

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, JANUARY 20, 2015 – 6:00 PM

RON MORRISON
Mayor

JERRY CANO
Vice Mayor

ALBERT MENDIVIL
Councilmember

MONA RIOS
Councilmember

ALEJANDRA SOTELO-SOLIS
Councilmember

*1243 National City Blvd.
National City
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 Sessions begin at 5:00 p.m. or such other time as noted. 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 irrelevant.

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.

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 audiófonos están disponibles en el pasillo al principio de la junta.

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

OPEN TO THE PUBLIC

*****CITY COUNCIL*****

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE TO THE FLAG

PUBLIC ORAL COMMUNICATIONS (THREE-MINUTE TIME LIMIT)

PROCLAMATIONS

PRESENTATIONS

1. [Employee Service Recognition - Recognizing Lieutenant Robert Rounds for his 20 years of service with the City of National City](#)
2. [Introduction of new employee - Cruz Ruelas Avila, Civil Engineering Technician \(Engineering/Public Works\)](#)

INTERVIEWS / APPOINTMENTS

3. [Interviews and Appointments: Various Boards, Commissions and Outside Agencies. \(City Clerk\)](#)

CONSENT CALENDAR

4. 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)
5. [Resolution of the City Council of the City of National City authorizing the Mayor to execute the Grant Assurances for the FY14 State Homeland Security Grant Program, and authorizing the establishment of an appropriation and corresponding revenue budget in the amount of \\$51,831 from the FY14 State Homeland Security Grant Program for a reimbursable grant purchase of equipment for the Police and Fire Departments. \(Fire\)](#)
6. [Resolution of the City Council of the City of National City authorizing the Mayor to execute the Memorandum of Understanding between the City of San Diego Office of Homeland Security and the City of National City regarding FY14 Urban Area Security Initiative \(UASI\) Grant Funding for a](#)

- reimbursable grant for equipment and training for police and fire personnel. (Fire)
7. Resolution of the City Council of the City of National City, 1) awarding a contract in the not-to-exceed amount of \$79,000.00 to Downstream Services, Inc. for the National City Culvert Barrier Project, CIP No. 14-06; 2) authorizing a 15% contingency in the amount of \$11,850.00 for any unforeseen changes; and 3) authorizing the Mayor to execute the contract.(Engineering/Public Works)
 8. Resolution of the City Council of the City of National City authorizing the installation of a blue curb handicap parking space with signage in front of the residence at 1931 “K” Avenue (TSC 2014-17) (Engineering/Public Works)
 9. Resolution of the City Council of the City of National City authorizing the installation of a blue curb handicap parking space with signage in front of the residence at 824 E. 28th Street (TSC 2014-18) (Engineering/Public Works)
 10. Disclosure of property interest located within Redevelopment Project Area; Councilmember Mendivil. (City Attorney)
 11. Warrant Register #21 for the period of 11/12/14 through 11/18/14 in the amount of \$2,129,886.94 (Finance)
 12. Warrant Register #22 for the period of 11/19/14 through 11/25/14 in the amount of \$16,149,175.76 (Finance)
 13. Warrant Register #23 for the period of 11/26/14 through 12/02/14 in the amount of \$1,871,335.75 (Finance)
 14. Warrant Register #24 for the period of 12/03/14 through 12/09/14 in the amount of \$1,769,745.87 (Finance)
 15. Warrant Register #25 for the period of 12/10/14 through 12/16/14 in the amount of \$1,693,052.88 (Finance)

PUBLIC HEARINGS

16. Public Hearing- Conditional Use Permit for beer and wine sales, a banquet facility, and live entertainment at Big Ben Market located at 108 East 8th Street.. (Applicant: Grill House at Big Ben) (Case File 2014-08 CUP) (Planning)

ORDINANCES FOR INTRODUCTION

ORDINANCES FOR ADOPTION

NON CONSENT RESOLUTIONS

17. [Resolution of the City Council of the City of National City, 1\) awarding a contract in the not-to-exceed amount of \\$2,841,105.00 to LB Civil Construction for the "A" Avenue Green Street Improvement Project, CIP No. 14-05; 2\) authorizing a 15% contingency in the amount of \\$426,165.75 for any unforeseen changes; 3\) authorizing the Mayor to execute the contract; and 4\) authorizing the appropriation of \\$42,900.00 from the General Fund to the corresponding expenditure account for Street Light Refurbishment \(Engineering/Public Works\)](#)

NEW BUSINESS

18. [Request to use Martin Luther King Jr. Community Center \(North and South Rooms\) by National City Chamber of Commerce for a Job Fair on Tuesday, April 14, 2015. Applicant anticipates approximately 1,000 attendees. Applicant is requesting a waiver of fees. \(Engineering/Public Works\)](#)
19. [City Council Policy # 804 "City Support for Special Events" for review and discussion of proposed Policy update to the City Council Policy Manual.\(Chapter 800\) \(Neighborhood Services\)](#)
20. [Report on the status of the San Diego Pooled Insurance Program Authority \(SANDPIPA\). \(Risk Management\)](#)
21. [City Council Summer Legislative Recess. \(City Manager\)](#)

*****COMMUNITY DEVELOPMENT COMMISSION-HOUSING AUTHORITY*****

PUBLIC HEARINGS- HOUSING AUTHORITY

NON CONSENT RESOLUTIONS- HOUSING AUTHORITY

NEW BUSINESS- HOUSING AUTHORITY

STAFF REPORTS

22. [Update on the Library's Radio Frequency Identification \(RFID\) System Conversion Project. \(Library\)](#)

MAYOR AND CITY COUNCIL

CLOSED SESSION REPORT

ADJOURNMENT

Regular Meeting - City Council/Community Development/Housing
Authority of the City of National City Meeting - Tuesday - February 3,
2015 - 6:00 p.m. - Council Chambers - National City, California

The following page(s) contain the backup material for Agenda Item: Employee Service Recognition - Recognizing Lieutenant Robert Rounds for his 20 years of service with the City of National City



City of National City
MEMORANDUM

DATE: December 15, 2014

TO: Lavonne Watts, Executive Assistant IV (City Manager's Office)
Josie Flores-Clark, Executive Assistant III (Mayor/Council Office)

FROM: Lilia Muñoz, Human Resources Analyst *LM*

SUBJECT: **EMPLOYEE SERVICE RECOGNITION**

The following City employee has completed his 20 years of service with the City of National City on December 21, 2014:

NAME: Robert A. Rounds
POSITION: Police Lieutenant
HIRED: December 21, 1994

As part of the Employee Recognition Program, the employee wishes to have the opportunity to receive a City Council Recognition at the Council Meeting of **Tuesday, January 20, 2015**.

If this is acceptable, please make the necessary arrangements and send confirmation of the schedule to the employee, department and our office. The recognition letter and gift certificate selection will be sent prior to the presentation.

Thank you.

cc: Lt. Robert Rounds
Chief Rodriguez

The following page(s) contain the backup material for Agenda Item: Introduction of new employee - Cruz Ruelas Avila, Civil Engineering Technician (Engineering/Public Works)

ITEM NO. _____

1/20/15

INTRODUCTION OF NEW EMPLOYEE

Cruz Ruelas Avila, Civil Engineering Technician

The following page(s) contain the backup material for Agenda Item: Interviews and Appointments: Various Boards, Commissions and Outside Agencies. (City Clerk)

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

MEETING DATE: January 20, 2015

AGENDA ITEM NO. _____

ITEM TITLE:

Interviews and Appointments: Various Boards, Commissions and Outside Agencies

PREPARED BY: Michael R. Dalla

DEPARTMENT: City Clerk

PHONE: 619-336-4226

APPROVED BY: _____



EXPLANATION:

Several vacancies and expired terms exist on various Boards, Commissions and outside agencies. They are summarized on the attached reports. The vacancies and expired terms have been advertised and posted. Incumbent appointees have been contacted to determine their desire for re-appointment.

FPPC Form 806 has been updated and posted as required by Resolution No. 2012-250.

FINANCIAL STATEMENT:

APPROVED: _____ Finance

ACCOUNT NO.

APPROVED: _____

ENVIRONMENTAL REVIEW:

ORDINANCE: INTRODUCTION: FINAL ADOPTION:

STAFF RECOMMENDATION:

- Conduct interviews for local Boards & Commissions and appoint as desired.
- Take action to fill vacancies on outside agency boards.

BOARD / COMMISSION RECOMMENDATION:

N/A

ATTACHMENTS:

1. Summary Report: Boards, Commissions and Outside Agencies
2. Applications
3. Form 806 and Resolution No. 2012-250

BOARDS & COMMISSIONS – CURRENT VACANCIES AND EXPIRED TERMS – January 20, 2015

CIVIL SERVICE COMMISSION (Appointing Authority: City Council)

There is one current vacancy on the Civil Service Commission and no current applications on file.

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

There are three expired terms on the PRSCAB (Roy Cesena, Yvonne Cordoba and Howard Schwitkis) and two applicants. All incumbents desire to continue.

<u>Name</u>	<u>Interviewed</u>
Florfinia Arce	Yes
Emmanuel Gutierrez	Yes

PUBLIC ART COMMITTEE (Appointing Authority: Mayor subject to confirmation by City Council)

There is one vacancy and one expired term (Elizabeth Torres) on the Public Art Committee. The incumbent desires to continue. There are two applicants who need to be interviewed.

<u>Name</u>	<u>Interviewed</u>
Francisco Brambilla	No
Micaela Polanco	No

TRAFFIC SAFETY COMMITTEE (Appointing Authority: Mayor subject to confirmation by City Council)

There is one current vacancy on the Traffic Safety Committee and one applicant.

<u>Name</u>	<u>Interviewed</u>
Emmanuel Gutierrez	Yes

LIBRARY BOARD OF TRUSTEES (Appointing Authority: Mayor subject to confirmation by City Council)

There is one current vacancy on the Library Board and no current applications are on file.

CPRC COMMUNITY AND POLICE RELATIONS COMMISSION (Appointing Authority: Mayor subject to confirmation by City Council)

There are two current vacancies on the CPRC and three individual have applied.

<u>Name</u>	<u>Interviewed</u>
Marie Browder	No
Emmanuel Gutierrez	Yes
Diana Plazola	Yes

NOTE: During the interview process when asked about their willingness to serve on other Boards and Commissions, the applicants listed below responded as indicated.

- **Florfinia Arce** Applied for PRSCAB, willing to serve on others.
- **Diana Plazola** Applied for CPRC, maybe open to others.

REGIONAL BOARDS AND COMMITTEES – January 20, 2015

BAY SHORE BIKEWAY WORKING GROUP

Appointing Authority: Governing Body of member agency

Current Representative	Appointed	Term Expires
VACANT		* see note #3 below

METRO WASTEWATER JPA

Appointing Authority: Mayor with approval of City Council

Current Representative	Appointed	Term Expires
Primary – VACANT		* see note #3 below
Alternate – VACANT		

METROPOLITAN TRANSIT SYSTEM BOARD (MTS)

Appointing Authority: Mayor with approval of City Council

Current Representative	Appointed	Term Expires
Primary – Mona Rios	08-16-2011	* see note #1 below
Alternate – VACANT		

PORT OF SAN DIEGO PUBLIC ART COMMITTEE

Appointing Authority: Mayor with approval of City Council

Current Representative	Appointed	Term Expires
VACANT		

REGIONAL SOLID WASTE AUTHORITY

Appointing Authority: Mayor with approval of City Council

Current Representative	Appointed	Term Expires
Primary – Ron Morrison	06-07-1994	* see note #3 below
Alternate – VACANT		

SAN DIEGO ASSOCIATION OF GOVERNMENTS (SANDAG)

Appointing Authority: City Council

Current Representative	Appointed	Term Expires
Primary – Ron Morrison	01-25-2011	* see note #2 below
1 ST Alternate – VACANT		
2 nd Alternate – Alejandra Sotelo	01-25-2011	

SAN DIEGO COUNTY WATER AUTHORITY

Appointing Authority: Mayor with approval of City Council

Current Representative	Appointed	Term Expires
Ron Morrison	02-19-2008	03-08-2014

SAN DIEGO UNIFIED PORT DISTRICT

Appointing Authority: City Council

Current Representative	Appointed	Term Expires
Primary – Dukie Valderrama	11-20-2012	01-02-2017

SWEETWATER AUTHORITY

Appointing Authority: Mayor with approval of City Council

Current Representatives	Appointed	Term Expired
Ron Morrison	02-01-2011	12-31-2014
Jess Van Deventer	02-01-2011	12-31-2014

TOBACCO SMOKE FREE COMMITTEE

Appointing Authority: Mayor with approval of City Council

Current Representative	Appointed	Term Expired
VACANT		*see note #1

NOTES

- * note #1: There is no established term. Serves at the pleasure of the appointing authority. National City's MTS representative must be a current or former elected National City official.
- * note #2 : There is no established term. SANDAG requests annual action or notification confirming the City's representatives by January 10th of each year.
- * note #3: There is no established term. Serves at the pleasure of the appointing authority or until no longer an elected official.

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

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

Note: Applicants must be residents of the City of National City except for those marked by an *

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

Name: FLORFINA S. ARCE

Home Address: 1317 D AVE #813 N.C., CA 91950 Tel. No.: 619-203-8171
KIMBALL TOWERS

Business Affiliation: _____ Title: _____

Business Address: _____ Tel. No.: _____

Length of Residence in National City: 6 YRS San Diego County: 36 YRS California: 38 YRS

Educational Background: BSBA - MARKETING MAJOR - UNIV. OF THE PHILIPPINES
FASHION DESIGN - SOUTHWESTERN COLLEGE

Occupational Experience: BANKING, BUSINESS OWNER

Professional or Technical Organization Memberships: HONS CLUB
LCIF - International FOUNDATION
IOBS - Int'l ORDER OF EASTERN STAR

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

COPAO - Council of Filipino American Organization, University of the Phil
FOMC - Past Council Chair
Experience or Special Knowledge Pertaining to Area of Interest: Alumn. Association, USA

Past President of 1 FACC - Filipino American Chamber of Commerce
Past Chair - Tourism Advisory Council

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.

I have been awarded a key to the city of N.C. by
Mayor George Waters for my civic & humanitarian
services & as business owner in N.C. for 20 years

Date: Sept. 18, 2014 Signature: Florfin S. Arce

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

Please 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.

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CITY OF NATIONAL CITY

* Residency requirements may not apply
This documents is filed as a public document

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

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

Note: Applicants must be residents of the City of National City except for those marked by an *

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

Name: MARIE BROWDER

Home Address: 221 E. PARSLEY STREET Tel. No.: 619-992-3394

Business Affiliation: VELOCITY TEAM APPAREL Title: ORDER PROCESSING SUPERVISOR

Business Address: 12375 WORLD TRADE DRIVE Tel. No.: 800-871-0063 x150

Length of Residence in National City: _____ San Diego County: 30 yes California: 30 yes

Educational Background: SOME COLLEGE (NO DEGREE)

Occupational Experience: SALE, CUSTOMER SERVICE, AND MANAGEMENT

Professional or Technical Organization Memberships: _____

Civic or Community Experience, Membership, or Previous Public Service Appointments:
N/A

Experience or Special Knowledge Pertaining to Area of Interest:

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: 1/28/14 Signature: 

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

Please 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.

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Supplemental Application:
National City Community and Police Relations Commission

The National City Community and Police Relations Commission serves as an independent, unbiased and impartial office that is readily available to the public. It is an organization for the improvement of police and community relations and the facilitation of disputes whenever possible. It provides a forum for citizens to voice their concerns, comment about police conduct, practices and policies and improves communication between citizens and the National City Police Department

The National City Community and Police Relations Commission is empowered to receive and review complaints regarding National City Police Department Personnel for alleged misconduct, and to recommend appropriate changes of Police Department policies and procedures toward the goals of safeguarding the rights of persons and promoting higher standards of competency, efficiency and justice in the provision of community policing services.

Applicants must be completely forthright and truthful during the application process. Applicants may be disqualified in the background process as a result of dishonesty and/or purposely omitting information regarding one's criminal history. Given the complexity of this Commission and its duties, it is necessary to pass a criminal background check prior to appointment by City Council and/or swearing in as Commissioner. Upon conditional appointment the Human Resources department will contact you to schedule the criminal background process when, and if appropriate. It is important to note that you fill out this application completely and honestly to the best of your abilities. Failure to disclose your criminal history may result in disqualification. If a conviction has been expunged disclosure is not required.

Have you ever been convicted of a felony crime: No: Yes:

Have you been convicted of a misdemeanor: No: Yes:

If any convictions were expunged disclosure is not required.

Please feel free to provide an explanation or information regarding yes answers to the above two questions.

There may be circumstances that could disqualify an applicant from the background process beyond the listed crimes below. Each incident is evaluated in terms of the circumstances and facts surrounding its occurrence and its degree of relevance to the position.

Disqualifying criteria for Community and Police Relations Commissioner:

** See attached table

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

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

Note: Applicants must be residents of the City of National City except for those marked by an *

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

Name: Francisco Brambila

Home Address: 2356 Melokai Way, SD 92154 Tel. No.: (619) 947-1562

Business Affiliation: N/A Title: N/A

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

Length of Residence in National City: N/A San Diego County: 10+ California: 10+

Educational Background: Graduated from Montgomery High School. Currently enrolled at San Diego City & Mission College with major in Business

Occupational Experience: Work for for Cornerstone Church's non-profit, Turning the Hearts Center as a receptionist & Program Facilitator

Professional or Technical Organization Memberships: N/A

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

Community Service experience from Cornerstone Church & Turning the Hearts Center

Experience or Special Knowledge Pertaining to Area of Interest:


10+ years experience in the visual & performing arts

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.

N/A

Date: 10/2/14

Signature: 

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

Please 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.

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- | | |
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Note: Applicants must be residents of the City of National City except for those marked by an *

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Name: EMMANUEL GUTIERREZ

Home Address: 304 E. 22ND ST APT #102 N.C. 91950 Tel. No.: (619) 829-4563

Business Affiliation: SWEETWATER UNIFIED DISTRICT Title: SUB MATH TEACHER/COACH

Business Address: 1130 FIFTH AVE CHULA VISTA 91911 Tel. No.: (619) 691-5530

Length of Residence in National City: 17 yrs San Diego County: 21 yrs California: 26 yrs

Educational Background: ① SUHI grad class of 2005, ② Bachelor's degree in Math from UC Riverside class of 2010 ③ Master's in Education from UC San Diego. ^(in Prop)

Occupational Experience: Sub math teacher & sports coach since 2011 in Sweetwater school district at Sweetwater, Southwest & Castle Park Hs

Professional or Technical Organization Memberships: N/A

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

N/A

Experience or Special Knowledge Pertaining to Area of Interest:

N/A

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.

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CITY OF NATIONAL CITY

Date: 4/7/2014

Signature: 

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

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Office of the City Clerk
1243 National City Blvd, National City, CA 91950

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Have you ever been convicted of a felony crime? No: X Yes:

Have you been convicted of a misdemeanor? No: X Yes:

If any convictions were expunged disclosure is not required.

Please feel free to provide an explanation or information regarding yes answers to the above two questions.

There may be circumstances that could disqualify an applicant from the background process beyond the listed crimes below. Each incident is evaluated in terms of the circumstances and facts surrounding its occurrence and its degree of relevance to the position.

Disqualifying criteria for Community and Police Relations Commissioner:

** See attached table

 4/7/2014

EMMANUEL GUTIERREZ
(619) 829-4563

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

Note: Applicants must be residents of the City of National City except for those marked by an *

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

Name: Diana Plazola

Home Address: 1145 E. DIVISION ST. National City Tel. No. (619) 250-4849

Business Affiliation: _____ Title: _____

Business Address: _____ Tel. No.: _____

Length of Residence in National City: 18 yrs San Diego County: 24 yrs California: _____

Educational Background: San Diego State University graduate
Bachelors Degree in Political Science

Occupational Experience: Office Assistant

Professional or Technical Organization Memberships: none

Civic or Community Experience, Membership, or Previous Public Service Appointments: none

Experience or Special Knowledge Pertaining to Area of Interest: _____

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: 7/10/14

Signature: Diana Plazola

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2014 JUL 10 PM 1 20
CITY OF NATIONAL CITY

Please feel free to provide additional information or letters of endorsement

Please 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.

* Residency requirements may not apply
This documents is filed as a public document

Supplemental Application:
National City Community and Police Relations Commission

The National City Community and Police Relations Commission serves as an independent, unbiased and impartial office that is readily available to the public. It is an organization for the improvement of police and community relations and the facilitation of disputes whenever possible. It provides a forum for citizens to voice their concerns, comment about police conduct, practices and policies and improves communication between citizens and the National City Police Department

The National City Community and Police Relations Commission is empowered to receive and review complaints regarding National City Police Department Personnel for alleged misconduct, and to **recommend appropriate changes of Police Department policies and procedures** toward the goals of safeguarding the rights of persons and promoting higher standards of competency, efficiency and justice in the provision of community policing services.

Applicants must be completely forthright and truthful during the application process. Applicants may be disqualified in the background process as a result of dishonesty and/or purposely omitting information regarding one's criminal history. Given the complexity of this Commission and its duties, it is necessary to pass a criminal background check prior to appointment by City Council and/or swearing in as Commissioner. Upon conditional appointment the Human Resources department will contact you to schedule the criminal background process when, and if appropriate. It is important to note that you fill out this application completely and honestly to the best of your abilities. Failure to disclose your criminal history may result in disqualification. If a conviction has been expunged disclosure is not required.

Have you ever been convicted of a felony crime: No: Yes:

Have you been convicted of a misdemeanor: No: Yes:

If any convictions were expunged disclosure is not required.

Please feel free to provide an explanation or information regarding yes answers to the above two questions.

There may be circumstances that could disqualify an applicant from the background process beyond the listed crimes below. Each incident is evaluated in terms of the circumstances and facts surrounding its occurrence and its degree of relevance to the position.

Disqualifying criteria for Community and Police Relations Commissioner:

** See attached table

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

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

Note: Applicants must be residents of the City of National City except for those marked by an *

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

Name: MICAELA POLANCO

Home Address: 1006 CALLE ESCARPADA BOUITA, CA 91902 Tel. No.: 619-952-1197
(LA VISTA MEMORIAL PARK)

Business Affiliation: LOCAL BUSINESS OWNER Title: PRESIDENT

Business Address: 3191 ORANGE ST. NATIONAL CITY CA 91950 Tel. No.: _____

Length of Residence in National City: — San Diego County: 23 California: 25

Educational Background: MBA (MASTERS IN BUSINESS ADMINISTRATION)
TO BE COMPLETED IN FEBRUARY 28, 2015. BA (BACHELOR IN BUSINESS)

Occupational Experience: I HAVE OVER 20 YEARS OF EXPERIENCE IN
OPERATING CEMETERIES, MORTUARY, CREMATORIES AND ART EVENTS FOR
A VARIETY OF BUSINESSES.

Professional or Technical Organization Memberships: I AM A MEMBER OF INTERNATIONAL CEMETERY AND CREMATORY FUNERAL
ASSOCIATION AND CALIFORNIA FUNERAL DIRECTORS ASSN.

Civic or Community Experience, Membership, or Previous Public Service Appointments: LA VISTA IS A MEMBER OF N.C. CHAMBER OF COMMERCE.

Experience or Special Knowledge Pertaining to Area of Interest: I HAVE OVER 20 YEARS PLANNING PUBLIC EVENTS FOR CEMETERIES
AND FUNERALS.

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. N/A

Date: 12/1/14 Signature: Micaela Polanco

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

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1243 National City Blvd, National City, CA 91950

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This documents is filed as a public document


RECEIVED
CITY CLERK
2014 DEC 1 10 33
CITY OF NATIONAL CITY
3:58 PM

**Agency Report of:
Public Official Appointments**

Date Posted
(Month, Day, Year)

1/7/2015

A Public Document

1. Agency Name	City of National City	
Division, Dept. or Region (If Applicable)		
Designated Agency Contact (Name, Title)	Michael R. Dalla, City Clerk	Area Code/Phone Number 619 336-4228
		Email mdalla@nationalcityca.gov
<i>I have read and understand FPPC Regulation 18705.5. I have verified that the appointment and information identified is true to the best of my information and belief.</i>		
Signature of Agency Head or Designee		Print Name Michael R. Dalla
Title	City Clerk	Month, Day, Year 1/6/2015

2. Appointments						
Agency Boards and Commissions	Name of Appointed Person (Last, First)	Name of Alternate, if Any (Last, First)	Appointment Date	Length of Term	Per Meeting	Estimated Annual Salary/Stipend
MTS Metropolitan Transit System	Rios, Mona	Alejandra Sotelo-Solis	8/16/2011	no set term	\$150.00	\$1,950
Metropolitan Wastewater JPA	Natividad, Luis		2/1/2011	no set term	\$150.00	\$3,150
Sweetwater Authority	Van Deventer, Jess		5/17/2011	4 years	\$150.00	\$7,200
Sweetwater Authority	Morrison, Ron		5/17/2011	4 years	\$150.00	\$8,550
County Water Authority	Morrison, Ron		1/26/2006	6 years	\$150.00	\$2,001 - \$3,000
Regional Solid Waste Authority	Morrison, Ron		6/7/1994	no set term	\$150.00	\$0 - \$1,000
SANDAG Board of Directors	Morrison, Ron	1st Alternate - Vacant	12/1/1998	no set term	\$150.00	\$5,540
SANDAG Public Safety Committee	Sotelo-Solis, Alejandra	2nd Sotelo-Solis, Alejandra		no set term	\$100.00	\$400

RESOLUTION NO. 2012 – 250

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY
ADOPTING FPPC FORM 806, AND AUTHORIZING THE POSTING OF FORM 806
ON THE CITY'S WEBSITE DISCLOSING THE TERM, CURRENT APPOINTEE(S),
AND COMPENSATION OF APPOINTED POSITIONS, WHICH WOULD ALLOW
PARTICIPATION IN THE PROCESS BY THE INDIVIDUAL OFFICIALS
CONSIDERED FOR APPOINTMENTS

WHEREAS, under previously-existing FPPC regulation (Reg. 18705.5), the decision to participate in an appointment that received a stipend resulted in a material financial effect on the personal finances of the appointees when the compensation they received as a result of their appointment equaled or exceeded \$250 within any 12 month period; and

WHEREAS, this action prompted a number of cities to petition the FPPC to amend Reg. 18705.5, and earlier this year, the FPPC approved the amendment; and

WHEREAS, under amended Reg. 18705.5, councilmembers may participate in a decision to appoint themselves to a position that will result in additional compensation to them, subject to certain conditions; and

WHEREAS, The pertinent sections of the FPPC regulations are as follows:

18705.5 (c)

"Notwithstanding subsection (b), pursuant to Section 82030(b)(2) and Regulation 18232, a public official may make, participate in making, or use his or her official position to influence or attempt to influence, a government decision where all of the following conditions are satisfied:"

18705.5 (c) (3):


"The body making the appointment referred to in paragraph (1) adopts and posts on its website, on a form provided by the Commission, a list that sets forth each appointed position for which compensation is paid, the salary or stipend for each appointed position, the name of the public official who has been appointed to the position and the name of the public official, if any, who has been appointed as an alternate, and the term of the position."; and

WHEREAS, the regulation requires the appointee's name to be included on the form, and the form instructions indicate that the "form must be posted prior to a vote of the governing board on an appointment."

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of National City hereby adopts and approves the posting on the City's website of Form 806 listing each appointed position for which compensation is paid, the salary or stipend for each position, the name of the public official appointed to each position, and the name of the public official appointed as an alternate to each position.


Resolution No. 2012 – 250
Page Two

PASSED and ADOPTED this 18th day of December, 2012.



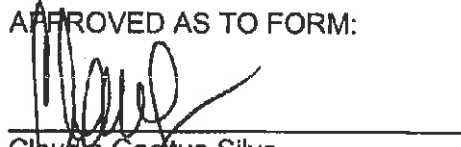
Ron Morrison, Mayor

ATTEST:



Michael R. Dalla, City Clerk

APPROVED AS TO FORM:



Claudia Gaitua Silva
City Attorney

Passed and adopted by the Council of the City of National City, California, on December 18, 2012 by the following vote, to-wit:

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

Nays: None.

Absent: None.

Abstain: None.

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



Richard A. Palla
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. 2012-250 of the City of National City, California, passed and adopted by the Council of said City on December 18, 2012.

City Clerk of the City of National City, California

By: _____
Deputy

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 the Grant Assurances for the FY14 State Homeland Security Grant Program, and authorizing the establishment of an appropriation and corresponding revenue budget in

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

MEETING DATE: January 20, 2015

AGENDA ITEM NO. _____

ITEM TITLE:

Resolution of the City Council of the City of National City authorizing the Mayor to execute the Grant Assurances for the FY14 State Homeland Security Grant Program, and authorizing the establishment of an appropriation and corresponding revenue budget in the amount of \$51,831 from the FY14 State Homeland Security Grant Program for a reimbursable grant purchase of equipment for the Police and Fire Departments. (Fire)

PREPARED BY: Walter Amedee *WA*

DEPARTMENT: Fire

PHONE: 619-336-4556

APPROVED BY: _____ 

EXPLANATION:

The FY14 State Homeland Security Grant Program was designed to supplement the purchase of equipment, training, exercises, and planning for police and fire personnel. The San Diego County Office of Emergency Services coordinates the requests for equipment, training, exercises, and planning. In order to receive grant funds, National City must authorize the submission of the Grant Assurances for the FY14 State Homeland Security Grant Program. National City's portion of the grant totaled \$51,831 for equipment. The equipment funds will be divided evenly between the City's Police and Fire Department.

This grant program requires the City to incur expenses, and then apply for reimbursement. In order to be eligible for reimbursement, the Police and Fire Department must purchase and/or receive the items prior to the December 31, 2015 deadline. Staff recommends the utilization of \$51,831 of City funds for equipment for the Police and Fire Department, and to request reimbursement for such expenses from the San Diego County Office of Emergency Services.

FINANCIAL STATEMENT:

APPROVED:  Finance

ACCOUNT NO. 282-411-944-355-0000 & 282-412-944-355-0000 **APPROVED:** _____ MIS

No negative impact; FY14 State Homeland Security Grant Program is a reimbursable grant that requires jurisdictions to incur expenses prior to being reimbursed for expenditures.

ENVIRONMENTAL REVIEW:

ORDINANCE: INTRODUCTION: FINAL ADOPTION:

STAFF RECOMMENDATION:

Staff recommends authorizing the Mayor to execute the Grant Assurances and authorizing the establishment of an appropriation and corresponding revenue budget in the amount of \$51,831.

BOARD / COMMISSION RECOMMENDATION:

ATTACHMENTS:

California Governor's Office of Emergency Services FY2014 Grant Assurances
FY14 SHSG Approved Allocation
Resolution

California Governor's Office of Emergency Services
FY 2014 Grant Assurances
(All HSGP Applicants)

Name of Applicant: City of National City

Address: 1243 National City Boulevard

City: National City State: CA Zip Code: 91950

Telephone Number: 619-336-4556 Fax Number: 619-336-4328

E-Mail Address: wamedee@nationalcityca.gov

As the duly authorized representative of the applicant, I certify that the applicant named above:

1. Will assure that the Funding Opportunity Announcement for this program is hereby incorporated into your award agreement by reference. By accepting this award, the recipient agrees that all allocations and use of funds under this grant will be in accordance with the requirements contained in the FY2014 Homeland Security Grant Program Funding Opportunity Announcement, the California Supplement to the FY2014 Homeland Security Grant Program Funding Opportunity Announcement, and all applicable laws and regulations.
2. All allocations and use of funds under this grant will be in accordance with the Allocations, and use of grant funding must support the goals and objectives included in the State and/or Urban Area Homeland Security Strategies as well as the investments identified in the Investment Justifications which were submitted as part of the California FY2014 Homeland Security Grant Program application. Further, use of FY2014 funds is limited to those investments included in the California FY2014 Investment Justifications submitted to DHS/FEMA and Cal OES and evaluated through the peer review process.
3. Understands that in the event FEMA determines that changes are necessary to the award document after an award has been made, including changes to period of performance or terms and conditions, recipients will be notified of the changes in writing. Once notification has been made, any subsequent request for funds will indicate recipient acceptance of the changes to the award. Please call the FEMA/GMD Call Center at (866) 927-5646 or via e-mail to ASK-GMD@dhs.gov if you have any questions.
4. Has the legal authority to apply for Federal assistance and has the institutional, managerial and financial capability to ensure proper planning, management and completion of the grant provided by the U.S. Department of Homeland Security (DHS)/Federal Emergency Management Agency (FEMA) and sub-granted through the State of California, California Governor's Office of Emergency Services (Cal OES).
5. Will assure that grant funds are used for allowable, fair, and reasonable costs only and will not be transferred between grant programs (for example: State Homeland Security Program and Urban Area Security Initiative) or fiscal years.
6. Will comply with any cost sharing commitments included in the FY2014 Investment Justifications submitted to DHS/FEMA/Cal OES, where applicable.
7. Will establish a proper accounting system in accordance with generally accepted accounting standards and awarding agency directives.

8. Will give the DHS/FEMA, the General Accounting Office, the Comptroller General of the United States, the Cal OES, the Office of Inspector General, through any authorized representatives, access to, and the right to examine, all paper or electronic records, books, and documents related to the award, and will permit access to its facilities, personnel and other individuals and information as may be necessary, as required by DHS/FEMA or Cal OES, through any authorized representative, with regard to examination of grant related records, accounts, documents, information and staff.
9. Agrees, and will require any subrecipient, contractor, successor, transferee, and assignee to acknowledge and agree to comply with applicable provisions governing DHS access to records, accounts, documents, information, facilities, and staff.
 - a. Recipients must cooperate with any compliance review or complaint investigation conducted by DHS or Cal OES.
 - b. Recipients must give DHS and Cal OES access to and the right to examine and copy records, accounts, and other documents and sources of information related to the grant and permit access to facilities, personnel, and other individuals and information as may be necessary, as required by DHS and Cal OES program guidance, requirements, and applicable laws.
 - c. Recipients must comply with all other special reporting, data collection, and evaluation requirements, as prescribed by law or detailed in program guidance, and recipients must submit timely, complete, and accurate reports to the appropriate DHS officials and maintain appropriate backup documentation to support the reports.
 - d. If, during the past three years, the recipient has been accused of discrimination on the grounds of race, color, national origin (including limited English proficiency), sex, age, disability, religion, or familial status, the recipient must provide a list of all such proceedings, pending or completed, including outcome and copies of settlement agreements to the DHS/Cal OES awarding office and the DHS Office of Civil Rights and Civil Liberties.
 - e. In the event any court or administrative agency makes a finding of discrimination on grounds of race, color, national origin (including limited English proficiency), sex, age, disability, religion, or familial status against the recipient, or the recipient settles a case or matter alleging such discrimination, recipients must forward a copy of the complaint and findings to the DHS Component and/or awarding office.

The United States has the right to seek judicial enforcement of these obligations.

10. Will comply with any other special reporting, assessments, national evaluation efforts, or information or data collection requests, including, but not limited to, the provision of any information required for the assessment or evaluation of any activities within this agreement, or detailed in the program guidance.
11. Agrees that funds utilized to establish or enhance State and Local fusion centers must support the development of a statewide fusion process that corresponds with the Global Justice/Homeland Security Advisory Council (HSAC) Fusion Center Guidelines, follow the Federal and State approved privacy policies, and achieve (at a minimum) the baseline level of capability as defined by the Fusion Capability Planning Tool.
12. Understands that a hold is in place on Fusion Center activities and the applicant is prohibited from obligating, expending, or drawing down HSGP – UASI funds in support of their State and/or Major Urban Area Fusion Center. Cal OES will notify the subgrantee in writing when DHS/FEMA has lifted the hold.
13. Will initiate and complete the work within the applicable timeframe (subgrantee performance period), in accordance with grant award terms and requirements, after receipt of approval from Cal OES and will maintain procedures to minimize the amount of time elapsing between the award of funds and the disbursement of funds.

14. Will provide timely, complete and accurate progress reports, and maintain appropriate support documentation to support the reports, and other such information as may be required by the awarding agency, including the Initial Strategy Implementation Plan (ISIP), within 45 (forty-five) days of the award, and update these reports and related documentation via the Grant Reporting Tool (GRT) twice each year.
15. Will provide timely notifications to Cal OES of any developments that have a significant impact on award-supported activities, including changes to key program staff.
16. Agrees to be non-delinquent in the repayment of any Federal debt. Examples of relevant debt, include delinquent payroll and other taxes, audit disallowances, and benefit overpayments. See OMB Circular A-129 and form SF-424B, item number 17 for additional information and guidance.
17. Will comply with the requirements of 31 U.S.C. § 3729, which set forth that no subgrantee, recipient or subrecipient of federal payments, shall submit a false claim for payment, reimbursement, or advance. Administrative remedies may be found in 38 U.S.C. §§ 3801-3812, addressing false claims and statements made.
18. Will comply with all applicable provisions of DHS/FEMA's regulations, including Title 44 of the Code of Federal Regulations, Part 13, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments, including the payment of interest earned on advances.
19. Will comply with the Office of Management and Budget (OMB) Circular A-102, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments (also known as the "A-102 Common Rule"), which are also located found within DHS regulations at Title 44, Code of Federal Regulations (CFR) Part 13, "Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments"; will comply with OMB Circular A-110, Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations, relocated to 2 CFR Part 215.
20. Will comply with the financial and administrative requirements set forth in the current edition of the DHS Financial Management Guide; OMB Circular A-21, Cost Principles for Educational Institutions, relocated to 2 CFR Part 220; OMB Circular A-87, Cost Principles for State, Local, and Indian Tribal Governments, relocated to 2 CFR Part 225; OMB Circular A-122, Cost Principles for Non-Profit Organizations, relocated to 2 CFR Part 230; and OMB Circular A-133, Audits of States, Local Governments and Non-Profit Organizations, as applicable.
21. Will comply with all provisions of the Federal Acquisition Regulations, including but not limited to Title 48 CFR Part 31.2, part 31.2 Contract Cost Principles and Procedures, Contracts with Commercial Organizations.
22. Will comply with provisions of the Hatch Act (5 U.S.C. §§ 1501-1508 and 7324-7328), which limits the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.
23. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes, or presents the appearance of, personal or organizational conflict of interest, or personal gain for themselves or others, particularly those with whom they have family, business, or other connections.
24. Understands and agrees that Federal funds will not be used, directly or indirectly, to support the enactment, repeal, modification or adoption of any law, regulation, or policy, at any level of government, without the express prior written approval from DHS/FEMA and Cal OES.
25. Will comply with all applicable lobbying prohibitions and laws, including those found 31 U.S.C. § 1352., and agrees that none of the funds provided under this award may be expended by the recipient to pay any

person to influence, or attempt to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with any Federal action concerning the award or renewal of any Federal contract, grant, loan, or cooperative agreement.

26. Agrees that, to the extent contractors or subcontractors are utilized, will use small, minority-owned, women-owned, or disadvantaged businesses, to the extent practicable.
27. Will comply with Title 2 of the Code of Federal Regulations Part 225, Appendix A, paragraph (C)(3)(c), which provides that any cost allocable to a particular Federal award or cost objective under the principles provided for in this authority may not be charged to other Federal awards to overcome fund deficiencies.
28. Will ensure that Federal funds do not replace (supplant) funds that have been budgeted for the same purpose through non-Federal sources. Subgrantees and subrecipients may be required to demonstrate and document that a reduction in non-Federal resources occurred for reasons other than the receipt or expected receipt of Federal funds.
29. Will comply, if applicable, with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. § 4801 et seq.), which prohibits the use of lead based paint in construction or rehabilitation of structures.
30. Will comply with all federal and state laws and regulations relating to civil rights protections and nondiscrimination. These include, but are not limited to:
 - a. Title VI of the Civil Rights Act of 1964, Public Law 88-352, (42 U.S.C. § 2000d et seq.), codified at 6 CFR Part 21 and 44 CFR Part 7, which provides that no person in the United States will, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.
 - b. Title IX of the Education Amendments of 1972, as amended (20 U.S.C. § 1681 et seq.), which prohibits discrimination on the basis of gender in educational programs and activities. These regulations are codified at 6 CFR Part 17 and 44 CFR Part 19.
 - c. The Americans with Disabilities Act, as amended, which prohibits recipients from discriminating on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. § 12101 et seq.).
 - d. The Age Discrimination Act of 1975, as amended (42 U.S.C. §§ 6101 et seq.), which prohibits discrimination on the basis of age in any program or activity receiving federal financial assistance.
 - e. The Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse.
 - f. The Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism.
 - g. Sections 523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. § 290 dd-3 and 290 ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records.
 - h. Title VIII of the Civil Rights Act of 1968 (42 U.S.C. § 3601 et seq., as implemented by 24 CFR Part 100), as amended, relating to nondiscrimination in the sale, rental and financing of housing.
 - i. Title 44 of the Code of Federal Regulations (CFR) Parts 7, 16, and 19 relating to nondiscrimination.
 - j. The requirements of any other nondiscrimination provisions in the specific statute(s) under which the application for Federal assistance is being made and any other applicable statutes.
 - k. The requirements of Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794, as amended, which provides that no otherwise qualified individual with a disability in the United States will, solely by reason of the disability, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance. These requirements pertain to the provision of benefits or services as well as to employment.
 - l. Will, in the event that a Federal or State court or Federal or State administrative agency makes a finding of discrimination after a due process hearing on the grounds or race, color, religion, national

- origin, gender, or disability against a recipient of funds, the recipient will forward a copy of the finding to the Office of Civil Rights, Office of Justice Programs.
- m. Will provide an Equal Employment Opportunity Plan, if applicable, to the Department of Justice Office of Civil Rights within 60 days of grant award.
 - n. Will comply, and assure the compliance of all its subgrantees and contractors, with the nondiscrimination requirements and all other provisions of the current edition of the Office of Justice Programs Financial and Administrative Guide for Grants, M7100.1.
31. Will comply with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. § 4601 et seq. [P.L. 91-646]), which provides for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or Federally assisted programs. These requirements apply to all interested in real property acquired for project purposes regardless of Federal participation in purchases. Will also comply with Title 44 CFR, Part 25, Uniform Relocation Assistance and Real Property Acquisition for Federal and Federally-assisted programs.
32. Will comply with all provisions of DHS/FEMA's regulation 44 CFR Part 10, Environmental Considerations.
33. Will comply with all applicable Federal, State, and Local environmental and historical preservation (EHP) requirements. Failure to meet Federal, State, and Local EHP requirements and obtain applicable permits may jeopardize Federal funding. Agrees not to undertake any project having the potential to impact EHP resources without the prior written approval of DHS/FEMA and Cal OES, including, but not limited to, ground disturbance, construction, modification to any structure, physical security enhancements, communications towers, any structure over 50 years old, and purchase and/or use of any sonar equipment. The subgrantee must comply with all conditions and restrictions placed on the project as a result of the EHP review. Any construction-related activities initiated without the necessary EHP review and approval will result in a noncompliance finding, and may not be eligible for reimbursement with DHS/FEMA and Cal OES funding. Any change to the scope of work will require re-evaluation of compliance with the EHP. If ground-disturbing activities occur during the project implementation, the subgrantee must ensure monitoring of the disturbance. If any potential archeological resources are discovered, the subgrantee will immediately cease activity in that area and notify DHS/FEMA/ and Cal OES and the appropriate State Historic Preservation Office.
34. Any construction activities that have been initiated prior to the full environmental and historic preservation review could result in a non-compliance finding. Subgrantees must complete the DHS/FEMA EHP Screening Form (OMB Number 1660-0115/FEMA Form 024-0-01) and submit it, with all supporting documentation, to their Cal OES program representative, for processing by the DHS/FEMA GPD EHP.
35. Grantees should submit the FEMA EHP Screening Form for each project as soon as possible upon receiving their grant award. The Screening Form for these types of projects is available at: www.fema.gov/doc/government/grant/bulletins/info329_final_screening_memo.doc.
36. Will ensure that the facilities under its ownership, lease or supervision, which shall be utilized in the accomplishment of this project, are not on the Environmental Protection Agency's (EPAs) List of Violating Facilities, and will notify Cal OES and the DHS/FEMA of the receipt of any communication from the Director of the EPA Office of Federal Activities indicating if a facility to be used in the project is under consideration for listing by the EPA.
37. Will provide any information requested by DHS/FEMA/ and Cal OES to ensure compliance with applicable laws including, but not limited to, the following:
- a. Institution of environmental quality control measures under the Archaeological and Historic Preservation Act, Endangered Species Act, and Executive Orders on Floodplains (11988), and Environmental Justice (EO12898) and Environmental Quality (EO11514).

- b. Notification of violating facilities pursuant to EO 11738.
 - c. Assurance of project consistency with the approved state management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. § 1451 et seq.).
 - d. Protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended, (P.L. 93-523).
 - e. California Environmental Quality Act (CEQA), California Public Resources Code Sections 21080-21098, and California Code of Regulations, Title 14, Chapter 3 §§ 15000-15007.
 - f. Wild and Scenic Rivers Act of 1968 (16 U.S.C. § 1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
 - g. Applicable provisions of the Coastal Barrier Resources Act (P.L. 97-348) dated October 19, 1982 (16 USC § 3501 et seq.), which prohibits the expenditure of most new Federal funds within the units of the Coastal Barrier Resources System.
38. Will comply with Standardized Emergency Management System (SEMS) requirements as stated in the California Emergency Services Act, Government Code, Chapter 7 of Division 1 of Title 2, § 8607.1(e) and CCR Title 19, §§ 2445, 2446, 2447, and 2448.
39. Agrees that subgrantees and subrecipients collecting Personally Identifiable Information (PII) must have a publically-available privacy policy that describes what PII they collect, how they plan to use the PII, whether they share PII with third parties, and how individuals may have their PII corrected where appropriate. Subgrantees and subrecipients may also find DHS Privacy Impact Assessments, guidance and templates online at http://www.dhs.gov/xlibrary/assets/privacy/privacy_pia_guidance_june2010.pdf and at http://www.dhs.gov/xlibrary/assets/privacy/privacy_pia_template.pdf, respectively.
40. Agrees that all DHS/FEMA-funded project activities carried on outside the United States are coordinated as necessary with appropriate government authorities and that appropriate licenses, permits, and approvals are obtained.
41. Will comply with Section 6 of the Hotel and Motel Fire Safety Act of 1990, 15 U.S.C. § 2225(a), whereby all subgrantees, recipients, and subrecipients must ensure that all conference, meeting, convention, or training space, funded in whole or in part with Federal funds, complies with the fire prevention and control guidelines of the Federal Fire Prevention and Control Act of 1974, 15 U.S.C. § 2225.
42. Will comply with the Preference for U.S. Flag Air Carriers: (air carriers holding certificates under 49 U.S.C. § 41102) for international air transportation of people and property to the extent that such service is available, in accordance with the International Air Transportation Fair Competitive Practices Act of 1974 (49 U.S.C. § 40118) and the interpretative guidelines issued by the Comptroller General of the United States in the March 31, 1981 amendment to Comptroller General Decision B138942.
43. Agrees that all publications created or published with funding under this grant shall prominently contain the following statement: *"This document was prepared under a grant from FEMA's Grant Programs Directorate, U.S. Department of Homeland Security. Points of view or opinions expressed in this document are those of the authors and do not necessarily represent the official position or policies of FEMA's Grant Programs Directorate or the U.S. Department of Homeland Security."* The recipient also agrees that, when practicable, any equipment purchased with grant funding shall be prominently marked as follows: *"Purchased with funds provided by the U.S. Department of Homeland Security."*
44. Acknowledges that DHS/FEMA reserves a royalty-free, nonexclusive, and irrevocable license to reproduce, publish, or otherwise use, and authorize others to use, for Federal government purposes: a) the copyright in any work developed under an award or sub-award; and b) any rights of copyright to which a recipient or sub-recipient purchases ownership with Federal support. The recipient must affix the applicable copyright notices of 17 U.S.C. section 401 or 402 and an acknowledgement of Government sponsorship (including award number) to any work first produced under Federal financial assistance awards, unless the work

includes any information that is otherwise controlled by the Government (e.g. classified information or other information subject to national security or export control laws or regulations). The recipient agrees to consult with DHS/FEMA and Cal OES regarding the allocation of any patent rights that arise from, or are purchased with, this funding.

45. Recipients receiving Federal financial assistance to be used to perform eligible work approved in the submitted application for Federal assistance and after the receipt of Federal financial assistance, through the State of California, agrees to the following:
 - a. Promptly return to the State of California all funds received which exceed the approved, actual expenditures as determined by the Federal or State government.
 - b. In the event the approved amount of the grant is reduced, the reimbursement applicable to the amount of the reduction will be promptly refunded to the State of California.
 - c. Property and equipment purchased under the HSGP reverts to Cal OES if the grant funds are deobligated or disallowed and not promptly repaid.
 - d. HSGP funds used for the improvement of real property must be promptly repaid following deobligation or disallowment of costs, and Cal OES reserves the right to place a lien on the property for the amount owed.
 - e. Separately account for interest earned on grant funds, and will return all interest earned, in excess of \$100 per Federal Fiscal Year.
46. Understands that recipients who receive awards made under programs that provide emergency communication equipment and its related activities must comply with the SAFECOM Guidance for Emergency Communication Grants, including provisions on technical standards that ensure and enhance interoperable communications.
47. Will comply, if applicable, with the Laboratory Animal Welfare Act of 1966 (P. L. 89-544, as amended, 7 U.S.C. § 2131 et seq.) pertaining to the care, handling, and treatment of warm blooded animals held for research, teaching, or other activities supported by this award of assistance.
48. Will comply with the minimum wage and maximum hour provisions of the Federal Fair Labor Standards Act (29 U.S.C. § 201), as they apply to employees of institutions of higher education, hospitals, and other non-profit organizations.
49. Agrees that "Classified national security information," as defined in Executive Order (EO) 12958, as amended or updated via later executive order(s), means information that has been determined pursuant to EO 12958 to require protection against unauthorized disclosure and is marked to indicate its classified status when in documentary form. No funding under this award shall be used to support a contract, subaward, or other agreement for goods or services that will include access to classified national security information if the award recipient has not been approved for and granted access to such information by appropriate authorities.
50. Agrees that where an award recipient has been approved for and has access to classified national security information, no funding under this award shall be used to support a contract, subaward, or other agreement for goods or services that will include access to classified national security information by the contractor, subrecipient, or other entity without prior written approval from the DHS Office of Security, Industrial Security Program Branch (ISPB), or, an appropriate official within the Federal department or agency with whom the classified effort will be performed. Such contracts, subawards, or other agreements shall be processed and administered in accordance with the DHS "Standard Operating Procedures, Classified Contracting by States and Local Entities," dated July 7, 2008; EOs 12829, 12958, 12968, and other applicable executive orders; the National Industrial Security Program Operating Manual (NISPOM); and other applicable implementing directives or instructions. Security requirement documents may be located at: <http://www.dhs.gov/xopnbiz/grants/index.shtm>

51. Immediately upon determination by the award recipient that funding under this award may be used to support a contract, subaward, or other agreement involving access to classified national security information pursuant to paragraph 47, and prior to execution of any actions to facilitate the acquisition of such a contract, subaward, or other agreement, the award recipient shall contact ISPB, and the applicable Federal department or agency, for approval and processing instructions.

DHS Office of Security ISPB contact information:
Telephone: 202-447-5346
Email: DD254AdministrativeSecurity@dhs.gov
Mail: Department of Homeland Security
Office of the Chief Security Officer
ATTN: ASD/Industrial Security Program Branch
Washington, D.C. 20528

52. Will comply with the requirements regarding Data Universal Numbering System (DUNS) numbers. If recipients are authorized to make subawards under this award, they must first notify potential subrecipients that no entity may receive or make a subaward to any entity unless the entity has provided a DUNS number.

For purposes of this award term, the following definitions will apply:

- a. "Data Universal Numbering System (DUNS)" number means the nine digit number established and assigned by Dun and Bradstreet, Inc. (D&B) to uniquely identify business entities. A DUNS number may be obtained from D&B by telephone (currently 866-705-5711) or the Internet, currently at <http://fedgov.dnb.com/webform>.
- b. "Entity", as it is used in this award term, means all of the following, as defined at 2 CFR part 25, subpart C, as a Governmental organization, which is a State, local government, or Indian Tribe; or a foreign public entity; or a domestic or foreign nonprofit organization; or a domestic or foreign for-profit organization; or a Federal agency, but only as a sub recipient under an award or subaward to a non-Federal entity.
- c. "Subaward" means a legal instrument to provide support for the performance of any portion of the substantive project or program for which you received this award and that you as the recipient award to an eligible subrecipient. It does not include your procurement of property and services needed to carry out the project or program (for further explanation, see section 210 of the attachment to OMB Circular A-133, "Audits of States, Local Governments, and Non-Profit Organizations") and may be provided through any legal agreement, including an agreement that you consider a contract.
- d. "Subrecipient" means an entity that receives a subaward from you under this award, and is accountable to you for the use of the Federal funds provided by the subaward.

53. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. § 276a to 276a-7), the Copeland Act (40 U.S.C. § 276c and 18 U.S.C. § 874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§ 327-333), regarding labor standards for Federally-assisted construction sub-agreements.

54. Agrees that equipment acquired or obtained with grant funds:

- a. Will be made available pursuant to applicable terms of the California Disaster and Civil Defense Master Mutual Aid Agreement, in consultation with representatives of the various fire, emergency medical, hazardous materials response services, and law enforcement agencies within the jurisdiction of the applicant, and deployed with personnel trained in the use of such equipment in a manner consistent with the California Law Enforcement Mutual Aid Plan or the California Fire Services and Rescue Mutual Aid Plan.
- b. Is consistent with needs as identified in the State Homeland Security Strategy and will be deployed in conformance with that Strategy.

55. Will comply with Homeland Security Presidential Directive (HSPD)-5, Management of Domestic Incidents. The adoption of the National Incident Management System (NIMS) is a requirement to receive Federal preparedness assistance, through grants, contracts, and other activities. The NIMS provides a consistent

nationwide template to enable all levels of government, tribal nations, nongovernmental organizations, and private sector partners to work together to prevent, protect against, respond to, recover from, and mitigate the effects of incidents, regardless of cause, size, location, or complexity.

56. Will comply with OMB Standard Form 424B Assurances – Non construction Programs, whereby the awarding agency may require subgrantees and subrecipients to certify to additional assurances.
57. Will not make any award or permit any award (subgrant or contract) to any party which is debarred or suspended or is otherwise excluded from or ineligible for participation in Federal assistance programs under Executive Order 12549 and 12689, “Debarment and Suspension.” As required by Executive Order 12549, Debarment and Suspension, and implemented at 44 CFR Part 17, for prospective participants in primary covered transactions, the applicant will provide protection against waste, fraud and abuse, by debarring or suspending those persons deemed irresponsible in their dealings with the Federal government. Applicant certifies that it and its principals:
 - a. Are not presently debarred, suspended, proposed for debarment, declared ineligible, sentenced to a denial of Federal benefits by a State or Federal court, or voluntarily excluded from covered transactions by any Federal department or agency.
 - b. Have not within a three-year period preceding this application been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction, violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property.
 - c. Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and have not within a three-year period preceding this application had one or more public transactions (Federal, State, or local) terminated for cause or default; and
 - d. Where the applicant is unable to certify to any of the statements in this certification, he or she shall attach an explanation to this application.
58. Will comply with requirements to acknowledge Federal funding when issuing statements, press releases, requests for proposals, bid invitations, and other documents describing projects or programs funded in whole or in part with Federal funds.
59. Will obtain, via Cal OES, the prior approval from DHS on any use of the DHS seal(s), logos, crests or reproductions of flags or likenesses of DHS agency officials, including use of the United States Coast Guard seal, logo, crests or reproductions of flags or likenesses of Coast Guard officials.
60. Will comply with the requirements of the Drug-Free Workplace Act of 1988 (41 U.S.C. § 701 et seq.), which requires that all organizations receiving grants from any Federal agency agree to maintain a drug-free workplace. The recipient must notify the awarding office if an employee of the recipient is convicted of violating a criminal drug statute. Failure to comply with these requirements may be cause for debarment. These regulations are codified at 2 CFR 3001.
61. Will comply with the requirements of the government-wide award term which implements Section 106(g) of the Trafficking Victims Protection Act (TVPA) of 2000, as amended (22 U.S.C. § 7104), located at 2 CFR Part 175. This is implemented in accordance with OMB Interim Final Guidance, Federal Register, Volume 72, No. 218, November 13, 2007. In accordance with Section 106(g) of the TVPA, as amended, requires the agency to include a condition that authorizes the agency to terminate the award, without penalty, if the recipient or a subrecipient engages in severe forms of trafficking in persons during the period of time that the award is in effect, procures a commercial sex act during the period of time that the award is

in effect, or uses forced labor in the performance of the award or subawards under the award. Full text of the award term is provided at 2 CFR § 175.15.

62. Will comply with Title VI of the Civil Rights Act of 1964 prohibition against discrimination on the basis of national origin, which requires that recipients of federal financial assistance take reasonable steps to provide meaningful access to their programs and services. Meaningful access may entail providing language assistance services, including oral and written translation, where necessary. Recipients are encouraged to consider the need for language services for LEP persons served or encountered both in developing budgets and in conducting programs and activities. Recipient shall comply with DHS Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons, 76 Fed. Reg. 21755-21768 (April 18, 2011), resulting from Executive Order 13166. For assistance and information regarding LEP obligations, refer to DHS Recipient Guidance at <https://www.dhs.gov/guidance-published-help-department-supported-organizations-provide-meaningful-access-people-limited> and additional resources on <http://www.lep.gov>.
63. Will comply with the requirements of 42 U.S.C. § 7401 et seq. and Executive Order 11738, which provides for the protection and enhancement of the quality of the nation's air resources to promote public health and welfare and for restoring and maintaining the chemical, physical, and biological integrity of the nation's waters is considered research for other purposes.
64. Will comply with the requirements of the Federal regulations at 45 CFR Part 46 and the requirements in DHS Management Directive 026-04, Protection of Human Subjects, prior to implementing any work with human subjects. The regulations specify additional protections for research involving human fetuses, pregnant women, and neonates (Subpart B); prisoners (Subpart C); and children (Subpart D). The use of autopsy materials is governed by applicable State and local law and is not directly regulated by 45 CFR Part 46.
65. Will comply with the requirements of the National Environmental Policy Act (NEPA), as amended, 42 U.S.C. § 4331 et seq., which establishes national policy goals and procedures to protect and enhance the environment, including protection against natural disasters. To comply with NEPA for its grant-supported activities, DHS requires the environmental aspects of construction grants (and certain non-construction projects as specified by the Component and awarding office) to be reviewed and evaluated before final action on the application.
66. Will comply with the requirements of section 1306(c) of the National Flood Insurance Act, as amended, which provides for benefit payments under the Standard Flood Insurance Policy for demolition or relocation of a structure insured under the Act that is located along the shore of a lake or other body of water and that is certified by an appropriate State or local land use authority to be subject to imminent collapse or subsidence as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels. These regulations are codified at 44 CFR Part 63.
67. Will comply with the requirements of the Flood Disaster Protection Act of 1973, as amended (42 U.S.C. § 4001 et seq.), which provides that no Federal financial assistance to acquire, modernize, or construct property may be provided in identified flood-prone communities in the United States, unless the community participates in the National Flood Insurance Program and flood insurance is purchased within one year of the identification. The flood insurance purchase requirement applies to both public and private applicants for DHS support. Lists of flood-prone areas that are eligible for flood insurance are published in the Federal Register by FEMA.
68. Will comply with the requirements of Executive Order 11990, which provides that federally-funded construction and improvements minimize the destruction, loss, or degradation of wetlands. The Executive Order provides that, in furtherance of section 101(b)(3) of NEPA (42 U.S.C. § 4331(b)(3)), Federal agencies, to the extent permitted by law, must avoid undertaking or assisting with new construction located in wetlands unless the head of the agency finds that there is no practicable alternative to such construction,

and that the proposed action includes all practicable measures to minimize harm to wetlands that may result from such use. In making this finding, the head of the agency may take into account economic, environmental, and other pertinent factors. The public disclosure requirement described above also pertains to early public review of any plans or proposals for new construction in wetlands. This is codified at 44 CFR Part 9.

69. Will comply with the requirements of the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act (USA PATRIOT Act), which amends 18 U.S.C. §§ 175-175c. Among other things, it prescribes criminal penalties for possession of any biological agent, toxin, or delivery system of a type or in a quantity that is not reasonably justified by a prophylactic, protective, bona fide research, or other peaceful purpose. The act also establishes restrictions on access to specified materials. "Restricted persons," as defined by the act, may not possess, ship, transport, or receive any biological agent or toxin that is listed as a select agent.
70. Understands the reporting of subawards and executive compensation rules, including first tier subawards to Cal OES.
- a. Applicability. Unless you are exempt as provided in paragraph d. of this award term, you must report each action that obligates \$25,000 or more in Federal funds that does not include Recovery funds (as defined in section 1512(a)(2) of the American Recovery and Reinvestment Act of 2009,
 - b. Where and when to report: you must report on each obligating action described in the following paragraphs to Cal OES. For subaward information, report no later than the end of the month following the month in which the obligation was made. (For example, if the obligation was made on November 7, 2013, the obligation must be reported by no later than December 31, 2013.)
 - c. What to report: You must report the information about each obligating action that the submission instructions posted in Information Bulletin 350, to Cal OES. To determine if the public has access to the compensation information, see the U.S. Security and Exchange Commission total compensation filings at <http://www.sec.gov/answers/execomp.htm>. Subgrantees must report subrecipient executive total compensation to Cal OES by the end of the month following the month during which you make the subaward. Exemptions include: If, in the previous tax year, you had gross income, from all sources, under \$300,000, you are exempt from the requirements to report on subawards, and the total compensation of the five most highly compensated executives of any subrecipient.
 - d. Reporting Total Compensation of Recipient Executives: You must report total compensation for each of your five most highly compensated executives for the preceding completed fiscal year, if
 - i. the total Federal funding authorized to date under this award is \$25,000 or more;
 - ii. in the preceding fiscal year, you received 80 percent or more of your annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR § 170.320 (and subawards); and \$25,000,000 or more in annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR § 170.320 (and subawards); and
 - iii. The public does not have access to information about the compensation of the executives through periodic reports filed under Section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. §§ 78m(a), 78o(d)) or § 6104 of the Internal Revenue Code of 1986. (To determine if the public has access to the compensation information, see the U.S. Security and Exchange Commission total compensation filings at <http://www.sec.gov/answers/execomp.htm>.)
 - iv. Subrecipient Executives. Unless you are exempt as provided above, for each first-tier subrecipient under this award, you shall report the names and total compensation of each of the subrecipient's five most highly compensated executives for the subrecipient's preceding completed fiscal year, if in the subrecipient's preceding fiscal year, the subrecipient received 80 percent or more of its annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR § 170.320 (and subawards); and \$25,000,000 or more in annual gross revenues from Federal procurement contracts (and subcontracts), and Federal

financial assistance subject to the Transparency Act (and subawards); and the public does not have access to information about the compensation of the executives through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. §§ 78m(a), 78o(d)) or § 6104 of the Internal Revenue Code of 1986.

71. Understands that failure to comply with any of these assurances may result in suspension, termination, or reduction of grant funds.
72. The undersigned represents that he/she is authorized by the above named applicant to enter into this agreement for and on behalf of the said applicant.

Signature of Authorized Agent: _____

Printed Name of Authorized Agent: Ron Morrison

Title: Mayor Date: _____

FY 2014 STATE HOMELAND SECURITY PROGRAM (SHSP) GRANT APPROVED ALLOCATION

JURISDICTION	FY2013 - ALLOCATION			FY2014 - PROPOSED ALLOCATION			
	CITIES	LE - 25% of FY13 Allocation	Non-LE	TOTAL	LE - 25% of FY14 Allocation	Non-LE	TOTAL
CARLSBAD	16,271	54,791	71,062	16,744	66,762	83,506	18%
CHULA VISTA	29,687	120,321	150,008	30,645	148,594	179,239	19%
CORONADO	5,994	15,722	21,716	6,634	18,129	24,763	14%
DEL MAR	-	6,939	6,939	-	7,374	7,374	6%
EL CAJON	17,127	51,503	68,630	19,271	61,765	81,036	18%
ENCINITAS	-	32,906	32,906	-	39,312	39,312	19%
ESCONDIDO	21,409	72,544	93,953	23,852	87,467	111,319	18%
ESCONDIDO RINCON DEL DIABLO	-	6,284	6,284	-	7,731	7,731	23%
IMPERIAL BEACH	-	17,305	17,305	-	19,954	19,954	15%
LA MESA	9,563	31,958	41,521	10,741	37,946	48,687	17%
LEMON GROVE	-	16,840	16,840	-	19,535	19,535	16%
NATIONAL CITY	11,561	32,268	43,829	12,637	38,290	50,927	16%
NATIONAL CITY - LINCOLN ACRES	-	736	736	-	904	904	23%
OCEANSIDE	28,830	83,298	112,128	31,593	100,967	132,560	18%
POWAY	DECLINED FY13			DECLINED FY14			
SAN DIEGO	261,042	-	261,042	285,912	-	285,912	10%
SAN MARCOS	-	44,569	44,569	-	55,555	55,555	25%
SAN MARCOS FIRE PROTECTION DISTRICT	-	6,599	6,599	-	8,118	8,118	23%
SANTEE	-	30,269	30,269	-	36,285	36,285	20%
SANTEE - CSA 115	-	2,106	2,106	-	2,592	2,592	23%
SOLANA BEACH	-	11,012	11,012	-	12,343	12,343	12%
VISTA	-	48,947	48,947	-	58,887	58,887	20%
VISTA FIRE PROTECTION DISTRICT	-	9,592	9,592	-	11,801	11,801	23%
TOTAL CITIES	401,484	696,509	1,097,993	438,029	840,311	1,278,340	16%
FIRE DISTRICTS/OTHER							
PORT OF SAN DIEGO	17,841	-	17,841	18,956	-	18,956	6%
ALPINE	-	11,954	11,954	-	13,548	13,548	13%
BORREGO SPRINGS	-	6,726	6,726	-	7,068	7,068	5%
DEER SPRINGS	-	10,567	10,567	-	11,789	11,789	12%
JULIAN/CUYAMACA	-	6,647	6,647	-	7,002	7,002	5%
NORTH COUNTY	-	25,321	25,321	-	33,369	33,369	32%
RANCHO SANTA FE	-	19,427	19,427	-	22,610	22,610	16%
SAN MIGUEL	-	61,000	61,000	-	73,798	73,798	21%
VALLEY CENTER	-	12,737	12,737	-	14,411	14,411	13%
TOTAL FIRE DISTRICTS/OTHER	17,841	154,379	172,220	18,956	183,595	202,551	18%
COUNTY DEPTS							
OES, HHSA-EMS	-	1,380,317	1,380,317	-	1,454,998	1,454,998	5%
SHERIFF	324,410	-	324,410	369,317	-	369,317	14%
TOTAL COUNTY DEPTS	324,410	1,380,317	1,704,727	369,317	1,454,998	1,824,315	7%
TOTAL ALLOCATIONS	743,735	2,231,205	2,974,940	826,302	2,478,904	3,305,206	11%

Notes:

***Personnel Cap:** Each jurisdiction's allocation has a personnel cap of 50%.

***San Diego Sheriff includes:** Unincorporated San Diego County and the contracted cities of Del Mar, Encinitas, Imperial Beach, Lemon Grove, Poway, San Marcos, Santee, Solana Beach and Vista.

RESOLUTION NO. 2015 –

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY
AUTHORIZING THE MAYOR TO EXECUTE THE GRANT ASSURANCES
FOR A REIMBURSABLE GRANT IN THE AMOUNT OF \$51,831 FROM
THE FY14 STATE HOMELAND SECURITY GRANT PROGRAM FOR
THE PURCHASE OF EQUIPMENT, TRAINING, EXERCISES, AND PLANNING
FOR POLICE AND FIRE PERSONNEL, AND AUTHORIZING THE ESTABLISHMENT
OF AN APPROPRIATION AND CORRESPONDING REVENUE BUDGET

WHEREAS, the FY 2014 Homeland Security Grant Program (“Grant Program”) provides reimbursable grant funds to supplement the purchase of equipment, training, exercises, and planning for police and fire personnel; and

WHEREAS, the Grant Program is a reimbursable grant that requires jurisdictions to incur expenses prior to being reimbursed for expenditures by the San Diego County Office of Emergency Services; and

WHEREAS, the City of National City’s share of the grant funds for the purchase of equipment is \$51,831, which will be divided evenly between the City’s Police and Fire Department; and

WHEREAS, in order to receive these grant funds, the City of National City must submit Grant Assurances for the Homeland Security Grant Program; and

WHEREAS, the grant program requires the City to purchase and/or receive the purchased items prior to the December 31, 2015 deadline.

WHEREAS, staff recommends the utilization of \$51,831 of City funds for equipment for the Police and Fire Departments, and to request reimbursement for such expenses from the San Diego County Office of Emergency Services

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of National City hereby authorizes the Mayor to execute the Grant Assurances from the Fiscal Year 2014 Homeland Security Grant Program to receive reimbursable grant funds in the amount of \$51,831 to be divided evenly between the Police and Fire Departments for the purchase of equipment, training, exercises, and planning for police and fire personnel.

BE IT FURTHER RESOLVED that staff is directed to request reimbursement of funds in the amount of \$51,831 from the Fiscal Year 2014 Homeland Security Grant Program from the San Diego County Office of Emergency Services.

BE IT FURTHER RESOLVED that the City Council of the City of National City authorizes the establishment of an appropriation and corresponding revenue budget in the amount of \$51,831.

[Signature page to follow]

PASSED and ADOPTED this 20th day of January, 2015.

Ron Morrison, Mayor

ATTEST:

Michael R. Dalla, City Clerk

APPROVED AS TO FORM:

Claudia Gacitua Silva
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 Mayor to execute the Memorandum of Understanding between the City of San Diego Office of Homeland Security and the City of National City regarding FY14 Urban Area Security Initiat

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

MEETING DATE: January 20, 2015

AGENDA ITEM NO. |

ITEM TITLE:

Resolution of the City Council of the City of National City authorizing the Mayor to execute the Memorandum of Understanding between the City of San Diego Office of Homeland Security and the City of National City regarding FY14 Urban Area Security Initiative (UASI) Grant Funding for a reimbursable grant for equipment and training for police and fire personnel. (Fire)

PREPARED BY: Walter Amedee *WA*

DEPARTMENT: Fire

PHONE: (619) 336-4556

APPROVED BY: 

EXPLANATION:

This Memorandum of Understanding documents roles, responsibilities, and expectations at the local, state, and federal levels and ensures that the City of National City, as a participant in the program, agrees to meet state and federal requirements. The Urban Area Security Initiative (UASI) grant provides funding for equipment and training needed to respond to natural or man-made disasters or terrorism incidents that may occur in the San Diego urban area.

FINANCIAL STATEMENT:

APPROVED:  Finance

ACCOUNT NO.

APPROVED: _____ MIS

Minor impact; the UASI Grant requires the City to request reimbursement for expenditures for training and equipment.

ENVIRONMENTAL REVIEW:

ORDINANCE: INTRODUCTION: FINAL ADOPTION:

STAFF RECOMMENDATION:

Staff recommends authorizing the Mayor to execute the MOU between the City of San Diego Office of Homeland Security and the City of National City regarding FY14 UASI grant funding.

BOARD / COMMISSION RECOMMENDATION:

ATTACHMENTS:

1. MOU between the City of San Diego Office of Homeland Security and the City of National City regarding FY14 Urban Area Security Initiative (UASI) grant funding
2. Resolution

MEMORANDUM OF UNDERSTANDING
BETWEEN THE CITY OF SAN DIEGO OFFICE OF HOMELAND SECURITY
AND THE CITY OF NATIONAL CITY
REGARDING FY14 URBAN AREA SECURITY INITIATIVE (UASI) GRANT
FUNDING

THIS MEMORANDUM OF UNDERSTANDING (MOU) is effective _____,
(effective date to be complete by City of San Diego City Attorney's Office)
20__, between THE CITY OF SAN DIEGO OFFICE OF HOMELAND SECURITY and
CITY OF NATIONAL CITY under the following terms and conditions:

1. The Participating Agency agrees to comply with the Grant Assurances for Urban Area Security Initiative (**Attachment A**).
2. The Participating Agency agrees to submit a Reimbursement Request Form by the 10th day of each month to request reimbursement for costs incurred in accordance with the UASI grant program guidelines.
3. The Participating Agency agrees to submit at the time of signing of this MOU, and on October 1 of each year thereafter, a verified confirmation of its public safety personnel by category and within the definitions provided in item 3.1 below for each of those categories (**Attachment B**). Public safety personnel shall only be counted in one category and one job classification even if they have multiple disciplines, such as Fire Fighter and Paramedic. The required listing of public safety personnel shall be by job classification from personnel, payroll and/or budgetary records by category in the format below.

- 3.1 Public safety personnel categories and definitions shall be as follows (civilian personnel shall not be counted):

Fire Services (FS) - Personnel at the urban area jurisdiction level who are in personnel classifications which provide services as first responders and meet the Hazmat First Responder Operations level requirements of Title 29 of the Code of Federal Regulations (CFR) Section 1910.120(q) (29CFR section 1910.120(q)) and Title 8 California Code of Regulations (CCR) Section 5192.

Law Enforcement (LE) – Personnel, in accordance with the provisions of California Penal Code Sections 830-832.17, who work for agencies at the local and municipal level with responsibility as sworn law enforcement officers.

Emergency Medical Services (EMS) – Personnel and contractors who, on a full-time or part-time basis serve as first responders, Emergency Medical Technician (EMT) I, II or Paramedic on ground-based and aero-medical services to provide pre-hospital care, through ambulance service,

Memorandum of Understanding - Urban Area Security Initiative Grant Funding

rescue squad, or medical engine company. Personnel must meet the requirements set forth in the California Code of Regulations Title 22, Social Security, Division 9, Pre-hospital Emergency Medical Services Chapter 2, 3 or 4.

HazMat (HZ) – Personnel, full-time or part-time, who identify, characterize, or provide risk assessment, and mitigate/control the release of a hazardous substance or potentially hazardous substance as Hazardous Materials Specialists or Technicians and members of the Hazardous Incident Response Team.

4. The Participating Agency agrees to maintain all documentation supporting all expenditures reimbursed from grant funds, and ensure all expenditures are allowable under grant requirements. Recipients that expend \$500,000 or more of federal funds during their respective fiscal year agree to submit an organization-wide financial and compliance audit report. The audit shall be performed in accordance with the U. S. General Accounting Office Government Auditing Standards and OMB Circular A-133 (Federal Grantor Agency: U. S. Department of Homeland Security; Pass-Through Agency: Office of Homeland Security; Program Title: Public Assistance Grants; Federal CFDA Number: 97.008). The records shall be maintained and retained in accordance with UASI grant requirements and shall be available for audit and inspection by the City and designated grant agent personnel.
5. The Participating Agency agrees that all its expenditures shall be in accordance with the pre-approved expenditure details as submitted to the City and approved by the State of California Office of Homeland Security (CA-OHS) and the U.S. Department of Homeland Security Office of Domestic Preparedness (ODP). Any deviations from the pre-approved list shall be submitted to the City for approval before making such expenditures.
6. The Participating Agency agrees to defend, indemnify, and hold harmless the City, its agents, officers, and employees, from and against all liability arising out of the Participating Agency's acts or omissions under this MOU.
7. The City agrees to defend, indemnify, and hold harmless the Participating Agency, its agents, officers, and employees, from and against all liability arising out of the City's acts or omissions under this MOU.

Memorandum of Understanding - Urban Area Security Initiative Grant Funding

IN WITNESS WHEREOF, this Memorandum of Understanding is entered into by the City of San Diego Office of Homeland Security and the City of National City, by and through their authorized representatives.

CITY OF SAN DIEGO

(Signature)

By: John Valencia

Title: Program Manager

CITY OF NATIONAL CITY

(Jurisdiction)

(Signature)

By: Ron Morrison

(Print)

Title: Mayor

I HEREBY APPROVE the form and legality of the foregoing Memorandum of Understanding this ___ day of _____, 20__.

JAN GOLDSMITH, City Attorney

By: _____

Deputy City Attorney

APPROVED AS TO FORM:

Claudia Gacitua Silva
City Attorney

California Governor's Office of Emergency Services
FY 2014 Grant Assurances
 (All HSGP Applicants)

Name of Applicant: City of National City

Address: 1243 National City Boulevard

City: National City State: CA Zip Code: 91950

Telephone Number: 619-336-4556 Fax Number: 619-336-4328

E-Mail Address: wamedee nationalcityca.gov

As the duly authorized representative of the applicant, I certify that the applicant named above:

1. Will assure that the Funding Opportunity Announcement for this program is hereby incorporated into your award agreement by reference. By accepting this award, the recipient agrees that all allocations and use of funds under this grant will be in accordance with the requirements contained in the FY2014 Homeland Security Grant Program Funding Opportunity Announcement, the California Supplement to the FY2014 Homeland Security Grant Program Funding Opportunity Announcement, and all applicable laws and regulations.
2. All allocations and use of funds under this grant will be in accordance with the Allocations, and use of grant funding must support the goals and objectives included in the State and/or Urban Area Homeland Security Strategies as well as the investments identified in the Investment Justifications which were submitted as part of the California FY2014 Homeland Security Grant Program application. Further, use of FY2014 funds is limited to those investments included in the California FY2014 Investment Justifications submitted to DHS/FEMA and Cal OES and evaluated through the peer review process.
3. Understands that in the event FEMA determines that changes are necessary to the award document after an award has been made, including changes to period of performance or terms and conditions, recipients will be notified of the changes in writing. Once notification has been made, any subsequent request for funds will indicate recipient acceptance of the changes to the award. Please call the FEMA/GMD Call Center at (866) 927-5646 or via e-mail to ASK-GMD@dhs.gov if you have any questions.
4. Has the legal authority to apply for Federal assistance and has the institutional, managerial and financial capability to ensure proper planning, management and completion of the grant provided by the U.S. Department of Homeland Security (DHS)/Federal Emergency Management Agency (FEMA) and sub-granted through the State of California, California Governor's Office of Emergency Services (Cal OES).
5. Will assure that grant funds are used for allowable, fair, and reasonable costs only and will not be transferred between grant programs (for example: State Homeland Security Program and Urban Area Security Initiative) or fiscal years.
6. Will comply with any cost sharing commitments included in the FY2014 Investment Justifications submitted to DHS/FEMA/Cal OES, where applicable.
7. Will establish a proper accounting system in accordance with generally accepted accounting standards and awarding agency directives.

8. Will give the DHS/FEMA, the General Accounting Office, the Comptroller General of the United States, the Cal OES, the Office of Inspector General, through any authorized representatives, access to, and the right to examine, all paper or electronic records, books, and documents related to the award, and will permit access to its facilities, personnel and other individuals and information as may be necessary, as required by DHS/FEMA or Cal OES, through any authorized representative, with regard to examination of grant related records, accounts, documents, information and staff.
9. Agrees, and will require any subrecipient, contractor, successor, transferee, and assignee to acknowledge and agree to comply with applicable provisions governing DHS access to records, accounts, documents, information, facilities, and staff.
 - a. Recipients must cooperate with any compliance review or complaint investigation conducted by DHS or Cal OES.
 - b. Recipients must give DHS and Cal OES access to and the right to examine and copy records, accounts, and other documents and sources of information related to the grant and permit access to facilities, personnel, and other individuals and information as may be necessary, as required by DHS and Cal OES program guidance, requirements, and applicable laws.
 - c. Recipients must comply with all other special reporting, data collection, and evaluation requirements, as prescribed by law or detailed in program guidance, and recipients must submit timely, complete, and accurate reports to the appropriate DHS officials and maintain appropriate backup documentation to support the reports.
 - d. If, during the past three years, the recipient has been accused of discrimination on the grounds of race, color, national origin (including limited English proficiency), sex, age, disability, religion, or familial status, the recipient must provide a list of all such proceedings, pending or completed, including outcome and copies of settlement agreements to the DHS/Cal OES awarding office and the DHS Office of Civil Rights and Civil Liberties.
 - e. In the event any court or administrative agency makes a finding of discrimination on grounds of race, color, national origin (including limited English proficiency), sex, age, disability, religion, or familial status against the recipient, or the recipient settles a case or matter alleging such discrimination, recipients must forward a copy of the complaint and findings to the DHS Component and/or awarding office.

The United States has the right to seek judicial enforcement of these obligations.

10. Will comply with any other special reporting, assessments, national evaluation efforts, or information or data collection requests, including, but not limited to, the provision of any information required for the assessment or evaluation of any activities within this agreement, or detailed in the program guidance.
11. Agrees that funds utilized to establish or enhance State and Local fusion centers must support the development of a statewide fusion process that corresponds with the Global Justice/Homeland Security Advisory Council (HSAC) Fusion Center Guidelines, follow the Federal and State approved privacy policies, and achieve (at a minimum) the baseline level of capability as defined by the Fusion Capability Planning Tool.
12. Understands that a hold is in place on Fusion Center activities and the applicant is prohibited from obligating, expending, or drawing down HSGP – UASI funds in support of their State and/or Major Urban Area Fusion Center. Cal OES will notify the subgrantee in writing when DHS/FEMA has lifted the hold.
13. Will initiate and complete the work within the applicable timeframe (subgrantee performance period), in accordance with grant award terms and requirements, after receipt of approval from Cal OES and will maintain procedures to minimize the amount of time elapsing between the award of funds and the disbursement of funds.

14. Will provide timely, complete and accurate progress reports, and maintain appropriate support documentation to support the reports, and other such information as may be required by the awarding agency, including the Initial Strategy Implementation Plan (ISIP), within 45 (forty-five) days of the award, and update these reports and related documentation via the Grant Reporting Tool (GRT) twice each year.
15. Will provide timely notifications to Cal OES of any developments that have a significant impact on award-supported activities, including changes to key program staff.
16. Agrees to be non-delinquent in the repayment of any Federal debt. Examples of relevant debt , include delinquent payroll and other taxes, audit disallowances, and benefit overpayments. See OMB Circular A-129 and form SF-424B, item number 17 for additional information and guidance.
17. Will comply with the requirements of 31 U.S.C. § 3729, which set forth that no subgrantee, recipient or subrecipient of federal payments, shall submit a false claim for payment, reimbursement, or advance. Administrative remedies may be found in 38 U.S.C. §§ 3801-3812, addressing false claims and statements made.
18. Will comply with all applicable provisions of DHS/FEMA's regulations, including Title 44 of the Code of Federal Regulations, Part 13, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments, including the payment of interest earned on advances.
19. Will comply with the Office of Management and Budget (OMB) Circular A-102, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments (also known as the "A-102 Common Rule"), which are also located found within DHS regulations at Title 44, Code of Federal Regulations (CFR) Part 13, "Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments"; will comply with OMB Circular A-110, Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations, relocated to 2 CFR Part 215.
20. Will comply with the financial and administrative requirements set forth in the current edition of the DHS Financial Management Guide; OMB Circular A-21, Cost Principles for Educational Institutions, relocated to 2 CFR Part 220; OMB Circular A-87, Cost Principles for State, Local, and Indian Tribal Governments, relocated to 2 CFR Part 225; OMB Circular A-122, Cost Principles for Non-Profit Organizations, relocated to 2 CFR Part 230; and OMB Circular A-133, Audits of States, Local Governments and Non-Profit Organizations, as applicable.
21. Will comply with all provisions of the Federal Acquisition Regulations, including but not limited to Title 48 CFR Part 31.2, part 31.2 Contract Cost Principles and Procedures, Contracts with Commercial Organizations.
22. Will comply with provisions of the Hatch Act (5 U.S.C. §§ 1501-1508 and 7324-7328), which limits the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.
23. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes, or presents the appearance of, personal or organizational conflict of interest, or personal gain for themselves or others, particularly those with whom they have family, business, or other connections.
24. Understands and agrees that Federal funds will not be used, directly or indirectly, to support the enactment, repeal, modification or adoption of any law, regulation, or policy, at any level of government, without the express prior written approval from DHS/FEMA and Cal OES.
25. Will comply with all applicable lobbying prohibitions and laws, including those found 31 U.S.C. § 1352., and agrees that none of the funds provided under this award may be expended by the recipient to pay any

person to influence, or attempt to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with any Federal action concerning the award or renewal of any Federal contract, grant, loan, or cooperative agreement.

26. Agrees that, to the extent contractors or subcontractors are utilized, will use small, minority-owned, women-owned, or disadvantaged businesses, to the extent practicable.
27. Will comply with Title 2 of the Code of Federal Regulations Part 225, Appendix A, paragraph (C)(3)(c), which provides that any cost allocable to a particular Federal award or cost objective under the principles provided for in this authority may not be charged to other Federal awards to overcome fund deficiencies.
28. Will ensure that Federal funds do not replace (supplant) funds that have been budgeted for the same purpose through non-Federal sources. Subgrantees and subrecipients may be required to demonstrate and document that a reduction in non-Federal resources occurred for reasons other than the receipt or expected receipt of Federal funds.
29. Will comply, if applicable, with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. § 4801 et seq.), which prohibits the use of lead based paint in construction or rehabilitation of structures.
30. Will comply with all federal and state laws and regulations relating to civil rights protections and nondiscrimination. These include, but are not limited to:
 - a. Title VI of the Civil Rights Act of 1964, Public Law 88-352, (42 U.S.C. § 2000d et seq.), codified at 6 CFR Part 21 and 44 CFR Part 7, which provides that no person in the United States will, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.
 - b. Title IX of the Education Amendments of 1972, as amended (20 U.S.C. § 1681 et seq.), which prohibits discrimination on the basis of gender in educational programs and activities. These regulations are codified at 6 CFR Part 17 and 44 CFR Part 19.
 - c. The Americans with Disabilities Act, as amended, which prohibits recipients from discriminating on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. § 12101 et seq.).
 - d. The Age Discrimination Act of 1975, as amended (42 U.S.C. §§ 6101 et seq.), which prohibits discrimination on the basis of age in any program or activity receiving federal financial assistance.
 - e. The Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse.
 - f. The Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism.
 - g. Sections 523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. § 290 dd-3 and 290 ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records.
 - h. Title VIII of the Civil Rights Act of 1968 (42 U.S.C. § 3601 et seq., as implemented by 24 CFR Part 100), as amended, relating to nondiscrimination in the sale, rental and financing of housing.
 - i. Title 44 of the Code of Federal Regulations (CFR) Parts 7, 16, and 19 relating to nondiscrimination.
 - j. The requirements of any other nondiscrimination provisions in the specific statute(s) under which the application for Federal assistance is being made and any other applicable statutes.
 - k. The requirements of Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794, as amended, which provides that no otherwise qualified individual with a disability in the United States will, solely by reason of the disability, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance. These requirements pertain to the provision of benefits or services as well as to employment.
 - l. Will, in the event that a Federal or State court or Federal or State administrative agency makes a finding of discrimination after a due process hearing on the grounds or race, color, religion, national

origin, gender, or disability against a recipient of funds, the recipient will forward a copy of the finding to the Office of Civil Rights, Office of Justice Programs.

- m. Will provide an Equal Employment Opportunity Plan, if applicable, to the Department of Justice Office of Civil Rights within 60 days of grant award.
 - n. Will comply, and assure the compliance of all its subgrantees and contractors, with the nondiscrimination requirements and all other provisions of the current edition of the Office of Justice Programs Financial and Administrative Guide for Grants, M7100.1.
31. Will comply with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. § 4601 et seq. [P.L. 91-646]), which provides for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or Federally assisted programs. These requirements apply to all interested in real property acquired for project purposes regardless of Federal participation in purchases. Will also comply with Title 44 CFR, Part 25, Uniform Relocation Assistance and Real Property Acquisition for Federal and Federally-assisted programs.
32. Will comply with all provisions of DHS/FEMA's regulation 44 CFR Part 10, Environmental Considerations.
33. Will comply with all applicable Federal, State, and Local environmental and historical preservation (EHP) requirements. Failure to meet Federal, State, and Local EHP requirements and obtain applicable permits may jeopardize Federal funding. Agrees not to undertake any project having the potential to impact EHP resources without the prior written approval of DHS/FEMA and Cal OES, including, but not limited to, ground disturbance, construction, modification to any structure, physical security enhancements, communications towers, any structure over 50 years old, and purchase and/or use of any sonar equipment. The subgrantee must comply with all conditions and restrictions placed on the project as a result of the EHP review. Any construction-related activities initiated without the necessary EHP review and approval will result in a noncompliance finding, and may not be eligible for reimbursement with DHS/FEMA and Cal OES funding. Any change to the scope of work will require re-evaluation of compliance with the EHP. If ground-disturbing activities occur during the project implementation, the subgrantee must ensure monitoring of the disturbance. If any potential archeological resources are discovered, the subgrantee will immediately cease activity in that area and notify DHS/FEMA/ and Cal OES and the appropriate State Historic Preservation Office.
34. Any construction activities that have been initiated prior to the full environmental and historic preservation review could result in a non-compliance finding. Subgrantees must complete the DHS/FEMA EHP Screening Form (OMB Number 1660-0115/FEMA Form 024-0-01) and submit it, with all supporting documentation, to their Cal OES program representative, for processing by the DHS/FEMA GPD EHP.
35. Grantees should submit the FEMA EHP Screening Form for each project as soon as possible upon receiving their grant award. The Screening Form for these types of projects is available at: www.fema.gov/doc/government/grant/bulletins/info329_final_screening_memo.doc.
36. Will ensure that the facilities under its ownership, lease or supervision, which shall be utilized in the accomplishment of this project, are not on the Environmental Protection Agency's (EPAs) List of Violating Facilities, and will notify Cal OES and the DHS/FEMA of the receipt of any communication from the Director of the EPA Office of Federal Activities indicating if a facility to be used in the project is under consideration for listing by the EPA.
37. Will provide any information requested by DHS/FEMA/ and Cal OES to ensure compliance with applicable laws including, but not limited to, the following:
- a. Institution of environmental quality control measures under the Archaeological and Historic Preservation Act, Endangered Species Act, and Executive Orders on Floodplains (11988), and Environmental Justice (EO12898) and Environmental Quality (EO11514).

- b. Notification of violating facilities pursuant to EO 11738.
 - c. Assurance of project consistency with the approved state management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. § 1451 et seq.).
 - d. Protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended, (P.L. 93-523).
 - e. California Environmental Quality Act (CEQA), California Public Resources Code Sections 21080-21098, and California Code of Regulations, Title 14, Chapter 3 §§ 15000-15007.
 - f. Wild and Scenic Rivers Act of 1968 (16 U.S.C. § 1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
 - g. Applicable provisions of the Coastal Barrier Resources Act (P.L. 97-348) dated October 19, 1982 (16 USC § 3501 et seq.), which prohibits the expenditure of most new Federal funds within the units of the Coastal Barrier Resources System.
38. Will comply with Standardized Emergency Management System (SEMS) requirements as stated in the California Emergency Services Act, Government Code, Chapter 7 of Division 1 of Title 2, § 8607.1(e) and CCR Title 19, §§ 2445, 2446, 2447, and 2448.
39. Agrees that subgrantees and subrecipients collecting Personally Identifiable Information (PII) must have a publically-available privacy policy that describes what PII they collect, how they plan to use the PII, whether they share PII with third parties, and how individuals may have their PII corrected where appropriate. Subgrantees and subrecipients may also find DHS Privacy Impact Assessments, guidance and templates online at http://www.dhs.gov/xlibrary/assets/privacy/privacy_pia_guidance_june2010.pdf and at http://www.dhs.gov/xlibrary/assets/privacy/privacy_pia_template.pdf, respectively.
40. Agrees that all DHS/FEMA-funded project activities carried on outside the United States are coordinated as necessary with appropriate government authorities and that appropriate licenses, permits, and approvals are obtained.
41. Will comply with Section 6 of the Hotel and Motel Fire Safety Act of 1990, 15 U.S.C. § 2225(a), whereby all subgrantees, recipients, and subrecipients must ensure that all conference, meeting, convention, or training space, funded in whole or in part with Federal funds, complies with the fire prevention and control guidelines of the Federal Fire Prevention and Control Act of 1974, 15 U.S.C. § 2225.
42. Will comply with the Preference for U.S. Flag Air Carriers: (air carriers holding certificates under 49 U.S.C. § 41102) for international air transportation of people and property to the extent that such service is available, in accordance with the International Air Transportation Fair Competitive Practices Act of 1974 (49 U.S.C. § 40118) and the interpretative guidelines issued by the Comptroller General of the United States in the March 31, 1981 amendment to Comptroller General Decision B138942.
43. Agrees that all publications created or published with funding under this grant shall prominently contain the following statement: *"This document was prepared under a grant from FEMA's Grant Programs Directorate, U.S. Department of Homeland Security. Points of view or opinions expressed in this document are those of the authors and do not necessarily represent the official position or policies of FEMA's Grant Programs Directorate or the U.S. Department of Homeland Security."* The recipient also agrees that, when practicable, any equipment purchased with grant funding shall be prominently marked as follows: *"Purchased with funds provided by the U.S. Department of Homeland Security."*
44. Acknowledges that DHS/FEMA reserves a royalty-free, nonexclusive, and irrevocable license to reproduce, publish, or otherwise use, and authorize others to use, for Federal government purposes: a) the copyright in any work developed under an award or sub-award; and b) any rights of copyright to which a recipient or sub-recipient purchases ownership with Federal support. The recipient must affix the applicable copyright notices of 17 U.S.C. section 401 or 402 and an acknowledgement of Government sponsorship (including award number) to any work first produced under Federal financial assistance awards, unless the work

includes any information that is otherwise controlled by the Government (e.g. classified information or other information subject to national security or export control laws or regulations). The recipient agrees to consult with DHS/FEMA and Cal OES regarding the allocation of any patent rights that arise from, or are purchased with, this funding.

45. Recipients receiving Federal financial assistance to be used to perform eligible work approved in the submitted application for Federal assistance and after the receipt of Federal financial assistance, through the State of California, agrees to the following:
 - a. Promptly return to the State of California all funds received which exceed the approved, actual expenditures as determined by the Federal or State government.
 - b. In the event the approved amount of the grant is reduced, the reimbursement applicable to the amount of the reduction will be promptly refunded to the State of California.
 - c. Property and equipment purchased under the HSGP reverts to Cal OES if the grant funds are deobligated or disallowed and not promptly repaid.
 - d. HSGP funds used for the improvement of real property must be promptly repaid following deobligation or disallowment of costs, and Cal OES reserves the right to place a lien on the property for the amount owed.
 - e. Separately account for interest earned on grant funds, and will return all interest earned, in excess of \$100 per Federal Fiscal Year.
46. Understands that recipients who receive awards made under programs that provide emergency communication equipment and its related activities must comply with the SAFECOM Guidance for Emergency Communication Grants, including provisions on technical standards that ensure and enhance interoperable communications.
47. Will comply, if applicable, with the Laboratory Animal Welfare Act of 1966 (P. L. 89-544, as amended, 7 U.S.C. § 2131 et seq.) pertaining to the care, handling, and treatment of warm blooded animals held for research, teaching, or other activities supported by this award of assistance.
48. Will comply with the minimum wage and maximum hour provisions of the Federal Fair Labor Standards Act (29 U.S.C. § 201), as they apply to employees of institutions of higher education, hospitals, and other non-profit organizations.
49. Agrees that "Classified national security information," as defined in Executive Order (EO) 12958, as amended or updated via later executive order(s), means information that has been determined pursuant to EO 12958 to require protection against unauthorized disclosure and is marked to indicate its classified status when in documentary form. No funding under this award shall be used to support a contract, subaward, or other agreement for goods or services that will include access to classified national security information if the award recipient has not been approved for and granted access to such information by appropriate authorities.
50. Agrees that where an award recipient has been approved for and has access to classified national security information, no funding under this award shall be used to support a contract, subaward, or other agreement for goods or services that will include access to classified national security information by the contractor, subrecipient, or other entity without prior written approval from the DHS Office of Security, Industrial Security Program Branch (ISPB), or, an appropriate official within the Federal department or agency with whom the classified effort will be performed. Such contracts, subawards, or other agreements shall be processed and administered in accordance with the DHS "Standard Operating Procedures, Classified Contracting by States and Local Entities," dated July 7, 2008; EOs 12829, 12958, 12968, and other applicable executive orders; the National Industrial Security Program Operating Manual (NISPOM); and other applicable implementing directives or instructions. Security requirement documents may be located at: <http://www.dhs.gov/xopnbiz/grants/index.shtm>

51. Immediately upon determination by the award recipient that funding under this award may be used to support a contract, subaward, or other agreement involving access to classified national security information pursuant to paragraph 47, and prior to execution of any actions to facilitate the acquisition of such a contract, subaward, or other agreement, the award recipient shall contact ISPB, and the applicable Federal department or agency, for approval and processing instructions.

DHS Office of Security ISPB contact information:
Telephone: 202-447-5346
Email: DD254AdministrativeSecurity@dhs.gov
Mail: Department of Homeland Security
Office of the Chief Security Officer
ATTN: ASD/Industrial Security Program Branch
Washington, D.C. 20528

52. Will comply with the requirements regarding Data Universal Numbering System (DUNS) numbers. If recipients are authorized to make subawards under this award, they must first notify potential subrecipients that no entity may receive or make a subaward to any entity unless the entity has provided a DUNS number.

For purposes of this award term, the following definitions will apply:

- a. "Data Universal Numbering System (DUNS)" number means the nine digit number established and assigned by Dun and Bradstreet, Inc. (D&B) to uniquely identify business entities. A DUNS number may be obtained from D&B by telephone (currently 866-705-5711) or the Internet, currently at <http://fedgov.dnb.com/webform>.
 - b. "Entity", as it is used in this award term, means all of the following, as defined at 2 CFR part 25, subpart C, as a Governmental organization, which is a State, local government, or Indian Tribe; or a foreign public entity; or a domestic or foreign nonprofit organization; or a domestic or foreign for-profit organization; or a Federal agency, but only as a sub recipient under an award or subaward to a non-Federal entity.
 - c. "Subaward" means a legal instrument to provide support for the performance of any portion of the substantive project or program for which you received this award and that you as the recipient award to an eligible subrecipient. It does not include your procurement of property and services needed to carry out the project or program (for further explanation, see section 210 of the attachment to OMB Circular A-133, "Audits of States, Local Governments, and Non-Profit Organizations") and may be provided through any legal agreement, including an agreement that you consider a contract.
 - d. "Subrecipient" means an entity that receives a subaward from you under this award, and is accountable to you for the use of the Federal funds provided by the subaward.
53. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. § 276a to 276a-7), the Copeland Act (40 U.S.C. § 276c and 18 U.S.C. § 874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§ 327-333), regarding labor standards for Federally-assisted construction sub-agreements.
54. Agrees that equipment acquired or obtained with grant funds:
- a. Will be made available pursuant to applicable terms of the California Disaster and Civil Defense Master Mutual Aid Agreement, in consultation with representatives of the various fire, emergency medical, hazardous materials response services, and law enforcement agencies within the jurisdiction of the applicant, and deployed with personnel trained in the use of such equipment in a manner consistent with the California Law Enforcement Mutual Aid Plan or the California Fire Services and Rescue Mutual Aid Plan.
 - b. Is consistent with needs as identified in the State Homeland Security Strategy and will be deployed in conformance with that Strategy.
55. Will comply with Homeland Security Presidential Directive (HSPD)-5, Management of Domestic Incidents. The adoption of the National Incident Management System (NIMS) is a requirement to receive Federal preparedness assistance, through grants, contracts, and other activities. The NIMS provides a consistent

nationwide template to enable all levels of government, tribal nations, nongovernmental organizations, and private sector partners to work together to prevent, protect against, respond to, recover from, and mitigate the effects of incidents, regardless of cause, size, location, or complexity.

56. Will comply with OMB Standard Form 424B Assurances – Non construction Programs, whereby the awarding agency may require subgrantees and subrecipients to certify to additional assurances.
57. Will not make any award or permit any award (subgrant or contract) to any party which is debarred or suspended or is otherwise excluded from or ineligible for participation in Federal assistance programs under Executive Order 12549 and 12689, “Debarment and Suspension.” As required by Executive Order 12549, Debarment and Suspension, and implemented at 44 CFR Part 17, for prospective participants in primary covered transactions, the applicant will provide protection against waste, fraud and abuse, by debarring or suspending those persons deemed irresponsible in their dealings with the Federal government. Applicant certifies that it and its principals:
- a. Are not presently debarred, suspended, proposed for debarment, declared ineligible, sentenced to a denial of Federal benefits by a State or Federal court, or voluntarily excluded from covered transactions by any Federal department or agency.
 - b. Have not within a three-year period preceding this application been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction, violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property.
 - c. Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and have not within a three-year period preceding this application had one or more public transactions (Federal, State, or local) terminated for cause or default; and
 - d. Where the applicant is unable to certify to any of the statements in this certification, he or she shall attach an explanation to this application.
58. Will comply with requirements to acknowledge Federal funding when issuing statements, press releases, requests for proposals, bid invitations, and other documents describing projects or programs funded in whole or in part with Federal funds.
59. Will obtain, via Cal OES, the prior approval from DHS on any use of the DHS seal(s), logos, crests or reproductions of flags or likenesses of DHS agency officials, including use of the United States Coast Guard seal, logo, crests or reproductions of flags or likenesses of Coast Guard officials.
60. Will comply with the requirements of the Drug-Free Workplace Act of 1988 (41 U.S.C. § 701 et seq.), which requires that all organizations receiving grants from any Federal agency agree to maintain a drug-free workplace. The recipient must notify the awarding office if an employee of the recipient is convicted of violating a criminal drug statute. Failure to comply with these requirements may be cause for debarment. These regulations are codified at 2 CFR 3001.
61. Will comply with the requirements of the government-wide award term which implements Section 106(g) of the Trafficking Victims Protection Act (TVPA) of 2000, as amended (22 U.S.C. § 7104), located at 2 CFR Part 175. This is implemented in accordance with OMB Interim Final Guidance, Federal Register, Volume 72, No. 218, November 13, 2007. In accordance with Section 106(g) of the TVPA, as amended, requires the agency to include a condition that authorizes the agency to terminate the award, without penalty, if the recipient or a subrecipient engages in severe forms of trafficking in persons during the period of time that the award is in effect, procures a commercial sex act during the period of time that the award is

in effect, or uses forced labor in the performance of the award or subawards under the award. Full text of the award term is provided at 2 CFR § 175.15.

62. Will comply with Title VI of the Civil Rights Act of 1964 prohibition against discrimination on the basis of national origin, which requires that recipients of federal financial assistance take reasonable steps to provide meaningful access to their programs and services. Meaningful access may entail providing language assistance services, including oral and written translation, where necessary. Recipients are encouraged to consider the need for language services for LEP persons served or encountered both in developing budgets and in conducting programs and activities. Recipient shall comply with DHS Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons, 76 Fed. Reg. 21755-21768 (April 18, 2011), resulting from Executive Order 13166. For assistance and information regarding LEP obligations, refer to DHS Recipient Guidance at <https://www.dhs.gov/guidance-published-help-department-supported-organizations-provide-meaningful-access-people-limited> and additional resources on <http://www.lep.gov>.
63. Will comply with the requirements of 42 U.S.C. § 7401 et seq. and Executive Order 11738, which provides for the protection and enhancement of the quality of the nation's air resources to promote public health and welfare and for restoring and maintaining the chemical, physical, and biological integrity of the nation's waters is considered research for other purposes.
64. Will comply with the requirements of the Federal regulations at 45 CFR Part 46 and the requirements in DHS Management Directive 026-04, Protection of Human Subjects, prior to implementing any work with human subjects. The regulations specify additional protections for research involving human fetuses, pregnant women, and neonates (Subpart B); prisoners (Subpart C); and children (Subpart D). The use of autopsy materials is governed by applicable State and local law and is not directly regulated by 45 CFR Part 46.
65. Will comply with the requirements of the National Environmental Policy Act (NEPA), as amended, 42 U.S.C. § 4331 et seq., which establishes national policy goals and procedures to protect and enhance the environment, including protection against natural disasters. To comply with NEPA for its grant-supported activities, DHS requires the environmental aspects of construction grants (and certain non-construction projects as specified by the Component and awarding office) to be reviewed and evaluated before final action on the application.
66. Will comply with the requirements of section 1306(c) of the National Flood Insurance Act, as amended, which provides for benefit payments under the Standard Flood Insurance Policy for demolition or relocation of a structure insured under the Act that is located along the shore of a lake or other body of water and that is certified by an appropriate State or local land use authority to be subject to imminent collapse or subsidence as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels. These regulations are codified at 44 CFR Part 63.
67. Will comply with the requirements of the Flood Disaster Protection Act of 1973, as amended (42 U.S.C. § 4001 et seq.), which provides that no Federal financial assistance to acquire, modernize, or construct property may be provided in identified flood-prone communities in the United States, unless the community participates in the National Flood Insurance Program and flood insurance is purchased within one year of the identification. The flood insurance purchase requirement applies to both public and private applicants for DHS support. Lists of flood-prone areas that are eligible for flood insurance are published in the Federal Register by FEMA.
68. Will comply with the requirements of Executive Order 11990, which provides that federally-funded construction and improvements minimize the destruction, loss, or degradation of wetlands. The Executive Order provides that, in furtherance of section 101(b)(3) of NEPA (42 U.S.C. § 4331(b)(3)), Federal agencies, to the extent permitted by law, must avoid undertaking or assisting with new construction located in wetlands unless the head of the agency finds that there is no practicable alternative to such construction,

and that the proposed action includes all practicable measures to minimize harm to wetlands that may result from such use. In making this finding, the head of the agency may take into account economic, environmental, and other pertinent factors. The public disclosure requirement described above also pertains to early public review of any plans or proposals for new construction in wetlands. This is codified at 44 CFR Part 9.

69. Will comply with the requirements of the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act (USA PATRIOT Act), which amends 18 U.S.C. §§ 175-175c. Among other things, it prescribes criminal penalties for possession of any biological agent, toxin, or delivery system of a type or in a quantity that is not reasonably justified by a prophylactic, protective, bona fide research, or other peaceful purpose. The act also establishes restrictions on access to specified materials. "Restricted persons," as defined by the act, may not possess, ship, transport, or receive any biological agent or toxin that is listed as a select agent.
70. Understands the reporting of subawards and executive compensation rules, including first tier subawards to Cal OES.
- a. Applicability. Unless you are exempt as provided in paragraph d. of this award term, you must report each action that obligates \$25,000 or more in Federal funds that does not include Recovery funds (as defined in section 1512(a)(2) of the American Recovery and Reinvestment Act of 2009,
 - b. Where and when to report: you must report on each obligating action described in the following paragraphs to Cal OES. For subaward information, report no later than the end of the month following the month in which the obligation was made. (For example, if the obligation was made on November 7, 2013, the obligation must be reported by no later than December 31, 2013.)
 - c. What to report: You must report the information about each obligating action that the submission instructions posted in Information Bulletin 350, to Cal OES. To determine if the public has access to the compensation information, see the U.S. Security and Exchange Commission total compensation filings at <http://www.sec.gov/answers/execomp.htm>. Subgrantees must report subrecipient executive total compensation to Cal OES by the end of the month following the month during which you make the subaward. Exemptions include: If, in the previous tax year, you had gross income, from all sources, under \$300,000, you are exempt from the requirements to report on subawards, and the total compensation of the five most highly compensated executives of any subrecipient.
 - d. Reporting Total Compensation of Recipient Executives: You must report total compensation for each of your five most highly compensated executives for the preceding completed fiscal year, if
 - i. the total Federal funding authorized to date under this award is \$25,000 or more;
 - ii. in the preceding fiscal year, you received 80 percent or more of your annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR § 170.320 (and subawards); and \$25,000,000 or more in annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR § 170.320 (and subawards); and
 - iii. The public does not have access to information about the compensation of the executives through periodic reports filed under Section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. §§ 78m(a), 78o(d)) or § 6104 of the Internal Revenue Code of 1986. (To determine if the public has access to the compensation information, see the U.S. Security and Exchange Commission total compensation filings at <http://www.sec.gov/answers/execomp.htm>.)
 - iv. Subrecipient Executives. Unless you are exempt as provided above, for each first-tier subrecipient under this award, you shall report the names and total compensation of each of the subrecipient's five most highly compensated executives for the subrecipient's preceding completed fiscal year, if in the subrecipient's preceding fiscal year, the subrecipient received 80 percent or more of its annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR § 170.320 (and subawards); and \$25,000,000 or more in annual gross revenues from Federal procurement contracts (and subcontracts), and Federal

financial assistance subject to the Transparency Act (and subawards); and the public does not have access to information about the compensation of the executives through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. §§ 78m(a), 78o(d)) or § 6104 of the Internal Revenue Code of 1986.

71. Understands that failure to comply with any of these assurances may result in suspension, termination, or reduction of grant funds.
72. The undersigned represents that he/she is authorized by the above named applicant to enter into this agreement for and on behalf of the said applicant.

Signature of Authorized Agent: _____

Printed Name of Authorized Agent: Ron Morrison

Title: Mayor Date: _____

**CERTIFICATION OF PUBLIC SAFETY PERSONNEL
BY CATEGORY
FY 14 UASI**

Date: _____

Agency: City of National City

Authorized Agent Name: Ron Morrison

Authorized Agent Signature: _____

Public safety personnel shall only be counted in one category, as defined in the Memorandum of Understanding between the City of San Diego and the participating agency, and one job classification even if they have multiple disciplines, such as Fire Fighter and Paramedic. The required listing of public safety personnel shall be by job classification from personnel, payroll and/or budgetary records. For classifications not listed, please use the additional lines within each category.

CATEGORY – EMERGENCY MEDICAL SERVICES	
JOB CLASSIFICATION	NUMBER OF PERSONNEL
EMERGENCY MEDICAL TECHNICIAN I	
EMERGENCY MEDICAL TECHNICIAN II	
PARAMEDIC	
LIFEGUARD I	
LIFEGUARD II	
LIFEGUARD III	
LIFEGUARD SERGEANT	
MARINE SAFETY LIEUTENANT	
LIFEGUARD CHIEF	
TOTAL	0
CATEGORY - FIRE SERVICES	
JOB CLASSIFICATION	NUMBER OF PERSONNEL
FIRE FIGHTER	18
FIRE ENGINEER	9
FIRE CAPTAIN	9
FIRE BATTALION CHIEF	4

Attachment B

DIRECTOR OF EMERGENCY SERVICES	1
TOTAL	41
CATEGORY – HAZARDOUS INCIDENT RESPONSE TEAM	
JOB CLASSIFICATION	NUMBER OF PERSONNEL
HAZARDOUS MATERIALS SPECIALIST	
HAZARDOUS MATERIALS TECHNICIAN	
TOTAL	0
CATEGORY – LAW ENFORCEMENT	
JOB CLASSIFICATION	NUMBER OF PERSONNEL
POLICE OFFICER	44
POLICE CORPORAL	21
POLICE SERGEANT	14
POLICE LIEUTENANT	4
POLICE CAPTAIN	2
POLICE CHIEF	1
TOTAL	86

RESOLUTION NO. 2015 –

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY
AUTHORIZING THE MAYOR TO EXECUTE A MEMORANDUM OF UNDERSTANDING
BETWEEN THE CITY OF SAN DIEGO OFFICE OF HOMELAND SECURITY AND
THE CITY OF NATIONAL CITY REGARDING FY14 URBAN AREA SECURITY
INITIATIVE GRANT FUNDING FOR A REIMBURSABLE GRANT FOR
EQUIPMENT AND TRAINING FOR POLICE AND FIRE PERSONNEL

WHEREAS, the Urban Area Security Initiative (“UASI”) grant provides funding for equipment and training needed to respond to natural or man-made disasters or terrorism incidents that may occur in the San Diego urban area; and

WHEREAS, the City of National City is required to execute a Memorandum of Understanding with the City of San Diego Office of Homeland Security that documents the roles, responsibilities, and expectations at the local, state, and federal levels, and ensures that the City of National City, as a participant in the program, agrees to meet the State and federal requirements.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of National City hereby authorizes the Mayor to execute a Memorandum of Understanding with the City of San Diego Office of Homeland Security regarding the Fiscal Year 2014 Urban Area Security Initiative Grant Funding Program. Said Memorandum of Understanding is on file in the office of the City Clerk.

PASSED and ADOPTED this 20th day of January, 2015.

Ron Morrison, Mayor

ATTEST:

Michael R. Dalla, City Clerk

APPROVED AS TO FORM:

Claudia Gacitua Silva
City Attorney

The following page(s) contain the backup material for Agenda Item: Resolution of the City Council of the City of National City, 1) awarding a contract in the not-to-exceed amount of \$79,000.00 to Downstream Services, Inc. for the National City Culvert Barrier Project, CIP No. 14-06; 2) authorizing a 15% contingency in th

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

MEETING DATE: | January 20, 2015 |

AGENDA ITEM NO. |

ITEM TITLE:

[Resolution of the City Council of the City of National City, 1) awarding a contract in the not-to-exceed amount of \$79,000.00 to Downstream Services, Inc. for the National City Culvert Barrier Project, CIP No. 14-06; 2) authorizing a 15% contingency in the amount of \$11,850.00 for any unforeseen changes; and 3) authorizing the Mayor to execute the contract.]

PREPARED BY: | Kenneth Fernandez, P.E. | 

DEPARTMENT: | Engineering/Public Works |

PHONE: | 336-4388 |

APPROVED BY: 

EXPLANATION:

[See attached.]

FINANCIAL STATEMENT:

APPROVED:  Finance

ACCOUNT NO. |

APPROVED: _____ MIS

[001-416-030-299-0000 (General Funds – Environmental Compliance): \$39,000.00
001-409-500-598-7062 (Drainage Improvements Paradise Creek): \$40,000.00 |

ENVIRONMENTAL REVIEW:

[N/A |

ORDINANCE: INTRODUCTION: FINAL ADOPTION:

STAFF RECOMMENDATION:

[Adopt the Resolution. |

BOARD / COMMISSION RECOMMENDATION:

[N/A |

ATTACHMENTS:

1. [Explanation
2. [Bid Opening Summary
3. [Three Lowest Bidders Summary
4. [Resolution]

EXPLANATION

The National City Culvert Barrier Project, CIP No. 14-06, proposes inlet and outlet grates along a major storm drainage open channel and culvert (tunnel) system intersecting Harbison Avenue and E Plaza Boulevard. Improvements of said project consist of site preparation, fabrication, and installation of welded and galvanized steel culvert barriers at six separate locations.

On November 21, 2014, the bid solicitation was advertised in local newspapers and posted on the City's website.

On December 18, 2014, three (3) sealed bids were received by the 10:30 AM deadline, opened, and publicly disclosed. Downstream Services, Inc. was the apparent low bidder with a total bid amount of \$79,000.00. Upon review of all documents submitted and performing multiple reference checks, Downstream Services' bid is responsive, and they are the lowest responsible bidder qualified to perform the work as described in the project specifications.

Attached are the bid opening results and a summary of the three lowest bidders for your information.

Staff recommends awarding the construction contract to Downstream Services, Inc. in the not-to-exceed amount of \$79,000.00 and authorizing a 15% contingency in the amount of \$11,850.00 for any unforeseen changes.



BID OPENING RESULTS

NAME: NATIONAL CITY CULVERT BARRIERS
CIP NO: 14-06
DATE: Thursday, December 18, 2014
TIME: 10:30 A.M.
ESTIMATE: \$80,000
PROJECT ENGINEER: Kenneth Fernandez, P.E.

NO.	BIDDER'S NAME (Add. #1 PAGE 1-2)	BID AMOUNT (Add. #1 PAGE 1-1)	ADDENDA (Add. #1 PAGE 1-1)	BID SECURITY (PAGE 1-5) -CHECK (PAGE 1-6) (BOND)
1.	Downstream Services, Inc. 2855 Progress Place Escondido, CA 92029	\$79,000.00	Yes	Bond
2.	M.A. Stevens Construction 125 E. 17 th Street National City, CA 91950	\$89,796.00	Yes	Bond
3.	A.B. Hashmi, Inc. 12316 Oak Knoll Road, Suite J Poway, CA 92064	\$188,000.00	Yes	Bond

National City Culvert Barrier Project CIP No. 14-06

BASE BID		Downstream Services, Inc.		MA Stevens Construction, Inc.		A. B. Hashmi	
Item No.	Description	Unit	Qty.	Unit Price	Extension (Quantity x Unit Price)	Unit Price	Extension (Quantity x Unit Price)
1	Mobilization/Demobilization	LS	1	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00
2	Clearing and Grubbing	LS	1	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00
3	Culvert Barrier - Inlet 1	LS	1	\$ 12,000.00	\$ 12,000.00	\$ 12,466.00	\$ 12,466.00
4	Culvert Barrier - Outlet 1	LS	1	\$ 12,000.00	\$ 12,000.00	\$ 12,466.00	\$ 12,466.00
5	Culvert Barrier - Inlet 2	LS	1	\$ 8,000.00	\$ 8,000.00	\$ 12,466.00	\$ 12,466.00
6	Culvert Barrier - Outlet 2	LS	1	\$ 12,000.00	\$ 12,000.00	\$ 12,466.00	\$ 12,466.00
7	Culvert Barrier - Inlet 3	LS	1	\$ 12,000.00	\$ 12,000.00	\$ 12,466.00	\$ 12,466.00
8	Culvert Barrier - Inlet 4	LS	1	\$ 8,000.00	\$ 8,000.00	\$ 12,466.00	\$ 12,466.00
9	Field Orders	AL	1	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00
				Base Bid Total	\$ 79,000.00	Base Bid Total	\$ 89,796.00

TOTALS CALCULATED BY BIDDERS: \$ 79,000.00 \$ 89,796.00 \$ 188,000.00

RESOLUTION NO. 2015 –

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY
AWARDING A CONTRACT IN THE NOT-TO-EXCEED AMOUNT OF
\$79,000 TO DOWNSTREAM SERVICES, INC., FOR THE NATIONAL CITY
CULVERT BARRIER PROJECT, AUTHORIZING A 15% CONTINGENCY
IN THE AMOUNT OF \$11,850 FOR ANY UNFORESEEN CHANGES,
AND AUTHORIZING THE MAYOR TO EXECUTE THE CONTRACT

WHEREAS, the Engineering Division of the Development Services Department, in open session on December 18, 2014, did publicly open, examine, and declare three sealed bids for the National City Culvert Barrier Project; and

WHEREAS, Downstream Services, Inc., was the lowest responsive bidder with a total bid amount of \$79,000, and is qualified to perform the work as described in the project specifications; and

WHEREAS, a 15% contingency amount up to \$11,850 for any unforeseen changes to the Project is requested.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of National City hereby awards the contract for the National City Culvert Barrier Project to the lowest responsive, responsible bidder, to wit:

DOWNSTREAM SERVICES, INC.

BE IT FURTHER RESOLVED by the City Council of the City of National City that the Mayor is hereby authorized to execute on behalf of the City a contract in the amount of \$79,000 with Downstream Services, Inc., for the National City Culvert Barrier Project. Said contract is on file in the office of the City Clerk.

BE IT FURTHER RESOLVED that the City Council hereby authorizes a 15% contingency amount up to \$11,850 for unforeseen changes to the Project.

PASSED and ADOPTED this 20th day of January, 2015.

Ron Morrison, Mayor

ATTEST:

APPROVED AS TO FORM:

Michael R. Dalla, City Clerk

Claudia Gacitua Silva
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 a blue curb handicap parking space with signage in front of the residence at 1931 “K” Avenue (TSC 2014-17) (Engineering/Public Works)

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

MEETING DATE: January 20, 2015

AGENDA ITEM NO.

ITEM TITLE:

Resolution of the City Council of the City of National City authorizing the installation of a blue curb handicap parking space with signage in front of the residence at 1931 "K" Avenue (TSC 2014-17)

PREPARED BY: Kenneth Fernandez, P.E.

DEPARTMENT: Engineering and Public Works

PHONE: 619-336-4388

APPROVED BY: _____

EXPLANATION:

See attached.



FINANCIAL STATEMENT:

APPROVED: _____ **Finance**

ACCOUNT NO.

APPROVED: _____ **MIS**

N/A

ENVIRONMENTAL REVIEW:

N/A

ORDINANCE: INTRODUCTION: FINAL ADOPTION:

STAFF RECOMMENDATION:

Adopt the Resolution to install a blue curb handicap parking space with signage in front of 1931 "K" Avenue.

BOARD / COMMISSION RECOMMENDATION:

At their meeting on December 10, 2014, the Traffic Safety Committee unanimously approved the staff recommendation to install a blue curb handicap parking space with signage in front of the residence at 1931 "K" Street.

ATTACHMENTS:

1. Explanation
2. Staff Report to the Traffic Safety Committee on December 10, 2014 (TSC 2014-17)
3. Resolution

EXPLANATION

Mr. Jack Coelho, resident of 1931 "K" Avenue, Apartment "B", has requested a blue curb handicap parking space in front of his residence due to physical limitations. The residence is located on the east side of "K" Avenue just north of E. 20th Street. Mr. Coelho possesses a valid disabled person placard from the California Department of Motor Vehicles.

Staff visited the site and verified that the aforementioned residence does not have an accessible driveway or garage to accommodate a vehicle with a disabled driver or passenger. Staff observed a private tenant parking lot located at the back of the building via a north-south alley. However, the concrete pathway leading from the private tenant parking lot to the entrance of the apartment complex has a steep grade which approaches 14.5% near the top of the ramp. Grades that exceed a 1:12 (8.33%) slope do not comply with Americans With Disabilities Act (ADA) requirements. Therefore, disabled persons are required to enter the apartment from "K" Avenue where grades are level. Based on the topography of the property and other physical constraints, construction of an ADA accessible pedestrian ramp from the rear parking lot to the apartment entrance would be cost prohibitive.

There is approximately 100 feet of existing unrestricted parallel parking located on the east side of "K" Avenue between E. 20th Street and the first driveway apron just north of the residence. Currently, there is one on-street handicap parking space provided in front of 1923 "K" Avenue, which is located just north of 1931 "K" Avenue. Per the City Council Disabled Persons Parking Policy, since the total number of on-street handicap parking spaces (including the proposed handicap parking space in front of 1931 "K" Avenue) would not exceed 3% of the total number of available on-street parking spaces in the area, Mr. Coelho's request is eligible for further consideration.

The City Council Disabled Persons Parking Policy requirements for "Special Hardship" cases are as follows:

1. Applicant (or guardian) must be in possession of valid license plates or placard for "disabled persons" or "disabled veterans". *This condition is met.*
2. The proposed disabled parking space must be in front (or side if on a corner lot) of the applicant's (or guardian's) place of residence. *This condition is met.*
3. The residence must not have useable off-street parking available or an off-street space available that may be converted into disabled parking. *This condition is met.*

Since all three conditions of the City Council's Disabled Persons Parking Policy are met for this "Special Hardship" case, staff recommends installation of a blue curb handicap parking space with signage in front of the residence at 1931 "K" Avenue.

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

**NATIONAL CITY TRAFFIC SAFETY COMMITTEE
AGENDA REPORT FOR DECEMBER 10, 2014**

ITEM NO. 2014-17

ITEM TITLE: REQUEST FOR INSTALLATION OF A BLUE CURB HANDICAP PARKING SPACE WITH SIGNAGE IN FRONT OF 1931 "K" AVENUE (BY J. COELHO)

PREPARED BY: Kenneth Fernandez, P.E.
Engineering and Public Works Department, Engineering Division

DISCUSSION:

Mr. Jack Cosiho, resident of 1931 "K" Avenue, Apartment "B", has requested a blue curb handicap parking space in front of his residence due to physical limitations. The residence is located on the east side of "K" Avenue midblock between E. 18th Street and E. 20th Street. Mr. Coelho possesses a valid disabled person placard from the California Department of Motor Vehicles.

Staff visited the site and verified that the aforementioned residence does not have an accessible driveway or garage to accommodate a vehicle with a disabled driver or passenger. Staff observed a private tenant parking lot located at the back of the lot via a north-south alley between "K" and "L" Avenues. However, the side yard concrete pathway leading from the private tenant parking lot to the front of the apartment complex exceeds a 1:12 (8.33%) slope at 14.5% near the top of the ramp. By observation, changes to the topography of the lot or the installation of an ADA-accessible ramp would be space- and cost-prohibitive. The curb length immediately in front of the apartment complex between adjacent driveway aprons is approximately 100 feet.

Staff also spoke to Ms. Lourdes Marines, the property owner/landlord of the apartment complex at City Hall and at the site. She is in support of her tenant's concern and has asked Engineering to consider Mr. Coelho's request.

Currently, there is one (1) on-street handicap parking spaces provided immediately to the north at 1923 "K" Avenue.

The City Council has adopted a policy, which is used to evaluate requests for handicap parking spaces. The City Council Policy requirements for "Special Hardship" cases are as follows:

1. Applicant (or guardian) must be in possession of valid license plates or placard for "disabled persons" or "disabled veterans". *This condition is met.*
2. The proposed disabled parking space must be in front (or side if on a corner lot) of the applicant's (or guardian's) place of residence. *This condition is met.*

3. The residence must not have useable off-street parking available or an off-street space available that may be converted into disabled parking. *This condition is met.*

Based on the site evaluation, staff has determined that accessible parking is not available on the property.

As a result, per the City Council Disabled Persons Parking Policy, Mr. Coelho's request is eligible for further consideration.

It shall be noted that handicap parking spaces do not constitute "personal reserved parking" and that any person with valid "disabled persons" license plates or placards may park in handicap spaces.

STAFF RECOMMENDATION:

Since all three conditions of the City Council's Disabled Persons Parking Policy are met for this "Special Hardship" case, staff recommends installation of a blue curb handicap parking space with signage in front of the residence at 1931 "K" Avenue.

EXHIBITS:

1. Correspondence
2. Location Map
3. Photos
4. Disabled Persons Parking Policy

2014-17

SHARP Rees-Stealy
Medical Group

From The Desk Of:

Dave M. Barnett, M.D., FCCP
Pulmonary & Critical Care
2929 Health Center Drive
San Diego, CA 92123
(619) 594-6570

COELHO, JACK V V# 204230497
MR 01-01-95-69 CRR DOB 09/07/1934 79
1931 K AVE APT B M FSC: HSH
NATIONAL CITY, C 91950 C/P: 35.00
H 919-477-1606 W FSC MC2
LOC: SDM RP: _____ OP: _____ COL DUA
APPT: 07/01/14 09:40AM TYPE: OFV
DR: BARNETT MD, DAVE 51492 DEPT: PUL
PCP: PACAL MD, ADAM RODGER OMHCL _____
OMRN: _____ SHC 100-319-457
FOR CMB. FEI:

To Whom It May Concern,

this pt is handicapped
and needs to use the
curbside handicap
parking spot at the
above address (see
sticker).

Sincerely,
Dave Barnett

SHARP

Rees-Stealy
Medical Group

ENGINEERING DEPT.

From This Date 08/19
2011 JUL 28 3:23 PM

Dave M. Bastrick, M.D., FCCP
Pulmonary & Critical Care
2929 Health Center Drive
San Diego, CA 92123
(619) 939-6570

COELHO, JACK V V# 204230497
MR 01-01-95-68 CRR DOB 09/07/1934 79
1931 K AVE APT B M FSC: HSH
NATIONAL CITY, C 91950 C/P: 35.00
H 619-477-1605 W FSC MC:2
LOC: SDM RP: OP: COL. DUA
APPT: 07/01/14 09:40AM TYPE: OFV
DR: BARNETT MD, DAVE 51482 DEPT: PUL
PCP: PACAL MD, ADAM RODGER OMHCL
OMRN: SHC 100-319-457
SEE MRB. NEI

To whom do you have concern,

*this pt is handicapped
and needs to use the
curb-side handicapped
parking spot at the
above address (see
sticker)*

*Sincerely,
Dave Bastrick*



CUSTOMER RECEIPT COPY

EXPIRES: 06/30/2015

DISABLED PERSON PLACARD

PLACARD NUMBER: H753607 PTC: 1 TV: 92

DATE ISSUED: 07/01/14

MO/YR: VU

COELHO JACK VIERA
PO BX 86272

DT FEES RECVD: 07/01/14

SAN DIEGO
CA 92138
CO: 37

AMT DUE : NONE
AMT RECVD - CASH :
CHK :
CRDT :

H00 613 25 0000000 0008 CS H00 070114 N1 H753607

DEPARTMENT OF MOTOR VEHICLES PLACARD IDENTIFICATION CARD

THIS IDENTIFICATION CARD OR FACSIMILE COPY IS TO BE CARRIED BY THE PLACARD OWNER. PRESENT IT TO ANY PEACE OFFICER UPON DEMAND. IMMEDIATELY NOTIFY DMV BY PHONE OR MAIL OF ANY CHANGE OF ADDRESS. WHEN PARKING, HANG THE PLACARD FROM THE REAR VIEW MIRROR. REMOVE IT WHEN DRIVING.

PLACARD#: H753607 PLACARD HOLDER: COELHO JACK VIERA
EXPIRES: 06/30/2015 PO BX 86272
DOB: 09/07/1934
ISSUED: 07/01/14
TYPE: N1 SAN DIEGO
CA 92138

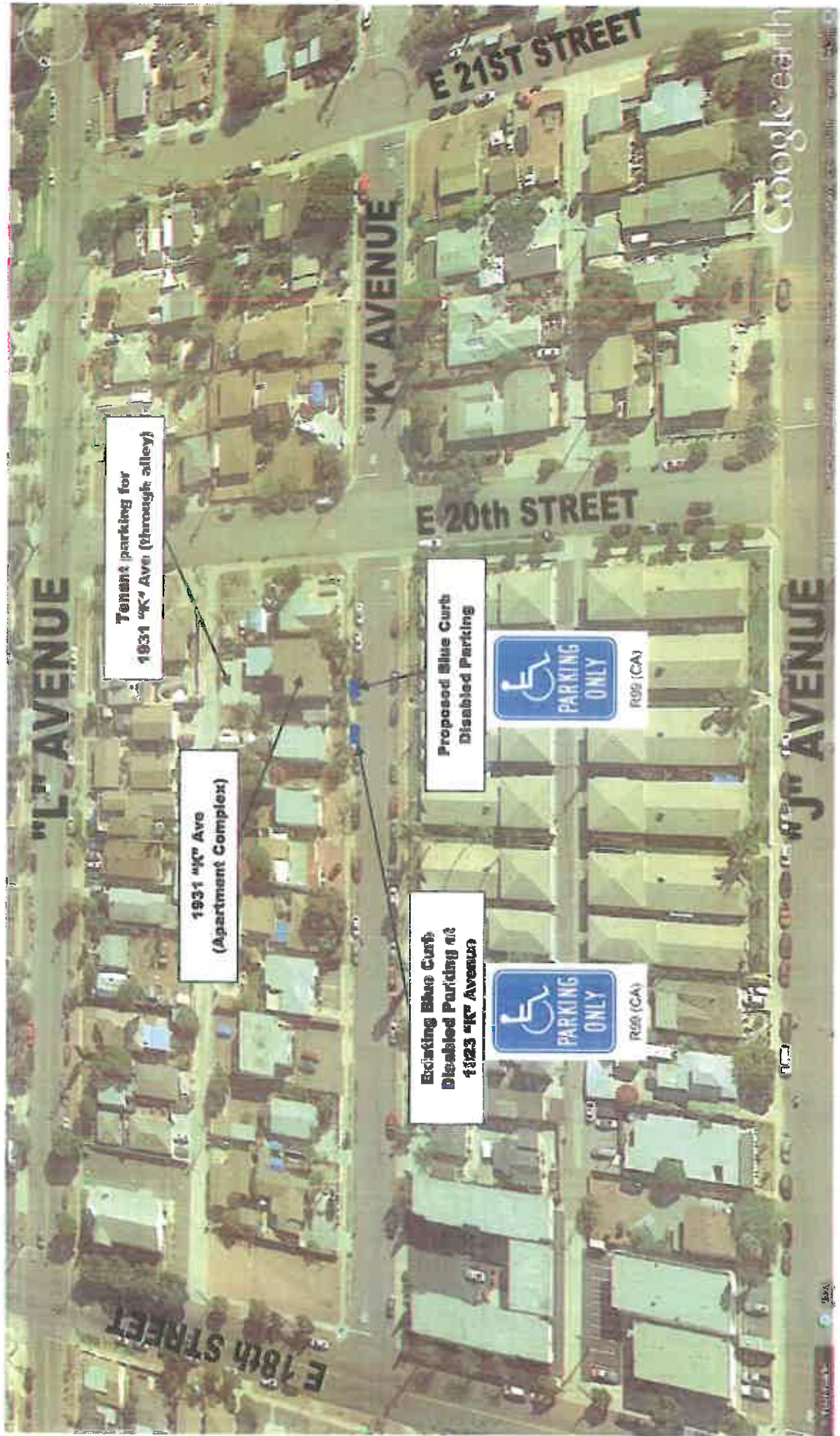
PURCHASE OF FUEL (BUSINESS & PROFESSIONS CODE 13660):
STATE LAW REQUIRES SERVICE STATIONS TO REFUEL A DISABLED PERSON'S VEHICLE AT SELF-SERVICE RATES, EXCEPT SELF-SERVICE FACILITIES WITH ONLY ONE CASHIER.

WHEN YOUR PLACARD IS PROPERLY DISPLAYED, YOU MAY PARK IN/ON:
*DISABLED PERSON PARKING SPACES (BLUE ZONES) *STREET METERED ZONES WITHOUT PAYING *GREEN ZONES WITHOUT RESTRICTIONS TO TIME LIMITS *STREET WHERE PREFERENTIAL PARKING PRIVILEGES ARE GIVEN TO RESIDENTS AND MERCHANTS.

YOU MAY NOT PARK IN/ON: *RED ZONES *TOW AWAY ZONES *WHITE OR YELLOW ZONES *SPACES MARKED BY CROSSHATCH LINES NEXT TO DISABLED PERSON PARKING SPACES.

IT IS CONSIDERED MISUSE: *TO DISPLAY A PLACARD UNLESS THE DISABLED OWNER IS BEING TRANSPORTED *TO DISPLAY A PLACARD WHICH HAS BEEN CANCELLED OR REVOKED *TO LOAN YOUR PLACARD TO ANYONE, INCLUDING FAMILY MEMBERS. MISUSE IS A MISDEMEANOR (SECTION 4461VC) AND CAN RESULT IN CANCELLATION OR REVOCATION OF THE PLACARD. LOSS OF PARKING PRIVILEGES, AND/OR FEES.

Location Map

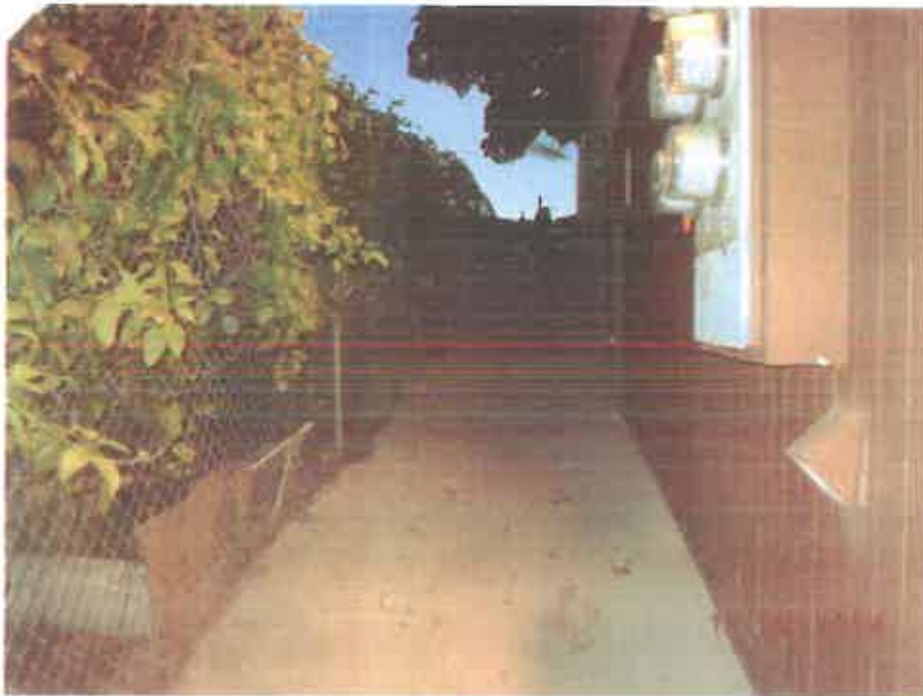




**Location of Proposed Blue Curb and Signage at 1931 "K" Avenue
(looking northeast)**



**Private Tenant Parking Lot of 1931 "K" Avenue accessible through easterly alley
(looking west)**



Access from tenant parking lot to front of 1931 "K" Avenue in excess of 1:12 (8.33%) slope (looking west)

DISABLED PERSONS PARKING POLICY

The purpose of a disabled persons parking zone is to provide designated parking spaces at major points of assembly for the exclusive use of physically disabled persons whose vehicle displays a distinguishing license plate as authorized by the California Department of Motor Vehicles.

The City Council may upon recommendation of the City Engineer, designate specially marked and posted on-street parking spaces for disabled persons pursuant to California Vehicle Code 21101, et seq. at the following facilities:

1. Government buildings serving the public such as administration buildings, public employment offices, public libraries, police stations, etc.
2. Hospitals and convalescent homes with more than 75-bed capacity.
3. Medical facilities and doctors' offices staffed by a maximum of five practitioners. Zones shall be located to serve a maximum number of facilities on one block.
4. Community service facilities such as senior citizens service centers, etc.
5. Accredited vocational training and educational facilities where no off-street parking is provided for disabled persons.
6. Employment offices for major enterprises employing more than 200 persons.
7. Public recreational facilities including municipal swimming pools, recreation halls, museums, etc.
8. Public theaters, auditoriums, meeting halls, arenas, stadiums with more than 300 seating capacity.
9. Other places of assembly such as schools and churches.
10. Commercial and/or office building(s) with an aggregate of more than 50,000 square feet of usable floor space. Zone shall be located to serve a maximum number of facilities on one block.
11. Hotels catering to daily guests, maintaining a ground floor lobby and a switchboard that is operated 24 hours per day.

12. A hotel or apartment house catering to weekly or monthly guests and containing more than 30 separate living units.

In addition, disabled persons parking spaces may be provided within all publicly owned, leased or controlled off-street parking facilities as specified in the General Requirements.

General Requirements

Each disabled persons parking space shall be indicated by blue paint and a sign (white on blue) showing the international symbol of accessibility (a profile view of a wheelchair with occupant).

Where installed under the above criteria the total number of disabled persons curb parking spaces will be limited to 3% of the total number of on-street parking spaces available in the area and shall be distributed uniformly within the area.

Disabled persons parking will not be installed at locations with a full-time parking prohibition. When a disabled persons parking zone is installed where a part-time parking prohibition is in effect, the disabled persons parking zone will have the same time restrictions as the part-time parking prohibition.

The cost of installing disabled persons parking will be assumed by the City on public streets and public off-street parking facilities.

In establishing on-street parking facilities for the disabled there shall be a reasonable determination made that the need is of an on-going nature. The intent is to prevent the proliferation of special parking stalls that may be installed for a short-term purpose but later are seldom used. Unjustified installation of such parking stalls unnecessarily increases the City's maintenance and operations costs, reduce available on-street parking for the general public, and detract from the overall effectiveness of the disabled persons parking program.

Special Hardship Cases

It is not the intention of the City to provide personal reserved parking on the public right-of-way, especially in residential areas. However, exceptions may be made, in special hardship cases, provided all of the following conditions exists:

- (1) Applicant (or guardian) must be in possession of valid license plates for "disabled persons" or "disabled veterans."
- (2) The proposed disabled parking space must be in front of the applicant's (or guardian's) place of residence.

- (3) Subject residence must not have useable off-street parking available or off-street space available that may be converted into disabled parking.

NOTE: It must be emphasized that such parking spaces do not constitute "personal reserved parking" and that any person with valid "disabled persons" license plates may park in the above stalls.

Jha:p

RESOLUTION NO. 2015 –

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY
AUTHORIZING THE INSTALLATION OF A BLUE CURB HANDICAP PARKING
SPACE WITH SIGNAGE IN FRONT OF THE RESIDENCE AT 1931 “K” AVENUE

WHEREAS, the resident of 1931 “K” Avenue, Apartment “B”, who possesses a valid disabled person placard from the California Department of Motor Vehicles, has requested a blue curb handicap parking space in front of the residence due to physical limitations; and

WHEREAS, the residence is located on the east side of “K” Avenue midblock between East 18th Street and East 20th Street; and

WHEREAS, staff’s inspection of the property verified that the aforementioned residence does not have an accessible driveway or garage to accommodate a vehicle with a disabled driver or passenger, and all conditions have been met for the property to qualify for a blue curb handicap parking space; and

WHEREAS, staff recommends the installation of a blue curb handicap parking space with a sign in front of the residence at 1931 “K” Avenue; and

WHEREAS, at their meeting on December 10, 2014, the Traffic Safety Committee unanimously approved staff’s recommendation to install a blue curb handicap parking space with signage in front of the residence at 1931 “K” Avenue.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of National City hereby authorizes the City Engineer to approve the installation of a blue curb handicap parking space with a sign in front of the residence at 1931 “K” Avenue.

PASSED and ADOPTED this 20th day of January, 2015.

Ron Morrison, Mayor

ATTEST:

Michael R. Dalla, City Clerk

APPROVED AS TO FORM:

Claudia Gacitua Silva
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 a blue curb handicap parking space with signage in front of the residence at 824 E. 28th Street (TSC 2014-18) (Engineering/Public Works)

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

MEETING DATE: January 20, 2015

AGENDA ITEM NO.

ITEM TITLE:

Resolution of the City Council of the City of National City authorizing the installation of a blue curb handicap parking space with signage in front of the residence at 824 E. 28th Street (TSC 2014-18)

PREPARED BY: Kenneth Fernandez, P.E.

DEPARTMENT: Engineering and Public Works

PHONE: 619-336-4388

APPROVED BY: _____

EXPLANATION:

See attached.



FINANCIAL STATEMENT:

APPROVED: _____ Finance

ACCOUNT NO.

APPROVED: _____ MIS

N/A

ENVIRONMENTAL REVIEW:

N/A

ORDINANCE: INTRODUCTION: FINAL ADOPTION:

STAFF RECOMMENDATION:

Adopt the Resolution to install a blue curb handicap parking space with signage in front of 824 E. 28th Street.

BOARD / COMMISSION RECOMMENDATION:

At their meeting on December 10, 2014, the Traffic Safety Committee unanimously approved the staff recommendation to install a blue curb handicap parking space with signage in front of the residence at 824 E. 28th Street.

ATTACHMENTS:

1. Explanation
2. Staff Report to the Traffic Safety Committee on December 10, 2014 (TSC 2014-18)
3. Resolution

EXPLANATION

Ms. Gudelia Lopez, resident of 824 E. 28th Street, has requested a blue curb handicap parking space in front of her residence due to physical limitations. The residence is located on the south side of E. 28th Street midblock between Highland Avenue and "I" Avenue. Ms. Lopez possesses a valid disabled person placard from the California Department of Motor Vehicles.

Staff visited the site and verified that the aforementioned residence does not have an accessible driveway or garage to accommodate a vehicle with a disabled driver or passenger. There is approximately 100 feet of existing unrestricted parallel parking located adjacent to the property. Currently, there are no on-street handicap parking spaces provided nearby the residence.

At their meeting on December 10, 2014, the Traffic Safety Committee unanimously approved staff recommendation to install a blue curb handicap parking space with signage in front of the residence at 824 E. 28th Street.

The City Council Disabled Persons Parking Policy requirements for "Special Hardship" cases are as follows:

1. Applicant (or guardian) must be in possession of valid license plates or placard for "disabled persons" or "disabled veterans". *This condition is met.*
2. The proposed disabled parking space must be in front (or side if on a corner lot) of the applicant's (or guardian's) place of residence. *This condition is met.*
3. The residence must not have useable off-street parking available or an off-street space available that may be converted into disabled parking. *This condition is met.*

Since all three conditions of the City Council's Disabled Persons Parking Policy are met for this "Special Hardship" case, staff recommends installation of a blue curb handicap parking space with signage in front of the residence at 824 E. 28th Street.

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

**NATIONAL CITY TRAFFIC SAFETY COMMITTEE
AGENDA REPORT FOR DECEMBER 10, 2014**

ITEM NO. 2014-18

ITEM TITLE: **REQUEST FOR INSTALLATION OF A BLUE CURB HANDICAP PARKING SPACE WITH SIGNAGE IN FRONT OF 824 E. 28TH STREET (BY G. LOPEZ)**

PREPARED BY: Kenneth Fernandez, P.E.
Engineering and Public Works Department, Engineering Division

DISCUSSION:

Ms. Gudelia Lopez, resident of 824 E. 28th Street, has requested a blue curb handicap parking space in front of his residence due to physical limitations. The residence is located midblock on the south side of E. 28th Street between Highland Avenue and "I" Avenue. Ms. Lopez possesses a valid disabled person placard from the California Department of Motor Vehicles.

Staff visited the site and verified that the aforementioned residence does not have an accessible driveway or garage to accommodate a vehicle with a disabled driver or passenger. The curb length in front of the multi-family residential lot between adjacent driveway aprons is approximately 100 feet. In addition, Operation Samahan Clinic, a medical facility at 2743 Highland Avenue is almost immediately to the north of the residence.

Currently, there are no on-street handicap parking spaces provided in the vicinity east of Highland Avenue.

The City Council has adopted a policy, which is used to evaluate requests for handicap parking spaces. The City Council Policy requirements for "Special Hardship" cases are as follows:

1. **Applicant (or guardian) must be in possession of valid license plates or placard for "disabled persons" or "disabled veterans". *This condition is met.***
2. **The proposed disabled parking space must be in front (or side if on a corner lot) of the applicant's (or guardian's) place of residence. *This condition is met.***
3. **The residence must not have useable off-street parking available or an off-street space available that may be converted into disabled parking. *This condition is met.***

Based on the site evaluation, staff has determined that accessible parking is not available on the property.

As a result, per the City Council Disabled Persons Parking Policy, Ms. Lopez's request is eligible for further consideration.

It shall be noted that handicap parking spaces do not constitute "personal reserved parking" and that any person with valid "disabled persons" license plates or placards may park in handicap spaces.

STAFF RECOMMENDATION:

Since all three conditions of the City Council's Disabled Persons Parking Policy are met for this "Special Hardship" case, staff recommends installation of a blue curb handicap parking space with signage in front of the residence at 824 E. 28th Street.

EXHIBITS:

- 1. Correspondence**
- 2. Location Map**
- 3. Photos**
- 4. Disabled Persons Parking Policy**

2014-15

National City, CA

10/13/14

To Whom It May Concern, thank you,

My name is Gudelia Lopez. I am a disabled person and I ask that you please paint my curb because the street gets full of cars and then there is no space and I struggle a lot to get into and out of my car. I would appreciate if you can help me.

Thank you,

Gudelia Lopez

National City Ca. 10.13.14.

a quien Corresponda Justicia
mi nombre es

Guadalupe Lopez

soy una persona incapacitada

y les pido por favor si me

pueden pintar la Bantata

porque la Calle se llana de

Carros y luego no ay lugar

y nabejo mucho para

subir al Carro y bajar

les agradeceria que me ayuden

Gracias

Guadalupe Lopez

TELEFONO 607-2593 Cell

DEPARTMENT OF MOTOR VEHICLES

DISABLED PERSON
PLACARD IDENTIFICATION
CARD/RECEIPT

PLACARD NUMBER: J074730
EXPIRES: 06/30/2015
DATE ISSUED: 03/21/2013

A Public Service Agency

This identification card or facsimile copy is to be carried by the placard owner. Present it to any peace officer upon demand. Immediately notify DMV by mail of any change of address. When parking, hang the placard from the rear view mirror, remove it from the mirror when driving.

TYPE: N1 TV: 92 CO: 37

DOB: 09/29/1938

ISSUED TO

LOPEZ GUDIELA
424 E 28TH ST

NATIONAL CITY CA 91950

Purchase of fuel

(Business & Professions Code 13660):

State law requires service stations to refuel a disabled person's vehicle at self-service rates, except self-service facilities with only one cashier.

When your placard is properly displayed, you may park in or on:

- * Disabled person parking spaces (blue zones)
- * Street metered zones without paying.
- * Green zones without restrictions to time limits.
- * Streets where preferential parking privileges are given to residents and merchants.

You may not park in or on:

- * Red, Yellow, White or Tow Away Zones.
- * Crosshatch marked spaces next to disabled person parking spaces.

It is considered misuse to:

- * Display a placard unless the disabled owner is being transported.
- * Display a placard which has been cancelled or revoked.
- * Loan your placard to anyone, including family members.

Misuse is a misdemeanor (section 4481VC) and can result in cancellation or revocation of the placard, loss of parking privileges, and/or fines.

1

CALIFORNIA



***WARNING:** The illegal use of a disabled parking placard could result in a maximum fine of \$4,200.*

DISABLED PERSON



PARKING PLACARD

EXPIRES JUNE 30

2015

J 074730

PURCHASE OF FUEL (Business & Professions Code 18650)
State law requires certain persons to receive a disabled
person's vehicle at sales/service rates, except a service
business with only one employee on duty.

Location Map





**Location of Proposed Blue Curb and Signage at 824 E 28th Street
(looking southeast)**



**Location of Proposed Blue Curb and Signage at 824 E 28th Street
(looking east)**

DISABLED PERSONS PARKING POLICY

The purpose of a disabled persons parking zone is to provide designated parking spaces at major points of assembly for the exclusive use of physically disabled persons whose vehicle displays a distinguishing license plate as authorized by the California Department of Motor Vehicles.

The City Council may upon recommendation of the City Engineer, designate specially marked and posted on-street parking spaces for disabled persons pursuant to California Vehicle Code 21101, et seq. at the following facilities:

1. Government buildings serving the public such as administration buildings, public employment offices, public libraries, police stations, etc.
2. Hospitals and convalescent homes with more than 75-bed capacity.
3. Medical facilities and doctors' offices staffed by a maximum of five practitioners. Zones shall be located to serve a maximum number of facilities on one block.
4. Community service facilities such as senior citizens service centers, etc.
5. Accredited vocational training and educational facilities where no off-street parking is provided for disabled persons.
6. Employment offices for major enterprises employing more than 200 persons.
7. Public recreational facilities including municipal swimming pools, recreation halls, museums, etc.
8. Public theaters, auditoriums, meeting halls, arenas, stadiums with more than 300 seating capacity.
9. Other places of assembly such as schools and churches.
10. Commercial and/or office building(s) with an aggregate of more than 50,000 square feet of usable floor space. Zone shall be located to serve a maximum number of facilities on one block.
11. Hotels catering to daily guests, maintaining a ground floor lobby and a switchboard that is operated 24 hours per day.

12. A hotel or apartment house catering to weekly or monthly guests and containing more than 30 separate living units.

In addition, disabled persons parking spaces may be provided within all publicly owned, leased or controlled off-street parking facilities as specified in the General Requirements.

General Requirements

Each disabled persons parking space shall be indicated by blue paint and a sign (white on blue) showing the international symbol of accessibility (a profile view of a wheelchair with occupant).

Where installed under the above criteria the total number of disabled persons curb parking spaces will be limited to 3% of the total number of on-street parking spaces available in the area and shall be distributed uniformly within the area.

Disabled persons parking will not be installed at locations with a full-time parking prohibition. When a disabled persons parking zone is installed where a part-time parking prohibition is in effect, the disabled persons parking zone will have the same time restrictions as the part-time parking prohibition.

The cost of installing disabled persons parking will be assumed by the City on public streets and public off-street parking facilities.

In establishing on-street parking facilities for the disabled there shall be a reasonable determination made that the need is of an on-going nature. The intent is to prevent the proliferation of special parking stalls that may be installed for a short-term purpose but later are seldom used. Unjustified installation of such parking stalls unnecessarily increases the City's maintenance and operations costs, reduce available on-street parking for the general public, and detract from the overall effectiveness of the disabled persons parking program.

Special Hardship Cases

It is not the intention of the City to provide personal reserved parking on the public right-of-way, especially in residential areas. However, exceptions may be made, in special hardship cases, provided all of the following conditions exist:

- (1) Applicant (or guardian) must be in possession of valid license plates for "disabled persons" or "disabled veterans."
- (2) The proposed disabled parking space must be in front of the applicant's (or guardian's) place of residence.

- (3) Subject residence must not have useable off-street parking available or off-street space available that may be converted into disabled parking.

NOTE: It must be emphasized that such parking spaces do not constitute "personal reserved parking" and that any person with valid "disabled persons" license plates may park in the above stalls.

Jha:p

RESOLUTION NO. 2015 –

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY
AUTHORIZING THE INSTALLATION OF A BLUE CURB HANDICAP
PARKING SPACE WITH SIGNAGE IN FRONT OF
THE RESIDENCE AT 824 EAST 28TH STREET

WHEREAS, the resident of 824 East 28th Street, who possesses a valid disabled person placard from the California Department of Motor Vehicles, has requested a blue curb handicap parking space in front of the residence due to physical limitations; and

WHEREAS, the residence is located midblock on the south side of East 28th Street between Highland Avenue and "I" Avenue; and

WHEREAS, staff's inspection of the property verified that the aforementioned residence does not have an accessible driveway or garage to accommodate a vehicle with a disabled driver or passenger, and all conditions have been met for the property to qualify for a blue curb handicap parking space; and

WHEREAS, at their meeting on December 10, 2014, the Traffic Safety Committee unanimously approved staff's recommendation to install a blue curb handicap parking space with signage in front of the residence at 824 East 28th Street.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of National City hereby authorizes the City Engineer to approve the installation of a blue curb handicap parking space with a sign in front of the residence at 824 East 28th Street.

PASSED and ADOPTED this 20th day of January, 2015.

Ron Morrison, Mayor

ATTEST:

Michael R. Dalla, City Clerk

APPROVED AS TO FORM:

Claudia Gacitua Silva
City Attorney

The following page(s) contain the backup material for Agenda Item: Disclosure of property interest located within Redevelopment Project Area; Councilmember Mendivil.
(City Attorney)

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

MEETING DATE: January 20, 2015

AGENDA ITEM NO. |

ITEM TITLE: Disclosure of property interest located within Redevelopment Project Area;
Councilmember Mendivil

PREPARED BY: Claudia Gacitua Silva

DEPARTMENT: City Attorney

PHONE: 336-4222

APPROVED BY: 

EXPLANATION:

Please see attached memorandum.

FINANCIAL STATEMENT:

ACCOUNT NO. |

N/A

APPROVED: _____ **Finance**

APPROVED: _____ **MIS**

ENVIRONMENTAL REVIEW:

N/A

ORDINANCE: INTRODUCTION: FINAL ADOPTION:

STAFF RECOMMENDATION:

Enter disclosure on the minutes.

BOARD / COMMISSION RECOMMENDATION:

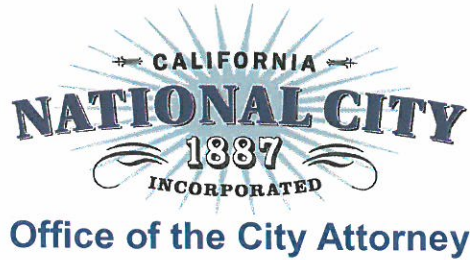
N/A

ATTACHMENTS:

Memorandum from Councilmember Mendivil
Memorandum from City Attorney

Mayor
Ron Morrison

Council Members
Jerry Cano
Alejandra Sotelo-Solis
Mona Rios
Albert Mendivil



City Attorney
Claudia Gacitua Silva

Senior Assistant City Attorney
Elisa Cusato

Deputy City Attorney
Jennifer Knight

MEMORANDUM

TO: City Manager DATE: January 6, 2015

FROM: City Attorney

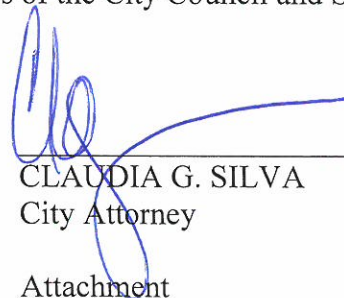
SUBJECT: Disclosure of Property Interest Located Within Redevelopment Project Area;
Councilmember Albert Mendivil

BACKGROUND

Attached is a Disclosure of Property Interest Located within Redevelopment Project Area signed by Councilmember Albert Mendivil. Section 33130 of the Health and Safety Code (the Community Redevelopment Law) requires that such a statement be entered on the minutes of the redevelopment agency (now the Successor Agency) and of the legislative body (the City Council). The requirements of Section 33130 are in addition to the disclosure requirements of the Political Reform Act.

RECOMMENDED ACTION

It is requested that this disclosure be entered on the minutes of the City Council and Successor Agency at their upcoming meetings of January 20, 2015.



CLAUDIA G. SILVA
City Attorney

Attachment



MEMORANDUM

TO: City Manager DATE: January 6, 2015

FROM: Councilmember Albert Mendivil

SUBJECT: Disclosure of Property Interest Located within Redevelopment Project Area

Pursuant to Section 33130 of the Health and Safety Code, please enter into the minutes of the upcoming January 20, 2015 City Council meeting the fact that I own or have direct or indirect financial interests in the following property located within the National City Redevelopment Project Area:

1129 East 23rd Street
National City, CA 91950

and

2240 L Avenue
National City, CA 91950

Albert Mendivil
Councilmember

The following page(s) contain the backup material for Agenda Item: Warrant Register #21 for the period of 11/12/14 through 11/18/14 in the amount of \$2,129,886.94 (Finance)

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

MEETING DATE: January 20, 2015

AGENDA ITEM NO. |

ITEM TITLE:

Warrant Register #21 for the period of 11/12/14 through 11/18/14 in the amount of \$2,129,886.94 (Finance)

PREPARED BY: K. Apalategui

DEPARTMENT: Finance

PHONE: 619-336-4572

APPROVED BY: Mark Roberts

EXPLANATION:

Per Government Section Code 37208, attached are the warrants issued for the period of 11/12/14 through 11/18/14.

Consistent with Department of Finance practice, listed below are all payments above \$50,000.

<u>Vendor</u>	<u>Check/Wire</u>	<u>Amount</u>	<u>Explanation</u>
City of San Diego	315049	1,291,387.00	Sewer Treatment and Transportation
Project Professionals	315085	211,912.24	8 th Street Smart Growth Project
SDG&E	315093	114,391.74	Facilities Division Utilities
Public Emp Ret System	11122014	319,238.26	Service Period 10/14/14-10/27/14

FINANCIAL STATEMENT:

APPROVED: Mark Roberts Finance

ACCOUNT NO.

APPROVED: _____ MIS

Reimbursement total \$2,129,886.94

ENVIRONMENTAL REVIEW:

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

ORDINANCE: INTRODUCTION:

FINAL ADOPTION:

STAFF RECOMMENDATION:

Ratification of warrants in the amount of \$2,129,886.94

BOARD / COMMISSION RECOMMENDATION:

N/A

ATTACHMENTS:

Warrant Register #21



WARRANT REGISTER #21
11/18/2014

<u>PAYEE</u>	<u>DESCRIPTION</u>	<u>CHK NO</u>	<u>DATE</u>	<u>AMOUNT</u>
ACEDO, I	RETIREE HEALTH BENEFITS / NOV 2014	315030	11/18/14	160.00
BOEGLER, C	RETIREE HEALTH BENEFITS / NOV 2014	315031	11/18/14	260.00
GIBBS JR, R	RETIREE HEALTH BENEFITS / NOV 2014	315032	11/18/14	120.00
HAUG, S	RETIREE HEALTH BENEFITS / NOV 2014	315033	11/18/14	120.00
LANDA, A	RETIREE HEALTH BENEFITS / NOV 2014	315034	11/18/14	155.00
VILLAGOMEZ, J	RETIREE HEALTH BENEFITS / NOV 2014	315035	11/18/14	480.00
ACME SAFETY & SUPPLY CORP	43- HYDRANT MAKER	315036	11/18/14	172.23
AIRGAS WEST	MOP#45714 MATERIALS AND SUPPLIES	315037	11/18/14	142.24
ALDEMCO	CONSUMABLES / NUTRITION	315038	11/18/14	4,621.17
AQCS ENVIRONMENTAL	CONSULTING SERVICES, HAZARDOUS MATERIAL	315039	11/18/14	1,105.00
ARCO GASPRO PLUS	FUEL FOR CITY FLEET	315040	11/18/14	32,788.44
AUSTIN DOORS	CITY-WIDE ROLL UP DOORS SERVICE	315041	11/18/14	2,979.35
BOOT WORLD	MOP#64096 WEARING APPAREL	315042	11/18/14	367.96
BPI PLUMBING	CITY-WIDE PLUMBING SERVICE, REPAIR	315043	11/18/14	403.10
BRIAN COX MECHANICAL INC	CITY-WIDE HVAC AS NEEDED FOR FY 2015	315044	11/18/14	266.00
CALIFORNIA COMMERCIAL SECURITY	CITY-WIDE ELECTRONIC DOOR REPAIRS	315045	11/18/14	750.83
CALIFORNIA ELECTRIC SUPPLY	MOP#45698 ELECTRICAL MATERIALS	315046	11/18/14	999.02
CALIFORNIA UNIFORMS INC	FLYING CROSS NAVY WOOL PANT	315047	11/18/14	543.13
CAPPO INC	REGISTRATION: 2015 CONFERENCE	315048	11/18/14	199.00
CITY OF SAN DIEGO	SEWER TREATMENT AND TRANSPORTATION	315049	11/18/14	1,291,387.00
COUNTY OF SAN DIEGO	RENEWAL PERMIT	315050	11/18/14	235.00
CPRS AGING SERVICES	MEMBERSHIP RENEWAL	315051	11/18/14	475.00
CV VENTURES LLC	FAIR SHARE CONTRIBUTION	315052	11/18/14	978.90
DANIELS TIRE SERVICE	TIRES FOR CITY FLEET AS NEEDED FOR FY	315053	11/18/14	3,346.79
DATA TICKET INC	APPEALS, ON-LINE ACCESS / AUG 2014	315054	11/18/14	10,924.29
DEEPNET SECURITY LIMITED	AUTHENTICATION - SAFE ID TOKENS	315055	11/18/14	8,530.00
DEPARTMENT OF TRANSPORTATION	HIGHWAY LIGHTING FOR FY 2015	315057	11/18/14	9,206.79
DOKKEN ENGINEERING	PLAZA BLVD. WIDENING	315058	11/18/14	9,360.07
DREW FORD HYUNDAI	R&M CITY VEHICLES AS NEEDED FOR FY 2015	315059	11/18/14	2,419.15
EMPLOYMENT DEVELOP DEPT	EMPL DEVELOPMENT DEPT	315060	11/18/14	22,596.00
ERGOMETRICS	PROMOTIONAL ACTIVITIES	315061	11/18/14	3,751.92
ERGOMETRICS	PROMOTIONAL ACTIVITIES	315062	11/18/14	15.56
EXPERIAN	CREDIT CHECKS FOR NEW POLICE	315063	11/18/14	87.79
EXPRESS PIPE AND SUPPLY CO INC	CITY-WIDE PLUMBING PARTS & MATERIAL	315064	11/18/14	146.16
FIRST CHRISTIAN SPIRITUALIST	SEWER REFUND	315065	11/18/14	669.38
FOX VALLEY TECHNICAL COLLEGE	TUITION: CHILD HOMICIDE INVESTIGATIONS	315066	11/18/14	325.00
GRAINGER	MOP 65179 SQUARE STOOL/BACKREST - PARKS	315067	11/18/14	526.93
HONEYWELL INTERNATIONAL INC	CITY-WIDE HVAC MAINTENANCE FOR FY 2015	315068	11/18/14	276.04
INNOVATIVE CONSTRUCTION	EL TOYON CONSTRUCTABILITY	315069	11/18/14	1,470.00
IRON MOUNTAIN	RECORDS MANAGEMENT	315070	11/18/14	153.92
JERAULDS CAR CARE CENTER	R & M CITY VEHICLES	315071	11/18/14	3,375.60
JJJ ENTERPRISES	CITY WIDE FIRE AND SERCURITY ALARM	315072	11/18/14	555.94
LANGUAGE LINE SERVICES	INTERPRETATION SERVICES	315073	11/18/14	118.07
LAW OFFICE OF MATTHEW PARE	LIABILITY CLAIM COSTS	315074	11/18/14	500.00
LORMAN EDUCATION SERVICES	PRIVATE ACCESS TO PUBLIC RIGHTS-OF-WAY	315075	11/18/14	219.00
MAINTEX INC	CITY-WIDE JANITORIAL SUPPLIES & PARTS	315076	11/18/14	527.97
MASIMO CORPORATION	PATIENT CABLE, 4 FT/02 SENSOR	315077	11/18/14	689.62
METRO FIRE & SAFETY	ANNUAL FIRE EXTINGUISHER SYSTEM	315078	11/18/14	1,773.95
MUTHUSAMY, K	REIMB - TRAVEL	315079	11/18/14	42.16
NAPA AUTO PARTS	MOP 45735 SNAPLOCS	315080	11/18/14	54.41
ORKIN	CITY-WIDE PEST MAINTENANCE	315081	11/18/14	806.78
PERRY FORD	R & M CITY VEHICLES	315082	11/18/14	5,697.92



**WARRANT REGISTER #21
11/18/2014**

<u>PAYEE</u>	<u>DESCRIPTION</u>	<u>CHK NO</u>	<u>DATE</u>	<u>AMOUNT</u>
POWERSTRIDE BATTERY CO INC	MOP#67839 AUTOMOTIVE PARTS	315083	11/18/14	289.68
PRO BUILD	MOP#45707 WEARING APPAREL	315084	11/18/14	1,122.36
PROJECT PROFESSIONALS CORP	8TH ST SMART GROWTH	315085	11/18/14	211,912.24
PRUDENTIAL OVERALL SUPPLY	MOP#45742 LAUNDRY AND CLEANING SERVICES	315086	11/18/14	145.87
SAFDIE RABINES ARCHITECTS	PROFESSIONAL SERVICES AGREEMENT	315087	11/18/14	14,813.93
SAN DIEGO COUNTY	BIKE RODEO	315088	11/18/14	600.00
SAN DIEGO PET & LAB SUPPLY	MOP 45753 K-9 FOOD - PD	315089	11/18/14	231.93
SAN DIEGO REGIONAL	TUITION: RECORDS CLERK	315090	11/18/14	525.00
SAN DIEGO REGIONAL	TUITION: COURT/TEMPORARY HOLDING	315091	11/18/14	280.00
SDG&E	AQUATIC CENTER	315092	11/18/14	14,337.00
SDG&E	FACILITIES DIVISION GAS & ELECTRIC	315093	11/18/14	114,391.74
SHRED IT USA LLC	MONTHLY SHREDDING	315094	11/18/14	185.90
SMART SOURCE OF CALIFORNIA LLC	MOP 63845 #10 ENVELOPE IMPRINTS	315095	11/18/14	424.97
SOUTHERN CALIFORNIA SOIL	8TH ST SMARTH GROWTH	315096	11/18/14	8,894.00
STAPLES ADVANTAGE	MOP 45704 OFFICE SUPPLIES - PD	315097	11/18/14	15.31
SWEETWATER AUTHORITY	WASTEWATER DIVISION WATER BILL FOR FY	315098	11/18/14	530.95
THOMPSON INFORMATION SERVICES	FAIR LABOR STANDARDS HANDBOOK	315099	11/18/14	536.99
TODD PIPE & SUPPLY LLC	PLUMBING MATERIALS, PARTS, AND SUPPLIES	315100	11/18/14	125.73
U S CUSTOMS & BORDER PROTECTN	REIMB - ASSET FORFEITURE DUP PAYMENT	315101	11/18/14	1,480.12
U S HEALTHWORKS	MEDICAL SERVICES	315102	11/18/14	125.00
UNDERGROUND SERVICE ALERT	UNDERGROUND SERVICE ALERT CHARGES	315103	11/18/14	238.50
UNITED ROTARY BRUSH CORP	STREET SWEEPER REPAIRS AS NEEDED FY 2015	315104	11/18/14	505.12
WAXIE SANITARY SUPPLY	MISCELLANEOUS JANITORIAL SUPPLIES	315105	11/18/14	1,852.95
WILLY'S ELECTRONIC SUPPLY	MOP 45763 MISC SUPPLIES - MIS	315106	11/18/14	246.06
ZOLL MEDICAL CORP	DEFIBRILLATOR/PREVENTIVE MAINTENANCE	315107	11/18/14	8,961.75
			A/P Total	1,810,648.68
WIRED PAYMENTS				
PUBLIC EMP RETIREMENT SYSTEM	SERVICE PERIOD 10/14/14 - 10/27/14	11122014	11/12/14	319,238.26

GRAND TOTAL

\$ 2,129,886.94

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, FINANCE

LESLIE DEESE, CITY MANAGER

FINANCE COMMITTEE

RONALD J. MORRISON, MAYOR-CHAIRMAN

JERRY CANO, VICE-MAYOR

ALEJANDRA SOTELO-SOLIS, MEMBER

MONA RIOS, MEMBER

ALBERT MENDIVIL, MEMBER

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 20TH OF JANUARY, 2015.

AYES _____

NAYS _____

ABSENT _____

The following page(s) contain the backup material for Agenda Item: Warrant Register #22 for the period of 11/19/14 through 11/25/14 in the amount of \$16,149,175.76 (Finance)

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

MEETING DATE: January 20, 2015

AGENDA ITEM NO.:

ITEM TITLE:

Warrant Register #22 for the period of 11/19/14 through 11/25/14 in the amount of \$16,149,175.76 (Finance)

PREPARED BY: K. Apalategui

PHONE: 619-336-4572

DEPARTMENT: Finance

APPROVED BY: 

EXPLANATION:

Per Government Section Code 37208, attached are the warrants issued for the period of 11/19/14 through 11/25/14.

Consistent with Department of Finance practice, listed below are all payments above \$50,000.

<u>Vendor</u>	<u>Check/Wire</u>	<u>Amount</u>	<u>Explanation</u>
Children's Hospital	315121	100,740.65	Safe Route to School Project
D-Max Engineering	315131	90,365.88	On-call Project Support Services
Old Republic Title Co	802571	14,957,108.40	Paradise Creek Housing Partners

FINANCIAL STATEMENT:

ACCOUNT NO.

Reimbursement total \$16,149,175.76

APPROVED: 

Finance

APPROVED: _____

MIS

ENVIRONMENTAL REVIEW:

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

ORDINANCE: INTRODUCTION:

FINAL ADOPTION:

STAFF RECOMMENDATION:

Ratification of warrants in the amount of \$16,149,175.76

BOARD / COMMISSION RECOMMENDATION:

N/A

ATTACHMENTS:

Warrant Register #22



**WARRANT REGISTER #22
11/25/2014**

<u>PAYEE</u>	<u>DESCRIPTION</u>	<u>CHK NO</u>	<u>DATE</u>	<u>AMOUNT</u>
DENNIS M GRADY	LIABILITY CLAIM COSTS	315108	11/25/14	9,000.00
ACE UNIFORMS & ACCESSORIES INC	PANT/SEWING NA/SEWING VEC	315109	11/25/14	252.84
ADAMSON POLICE PRODUCTS	SCA SUMMIT LEVEL IIIA BALLISTIC VEST	315110	11/25/14	890.26
ALDEMCO	CONSUMABLES / NUTRITION	315111	11/25/14	1,799.80
ARMENTA, E	REFUND: PERMIT #72496 - 1828 O AVE	315112	11/25/14	141.40
AT&T MCI	PHONE SERVICE / 10/1/14 - 10/31/14	315113	11/25/14	357.32
ATKINS NORTH AMERICA INC	TAX ROLL PREP. 2014	315114	11/25/14	5,368.00
AYDELOTTE, D	REIMB - BASIC SUPERVISORY COURSE	315115	11/25/14	215.40
BALLARDO, D	REIMB - SUPERVISORY CORE COURSE	315116	11/25/14	518.46
BOOT WORLD	MOP 45704 SAFETY BOOTS - K FERNANDEZ	315117	11/25/14	125.00
BROADWAY AUTO ELECTRIC	MOP# 72447 AUTOMOTIVE PARTS	315118	11/25/14	414.20
CALIXTO, R	REIMB - DEFENSIVE TACTICS INSTRUCTOR	315119	11/25/14	298.40
CARDOZA, M	REIMB - DEFENSIVE TACTICS INSTRUCTOR	315120	11/25/14	298.40
CHILDREN'S HOSPITAL	SAFE ROUTES TO SCHOOL PROJECT	315121	11/25/14	100,740.65
CHILDREN'S HOSPITAL	CHILD ABUSE EXAMS	315122	11/25/14	448.00
COUNTY OF SAN DIEGO	HEALTH PERMIT RENEWAL	315123	11/25/14	250.00
COUNTY OF SAN DIEGO	SHARE OF PC REVENUE - OCT 2014	315124	11/25/14	10,445.00
COX COMMUNICATIONS	COX INTERNET SERVICES FY15	315125	11/25/14	3,132.30
CPCA	TUITION: STRATEGIC/SUCCESSION	315126	11/25/14	139.00
CULLIGAN	WATER SOFTNER / NUTRITION	315127	11/25/14	208.50
D MAX ENGINEERING INC	DEPOSIT #90073 - PARADISE CREEK	315128	11/25/14	2,767.50
DANIELS TIRE SERVICE	TIRES FOR CITY FLEET AS NEEDED FOR FY	315129	11/25/14	1,383.03
DIAMOND ENVIRONMENTAL SVCS	RENTAL OF HANDICAP RESTROOM	315130	11/25/14	154.70
D-MAX ENGINEERING	ON-CALL PROJECT SUPPORT SERVICES	315131	11/25/14	90,365.88
DOKKEN ENGINEERING	PLAZA BLVD PS&E	315132	11/25/14	2,834.94
EQUIFAX INFORMATION SVCS	BACKGROUND & CREDIT CHECKS / SEC 8	315133	11/25/14	235.44
GAUT, T	REIMB - LICENSE	315134	11/25/14	70.00
GRAINGER	MOP#65179 ELECTRICAL MATERIALS	315135	11/25/14	678.97
HUNTER'S NURSERY INC	MOP#45719 HORTICULTURAL ITEMS	315136	11/25/14	253.80
HYDRO SCAPE PRODUCTS INC	MOP#45720 WATER PIPES VALVES	315137	11/25/14	408.19
JERAULDS CAR CARE CENTER	MOP#72449 AUTOMOTIVE EQUIPMENT	315138	11/25/14	255.89
JOHN DEERE LANDSCAPES	MOP#69277 PLANTING MATERIALS	315139	11/25/14	1,771.73
KONICA MINOLTA	COPIER EQUIPMENT LEASE	315140	11/25/14	228.05
LOUNSBERY FERGUSON	SALES TAX ISSUE	315141	11/25/14	1,656.16
MABPA	MEMBERSHIP - CM CANO	315142	11/25/14	250.00
MASSIMA CONSTRUCTION INC	REFUND: PERMIT #72461 - 2421 NC BLVD	315143	11/25/14	823.20
MCDUGAL LOVE ECKIS	LIABILITY CLAIM COSTS	315144	11/25/14	6,087.04
MCDUGAL LOVE ECKIS	LIABILITY CLAIM COSTS	315145	11/25/14	980.50
MCDUGAL LOVE ECKIS	LIABILITY CLAIM COSTS	315146	11/25/14	109.00
MCDUGAL LOVE ECKIS	LIABILITY CLAIM COSTS	315147	11/25/14	92.50
MCDUGAL LOVE ECKIS	LIABILITY CLAIM COSTS	315148	11/25/14	60.87
METRO AUTO PARTS DISTRIBUTOR	MOP#75943 AUTOMOTIVE PARTS	315149	11/25/14	259.58
METRO FIRE & SAFETY	ANNUAL FIRE EXTINGUISHER SYSTEM	315150	11/25/14	170.00
MUNISERVICES LLC	SUTA/DIST TAX - CA	315151	11/25/14	52.60
NAGLE, D	REIMB: PARKING	315152	11/25/14	79.20
NAPA AUTO PARTS	MOP#45735 SMALL TOOLS	315153	11/25/14	921.11
NATIONAL CITY HISTORICAL SOCIE	NC HISTORICAL SOCIETY'S ANNUAL HOLIDAY	315154	11/25/14	50.00
NATIONAL CITY TROPHY	MOP#66556 BUILDINGS AND STRUCTURES	315155	11/25/14	110.36
NCPOA	FOR CM RIOS	315156	11/25/14	50.00
NCPOA	FOR CM CANO	315157	11/25/14	50.00



**WARRANT REGISTER #22
11/25/2014**

<u>PAYEE</u>	<u>DESCRIPTION</u>	<u>CHK NO</u>	<u>DATE</u>	<u>AMOUNT</u>
NCPOA	FOR SOTELO-SOLIS	315158	11/25/14	50.00
PADRE JANITORIAL SUPPLIES	JANITORIAL SUPPLIES/ NUTRITON	315159	11/25/14	34.40
PASACAT	EXTRAVAGANZA CONCERT	315160	11/25/14	15.00
PASACAT	EXTRAVAGANZA CONCERT	315161	11/25/14	15.00
PDR	2014 EDITION	315162	11/25/14	64.75
PERRY FORD	R & M CITY VEHICLES AS NEEDED FOR FY	315163	11/25/14	4,273.97
PRO BUILD	MOP#45707 BUILDING MATERIALS	315164	11/25/14	1,185.43
PROJECT PROFESSIONALS CORP	POLICE STATION UPGRADES	315165	11/25/14	6,357.45
SAN DIEGO ASSESSOR RECORDER	RECORD SUBSTITUTION & FULL RECONVEYANCE	315166	11/25/14	510.00
SMART & FINAL	MOP 45756 MISC SUPPLIES - MAYOR	315167	11/25/14	69.56
SPARKLETTS	WATER FOR MAYOR/COUNCIL FY15	315168	11/25/14	2.00
STAPLES ADVANTAGE	MOP 45704 OFFICE SUPPLES - SA	315169	11/25/14	304.97
STARTECH COMPUTERS	MOP 61744. COMPUTER SUPPLIES / MIS	315170	11/25/14	788.68
SWEETWATER AUTHORITY	FACILITIES DIVISION WATER BILL FOR FY	315171	11/25/14	31,923.41
SWRCB	ANNUAL PERMIT FEE	315172	11/25/14	559.00
TELLEZ, J	SUBSISTENCE: COMMAND COLLEGE CLASS 57	315173	11/25/14	780.00
THE LIGHTHOUSE INC	MOP#45726 AUTOMOTIVE PARTS	315174	11/25/14	505.99
T-MAN TRAFFIC SUPPLY	MOP#76666 TRAFFIC CONTROL SUPPLIES	315175	11/25/14	493.77
TOPECO PRODUCTS	MOP#63849 AUTOMOTIVE PARTS	315176	11/25/14	107.30
TURNER'S PORTABLE WELDING	LABOR - REPAIRED LOCKING DEVICE	315177	11/25/14	496.25
U S BANK	CREDIT CARD EXP - LIBRARY	315178	11/25/14	202.21
VERIZON WIRELESS	VERIZON WIRELESS / SEP 22 - OCT 21	315179	11/25/14	7,182.70
WEST PAYMENT CENTER	CLEAR INVESTIGATIVE DATABASES / PD	315180	11/25/14	464.21
YBARRA, A	REIMB - SUPERVISORY LEADERSHIP UPDATE	315181	11/25/14	259.59
YOUNG, G	SUBSISTENCE: POST MANAGER COURSE - C	315182	11/25/14	512.00
ZEFERINO, L	REIMB - ICI HOMICIDE	315183	11/25/14	893.49
SWEETWATER UNION HS DISTRICT	SPECIAL TAXES FOR CENTRO UNIT	315184	11/25/14	746.00
			A/P Total	307,050.30
WIRED PAYMENTS				
OLD REPUBLIC TITLE COMPANY	PARADISE CREEK HOUSING PARTNERS	802571	11/19/14	14,957,108.40
SECTION 8 HAPS	Start Date	End Date		
	11/19/2014	11/25/2014		13,308.90
PAYROLL				
Pay period	Start Date	End Date	Check Date	
24	11/11/2014	11/24/2014	12/3/2014	871,708.16
		GRAND TOTAL		\$ 16,149,175.76

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, FINANCE

LESLIE DEESE, CITY MANAGER

FINANCE COMMITTEE

RONALD J. MORRISON, MAYOR-CHAIRMAN

JERRY CANO, VICE-MAYOR

ALEJANDRA SOTELO-SOLIS, MEMBER

MONA RIOS, MEMBER

ALBERT MENDIVIL, MEMBER

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 20TH OF JANUARY, 2015.

AYES _____

NAYS _____

ABSENT _____

The following page(s) contain the backup material for Agenda Item: Warrant Register #23 for the period of 11/26/14 through 12/02/14 in the amount of \$1,871,335.75 (Finance)

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

MEETING DATE: January 20, 2015

AGENDA ITEM NO. |

ITEM TITLE:

Warrant Register #23 for the period of 11/26/14 through 12/02/14 in the amount of \$1,871,335.75 (Finance)

PREPARED BY: K. Apalategui

DEPARTMENT: Finance

PHONE: 619-336-4572

APPROVED BY: 

EXPLANATION:

Per Government Section Code 37208, attached are the warrants issued for the period of 11/26/14 through 12/02/14.

Consistent with Department of Finance practice, listed below are all payments above \$50,000.

<u>Vendor</u>	<u>Check/Wire</u>	<u>Amount</u>	<u>Explanation</u>
Kimley Horn and Assoc	315246	65,670.19	Downtown Westside Construction
Stack Traffic Consulting	315292	77,682.28	Kimball Park
Clauss Construction	315307	441,802.23	Hoover Ave Remediat/Demo
E2 Manage Tech Inc	315308	63,337.50	Prop Mitigation for WI-TOD
Public Emp Ret System	11262014	311,793.49	Service Period 10/28/14-11/10/14
Tristar Risk Management	818022	66,671.81	October 2014 WC Replenishment

FINANCIAL STATEMENT:

APPROVED: 

Finance

ACCOUNT NO.

APPROVED: _____

MIS

Reimbursement total \$1,871,335.75

ENVIRONMENTAL REVIEW:

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

ORDINANCE:

INTRODUCTION:

FINAL ADOPTION:

STAFF RECOMMENDATION:

Ratification of warrants in the amount of \$1,871,335.75

BOARD / COMMISSION RECOMMENDATION:

N/A

ATTACHMENTS:

Warrant Register #23



WARRANT REGISTER #23

12/2/2014

<u>PAYEE</u>	<u>DESCRIPTION</u>	<u>CHK NO</u>	<u>DATE</u>	<u>AMOUNT</u>
CASA DE MEXICO	PANEL LUNCH / FIREFIGHTER INTERVIEWS	315185	12/2/14	76.27
NATIONAL CITY HISTORICAL	ANNUAL HOLIDAY DINNER / CANO	315186	12/2/14	25.00
NATIONAL CITY HISTORICAL	ANNUAL HOLIDAY DINNER / RIOS	315187	12/2/14	25.00
NATIONAL CITY HISTORICAL	ANNUAL HOLIDAY DINNER / MENDIVIL	315188	12/2/14	25.00
ACEDO, I	RETIREE HEALTH BENEFITS / DEC 2014	315189	12/2/14	160.00
ACTS	INSTALL ALARM IN SWAT LOCKER	315190	12/2/14	1,880.00
ALDEMCO	CONSUMABLES / NUTRITION	315191	12/2/14	1,634.53
ALL FRESH PRODUCTS	FOOD & CONSUMABLES	315192	12/2/14	974.15
ALLEN, R	RETIREE HEALTH BENEFITS / DEC 2014	315193	12/2/14	125.00
ANDERSON, E	RETIREE HEALTH BENEFITS / DEC 2014	315194	12/2/14	110.00
AT&T MOBILITY	WIRELESS 10/06/14 - 11/05/14	315195	12/2/14	2,249.17
ATLANTIC SAFETY PRODUCTS, INC.	LARGE BLACK NITRILE EXAM	315196	12/2/14	4,194.00
AYDELOTTE, D	REIMB - MEDIA RELATIONS LAW ENFORCEMENT	315197	12/2/14	143.28
BEARD, P	RETIREE HEALTH BENEFITS / DEC 2014	315198	12/2/14	70.00
BECK, L	RETIREE HEALTH BENEFITS / DEC 2014	315199	12/2/14	140.00
BEST BEST & KRIEGER ATTNY LAW	LIABILITY CLAIM COSTS	315200	12/2/14	19,191.10
BISHOP, R	RETIREE HEALTH BENEFITS / DEC 2014	315201	12/2/14	110.00
BJ'S RENTALS	TRUCK WATER RENTAL FOR EQUIPMENT	315202	12/2/14	499.49
BOEGLER, C	RETIREE HEALTH BENEFITS / DEC 2014	315203	12/2/14	260.00
BOYD, P	RETIREE HEALTH BENEFITS / DEC 2014	315204	12/2/14	145.00
CARRILLO, R	RETIREE HEALTH BENEFITS / DEC 2014	315205	12/2/14	290.00
CLAIMS MANAGEMENT ASSOCIATES	LIABILITY CLAIM COST	315206	12/2/14	291.10
COLE, L	RETIREE HEALTH BENEFITS / DEC 2014	315207	12/2/14	165.00
COMPRESSED AIR SPECIALTIES INC	LINE VALVE FOR CLEAN AIR	315208	12/2/14	118.50
CONDON, D	RETIREE HEALTH BENEFITS / DEC 2014	315209	12/2/14	280.00
CORPUZ, T	RETIREE HEALTH BENEFITS / DEC 2014	315210	12/2/14	140.00
COUNTY OF SAN DIEGO	REGIONAL COMMUNICATIONS SYSTEM	315211	12/2/14	7,526.00
COX COMMUNICATIONS	INTERNET SERVICES	315212	12/2/14	29.09
CYNTHIA TITGEN CONSULTING INC	PROFESSIONAL SERVICES	315213	12/2/14	2,470.00
D PREP L L C	TUITION: DUI CHECKPOINT PLANNING	315214	12/2/14	129.00
DALEY & HEFT LLP	LIABILITY CLAIM COSTS	315215	12/2/14	4,923.28
DALEY & HEFT LLP	LIABILITY CLAIM COSTS	315216	12/2/14	1,845.58
DALEY & HEFT LLP	LIABILITY CLAIM COSTS	315217	12/2/14	228.48
DANESHFAR, Z	RETIREE HEALTH BENEFITS / DEC 2014	315218	12/2/14	250.00
DELL MARKETING CORP	DELL SERVER SUPPORT RENEWAL	315219	12/2/14	3,542.00
DELTA DENTAL	COBRA DENTAL INS - OCT 2014	315220	12/2/14	132.07
DELTA DENTAL INSURANCE CO	COBRA DENTAL INS - OCT 2014	315221	12/2/14	33.00
DESROCHERS, P	RETIREE HEALTH BENEFITS / DEC 2014	315222	12/2/14	110.00
DI CERCHIO, A	RETIREE HEALTH BENEFITS / DEC 2014	315223	12/2/14	70.00
DREDGE, J	RETIREE HEALTH BENEFITS / DEC 2014	315224	12/2/14	250.00
EDWARDS, Z	LIABILITY CLAIM COSTS	315225	12/2/14	500.00
EISER III, G	RETIREE HEALTH BENEFITS / DEC 2014	315226	12/2/14	250.00
EMERGENCY EQPT ENGINEERING	NEW LEATHER GEAR / POLICE	315227	12/2/14	64.26
ENTERPRISE FLEET MANAGEMENT	FLEET LEASE & MAINTENANCE	315228	12/2/14	2,407.88
FABINSKI, D	RETIREE HEALTH BENEFITS / DEC 2014	315229	12/2/14	220.00
GELSKEY, K	RETIREE HEALTH BENEFITS / DEC 2014	315230	12/2/14	115.00
GIBBS JR, R	RETIREE HEALTH BENEFITS / DEC 2014	315231	12/2/14	120.00
GRANICUS INC	GRANICUS WEBCASTING	315232	12/2/14	1,477.35
GTC SYSTEMS INC	NETWORK ENGINEERING SERVICES	315233	12/2/14	2,897.50
GUNDERT, M	RETIREE HEALTH BENEFITS / DEC 2014	315234	12/2/14	350.00
HANSON, E	RETIREE HEALTH BENEFITS / DEC 2014	315235	12/2/14	135.00
HAUG, T	RETIREE HEALTH BENEFITS / DEC 2014	315236	12/2/14	120.00



WARRANT REGISTER #23

12/2/2014

<u>PAYEE</u>	<u>DESCRIPTION</u>	<u>CHK NO</u>	<u>DATE</u>	<u>AMOUNT</u>
HEALTH NET	HEALTH NET FOR R1192Q	315237	12/2/14	3,335.94
HODGES, B	RETIREE HEALTH BENEFITS / DEC 2014	315238	12/2/14	200.00
HONDO, E	RETIREE HEALTH BENEFITS / DEC 2014	315239	12/2/14	110.00
IMPACT IMAGES INC.	10 x 10 DIGITAL CUSTOM TOP	315240	12/2/14	1,866.93
JAMES, R	RETIREE HEALTH BENEFITS / DEC 2014	315241	12/2/14	140.00
JONES, D	REIMB- PARAMEDIC LICENSE	315242	12/2/14	200.00
JUNIEL, R	RETIREE HEALTH BENEFITS / DEC 2014	315243	12/2/14	50.00
KAISER FOUNDATION HEALTH PLANS	RETIREE COBRA INS - OCT 2014	315244	12/2/14	936.52
KIMBLE, R	RETIREE HEALTH BENEFITS / DEC 2014	315245	12/2/14	300.00
KIMLEY HORN AND ASSOC INC	DOWNTOWN WESTSIDE CONSTRUCTION	315246	12/2/14	65,670.19
KONE	ELEVATOR MAINTENANCE AND REPAIR	315247	12/2/14	251.56
KONICA MINOLTA	COPIER EQUIPMENT LEASE	315248	12/2/14	6,759.22
LANDA, A	RETIREE HEALTH BENEFITS / DEC 2014	315249	12/2/14	155.00
LIMFUECO, M	RETIREE HEALTH BENEFITS / DEC 2014	315250	12/2/14	160.00
LONG, D	SUBSISTENCE: DUI DETECTION FIELD	315251	12/2/14	468.00
LONG, D	REIMB - UNIFORM SHIRT - PD	315252	12/2/14	61.55
LOPEZ, T	TRANSLATION SERVICES	315253	12/2/14	140.00
LUNT, D	REIMB - CAPPO 2015 CONFERENCE	315254	12/2/14	197.20
MALDONADO, J	RETIREE HEALTH BENEFITS / DEC 2014	315255	12/2/14	130.00
MARLO'S AUTO SPECIALTIES	LABOR- REMOVE AND REPLACE BUMPER	315256	12/2/14	2,271.56
MATIENZO, M	RETIREE HEALTH BENEFITS / DEC 2014	315257	12/2/14	100.00
MC CABE, T	RETIREE HEALTH BENEFITS / DEC 2014	315258	12/2/14	280.00
MEDINA, R	RETIREE HEALTH BENEFITS / DEC 2014	315259	12/2/14	105.00
MINER, D	RETIREE HEALTH BENEFITS / DEC 2014	315260	12/2/14	580.00
MUNICIPAL MAINTENANCE EQUIP	S-523487 TUBE WIDER GB	315261	12/2/14	154.36
MURRAY, J	RETIREE HEALTH BENEFITS / DEC 2014	315262	12/2/14	150.00
MYERS, B	RETIREE HEALTH BENEFITS / DEC 2014	315263	12/2/14	140.00
NAPA AUTO PARTS	MOP 45735 CAR PARTS	315264	12/2/14	125.00
NATIONAL CREDIT REPORTING	CREDIT REPORTING FOR S8 USE FY15	315265	12/2/14	221.20
NOSAL, W	RETIREMENT SETTLEMENT / DEC 2014	315266	12/2/14	1,217.74
NOTEWARE, D	RETIREE HEALTH BENEFITS / DEC 2014	315267	12/2/14	120.00
NOWDOCS INTERNATIONAL INC	GREEN VOID BOTTOM CHECKS	315268	12/2/14	366.24
OCHOA, I	RETIREE HEALTH BENEFITS / DEC 2014	315269	12/2/14	125.00
PACIFIC TELEMAGEMENT SERVICE	PACIFIC TELEMAGEMENT PAY PHONE	315270	12/2/14	253.08
PADRE JANITORIAL SUPPLIES	JANITORIAL SUPPLIES	315271	12/2/14	72.25
PAUU JR, P	RETIREE HEALTH BENEFITS / DEC 2014	315272	12/2/14	340.00
PEASE JR, D	RETIREE HEALTH BENEFITS / DEC 2014	315273	12/2/14	140.00
PETERS, S	RETIREE HEALTH BENEFITS / DEC 2014	315274	12/2/14	290.00
POST, R	RETIREE HEALTH BENEFITS / DEC 2014	315275	12/2/14	280.00
POTTER	RETIREE HEALTH BENEFITS / DEC 2014	315276	12/2/14	150.00
PRO-EDGE KNIFE	KNIFE SHARPENING SERVICES	315277	12/2/14	46.00
PRUDENTIAL OVERALL SUPPLY	MOP 45742 LAUNDRY SVC - NSD	315278	12/2/14	45.06
RAY, S	RETIREE HEALTH BENEFITS / DEC 2014	315279	12/2/14	190.00
ROARK, L	RETIREE HEALTH BENEFITS / DEC 2014	315280	12/2/14	135.00
ROE, V	RETIREE HEALTH BENEFITS / DEC 2014	315281	12/2/14	120.00
RUIZ, J	RETIREE HEALTH BENEFITS / DEC 2014	315282	12/2/14	310.00
S & S WELDING	TRAF GRATE GALVANIZED	315283	12/2/14	478.51
S & S WELDING	1- 40 1/2 TRAF GRATE GALVANIZED	315284	12/2/14	478.51
SAN DIEGO GAS & ELECTRIC	GAS & ELECTRIC	315285	12/2/14	2,317.69
SEAPORT MEAT COMPANY	MEATS FOR NUTRITION CENTER	315286	12/2/14	3,819.77
SERVATIUS, J	RETIREE HEALTH BENEFITS / DEC 2014	315287	12/2/14	340.00
SHORT, C	RETIREE HEALTH BENEFITS / DEC 2014	315288	12/2/14	300.00



WARRANT REGISTER #23

12/2/2014

<u>PAYEE</u>	<u>DESCRIPTION</u>	<u>CHK NO</u>	<u>DATE</u>	<u>AMOUNT</u>
SMART & FINAL	MOP 45756 CAT TRAP FOOD - PD	315289	12/2/14	47.70
SMITH, J	RETIREE HEALTH BENEFITS / DEC 2014	315290	12/2/14	320.00
SOUTH COAST EMERGENCY	LABOR- REPLACED AC COMPRESSOR	315291	12/2/14	9,284.71
STACK TRAFFIC CONSULTING INC	KIMBALL PARK	315292	12/2/14	77,682.28
STAPLES ADVANTAGE	MOP 45704 OFFICE SUPPLIES - MIS	315293	12/2/14	46.99
STRASEN, W	RETIREE HEALTH BENEFITS / DEC 2014	315294	12/2/14	135.00
SYSCO SAN DIEGO INC	CONSUMABLES	315295	12/2/14	8,700.93
THOMSON WEST	ONLINE LEGAL RESEARCH	315296	12/2/14	782.72
TIPTON, B	RETIREE HEALTH BENEFITS / DEC 2014	315297	12/2/14	250.00
TRIVIZ, R	RETIREE HEALTH BENEFITS / DEC 2014	315298	12/2/14	135.00
TURNER'S PORTABLE WELDING	MATERIALS	315299	12/2/14	272.70
URIAS, N	RETIREE HEALTH BENEFITS / DEC 2014	315300	12/2/14	125.00
V & V MANUFACTURING	NATIONAL CITY POLICE BADGES	315301	12/2/14	1,425.10
VALLEY POWER SYSTEMS INC	PARTS - INJ VALVE	315302	12/2/14	1,213.03
VILLAGOMEZ, J	RETIREE HEALTH BENEFITS / DEC 2014	315303	12/2/14	480.00
WHITE, J	RETIREE HEALTH BENEFITS / DEC 2014	315304	12/2/14	230.00
WILLY'S ELECTRONIC SUPPLY	MOP 45763 PATCH CORDS - MIS	315305	12/2/14	457.85
ZIETLOW, D	RETIREE HEALTH BENEFITS / DEC 2014	315306	12/2/14	150.00
CLAUSS CONSTRUCTION	HOOVER AVE REMEDIAT/DEMO	315307	12/2/14	441,802.23
E2 MANAGE TECH INC	PROP MITIGATION FOR WI-TOD	315308	12/2/14	63,337.50
CHRISTENSEN & SPATH LLP	LEGAL / WESTSIDE TOD	315309	12/2/14	8,662.50
LAW OFFICES OF EDWARD Z KOTKIN	LEGAL / ASSIGNMENT AND ASSUMPTION	315310	12/2/14	2,281.18
MAZZARELLA LORENZANA LLP	LEGAL / ROSENOW, SPEVACEK GROUP / S A	315311	12/2/14	6,305.76
MEYERS NAVE	LEGAL / SANDOVAL / S A	315312	12/2/14	1,465.00
NBS	LANDSCAPE MAINTENANCE DISTRICT	315313	12/2/14	842.58
SDG&E	GAS AND ELECTRIC UTILITIES SERVICES	315314	12/2/14	229.63
SWEETWATER AUTHORITY	WATER UTILITES	315315	12/2/14	22.56
			A/P Total	787,399.11
WIRED PAYMENTS				
PUBLIC EMP RETIREMENT SYSTEM	SERVICE PERIOD 10/28/14 - 11/10/14	11262014	11/26/14	311,793.49
TRISTAR RISK MANAGEMENT	OCTOBER 2014 WC REPLENISHMENT	818022	11/26/14	66,671.81
SECTION 8 HAPS PAYMENTS	Start Date 11/26/2014	End Date 12/2/2004		705,471.34
		GRAND TOTAL		\$ 1,871,335.75

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, FINANCE

LESLIE DEESE, CITY MANAGER

FINANCE COMMITTEE

RONALD J. MORRISON, MAYOR-CHAIRMAN

JERRY CANO, VICE-MAYOR

ALEJANDRA SOTELO-SOLIS, MEMBER

MONA RIOS, MEMBER

ALBERT MENDIVIL, MEMBER

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 20TH OF JANUARY, 2015.

AYES _____

NAYS _____

ABSENT _____

The following page(s) contain the backup material for Agenda Item: Warrant Register #24 for the period of 12/03/14 through 12/09/14 in the amount of \$1,769,745.87 (Finance)

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

MEETING DATE: January 20, 2015

AGENDA ITEM NO. |

ITEM TITLE:

Warrant Register #24 for the period of 12/03/14 through 12/09/14 in the amount of \$1,769,745.87
(Finance)

PREPARED BY: K. Apalategui

DEPARTMENT: Finance

PHONE: 619-336-4572

APPROVED BY: 

EXPLANATION:

Per Government Section Code 37208, attached are the warrants issued for the period of 12/03/14 through 12/09/14.

Consistent with Department of Finance practice, listed below are all payments above \$50,000.

<u>Vendor</u>	<u>Check/Wire</u>	<u>Amount</u>	<u>Explanation</u>
Dixieline Builders	315329	64,700.00	CDBG / Fund Control #18867
Pal Gen Eng Inc	315353	353,291.35	8 th Street Smart Growth
Public Emp Ret System	12042014	318,158.40	Service Period 11/11/14-11/24/14

FINANCIAL STATEMENT:

APPROVED:  Finance

ACCOUNT NO.

APPROVED: _____ MIS

Reimbursement total \$1,769,745.87

ENVIRONMENTAL REVIEW:

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

ORDINANCE: INTRODUCTION:

FINAL ADOPTION:

STAFF RECOMMENDATION:

Ratification of warrants in the amount of \$1,769,745.87

BOARD / COMMISSION RECOMMENDATION:

N/A

ATTACHMENTS:

Warrant Register #24



WARRANT REGISTER #24
12/9/2014

<u>PAYEE</u>	<u>DESCRIPTION</u>	<u>CHK NO</u>	<u>DATE</u>	<u>AMOUNT</u>
A REASON TO SURVIVE	BIKE RACK PROJECT	315316	12/9/14	3,336.17
ALDEMCO	CONSUMABLES	315317	12/9/14	1,415.64
ALL FRESH PRODUCTS	FOOD & CONSUMABLES	315318	12/9/14	406.24
ALLDATA	ALLDATA ANNUAL SUBSCRIPTION	315319	12/9/14	1,500.00
AUSTIN DOORS	CITY-WIDE ROLL-UP DOORS, SERVICE	315320	12/9/14	330.00
AZTEC APPLIANCE	CITY-WIDE APPLIANCE PURCHASES FOR FY	315321	12/9/14	837.12
BPI PLUMBING	CITY-WIDE PLUMBING SERVICE, REPAIR	315322	12/9/14	420.19
CALIFORNIA COMMERCIAL SECURITY	CITY-WIDE ELECTRONIC DOOR REPAIRS	315323	12/9/14	1,714.26
CHIA	TUITION: 2015 CA HOMICIDE INVESTIGATORS	315324	12/9/14	550.00
COOPER'S PLUMBING & HEATING	CITY-WIDE BACKFLOW TESTING	315325	12/9/14	177.50
DANIELS TIRE SERVICE	TIRES FOR CITY FLEET AS NEEDED FOR FY	315326	12/9/14	582.18
DAY WIRELESS SYSTEMS (20)	FLASHPORT BOTTOM/INSERT VOL KNOB	315327	12/9/14	307.41
DEESE, L	REIMB - SWEARING IN CEREMONY	315328	12/9/14	58.96
DIXIELINE BUILDERS	FUND CONTROL #18867	315329	12/9/14	64,700.00
DOKKEN ENGINEERING	PLAZA BLVD PS&E	315330	12/9/14	2,788.73
DOOLEY ENTERPRISES	FULL METAL JACKET	315331	12/9/14	22,767.25
ENTERPRISE FLEET MANAGEMENT	FLEET LEASE & MAINTENANCE	315332	12/9/14	1,578.33
FIRE ETC	FIRE WEATHER KITS	315333	12/9/14	539.55
GOODYEAR TIRE & RUBBER COMPANY	TIRES FOR CITY FLEET AS NEEDED FY 2015	315334	12/9/14	3,130.52
GORMSEN APPLIANCE CO	CITY-WIDE APPLIANCE PURCHASES, REPAIRS	315335	12/9/14	290.70
HARRIS & ASSOCIATES INC	8TH ST SMART GROWTH	315336	12/9/14	1,509.77
HEALTH & HUMAN	EMPLOYEE ASST PROGRAM	315337	12/9/14	748.22
HOME DEPOT CREDIT SERVICES	LED MULTI LIGHTS	315338	12/9/14	943.10
INDEPENDENT FORENSIC SERVICES	SART EXAMS	315339	12/9/14	1,250.00
JOHN DEERE LANDSCAPES	MOP#69277 PLANTING MATERIALS	315340	12/9/14	120.78
JUDD ELECTRIC	CITY-WIDE ELECTRIC REPAIRS AS NEEDED	315341	12/9/14	625.00
KASEYA	ANNUAL MAINTENANCE SUBSCRIPTION	315342	12/9/14	3,699.50
KNOX ATTORNEY SERVICE INC	4075567/4075577 - LEGAL SERVICES	315343	12/9/14	262.50
LAFRENIERE, M	REIMB - VACUUM CLEANER	315344	12/9/14	52.92
NATIONAL BUSINESS INSTITUTE	REGISTRATION: AS JUDGES SEE IT	315345	12/9/14	708.00
NATIONAL CITY CAR WASH	CAR WASHES FOR CITY FLEET	315346	12/9/14	515.00
NCPOA	TUITION: 2015 LEGISLATIVE UPDATE	315347	12/9/14	90.00
OFFICE SOLUTIONS BUSINESS	BLACK ARMLESS PLY SEAT AND CHAIRS	315348	12/9/14	1,481.27
ORANGE COUNTY SHERIFF'S DEPT	TUITION: FIELD TRAINING OFFICER	315349	12/9/14	80.00
ORIENTAL TRADING COMP LLC	HALLOWEEN PRETZEL PACKETS	315350	12/9/14	372.43
PACIFIC AUTO REPAIR	MOP#72448 AUTOMOTIVE EQUIPMENT	315351	12/9/14	448.28
PADRE JANITORIAL SUPPLIES	JANITORIAL SUPPLIES	315352	12/9/14	72.25
PAL GENERAL ENGINEERING INC	8TH ST SMART GROWTH	315353	12/9/14	353,291.35
PERRY FORD	R & M CITY VEHICLES	315354	12/9/14	1,001.88
PRO BUILD	MOP 45707 MISC SUPPLIES - PARKS	315355	12/9/14	31.57
PRO-EDGE KNIFE	KNIFE SHARPENING SERVICES	315356	12/9/14	46.00
PRUDENTIAL OVERALL SUPPLY	MOP#45742 CLEANING AND LAUNDRY SERVICES	315357	12/9/14	735.10
RANDALL LAMB ASSOCIATES, INC	NC ESCO SOQ EVALUATION	315358	12/9/14	6,750.00
ROMERO'S ROOFING SERVICE INC	CITY-WIDE ROOF SERVICE, REPLACEMENT	315359	12/9/14	1,400.00
S & J BUILDERS & RESTORATION	RESTORATION SERVICE AND REPAIR	315360	12/9/14	14,501.34
SAN DIEGO DAILY TRANSCRIPT	MORGAN TOWERS	315361	12/9/14	1,023.00
SAN DIEGO PR	LAYOUT/EDITING/DISTRIBUTION	315362	12/9/14	500.00
SAN DIEGO REGIONAL	TUITION: RECORDS CLERK	315363	12/9/14	525.00
SDG&E	STREET DIVISION GAS & ELECTRIC CHARGES	315364	12/9/14	61.06
SEAPORT MEAT COMPANY	MEATS FOR NUTRITION CENTER	315365	12/9/14	753.72
SMART & FINAL	MOP 45756 MISC SUPPLIES - HR	315366	12/9/14	47.35
SMART SOURCE OF CALIFORNIA LLC	MOP 63845 IT SERVICE CARDS	315367	12/9/14	334.64



**WARRANT REGISTER #24
12/9/2014**

<u>PAYEE</u>	<u>DESCRIPTION</u>	<u>CHK NO</u>	<u>DATE</u>	<u>AMOUNT</u>
SOUTH COAST PIERING	REFUND OF PERMIT FEES	315368	12/9/14	268.66
SPARKLETTES	WATER FOR NUTRITION	315369	12/9/14	12.37
STACK TRAFFIC CONSULTING INC	EL TOYON PARK SEC CAMERAS	315370	12/9/14	11,117.95
STAPLES ADVANTAGE	MOP 45704 OFFICE SUPPLIES	315371	12/9/14	1,371.60
STEVENSON, S	CALPELRA CONFERENCE TRAVEL REIMB	315372	12/9/14	705.23
SWEETWATER AUTHORITY	FACILITIES DIVISION WATER BJLL FOR FY	315373	12/9/14	5,660.06
SWRCB	ANNUAL PERMIT FEE	315374	12/9/14	21,848.00
SYSCO SAN DIEGO INC	CONSUMABLES / NUTRITION CENTER	315375	12/9/14	2,213.01
T'S & SIGNS	DIGITAL MAGNETIC	315376	12/9/14	708.50
U S BANK	CREDIT CARD EXP - FIRE	315377	12/9/14	3,890.17
U S HEALTHWORKS	MEDICAL SERVICES	315378	12/9/14	890.00
VCA EMERGENCY ANIMAL HOSPITAL	STRAY ANIMAL VET CARE	315379	12/9/14	756.37
VERGARA, A	ANNUAL CPPA EXPENSES	315380	12/9/14	282.80
WALMART	2015 STORMWATER CALENDAR ARTWORK	315381	12/9/14	500.00
AMAZON	THERMAL PAPER ROLLS	315382	12/9/14	922.37
BAKER & TAYLOR	BOOKS - AS NEEDED FOR FY 2015	315383	12/9/14	41.68
BRODART CO	BOOKS TRUCKS	315384	12/9/14	2,392.97
EBSCO INFORMATION SERVICES	ON-LINE SUBSCRIPTIONS FOR FY 2015	315385	12/9/14	5,282.31
PIG'S EYE PUPPETS	PERFORMER - MARIONETTE SHOW	315386	12/9/14	200.00
SCHIMMINGER, S	SUPPLY REIMBURSEMENT FOR LIBRARY	315387	12/9/14	332.58
STAPLES ADVANTAGE	MOP #45704 - SUPPLIES	315388	12/9/14	61.73
U S POSTMASTER	POSTAGE FOR OVERDUE NOTICES	315389	12/9/14	147.00
			A/P Total	561,017.14
WIRED PAYMENTS				
PUBLIC EMP RETIREMENT SYSTEM	SERVICE PERIOD 11/11/14 - 11/24/14	12042014	12/4/14	318,158.40
SECTION 8 HAPS	Start Date	End Date		
	12/3/2014	12/9/2014		12,001.48
PAYROLL				
Pay period	Start Date	End Date	Check Date	
25	11/25/2014	12/8/2014	12/17/2014	878,568.85
		GRAND TOTAL		\$ 1,769,745.87

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, FINANCE

LESLIE DEESE, CITY MANAGER

FINANCE COMMITTEE

RONALD J. MORRISON, MAYOR-CHAIRMAN

JERRY CANO, VICE-MAYOR

ALEJANDRA SOTELO-SOLIS, MEMBER

MONA RIOS, MEMBER

ALBERT MENDIVIL, MEMBER

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 20TH OF JANUARY, 2015.

AYES _____

NAYS _____

ABSENT _____

The following page(s) contain the backup material for Agenda Item: Warrant Register #25 for the period of 12/10/14 through 12/16/14 in the amount of \$1,693,052.88 (Finance)

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

MEETING DATE: January 20, 2015

AGENDA ITEM NO. |

ITEM TITLE:

Warrant Register #25 for the period of 12/10/14 through 12/16/14 in the amount of \$1,693,052.88 (Finance)

PREPARED BY: K. Apalategui

DEPARTMENT: Finance

PHONE: 619-336-4572

APPROVED BY: 

EXPLANATION:

Per Government Section Code 37208, attached are the warrants issued for the period of 12/10/14 through 12/16/14.

Consistent with Department of Finance practice, listed below are all payments above \$50,000.

<u>Vendor</u>	<u>Check/Wire</u>	<u>Amount</u>	<u>Explanation</u>
Health Net Inc	315403	60,587.13	INS R1192A Dec 2014
Kaiser Foundation	315404	166,736.77	INS Active Dec 2014
Best Best & Kreiger	315410	141,980.21	Legal / Comm Youth Center
ACCO Engineered System	315413	76,518.00	Kimball Tower
Kimley Horn & Assoc	315482	208,585.55	Park Restroom Project
Project Professionals Corp	315508	169,045.01	8 th Street Smart Growth
Stack Traffic Consulting	315524	68,847.37	Kimball Park Project

FINANCIAL STATEMENT:

APPROVED: 

Finance

ACCOUNT NO.

APPROVED: _____

MIS

Reimbursement total \$1,693,052.88

ENVIRONMENTAL REVIEW:

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

ORDINANCE: INTRODUCTION:

FINAL ADOPTION:

STAFF RECOMMENDATION:

Ratification of warrants in the amount of \$1,693,052.88

BOARD / COMMISSION RECOMMENDATION:

N/A

ATTACHMENTS:

Warrant Register #25



**WARRANT REGISTER #25
12/16/2014**

<u>PAYEE</u>	<u>DESCRIPTION</u>	<u>CHK NO</u>	<u>DATE</u>	<u>AMOUNT</u>
CHRISTENSEN & SPATH LLP	LEGAL SERVICES / S A	315390	12/16/14	13,020.00
KANE BALLMER & BERKMAN	LEGAL SERVICES / S A	315391	12/16/14	45.00
MAZZARELLA LORENZANA LLP	LEGAL SERVICES TO PURSUE INDEMNITY	315392	12/16/14	18,678.56
OPPER & VARCO LLP	LEGAL SERVICES / S A	315393	12/16/14	7,984.67
POWER PLUS	EQUIPMENT RENTAL (POWER POLES)	315394	12/16/14	345.00
POWER PLUS	EQUIPMENT RENTAL (POWER POLES)	315395	12/16/14	195.00
AFLAC	ACCT BDM36 DEC 2014	315396	12/16/14	710.60
C A P F	FIRE LTD DEC 2014	315397	12/16/14	576.00
DELTA DENTAL	INS PREMIER DECEMBER 2014	315398	12/16/14	14,314.14
DELTA DENTAL INSURANCE CO	PMI DENTAL INS DEC 2014	315399	12/16/14	2,871.00
HEALTH NET	FULL NETWORK 57135A DEC 2014	315400	12/16/14	5,153.90
HEALTH NET	INS FOR DECEMBER 2014	315401	12/16/14	1,528.85
HEALTH NET	INS N5992A DEC 2014	315402	12/16/14	525.07
HEALTH NET INC	INS R1192A DEC 2014	315403	12/16/14	60,587.13
KAISER FOUNDATION HEALTH PLANS	INS ACTIVE DEC 2014	315404	12/16/14	166,736.77
KAISER FOUNDATION HEALTH PLANS	RETIREES INS DEC 2014	315405	12/16/14	19,859.91
KAISER FOUNDATION HEALTH PLANS	H S A INS DEC 2014	315406	12/16/14	1,643.03
NORTHROP GRUMMAN CORPORATION	NORTHROP GRUMMAN RMS SUPPORT	315407	12/16/14	48,612.00
THE LINCOLN NATIONAL LIFE INS BEARD, P	LIFE & AD&D, STD, LTD INS DEC 2014	315408	12/16/14	8,924.74
BEST BEST & KRIEGER ATTNY LAW	TESTIMONY PREPARATION / S A	315409	12/16/14	566.67
OPPER & VARCO LLP	LEGAL / COMMUNITY YOUTH ATHLETIC CENTER	315410	12/16/14	141,980.21
SWEETWATER AUTHORITY	LEGAL / WITOD	315411	12/16/14	3,380.00
ACCO ENGINEERED SYSTEMS INC	WATER UTILITES / S A	315412	12/16/14	879.98
ACME SAFETY & SUPPLY CORP	KIMBALL TOWER	315413	12/16/14	76,518.00
ADDICTION MEDICINE	1- RESHEET 2 SIGNS - 2 COLOR	315414	12/16/14	50.00
ALDEMCO	MEDICAL SERVICES	315415	12/16/14	1,040.00
ALLSTATE POLICE EQUIPMENT	CONSUMABLES / NUTRITION	315416	12/16/14	1,610.32
ARCO GASPRO PLUS	COLT M4 CARBINE 5.56, 10.3 BARREL / PD	315417	12/16/14	6,480.05
ASPEN RISK MANAGEMENT GROUP	FUEL FOR CITY FLEET	315418	12/16/14	28,481.63
ASSI SECURITY INC	PROFESSIONAL SERVICES	315419	12/16/14	4,595.50
AT&T MCI	CITY-WIDE SECURITY REPAIRS	315420	12/16/14	1,420.00
AT&T MCI	AT&T PHONE SERVICE / 10/13/14-11/12/14	315421	12/16/14	8,207.00
AUSTIN DOORS	SBC AT&T PHONE SERVICE FY15	315422	12/16/14	10.29
BANK OF AMERICA PUBLIC	CITY WIDE ROLL UP DOORS SERVICE	315423	12/16/14	479.76
BAUER COMPRESSORS	CAT LOADER EQUIP LEASE PAYMENT	315424	12/16/14	3,077.02
BEST BEST & KRIEGER ATTNY LAW	FACEPIECE, MILLENNIUM, PKG	315425	12/16/14	4,967.55
BEST BEST & KRIEGER ATTNY LAW	LIABILITY CLAIM COSTS	315426	12/16/14	21,879.46
BLACKIE'S TROPHIES AND AWARDS	LEGAL / PERSONNEL ISSUES	315427	12/16/14	1,192.50
BOOT WORLD	MOP 67727 METAL NAME TAGS	315428	12/16/14	45.36
CALIFORNIA COMMERCIAL SECURITY	MOP#64096 WEARING APPAREL	315429	12/16/14	213.80
CALIFORNIA ELECTRIC SUPPLY	CITY-WIDE ELECTRONIC DOOR REPAIRS	315430	12/16/14	1,596.21
CALIFORNIA LAW ENFORCEMENT	MOP#45698 ELECTRICAL MATERIALS	315431	12/16/14	974.16
CARTEGRAPH SYSTEMS, INC	PD LTD DECEMBER 2014	315432	12/16/14	2,009.00
CHILDREN'S HOSPITAL	PERMIT LICENSE/TRACKING PER COUNCIL	315433	12/16/14	44,000.00
CITY NATIONAL BANK	CHILD ABUSE EXAMS / POLICE	315434	12/16/14	448.00
CITY OF CHULA VISTA	ENERGY RETROFIT PROJECT # 10-005	315435	12/16/14	43,101.10
COUNTY OF SAN DIEGO	ANIMAL SHELTER COSTS / PD	315436	12/16/14	36,529.13
COX COMMUNICATIONS	REGIONAL COMM SYSTEM / NOV 2014	315437	12/16/14	7,526.00
COX COMMUNICATIONS	COX INTERNET SERVICES FY15	315438	12/16/14	3,281.65
COX COMMUNICATIONS	COX INTERNET SERVICES FY15	315439	12/16/14	29.09



**WARRANT REGISTER #25
12/16/2014**

<u>PAYEE</u>	<u>DESCRIPTION</u>	<u>CHK NO</u>	<u>DATE</u>	<u>AMOUNT</u>
CREATIVE IMAGES	PICTURES FOR CM MENDIVIL	315440	12/16/14	40.00
CSMFO	CERTIFICATE OF AWARD PROGRAM / FINANCE	315441	12/16/14	50.00
CULLIGAN	WATER SOFTNER FOR DISHWASHER	315442	12/16/14	6.00
DALEY & HEFT LLP	LIABILITY CLAIM COSTS	315443	12/16/14	15,603.28
DALEY & HEFT LLP	LIABILITY CLAIM COSTS	315444	12/16/14	5,258.51
DANIELS TIRE SERVICE	MOP#76986 TIRES	315445	12/16/14	4,853.19
DATA TICKET INC	APPEALS, ON-LINE ACCESS / OCT 2014	315446	12/16/14	4,950.51
DAY WIRELESS SYSTEMS (20)	RADIO MAINTENANCE SERVICE CONTRACT	315447	12/16/14	13,068.00
DEPARTMENT OF JUSTICE	INVESTIGATIVE SERVICES	315448	12/16/14	516.00
DIAMOND ENVIRONMENTAL SVCS	HANDICAP RESTROOM & SINK / TREE LIGHTING	315449	12/16/14	666.05
DISCOUNT DISPOSABLES	ITEM #09-SMS4000 ISOLYSER SHARPS	315450	12/16/14	730.91
DIZINNO, T	SUBSISTENCE: RACIAL PROFILING	315451	12/16/14	468.00
D-MAX ENGINEERING	EL TOYON PARK	315452	12/16/14	11,025.40
DTSC ACCOUNTING UNIT	AGREEMENT WITH THE STATE OF CALIFORNIA	315453	12/16/14	157.71
DUNBAR ARMORED INC	ARMORED SERVICES / FINANCE	315454	12/16/14	363.56
ECMS	TURNOUT INSPECTION AND REPAIR / FIRE	315455	12/16/14	2,408.16
EVIDENT CRIME SCENE PRODUCTS	ITEM#2106 2-5"X14" WHITE GELLIFTERS	315456	12/16/14	2,046.50
EXPERIAN	CREDIT CHECKS / POLICE DEPARTMENT	315457	12/16/14	58.50
EXPRESS PIPE AND SUPPLY CO INC	CITY-WIDE PLUMBING PARTS, MATERIAL	315458	12/16/14	289.17
FEDEX	SENDING DOCUMENTS - A AVENUE	315459	12/16/14	267.10
FIRST AMERICAN CORE LOGIC INC	METROSCAN ANNUAL SUBSCRIPTION	315460	12/16/14	7,900.00
GONZALES, G	REIMB - UNIFORM & BOOTS	315461	12/16/14	261.95
GOODYEAR TIRE & RUBBER COMPANY	MOP#72654 TIRES	315462	12/16/14	298.80
GORMSEN APPLIANCE CO	CITY-WIDE APPLIANCE PURCHASES, REPAIRS	315463	12/16/14	252.43
GOVCONNECTION INC	CISCO CATALYST 3850 48 PORT FULL POE	315464	12/16/14	38,552.88
GOVERNMENT FINANCE	PARTICIPANT APPLICATION FINANCIAL REPORT	315465	12/16/14	505.00
GRAINGER	MOP#65179 ELECTRICAL MATERIALS	315466	12/16/14	184.78
GTC SYSTEMS INC	GTC NETWORK ENGINEERING SERVICES	315467	12/16/14	2,535.00
HAMEL, K	REIMB - RECERTIFICATION FEES	315468	12/16/14	217.00
HARRIS & ASSOCIATES INC	HIGHLAND AVENUE	315469	12/16/14	3,505.00
HINDERLITER DE LLAMAS & ASSOC	CONTRACT SVCS / SALES TAX 4TH QTR	315470	12/16/14	2,548.35
HOME DEPOT CREDIT SERVICES	18- WHITE LED BULBS	315471	12/16/14	918.28
HONEYWELL INTERNATIONAL INC	CITY-WIDE HVAC MAINTENANCE FOR FY 2015	315472	12/16/14	29,496.25
HUNTER'S NURSERY INC	MOP#45719 HORTICULTURAL ITEMS	315473	12/16/14	252.34
HYDRO SCAPE PRODUCTS INC	MOP#45720 WATER PIPE VALVES AND FITTINGS	315474	12/16/14	35.10
INSTITUTE OF TRANSP ENGINEERS	ITE MEMBERSHIP 2015	315475	12/16/14	284.28
IRON MOUNTAIN	RECORDS MANAGEMENT/DOCUMENT STORAGE	315476	12/16/14	153.92
JANIKING OF CALIFORNIA INC	CITY-WIDE JANITORIAL SERVICES	315477	12/16/14	444.00
JERAULDS CAR CARE CENTER	R & M CITY VEHICLES	315478	12/16/14	2,759.94
JJJ ENTERPRISES	CITY WIDE FIRE AND SECURITY ALARM	315479	12/16/14	3,834.00
JOHN DEERE LANDSCAPES	MOP#69277 PLANTING MATERIALS	315480	12/16/14	60.48
KAISER FOUNDATION HEALTH PLANS	RETIRES INS DEC 2014	315481	12/16/14	8,516.45
KIMLEY HORN AND ASSOC INC	PARK RESTROOMS	315482	12/16/14	208,585.55
KONE	CITY-WIDE ELEVATOR MAINTENANCE/REPAIRS	315483	12/16/14	3,195.00
KONICA MINOLTA	COPIER EQUIPMENT LEASE	315484	12/16/14	7,065.75
LANGUAGE LINE SERVICES	LANGUAGE LINE INTERPRETATION SERVICES	315485	12/16/14	38.18
MAINTEX INC	CITY-WIDE JANITORIAL SUPPLIES, PARTS	315486	12/16/14	601.68
MCDUGAL LOVE ECKIS	LIABILITY CLAIM COSTS	315487	12/16/14	1,147.25
MCDUGAL LOVE ECKIS	PROFESSIONAL SERVICES	315488	12/16/14	971.90
MCDUGAL LOVE ECKIS	LIABILITY CLAIM COSTS	315489	12/16/14	70.00



**WARRANT REGISTER #25
12/16/2014**

<u>PAYEE</u>	<u>DESCRIPTION</u>	<u>CHK NO</u>	<u>DATE</u>	<u>AMOUNT</u>
MES CALIFORNIA	14 IN. TIGER TOOTH DIAMOND BLADE	315490	12/16/14	3,850.99
METRO AUTO PARTS DISTRIBUTOR	MOP#75943 AUTOMOTIVE PARTS	315491	12/16/14	1,078.36
NAGLE, D	SUBSISTENCE: RACIAL PROFILING	315492	12/16/14	468.00
NAGLE, D	REIMB - TABLE FOR THE MOBILE COMMAND VEH	315493	12/16/14	76.04
NAHRO	NAHRO MEMBERSHIP RENEWAL SEC 8	315494	12/16/14	1,300.00
NATIONAL CITY CHAMBER	HOLIDAY FIESTA MIXER	315495	12/16/14	15.00
NATIONAL CITY CHAMBER	NC CHAMBER HOLIDAY FIESTA MIXER/CM CANO	315496	12/16/14	15.00
NATIONAL CITY TROPHY	MOP#66556 BUILDING MATERIALS	315497	12/16/14	331.35
NATIONAL CITY TROPHY	MOP 66556 - PLAQUE FOR CM NATIVIDAD	315498	12/16/14	70.85
NINYO & MOORE	AQUATIC CENTER	315499	12/16/14	1,039.00
PACIFIC AUTO REPAIR	MOP#72448 AUTOMOTIVE EQUIPMENT	315500	12/16/14	158.71
PACIFIC TELEMAGEMENT SERVICE	PACIFIC TELEMAGEMENT PAY PHONE	315501	12/16/14	253.08
PEACE OFFICERS RESEARCH	PORAC (PEACE OFFICER RESEARCH)	315502	12/16/14	90.00
PERRY FORD	MOP#45703 AUTOMOTIVE EQUIPMENT	315503	12/16/14	1,449.17
PORAC LEGAL DEFENSE FUND	LEGAL DEFENSE FUND FOR RESERVE POLICE	315504	12/16/14	121.50
POWERSTRIDE BATTERY CO INC	MOP#67839 AUTOMOTIVE EQUIPMENT	315505	12/16/14	1,029.37
PRO BUILD	MOP 45707. SUPPLIES FOR FIRE DEPT	315507	12/16/14	4,762.67
PROJECT PROFESSIONALS CORP	8TH ST SMART GROWTH	315508	12/16/14	169,045.01
PRUDENTIAL OVERALL SUPPLY	MOP#45742 LAUNDRY AND CLEANING SERVICES	315509	12/16/14	553.20
PUN & MCGEADY	AUDITING SERVICES FOR FY15	315510	12/16/14	10,000.00
QUALITY CIRCLE LLC	FIRE RESISTANT T-SHIRTS	315511	12/16/14	1,417.25
RIVERSIDE SHERIFF'S DEPT	TUITION: POST SUPERVISORY COURSE	315512	12/16/14	348.00
ROADONE	MOP#75948 AUTOMOTIVE EQUIPMENT	315513	12/16/14	90.00
S & J BUILDERS & RESTORATION	CITY WIDE GENERAL BUILDING REPAIRS	315514	12/16/14	1,355.05
SAFRAN MORPHOTRUST	INVESTIGATIVE SERVICES	315515	12/16/14	32.00
SAN DIEGO DAILY TRANSCRIPT	ADVERTISING - SPEC #13-07, HIGHLAND AVE	315516	12/16/14	2,976.60
SAN DIEGO PET SUPPLY	MOP 45753. K-9 FOOD / POLICE	315517	12/16/14	268.89
SAN DIEGO SPORTS MEDICINE	WELLNESS EXAMS AND LAB TESTS/FIRE	315518	12/16/14	35,415.92
SDG&E	FACILITIES DIVISION GAS & ELECTRIC	315519	12/16/14	30,698.16
SHRED IT USA LLC	MONTHLY SHREDDING	315520	12/16/14	92.95
SMART & FINAL	MOP 45756. SUPPLIES FOR TINY TOTS	315521	12/16/14	273.49
SMART SOURCE OF CALIFORNIA LLC	MOP 63845 BUSINESS CARD IMPRINTS	315522	12/16/14	63.22
SPARKLETTES	WATER FOR MAYOR/COUNCIL FY15	315523	12/16/14	52.48
STACK TRAFFIC CONSULTING INC	KIMBALL PARK	315524	12/16/14	68,847.37
STAPLES	COPY PAPER FOR PD	315525	12/16/14	1,143.14
STAPLES ADVANTAGE	MOP 45704. MATERIALS & SUPPLIES / CSD	315526	12/16/14	484.14
STATE OF CALIFORNIA	WC CLAIM COSTS	315527	12/16/14	30,926.05
SWEETWATER AUTHORITY	STREET DIVISION WATER BILL FOR FY 2015	315528	12/16/14	339.42
SWRCB	ANNUAL PERMIT FEE	315529	12/16/14	11,195.00
THE COUNSELING TEAM	OFFICER ASSISTANCE PROGRAM FOR FY 2015	315530	12/16/14	800.00
THE LIGHTHOUSE INC	MOP#45726 AUTOMOTIVE PARTS	315531	12/16/14	906.81
THE STAR NEWS	ADVERTISING - H&M GOODIES AUCTION	315532	12/16/14	56.38
TSHIRT MART	EMBROIDERY FOR MERCH BLACK APRONS	315533	12/16/14	41.42
TURNER'S PORTABLE WELDING	LABOR- WELD REPAIR HAND RAIL	315534	12/16/14	1,096.90
U S BANK	CREDIT CARD EXP - SA	315535	12/16/14	329.70
U S HEALTHWORKS	MEDICAL SERVICES	315536	12/16/14	81.00
ULINE	ITEM#S16997 2X1 DESK THERMAL TRANSFER	315537	12/16/14	2,076.15
URS CORPORATION	KIMBALL MORGAN NUTRITION CENTER	315538	12/16/14	1,860.00
USA MOBILITY WIRELESS INC	METROCALL/USA MOBILITY FY15	315539	12/16/14	787.18
V & V MANUFACTURING	NEW BADGES, BADGE, REPAIRS	315540	12/16/14	136.46



**WARRANT REGISTER #25
12/16/2014**

<u>PAYEE</u>	<u>DESCRIPTION</u>	<u>CHK NO</u>	<u>DATE</u>	<u>AMOUNT</u>
VERIZON WIRELESS	VERIZON WIRELESS / 10/22/14-11/21/14	315541	12/16/14	7,010.87
WAXIE SANITARY SUPPLY	MISCELLANEOUS JANITORIAL SUPPLIES	315542	12/16/14	1,976.81
WEST PAYMENT CENTER	CLEAR INVESTIGATIVE DATABASES	315543	12/16/14	464.21
WILLY'S ELECTRONIC SUPPLY	MOP 45763. SUPPLIES FOR MIS	315544	12/16/14	120.06
ZIONS BANK	LEASE PAYMENT FOR 800 MHZ EQUIPMENT	315545	12/16/14	48,396.67
			A/P Total	1,654,765.95
WIRED PAYMENTS				
TRISTAR RISK MANAGEMENT	NOVEMBER 2014 WC REPLENISHMENT	843870	12/10/14	33,052.93
	Start Date	End Date		
SECTION 8 HAPS PAYMENTS	12/10/2014	12/16/2014		5,234.00
		GRAND TOTAL		<u>\$ 1,693,052.88</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, FINANCE

LESLIE DEESE, CITY MANAGER

FINANCE COMMITTEE

RONALD J. MORRISON, MAYOR-CHAIRMAN

JERRY CANO, VICE-MAYOR

ALEJANDRA SOTELO-SOLIS, MEMBER

MONA RIOS, MEMBER

ALBERT MENDIVIL, MEMBER

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 20TH OF JANUARY, 2015.

AYES _____

NAYS _____

ABSENT _____

The following page(s) contain the backup material for Agenda Item: Public Hearing- Conditional Use Permit for beer and wine sales, a banquet facility, and live entertainment at Big Ben Market located at 108 East 8th Street.. (Applicant: Grill House at Big Ben) (Case File 2014-08 CUP) (Planning)

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

MEETING DATE: January 20, 2014

AGENDA ITEM NO.

ITEM TITLE:

Public Hearing – Conditional Use Permit for beer and wine sales, a banquet facility, and live entertainment at Big Ben Market located at 108 East 8th Street (Applicant: Grill House at Big Ben) (Case File 2014-08 CUP)

PREPARED BY:  Martin Reeder, AICP

DEPARTMENT: Planning

PHONE: 336-4313

APPROVED BY: 

EXPLANATION:

The project site is Big Ben Market, located at the corner of East 8th Street and "A" Avenue. The applicant is requesting beer and wine sales, public assembly (banquet facility, and live entertainment on the patio.

Council reviewed the Notice of Decision of the Planning Commission's approval at their meeting of December 16, 2014 and set the item for hearing in order to discuss the item. The attached background report describes the proposal in detail.

FINANCIAL STATEMENT:

APPROVED: _____ Finance

ACCOUNT NO.

APPROVED: _____ MIS

ENVIRONMENTAL REVIEW:

Categorically Exempt pursuant to Class 1, Section 15301 (Existing Facilities)

ORDINANCE: **INTRODUCTION:** **FINAL ADOPTION:**

STAFF RECOMMENDATION:

Staff concurs with the decision of the Planning Commission.

BOARD / COMMISSION RECOMMENDATION:

The Planning Commission approved the Conditional Use Permit.

Ayes: Alvarado, Baca, Bush, Flores, Pruitt

Abstain: Garcia

Absent: DeLaPaz

ATTACHMENTS:

- | | |
|---|--------------------------------------|
| 1. Background Report | 5. Planning Commission Staff Reports |
| 2. Recommended Findings for Approval/Denial | 6. PC Resolution No. 25-2014 |
| 3. Recommended Conditions of Approval | 7. Reduced Plans |
| 4. Location Map | |

BACKGROUND REPORT

The project site is Big Ben Market, located at the Southeast corner of East 8th Street and “A” Avenue in Development Zone 9 (DZ-9) of the Downtown Specific Plan. The market has recently undergone a remodel, which included the addition of an interior restaurant counter and an approximately 1,650 square-foot outdoor patio with an outdoor service counter (The Grill House at Big Ben). The property is generally surrounded by commercial areas, with some residential use to the south of the restaurant parking lot. Big Ben Market has a type 21 (off-sale general) alcohol license, which allows for sales of beer, wine, and distilled spirits for off-site consumption. The license is non-conforming, in that it pre-dates the City’s Conditional Use Permit (CUP) requirement. The market is currently open from 7 a.m. to 9:30 p.m. daily. The Grill House is open from 9:00 a.m. to 10:00 p.m. daily.

The applicant is requesting to sell beer and wine for on-site consumption, provide a banquet facility, and conduct live entertainment in conjunction with an eating place. The area for the on-site sales would be the 1,650 square-foot outdoor patio. Plans show a seating area of approximately 1,300 square feet, a stage area of 170 square feet, and a 291 square-foot bar where the outdoor service counter is located. There is also an area of approximately 180 square feet between the seating area and stage area, which would likely function as a dancing area. Plans also show a 60 square-foot beer and wine cooler located on the south side of the building, intended to serve as a storage locker for alcohol products to be sold on the patio.

Section 18.30.050 of the National City Land Use Code allows for on-site alcohol sales and live entertainment with an approved Conditional Use Permit (CUP). Section 18.24.050 also requires a CUP for “public assembly”, which is how banquet facilities are classified.

Pursuant to Section 18.30.050 (C), the applicant is required to hold a community meeting. The meeting was held Monday, July 14, 2014 at 6:30 p.m. The meeting was held at Big Ben Market. The agenda, sign-in sheet, and minutes are attached. According to the sign-in sheet, one resident was in attendance at the meeting. The applicant made a presentation about the proposal. The attendee was generally in support of the application, but had concerns regarding how late the live entertainment would be conducted and suggested 10:00 p.m. as the latest that entertainment would occur.

In order to make potential enforcement easier, staff suggests that hours of operations be limited to the following:

- Alcohol sales – 9:00 a.m. to 10:00 p.m. seven days a week.
- Live entertainment and public assembly activities – 12:00 p.m. to 10:00 p.m. Friday, Saturday, and Sunday.

This will mean that all conditionally-allowed activities would end at 10 p.m. The only caveat would be that live entertainment and public assembly is limited to the weekends only, which was the general direction based on comments from the public, staff, and the majority of the Planning Commission.

Per the California State Department of Alcoholic Beverage Control (ABC), there are currently thirteen (13) other on-sale permits issued in this census tract (117). These permits are:

Name	Address	License Type*
Trophy Lounge	999 National City Blvd.	48
Chuck E. Cheese	1143 Highland Ave.	41
Royal Mandarin	1132 E. Plaza Blvd. 205	41
Thomas H. Cosby Jr. Post 4630	1401 Highland Ave.	52
Golden Chopsticks	1430 E. Plaza Blvd. E22	41
Karina's Mexican Seafood	1705 Highland Ave.	41
Ginza Sushi	925 E. Plaza Blvd. G	41
Lai Thai Restaurant	1430 E. Plaza Blvd. E10	41
Café La Maze	1441 Highland Ave.	47
Wingstop	932 Highland Ave.	41
Panda Palace	1132 E. Plaza Blvd. D/E	41
McGonagles	1231 Highland Ave.	41
Larry E. Bennett Post 255	35 E. 18 th St.	52

- * Type 41 - On-Sale Beer and Wine for Bona Fide Public Eating Place
- Type 47 - On-Sale General for Bona Fide Public Eating Place
- Type 48 - On-Sale General for Public Premises
- Type 52 - Veterans' Club

All but three of the other on-sale licenses are restaurants. The remainder are a bar/cocktail lounge (Trophy Lounge) and two veteran's clubs.

Census tract 117 includes the area of the City between National City Boulevard and Palm Avenue, and between East 8th and East 18th Streets. The attached census tract map shows the location of the subject tract. ABC recommends a total of seven on-sale alcohol permits be issued in this census tract, where thirteen exist. Therefore, the census tract is considered to be over-concentrated with regard to on-sale alcohol licenses.

Chapter 18.030.050 (D) requires a 660-foot distance from sensitive uses such as schools. However, restaurants with greater than 30% of their area devoted to seating (as applies in this case) are exempt from these distance requirements. Integrity Charter school is approximately 365 feet from the restaurant, and Central Elementary approximately 1,200 feet away.

Crime statistics provided by the Police Department (PD) indicate that the reporting area (Beat 20) had a crime rate of 371.6%, above the 120% considered to be a high crime

area. PD also provided a Risk Assessment report, which assigns points based on the type of business, license concentration, and calls for service (among others) and ranks the business according to potential risk (low, medium, or high). In this case, Big Ben Market received a score of 17, which would indicate a medium risk. Low Risk is 0-12 points; Medium Risk 13-18 points; and High Risk 19-24 points.

Concerns noted by the Police Department included the lack of proactive enforcement of live entertainment venues, proximity to residences and schools, high crime, license over-concentration, and the facility already had an ABC license (off-sale license).

IPS had concerns related to license over-concentration, and to proximity to schools and churches in the area. IPS interviewed 12 people in the area. Some were not supportive due to concerns over noise, security, and public nuisance caused by existing live entertainment and alcohol establishments. Most in support of the business suggested a closing time of 10:00 p.m.

Comments received by both the Building and Fire Departments referenced the change in occupancy of the outdoor patio area with the addition of public assembly and live entertainment. In order to streamline the CUP hearing process, the Building Official and Battalion Chief/Fire Marshall recommended that conditions note that any and all requirements of the Building and Fire Codes would need to be met at the time of building permit submittal. The Grill House at Big Ben currently has an active building permit, which has not received final sign off. No sign off will be granted until existing items and those related to this CUP (should it be approved) are addressed.

The main issue brought up by concerned residents was related to noise. Noise is generally regulated by its impact on receiving land uses. Each land use has a set limit as contained in Title 12 (Noise) of the Municipal Code. Small residential developments have the most restrictive limits on received noise (45 decibels between 10 p.m. and 7 a.m., and 55 decibels between 7 a.m. and 10 p.m.). Limits on noise received by commercial land uses are 60 and 65 decibels respectively.

For reference, the following are examples of environmental noise and their decibel values¹:

- Acoustic guitar (1 foot away) - 80 db
- Electric guitar (full volume at 10 inches) - 115 db
- Rock vocalist screaming - 140 db

¹ <http://www.coolmath.com/decibels1.htm>

Section 12.06.020 refers to Table III, which contains the following limits:

EXTERIOR ENVIRONMENTAL NOISE LIMITS		
Receiving Land Use Category	Allowable Noise Level (db (A))	
	10 p.m. to 7 a.m.	7 a.m. to 10 p.m.
All residential (less than 9 dwelling units)	45	55
Multi-unit residential (Consisting of 9 dwelling units or more and Public Space)	50	60
Commercial	60	65

Condition No. 14 requires compliance with Title 12 regulations and refers to Table III.

In addition to resident concerns, an area business owner provided a letter to staff prior to the November 17, 2014 Planning Commission meeting, which had six points of issue. The issues are enumerated below with responses following each issue. The issues are paraphrased for brevity; however, the original letters are attached for reference.

1. Reference to a formal protest with ABC regarding the Type 41 license application.
 - Per ABC, no protest formal or otherwise has been received in reference to this location
2. No notice of community meeting received.
 - A copy of the occupant list contained in the case file includes both the complainants' information, as well as that of a resident with the same complaint who spoke at the hearing. The applicant uses the same labels for the community meeting mailing. It is assumed that the applicant used the same list, but not known if mailing notices were omitted or failed to be received due to delivery issues.
3. Violation regarding kitchen facilities on site.
 - ABC requirements for kitchen facilities are discussed above and are in compliance per a conversation with ABC staff.
4. Lack of doors and windows to block sound.
 - The project site is an outdoor patio. Potential noise impacts are a known issue and being discussed as part of this hearing process.
5. Previous noise issues involving an unpermitted live entertainment event.
 - The applicant is aware that the live band performing at their grand opening was not permitted to perform. This is part of the reason for including live entertainment in this CUP application, which will have conditions to mitigate noise impacts if the CUP is granted.
6. Allegations of alcohol sales violations/potential violations at Big Ben Market related to distilled spirits.
 - Staff has not observed said violations or received other complaints regarding any of the allegations. ABC is also unaware of any violations. Staff will monitor the business for potential violations. However, Big Ben Market is a

separate license. Distilled spirits would not be permitted at Grill House at Big Ben as part of this request.

The outdoor patio exists and is parked accordingly. In addition, alcohol sales are not likely to increase the need for parking on the property. However, live entertainment and especially banquets/public assembly is likely to draw more people than the parking lot can accommodate. The parking lot on the property has 23 parking spaces. Any lack of parking on site would manifest itself in parking impacts on adjacent residential streets. Traffic is not expected to be affected due to East 8th Street being an arterial street that is operating within its capacity.

Standard Conditions of Approval have been included with this permit, as well as conditions related to noise and specific to on-sale alcohol sales per Council policy (alcohol incidental to food, hours of operation, patio signage, RBSS training, etc.). There is also a condition prohibiting alcohol purchased from the market to be consumed on site.

Big Ben Market is a successful business in the downtown area. The addition of the Grill House has added to the popularity of the business. Although other downtown businesses have enjoyed the ability to offer live entertainment, there have been problems in recent years related to noise, public nuisance, and parking in the area because of these uses. If utilized within reasonable time limits, live entertainment and banquet activities will benefit the subject business and potentially add to its recent success. However, being an outdoor patio raises concerns regarding noise in the area, which is in proximity to several residential areas. Potential parking and public nuisance impacts are also possibilities.

Hours have been limited to allow for ease of monitoring. Conditions have been added to require service of all alcohol products by Grill House staff and to impose specific noise standards on live entertainment. Standard Conditions of Approval for alcohol sales outlets are also included, consistent with City Council Policy.

Planning Commission conducted public hearings on November 17 and December 1, 2014. Commissioners asked questions regarding hours of operation, sales practices, and conditions of approval. Concerns were raised by the Commission and area residents regarding potential noise impacts. Conditions were crafted to address noise concerns and limit hours of operation. The Commission voted to approve the Conditional Use Permit based on required findings and subject to Conditions of Approval as amended by the Planning Commission.

Council reviewed the Notice of Decision of the Planning Commission's approval at their meeting of December 16, 2014 and set the item for hearing in order to discuss the item further.

RECOMMENDED FINDINGS FOR APPROVAL

2014-08 CUP, 108 East 8th Street

1. That 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, since alcohol sales for on-site consumption, live entertainment, and public assembly are conditionally-allowed uses in Development Zone 9 of the Downtown Specific Plan Area.
2. That the proposed use is consistent with the General Plan and any applicable specific plans, since alcohol sales, live entertainment, and public assembly are permitted, subject to a Conditional Use Permit, by the Land Use Code, which is consistent with the General Plan; and since alcohol sales for on-site consumption, live entertainment, and public assembly are conditionally-allowed uses in Development Zone 9 of the Downtown Specific Plan Area.
3. That the design, location, size, and operating characteristics of the proposed activity would be compatible with the existing and future land uses in the vicinity, since the proposed uses are accessory to a restaurant use in an existing commercial area and the proposed uses are not expected to appreciably increase traffic on East 8th Street based on the current capacity and traffic numbers.
4. That the site is physically suitable for the type, density, and intensity of use being proposed, including access, utilities, and the absence of physical constraints, since no expansion of the building is proposed.
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, since the proposed use will be compatible with other nearby businesses; and since the proposed use will be subject to conditions that limit the sale of alcohol and restrict the hours that it will be available, as well as limit hours of public assembly and live entertainment.
6. That the proposed project has been reviewed in compliance with the California Environmental Quality Act, since staff has already determined that the proposed use is categorically exempt from environmental review pursuant to Class 1 Section 15301 (Existing Facilities), for which a Notice of Exemption will be filed subsequent to approval of this Conditional Use Permit.
7. That the proposed use is deemed essential and desirable to the public convenience and welfare, since it will contribute to the continued viability of a restaurant, an established and allowed use in Development Zone 9.
8. That public convenience and necessity will be served by a proposed use of the property for the retail sales of alcoholic beverages pursuant to law.

RECOMMENDED FINDINGS FOR DENIAL

2014-08 CUP, 108 East 8th Street

1. That the proposed use is not deemed essential and desirable to the public convenience and welfare, since there is already an over-concentration of on-sale alcohol licenses in census tract 117.00 in which the subject property is located.
2. That the proposed use is not deemed essential and desirable to the public convenience and welfare since beer and wine are currently offered at ten other restaurants within the same census tract.
3. That live entertainment and public assembly in an outdoor area that is in close proximity to residential areas has the potential for noise impacts and other deleterious effects on said areas.
4. That public convenience and necessity will not be served by a proposed use of the property for the retail sales of alcoholic beverages pursuant to law.

RECOMMENDED CONDITIONS OF APPROVAL

2014-08 CUP, 108 East 8th Street

General

1. This *Conditional Use Permit* authorizes the sale of beer and wine (On-Sale Beer and Wine for Bona Fide Public Eating Place), live entertainment, and a banquet facility at an existing restaurant located at 108 East 8th Street. Plans submitted for permits associated with this project shall conform to Exhibit B, case file no. 2014-08 CUP, dated 11/17/2014.
2. Within four (4) days of approval, pursuant to Fish and Game Code 711.4 and the California Code of Regulations, Title 14, Section 753.5, the applicant shall pay all necessary environmental filing fees for the San Diego County Clerk. Checks shall be made payable to the **County Clerk** and submitted to the National City Planning Department.
3. This permit approves three separate uses: on-site beer and wine sales, live entertainment, and public assembly. If any of the uses authorized by this resolution are not exercised within one year after adoption of the Resolution of approval, that use or those uses shall become null and void and will no longer be part of this permit unless extended according to procedures specified in the Municipal Code.
4. This permit approves three separate uses: on-site beer and wine sales, live entertainment, and public assembly. If any of the uses authorized by this resolution are discontinued for a period of 12 months or longer, permission to conduct that use or those uses shall expire and will no longer be part of this permit. 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 Conditions of Approval.
6. Before this *Conditional Use Permit* shall become effective, the applicant and the property owner both shall sign and have notarized an Acceptance Form, provided by the Planning Department, 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 Executive Director 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 Executive Director prior to recordation.

Building

7. All plans submitted for improvements must comply with the 2013 edition of the California Building, Electrical, Plumbing, and Mechanical Code.

Fire

8. All plans submitted for improvements must comply with the 2013 editions of the California Fire Code (CFC) and National Fire Protection Association (NFPA), and the current edition of the California Code of Regulations.
9. No public assembly or live entertainment uses may be conducted until all required building improvements have received final inspection and issued a certificate of occupancy.

Planning

10. All alcohol products shall be served by an employee of the Grill House at Big Ben. No self-serve of any alcohol products is permitted.
11. No distilled spirits purchased from Big Ben Market or elsewhere may be brought into or consumed on the outside patio. All alcohol purchase and consumption occurring in the outside patio shall comply with the ABC regulations related to a Type 41 license (On-Sale Beer and Wine for Bona Fide Public Eating Place). No on-sale purchases shall be made inside Big Ben Market.
12. The sale of alcoholic beverages for on-site consumption shall be limited to between the hours of 9:00 a.m. and 10:00 p.m. seven days a week.
13. The hours of live entertainment and public assembly activities (e.g., banquets, parties, etc.) shall be limited to between 12:00 p.m. and 10:00 p.m. Friday, Saturday, and Sunday.
14. All live entertainment and public assembly activities shall comply with Table III of Chapter 12.06 (Exterior Noise Limits) of the National City Municipal Code.
15. 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 of the RBSS training, the permittee shall make available a domestic violence training session as provided by the Institute of Public Strategies.
16. 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.
17. Alcohol shall be available only in conjunction with the purchase of food.
18. 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.
19. 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.

Police

20. Permittee shall comply with all regulatory provisions of the Business and Professions Code that pertain to the sale, display and marketing or merchandising of alcoholic beverages.



--- Zone Boundary
Project Location



0 75 150 300 Feet

APN:
556-472-23

Planning Commission
Location Map

2014-08 CUP



Item no. **3**
December 1, 2014

CITY OF NATIONAL CITY - PLANNING DEPARTMENT
1243 NATIONAL CITY BLVD., NATIONAL CITY, CA 91950

PLANNING COMMISSION STAFF REPORT

Title: CONTINUED PUBLIC HEARING - CONDITIONAL USE PERMIT FOR BEER AND WINE SALES, A BANQUET FACILITY, AND LIVE ENTERTAINMENT AT BIG BEN MARKET LOCATED AT 108 EAST 8TH STREET.

Case File No.: 2014-08 CUP

Location: Southeast corner of East 8th Street and "A" Avenue

Staff report by: Martin Reeder, AICP – Principal Planner

Applicant: Grill House at Big Ben

BACKGROUND

Previous Action

Planning Commission held a public hearing on this item at the regularly-scheduled meeting of November 17, 2014. Prior to the meeting but after the report had been provided to the Commission, three letters of concern were received by staff. Two letters were from area residents with concerns generally focused on noise, alcohol sales, and problems associated with existing outlets in the area. A letter was also received by another area business with regard to alleged issues of permitting and operations. One of the residents and the business owner spoke at the hearing. Several other community members also spoke, both with concerns as noted above, and in support of the proposal.

The applicant and his architect spoke about comments and conditions provided by the Building and Fire Department, which required significant modifications to the proposal that affected the likelihood of the project moving forward. Commissioners asked several questions about business operations, conditions of approval, and California Department of Alcoholic Beverage Control (ABC) regulations.

The Commission continued the hearing for two weeks in order for staff to provide additional information on hours of operation, Building & Fire Department comments, ABC regulations, and to respond to comments from concerned residents/business owners.

New Information

Hours of Operation – The previous recommended conditions referenced different hours of operation for each use (alcohol sales, live entertainment, and public assembly). In order to make the request clearer and to make potential enforcement easier, staff suggests that hours of operations be limited to the following:

- Alcohol sales – 9:00 a.m. to 10:00 p.m. seven days a week.
- Live entertainment and public assembly activities – 12:00 p.m. to 10:00 p.m. Friday, Saturday, and Sunday.

This will mean that all conditionally-allowed activities would end at 10 p.m., rather than having staggered times, as was conditioned previously. The only caveat would be that live entertainment and public assembly is limited to the weekends only, which was the general direction based on comments from the public, staff, and the majority of the Planning Commission.

Building and Fire Department Comments – Department comments previously required additional bathrooms (Building) and the installation of fire sprinklers (Fire), both as a result of the change in occupancy triggered by the public assembly use. The architect representing the applicant disagreed with the City's interpretation of the codes and asked that the conditions be modified to include just generic Building and Fire Code compliance requirements rather than specifics that may or may not be changed later.

Subsequent discussions with the Building Official and Battalion Chief/Fire Marshall clarified the need for the additional improvements, which will still be required. However, in order to streamline the CUP hearing process, the conditions were changed as requested by the applicant. It should be noted that any and all requirements of the Building and Fire Codes would still need to be met. The condition change would just allow the applicant to take up the issue at time of building permit submittal. The Grill House at Big Ben currently has an active building permit, which has not received final sign off. No sign off will be granted until existing items and those related to this CUP (should it be approved) are addressed.

ABC regulations – Questions were raised about "corkage" and kitchen facilities, as regulated by ABC. Corkage is a charge made by a restaurant or hotel for serving alcohol that has been brought in by a customer. Consumption of alcohol brought from outside an establishment is permitted provided that it is consistent with the type of license the establishment possesses. In this case, the Grill House at Big Ben is applying for a Type 41 ABC license, which is On-Sale Beer and Wine for Bona Fide Public Eating Place. Therefore, only beer and wine would be allowed to be served and consumed (no distilled spirits). Any rules applied to the license, either through ABC or through a CUP would apply. Condition No. 10 has been added to require that all alcohol products be served by an employee of Grill House at Big Ben.

A "bona fide eating place" is defined in the Business and Professions Code as "[A] place which is regularly and in a bona fide manner used and kept open for the serving of

meals to guests for compensation and which has suitable kitchen facilities connected therewith, containing conveniences for cooking an assortment of foods which may be required for ordinary meals, the kitchen of which must be kept in a sanitary condition with the proper amount of refrigeration for keeping of food on said premises and must comply with all the regulations of the local department of health."

In this case, the Grill House at Big Ben would comply with this definition provided that the kitchen facility was part of the subject premises (outside patio) as shown on the approved floor plan associated with the ABC license. ABC has required that the floor plan for the Type 21 license in the market (Off-Sale General) be reduced to exclude the kitchen, and the Type 41 license in question expanded to include the kitchen.

Resident/Business Owner Concerns – The main issue brought up by concerned residents was related to noise. Noise is generally regulated by its impact on receiving land uses. Each land use has a set limit as contained in Title 12 (Noise) of the Municipal Code. Small residential developments have the most restrictive limits on received noise (45 decibels between 10 p.m. and 7 a.m., and 55 decibels between 7 a.m. and 10 p.m.). Limits on noise received by commercial land uses are 60 and 65 decibels respectively.

For reference, the following are examples of environmental noise and their decibel values¹:

- Acoustic guitar (1 foot away) - 80 db
- Electric guitar (full volume at 10 inches) - 115 db
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Section 12.06.020 refers to Table III, which contains the following limits:

EXTERIOR ENVIRONMENTAL NOISE LIMITS		
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	10 p.m. to 7 a.m.	7 a.m. to 10 p.m.
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Commercial	60	65

Condition No. 14 requires compliance with Title 12 regulations and refers to Table III.

In addition to resident concerns, an area business owner provided a letter to staff, which had six points of issue. The issues are enumerated below with responses following each

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issue. The issues are paraphrased for brevity; however, the original letters are attached for reference.

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 - Per ABC, no protest formal or otherwise has been received in reference to this location
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 - A copy of the occupant list contained in the case file includes both the complainants' information, as well as that of a resident with the same complaint who spoke at the hearing. The applicant uses the same labels for the community meeting mailing. It is assumed that the applicant used the same list, but not known if mailing notices were omitted or failed to be received due to delivery issues.
3. Violation regarding kitchen facilities on site.
 - ABC requirements for kitchen facilities are discussed above and are in compliance per a conversation with ABC staff.
4. Lack of doors and windows to block sound.
 - The project site is an outdoor patio. Potential noise impacts are a known issue and being discussed as part of this hearing process.
5. Previous noise issues involving an unpermitted live entertainment event.
 - The applicant is aware that the live band performing at their grand opening was not permitted to perform. This is part of the reason for including live entertainment in this CUP application, which will have conditions to mitigate noise impacts if the CUP is granted.
6. Allegations of alcohol sales violations/potential violations at Big Ben Market related to distilled spirits.
 - Staff has not observed said violations or received other complaints regarding any of the allegations. ABC is also unaware of any violations. Staff will monitor the business for potential violations. However, Big Ben Market is a separate license. Distilled spirits would not be permitted at Grill House at Big Ben as part of this request.

Summary

Big Ben Market is a successful business in the downtown area. The addition of the Grill House has added to the popularity of the business. Although other downtown businesses have enjoyed the ability to offer live entertainment, there have been problems in recent years related to noise, public nuisance, and parking in the area because of these uses. If utilized within reasonable time limits, live entertainment and banquet activities will benefit the subject business and potentially add to its recent success. However, being an outdoor patio raises concerns regarding noise in the area, which is in proximity to several residential areas. Potential parking and public nuisance impacts are also possibilities.

Hours have been changed to be clearer with regard to operational restrictions. In addition, conditions have been added to require service of all alcohol products by Grill House staff and to impose specific noise standards on live entertainment. Furthermore, issues related

to interpretation of Building and Fire Codes have been removed from the current process to aid in streamlining the current request.

RECOMMENDATION

1. Approve 2014-08 CUP subject to the conditions listed below, based on attached findings/findings to be determined by the Planning Commission; or
2. Deny 2014-08 CUP based on attached findings/findings to be determined by the Planning Commission; or
3. Continue the item to a subsequent agenda.

ATTACHMENTS

1. Recommended Findings for Approval/Denial
2. Amended Recommended Conditions
3. Business and Professions Code Section 23038
4. Public correspondence
5. November 17, 2014 staff report with attachments



MARTIN REEDER, AICP
Principal Planner



BRAD RAULSTON
Executive Director

RECOMMENDED FINDINGS FOR APPROVAL

2014-08 CUP, 108 East 8th Street

1. That 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, since alcohol sales for on-site consumption, live entertainment, and public assembly are conditionally-allowed uses in Development Zone 9 of the Downtown Specific Plan Area.
2. That the proposed use is consistent with the General Plan and any applicable specific plans, since alcohol sales, live entertainment, and public assembly are permitted, subject to a Conditional Use Permit, by the Land Use Code, which is consistent with the General Plan; and since alcohol sales for on-site consumption, live entertainment, and public assembly are conditionally-allowed uses in Development Zone 9 of the Downtown Specific Plan Area.
3. That the design, location, size, and operating characteristics of the proposed activity would be compatible with the existing and future land uses in the vicinity, since the proposed uses are accessory to a restaurant use in an existing commercial area and the proposed uses are not expected to appreciably increase traffic on East 8th Street based on the current capacity and traffic numbers.
4. That the site is physically suitable for the type, density, and intensity of use being proposed, including access, utilities, and the absence of physical constraints, since no expansion of the building is proposed.
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, since the proposed use will be compatible with other nearby businesses; and since the proposed use will be subject to conditions that limit the sale of alcohol and restrict the hours that it will be available, as well as limit hours of public assembly and live entertainment.
6. That the proposed project has been reviewed in compliance with the California Environmental Quality Act, since staff has already determined that the proposed use is categorically exempt from environmental review pursuant to Class 1 Section 15301 (Existing Facilities), for which a Notice of Exemption will be filed subsequent to approval of this Conditional Use Permit.
7. That the proposed use is deemed essential and desirable to the public convenience and welfare, since it will contribute to the continued viability of a restaurant, an established and allowed use in Development Zone 9.
8. That public convenience and necessity will be served by a proposed use of the property for the retail sales of alcoholic beverages pursuant to law.

RECOMMENDED FINDINGS FOR DENIAL

2014-08 CUP, 108 East 8th Street

1. That the proposed use is not deemed essential and desirable to the public convenience and welfare, since there is already an over-concentration of on-sale alcohol licenses in census tract 117.00 in which the subject property is located.
2. That the proposed use is not deemed essential and desirable to the public convenience and welfare since beer and wine are currently offered at ten other restaurants within the same census tract.
3. That live entertainment and public assembly in an outdoor area that is in close proximity to residential areas has the potential for noise impacts and other deleterious effects on said areas.
4. That public convenience and necessity will not be served by a proposed use of the property for the retail sales of alcoholic beverages pursuant to law.

RECOMMENDED CONDITIONS OF APPROVAL

2014-08 CUP, 108 East 8th Street

General

1. This *Conditional Use Permit* authorizes the sale of beer and wine (On-Sale Beer and Wine for Bona Fide Public Eating Place), live entertainment, and a banquet facility at an existing restaurant located at 108 East 8th Street. Plans submitted for permits associated with this project shall conform to Exhibit B, case file no. 2014-08 CUP, dated 11/17/2014.
2. Within four (4) days of approval, pursuant to Fish and Game Code 711.4 and the California Code of Regulations, Title 14, Section 753.5, the applicant shall pay all necessary environmental filing fees for the San Diego County Clerk. Checks shall be made payable to the **County Clerk** and submitted to the National City Planning Department.
3. This permit approves three separate uses: on-site beer and wine sales, live entertainment, and public assembly. If any of the uses authorized by this resolution are not exercised within one year after adoption of the Resolution of approval, that use or those uses shall become null and void and will no longer be part of this permit unless extended according to procedures specified in the Municipal Code.
4. This permit approves three separate uses: on-site beer and wine sales, live entertainment, and public assembly. If any of the uses authorized by this resolution are discontinued for a period of 12 months or longer, permission to conduct that use or those uses shall expire and will no longer be part of this permit. 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 Conditions of Approval.
6. Before this *Conditional Use Permit* shall become effective, the applicant and the property owner both shall sign and have notarized an Acceptance Form, provided by the Planning Department, 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 Executive Director 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 Executive Director prior to recordation.

Building

7. All plans submitted for improvements must comply with the 2013 edition of the California Building, Electrical, Plumbing, and Mechanical Code.

Fire

8. All plans submitted for improvements must comply with the 2013 editions of the California Fire Code (CFC) and National Fire Protection Association (NFPA), and the current edition of the California Code of Regulations.
9. No public assembly or live entertainment uses may be conducted until all required building improvements have received final inspection and issued a certificate of occupancy.

Planning

10. All alcohol products shall be served by an employee of the Grill House at Big Ben. No self-serve of any alcohol products is permitted.
11. No distilled spirits purchased from Big Ben Market or elsewhere may be brought into or consumed on the outside patio. All alcohol purchase and consumption occurring in the outside patio shall comply with the ABC regulations related to a Type 41 license (On-Sale Beer and Wine for Bona Fide Public Eating Place). No on-sale purchases shall be made inside Big Ben Market.
12. The sale of alcoholic beverages for on-site consumption shall be limited to between the hours of 9:00 a.m. and 10:00 p.m. seven days a week.
13. The hours of live entertainment and public assembly activities (e.g., banquets, parties, etc.) shall be limited to between 12:00 p.m. and 10:00 p.m. Friday, Saturday, and Sunday.
14. All live entertainment and public assembly activities shall comply with Table III of Chapter 12.06 (Exterior Noise Limits) of the National City Municipal Code.
15. 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 of the RBSS training, the permittee shall make available a domestic violence training session as provided by the Institute of Public Strategies.
16. 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.
17. Alcohol shall be available only in conjunction with the purchase of food.
18. 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.
19. 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.

Police

20. Permittee shall comply with all regulatory provisions of the Business and Professions Code that pertain to the sale, display and marketing or merchandising of alcoholic beverages.

IMPACT

Informed Merchants Preventing
Alcohol-Related Crime Tendencies

State of California
Department of Alcoholic Beverage Control

Food Service

To the licensee:

If you are licensed as a bona fide eating place (license Type 41, 47, or 49), you must operate and maintain your licensed premises as a bona fide eating place. You must make actual and substantial sales of meals, during the normal meal hours that you are open, at least five days a week. Normal meal hours are: Breakfast 6:00 a.m. - 9:00 a.m.; lunch 11:00 a.m. - 2:00 p.m.; and dinner 6:00 p.m. - 9:00 p.m. Premises that are not open five days a week must serve meals on the days they are open.

The premises must be equipped and maintained in good faith. This means the premises must possess working refrigeration and cooking devices, pots, pans, utensils, table service, condiment dispensers, menus, posters, signs, and enough goods to make substantial meals. The premises must comply with all regulations of the local health department.

Incidental, sporadic or infrequent sales of meals or a mere offering of meals without actual sales is not compliance. "Meals" means the usual assortment of food commonly ordered at various hours of the day. The service of only sandwiches or salads is not considered compliance. However, certain specialty entrees, such as pizza, fish, ribs, etc., and an assortment of other foods, such as soups, salads or desserts, may be considered a meal.

The Department will presume that a licensee is operating as a bona fide eating place if the gross sales of food prepared and sold to guests on the premises exceeds the gross sales of alcoholic beverages. "Prepared" means any processing preliminary to the final serving of food. (Note: Some licensees have a "conditional" license that requires food sales to be 50% or more of the total gross sales.)

Source: Instructions, Interpretations and Procedures, L-24.1 - L-24.2, April 1, 1975

23038. "Bona fide public eating place," "meals."

"Bona fide public eating place" means a place which is regularly and in a bona fide manner used and kept open for the serving of meals to guests for compensation and which has suitable kitchen facilities connected therewith, containing conveniences for cooking an assortment of foods which may be required for ordinary meals, the kitchen of which must be kept in a sanitary condition with the proper amount of refrigeration for keeping of food on said premises and must comply with all the regulations of the local department of health.

"Meals" means the usual assortment of foods commonly ordered at various hours of the day; the service of such food and victuals only as sandwiches or salads shall not be deemed a compliance with this requirement. "Guests" shall mean persons who, during the hours when meals are regularly served therein, come to a bona fide public eating place for the purpose of obtaining, and actually order and obtain at such time, in good faith, a meal therein. Nothing in this section, however, shall be construed to require that any food be sold or purchased with any beverage.

Source: California Business and Professions Code

RECEIVED
NOV 13 2014

November 17, 2014



CITY OF NATIONAL CITY - PLANNING DEPARTMENT
1243 NATIONAL CITY BLVD., NATIONAL CITY, CA 91950

NOTICE OF PUBLIC HEARING

CONDITIONAL USE PERMIT FOR BEER AND WINE SALES,
A BANQUET FACILITY, AND LIVE ENTERTAINMENT
AT BIG BEN MARKET LOCATED AT 108 EAST 8TH STREET.
CASE FILE NO.: 2014-08 CUP
APN: 556-472-23

The National City Planning Commission will hold a public hearing after the hour of 6:00 p.m. **Monday, November 17, 2014**, in the City Council Chambers, Civic Center, 1243 National City Boulevard, National City, California, on the proposed request. (Applicant: Grill House at Big Ben)

The applicant is requesting to sell beer and wine for on-site consumption, provide a banquet facility, and conduct live entertainment in conjunction with an eating place (Grill House at Big Ben).

Information is available for review at the City's Planning Department, Civic Center. Members of the public are invited to comment. Written comments should be received by the Planning Department on or before 12:00 p.m., **November 17, 2014**, 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 DEPARTMENT

BRAD RAULSTON
Executive Director

Nov. 10, 2014

I CHALLENGE BECAUSE:

- NO ROOM
- NO PARKING
- NOISY - DESTROYING OUR HISTORIC AND PEACEFUL NEIGHBORHOOD

- ALREADY ONE ACROSS THE STREET.
- BAD SERVING LIQUOR IN THE OPEN
- NO GOOD EXAMPLES HERE FOR ANYONE!

From: jack armstrong <jackarm1@hotmail.com>
Sent: Friday, November 07, 2014 4:40 PM
To: Planning
Subject: Public hearing re: case file no.: 2014-08 CUP APN: 556-472-23

To the National City Planning Dept. & Planning Commission.

I am writing to oppose the issuance of a CUP allowing Beer & Wine sales, a Banquet Facility & Live Entertainment at The Grill House located at Big Ben's, 108 East 8th St.

I intend on attending the Public Hearing Monday, November 17, 2014 and additionally submit my opposition here, in written form.

I oppose the issuance of a CUP for the main reason that 200 bedrooms face the outdoor venue where the entertainment will take place. Bayview Tower is located less than 100 yards from the property and on the occasions when live bands have played at the Grill House venue, the noise generated was excessive and disturbing within our individual units.

I would also think that the lessons learned by the issuance of a similar CUP to McDini's across the street would prove the point that a live entertainment venue, especially outdoors, is not a welcome addition to the immediate neighborhood. Big Ben is appreciated for what it has become with its re-emergence as a neighborhood market and purveyor of healthy prepared foods. The re-opening of the Trophy Lounge just two blocks away will provide an entertainment venue in the neighborhood that is better contained and controlled.

Thank you for reading my letter of opposition to the granting of this CUP.

Respectfully submitted,

jack armstrong
vision, passion, tools
jackarm@cox.net
619.847.5818

November 14, 2014

McDini's

City of National City Planning Commission
1243 National City Blvd
National City, CA 91950
in re: Grill House at Big Ben Market, Jackels, et al
Case file #2014-08 CUP

HANDOUT
Item No. **4**
November 17, 2014

Dear Planning Commission:

We are filing this letter in OPPOSITION to the C.U.P. permit request as filed April 17, 2014, for usage allowing for LIVE ENTERTAINMENT & Banquet facility at the business known as GRILL HOUSE at Big Ben aka Jackel's Inc at 106 East 8th Street National City.

Our opposition is based upon the following:

1. It should be noted the proposed business activities refer to "GRILL HOUSE at Big Ben" Pending liquor license #545750 lists ownership as Naseem Salem & Adel Salem, BIG BEN corporation.

*NO
Protest*

There is a formal hold on establishing this license listed as "Form 220" indicating someone has filed a PUBLIC PROTEST to prevent the issuance of this license for the good of the community.

2. According to NCMC Chapter 18.71.030 Community meeting Required.

*M
int*

We have (post) reviewed the Community Meeting sign in sheet dated July 14, 2014. Our properties are located at: 706 "A" Avenue 704 "A" Avenue 105/107 East 8th Street and 700 "A" Avenue located directly across from proposed venue.

We did NOT receive any notification of the community meeting where our displeasures would have been expressed to Grill House ownership.

We feel the omission of any invitation was intentional by Grill House ownership as our tenant owns McDini's Restaurant Corp located across the street.

We were forced to obtain file 2014-08-CUP from planning on Thursday Nov 14, 2014 at 5:28PM simply to review entire file.

3. The proposed venue is in direct VIOLATION of 18.71.040 Distance Requirements There is a legal question that pertains to the possible alter ego of Big Ben Market and the proposed Grill House at Big Ben live entertainment usage.

*NO
(7409)*

Section "E" refers to the minimum distances from schools or other uses required for grocery stores involving sales of on site consumption.

It should be noted that proposed venue does not actually prepare meals, rather the cooking facilities are located within the "sister" operation located within Big Ben's market, NOT Grill House.

The state ABC issue here is, for a venue to actually acquire a Class 41 Beer & Wine license, actual meals must BE PREPARED in a kitchen area on premises.

There IS NO KITCHEN or proposed kitchen at GRILL HOUSE outdoor area.

It would appear the applicants are attempting to illegally obtain a BEER & WINE license.

4. The proposed architect plans fail to show WINDOWS or DOORS to eliminate any glaring SOUND or NOISE complaints.

✓

In its present form, Grill House is an OPEN, exterior patio-type establishment

Further, GRILL HOUSE area openly faces the 100+ BAY VIEW condo units located less than 600' WEST of Grill House.

It would be safe to assume that any music provided by live bands, club DJ'S or other **LIVE ENTERTAINMENT** would openly cause great **NOISE OBSTRUCTIONS** to the many residents at Bay View aside from the Union Bank located just 100' east.

5. Our many tenants at 105/107 East 8th Street and 704/706 "A" Avenue have already experienced a blatant and ignorant incident with Grill House at Big Ben.

On or about May 14, 2014, Grill House presented a 10pc live band (Colours) during a Sunday afternoon/evening session in the outdoor patio area.

It should be noted that GRILL HOUSE did NOT HAVE a conditional use permit for this illicit activity.

During this LIVE BAND violation by Grill House, our present and former tenants at 105 AND 41 East 8th STreet businesses were adversely affected by the TERRIBLE noise factor.

Despite several calls to NCPD to no avail, McDini's was forced to close early at about 6PM - 11PM to the uncontrolled and obviously unsupervised music activity.

There was no security present nor did ownership heed calls from McDini's to desist the loud and uncontrolled music levels.

6. The alter ego business at Big Bens next door sells alcohol for OFF SITE consumption.

This includes small bottles of 1 oz & 3.75 oz' plastic bottles of CHEAP vodka and other hard liquor, along with "low end" 40 oz Beer products.

These products are targeted for low-end clientele, transients and street beggars.

The actual problem is, these persons have been attracted to Big Bens for several decades and are visually soliciting for money to purchase these items in the alley's aside, and across from Big Bens, most notably in the 800 block of 8th Street located directly across (NORTH) of Bens/Grill house.

There is no way that proposed GRILL HOUSE security could deter anyone from entering the next door market, procuring cheap liquor then consuming it within the GRILL HOUSE area while entertainment or banquets are present.

The Big Ben market has previous violations for sales of liquor to under age persons and RECENT 2013 CALIFORNIA STATE A.B.C. investigations of sections pertaining to "SALES TO OBVIOUSLY INTOXICATED PERSONS" meaning that Bens OPENLY sells hard liquor and cheap beer to drunk persons at all hours, most recently at 6:03AM as documented on receipts submitted to ABC investigators in the San Diego office.

These intoxicated persons have been documented frequenting and **PASSING OUT** on the street across from Bens, just far enough from Bens to give the impression they did not frequent Big Bens.

These persons are documented drug users, street alcoholics and street prostitutes that frequent both BEN'S and the general NATIONAL CITY community at large including the 700-800 Block of "A" AVENUE through 800 block of National City Blvd.

Neither BENS nor GRILL HOUSE have ever openly demonstrated any sort of community "embracement" during the original or post-fire business operations.

This activity would openly dissuade TOURISM from frequenting this IMMEDIATE area, something the area museums have been working towards accomplishing.

Before Grill House is allowed to offer live entertainment, they should be forced to:

1. Build an actual on-site kitchen within GRILL HOUSE preparing, cooking and serving actual on-site meals within the actual patio building. (Not on 2014 plans)

2. Completely envelope the patio area on WEST, SOUTH & NORTH corridors with a minimum of 1-1/2" thick SOUND PROOF glass to protect all area residents and the neighboring businesses. (Not included on 2014 plan)

not substantiated

PAGE THREE

Aside from this, the following conditions should be added in any further considerations at this venue:

1. Maintain a min of (01) ARMED SECURITY guards and (03) additional licensed SECURITY TEAM that will patrol the areas directly next to GRILL HOUSE along with the bar/restaurant at McDiini's located at 105 East 8th Street in an actual show of community support.

If guards or security company ownership is found to have criminal records or lawsuits involving fraud or lack insurance for deceptive motives, CUP would be subject to revocation proceedings.

2. A condition that if any liquor is confiscated or found within or within (50' from GRILL HOUSE, that live entertainment conditions will be immediately revoked. Liquor refers to ANY BOTTLE, BEER CAN or WINE BOTTLE of any size or brand. This will protect the community and force BENS to exhibit best behavior.

3. No DJ'S should be allowed to perform as the permit specifically refers to live music, aka "live bands"

4. A condition allowing for a revocation if more than ONE incident occurs within a one-year period from the issuance of any permit. Incident refers to any fight, persons in distress, persons appearing intoxicated in public, Noise complaints, trespassing violations and vagrancy for more than TWO minutes in areas within 300' of Grill House, including repeated illegal parking in private lots within (300)' of Grill House after verbal or written notification to either entity, GRILL HOUSE, JACKELS inc, Jackel Family Trust or Big Bens Corporation ownership.

5. That GRILL HOUSE will demonstrate good faith and cooperation with all residential and commercial business neighbors by providing clean-up & maintenance services that encompass the areas at least 300' EAST/WEST-NORTH/.SOUTH of Grill House. This includes broken fences at residents at residents behind Bens, trash left discarded in the streets and parking areas that about Grill House, including ALL merchants parking area entrances, landscaping & building exteriors. Any violations of the above would result in a revocation of the permit for live entertainment OR banquet services.

6. Obtain a separate health dept rating that would allow for (indoor) serving of food. There is no present HEALTH CODE grade visible at Grill House. The grade listed refers to Big Ben Market, NOT GRILL HOUSE.

7. That no operation of these premises should continue until an approved 2014 code kitchen suppression system is in actual operation within GRILL HOUSE.

PAGE FOUR

8. That no operation allowing live entertainment be permitted until a complete crime & incident study be completed by NCPD, IPS and any other agencies or private firms that demonstrate the levels of crime statistics and other emergency services involved with the area at 108 EAST 8th STREET and the immediate area impacting 600 - 900 block of "A" AVENUE, 000 - 800 Block of 8th Street that shall be incorporated into any decisions involving CUP application for GRILL HOUSE.

Finally, we believe that GRILL HOUSE does NOT currently possess the ability to demonstrate the operation of a banquet or live entertainment venue based upon lack of previous expertise in either area, aside from the current ABC protest and numerous civic, municipal and state **VIOLATIONS**.

Sincerely;



Howard Adler Trust
P.O. box 15352
San Diego, CA 92175
(619) 739-1166

SOLOMON FACTORY DIRECT
706 "A" AVENUE
National City, CA 91950

VEE PARTS
704 "A" AVE
Natl City CA 91950

McDini's Restaurant Corp
105 East 8th ST
National City, CA 91950

Parking Facility
700 "A" AVENUE
National city, CA 91950



NATIONAL CITY MUNICIPAL CODE

Chapter 18.71 SALE OF ALCOHOLIC BEVERAGES AND LIVE ENTERTAINMENT

18.71.010 Conditional use permit--Required.

A conditional use permit is required for the sale of alcoholic beverages, whether for on-site or off-site consumption, and may be approved pursuant to Chapter 18.116 of this title and Sections 18.71.020, 18.71.030, 18.71.040, 18.71.050 and 18.71.060. (Ord. 2236 § 2 (part), 2003)

18.71.020 Conditional use permit--Additional notice required.

In addition to notice required pursuant to Section 18.130.080, and in accordance with procedures for mailing written notice as contained in Section 18.130.080, written notice for a public hearing on a conditional use permit for the sale of alcoholic beverages shall be provided to owners and occupants of property within a radius of six hundred sixty feet of the exterior boundaries of the property where the sale of alcoholic beverages is proposed. (Ord. 2236 § 2 (part), 2003)

18.71.030 Community meeting--Required.

Prior to the public hearing required pursuant to Section 18.71.010, the applicant shall hold a community meeting to inform residents of a proposal for the sale of alcoholic beverages. The applicant shall provide to the planning department documentation of the meeting and input received. (Ord. 2236 § 2 (part), 2003)

18.71.040 Distance requirements.

Establishments where alcoholic beverages are sold for on or off-site consumption shall be located as follows:

A. Liquor stores, or other businesses where the principal use involves the sale of alcohol for off-site consumption, shall be:

1. A minimum of six hundred sixty feet from any public school (kindergarten through twelfth grade) within the boundaries of the city; and
2. A minimum of five hundred feet apart.

B. Bars and cocktail lounges or other establishments where the sale of alcoholic beverages for on-site consumption is the principal use, shall be:

1. A minimum of six hundred sixty feet from any public school (kindergarten through twelfth grade) within the boundaries of the city; and
2. No less than one thousand feet apart.

C. Restaurants where the sale of alcoholic beverages for on-site consumption is accessory or incidental to the principal use shall be a minimum of six hundred sixty feet from any public school (kindergarten through twelfth grade) within the boundaries of the city; except that this distance requirement shall not apply to restaurants (other than fast-food restaurants with drive-through service) where at least thirty percent of the floor area of the building is comprised of seating area.

D. Private clubs or lodges, bowling alleys, theaters and other establishments where the sale of alcoholic beverages is accessory or incidental to the principal use shall be:

1. A minimum of six hundred sixty feet from any public school (kindergarten through twelfth grade) within the boundaries of the city; and
2. No closer than five hundred feet apart. This limitation shall not apply to restaurants.



**California Department of Alcoholic
Beverage Control**
*License Query System Summary
as of 11/16/2014*

License Information
License Number: 545750
Primary Owner: BIG BEN MARKET CORP THE
ABC Office of Application: 10 - SAN DIEGO
Business Name
Doing Business As: GRILL HOUSE AT BIG BEN
Business Address
Address: 106 E 8TH ST Census Tract: 0117.00
City: NATIONAL CITY County: SAN DIEGO
State: CA Zip Code: 91950
Licensee Information
Licensee: BIG BEN MARKET CORP THE
Company Information
Officer: SALEM, NASEEM ADEL T (PRESIDENT/TREASURER)
Officer: SALEM, ADEL (VICE PRESIDENT/SECRETARY)
Stock Holder: SALEM, ADEL
Stock Holder: SALEM, NASEEM ADEL T
License Types
1) License Type: 41 - ON-SALE BEER AND WINE - EATING PLACE
License Type Status: PENDING
Status Date: 03-JUN-2014 Term: 12 Month(s)
Original Issue Date: Expiration Date:
Master: Y Duplicate: 0 Fee Code: P40
License Type was Transferred On: FROM:
Current Disciplinary Action
.. No Active Disciplinary Action found ..
Disciplinary History
.. No Disciplinary History found ..
Hold Information
Hold Date: 03-JUN-2014 Type: FORM 220
Escrow
.. No Escrow found ..

BIG BEN SPECIALTY MARKET
108 EAST 8TH STREET
NATIONAL CITY CA 91950
(619) 477-1015

0001 02 02125081 11/08/14 7:49am 123
BUDWEISER \$1.99 T
C.R.V. \$0.10 T
PRINGLES THE ORI \$2.29 F

SUBTOTAL \$4.38
TAX 1 \$0.19
TOTAL \$4.57

CASH \$20.00
CHANGE \$15.43

OF ITEMS: 2

THANK YOU!
BIGBENSPECIALTYMARKET.COM

November 13, 2014

City of National City
attn: Mike Fellows
Planning Department
1243 National City Blvd
National City, CA 91950


Dear Mr Fellows;

We are requesting copies of the complete file in the matter of Big Bens Market, Jackals Inc, Grill House at Big Ben permit for live entertainment & banquet facility.

We did not receive any notice of a community meeting and therefore would like to review the complete file in this matter.

Please find check enclosed for \$22.50

Sincerely;



Benjamin Adler
McDini's Restaurant Corp
105 East 8th ST
National City, CA 91950

cc: Beury Law

**COMMON ABC LICENSE TYPES
AND THEIR BASIC PRIVILEGES**

*Benjamin Adler
- at mtg*

LICENSE TYPE	DESCRIPTION
01	BEER MANUFACTURER - (Large Brewery) Authorizes the sale of beer to any person holding a license authorizing the sale of beer, and to consumers for consumption on or off the manufacturer's licensed premises. Without any additional licenses, may sell beer and wine, regardless of source, to consumers for consumption at a bona fide public eating place on the manufacturer's licensed premises or at a bona fide eating place contiguous to the manufacturer's licensed premises. May conduct beer tastings under specified conditions (Section 23357.3). Minors are allowed on the premises.
02	WINEGROWER - (Winery) Authorizes the sale of wine and brandy to any person holding a license authorizing the sale of wine and brandy, and to consumers for consumption off the premises where sold. Authorizes the sale of all wines and brandies, regardless of source, to consumers for consumption on the premises in a bona fide eating place that is located on the licensed premises or on premises owned by the licensee that are contiguous to the licensed premises and operated by and for the licensee. May possess wine and brandy for use in the preparation of food and beverage to be consumed at the bona fide eating place. May conduct winetastings under prescribed conditions (Section 23356.1; Rule 53). Minors are allowed on the premises.
20	OFF SALE BEER & WINE - (Package Store) Authorizes the sale of beer and wine for consumption off the premises where sold. Minors are allowed on the premises.
21	OFF SALE GENERAL - (Package Store) Authorizes the sale of beer, wine and distilled spirits for consumption off the premises where sold. Minors are allowed on the premises.
23	SMALL BEER MANUFACTURER - (Brew Pub or Micro-brewery) Authorizes the same privileges and restrictions as a Type 01. A brewpub is typically a very small brewery with a restaurant. A micro-brewery is a small-scale brewery operation that typically is dedicated solely to the production of specialty beers, although some do have a restaurant or pub on their manufacturing plant.
40	ON SALE BEER - (Bar, Tavern) Authorizes the sale of beer for consumption on or off the premises where sold. No wine or distilled spirits may be on the premises. Full meals are not required; however, sandwiches or snacks must be available. Minors are allowed on the premises.
41	ON SALE BEER & WINE - EATING PLACE - (Restaurant) Authorizes the sale of beer and wine for consumption on or off the premises where sold. Distilled spirits may not be on the premises (except brandy, rum, or liqueurs for use solely for cooking purposes). Must operate and maintain the licensed premises as a bona fide eating place. Must maintain suitable kitchen facilities, and must make actual and substantial sales of meals for consumption on the premises. Minors are allowed on the premises.
42	ON SALE BEER & WINE - PUBLIC PREMISES - (Bar, Tavern) Authorizes the sale of beer and wine for consumption on or off the premises where sold. No distilled spirits may be on the premises. Minors are not allowed to enter and remain (see Section 25663.5 for exception, musicians). Food service is not required.
47	ON SALE GENERAL - EATING PLACE - (Restaurant) Authorizes the sale of beer, wine and distilled spirits for consumption on the licenses premises. Authorizes the sale of beer and wine for consumption off the licenses premises. Must operate and maintain the licensed premises as a bona fide eating place. Must maintain suitable kitchen facilities, and must make actual and substantial sales of meals for consumption on the premises. Minors are allowed on the premises.
48	ON SALE GENERAL - PUBLIC PREMISES - (Bar, Night Club) Authorizes the sale of beer, wine and distilled spirits for consumption on the premises where sold. Authorizes the sale of beer and wine for consumption off the premises where sold. Minors are not allowed to enter and remain (see Section 25663.5 for exception, musicians). Food service is not required.
49	ON SALE GENERAL - SEASONAL - Authorizes the same privileges and restrictions as provided for a Type 47 license except it is issued for a specific season. Inclusive dates of operation are listed on the license certificate.





CITY OF NATIONAL CITY - PLANNING DEPARTMENT
1243 NATIONAL CITY BLVD., NATIONAL CITY, CA 91950

PLANNING COMMISSION STAFF REPORT

Title: PUBLIC HEARING - CONDITIONAL USE PERMIT FOR BEER AND WINE SALES, A BANQUET FACILITY, AND LIVE ENTERTAINMENT AT BIG BEN MARKET LOCATED AT 108 EAST 8TH STREET.

Case File No.: 2014-08 CUP

Location: Southeast corner of East 8th Street and "A" Avenue

Assessor's Parcel No.: 556-472-23

Staff report by: Martin Reeder, Principal Planner

Applicant: Grill House at Big Ben

Property owner: Donald Jackel

Zoning designation: Downtown Specific Plan Development Zone 9 (DZ-9)

Adjacent land use/zoning:

- North:** McDini's Bar Irish Cantina across East 8th Street / DZ-9
- East:** Commercial / DZ-9
- South:** Row homes on East 9th Street / DZ-10
- West:** Union Bank across "A" Avenue / DZ-4

Environmental review: Categorically Exempt pursuant to Class 1, Section 15301 (Existing Facilities)

BACKGROUND

Site Characteristics

The project site is Big Ben Market, located at the Southeast corner of East 8th Street and "A" Avenue in Development Zone 9 (DZ-9) of the Downtown Specific Plan. The market has recently undergone a remodel, which included the addition of an interior restaurant counter and an approximately 1,650 square-foot outdoor patio with an outdoor service counter (The Grill House at Big Ben). The property is generally surrounded by commercial areas, with some residential use to the south of the restaurant parking lot. Big Ben Market has a type 21 (off-sale general) alcohol license, which allows for sales of beer, wine, and distilled spirits for off-site consumption. The license is non-conforming, in that it pre-dates the City's Conditional Use Permit (CUP) requirement.

Proposed Use

The applicant is requesting to sell beer and wine for on-site consumption, provide a banquet facility, and conduct live entertainment in conjunction with an eating place. The area for the on-site sales would be the 1,650 square-foot outdoor patio. Plans show a seating area of approximately 1,300 square feet, a stage area of 170 square feet, and a 291 square-foot bar where the outdoor service counter is located. There is also an area of approximately 180 square feet between the seating area and stage area, which would likely function as a dancing area. Plans also show a 60 square-foot beer and wine cooler located on the south side of the building, intended to serve as a storage locker for alcohol products to be sold on the patio. It is assumed that the bar would also have its own storage area behind the counter. No specific information was received regarding type of entertainment, events, or timeframes was received, either at application or as part of the resubmittal (the application was initially incomplete).

The market is currently open from 7 a.m. to 9:30 p.m. daily. The Grill House is open from 9:00 a.m. to 10:00 p.m. daily. However, proposed hours for live entertainment and banquet activities are not proposed to be limited (plans say "for any length of time"); although the applicant mentioned in the community meeting that activities could be as late as 2 a.m.

Analysis

Section 18.30.050 of the National City Land Use Code allows for on-site alcohol sales and live entertainment with an approved Conditional Use Permit (CUP). Section 18.24.050 also requires a CUP for "public assembly", which is how banquet facilities are classified.

Community Meeting

Pursuant to Section 18.30.050 (C), the applicant is required to hold a community meeting. The meeting was held Monday, July 14, 2014 at 6:30 p.m. The meeting was held at Big Ben Market. The agenda, sign-in sheet, and minutes are attached. According to the sign-in sheet, one resident was in attendance at the meeting. The applicant made a presentation about the proposal. The attendee was generally in support of the application, but had concerns regarding how late the live entertainment

would be conducted and suggested 10:00 p.m. as the latest that entertainment would occur.

The Planning Department is recommending that specific hours of operation are levied on this CUP, should it be approved. Given that the area in which live entertainment and banquets would be conducted is outdoors, sound will be an issue. Furthermore, Title 12 of the Municipal Code (Noise) limits exposure to noise by nearby residential land uses. Noise is limited to 45 decibels between the hours of 10:00 p.m. and 7:00 a.m., and to 55 decibels between 7:00 a.m. and 10:00 p.m. Given the close proximity to residential uses (Brick Row, Bay View Towers, row homes south of the project area), staff is suggesting that live entertainment start no earlier than noon and end by 8:00 p.m., and that public assembly (banquets) activities cease before 9:00 p.m. Staff also suggests that entertainment and banquets be limited to weekends only (Friday, Saturday, Sunday). Staff is suggesting that on-site alcohol sales be limited to the hours of operation of the Grill House (9:00 a.m. to 10:00 p.m.).

Alcohol Sales Concentration/Location

Per the California State Department of Alcoholic Beverage Control (ABC), there are currently thirteen (13) other on-sale permits issued in this census tract (117). These permits are:

Name	Address	License Type*
Trophy Lounge	999 National City Blvd.	48
Chuck E. Cheese	1143 Highland Ave.	41
Royal Mandarin	1132 E. Plaza Blvd. 205	41
Thomas H. Cosby Jr. Post 4630	1401 Highland Ave.	52
Golden Chopsticks	1430 E. Plaza Blvd. E22	41
Karina's Mexican Seafood	1705 Highland Ave.	41
Ginza Sushi	925 E. Plaza Blvd. G	41
Lai Thai Restaurant	1430 E. Plaza Blvd. E10	41
Café La Maze	1441 Highland Ave.	47
Wingstop	932 Highland Ave.	41
Panda Palace	1132 E. Plaza Blvd. D/E	41
McGonagles	1231 Highland Ave.	41
Larry E. Bennett Post 255	35 E. 18 th St.	52

- * Type 41 - On-Sale Beer and Wine for Bona Fide Public Eating Place
- Type 47 - On-Sale General for Bona Fide Public Eating Place
- Type 48 - On-Sale General for Public Premises
- Type 52 - Veterans' Club

All but three of the other on-sale licenses are restaurants. The remainder are a bar/cocktail lounge (Trophy Lounge) and two veteran's clubs.

Census tract 117 includes the area of the City between National City Boulevard and Palm Avenue, and between East 8th and East 18th Streets. The attached census tract

map shows the location of the subject tract. ABC recommends a total of seven on-sale alcohol permits be issued in this census tract, where thirteen already exist. Therefore, the census tract is considered to be over-concentrated with regard to on-sale alcohol licenses.

Chapter 18.030.050 (D) requires a 660-foot distance from sensitive uses such as schools. However, restaurants with greater than 30% of their area devoted to seating (as applies in this case) are exempt from these distance requirements. Integrity Charter school is approximately 365 feet from the restaurant, and Central Elementary approximately 1,200 feet away.

Police Department comments

Crime statistics provided by the Police Department (PD) indicate that the reporting area (Beat 20) had a crime rate of 371.6%, above the 120% considered to be a high crime area. PD also provided a Risk Assessment report, which assigns points based on the type of business, license concentration, and calls for service (among others) and ranks the business according to potential risk (low, medium, or high). In this case, Big Ben Market received a score of 17, which would indicate a medium risk. Low Risk is 0-12 points; Medium Risk 13-18 points; and High Risk 19-24 points.

Concerns noted by the Police Department included the lack of proactive enforcement of live entertainment venues, proximity to residences and schools, high crime, license over-concentration, and the facility already had an ABC license (off-sale license).

Institute for Public Strategies (IPS) comments

IPS had concerns related to license over-concentration, and to proximity to schools and churches in the area. IPS interviewed 12 people in the area. Some were not supportive due to concerns over noise, security, and public nuisance caused by existing live entertainment and alcohol establishments. Most in support of the business suggested a closing time of 10:00 p.m.

Building and Fire Department comments

Comments received by both the Building and Fire Departments referenced the change in occupancy of the outdoor patio area with the addition of public assembly and live entertainment. Building is requiring additional bathroom facilities, and Fire is requiring fire sprinkler installation. Comments are included as Conditions of Approval.

Parking/Traffic

The outdoor patio exists and is parked accordingly. In addition, alcohol sales are not likely to increase the need for parking on the property. However, live entertainment and especially banquets/public assembly is likely to draw more people than the parking lot can accommodate. The parking lot on the property has 23 parking spaces. Any lack of parking on site would manifest itself in parking impacts on adjacent residential streets.

Traffic is not expected to be affected due to East 8th Street being an arterial street that is operating within its capacity.

Conditions of Approval

Standard Conditions of Approval have been included with this permit, as well as conditions related to noise and specific to on-sale alcohol sales per Council policy (alcohol incidental to food, hours of operation, patio signage, RBSS training, etc.). There is also a condition prohibiting alcohol purchased from the market to be consumed on site.

Summary

Big Ben Market is a successful business in the downtown area. The addition of the Grill House has added to the popularity of the business. Although other downtown businesses have enjoyed the ability to offer live entertainment, there have been problems in recent years related to noise, public nuisance, and parking in the area because of these uses. If utilized within reasonable time limits, live entertainment and banquet activities will benefit the subject business and potentially add to its recent success. However, being an outdoor patio raises concerns regarding noise in the area, which is in proximity to several residential areas. Potential parking and public nuisance impacts are also possibilities.

Conditions of Approval limit entertainment activities to 8:00 p.m. and other activities (other than the existing commercial business) to 9:00 p.m. on weekends only. The Commission may approve the CUP based on these suggested hours, amend the hours of operation as they see fit, or deny the permit. The Commission also has the option of asking staff to return at a subsequent meeting with additional information if requested.



CITY OF NATIONAL CITY - PLANNING DEPARTMENT
1243 NATIONAL CITY BLVD., NATIONAL CITY, CA 91950

NOTICE OF EXEMPTION

TO: County Clerk
County of San Diego
P.O. Box 1750
1600 Pacific Highway, Room 260
San Diego, CA 92112

Project Title: 2014-08 CUP

Project Location: 108 East 8th Street, National City, CA 91950

Contact Person: Martin Reeder

Telephone Number: (619) 336-4313

Description of Nature, Purpose and Beneficiaries of Project:

Conditional Use Permit application for on-site beer and wine sales, live entertainment, and a banquet facility at an existing restaurant (Grill House at Big Ben).

Applicant:

Grill House at Big Ben
c/o: Nick Salem
108 East 8th Street
National City, CA 91950

Telephone Number:

(619) 477-1015

Exempt Status:

Categorical Exemption. Class 1 Section 15301 (Existing Facilities)

Reasons why project is exempt:

The project will result in no changes to the physical environment, since the proposal is located completely within the existing restaurant space.

Date:

MARTIN REEDER
Principal Planner

RECOMMENDATION

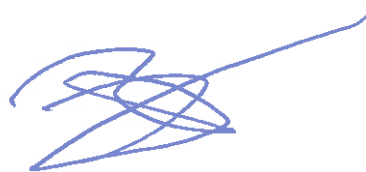
1. Approve 2014-08 CUP subject to the conditions listed below, based on attached findings; or
2. Deny 2014-08 CUP subject to the conditions listed below, based on attached findings; or
3. Continue the item to a subsequent agenda.

ATTACHMENTS

1. Recommended Findings for Approval/Denial
2. Recommended Conditions
3. Location Map
4. Census Tract Map and Police Beat Map
5. Community Meeting Information (agenda, notice, and sign-in sheet)
6. Public Hearing Notice (Sent to 510 property owners and occupants)
7. Notice of Exemption
8. Applicant's Plans (Exhibit A, case file no. 2014-08 CUP, dated 10/2/2014)



MARTIN REEDER, AICP
Principal Planner



BRAD RAULSTON
Executive Director

RECOMMENDED FINDINGS FOR APPROVAL

2014-08 CUP, 108 East 8th Street

1. That 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, since alcohol sales for on-site consumption, live entertainment, and public assembly are conditionally-allowed uses in Development Zone 9 of the Downtown Specific Plan Area.
2. That the proposed use is consistent with the General Plan and any applicable specific plans, since alcohol sales, live entertainment, and public assembly are permitted, subject to a Conditional Use Permit, by the Land Use Code, which is consistent with the General Plan; and since alcohol sales for on-site consumption, live entertainment, and public assembly are conditionally-allowed uses in Development Zone 9 of the Downtown Specific Plan Area.
3. That the design, location, size, and operating characteristics of the proposed activity would be compatible with the existing and future land uses in the vicinity, since the proposed uses are accessory to a restaurant use in an existing commercial area and the proposed uses are not expected to appreciably increase traffic on East 8th Street based on the current capacity and traffic numbers.
4. That the site is physically suitable for the type, density, and intensity of use being proposed, including access, utilities, and the absence of physical constraints, since no expansion of the building is proposed.
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, since the proposed use will be compatible with other nearby businesses; and since the proposed use will be subject to conditions that limit the sale of alcohol and restrict the hours that it will be available, as well as limit hours of public assembly and live entertainment.
6. That the proposed project has been reviewed in compliance with the California Environmental Quality Act, since staff has already determined that the proposed use is categorically exempt from environmental review pursuant to Class 1 Section 15301 (Existing Facilities), for which a Notice of Exemption will be filed subsequent to approval of this Conditional Use Permit.
7. That the proposed use is deemed essential and desirable to the public convenience and welfare, since it will contribute to the continued viability of a restaurant, an established and allowed use in Development Zone 9.
8. That public convenience and necessity will be served by a proposed use of the property for the retail sales of alcoholic beverages pursuant to law.

RECOMMENDED FINDINGS FOR DENIAL

2014-08 CUP, 108 East 8th Street

1. That the proposed use is not deemed essential and desirable to the public convenience and welfare, since there is already an over-concentration of on-sale alcohol licenses in census tract 117.00 in which the subject property is located.
2. That the proposed use is not deemed essential and desirable to the public convenience and welfare since beer and wine are currently offered at ten other restaurants within the same census tract.
3. That live entertainment and public assembly in an outdoor area that is in close proximity to residential areas has the potential for noise impacts and other deleterious effects on said areas.
4. That public convenience and necessity will not be served by a proposed use of the property for the retail sales of alcoholic beverages pursuant to law.

RECOMMENDED CONDITIONS OF APPROVAL

2014-08 CUP, 108 East 8th Street

General

1. This *Conditional Use Permit* authorizes the sale of beer and wine, live entertainment, and a banquet facility at an existing restaurant located at 108 East 8th Street. Plans submitted for permits associated with this project shall conform with Exhibit A, case file no. 2014-08 CUP, dated 10/2/2014.
2. Within four (4) days of approval, pursuant to Fish and Game Code 711.4 and the California Code of Regulations, Title 14, Section 753.5, the applicant shall pay all necessary environmental filing fees for the San Diego County Clerk. Checks shall be made payable to the **County Clerk** and submitted to the National City Planning Department.
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 Conditions of Approval.
6. Before this *Conditional Use Permit* shall become effective, the applicant and the property owner both shall sign and have notarized an Acceptance Form, provided by the Planning Department, 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 Executive Director 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 Executive Director prior to recordation.

Building

7. The proposed project shall be constructed as per the 2013 California Building, Electrical, Plumbing, Mechanical and Fire Codes. The proposal is considered a change of occupancy from an A-3 to an A-2 use. As a result, the current toilet rooms shall be updated to reflect the requirements of the new proposed occupancy per 2013 California Plumbing Code, Table 422.1.

Fire

8. The project shall be built to code. The National City Fire Department utilizes the 2013 edition of the California Fire Code and the 2013 edition of the National Fire Protection Association Codes and Standards.
9. The project is described as an A-3 Occupancy per the submitted plan. This is incorrect. The project is defined as an A-2 occupancy per the California Fire and Building Codes.

10. CFC 903.2.1.2 group A-2 Occupancy - An automatic sprinkler system shall be provided for a group A-2 Occupancies where one of the following conditions exists:
 - The fire area has an occupant load of 100 or more.
 - The occupant load according to the submitted documents, describes an occupant load of 168 occupants.
11. The A-2 occupancy shall be evaluated and designed for fire alarm coverage.
12. Fire alarm and fire sprinkler shall be evaluated and installed for intended use per code. Plans and permit fees shall be paid directly to the National City Fire Department.

Planning

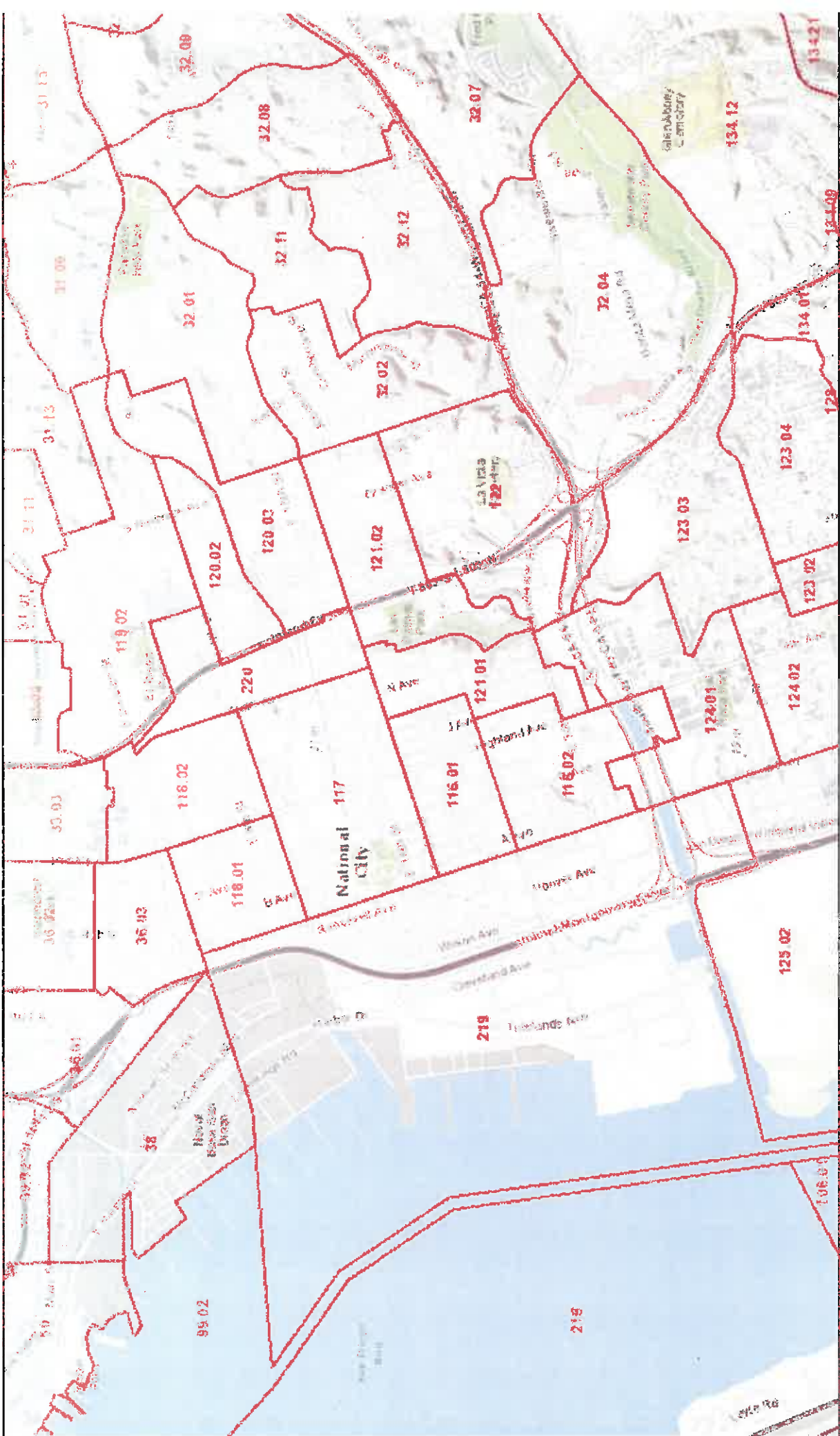
13. No distilled spirits or other alcoholic beverages purchased from the market may be consumed on the property. Only beer and wine purchased from Grill House at Big Ben may be consumed
14. The sale of alcoholic beverages for on-site consumption shall be limited to between the hours of 9:00 a.m. and 10:00 p.m. seven days a week.
15. The hours of live entertainment shall be limited to between 12:00 p.m. and 8:00 p.m. Friday, Saturday, and Sunday.
16. Public assembly activities (e.g., banquets, parties, etc.) shall be limited to between 12:00 p.m. and 9:00 p.m. Friday, Saturday, and Sunday.
17. Public assembly activities not associated with normal Big Ben Market and Grill House operations shall cease no later than 9:00 p.m.
18. 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 of the RBSS training, the permittee shall make available a domestic violence training session as provided by the Institute of Public Strategies.
19. 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.
20. Alcohol shall be available only in conjunction with the purchase of food.
21. 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.
22. 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.

23. All activities shall comply with Title 12 (Noise) of the National City Municipal Code.

Police

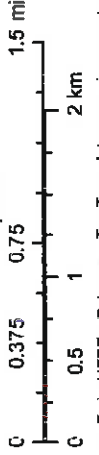
24. Permittee shall comply with all regulatory provisions of the Business and Professions Code that pertain to the sale, display and marketing or merchandising of alcoholic beverages.



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 20

Source: Microsoft Mappoint
NCPD CAU, 4/18/07

BIG BEN MARKET, INC
DBA Grill House at Big Ben Market
106 East 8 STREET
NATIONAL CITY, CA 91950

Community Meeting Agenda

Date: Monday, July 14, 2014
Time: 6:30 pm - 7:30 pm
Subject: Community Meeting
Applicant: BIG BEN MARKET, INC.
Project Title: Grill House at Big Ben Market
Location: 106 East 8 Street, National City, CA 91950
619-477-1015

#1 **Purpose of this meeting:** This meeting is a requirement of the city of National City to notify all of the residents and business owners within 660 feet of the project and to get their comments, feedback and concerns. A report of the meeting will be presented to the City and a copy of the sign-up sheet.

#2 **What is the proposed project:** The addition of On-Sale beer and wine license and life entertainment to the restaurant.

#3 **The purpose of the proposed project:** To serve our customers and our community better by offering On-Sale beer and wine and life entertainment to the restaurant. Our goal is to make our customers dining experience pleasant and convenient.

#4 **Information regarding the project:**

#5 **Q & A:**

#6 **The Applicant is asking for the community's support:**

#7 **Adjournment:**

Monday, July 14, 2014

**CITY OF NATIONAL CITY
PLANNING DEPARTMENT**
1243 National City Blvd
National City, CA 91950

Subject: Community Meeting Minutes.

Applicant: BIG BEN MARKET, INC.

Contact Person: Naseem Salem
106 East 8 Street
National City, CA 91950
619-477-1015

Project Title: Grill House at Big Ben Market

Project Location: 106 East 8 Street
National City, CA 91950
619-477-1015

Per the City's requirements for a Conditional Use Permit, BIG BEN MARKET, INC. dba Grill House at Big Ben Market invited the community to a meeting to get their comments, feedback and concerns regarding the addition of On-Sale beer and wine license to the restaurant. The meeting was conducted on July 14, 2014 at Grill House at Big Ben Market located at 106 East 8 Street, National City, CA 91950.

Naseem Salem called the meeting to order at 6:35 pm. Mr. Salem welcomed the only attendee, Ms. Janice Martinelli, to the meeting. He thanked her for taking time to attend the meeting and learn more about the proposed project. Mr. Salem asked Ms. Martinelli to write her name and those who she represents on the sign-up sheet. Ms. Martinelli wrote her name and others who were identified as residents of National City.

Mr. Salem started his presentation, which included the following information:

#1 Purpose of this meeting: This meeting is a requirement of the city of National City to notify all of the residents and business owners within 660 feet of the project and to get their comments, feedback and concerns. A report of the meeting will be presented to the City and a copy of the sign-up sheet.

#2 What is the proposed project: The addition of On-Sale beer and wine license and life entertainment to the restaurant.

#3 **The purpose of the proposed project:** To serve our customers and our community better by offering On-Sale beer and wine and live entertainment to the restaurant. Our goal is to make our customers dining experience pleasant and convenient.

#4 **Information regarding the project:** Mr. Salem acknowledged the selling of beer and wine may cause some concerns with some community members. He shared the following information:

- The Applicant request is in compliance with the City's Development regulations of the underlying zone and other applicable sections of the Land Developments Code.
- The Applicant is a very responsible retailer that have demonstrated over two decades his good judgment when serving adult beverages. He has been proactive in his involvement with law enforcements and the community in which he serves.
- The Applicant will have policies in place to combat underage access to alcohol such as requiring ABC LEAD training for all clerks and servers as a condition for employment.

#5 **Q & A:** After Mr. Salem concluded his presentation he asked Ms. Martinelli for her feedback, concerns and any questions she may have. The only concern raised by Ms Martinelli was regarding hours of operation for the live entertainment. Ms. Martinelli requested that live entertainment should not exceed 10:00pm.

Mr. Salem informed Ms. Martinelli that ABC laws permit the hours of operation for On-Sale license until 2:00 am. Mr. Salem highlighted the importance of the restaurant location in downtown National City as an attraction for residents and tourists. It will be very helpful for the restaurant to remain competitive with other restaurants close by who have the ability for live entertainment until 2:00am. Furthermore, Mr. Salem expressed his respect and appreciation for law enforcement and to our city leaders and staff, which they will consider all the facts and make the final decision to what is best for our community.

Mr. Salem also expressed his willingness to work with the National City Police Department and city staff to address any additional concerns they may have.

#6 **The Applicant is asking for the community's support:** Mr. Salem asked Ms. Martinelli for her support for the addition of On-Sale beer and wine license and live entertainment to the restaurant and she expressed her support of the proposed project.

#7 **Adjournment:** Mr. Salem thanked Ms. Martinelli for her attendance and her feed back and gave her his contact information and invited her to call him for any additional questions/concerns.

The meeting adjourned at 7:35 pm

NAME	ADDRESS	PHONE	EMAIL
1 James Martinelli Duenoiaf Below Dupont	x 926 A AVE 4 people x 910 " x 912 "	619 967-4128	Lady Martinelli@gmail.com
2	x 924 "		
3	x 936 "		
4 Kimbell Museum City Office 9730	National City Historical Society 12 Board members x 940 " 4 people		
5			
6 Naseem Salam Nas	106 E. 8th St - National City CA 91950	619 477-1015	Naseem Salam@gmail.com
7 MANUEL CANADA	939 A AVE 2 people		
8			
9			
10			
11			

(1) NO PROBLEM WITH LIVE MUSIC IF IT STOPS BY 10 PM

(2) NO PROBLEM WITH BEER AND WINE



CITY OF NATIONAL CITY - PLANNING DEPARTMENT
1243 NATIONAL CITY BLVD., NATIONAL CITY, CA 91950

NOTICE OF PUBLIC HEARING

CONDITIONAL USE PERMIT FOR BEER AND WINE SALES,
A BANQUET FACILITY, AND LIVE ENTERTAINMENT
AT BIG BEN MARKET LOCATED AT 108 EAST 8TH STREET.
CASE FILE NO.: 2014-08 CUP
APN: 556-472-23

The National City Planning Commission will hold a public hearing after the hour of 6:00 p.m. **Monday, November 17, 2014**, in the City Council Chambers, Civic Center, 1243 National City Boulevard, National City, California, on the proposed request. (Applicant: Grill House at Big Ben)

The applicant is requesting to sell beer and wine for on-site consumption, provide a banquet facility, and conduct live entertainment in conjunction with an eating place (Grill House at Big Ben).

Information is available for review at the City's Planning Department, Civic Center. Members of the public are invited to comment. Written comments should be received by the Planning Department on or before 12:00 p.m., **November 17, 2014**, 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 DEPARTMENT

BRAD RAULSTON
Executive Director

December 1, 2014

City of National City – Planning Department
1243 National City Blvd.
National City, CA 91950

Mendoza 1.2.14
Item No 3

Dear Brad Raulston and National City Planning Commission:

We are residents residing on the 100 block of East 9th and 900 block of A Ave. and would like to provide input into the hearing regarding Conditional Use Permit (CUP) 2014-08, APN 556-472-23 for Big Ben Market located at 108 East 8th Street.

We are excited that Big Ben Market wants to be a lively part of the community and the neighborhood however we also have some **concerns about Big Ben's application for a Banquet Facility along with Live Entertainment**. Since Big Ben's indoor space is a grocery store, all activity would take place at the **outdoor patio space** located adjacent to the market thus raising many "good neighbor" questions.

- The Grill House adjacent to Big Ben Market is an outdoor patio. It is not a Banquet Hall and we have concerns about a stage being built and live music up to 7 days a week until 8pm on weekdays and 10pm on weekends as some committee members spoke in favor of at the last commission hearing on 11/17/2014, despite the planning department's staff recommendation that music be limited to weekends and only until 8:00pm.
- Some of us have small children and as neighbors to Big Ben also deserve the right to an urban environment that respects the mixed use corridor of 8th Street and it's surrounding neighborhood. When we first moved into our homes 12 years ago, Big Ben was only a market. While we welcome the remodel and addition of the restaurant we also believe that a banquet hall with live music up to 7 days/week into the night will greatly affect our living situation.
- We recognize that there are noise ordinances. How would these be enforced? We can not imagine that live music (unless it is acoustic) will meet the noise ordinance since the proposed stage is outdoors on the patio. When Big Ben had live amplified music this summer on a Sunday afternoon, it certainly was welcome as an occasional celebration where the community was invited, however the band was audible through our double paned windows. Though we enjoyed the band on that afternoon, we feel that renting out the space as a banquet hall with live music to private parties would present problems.
- Some commissioners raised the question at the last planning meeting about why more people hadn't attended the neighborhood meeting organized by Big Ben. The answer is simple - on the letter we received, Big Ben made no mention of live music and we do not have an issue with the request for an alcohol permit to go along with the sale of food. Hence we did not attend the meeting.

Our family certainly appreciates having Big Ben Market in our neighborhood and the upgrades that have been made to the facility. We do believe that Big Ben can be a cornerstone for neighborhood growth but we ask that **parameters such as number of days per week (Friday, Saturday Sunday only), reasonable hours (no later than 8pm), and noise abatement be considered for Big Ben's request to have live music as this is an outdoor patio space and not an indoor banquet hall.**

Sincerely,

Danielle and Ricardo Castillo (100 block of E. 9th Street)
Jessica Mendoza (100 block of E. 9th Street)
Todd Quarles (900 Block A Avenue)

december 01, 2014

Item 3

to: CITY OF NATIONAL CITY PLANNING COMMISSION*
from: TENANTS at 704/706 "A" AVENUE cluster
105/107 EAST 8th ST cluster

re: APN 556-472-23 GRILL HOUSE (BEN'S MARKET) CUP request

ALL tenants at above addresses continue to OPPOSE the granting of a CUP for live entertainment/banquet facilities at the address (incorrectly) listed as 108 East 8th Street.

The grounds are as follows:

GRILL HOUSE management/ownership INTENTIONALLY failed to provide legitimate NOTICE of a community meeting to our (4) tenants at above addresses nor did they provide NOTICE to the 100+ actual residents at BAY VIEW TOWERS located at 8th & NATIONAL CITY BLVD's.

The comments by two of the residents at the NOV 2013 PLANNING COMMISSION hearing validates this claim ("We did not received any notice from anyone until today")

NCPD acted selectively and indifferently by failing to issue any comments with respect to issue's of CALLS FOR SERVICE originating from 106/108 East 8th Street, including previous illegal gatherings and outdoor retail violations from JULY 2012, and most recently (illegally enacted live entertainment) in MARCH 2014, along with ABC violation protest letters directed at (BEN's) market for occurrences in 2011, 2012 & 2013, (BEGGING & SOLICITING MONEY outside establishment), including lack of code-min size signage at exterior of all sides of market & restaurant, nor was P.D. present to answer any questions from public.

There is a ABC requirement being "overlooked" in that a "establishment must have a functioning kitchen on site preparing actual meals for consumption"

The GRILL HOUSE kitchen was inadvertently built within the MARKET structure at 108 EAST 8th STREET (NOT 106 EAST 8th STREET) a SEPARATE ADDRESS and completely SEPARATE operation!

THERE ARE NO WINDOWS or DOORS at the exterior of GRILL HOUSE, MUSIC WILL AIM TOWARDS THE BAYVIEW TOWER CONDO-HOMES, the NEWER ROW HOUSES at 9th & "A" AVENUE and the OPEN business located at 105/107 - 704/706 "A" AVENUE's, OPENLY DISTURBING all residents & TENANTS!

Grill House openly asked for special consideration to "avoid losing money"

This is NOT the problem of BAYVIEW residents or others in the areas.

Grill house was licensed as restaurant, NOT AN EVENT CENTER.

Owners of GRILL HOUSE have option of converting outdoor area into OUTDOOR sales of produce, atypical to successful "organic" FARMERS MARKET'S

NO voices were heard from GRILL HOUSE as how to eliminate the excessive DAILY litter of SPIRITS (1 oz HARD LIQUOR) bottles scattered to obviously intoxicated persons at BEN'S MARKET, nor solutions as to LICENSED and DUTIFULLY insured security, sound engineer's, parking attendants, tow companies nor fine structures to levy against GRILL HOUSE for continued violations of these and other municipal laws already in place.

BENS ownership has NEVER displayed any consideration for neighbors, county health codes, state ABC laws, etc, other than SELF-SERVING desires at this time.

ON BEHALF of tenants as listed above, we ask planning commission to please DENY ANY conditional use permits for GRILL HOUSE for the public's safety and peaceful enjoyment of living & trade area's.

We DO encourage them to reassess their plans and return in the future better prepared to avoid attempting any "short-cuts" or possible future legal claims for noise, litter, solicitations for money, and/or other disturbances.

RESOLUTION NO. 25-2014

**A RESOLUTION OF THE PLANNING COMMISSION OF
THE CITY OF NATIONAL CITY, CALIFORNIA, APPROVING A
CONDITIONAL USE PERMIT FOR BEER AND WINE SALES,
A BANQUET FACILITY, AND LIVE ENTERTAINMENT
AT BIG BEN MARKET LOCATED AT 108 EAST 8TH STREET.
CASE FILE NO. 2014-08 CUP
APN: 556-472-23**

WHEREAS, the Planning Commission of the City of National City considered a Conditional Use Permit for beer and wine sales, a banquet facility, and live entertainment at Big Ben Market located at 108 East 8th Street at duly advertised public hearing held on November 17, 2014 and December 1, 2014, 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. 2014-08 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; and,

WHEREAS, the action recited herein is found to be essential for the preservation of public health, safety, and general welfare.

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 hearings held on November 17, 2014 and December 1, 2014, support the following findings:

1. That 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, since alcohol sales for on-site consumption, live entertainment, and public assembly are conditionally-allowed uses in Development Zone 9 of the Downtown Specific Plan Area.
2. That the proposed use is consistent with the General Plan and any applicable specific plans, since alcohol sales, live entertainment, and public assembly are permitted, subject to a Conditional Use Permit, by the Land Use Code, which is consistent with the General Plan; and since alcohol sales for on-site consumption, live entertainment, and public assembly are conditionally-allowed uses in Development Zone 9 of the Downtown Specific Plan Area.
3. That the design, location, size, and operating characteristics of the proposed activity would be compatible with the existing and future land uses in the vicinity,

since the proposed uses are accessory to a restaurant use in an existing commercial area and the proposed uses are not expected to appreciably increase traffic on East 8th Street based on the current capacity and traffic numbers.

4. That the site is physically suitable for the type, density, and intensity of use being proposed, including access, utilities, and the absence of physical constraints, since no expansion of the building is proposed.
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**, since the proposed use will be compatible with other nearby businesses; and since the proposed use will be subject to conditions that limit the sale of alcohol and restrict the hours that it will be available, as well as limit hours of public assembly and live entertainment.
6. That the proposed project has been reviewed in compliance with the California Environmental Quality Act, since staff has already determined that the proposed use is categorically exempt from environmental review pursuant to Class 1 Section 15301 (Existing Facilities), for which a Notice of Exemption will be filed subsequent to approval of this Conditional Use Permit.
7. That the proposed use is deemed essential and desirable to the public convenience and welfare, since it will contribute to the continued viability of a restaurant, an established and allowed use in Development Zone 9.
8. That public convenience and necessity will be served by a proposed use of the property for the retail sales of alcoholic beverages pursuant to law.

BE IT FURTHER RESOLVED that the application for Conditional Use Permit is approved subject to the following conditions:

General

1. This *Conditional Use Permit* authorizes the sale of beer and wine (On-Sale Beer and Wine for Bona Fide Public Eating Place), live entertainment, and a banquet facility at an existing restaurant located at 108 East 8th Street. Plans submitted for permits associated with this project shall conform to Exhibit B, case file no. 2014-08 CUP, dated 11/17/2014.
2. Within four (4) days of approval, pursuant to Fish and Game Code 711.4 and the California Code of Regulations, Title 14, Section 753.5, the applicant shall pay all necessary environmental filing fees for the San Diego County Clerk. Checks shall be made payable to the **County Clerk** and submitted to the National City Planning Department.
3. This permit approves three separate uses: on-site beer and wine sales, live entertainment, and public assembly. If any of the uses authorized by this resolution are not exercised within one year after adoption of the Resolution of approval, that use or those uses shall become null and void and will no longer be part of this permit unless extended according to procedures specified in the Municipal Code.

4. This permit approves three separate uses: on-site beer and wine sales, live entertainment, and public assembly. If any of the uses authorized by this resolution are discontinued for a period of 12 months or longer, permission to conduct that use or those uses shall expire and will no longer be part of this permit. 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 Conditions of Approval.
6. Before this *Conditional Use Permit* shall become effective, the applicant and the property owner both shall sign and have notarized an *Acceptance Form*, provided by the Planning Department, 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 Executive Director 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 Executive Director prior to recordation.

Building

7. All plans submitted for improvements must comply with the 2013 edition of the California Building, Electrical, Plumbing, and Mechanical Code.

Fire

8. All plans submitted for improvements must comply with the 2013 editions of the California Fire Code (CFC) and National Fire Protection Association (NFPA), and the current edition of the California Code of Regulations.
9. No public assembly or live entertainment uses may be conducted until all required building improvements have received final inspection and issued a certificate of occupancy.

Planning

10. All alcohol products shall be served by an employee of the Grill House at Big Ben. No self-serve of any alcohol products is permitted.
11. No distilled spirits purchased from Big Ben Market or elsewhere may be brought into or consumed on the outside patio. All alcohol purchase and consumption occurring in the outside patio shall comply with the ABC regulations related to a Type 41 license (On-Sale Beer and Wine for Bona Fide Public Eating Place). No on-sale purchases shall be made inside Big Ben Market.
12. The sale of alcoholic beverages for on-site consumption shall be limited to between the hours of 9:00 a.m. and 10:00 p.m. seven days a week.
13. The hours of live entertainment and public assembly activities (e.g., banquets, parties, etc.) shall be limited to between 12:00 p.m. and 10:00 p.m. Friday, Saturday, and Sunday.
14. All live entertainment and public assembly activities shall comply with Table III of Chapter 12.06 (Exterior Noise Limits) of the National City Municipal Code.

15. 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 of the RBSS training, the permittee shall make available a domestic violence training session as provided by the Institute of Public Strategies.
16. 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.
17. Alcohol shall be available only in conjunction with the purchase of food.
18. 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.
19. 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.

Police

20. Permittee shall comply with all regulatory provisions of the Business and Professions Code that pertain to the sale, display and marketing or merchandising of alcoholic beverages.

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 1, 2014, by the following vote:

AYES: Garcia, Baca, Bush, Flores, Alvarado

NAYS: Dela Paz

ABSENT: Pruitt

ABSTAIN: None



CHAIRPERSON

PROJECT DIRECTORY

ARCHITECT: POINT OF DEPARTURE
3400 BROADWAY
SAN DIEGO, CALIFORNIA
92108-3430

OWNER: NEW BLEN
GRILL HOUSE AT BIG BEN
105 E. 8TH STREET
NATIONAL CITY, CALIFORNIA

INDEX TO DRAWINGS

T1.0 TITLE SHEET SITE PLAN
A2.1 FLOOR PLAN
A2.1 ELEVATIONS
A&L ENLARGED EQUIPMENT PLAN

PROJECT DATA

PROJECT ADDRESS: 105 E. 8TH STREET
NATIONAL CITY, CA 91960

U.S.M. YES NO
HISTORIC YES NO
SPRINKLERED YES NO

ZONE: 698-472-23-00
A.P.N.: LCT 1 THRU 3 IN SUB. OF LOT 1, QUARTER SECTION 154 OF MAP 188 IN BLK 2 OF MAP 108 IN THE CITY OF NATIONAL CITY

TYPE OF CONSTRUCTION (EXISTING):
A-2

NUMBER OF STORIES: 1 STORY

BUILDING HEIGHT: 25
35
45
55
65
75
85
95
105

ACTUAL AREA (NEW AND EXISTING): 2,598 SF

AREA OF WORK: N/A
OCCUPANT LOAD: 88 OCCUPANTS

GOVERNING CODES: 2015 IBCS, 2011 IBCS, 2010 UPCS, 2013 IBCS, 2015 TITLE 24, CEC, 2010 CAL GREEN BUILDING CODE

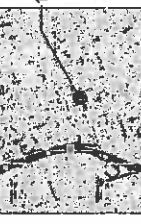
SCOPE OF WORK

CONDITIONS PRESENT FOR THE GRILL HOUSE AND SALES BEER, WINE & LIQUOR LICENSE FOR AN EXISTING OUTDOOR DINING PATIO

FIRE NOTES

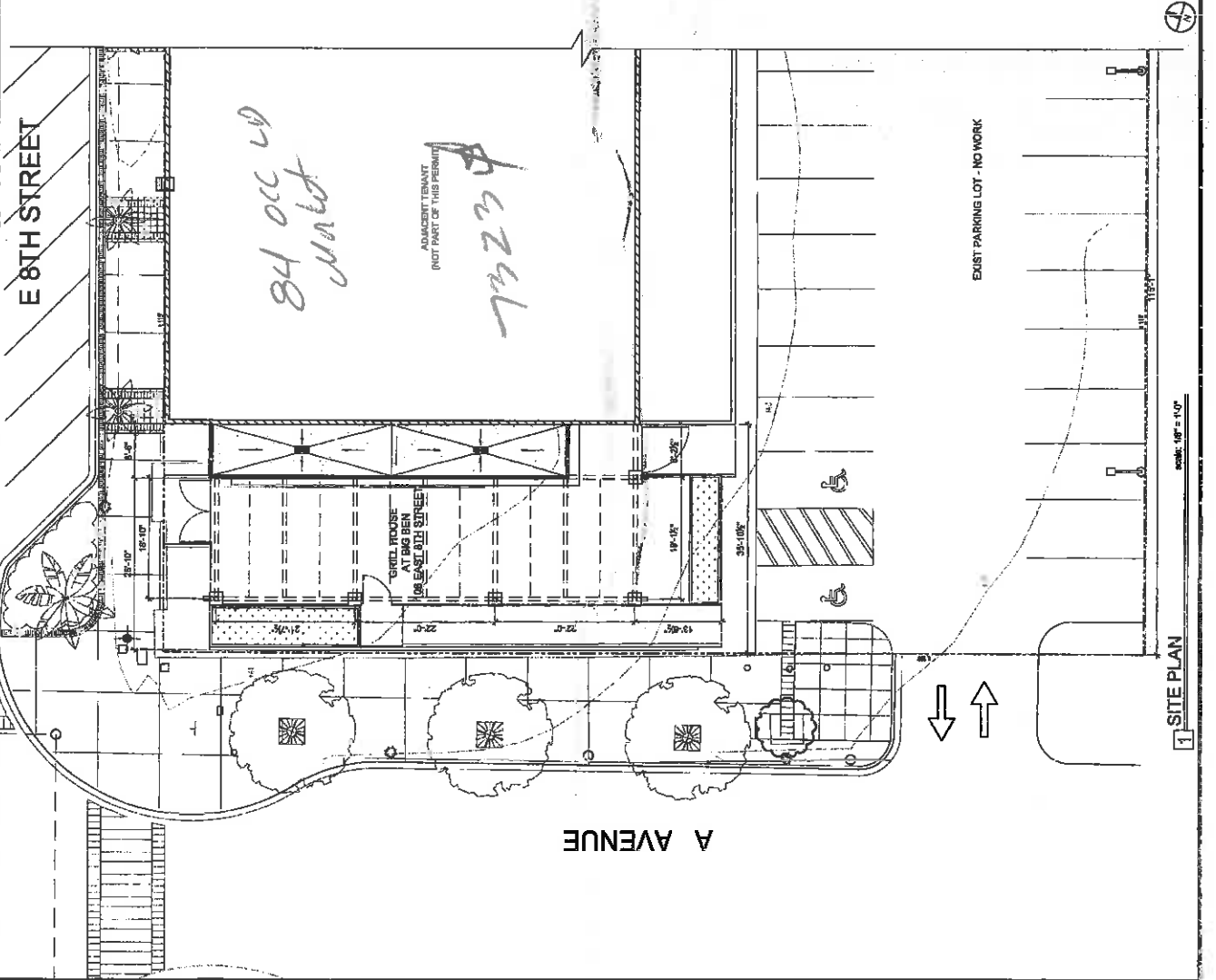
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VICINITY MAP



GENERAL NOTES

1. REFER TO ALL CITY ORDINANCES AND LOCAL ORDINANCES FOR ALL APPLICABLE REGULATIONS AND CODES.
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GENERAL NOTES

- EXISTING MARKET AND DELTO TO REMAIN NO WORK PROPOSED IN CONJUNCTION WITH THIS APPLICATION FOR A CONDITIONAL USE PERMIT
- RESTROOM FACILITIES APPROVED UNDER NATIONAL CITY BUILDING DEPARTMENT PLAN CHECK # 20180486

KEY NOTES

- GLASS GUARD RAIL 4" HIGH
- 10'-0" WROUGHT IRON GATE (8' TALL) GATE SHALL REMAIN OPEN DURING BUSINESS HOURS.
- 4'-7" WROUGHT IRON GATE (8' TALL) EQUIPPED W/ PANG HARDWARE PER I.C.C.
- 7'-9" WROUGHT IRON SECURITY GATE (8' TALL) TO REMAIN OPEN DURING BUSINESS HOURS.
- 6" CONC. CURB
- BRICKING TRELLIS @ 10'-11" A.F.F.
- ACCESSIBLE HEIGHT BAR COUNTER (SAY)
- 42" HIGH S/R COUNTER
- CONCRETE PLANTER; DIMENSIONS PER PLAN

EXISTING REQUIREMENTS

DINING HALL OCCUPANCY GROUP: A-2
ASSEMBLY WITHOUT SEATING: 1,000 NSF
PERMITTED OCCUPANTS: 80
STAGE: 170 NSF
OCCUPANT LOAD FACTOR: 15 NET
PERMITTED OCCUPANTS: 11

SEWER: 281 CSF
OCCUPANT LOAD FACTOR: 200 STRESS
PERMITTED OCCUPANTS: 1

TOTAL OCCUPANTS: 98
 MIN EXIT WIDTH REQUIRED: 98" 0.8 - 27"

OF EXITS REQUIRED (1,000 OCCUPANTS) = 3
 # OF EXITS PROVIDED = 3

PLUMBING FIXTURE DATA

SQ. FOOTAGE: 1,036 SF

OCCUPANCY GROUP: A-2

OCCUPANT LOAD FACTOR: 20
 (#/SQ. FT. TABLE-A)

TOTAL OCCUPANT LOAD: 49

WATER CLOSETS REQUIRED:
 1 MALE
 1 FEMALE

WATER CLOSETS PROVIDED:
 1 MALE
 1 FEMALE

LAVATOIRES REQUIRED:
 1 MALE
 1 FEMALE

LAVATOIRES PROVIDED:
 1 MALE
 1 FEMALE

NOTES:

- THE TOTAL NUMBER OF REQUIRED WATER CLOSETS FOR REMAINDER OF FLOOR SHALL BE DETERMINED BY THE TOTAL NUMBER OF REQUIRED WATER CLOSETS AND LAVATOIRES FOR ALL OTHER AREAS.
- APPLY WHEN SINGLE OCCUPANCY TOILET FACILITIES ARE PROVIDED FOR EACH SEX IN AN A OR E OCCUPANCY WITH AN OCCUPANT LOAD OF LESS THAN 15.
- IF THE REQUIRED LAVAIRES SHALL BE REMITTED TO BE OVERTOPPED OR B. IF INSTALLED, THE LAVAIRES SHALL NOT REQUIRE A SECONDARY WATER CLOSET TO BE PROVIDED FOR THE FEMALE

(NOTE: A, TABLE 621.1, 2015 CBC)

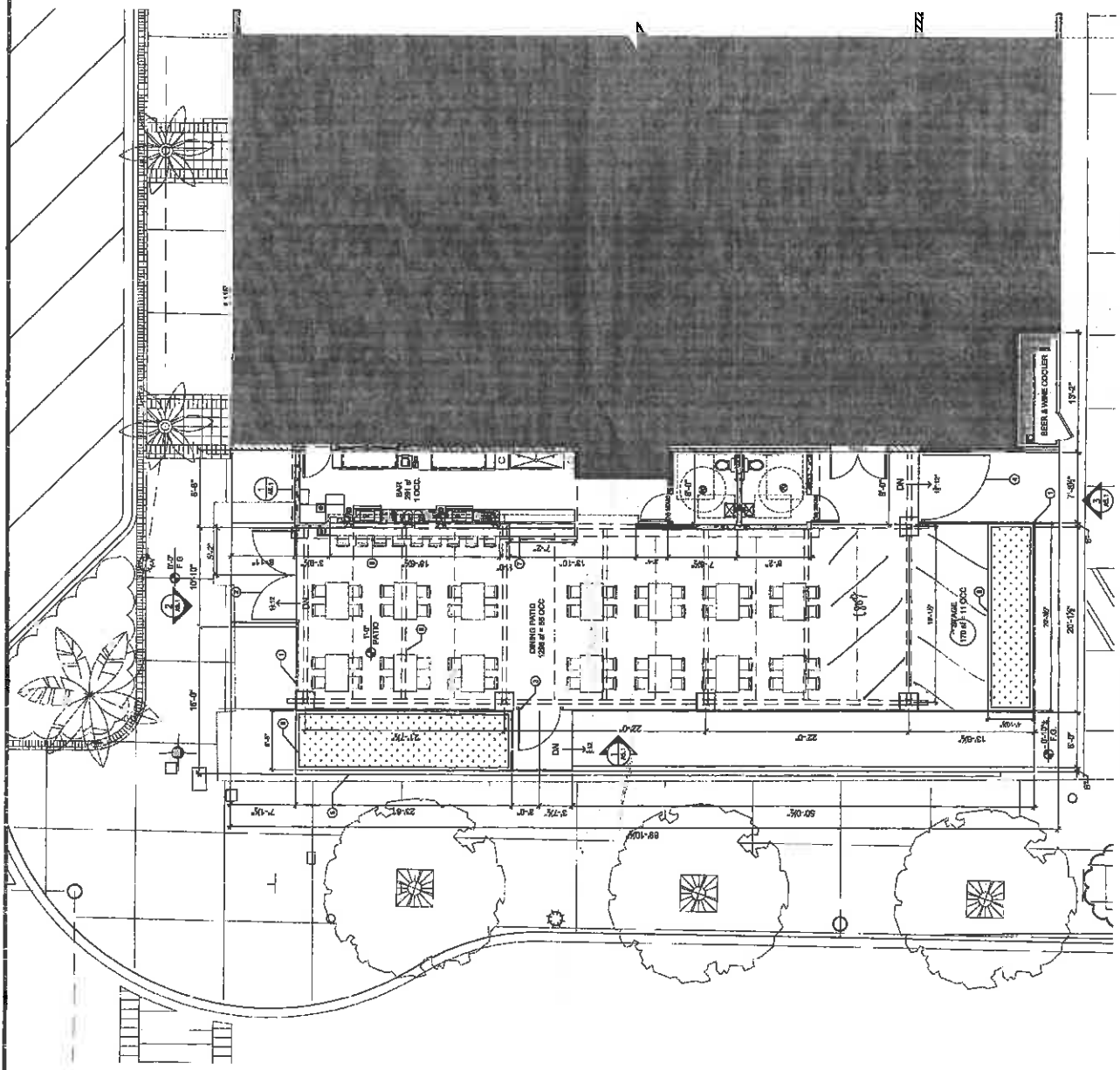
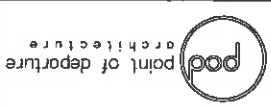
SUBMITTAL:
10.02.14

A2.1

GRILL HOUSE AT BIG BEN

FLOOR PLAN

106 E 9TH ST.
NATIONAL CITY,
CA 91902



FLOOR PLAN

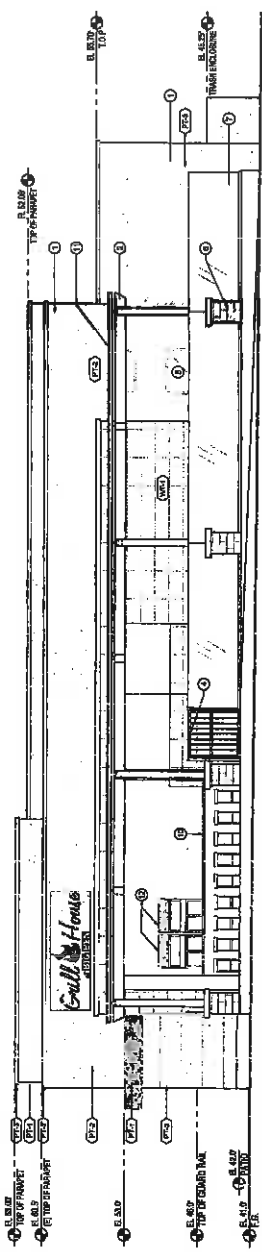
Scale: 3/8" = 1'-0"

KEY NOTES

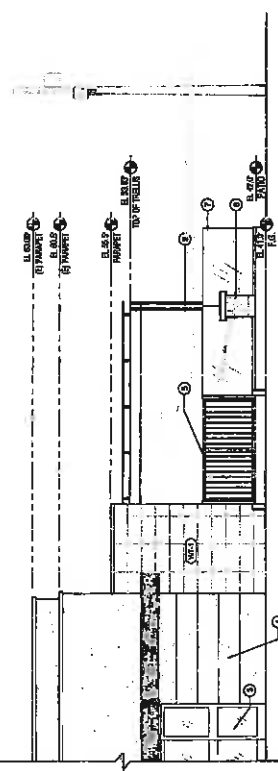
- 1. EX COAT CEMENT PLASTER OVER WIRE LATH OVER BUILDING PAPER - PER DETAIL AWB 3
- 2. EXST. TRELLIS STRUCTURE
- 3. F. AUTOMATIC SLIDING STOREFRONT DOORS
- 4. 4" WROUGHT IRON GATE
- 5. 1" WROUGHT IRON GATE
- 6. 1" CMU COLUMN BASE 1" P
- 7. 1" CMU COLUMN RAIL
- 8. 1" H.H. DOOR - FINIT (PT-3)
- 9. 1" H.H. WALKIN, BEER & WINE COOLER
- 10. 4" HIGH BAR COUNTER
- 11. 1" CORRUGATED METAL ROOF
- 12. 1" SLIDING SERVICE WINDOW

FINISH SPECIFICATIONS

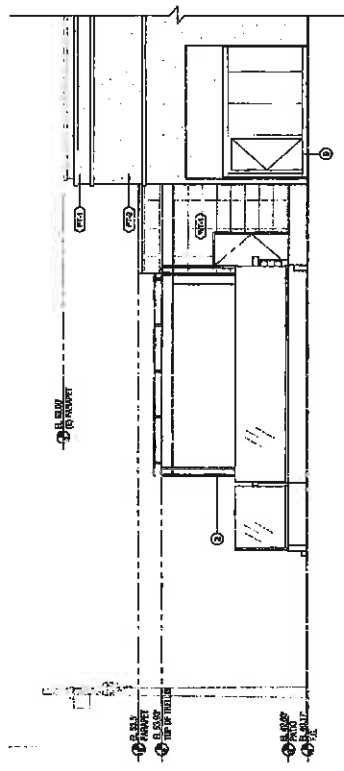
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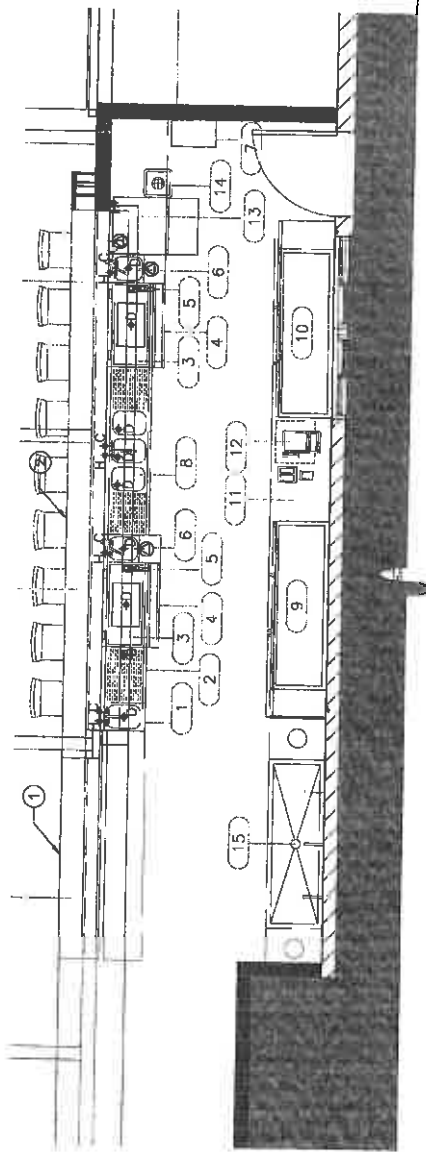
1 WEST ELEVATION
SCALE: 3/16" = 1'-0"



2 NORTH ELEVATION
SCALE: 3/16" = 1'-0"



3 SOUTH ELEVATION
SCALE: 3/16" = 1'-0"



1 ENLARGED EQUIPMENT PLAN scale: 1/8" = 1'-0"

EQUIPMENT SCHEDULE

Item No	Qty	Equipment Category	Manufacturer	Model Number	Base	Volts	Amps	KW	HF	Phase	NEMA Plug	Remarks	Cold Water Size (in)	Hot Water Size (in)	React Drain Size (in)	Drain Size (in)	MBTUH	Remarks	
1	1	Underbar HandSink	Kroone Metal	RR18-1C	Legs								0.5	0.5	1.5	1			
2	1	Underbar Filters & Drainboards	Kroone Metal	RR18-GS24	Legs											0.5			
3	2	Underbar Ice Chest	Kroone Metal	RR18-3692-10	Legs														
4	2	Underbar Speed Rail	Kroone Metal	RS-36	EC														
5	2	Bar Gun	Verity w/ Supplier		Item 59	120	15.0			1 X			3.5"						
6	2	Underbar Blender Station	Kroone Metal	RR18-1280	Legs	120	15.0			1 X			0.5	0.5	1.5	1			
7	1	Slim, Ion Trash Can	Kroone Metal	RR18-63C	Legs														
8	1	Underbar Sink	Rubbermaid																
9	1	Beer Bar Cooler	Kroone Metal	BS84R	Castora	120		0.33	1	X	5-15P		0.5	0.5					Self Contained
10	1	Back Bar Cooler	Kroone Metal	BS84L	Castora	120		0.33	1	X	5-15P								Self Contained
11	1	Back Bar Cabinet	Custom Millwork		Curb														
12	1	POG System	Verity w/ Supplier		Item 68														
13	1	Winecooler, Under Counter, Low Temp	CMA Dishmachines	L-1X	6" Legs	115	16			1 X			0.5						
14	1	Existing Floor Sink																	
15	1	Existing S.S. Trough Sink																	

KEY NOTES
1. ACCESSIBLE HEIGHT BAR COUNTER (84")
2. 42" HIGH BAR COUNTER

The following page(s) contain the backup material for Agenda Item: Resolution of the City Council of the City of National City, 1) awarding a contract in the not-to-exceed amount of \$2,841,105.00 to LB Civil Construction for the “A” Avenue Green Street Improvement Project, CIP No. 14-05; 2) authorizing a 15% contingency

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

MEETING DATE: January 20, 2015

AGENDA ITEM NO. _____

ITEM TITLE:

Resolution of the City Council of the City of National City, 1) awarding a contract in the not-to-exceed amount of \$2,841,105.00 to LB Civil Construction for the "A" Avenue Green Street Improvement Project, CIP No. 14-05; 2) authorizing a 15% contingency in the amount of \$426,165.75 for any unforeseen changes; 3) authorizing the Mayor to execute the contract; and 4) authorizing the appropriation of \$42,900.00 from the General Fund to the corresponding expenditure account for Street Light Refurbishment.

PREPARED BY: Stephen Manganiello

DEPARTMENT: Engineering/Public Works

PHONE: 336-4382

APPROVED BY: _____

EXPLANATION:

See attached.



FINANCIAL STATEMENT:

APPROVED: _____ Finance

ACCOUNT NO.

APPROVED: _____ MIS

001-409-500-598-1595 (Public Works Facility Relocation): \$142,840.00
296-409-500-598-6187 (Downtown-Westside Community Connections Grant): \$755,365.00
296-409-500-598-6185 ("A" Avenue Green Street and Pedestrian Pathway Grant): \$1,900,000.00
001-409-500-598-1396 (Street Light Refurbishment): \$42,900.00

ENVIRONMENTAL REVIEW:

ORDINANCE: INTRODUCTION: FINAL ADOPTION:

STAFF RECOMMENDATION:

Adopt the Resolution.

BOARD / COMMISSION RECOMMENDATION:

N/A

ATTACHMENTS:

1. Explanation
2. Bid Opening Summary
3. Three Lowest Bidders Summary
4. Resolution

EXPLANATION

The "A" Avenue Green Street Improvement Project, CIP No. 14-05, will implement Low-Impact Development (LID) infiltration measures along portions of "A" Avenue between 8th Street and Kimball Park to improve water quality of urban runoff entering the storm drain system which discharges downstream into Paradise Creek at Kimball Park. The project will also construct pedestrian enhancements along the corridor and through the park, including a new plaza and gateway adjacent to the public library.

The primary objectives of the project are as follows:

- 1) Create a "Green Street" that implements Low-Impact Development (LID) infiltration measures to improve water quality of urban runoff entering the storm drain system which discharges downstream into Paradise Creek at Kimball Park.
- 2) Create a safe, environmentally friendly walking path along "A" Avenue to connect Historic Brick Row, Morgan Square and the 8th Street Revitalization District to City Hall, National City Public Library and Kimball Park.
- 3) Provide educational opportunities through implementation of interpretative signage and creek-themed art.

The scope of work for the construction contract also includes street light painting and refurbishment along portions of National City Blvd, "A" Avenue and W. 8th Street, and various facility upgrades for the relocation of City Public Works as detailed in the attached bid schedule. The contract will be funded in large part through a Proposition 84 Storm Water Grant from the State of California and a SANDAG Smart Growth Incentive Program Grant.

On October 3, 2014, the bid solicitation was advertised in local newspapers and posted on the City's website.

On October 29, 2014, one (1) sealed bid was received by the 2:30 PM deadline, opened and publically disclosed. Portillo Concrete was the apparent low bidder with a total bid amount of \$2,926,670.00. However, their bid was deemed "non-responsive".

On October 31, 2014, the bid solicitation was advertised a second time in local newspapers and posted on the City's website.

On November 20, 2014, four (4) sealed bid were received by the 10:00 AM deadline, opened and publically disclosed. LB Civil Construction was the apparent low bidder with a total bid amount of \$2,699,935.00. Due to a clerical error identified after the bid opening, the bid solicitation process was deemed to be invalid, thereby prohibiting contract award.

The scope of work was expanded to include additional line items of work related to the relocation of City Public Works and refurbishment of street lights Downtown.

On December 5, 2014, a new bid solicitation was advertised in local newspapers and posted on the City's website.

On January 6, 2015, five (5) sealed bid were received by the 10:00 AM deadline, opened and publically disclosed. LB Civil Construction was the apparent low bidder with a total bid amount of \$2,841,105.00. Upon review of all documents submitted and reference checks, LB Civil Construction's bid is responsive, and they are the lowest responsible bidder qualified to perform the work as described in the project specifications.

Attached are the bid opening results and a summary of the three lowest bidders for your information.

Staff recommends awarding a contract in the not to exceed amount of \$2,841,105.00 to LB Civil Construction, Inc. for the "A" Avenue Green Street Improvement Project, CIP No. 14-05 and authorizing a 15% contingency in the amount of \$426,165.75.

Appropriation of funds to corresponding Capital Improvement Program expenditure accounts were established through prior City Council actions, notwithstanding appropriations for the street light refurbishment portion of the contract. Therefore, staff recommends appropriation of \$42,900.00 from the General Fund to the corresponding expenditure account for street light refurbishment. This amount is included as part of the not to exceed contract award as detailed in the Financial Statement section of the Council Agenda Statement.



BID OPENING RESULTS

NAME: "A" AVENUE GREEN STREET IMPROVEMENT
CIP NO.: 14-05
DATE: January 6, 2015
TIME: 10:00 A.M.
ESTIMATE: \$2,864,860
PROJECT ENGINEER: Stephen Manganiello

NO.	BIDDER'S NAME (PAGE 1-1)	BID AMOUNT (PAGE 1-9)	ADDENDA (PAGE 1-1)	BID SECURITY (PAGE 1-12 - CHECK (PAGE 1-13 (BOND))
1	L.B. Civil Construction 11585 Sorrento Valley Road Suite 104 San Diego, CA 92121	\$2,841,105.00 **	Yes	Bond
2	Portillo Concrete 3527 Citrus Street Lemon Grove, CA 91945	\$2,874,198.00	Yes	Bond
3.	M.A. Stevens Construction 125 E. 17 th Street National City, 91950	\$2,989,598.90 **	Yes	Bond
4.	West Coast General Corp. 13700 Stoway Drive Poway, CA 92064	\$3,124,962.50	Yes	Bond
5.	Pal General Engineering 5374 Eastgate Mall San Diego, CA 92121	\$3,392,816.00	No	Bond

** FINAL BID AMOUNT CHANGED BASED ON REVIEW OF "QUANTITY x UNIT PRICE" FOR INDIVIDUAL LINE ITEMS OF WORK.

Item	Description	LB Civil Construction, Inc.		Portillo Concrete, Inc.		Contractor's Written Extended Value		M A Stevens Construction, Inc.		Contractor's Written Extended Value			
		EA	LF	EA	LF	EA	LF	EA	LF	EA	LF		
20	Provide and install 2" brass ball shut-off valve with locking irrigation pull box	EA	2	\$ 350.00	\$ 700.00	EA	2	\$ 350.00	\$ 700.00	EA	2	\$ 3,770.00	\$ 7,540.00
21	Provide and install 1 1/2" brass ball shut-off valve with locking irrigation pull box	EA	1	\$ 400.00	\$ 400.00	EA	1	\$ 350.00	\$ 350.00	EA	1	\$ 3,250.00	\$ 3,250.00
22	Relocate 2" backflow preventer	EA	2	\$ 2,000.00	\$ 4,000.00	EA	2	\$ 2,000.00	\$ 4,000.00	EA	2	\$ 9,750.00	\$ 19,500.00
23	Relocate 1 1/2" backflow preventer	EA	1	\$ 2,000.00	\$ 2,000.00	EA	1	\$ 2,000.00	\$ 2,000.00	EA	1	\$ 8,450.00	\$ 8,450.00
DRAINAGE IMPROVEMENTS													
24	Construct and install catch basin Type I per SDRSD D-29 and frame and grate per SDRSD D-13 and D-15	EA	5	\$ 4,500.00	\$ 22,500.00	EA	5	\$ 6,000.00	\$ 30,000.00	EA	5	\$ 3,250.00	\$ 16,250.00
25	Construct and install drainage inlet Type G2 per CALTRANS RSP D73	EA	1	\$ 4,800.00	\$ 4,800.00	EA	1	\$ 8,500.00	\$ 8,500.00	EA	1	\$ 7,800.00	\$ 7,800.00
26	Provide and install curb inlet Type B per SDRSD D-02	EA	1	\$ 5,000.00	\$ 5,000.00	EA	1	\$ 7,500.00	\$ 7,500.00	EA	1	\$ 9,750.00	\$ 9,750.00
27	Provide and install concrete lug per SDRSD D-63	EA	3	\$ 800.00	\$ 2,400.00	EA	3	\$ 2,000.00	\$ 6,000.00	EA	3	\$ 1,950.00	\$ 5,850.00
28	Construct vegetated bioretention basins (complete and in place)	SF	2,303	\$ 25.00	\$ 57,575.00	SF	2,303	\$ 40.00	\$ 92,120.00	SF	2,303	\$ 15.60	\$ 35,926.80
29	Construct non-vegetated infiltration basins (complete and in place)	SF	2,341	\$ 25.00	\$ 58,525.00	SF	2,341	\$ 35.00	\$ 81,935.00	SF	2,341	\$ 13.00	\$ 30,433.00
30	Provide and install nutrient separator baffle box	LS	1	\$ 50,000.00	\$ 50,000.00	LS	1	\$ 65,000.00	\$ 65,000.00	LS	1	\$ 8,450.00	\$ 8,450.00
31	Provide and install 30,000 gallon cistern	LS	1	\$100,000.00	\$ 100,000.00	LS	1	\$ 90,000.00	\$ 90,000.00	LS	1	\$175,500.00	\$ 175,500.00
32	Provide and install type A6 cleanout wet well per SDRSD D-9	EA	1	\$ 25,000.00	\$ 25,000.00	EA	1	\$ 65,000.00	\$ 65,000.00	EA	1	\$ 5,500.00	\$ 6,500.00
33	Provide and install C12" RCP (2000-D)	LF	195	\$ 80.00	\$ 15,600.00	LF	195	\$ 200.00	\$ 39,000.00	LF	195	\$ 162.50	\$ 31,687.50
34	Provide and install 12" HDPE	LF	39	\$ 120.00	\$ 4,680.00	LF	39	\$ 132.00	\$ 5,148.00	LF	39	\$ 162.50	\$ 6,337.50
35	Furnish and install 24" x 24" precast concrete grate inlet	EA	1	\$ 3,500.00	\$ 3,500.00	EA	1	\$ 1,700.00	\$ 1,700.00	EA	1	\$ 3,250.00	\$ 3,250.00
36	Provide and install 3" schedule 40 PVC	LF	205	\$ 15.00	\$ 3,075.00	LF	205	\$ 55.00	\$ 11,275.00	LF	205	\$ 162.50	\$ 33,312.50
37	Provide and install 4" schedule 40 PVC	LF	15	\$ 50.00	\$ 750.00	LF	15	\$ 275.00	\$ 4,125.00	LF	15	\$ 162.50	\$ 2,437.50
38	Furnish and install 6" round landscape grate (green) and SPEE-D basin per NDS or approved equal	EA	6	\$ 300.00	\$ 1,800.00	EA	6	\$ 220.00	\$ 1,320.00	EA	6	\$ 325.00	\$ 1,950.00
LANDSCAPE IMPROVEMENTS													
39	Irrigation	LS	1	\$ 80,000.00	\$ 80,000.00	LS	1	\$ 276,000.00	\$ 276,000.00	LS	1	\$143,766.00	\$ 143,766.00

				LB Civil Construction, Inc.	Contractor's Written Extended Value	Portillo Concrete, Inc.	Contractor's Written Extended Value	M A Stevens Construction, Inc.	Contractor's Written Extended Value	
40	Landscaping	LS	1	\$285,000.00	\$ 285,000.00	\$ 78,000.00	\$ 78,000.00	\$325,741.00	\$ 325,741.00	
41	Landscaping 120 calendar day maintenance and plant establishment period	LS	1	\$ 6,500.00	\$ 6,500.00	\$ 7,000.00	\$ 7,000.00	\$ 8,086.00	\$ 8,086.00	
URBAN DESIGN IMPROVEMENTS										
42	Furnish and install permeable pavers	SF	760	\$ 45.00	\$ 34,200.00	\$ 20.00	\$ 15,200.00	\$ 22.75	\$ 17,290.00	
43	Salvage and reinstall existing pavers	SF	870	\$ 18.00	\$ 15,660.00	\$ 10.00	\$ 8,700.00	\$ 19.31	\$ 16,799.70	
44	Construct wooden trellis	LS	1	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00	\$ 6,500.00	\$ 6,500.00	
45	Construct concrete mow strip per SDRSD SDL - 103	LF	250	\$ 20.00	\$ 5,000.00	\$ 20.00	\$ 5,000.00	\$ 17.88	\$ 4,470.00	
46	Construct and install decorative art fence	LF	560	\$ 240.00	\$ 134,400.00	\$ 185.00	\$ 103,600.00	\$ 215.80	\$ 120,848.00	
47	Construct concrete pillar	EA	2	\$ 3,000.00	\$ 6,000.00	\$ 7,500.00	\$ 15,000.00	\$ 4,550.00	\$ 9,100.00	
48	Construct concrete steps per SDRSD M-26	LS	1	\$ 12,000.00	\$ 12,000.00	\$ 25,000.00	\$ 25,000.00	\$ 15,600.00	\$ 15,600.00	
49	Construct and install tubular hand rails per SDRSD M-24 (also shown as SDM-118)	LS	1	\$ 4,000.00	\$ 4,000.00	\$ 4,000.00	\$ 4,000.00	\$ 9,360.00	\$ 9,360.00	
SITE IMPROVEMENTS										
50	Construct 4" Type A - PCC sidewalk (natural gray, broom finish)	SF	2,800	\$ 13.00	\$ 36,400.00	\$ 8.00	\$ 22,400.00	\$ 9.10	\$ 25,480.00	
51	Construct 7.5" Type A - PCC sidewalk (natural gray, broom finish)	SF	1,350	\$ 15.00	\$ 20,250.00	\$ 15.00	\$ 20,250.00	\$ 11.70	\$ 15,795.00	
52	Construct 4" Type B - colored concrete sidewalk (rock salt finish)	SF	9,450	\$ 12.00	\$ 113,400.00	\$ 12.00	\$ 113,400.00	\$ 13.00	\$ 122,850.00	
53	Construct 4" Type C - colored concrete sidewalk (glass embedded)	SF	2,550	\$ 30.00	\$ 76,500.00	\$ 15.00	\$ 38,250.00	\$ 23.40	\$ 59,670.00	
54	Construct 4" Type D - Colored Concrete Banding (dark gray acid etch)	SF	800	\$ 17.00	\$ 13,600.00	\$ 20.00	\$ 16,000.00	\$ 19.50	\$ 15,600.00	
55	Construct 4" Type E - PCC Sidewalk (crushed aggregate)	SF	2,250	\$ 17.00	\$ 38,250.00	\$ 10.00	\$ 22,500.00	\$ 15.60	\$ 35,100.00	
56	Construct 4" Type F - PCC sidewalk (stamped concrete)	SF	1,000	\$ 17.00	\$ 17,000.00	\$ 12.00	\$ 12,000.00	\$ 13.00	\$ 13,000.00	
57	Construct concrete curb ramp (all types)	EA	12	\$ 1,800.00	\$ 21,600.00	\$ 1,800.00	\$ 21,600.00	\$ 2,600.00	\$ 31,200.00	
58	Construct 6" cur per SDRSD G-1	LF	450	\$ 40.00	\$ 18,000.00	\$ 20.00	\$ 9,000.00	\$ 39.00	\$ 17,550.00	
59	Construct 6" cur and gutter per SDRSD G-2	LF	950	\$ 50.00	\$ 47,500.00	\$ 30.00	\$ 28,500.00	\$ 44.20	\$ 41,990.00	

Item No.	Description	Quantity	Unit	LB Civil Construction, Inc.		Contractor's Written Extended Value	Portillo Concrete, Inc.		Contractor's Written Extended Value	M.A. Stevens Construction, Inc.		Contractor's Written Extended Value
				Rate	Value		Rate	Value		Rate	Value	
60	Construct modified cross gutter per RSD G-12	250	LF	\$ 12.00	\$ 3,000.00		\$ 15.00	\$ 3,750.00		\$ 13.00	\$ 3,250.00	
61	Construct ribbon gutter	110	SF	\$ 60.00	\$ 6,600.00		\$ 75.00	\$ 8,250.00		\$ 26.00	\$ 2,860.00	
62	Construct concrete curb for Medians (Type G-6, B-1)	90	LF	\$ 35.00	\$ 3,150.00	\$ 2,800.00	\$ 25.00	\$ 2,250.00		\$ 32.50	\$ 2,925.00	
63	Construct concrete median passageway, Type A with domes per Caltrans A88A	1	EA	\$ 4,500.00	\$ 4,500.00		\$ 7,500.00	\$ 7,500.00		\$ 3,900.00	\$ 3,900.00	
64	Construct concrete driveway per SDRSD G-14A	180	SF	\$ 15.00	\$ 2,700.00		\$ 15.00	\$ 2,700.00		\$ 26.00	\$ 4,680.00	
65	Concrete asphalt concrete pavement	950	TON	\$ 100.00	\$ 95,000.00		\$ 130.00	\$ 123,500.00		\$ 120.90	\$ 114,855.00	
66	Construct class II aggregate base	1,650	TON	\$ 40.00	\$ 66,000.00		\$ 50.00	\$ 82,500.00		\$ 28.60	\$ 47,190.00	
67	Provide and install Mirafi RS380i Woven Geosynthetic, or approved equal	30,000	SF	\$ 0.60	\$ 18,000.00		\$ 0.80	\$ 24,000.00		\$ 0.73	\$ 21,900.00	\$ 21,840.00
68	1.5" asphalt grind and disposal	3,800	DG	\$ 1.50	\$ 5,700.00		\$ 1.50	\$ 5,700.00		\$ 1.85	\$ 7,030.00	\$ 7,014.80
69	Furnish and install manual retractable bollards per Ameristar 4" x 35.5" or approved equal	5	EA	\$ 3,000.00	\$ 15,000.00		\$ 2,700.00	\$ 13,500.00		\$ 3,185.00	\$ 15,925.00	
70	Furnish and install fixed bollards per Ameristar 4" x 35.5" or approved equal, complete-in-place	2	EA	\$ 1,000.00	\$ 2,000.00		\$ 1,000.00	\$ 2,000.00		\$ 1,118.00	\$ 2,236.00	
71	Furnish and install concrete wheel stops per plans	36	EA	\$ 250.00	\$ 9,000.00		\$ 60.00	\$ 2,160.00		\$ 62.40	\$ 2,246.40	
72	Furnish and install outdoor tri-level tubular bottle filling station/fountain Elkay LK4420BF 1U or approved equal	1	EA	\$ 9,000.00	\$ 9,000.00		\$ 8,500.00	\$ 8,500.00		\$ 5,850.00	\$ 5,850.00	
73	Repair existing masonry wall per specifications	1	LS	\$ 30,000.00	\$ 30,000.00		\$ 8,500.00	\$ 8,500.00		\$ 6,500.00	\$ 6,500.00	
74	Field Orders	1	LS	\$ 5,000.00	\$ 5,000.00		\$ 5,000.00	\$ 5,000.00		\$ 5,000.00	\$ 5,000.00	
1726 WILSON IMPROVEMENT PLANS												
75	Remove and dispose of existing chain link fence	100	LF	\$ 3.00	\$ 300.00		\$ 10.00	\$ 1,000.00		\$ 5.20	\$ 520.00	
76	Remove and dispose of existing trees	13	EA	\$ 1,500.00	\$ 19,500.00		\$ 1,000.00	\$ 13,000.00		\$ 325.00	\$ 4,225.00	
77(S)	Relocate Gate	1	EA	\$ 900.00	\$ 900.00		\$ 1,000.00	\$ 1,000.00		\$ 1,040.00	\$ 1,040.00	
78(S)	Relocate ornamental steel fence	1	LS	\$ 9,000.00	\$ 9,000.00		\$ 8,500.00	\$ 8,500.00		\$ 9,751.30	\$ 9,751.30	
79(S)	Relocate post cap	1	EA	\$ 250.00	\$ 250.00		\$ 250.00	\$ 250.00		\$ 260.00	\$ 260.00	
80(S)	Provide and install Ameristar Montage Industrial Inviolence Fence (for approved equal)	30	LF	\$ 200.00	\$ 6,000.00		\$ 210.00	\$ 6,300.00		\$ 244.40	\$ 7,332.00	

				LB Civil Construction, Inc.		Contractor's Written Extended Value	Portillo Concrete, Inc.		Contractor's Written Extended Value	M. A. Stevens Construction, Inc.		Contractor's Written Extended Value
81(S)	Provide and install post cap assembly for Invincible Outside Corners	EA	1	\$ 220.00	\$ 220.00		\$ 250.00	\$ 250.00		\$ 260.00	\$ 260.00	
82	Provide and install concrete pavement section	SF	2,400	\$ 10.00	\$ 24,000.00		\$ 7.00	\$ 16,800.00		\$ 13.00	\$ 31,200.00	
83	Temporary security fencing	LS	1	\$ 10,000.00	\$ 10,000.00		\$ 3,000.00	\$ 3,000.00		\$ 32,500.00	\$ 32,500.00	
84	Provide and install 5 gallon trumpet vine	EA	11	\$ 50.00	\$ 550.00		\$ 95.00	\$ 1,045.00		\$ 110.50	\$ 1,215.50	
85	Provide and install irrigation	LS	1	\$ 600.00	\$ 600.00		\$ 1,000.00	\$ 1,000.00		\$ 650.00	\$ 650.00	
EL TOYON PARK SECURITY CAMERA INSTALLATION												
86(S)	Furnish and install CAT 6 Table	LF	1,000	\$ 2.00	\$ 2,000.00		\$ 4.40	\$ 4,400.00		\$ 2.28	\$ 2,280.00	\$ 2,275.00
87(S)	Furnish and install 2" conduit	LF	300	\$ 30.00	\$ 9,000.00		\$ 22.00	\$ 6,600.00		\$ 31.85	\$ 9,555.00	
88(S)	Furnish and install CALTrans #5 pullbox with anti-theft insert	LF	2	\$ 800.00	\$ 1,600.00		\$ 2,200.00	\$ 4,400.00		\$ 910.00	\$ 1,820.00	
89(S)	Furnish and install ENCOM Energy NT Radio (single) with integrated antennae (or approved equal)	EA	2	\$ 2,500.00	\$ 5,000.00		\$ 3,300.00	\$ 6,600.00		\$ 2,730.00	\$ 5,460.00	
90(S)	Furnish and install Enable-IT 828VVP Ethernet Extender with PoE+powered kit	EA	1	\$ 1,000.00	\$ 1,000.00		\$ 1,100.00	\$ 1,100.00		\$ 1,170.00	\$ 1,170.00	
91(S)	Furnish and install PoE surge protector	EA	4	\$ 180.00	\$ 720.00		\$ 225.00	\$ 900.00		\$ 195.00	\$ 780.00	
92(S)	Furnish and install Etherwan EX46180-00B Unmanaged 8 port 10/100 BASE PoE hardened Ethernet switch (or approved equal) with power supply and panel mounting	EA	1	\$ 2,500.00	\$ 2,500.00		\$ 2,400.00	\$ 2,400.00		\$ 2,795.00	\$ 2,795.00	
93(S)	Installation of city provided cameras	LS	1	\$ 2,500.00	\$ 2,500.00		\$ 3,300.00	\$ 3,300.00		\$ 2,600.00	\$ 2,600.00	
ADDITIONAL A AVENUE FENCING												
94(S)	Furnish and install 8' high Black Vinyl Coated Chain Link Fence per SDRSD M-6	LF	150	\$ 70.00	\$ 10,500.00		\$ 66.00	\$ 9,900.00		\$ 77.29	\$ 11,593.50	\$ 11,592.75
95(S)	Furnish and install 8' High Black Vinyl Coated Chain Link 20' Double Swing gate per SDRSD M-5	EA	3	\$ 3,500.00	\$ 10,500.00		\$ 3,200.00	\$ 9,600.00		\$ 3,705.00	\$ 11,115.00	
96(S)	Demolish and replace existing gate with 8' High Black Vinyl Coated Chain Link 18' Double Swing gate per SDRSD M-5	EA	1	\$ 3,200.00	\$ 3,200.00		\$ 3,000.00	\$ 3,000.00		\$ 3,445.00	\$ 3,445.00	
97(S)	Demolish and replace existing gate with 8' High Black Vinyl Coated	EA	1	\$ 2,200.00	\$ 2,200.00		\$ 2,000.00	\$ 2,000.00		\$ 2,340.00	\$ 2,340.00	
				Base Bid Total	\$ 2,777,405.00		Base Bid Total	\$ 2,821,498.00		Base Bid Total	\$ 2,913,780.30	

		LB Civil Construction, Inc.		Contractor's Written Extended Value		Portillo Concrete, Inc.		Contractor's Written Extended Value		M A. Stevens Construction, Inc.		Contractor's Written Extended Value	
ADDITIVE BID													
Item No.	Description	Unit	Qty.	Unit Price	Extension (Quantity x Unit Price)	Unit Price	Extension (Quantity x Unit Price)	Unit Price	Extension (Quantity x Unit Price)	Unit Price	Extension (Quantity x Unit Price)	Unit Price	Extension (Quantity x Unit Price)
A-98(S)	Provide and install 8' high chain link fence at 2101 Hoover Avenue, RSD M-6	LF	400	\$ 45.00	\$ 18,000.00	\$ 43.00	\$ 17,200.00	\$ 50.96	\$ 20,384.00				
A-99(S)	Provide and install 20' wide double swing chain link gate at 2101 Hoover Avenue, SDRSD M-5, with locking manual latch	EA	1	\$ 2,800.00	\$ 2,800.00	\$ 2,500.00	\$ 2,500.00	\$ 2,925.00	\$ 2,925.00				
A-100	Paint and refurbish existing streetlights at various locations	EA	33	\$ 1,300.00	\$ 42,900.00	\$ 1,000.00	\$ 33,000.00	\$ 1,591.20	\$ 52,509.60				
				Additive Bid Total	\$ 63,700.00	Additive Bid Total	\$ 52,700.00	Additive Bid Total	\$ 75,818.60				
				Base Bid & Additive Bid Total	\$ 2,841,105.00	Base Bid & Additive Bid Total	\$ 2,874,198.00	Base Bid & Additive Bid Total	\$ 2,989,598.90				
TOTALS CALCULATED BY CITY:													
				TOTALS CALCULATED BY CONTRACTORS:	2,838,155.00	2,874,198.00	2,989,512.35						

RESOLUTION NO. 2015 –

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY
AWARDING A CONTRACT IN THE NOT-TO-EXCEED AMOUNT OF
\$2,841,105 TO LB CIVIL CONSTRUCTION FOR THE "A" AVENUE
GREEN STREET IMPROVEMENT PROJECT, AUTHORIZING A 15%
CONTINGENCY IN THE AMOUNT OF \$426,165.75 FOR ANY UNFORESEEN
CHANGES, AUTHORIZING THE MAYOR TO EXECUTE THE CONTRACT,
AND AUTHORIZING THE APPROPRIATION OF \$42,900.00 FROM
THE GENERAL FUND TO THE CORRESPONDING EXPENDITURE
ACCOUNT FOR STREET LIGHT REFURBISHMENT

WHEREAS, the Engineering Division of the Development Services Department, in open session on January 6, 2015, did publicly open, examine, and declare five sealed bids for the "A" Avenue Green Street Improvement Project; and

WHEREAS, LB Civil Construction was the lowest responsive bidder with a total bid amount of \$2,841,105, and is qualified to perform the work as described in the project specifications; and

WHEREAS, a 15% contingency amount up to \$426,165.75 for any unforeseen changes to the Project is requested.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of National City hereby awards the contract for the "A" Avenue Green Street Improvement Project to the lowest responsive, responsible bidder, to wit:

LB CIVIL CONSTRUCTION

BE IT FURTHER RESOLVED by the City Council of the City of National City that the Mayor is hereby authorized to execute on behalf of the City a contract in the amount of \$2,841,105 with LB Civil Construction for the "A" Avenue Green Street Improvement Project. Said contract is on file in the office of the City Clerk.

BE IT FURTHER RESOLVED that the City Council hereby authorizes a 15% contingency amount up to \$426,165.75 for unforeseen changes to the Project.

BE IT FURTHER RESOLVED that the City Council hereby authorizes the appropriation of \$42,900 from the General Fund to the corresponding expenditure account for Street Light Refurbishment.

PASSED and ADOPTED this 20th day of January, 2015.

Ron Morrison, Mayor

ATTEST:

APPROVED AS TO FORM:

Michael R. Dalla, City Clerk

Claudia Gacitua Silva
City Attorney

The following page(s) contain the backup material for Agenda Item: Request to use Martin Luther King Jr. Community Center (North and South Rooms) by National City Chamber of Commerce for a Job Fair on Tuesday, April 14, 2015. Applicant anticipates approximately 1,000 attendees. Applicant is requesting a waiver of fees. (

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

MEETING DATE: January 20, 2015

AGENDA ITEM NO. |

ITEM TITLE:

[Request to use Martin Luther King Jr. Community Center (North and South Rooms) by National City Chamber of Commerce for a Job Fair on Tuesday, April 14, 2015. Applicant anticipates approximately 1,000 attendees. Applicant is requesting a waiver of fees.]

PREPARED BY: Stephen Manganiello

DEPARTMENT: Engineering/Public Works

PHONE: [336-4382]

APPROVED BY: 

EXPLANATION:

[The Chamber of Commerce is requesting the use of Martin Luther King Jr. Community Center (North and South Rooms) for a Job Fair on Tuesday, April 14, 2015. The fee summary is as follows:

<u>Fees:</u>	<u>Non-Waivable Fee</u>	<u>Refundable Deposit:</u>
Hall Fee \$938.08	Facility Use Fee \$50.00	Cleaning: \$100.00
Custodial \$264.00		
Chairs/Tables \$216.00		

The fees, including the non-waivable Facility Use Fee, total \$1,468.08 with a refundable deposit of \$100.00. This request is consistent with City Council Policy 803 governing the use of this facility. Under the current City Council Policy 804, this event is not listed as a City-sponsored or co-sponsored event. However, the Policy 804 Ad-Hoc Committee has recommended listing this event as a City co-sponsored event as part of the Policy 804 Update. This is the fourth year for the Job Fair. Last year, at the March 4, 2014 City Council Meeting, Council waived hall, chair and table fees, and requested payment of the refundable deposit, custodial fees, and facility use fee.]

FINANCIAL STATEMENT:

APPROVED:  Finance

ACCOUNT NO. |

APPROVED: _____ MIS

001-41000-3572: \$1,204.08

626-00000-3634 \$264.00

ENVIRONMENTAL REVIEW:

[N/A]

ORDINANCE: INTRODUCTION: FINAL ADOPTION:

STAFF RECOMMENDATION:

[Staff recommends approving the Facility Use Application with no waiver of fees.]

BOARD / COMMISSION RECOMMENDATION:

[N/A]

ATTACHMENTS:

1. Facility Use Application
2. Certificate of Liability Insurance



City of National City
Facility Use Application
Rev.6/28/11

2100 Hoover Avenue
National City, CA 91950
(619)336-4580
Fax (619)336-4594
After hours dispatch:
(619)336-4411

TO ALL APPLICANTS: It is strongly recommended that an applicant requesting use of City Facility attend the City Council meeting when the item is scheduled for consideration in order to answer any questions from the City Council.

Facility Requested: please circle

Martin Luther King Jr. Building
North Room South Room Entire Facility

Date(s) of Use: April 13, 2015 Day(s) of Use: April 14, 2015
Time of Use: From: 7:00 AM/PM To: 5:00 AM/PM - INCLUDE SET-UP & CLEAN UP TIME

Type of Function/Activity: Job Fair Is the event open to the public? yes

Name & Address of Organization/Group: National City Chamber of Commerce

Non- profit organization: Yes No Tax ID # 95-1038185

Anticipated Maximum Attendance: 1000 Percentage of National City Residents 20%

Will Admission be charged? NO Amount \$ _____ Will this be a Fund Raising Event? NO

Equipment Requested: 200 # of chairs 20(6ft.) # of banquet tables _____ Stage _____
8 (round)

yes Podium/Microphone ****PLEASE ATTACH SEATING DIAGRAM****

laptop speakers, microphone (in entire room) Audio & Visual Equipment Required? (Please Specify)

Use of Kitchen: Yes No Use of Gas for Range and Oven: Yes No

Is the Use of Alcohol Requested? _____
Will other paid services be used (I. e, commercial caterer DJ, Band, etc)? Yes _____ No

Name: unknown of time of application Phone: _____

Name: _____ Phone: _____

2015 JAN - 5 PM 11
RECEIVED
ENGINEERING DEPT.

How many times in the last twelve months have you requested to use a City Facility? 2

Job Fair
4/2/14
Salute to Navy
10/1/14

It is expressly understood and agreed that the applicant assumes all risk for loss, damage, Liability, injury, cost or expense that may arise during or be caused in any way by such use or occupancy of the facilities of the City of National City and/or Community Services Department.

The applicant further agrees that in considerations of being permitted the use of the facilities agreed to, they will save and hold harmless the said City of National City, its officers, agents, employees and volunteers from any loss, claims, and liability damages, and/or injuries to persons and property that in any way may be caused by applicant's use or occupancy.

I, the undersigned, hereby certify to abide by the regulations governing said facility and agree to abide by all City of National City ordinances and facility rules and policies, and be representative of the user organizations. Further, I agree to be personally responsible for any damage/loss sustained by the ground, building, furniture or equipment or unusual clean up occurring through the occupancy of said facilities.

Application recognizes and understands that use of the City's facility may create a possessory interest subject to property taxation and that applicant may be subject to the payment of property taxes levied on such interest. Applicant further agrees to pay any and all property taxes, if any assessed during the use of the City's facility pursuant to sections 107 and 107.6 of the revenue and taxation code against applicant's possessory interest in the City's facility.

I CERTIFY THAT I HAVE RECEIVED A COPY OF THE RULES AND REGULATIONS FOR THE FACILITY REQUESTED, AND I AGREE FOR MY ORGANIZATION/ GROUP TO CONFORM TO ALL OF ITS PROVISION.

DATE COMPLETED: 12/17/14

PRINT NAME: Jacqueline L. Reynoso

SIGNATURE: [Signature]

ADDRESS OF APPLICANT: 901 National City Blvd.

CITY, STATE, AND ZIP CODE: National City, GA 91950

PHONE: DAY (619) 477-9339 FAX NUMBER: (619) 477-5018

CONTACT PERSON ON THE DAY OF THE EVENT: Jacqueline L. Reynoso

PHONE: (619) 477-9339 CELL: (619) 890-6614

HAVE YOUR COPY OF APPLICATION IN POSSESSION DURING USE
Please type or print clearly with a Ballpoint pen. Complete application must be submitted and payment submitted in advanced of the event.

Public Works Staff Only-
Rental Amount Received: _____ Receipt Number: _____
Deposit Amount: _____ Deposit/ Key Returned: _____
Check _____ Key issued: YES _____ NO _____

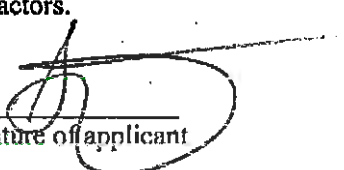
**CITY OF NATIONAL CITY
PUBLIC PROPERTY USE HOLD HARMLESS
AND INDEMNIFICATION AGREEMENT**

Person requesting use of City property, facilities or personnel are required to provide a minimum of \$1,000,000 combined single limit insurance for bodily injury and property damage which include the city, its officials, agents and employees named as additional insured and to sign the hold harmless agreement. Certificate of Insurance must be attached to this permit.

Organization: National City Chamber of Commerce
Person in charge of activity: Jacqueline L. Reynoso, President/CEO
Address: 901 National City Blvd, National City CA 91950
Telephone: (619) 477-9339 E-Mail: reynoso@nationalcitychamber.org
City Facilities and/ or property requested: MLK Jr. Building (Entire Facility)
Date(s) of use: April 13, 2014 from 7am to 5pm Set-Up
April 14, 2014 from 7am to 3pm Event

HOLD HARMLESS AGREEMENT

As a condition of the issuance of a temporary use permit to conduct its activities on public or private property, the undersigned hereby agree(s) to defend, indemnify and hold harmless the City of National City and its officers, employees and agents from and against any and all claims, demands, costs, losses, liability or damages for any personal injury, death, or property damage, or both, or any litigation and other liability, including attorneys fees and the costs of litigation, arising out or related to the use of public property or the activity taken under the permit by the permit or its agents, employees or contractors.

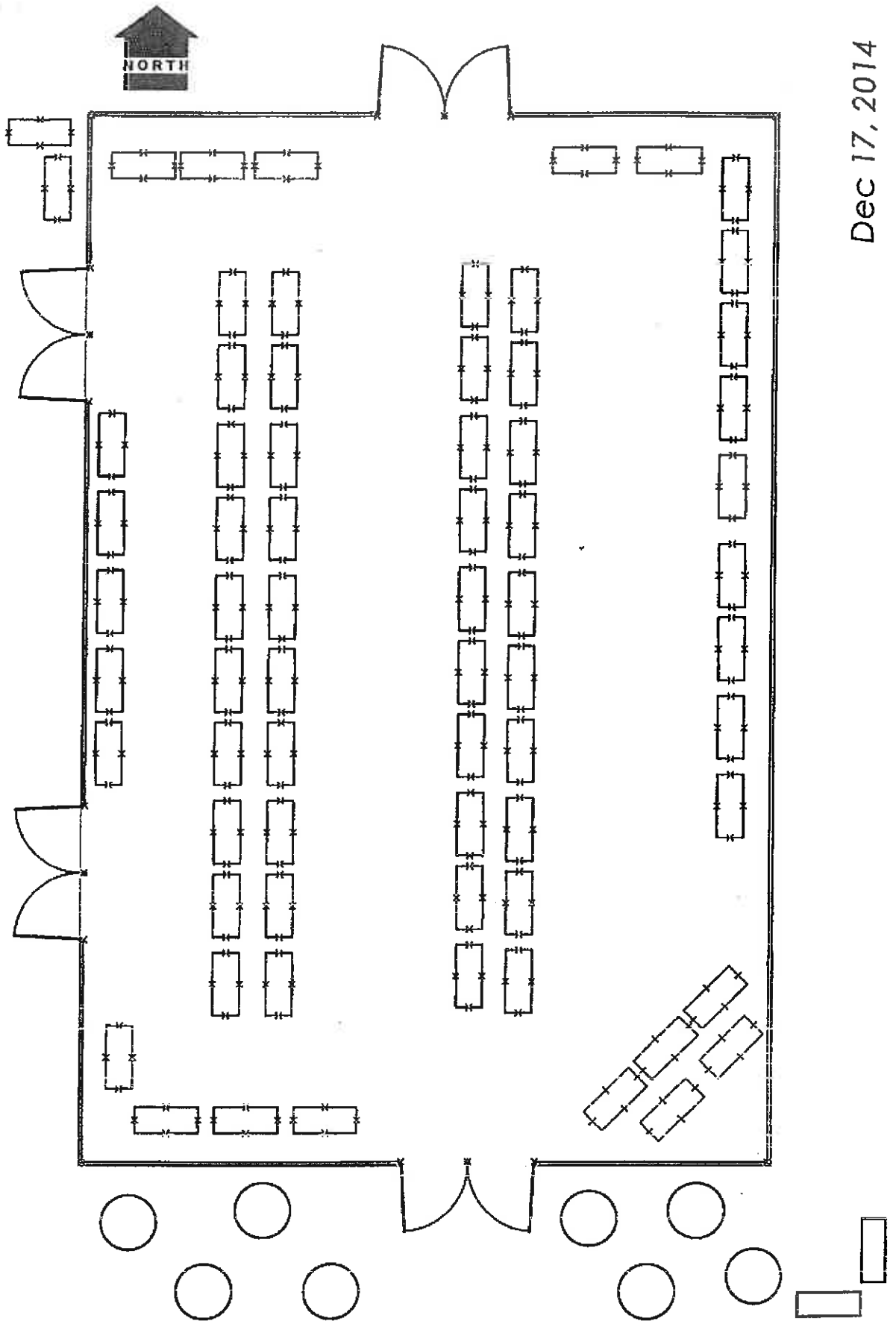


Signature of applicant

2/17/14

Date

Certificate of Insurance Approved by _____
Name and Title



Dec 17, 2014

Additional requests

- No wall dividers
- Additional power cords
- Screen and projector set up
- Open Wi-Fi
- Can we tape banners on the wall?
- Can we use the TVs in the hallway of the MLK the day of?
- Market event through city's social media, e-news, freeway message boards, and other community forums
- Mayor and council invited to attend to give welcome remarks

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

ADDITIONAL INSURED - DESIGNATED 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):

City of National City, its officials, boards, commissions, employees, agents and contractors, as their respective interests may appear
1243 National City Blvd.
National City, CA 92050

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," "property damage," or "personal and advertising injury" caused, in whole or in part, by your acts or omissions or the acts or omissions of those acting on your behalf:

1. In the performance of your ongoing operations; or
2. In connection with your premises owned by or rented to you.

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.

FUP FEE WORKSHEET
(MLK, RECS, KSC/CASA, NUTRITION)

Event/Group Name:	National City Chamber of Commerce Job Fair			Resident?	Yes	
Date(s) Rqst'd:	Tuesday, April 14th 2015			Facility: MLK		
Time of Event:	7:00am - 3:00pm	# Hours:	8	# People:	1,000	
Frequency:	One Time: X	Short Term:		On-Going:		
Council Date:	August 19th at 6:00pm in Council Chambers at City Hall					
RENTAL RATES		Hourly Rates			Total	
MLK (for dining)	People	South	North	Entire	Qty	Charge
	0-73	\$23.45	n/a	n/a		\$0.00
	73-149	n/a	\$70.36	n/a		\$0.00
	150-221	n/a	\$87.97	n/a		\$0.00
	222-294	n/a	n/a	\$117.26		\$0.00
MLK (dance/assembly)						
	0-100	\$23.45	n/a	n/a		\$0.00
	101-157	\$29.32	n/a	n/a		\$0.00
	158-300	n/a	\$70.36	n/a		\$0.00
	301-472	n/a	\$87.95	n/a		\$0.00
	472-630	n/a	n/a	\$117.26	8	\$938.08
Rec. Centers & Casa	varies	---	---	\$23.45		\$0.00
Kimball Senior Center	0-149	---	---	\$70.36		\$0.00
	150-221	---	---	\$87.97		\$0.00
Service Clubs Only		\$100.00	per month	Months:		\$0.00
KITCHEN (\$50 min)		\$10.00	per hour	Hours:		\$0.00
FAC/BLDG USE FEE	\$50.00				1	\$50.00
CUSTODIAL (Dep/PW)				Rate		
Duration	\$22/hr reg, or \$35/hr OT			\$22.00	4	\$88.00
Setup/Cleanup time	\$22/hr reg, or \$35/hr OT			\$22.00	8	\$176.00
	1-100(2hr), 101-157(4hr), 158-300(6hr), 301-472(8hr), 473-630(10hr)					
CSD STAFF(Dep/CSD)	\$11.00	per hour		Hours:		\$0.00
EQUIP: chairs:	\$0.75	each		Qty:	200	\$150.00
tables:	\$1.00	each		Qty:	66	\$66.00
TOTAL FEES						\$1,468.08
DEPOSITS						
Kitchen:	\$60.00	Refundable				\$0.00
Cleaning	\$100.00	Refundable			1	\$100.00
Key Deposit	\$100.00	Refundable				\$0.00
Total Deposits:						\$100.00
				ACCOUNTING:		\$1,204.08
						\$264.00
						\$0.00
						001-41000-3572
						626-00000-3634
						001-441-000-100
						\$1,468.08

Fees/Council Date reviewed/confirmed with: _____ **Date:** _____

Notes:

The following page(s) contain the backup material for Agenda Item: City Council Policy # 804 “City Support for Special Events” for review and discussion of proposed Policy update to the City Council Policy Manual.(Chapter 800) (Neighborhood Services)

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

MEETING DATE: January 20, 2015

AGENDA ITEM NO. |

ITEM TITLE:

City Council Policy #804 "City Support for Special Events" for review and discussion of proposed Policy update to the City Council Policy Manual.
(Chapter 800)

PREPARED BY: Armando Vergara |

DEPARTMENT: Neighborhood Services Division

PHONE: (619) 336-4364 |

APPROVED BY: _____

EXPLANATION:

| See attached |

FINANCIAL STATEMENT:

APPROVED: _____ Finance

ACCOUNT NO. |

APPROVED: _____ MIS

| N/A |

ENVIRONMENTAL REVIEW:

N/A |

ORDINANCE: INTRODUCTION: FINAL ADOPTION:

STAFF RECOMMENDATION:

Review proposed policy revisions for Policy #804. A supporting Resolution will be brought forward to Council at a subsequent Council meeting for adoption of said chapter with final revisions. |

BOARD / COMMISSION RECOMMENDATION:

| N/A |

ATTACHMENTS:

- 1) Staff Report
- 2) Copy of Power Point presentation
- 3) Original / Existing Council Policy #804
- 4) Draft with proposed Policy #804 changes highlighted in red (pages 1 thru 7).

Attachment Report – Revised City Council Policy #804 on “City Support for Special Events”

The purpose of this report is to present the committees revisions and recommendations of the City Council Policy #804 and to return with a final draft resolution for adoption.

Although the City Council recognizes that special events are an important part of the special lifestyles that defines National City and makes our City unique, the City Council is concerned with the increasing cost for special events. These include concerts, festivals, parades and sporting events which take place at City parks and facilities or on City streets and rights-of-way. To address these concerns, Policy #804 was created and adopted on October 3, 2006 which provided guidelines to deal with the cost of City support and that are subject to the City’s economic condition and resources. On August 3, 2010, this policy was revised for budgetary reason and the City’s needs to reduce expenditures. Financial support for co-sponsored events were reduced from \$1500 to \$1000 and some regional events were removed from City sponsorship.

In mid-2013, the City Council appointed two special committees to review and update Council Policy #801 (Recreational Field and Sports Facility Rules and Regulations) and #804 (City Support for Special Events). These committees consisted of Mayor Ron Morrison, Council Member Sotelo-Solis, Council Member Mona Rios, Executive Director Brad Raulston, Neighborhood Services Manager Armando Vergara, Community Services Recreation Superintendent Jessica Cissel and Public Works Park Superintendent Miguel Diaz. The committees met a number of times to discuss and review the existing policies and had the following goals for policy #804.

- Review and recommendation of sponsored or co-sponsored events which are no longer applicable or can be added.
- Establish a specific set of parameters for sponsored & co-sponsored events and how council approves.
- Create an annual one-time approval list for sponsored & co-sponsored events to be presented to council.
- Create a process where new applicants requesting co-sponsorship can apply and be considered.
- Establish a limit where non-sponsored events can only be waived up to the \$1000/day waiver if they meet parameters of policy.

After completion of the review process and recommendations, the committee is presenting the following proposed revisions.

- Changing of the policy and policy title to include the “Use of City Mobile Stage”.
- Addition of definitions of City co-sponsored and sponsored events.
- Language added for the process to request and submit co-sponsorship for non-profit applicants.
- Addition of the fee waiver limits for organizations not on the approved co-sponsored event list.
- Removal of policy reference to City Council Policy #802.
- Addition of two new events “Job Fair” (N.C. Chamber of Commerce) and “Spirit of the Holidays” (N.C. College Campus Lions) under the Co-Sponsored Events, Attachment “A”.

- Removal of one event “National City’s Got Talent” (Library) under Sponsored Events, Attachment “B”.
- Addition of “National City Service Day” (Community Services) under Sponsored Events, Attachment “B”. Note: This event addition was a City staff recommendation and not part of the committee’s revision. This planned annual event started after completion of the committee meetings and review of this policy, however staff recommends City Sponsorship as it was a very successful community event and is it planned to be a yearly event.

With these proposed revisions comes some very significant changes to this policy which should be noted.

- Events listed on the co-sponsored and sponsored list will be grandfathered in and will be approved annually by City Council at the beginning of every new calendar year. These events will not require a second council approval presentation in form of a Temporary Use Permit or Special Event application. Approved co-sponsored organizations (Policy Attachment “A”) and City departments (Policy Attachment “B”) will still be required to apply yearly for processing of application/fees and departmental review only.
- Established limit where non-sponsored events can only be waived up to the \$1000/day waiver if they meet parameters of the policy.
- Addition of two new events “Job Fair” (N.C. Chamber of Commerce) and “Spirit of the Holidays (N.C. College Campus Lions) under the Co-Sponsored Events, Attachment “A”.
- Addition of “National City Service Day” (Community Services) under City Sponsored Events, Attachment “B”. – Staff Recommendation

The next steps for this process is to receive council comments and directions in order to return with a final revision of this policy. A supporting Resolution will be brought forward at a subsequent City Council meeting for adoption of Council Policy #804.

Update:

- Council Policy #801 (Recreational Field and Sports Facility Rules and Regulations), #803 (Facility Use Guidelines and Regulations for the use of MLK, Community Center and Granger) and #805 (Facility Use Guidelines and Regulations for the use of Kimball Senior Center, Casa De Salud and Recreation Centers) are still under staff review. Council Policy #704 (Limitation on City approved Special Events within the City) is currently in the final review process and will also be presented for revisions and approval.



City Council Policy #804

“City Support for Special Events”

Proposed Policy Revisions

Council Policy #804

Background:

- The City Council is concerned with the increasing cost of City support of special events, examples of which are concerts, festivals, parades and sporting events which take place at City parks and facilities or in City streets and rights-of-way. The Council notes that City support is not specially budgeted and is provided through the reduction in the level of services for budgeted programs. The Council also recognizes that special events are a major part of that special lifestyle that defines National City's history and makes our City unique.

Policy History:

- Council Policy 804 was adopted on October 3, 2006.
 - Policy was created to deal with increasing cost of City support for special events and to provide a policy to provide guidelines which are subject to the City's economic condition and resources.

- Last revision of City Council Policy 804 was on August 3, 2010.
 - Policy was revised for budgetary reasons and the City's needs to reduce expenditures. Financial support for co-sponsored events were reduced from \$1500 to \$1000 and some regional events were eliminated.

- City Council appointed two committee groups in 2013 to review Policy 801 & 804.

Policy History

continued:

Policy 801 (Recreational Field and Sports Facility Rules and Regulations)

- Committee Members included Mayor Ron Morrison, Council Member Alejandra Sotelo-Solis, Executive Director Brad Raulston, Neighborhood Services Manager Armando Vergara, Community Services Recreation Superintendent Jessica Cissel and Public Works Park Superintendent Miguel Diaz.

Policy 804 (City Support for Special Events)

- Committee Members included Mayor Ron Morrison, Council Member Mona Rios, Executive Director Brad Raulston, Neighborhood Services Manager Armando Vergara, Community Services Recreation Superintendent Jessica Cissel and Public Works Park Superintendent Miguel Diaz.

Committee Goals:

- Review and recommendation of sponsored or co-sponsored events which are no longer applicable or can be added.
- Establish a specific set of parameters for sponsored & co-sponsored events and how council approves.
- Create an annual one-time approval list for sponsored & co-sponsored events to be presented to council.
- Create a process where new applicants requesting co-sponsorship can apply and be considered.
- Establish a limit where non-sponsored events can only be waived up to the \$1000/day waiver if they meet parameters of policy.

Committee Proposed **Revisions:**

- Policy title change to add “ Use of City Mobile Stage”
- Addition of definitions of City Co-Sponsored and City Sponsored Events.
- Language added for the process to request and submit co-sponsorship for non-profit applicants.
- Addition of the fee waiver limits for organizations not on the approved co-sponsored event list.

Committee Proposed **Revisions continued:**

- Policy to include the use of the City Mobile Stage.
- Removal of policy reference to City Council Policy #802.
- Addition of two new events “Job Fair” (N.C. Chamber of Commerce) and “Spirit of the Holidays” (N.C. College Campus Lions) under Co-Sponsored Events, Attachment “A”.
- Removal of one event “National City’s Got Talent” under Sponsored Events, Attachment “B”.
- Addition of “National City Service Day” (Community Services Department) under Sponsored Events, Attachment “B”. *Staff Recommendation*

Significant Changes:

- Events listed on the co-sponsored & sponsored list will be grandfathered in and will be approved annually at the beginning of every new calendar year. These listed events will not require a second council approval presentation.
- Limit amount on waiver of fees for non-sponsored events.
- Addition of two new events “Job Fair” (N.C. Chamber of Commerce) and “Spirit of the Holidays” (N.C. College Campus Lions) under Co-Sponsored Events, Attachment “A”
- Addition of “National City Service Day” (Community Services Department) under Sponsored Events, Attachment “B”. *Staff Recommendation*

Next Steps:

- Council comments and direction.
- Complete final revision.
- A supporting Resolution will be brought forward to City Council at a subsequent Council meeting for adoption of Policy 804.

Update:

- Council Policy 801 (Recreational Field and Sports Facility Rules and Regulations), 803 (Facility Use Guidelines and Regulations for the use of MLK, Community Center and Granger) and 805 (Facility Use Guidelines and Regulations for the use of Kimball Senior Center, Casa De Salud and Recreation Centers) are still under staff review. Council Policy 704 (Limitation on City approved Special Events within the City) is currently in the final review process and will also be presented for revisions and approval.



Comments & Questions?

CITY COUNCIL POLICY

TITLE: City Support for Special Events

POLICY
NUMBER 804

ADOPTED: October 3, 2006

AMENDED OR
REVISED:

August 3, 2010

Page 1 of 6

BACKGROUND:

The City Council is concerned with the increasing cost of City support of special events, examples of which are concerts, festivals, parades and sporting events which take place at City parks and facilities or in City streets and rights-of-way. The Council notes that City support of special events, be it police traffic service, fire standby service or other support, is not specially budgeted and is provided through reductions in the level of service for budgeted programs. The Council also recognizes that special events are a major part of that special lifestyle that defines National City's history and makes our city unique.

DEFINITIONS:

1. "SPECIAL EVENT" as defined in Municipal Code Section 15.60.005 means any organized activity conducted for a common or collective purpose, use or benefit which involves the utilization of, or has an impact upon, public property or facilities and the need for providing municipal and public safety services in response to the event.

Examples of Special Events include, but are not limited to:

- a. Parades.
 - b. Public concerts and other community cultural events.
 - c. Demonstrations.
 - d. Circuses.
 - e. Fairs and festivals.
 - f. Community or neighborhood block parties and street dances.
 - g. Mass participation sports (marathons, bicycles races and tours).
 - h. Film making activities.
 - i. Public speaker events.
2. "CITY SUPPORT" means any City services required to maintain minimal interference and inconvenience to the general public resulting from a Special Event.

CITY COUNCIL POLICY

TITLE: City Support for Special Events

POLICY
NUMBER 804

ADOPTED: October 3, 2006

AMENDED OR
REVISED:

August 3, 2010

Page 2 of 6

City support includes but is not limited to:

- a. Special Event permit processing.
- b. Police services.
- c. Sanitation and cleanup.
- d. Maintaining access for emergency vehicles and provision of medical care.
- e. Street closures.
- f. Use of City Stage, PA equipment and/or Information Trailer

City Support does not include internal security, crowd control and other services considered the responsibility of the Special Event Sponsor.

3. "NON PROFIT" means a non-profit tax exempt organization (501(c)(3)) that is exempted from payment of income taxes by federal or state law and which has been in existence for a minimum of six (6) months preceding the date of application for a special event.
4. "PUBLIC FACILITY" means any property, building, or public access (street, park, theater, etc.) that lies within the City and which is owned or operated by the City for public benefit or usage.
5. "EVENT ORGANIZER" means any person, group, or corporation assuming responsibility for planning, promoting, and carrying out a Special Event.
6. "CITY MANAGER" means the City Manager or designee.

PURPOSE:

It is the purpose of this policy to provide guidelines for the support of special events, consistent with the least possible disruption to normal City services.

CITY COUNCIL POLICY

TITLE: City Support for Special Events

POLICY
NUMBER 804

ADOPTED: October 3, 2006

AMENDED OR
REVISED:

August 3, 2010

Page 3 of 6

POLICY:

1. It is the policy of the City Council that to the extent that economic conditions and the City's resources allow, the City Manager may provide City support for a special event conducted by a non-profit organization. City support would be limited to a waiver of permit processing fees and the event must benefit National City residents. Examples include an event where there is insufficient time for Council approval, such as in the event of a catastrophe or an emergency situation. The City Manager shall notify the City Council of any such support on a monthly basis.
2. It is the policy of the City Council that to the extent that economic conditions and the City's resources allow, the City Manager upon City Council notification, may provide reasonable City support of up to \$1,000 per event day to non-profit special events that benefit National City residents, are held wholly within City limits, and which are listed in *Attachment A* and are considered to be City co-sponsored annual events. Additionally, the City shall absorb police costs associated with said events. The City Manager shall notify the City Council of upcoming events on a monthly basis. As a City co-sponsored event, organizations shall prominently place the City's logo in all advertising materials promoting the event and provide space for the City to set up the Information Trailer and/or information booth, per the City Council's discretion.
3. It is the policy of the City Council that to the extent economic conditions and the City's resource allow, National City will sponsor and provide community-wide annual events which are listed in *Attachment B*. Event fees that are incurred by City departments will be charged against an account designed for that purpose. The City Manager shall notify the City Council of upcoming events on a monthly basis.
4. It is the policy of the City Council that the City Manager shall charge City costs for any special event of a commercial nature; also, the City Manager shall require organizers of commercial special events to pay the City a negotiated percentage of gross revenues or a flat fee. Such revenues will be deposited into the City's General Fund.

CITY COUNCIL POLICY

TITLE: City Support for Special Events	POLICY NUMBER 804
--	----------------------

ADOPTED: October 3, 2006	AMENDED OR REVISED: August 3, 2010
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Page 4 of 6

Proceeds from a special event of a commercial nature that benefits a local non-profit organization, shall show proof of donation within 10 business days. Such proof shall be submitted to the City's Finance Department (Revenue & Recovery). Failure to provide proof of donation will result in loss of deposit and may jeopardize future use of City facilities.

5. It is the policy of the City Council that volunteer and private resources will be used in lieu of City support for special events whenever possible.
6. The use of El Toyon Park for special events is prohibited.

ORIGINAL

RELATED POLICY REFERENCES:

City Council Policy # 704 - Limitation on City Approved Special Events Within the City

City Council Policy # 801 – Field and Facility Rules and Regulations

City Council Policy # 802 - Use of the City Mobile Stage and Equipment

CITY COUNCIL POLICY

TITLE: City Support for Special Events	POLICY NUMBER 804
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ADOPTED: October 3, 2006	AMENDED OR REVISED: August 3, 2010
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ORIGINAL

ATTACHMENT 'A'

NATIONAL CITY CO-SPONSORED EVENTS

<u>Event Title</u>	<u>Non-Profit Organizer</u>	<u>Timing</u>	<u>Trailer?</u>
Chamber Installation Dinner.....	NC Chamber of Commerce.....	Feb	n/a
Granger Jr. High Cultural Fair...	Granger Jr. High.....	Spring	trailer
Miss National City Pageant.....	Miss National City Pageant.....	July	n/a
July 4 th Carnival.....	National City Host Lions Club.....	July	booth
Taste of National City	N.C. Chamber of Commerce.....	May	n/a
Auto Heritage Days.....	N.C. Chamber of Commerce.....	August	trailer
Relay for Life.....	American Cancer Society.....	August	table
Salute to Navy	N.C. Chamber of Commerce.....	October	table*
SUHI Homecoming.....	Sweetwater High.....	Fall	n/a
Community Concert Band..... Series (up to 4 concerts annually/per event)	N.C. Community Concert Band...	Quarterly	table*
Christmas in July Clean-Ups.....	Christmas in July.....	Various	n/a

*unmanned table

CITY COUNCIL POLICY

TITLE: City Support for Special Events	POLICY NUMBER 804
--	----------------------

ADOPTED: October 3, 2006	AMENDED OR REVISED:
--------------------------	------------------------

August 3, 2010

Page 6 of 6

ORIGINAL

ATTACHMENT 'B'

NATIONAL CITY SPONSORED EVENTS

<u>Event Title</u>	<u>City Department</u>	<u>Timing</u>	<u>Trailer?</u>
Chili & Salsa Cook-off.....	Library.....	Spring	trailer
Memorial Day Event.....	Community Services.....	May	n/a
Movies in the Park.....	Community Services.....	Summer	table
National Night Out.....	Police, Community Services, FFA	August	table
Summer Concert.....	Community Services.....	Fall	trailer
National City's Got Talent.....	Library.....	Fall	table
State of the City.....	Mayor's Office.....	Fall	trailer
Public Safety Fair.....	Police, Fire, Community Services	October	trailer
Tower of Terror.....	Community Services, Fire....	October	n/a
Veteran's Day Memorial.....	Community Services.....	November	n/a
Tree Lighting @ Morgan Square.....	Community Services.....	December	n/a

CITY COUNCIL POLICY

TITLE: City Support for Special Events & Use of
the City Mobile Stage

**POLICY
NUMBER:** 804

ADOPTED: PENDING

**AMENDED OR
REVISED:**

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BACKGROUND:

The City Council is concerned with the increasing cost of City support of special events, examples of which are concerts, festivals, parades and sporting events which take place at City parks and facilities or in City streets and rights-of-way. The Council notes that City support of special events, be it police traffic service, fire standby service or other support, is not specially budgeted and is provided through reductions in the level of service for budgeted programs. The Council also recognizes that special events are a major part of that special lifestyle that defines National City's history and makes our City unique.

DEFINITIONS:

1. "SPECIAL EVENT" as defined in Municipal Code Section 15.60.005 means any organized activity conducted for a common or collective purpose, use or benefit which involves the utilization of, or has an impact upon, public property or facilities and the need for providing municipal and public safety services in response to the event.

Examples of Special Events include, but are not limited to:

- a. Parades
 - b. Public concerts and other community cultural events
 - c. Demonstrations
 - d. Circuses
 - e. Fairs and festivals
 - f. Community or neighborhood block parties and street dances
 - g. Mass participation sports (marathons, bicycles races and tours)
 - h. Film making activities
 - i. Public speaker events
2. "CITY SUPPORT" means any City services required to maintain minimal interference and inconvenience to the general public resulting from a Special Event.

CITY COUNCIL POLICY

TITLE: City Support for Special Events & Use of
the City Mobile Stage

**POLICY
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City Support includes, but is not limited to:

- a. Special Event permit processing
- b. Police services
- c. Sanitation and cleanup
- d. Maintaining access for emergency vehicles and provision of medical care
- e. Street closures
- f. Use of City Stage, PA equipment and/or Information Trailer

City Support does not include internal security, crowd control and other services considered the responsibility of the Special Event Sponsor.

3. "NON PROFIT" means a non-profit tax exempt organization (501(c)(3)) that is exempted from payment of income taxes by federal or state law and which has been in existence for a minimum of six (6) months preceding the date of application for a special event.
4. "PUBLIC FACILITY" means any property, building, or public access (street, park, theater, etc.) that lies within the City and which is owned or operated by the City for public benefit or usage.
5. "EVENT ORGANIZER" means any person, group, or corporation assuming responsibility for planning, promoting, and carrying out a Special Event.
6. "CITY MANAGER" means the City Manager or designee.
7. "CITY CO-SPONSORED EVENT" means an annual event that occurs within the boundaries of National City. The co-sponsoring agency must be a National City non-profit or branch thereof and the event must benefit National City and its residents. These non-profits must submit applications on an annual basis to be considered for the City Co-sponsorship list. Applications must be submitted as a special event application to the Neighborhood Services Division. Submittal deadlines are noted annually. The current City co-sponsorship events list (Attachment A) are considered grandfathered and will not need to apply annually for approval.

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8. "CITY SPONSORED EVENT" means an annual community-wide event that is planned and managed by one or more City departments. The current City sponsored events list (Attachment "B") are considered grandfathered and will not need to apply annually for approval. These events will not require a secondary City Council approval through the TUP or Special Event process. City Council will be updated of these events on a quarterly basis.

PURPOSE:

It is the purpose of this policy to provide guidelines for the support of special events, consistent with the least possible disruption to normal City services.

POLICY:

1. It is the policy of the City Council that to the extent that economic conditions and the City's resources allow, the City Manager may provide City support for a special event conducted by a non-profit organization. City support would be limited to a waiver of permit processing fees and the event must benefit National City residents. Examples include an event where there is insufficient time for Council approval, such as in the event of a catastrophe or an emergency situation. The City Manager shall notify the City Council of any such support on a monthly basis.
2. It is the policy of the City Council that to the extent that economic conditions and the City's resources allow, the City manager upon City Council notification, may provide reasonable City support of up to \$1,000 per event day to non-profit special events that benefit National City residents, are held wholly within City limits, and which are listed in *Attachment A* and are considered to be City co-sponsored annual events. Additionally, the City shall absorb police costs associated with said events. Any new non-profit applicant (not on Attachment A) requesting co-sponsorship must apply to be considered for the City co-sponsored event list which will be reviewed annually by the 804 policy committee. The 804 policy committee will recommend changes to the co-sponsored event list only when required on an annual basis (per Section 7 of Definitions- page 2). As a City co-sponsored event, organizations shall prominently place the City's logo in all advertising materials promoting the event and provide space for the City to set up an information booth, per the City Council's discretion. Any special events that are not part of the annually approved co-sponsored list can be brought before City Council for

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consideration via the TUP or special event process, however, fees can only be waived up to the same level (\$1000/day) as a co-sponsored event. Attachments "A" and "B" are the current list of approved co-sponsored and sponsored events respectively. All new events must apply for co-sponsorship through the annual process.

3. It is the policy of the City Council that to the extent economic conditions and the City's resource allow, National City will sponsor and provide community-wide annual events which are listed in *Attachment B*. Event fees that are incurred by City departments will be charged against an account designed for that purpose. The City Manager shall notify the City Council of upcoming events on a quarterly basis.

4. It is the policy of the City Council that the City Manager shall charge City costs for any special event of a commercial nature; also, the City Manager shall require organizers of commercial special events to pay the City a negotiated percentage of gross revenues of a flat fee. Such revenues will be deposited into the City's General Fund.

Proceeds from a special event of a commercial nature that benefits a local non-profit organization, shall show proof of donation within 10 business days. Such proof shall be submitted to the City's Finance Department (Revenue & Recovery). Failure to provide proof of donation will result in loss of deposit and may jeopardize future use of City facilities.

5. It is the policy of the City Council that volunteer and private resources will be used in lieu of City support for special events whenever possible.

6. The use of El Toyon Park for special events is prohibited.

7. Use of mobile stage- The mobile stage shall be used only on City parklands, and/or other public property within the limits of National City. Regular use that is approved annually includes starred events on Attachments "A" and "B". Any events outside this purview and requesting use of the City stage must apply through the special event process. The USER of the stage shall be responsible for any damage to the unity resulting from carelessness or misuse.

CITY COUNCIL POLICY

TITLE: City Support for Special Events & Use
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RELATED POLICY REFERENCES:

City Council Policy # 704 – Limitation on City Approved Special Events within the City

City Council Policy # 801 – Field and Facility Rules and Regulations

~~City Council Policy # 802 – Use of the City Mobile Stage and Equipment~~

CITY COUNCIL POLICY

TITLE: City Support for Special Events & Use
of the City Mobile Stage

POLICY NUMBER: 804

ADOPTED: PENDING

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ATTACHMENT 'A'

NATIONAL CITY CO-SPONSORED EVENTS

<u>Event Title</u>	<u>Non-profit Organizer</u>	<u>Timing</u>
Chamber Installation Dinner	N.C. Chamber of Commerce	Feb
Granger Jr. High Cultural Fair*	Granger Jr. High	Spring
Job Fair	N.C. Chamber of Commerce	Spring
Miss National City Pageant*	Miss National City Pageant	July
July 4 th Carnival*	National City Host Lions Club	July
Taste of National City	N.C. Chamber of Commerce	May
Auto Heritage Days*	N.C. Chamber of Commerce	August
Relay for Life*	American Cancer Society	August
Salute to Navy	N.C. Chamber of Commerce	October
Sweetwater High Homecoming	Sweetwater High	Fall
Community Concert Band Series (up to 4 concerts annually/per year)	N.C. Community Concert Band	Quarterly
Spirit of the Holidays	N.C. College Campus Lions	December
Christmas in July Clean-Ups	Christmas in July	Various

CITY COUNCIL POLICY

TITLE: City Support for Special Events & Use
of the City Mobile Stage

**POLICY
NUMBER:** 804

ADOPTED: PENDING

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ATTACHMENT 'B'

NATIONAL CITY SPONSORED EVENTS

<u>Event Title</u>	<u>Non-profit Organizer</u>	<u>Timing</u>
Movies in the Park	Community Services	Summer
National Night Out	Police, Community Services, FFA	August
9/11 Remembrance Ceremony	Fire	September
National City's Got Talent	Library	Fall
State of the City	Mayor's Office	Fall
Tower of Terror*	Community Services, Fire	October
Veteran's Day	Community Services	November
Christmas @ Brick Row - Tree Lighting	Community Services	December
National City Service Day*	Community Services	April

The following page(s) contain the backup material for Agenda Item: Report on the status of the San Diego Pooled Insurance Program Authority (SANDPIPA). (Risk Management)

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

MEETING DATE: January 20, 2015

AGENDA ITEM NO. |

ITEM TITLE:

Report on the status of the San Diego Pooled Insurance Program Authority (SANDPIPA)

PREPARED BY: Stacey Stevenson

DEPARTMENT: Risk Management

PHONE: 336-4308

APPROVED BY:

EXPLANATION:

Refer to attached staff report

FINANCIAL STATEMENT:

APPROVED: _____ **Finance**

ACCOUNT NO.

APPROVED: _____ **MIS**

N/A

ENVIRONMENTAL REVIEW:

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

ORDINANCE: INTRODUCTION:

FINAL ADOPTION:

STAFF RECOMMENDATION:

Accept and file the report

BOARD / COMMISSION RECOMMENDATION:

N/A

ATTACHMENTS:

Staff Report



City Council Staff Report

January 20, 2015

ITEM

Staff Report: Report on the Status of the San Diego Pooled Insurance Program Authority (SANDPIPA)

BACKGROUND

On September 23, 1986, the City Council of the City of National City adopted Council Resolution 15,088 authorizing the City to join the newly created San Diego Pooled Insurance Program Authority (SANDPIPA). SANDPIPA was created as a Joint Powers Authority (JPA) under the provisions of Government Code Sections 990.4, 990.8 and 6508 for the purpose of establishing and administering an insurance program involving risk sharing; to reduce the amount of frequency of losses; and to decrease the cost incurred by cities handling and litigation of claims. Under the provisions of the joint powers agreement, cities pool certain losses, claims, and funds, and jointly purchase excess insurance, administrative and other services.

In 1993, SANDPIPA hired a full-time General Manager to handle day to day operations of the JPA, including liability claims monitoring, fiscal oversight, broker management and industry oversight of SANDPIPA. Work is performed from the General Manager's home office. Underwriting, bookkeeping, legal counsel, audit services (claims and financial), and actuarial analysis services are provided by contractors.

The JPA is governed by a Board that is comprised of one representative and an alternate from each member city. Today the JPA has twelve member cities:

- Chula Vista
- Coronado
- Del Mar
- Encinitas
- Escondido
- Imperial Beach
- Lemon Grove
- National City
- Oceanside
- Santee
- Solana Beach
- Vista

DISCUSSION

Having received notice from the General Manager of her intent to retire within an approximate 24 month period, the SANDPIPA Board began an exploratory process of succession planning.

Contracting for the services of Bickmore, a risk management consulting firm as the facilitator, the board explored its range of options: maintaining the current program model; enhancing the current model by adding an Assistant General Manager and renting formal office space; merging the JPA with another existing pool; contracting with a firm for pool administration; and dissolving of the JPA. In a recent action, the majority of the Board voted to contract for pool administration in lieu of hiring a new employee General Manager. The change is intended to provide increased access to data systems, and provide enhance support to the Board that comes with working with a firm with a depth of employees (verses one in-house staff position). The change could increase responsiveness to member cities and strengthen the JPA's ability to respond to industry shifts. The change would also eliminate the JPA's employment liability.

Independent of the Board's succession planning, exercising the provision of Article 22 of the joint powers agreement, a member City submitted formal notice of its intent to withdraw from the JPA as of July 1, 2015. The intent of the notice was to provide said City with the opportunity to explore other alternatives that might be more economically advantageous to their circumstances. Notices of intent are not final and can be withdrawn with the consent of the Board. Given the notice, the Board made a decision to analyze the impact the withdrawal would have on the other cities remaining in the JPA. The Board also agreed to allow other individual member cities to seek initial quotes from the State insurance pool. Whereas SANDPIPA is a small regional risk sharing pool, the State pool includes member counties and cities across California thus, the State pool has greater buying power. The full matter was scheduled for discussion at the Board's January 29, 2015 meeting.

Initial, non-binding estimates were received from the State pool in December, 2014, and distributed to the Board. These early estimates indicate that most member cities, including National City could likely see a reduction in premium costs by moving to the State pool. In late December, 2014, the City of National City became aware that seven other cities submitted notices of intent to withdraw also as of July 1, 2015.

The most recent financial data provided November 6, 2014 shows that the JPA is fiscally healthy. However, it can be assumed that if 67% of the member cities (8 of 12) opt to withdraw, the program will no longer be viable. Given that, at the direction of the City Manager, as a preservation of rights and as a protection of the City's interests, on December 26, 2014 the City of National City submitted a notice of intent to withdraw effective July 1, 2015. It is still National City's desire to work with the other member cities to determine the best course of action for the JPA, considering the interests of all member cities. Again, the notice was submitted as a preservation of rights and can be withdrawn. All information received to date is preliminary, requiring more extensive analysis.

As stated above, there is a Board meeting scheduled for January 29, 2015. It is anticipated that options will be discussed, including the process and impact of dissolving the JPA should that become necessary. While dissolution was not the course of action adopted by the Board, current circumstances (the potential loss of 67% of current membership) will likely warrant a revisiting of that option by the Board. In addition, staff will continue our own internal analysis and review

of options. This report is intended to provide a preliminary overview of the current situation. As more information becomes available, additional detailed reports will be provided to the City Council as well as requests for direction.

RECOMMENDATION

Accept and file the report.

FISCAL IMPACT

There is no fiscal impact associated with this report at this time. A fiscal analysis will be provided in future reports.

The following page(s) contain the backup material for Agenda Item: City Council
Summer Legislative Recess. (City Manager)

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

MEETING DATE: January 20, 2015

AGENDA ITEM NO. |

ITEM TITLE:

City Council Summer Legislative Recess

PREPARED BY: Leslie Deese, City Manager

PHONE: 619-336-4240

DEPARTMENT: City Manager

APPROVED BY: 

EXPLANATION:

See attached Staff Report.

FINANCIAL STATEMENT:

ACCOUNT NO. N/A

APPROVED: _____ Finance

APPROVED: _____ MIS

ENVIRONMENTAL REVIEW:

N/A

ORDINANCE: INTRODUCTION: FINAL ADOPTION:

STAFF RECOMMENDATION:

Request Council direction.

BOARD / COMMISSION RECOMMENDATION:

N/A

ATTACHMENTS:

Staff Report

City Council Summer Legislative Recess

In 2014, the City Council observed a summer legislative recess to provide city staff and elected officials an opportunity to catch up on work, reenergize after a lengthy budget process, and prepare for the start of a new fiscal year. The purpose of this agenda item is to determine whether the City Council wants to consider a summer recess in 2015.

Observing a legislative recess from a city's council meeting schedule is practiced by a majority of San Diego County cities that recess both in the summer and winter. As shown in the attached survey, some cities, and quasi-governmental entities as SANDAG, recess over an entire month, generally in the summer. While National City does not have a formal recess scheduled for summer or winter, due to the holiday/furlough closure, we have traditionally adjusted the meeting schedule in December and January to either dispense with or move one of more of the regular Tuesday meetings. Last year, the City Council voted to recess the month of July, and in 2013, the Council voted to recess and dispense with the second meeting in July.

Provided for reference is a calendar of upcoming meetings, community events and observed holidays for the summer months. Please note that the calendar reflects only those events that we have dates for; additionally, some of the events listed are pending Council approval.

National City Municipal Code Section 2.04.202 states, in part, that "Any regular meeting may be dispensed with by vote of the City Council." If the Council desires to dispense with one of more regular meetings, you may do so by minute action which would provide all interested parties with advanced notice for planning purposes. Council may also direct staff to bring a policy formalizing a winter and/or summer recess.

June

- 2 – *City Council Meeting/Budget Hearing/Labor Agreements*
- 7- "National City Day" at San Diego County Fair
- 10 – Tiny Tot Graduation
- 12 – Summer Movies in the Park
- 16 – *City Council Meeting/Budget Hearing/Labor Agreements*
- 30 – Fifth Tuesday

July

- 4 – Independence Day (holiday falls on Saturday; City Hall will be closed on July 2nd in observance of holiday)
- 1-5 – Lions Club Independence Day Carnival
- 7 – *City Council Meeting*
- 10 – Summer Movies in the Park
- 21 – *Parking Authority Meeting***
- 21 – *City Council Meeting*
- 23 – Special Olympics Event in National City (Delegates will be in and around South Bay July 22- July 24th)

August

- 4 – *City Council Meeting*
- 4- National Night Out
- 8 – Auto Heritage Festival & Car Show
- 14- Summer Movies in the Park
- 15- Relay for Life
- 18 – *Joint Powers Financing Authority Meeting*
- 18 – *City Council Meeting*

September

- 1 – *City Council Meeting*
- 7 – Labor Day (City Hall Closed)
- 11 – 9/11 Memorial Ceremony
- 11 – Summer Movies in the Park
- 15 – *City Council Meeting*
- 29 – Fifth Tuesday

** Meeting dates can be changed if necessary

Carlsbad

Meets: 3x month (twice on Tuesdays at 6 p.m. once at 9 a.m.)
Summer: recess for the week of August 3th and August 14th
Winter: regular meetings

Chula Vista

Meets: 4x month (1st four Tuesday's)
Summer: does not have summer recess
Winter break: week of Christmas and New years' week

Coronado

Meets: 2x month (1st & 3rd Tuesday)
Summer: does not have summer recess
Winter: one meeting in December

Del Mar

Meets: 2x month (1st & 3rd Monday)
Summer: recess for the whole month of August
Winter: one meeting in December

El Cajon

Meets: 2x month (2nd & 4th Tuesday)
Summer: does not have summer recess
Winter break: only one meeting in December

Encinitas

Meets: 3x month (2nd, 3rd & 4th Wednesday)
Summer: recess from July 22 – August 20
Winter: cancelled the last meeting in December

Escondido

Meets: 4x month (1st four Wednesday)
Summer: July 22 – August 11
Winter: Dec 16th – January 5th

Imperial Beach

Meets: 2x month (1st & 3rd Wednesday)
Does not have summer or winter recess

La Mesa

Meets: 2x month (2nd & 4th Tuesday)
Summer: only one meeting in August
Winter: December 24th - January 27th

Lemon Grove

Meets: 2x month (1st & 3rd Tuesday)

Does not have summer or winter recess

National City

Meets: 2x month (1st & 3rd Tuesday)

Summer: recess for the whole month of July

Holiday/furlough closure between Christmas and New Year's Day.

Oceanside

Meets: 2x month (1st & 3rd Wednesday)

Summer: recess for the whole month of July

Winter: regular meetings

Poway

Meets: 2x month (1st & 3rd Tuesday)

Does not have summer or winter recess

San Diego

Meets: 2x/week (Monday & Tuesday) of every week

Summer: off the first week of July, the whole month of August and the week of September 1st

Winter: off the week of November 3rd and November 24th; off the week of the December 1st, 15th, 22nd and 29th

San Marcos

Meets: 2x month (2nd & 4th Tuesday)

Do not have summer or winter recess

Santee

Meets: 2x month (2nd & 4th Wednesday)

Summer: first meeting off on August 13th

Winter: one Council meeting in November and one in December

Solana Beach

Meets: 2x month (2nd & 4th Wednesday)

Summer: only one Council meeting in July and one in August

Winter: one Council meeting in November and one in December

Vista

Meets: 2x month (2nd & 4th Tuesday)

Summer: off for the whole month of July

Winter: off for the last council meet on December 24th

The following page(s) contain the backup material for Agenda Item: Update on the Library's Radio Frequency Identification (RFID) System Conversion Project. (Library)

Item #

January 20, 2015

Report on the Library's Radio Frequency Identification
(RFID) System Conversion Project. (Library)