	N	N	MISDEMEANOR
NATIONAL CITY	1704330	8/14/2017 8:40	VC 21800A	RIGHT-OF-WAY-INTERSECTION	E04TH STREET & D AVENUE, NC, 91950	Y	1	0	N	N	N	INFRACTION
NATIONAL CITY	1566584	12/22/2015 10:55	VC 22450(A)	STOP REQUIREMENTS STATE STOP LINE	E04TH STREET & D AVENUE, NC,	N	0	0	N	N	N	INFRACTION
NATIONAL CITY	1602305	4/26/2015 8:20	VC 22450(A)	STOP REQUIREMENTS STATE STOP LINE	E04TH STREET & D AVENUE, NC,	Y	1	0	N	N	Y	INFRACTION
NATIONAL CITY	1901200	3/1/2019 18:20	VC 20002(B)	HIT AND RUN-RUNAWAY VEH-PROP DAMAGE (M)	E04TH STREET & D AVENUE, NC, 91950	N	0	0	Y	MISDEMEANOR	N	MISDEMEANOR
NATIONAL CITY	1901028	2/19/2019 13:50	VC 22350	UNSAFE SPEED (BASIC SPEED LAW) (I)	E04TH STREET & D AVENUE, NC, 91950	N	0	0	Y	MISDEMEANOR	N	INFRACTION
NATIONAL CITY	1900790	2/7/2019 11:20	VC 22354A	RIGHT-OF-WAY-FROM STOP INTERSECTION (I)	E04TH STREET & D AVENUE, NC, 91950	Y	1	0	N	N	Y	INFRACTION
NATIONAL CITY	1894107	8/20/2018 17:37	VC 21802A	RIGHT-OF-WAY-FROM STOP INTERSECTION (I)	E04TH STREET & D AVENUE, NC, 91950	Y	1	0	N	N	N	INFRACTION
NATIONAL CITY	1689552	12/22/2015 7:49	VC 22450(A)	STOP REQUIREMENTS STATE STOP LINE	E04TH STREET & D AVENUE, NC,	N	0	0	N	N	N	INFRACTION
NATIONAL CITY	1802207	5/2/2018 16:40	VC 21802B	RIGHT-OF-WAY-ENTERING OR CROSSING INTERSECTION (I)	E02ST STREET & D AVENUE, NC, 91950	Y	1	0	N	N	N	INFRACTION
NATIONAL CITY	1902000	4/10/2019 17:06	VC 22450(A)	FAILED TO STOP FOR STOP SIGN (I)	E07TH STREET & D AVENUE, NC, 91950	Y	1	0	N	N	N	INFRACTION
NATIONAL CITY	1805227	10/26/2015 10:28	VC 21800A	RIGHT-OF-WAY-INTERSECTION	E05TH STREET & D AVENUE, NC, 91950	Y	1	0	N	N	N	INFRACTION
NATIONAL CITY	1801266	3/7/2018 7:08	VC 22450(A)	FAILED TO STOP FOR STOP SIGN (I)	E04TH STREET & D AVENUE, NC, 91950	Y	1	0	N	N	N	INFRACTION
NATIONAL CITY	1702672	5/19/2017 17:49	VC 22450(A)	STOP REQUIREMENTS STATE STOP LINE	E04TH STREET & D AVENUE, NC,	Y	1	0	N	N	N	INFRACTION
NATIONAL CITY	1602221	4/18/2015 1:45	VC 22450(A)	STOP REQUIREMENTS STATE STOP LINE	E02ND STREET & D AVENUE, NC,	N	0	0	Y	MISDEMEANOR	N	INFRACTION



RESOLUTION NO. 2019 -

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE INSTALLATION OF RED CURB “NO PARKING” AT VARIOUS INTERSECTIONS ALONG “D” AVENUE, BETWEEN EAST 1ST STREET AND EAST 7TH STREET TO ENHANCE VISIBILITY AND ACCESS TO THE INTERSECTIONS

WHEREAS, several residents contacted Engineering staff expressing safety concerns regarding various intersections along “D” Avenue, between East 1st Street and East 7th Street, citing one accident that occurred within the past few months and are requesting red curb “No Parking” in these intersections to improve visibility and enhance safety for the vehicles exiting East 1st Street through East 7th Street onto “D” Avenue; and

WHEREAS, staff performed a site evaluation along “D” Avenue, between East 1st Street and East 7th Street, which is a 2-lane local road with posted speed limit of 25 mph and unrestricted parallel parking on both sides of the streets; and

WHEREAS, staff confirmed that the intersections of East 1st Street through East 7th Street, along “D” Avenue, are stop controlled for eastbound and westbound traffic; and

WHEREAS, staff observed that there are existing red curb “No Parking” in some of these intersections, due to existing fire hydrants and bus stops; and

WHEREAS, staff also reviewed the traffic collision history for this intersection, which confirmed there were fifteen (15) “reported” traffic collisions within the past four years; and

WHEREAS, staff evaluated the line of site for vehicles attempting to exit any of these streets (East 1st Street through East 7th Street) onto “D” Avenue and confirmed that it is difficult to see oncoming traffic when vehicles are parked very close to the intersections; and

WHEREAS, staff recommends the following improvements to improve visibility and enhance safety for the vehicles exiting East 1st Street through East 7th Street onto “D” Avenue:

1. To install 20 feet of red curb “No Parking” on the on the north side of E. 1st Street, west of “D” Avenue. This will result in the loss of one (1) on-street parking space;
2. To install 10 feet of red curb “No Parking” on the north side of E. 1st Street, east of “D” Avenue. This will not result in the loss of on-street parking;
3. To install 20 feet of red curb “No Parking” on the on the south side of E. 1st Street, east of “D” Avenue. This will result in the loss of one (1) on-street parking space;

**Resolution No. 2019 –
Page Two**

4. To install 10 feet of red curb “No Parking” on the south side of E. 1st Street, west of “D” Avenue. This will not result in the loss of on-street parking;
5. To install 10 feet of red curb “No Parking” on the on the north side of E. 2nd Street, east of “D” Avenue. This will not result in the loss of on-street parking;
6. To install 10 feet of red curb “No Parking” on the south side of E. 2nd Street, west of “D” Avenue. This will not result in the loss of on-street parking;
7. To install 20 feet of red curb “No Parking” on the north side of E. 3rd Street, west of “D” Avenue. This will result in the loss of one (1) on-street parking space;
8. To install 10 feet of red curb “No Parking” on the south side of E. 3rd Street, west of “D” Avenue. This will not result in the loss of on-street parking;
9. To install 20 feet of red curb “No Parking” on the south side of E. 3rd Street, east of “D” Avenue. This will result in the loss of one (1) on-street parking space;
10. To install 10 feet of red curb “No Parking” on the north side of E. 4th Street, east of “D” Avenue. This will not result in the loss of on-street parking;
11. To install 20 feet of red curb “No Parking” on the north side of E. 5th Street, west of “D” Avenue. This will result in the loss of one (1) on-street parking space;
12. To install 10 feet of red curb “No Parking” on the south side of E. 5th Street, west of “D” Avenue. This will not result in the loss of on-street parking;
13. To install 20 feet of red curb “No Parking” on the south side of E. 5th Street, east of “D” Avenue. This will result in the loss of one (1) on-street parking space;
14. To install 10 feet of red curb “No Parking” on the north side of E. 6th Street, east of “D” Avenue. This will not result in the loss of on-street parking;
15. To install 20 feet of red curb “No Parking” on the north side of E. 6th Street, west of “D” Avenue. This will result in the loss of one (1) on-street parking space;
16. To install 10 feet of red curb “No Parking” on the south side of E. 6th Street, west of “D” Avenue. This will not result in the loss of on-street parking;
17. To install 20 feet of red curb “No Parking” on the south side of E. 6th Street, east of “D” Avenue. This will result in the loss of one (1) on-street parking space;
18. To install 10 feet of red curb “No Parking” on the south side of E. 7th Street, west of “D” Avenue. This will not result in the loss of on-street parking;

**Resolution No. 2019 –
Page Three**

19. To install 20 feet of red curb “No Parking” on the north side of E. 7th Street, west of “D” Avenue. This will result in the loss of one (1) on-street parking space

WHEREAS, on November 13, 2019, the Traffic Safety Committee voted unanimously to approve staff’s recommendation set forth above.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of National City hereby authorizes the installation of red curb “No Parking” at various intersections along “D” Avenue, between East 1st Street and East 7th Street as referenced herein above as staff’s recommendations 1-19.

PASSED and ADOPTED this 17th day of December, 2019.

Alejandra Sotelo-Solis, Mayor

ATTEST:

Michael R. Dalla, City Clerk

APPROVED AS TO FORM:

Angil P. Morris-Jones
City Attorney

The following page(s) contain the backup material for Agenda Item: [Resolution of the City Council of the City of National City authorizing the installation of red curb “No Parking” at the intersection of E. 5th Street and S. “V” Avenue to enhance visibility at the intersection \(TSC No. 2019-13\). \(Engineering/Public Works\)](#)

Please scroll down to view the backup material.

**CITY OF NATIONAL CITY, CALIFORNIA
COUNCIL AGENDA STATEMENT**

MEETING DATE: December 17, 2019

AGENDA ITEM NO.

ITEM TITLE:

Resolution of the City Council of the City of National City authorizing the installation of red curb "No Parking" at the intersection of E. 5th Street and S. "V" Avenue to enhance visibility at the intersection (TSC No. 2019-13).

PREPARED BY: Carla Hutchinson, Assistant Engineer - Civil *C.H.* **DEPARTMENT:** Engineering/Public Works

PHONE: 619-336-4388

APPROVED BY: 

EXPLANATION:

See attached.

FINANCIAL STATEMENT:

ACCOUNT NO.

N/A

APPROVED: _____ **Finance**

APPROVED: _____ **MIS**

ENVIRONMENTAL REVIEW:

N/A

ORDINANCE: INTRODUCTION: FINAL ADOPTION:

STAFF RECOMMENDATION:

Adopt Resolution authorizing installation of red curb "No Parking" at the intersection of E. 5th Street and S. "V" Avenue.

BOARD / COMMISSION RECOMMENDATION:

At their meeting on November 13, 2019, the Traffic Safety Committee approved staff's recommendation to install red curb "No Parking" at the intersection of E. 5th Street and S. "V" Avenue.

ATTACHMENTS:

1. Explanation w/ Exhibit
2. Staff Report to the Traffic Safety Committee on November 13, 2019 (TSC No. 2019-13)
3. Resolution

EXPLANATION

An area resident, has requested red curb "No Parking" at the intersection between E. 5th Street and S. "V" Avenue to improve visibility and enhance safety for the vehicles exiting from E. 5th Street onto S. "V" Avenue.

Staff performed a site evaluation. E. 5th Street and S. "V" Avenue are currently 2-lanes wide and both streets have available parking on both sides of the street. The intersection between the two streets is currently stop controlled for westbound and eastbound traffic on E. 5th Street. Staff confirmed that there is existing red curb on the north side of E. 5th Street, east of S. "V" Avenue due to an existing fire hydrant, and south side of E. 5th Street, west of S. "V" Avenue at the intersection.

Staff confirmed that when vehicles park too close to the southeast corner on S. "V" Avenue at the intersection, the visibility for the vehicles that are exiting E. 5th Street onto S. "V" Avenue is obstructed.

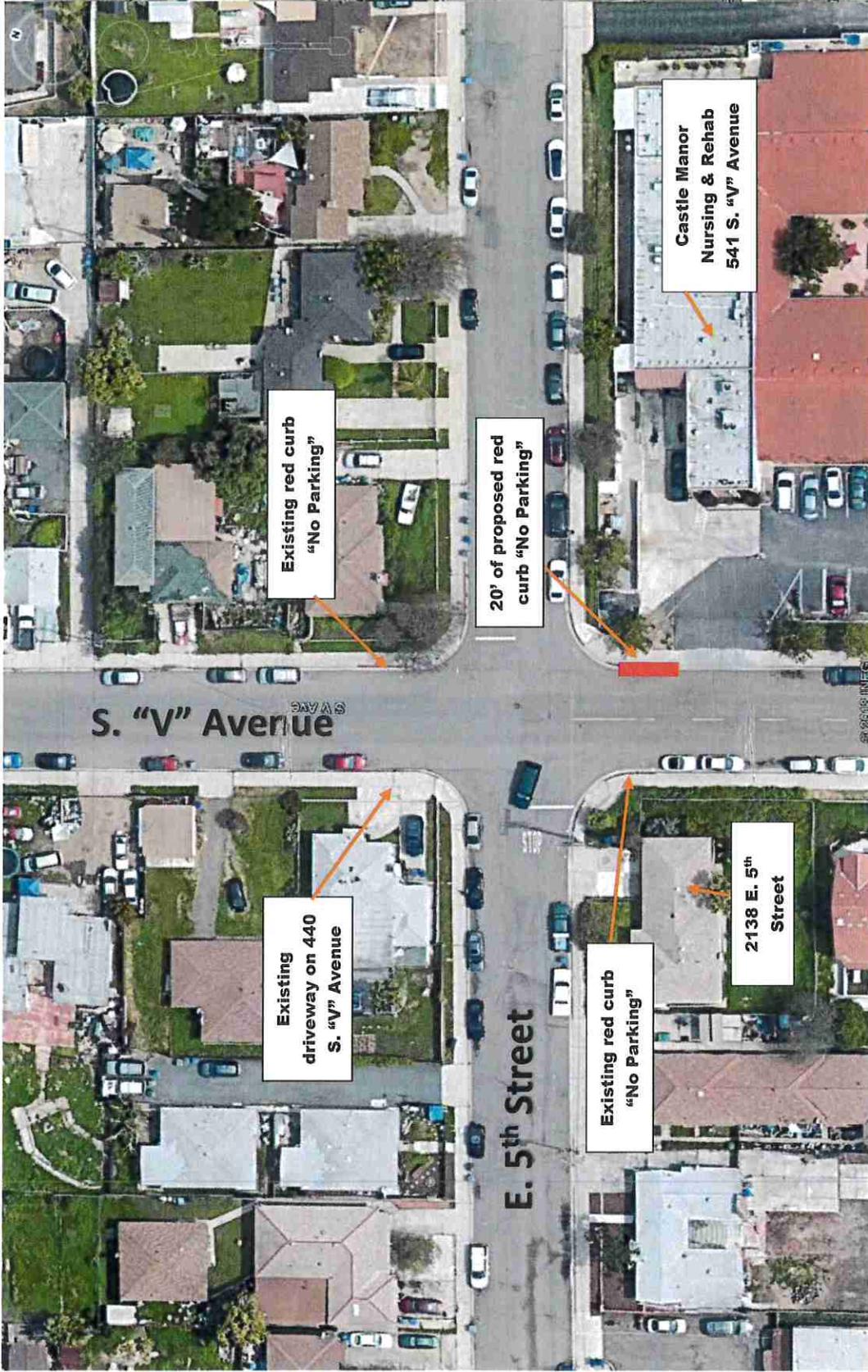
Staff also reviewed the traffic collision history for this location, which confirmed there was one (1) "reported" traffic collision within the past four years. The NCPD report shows that crash at the intersection was due to an unsafe turn into the intersection (CVC 22107). See attachment traffic collision summary table.

This item was presented to the Traffic Safety Committee on November 13, 2019. Staff sent notices to area residents inviting them to attend the Traffic Safety Committee Meeting and/or contact staff with any questions. There were no members of the public in attendance.

Staff presented the results of the site evaluation and after discussion, the Traffic Safety Committee unanimously approved staff's recommendation to install 20 feet of red curb "No Parking" on the east side of S. "V" Avenue, south of E. 5th Street to improve visibility for vehicles exiting E. 5th Street onto S. "V" Avenue. This will result in the loss of one (1) on-street parking space.

If approved by City Council, all work will be performed by City Public Works

Location Map with Recommended Enhancements (TSC Item: 2019-13)



**NATIONAL CITY TRAFFIC SAFETY COMMITTEE
AGENDA REPORT FOR NOVEMBER 13, 2019**

ITEM NO. 2019-13

ITEM TITLE: REQUEST TO INSTALL 20 FEET OF RED CURB "NO PARKING" AT THE INTERSECTION OF E. 5TH STREET & S. "V" AVENUE TO ENHANCE VISIBILITY AT THE INTERSECTION

PREPARED BY: Carla Hutchinson, Assistant Engineer - Civil
Engineering & Public Works Department

DISCUSSION:

An area resident, has requested red curb "No Parking" at the intersection between E. 5th Street and S. "V" Avenue to improve visibility and enhance safety for the vehicles exiting from E. 5th Street onto S. "V" Avenue.

Staff performed a site evaluation. E. 5th Street and S. "V" Avenue are currently 2-lanes wide and both streets have available parking on both sides of the street. The intersection between the two streets is currently stop controlled for westbound and eastbound traffic on E. 5th Street. Staff confirmed that there is existing red curb on the north side of E. 5th Street, east of S. "V" Avenue due to an existing fire hydrant, and south side of E. 5th Street, west of S. "V" Avenue at the intersection.

Staff confirmed that when vehicles park too close to the southeast corner on S. "V" Avenue at the intersection, the visibility for the vehicles that are exiting E. 5th Street onto E. S. "V" Avenue is obstructed.

Staff also reviewed the traffic collision history for this location, which confirmed there was one (1) "reported" traffic collision within the past four years. The NCPD report shows that crash at the intersection was due to an unsafe turn into the intersection (CVC 22107). See attachment traffic collision summary table.

STAFF RECOMMENDATION:

Based on evaluation of existing conditions, staff recommends the installation of 20 feet of red curb "No Parking" on the east side of S. "V" Avenue, south of E. 5th Street to improve visibility for vehicles exiting E. 5th Street onto S. "V" Avenue. This will result in the loss of one (1) on-street parking space.

EXHIBITS:

1. Public Request
2. Public Notice
3. Location Map
4. Photos
5. Traffic Collision History

2019-13



RECEIVED
ENG & PW DEPT.

2019 OCT 21 P 5:23

CITY OF NATIONAL CITY

PUBLIC REQUEST FORM

Contact Information

Name: Julio Martinez

Address: 2321 E 5TH Street National city CA 91950

Phone: _____ Email: _____

Request Information

Location: South East corner of S V Avenue and E 5TH Street

Request: I'm asking to remove the parking space because it stops the visibility from incoming vehicles. very often vehicle speed on S V Avenue and with the very little visibility it an accident waiting to happen. My wife was actually involved in a car accident due to this issue. please consider my request.

Attachments: Yes No Description: _____

Internal Use Only:

Request Received By: Carla Hutchinson Date: 10/21/19

Received via: Counter/In-Person Telephone Email Fax Referral: _____

Assigned To: _____

Notes: _____



November 6, 2019

RESIDENT/PROPERTY OWNER

Subject: TRAFFIC SAFETY COMMITTEE (TSC) ITEM NO. 2019-13

REQUEST TO INSTALL 20 FEET OF RED CURB "NO PARKING" AT THE INTERSECTION OF E. 5TH STREET AND S. V AVENUE TO ENHANCE VISIBILITY AND ACCESS FROM E. 5TH STREET ONTO S. V AVENUE.

Dear Sir/Madame:

The City of National City would like to invite you to our next public Traffic Safety Committee Meeting scheduled for **Wednesday, November 13, 2019, at 1:00 P.M.** in the 2nd Floor Large Conference Room of the Civic Center Building, 1243 National City Boulevard, to discuss the above-referenced item.

The City Hall is ADA compliant. Please note that there are two disabled persons parking spaces in front of City Hall on the east side of National City that provide direct access on the 2nd Floor of City Hall via a pedestrian bridge.

If you have any questions, comments, and/or concerns, please contact the Engineering Department at 619-336-4380 and reference Traffic Safety Committee Item Number 2019-13.

Sincerely,

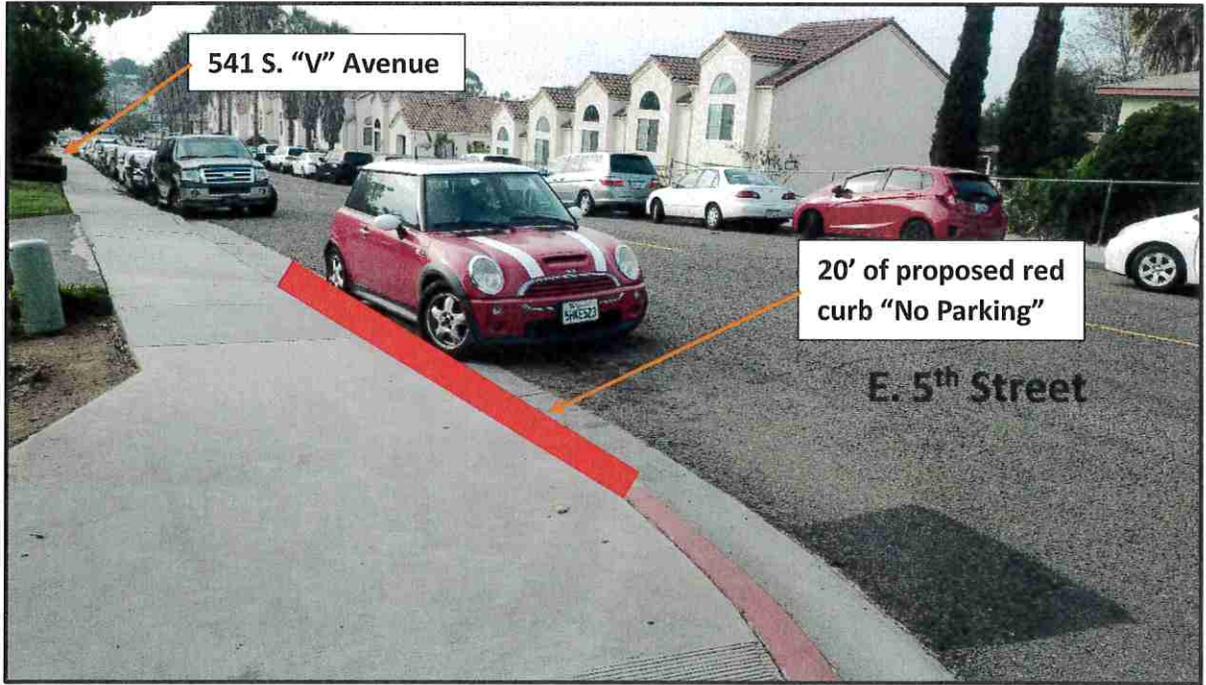
Stephen Manganiello
City Engineer

SM:ch

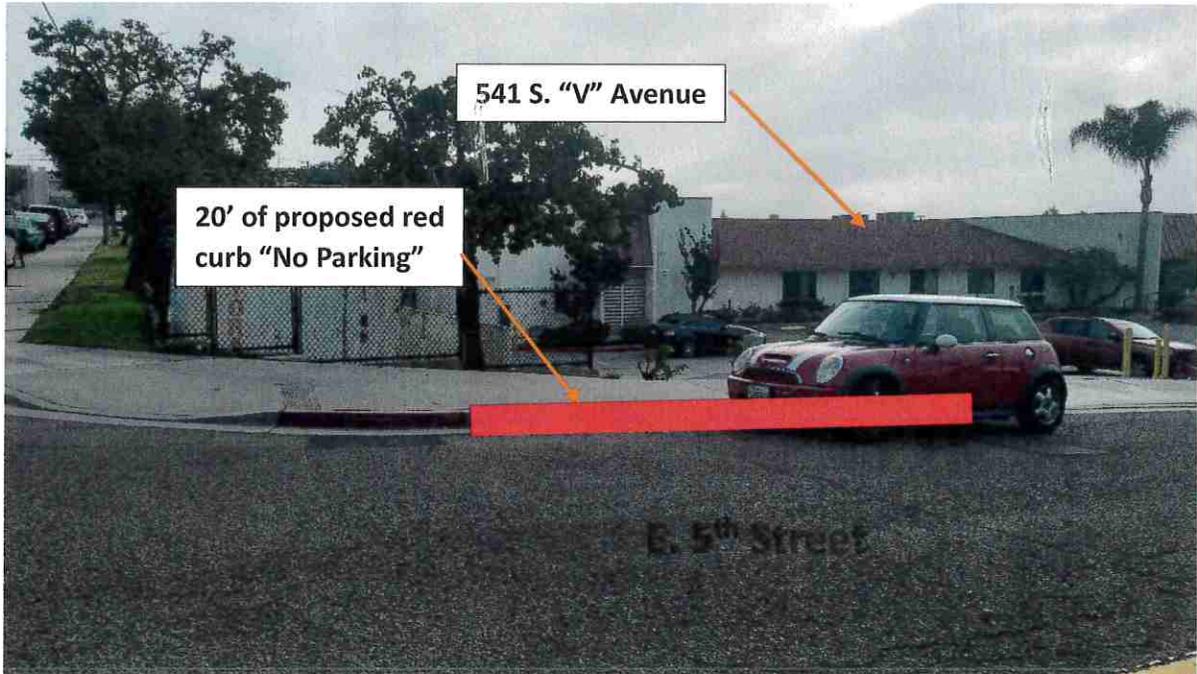
Enclosure: Location Map

2019-13

1234 National City Boulevard, National City, CA 91950-6530
(619) 336-4380 Fax (619) 336-4397 engineering@nationalcityca.gov



Location of proposed red curb "No Parking" on southeast corner of E. 5th Street (looking south)

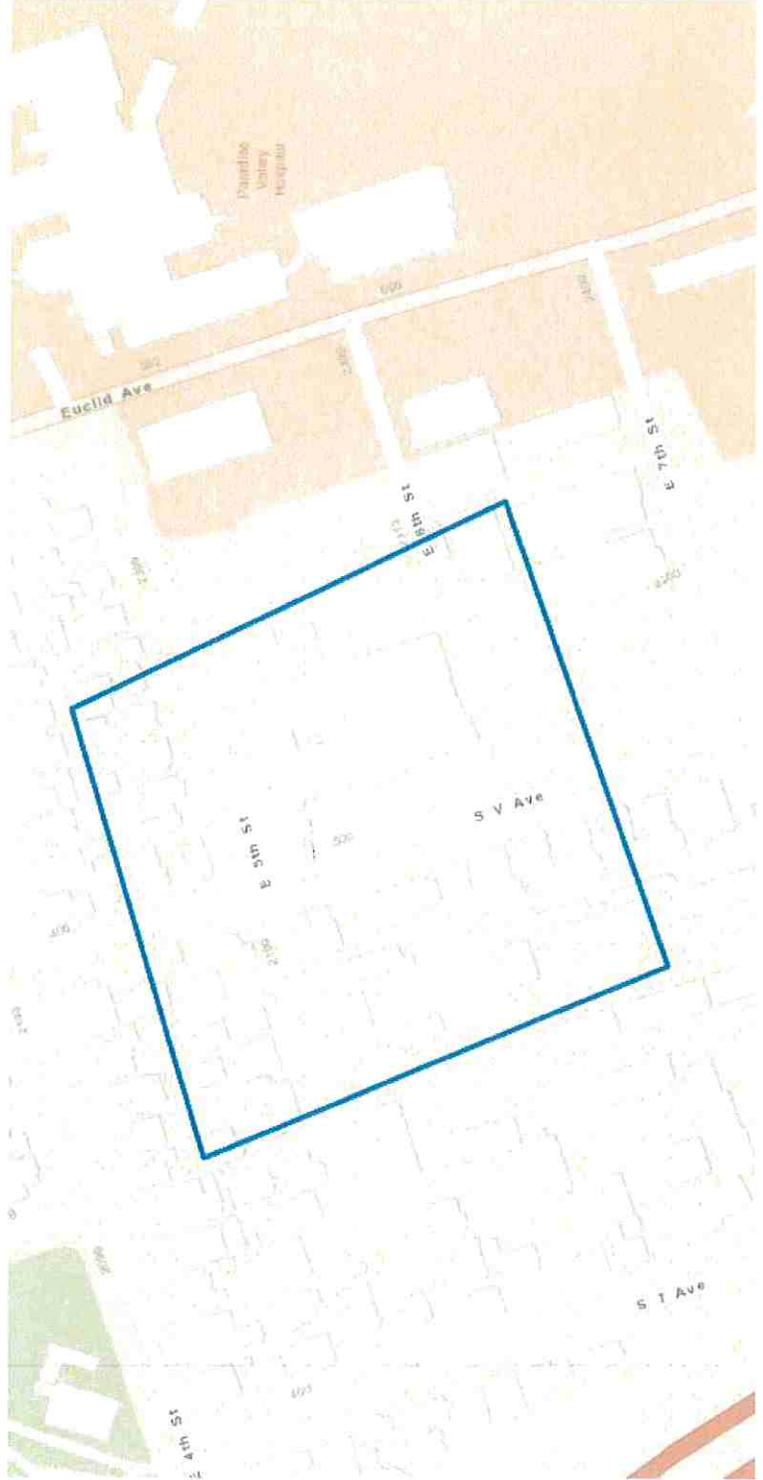


Location of proposed red curb "No Parking" on southeast corner of E. 5th Street (looking east)

Traffic Collision History (NCPD Records Division)

From October 30, 2015 – October 30, 2019, there was one traffic collision on the intersection of E. 5th Street and S. V Avenue.

AGENCY	ACTIVITY NUMBER	DATE	VIOLATION CODE	VIOLATION DESCRIPTION	ADDRESS	INJURY FLAG	NUMBER INJURED	NUMBER KILLED	HIT & RUN FLAG	HIT & RUN LEVEL	PEDESTRIAN RELATED	CHARGE LEVEL
NATIONAL CITY	1901128	2/26/2019 7:07	VC 22107	URNS: UNSAFE TURN AND/OR NO TURN SIGNAL (I)	1800 CLEVELAND AVE, NC, 91950	N	0	0	Y	MISDEMEANOR	N	INFRACTION



RESOLUTION NO. 2019 -

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE INSTALLATION OF RED CURB “NO PARKING” AT THE INTERSECTION OF E. 5TH STREET AND S. “V” AVENUE TO ENHANCE VISIBILITY AT THE INTERSECTION

WHEREAS, an area resident, has requested red curb “No Parking” at the intersection between East 5th Street and South “V” Avenue to improve visibility and enhance safety for the vehicles exiting from East 5th Street onto South “V” Avenue; and

WHEREAS, staff performed a site evaluation of East 5th Street and South “V” Avenue both streets are 2-lanes wide and both streets have available parking on both sides of the two streets; and

WHEREAS, the intersection between the two streets are currently stop controlled for westbound and eastbound traffic on East 5th Street; and

WHEREAS, staff observed that there are existing red curbs “No Parking” on the north side of East 5th Street, east of South “V” Avenue due to an existing fire hydrant, and the south side of East 5th Street, west of South “V” Avenue at the intersection; and

WHEREAS, staff confirmed that when vehicles park too close to the southeast corner on South “V” Avenue at the intersection, the visibility for the vehicles that are exiting East 5th Street onto South “V” Avenue is obstructed; and

WHEREAS, Staff also reviewed the traffic collision history for this location, which confirmed there was one (1) “reported” traffic collision within the past four years; and

WHEREAS, on November 13, 2019, the Traffic Safety Committee voted unanimously to approve staff’s recommendation to install 20 feet of red curb “No Parking” on the east side of South “V” Avenue, south of East 5th Street to improve visibility for vehicles exiting East 5th Street onto South “V” Avenue which will result in the loss of one (1) on-street parking space.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of National City hereby authorizes the installation of 20 feet of red curb “No Parking” on the east side of South “V” Avenue, south of East 5th Street to improve visibility for vehicles exiting East 5th Street onto South “V” Avenue which will result in the loss of one (1) on-street parking space.

PASSED and ADOPTED this 17th day of December, 2019.

Alejandra Sotelo-Solis, Mayor

ATTEST:

Michael R. Dalla, City Clerk

APPROVED AS TO FORM:

Angil P. Morris-Jones, City Attorney

The following page(s) contain the backup material for Agenda Item: [Resolution of the City Council of the City of National City authorizing the installation of red curb "No Parking" at the intersection of E. Plaza Blvd and the alley located between "C" Avenue and "D" Avenue to enhance visibility and access from the alley onto E. Plaza Blvd \(TSC No. 2019-14\). \(Engineering/Public Works\)](#)

Please scroll down to view the backup material.

**CITY OF NATIONAL CITY, CALIFORNIA
COUNCIL AGENDA STATEMENT**

MEETING DATE: December 17, 2019

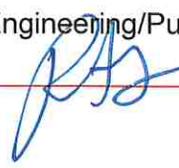
AGENDA ITEM NO.

ITEM TITLE:

Resolution of the City Council of the City of National City authorizing the installation of red curb "No Parking" at the intersection of E. Plaza Blvd and the alley located between "C" Avenue and "D" Avenue to enhance visibility and access from the alley onto E. Plaza Blvd (TSC No. 2019-14).

PREPARED BY: Carla Hutchinson, Assistant Engineer - Civil *C.H.* **DEPARTMENT:** Engineering/Public Works

PHONE: 619-336-4388

APPROVED BY: 

EXPLANATION:

See attached.

FINANCIAL STATEMENT:

ACCOUNT NO.

N/A

APPROVED: _____

Finance

APPROVED: _____

MIS

ENVIRONMENTAL REVIEW:

N/A

ORDINANCE: INTRODUCTION:

FINAL ADOPTION:

STAFF RECOMMENDATION:

Adopt Resolution authorizing installation of red curb "No Parking" at the intersection of E. Plaza Blvd and the alley located between "C" Avenue and "D" Avenue.

BOARD / COMMISSION RECOMMENDATION:

At their meeting on November 13, 2019, the Traffic Safety Committee approved staff's recommendation to red curb "No Parking" at the intersection of E. Plaza Blvd and the alley located between "C" Avenue and "D" Avenue.

ATTACHMENTS:

1. Explanation w/ Exhibit
2. Staff Report to the Traffic Safety Committee on November 13, 2019 (TSC No. 2019-14)
3. Resolution

EXPLANATION

An area resident has requested the installation of red curb "No Parking" at the intersection of E. Plaza Blvd and the alley located between "C" Avenue and "D" Avenue to enhance visibility and access from the alley onto E. Plaza Blvd.

Staff performed a site evaluation. E. Plaza Blvd, between "A" Avenue and "D" Avenue, is a 4-lane roadway with parking available on both sides of the streets. The posted speed limit on E. Plaza Blvd is 30 mph. Staff confirmed that there is no red curb on the south side of E. Plaza Blvd, west of the alley. There is existing red curb "No Parking" on the south side of E. Plaza Blvd, east of the alley. Staff evaluated line of site for vehicles attempting to exit the alley onto E. Plaza Blvd and confirmed that it is difficult for drivers to see oncoming traffic when vehicles are parked too close to the intersection. Therefore, staff recommends installing 20 feet of red curb "No Parking" on the south side of E. Plaza Blvd, west of the alley.

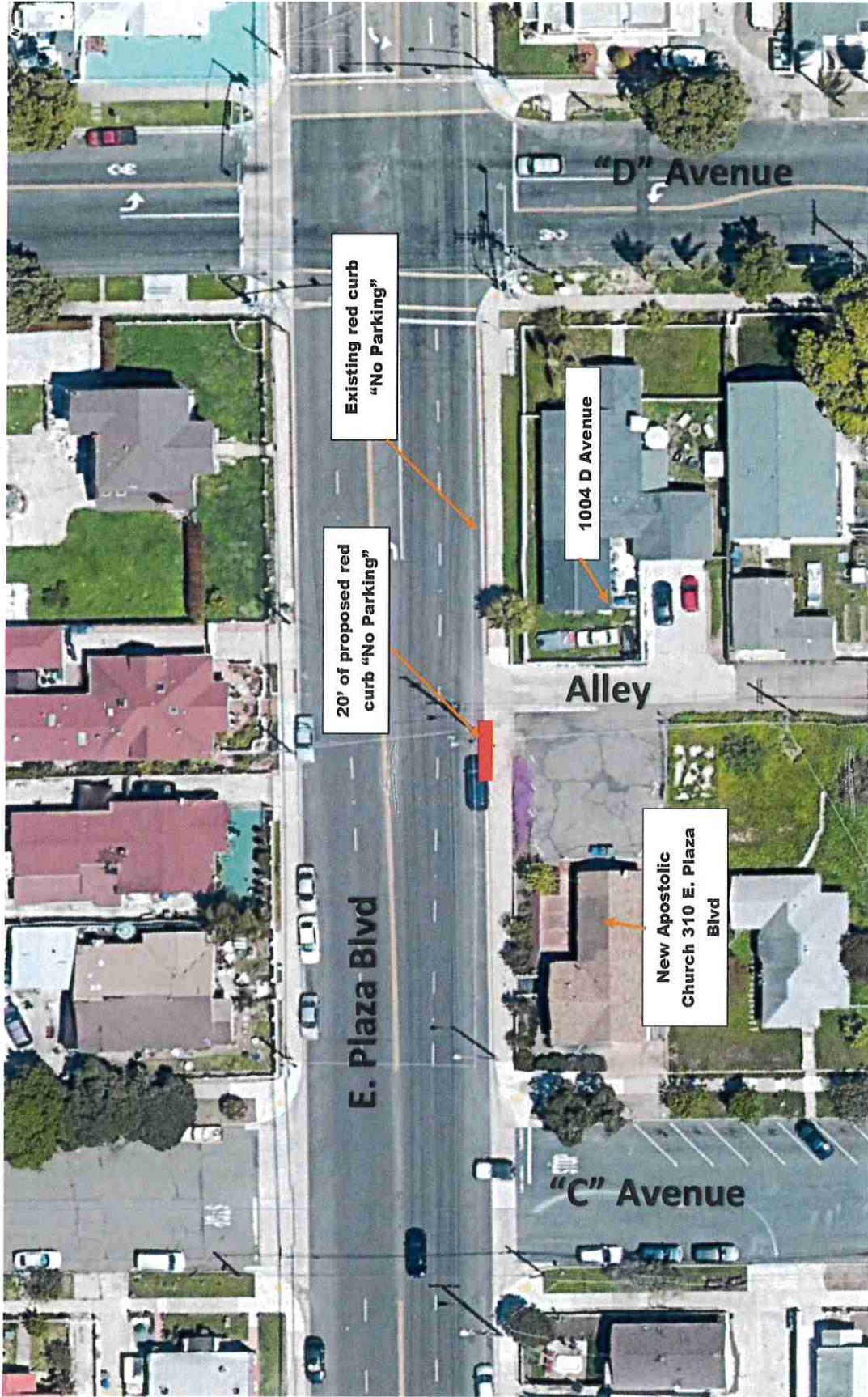
Staff also reviewed the traffic collision history for this location, which confirmed there was one (1) "reported" traffic collisions within the past four years.

This item was presented to the Traffic Safety Committee on November 13, 2019. Staff sent notices to area residents inviting them to attend the Traffic Safety Committee Meeting and/or contact staff with any questions. There were no members of the public in attendance.

Staff presented the results of the site evaluation and after discussion, the Traffic Safety Committee unanimously approved staff's recommendation to install 20 feet of red curb "No Parking" on the south side of E. Plaza Blvd, west of the alley located between "C" Avenue and "D" Avenue. This will result in the loss of one (1) on-street parking space.

If approved by City Council, all work will be performed by City Public Works

Location Map with Recommended Enhancements (TSC Item: 2019-14)



**NATIONAL CITY TRAFFIC SAFETY COMMITTEE
AGENDA REPORT FOR NOVEMBER 13 2019**

ITEM NO. 2019-14

ITEM TITLE: REQUEST TO INSTALL 20 FEET OF RED CURB "NO PARKING" AT THE INTERSECTION OF E. PLAZA BLVD AND THE ALLEY LOCATED BETWEEN "D" AVENUE AND "C" AVENUE TO ENHANCE VISIBILITY AND ACCESS FROM THE ALLEY ONTO E. PLAZA BLVD

PREPARED BY: Carla Hutchinson, Assistant Engineer - Civil Engineering & Public Works Department

DISCUSSION:

An area resident has requested the installation of red curb "No Parking" at the intersection of E. Plaza Blvd and the alley located between "D" Avenue and "C" Avenue to enhance visibility and access from the alley onto E. Plaza Blvd.

Staff performed a site evaluation. E. Plaza Blvd, between "A" Avenue and "D" Avenue, is a 4-lane roadway with parking available on both sides of the streets. The posted speed limit on E. Plaza Blvd is 30 mph. Staff confirmed that there is no red curb on the south side of E. Plaza Blvd, west of the alley. There is existing red curb "No Parking" on the south side of E. Plaza Blvd, east of the alley. Staff evaluated line of site for vehicles attempting to exit the alley onto E. Plaza Blvd and confirmed that it is difficult for drivers to see oncoming traffic when vehicles are parked too close to the intersection. Therefore, staff recommends installing 20 feet of red curb "No Parking" on the south side of E. Plaza Blvd, west of the alley.

Staff also reviewed the traffic collision history for this location, which confirmed there was one (1) "reported" traffic collisions within the past four years.

STAFF RECOMMENDATION:

Based on evaluation of existing conditions, staff recommends to install 20 feet of red curb "No Parking" on the south side of E. Plaza Blvd, west of the alley located between "D" Avenue and "C" Avenue. This will result in the loss of one (1) on-street parking space;

ATTACHMENTS:

1. Public Request
2. Public Notice
3. Location Map
4. Photos
5. Traffic Collision History



ENG & PW DEPT.

CITY OF NATIONAL CITY

2019 MAY 29 12:51 PM

PUBLIC REQUEST FORM

Contact Information

Name: Anonymous

Address: None

Phone: None Email: -----

Request Information

Location: 310 E. Plaza Blvd.

Request: Requesting Red Curb

Attachments: Yes No Description: seeclickfix ticket # 5919182

Internal Use Only:

Request Received By: tirza Date: 5/28/2019

Received via: Counter/In-Person Telephone Email Fax Referral: seeclickfix

Assigned To: TSC

Notes: _____

SECLICKFIX ID
5919182

PRIORITY
Normal

REQUEST TYPE
Sidewalk Issue

ADDRESS
310 E Plaza Blvd National City, California

ASSIGNEE
Engineering

SLA EXPIRES

REPORTED
05/27/2019 - 01:44PM

SECONDARY QUESTIONS

What is the location?
310 E Plaza Blvd

What is the problem?
Other (please describe in description field)

Is the affected sidewalk in front of a business or a residence?
Other (please describe in description field)

Is the damage caused by a City owned tree?
No

Please provide more information about sidewalk issue. Requesting to please paint the curb RED so vehicles can't park and block the view of traffic while exiting the alley for the residence. Vehicles are parking too close to the exit and can't see oncoming traffic. Very dangerous, several home owners have almost been hit exiting our alley.

In case the City needs additional information to resolve this issue, please provide your preferred method of communication (email or phone number). This will be kept private.

LOCATION



SUMMARY & DESCRIPTION

Sidewalk Issue

Reported by: CityOfNationalCityCollaborativeNeighbor
05/27/2019 - 01:44PM

MEDIA



TIMESTAMP INTERNAL COMMENT

05/28/2019 10:07AM Public Works assigned this issue to Engineering

05/28/2019 11:52AM Please feel free to call the Engineering & Public Works Department at (619) 336-4380 to provide additional contact information such that our staff may contact you in the event additional information is needed to address your request and to provide updates on the status of your request. Thank you for using National City Connect.

COMMENTER

Public Works

Engineering



November 6, 2019

RESIDENT/PROPERTY OWNER

Subject: TRAFFIC SAFETY COMMITTEE (TSC) ITEM NO. 2019-14

REQUEST TO INSTALL 20 FEET OF RED CURB "NO PARKING" AT THE INTERSECTION OF E. PLAZA BLVD AND THE ALLEY LOCATED BETWEEN "D" AVENUE AND "C" AVENUE TO ENHANCE VISIBILITY AND ACCESS FROM THE ALLEY ONTO E. PLAZA BLVD.

Dear Sir/Madame:

The City of National City would like to invite you to our next public Traffic Safety Committee Meeting scheduled for **Wednesday, November 13, 2019, at 1:00 P.M.** in the 2nd Floor Large Conference Room of the Civic Center Building, 1243 National City Boulevard, to discuss the above-referenced item.

The City Hall is ADA compliant. Please note that there are two disabled persons parking spaces in front of City Hall on the east side of National City that provide direct access on the 2nd Floor of City Hall via a pedestrian bridge.

If you have any questions, comments, and/or concerns, please contact the Engineering Department at 619-336-4380 and reference Traffic Safety Committee Item Number 2019-14.

Sincerely,

Stephen Manganiello
City Engineer

SM:ch

Enclosure: Location Map

2019-14

1234 National City Boulevard, National City, CA 91950-6530
(619) 336-4380 Fax (619) 336-4397 engineering@nationalcityca.gov



Location of proposed red curb "No Parking" on E. Plaza Blvd (looking south)



Location of proposed red curb "No Parking" on E. Plaza Blvd (looking west)

Traffic Collision History (NCPD Records Division)

From October 30, 2015 – October 30, 2019, there was one traffic collision on the intersection of E. Plaza Blvd and C Avenue.

AGENCY	ACTIVITY NUMBER	DATE	VIOLATION CODE	VIOLATION DESCRIPTION	ADDRESS	INJURY FLAG	NUMBER INJURED	NUMBER KILLED	HIT & RUN FLAG	HIT & RUN LEVEL	PEDESTRIAN RELATED	CHARGE LEVEL
NATIONAL CITY	1905417	10/14/2019 17:02	VC MISC-HAZ	MISCELLANEOUS HAZARDOUS VIOLATIONS OF THE VEHICLE CODE	C AVENUE & PLAZA BOULEVARD, NC, 91950	Y	1	0	N	N/A	N	INFRACTION



RESOLUTION NO. 2019 -

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE INSTALLATION OF RED CURB “NO PARKING” AT THE INTERSECTION OF EAST PLAZA BLVD AND THE ALLEY LOCATED BETWEEN “C” AVENUE AND “D” AVENUE TO ENHANCE VISIBILITY AND ACCESS FROM THE ALLEY ONTO EAST PLAZA BOULEVARD

WHEREAS, an area resident has requested the installation of red curb “No Parking” at the intersection of East Plaza Boulevard (Blvd) and the alley located between “C” Avenue and “D” Avenue to enhance visibility and access from the alley onto East Plaza Blvd; and

WHEREAS, staff performed a site evaluation along East. Plaza Blvd, between “A” Avenue and “D” Avenue, which is a 4-lane roadway with parking available both sides of the streets with a 30 mph speed limit; and

WHEREAS, staff observed that there is existing red curb “No Parking” on the south side of East Plaza Blvd, east of the alley and no red curb “No Parking on the south side of East Plaza Blvd, west of the alley; and

WHEREAS, staff evaluated line of site for vehicles attempting to exit the alley onto East Plaza Blvd and confirmed that it is difficult for drivers to see oncoming traffic when vehicles are parked to close to the intersection, therefore, staff recommends installing 20 feet of red curb “No Parking” on the south side of East Plaza Blvd, west of the alley; and

WHEREAS, staff also reviewed the traffic collision history for this location, which confirmed there was one (1) “reported” traffic collision within the past four years; and

WHEREAS, on November 13, 2019, the Traffic Safety Committee voted unanimously to approve staff’s recommendation to install 20 feet of red curb “No Parking” on the south side of East Plaza Blvd, west of the alley located between “C” Avenue and “D” Avenue which will result in the loss of one (1) on-street parking space.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of National City hereby authorizes the installation of 20 feet of red curb “No Parking” on the south side of East Plaza Boulevard, west of the alley located between “C” Avenue and “D” Avenue, which will result in the loss of one (1) on-street parking space to enhance visibility and access from the alley onto East Plaza Boulevard.

PASSED and ADOPTED this 17th day of December, 2019.

Alejandra Sotelo-Solis, Mayor

ATTEST:

Michael R. Dalla, City Clerk

APPROVED AS TO FORM:

Angil P. Morris-Jones, City Attorney

The following page(s) contain the backup material for Agenda Item: [Resolution of the City Council of the City of National City approving effective January 1, 2020, the salary schedule for the Part-Time and Seasonal employee classifications and NCMEA salary schedule, as amended and adjusting upward classifications with salary ranges below the 2020 State of California minimum wage. \(Human Resources\)](#)

Please scroll down to view the backup material.

**CITY OF NATIONAL CITY, CALIFORNIA
COUNCIL AGENDA STATEMENT**

MEETING DATE: December 17, 2019

AGENDA ITEM NO.

ITEM TITLE:

Resolution of the City Council of the City of National City approving effective January 1, 2020, the salary schedule for the Part-Time and Seasonal employee classifications and NCMEA salary schedule, as amended: 1) adjusting upward classifications with salary ranges below the 2020 State of California minimum wage.

PREPARED BY: Robert Meteil

DEPARTMENT: Human Resources

PHONE: 336-4308

APPROVED BY



EXPLANATION:

On April 4, 2016, California Governor Jerry Brown signed Senate Bill 3 increasing California's minimum wage each year until it reaches \$15.00 on January 1, 2022. Effective January 1, 2020, minimum wage will increase to \$13.00. Under the current City of National City compensation plan, there are eleven classifications with top pay steps that are below \$13.00. In order to comply with State law, staff hereby requests authorization to move those classifications to new salary ranges: Cashier, Dishwasher, Kitchen Aide, Police Cadet, Recreation Aide, and Student Worker from pt058 to pt090; Equipment Service Trainee from pt067 to pt090; Library Clerk (Grant Funded) from pt081 to pt090; Recreation Leader I from pt061 to pt068; and Stock Clerk/Storekeeper from pt074 to pt090 effective January 1, 2020. In addition, adding salary ranges 048 to 050 to the NCMEA Salary Schedule to accommodate the minimum wage increase to \$13.00 per hour.

Should the City Council approve the adjustment, the following classifications will also advance in salary in order to maintain the appropriate pay differentials: Management Intern (Graduate) from \$16.00 to \$20.00 per hour and Management Intern (Undergraduate) from \$13.00 to \$15.00 per hour. There are currently no incumbents in these classifications.

FINANCIAL STATEMENT:

APPROVED:



Finance

ACCOUNT NO.

The estimated fiscal impact for Fiscal Year 2020 is \$2,463. Impacted departments may be able to absorb a portion of the estimated increase through salary savings. Any required adjustments to appropriations will be requested prior to the close of the fiscal year.

ENVIRONMENTAL REVIEW:

This is not a project and is therefore not subject to environmental review.

ORDINANCE: INTRODUCTION: FINAL ADOPTION:

STAFF RECOMMENDATION:

Adopt the resolution approving the amendment to the salary schedule for the Part-Time and Seasonal employee classifications.

BOARD / COMMISSION RECOMMENDATION:

N/A

ATTACHMENTS:

Resolution
Part-Time and Seasonal Employee Salary Schedule – Exhibit A
NCMEA Salary Schedule – Exhibit B

PART-TIME and SEASONAL POSITIONS
January 1, 2020

POSITION TITLE	SALARY RANGE	HOURLY SALARY
Aquatics Manager	pt100	\$14.66 – \$17.81
Cashier	pt090	\$13.02 – \$15.83
Dishwasher	pt090	\$13.02 – \$15.83
Equipment Service Trainee	pt090	\$13.02 – \$15.83
Food Services Worker	pt068	\$10.74 – \$13.06
Kitchen Aide	pt090	\$13.02 – \$15.83
Librarian	pt160	\$24.94 – \$30.31
Library Assistant	pt099	\$14.54 – \$17.68
Library Clerk (Grant Funded)	pt090	\$13.02 – \$15.83
Library Technician	pt124	\$18.04 – \$21.93
Library Clerk (Grant Funded)	pt090	\$13.02 – \$15.83
Management Intern (Graduate)	N/A	\$20.00
Management Intern (Undergraduate)	N/A	\$15.00
Office Aide	pt080	\$11.93 – \$14.50
Police Cadet	pt090	\$13.02 – \$15.83
Police Dispatcher	pt156	\$24.04 – \$29.21
Police Records Clerk	pt099	\$14.54 – \$17.68
Property & Evidence Specialist I	pt127	\$18.53 – \$22.53

PART-TIME and SEASONAL POSITIONS
January 1, 2020

POSITION TITLE	SALARY RANGE	HOURLY SALARY
Recreation Aide	pt090	\$13.02 – \$15.83
Recreation Leader I	pt068	\$10.74 – \$13.06
Recreation Leader II	pt069	\$10.82 – \$13.16
Recreation Leader III	pt079	\$11.83 – \$14.38
Recreation Specialist	pt074	\$11.33 – \$13.76
Seasonal Park Aide	pt089	\$12.93 – \$15.72
Senior Library Technician	pt129	\$18.88 – \$22.95
Senior Lifeguard	pt089	\$12.93 – \$15.72
Stock Clerk/Storekeeper	pt090	\$13.02 – \$15.83
Student Worker	pt090	\$13.02 – \$15.83

**CITY OF NATIONAL CITY
NCMEA SALARY SCHEDULE
EFFECTIVE 01/01/2020**

Exhibit B

RANGE	STEP	HOURLY	BIWEEKLY	MONTHLY	ANNUAL
047	A	10.76	860.80	1,865.07	22,380.80
	B	11.30	904.00	1,958.67	23,504.00
	C	11.86	948.80	2,055.73	24,668.80
	D	12.45	996.00	2,158.00	25,896.00
	E	13.00	1,040.00	2,253.33	27,040.00
Added Ranges 048 to 050 to accommodate \$13.00 per hour on Step E on Range 047					
048	A	13.11	1,048.80	2,272.40	27,268.80
	B	13.77	1,101.60	2,386.80	28,641.60
	C	14.46	1,156.80	2,506.40	30,076.80
	D	15.19	1,215.20	2,632.93	31,595.20
	E	15.95	1,276.00	2,764.67	33,176.00
049	A	13.22	1,057.60	2,291.47	27,497.60
	B	13.89	1,111.20	2,407.60	28,891.20
	C	14.59	1,167.20	2,528.93	30,347.20
	D	15.32	1,225.60	2,655.47	31,865.60
	E	16.09	1,287.20	2,788.93	33,467.20
050	A	13.33	1,066.40	2,310.53	27,726.40
	B	14.00	1,120.00	2,426.67	29,120.00
	C	14.70	1,176.00	2,548.00	30,576.00
	D	15.44	1,235.20	2,676.27	32,115.20
	E	16.22	1,297.60	2,811.47	33,737.60
051	A	14.26	1,140.80	2,471.73	29,660.80
	B	14.97	1,197.60	2,594.80	31,137.60
	C	15.72	1,257.60	2,724.80	32,697.60
	D	16.51	1,320.80	2,861.73	34,340.80
	E	17.32	1,385.60	3,002.13	36,025.60
052	A	13.93	1,114.40	2,414.53	28,974.40
	B	14.63	1,170.40	2,535.87	30,430.40
	C	15.36	1,228.80	2,662.40	31,948.80
	D	16.13	1,290.40	2,795.87	33,550.40
	E	16.93	1,354.40	2,934.53	35,214.40
053	A	14.07	1,125.60	2,438.80	29,265.60
	B	14.77	1,181.60	2,560.13	30,721.60
	C	15.51	1,240.80	2,688.40	32,260.80
	D	16.28	1,302.40	2,821.87	33,862.40
	E	17.09	1,367.20	2,962.27	35,547.20

RESOLUTION NO. 2019 -

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY
APPROVING with an EFFECTIVE date of JANUARY 1, 2020, THE SALARY
SCHEDULE FOR THE PART-TIME AND SEASONAL EMPLOYEE
CLASSIFICATIONS AND NCMEA SALARY SCHEDULE, AS AMENDED AND
ADJUSTING UPWARD CLASSIFICATIONS WITH SALARY RANGES BELOW THE
2020 STATE OF CALIFORNIA MINIMUM WAGE**

WHEREAS, on April 4, 2016, California Governor Jerry Brown signed Senate Bill 3 increasing California’s minimum wage each year until it reaches \$15.00 an hour on January 1, 2022, and accordantly effective January 1, 2020, the California minimum wage will increase to \$13.00 an hour; and

WHEREAS, in order to comply with State law, the City of National City compensation plan for the Part-Time and Seasonal employee classifications must be amended to increase the top pay steps that are below \$13.00 an hour, making it necessary to increase other classification salary ranges to maintain the appropriate pay differentials within the classification series, as shown on the attached Exhibit “A”, effective as of January 1, 2020.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of National City hereby authorizes and approves amending the salary schedule for the Part-Time and Seasonal employee classifications to increase the salary ranges below the 2020 California minimum wage, effective January 1, 2020, and adjusting upwards classification salary ranges within the Part-Time and Seasonal employee group to maintain the appropriate pay differentials within the classification series, as shown on the attached Exhibit “A”, with an effective date of January 1, 2020.

PASSED and ADOPTED this 17th day of December, 2019.

Alejandra Sotelo-Solis, Mayor

ATTEST:

Michael R. Dalla, City Clerk

APPROVED AS TO FORM:

Angil P. Morris-Jones
City Attorney

PART-TIME and SEASONAL POSITIONS
January 1, 2020

POSITION TITLE	SALARY RANGE	HOURLY SALARY
Aquatics Manager	pt100	\$14.66 – \$17.81
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PART-TIME and SEASONAL POSITIONS
January 1, 2020

POSITION TITLE	SALARY RANGE	HOURLY SALARY
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Senior Lifeguard	pt089	\$12.93 – \$15.72
Stock Clerk/Storekeeper	pt090	\$13.02 – \$15.83
Student Worker	pt090	\$13.02 – \$15.83

The following page(s) contain the backup material for Agenda Item: [Resolution of the City Council of the City of National City approving the first amendment to the agreement by and between the City of National City and Taser International Inc., to increase the number of body worn camera licenses and storage space for the footage captured by body worn cameras for a total not-to-exceed amount of \\$24,977.28 covering the duration of the Agreement \(Police\)](#)

Please scroll down to view the backup material.

**CITY OF NATIONAL CITY, CALIFORNIA
COUNCIL AGENDA STATEMENT**

MEETING DATE: December 17, 2019

AGENDA ITEM NO. |

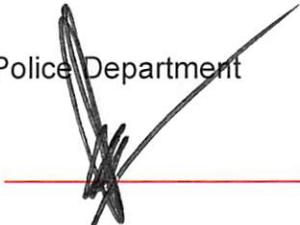
ITEM TITLE:

Resolution of the City Council of the City of National City approving the first amendment to the agreement by and between the City of National City and Taser International Inc., to increase the number of body worn camera licenses and storage space for the footage captured by body worn cameras for a total not-to-exceed amount of \$24,977.28 covering the duration of the Agreement

PREPARED BY: Captain Graham Young

DEPARTMENT: Police Department

PHONE: (619) 336-4514

APPROVED BY: 

EXPLANATION:

On June 21, 2016 the City Council authorized the purchase for seventy (70) body worn cameras, storage of digital evidence, data management, support services, and onsite training from Taser International and executed a five year contract in the amount of \$350,890.58. It has been determined there is a need for additional body worn camera licenses and storage space for the footage captured. This amendment would be for a total not-to-exceed amount of \$24,977.28 for the duration of the agreement. A total not to exceed amount of \$12,488.64 for year one and a total not to exceed amount of \$12,488.64 for year two.

FINANCIAL STATEMENT:

APPROVED:  Finance

ACCOUNT NO.

APPROVED:  MIS

| 131-411-000-299-0000 (Contract Services) \$24,977.28

ENVIRONMENTAL REVIEW:

N/A

ORDINANCE: INTRODUCTION: FINAL ADOPTION:

STAFF RECOMMENDATION:

Approve Resolution.

BOARD / COMMISSION RECOMMENDATION:

N/A

ATTACHMENTS:

1. Resolution # 2016-99
2. Taser International Inc. quote for \$24,977.28

RESOLUTION NO. 2016 – 99

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE CITY COUNCIL TO WAIVE THE FORMAL BID PROCESS PURSUANT TO NATIONAL CITY MUNICIPAL CODE SECTION 2.60.220, SUBSECTION (B), SOLE SOURCE PROCUREMENT, FOR THE POLICE DEPARTMENT'S PURCHASE OF SEVENTY (70) BODY WORN CAMERAS, CLOUD BASED STORAGE OF DIGITAL EVIDENCE, AND INTERNET DATA MANAGEMENT THROUGH EVIDENCE.COM, INCLUDING SUPPORT SERVICES AND ONSITE TRAINING TO ASSIST WITH IMPLEMENTATION FROM TASER INTERNATIONAL, INC., AND AUTHORIZING THE CITY TO AWARD THE PURCHASE, AND AUTHORIZING THE MAYOR TO EXECUTE A FIVE-YEAR CONTRACT IN THE AMOUNT OF \$350,890.58 WITH TASER INTERNATIONAL, INC.

WHEREAS, the use of Body Worn Cameras (BWCs) has been a growing national trend for law enforcement agencies due to recent high profile events, and have been shown to protect people who make legitimate complaints, but also protect law enforcement agencies when people file false allegations of misconduct or excessive use of force against police officers wearing BWCs; and

WHEREAS, from July 2015 through January 2016, the Police Department field tested and evaluated BWCs from four manufacturers, and interviewed representatives from other San Diego County law enforcement agencies who currently utilize BWCs, as well as representatives from the San Diego County District Attorney's Office; and

WHEREAS, Taser International Inc. BWCs are rugged, offer high quality recordings, and ease of evidence handling with their secure cloud-based digital evidence management system named Evidence.com., and is the only vendor who offers all of the services necessary to meet the Police Department's needs; and

WHEREAS, several law enforcement agencies in San Diego County currently utilize BWCs from Taser International, Inc., including the San Diego Police Department, Chula Vista Police Department, Coronado Police Department, Escondido Police Department, and Carlsbad Police Department; and

WHEREAS, the San Diego District Attorney's Office has an Evidence.com license and already works with agencies using the Evidence.com data management system to receive digital evidence, including BWC videos, still digital photographs, and audio recordings, using the Evidence.com portal which would allow for seamless integration for the National City Police Department to share evidence for cases via an email link to the San Diego District Attorney's Office; and

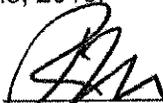
WHEREAS, the Police Department desires to enter into an Agreement with Taser International, Inc., beginning on July 1, 2016 to include the purchase of seventy (70) Body Worn Cameras, requisite docking stations, data storage, and data management services from Evidence.com for a term of five years; and

WHEREAS, the City Council may waive the formal bid process pursuant to National City Municipal Section 2.60.220(B) that provides for sole source procurements when there is only one source from which a particular commodity is available and there is no adequate substitute, and when it is clear that competitive bidding will not produce any competitive advantage or would be impractical or not meet any urgent procurement need; and

WHEREAS, based on the Police Department's research, the Taser International Inc. BWCs and cloud storage through Evidence.com meet the Police Department's needs, are unique from other BWCs and data management systems in that Taser International, Inc. is the only company that offers several unique features together in one package, and there is no adequate substitute for the BWCs and related services offered through Taser International, Inc.

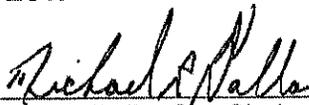
NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of National City hereby authorizes the City Council to waive the formal bid process pursuant to National City Municipal Code Section 2.60.220, subsection (B), sole source procurement, and authorizes the Mayor to execute a five-year Agreement with Taser International, Inc., in the amount of \$350,890.58, for the Police Department's purchase of seventy (70) body worn cameras, cloud based storage of digital evidence, and internet data management through Evidence.com, including support services and onsite training to assist with implementation, from Taser International, Inc.

PASSED and ADOPTED this 21st day of June, 2016



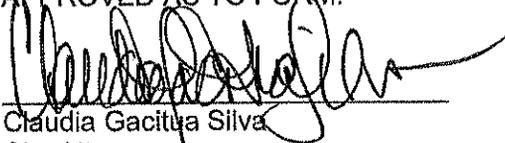
Ron Morrison, Mayor

ATTEST:



Michael R. Dalla, City Clerk

APPROVED AS TO FORM:



Claudia Gacitua Silva
City Attorney

Passed and adopted by the Council of the City of National City, California, on June 21, 2016 by the following vote, to-wit:

Ayes: Councilmembers Cano, Mendivil, Morrison, Rios, Sotelo-Solis.

Nays: None.

Absent: None.

Abstain: None.

AUTHENTICATED BY: RON MORRISON
Mayor of the City of National City, California



Michael S. Palma
City Clerk of the City of National City, California

By: _____
Deputy

I HEREBY CERTIFY that the above and foregoing is a full, true and correct copy of RESOLUTION NO. 2016-99 of the City of National City, California, passed and adopted by the Council of said City on June 21, 2016.

City Clerk of the City of National City, California

By: _____
Deputy



Axon Enterprise, Inc.
 17800 N 85th St.
 Scottsdale, Arizona 85255
 United States
 Phone: (800) 978-2737

Q-232014-43802.674CM

Issued: 12/03/2019

Quote Expiration: 12/31/2019

Account Number: 106266

Payment Terms: Net 30
 Delivery Method: Fedex - Ground
 Contract Number: 00009161

SHIP TO

Heather Scott
 National City Police Dept. - CA
 1200 National City Boulevard
 National City, CA 91950
 US

BILL TO

National City Police Dept. - CA
 1200 National City Boulevard
 National City, CA 91950
 US

SALES REPRESENTATIVE

Chris Morton
 Phone: (206) 310-6165
 Email: cmorton@axon.com
 Fax:

PRIMARY CONTACT

Heather Scott
 Phone: (619) 336-4530
 Email: hscott@nationalcityca.gov

Year 1

Item	Description	Quantity	List Unit Price	Net Unit Price	Total (USD)
Axon Plans & Packages					
85035	EVIDENCE.COM STORAGE	11,416	0.75	0.69	7,877.04
80012	BASIC EVIDENCE.COM LICENSE: YEAR 1 PAYMENT	28	180.00	164.70	4,611.60
85110	EVIDENCE.COM INCLUDED STORAGE	280	0.00	0.00	0.00
				Subtotal	12,488.64
				Estimated Shipping	0.00
				Estimated Tax	0.00
				Total	12,488.64

Year 2

Item	Description	Quantity	List Unit Price	Net Unit Price	Total (USD)
Axon Plans & Packages					
85035	EVIDENCE.COM STORAGE	11,416	0.75	0.69	7,877.04
80013	BASIC EVIDENCE.COM LICENSE: YEAR 2 PAYMENT	28	180.00	164.70	4,611.60
85110	EVIDENCE.COM INCLUDED STORAGE	280	0.00	0.00	0.00
				Subtotal	12,488.64
				Estimated Tax	0.00
				Total	12,488.64

Grand Total 24,977.28



Discounts (USD)

Quote Expiration: 12/31/2019

List Amount	27,204.00
Discounts	2,226.72
Total	24,977.28

**Total excludes applicable taxes*

**FIRST AMENDMENT TO THE AGREEMENT
BY AND BETWEEN THE CITY OF NATIONAL CITY AND
TASER INTERNATIONAL, INC.**

This FIRST AMENDMENT (“Amendment”) to the Agreement by and between the CITY OF NATIONAL CITY and TASER INTERNATIONAL, INC., a Corporation is entered into this ____ day of December, 2019, by and between the CITY OF NATIONAL CITY, a municipal corporation (the “CITY”) and TASER INTERNATIONAL, INC., a Corporation (“CONSULTANT”).

RECITALS

WHEREAS, the City Council of the City of National City authorized the Mayor to execute an Agreement (“Agreement”) on June 21, 2016 for CONSULTANT to provide body worn cameras, cloud-based storage of digital evidence, internet data management through Evidence.com and support services to assist with implementation and training as specified in the Agreement and Resolution No. 2016-99, Attachment “A”; and

WHEREAS, after negotiating the initial price of the work to be completed by CONSULTANT, it was determined that there was a need for more user body worn camera licenses and storage space for the footage captured by body worn cameras on the original service agreement; and

WHEREAS, the total cost for the additional body worn camera licenses and storage space will be for a total not-to-exceed amount of \$24,977.28 covering the duration of the Agreement with a total not to exceed amount of \$12,488.64 for year one and a total not to exceed amount of \$12,488.64 for year 2 and as specified in Attachment “B”; and

WHEREAS, the increase in body worn camera licenses and storage purchase not-to-exceed amount requires City Council approval.

NOW THEREFORE, BE IT RESOLVED, the parties hereto do mutually agree as follows:

1. The total cost for the additional body worn camera licenses and storage space will be for a total not-to-exceed amount of \$24,977.28 covering the duration of the Agreement with a total not to exceed amount of \$12,488.64 for year one and a total not to exceed amount of \$12,488.64 for year 2 and as specified in Attachment “B”.
2. The parties further agree that with the foregoing exception, each and every term of the June 21, 2016 Agreement shall remain in full force and effect.

///
///
///

IN WITNESS THEREOF, the parties hereto have executed this First Amendment on the date and year first written above.

CITY OF NATIONAL CITY

TASER INTERNATIONAL, INC.

By: _____
Alejandra Sotelo-Solis, Mayor

By: _____
Name

Print

APPROVED AS TO FORM:
Angil P. Morris-Jones
City Attorney

Title

Nicole Pedone
Senior Assistant City Attorney

By: _____
Name

Print

Title

RESOLUTION NO. 2019

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY APPROVING THE FIRST AMENDMENT TO THE AGREEMENT BY AND BETWEEN THE CITY OF NATIONAL CITY AND TASER INTERNATIONAL INC., TO INCREASE THE NUMBER OF BODY WORN CAMERA LICENSES AND STORAGE SPACE FOR THE FOOTAGE CAPTURED BY BODY WORN CAMERAS FOR A TOTAL NOT TO EXCEED AMOUNT OF \$24,977.28 COVERING THE DURATION OF THE AGREEMENT

WHEREAS, the use of Body Worn Cameras (BWCs) has been a growing national trend for law enforcement agencies due to recent high profile events, and have been shown to protect people who make legitimate complaints, but also protect law enforcement agencies when people file false allegations of misconduct or excessive use of force against police officers wearing BWCs; and

WHEREAS, the National City Police Department entered into an Agreement with Taser International, Inc., on July 1, 2016 to include the purchase of seventy (70) Body Worn Cameras, requisite docking stations, data storage, and data management services from Evidence.com for a term of five years in the amount of \$350,890.58; and

WHEREAS, due to the need for additional body worn camera licenses and storage space for the footage captured, staff recommends entering into a First Amendment to the Agreement by and between the City of National City and Taser international Inc., to increase the number of body worn camera licenses and storage space for the footage captured by body worn cameras for a total not to exceed amount of \$24,977.28 covering the duration of the Agreement.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of National City hereby authorizes and approves a First Amendment to the Agreement by and between the City of National City and Taser international Inc., to increase the number of body worn camera licenses and storage space for the footage captured by body worn cameras for a total not to exceed amount of \$24,977.28 covering the duration of the Agreement

PASSED and ADOPTED this 17th day of December, 2019.

Alejandra Sotelo-Solis, Mayor

ATTEST:

Michael R. Dalla, City Clerk

APPROVED AS TO FORM:

Angil P. Morris-Jones, City Attorney

The following page(s) contain the backup material for Agenda Item: [Report regarding Capital Improvement Projects completed under the limits set forth by the Uniform Public Construction Cost Accounting Act \(“Act”\). \(Engineering/Public Works\)](#)

Please scroll down to view the backup material.

**CITY OF NATIONAL CITY, CALIFORNIA
COUNCIL AGENDA STATEMENT**

MEETING DATE: December 17, 2019

AGENDA ITEM NO.

ITEM TITLE:

Report regarding Capital Improvement Projects completed under the limits set forth by the Uniform Public Construction Cost Accounting Act ("Act").

PREPARED BY: Jose Lopez, P.E., Associate Civil Engineer

DEPARTMENT: Engineering/Public Works

PHONE: 619-336-4312

APPROVED BY: _____

EXPLANATION:

On October 4, 2016, per Resolution No. 2016-160, the City Council adopted Chapter 2.62 of the National City Municipal Code titled "Alternative Bid Procedures for Public Projects" which establishes alternative competitive bidding procedures for public projects, consistent with the Uniform Public Construction Cost Accounting Act, as provided by Public Contract Code Section 22034.

The primary benefits include:

- Allowing participating public agencies to expedite contracting for smaller public works projects;
- Increasing informal bidding limits (currently up to \$200,000);
- Increasing limits for work involving City forces (currently up to \$60,000);
- Establishing a list of qualified contractors to perform the work.

Please see attached presentation, for a summary of completed projects to date.

FINANCIAL STATEMENT:

APPROVED: _____ **Finance**

ACCOUNT NO.

APPROVED: _____ **MIS**

N/A

ENVIRONMENTAL REVIEW:

N/A

ORDINANCE: INTRODUCTION:

FINAL ADOPTION:

STAFF RECOMMENDATION:

Accept and file report

BOARD / COMMISSION RECOMMENDATION:

N/A

ATTACHMENTS:

1. PPT Presentation
2. Report

Staff Report

Below are tables summarizing the capital improvement projects completed under the limits set forth by the Uniform Public Construction Cost Accounting Act.

Engineering Projects Under \$200K

Project Name	Original Contract Amount	Total Cost	Date of Completion
Communication Infrastructure Expansion Project - Kimball Towers	\$113,675	\$114,726	August 2019
Valley Road Channel Repairs	\$72,000	\$91,434	March 2019
City Hall Fire Alarm System Improvements	\$44,600	\$44,600	May 2019
Remove and Replace 4" Sewer Lateral	\$19,800	\$64,900	January 2019
Channel Repair on E. Plaza Blvd	\$46,200	\$46,200	December 2018
E. 28 th Street Asphalt Repair	\$27,000	\$27,000	January 2019
El Toyon Park Recreation Center Improvements	\$42,424	\$42,424	September 2019
El Toyon Irrigation Repairs	\$84,949	\$90,144	November 2019
National City Public Library Second Floor Tutoring Room Modification	\$8,600	\$8,600	December 2019

Public Works – Asphalt Repairs

Location	Cost	Date Completed
Canna Street	\$4,057.17	April 2019
E. 18th Street and "I" Avenue	\$13,523.90	May 2019
E. 15th Street and "E" Avenue	\$7,438.15	June 2019
300 block of S. Kenton Avenue	\$10,819.12	July 2019
17 S. Kenton Avenue	\$14,876.29	July 2019
E. 22nd Street and "I" Avenue	\$29,752.58	August 2019
Fire Station 33 Squad Station	\$9,466.73	August 2019
3600 block of Peach Blossom	\$9,466.73	August 2019
E. 30th Street and "A" Avenue	\$29,752.58	October 2019
24 N. "T" Avenue	\$8,114.34	October 2019
28 N. "T" Avenue	\$5,409.56	October 2019
Alley between "C" Avenue and "D" Ave on E. Plaza Blvd.	\$17,581.07	October 2019

Public Works – Concrete Repairs

Project Location	Repair Type	Total Cost	Date of Completion
2732 Virginia Avenue	Sidewalk	\$11,865.58	January 2019
E. 22nd Street and "I" Avenue	Sidewalk/Curb and Gutter	\$9,228.78	August 2019
E. 18th Street and "I" Avenue	Curb and Gutter	\$6,591.99	May 2019
3600 block of Peach Blossom	Sidewalk/Curb and Gutter	\$7,910.39	August 2019

The following page(s) contain the backup material for Agenda Item: [National City Sales Tax Update - Second Quarter 2019. \(Finance\)](#)
Please scroll down to view the backup material.

**CITY OF NATIONAL CITY, CALIFORNIA
COUNCIL AGENDA STATEMENT**

MEETING DATE: December 17, 2019

AGENDA ITEM NO.:

ITEM TITLE:

National City Sales Tax Update Newsletter – Second Quarter 2019

PREPARED BY: Mark Roberts, Finance Director

PHONE: 619-336-4330

DEPARTMENT: Finance

APPROVED BY: Mark Roberts

EXPLANATION:

National City has an ongoing contract with Hinderliter, de Llamas & Associates (HdL) to provide sales tax consulting/auditing services. Staff meets quarterly with a representative of HdL to review sales tax results and trends within the City and State-wide.

Attached is the "National City Sales Tax Update" newsletter for the second quarter of fiscal year 2019, which summarizes sales tax data for the period.

FINANCIAL STATEMENT:

ACCOUNT NO.
NA

APPROVED: Mark Roberts **FINANCE**

APPROVED: _____ **MIS**

ENVIRONMENTAL REVIEW:

This is not a project and, therefore, not subject to environmental review.

ORDINANCE: INTRODUCTION FINAL ADOPTION

STAFF RECOMMENDATION:

Accept and file the report.

BOARD / COMMISSION RECOMMENDATION:

ATTACHMENTS:

National City Sales Tax Update Newsletter – Second Quarter 2019

Q2 2019



National City Sales Tax Update

Third Quarter Receipts for Second Quarter Sales (April - June 2019)

National City In Brief

National City's receipts from April through June were 8.5% above the second sales period in 2018. However, this comparison is inflated due to CDTFA's transition to a new reporting system. Excluding reporting aberrations, actual sales were flat.

The temporary loss in auto leasing due to state-related disbursement issues flattened results in autos and transportation. On an actual basis this group including new auto sales, was up 2.4%.

Store closures contributed to the actual decline of 1.9% in general retail. Nonetheless, discount department stores, shoe stores and jewelry stores were higher than a year ago. Overall performance in restaurants was hampered by a recent closure posting a rise of 1.5% on an adjusted basis.

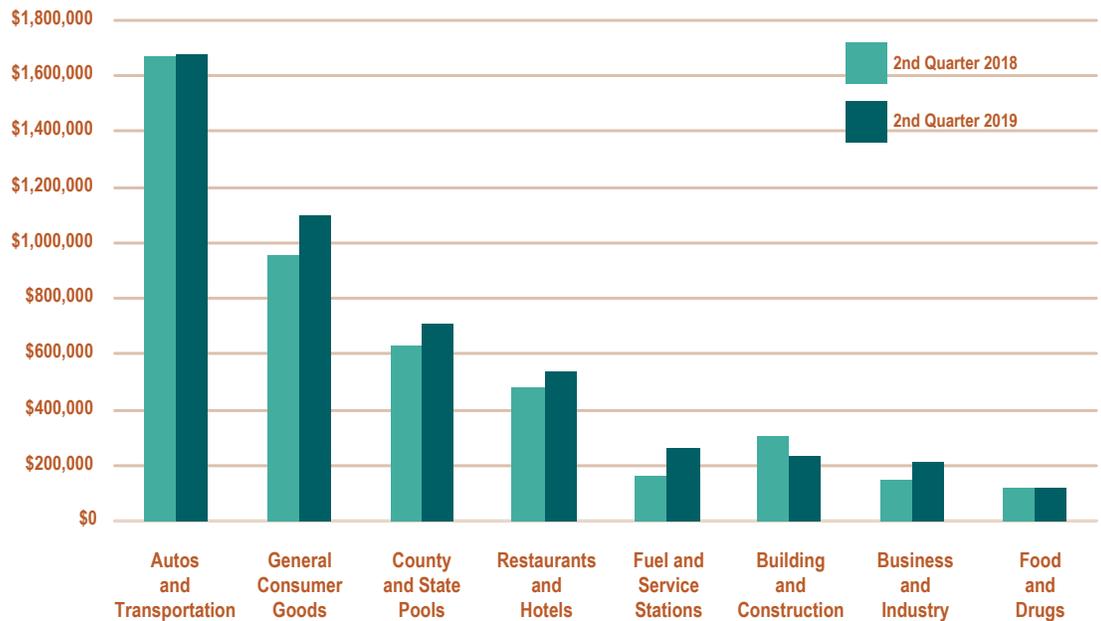
A new station combined with year ago delayed allocations boosted fuel and service station results.

Sales activity in building and construction slipped compared to the prior quarter.

Measure D, the City's 1% transactions tax, was up 2.7% once deviations were removed. The largest gain was in service stations.

Net of aberrations, taxable receipts for all of San Diego County grew 1.4% over the comparable time period; the Southern California region was up 2.6%.

SALES TAX BY MAJOR BUSINESS GROUP



TOP 25 PRODUCERS

IN ALPHABETICAL ORDER

ABC Supply Co	Perry Ford
Arco	Probuild Company
Arco AM PM	Ron Baker Chevrolet
Ball Mitsubishi	Ross
Frank Hyundai	South Bay Volkswagen
Frank Subaru	South County Buick GMC
Frank Toyota	T Mobile
JC Penney	Target
Macys	USA Gasoline
Mossy Nissan	Walmart Supercenter
National City Gas & Carwash	Wescott Mazda
Nordstrom Rack	Westair Gases & Equipment
Perry Chrysler Dodge Jeep Ram	

REVENUE COMPARISON

Four Quarters – Fiscal Year To Date (Q3 to Q2)

	2017-18	2018-19
Point-of-Sale	\$15,500,435	\$16,792,061
County Pool	2,388,723	2,683,761
State Pool	8,888	8,480
Gross Receipts	\$17,898,046	\$19,484,302
Measure D	\$11,467,845	\$12,514,468

California Overall

The local one percent share of California's sales and use tax from April through June sales was 20.4% higher than the same quarter of 2018. However, the actual gain came to 2.9% after factoring for online filing issues and accounting anomalies. Fiscal year 2018-19 ended with an increase of 3.6% over the previous year after similarly adjusting for reporting aberrations.

The quarter exhibited continuation of a recent softening for most taxable categories. Rising used car sales and rentals helped offset what was otherwise, a generally flat quarter for the auto-transportation group. An acceleration in online shopping boosted receipts from county wide pools while gains for brick and mortar stores were limited to value priced apparel, discount department stores and jewelry.

Restaurant patronage appears to be leveling with a shift toward lower cost dining options that produced relatively modest gains for the group when compared to previous quarters. New cannabis operations resulted in a small rise in food and drug receipts.

A 2.5% gain in business-industrial sales and use tax revenues came primarily from online fulfillment centers, logistics and utility company purchases and ongoing investment in automation and information technology. A similar rise in receipts from the building-construction group was due to a variety of infrastructure and onetime special projects that offset declines in material purchases for new home construction.

Marketplace Facilitator Act

Effective Oct. 1, 2019, companies such as Amazon, eBay and Google who provide sales tax related services to other retailers are required to assume the obligation for collecting and remitting their client's sales and use tax. The definition of sales-related services includes payment processing, inventory and shipping of merchandise, order taking, providing customer service, or assisting with re-

turns and exchanges.

The Marketplace provision was part of AB 147 which was adopted to implement California's approach to the U.S. Supreme Court decision in South Dakota v. Wayfair Inc.

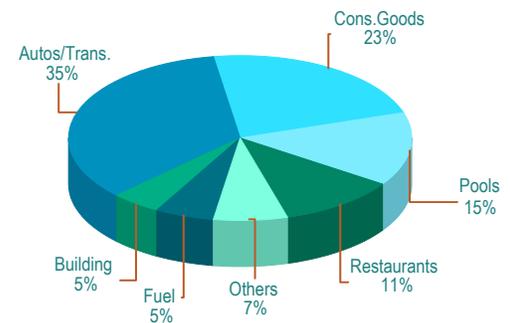
AB 147 requires out-of-state retailers with annual combined sales of \$500,000 or more to now collect and remit this state's sales and use tax from its customers. Applying the \$500,000 threshold to the sum total of all the third-party transactions that facilitators process for their clients, is hoped to produce moderate gains in previously uncollected revenues for the state, cities, counties and local transaction tax districts.

Facilitator tax remittances from merchandise inventoried in California will be allocated to specific jurisdictions while receipts from deliveries outside of the state will be distributed via the pools. Some facilitators have begun to collect and remit taxes ahead of this deadline. This is evidenced by new pool allocations and increases in direct allocations to certain jurisdictions.

SALES PER CAPITA



REVENUE BY BUSINESS GROUP
National City This Quarter



NATIONAL CITY TOP 15 BUSINESS TYPES

Business Type	*In thousands of dollars			
	National City Q2 '19*	Change	County Change	HdL State Change
Auto Lease	104.8	-41.7%	-48.0%	-48.7%
Building Materials	—	CONFIDENTIAL	25.3%	34.1%
Casual Dining	194.7	7.1%	21.1%	24.5%
Department Stores	140.4	-20.7%	-32.0%	-24.7%
Discount Dept Stores	—	CONFIDENTIAL	22.5%	26.3%
Drugs/Chemicals	—	CONFIDENTIAL	46.5%	43.0%
Electronics/Appliance Stores	111.7	12.2%	-4.4%	7.0%
Family Apparel	198.1	79.0%	50.0%	45.3%
New Motor Vehicle Dealers	1,269.1	3.6%	4.7%	5.4%
Quick-Service Restaurants	289.3	12.7%	15.4%	15.9%
Service Stations	261.1	61.0%	46.0%	51.4%
Shoe Stores	69.6	-2.4%	5.9%	9.2%
Specialty Stores	84.5	-31.3%	-14.4%	-8.5%
Used Automotive Dealers	135.2	19.2%	72.1%	90.0%
Women's Apparel	67.6	7.2%	5.4%	5.7%
Total All Accounts	4,157.0	7.9%	16.9%	20.1%
County & State Pool Allocation	707.5	12.1%	21.5%	22.4%
Gross Receipts	4,864.5	8.5%	17.5%	20.1%

The following page(s) contain the backup material for Agenda Item: [Warrant Register #19 for the period of 10/30/19 through 11/5/19 in the amount of \\$3,338,691.23. \(Finance\)](#)
Please scroll down to view the backup material.

**CITY OF NATIONAL CITY, CALIFORNIA
COUNCIL AGENDA STATEMENT**

MEETING DATE: December 17, 2019

AGENDA ITEM NO.:

ITEM TITLE:

Warrant Register #19 for the period of 10/30/19 through 11/5/19 in the amount of \$3,338,691.23.
(Finance)

PREPARED BY: Karla Apalategui, Accounting Assistant

PHONE: 619-336-4572

DEPARTMENT: Finance

APPROVED BY: 

EXPLANATION:

Per Government Section Code 37208, attached are the warrants issued for the period 10/30/19 - 11/5/19. Consistent with Department of Finance's practice, listed below are all payments above \$50,000.

<u>Vendor</u>	<u>Check/Wire</u>	<u>Amount</u>	<u>Explanation</u>
EsGil Corporation	344921	71,998.96	Permit and Inspection Svcs
Health Net Inc	344931	86,260.14	Group R1192A – October 2019
Kaiser Foundation HP	344937	177,936.72	Group 104220-0002 – October 2019
Kimley Horn	344942	62,250.00	Roosevelt Smart Growth
National Auto Fleet Grp	344951	93,939.50	Automotive Equipment 10/21/2019
Public Emp Ret System	10312019	256,680.64	Service Period 10/8/19 – 10/21/19

FINANCIAL STATEMENT:

ACCOUNT NO.

APPROVED: 

FINANCE

APPROVED: _____

MIS

Warrant total \$3,338,691.23.

ENVIRONMENTAL REVIEW:

This is not a project and, therefore, not subject to environmental review.

ORDINANCE: INTRODUCTION FINAL ADOPTION

STAFF RECOMMENDATION:

Ratify warrants totaling \$3,338,691.23

BOARD / COMMISSION RECOMMENDATION:

ATTACHMENTS:

Warrant Register # 19



**WARRANT REGISTER # 19
11/5/2019**

<u>PAYEE</u>	<u>DESCRIPTION</u>	<u>CHK NO</u>	<u>DATE</u>	<u>AMOUNT</u>
ACEDO, I	RETIREE HEALTH BENEFITS NOV 2019	344831	11/5/19	160.00
ANDERSON, E	RETIREE HEALTH BENEFITS NOV 2019	344832	11/5/19	110.00
BEARD, P	RETIREE HEALTH BENEFITS NOV 2019	344833	11/5/19	70.00
BECK, L	RETIREE HEALTH BENEFITS NOV 2019	344834	11/5/19	140.00
BISHOP, R	RETIREE HEALTH BENEFITS NOV 2019	344835	11/5/19	110.00
BOEGLER, C	RETIREE HEALTH BENEFITS NOV 2019	344836	11/5/19	260.00
BULL, P	RETIREE HEALTH BENEFITS NOV 2019	344837	11/5/19	580.00
CAMEON, C	RETIREE HEALTH BENEFITS NOV 2019	344838	11/5/19	400.00
CARRILLO, R	RETIREE HEALTH BENEFITS NOV 2019	344839	11/5/19	290.00
COLE, L	RETIREE HEALTH BENEFITS NOV 2019	344840	11/5/19	165.00
COLLINSON, C	RETIREE HEALTH BENEFITS NOV 2019	344841	11/5/19	420.00
CONDON, D	RETIREE HEALTH BENEFITS NOV 2019	344842	11/5/19	280.00
CORDERO, E	RETIREE HEALTH BENEFITS NOV 2019	344843	11/5/19	520.00
CORPUZ, T	RETIREE HEALTH BENEFITS NOV 2019	344844	11/5/19	140.00
DANESHFAR, Z	RETIREE HEALTH BENEFITS NOV 2019	344845	11/5/19	250.00
DEESE, L	RETIREE HEALTH BENEFITS NOV 2019	344846	11/5/19	660.00
DESROCHERS, P	RETIREE HEALTH BENEFITS NOV 2019	344847	11/5/19	110.00
DIAZ, M	RETIREE HEALTH BENEFITS NOV 2019	344848	11/5/19	680.00
DILLARD, S	RETIREE HEALTH BENEFITS NOV 2019	344849	11/5/19	480.00
DREDGE, J	RETIREE HEALTH BENEFITS NOV 2019	344850	11/5/19	250.00
EISER III, G	RETIREE HEALTH BENEFITS NOV 2019	344851	11/5/19	250.00
ETZLER, J	RETIREE HEALTH BENEFITS NOV 2019	344852	11/5/19	460.00
FABINSKI, D	RETIREE HEALTH BENEFITS NOV 2019	344853	11/5/19	220.00
FERNANDEZ, R	RETIREE HEALTH BENEFITS NOV 2019	344854	11/5/19	270.00
FIFIELD, K	RETIREE HEALTH BENEFITS NOV 2019	344855	11/5/19	540.00
GAUT, A	RETIREE HEALTH BENEFITS NOV 2019	344856	11/5/19	700.00
GELSKEY, K	RETIREE HEALTH BENEFITS NOV 2019	344857	11/5/19	115.00
GIBBS JR, R	RETIREE HEALTH BENEFITS NOV 2019	344858	11/5/19	120.00
GONZALES, M	RETIREE HEALTH BENEFITS NOV 2019	344859	11/5/19	480.00
HANSON, E	RETIREE HEALTH BENEFITS NOV 2019	344860	11/5/19	135.00
HARLAN, M	RETIREE HEALTH BENEFITS NOV 2019	344861	11/5/19	500.00
HAUG, S	RETIREE HEALTH BENEFITS NOV 2019	344862	11/5/19	120.00
HERNANDEZ, M	RETIREE HEALTH BENEFITS NOV 2019	344863	11/5/19	600.00
HERNANDEZ, R	RETIREE HEALTH BENEFITS NOV 2019	344864	11/5/19	400.00
HODGES, B	RETIREE HEALTH BENEFITS NOV 2019	344865	11/5/19	200.00
IBARRA, J	RETIREE HEALTH BENEFITS NOV 2019	344866	11/5/19	780.00
JAMES, R	RETIREE HEALTH BENEFITS NOV 2019	344867	11/5/19	140.00
JUNIEL, R	RETIREE HEALTH BENEFITS NOV 2019	344868	11/5/19	50.00
KIMBLE, R	RETIREE HEALTH BENEFITS NOV 2019	344869	11/5/19	300.00
KLOS, F	RETIREE HEALTH BENEFITS NOV 2019	344870	11/5/19	480.00
LEACH, D	RETIREE HEALTH BENEFITS NOV 2019	344871	11/5/19	600.00
LIMFUECO, M	RETIREE HEALTH BENEFITS NOV 2019	344872	11/5/19	160.00
MATIENZO, M	RETIREE HEALTH BENEFITS NOV 2019	344873	11/5/19	100.00
MC CABE, T	RETIREE HEALTH BENEFITS NOV 2019	344874	11/5/19	280.00
MCDANIEL, P	RETIREE HEALTH BENEFITS NOV 2019	344875	11/5/19	290.00
MEDINA, R	RETIREE HEALTH BENEFITS NOV 2019	344876	11/5/19	105.00
MENDOZA, G	RETIREE HEALTH BENEFITS NOV 2019	344877	11/5/19	290.00
MINER, D	RETIREE HEALTH BENEFITS NOV 2019	344878	11/5/19	580.00



**WARRANT REGISTER # 19
11/5/2019**

<u>PAYEE</u>	<u>DESCRIPTION</u>	<u>CHK NO</u>	<u>DATE</u>	<u>AMOUNT</u>
MORRISON, R	RETIREE HEALTH BENEFITS NOV 2019	344879	11/5/19	520.00
NAGLE, D	RETIREE HEALTH BENEFITS NOV 2019	344880	11/5/19	460.00
NOTEWARE, D	RETIREE HEALTH BENEFITS NOV 2019	344881	11/5/19	120.00
OLIVARES, G	RETIREE HEALTH BENEFITS NOV 2019	344882	11/5/19	280.00
OLIVERIA, H	RETIREE HEALTH BENEFITS NOV 2019	344883	11/5/19	360.00
PAUU JR, P	RETIREE HEALTH BENEFITS NOV 2019	344884	11/5/19	340.00
PEASE JR, D	RETIREE HEALTH BENEFITS NOV 2019	344885	11/5/19	140.00
PETERS, S	RETIREE HEALTH BENEFITS NOV 2019	344886	11/5/19	290.00
POST, R	RETIREE HEALTH BENEFITS NOV 2019	344887	11/5/19	280.00
RAY, S	RETIREE HEALTH BENEFITS NOV 2019	344888	11/5/19	190.00
ROARK, L	RETIREE HEALTH BENEFITS NOV 2019	344889	11/5/19	135.00
RODRIGUEZ, M	RETIREE HEALTH BENEFITS NOV 2019	344890	11/5/19	260.00
RUIZ, J	RETIREE HEALTH BENEFITS NOV 2019	344891	11/5/19	310.00
SANCHEZ, L	RETIREE HEALTH BENEFITS NOV 2019	344892	11/5/19	330.00
SERVATIUS, J	RETIREE HEALTH BENEFITS NOV 2019	344893	11/5/19	340.00
SHORT, C	RETIREE HEALTH BENEFITS NOV 2019	344894	11/5/19	300.00
SMITH, J	RETIREE HEALTH BENEFITS NOV 2019	344895	11/5/19	320.00
STEWART, W	RETIREE HEALTH BENEFITS NOV 2019	344896	11/5/19	200.00
STRASEN, W	RETIREE HEALTH BENEFITS NOV 2019	344897	11/5/19	135.00
TIPTON, B	RETIREE HEALTH BENEFITS NOV 2019	344898	11/5/19	250.00
VERRY, L	RETIREE HEALTH BENEFITS NOV 2019	344899	11/5/19	280.00
VILLAGOMEZ, J	RETIREE HEALTH BENEFITS NOV 2019	344900	11/5/19	480.00
WHITE, J	RETIREE HEALTH BENEFITS NOV 2019	344901	11/5/19	230.00
	RETIREE HEALTH BENEFIT SUBTOTAL			21,890.00
ACE UNIFORMS & ACCESSORIES INC	POLICE UNIFORMS	344902	11/5/19	2,044.79
AETNA BEHAVIORAL HEALTH	EMPLOYEE ASSISTANCE PROGRAM - NOVEMBER	344903	11/5/19	2,097.88
ALTA LANGUAGE SERVICES INC	EMPLOYEE BILINGUAL TESTING	344904	11/5/19	66.00
ASSI SECURITY INC	DOOR SECURITY REPAIR SEP 25, 2019	344905	11/5/19	235.00
BELTRAN LOPEZ, V	REPLACE PAYROLL CHECK DATED 10/30/19	344906	11/5/19	331.70
BOOT WORLD	MOP 64096 BOOTS FOR STAFF - NSD	344907	11/5/19	125.00
C A P F	NOVEMBER 2019 - FIRE LTD	344908	11/5/19	1,091.50
CALIFORNIA ELECTRIC SUPPLY	MOP 45698. SUPPLIES FOR FACILITIES	344909	11/5/19	967.89
CALIFORNIA LAW ENFORCEMENT	NOVEMBER 2019 - PD LTD	344910	11/5/19	2,009.00
COMMERCIAL AQUATIC SERVICE INC	CHEMICALS DELIVERED OCT 14, 2019	344911	11/5/19	1,080.66
CORNEJO, J	TRAINING POST ADV FTO UPDATE CORNEJO	344912	11/5/19	384.00
COUNTYWIDE MECHANICAL SYSTEMS	HVAC QUARTERLY PREVENTIVE MAINTENANCE	344913	11/5/19	41,629.00
CPOA	CPOA DUES FOR SWORN	344914	11/5/19	1,625.00
CSA SAN DIEGO COUNTY	FY 2017-2018 CDBG PROGRAM SUBRECIPIENT	344915	11/5/19	2,858.89
DELGADO, E	CASA DE SALUD FALL FESTIVAL AND KIMBALL	344916	11/5/19	373.93
DELTA DENTAL	GROUP 05-0908600000 - OCTOBER 2019	344917	11/5/19	14,930.25
DELTA DENTAL INSURANCE CO	GROUP 05-7029600000 - OCTOBER 2019	344918	11/5/19	2,537.04
D-MAX ENGINEERING INC	T&A90372 130 E. 8TH ST.	344919	11/5/19	2,642.50
DSA SAN DIEGO	SAFE ROUTE TO SCHOOL	344920	11/5/19	4,850.00
ESGIL CORPORATION	PERMIT AND INSPECTION SVCS	344921	11/5/19	71,998.96
FELIX, Y	REIMB: Y. FELIX CLEARS TRAINING	344922	11/5/19	25.00
GAMWELL, M	REIMBURSEMENT FOR COFFEE PURCHASED	344923	11/5/19	17.95
GOVCONNECTION INC	MONITOR FOR RECRUITING	344924	11/5/19	770.46
GRAINGER	GRAINGER - SHELVING	344925	11/5/19	5,764.07



**WARRANT REGISTER # 19
11/5/2019**

<u>PAYEE</u>	<u>DESCRIPTION</u>	<u>CHK NO</u>	<u>DATE</u>	<u>AMOUNT</u>
GROSSMAN PSYCHOLOGICAL	PRE EMPLOYMENT PSYCH EXAM	344926	11/5/19	1,625.00
HAMEL, K	EDUCATION REIMBURSEMENT	344927	11/5/19	331.01
HEALTH NET	GROUP R1192Q - OCTOBER 2019	344928	11/5/19	1,969.92
HEALTH NET	GROUP N7177A - OCTOBER 2019	344929	11/5/19	1,860.36
HEALTH NET	GROUP N7176F - OCTOBER 2019	344930	11/5/19	1,598.46
HEALTH NET INC	GROUP R1192A - OCTOBER 2019	344931	11/5/19	86,260.14
HEALTH NET INC	GROUP 57135A - OCTOBER 2019	344932	11/5/19	2,504.30
HEALTH NET INC	GROUP 57135M - OCTOBER 2019	344933	11/5/19	1,252.16
HMS CONSTRUCTION INC	HIGHLAND AVENUE TRAFFIC SIGNAL M.	344934	11/5/19	34,797.31
INNOVATIVE CONSTRUCTION	EUCLID AVE. EUCLID PED. ENH.	344935	11/5/19	46,706.50
JONES, D	RETIREE HEALTH BENEFITS - NOV 2019	344936	11/5/19	480.00
KAISER FOUNDATION HEALTH PLANS	GROUP 104220-0002 - OCTOBER 2019	344937	11/5/19	177,936.72
KAISER FOUNDATION HEALTH PLANS	GROUP 104220-01, 06, 07 - OCTOBER 2019	344938	11/5/19	20,810.68
KAISER FOUNDATION HEALTH PLANS	GROUP 104220-03, 09 - OCTOBER 2019	344939	11/5/19	5,878.41
KAISER FOUNDATION HEALTH PLANS	GROUP 104220-05 - OCTOBER 2019	344940	11/5/19	3,739.84
KAISER FOUNDATION HEALTH PLANS	GROUP 104220-7002 - OCTOBER 2019	344941	11/5/19	2,176.96
KIMLEY HORN	ROOSEVELT SMART GROWTH	344942	11/5/19	62,250.00
L C ACTION	LE6940 COLT AR15 16" .223 RIFLE W RAILS	344943	11/5/19	6,761.59
LEFORT'S SMALL ENGINE REPAIR	MOP 80702 AUTO SUPPLIES - PW	344944	11/5/19	332.23
LOPEZ, TERESA YOLANDA	TRANSLATION OF EXTERNAL SURVEY QUESTIONS	344945	11/5/19	155.60
LUJAN JR, T	LICENSE REIMBURSEMENT	344946	11/5/19	75.00
MAN K9 INC	PATROL CANINE MAINTENANCE	344947	11/5/19	2,080.00
METEAU JR, R	TRAVEL EXPENSE REPORT	344948	11/5/19	132.24
MTS	FLAGGING SERVICES FOR FY20 / NSD	344949	11/5/19	380.76
NAPA AUTO PARTS	MOP 45735 GENERAL SUPPLIES - PW	344950	11/5/19	75.59
NATIONAL AUTO FLEET GROUP	AUTOMOTIVE EQUIPMENT OCT 21, 2019	344951	11/5/19	93,939.50
NEXT DAY PRINTED TEES	PRINTING OF WHOLESALE GOODS	344952	11/5/19	77.65
NV5 INC	KITCHEN DESIGN SERVICES MLK	344953	11/5/19	13,956.91
OFFICE SOLUTIONS BUSINESS	MOP 83778 OFFICE SUPPLIES - FIRE DEPT	344954	11/5/19	118.27
OFFICE TEAM	TEMPORARY SERVICES / NSD	344955	11/5/19	1,687.80
PACIFIC REFRIGERATION INC	DISHWASHER REPAIR / NUTRITION	344956	11/5/19	540.16
PEREZ, C	LICENSE REIMBURSEMENT	344957	11/5/19	70.00
PIERSON,D	TUIT REIMB D PIERSON	344958	11/5/19	1,190.00
PRO BUILD COMPANY	MOP 45707 GENERAL SUPPLIES - PW	344959	11/5/19	610.38
PROJECT PROFESSIONALS CORP	PROFESSIONAL SERVICES	344960	11/5/19	261.25
PRUDENTIAL OVERALL SUPPLY	MOP 45742 LAUNDRY SERVICES - PW	344961	11/5/19	335.43
REDDY, R	REIMBURSEMENT PRE-EMPLOYMENT BACKGROUND	344962	11/5/19	114.00
RELIANCE STANDARD	GRP VAI826233/VCI801146 & VG180848 - OCT	344963	11/5/19	2,515.98
RIOS, M	HVC EXECUTIVE TRAINING / SEC 8 / RIOS	344964	11/5/19	905.37
S & S RECREATION WORLDWIDE	CASA DE SALUD SUPPLIES	344965	11/5/19	36.65
SAN DIEGO SPORTS MEDICINE	DMV PHYSICAL	344966	11/5/19	375.00
SASI	MONTHLY TRUST ACCOUNTING NOV 2019	344967	11/5/19	424.00
SDG&E	GAS AND ELECTRIC UTILITIES	344968	11/5/19	11,177.48
SDG&E	GAS AND ELECTRIC UTILITIES	344969	11/5/19	20.14
SDTTC	PROPERTY TAXES OWED ON THE KIMBALL HOUSE	344970	11/5/19	150.29
SHRED IT USA	SHRED SERVICE	344971	11/5/19	3,795.54
SHULTZ, J	TRAINING ADV LDG FOR PROGRESSIVE /SHULTZ	344972	11/5/19	253.18
SMART & FINAL	MOP CASA DE SALUD SNACKS	344973	11/5/19	255.43



**WARRANT REGISTER # 19
11/5/2019**

<u>PAYEE</u>	<u>DESCRIPTION</u>	<u>CHK NO</u>	<u>DATE</u>	<u>AMOUNT</u>
SMART SOURCE OF CALIFORNIA LLC	PARKING VIOLATION NOTICE	344974	11/5/19	3,055.97
SOLEX CONTRACTING	CONSTRUCTION & DEMO DEPOSIT REFUND	344975	11/5/19	1,120.00
STAPLES BUSINESS ADVANTAGE	MOP 45704. OFFICE SUPPLIES / ENG	344977	11/5/19	1,198.59
STARTTECH COMPUTERS	MOP 61744 MINOR EQUIPMENT - FIRE DEPT	344978	11/5/19	1,527.45
SWEETWATER AUTHORITY	WATER BILL FOR FACILITIES FY 2020	344979	11/5/19	3,736.94
THE LINCOLN NATIONAL LIFE INS	GROUP 415491 - NOVEMBER 2019	344980	11/5/19	9,612.42
THE SHERWIN WILLIAMS CO	MOP 77816 PAINT SUPPLIES / NSD	344981	11/5/19	828.59
THE STAR NEWS	PUBLIC NOTICING - STAR NEWS	344982	11/5/19	153.75
TODD PIPE & SUPPLY LLC	CITYWIDE PLUMBING MATERIALS, PARTS,	344983	11/5/19	1,963.78
T'S & SIGNS	TABLE CLOTHS PURCHASE WITH CITY LOGO	344984	11/5/19	456.75
U S BANK	CREDIT CARD EXPENSES / PD	344986	11/5/19	2,754.19
VALLEY INDUSTRIAL SPECIALTIES	MOP 46453 BUILDING SUPPLIES - PW	344987	11/5/19	681.58
VISTA PAINT	MOP 68834 PAINT SUPPLIES / NSD	344988	11/5/19	475.10
WALMART	GIFT CARDS FOR THE 2020 STORM WATER CALENDAR	344989	11/5/19	500.00
WAXIE SANITARY SUPPLY	MISCELLANEOUS JANITORIAL SUPPLIES	344990	11/5/19	2,934.66
WHITE CONSTRUCTION	CONSTRUCTION & DEMO DEPOSIT REFUND	344991	11/5/19	1,785.00
WILLY'S ELECTRONIC SUPPLY	MOP 00351 SUPPLIES FOR PD	344992	11/5/19	111.90
WITMER PUBLIC SAFETY GROUP INC	WEARING APPAREL FOR FIRE ENGINEERS	344993	11/5/19	135.97
			A/P Total	810,360.30
WIRED PAYMENTS				
PUBLIC EMP RETIREMENT SYSTEM	SERVICE PERIOD 10/08/19 - 10/21/19	10312019	10/31/19	256,680.64
SECTION 8 HAPS	Start Date	End Date		
	10/28/2019	11/5/2019		901,897.38
PAYROLL				
Pay period	Start Date	End Date	Check Date	
23	10/22/2019	11/4/2019	11/13/2019	1,369,752.91
			GRAND TOTAL	<u>\$ 3,338,691.23</u>

CERTIFICATION

IN ACCORDANCE WITH SECTION 37202, 37208, 372059 OF THE GOVERNMENT CODE, WE HEREBY CERTIFY TO THE ACCURACY OF THE DEMANDS LISTED ABOVE AND TO THE AVAILABILITY OF FUNDS FOR THE PAYMENT THEREOF AND FURTHER THAT THE ABOVE CLAIMS AND DEMANDS HAVE BEEN AUDITED AS REQUIRED BY LAW.

Mark Roberts

MARK ROBERTS, DIRECTOR OF FINANCE

BRAD RAULSTON,
CITY MANAGER

FINANCE COMMITTEE

ALEJANDRA SOTELO-SOLIS, MAYOR-CHAIRWOMAN

RONALD J. MORRISON, VICE-MAYOR

JERRY CANO, COUNCILMEMBER

GONZALO QUINTERO, COUNCILMEMBER

MONA RIOS, COUNCILMEMBER

I HEREBY CERTIFY THAT THE FOREGOING CLAIMS AND DEMANDS WERE APPROVED AND THE CITY TREASURER IS AUTHORIZED TO ISSUE SAID WARRANTS IN PAYMENT THEREOF BY THE CITY COUNCIL ON THE 17TH OF DECEMBER 2019.

AYES _____

NAYS _____

ABSENT _____

The following page(s) contain the backup material for Agenda Item: [Warrant Register #20 for the period of 11/6/19 through 11/12/19 in the amount of \\$352,354.81. \(Finance\)](#)
Please scroll down to view the backup material.

**CITY OF NATIONAL CITY, CALIFORNIA
COUNCIL AGENDA STATEMENT**

MEETING DATE: December 17, 2019

AGENDA ITEM NO.:

ITEM TITLE:

Warrant Register #20 for the period of 11/6/19 through 11/12/19 in the amount of \$352,354.81.
(Finance)

PREPARED BY: Karla Apalategui, Accounting Assistant

DEPARTMENT: Finance

PHONE: 619-336-4572

APPROVED BY: 

EXPLANATION:

Per Government Section Code 37208, attached are the warrants issued for the period 11/6/19 - 11/12/19. Consistent with Department of Finance's practice, listed below are all payments above \$50,000.

<u>Vendor</u>	<u>Check/Wire</u>	<u>Amount</u>	<u>Explanation</u>
AXON Enterprise Inc	344999	55,812.00	Evidence.com Storage / PD
EXOS Community Svcs	345018	52,047.98	Svcs and Prog Mgt Fees / Sep 2019

FINANCIAL STATEMENT:

APPROVED:  **FINANCE**

ACCOUNT NO.

APPROVED: _____ **MIS**

Warrant total \$352,354.81.

ENVIRONMENTAL REVIEW:

This is not a project and, therefore, not subject to environmental review.

ORDINANCE: INTRODUCTION FINAL ADOPTION

STAFF RECOMMENDATION:

Ratify warrants totaling \$352,354.81

BOARD / COMMISSION RECOMMENDATION:

ATTACHMENTS:

Warrant Register # 20



**WARRANT REGISTER # 20
11/12/2019**

<u>PAYEE</u>	<u>DESCRIPTION</u>	<u>CHK NO</u>	<u>DATE</u>	<u>AMOUNT</u>
ACADEMI TRAINING CENTER LLC	RANGE FEE / PD	344994	11/12/19	500.00
ADLERHORST INTERNATIONAL LLC	TRAINING TUITION FOR K9 SABALA	344995	11/12/19	500.00
AK & COMPANY	SB90 MANDATED COST CLAIM SERVICES	344996	11/12/19	3,500.00
AT&T	AT&T SBC ANNUAL PHONE SERVICE FOR FY20	344997	11/12/19	2,286.60
AT&T	AT&T SBC ANNUAL PHONE SERVICE FOR FY20	344998	11/12/19	1,741.77
AXON ENTERPRISE INC	EVIDENCE . COM STORAGE / PD	344999	11/12/19	55,812.00
BOOT WORLD	MOP 64096 SAFETY WEARING APPAREL - PW	345000	11/12/19	125.00
CALIFORNIA DEPARTMENT OF ADMIN	SALES TAX LIABILITY FOR PERIOD JUL - SEP	345001	11/12/19	2,234.00
CDWG	CISCO SECURE NETWORK SERVER / MIS	345002	11/12/19	21,320.70
CLAIMS MANAGEMENT ASSOCIATES	PROFESSIONAL SERVICES SEPTEMBER 2019	345004	11/12/19	7,650.00
CLAIMS MANAGEMENT ASSOCIATES	PROFESSIONAL SERVICES AUGUST 2019	345005	11/12/19	7,200.00
CLAIMS MANAGEMENT ASSOCIATES	PROFESSIONAL SERVICES JULY 2019	345006	11/12/19	6,400.00
COUNTYWIDE MECHANICAL SYSTEMS	LABOR STANDARD TIME - TRUCK CHARGE	345007	11/12/19	185.00
COX COMMUNICATIONS	COX DATA VIDEO SERVICES FY20	345008	11/12/19	618.16
CSA SAN DIEGO COUNTY	FY19-20 CDBG PROG SUBRECIPIENT AGRMT	345009	11/12/19	4,810.21
DANIELS TIRE SERVICE	TIRES FOR CITY FLEET FOR FY 2020	345010	11/12/19	522.68
DBX INC	COMM INFRAST EXPANSION - KIMBALL TOWERS	345011	11/12/19	5,736.30
DEPARTMENT OF CONSERVATION	SMIP FEES JANUARY THRU MARCH 2019	345012	11/12/19	1,190.67
DEPARTMENT OF TRANSPORTATION	HIGHWAY LIGHTING FOR FY 2020	345013	11/12/19	12,552.96
DEPT OF JUSTICE	DOJ FINGERPRINTING	345014	11/12/19	1,434.00
DEXON COMPUTER INC	CP-8811-K9, CISCO IP PHONE 8811	345015	11/12/19	3,934.81
ENERGY COMMUNICATIONS CORP.	KIMBALL HOLIDAY BROADCAST SCHEDULE / CSD	345016	11/12/19	800.00
ERGOGENESIS LLC	MODEL R3607 3: COMFORTEK-MIDNIGHT	345017	11/12/19	765.30
EXOS COMMUNITY SERVICES LLC	SERVICES AND PROG MGMT FEES SEP 2019	345018	11/12/19	52,047.98
EXPERIAN	CREDIT CHECKS / PD	345019	11/12/19	95.26
FEDEX	CREDIT CARD CHARGES, FIRE	345020	11/12/19	30.34
GOVCONNECTION INC	SURFACE PRO	345021	11/12/19	3,458.20
GRAINGER	MOP 65179 GENERAL SUPPLIES - PW	345022	11/12/19	307.00
HDL COREN & CONE	CONTRACT SVC PROPERTY TAX OCT - DEC 2019	345023	11/12/19	2,893.04
HOME DEPOT CREDIT SERVICES	MLK CENTER CHRISTMAS TREE	345024	11/12/19	602.32
KASEYA US LLC	KASEYA ANNUAL RENEWAL 10/1/19-9/30/20	345025	11/12/19	3,811.50
LASER SAVER INC	MOP 45725. INK CARTRIDGES / FINANCE	345026	11/12/19	1,662.08
LOPEZ, TERESA YOLANDA	TRANSLATION SERVICES JULY 22, 2019	345027	11/12/19	83.40
MOTOPOST	MOTOR OFFICER UNIFORM	345028	11/12/19	1,501.70
MUNISERVICES LLC	STATISTICAL REPORT FOR CAFR OCT 2019	345029	11/12/19	500.00
NATIONAL CITY CAR WASH	CAR WASH SVCS FOR CITY FLEET FY 2020	345030	11/12/19	350.00
OMNI EQUIPMENT SOLUTIONS INC	BORESNAKE	345031	11/12/19	248.06
O'REILLY AUTO PARTS	MOP 75877 AUTO SUPPLIES - PW	345032	11/12/19	63.88
PACIFIC TELEMAGEMENT SERVICE	PAYPHONE SERVICES	345033	11/12/19	86.58
PALOMAR HEALTH	SEXUAL ASSAULT EXAM / PD	345034	11/12/19	2,700.00
PARTS AUTHORITY METRO LLC	MOP 75943 AUTO SUPPLIES - PW	345035	11/12/19	95.16
PENSKE FORD	R&M CITY VEHICLES FOR FY 2019	345036	11/12/19	645.99
PLUMBERS DEPOT INC	ADAPTER	345037	11/12/19	232.18
POWERSTRIDE BATTERY CO INC	MOP 67839 GENERAL SUPPLIES - PW	345038	11/12/19	169.48
PRO BUILD COMPANY	MOP 45707 GENERAL SUPPLIES - PW	345039	11/12/19	3,755.52
PROCURE AMERICA INC	CONSULTANT CHARGES FOR COPIER COST	345040	11/12/19	8,645.80
PROPPS, L	MILE REMBURSEMENT	345041	11/12/19	100.82
PRUDENTIAL OVERALL SUPPLY	MOP 45742 LAUNDRY SERVICES - PW	345042	11/12/19	83.99



**WARRANT REGISTER # 20
11/12/2019**

<u>PAYEE</u>	<u>DESCRIPTION</u>	<u>CHK NO</u>	<u>DATE</u>	<u>AMOUNT</u>
RIOS, M	TRAVEL EXPENSES REIMB / HUD PROJECT SEC 8	345043	11/12/19	734.92
RIVERSIDE COUNTY SHERIFF DEPT	TRAINING TUITION COMMUNICATION MAE	345044	11/12/19	165.00
RIVERSIDE SHERIFF'S DEPT	TRAINING TUITION DISPATCH/ CABATO / PD	345045	11/12/19	778.00
S & S WELDING	LOCKING DEVICE	345046	11/12/19	87.00
S D COUNTY SHERIFF'S DEPT	CAL ID FEES	345047	11/12/19	7,566.00
SAFARILAND, LLC	SWAT EAR BUDS	345048	11/12/19	622.63
SAINZ, S	ICC CREDENTIAL RENEWAL - REIMBURSEMENT	345049	11/12/19	120.00
SAN DIEGO ICE MACHINES COMPANY	TONS OF SNOW TO BE BLOWN	345050	11/12/19	6,949.88
SAN DIEGO MIRAMAR COLLEGE	TRAINING FTO UPD MCGOUGH	345051	11/12/19	23.00
SAN DIEGO PLASTICS INC	ACRYLIC CLEAR	345052	11/12/19	293.63
SAN DIEGO POLICE EQUIPMENT	BPV BAUTISTA / PD	345053	11/12/19	890.67
SDG&E	GAS & ELECTRIC UTILITIES - PW	345054	11/12/19	29,738.82
SHARP ELECTRONICS CORPORATION	MAINTENANCE 20 SHARP COPIERS FOR FY20	345055	11/12/19	3,369.89
SMART SOURCE OF CALIFORNIA LLC	PD RECRUITING BROCHURES	345056	11/12/19	567.68
SOUTHERN CALIF TRUCK STOP	MOP 45758 GENERAL AUTO SUPPLIES - PW	345057	11/12/19	111.21
STAPLES BUSINESS ADVANTAGE	MOP 45704 OFFICE SUPPLIES - PW	345058	11/12/19	1,257.46
STARTECH COMPUTERS	STARTECH MOP FY20	345059	11/12/19	28.43
SULLIVAN, C	REIMB: SULLIVAN JACKET	345060	11/12/19	144.37
SWAGIT PRODUCTION LLC	SWAGIT WEBCASTING FOR FY20	345061	11/12/19	1,920.83
TECHNOLOGY INTEGRATION GROUP	MISC MIS EQUIP	345062	11/12/19	837.38
THE COUNSELING TEAM	TRAINING DEPT MINDFULNESS	345063	11/12/19	3,700.00
THE STAR NEWS	ADVERTISING NOTICES OCT 25, 2019	345064	11/12/19	548.38
T'S & SIGNS	COMMUNITY SERVICES UNIFORMS	345065	11/12/19	771.85
U S BANK	TRAINING CREDIT CARD	345066	11/12/19	8,448.64
ULINE	3 X 4" RECLOSABLE BAGS	345067	11/12/19	26.49
VCA EMERGENCY ANIMAL HOSPITAL	STRAY ANIMAL VET CARE	345068	11/12/19	1,908.13
VERIZON WIRELESS	VERIZON CELLULAR SERVICES FOR FY20	345069	11/12/19	10,728.94
VISTA PAINT	MOP 68834 GENERAL SUPPLIES - PW	345070	11/12/19	1,355.04
VULCAN MATERIALS COMPANY	ASPHALT	345071	11/12/19	537.95
WEST PAYMENT CENTER	INVEST DATABASE	345072	11/12/19	1,217.26
WILLY'S ELECTRONIC SUPPLY	MOP 00351 / SUPPLIES / PD	345073	11/12/19	332.97
WILSON, R	REIMBURSEMENT, MEDIC FEES	345074	11/12/19	200.00
Z A P MANUFACTURING INC	FILM YELLOW / PW	345075	11/12/19	540.69

A/P Total 312,513.58

WIRED PAYMENTS

ARCO BUSINESS SOLUTIONS	FUEL FOR CITY FLEET OCTOBER 2019	636579	11/8/19	39,841.23
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GRAND TOTAL

\$ 352,354.81

CERTIFICATION

IN ACCORDANCE WITH SECTION 37202, 37208, 372059 OF THE GOVERNMENT CODE, WE HEREBY CERTIFY TO THE ACCURACY OF THE DEMANDS LISTED ABOVE AND TO THE AVAILABILITY OF FUNDS FOR THE PAYMENT THEREOF AND FURTHER THAT THE ABOVE CLAIMS AND DEMANDS HAVE BEEN AUDITED AS REQUIRED BY LAW.

Mark Roberts

MARK ROBERTS, DIRECTOR OF FINANCE

BRAD RAULSTON,
CITY MANAGER

FINANCE COMMITTEE

ALEJANDRA SOTELO-SOLIS, MAYOR-CHAIRWOMAN

RONALD J. MORRISON, VICE-MAYOR

JERRY CANO, COUNCILMEMBER

GONZALO QUINTERO, COUNCILMEMBER

MONA RIOS, COUNCILMEMBER

I HEREBY CERTIFY THAT THE FOREGOING CLAIMS AND DEMANDS WERE APPROVED AND THE CITY TREASURER IS AUTHORIZED TO ISSUE SAID WARRANTS IN PAYMENT THEREOF BY THE CITY COUNCIL ON THE 17TH OF DECEMBER 2019.

AYES _____

NAYS _____

ABSENT _____

The following page(s) contain the backup material for Agenda Item: [Resolution of the City Council of the City of National City acknowledging receipt of a report made by the Chief of Emergency Services of the National City Fire Department regarding the inspection of certain occupancies required to perform annual inspections in such occupancies pursuant to Sections 13146.2 and 13146.3 of the California Health and Safety Code. \(Fire\)](#)

Please scroll down to view the backup material.

**CITY OF NATIONAL CITY, CALIFORNIA
COUNCIL AGENDA STATEMENT**

MEETING DATE: December 17, 2019

AGENDA ITEM NO.

ITEM TITLE:

Resolution of the City Council of the City of National City acknowledging receipt of a report made by the Chief of Emergency Services of the National City Fire Department regarding the inspection of certain occupancies required to perform annual inspections in such occupancies pursuant to Sections 13146.2 and 13146.3 of the California Health and Safety Code. (Fire)

PREPARED BY: Frank Parra

DEPARTMENT: Fire

PHONE: (619) 336-4551

APPROVED BY: _____

EXPLANATION:

See attached Staff Report.

FINANCIAL STATEMENT:

APPROVED: _____ **Finance**

ACCOUNT NO.

APPROVED: _____ **MIS**

ENVIRONMENTAL REVIEW:

This is not a project and, therefore, not subject to environmental review.

ORDINANCE: INTRODUCTION: FINAL ADOPTION:

STAFF RECOMMENDATION:

Approve the Resolution.

BOARD / COMMISSION RECOMMENDATION:

ATTACHMENTS:

1. Staff Report
2. Resolution

STAFF REPORT

SUBJECT: ACKNOWLEDGE THE NATIONAL CITY FIRE DEPARTMENT'S REPORT REGARDING PERFORMANCE OF ANNUAL INSPECTIONS PURSUANT TO SECTIONS 13146.2 AND 13146.3 OF THE CALIFORNIA HEALTH AND SAFETY CODE

RECOMMENDATION:

It is recommended that the City Council:

1. Find that the proposed action is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15061(b)(3), the general rule; and
2. Adopt the resolution recognizing the National City Fire Department's level of compliance with California Health and Safety Code Sections 13146.2 and 13146.3.

BACKGROUND:

California Senate Bill 1205 (SB 1205) was signed into law on September 27, 2018, after the tragic Ghost Ship Fire (December 2016) brought national attention to California and put a spotlight on fire safety laws as well as the performance of fire inspections. This law amends preceding law such that an annual report on state mandated inspections is now required to be submitted to the governing body of each jurisdiction having authority for inspections. The law also requires the report to be given when the administering authority discusses its annual budget and receipt of the report must be acknowledged in a resolution or similar formal document.

State mandated inspections were enacted by the California Health & Safety Code Sections 13146.2 and 13146.3 and requires all fire departments that provide fire protection services to perform annual inspections in every building used as a public or private school, hotel, motel, lodging house, apartment house, and certain residential care facilities for compliance with building standards. The California Health & Safety Code Sections 13146.2 and 13146.3 did not require fire departments to report or demonstrate compliance as the new law (SB 1205) does.

Although there are no penalties identified in the law, adoption of the resolution will establish the City of National City's intent to fulfill the requirements of the California Health & Safety Code regarding acknowledgment of the National City Fire Department's compliance with California Health and Safety Code Sections 13146.2 and 13146.3, which identifies the state mandated inspections above and further described below.

Public and private schools are generally classified as Educational Group E occupancies. They are schools used by more than six persons at any one time, for educational purposes through the 12th grade. Within the City of National City, there are 21 Group E occupancies, buildings, structures, and facilities.

During fiscal year 2018-2019, the National City Fire Department completed the annual inspection of 19 Group E occupancies, buildings, structures, and facilities. This represents a compliance rate of 90% for this reporting period. There is one dedicated fire inspector assigned to these occupancy types and the performance for fiscal year 2019-2020 is trending upwards with an anticipated completion of about 100% of the required inspections. The increase in performance is attributed to improved coordination

and cooperation with school maintenance staff and a reduction in violations that would require re-inspection.

Currently, the National City Fire Department continues to promote its Fire Safe School of the Year Award, presented to the safest elementary school in the district during an annual assembly. The award established in 2002, continues to promote friendly competition between schools while making our schools a safer place.

Hotels, motels, apartments (three units or more), and other residential occupancies that contain sleeping units (including some residential care facilities) are generally classified as Residential Group R occupancies. The residential care facilities have various sub-classifications and may contain residents or clients that have a range of needs, such as, custodial care, mobility impairments, cognitive disabilities, and more. The residents may also be non-ambulatory.

Within the City of National City, there are 359 group R (and their associated sub-categories) occupancies of this nature. During fiscal year 2018-2019, the National City Fire Department completed the annual inspection of 264 Group R occupancies, buildings, structures, and facilities. This is a compliance rate of 74%. Residential occupancy inspections are achieved by the Fire Prevention Bureaus with one (1) inspector and two (2) volunteers who volunteer several days a week totaling approximately thirty-two (32) hours a month.

In an effort to increase overall performance and compliance with the State mandate, the Department, is actively working through the City Manager's Office, Human Resources, and the Finance Office, in an effort to hire the essential number of fire inspectors to assist with overall two thousand five hundred ninety-six (2,596) business and residential fire inspections.

The combined effort is trending to increase the Department's compliance rate of mandated inspections for fiscal year 2019-2020. If approved, the City Manager's recommended operating budget proposal to add fire inspectors to the Fire Department is expected to further increase compliance in fiscal year 2020.

ENVIRONMENTAL ANALYSIS:

Find that the proposed action is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15061(b)(3), the general rule.

COUNCIL POLICY CONSIDERATION:

This action supports the City Council's strategic goal to ensure public safety.

FISCAL IMPACT:

There is no fiscal impact as a result of acknowledging the National City Fire Department's compliance with certain State mandated fire inspections. The report seeks to communicate with the governing authority about the level of compliance with state mandated safety inspections. This report should assist the National City Fire Department and governing authority in planning and prioritizing available resources to appropriately staff and carry out state mandated inspections.

RESOLUTION NO. 2019 -

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY
ACKNOWLEDGING RECEIPT OF A REPORT MADE BY THE CHIEF OF
EMERGENCY SERVICES OF THE NATIONAL CITY FIRE DEPARTMENT
REGARDING THE INSPECTION OF CERTAIN OCCUPANCIES REQUIRED TO
PERFORM ANNUAL INSPECTIONS IN SUCH OCCUPANCIES PURSUANT TO
SECTIONS 13146.2 AND 13146.3 OF THE CALIFORNIA HEALTH AND SAFETY
CODE**

WHEREAS, California Health & Safety Code Section 13146.4 was added in 2018, and became effective on September 27, 2018; and

WHEREAS, California Health & Safety Code Sections 13146.2 and 13146.3 requires all fire departments, including the National City Fire Department, that provide fire protection services to perform annual inspections in every building used as a public or private school, hotel, motel, lodging house, apartment house, and certain residential care facilities for compliance with building standards, as provided; and

WHEREAS, California Health & Safety Code Section 13146.4 requires all fire departments, including the National City Fire Department, that provide fire protection services to report annually to its administering authority on its compliance with Sections 13146.2 and 13146.3; and

WHEREAS, the City Council of the City of National City intends this Resolution to fulfill the requirements of the California Health & Safety Code regarding acknowledgment of the National City Fire Department's compliance with California Health and Sections 13146.2 and 13146.3.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of National City does hereby expressly acknowledges the measure of compliance of the National City Fire Department with California Health and Safety Code Sections 13146.2 and 13146.3 in the area encompassed by the City/County, as reflected in the Staff Report marked as Exhibit "A" and by this reference incorporated herein as though set forth in full and as follows:

A. EDUCATIONAL GROUP E OCCUPANCIES:

Educational Group E occupancies are generally those public and private schools, used by more than six persons at any one time for educational purposes through the 12th grade. Within the City of National City, there are 21 Group E occupancies, buildings, structures, and/or facilities.

During fiscal year 2018-2019, the National City Fire Department completed the annual inspection of Group E occupancies, buildings, structures, and/or facilities. This is a compliance rate of 90% for this reporting period. Additional items of note regarding this compliance rate can be found in Exhibit "A" for this resolution.

B. RESIDENTIAL GROUP R OCCUPANCIES:

Residential Group R occupancies, for the purposes of this resolution, are generally those occupancies containing sleeping units, and include hotels, motels, apartments (three units or more), etc. as well as other residential occupancies (including a number of residential care facilities). These residential care facilities have a number of different sub-classifications, and they may contain residents or clients that have a range of needs, including those related to custodial care, mobility impairments, cognitive disabilities, etc.

**Resolution No. 2019 –
Page Two**

The residents may also be non-ambulatory or bedridden. Within the City of National City, there are 359 Group R (and their associated sub-categories) occupancies of this nature. During fiscal year 2018-2019, the National City Fire Department completed the annual inspection of 264 Group R occupancies, buildings, structures, and/or facilities. This is a compliance rate of 74% for this reporting period. Additional items of note regarding this compliance rate can be found in Exhibit “A” for this resolution.

PASSED and ADOPTED this 17th day of December, 2019.

Alejandra Sotelo-Solis, Mayor

ATTEST:

Michael R. Dalla, City Clerk

APPROVED AS TO FORM:

Angil P. Morris Jones, City Attorney

STAFF REPORT

SUBJECT: ACKNOWLEDGE THE NATIONAL CITY FIRE DEPARTMENT'S REPORT REGARDING PERFORMANCE OF ANNUAL INSPECTIONS PURSUANT TO SECTIONS 13146.2 AND 13146.3 OF THE CALIFORNIA HEALTH AND SAFETY CODE

RECOMMENDATION:

It is recommended that the City Council:

1. Find that the proposed action is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15061(b)(3), the general rule; and
2. Adopt the resolution recognizing the National City Fire Department's level of compliance with California Health and Safety Code Sections 13146.2 and 13146.3.

BACKGROUND:

California Senate Bill 1205 (SB 1205) was signed into law on September 27, 2018, after the tragic Ghost Ship Fire (December 2016) brought national attention to California and put a spotlight on fire safety laws as well as the performance of fire inspections. This law amends preceding law such that an annual report on state mandated inspections is now required to be submitted to the governing body of each jurisdiction having authority for inspections. The law also requires the report to be given when the administering authority discusses its annual budget and receipt of the report must be acknowledged in a resolution or similar formal document.

State mandated inspections were enacted by the California Health & Safety Code Sections 13146.2 and 13146.3 and requires all fire departments that provide fire protection services to perform annual inspections in every building used as a public or private school, hotel, motel, lodging house, apartment house, and certain residential care facilities for compliance with building standards. The California Health & Safety Code Sections 13146.2 and 13146.3 did not require fire departments to report or demonstrate compliance as the new law (SB 1205) does.

Although there are no penalties identified in the law, adoption of the resolution will establish the City of National City's intent to fulfill the requirements of the California Health & Safety Code regarding acknowledgment of the National City Fire Department's compliance with California Health and Safety Code Sections 13146.2 and 13146.3, which identifies the state mandated inspections above and further described below.

Public and private schools are generally classified as Educational Group E occupancies. They are schools used by more than six persons at any one time, for educational purposes through the 12th grade. Within the City of National City, there are 21 Group E occupancies, buildings, structures, and facilities.

During fiscal year 2018-2019, the National City Fire Department completed the annual inspection of 19 Group E occupancies, buildings, structures, and facilities. This represents a compliance rate of 90% for this reporting period. There is one dedicated fire inspector assigned to these occupancy types and the performance for fiscal year 2019-2020 is trending upwards with an anticipated completion of about 100% of the required inspections. The increase in performance is attributed to improved coordination

and cooperation with school maintenance staff and a reduction in violations that would require re-inspection.

Currently, the National City Fire Department continues to promote its Fire Safe School of the Year Award, presented to the safest elementary school in the district during an annual assembly. The award established in 2002, continues to promote friendly competition between schools while making our schools a safer place.

Hotels, motels, apartments (three units or more), and other residential occupancies that contain sleeping units (including some residential care facilities) are generally classified as Residential Group R occupancies. The residential care facilities have various sub-classifications and may contain residents or clients that have a range of needs, such as, custodial care, mobility impairments, cognitive disabilities, and more. The residents may also be non-ambulatory.

Within the City of National City, there are 359 group R (and their associated sub-categories) occupancies of this nature. During fiscal year 2018-2019, the National City Fire Department completed the annual inspection of 264 Group R occupancies, buildings, structures, and facilities. This is a compliance rate of 74%. Residential occupancy inspections are achieved by the Fire Prevention Bureaus with one (1) inspector and two (2) volunteers who volunteer several days a week totaling approximately thirty-two (32) hours a month.

In an effort to increase overall performance and compliance with the State mandate, the Department, is actively working through the City Manager's Office, Human Resources, and the Finance Office, in an effort to hire the essential number of fire inspectors to assist with overall two thousand five hundred ninety-six (2,596) business and residential fire inspections.

The combined effort is trending to increase the Department's compliance rate of mandated inspections for fiscal year 2019-2020. If approved, the City Manager's recommended operating budget proposal to add fire inspectors to the Fire Department is expected to further increase compliance in fiscal year 2020.

ENVIRONMENTAL ANALYSIS:

Find that the proposed action is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15061(b)(3), the general rule.

COUNCIL POLICY CONSIDERATION:

This action supports the City Council's strategic goal to ensure public safety.

FISCAL IMPACT:

There is no fiscal impact as a result of acknowledging the National City Fire Department's compliance with certain State mandated fire inspections. The report seeks to communicate with the governing authority about the level of compliance with state mandated safety inspections. This report should assist the National City Fire Department and governing authority in planning and prioritizing available resources to appropriately staff and carry out state mandated inspections.

The following page(s) contain the backup material for Agenda Item: [Resolution of the City Council of the City of National City in collaboration with the County of San Diego, the City of Chula Vista, the City of Coronado, the City of Imperial Beach, the City of San Diego, the Regional Water Quality Control Board and the Unified Port of San Diego identifying improvement projects in the Tijuana River Valley to capture transboundary flows of sewage and sediment. \(City Manager\)](#)

Please scroll down to view the backup material.

**CITY OF NATIONAL CITY, CALIFORNIA
COUNCIL AGENDA STATEMENT**

MEETING DATE: December 17, 2019

AGENDA ITEM NO.:

ITEM TITLE:

Resolution of the City Council of the City of National City in collaboration with the County of San Diego, the City of Chula Vista, the City of Coronado, the City of Imperial Beach, the City of San Diego, the Regional Water Quality Control Board and the Unified Port of San Diego identifying improvement projects in the Tijuana River Valley to capture transboundary flows of sewage and sediment.

PREPARED BY: Alfredo Ybarra, Assistant City Manager

PHONE: 619 336-4279

DEPARTMENT: City Manager's Office

APPROVED BY: _____

EXPLANATION:

The City of National City and its partners; the County of San Diego, the City of Chula Vista, the City of Coronado, the City of Imperial Beach, the City of San Diego, the Regional Water Quality Control Board and the Unified Port of San Diego (together with the non-government entity, Surf Rider Foundation) have collaborated to identify a series of improvement projects that the entities believe will greatly reduce the flow of sewage and sediment into the Tijuana River Valley and the coastal waters of Imperial Beach and Coronado.

FINANCIAL STATEMENT:

ACCOUNT NO.

There is no direct fiscal impact associated with item.

APPROVED: _____

FINANCE

APPROVED: _____

MIS

ENVIRONMENTAL REVIEW:

This is not a project and, therefore, not subject to environmental review.

ORDINANCE: INTRODUCTION FINAL ADOPTION

STAFF RECOMMENDATION:

Adopt the resolution

BOARD / COMMISSION RECOMMENDATION:

ATTACHMENTS:

1. Background Report
2. Tijuana River Needs and Opportunities Assessment Table

AGENDA ITEM

Resolution of the City of National City in collaboration with the County of San Diego, the City of Chula Vista, the City of Coronado, the City of Imperial Beach, the City of San Diego, the Regional Water Quality Control Board and the Unified Port of San Diego identifying improvement projects in the Tijuana River Valley to capture transboundary flows of sewage and sediment.

BACKGROUND:

The City of National City, together with partnering agencies the County of San Diego, the City of Chula Vista, the City of Coronado, the City of Imperial Beach, the City of San Diego, the Regional Water Quality Control Board and the Unified Port of San Diego (together with the non-government entity, Surf Rider Foundation) have collaborated to identify a series of improvement projects that the entities believe will greatly reduce the flow of sewage and sediment into the Tijuana River Valley and the coastal waters of Imperial Beach and Coronado. The Resolution will be presented to the government body of each entity in the coming weeks to ensure all entities are working toward the same goal allowing the federal government to have a clear indication of which projects the local governments support.

On numerous occasions, representatives of federal agencies have indicated that it is often unclear which projects are supported because each agency is asking for different solutions and projects. The failure to present a unified effort has diminished the likelihood of federal funding and it has been suggested that the entities collaborate to produce a list of projects that can be supported by all parties. To that end, the County of San Diego commissioned a study through funding from Senate Bill 507 to examine all the existing studies and potential projects. The local government agencies met and identified the projects that would result in the lowest amount of pollution entering the River Valley and identified the projects that are included in Attachment 2 as well as on the proposed Resolution. These projects were recently presented to White House officials, as well as representatives from the International Water and Boundary Commission and the U.S. Environmental Protection Agency. While other options continue to be proposed and various groups continue to suggest other alternatives, the local government agencies have determined after many years of studies, environmental assessments, and engineering studies that the projects identified are likely to significantly reduce the transboundary flows to an average of 12 days per year and have the highest likelihood for success.

RECOMMENDATION:

Staff recommends the City Council approve Resolution identifying improvement projects in the Tijuana River Valley.

OPTIONS

- Adoption of Resolution identifying improvement projects in the Tijuana River Valley
- Continuation of the item with direction to staff to provide additional information
- Direction to the City Manager to take specific action
- Denial of Resolution

TIJUANA RIVER NEEDS AND OPPORTUNITIES ASSESSMENT - ALTERNATIVE EVALUATION MATRIX (DRAFT) - 10/24/19														
Alternative	Projects	Description	Metrics											
			Estimated Cost ¹	Avg. Trans-boundary Flows ² (baseline of 138 days/yr ³)	Implementation and O&M			Environmental		Community/Societal				
					Technical Feasibility	Operating Complexity	Sustainability (i.e., energy usage)	Impact to Habitat (River Valley)	Impact to Habitat (Ocean)	Environmental Justice	Ancillary Community Benefits	Community Disruption	Public Support	
Ratings														
A	3a/4a	Diversion of up to 35 mgd to New SBIWTP for Primary Treatment and Discharge to Deep Ocean through SBOO	Implementation: \$78M Annual O&M: \$1.9M/yr Env. Monitoring: \$10M	56 days (61%)										
B	3b/4b	Diversion of up to 100 mgd to New SBIWTP for Primary Treatment and Discharge to Deep Ocean through SBOO	Implementation: \$167M Annual O&M: \$2.9M/yr Env. Monitoring: \$10M	20 days (84%)										
C	3c/4c	Diversion of up to 163 mgd to New SBIWTP for Primary Treatment and Discharge to Deep Ocean through SBOO	Implementation: \$246M Annual O&M: \$4.5M/yr Env. Monitoring: \$10M	12 days (91%)										
D	3c/4d	Diversion of up to 163 mgd to New SBIWTP for Primary Treatment and Discharge to Deep Ocean through SBOO, plus Additional Storage at New San Ysidro Basin	Implementation: \$408M Annual O&M: \$4.8M/yr Env. Monitoring: \$10M	12 days (91%)										
E	3a/4e	Diversion of up to 35 mgd to Existing SBIWTP for Primary Treatment and Discharge to Deep Ocean through SBOO (per NADB Tijuana River Diversion Study Alternative 4B)	Implementation: \$52M Annual O&M: \$7M/yr Env. Monitoring: \$10M	56 days (61%)										
F	5a/6a	Diversion of up to 20 mgd to Existing SBWRP and Discharge to Deep Ocean through SBOO	Implementation: \$47M Annual O&M: \$1M/yr Env. Monitoring: \$10M	75 days (46%)										
G	5b/6b	Diversion of up to 50 mgd to Existing SBWRP and Discharge to Deep Ocean through SBOO	Implementation: \$83M Annual O&M: \$1.5M/yr Env. Monitoring: \$10M	41 days (70%)										
H	7	Pumped Direct Discharge of up to 193 mgd to SBOO without Treatment	Implementation: \$22M Annual O&M: \$1.6M/yr Env. Monitoring: \$10M	9 days (93%)										
I	8	Gravity Flow Direct Discharge of up to 193 mgd to SBOO without Treatment	Implementation: \$87M Annual O&M: \$125K/yr Env. Monitoring: \$10M	9 days (93%)										
J	9	Tijuana River In-Stream Water Quality Detention Basin - 20 mgd	Implementation: \$75M Annual O&M: \$200K/yr Env. Monitoring: \$10M	75 days (46%)										

¹ Includes \$4M for environmental permitting and \$1M/yr for 10 years for environmental monitoring; environmental mitigation is excluded.

² This column includes the number of transboundary flow days per year estimated to remain unaddressed after implementation of the projects in each alternative. The percentage reflects estimated reduction in transboundary flow days/year from baseline.

³ Per EPA's Tijuana River Diversion Study

- Positive Impact
- Moderate Impact
- Negative Impact

TIJUANA RIVER NEEDS AND OPPORTUNITIES ASSESSMENT - ALTERNATIVE EVALUATION MATRIX (DRAFT) - 10/24/19

Alternative	Projects	Description	Metrics										
			Estimated Cost ¹	Potential Benefit	Implementation and O&M			Environmental		Community/Societal			
					Technical Feasibility	Operating Complexity	Sustainability (i.e., energy usage)	Impact to Habitat (River Valley)	Impact to Habitat (Ocean)	Environmental Justice	Ancillary Community Benefits	Community Disruption	Public Support
Ratings													
K	1/2	Tijuana River Trash Booms and Sedimentation Basins (per IBWC's Tijuana River Basin Feasibility Study)	Implementation: TBD Annual O&M: TBD Env. Monitoring: \$10M	Removal of 20,500 tons of trash and sediment (5-year)									
L	10/11a	Smuggler's Gulch Trash Boom and In-Line Sedimentation Basin	Implementation: \$6.2M Annual O&M: \$1.1M/yr Env. Monitoring: \$10M	Removal of 15,600 tons of trash and sediment (5-year)									
M	10/11b	Smuggler's Gulch Trash Boom and In-Line/Off-Line Sedimentation Basin	Implementation: \$7M Annual O&M: \$1.1M/yr Env. Monitoring: \$10M	Removal of 16,100 tons of trash and sediment (5-year)									
N	16	Sedimentation and Trash Management in Goat Canyon	Annual O&M: \$5M	Reduced ongoing cost for use and/or removal of captured sediment and trash									

¹ Includes \$4M for environmental permitting and \$1M/yr for 10 years for environmental monitoring; environmental mitigation is excluded.

- Positive Impact
- Moderate Impact
- Negative Impact

TUJUANA RIVER NEEDS AND OPPORTUNITIES ASSESSMENT - ALTERNATIVE EVALUATION MATRIX (DRAFT) -10/24/19

Alternative	Projects	Description	Metrics											
			Estimated Cost ¹	Potential Benefit	Implementation and O&M			Environmental		Community/Societal				
					Technical Feasibility	Operating Complexity	Sustainability (i.e., energy usage)	Impact to Habitat (River Valley)	Impact to Habitat (Ocean)	Environmental Justice	Ancillary Community Benefits	Community Disruption	Public Support	
Ratings														
O	12	Smuggler's Gulch Retrofit Low Flow Diversion	Implementation: \$13M Annual O&M: \$500K/yr Env. Monitoring: \$10M	Diversion of up to additional 30 MGD										
P	13	Smuggler's Gulch In-Stream Water Quality Detention Basin	Implementation: \$44M Annual O&M: \$1.5M/yr Env. Monitoring: \$10M	Diversion of up to additional 163 MGD										
Q	14	Goat Canyon Retrofit Low Flow Diversion	Implementation: \$15M Annual O&M: \$500K/yr Env. Monitoring: \$10M	Diversion of up to additional 30 MGD										
R	15	Goat Canyon Retrofit In-Stream Water Quality Detention Basin	Implementation: \$44M Annual O&M: \$1.5M/yr Env. Monitoring: \$10M	Diversion of up to additional 163 MGD										
S	17	Yogurt Canyon Low-Flow Diversion	Implementation: \$14M Annual O&M: \$500K/yr Env. Monitoring: \$10M	Diversion of up to additional 30 MGD										
T	18	Yogurt Canyon Pilot Channel	Implementation: \$9M Annual O&M: \$5K/yr Env. Monitoring: \$10M	Reduce sediment and freshwater impacts to TJR Estuary; reduce flooding on Monument Road										
U	27	Tijuana Estuary Tidal Restoration Program (TETRP)	Implementation: \$200M Annual O&M: TBD Env. Monitoring: \$10M	Provides increased function of ecological wetland processes										

¹Includes \$4M for environmental permitting and \$1M/yr for 10 years for environmental monitoring; environmental mitigation is excluded.

- Positive Impact
- Moderate Impact
- Negative Impact

RESOLUTION NO. 2019 -

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY IN COLLABORATION WITH THE COUNTY OF SAN DIEGO, THE CITY OF CHULA VISTA, THE CITY OF CORONADO, THE CITY OF IMPERIAL BEACH, THE CITY OF SAN DIEGO, THE REGIONAL WATER QUALITY CONTROL BOARD AND THE UNIFIED PORT OF SAN DIEGO IDENTIFYING IMPROVEMENT PROJECTS IN THE TIJUANA RIVER VALLEY TO CAPTURE TRANSBOUNDARY FLOWS OF SEWAGE AND SEDIMENT

WHEREAS, the signatories of this joint resolution include key State and local stakeholders having vested interests in the Tijuana River Valley and its surrounding environs; all signatories and their respective stakeholders have been significantly and negatively impacted by the effects of transboundary flows of waste in the Tijuana River Valley; and all signatories are unified in identifying project alternatives and actions to eliminate the greatest amount of transboundary flows of waste possible, as soon as possible; and

WHEREAS, international transboundary rivers and tributary canyons that carry water across the border from Mexico into the Tijuana River Valley in Southern California are the major source of untreated sewage, trash, sediment, hazardous chemicals, heavy metals, and toxins, which have seriously impacted waters and communities; and

WHEREAS, transboundary flows continue to result in clear public health, environmental, and safety issues; these flows have threatened and continue to threaten the health of residents in the United States and Mexico, harm important estuarine land and waters of international significance, force closure of beaches, damage agricultural resources, adversely impact the San Diego County economy; compromise border security, and directly affect United States military readiness; and

WHEREAS, a significant amount of untreated sewage, trash, sediment, hazardous chemicals, heavy metals, and toxins have entered southern California through the Tijuana River Watershed since the 1930s; and

WHEREAS, in February 2017, an estimated 143 million gallons of raw sewage flowed into the United States via the Tijuana River and flowed downstream into the Pacific Ocean; the February 2017 transboundary flows are an example of an ongoing condition that has contributed to over two billion gallons of cumulative, verifiable transboundary waste to date and counting; and numerous, repeated transboundary flows have caused beach closures at Border Field State Park for 211 days in 2015; 162 days in 2016, 168 days in 2017, 101 days in 2018, and more than 200 days to date for 2019 as well as closure of beaches along the Pacific coastline from Imperial Beach as far north as Coronado each of those years; and

WHEREAS, the presence of pollution is creating unsafe conditions for state, local government and federal agency staff, residents, and visitors on public lands; which public lands are taxpayer supported and intended to be managed for recreation, resource conservation, and enjoyment by the public; and

WHEREAS, water-treatment infrastructure is insufficient to control transboundary pollution through the main channel of the Tijuana River, which poses a significant risk to the public health and safety of residents and the environment on both sides of the border, and places significant economic stress on local governments that are struggling to mitigate the negative impacts of pollution; and

WHEREAS, the 1944 treaty between the United States and Mexico regarding *Utilization of Waters of the Colorado and Tijuana Rivers and of the Rio Grande* and its implementing Minutes provide for the allocation of flows on transborder rivers between Mexico and the United States, and provide that the nations, through their respective sections of the International Boundary and Water Commission (IBWC) shall “give preferential attention to the solution of all border sanitation problems.”; and

WHEREAS, in 1990, the United States and Mexico sections of the IBWC issued Minute 283 that provided for the “...the construction and operation of the conveyance, treatment, and final disposal works...[that would] permanently and definitively resolve the existing border sanitation problem...”; and

WHEREAS, in 1993, the United States and Mexico entered into the Agreement Between the Government of the United States of America and the Government of the United Mexican States Concerning the Establishment of a North American Development Bank which created the North American Development Bank to certify and fund environmental infrastructure projects in border-area communities; and

WHEREAS, transboundary flows of waste including untreated sewage, trash, sediment, hazardous chemicals, heavy metals, and toxins continue to impact the Tijuana River, Estuary, coastal waters of the Pacific Ocean, and tributary Canyons including Stewart’s Drain, Cañon del Sol, Silva Drain, Smuggler’s Gulch, Goat Canyon, and Yogurt Canyon; and

WHEREAS, the Tijuana River, Estuary, and coastal waters of the Pacific Ocean are listed as impaired water bodies under the Clean Water Act section 303(d) List of Water Quality Limited Waters for numerous constituents including bacterial indicators, trash, ammonia, benthic community effects, eutrophication, low dissolved oxygen, pesticides, phosphorous, sedimentation/siltation, lead, selenium, solids, surfactants, synthetic organic chemicals, total nitrogen, toxicity, trace elements, nickel, thallium, and turbidity; and

WHEREAS, in 2009, the California Regional Water Quality Control Board, San Diego Region (San Diego Water Board) organized the Tijuana River Valley Recovery Team with over 30 agencies and organizations including the IBWC, City of San Diego, County of San Diego, City of Imperial Beach, United States Fish and Wildlife Service, California Department of Parks and Recreation, WILD Coast, Surfrider, Tijuana River Valley Equestrian Association, United States Customs and Border Protection (CBP), and the California Coastal Conservancy, to address the transboundary flows of wastes, flooding, and impaired water quality through a multi-agency collaborative approach in lieu of traditional regulatory authorities; and

WHEREAS, in 2012, the San Diego Water Board adopted Resolution R9-2012-0030 endorsing the *Tijuana River Valley Recovery Strategy: Living with the Water* (Recovery Strategy), prepared jointly by the member agencies of the Tijuana River Valley Recovery Team, to guide efforts to address sediment, trash and polluted waters to “...clean up the Valley, restore its beneficial uses, and maintain environmental and human values in the Valley.”; and

WHEREAS, in 2015, the San Diego Water Board, having received commitments from each of the aforementioned members of the Recovery Team to work together to implement the Recovery Strategy, adopted Resolution R9-2015-0035, renewing its endorsement of the Recovery Strategy and adopted a Five-Year Action Plan to consolidate and focus efforts to

address pollution impacts from transboundary flows and recommend “an alternate course of action should the Recovery Team approach fail to attain applicable water quality standards in the Tijuana River Valley within a reasonable period of time”; and

WHEREAS, the IBWC subsequently developed Minute 320 with the support of the San Diego Water Board and local agencies including the City of San Diego, City of Imperial Beach, County of San Diego, California Department of Parks and Recreation, and other members of the Tijuana River Valley Recovery Team with the goal of addressing transboundary flows of sediment, trash, and sewage; and

WHEREAS, Congress authorized funding under the United States Environmental Protection Agency’s (USEPA) Safe Drinking Water Act and established the State and Tribal Assistance Grants (STAG) program for the United States-Mexico Border Water Infrastructure Program (BWIP) in 1996 to provide grants for high-priority water, wastewater, and storm-water infrastructure projects within 100 kilometers of the southern border; and

WHEREAS, in its Fiscal Year 2020 Budget Request, the current federal Administration proposed to not fund BWIP; and

WHEREAS, without urgent federal action through BWIP and other federal programs and by federal agencies charged with addressing international pollution flowing through the Tijuana River Valley and into the Pacific Ocean, the People of California, and visitors impacted by transboundary sewage and toxic waste will continue to suffer from this critical pollution and public health issue; and

WHEREAS, the U.S. - Mexico Border Mayors Association at their Annual Summit on November 7, 2019, the National Association of Counties at their Annual Conference on July 15, 2019, the U.S. Conference of Mayors at their Annual Conference on July 1, 2019, and the League of California Cities at their Annual Conference on October 18, 2019 all adopted resolutions calling on the federal and state governments to work together to fund and address this environmental issue; and

WHEREAS, local governments and the public support the state’s primary objectives in ensuring compliance with environmental laws including the Clean Water Act, California Porter-Cologne Water Quality Control Act, federal Resource Conservation and Recovery Act, and federal Endangered Species Act; and that those touchstone environmental laws are paramount and must be supported by substantial public investments at all levels of government to maintain a healthy and sustainable environment for current and future residents of California; and

WHEREAS, in June 2017, the San Diego Water Board conducted a public Environmental Justice Symposium in which the highest priority Environmental Justice and water quality/community impact identified by the public was the historic and ongoing impacts associated with transboundary flows of waste in the Tijuana River; and

WHEREAS, public concerns in response to widespread threats to public health and safety, damage to fish and wildlife resources, and degradation to California’s environment resulting from transboundary flows of waste requires urgent action by the federal government; and

WHEREAS, in 2017, Governor Brown signed Senate Bill (SB) 507 (Hueso), which allocated \$500,000 to the County of San Diego to commission a study focused on the improvement and protection of natural lands, including the main river channel, in the Tijuana River Valley, and the County of San Diego has drafted an evaluation of potential projects as set forth in its “SB507 Needs and Opportunities Assessment – Alternative Evaluation Matrix (Draft)” (NOA Matrix) that is attached to this Resolution; and

WHEREAS, in 2018, U.S. Customs and Border Protection (CBP) conducted monitoring of waters in the Tijuana River and tributary Canyons which monitoring showed repeated exceedances of water quality objectives and reporting over 86 cases of workplace injury reported by CBP Agents and contractors from exposure to polluted transboundary flows; and

WHEREAS, AB 74 (Ting, 2019) appropriated \$15 million to assist with the construction of a Tijuana River Pollution Control Project and SB 690 (Hueso, 2019) directed the California Coastal Conservancy to, when expending this funding, prioritize projects studied under SB 507; and

WHEREAS, based on more than 30 years of environmental and engineering studies and IBWC’s documentation of transboundary flows to the San Diego Water Board, it is clear that the overwhelming majority of polluted transboundary flows enter the Tijuana River Valley in the United States through the IBWC flood control channel, rendering the need to address polluted flows through that channel the foremost priority and greatest opportunity to resolve the public health and safety and environmental issues in the Tijuana River Valley.

NOW, THEREFORE, BE IT RESOLVED, that the San Diego Unified Port District, along with the other signatories of this joint resolution, generally endorses the projects identified, developed, and analyzed under SB507 and set forth in the NOA Matrix, but specifically endorses certain projects as more specifically detailed herein.

BE IT FURTHER RESOLVED, that the San Diego Unified Port District, along with the other signatories of this joint resolution, specifically endorses, and finds critically necessary and to be of the utmost importance, to intercept, divert, and treat in compliance with the Clean Water Act as much of the polluted flows from the Main Channel of the Tijuana River at the South Bay International Waste Water Treatment Plant as possible (currently estimated at 163 million gallons per day based on the unpermitted carrying capacity of the South Bay Ocean Outfall) and to discharge that treated effluent through the South Bay Ocean Outfall; and to study, analyze, and assess the feasibility of constructing additional storage at a new 82 million gallon basin immediately downstream of the IBWC flood control channel as referenced in the NOA Matrix as Alternative D; and

BE IT FURTHER RESOLVED, that the San Diego Unified Port District specifically endorses the NOA Alternative Evaluation Matrix projects for Smuggler’s Gulch (NOA Matrix Alternatives L, M, O, and P or combination thereof) and Goat Canyon (NOA Matrix Alternatives N, Q and R or a combination thereof) to address flows of polluted water, sediment, and trash; and

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BE IT FURTHER RESOLVED, that the San Diego Unified Port District specifically endorses NOA Matrix Alternative K to support active sediment and trash management in the Main Channel of the Tijuana River on an annual basis as envisioned in the 2012/2015 Tijuana River Valley Recovery Strategy,

BE IT FURTHER RESOLVED, that the San Diego Unified Port District, along with the other signatories, calls upon the federal government to:

1. Direct its agencies, instrumentalities, employees, and contractors to prioritize the expeditious restoration and maintenance of the chemical, physical, and biological integrity of the Tijuana River, tributary Canyons, Estuary, and coastal waters of the Pacific Ocean, and to take all necessary steps to end the clear public health, environmental, and safety issues caused by transboundary pollution in the Tijuana River Valley (the “Tijuana River Valley Project Goals”);
2. Provide authority and direction to EPA, including by designating EPA the agency vested with primary federal authority to facilitate the achievement of the Tijuana River Valley Project Goals, and requiring cooperation from IBWC, United States Army Corps of Engineers, and any other federal agency with relevant technical expertise, for the purposes of expeditiously assessing the feasibility of NOA Matrix Alternatives D, K, L, M, N, O, P, Q, and R, and other projects as appropriate, in order to identify the measures necessary and feasible to achieve the Tijuana River Valley Project Goals;
3. Authorize funding and provide authority and direction to EPA to design the capital projects deemed necessary and feasible to achieve the Tijuana River Valley Project Goals;
4. Authorize funding for the construction of the capital projects necessary and feasible to achieve the Tijuana River Valley Project Goals;
5. Authorize funding for the ongoing operation and maintenance of capital projects deemed necessary and feasible to achieve the Tijuana River Valley Project Goals; and
6. Fund BWIP at its historic \$100,000,000 level.

PASSED and ADOPTED this 17th day of December, 2019.

Alejandra Sotelo-Solis, Mayor

ATTEST:

Michael R. Dalla, City Clerk

APPROVED AS TO FORM:

Angil P. Morris Jones, City Attorney

TIJUANA RIVER NEEDS AND OPPORTUNITIES ASSESSMENT - ALTERNATIVE EVALUATION MATRIX (DRAFT) - 10/24/19																				
Alternative	Projects	Description	Estimated Cost ¹	Avg. Trans-boundary Flows ² (baseline of 138 days/yr ³)	Metrics															
					Implementation and O&M			Environmental												
					Technical Feasibility	Operating Complexity	Sustainability (i.e., energy usage)	Impact to Habitat (River Valley)	Impact to Habitat (Ocean)	Environmental Justice	Ancillary Community Benefits	Community/Societal Disruption	Public Support							
Ratings																				
A	3a/4a	Diversion of up to 35 mgd to New SBIWTP for Primary Treatment and Discharge to Deep Ocean through SB00	Implementation: \$78M Annual O&M: \$1.9M/yr Env. Monitoring: \$10M	56 days (61%)	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green
B	3b/4b	Diversion of up to 100 mgd to New SBIWTP for Primary Treatment and Discharge to Deep Ocean through SB00	Implementation: \$167M Annual O&M: \$2.9M/yr Env. Monitoring: \$10M	20 days (84%)	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green
C	3c/4c	Diversion of up to 163 mgd to New SBIWTP for Primary Treatment and Discharge to Deep Ocean through SB00	Implementation: \$246M Annual O&M: \$4.5M/yr Env. Monitoring: \$10M	12 days (91%)	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green
D	3c/4d	Diversion of up to 163 mgd to New SBIWTP for Primary Treatment and Discharge to Deep Ocean through SB00, plus Additional Storage at New San Ysidro Basin	Implementation: \$408M Annual O&M: \$4.8M/yr Env. Monitoring: \$10M	12 days (91%)	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green
E	3a/4e	Diversion of up to 35 mgd to Existing SBIWTP for Primary Treatment and Discharge to Deep Ocean through SB00 (per NAD08 Tijuana River Diversion Study Alternative 4B)	Implementation: \$52M Annual O&M: \$7M/yr Env. Monitoring: \$10M	56 days (61%)	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green
F	5a/6a	Diversion of up to 20 mgd to Existing SBWRP and Discharge to Deep Ocean through SB00	Implementation: \$47M Annual O&M: \$1M/yr Env. Monitoring: \$10M	75 days (46%)	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green
G	5b/6b	Diversion of up to 50 mgd to Existing SBWRP and Discharge to Deep Ocean through SB00	Implementation: \$83M Annual O&M: \$1.5M/yr Env. Monitoring: \$10M	41 days (70%)	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green
H	7	Pumped Direct Discharge of up to 193 mgd to SB00 without Treatment	Implementation: \$22M Annual O&M: \$1.6M/yr Env. Monitoring: \$10M	9 days (93%)	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green
I	8	Gravity Flow Direct Discharge of up to 193 mgd to SB00 without Treatment	Implementation: \$87M Annual O&M: \$1.25K/yr Env. Monitoring: \$10M	9 days (93%)	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green
J	9	Tijuana River In-Stream Water Quality Detention Basin - 20 mgd	Implementation: \$75M Annual O&M: \$200K/yr Env. Monitoring: \$10M	75 days (46%)	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green

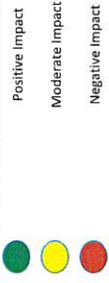
¹ Includes \$4M for environmental permitting and \$1M/yr for 10 years for environmental monitoring; environmental mitigation is excluded.
² This column includes the number of transboundary flow days per year estimated to remain unaddressed after implementation of the projects in each alternative. The percentage reflects estimated reduction in transboundary flow days/year from baseline.
³ Per EPA's Tijuana River Diversion Study



TIJUANA RIVER NEEDS AND OPPORTUNITIES ASSESSMENT - ALTERNATIVE EVALUATION MATRIX (DRAFT) - 10/24/19

Alternative	Projects	Description	Estimated Cost ¹	Potential Benefit	Metrics									
					Technical Feasibility	Operating Complexity	Sustainability (i.e., energy usage)	Impact to Habitat (River Valley)	Impact to Habitat (Ocean)	Environmental Justice	Ancillary Community Benefits	Community/Societal Disruption	Public Support	
K	1/2	Tijuana River Trash Booms and Sedimentation Basins (per IBWC's Tijuana River Basin Feasibility Study)	Implementation: TBD Annual O&M: TBD Env. Monitoring: \$10M	Removal of 20,500 tons of trash and sediment (5-year)	●	●	●	●	●	●	●	●	●	●
L	10/11a	Smuggler's Gulch Trash Boom and In-Line Sedimentation Basin	Implementation: \$6.2M Annual O&M: \$1.1M/yr Env. Monitoring: \$10M	Removal of 15,600 tons of trash and sediment (5-year)	●	●	●	●	●	●	●	●	●	●
M	10/11b	Smuggler's Gulch Trash Boom and In-Line/Off-Line Sedimentation Basin	Implementation: \$7M Annual O&M: \$1.1M/yr Env. Monitoring: \$10M	Removal of 16,100 tons of trash and sediment (5-year)	●	●	●	●	●	●	●	●	●	●
N	16	Sedimentation and Trash Management in Goat Canyon	Annual O&M: \$5M	Reduced ongoing cost for use and/or removal of captured sediment and trash	●	●	●	●	●	●	●	●	●	●

¹Includes \$4M for environmental permitting and \$1M/yr for 10 years for environmental monitoring; environmental mitigation is excluded.



TIJUANA RIVER NEEDS AND OPPORTUNITIES ASSESSMENT – ALTERNATIVE EVALUATION MATRIX (DRAFT) –10/24/19

Alternative	Projects	Description	Estimated Cost ¹	Potential Benefit	Metrics						Community/Societal				
					Technical Feasibility	Implementation and O&M Operating Complexity	Sustainability (i.e., energy usage)	Impact to Habitat (River Valley)	Environmental Impact to Habitat (Ocean)	Environmental Justice	Ancillary Community Benefits	Community Disruption	Public Support		
O	12	Smuggler's Gulch Retrofit Low Flow Diversion	Implementation: \$13M Annual O&M: \$500K/yr Env. Monitoring: \$10M	Diversion of up to additional 30 MGD	●	●	●	●	●	●	●	●	●	●	●
P	13	Smuggler's Gulch In-Stream Water Quality Detention Basin	Implementation: \$44M Annual O&M: \$1.5M/yr Env. Monitoring: \$10M	Diversion of up to additional 163 MGD	●	●	●	●	●	●	●	●	●	●	●
Q	14	Goat Canyon Retrofit Low Flow Diversion	Implementation: \$15M Annual O&M: \$500K/yr Env. Monitoring: \$10M	Diversion of up to additional 30 MGD	●	●	●	●	●	●	●	●	●	●	●
R	15	Goat Canyon Retrofit In-Stream Water Quality Detention Basin	Implementation: \$44M Annual O&M: \$1.5M/yr Env. Monitoring: \$10M	Diversion of up to additional 163 MGD	●	●	●	●	●	●	●	●	●	●	●
S	17	Yogurt Canyon Low-Flow Diversion	Implementation: \$14M Annual O&M: \$500K/yr Env. Monitoring: \$10M	Diversion of up to additional 30 MGD	●	●	●	●	●	●	●	●	●	●	●
T	18	Yogurt Canyon Pilot Channel	Implementation: \$9M Annual O&M: \$5K/yr Env. Monitoring: \$10M	Reduce sediment and freshwater impacts to TJR Estuary; reduce flooding on Monument Road	●	●	●	●	●	●	●	●	●	●	●
U	27	Tijuana Estuary Tidal Restoration Program (TETRP)	Implementation: \$200M Annual O&M: TBD Env. Monitoring: \$10M	Provides increased function of ecological wetland processes	●	●	●	●	●	●	●	●	●	●	●

¹ Includes \$4M for environmental permitting and \$1M/yr for 10 years for environmental monitoring; environmental mitigation is excluded.



The following page(s) contain the backup material for Agenda Item: [Resolution of the City Council of the City of National City authorizing the Mayor to execute a two year agreement between the City of National City and Bureau Veritas for a not-to-exceed amount of \\$800,000 to provide on-call plan reviews, permit processing, construction inspections, code enforcement services and related services for various City departments including but not limited to Building, Fire and Engineering. \(Building\)](#)

Please scroll down to view the backup material.

**CITY OF NATIONAL CITY, CALIFORNIA
COUNCIL AGENDA STATEMENT**

MEETING DATE: December 17, 2019

AGENDA ITEM NO. |

ITEM TITLE:

Resolution of the City Council of the City of National City authorizing the Mayor to execute a two year agreement between the City of National City and Bureau Veritas for a not-to-exceed amount of \$800,000 to provide on-call plan reviews, permit processing, construction inspections, code enforcement services and related services for various City departments including but not limited to Building, Fire and Engineering.

PREPARED BY: Luis Sainz, Building Official

DEPARTMENT: Community Development

PHONE: 619-336-4214

APPROVED BY: 

EXPLANATION:

See attached.

FINANCIAL STATEMENT:

APPROVED: _____ Finance

ACCOUNT NO. |

APPROVED: _____ MIS

No financial impact at this time. This agreement is on an as-needed and will be funded by fees collected, developer deposits, and various Capital Improvement Project funds and other funds as needed.

ENVIRONMENTAL REVIEW:

N/A

ORDINANCE: INTRODUCTION: FINAL ADOPTION:

STAFF RECOMMENDATION:

Adopt the resolution executing an Agreement with Bureau Veritas for a not-to-exceed amount of \$800,000 to provide on-call project support services for National City's Community Development Department.

BOARD / COMMISSION RECOMMENDATION:

N/A

ATTACHMENTS:

1. Explanation
2. Agreement
3. Resolution

Explanation

On May 1, 2019 the City issued a Request for Proposal (RFP) for On-Call Services to provide assistance with Permit Processing, Plan Reviews, Construction Inspections and Code Enforcement Services. The RFP was emailed to over 100 professional consulting firms and also advertised on PlanetBids where over 400 firms were notified. The deadline to submit was June 10, 2019.

On August 19, 2019, staff conducted a panel interview with the firms. After evaluating the qualifications and services available, reviewing the cost proposals and conducting reference checks, the panel concluded that Bureau Veritas can best service the City of National City's needs. We currently have an existing contract with EsGil Corporation (SafeBuilt), which we will also run concurrently with the new Bureau Veritas contract.

EsGil Corporation is currently providing services for Permit Processing, Plan Reviews, Construction Inspections and Code Enforcement Services for the Building and Fire Departments. With the new Bureau Veritas contract, the fees charged to the City of National City for the services mentioned above will be reduced in comparison to the current EsGil contract. For example, the Plan Review fees would be reduced from 65% to 60% for the Building Division. This will result in a predicted net savings to the City of over \$12,000 per year at an average of \$257,000.00 for plan review fees.

This contract has a not-to-exceed amount of \$800,000 per year for a period of two years. Upon mutual agreement by both parties, the contract may be extended by one year, for no more than two occurrences. Staff recommends that Council approve the contract for On-Call Services to provide assistance with Permit Processing, Plan Reviews, Construction Inspections, Code Enforcement and related services on an as-needed basis and authorize the Mayor to execute the contract.

**AGREEMENT
BETWEEN
THE CITY OF NATIONAL CITY
BUREAU VERITAS NORTH AMERICA, INC.**

THIS AGREEMENT is entered into on this 17th day of December, 2019, between the CITY OF NATIONAL CITY, a municipal corporation (the "CITY"), and BUREAU VERITAS NORTH AMERICA, INC., a Delaware corporation (the "CONSULTANT").

RECITALS

WHEREAS, the CITY desires to employ a CONSULTANT to provide permit processing, plan reviews, construction inspections, and code enforcement on-site and off-site services.

WHEREAS, the CITY has determined that the CONSULTANT is a plan review firm and is qualified by experience and ability to perform the services desired by the CITY, and the CONSULTANT is willing to perform such services.

NOW, THEREFORE, THE PARTIES HERETO DO MUTUALLY AGREE AS FOLLOWS:

1. **ENGAGEMENT OF CONSULTANT.** The CITY agrees to engage the CONSULTANT to provide permit processing, plan reviews, construction inspections, and code enforcement on-site and off-site services, and the CONSULTANT agrees to perform the services set forth here in accordance with all terms and conditions contained herein.

The CONSULTANT represents that all services shall be performed directly by the CONSULTANT or under direct supervision of the CONSULTANT.

2. **EFFECTIVE DATE AND LENGTH OF AGREEMENT.** This Agreement will become effective on December 17, 2019. The duration of this Agreement is for the period of December 17, 2019 through December 16, 2022. Completion dates or time durations for specific portions of the project are set forth in Exhibit "A". This Agreement may be extended by mutual agreement upon the same terms and conditions for an additional one (1) year term. The Parties may exercise up to two one-year extensions. The City Council authorizes and delegates that any extension of this Agreement be approved in writing by the City Manager.

3. **SCOPE OF SERVICES.** The CONSULTANT will perform those building inspection, permit processing, plan reviews, construction inspections and code enforcement on-site and off-site services as set forth in the attached Exhibit "A". Additionally, CONSULTANT must send a copy of all plans CONSULTANT approves on the CITY's behalf to every CITY department that would have occasion to rely on, or later review, those approved plans. Additionally, CONSULTANT must perform all steps outlined in Exhibit "B" when "red-tagging" a property. Additionally, CONSULTANT must follow all departmental guidelines, policies and procedures communicated by CITY to CONSULTANT.

The CONSULTANT shall be responsible for all research and reviews related to the work and shall not rely on personnel of the CITY for such services, except as authorized in advance by the CITY. The CONSULTANT shall appear at meetings specified in Exhibit "A", and at other meetings at the CITY, or on subject properties, as directed by Luis Sainz to keep staff and City Council advised of the progress on any given matter.

The CITY may unilaterally, or upon request from the CONSULTANT, from time to time reduce or increase the Scope of Services to be performed by the CONSULTANT under this Agreement. Upon doing so, the CITY and the CONSULTANT agree to meet in good faith and confer for the purpose of negotiating a corresponding reduction or increase in the compensation associated with said change in services.

4. **PROJECT COORDINATION AND SUPERVISION.** Luis Sainz, Building Official, hereby is designated as the Project Coordinator for the CITY and will monitor the progress and execution of this Agreement. The CONSULTANT shall assign a single Project Director to provide supervision and have overall responsibility for the progress and execution of this Agreement for the CONSULTANT. Isam Hasenin thereby is designated as the Project Director for the CONSULTANT.

5. **COMPENSATION AND PAYMENT.** The CITY establishes the plan checking fee by resolution of the City Council. The CITY collects the plan checking fee from the applicant. The CONSULTANT's compensation for reviewing building department plans, commonly referred to as "plan checking", shall be sixty percent (60%) of the plan checking fee collected by the CITY for each permit based upon the CITY's adopted fee schedule in effect at the time of the plan check submittal. The CONSULTANT's compensation for reviewing Fire Department plan reviews shall be twenty-five percent (25%) of the plan checking fee collected by the CITY for each permit based upon the CITY's adopted fee schedule in effect at the time of the plan check submittal.

The compensation for the CONSULTANT shall be based on monthly billings covering actual work performed. Billings shall include labor classifications, respective rates, hours worked and also materials, if any. The total cost for all work described in Exhibit "A" shall not exceed \$800,000 per year for plan reviews, plan checking, or both, without prior written authorization from the Director of Community Development. The compensation for the CONSULTANT'S work shall not exceed the rates set forth in Exhibit "A". Monthly invoices will be processed for payment and remitted within thirty (30) days from receipt of invoice, provided that work is accomplished consistent with Exhibit "A", as determined by the CITY. For each billing error resulting in an incorrect charge to the CITY that CITY staff discovers in CONSULTANT'S invoices, CONSULTANT shall pay the CITY for the time incurred by CITY staff to identify the billing error. Any payment from CONSULTANT to CITY regarding billing errors referenced in this Section shall be paid according to the fully-burdened hourly rate applicable to the CITY staff person who identified the billing error.

The CONSULTANT shall maintain all books, documents, papers, employee time sheets, accounting records, and other evidence pertaining to costs incurred, and shall make such materials available at its office at all reasonable times during the term of this Agreement and for three (3) years from the date of final payment under this Agreement, for inspection by the CITY, and for furnishing of copies to the CITY, if requested.

6. **ACCEPTABILITY OF WORK.** The CITY shall decide any and all questions which may arise as to the quality or acceptability of the services performed and the manner of performance, the acceptable completion of this Agreement, and the amount of compensation due. In the event the CONSULTANT and the CITY cannot agree to the quality or acceptability of the work, the manner of performance and/or the compensation payable to the CONSULTANT in this Agreement, the CITY or the CONSULTANT shall give to the other written notice. Within ten (10) business days, the CONSULTANT and the CITY shall each prepare a report which supports their position and file the same with the other party. The CITY shall, with reasonable diligence, determine the quality or acceptability of the work, the manner of performance and/or the compensation payable to the CONSULTANT.

7. **DISPOSITION AND OWNERSHIP OF DOCUMENTS.** The Memoranda, Reports, Maps, Drawings, Plans, Specifications, and other documents prepared by the CONSULTANT for this project, whether paper or electronic, shall: (1) be free from defects; (2) become the property of the CITY for use with respect to this project; and (3) shall be turned over to the CITY upon completion of the project, or any phase thereof, as contemplated by this Agreement.

Contemporaneously with the transfer of documents, the CONSULTANT hereby assigns to the CITY, and CONSULTANT thereby expressly waives and disclaims any copyright in, and the right to reproduce, all written material, drawings, plans, specifications, or other work prepared under this Agreement, except upon the CITY'S prior authorization regarding reproduction, which authorization shall not be unreasonably withheld. The CONSULTANT shall, upon request of the CITY, execute any further document(s) necessary to further effectuate this waiver and disclaimer.

The CONSULTANT agrees that the CITY may use, reuse, alter, reproduce, modify, assign, transfer, or in any other way, medium, or method utilize the CONSULTANT'S written work product for the CITY'S purposes, and the CONSULTANT expressly waives and disclaims any residual rights granted to it by Civil Code Sections 980 through 989 relating to intellectual property and artistic works.

Any modification or reuse by the CITY of documents, drawings, or specifications prepared by the CONSULTANT shall relieve the CONSULTANT from liability under Section 14, but only with respect to the effect of the modification or reuse by the CITY, or for any liability to the CITY should the documents be used by the CITY for some project other than what was expressly agreed upon within the Scope of Services of this project, unless otherwise mutually agreed.

8. **INDEPENDENT CONTRACTOR.** Both parties hereto in the performance of this Agreement will be acting in an independent capacity and not as agents, employees, partners, or joint venturers with one another. Neither the CONSULTANT nor the CONSULTANT'S employees are employees of the CITY, and are not entitled to any of the rights, benefits, or privileges of the CITY'S employees, including but not limited to retirement, medical, unemployment, or workers' compensation insurance.

This Agreement contemplates the personal services of the CONSULTANT and the CONSULTANT'S employees, and it is recognized by the parties that a substantial inducement to the CITY for entering into this Agreement was, and is, the professional reputation and competence of the CONSULTANT and its employees. Neither this Agreement, nor any interest herein, may be assigned by the CONSULTANT without the prior written consent of the

CITY. Nothing herein contained is intended to prevent the CONSULTANT from employing or hiring as many employees, or SUBCONSULTANTS, as the CONSULTANT may deem necessary for the proper and efficient performance of this Agreement. All agreements by CONSULTANT with its SUBCONSULTANT(S) shall require the SUBCONSULTANT(S) to adhere to the applicable terms of this Agreement.

9. **CONTROL.** Neither the CITY, nor its officers, agents, or employees shall have any control over the conduct of the CONSULTANT or any of the CONSULTANT'S employees, except as set forth in this Agreement. The CONSULTANT, or the CONSULTANT'S agents, servants, or employees are not in any manner agents, servants, or employees of the CITY. The CONSULTANT and its agents, servants, and employees are wholly independent from the CITY and CONSULTANT'S obligations to the CITY are solely prescribed by this Agreement.

10. **COMPLIANCE WITH APPLICABLE LAW.** The CONSULTANT, in the performance of the services to be provided herein, shall comply with all applicable state and federal statutes and regulations, and all applicable ordinances, rules, and regulations of the County of San Diego and the City of National City, whether now in force or subsequently enacted. The CONSULTANT and each of its SUBCONSULTANT(S), shall obtain and maintain a current City of National City business license prior to and during performance of any work pursuant to this Agreement.

11. **LICENSES, PERMITS, ETC.** The CONSULTANT represents and covenants that it, and all its employees dispatched to perform work on behalf of the CITY, have all licenses, permits, qualifications, and approvals of whatever nature that are legally required for CONSULTANT and CONSULTANT'S employees to practice their profession. CONSULTANT must provide CITY copies of any such license, permit, or approval to CITY before any of CONSULTANT'S employees perform services on behalf of CITY. The CONSULTANT represents and covenants that the CONSULTANT shall, at its sole cost and expense, keep in effect at all times during the term of this Agreement, any license, permit, or approval which is legally required for the CONSULTANT, or CONSULTANT'S employees, to practice their profession.

12. **STANDARD OF CARE.**

A. The CONSULTANT, in performing any services under this Agreement, shall perform in a manner consistent with that level of care and skill ordinarily exercised by members of the CONSULTANT'S trade or profession currently practicing under similar conditions and in similar locations. The CONSULTANT shall take all special precautions necessary to protect the CONSULTANT'S employees and members of the public from risk of harm arising out of the nature of the work and/or the conditions of the work site.

B. Unless disclosed in writing prior to the date of this Agreement, the CONSULTANT warrants to the CITY that it is not now, nor has it for the five (5) years preceding, been debarred by a governmental agency or involved in debarment, arbitration or litigation proceedings concerning the CONSULTANT'S professional performance or the furnishing of materials or services relating thereto.

C. The CONSULTANT is responsible for identifying any unique products, treatments, processes or materials whose availability is critical to the success of the project the CONSULTANT has been retained to perform, within the time requirements of the CITY, or,

when no time is specified, then within a commercially reasonable time. Accordingly, unless the CONSULTANT has notified the CITY otherwise, the CONSULTANT warrants that all products, materials, processes or treatments identified in the project documents prepared for the CITY are reasonably commercially available. Any failure by the CONSULTANT to use due diligence under this sub-section will render the CONSULTANT liable to the CITY for any increased costs that result from the CITY'S later inability to obtain the specified items or any reasonable substitute within a price range that allows for project completion in the time frame specified or, when not specified, then within a commercially reasonable time.

13. **NON-DISCRIMINATION PROVISIONS.** The CONSULTANT shall not discriminate against any employee or applicant for employment because of age, race, color, ancestry, religion, sex, sexual orientation, marital status, national origin, physical handicap, or medical condition. The CONSULTANT will take positive action to insure that applicants are employed without regard to their age, race, color, ancestry, religion, sex, sexual orientation, marital status, national origin, physical handicap, or medical condition. Such action shall include but not be limited to the following: employment, upgrading, demotion, transfer, recruitment or recruitment advertising, layoff or termination, rates of pay or other forms of compensation, and selection for training, including apprenticeship. The CONSULTANT agrees to post in conspicuous places available to employees and applicants for employment any notices provided by the CITY setting forth the provisions of this non-discrimination clause.

14. **CONFIDENTIAL INFORMATION.** The CITY may from time to time communicate to the CONSULTANT certain confidential information to enable the CONSULTANT to effectively perform the services to be provided herein. The CONSULTANT shall treat all such information as confidential and shall not disclose any part thereof without the prior written consent of the CITY. The CONSULTANT shall limit the use and circulation of such information, even within its own organization, to the extent necessary to perform the services to be provided herein. The foregoing obligation of this Section 14, however, shall not apply to any part of the information that (i) has been disclosed in publicly available sources of information; (ii) is, through no fault of the CONSULTANT, hereafter disclosed in publicly available sources of information; (iii) is already in the possession of the CONSULTANT without any obligation of confidentiality; or (iv) has been or is hereafter rightfully disclosed to the CONSULTANT by a third party, but only to the extent that the use or disclosure thereof has been or is rightfully authorized by that third party.

The CONSULTANT shall not disclose any reports, recommendations, conclusions or other results of the services or the existence of the subject matter of this Agreement without the prior written consent of the CITY. In its performance hereunder, the CONSULTANT shall comply with all legal obligations it may now or hereafter have respecting the information or other property of any other person, firm or corporation.

CONSULTANT shall be liable to CITY for any damages caused by breach of this condition, pursuant to the provisions of Section 15.

15. **INDEMNIFICATION AND HOLD HARMLESS.** To the maximum extent provided by law, The CONSULTANT agrees to defend, indemnify and hold harmless the City of National City, its officers, officials, agents, employees, and volunteers against and from any and all liability, loss, damages to property, injuries to, or death of any person or persons, and all claims, demands, suits, actions, proceedings, reasonable attorneys' fees, and defense costs, of

any kind or nature, including workers' compensation claims, of or by anyone whomsoever, resulting from or arising out of the CONSULTANT'S performance or other obligations under this Agreement; provided, however, that this indemnification and hold harmless shall not include any claims or liability arising from the established sole negligence or willful misconduct of the CITY, its agents, officers, employees or volunteers. CITY will cooperate reasonably in the defense of any action, and CONSULTANT shall employ competent counsel, reasonably acceptable to the City Attorney.

The indemnity, defense, and hold harmless obligations contained herein shall survive the termination of this Agreement for any alleged or actual omission, act, or negligence under this Agreement that occurred during the term of this Agreement.

16. **EMPLOYEE PAYMENTS AND INDEMNIFICATION.**

A. **PERS Eligibility Indemnification.** If CONSULTANT's employee(s) providing services under this Agreement claims, or is determined by a court of competent jurisdiction or the California Public Employees Retirement System ("PERS") to be eligible for enrollment in PERS of the CITY, CONSULTANT shall indemnify, defend, and hold harmless CITY for the payment of any employer and employee contributions for PERS benefits on behalf of the employee as well as for payment of any penalties and interest on such contributions which would otherwise be the responsibility of the CITY.

CONSULTANT'S employees providing service under this Agreement shall not: (1) qualify for any compensation and benefit under PERS; (2) be entitled to any benefits under PERS; (3) enroll in PERS as an employee of CITY; (4) receive any employer contributions paid by CITY for PERS benefits; or (5) be entitled to any other PERS-related benefit that would accrue to a CITY employee. CONSULTANT's employees hereby waive any claims to benefits or compensation described in this Section 16. This Section 16 applies to CONSULTANT notwithstanding any other agency, state or federal policy, rule, regulation, law or ordinance to the contrary.

B. **Limitation of CITY Liability.** The payment made to CONSULTANT under this Agreement shall be the full and complete compensation to which CONSULTANT and CONSULTANT's officers, employees, agents, and subcontractors are entitled for performance of any work under this Agreement. Neither CONSULTANT nor CONSULTANT's officers, employees, agents, and subcontractors are entitled to any salary or wages, or retirement, health, leave or other fringe benefits applicable to CITY employees. The CITY will not make any federal or state tax withholdings on behalf of CONSULTANT. The CITY shall not be required to pay any workers' compensation insurance on behalf of CONSULTANT.

C. **Indemnification for Employee Payments.** CONSULTANT agrees to defend and indemnify the CITY for any obligation, claim, suit, or demand for tax, retirement contribution including any contribution to PERS, social security, salary or wages, overtime payment, or workers' compensation payment which the CITY may be required to make on behalf of (1) CONSULTANT, (2) any employee of CONSULTANT, or (3) any employee of CONSULTANT construed to be an employee of the CITY, for work performed under this Agreement. This is a continuing obligation that survives the termination of this Agreement.

17. **WORKERS' COMPENSATION.** The CONSULTANT shall comply with all of the provisions of the Workers' Compensation Insurance and Safety Acts of the State of California, the applicable provisions of Division 4 and 5 of the California Labor Code and all amendments thereto; and all similar State or federal acts or laws applicable; and shall indemnify, and hold harmless the CITY and its officers, employees, and volunteers from and against all claims, demands, payments, suits, actions, proceedings, and judgments of every nature and description, including reasonable attorney's fees and defense costs presented, brought or recovered against the CITY or its officers, employees, or volunteers, for or on account of any liability under any of said acts which may be incurred by reason of any work to be performed by the CONSULTANT under this Agreement.

18. **INSURANCE.** The CONSULTANT, at its sole cost and expense, shall purchase and maintain, and shall require its SUBCONSULTANT(S), when applicable, to purchase and maintain throughout the term of this Agreement, the following insurance policies:

A. **Professional Liability Insurance** (errors and omissions) with minimum limits of \$1,000,000 per claim.

B. **Automobile Insurance** covering all bodily injury and property damage incurred during the performance of this Agreement, with a minimum coverage of \$1,000,000 combined single limit per accident. Such automobile insurance shall include owned, non-owned, and hired vehicles. The policy shall name the CITY and its officers, agents, employees, and volunteers as additional insureds, and a separate additional insured endorsement shall be provided.

C. **Commercial General Liability Insurance**, with minimum limits of either \$2,000,000 per occurrence and \$4,000,000 aggregate, or \$1,000,000 per occurrence and \$2,000,000 aggregate with a \$2,000,000 umbrella policy, covering all bodily injury and property damage arising out of its operations, work, or performance under this Agreement. The policy shall name the CITY and its officers, agents, employees, and volunteers as additional insureds, and a separate additional insured endorsement shall be provided. The general aggregate limit must apply solely to this "project" or "location". The "project" or "location" should be noted with specificity on an endorsement that shall be incorporated into the policy.

D. **Workers' Compensation Insurance** in an amount sufficient to meet statutory requirements covering all of CONSULTANT'S employees and employers' liability insurance with limits of at least \$1,000,000 per accident. In addition, the policy shall be endorsed with a waiver of subrogation in favor of the CITY. Said endorsement shall be provided prior to commencement of work under this Agreement.

If CONSULTANT has no employees subject to the California Workers' Compensation and Labor laws, CONSULTANT shall execute a Declaration to that effect. Said Declaration shall be provided to CONSULTANT by CITY.

E. The aforesaid policies shall constitute primary insurance as to the CITY, its officers, officials, employees, and volunteers, so that any other policies held by the CITY shall not contribute to any loss under said insurance. Said policies shall provide for thirty (30) days prior written notice to the CITY's Risk Manager, at the address listed in subsection G below, of cancellation or material change.

F. If required insurance coverage is provided on a "claims made" rather than "occurrence" form, the CONSULTANT shall maintain such insurance coverage for three years after expiration of the term (and any extensions) of this Agreement. In addition, the "retro" date must be on or before the date of this Agreement.

G. The Certificate Holder for all policies of insurance required by this Section shall be:

City of National City
c/o Risk Manager
1243 National City Boulevard
National City, CA 91950-4397

H. Insurance shall be written with only insurers authorized to conduct business in California that hold a current policy holder's alphabetic and financial size category rating of not less than A:VII according to the current Best's Key Rating Guide, or a company of equal financial stability that is approved by the CITY'S Risk Manager. In the event coverage is provided by non-admitted "surplus lines" carriers, they must be included on the most recent List of Approved Surplus Line Insurers ("LASLI") and otherwise meet rating requirements.

I. This Agreement shall not take effect until certificate(s) or other sufficient proof that these insurance provisions have been complied with, are filed with and approved by the CITY'S Risk Manager. If the CONSULTANT does not keep all insurance policies required by this Section 18 in full force and effect at all times during the term of this Agreement, the CITY may treat the failure to maintain the requisite insurance as a breach of this Agreement and terminate the Agreement as provided herein.

J. All deductibles and self-insured retentions in excess of \$10,000 must be disclosed to and approved by the CITY. CITY reserves the right to modify the insurance requirements of this Section 18, including limits, based on the nature of the risk, prior experience, insurer, coverage, or other special circumstances.

K. If the CONSULTANT maintains broader coverage or higher limits (or both) than the minimum limits shown above, the CITY shall be entitled to the broader coverage or higher limits (or both) maintained by the CONSULTANT. Any available insurance proceeds in excess of the specified minimum limits of insurance and coverage shall be available to the CITY.

19. **LEGAL FEES.** If any party brings a suit or action against the other party arising from any breach of any of the covenants or agreements or any inaccuracies in any of the representations and warranties on the part of the other party arising out of this Agreement, then in that event, the prevailing party in such action or dispute, whether by final judgment or out-of-court settlement, shall be entitled to have and recover of and from the other party all costs and expenses of suit, including attorneys' fees.

For purposes of determining who is to be considered the prevailing party, it is stipulated that attorney's fees incurred in the prosecution or defense of the action or suit shall not be considered in determining the amount of the judgment or award. Attorney's fees to the prevailing party if other than the CITY shall, in addition, be limited to the amount of attorney's fees incurred by the CITY in its prosecution or defense of the action, irrespective of the actual amount of attorney's fees incurred by the prevailing party.

20. **TERMINATION.**

A. This Agreement may be terminated with or without cause by the CITY. Termination without cause shall be effective only upon 60-day's written notice to the

CONSULTANT. During said 60-day period the CONSULTANT shall perform all services in accordance with this Agreement.

B. This Agreement may also be terminated immediately by the CITY for cause in the event of a material breach of this Agreement, misrepresentation by the CONSULTANT in connection with the formation of this Agreement or the performance of services, or the failure to perform services as directed by the CITY.

C. Termination with or without cause shall be effected by delivery of written Notice of Termination to the CONSULTANT as provided for herein.

D. In the event of termination, all finished or unfinished Memoranda Reports, Maps, Drawings, Plans, Specifications and other documents prepared by the CONSULTANT, whether paper or electronic, shall immediately become the property of and be delivered to the CITY, and the CONSULTANT shall be entitled to receive just and equitable compensation for any work satisfactorily completed on such documents and other materials up to the effective date of the Notice of Termination, not to exceed the amounts payable hereunder, and less any damages caused the CITY by the CONSULTANT'S breach, if any. Thereafter, ownership of said written material shall vest in the CITY all rights set forth in Section 7.

E. The CITY further reserves the right to immediately terminate this Agreement upon: (1) the filing of a petition in bankruptcy affecting the CONSULTANT; (2) a reorganization of the CONSULTANT for the benefit of creditors; or (3) a business reorganization, change in business name or change in business status of the CONSULTANT.

21. **NOTICES.** All notices or other communications required or permitted hereunder shall be in writing, and shall be personally delivered; or sent by overnight mail (Federal Express or the like); or sent by registered or certified mail, postage prepaid, return receipt requested; or sent by ordinary mail, postage prepaid; or telegraphed or cabled; or delivered or sent by telex, telecopy, facsimile or fax; and shall be deemed received upon the earlier of (i) if personally delivered, the date of delivery to the address of the person to receive such notice, (ii) if sent by overnight mail, the business day following its deposit in such overnight mail facility, (iii) if mailed by registered, certified or ordinary mail, five (5) days (ten (10) days if the address is outside the State of California) after the date of deposit in a post office, mailbox, mail chute, or other like facility regularly maintained by the United States Postal Service, (iv) if given by telegraph or cable, when delivered to the telegraph company with charges prepaid, or (v) if given by telex, telecopy, facsimile or fax, when sent. Any notice, request, demand, direction or other communication delivered or sent as specified above shall be directed to the following persons:

To CITY: Luis Sainz
 Building Official
 Building Department
 City of National City
 1243 National City Boulevard
 National City, CA 91950-4397

To CONSULTANT:
 Isam Hasenin, PE, CBO - COO
 180 Promenade Circle #150
 Sacramento, CA 95834

Notice of change of address shall be given by written notice in the manner specified in this Section. Rejection or other refusal to accept or the inability to deliver because of changed address of which no notice was given shall be deemed to constitute receipt of the notice, demand, request or communication sent. Any notice, request, demand, direction or other communication sent by cable, telex, telecopy, facsimile or fax must be confirmed within forty-eight (48) hours by letter mailed or delivered as specified in this Section.

22. **CONFLICT OF INTEREST AND POLITICAL REFORM ACT**

OBLIGATIONS. During the term of this Agreement, the CONSULTANT shall not perform services of any kind for any person or entity whose interests conflict in any way with those of the City of National City. The CONSULTANT also agrees not to specify any product, treatment, process or material for the project in which the CONSULTANT has a material financial interest, either direct or indirect, without first notifying the CITY of that fact. The CONSULTANT shall at all times comply with the terms of the Political Reform Act and the National City Conflict of Interest Code. The CONSULTANT shall immediately disqualify itself and shall not use its official position to influence in any way any matter coming before the CITY in which the CONSULTANT has a financial interest as defined in Government Code Section 87103. The CONSULTANT represents that it has no knowledge of any financial interests that would require it to disqualify itself from any matter on which it might perform services for the CITY.

The CONSULTANT shall comply with all of the reporting requirements of the Political Reform Act and the National City Conflict of Interest Code. Specifically, the CONSULTANT shall file a Statement of Economic Interests with the City Clerk of the City of National City in a timely manner on forms which the CONSULTANT shall obtain from the City Clerk.

The CONSULTANT shall be strictly liable to the CITY for all damages, costs or expenses the CITY may suffer by virtue of any violation of this Section 22 by the CONSULTANT.

23. **PREVAILING WAGES.** State prevailing wage rates may apply to work performed under this Agreement. State prevailing wages rates apply to all public works contracts as set forth in California Labor Code, including but not limited to, Sections 1720, 1720.2, 1720.3, 1720.4, and 1771. Consultant is solely responsible to determine if State prevailing wage rates apply and, if applicable, pay such rates in accordance with all laws, ordinances, rules, and regulations.

24. **ADMINISTRATIVE PROVISIONS.**

A. *Computation of Time Periods.* If any date or time period provided for in this Agreement is or ends on a Saturday, Sunday or federal, state or legal holiday, then such date shall automatically be extended until 5:00 p.m. Pacific Time of the next day which is not a Saturday, Sunday or federal, state, or legal holiday.

B. *Counterparts.* This Agreement may be executed in multiple counterparts, each of which shall be deemed an original, but all of which, together, shall constitute but one and the same instrument.

C. *Captions.* Any captions to, or headings of, the sections or subsections of this Agreement are solely for the convenience of the parties hereto, are not a part of this Agreement, and shall not be used for the interpretation or determination of the validity of this Agreement or any provision hereof.

D. *No Obligations to Third Parties.* Except as otherwise expressly provided herein, the execution and delivery of this Agreement shall not be deemed to confer any rights upon, or obligate any of the parties hereto, to any person or entity other than the parties hereto.

E. *Exhibits and Schedules.* The Exhibits and Schedules attached hereto are hereby incorporated herein by this reference for all purposes. To the extent any exhibits, schedules, or provisions thereof conflict or are inconsistent with the terms and conditions contained in this Agreement, the terms and conditions of this Agreement shall control.

F. *Amendment to this Agreement.* The terms of this Agreement may not be modified or amended except by an instrument in writing executed by each of the parties hereto.

G. *Assignment & Assumption of Rights.* CONSULTANT shall not assign this Agreement, in whole or in part, to any other party without first obtaining the written consent of CITY.

H. *Waiver.* The waiver or failure to enforce any provision of this Agreement shall not operate as a waiver of any future breach of any such provision or any other provision hereof.

I. *Applicable Law.* This Agreement shall be governed by and construed in accordance with the laws of the State of California. The venue for any legal action arising under this Agreement shall be in either state or federal court in the County of San Diego, State of California.

J. *Audit.* If this Agreement exceeds ten-thousand dollars (\$10,000), the parties shall be subject to the examination and audit of the State Auditor for a period of three (3) years after final payment under the Agreement, per Government Code Section 8546.7.

K. *Entire Agreement.* This Agreement supersedes any prior agreements, negotiations and communications, oral or written, and contains the entire agreement between the parties as to the subject matter hereof. No subsequent agreement, representation, or promise made by either party hereto, or by or to an employee, officer, agent or representative of any party hereto shall be of any effect unless it is in writing and executed by the party to be bound thereby.

L. *Successors and Assigns.* This Agreement shall be binding upon and shall inure to the benefit of the successors and assigns of the parties hereto.

M. *Subcontractors or Subconsultants.* The CITY is engaging the services of the CONSULTANT identified in this Agreement. The CONSULTANT shall not subcontract any portion of the work, unless such subcontracting was part of the original proposal or is allowed by the CITY in writing. In the event any portion of the work under this Agreement is subcontracted, the subconsultant(s) shall be required to comply with and agree to, for the benefit of and in favor of the CITY, both the insurance provisions in Section 18 and the indemnification and hold harmless provision of Section 15 of this Agreement.

N. *Construction.* The parties acknowledge and agree that (i) each party is of equal bargaining strength, (ii) each party has actively participated in the drafting, preparation and negotiation of this Agreement, (iii) each such party has consulted with or has had the opportunity to consult with its own, independent counsel and such other professional advisors as such party has deemed appropriate, relative to any and all matters contemplated under this Agreement, (iv) each party and such party's counsel and advisors have reviewed this Agreement, (v) each party has agreed to enter into this Agreement following such review and the rendering of such advice, and (vi) any rule or construction to the effect that ambiguities are to be resolved against the drafting party shall not apply in the interpretation of this Agreement, or any portions hereof, or any amendments hereto.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the date and year first above written.

CITY OF NATIONAL CITY

BUREAU VERITAS NORTH AMERICA, INC., A DELAWARE CORPORATION
(Corporation - signatures of two corporate officers required)

By: _____
Alejandra Sotelo-Solis, Mayor

By: 

(Name)

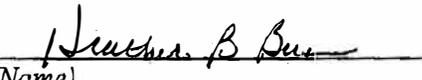
ISAM HASENIV
(Print)

VP
(Title)

APPROVED AS TO FORM:

Angil P. Morris-Jones
City Attorney

By: _____
Roberto M. Contreras
Deputy City Attorney

By: 

(Name)

Heather B Bush
(Print)

VP & Secy
(Title)

EXHIBIT A



October 15, 2019

City of National City
Luis Sainz, Building Official
Building Division
1243 National City Blvd.
National City, CA 91950

RE: REVISED FEES - ON-CALL PROJECT SUPPORT SERVICES FOR NATIONAL CITY'S CAPITAL IMPROVEMENT PROGRAM (CIP) CONTRACT NEGOTIATIONS FOR BUILDING DEPARTMENT SUPPORT SERVICES

Dear Mr. Sainz,

Bureau Veritas North America, Inc. (BVNA) is pleased to provide revised fees for the On-Call contract to perform building department support services for the City of National City. We take great pride in our ability to provide exemplary services to our clients by tailoring our services to their unique needs.

We strive to build long-term relationships and value this opportunity with City of National City and want to serve as your building department consultant of choice. The City of National City can be assured you will receive the responsive, quality service that Bureau Veritas has built its reputation on.

Our attached revised Schedule of Fees is based on the Scope of Work and includes a comprehensive list of positions/ labor classifications and hourly labor rates for all proposed services to be provided under the contract.

BVNA looks forward to supporting National City by providing comprehensive building department and other related services. We appreciate the opportunity to assist you with your building and safety compliance needs. Should you have any questions, please do not hesitate to contact me directly at: Phone: +1 (858) 436-4159 or Email: isam.hasenin@bureauveritas.com.

Sincerely,

Isam Hasenin, MSCE, P.E., C.B.O.
C.O.O., Facilities Division
Bureau Veritas North America, Inc.
Cell: (858) 436-4159 / Fax: (858) 451-2846
isam.hasenin@bureauveritas.com
www.us.bureauveritas.com

SCHEDULE OF FEES

FEE SCHEDULE

ON-CALL PROJECT SUPPORT SERVICES FOR NATIONAL CITY'S CAPITAL IMPROVEMENT PROGRAM (CIP), BUILDING DEPARTMENT SUPPORT SERVICES

OCTOBER 15, 2019

Bureau Veritas' pricing reflects our commitment to the success of the City of National City by helping you maintain significant quality and cost saving benefits moving forward.

Building Plan Review		
Percentage of Fee: 60% of City collected plan check fees as noted in the City of National City fee schedule. Expedited Plan Review service is available at an additional cost of 25% of the plan check fee.		
Fire Plan Review		
Percentage of Fee: 30% of City collected plan check fees as noted in the City of National City fee schedule. Expedited Plan Review service is available at an additional cost of 25% of the plan check fee.		
Other Services		
	Key Personnel	Hourly Billing Rate
1.	Senior Planner	\$145.00
2.	Plan Checker Engineer	\$125.00
3.	Planner	\$125.00
4.	CASp	\$120.00
5.	Fire Plans Examiner	\$115.00
6.	Fire Inspector	\$105.00
7.	ICC Plans Examiners	\$95.00
8.	Senior Building Inspector	\$95.00
9.	Code Enforcement	\$85.00
10.	Building Inspector	\$85.00
11.	Permit Technician	\$72.00

After hours inspections will be charged at an additional 25% of fees shown above with a minimum of three (3) hours. All necessary resources including equipment, materials, incidental reports and transportation required to provide project services are included in fees shown above. Rates are non-prevailing wage.

Bureau Veritas to provide one (1) clerical support staff as-needed at no cost to the City of National City. This clerical support staff shall be an employee of Bureau Veritas, not of the City of National City.

CITY OF NATIONAL CITY

ON-CALL PROJECT SUPPORT SERVICES

PRESENTER:
ISAM HASENIN, MSCE, P.E., C.B.O.
CHIEF OPERATING OFFICER

MEET THE TEAM

Isam Hasenin, MSCE, P.E., C.B.O.
Principal in Charge

Moe Heivand, P.E.
Regional Manager

Yousef Ibrahim, P.E.
CIP Program Manager

Andrew Chan, MIP, LEED AP BD+C
A/E Design & Management

William Bixby, P.E.
Civil Plan Review

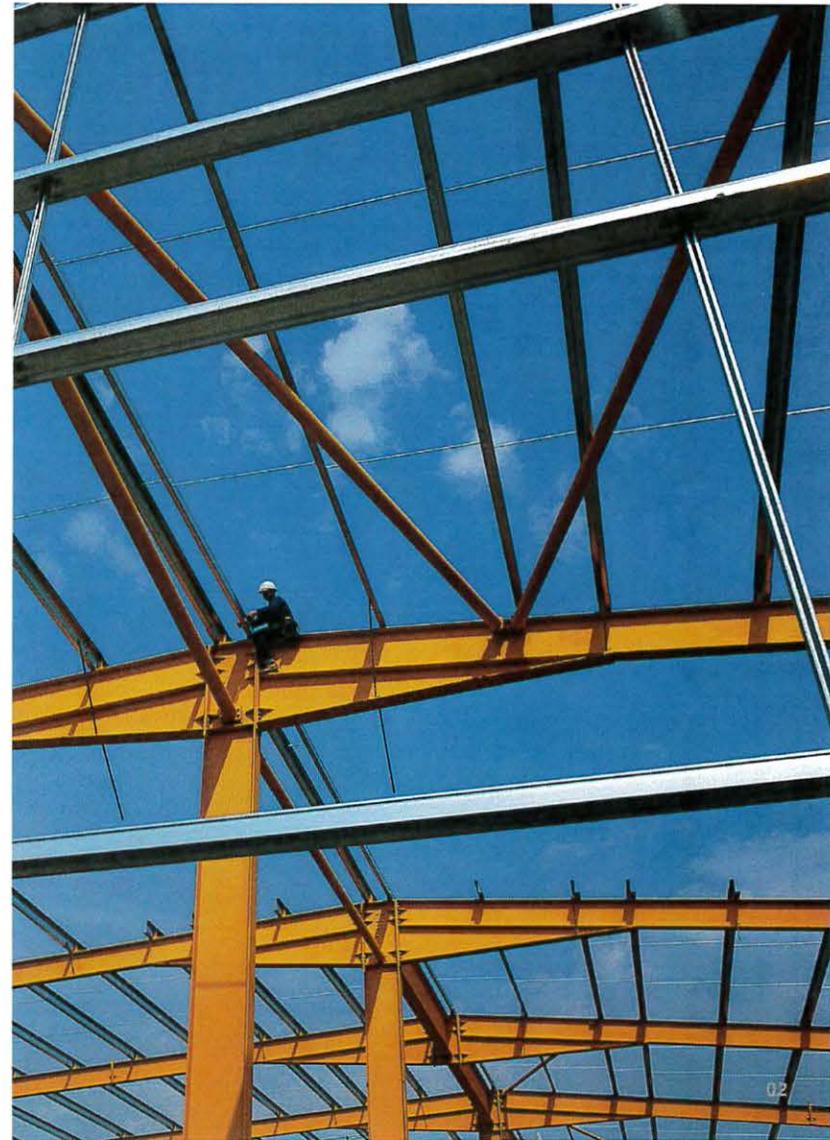
Robert Scott
Fire Plan Review/Inspection

Karen Flaherty
Permit Processing & Plan Review

Sandra Miles, ADAC, CASp, RAS
Accessibility Specialist



ON-CALL PROJECT SUPPORT SERVICES | 2019 BUREAU VERITAS



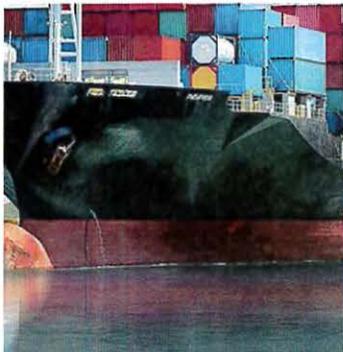
BOARD EXPERTISE AND RESOURCES

190+
Years
Legacy

WHO WE ARE

Founded in 1828, Bureau Veritas is a global company specializing in the fields of quality assurance, health, safety, and environmental (QHSE) services. Our firm maintains a presence in 140 countries through a network of more than 1,250 offices. Our focus is on protecting our clients' brands, assets and businesses.

Bureau Veritas is an internationally recognized organization for ISO:9001 certification. Our all-embracing approach to project compliance is backed by our global scale of technical and regulatory expertise. The experience we have acquired through 190+ years has solidified our standing as one of the largest, most reputable, compliance and certification bodies worldwide.



**MARINE
& OFFSHORE**



INDUSTRY



**BUILDINGS &
INFRASTRUCTURE**



CERTIFICATION



**AGRI-FOOD &
COMMODITIES**



**CONSUMER
PRODUCTS**



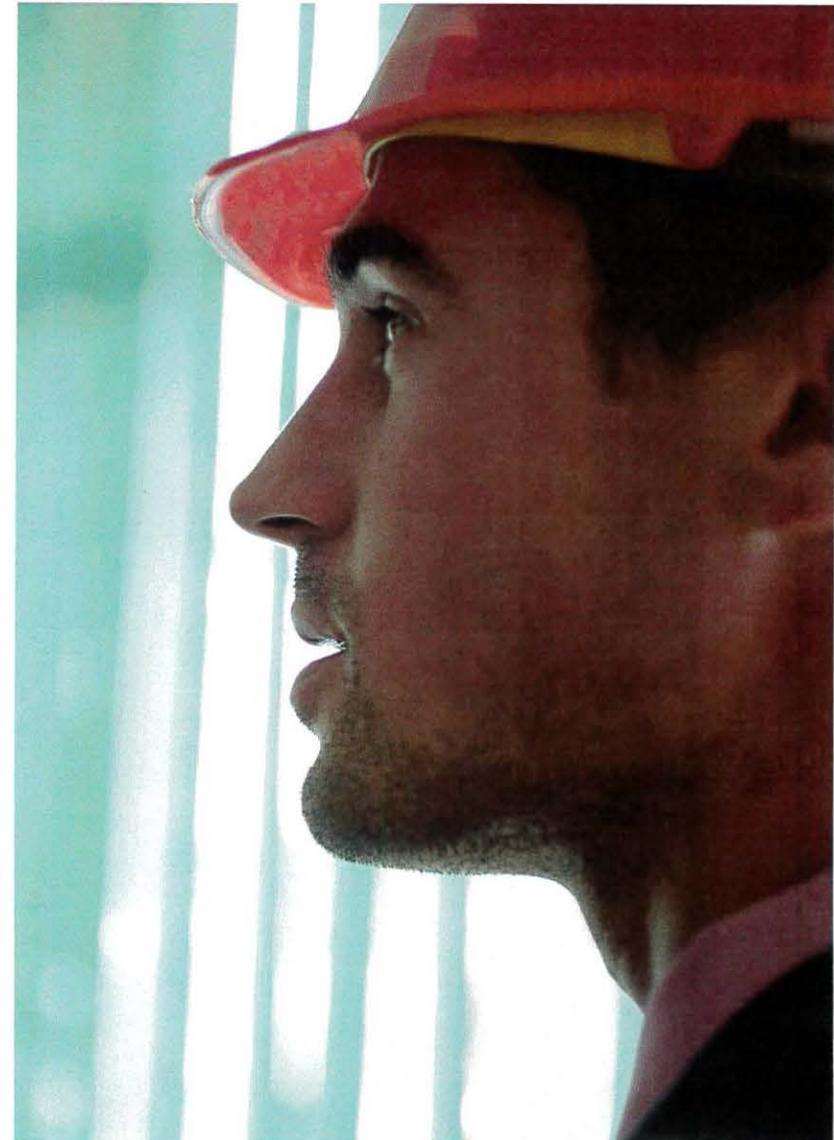
ON-ALL PROJECT SUPPORT SERVICES | 2019 BUREAU VERITAS

03

ONE TEAM, ONE SOLUTION

MULTI-FACETED CONSULTING SERVICES

- Partners in municipal services
- Place National City as a top priority
- Single point of contact + dedicated project team
- Local Presence, 18 miles door-to door
- Experts in CIP (Engineering & Public Works)
- Comprehensive experience in building department services
- Robust team of licensed/certified professionals in all review and inspection disciplines
- Experienced ADA and Planning/Environmental Specialists
- Extensive experience with time-sensitive high profile and complex projects
- Collaborative solutions and creative problem-solving



LOCAL PRESENCE

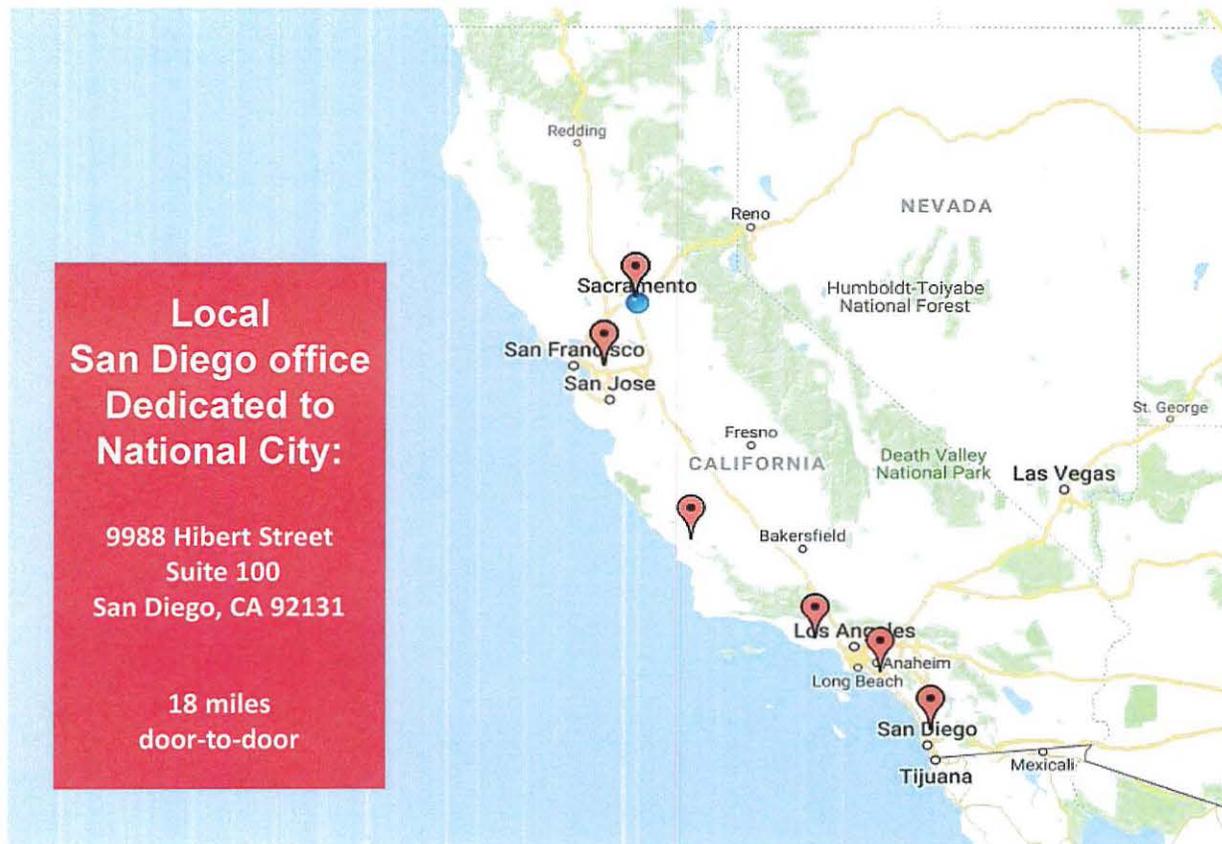
**Local
San Diego office
Dedicated to
National City:**

9988 Hibert Street
Suite 100
San Diego, CA 92131

18 miles
door-to-door



BUREAU
VERITAS



10 California Offices

- San Diego
- Santa Ana
- Pasadena
- Westlake Village
- Irvine
- Atascadero
- San Ramon
- Sacramento
- Chico
- Santa Rosa

SUPPORTING THE CITY OF NATIONAL CITY'S NEEDS

Bureau Veritas is able to fully support the needs of the City of National City in the following areas:

Capital Improvement Program (CIP)

- Architectural, Civil, Structural, Mechanical/Plumbing, and Electrical Engineering
- Construction Management & Inspections
- Capital Needs Assessments/FCA

Building Department Support

- Plan Check, Permitting, Inspections
- Municipal Code Support

Fire Department Support

- Fire Plan Check and Inspection Services
- Sprinklers and Alarm Systems

ON-CALL PROJECT SUPPORT SERVICES | 2019 BUREAU VERITAS

06



SUPPORTING THE CITY OF NATIONAL CITY'S NEEDS

ADA Compliance and Universal Design

- Title II Self Evaluation and Transition Plans
- Plan Review and Inspections
- Training

Planning/Environmental Compliance

- Planning & Design
- CEQA
- Permitting

Engineering and Project Management

- Technical analyses, site evaluations, studies, reports and presentations, project tracking, PS&E, QA/QC
- Civil, Drainage and Public Improvements Plan reviews,
- constructability reviews and value engineering
- Construction bidding, construction support and responses to RFIs, and preparation of record drawings

ON-CALL PROJECT SUPPORT SERVICES | 2019 BUREAU VERITAS

07



BUREAU
VERITAS

ORGANIZATIONAL CHART

A highly qualified team of experts has been assembled to meet a broad spectrum of the City of National City's needs.

Project Management			
	Isam Hasenin, P.E., C.B.O. Principal in Charge	Moe Heivand, P.E. Project Manager	
CIP Program	Building & Fire Life Safety		Other Services
<u>Program and Project Management</u> Yousef Ibrahim, P.E. <u>Capital Needs Assessments</u> Steve Hooper, AIA, PE <u>A/E Design</u> Andrew Chan, MIP, LEED AP BD+C Steve Hooper, AIA, PE Rhodore Geronaga, RA Hong Wong, RA Debra Fang, RA Casey Kysoth, LEED AP Mehdi Keshmiri, PE Mariam Athanasius, PE Nader Namdar, SE, PE Ryan Guerrero, SE Richard Henrikson, PE, LEED AP Hussein Boudiab, PE	<u>Engineers</u> Moe Heivand, P.E. Syed Aleem, P.E. Boniface Simbwa, P.E. Ali Soheili, P.E. William Teachworth, P.E. Henry Hadidi, S.E. Amir Amiri, P.E. Cristian Son, P.E. Ted Recidoro, P.E. Steve Hooper, P.E. Saman Parsi, P.E. Tom Harris, S.E. Sunai Kim, Ph.D., S.E. <u>Plans Examiners</u> Rebecca Wisniecki Neil Tuong, E.I.T. Matthew Godinez, E.I.T.	<u>Building Inspectors</u> George Lockfort Roger Banowetz Nancy Martinez David Shields Denise Zuranski <u>Permit technicians</u> Karen Flaherty Ana Ortiz Julene Gazallo Phu Trieu <u>Fire & Life Safety</u> Robert Scott Jeff Hartsuyker Rick Perry Tim Rice William Betts	<u>ADA Compliance / CASp</u> Sandy Miles, CASp Dan Larsen, CASp Steve Perkins, CASp Rickey Mauldin, CASp Mike Helmer, CASp <u>Planning/Environmental Compliance</u> Margaret Barreras Gustavo Valdivia, P.E. Nicholas Hagen, C.E.G., P.G., Q.S.D. Donald Ashton, P.G., R.E.A., C.E.M. <u>Civil/Public Improvement Plan Review</u> William Bixby, P.E. Monte Bowers, P.E. Bijan Shakiba Lee Everett Duckworth, P.E. Matthew Addington, P.E., P.L.S. Steve Beswick



UNDERSTANDING THE CITY'S NEEDS - CIP

The city requires on-call support for its capital improvement program (CIP) services:

- **Establish the city's capital priorities**
 - ✓ City offices, warehouses, public works yard and support structures, police and fire stations, public libraries
 - ✓ Community centers, recreation centers, gymnasium and aquatic center
 - ✓ Community parks, amenities and enhancements
 - ✓ Upgrades restrooms, lighting, walking paths, mechanical, electrical, plumbing and energy efficiency
 - ✓ Sidewalks, pedestrian curb ramps and building enhancements for ADA compliance
- **Design, manage and deliver project on schedule & within budget**
- **Licensed professionals from a broad range of disciplines**
 - ✓ Architectural, Civil Engineering, Structural Engineering, Mechanical/Plumbing and Electrical Engineering
 - ✓ LEED/Energy and Sustainable Design
 - ✓ Project/Construction Management

09

CASE STUDIES- CIP

RIVERSIDE COUNTY TRANSPORTATION COMMISSION – A/E AND PM/CM, RIVERSIDE, CA

- New facilities to operate and maintain the toll collection system for the I-15 Express Lanes
- Includes a single walk-in center and a call center where for customer service and a Traffic Operations Center
- Owen provided initial conceptual design, preparation of final documents & PS&E, and layout/interior space planning
- Permitting, bidding assistance and construction administration, and PM/CM



NAME OF THE PRESENTATION

LA COUNTY, CARSON SHERIFF'S STATION RENOVATION & TENANT IMPROVEMENT, CARSON, CA

- The existing Carson Sheriff's Station is a 19,250 sf single-story building with a partial basement level constructed in 1974
- Owen is conducting a field investigation of the existing facilities, a review of record drawings, and producing a set of Scoping Documents, performance specifications, with a comprehensive cost estimate, bidding and evaluation assistance, construction administration and project close-out services.



CASE STUDIES- CIP

ORANGE COUNTY COMMUNITY RESOURCES (OCCR) – ALISO AND WOOD CANYONS OFFICES, ORANGE COUNTY, CA

- OCCR's project objectives are to provide offices for the Park Ranger and Non-Profit Groups, and Meeting and Educational Program spaces.
- Building 1 – Visitor Center / Ranger Offices
- Building 2 – Non-Profit Offices / Meeting Room
- Building 3 – Education / Training Rooms



NAME OF THE PRESENTATION

CITY OF COMMERCE – HVAC AND CONTROLS RENOVATION OF THE BRENDA VILLA AQUATIC CENTER, COMMERCE, CA

- Owen developed the design for a project to provide upgraded air conditioning at the Spectator Seating Section of the Brenda Villa Aquatic Center
- The project is comprised of the following elements: To replace and upsize the existing 50- ton RTU-1, which serves the atrium, lobby, exercise rooms, offices, and weight room, and to upgrade building automation controls.



CASE STUDIES- CIP

CITY OF COMMERCE – ASSESSMENT OF CITYWIDE PUBLIC OWNED & OPERATED BUILDINGS, COMMERCE, CA

- Owen provided an ADA Self-Evaluation and a Transition Plan to ensure compliance to all ADA regulations and applicable codes
- Included 20 City-owned buildings, parks and recreation areas, reservoirs, water wells, storage facilities, transit centers, and tanks and permanently mounted fueling equipment, as well as 70 centerline miles of streets, curb ramps, traffic signals, intersections and sidewalks.



NAME OF THE PRESENTATION

JOHN WAYNE AIRPORT – PROGRAMMING, EVALUATION & DESIGN FOR RESTROOM FACILITIES, SANTA ANA, CA

- Lead services is ADA compliance evaluations and recommendations for upgrades on public side restrooms
- Documentation included written deficiencies and photos
- Design for all ADA compliance upgrades in progress



UNDERSTANDING THE CITY'S NEEDS – BUILDING AND FIRE & LIFE SAFETY

The city desires on-call support for Building Department Support and Fire Inspection Services:

- Extensive experience and knowledge in building department operations and Building Official services
- Comprehensive **knowledge**, ability and **experience** with California Building and Fire Codes
 - ✓ Expert licensed engineers, certified plan reviewers, inspectors and permit technicians
- Adoption of **Best Practices** allows us to **seamlessly integrate** our current systems and processes
 - ✓ Close collaboration among all stakeholders
 - ✓ Conceptual design review process
 - ✓ Preliminary project meetings / conference calls
 - ✓ Progress and coordination meetings
 - ✓ Expedited, Phased & Electronic plan review available
- **Strong, knowledgeable, and experienced permitting team**
 - ✓ A complete and competent team that oversees the permitting process
- Thorough **understanding** of relevant **Code and Regulation Standards**
 - ✓ Experience with design and construction of projects of every nature, varying sizes and complexities, from TI's to paving and road work
- Continuation of on-going training



CASE STUDY – BUILDING & FLS

CITY OF SANTA ROSA

- Post-Fire Recovery Planning, Plan Review, Permitting and Inspections Services

DATES OF SERVICE

- 2017 - Present

PERFORMANCE OF SERVICES

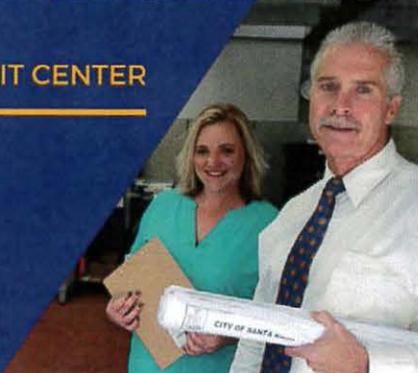
- In October 2017, the most destructive wildfire in California history spread through the Sonoma County region and left more than \$1.2 billion of property damage.
- The City is dedicated to expeditiously facilitate the rebuilding of destroyed homes and businesses, and chose BV to provide recovery and rebuilding efforts that include applicable standards, permit review and inspection services for compliance with environmental, building, planning, and engineering regulations.



RESILIENT CITY PERMIT CENTER

100 SANTA ROSA AVE. ROOM 6
SANTA ROSA, CA 95404

MONDAY-FRIDAY: 8AM-5PM
REBUILD@SRCITY.ORG
(707) 543-4649



City of Santa Rosa



014



AS-NEEDED PLAN CHECK SERVICES | 2019 BUREAU

UNDERSTANDING THE CITY'S NEEDS – OTHER SERVICES

The city requires on-call support for ADA Compliance and Universal Design and Planning/ Environmental professional services:

ADA Compliance and Universal Design

- Experienced certified accessibility professionals with in-depth knowledge of the different federal and state codes and regulations
- Collaborative approach through the use of survey, interviews, public input, and document review
- Assistance, training, implementation of an updated comprehensive Transition Plan

Planning/ Environmental Compliance

- Our team is experienced in design review, subdivision review, ordinance updates, general and specific plans, development agreements, bikeway and transit plans, CEQA and NEPA document preparation, bikeway construction and management, budgeting, financing, grants management and more.

Over the past decade, BV has provided on-call general engineering, construction inspections and project management services for various capital improvement projects for National City:

- Chiller Project, National City Boulevard, 7th Street Traffic Safety Enhancements, Blue Line Trolley, 8th Street Enhancements third party review projects



RELEVANT EXPERIENCE

City of Corona

SERVICES PROVIDED

Plan Check, Inspection,
Permit Processing

DATES OF SERVICE

2010 – Present



City of Chula Vista

SERVICES PROVIDED

Permit Processing, Building Plan
Check, Building Inspections and Code
Enforcement Services As-Needed

DATES OF SERVICE

2015 - Present



Orange County Public Works

SERVICES PROVIDED

Building & Civil Engineering,
Plan Review and Inspection

DATES OF SERVICE

2010 – Present



City of La Mesa

SERVICES PROVIDED

Building Inspection, Plan Review, and
Planning Services

DATES OF SERVICE

2014 – Present



ON-CALL PROJECT SUPPORT SERVICES | 2019 BUREAU VERITAS

RELEVANT EXPERIENCE

City of Lake Elsinore



SERVICES PROVIDED

Map Check, Improvement, and Grading Plan Check

DATES OF SERVICE

1992 – Present

State Fire Marshal



SERVICES PROVIDED

Fire Plan Review and Inspection Services

DATES OF SERVICE

2014 - Present

Port of San Diego



SERVICES PROVIDED

Establishment of Development Services and Building Permit Functions

DATES OF SERVICE

2017 – Present

San Diego State University



SERVICES PROVIDED

Full Plan Review and Preliminary Plan Review

DATES OF SERVICE

2014 – Present



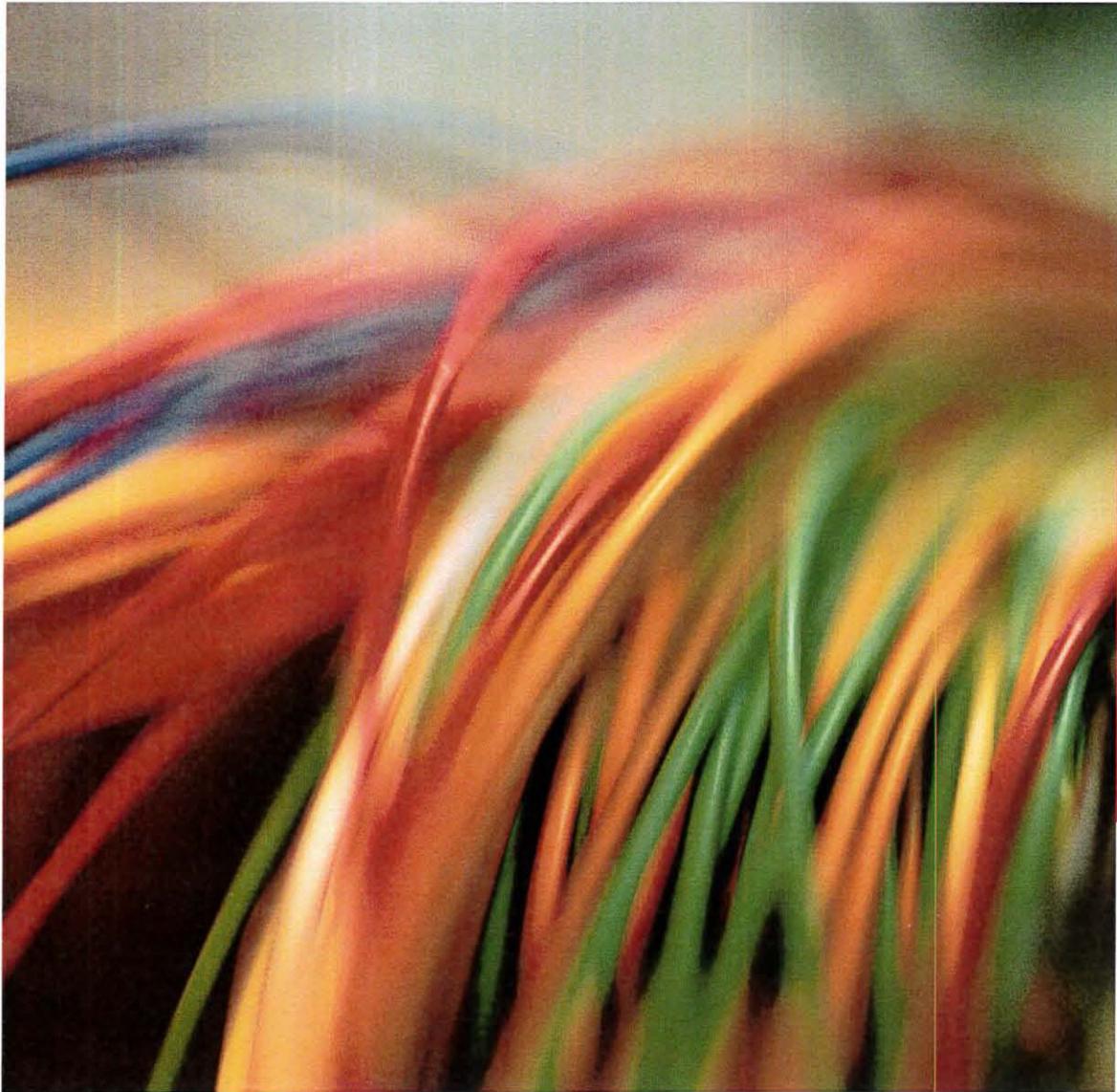
WHY CHOOSE BUREAU VERITAS



- One-stop shop solution for a broad range of professional services to support CIP, Building & Fire Departments, and other professional services
- Full range of expertise: Architects, Engineers, Plans Examiners, Inspectors, Planners, Environmental and Fire professionals
- Strong local San Diego team dedicated to collaborative solutions
- Established track record, relationships and experience working on projects of all sizes and scopes with many jurisdictions throughout California
- We seek to build long term relationship with institutional clients like National City
- Depth of resources and ability to quickly scale up to meet additional demands
- Financial strength and backing of a global firm
- 40+ years of municipal consulting expertise



**We appreciate the
opportunity to serve
the City of National City**



QUESTIONS

EXHIBIT “B”

CONSULTANT must satisfy the following steps when posting a “Stop Work Order”:

- If a complaint is received by the Building Division regarding construction without proper building permits, the Permit Technician will verify what, if any, permits are issued for the subject location. If permits are issued, the complainant will be notified that no action will be taken. If the Permit Technician confirms that permits have not been issued, the complainant will be notified that an investigation will begin regarding the complaint.
- Immediately after determining that an investigation must begin, a referral is given to the Building Inspector for that day. The Building Inspector will be provided with the location of the job site and a description of the type of work being performed.
- The Building Inspector will arrive at the job site to investigate what type of construction is being performed if any. If the Building Inspector does not see any work being performed at the job site, the inspector must call the Permit Technician to notify the Permit Technician of the Building Inspector’s findings. If the Building Inspector sees work being performed that requires a building permit, then the Building Inspector must complete a Stop Work Order (Red Tag) and post the Stop Work Order on the building. The Stop Work Order (Red Tag) has a section called “Remarks”. Under this section, the Building Inspector must enter the following: “Per 2019 C.B.C., Section 105.1 and N.C.M.C. Section 15.08.060 - Stop all construction work immediately. Obtain building permits prior to any construction work.” The posting of the Stop Work Order (Red Tag) must be posted on the front of the building. Whenever possible, the Building Inspector should post the order on a window facing the front of the building, from the inside of the building with the written information facing the street. Depending on the size of the construction site, more than one Stop Work Order (Red Tag) may be necessary to be posted on the structure. The Building Inspector must use either duct tape or staples as appropriate to post the Stop Work Order (Red Tag).
- After posting the Stop Work Order (Red Tag), the Building Inspector must complete a Correction Notice. The Correction Notice must contain the location of the Stop Work Order (Red Tag), the date, time, and a description of what work was found to have been performed without building permits. In addition, the Correction Notice must also note that certain penalties now will apply when applying for the required permit and that anyone with questions about this process may contact the City’s Building Division at 619-336-4210.
- Photographs of the actual Stop Work Order posting must be taken from the public right-of-way, as well as a “close up” photograph from about 2-3 feet from the location where the Stop Work Order (Red Tag) is physically posted.
- The Building Inspector must leave their contact information (i.e. business card) with the homeowner, or others on site, and also answer any questions the

contractor/homeowner may have regarding why the posting was made and what must be done to resolve the violation.

- If any Building Inspector ever has any questions regarding any Stop Work Order (Red Tag) referral, or any questions regarding this protocol, please call Luis Sainz at (619)-336-4214.



CERTIFICATE OF LIABILITY INSURANCE

DATE(MM/DD/YYYY)
12/05/2019

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Aon Risk Services Northeast, Inc. Aon Risk Services Northeast, Inc. NY NY Office One Liberty Plaza 165 Broadway, Suite 3201 New York NY 10006 USA	CONTACT NAME: PHONE (A/C. No. Ext): 866-283-7122 FAX (A/C. No.): 800-363-0105		
	E-MAIL ADDRESS:		
INSURED Bureau Veritas North America, Inc. 1601 Sawgrass Corporate Parkway Suite 400 Fort Lauderdale FL 33323 USA	INSURER(S) AFFORDING COVERAGE		NAIC #
	INSURER A: Hartford Fire Insurance Co.		19682
	INSURER B: Twin City Fire Insurance Company		29459
	INSURER C: Hartford Ins Co of the Midwest		37478
	INSURER D: Hartford Accident & Indemnity Company		22357
	INSURER E: Sentinel Insurance Company, Ltd		11000
INSURER F: Hartford Underwriters Insurance Company		30104	

COVERAGES **CERTIFICATE NUMBER:** 570079447434 **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS. **Limits shown are as requested**

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
K	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input checked="" type="checkbox"/> PRO-JECT <input checked="" type="checkbox"/> LOC OTHER:	Y		USL00159319	01/01/2019	01/01/2020	EACH OCCURRENCE	\$2,000,000
							DAMAGE TO RENTED PREMISES (Ea occurrence)	\$1,000,000
							MED EXP (Any one person)	\$10,000
							PERSONAL & ADV INJURY	\$2,000,000
							GENERAL AGGREGATE	\$2,000,000
							PRODUCTS - COMP/OP AGG	\$2,000,000
A	AUTOMOBILE LIABILITY	Y		10 AB S41202 AOS	01/01/2019	01/01/2020	COMBINED SINGLE LIMIT (Ea accident)	\$2,000,000
A	<input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS ONLY			10 AB S41203 HI	01/01/2019	01/01/2020	BODILY INJURY (Per person)	
							BODILY INJURY (Per accident)	
							PROPERTY DAMAGE (Per accident)	
K	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED <input checked="" type="checkbox"/> RETENTION \$10,000			USL00163319	01/01/2019	01/01/2020	EACH OCCURRENCE	\$2,000,000
							AGGREGATE	\$2,000,000
I	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR / PARTNER / EXECUTIVE OFFICER/MEMBER (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A	10WNS41200 AOS	01/01/2019	01/01/2020	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTHER	
C				10WNS41200 AK ID NY	01/01/2019	01/01/2020	E.L. EACH ACCIDENT	\$1,000,000
							E.L. DISEASE-EA EMPLOYEE	\$1,000,000
							E.L. DISEASE-POLICY LIMIT	\$1,000,000
K	Archit&Eng Prof			USF00248019 SIR applies per policy terms & conditions	01/01/2019	01/01/2020	Each Claim	\$1,000,000
							Aggregate	\$1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

The Architects & Engineers policy includes coverage for Professional Liability and Contractors Pollution Liability. RE: On Call Professional Engineering & Construction Services. City of National City is included as Additional Insured as required by written contract, but limited to the operations of the Insured under said contract, per the applicable endorsement with respect to the General Liability and Automobile Liability policies. A waiver of Subrogation is granted in favor of certificate Holder as required by written contract but limited to the operations of the Insured under said contract, with respect to the Workers' Compensation.

CERTIFICATE HOLDER City of National City Attn: Risk Manager 1243 National City National City CA 91950 USA	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	AUTHORIZED REPRESENTATIVE

Holder Identifier :

570079447434

Certificate No :





ADDITIONAL REMARKS SCHEDULE

AGENCY Aon Risk Services Northeast, Inc.		NAMED INSURED Bureau Veritas North America, Inc.	
POLICY NUMBER See Certificate Numbe 570079447434			
CARRIER See Certificate Numbe 570079447434	NAIC CODE	EFFECTIVE DATE:	

ADDITIONAL REMARKS

THIS ADDITIONAL REMARKS FORM IS A SCHEDULE TO ACORD FORM,
FORM NUMBER: ACORD 25 **FORM TITLE:** Certificate of Liability Insurance

INSURER(S) AFFORDING COVERAGE	NAIC #
INSURER G : Property & Casualty Ins Co of Hartford	34690
INSURER H : Hartford Casualty Insurance Co	29424
INSURER I : Trumbull Insurance Company	27120
INSURER J : Nutmeg Insurance Co	39608

ADDITIONAL POLICIES

If a policy below does not include limit information, refer to the corresponding policy on the ACORD certificate form for policy limits.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YYYY)	POLICY EXPIRATION DATE (MM/DD/YYYY)	LIMITS
	WORKERS COMPENSATION						
D		N/A		10WNS41200 AL GA KY NE TN VT	01/01/2019	01/01/2020	
F		N/A		10WNS41200 AZ HI MA MO NJ NC SD VA	01/01/2019	01/01/2020	
G		N/A	Y	10WNS41200 CA CO DE LA ME MN MS SC	01/01/2019	01/01/2020	
J		N/A		10WNS41200 CT	01/01/2019	01/01/2020	
A		N/A		10WNS41200 FL MD NH ND OH OR PA PR I	01/01/2019	01/01/2020	
E		N/A		10WNS41200 IA NV OK	01/01/2019	01/01/2020	
H		N/A		10WNS41200 IL TX	01/01/2019	01/01/2020	
B		N/A		10WBRS41201 WI	01/01/2019	01/01/2020	

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

ADDITIONAL INSURED – OWNERS, LESSEES OR CONTRACTORS – SCHEDULED PERSON OR ORGANIZATION

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART

SCHEDULE

Name Of Additional Insured Person(s) Or Organization(s)	Location(s) Of Covered Operations
<p>Any owner, lessee or contractor for whom you are performing operations when you and such owner, lessee or contractor have agreed in writing in a contract or agreement that such owner, lessee or contractor should be added as an additional insured on your policy.</p>	<p>Locations that are listed in the written contracts or agreements stated on the left side of this SCHEDULE.</p>
<p>Information required to complete this Schedule, if not shown above, will be shown in the Declarations.</p>	

A. Section II – Who Is An Insured is amended to include as an additional insured the person(s) or organization(s) shown in the Schedule, but only with respect to liability for "bodily injury", "property damage" or "personal and advertising injury" caused, in whole or in part, by:

1. Your acts or omissions; or
2. The acts or omissions of those acting on your behalf;

in the performance of your ongoing operations for the additional insured(s) at the location(s) designated above.

However:

1. The insurance afforded to such additional insured only applies to the extent permitted by law; and

2. If coverage provided to the additional insured is required by a contract or agreement, the insurance afforded to such additional insured will not be broader than that which you are required by the contract or agreement to provide for such additional insured.

B. With respect to the insurance afforded to these additional insureds, the following additional exclusions apply:

This insurance does not apply to "bodily injury" or "property damage" occurring after:

1. All work, including materials, parts or equipment furnished in connection with such work, on the project (other than service, maintenance or repairs) to be performed by or on behalf of the additional insured(s) at the location of the covered operations has been completed; or

2. That portion of "your work" out of which the injury or damage arises has been put to its intended use by any person or organization other than another contractor or subcontractor engaged in performing operations for a principal as a part of the same project.

C. With respect to the insurance afforded to these additional insureds, the following is added to **Section III – Limits Of Insurance:**

If coverage provided to the additional insured is required by a contract or agreement, the most we will pay on behalf of the additional insured is the amount of insurance:

1. Required by the contract or agreement; or

2. Available under the applicable Limits of Insurance shown in the Declarations; whichever is less.

This endorsement shall not increase the applicable Limits of Insurance shown in the Declarations.

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

ADDITIONAL INSURED – OWNERS, LESSEES OR CONTRACTORS – COMPLETED OPERATIONS

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART
PRODUCTS/COMPLETED OPERATIONS LIABILITY COVERAGE PART

SCHEDULE

Name Of Additional Insured Person(s) Or Organization(s)	Location And Description Of Completed Operations
Any owner, lessee or contractor for whom you are performing operations when you and such owner, lessee or contractor have agreed in writing in a contract or agreement that such owner, lessee or contractor should be added as an additional insured on your policy.	Locations that are listed in the written contracts or agreements stated on the left side of this SCHEDULE.

Information required to complete this Schedule, if not shown above, will be shown in the Declarations.

A. Section II – Who Is An Insured is amended to include as an additional insured the person(s) or organization(s) shown in the Schedule, but only with respect to liability for "bodily injury" or "property damage" caused, in whole or in part, by "your work" at the location designated and described in the Schedule of this endorsement performed for that additional insured and included in the "products-completed operations hazard".

However:

1. The insurance afforded to such additional insured only applies to the extent permitted by law; and

2. If coverage provided to the additional insured is required by a contract or agreement, the insurance afforded to such additional insured will not be broader than that which you are required by the contract or agreement to provide for such additional insured.

B. With respect to the insurance afforded to these additional insureds, the following is added to **Section III – Limits Of Insurance:**

If coverage provided to the additional insured is required by a contract or agreement, the most we will pay on behalf of the additional insured is the amount of insurance:

1. Required by the contract or agreement; or
2. Available under the applicable Limits of Insurance shown in the Declarations;

whichever is less.

This endorsement shall not increase the applicable Limits of Insurance shown in the Declarations.

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

COMMERCIAL AUTOMOBILE BROAD FORM ENDORSEMENT

This endorsement modifies insurance provided under the following:

BUSINESS AUTO COVERAGE FORM

To the extent that the provisions of this endorsement provide broader benefits to the "insured" than other provisions of the Coverage Form, the provisions of this endorsement apply.

1. BROAD FORM INSURED

A. Subsidiaries and Newly Acquired or Formed Organizations

The Named Insured shown in the Declarations is amended to include:

- (1) Any legal business entity other than a partnership or joint venture, formed as a subsidiary in which you have an ownership interest of more than 50% on the effective date of the Coverage Form. However, the Named Insured does not include any subsidiary that is an "insured" under any other automobile policy or would be an "insured" under such a policy but for its termination or the exhaustion of its Limit of Insurance.
- (2) Any organization that is acquired or formed by you and over which you maintain majority ownership. However, the Named Insured does not include any newly formed or acquired organization:
 - (a) That is a partnership or joint venture,
 - (b) That is an "insured" under any other policy,
 - (c) That has exhausted its Limit of Insurance under any other policy, or
 - (d) 180 days or more after its acquisition or formation by you, unless you have given us notice of the acquisition or formation.

Coverage does not apply to "bodily injury" or "property damage" that results from an "accident" that occurred before you formed or acquired the organization.

B. Employees as Insureds

Paragraph A.1. - WHO IS AN INSURED - of SECTION II - LIABILITY COVERAGE is amended to add:

- d. Any "employee" of yours while using a covered "auto" you don't own, hire or borrow in your business or your personal affairs.

C. Lessors as Insureds

Paragraph A.1. - WHO IS AN INSURED - of Section II - Liability Coverage is amended to add:

- e. The lessor of a covered "auto" while the "auto" is leased to you under a written agreement if:
 - (1) The agreement requires you to provide direct primary insurance for the lessor and
 - (2) The "auto" is leased without a driver.

Such a leased "auto" will be considered a covered "auto" you own and not a covered "auto" you hire.

D. Additional Insured if Required by Contract

(1) Paragraph A.1. - WHO IS AN INSURED - of Section II - Liability Coverage is amended to add:

- f. When you have agreed, in a written contract or written agreement, that a person or organization be added as an additional insured on your business auto policy, such person or organization is an "insured", but only to the extent such person or organization is liable for "bodily injury" or "property damage" caused by the conduct of an "insured" under paragraphs a. or b. of Who Is An Insured with regard to the ownership, maintenance or use of a covered "auto."

The insurance afforded to any such additional insured applies only if the "bodily injury" or "property damage" occurs:

- (1) During the policy period, and
- (2) Subsequent to the execution of such written contract, and
- (3) Prior to the expiration of the period of time that the written contract requires such insurance be provided to the additional insured.

(2) How Limits Apply

If you have agreed in a written contract or written agreement that another person or organization be added as an additional insured on your policy, the most we will pay on behalf of such additional insured is the lesser of:

- (a) The limits of insurance specified in the written contract or written agreement; or
- (b) The Limits of Insurance shown in the Declarations.

Such amount shall be a part of and not in addition to Limits of Insurance shown in the Declarations and described in this Section.

(3) Additional Insureds Other Insurance

If we cover a claim or "suit" under this Coverage Part that may also be covered by other insurance available to an additional insured, such additional insured must submit such claim or "suit" to the other insurer for defense and indemnity.

However, this provision does not apply to the extent that you have agreed in a written contract or written agreement that this insurance is primary and non-contributory with the additional insured's own insurance.

(4) Duties in The Event Of Accident, Claim, Suit or Loss

If you have agreed in a written contract or written agreement that another person or organization be added as an additional insured on your policy, the additional insured shall be required to comply with the provisions in LOSS CONDITIONS 2. - DUTIES IN THE EVENT OF ACCIDENT, CLAIM , SUIT OR LOSS – OF SECTION IV – BUSINESS AUTO CONDITIONS, in the same manner as the Named Insured.

E. Primary and Non-Contributory if Required by Contract

Only with respect to insurance provided to an additional insured in 1.D. - Additional Insured If Required by Contract, the following provisions apply:

(3) Primary Insurance When Required By Contract

This insurance is primary if you have agreed in a written contract or written agreement that this insurance be primary. If other insurance is also primary, we will share with all that other insurance by the method described in Other Insurance 5.d.

(4) Primary And Non-Contributory To Other Insurance When Required By Contract

If you have agreed in a written contract or written agreement that this insurance is primary and non-contributory with the additional insured's own insurance, this insurance is primary and we will not seek contribution from that other insurance.

Paragraphs (3) and (4) do not apply to other insurance to which the additional insured has been added as an additional insured.

When this insurance is excess, we will have no duty to defend the insured against any "suit" if any other insurer has a duty to defend the insured against that "suit". If no other insurer defends, we will undertake to do so, but we will be entitled to the insured's rights against all those other insurers.

When this insurance is excess over other insurance, we will pay only our share of the amount of the loss, if any, that exceeds the sum of:

- (1) The total amount that all such other insurance would pay for the loss in the absence of this insurance; and
- (2) The total of all deductible and self-insured amounts under all that other insurance.

We will share the remaining loss, if any, by the method described in Other Insurance 5.d.

2. AUTOS RENTED BY EMPLOYEES

Any "auto" hired or rented by your "employee" on your behalf and at your direction will be considered an "auto" you hire.

The OTHER INSURANCE Condition is amended by adding the following:

If an "employee's" personal insurance also applies on an excess basis to a covered "auto" hired or rented by your "employee" on your behalf and at your direction, this insurance will be primary to the "employee's" personal insurance.

3. AMENDED FELLOW EMPLOYEE EXCLUSION

EXCLUSION 5. - FELLOW EMPLOYEE - of SECTION II - LIABILITY COVERAGE does not apply if you have workers' compensation insurance in-force covering all of your "employees".

Coverage is excess over any other collectible insurance.

4. HIRED AUTO PHYSICAL DAMAGE COVERAGE

If hired "autos" are covered "autos" for Liability Coverage and if Comprehensive, Specified Causes of Loss, or Collision coverages are provided under this Coverage Form for any "auto" you own, then the Physical Damage Coverages provided are extended to "autos" you hire or borrow, subject to the following limit.

The most we will pay for "loss" to any hired "auto" is:

- (1) \$100,000;
- (2) The actual cash value of the damaged or stolen property at the time of the "loss"; or
- (3) The cost of repairing or replacing the damaged or stolen property,

whichever is smallest, minus a deductible. The deductible will be equal to the largest deductible applicable to any owned "auto" for that coverage. No deductible applies to "loss" caused by fire or lightning. Hired Auto Physical Damage coverage is excess over any other collectible insurance. Subject to the above limit, deductible and excess provisions, we will provide coverage equal to the broadest coverage applicable to any covered "auto" you own.

We will also cover loss of use of the hired "auto" if it results from an "accident", you are legally liable and the lessor incurs an actual financial loss, subject to a maximum of \$1000 per "accident".

This extension of coverage does not apply to any "auto" you hire or borrow from any of your "employees", partners (if you are a partnership), members (if you are a limited liability company), or members of their households.

5. PHYSICAL DAMAGE - ADDITIONAL TEMPORARY TRANSPORTATION EXPENSE COVERAGE

Paragraph A.4.a. of SECTION III - PHYSICAL DAMAGE COVERAGE is amended to provide a limit of \$50 per day and a maximum limit of \$1,000.

6. LOAN/LEASE GAP COVERAGE

Under SECTION III - PHYSICAL DAMAGE COVERAGE, in the event of a total "loss" to a covered "auto", we will pay your additional legal obligation for any difference between the actual cash value of the "auto" at the time of the "loss" and the "outstanding balance" of the loan/lease.

"Outstanding balance" means the amount you owe on the loan/lease at the time of "loss" less any amounts representing taxes; overdue payments; penalties, interest or charges resulting from overdue payments; additional mileage charges; excess wear and tear charges; lease termination fees; security deposits not returned by the lessor; costs for extended warranties, credit life insurance, health, accident or disability insurance purchased with the loan or lease; and carry-over balances from previous loans or leases.

7. AIRBAG COVERAGE

Under Paragraph B. EXCLUSIONS - of SECTION III - PHYSICAL DAMAGE COVERAGE, the following is added:

The exclusion relating to mechanical breakdown does not apply to the accidental discharge of an airbag.

8. ELECTRONIC EQUIPMENT - BROADENED COVERAGE

a. The exceptions to Paragraphs B.4 - EXCLUSIONS - of SECTION III - PHYSICAL DAMAGE COVERAGE are replaced by the following:

Exclusions 4.c. and 4.d. do not apply to equipment designed to be operated solely by use of the power from the "auto's" electrical system that, at the time of "loss", is:

- (1) Permanently installed in or upon the covered "auto";
- (2) Removable from a housing unit which is permanently installed in or upon the covered "auto";
- (3) An integral part of the same unit housing any electronic equipment described in Paragraphs (1) and (2) above; or

- (4) Necessary for the normal operation of the covered "auto" or the monitoring of the covered "auto's" operating system.

b. Section III – Version CA 00 01 03 10 of the Business Auto Coverage Form, Physical Damage Coverage, Limit of Insurance, Paragraph C.2 and Version CA 00 01 10 01 of the Business Auto Coverage Form, Physical Damage Coverage, Limit of Insurance, Paragraph C are each amended to add the following:

\$1,500 is the most we will pay for "loss" in any one "accident" to all electronic equipment (other than equipment designed solely for the reproduction of sound, and accessories used with such equipment) that reproduces, receives or transmits audio, visual or data signals which, at the time of "loss", is:

- (1) Permanently installed in or upon the covered "auto" in a housing, opening or other location that is not normally used by the "auto" manufacturer for the installation of such equipment;
- (2) Removable from a permanently installed housing unit as described in Paragraph 2.a. above or is an integral part of that equipment; or
- (3) An integral part of such equipment.

c. For each covered "auto", should loss be limited to electronic equipment only, our obligation to pay for, repair, return or replace damaged or stolen electronic equipment will be reduced by the applicable deductible shown in the Declarations, or \$250, whichever deductible is less.

9. EXTRA EXPENSE - BROADENED COVERAGE

Under Paragraph A. - COVERAGE - of SECTION III - PHYSICAL DAMAGE COVERAGE, we will pay for the expense of returning a stolen covered "auto" to you.

10. GLASS REPAIR - WAIVER OF DEDUCTIBLE

Under Paragraph D. - DEDUCTIBLE - of SECTION III - PHYSICAL DAMAGE COVERAGE, the following is added:

No deductible applies to glass damage if the glass is repaired rather than replaced.

11. TWO OR MORE DEDUCTIBLES

Under Paragraph D. - DEDUCTIBLE - of SECTION III - PHYSICAL DAMAGE COVERAGE, the following is added:

If another Hartford Financial Services Group, Inc. company policy or coverage form that is not an automobile policy or coverage form applies to the same "accident", the following applies:

- (1) If the deductible under this Business Auto Coverage Form is the smaller (or smallest) deductible, it will be waived;
- (2) If the deductible under this Business Auto Coverage Form is not the smaller (or smallest) deductible, it will be reduced by the amount of the smaller (or smallest) deductible.

12. AMENDED DUTIES IN THE EVENT OF ACCIDENT, CLAIM, SUIT OR LOSS

The requirement in LOSS CONDITIONS 2.a. - DUTIES IN THE EVENT OF ACCIDENT, CLAIM, SUIT OR LOSS - of SECTION IV - BUSINESS AUTO CONDITIONS that you must notify us of an "accident" applies only when the "accident" is known to:

- (1) You, if you are an individual;
- (2) A partner, if you are a partnership;
- (3) A member, if you are a limited liability company; or
- (4) An executive officer or insurance manager, if you are a corporation.

13. UNINTENTIONAL FAILURE TO DISCLOSE HAZARDS

If you unintentionally fail to disclose any hazards existing at the inception date of your policy, we will not deny coverage under this Coverage Form because of such failure.

14. HIRED AUTO - COVERAGE TERRITORY

Paragraph e. of GENERAL CONDITIONS 7. - POLICY PERIOD, COVERAGE TERRITORY - of SECTION IV - BUSINESS AUTO CONDITIONS is replaced by the following:

e. For short-term hired "autos", the coverage territory with respect to Liability Coverage is anywhere in the world provided that if the "insured's" responsibility to pay damages for "bodily injury" or "property damage" is determined in a "suit," the "suit" is brought in the United States of America, the territories and possessions of the United States of America, Puerto Rico or Canada or in a settlement we agree to.

15. WAIVER OF SUBROGATION

TRANSFER OF RIGHTS OF RECOVERY AGAINST OTHERS TO US - of SECTION IV - BUSINESS AUTO CONDITIONS is amended by adding the following:

We waive any right of recovery we may have against any person or organization with whom you have a written contract that requires such waiver because of payments we make for damages under this Coverage Form.

16. RESULTANT MENTAL ANGUISH COVERAGE

The definition of "bodily injury" in SECTION V-DEFINITIONS is replaced by the following:

"Bodily injury" means bodily injury, sickness or disease sustained by any person, including mental anguish or death resulting from any of these.

17. EXTENDED CANCELLATION CONDITION

Paragraph 2. of the COMMON POLICY CONDITIONS - CANCELLATION - applies except as follows:

If we cancel for any reason other than nonpayment of premium, we will mail or deliver to the first Named Insured written notice of cancellation at least 60 days before the effective date of cancellation.

18. HYBRID, ELECTRIC, OR NATURAL GAS VEHICLE PAYMENT COVERAGE

In the event of a total loss to a "non-hybrid" auto for which Comprehensive, Specified Causes of Loss, or Collision coverages are provided under this Coverage Form, then such Physical Damage Coverages are amended as follows:

- a. If the auto is replaced with a "hybrid" auto or an auto powered solely by electricity or natural gas, we will pay an additional 10%, to a maximum of \$2,500, of the "non-hybrid" auto's actual cash value or replacement cost, whichever is less,
- b. The auto must be replaced and a copy of a bill of sale or new lease agreement received by us within 60 calendar days of the date of "loss,"

- c. Regardless of the number of autos deemed a total loss, the most we will pay under this Hybrid, Electric, or Natural Gas Vehicle Payment Coverage provision for any one "loss" is \$10,000.

For the purposes of the coverage provision,

- a. A "non-hybrid" auto is defined as an auto that uses only an internal combustion engine to move the auto but does not include autos powered solely by electricity or natural gas.
- b. A "hybrid" auto is defined as an auto with an internal combustion engine and one or more electric motors; and that uses the internal combustion engine and one or more electric motors to move the auto, or the internal combustion engine to charge one or more electric motors, which move the auto.

19. VEHICLE WRAP COVERAGE

In the event of a total loss to an "auto" for which Comprehensive, Specified Causes of Loss, or Collision coverages are provided under this Coverage Form, then such Physical Damage Coverages are amended to add the following:

In addition to the actual cash value of the "auto", we will pay up to \$1,000 for vinyl vehicle wraps which are displayed on the covered "auto" at the time of total loss. Regardless of the number of autos deemed a total loss, the most we will pay under this Vehicle Wrap Coverage provision for any one "loss" is \$5,000. For purposes of this coverage provision, signs or other graphics painted or magnetically affixed to the vehicle are not considered vehicle wraps.

RESOLUTION NO. 2019 –

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY
AUTHORIZING THE MAYOR TO EXECUTE A TWO YEAR AGREEMENT BETWEEN
THE CITY OF NATIONAL CITY AND BUREAU VERITAS FOR A NOT-TO-EXCEED
AMOUNT OF \$800,000 TO PROVIDE ON-CALL PLAN REVIEWS, PERMIT
PROCESSING, CONSTRUCTION INSPECTIONS, CODE ENFORCEMENT SERVICES
AND RELATED SERVICES FOR VARIOUS CITY DEPARTMENTS INCLUDING BUT
NOT LIMITED TO BUILDING, FIRE AND ENGINEERING**

WHEREAS, on May 1, 2019, the City issued a Request for Proposal (RFP) for On-Call Services to provide assistance with Permit Processing, Plan Reviews, Construction Inspections and Code Enforcement Services, and related services for various City Departments including but not limited to Building, Fire and Engineering; and

WHEREAS, the RFQ was e-mailed to over 100 professional consulting firms and also advertised on PlanetBids where over 400 firms were notified; and

WHEREAS, the City received Statement of Qualifications (SOQs) from various firms by the June 10, 2019 deadline and reviewed, taking into consideration, among other things, past performance history, knowledge of the environment, the type of services offered, and the cost to the City; and

WHEREAS, based on an interview, qualifications, and past performance, staff recommends executing a two-year Agreement (with the option to extend for two, one year extensions) with Bureau Veritas for a not-to-exceed amount of \$800,000 to provide On-Call Services to provide assistance with Permit Processing, Plan Reviews, Construction Inspections and Code Enforcement Services, and related services for various City Departments including but not limited to Building, Fire and Engineering.

NOW, THEREFORE, BE IT RESOLVED, that the City Council hereby authorizes the Mayor to execute a two-year Agreement (with the option to extend for two, one year extensions) with Bureau Veritas for a not-to-exceed amount of \$800,000 to provide On-Call Services to provide assistance with Permit Processing, Plan Reviews, Construction Inspections and Code Enforcement Services, and related services for various City Departments including but not limited to Building, Fire and Engineering. Said Agreement is on file in the Office of the City Clerk.

PASSED and ADOPTED this 17th day of December, 2019.

Alejandra Sotelo-Solis, Mayor

ATTEST:

Michael R. Dalla, City Clerk

APPROVED AS TO FORM:

Angil P. Morris Jones, City Attorney

The following page(s) contain the backup material for Agenda Item: [Resolution of the City Council of the City of National City extending the date on which residential rental fees or taxes due and payable to the City for the year 2020, therefore deferring delinquency by sixty-one days, to May 1, 2020, due to the impact of the temporary relocation of Department of Finance staff upon the provision of services and processing times of applications. \(Finance\)](#)

Please scroll down to view the backup material.

**CITY OF NATIONAL CITY, CALIFORNIA
COUNCIL AGENDA STATEMENT**

MEETING DATE: December 17, 2019

AGENDA ITEM NO.:

ITEM TITLE:

Resolution of the City Council of the City of National City extending the date on which residential rental fees or taxes due and payable to the City for the year 2020 are delinquent by sixty-one days, to May 1, 2020, due to the impact of the temporary relocation of Department of Finance staff upon the provision of services and processing times of applications.

PREPARED BY: Mark Roberts, Director of Finance

PHONE: 619-336-4330

DEPARTMENT: Finance

APPROVED BY: Mark Roberts

EXPLANATION:

See attached explanation.

FINANCIAL STATEMENT:

ACCOUNT NO.
NA

APPROVED: Mark Roberts **FINANCE**

APPROVED: _____ **MIS**

ENVIRONMENTAL REVIEW:

This is not a project and, therefore, not subject to environmental review.

ORDINANCE: INTRODUCTION FINAL ADOPTION

STAFF RECOMMENDATION:

Adopt the resolution, extending the date on which residential rental fees or taxes due and payable to the City for the year 2020 are delinquent by sixty-one days, to May 1, 2020.

BOARD / COMMISSION RECOMMENDATION:

ATTACHMENTS:

1. Explanation
2. Resolution

Attachment

Resolution of the City Council of the City of National City extending the date on which residential rental fees or taxes due and payable to the City for the year 2020 are delinquent by sixty-one days, to May 1, 2020, due to the impact of the relocation of Department of Finance staff upon the provision of services and processing times of applications.

December 17, 2019

Explanation

Section 6.04.290 of the National City Municipal Code states fees and taxes for owners renewing residential rental licenses “are due and payable on the first day of January of each year and are delinquent on the first day of March.” However, urgent maintenance is scheduled for the offices of the Department of Finance from Friday December 20, 2019 through March 23, 2020, which will require relocation of the entire staff of the Department of Finance, which processes the renewal applications, to various areas of City Hall and the Martin Luther King, Jr Building for the entire business tax license renewal period.

Due to the limited space and resources available to accommodate Finance staff and customers during the period, the relocation is expected to have a negative impact on the provision of services, including longer-than-normal in-person service wait times and application processing times. To avoid subjecting customers to longer-than-necessary wait and processing times, staff recommends extending the delinquency date for payment of the taxes for the year 2020 by sixty-one days, to May 1, 2020.

This item accompanies another item which recommends a thirty-one-day extension of the delinquency date for business taxes. Sixty-one days is being request for residential rental license fee and tax payments to “stagger” the dates.

RESOLUTION NO. 2019 -

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY ARE EXTENDING THE DATE ON WHICH RESIDENTIAL RENTAL FEES OR TAXES DUE AND PAYABLE TO THE CITY FOR THE YEAR 2020, THEREFORE DEFERRING DELINQUENCY BY SIXTY-ONE DAYS, TO MAY 1, 2020, DUE TO THE IMPACT OF THE RELOCATION OF THE OFFICES OF THE DEPARTMENT OF FINANCE STAFF UPON THE PROVISION OF SERVICES AND PROCESSING TIMES OF APPLICATIONS

WHEREAS, Section 6.04.290 of the National City Municipal Code states fees and taxes for owners renewing residential rental licenses are due and payable on the first day of January of each year and are delinquent on the first day of March; and

WHEREAS, urgent maintenance is scheduled for the offices of the Department of Finance from Friday, December 20, 2019 through March 23, 2020, which will require relocation of the entire staff of the Department of Finance, which processes the renewal applications, to various areas of City Hall and the Martin Luther King, Jr. Building for the entire business tax license renewal period; and

WHEREAS, due to the limited space and resources available to accommodate Finance staff and customers during the period, the relocation is expected to have a negative impact on the provision of services, including longer-than-normal in-person service wait times and application processing times; and

WHEREAS, to avoid subjecting customers to longer-than-necessary wait and processing times, staff recommends extending the delinquency date for payment of the taxes for the year 2020 by sixty-one days, to May 1, 2020.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of National City does hereby authorizes the extension of the date on which residential rental fees or taxes are due and payable to the City of National City for the year 2020, therefore deferring delinquency by sixty-one days, to May 1, 2020, due to the impact of the relocation of the Department of Finance staff upon the provision of services and processing times of applications.

PASSED and ADOPTED this 17th day of December, 2019.

Alejandra Sotelo-Solis, Mayor

ATTEST:

Michael R. Dalla, City Clerk

APPROVED AS TO FORM:

Angil P. Morris-Jones, City Attorney

The following page(s) contain the backup material for Agenda Item: [Resolution of the City Council of the City of National City extending the date on which business taxes due and payable to the City for the year 2020, therefore deferring delinquency by thirty-one days, to April 1, 2020, due to the impact of the temporary relocation of Department of Finance staff upon the provision of services and processing times of applications.](#)
[\(Finance\)](#)

Please scroll down to view the backup material.

**CITY OF NATIONAL CITY, CALIFORNIA
COUNCIL AGENDA STATEMENT**

MEETING DATE: December 17, 2019

AGENDA ITEM NO.:

ITEM TITLE:

Resolution of the City Council of the City of National City extending the date on which business taxes due and payable to the City for the year 2020 are delinquent by thirty-one days, to April 1, 2020, due to the impact of the temporary relocation of Department of Finance staff upon the provision of services and processing times of applications.

PREPARED BY: Mark Roberts, Director of Finance

DEPARTMENT: Finance

PHONE: 619-336-4330

APPROVED BY: Mark Roberts

EXPLANATION:

Section 6.04.290 of the National City Municipal Code states business taxes for businesses renewing business tax licenses “are due and payable on the first day of January of each year and are delinquent on the first day of March.” However, urgent maintenance is scheduled for the offices of the Department of Finance from Friday December 20, 2019 through March 23, 2020, which will require relocation of the entire staff of the Department of Finance, which processes the renewal applications, to various areas of City Hall and the Martin Luther King, Jr Building for the entire business tax license renewal period.

Due to the limited space and resources available to accommodate Finance staff and customers during the period, the relocation is expected to have a negative impact on the provision of services, including longer-than-normal in-person service wait times and application processing times, particularly given the quantity of business tax license renewal applications which will be submitted – approximately 3,300. To avoid subjecting customers to longer-than-necessary wait and processing times, staff recommends extending the delinquency date for payment of the taxes for the year 2020 by thirty-one days, to April 1, 2020.

FINANCIAL STATEMENT:

APPROVED: Mark Roberts **FINANCE**

ACCOUNT NO.
NA

APPROVED: _____ **MIS**

ENVIRONMENTAL REVIEW:

This is not a project and, therefore, not subject to environmental review.

ORDINANCE: INTRODUCTION FINAL ADOPTION

STAFF RECOMMENDATION:

Adopt the resolution, extending the date on which business taxes due and payable to the City for the year 2020 are delinquent by thirty-one days, to April 1, 2020.

BOARD / COMMISSION RECOMMENDATION:

ATTACHMENTS:

Resolution

RESOLUTION NO. 2019 -

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY
EXTENDING THE DATE ON WHICH BUSINESS TAXES ARE DUE AND PAYABLE
TO THE CITY FOR THE YEAR 2020, THEREFORE DEFERRING DELINQUENCY BY
THIRTY-ONE DAYS, TO APRIL 1, 2020, DUE TO THE IMPACT OF THE
RELOCATION OF THE OFFICES OF THE DEPARTMENT OF FINANCE STAFF
UPON THE PROVISION OF SERVICES AND PROCESSING TIMES OF
APPLICATIONS**

WHEREAS, Section 6.04.290 of the National City Municipal Code states business taxes for businesses renewing business tax licenses are due and payable on the first day of January of each year and are delinquent on the first day of March; and

WHEREAS, urgent maintenance is scheduled for the offices of the Department of Finance from Friday, December 20, 2019 through March 23, 2020, which will require relocation of the entire staff of the Department of Finance, which processes the renewal applications, to various areas of City Hall and the Martin Luther King, Jr. Building for the entire business tax license renewal period; and

WHEREAS, due to the limited space and resources available to accommodate Finance staff and customers during the period, the relocation is expected to have a negative impact on the provision of services, including longer-than-normal in-person service wait times and application processing times, particularly given the quantity of business tax license renewal applications which will be submitted which are approximately 3,300; and

WHEREAS, to avoid subjecting customers to longer-than-necessary wait and processing times, staff recommends extending the delinquency date for payment of the taxes for the year 2020 by thirty-one days, to April 1, 2020.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of National City does hereby authorize the extension of the date on which business taxes due and payable to the City of National City for the year 2020, therefore deferring delinquency by thirty-one days, to April 1, 2020, due to the impact of the relocation of the Department of Finance staff upon the provision of services and processing times of applications.

PASSED and ADOPTED this 17th day of December, 2019.

Alejandra Sotelo-Solis, Mayor

ATTEST:

Michael R. Dalla, City Clerk

APPROVED AS TO FORM:

Angil P. Morris-Jones, City Attorney

The following page(s) contain the backup material for Agenda Item: [Notice of Decision - Planning Commission approval of a Conditional Use Permit \(CUP\) for the on-site sale of distilled spirits, extension of operating hours, and addition of a bar at an existing restaurant \(Slappy's Burgers and Brews\) located at 1105 E. Plaza Blvd., Suite D. \(Applicant: Rafael Vasquez\) \(Case File No. 2019-28 CUP\) \(Planning\)](#)

Please scroll down to view the backup material.

**CITY OF NATIONAL CITY, CALIFORNIA
COUNCIL AGENDA STATEMENT**

MEETING DATE: | December 17, 2019 |

AGENDA ITEM NO. |

ITEM TITLE:

Notice of Decision – Planning Commission approval of a Conditional Use Permit (CUP) for the on-site sale of distilled spirits, extension of operating hours, and addition of a bar at an existing restaurant (Slappy’s Burgers and Brews) located at 1105 E. Plaza Blvd. Ste. ‘D’ (Applicant: Rafael Vasquez) (Case File No. 2019-28 CUP) |

PREPARED BY: Chris Stanley *C.S.*

DEPARTMENT: | Planning Division |

PHONE: | 619-336-4381 |

APPROVED BY: 

EXPLANATION:

The applicant is applying for a CUP for on-site sales of beer, wine, and distilled spirits at an existing 2,000 square-foot restaurant. The proposed hours of alcohol sales are from 7 a.m. to 11 a.m. Sunday through Thursday and 7 a.m. to 12 a.m. Friday and Saturday. A Type 47 (On Sale General – Public Premises) license is concurrently being processed with the California Department of Alcoholic Beverage Control.

The Planning Commission conducted a public hearing on December 2, 2019. Commissioners asked questions regarding business operations, conditions of approval, and hours of operation. The Commission voted to approve the CUP based on required findings and subject to Conditions of Approval.

The attached Planning Commission staff report describes the proposal in detail. |

FINANCIAL STATEMENT:

APPROVED: _____ **Finance**

ACCOUNT NO. |

APPROVED: _____ **MIS**

ENVIRONMENTAL REVIEW:

Not a project per the California Environmental Quality Act as defined in Section 15378.

ORDINANCE: | **INTRODUCTION:** | **FINAL ADOPTION:** |

STAFF RECOMMENDATION:

Staff concurs with the decision of the Planning Commission and recommends that the Notice of Decision be filed. |

BOARD / COMMISSION RECOMMENDATION:

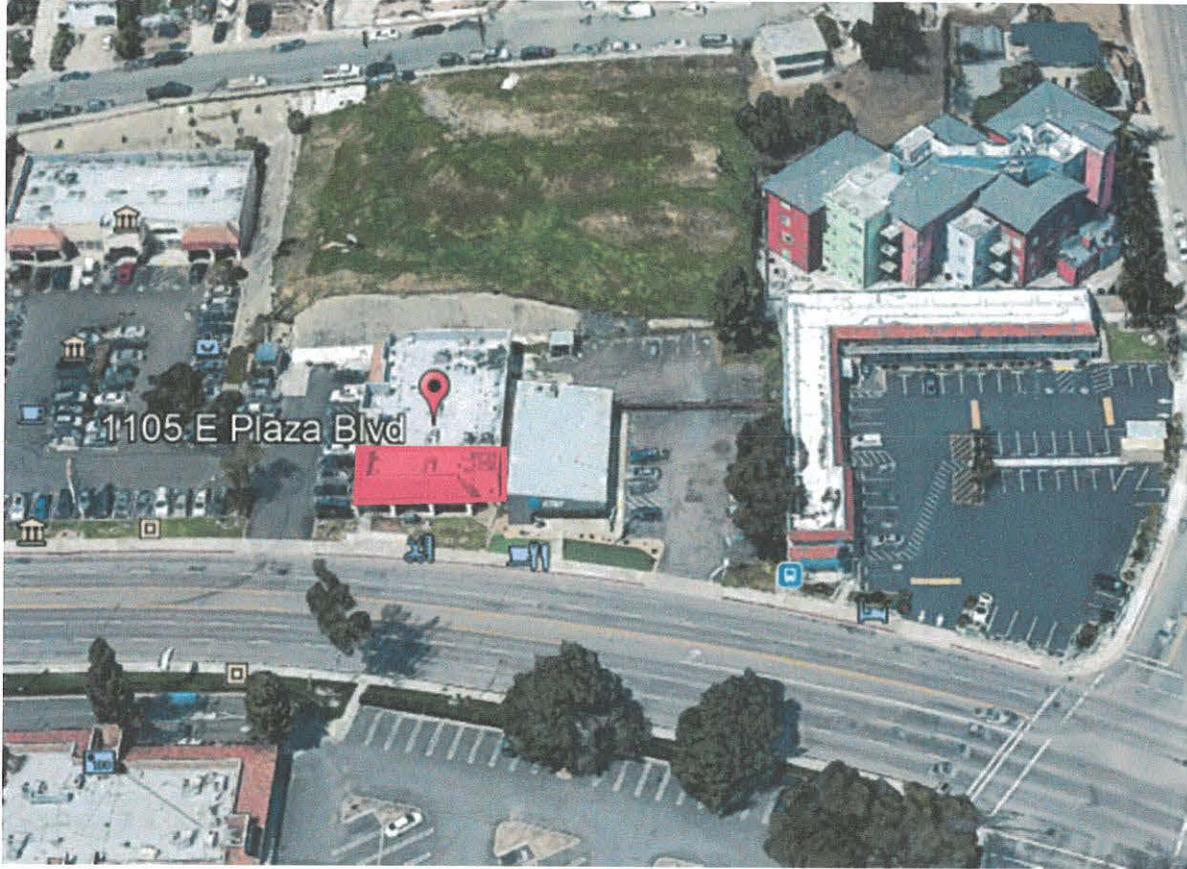
The Planning Commission approved the Conditional Use Permit.

Ayes: Natividad, Baca, Flores, Yamane, Garcia, Sendt Nays: DelaPaz |

ATTACHMENTS:

- | | |
|-------------------------------------|---------------------------|
| 1. Overhead | 3. Resolution No. 2019-23 |
| 2. Planning Commission Staff Report | 4. Reduced Plans |

2019-28 CUP - 1105 E. Plaza Blvd. Ste. 'D' - Overhead



ATTACHMENT 1



CITY OF NATIONAL CITY - PLANNING DIVISION
1243 NATIONAL CITY BLVD., NATIONAL CITY, CA 91950

PLANNING COMMISSION STAFF REPORT

Title: PUBLIC HEARING – CONDITIONAL USE PERMIT FOR THE ON-SITE SALE OF DISTILLED SPIRITS, EXTENSION OF OPERATING HOURS, AND ADDITION OF A BAR AT AN EXISTING RESTAURANT (SLAPPY’S BURGERS AND BREWS) LOCATED AT 1105 E. PLAZA BLVD. STE. ‘D’

Case File No.: 2019-28 CUP

Location: Plaza Village Center

Assessor’s Parcel Nos.: 556-590-63

Staff report by: Chris Stanley, Assistant Planner

Applicant: Rafael Vasquez

Zoning designation: MXD-2 (Major Mixed-Use District)

Adjacent use and zoning:

North: Commercial and Residential/ MXD-2 and MXC-2 (Major Mixed-Use Corridor)

East: Commercial / MXD-2

South: Commercial across Plaza Blvd. / MXD-2

West: Commercial and Central Elementary / MXD-2, MXC-2, and I (Institutional)

Environmental review: Not a project per California Environmental Quality Act (CEQA) as defined in Section 15378

Staff recommendation: Approve

Staff Recommendation

Staff recommends approval of the on-site sale of distilled spirits, extension of operating hours, and addition of a bar at an existing restaurant, Slappy's Burgers and Brews, subject to the attached recommended conditions. The sale of alcohol is conditionally-allowed in the Major Mixed-Use District zone and would be accessory to the restaurant.

Executive Summary

The business has applied for a Conditional Use Permit (CUP) to sell distilled spirits at an existing restaurant (Slappy's Burgers and Brews). The restaurant currently has a Type 41 (On Sale Beer & Wine) license, but would like to sell distilled spirits in addition to beer and wine, convert an existing counter into a bar, and extend the hours of alcohol sales. The current beer and wine sales hours are 11 a.m. to 10 p.m. daily. The hours for the sale of alcohol, as proposed by the applicant, are 7 a.m. to 11 p.m. Sunday through Thursday and 7 a.m. to 12 a.m. Friday and Saturday. A Type 47 (On Sale General - Eating Place) license is concurrently being processed with the California Department of Alcoholic Beverage Control (ABC).

Site Characteristics

The project location is an existing 2,000 square-foot restaurant located at 1105 East Plaza Blvd. Ste. 'D'. The development is located on the north side of Plaza Blvd. in the middle of the block between 'L' Ave. and 'J' Ave. Commercial uses exist to the east and west of the commercial development, as well as south across Plaza Blvd.; north of the property is residential and farther west is Central Elementary. The suite was previously a Chinese food restaurant (Panda Palace).

Proposed Use

The applicant is proposing to sell distilled spirits in addition to the current approved sale of beer and wine at the restaurant. The floor plan provided with this application shows 18 tables with 67 chairs and the proposed bar. Per City Council Policy 707, alcohol shall only be sold in conjunction with food. Proposed alcohol sales hours are from 7 a.m. to 11 p.m. Sunday through Thursday and 7 a.m. to 12 a.m. Friday and Saturday. The current CUP does not allow for a bar or counter from which beer and wine can be sold, therefore, these conditions need to be removed and/or modified. No live entertainment is proposed.

Analysis

Section 18.30.050 of the Land Use Code allows for on-site alcohol sales with an approved CUP. Additional requirements for alcohol CUPs include expanded notification, a community meeting, and distance requirements.

Mailing - All property owners and occupants within a distance of 660 feet are required to be notified of a public hearing for alcohol-related CUP applications. Notice of this public hearing was sent to 377 occupants and owners.

Community Meeting - Pursuant to Section 18.30.050 (C) of the National City Zoning Code, a community meeting was held Monday, October 28th, 2019 at 5:00 p.m. at the subject restaurant. The meeting advertisement is attached (Attachment 7); there were no attendees. The applicant stated that the same 377 occupants and owners that were notified of the Planning Commission meeting were notified of the community meeting.

Distance Requirements - Chapter 18.030.050 (D) of the National City Zoning Code requires a 660-foot distance from any public school; there are no schools within 660 feet of the site. In addition, restaurants with greater than 30% of their area devoted to seating are exempt from this distance requirement. The property in question has over 50% of its floor area devoted to seating.

Alcohol Sales Concentration/Location

Per ABC, there are currently 14 on-site sale licenses in this census tract (117) where a maximum of eight are recommended, meaning that the census tract is considered by ABC to be over-saturated with regard to alcohol sales outlets however, one of the 14 outlets is the subject business. For reference, the on-site alcohol outlets in the census tract are:

Name	Address	License Type*	CUP
American Legion Post 255	35 E. 18 th St.	52	-
Chuck E. Cheese's	1143 Highland Ave.	41	Y
Royal Mandarin	1132 E. Plaza Blvd. Ste. 205 & 206	41	Y
VFW Post 4630	1401 Highland Ave.	52	Y
Golden Chopsticks	1430 E. Plaza Blvd. E22- 23A	41	Y
Ginza Sushi	925 E. Plaza Blvd. Ste. 'G'	41	Y
Lai Thai	1430 E. Plaza Blvd. E10-11	47	Y
Café La Maze	1441 Highland Ave.	47	-

Grill House at Big Ben	106 E. 8 th St.	41	Y
Yi Sushi #2	1430 E. Plaza Blvd. Ste. E-7B	41	Y
Crab Fever	1420 E. Plaza Blvd. D2	41	Y
Karina's	1705 Highland Ave.	41	Y
Sushi Galbi	1519 Highland Ave.	41	Y
Slappy's Burgers and Brews	1105 E. Plaza Blvd.	41	Y

- * Type 41 - On-Sale of Beer and Wine
- * Type 47 - On-Sale of Beer, Wine, and Liquor
- * Type 52 – Veteran's Club

Census tract 117 includes the area between National City Boulevard and "N" Avenue, and between East 8th Street and East 18th Street. The attached census tract map shows the location of the subject tract (Attachment 6).

Hours of Operation

There is an existing CUP for the property, which allows for the sale of beer and wine between the hours of 11 a.m. and 10 p.m. daily; the owner would like to extend the hours so that alcohol can be served from 7 a.m. to 11 p.m. Sunday through Thursday and 7 a.m. to 12 a.m. Friday and Saturday. The Institute for Public Strategies (IPS) usually recommends that the serving of alcohol not be permitted after 10:00 p.m. The Police Department rates the sale of alcohol after 11:00 p.m. as a "three" on their rating system, which usually indicates a high risk.

Institute for Public Strategies

IPS provided no comments for the proposed project, although they usually recommend that owners, management, and staff be required to attend Responsible Beverage Sales and Service (RBSS) training as well as the sale of alcohol ceasing by 10 p.m. The RBSS training is a standard condition of City Council Policy 707 and is included as a condition of approval.

Police Department (PD)

The ABC Risk Assessment provided by PD allocated a total of 15 points, which places it in the Medium Risk category. Medium risk is considered 13 to 18 points (see Attachment 9).

Findings for Approval

The Municipal Code contains six required findings for CUPs as follows:

1. The proposed use is allowable within the applicable zoning district pursuant to a Conditional Use Permit and complies with all other applicable provisions of the Land Use Code.

The use is allowable within the Major Mixed-Use District zone pursuant to a CUP, and the proposed use meets the required guidelines in the Land Use Code for alcohol sales, as discussed in the staff report.

2. The proposed use is consistent with the General Plan and any applicable specific plan.

Alcohol sales are permitted, subject to a CUP, by the Land Use Code, which is consistent with the General Plan. A restaurant use is consistent with the Major Mixed-Use District land use designation contained in the Land Use and Community Character element of the General Plan. In addition, the property is not within a specific plan area.

3. The design, location, size, and operating characteristics of the proposed activity would be compatible with the existing and future land uses in the vicinity.

The building is existing and not proposed to be expanded. The proposal involves an accessory use for an existing suite. Potential development in this zone (MXD-2) was analyzed for traffic impacts during the most recent Land Use Update. Because the sale of distilled spirits would be accessory to the sale of food, no measurable increase in traffic is expected.

4. The site is physically suitable for the type, density, and intensity of use being proposed, including access, utilities, and the absence of physical constraints.

The proposed sale of distilled spirits would be accessory to an existing restaurant use where no expansion of the premises is proposed. The addition of distilled spirits sales is not expected to increase the demand for parking on the property.

5. Granting the permit would not constitute a nuisance or be injurious or detrimental to the public interest, health, safety, convenience, or welfare, or materially injurious to persons, property, or improvements in the vicinity and zone in which the property is located.

The proposed use will be subject to conditions that limit the sale of alcohol as well as the hours that it will be available; no alcohol will be sold after 12 a.m. and will only be available with the sale of food. In addition, all business staff is required to receive RBSS training.

6. The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA).

Per Section 15378, the project is not considered a project under CEQA, as no development is proposed. In addition, the proposed use is similar to other commercial uses in the area, which are permitted by right in the mixed-use zones. Given that there is no calculable increase in traffic and no other impacts are anticipated, staff is of the opinion that the project would not result in any physical changes to the environment.

The following two conditions are also included with alcohol CUPs:

7. The proposed use is deemed essential and desirable to the public convenience or necessity.

In this case, the sale of distilled spirits would contribute to the viability of the restaurant, an allowed use in the Major Mixed-Use District zone.

8. Based on findings 1 through 7 above, public convenience and necessity will be served by a proposed use of the property for the on-site sale of alcoholic beverages pursuant to law.

Findings for Denial

Due to there being other on-sale sites in the area, there are also findings for denial as follows:

1. The proposed use is not deemed essential to the public necessity, as the restaurant already has a CUP to serve beer and wine.
2. Based on the above finding, public convenience and necessity will not be served by a proposed use of the property for the retail sale of alcoholic beverages pursuant to law.

Conditions of Approval

Standard Conditions of Approval have been included with this permit, as well as conditions specific to on-sale alcohol sales per City Council Policy 707 (alcohol incidental to food, hours of operation, RBSS training, etc.).

Summary

The proposed use is consistent with the General Plan due to alcohol sales for on-site consumption being a conditionally-allowed use in the Major Mixed-Use District zone. The proposed use would be accessory to the existing restaurant use in a commercial area. The addition of distilled spirits sales is not expected to increase the demand for parking, other services on the property, or have any significant effects on the area. Although the census tract in which the restaurant is located is over-concentrated with regard to on-sale alcohol licenses, alcohol will only be available with the sale of food. The proposed use may not be considered essential and desirable to the public convenience and necessity because the restaurant already has a CUP for the on-site sale of beer and wine.

Options

1. Approve 2019-28 CUP subject to the conditions listed within, based on the attached findings, or findings to be determined by the Planning Commission; or
2. Deny 2019-28 CUP based on the attached finding or findings to be determined by the Planning Commission; or,
3. Continue the item to a specific date in order to obtain additional information.

Attachments

1. Recommended Findings
2. Recommended Conditions of Approval
3. Overhead
4. Applicant's Plans (Exhibit A, Case File No. 2019-28 CUP, dated 10/9/2019)
5. Public Hearing Notice (Sent to 377 property owners & occupants)
6. Census Tract & Police Beat Maps
7. Community Meeting Advertisement
8. City Council Policy 707
9. Police Department Comments
10. Resolutions



CHRIS STANLEY
Assistant Planner



ARMANDO VERGARA
Director of Community Development

RECOMMENDED FINDINGS FOR APPROVAL

2019-28 CUP – 1105 E. Plaza Blvd. Ste. 'D'

1. The proposed use is allowable within the applicable zoning district pursuant to a Conditional Use Permit and complies with all other applicable provisions of the Land Use Code, because the use is allowable within the Major Mixed-Use District zone pursuant to a CUP, and the proposed use meets the required guidelines in the Land Use Code for alcohol sales, as discussed in the staff report.
2. The proposed use is consistent with the General Plan and any applicable specific plan because alcohol sales are permitted, subject to a Conditional Use Permit, by the Land Use Code, which is consistent with the General Plan. A restaurant use is consistent with the Major Mixed-Use District land use designation contained in the Land Use and Community Character element of the General Plan. In addition, the property is not within a specific plan area.
3. The design, location, size, and operating characteristics of the proposed activity would be compatible with the existing and future land uses in the vicinity, because the building is existing and not proposed to be expanded. The proposal involves an accessory use for an existing suite. Potential development in this zone (MXD-2) was analyzed for traffic impacts during the most recent Land Use Update. Because the sale of alcohol would be accessory to the sale of food, no measurable increase in traffic is expected.
4. The site is physically suitable for the type, density, and intensity of the use being proposed, including access, utilities, and the absence of physical constraints because the proposed alcohol sales would be accessory to an existing restaurant use where no expansion of the premises is proposed. The addition of alcohol sales is not expected to increase the demand for parking on the property.
5. Granting the permit would not constitute a nuisance, be injurious, or detrimental to the public interest, health, safety, convenience, or welfare, or materially injurious to persons, property, or improvements in the vicinity and zone in which the property is located because the proposed use will be subject to conditions that limit the sale of alcohol as well as the hours that it will be available; no alcohol will be sold after 12 a.m. and will only be available with the sale of food. In addition, all business staff is required to receive RBSS training.
6. The proposed project has been reviewed in compliance with the California Environmental Quality Act because per Section 15378, the project is not

considered a project under CEQA, as no development is proposed. In addition, the proposed use is similar to other commercial uses in the area, which are permitted by right in the mixed-use zones. Given that there is no calculable increase in traffic and no other impacts are anticipated, staff is of the opinion that the project would not result in any physical changes to the environment.

7. The proposed use is deemed essential and desirable to the public convenience or necessity because alcohol sales would contribute to the viability of the restaurant, an allowed use in the Major Mixed-Use District zone.
8. Based on findings 1 through 7 above, public convenience and necessity will be served by a proposed use of the property for the on-site sale of alcoholic beverages pursuant to law.

RECOMMENDED FINDINGS FOR DENIAL
2019-28 CUP – 1105 E. Plaza Blvd. Ste. 'D'

1. The proposed use is not deemed essential to the public necessity, as the restaurant already has a CUP to serve beer and wine.
2. Based on the above finding, public convenience and necessity will not be served by a proposed use of the property for the retail sale of alcoholic beverages pursuant to law.

RECOMMENDED CONDITIONS OF APPROVAL

2019-28 CUP – 1105 E. Plaza Blvd. Ste. 'D'

General

1. This Conditional Use Permit authorizes the sale of distilled spirits for on-site consumption, the extension of alcohol sales hours, and addition of a bar at an existing restaurant located at 1105 E. Plaza Blvd. Ste. 'D'. Unless specifically modified by this resolution, all conditions contained in Planning Commission Resolution No. 18-88 shall still apply. Plans submitted for permits associated with this project shall conform to Exhibit A, Case File No. 2019-28 CUP, dated 10/9/2019.
2. Before this *Conditional Use Permit* shall become effective, the applicant and the property owner shall both sign and have notarized an Acceptance Form, provided by the Planning Division, acknowledging and accepting all conditions imposed upon the approval of this permit. Failure to return the signed and notarized Acceptance Form within 30 days of its receipt shall automatically terminate the *Conditional Use Permit*. The applicant shall also submit evidence to the satisfaction of the Planning Division that a Notice of Restriction on Real Property is recorded with the County Recorder. The applicant shall pay necessary recording fees to the County. The Notice of Restriction shall provide information that conditions imposed by approval of the *Conditional Use Permit* are binding on all present or future interest holders or estate holders of the property. The Notice of Restriction shall be approved as to form by the City Attorney and signed by the Director of Community Development prior to recordation.
3. This permit shall become null and void if not exercised within one year after adoption of the resolution of approval unless extended according to procedures specified in the Municipal Code.
4. This permit shall expire if the use authorized by this resolution is discontinued for a period of 12 months or longer. This permit may also be revoked, pursuant to provisions of the Land Use Code, if discontinued for any lesser period of time.
5. This *Conditional Use Permit* may be revoked if the operator is found to be in violation of any Conditions of Approval.

Planning

6. All sellers of alcohol under this Conditional Use Permit shall receive Responsible Beverage Service and Sales (RBSS) training, including all owners, and managers. The RBSS training must be certified by the Department of Alcoholic Beverage Control (ABC). Proof of completion of an approved RBSS program must be provided prior to issuance of a city business license. As part of the RBSS training, the permittee shall

make available a domestic violence training session as provided by the Institute of Public Strategies.

7. The sale of alcoholic beverages shall be permitted only between the hours of 7 a.m. to 11 p.m. Sunday through Thursday and 7 a.m. to 12 a.m. Friday and Saturday.
8. The sale of alcohol shall not exceed the sale of food. With the annual renewal of the City business license, the business proprietor shall submit a statement clearly indicating total alcoholic beverage sales and total food sales. Said statement shall be subject to audit and verification by employees of the City, who are authorized to examine, audit and inspect such books and records of the license, as may be necessary in their judgment to verify that the sale of alcohol does not exceed the sale of food. All information obtained by an investigation of records shall remain confidential.
9. Alcohol shall be available only in conjunction with the purchase of food.
10. No live entertainment is permitted without modification of this CUP or issuance of a Temporary Use Permit.



CITY OF NATIONAL CITY - PLANNING DIVISION
1243 NATIONAL CITY BLVD., NATIONAL CITY, CA 91950

NOTICE OF PUBLIC HEARING
CONDITIONAL USE PERMIT FOR THE ON-SITE SALE OF DISTILLED SPIRITS,
EXTENSION OF OPERATING HOURS, AND ADDITION OF A BAR
AT AN EXISTING RESTAURANT (SLAPPY'S BURGERS AND BREWS)
LOCATED AT 1105 E. PLAZA BLVD. STE. 'D'
CASE FILE NO.: 2019-28 CUP
APN: 556-590-63

The National City Planning Commission will hold a public hearing after the hour of 6:00 p.m. **Monday, December 2, 2019**, in the City Council Chambers, Civic Center, 1243 National City Boulevard, National City, California, on the proposed request. (Applicant: Rafael Vasquez)

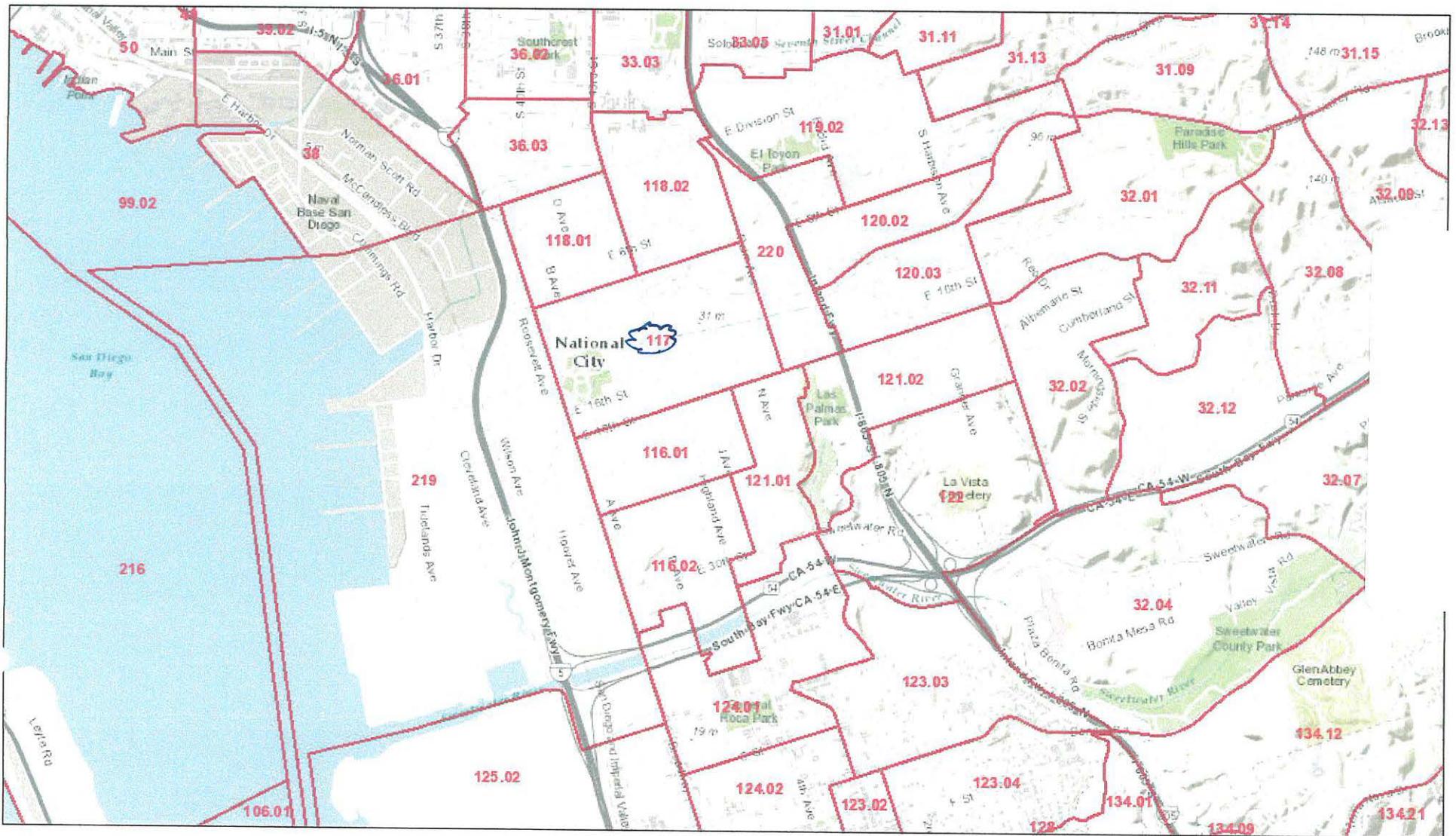
The project site is an existing 2,000 square-foot restaurant in the Major Mixed-Use District (MXD-2) zone. The business is currently licensed for beer and wine sales, but is requesting to include distilled spirits for on-site consumption (ABC Type 47 License). The applicant is also requesting the removal of a condition of the original license prohibiting a bar and modifying the previously-approved operating hours. The proposed business operation hours are 7 a.m. to 11 p.m. Sunday through Thursday and 7 a.m. to 12 a.m. Friday and Saturday.

Information is available for review at the City's Planning Division, Civic Center. Members of the public are invited to comment. Written comments should be received on or before 12:00 p.m., **December 2, 2019** by the Planning Division, who can be contacted at 619-336-4310 or planning@nationalcityca.gov.

If you challenge the nature of the proposed action in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to, the public hearing.

NATIONAL CITY PLANNING DIVISION

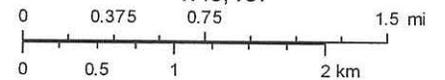
ARMANDO VERGARA
Director of Community Development



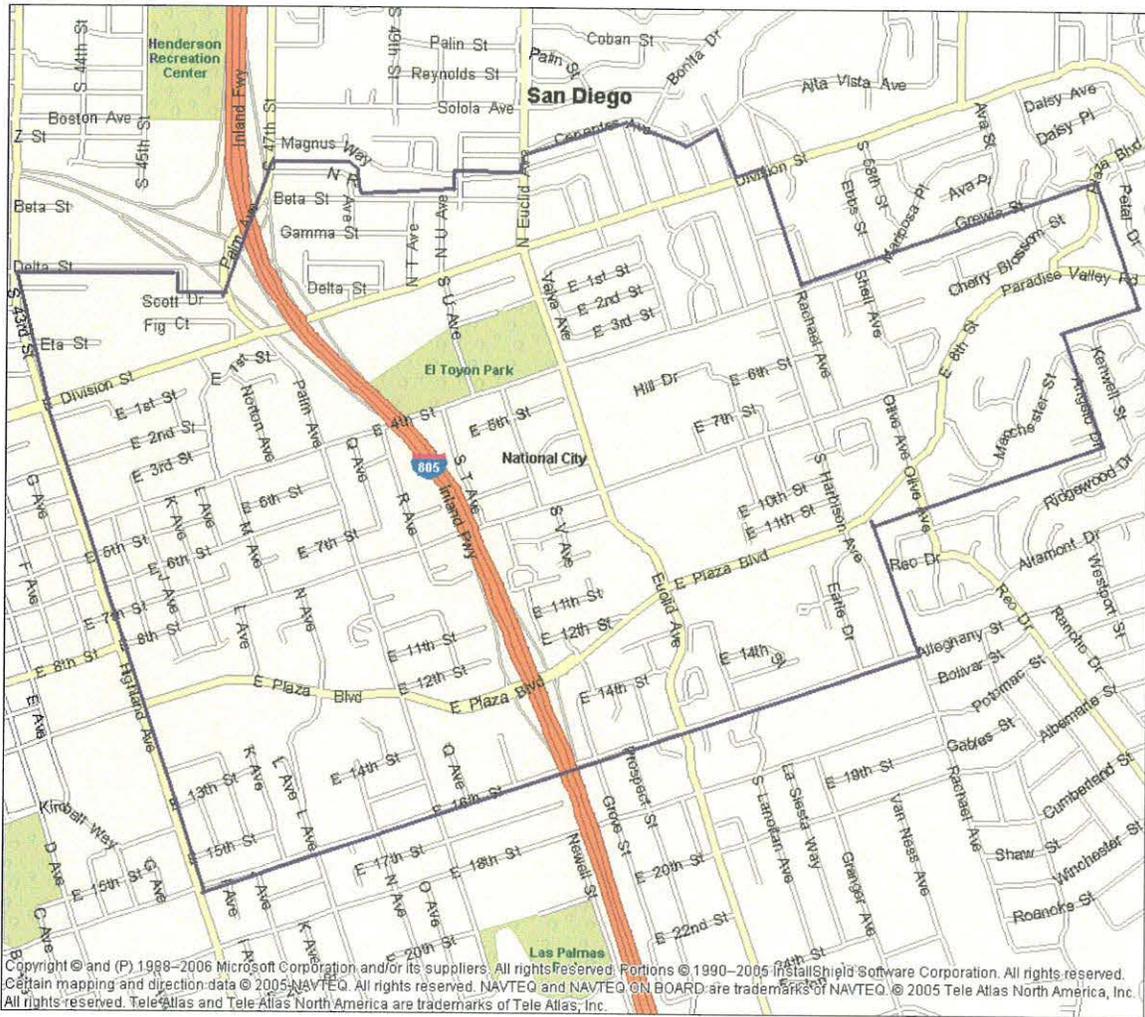
August 25, 2014

Census Tracts 2010

1:45,467



Sources: Esri, HERE, DeLorme, TomTom, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), swisstopo, MapmyIndia, © OpenStreetMap contributors, and the GIS User Community



City of National City Beat 21

Source: Microsoft Mappoint
NCPD CAU, 4/18/07

Rawlings Consulting
PO Box 96
Murrieta, CA 92562



You are invited to attend a:
COMMUNITY MEETING

Date: October 28th, 2019

Time: 5:00 p.m.

Meeting Address: 1105 E. Plaza Blvd., Suite D, National City, CA

This meeting is to inform citizens of a use permit application that has been filed for the service of beer, wine and distilled spirits as well as later hours at Slappy's Burgers and Brews located at 1105 E. Plaza Blvd., Suite D, National City, CA.

We are looking forward to meeting you and discussing any concerns or questions you may have regarding this proposed restaurant operations. If you can't attend the meeting, or if you have any questions before then, please feel free to contact Steve Rawlings, the Applicant's representative at 951-667-5152 or via email at SER@Rawlingspm.com.

This notice is being sent to you in fulfillment of the City of National City requirements. This outreach effort to our neighbors is necessary because an application for development or use has been filed with the City of National City Planning Department.

CITY COUNCIL POLICY

TITLE: Alcohol Beverage License Application Review Process
and Alcohol Conditional Use Permit Standards

POLICY
NUMBER 707

ADOPTED: November 12, 1991

AMENDED OR
REVISED: July 17, 2018

Page 1 of 5

PURPOSE/BACKGROUND:

To streamline the process of alcohol license application review to ensure timely staff responses and/or protests to the Department of Alcoholic Beverage Control regarding these applications.

The City Municipal Code requires Conditional Use Permits for the sale of alcohol. Such land use regulation is designed to ensure that the health, safety and welfare of the community does not become negatively impacted. In order to minimize any potential adverse effects of alcohol sales for both on and off-site consumption, including public drunkenness, disorderly conduct, illegal sales or domestic violence, the City adopts conditions of approvals and enact policies designed to protect the public from such effects. The following sets forth the City Council's policy on the applicable alcohol standards for Conditional Use Permit applications for both on and off-sale alcohol sales, as well as the Department of Alcoholic Beverage Control application notification requirements.

POLICY:

The Department of Alcoholic Beverage Control (ABC) sends copies of all alcoholic beverage license applications to the Police Department. The City has thirty days from the date of the ABC mailing to provide comments to the ABC. If no protests are received within that time period, the ABC issues the license.

The Police Department is responsible for ensuring that an appropriate Conditional Use Permit (CUP) exists for the applicant business. If such a CUP exists, the copy of the application is simply filed by the Police Department in the existing file with the notation that there were no objections to the issuance of the license. If it is a new (in the case of an "original" license application) or expanding business or one seeking a license to effect a premises transfer, and no CUP exists, the Police Department is responsible for sending a letter to the ABC protesting the issuance of the license until a CUP is issued by the City.

Whenever such a protest letter is sent to the ABC, that agency notifies the applicant that they must begin the process of obtaining a CUP with the City's Planning Division and that the issuance of the alcoholic beverage license will be delayed until such time as the protest is withdrawn.

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Once a CUP has been issued, the Planning Division notifies the Police Department of that issuance and it is then the responsibility of the Police Department to notify the ABC that the protest is withdrawn.

The CUP application, approval and issuance process is such that it provides all the checks, balances and controls necessary to ensure that businesses seeking alcoholic beverage licenses are in compliance with local standards.

These conditions of approval shall apply to all new Conditional Use Permits (CUPs) for the sale of alcohol for on and/or off-site consumption and modifications of existing CUPs for such sales as specified by the preceding parenthetical references with each condition. These references specify to which type of alcohol CUP being applied for the conditions would apply to – on-sale (restaurant, bar, etc) or off-sale (market, grocery store, etc). Regulation of these conditions and allowances shall be enforced through the Conditional Use Permit process, specifically conditions of approval to read as follows:

1. **(off-sale alcohol)** The sale of beer or malt beverages in quantities of quarts, 22 ounce, 32 ounce, 40 ounce, or similar size containers is prohibited.
2. **(off-sale alcohol)** No beer products shall be sold of less than manufacturer's pre-packaged three-pack quantities of 24 ounce cans per sale. There shall be no sale of single cans or bottles.
3. **(off-sale alcohol)** No sale of wine shall be sold in containers of less than 750 milliliters. The sale of wine with an alcoholic content greater than 15% by volume is prohibited.
4. **(off-sale alcohol)** Flavored malt beverages, also known as premium malt beverages and flavored malt coolers, and sometimes commonly referred to as wine coolers, may be sold only by four-pack or other manufacturer's pre-packaged multi-unit quantities.
5. **(off-sale alcohol)** The consumption of alcoholic beverages is prohibited on the subject premises, and on all parking lots and outbuildings and any property or adjacent property under the control of the applicant.
6. **(off-sale alcohol)** All cups and containers shall be sold at or above prevailing prices and in their original multi-container packages of no fewer than 12, and no cups and containers shall be given free of charge.

CITY COUNCIL POLICY

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ADOPTED: November 12, 1991

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REVISED: July 17, 2018

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7. **(off-sale alcohol)** Ice may be sold only at or about prevailing prices in the area and in quantities of not less than three pounds per sale. Ice shall not be provided free of charge.
8. **(off-sale alcohol)** The display of alcoholic beverages shall be limited to an area in substantial conformance with Exhibit ____, Case File No. ____, dated ____.
9. **(off-sale alcohol)** Permittee shall post signs on the exterior building walls in compliance with Chapter 10.30.070 of the National City Municipal Code. Additionally, the permittee shall post signs, to be approved by the Planning Division, at each entrance to the applicant's premises and parking lot, prohibiting loitering and consumption of alcohol on the premises and adjacent property under his control. Said signs shall not be less than 17 by 22 inches in size, with lettering not less than one inch in height. The signs shall read as follows:
 - a. "No open alcoholic beverage containers are allowed on these premises."
 - b. "No loitering is allowed."
10. **(off-sale alcohol)** Containers of alcohol may not be stored on the premises, after being sold to patrons, for the purpose of later consumption.
11. **(off-sale alcohol)** Exterior advertising and signs of all types, promoting or indicating the availability of alcoholic beverages, including advertising/signs directed to the exterior from within, are prohibited. Interior displays of alcoholic beverages and signs, which are clearly visible to the exterior, shall constitute a violation of this condition.
12. **(off-sale alcohol)** The quarterly gross sales of alcoholic beverages shall not exceed the gross sales of all other commodities during the same period. The applicant shall at all times keep records which reflect separately the gross sales of alcoholic beverages and the gross sales of all other items. Said records shall be kept no less frequently than on a quarterly basis and shall be made available to the City Finance Department and any Peace Officer of the California Department of Alcoholic Beverage Control upon demand.
13. **(on and off-sale alcohol)** All sellers and servers of alcohol shall receive Responsible Beverage Service and Sales (RBSS) training, including all owners, and managers. The RBSS training must be certified by the Department of Alcoholic Beverage Control (ABC). Proof of completion of an approved RBSS program must be provided prior to issuance of a city business license. As part -

CITY COUNCIL POLICY

TITLE: Alcohol Beverage License Application Review Process
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ADOPTED: November 12, 1991

AMENDED OR
REVISED: July 17, 2018

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- of the RBSS training, the permittee shall make available a domestic violence training session as provided by the Institute of Public Strategies.

14. **(on-sale alcohol)** The sale of alcohol shall not exceed the sale of food. With the annual renewal of the City business license, the business proprietor shall submit a statement clearly indicating total alcoholic beverage sales and total food sales. Said statement shall be subject to audit and verification by employees of the City, who are authorized to examine, audit and inspect such books and records of the license, as may be necessary in their judgment to verify that the sale of alcohol does not exceed the sale of food. All information obtained by an investigation of records shall remain confidential.
15. **(on-sale alcohol)** Alcohol shall be available only in conjunction with the purchase of food.
16. **(on-sale alcohol with patio)** Permittee shall post signs in the patio dining area, including all exits to outdoor seating areas, indicating that alcoholic beverages must be consumed inside the restaurant or patio area and may not be taken off-premises.
17. **(tasting rooms)** The requirements that alcohol be available only with the purchase of food and that alcohol sales not exceed food sales shall not apply to tasting rooms.
18. **(tasting rooms)** Sales of sealed bottles or containers (commonly known as growlers) for off-site consumption of the product manufactured by the master licensee may be sold and/or consumed at this location.
19. **(tasting rooms)** Hours of operation of tasting rooms shall be limited to between 10:00 a.m. to 10:00 p.m. with last call being at 9:00 p.m.
20. **(tasting rooms)** With the submittal of a business license for a tasting room, the Police Department shall provide an ABC Risk Assessment for each business applicant that indicates whether the business is considered a low, medium, or high risk. In the event that a risk assessment for the business allocates or more than 15 points, no business license shall be issued without the issuance of a Conditional Use Permit.

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The sale of three-packs of 24-oz cans of beer shall apply retroactively to all existing off-sale CUPs where a condition exists limiting sales to no less than six-pack quantities. However, business wishing to avail themselves of this modification must conform with all regulations of the Department of Alcoholic Beverage Control (ABC).

The Council may, at its sole discretion, choose to waive or modify any of the above conditions.

VI. Calls for Service at Location (for previous 6 months)

- Below (1 pt)
- Average (2 pts)
- ✓ Above (3 pts)

VII. Proximity Assessment (1/4 mile radius of location)

- Mostly commercial businesses (1 pt)
- ✓ Some businesses, some residential (2 pts)
- Mostly residential (3 pts)

Low Risk (12pts or less) Medium Risk (13 – 18pts) High Risk (19 – 24pts) Total Points <u>15</u>
--

VIII. Owner(s) records check

- ✓ No criminal incidents (0 pts)
- Minor criminal incidents (2 pts)
- Multiple/Major criminal incidents (3 pts)

OWNER NAME: _____ DOB: _____

OWNER ADDRESS: _____

OWNER NAME: _____ DOB: _____

OWNER ADDRESS: _____

Recommendation:

Completed by: W.Walters Badge ID: 398

RESOLUTION NO. 2019-23

A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF NATIONAL CITY, CALIFORNIA
APPROVING A CONDITIONAL USE PERMIT FOR ON-SITE SALE OF DISTILLED
SPIRITS, EXTENSION OF OPERATING HOURS, AND ADDITION OF A BAR AT
AN EXISTING RESTAURANT LOCATED AT
1105 EAST PLAZA BOULEVARD SUITE 'D'
CASE FILE NO. 2019-28 CUP
APN: 556-590-63

WHEREAS, the Planning Commission of the City of National City considered a Conditional Use Permit for the on-site sale of distilled spirits, the extension of alcohol sales hours, and addition of a bar at an existing restaurant for a property located at 1105 East plaza Boulevard Ste. 'D' at a duly advertised public hearing held on December 2, 2019, at which time oral and documentary evidence was presented; and,

WHEREAS, at said public hearings the Planning Commission considered the staff report contained in Case File No. 2019-28 CUP maintained by the City and incorporated herein by reference along with evidence and testimony at said hearing; and,

WHEREAS, this action is taken pursuant to all applicable procedures required by State law and City law.

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of National City, California, that the testimony and evidence presented to the Planning Commission at the public hearing held on December 2, 2019, support the following findings:

1. The proposed use is allowable within the applicable zoning district pursuant to a Conditional Use Permit and complies with all other applicable provisions of the Land Use Code, because the use is allowable within the Major Mixed-Use District zone pursuant to a CUP, and the proposed use meets the required guidelines in the Land Use Code for alcohol sales, as discussed in the staff report.
2. The proposed use is consistent with the General Plan and any applicable specific plan because alcohol sales are permitted, subject to a Conditional Use Permit, by the Land Use Code, which is consistent with the General Plan. A restaurant use is consistent with the Major Mixed-Use District land use

designation contained in the Land Use and Community Character element of the General Plan. In addition, the property is not within a specific plan area.

3. The design, location, size, and operating characteristics of the proposed activity would be compatible with the existing and future land uses in the vicinity, because the building is existing and not proposed to be expanded. The proposal involves an accessory use for an existing suite. Potential development in this zone (MXD-2) was analyzed for traffic impacts during the most recent Land Use Update. Because the sale of distilled spirits would be accessory to the sale of food, no measurable increase in traffic is expected.
4. The site is physically suitable for the type, density, and intensity of the use being proposed, including access, utilities, and the absence of physical constraints because the proposed sale of distilled spirits would be accessory to an existing restaurant use where no expansion of the premises is proposed. The addition of distilled spirits sales is not expected to increase the demand for parking on the property.
5. Granting the permit would not constitute a nuisance, be injurious, or detrimental to the public interest, health, safety, convenience, or welfare, or materially injurious to persons, property, or improvements in the vicinity and zone in which the property is located because the proposed use will be subject to conditions that limit the sale of alcohol as well as the hours that it will be available; no alcohol will be sold after 12 a.m. and will only be available with the sale of food. In addition, all business staff is required to receive RBSS training.
6. The proposed project has been reviewed in compliance with the California Environmental Quality Act because per Section 15378, the project is not considered a project under CEQA, as no development is proposed. In addition, the proposed use is similar to other commercial uses in the area, which are permitted by right in the mixed-use zones. Given that there is no calculable increase in traffic and no other impacts are anticipated, staff is of the opinion that the project would not result in any physical changes to the environment.
7. The proposed use is deemed essential and desirable to the public convenience or necessity because the sale of distilled spirits would contribute to the viability of the restaurant, an allowed use in the Major Mixed-Use District zone.
8. Based on findings 1 through 7 above, public convenience and necessity will be served by a proposed use of the property for the on-site sale of alcoholic beverages pursuant to law.

BE IT FURTHER RESOLVED that the application for a Conditional Use Permit is approved subject to the following conditions:

General

1. This Conditional Use Permit authorizes the sale of distilled spirits for on-site consumption, the extension of alcohol sales hours, and addition of a bar at an existing restaurant located at 1105 E. Plaza Blvd. Ste. 'D'. Unless specifically modified by this resolution, all conditions contained in Planning Commission Resolution No. 18-88 shall still apply. Plans submitted for permits associated with this project shall conform to Exhibit A, Case File No. 2019-28 CUP, dated 10/9/2019.
2. Before this *Conditional Use Permit* shall become effective, the applicant and the property owner shall both sign and have notarized an Acceptance Form, provided by the Planning Division, acknowledging and accepting all conditions imposed upon the approval of this permit. Failure to return the signed and notarized Acceptance Form within 30 days of its receipt shall automatically terminate the *Conditional Use Permit*. The applicant shall also submit evidence to the satisfaction of the Planning Division that a Notice of Restriction on Real Property is recorded with the County Recorder. The applicant shall pay necessary recording fees to the County. The Notice of Restriction shall provide information that conditions imposed by approval of the *Conditional Use Permit* are binding on all present or future interest holders or estate holders of the property. The Notice of Restriction shall be approved as to form by the City Attorney and signed by the Director of Community Development prior to recordation.
3. This permit shall become null and void if not exercised within one year after adoption of the resolution of approval unless extended according to procedures specified in the Municipal Code.
4. This permit shall expire if the use authorized by this resolution is discontinued for a period of 12 months or longer. This permit may also be revoked, pursuant to provisions of the Land Use Code, if discontinued for any lesser period of time.
5. This *Conditional Use Permit* may be revoked if the operator is found to be in violation of any Conditions of Approval.

Planning

6. All sellers of alcohol under this Conditional Use Permit shall receive Responsible Beverage Service and Sales (RBSS) training, including all owners, and managers. The RBSS training must be certified by the Department of Alcoholic Beverage Control (ABC). Proof of completion of an approved RBSS program must be provided prior to issuance of a city business license. As part of the RBSS training, the permittee shall make available a domestic violence training session as provided by the Institute of Public Strategies.

7. The sale of alcoholic beverages shall be permitted only between the hours of 7 a.m. to 11 p.m. Sunday through Thursday and 7 a.m. to 12 a.m. Friday and Saturday.
8. The sale of alcohol shall not exceed the sale of food. With the annual renewal of the City business license, the business proprietor shall submit a statement clearly indicating total alcoholic beverage sales and total food sales. Said statement shall be subject to audit and verification by employees of the City, who are authorized to examine, audit and inspect such books and records of the license, as may be necessary in their judgment to verify that the sale of alcohol does not exceed the sale of food. All information obtained by an investigation of records shall remain confidential.
9. Alcohol shall be available only in conjunction with the purchase of food.
10. No live entertainment is permitted without modification of this CUP or issuance of a Temporary Use Permit.

BE IT FURTHER RESOLVED that copies of this Resolution be transmitted forthwith to the applicant and to the City Council.

BE IT FINALLY RESOLVED that this Resolution shall become effective and final on the day following the City Council meeting where the Planning Commission resolution is set for review, unless an appeal in writing is filed with the City Clerk prior to 5:00 p.m. on the day of that City Council meeting. The City Council may, at that meeting, appeal the decision of the Planning Commission and set the matter for public hearing.

CERTIFICATION:

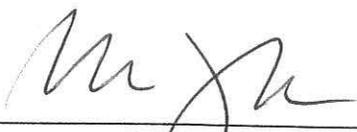
This certifies that the Resolution was adopted by the Planning Commission at their meeting of December 2, 2019, by the following vote:

AYES: Natividad, Baca, Flores, Sendt, Yamane, Garcia

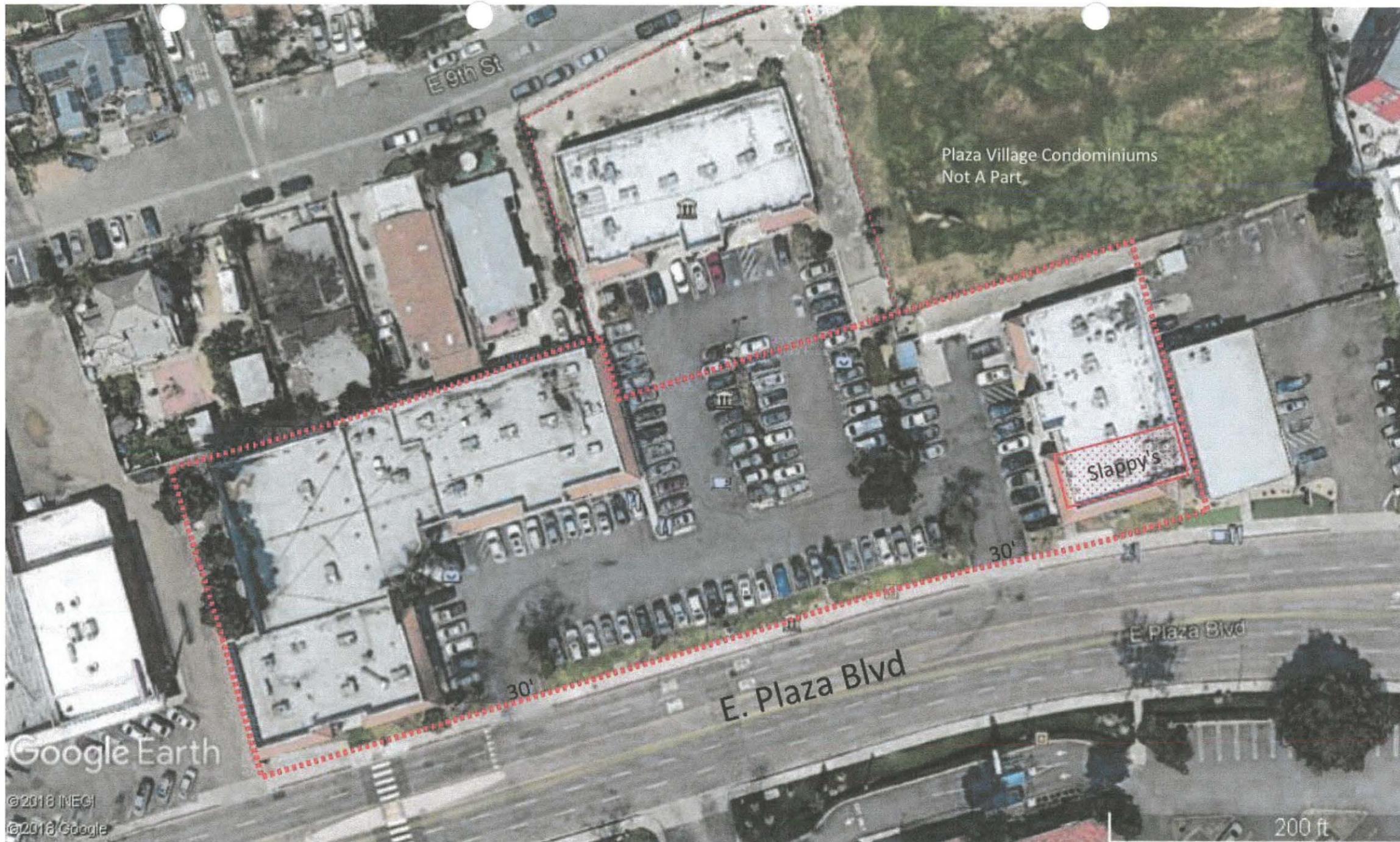
NAYS: Dela Paz

ABSENT: None.

ABSTAIN: None.



CHAIRPERSON



Google Earth
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Address: 1105 E. Plaza Blvd., Ste D
National City, CA

APN: 556-590-63-00

Zoning District: 6

Land Use: Commercial

Total Site Area: 1.66 acres/72,309 sf

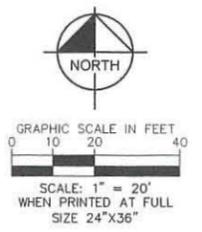
Building Area: 28,805

Applicant:
Slappy's Burgers & Brews
1105 E. Plaza Blvd.
National City, CA

Applicant Representative:
Steve Rawlings
Rawlings Consulting
26023 Jefferson Ave., Suite D
Murrieta, CA 92562
951-667-5152

Property Owner:
Gung Poe LLC
c/o Performa Property Management
Attn: Eva Hum,
P. O. Box 90793,
San Diego, CA 92169

Proposed Use:
Permit to sell beer, wine & distilled spirits for on-site consumption at an (ABC Type 47 License) at an existing restaurant that currently sells beer & wine and extend operating hours.

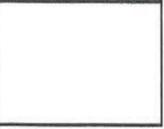
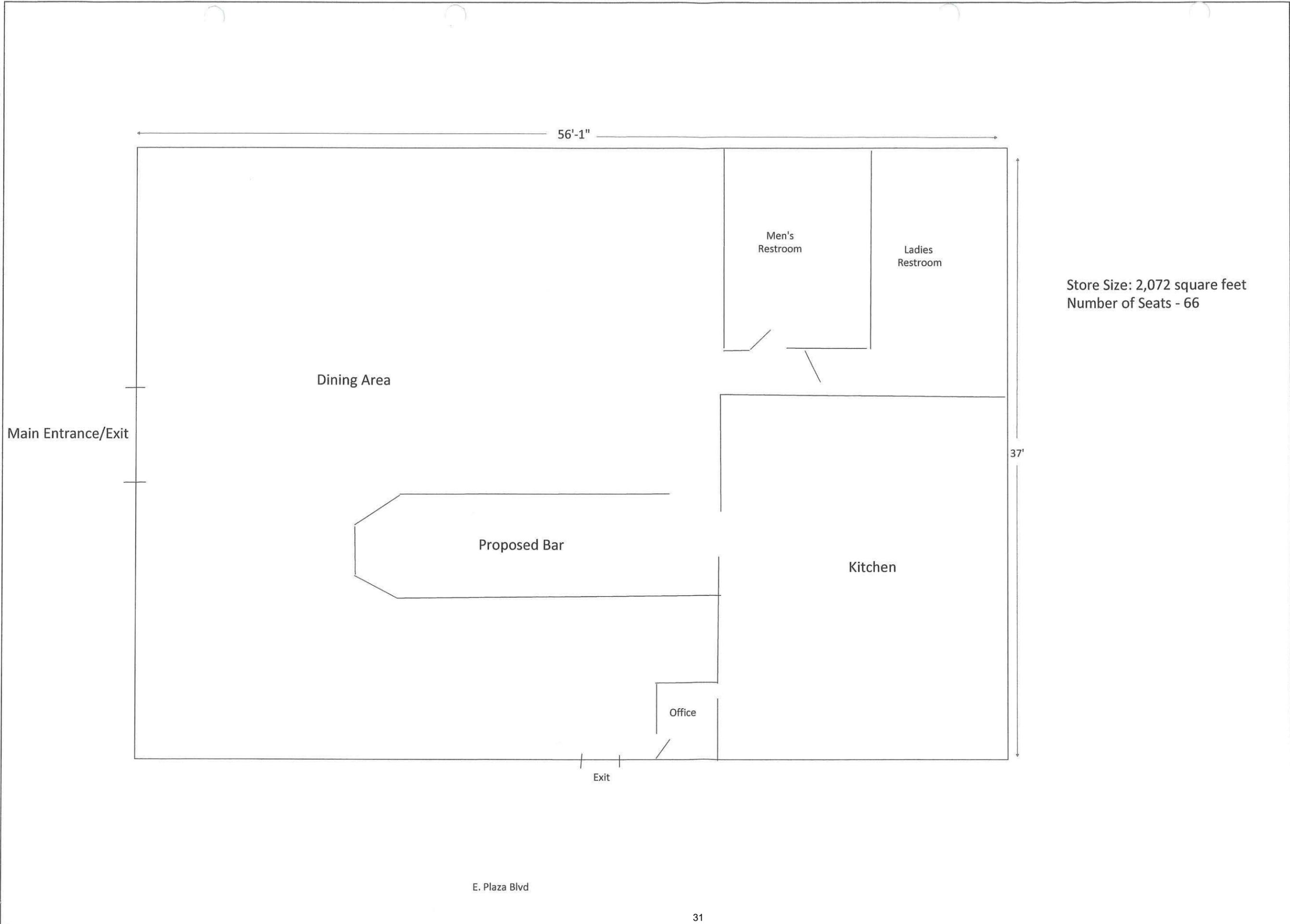


No.	REVISIONS	DATE	BY

SCALE AS SHOWN
DESIGNED BY
DRAWN BY
CHECKED BY

SITE PLAN
1105 E. Plaza Drive
National City, CA

Slappy's Burgers & Brews



Slappy's Burgers and Brews
1105 E. Plaza Blvd., Suite D
National City, CA



JOB NO.
REVISION
△-
△-
△-
DATE
Sept. 15, 2019
TITLE
FLOOR PLAN
SHEET

The following page(s) contain the backup material for Agenda Item: [Fiscal Year 2019 and 1st Quarter Fiscal Year 2020 Budget Review. \(Finance\)](#)
Please scroll down to view the backup material.

**CITY OF NATIONAL CITY, CALIFORNIA
COUNCIL AGENDA STATEMENT**

MEETING DATE: December 17, 2019

AGENDA ITEM NO.:

ITEM TITLE:

Staff Report: Fiscal Year 2019 and 1st Quarter Fiscal Year 2020 Budget Review

PREPARED BY: Mark Roberts, Director of Finance

PHONE: 619-336-4330

DEPARTMENT: Finance

APPROVED BY: Mark Roberts

EXPLANATION:

See attached staff report.

FINANCIAL STATEMENT:

ACCOUNT NO.

NA

APPROVED: Mark Roberts **FINANCE**

APPROVED: _____ **MIS**

ENVIRONMENTAL REVIEW:

This is not a project and, therefore, not subject to environmental review.

ORDINANCE: INTRODUCTION FINAL ADOPTION

STAFF RECOMMENDATION:

Accept the staff report.

BOARD / COMMISSION RECOMMENDATION:

NA

ATTACHMENTS:

Staff report



City Council Staff Report

December 17, 2019

ITEM

Staff Report: Fiscal Year 2019 and 1st Quarter Fiscal Year 2020 Budget Review

BACKGROUND

As part of the City of National City's Strategic Plan objective to provide consistent financial reports, this staff report to City Council presents an update on the City's financial operations for fiscal year 2019 and the first quarter of fiscal year 2020.

DISCUSSION

Budgets are projections based on known and anticipated future revenues and expenditures. Throughout the year, staff monitor and analyze revenues and expenditures, develop projections, and provide periodic financial reports to the City Council, City Manager, and department directors. The totals presented herein for fiscal year 2019 are a summary of the actual revenues and expenditures, and their impact on fund balance compared to the corresponding budgeted amounts for the year. The fiscal year 2020 first quarter data reflect revenue and expenditure totals for the period of July 1st through September 30th compared to the same period for the prior year.

Fiscal Year 2019

The fiscal year 2019 adopted budget authorized a \$4.3 million use of general fund unassigned fund balance, \$3.3 million of which was for operations (structural deficit) and \$1.0 million for capital projects. It also authorized the use of \$400,000 of committed fund balance – specifically from the Facilities Maintenance Reserve for urgent (“Tier 1”) facilities maintenance needs. Subsequent to budget adoption, Council approved a \$1.0 million additional use of unassigned fund balance, which brought the year-end total to \$5.3 million. Although an overall use of \$5.3 million in unassigned fund balance was authorized, a combination of overall cost savings and unanticipated revenues along with certain adjustments to other fund balance categories, resulted in an increase to unassigned fund balance of \$1.4 million. The variances between budgeted and actual revenues and expenditures and the impacts on fund balance are summarized below.

Revenues

The City receives revenues from various sources, some of which, such as taxes and fees, provide unrestricted cash that may be used at the City's discretion. Other revenues are reserved for specified purposes, for example, grant funds received for capital projects. Actual general fund

revenues for fiscal year 2019, listed by source in the table below, were more than their combined budgeted total by approximately \$4.1 million.

Fiscal Year-End Revenue Totals

Revenue Source	FY19 Actual	FY19 Adjusted Budget ¹	Variance
Sales & Use Tax	\$ 19,263,372	\$ 18,078,000	\$ 1,185,372
District Transactions & Use Tax	12,446,258	11,359,000	1,087,258
Property Tax ²	2,184,321	2,146,711	37,610
Property Tax in Lieu of VLF	6,711,110	6,661,664	49,446
Other Revenues	18,678,096	16,961,001	1,717,095
Transfers In	62,329	62,829	(500)
Total	\$ 59,345,486	\$ 55,269,205	\$ 4,076,281

¹ adopted budget, plus budget adjustments

² reflects reduction for property tax allocation to the Library and Parks Maintenance funds

Sales & use tax and district transactions & use tax revenues for fiscal year 2019 were \$1.2 million above budget and exceeded that of fiscal year 2018, with receipts in the general consumer goods, restaurants and hotels, and autos and transportation sectors exceeding expectations. Sales & use tax allocations from the county pool also surpassed fiscal year 2018 levels. The district transactions & use (“Prop ‘D’”) tax revenues brought in \$1.1 million more than budgeted, due to gains in nearly all sectors. In both cases, total revenues for the year were impacted by the State’s transition to a new sales tax reporting system in fiscal year 2018, which delayed processing of payments statewide. The delayed payments from fiscal year 2018 were recognized as revenue in fiscal year 2019.

Property tax in lieu of VLF (vehicle license fee) revenue ended the year \$49,000 or 0.7% above its budgeted amount. This revenue, which is tied directly to the annual reported change in assessed value, has consistently climbed over the past five years.

The “Other Revenues” category includes various accounts related to ongoing City operations, one-time events, and capital projects reimbursements. Revenues in this category exceeded the budget by \$1.7 million primarily due to the following:

- Investment related earnings exceeded budgeted amounts by \$800,000.
- \$700,000 in revenue related to the Westside Infill Transit-Oriented Development (“WI-TOD”) improvements capital project. Revenue directly related to capital projects is not automatically carried forward, so revenues for this project were not budgeted for fiscal year 2019.
- Successor Agency residual balance distributions exceeded the budget by \$600,000.
- The General Fund interest allocation of unrealized gains from investments totaled \$500,000. These revenues are not budgeted.

The increases above are partially offset by the following decreases:

- \$1.3 million revenue shortfall related to the Paradise Creek Park Site Remediation project. \$3.6 million in revenue was budgeted in fiscal year 2019 to offset appropriations for the project, however, while \$2.6 million in expenditures occurred, due to timing of invoices only \$2.3 million in revenues were realized. The \$300,000 difference will appear as part of FY20 revenues.
- Overtime reimbursements for the Fire Department strike team’s participation in fighting various wildfires throughout the State were \$500,000 less than the budgeted amount.

Expenditures

As of June 30, 2019, General Fund expenditures totaled \$61.5 million, \$9.4 million less than the adjusted budget of \$70.9 million. Expenditure variances are summarized by category in the table below. The most significant variance, \$7.2 million, occurred in the capital projects category. This \$7.2 million does not represent savings. Rather, it is the sum of as yet unspent monies on specifically authorized capital projects, the largest amounts being \$3.0 million for the Paradise Creek Park Remediation Project, \$2.8 million for the WI-TOD park project, and \$0.4 million for Facilities Upgrades projects. As is practice, the unspent capital project appropriations have been carried over on a project-by-project basis to fiscal year 2020.

FY 2019 Year-End Expenditure Totals

Expenditure Type	FY19 Actual	FY19 Adjusted Budget¹	Variance
Personnel Services	\$ 38,618,267	\$ 39,189,861	\$ 571,594
Maintenance & Operations	5,867,797	7,248,511	1,380,714
Capital Projects	7,492,221	14,728,327	7,236,106
Internal Service Charges	7,542,718	7,549,682	6,964
Transfers Out	\$1,953,192	2,178,192	225,000
Total	\$ 61,474,195	\$ 70,894,573	\$ 9,420,378

¹ adopted budget total, plus budget amendments, encumbrances, & capital projects appropriations carried forward from previous fiscal year(s)

Personnel cost savings of \$600,000 were primarily due to vacant budgeted positions. As part of the fiscal year 2019 budget development process, all positions in the budget system were reviewed and reconciled to authorized position records, resulting in a reduction in the number of positions included in the fiscal year 2019 budget projections. Consequently, the amount of savings in Personnel Services related to vacant positions is less than what was seen in previous fiscal years.

Maintenance & Operations (“M&O”) savings of \$1.4 million were realized across various accounts but particularly in Professional Services (\$700,000); Contract Services (\$300,000); and

Emergency Animal Treatment (\$200,000). These savings were partially offset by principal and interest payments for bonds which exceeded the budget by \$300,000.

Transfers In/Out

While technically not revenues and expenditures, transfers in and out of the General Fund contribute to fund balance increases and decreases, respectively. Actual transfers in did not materially differ from the budgeted amount. (See Fund Balance Change table below.)

Transfers out from the General Fund were under budget by \$225,000. This is attributable to the Library and Parks Maintenance funds requiring less in subsidies from the General Fund than originally budgeted.

Net Impact on Overall Fund Balance

The table below combines the above revenue and expenditure tables and incorporates the transfers in and transfers out, to compare the adjusted budget's impact on fund balance to the actual impact on fund balance. Actual fiscal year 2019 revenues, expenditures, and transfers resulted in an estimated increase of \$1.7 million in the overall fund balance of the General Fund, as compared to the adjusted budgeted usage of \$5.3 million. This variance is primarily due to the unspent capital projects appropriations and operational savings discussed above. As discussed further below, fund balance is divided into five categories, non-spendable, restricted, committed, assigned, and unassigned.

Fund Balance Change – Actual vs Budget (Estimated)

	Actual	Adjusted	Variance
Revenues	\$59,283,157	\$55,206,376	\$4,076,781
Transfers In	62,329	62,829	(500)
Total Revenues & Transfers In	\$59,345,486	\$55,269,205	\$4,076,281
Expenditures	\$59,521,003	\$68,716,381	\$9,195,378
Transfers Out	1,953,192	2,178,192	225,000
Total Expenditures & Transfers Out	\$61,474,195	\$70,894,573	\$9,420,378
Fund Balance Gain/(Usage)	(2,128,708)	(15,625,368)	
Beginning Fund Balance	\$49,383,323	\$49,383,323	
Ending Fund Balance	47,254,615	\$33,757,955	

In accordance with Governmental Accounting Standards Board (“GASB”) Statement Number 54, fund balance is classified into the aforementioned categories based primarily on the extent to which its use of resources is constrained. The table below reflects the estimated changes in each category of fund balance within the General Fund from June 30, 2018 to June 30, 2019. The balances are dependent not only upon the results of operations, i.e., revenues and expenditures, but also upon changes in such things as liabilities accrued for employee benefits and unspent appropriations carried over to the succeeding fiscal year.

Components of Fund Balance (Estimated)

	FY 19	FY 18	Change
Non-spendable	\$5,025,729	\$9,966,729	(\$4,941,000)
Restricted	555,168	555,168	-
Committed	15,150,517	11,085,066	4,065,451
Assigned	12,402,597	15,772,642	(3,370,045)
Unassigned	14,120,604	12,731,293	1,389,311
Total	\$47,254,615	\$50,110,898	(\$2,856,283)

Summary of fund balance changes by category:

Non-spendable – fund balance representing assets which are not in spendable form. The decrease in non-spendable was the result of the General Fund receiving \$4.9 million from Housing Authority paying off a note.

Restricted – category with spending constraints stipulated either “externally” by the provider of the assets or by law. For the City, the primary purpose of this category is to reserve an

amount of fund balance equivalent to the subsequent fiscal year's debt service requirement. Fiscal year 2019 did not result in a change to the restricted category.

Committed – total of resources which have internally imposed restrictions mandated by formal action of the City Council. This category comprises the City's \$9.1 million Economic Contingency Reserve and the Facilities Maintenance Reserve. During fiscal year 2019, Council approved adding \$4.4 million to the Facilities Maintenance Reserve (FMR) portion of committed fund balance, bringing the total available to \$5.7 million. The unspent CIP appropriations funded by the FMR in FY19 add \$365,000 to that total to bring the year end balance to \$6.1 million.

Assigned – assets constrained by the Council's intent that they be used for specific purposes but not meeting the more strict criteria for classification as restricted or committed. Of the \$12.4 million total, approximately \$11.1 million represents employee benefit liabilities and \$1.3 million represents designated, but as yet unspent, amounts for capital projects carried forward from the prior year.

Unassigned – total of spendable amounts not allocated to the other fund balance categories and which is available for use at Council's discretion. Unassigned fund balance is estimated to have increased by \$1.4 million due to the operational savings and better than anticipated revenues discussed above. This \$1.4 million increase compares favorably to the anticipated use of \$5.3 million of unassigned fund balance in the fiscal year 2019 adjusted budget.

1st Quarter Fiscal Year 2020

The fiscal year 2020 adopted budget authorizes a use of General Fund unassigned fund balance of \$4.1 million, \$1.9 million of which is for capital projects and \$2.2 million for operations. Since it is early in the fiscal year, the ability to project year-end revenue and expenditure totals and actual use of fund balance is limited. The most useful information at the end of the first quarter (July 1st through September 30th) is a comparison of the fiscal-year-to-date totals of the City's major revenue sources and expenditure categories for the period for the current and prior fiscal years. This information is summarized in the tables below.

Revenues

1st Quarter Revenue Comparison

Revenue Source	FY 20	FY 19
Sales & Use Tax	\$ 1,384,036	\$ 1,626,387
District Transactions & Use Tax	904,926	975,071
Property Tax	45,964	58,013
Property Tax in Lieu of VLF	-	-
Other Revenues	2,110,827	2,166,764
Total	\$ 4,445,752	4,826,234

The sales & use tax and district transactions & use tax revenue amounts shown are those distributed to the City by the State in September. Fiscal year 2020 sales & use tax and district transaction & use tax revenues are lower than fiscal year 2019, due to a portion of 2018 sales tax revenue being realized in 2019.

Fiscal year 2020 property tax revenue is slightly lower than that of fiscal year 2019 quarter largely due to a decrease in supplemental roll property taxes. While the revenue is low for both years, this is normal at this point of the year, as the largest portions of property tax revenues are typically received in December and April, corresponding to tax payment due dates.

Because the distribution of property tax in lieu of VLF revenue occurs in January and May, no allocation of this revenue was received in the first quarter of the current or previous fiscal year. However, having received information from the County regarding fiscal year 2020 distributions of property tax in lieu of VLF, staff can report that this revenue will be \$7.1 million compared to the adopted budget of \$7.0 million.

Fiscal-year-to-date 2020 in the “Other Revenues” category are not materially different than fiscal year 2019 at the same point in time.

Expenditures

1st Quarter Expenditure Comparison

Expenditure Type	FY 20	FY 19
Personnel Services	\$ 12,416,541	\$ 11,872,398
Maintenance & Operations (M&O)	649,323	681,262
Capital Projects	772,941	546,761
Internal Service Charges	1,786,424	1,885,386
Total	\$ 15,625,229	\$ 14,985,807

Personnel costs are \$500,000 more than fiscal year 2019's at the same point, due in part to the an increase in the prepayment of unfunded actuarial accrued liability ("UAAL") portion of the City's annual pension contribution. This is partially offset by a decrease related to Fire Department Strike Team activities.

Fiscal-year-to-date 2020 M&O expenditures are not materially different than fiscal year 2019 at the same point in time.

Internal service charges for the first quarter of fiscal year 2020 are \$99,000 less than the same point last fiscal year. This is primarily due to lower building service charges and information systems maintenance charges.

Budgetary Outlook

The fiscal year 2020 planned use of General Fund unassigned fund balance is \$4.1 million. The mid-year budget status report will include projections to year-end for revenues and expenditures and their combined estimated impact on unassigned fund balance.

Conclusion

While the City's general fund experienced an increase in fund balance in fiscal year 2019, this experience does not demonstrate a trend. The greatest contributors to the increase in fund balance were better than budgeted revenues coupled with personnel vacancy savings, maintenance and operations savings and reduced requirements for operating subsidies for other funds.

Factors likely to affect fund balance in the future include the following:

- Actuarial adjustments by the California Public Retirement System (CalPERS) are expected to require increases in the City's employer contribution to employee pension funds into the foreseeable future.
- An assessment of the City's deferred infrastructure, facilities maintenance, and historic and cultural assets determined the cost to the General Fund to complete all of the recommended maintenance would be at least \$30 million; therefore, staff is continuing to analyze various options for scheduling and financing these projects.
- Future labor negotiations with the City's represented labor groups. The result of such negotiations will impact the fund balance.

RECOMMENDATION

Accept and file this staff report.

The following page(s) contain the backup material for Agenda Item: [Furlough Update.](#)
[\(City Manager\)](#)
Please scroll down to view the backup material.

Item # ____
12/17/19

Furlough Update

(City Manager)