

**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, SEPTEMBER 18, 2018 – 6:00 PM**

**RON MORRISON**  
*Mayor*

**ALBERT MENDIVIL**  
*Vice Mayor*

**JERRY CANO**  
*Councilmember*

**MONA RIOS**  
*Councilmember*

**ALEJANDRA SOTELO-SOLIS**  
*Councilmember*

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

*Meeting agendas and  
minutes available on web*

**WWW.NATIONALCITYCA.GOV**

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

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

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

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

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

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

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

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

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

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

**OPEN TO THE PUBLIC**

**A. CITY COUNCIL**

**CALL TO ORDER**

**ROLL CALL**

**PLEDGE OF ALLEGIANCE TO THE FLAG**

**PUBLIC COMMENTS (THREE-MINUTE TIME LIMIT)**

**PROCLAMATIONS**

1. [MTS Free Ride Day](#)

**AWARDS AND RECOGNITIONS**

2. [Recognition of Outgoing Student Council Representative, Erika Gastelum, and Introduction of Incoming Student Council Representative, Danielle Cruz. \(City Clerk\)](#)
3. [Retiree Service Recognition - Police Sergeant Dennis J. Leach. \(Police\)](#)
4. [Employee of the Quarter 2018 - Tonya Hussain, Executive Secretary. \(Planning\)](#)
5. [Receipt of the Certificate of Achievement for Excellence in Financial Reporting for the City of National City's Comprehensive Annual Financial Report and the Award of Outstanding Achievement in Popular Annual Financial Reporting for the City of National City's Popular Annual Financial Report from the Government Finance Officers Association for the fiscal year ended June 30, 2017. \(Finance\)](#)

**PRESENTATIONS**

**INTERVIEWS / APPOINTMENTS**

6. [Interviews and Appointments: Traffic Safety Committee. \(City Clerk\)](#)

**CONSENT CALENDAR**

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

8. [Resolution of the City Council of the City of National City: 1\) accepting the work performed by Tri-Group Construction and Development, Inc. for the 18th Street Pedestrian and Bicycle Enhancements Project, CIP No. 16-10; 2\) approving the final contract amount of \\$929,082.51; 3\) ratifying the release of retention in the amount of \\$45,889.88; and 4\) authorizing the Mayor to sign the Notice of Completion for the project. \(Engineering/Public Works\)](#)
9. [Resolution of the City Council of the City of National City: 1\) accepting the work performed by PAL General Engineering, Inc. for the Wilson Avenue and W. 22nd Street Improvements Project, CIP No. 17-19; 2\) approving the final contract amount of \\$369,659.12; 3\) authorizing the release of retention in the amount of \\$18,482.96; and 4\) authorizing the Mayor to sign the Notice of Completion for the project. \(Engineering/Public Works\)](#)
10. [Resolution of the City Council of the City of National City authorizing the installation of red curb "No Parking" on the east side of National City Blvd, north side of the driveway adjacent to the 2829 National City Blvd., Frank Subaru business, in order to provide appropriate clearance and access onto National City Blvd. \(TSC No. 2018-20\). \(Engineering/Public Works\)](#)
11. [Resolution of the City Council of the City of National City authorizing the installation of red curb "No Parking" at the intersection of E. 24th Street and "J" Avenue to enhance visibility and access from "J" Avenue onto E. 24th Street \(TSC No. 2018-21\). \(Engineering/Public Works\)](#)
12. [Resolution of the City Council of the City of National City authorizing the installation of 230 feet of "No Parking" signage on the east side of 400-500 block of "T" Avenue to enhance safety for vehicles traveling on "T" Avenue \(TSC No. 2018-22\). \(Engineering/Public Works\)](#)
13. [Resolution of the City Council of the City of National City: 1\) ratifying the acceptance of the California Library Literacy Services \(CLLS\) Grant in the amount of \\$18,000 to fund the National City Library's literacy services program for FY 2019; and 2\) authorizing the establishment of Library Grants Fund appropriations totaling \\$18,000 and a corresponding revenue budget. \(Library\)](#)
14. [Resolution of the City Council of the City of National City: 1\) authorizing the acceptance of the San Diego Unified Port District's Tidelands Activation Grant funds of \\$10,000 and \\$3,330 in services provided by the San Diego Unified Port District for special events at the National City Aquatic Center and Pepper Park, with no matching funds required; 2\) authorizing the City Manager to execute an agreement between the City of National City and the San Diego Unified Port District to receive FY19 Tidelands Activation Grant funds; and 3\) authorizing the establishment of](#)



- a Reimbursable Grants Citywide Fund appropriation of \$10,000 and corresponding revenue budget. (Community Services)
15. Resolution of the City Council of the City of National City authorizing an increase of \$15,000 to the Community Services Department's General Fund Contract Services appropriation and use of General Fund unassigned fund balance for the EXOS contract to operate Las Palmas Pool in FY18. (Community Services)
  16. Resolution of the City Council of the City of National City designating the officials authorized to order the deposit and withdrawal of City monies with the Local Agency Investment Fund (LAIF) on behalf of the City of National City. (Finance)
  17. Resolution of the City Council of the City of National City designating the officials authorized to order the deposit and withdrawal of City monies with financial institutions on behalf of the City of National City. (Finance)
  18. Resolution of the City Council of the City of National City accepting the written statement that no further changes are needed at this time to the Conflict of Interest Code which incorporates by reference the Fair Political Practices Commission's Standard Model Conflict of Interest Code, currently in effect through Resolution No. 2016-131. (City Attorney)
  19. National City Sales Tax Update Newsletter - First Quarter 2018. (Finance)
  20. Investment Report for the quarter ended June 30, 2018. (Finance)
  21. Warrant Register #7 for the period of 08/08/18 through 08/14/18 in the amount of \$1,759,826.86. (Finance)
  22. Warrant Register #8 for the period of 08/15/18 through 08/21/18 in the amount of \$687,978.46. (Finance)

#### **PUBLIC HEARINGS: ORDINANCES AND RESOLUTIONS**

23. Public Hearing and Adoption of a Resolution by the City Council of the City of National City establishing Residential Permit Parking District L on both sides of Bucky Lane, valid daily from 5:00 p.m. to 8:00 a.m. (TSC 2018-16). (Engineering/Public Works)

#### **NON CONSENT RESOLUTIONS**

#### **NEW BUSINESS**

24. Request for City Council direction on amending Chapters 9.37, 9.38, and 10.52 of the City of National City Municipal Code to regulate the use of Electronic Smoking Devices. (Planning)

25. [Staff report seeking City Council direction on proposed changes to sample Contractor Responsibility Ordinance. \(Engineering/Public Works and City Attorney\)](#)
26. [Discussion and consideration of \(1\) a motion to direct the City Attorney to hire outside counsel to conduct an investigation into the allegations that while members of the Rotary Club, Councilmember Mona Rios and past chairman of the Planning Commission Marcus Bush, violated California Government Code Section 87100 or any other State laws that relate to public officials; and \(2\) a motion to determine and authorize the establishment of an appropriation from the general fund to fund the investigation. \(City Attorney\)](#)

**B. COMMUNITY DEVELOPMENT COMMISSION - HOUSING AUTHORITY**

**CONSENT RESOLUTIONS - HOUSING AUTHORITY**

**PUBLIC HEARINGS: RESOLUTIONS - HOUSING AUTHORITY**

**NON CONSENT RESOLUTIONS - HOUSING AUTHORITY**

**NEW BUSINESS - HOUSING AUTHORITY**

**C. REPORTS**

**STAFF REPORTS**

27. [Update on the status of finalizing Maintenance and Operating Agreements with the National City Historical Society, National City Living History Farm Preserve \(Stein Farm\), and the San Diego Electric Railway Association. \(Housing & Economic Development\).](#)

**MAYOR AND CITY COUNCIL**

**CLOSED SESSION REPORT**

**ADJOURNMENT**

Regular Meeting of the City Council and Community Development Commission - Housing Authority of the City of National City - Tuesday - October 2, 2018 - 6:00 p.m. - Council Chambers - National City, California.

The following page(s) contain the backup material for Agenda Item: [MTS Free Ride Day](#)  
Please scroll down to view the backup material.

**Item # \_\_\_\_**  
**09/18/18**

**MTS FREE RIDE DAY**

**Proclamation Forthcoming**

The following page(s) contain the backup material for Agenda Item: [Recognition of Outgoing Student Council Representative, Erika Gastelum, and Introduction of Incoming Student Council Representative, Danielle Cruz. \(City Clerk\)](#)

Please scroll down to view the backup material.

Item # \_\_\_\_  
09/18/18

**RECOGNITION OF OUTGOING STUDENT COUNCIL  
REPRESENTATIVE, ERIKA GASTELUM, AND INTRODUCTION  
OF INCOMING STUDENT COUNCIL REPRESENTATIVE,  
DANIELLE CRUZ.**

(City Clerk)

The following page(s) contain the backup material for Agenda Item: [Retiree Service Recognition - Police Sergeant Dennis J. Leach. \(Police\)](#)  
Please scroll down to view the backup material.





City of National City  
**MEMORANDUM**

DATE: September 5, 2018

TO: Esther Clemente, Executive Assistant IV (City Manager's Office)  
Josie Flores-Clark, Executive Assistant IV (Mayor's Office)

FROM: Lilia Muñoz, Human Resources Analyst 

SUBJECT: **RETIREE SERVICE RECOGNITION**

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The following City employee will be retiring with 29 years of service with the City of National City on September 14, 2018:

**NAME:** Dennis J. Leach  
**POSITION:** Police Sergeant  
**HIRED:** March 21, 1989

As part of the Retiree Recognition Program, the employee wishes to have the opportunity to receive a City Council Recognition at the Council Meeting of **Tuesday, September 18, 2018 at 6pm.**

If this is acceptable, please make the necessary arrangements. The retiree letter and gift card selection memo will be sent prior to the meeting.

Thank you.

cc: Manuel Rodriguez, Chief of Police  
Dennis Leach, Police Sergeant

H:\Recognition Program

The following page(s) contain the backup material for Agenda Item: [Employee of the Quarter 2018 - Tonya Hussain, Executive Secretary. \(Planning\)](#)  
Please scroll down to view the backup material.



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

DATE: September 5, 2018  
TO: Leslie Deese, City Manager  
FROM: Irene Mosley, Interim Human Resources Director *IMW*  
SUBJECT: EMPLOYEE OF THE QUARTER PROGRAM

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

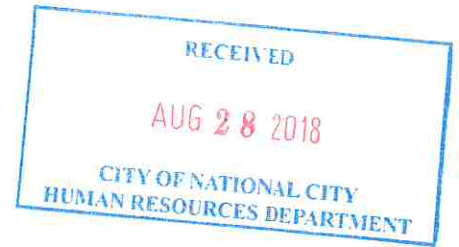
The employee to be recognized for the 3<sup>rd</sup> Quarter of calendar year 2018 is:

**Tonya Hussain – Executive Secretary**

*By copy of this memo, the employee is invited to attend the Council meeting on Tuesday, September 18<sup>th</sup> to be recognized for her achievement and service.*

Attachment

cc: Tonya Hussain  
Brad Raulston – Deputy City Manager  
Martin Reeder – Acting Planning Director  
Josie Flores-Clark – Executive Assistant  
Human Resources – Office File



## Performance Recognition Award Nomination Form

We nominate Tonya Hussain for the Performance Recognition Award for the following reasons:

Please state reason why your nominee should receive an award, (i.e., examples of service beyond requirements of position, exemplary service to the public, outstanding job performance, etc). Do not to exceed 150 total words. Please be as specific as possible when giving your examples.

Tonya has been an exemplary employee since she first came on board with the City. Her previous work experience, both public and private, have helped her to transition seamlessly into our employee community, and have helped it to thrive ever since.

Tonya epitomizes the City's core values in everything that she does, both as a public servant and also as a colleague:


Her *commitment* is apparent through her seeing all projects through to fruition, no matter the role she plays; Her *customer service* is evidenced by her readiness to reach out to vendors and City consultants, as well as her role to the public in her role as Planning Commission secretary; Her *courtesy* can be seen both to the public and to her colleagues through her ability to be inclusive of all stakeholders; Her *communication* is second to none in that no issue is forgotten, no meeting reminder goes unchecked, and task deadlines are followed up on with time to spare; Her *Collaboration* is omnipresent, most recently demonstrated through her organizational role in the fee update, but is also evident in all that she does, from meeting requests, to organizing birthday cakes and cards for employees, and for generally always lending a hand without complaint and almost always voluntarily.

In short, Tonya is a professional, efficient, and friendly person who truly makes City Hall, especially the Planning Department, an enjoyable place to work. Her smile, positive attitude, and effervescent personality are always welcome, particularly on difficult days. Tonya is a truly integral part of the City and it is our pleasure and privilege to nominate her for the Employee of the Quarter.

**FORWARD COMPLETED NOMINATION TO:**

National City Performance Recognition Program  
Human Resources Department

Nominated by: Martin Reeder, Acting Planning Director and Brad Raulston, Deputy City Manager

Signature:  Date: August 28, 2019

The following page(s) contain the backup material for Agenda Item: [Receipt of the Certificate of Achievement for Excellence in Financial Reporting for the City of National City's Comprehensive Annual Financial Report and the Award of Outstanding Achievement in Popular Annual Financial Reporting for the City of National City's Popular Annual Financial Report from the Government Finance Officers Association for the fiscal year ended June 30, 2017. \(Finance\)](#)

Please scroll down to view the backup material.

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

**MEETING DATE:** September 18, 2018

**AGENDA ITEM NO.:**

**ITEM TITLE:**

Receipt of the Certificate of Achievement for Excellence in Financial Reporting for the City of National City's Comprehensive Annual Financial Report and the Award for Outstanding Achievement in Popular Annual Financial Reporting for the City of National City's Popular Annual Financial Report from the Government Finance Officers Association for the fiscal year ended June 30, 2017.

**PREPARED BY:** Mark Roberts, Director of Finance

**PHONE:** 619-336-4330

**DEPARTMENT:** Finance

**APPROVED BY:** Mark Roberts

**EXPLANATION:**

See attached explanation.

**FINANCIAL STATEMENT:**

**ACCOUNT NO.**  
NA

**APPROVED:** Mark Roberts **FINANCE**  
**APPROVED:** \_\_\_\_\_ **MIS**

**ENVIRONMENTAL REVIEW:**

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

**ORDINANCE:** INTRODUCTION  FINAL ADOPTION

**STAFF RECOMMENDATION:**

**BOARD / COMMISSION RECOMMENDATION:**

**ATTACHMENTS:**

1. Certificate of Achievement for Excellence in Financial Reporting
2. Award for Outstanding Achievement in Popular Annual Financial Reporting



## Attachment

Receipt of the Certificate of Achievement for Excellence in Financial Reporting for the City of National City's Comprehensive Annual Financial Report and the Award for Outstanding Achievement in Popular Annual Financial Reporting for the City of National City's Popular Annual Financial Report from the Government Finance Officers Association for the fiscal year ended June 30, 2017.  
September 18, 2018

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### **Explanation**

The Government Finance Officers Association (GFOA) has awarded its Certificate of Achievement for Excellence in Financial Reporting to the City of National City for its Comprehensive Annual Financial Report (CAFR) for fiscal year 2017. The GFOA has also awarded its Award for Outstanding Achievement in Popular Annual Financial Reporting to the City for its Popular Annual Financial Report (PAFR) for fiscal year 2017.

The Certificate of Achievement for Excellence in Financial Reporting is the highest form of recognition in the area of governmental accounting and financial reporting, and its attainment represents a significant accomplishment by a government and its management. In order to receive the award, a governmental unit must publish an easily readable and efficiently organized CAFR that satisfies both generally accepted accounting principles and applicable program requirements.

In order to receive the Award for Outstanding Achievement in Popular Annual Financial Reporting, a governmental unit must publish a PAFR whose contents conform to program standards of creativity, presentation, understandability, and reader appeal.

The awards are valid for a period of one year only. We believe the fiscal year 2018 CAFR and PAFR will continue to meet the GFOA programs' requirements, and we will submit each of them to the GFOA to determine their eligibility for another award.



Government Finance Officers Association

Certificate of  
Achievement  
for Excellence  
in Financial  
Reporting

Presented to

**City of National City  
California**

For its Comprehensive Annual  
Financial Report  
for the Fiscal Year Ended

**June 30, 2017**

*Christopher P. Morrill*

Executive Director/CEO



Government Finance Officers Association

**Award for  
Outstanding  
Achievement in  
Popular Annual  
Financial Reporting**

Presented to

**City of National City  
California**

For its Annual  
Financial Report  
for the Fiscal Year Ended

**June 30, 2017**

*Christopher P. Morill*

Executive Director/CEO

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

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

**MEETING DATE:** September 18, 2018

**AGENDA ITEM NO.** |

**ITEM TITLE:**

Interviews and Appointments: Traffic Safety Committee. (City Clerk)

**PREPARED BY:** Michael R. Dalla

**DEPARTMENT:** City Clerk

**PHONE:** 619-336-4226

**APPROVED BY:** 

**EXPLANATION:**

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

There is one (1) vacancy on the Traffic Safety Committee and there are two (2) expiring terms (**Delgado** and **Moon**). **Coyote Moon** requests reappointment. **Mr. Delgado** does not wish to be reappointed. There is one (1) new applicant (**Richard Sherman**).

<u>Name</u>	<u>Interviewed</u>
Richard Sherman	No

**FINANCIAL STATEMENT:**

**ACCOUNT NO.** |

**APPROVED:** \_\_\_\_\_ **Finance**

**APPROVED:** \_\_\_\_\_ **MIS**

**ENVIRONMENTAL REVIEW:**

**ORDINANCE:** INTRODUCTION:  FINAL ADOPTION:

**STAFF RECOMMENDATION:**

Interview and appoint as desired.

**BOARD / COMMISSION RECOMMENDATION:**

**ATTACHMENTS:**

Application |

CITY OF NATIONAL CITY

APPLICATION FOR APPOINTMENT TO CITY BOARDS, COMMISSIONS, AND COMMITTEES

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

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

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

Name: Richard Sherman E-Mail: r.sherman54@yahoo.com

Home Address: 929 1/2 Hoover Ave. Tel. No.: 619 381-0223

Business Affiliation: — Title: —

Business Address: — Tel. No.: —

Length of Residence in National City: 56 yrs San Diego County: — California: —

Educational Background: High School

Occupational Experience: DRIVER

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.

Date: 2018 JUN 19 P 4:26 Signature: [Signature]

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

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

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

# BOARDS, COMMISSIONS & COMMITTEES

## Meeting Times and Locations

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### **CIVIL SERVICE COMMISSION**

Second Thursday of every other month  
5:30 p.m. – City Hall Large Conference Room

### **COMMUNITY AND POLICE RELATIONS COMMISSION**

Third Thursday of February, May, August & November  
6:00 p.m. – City Council Chambers

### **LIBRARY BOARD OF TRUSTEES**

Second Wednesday of every month  
4:30 p.m. – National City Public Library

### **PARKS, RECREATION & SENIOR CITIZENS ADVISORY BOARD**

Third Thursday of every month  
4:00 p.m. – City Hall Large Conference Room

### **PLANNING COMMISSION**

First and Third Monday of every month  
6:00 p.m. – City Council Chambers

### **PUBLIC ART COMMITTEE**

Fourth Tuesday of January, April, July, October  
3:00 p.m. – City Hall Large Conference Room

### **TRAFFIC SAFETY COMMITTEE**

Second Wednesday of every month  
2:00 p.m. – City Hall Large Conference Room

### **VETERANS & MILITARY FAMILIES ADVISORY COMMITTEE**

Quarterly  
Dates, time and location to be determined

RECEIVED  
CITY CLERK

2018 JUN 19 P 2:28

CITY OF NATIONAL CITY



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

Please scroll down to view the backup material.

Item # \_\_\_\_  
09/18/18

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

(City Clerk)

The following page(s) contain the backup material for Agenda Item: [Resolution of the City Council of the City of National City: 1\) accepting the work performed by Tri-Group Construction and Development, Inc. for the 18th Street Pedestrian and Bicycle Enhancements Project, CIP No. 16-10; 2\) approving the final contract amount of \\$929,082.51; 3\) ratifying the release of retention in the amount of \\$45,889.88; and 4\) authorizing the Mayor to sign the Notice of Completion for the project. \(Engineering/Public Works\)](#)

Please scroll down to view the backup material.

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

**MEETING DATE:** September 18, 2018

**AGENDA ITEM NO.**

**ITEM TITLE:**

Resolution of the City Council of the City of National City: 1) accepting the work performed by Tri-Group Construction and Development, Inc. for the 18<sup>th</sup> Street Pedestrian and Bicycle Enhancements Project, CIP No. 16-10; 2) approving the final contract amount of \$929,082.51; 3) ratifying the release of retention in the amount of \$45,889.88; and 4) authorizing the Mayor to sign the Notice of Completion for the project.

**PREPARED BY:** Jose Lopez, P.E., Assistant Engineer - Civil

**DEPARTMENT:** Engineering/Public Works

**PHONE:** 619-336-4312

**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 Resolution accepting the work performed by Tri-Group Construction and Development, Inc. for the 18<sup>th</sup> Street Pedestrian and Bicycle Enhancements Project, CIP No. 16-10 and approving the final contract amount of \$929,082.51.

**BOARD / COMMISSION RECOMMENDATION:**

N/A

**ATTACHMENTS:**

1. Explanation
2. Notice of Completion
3. Final Contract Balance Report
4. Resolution

## EXPLANATION

The 18<sup>th</sup> Street Pedestrian and Bicycle Enhancements Project, CIP No. 16-10, provided approximately 0.75 miles of Class III bicycle facilities from Palm Avenue to Granger Avenue, completing a large east-west system gap consistent with the City's Bicycle Master Plan. The project resurfaced this segment of E. 18<sup>th</sup> Street to provide a smooth roadway surface for bicyclists, while also addressing the deteriorating pavement. Additionally, the project included the installation of traffic calming curb extensions, and lighting and landscape improvements at the intersection of 18<sup>th</sup> Street and Lanoitan Avenue. Per requests from the community, red curbs were added near Las Palmas Park to help enhance sight distance and sidewalk panels will be replaced in key locations to provide American with Disabilities Act (ADA) access along the corridor. The project also connected with ten bus stops along the 18<sup>th</sup> Street corridor.

On September 27, 2014, City staff received an Active Transportation Program (ATP) grant award in the amount of \$1,225,000.

On August 18, 2015, per Resolution number 2015-120, City Council executed Program Supplement Agreement No. N38 with the State of California Department of Transportation for the 18<sup>th</sup> Street Bicycle and Pedestrian Enhancements Project to allow for reimbursement of eligible project expenditures through the State ATP.

On February 16, 2017, the bid solicitation was posted on PlanetBids, a free public electronic bidding system for contractors. On February 17, 2017 and February 24, 2017, the bid solicitation was advertised in local newspapers.

On March 14, 2017, five (5) sealed bids were received by the 11:00 a.m. deadline, opened and publicly disclosed. Bid results were made available by the end of business day on March 14, 2017. Tri-Group Construction and Development, Inc. was the apparent lowest bidder with a total bid amount of \$1,097,538 as the basis of award.

Upon review of all documents submitted Tri-Group Construction and Development, Inc.'s bid was deemed responsive, and they were the lowest responsible bidder qualified to perform the work as described in the project specifications.

On April 4, 2017, the City Council adopted Resolution No. 2017-49 awarding the contract to Tri-Group Construction and Development, Inc., in the not-to-exceed amount of \$915,818.

Construction started on July 5, 2017 and was completed on May 31, 2018.

The change orders issued for this project are detailed in the Final Contract Balance Report (see attached). The change orders increased the contract by \$29,413.31 while line item adjustments decreased the contract by \$16,148.80 for a net contract increase of \$13,264.51. This results in a 1.4% contract increase for a final contract balance of \$929,082.51.

As a result of satisfactory completion of the project, staff recommends that City Council, 1) accept the work of Tri-Group Construction and Development, Inc. for the 18<sup>th</sup> Street Pedestrian and Bicycle Enhancements Project, CIP No. 16-10; 2) approve the final contract

amount of \$929,082.51; 3) ratify the release of retention in the amount of \$45,889.88; and 4) authorize the Mayor to sign the Notice of Completion for the project.

The Notice of Completion will be filed with the San Diego County Recorder's Office.

RECORDING REQUESTED BY  
WHEN RECORDED MAIL TO:  
NAME: CITY OF NATIONAL CITY  
ADDRESS: 243 NATIONAL CITY BOULEVARD  
NATIONAL CITY, CA 91950

# NOTICE OF COMPLETION

CALIFORNIA CIVIL CODE SECTION 3093

NOTICE IS HEREBY GIVEN of the completion on May 31<sup>st</sup>, 2018 of the:

18<sup>th</sup> St. Pedestrian and Bicycle Enhancement Project, CIP No. 16-10

Work of improvement or portion of work of improvement under construction or alteration.

E. 18<sup>th</sup> Street between Palm Avenue and Granger Avenue in National City, CA 91950

Street Address

City

State

Zip Code

The undersigned owns the following interest or estate in said property:

Owner in fee

Nature of the interest or estate of owner (mortgagor, lessee, etc.)

Said work of improvement was performed on the property pursuant to a contract with

**Tri-Group Construction and Development, Inc.**

Name of Original Contractor

The following work and material were supplied:

Labor provided: General Laborer. Materials: Concrete, asphalt, landscaping and irrigation, street lighting, signing and striping. Equipment: Excavation and paving equipment

General statement of kind of labor, services, equipment or materials

The names and addresses of co-owners are: N/A

Joint tenants, tenants in common, or other owners

Dated: June 4, 2018;

Signature of Owner

City of National City, 1243 National City Blvd., National City, CA 91950

I, the undersigned, say: I have read the foregoing Notice of Completion and know the contents thereof; the same is true of my own knowledge. I declare under penalty of perjury that the foregoing is true and correct.

Executed on June 4, 2018 at, National City, California.

Signature: \_\_\_\_\_

RON MORRISON, MAYOR

Noe16-10





## FINAL CONTRACT BALANCE

**DATE:** September 4, 2018

**PROJECT:** 18<sup>th</sup> St. Pedestrian and Bicycle Enhancement Project  
FY 17 and FY18  
CIP No. 16-10

**TO:** Tri-Group Construction and Development, Inc.  
9580 Black Mountain Rd., Suite L  
San Diego, CA 92126

ORIGINAL CONTRACT AMOUNT:	\$915,818.00
START DATE:	July 5, 2017
COMPLETION DATE:	May 31, 2018
ORIGINAL CONTRACT LENGTH:	65 Working Days
EXTENTION OF WORK DAYS:	40 Working Days
WORKING DAYS SUSPENDED:	119 Working Days
TOTAL CONTRACT TIME:	224 Working Days

### DESCRIPTION:

The Final Contract Balance reports final line item amounts and summarizes all change orders to produce a final contract amount.

### CHANGE ORDERS AND LINE ITEM ADJUSTMENTS:

Change Order #1 directed the contractor to sawcut and remove the existing catch basin deck on the south west corner of 18th and N. Ave, use protective BMP's as needed, haul off and properly dispose of all waste and reconstruct using a radiused angle and vertical bars per SDRSD D-12, dowel into the existing concrete and place rebar, and include all other materials and work needed including traffic control to complete reconstruction of the catch basin deck. All work was performed at the agreed price. This Change Order total amount was **\$ 7,988.00**.

Change Order #2 directed the contractor to install 23 additional traffic detection loops on 18th St. at the intersections of Newell and Euclid per the email dated 9/19/17. All work was performed at the agreed price. This Change Order total amount was **\$ 15,089.00**.

Change Order #3 directed the contractor to pay the SDG&E service point permit fees directly to SDG&E in order to expedite underground inspection. The contractor was be reimbursed for those fees at the agreed lump sum price. This Change Order total amount was **\$ 991.00**.

## **FINAL CONTRACT BALANCE**

18<sup>th</sup> St. Pedestrian and Bicycle Enhancement Project  
CIP No. 16-10

Change Order #4 directed the contractor to install the LED pedestrian crossing per the alternate bid item at 18th and Lanoitan. The conduit work was not included with the alternate bid item and was installed as extra work. There were existing damaged traffic signal pull boxes at 18th and L and 18th and Newell. The contractor was directed to remove and replace those pull boxes. The contractor was also directed to install a 3" conduit for the SDG&E service. All work was performed on a T&M basis. This Change Order total amount was **\$ 5,345.31**.

All Change Orders listed above increased the total contract amount by **\$ 29,413.31**.

Numerous contract line item adjustments per the attached FINAL BILLING STATEMENT resulted in a total decrease of **\$ 16,148.80**. Including change orders and line item adjustments, the total contract resulted in an increase of **\$ 13,264.51**.

### **CONTRACT ADJUSTMENT:**

As a result of the above change orders and line item adjustments, the contract price is adjusted as follows:

1. The final contract price is adjusted to **\$ 929,082.51**.
2. As a result of the satisfactory completion of said project, a retention amount of **\$ 45,889.88** is set for invoice processing and payment upon the receipt of signatures and City Council's ratification of this agreement and the Notice of Completion.

This document and its purpose to balance payment shall be considered full compensation for furnishing and installing the materials, labor, tools and equipment, profit, overhead, and all incidentals for performing the work described above. Tri-Group Construction and Development, Inc. will not be entitled to damages or additional payment for delays as described in the 2015 edition of the Standard Specifications for Public Works Construction, Section 6-6.3, for performing the work as described above.

RESOLUTION NO. 2018 –

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY ACCEPTING THE WORK PERFORMED BY TRI-GROUP CONSTRUCTION AND DEVELOPMENT, INC. FOR THE 18TH STREET PEDESTRIAN AND BICYCLE ENHANCEMENTS PROJECT (CIP NO. 16-10), APPROVING THE FINAL CONTRACT AMOUNT OF \$929,082.51, RATIFYING THE RELEASE OF RETENTION IN THE AMOUNT OF \$45,889.88, AND AUTHORIZING THE MAYOR TO SIGN THE NOTICE OF COMPLETION FOR THE PROJECT

BE IT RESOLVED by the City Council of the City of National City as follows:

It appearing to the satisfaction of the Engineering Department that all work required to be done by Tri-Group Construction and Development, Inc. for the total final contract amount of \$929,082.51, for the 18<sup>th</sup> Street Pedestrian and Bicycle Enhancements Project (CIP No. 16-10) has been completed, the City Council of National City hereby accepts said work, ratifies the release of the retention in the amount of \$45,889.88, authorizes the Mayor to execute the Notice of Completion, and orders that payment for said work be made in accordance with said contract.

PASSED and ADOPTED this 18th day of September, 2018.

\_\_\_\_\_  
Ron Morrison, Mayor

ATTEST:

\_\_\_\_\_  
Michael R. Dalla, City Clerk

APPROVED AS TO FORM:

Angil P. Morris-Jones  
City Attorney

By: \_\_\_\_\_  
Nicole Pedone  
Acting 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\) accepting the work performed by PAL General Engineering, Inc. for the Wilson Avenue and W. 22nd Street Improvements Project, CIP No. 17-19; 2\) approving the final contract amount of \\$369,659.12; 3\) authorizing the release of retention in the amount of \\$18,482.96; and 4\) authorizing the Mayor to sign the Notice of Completion for the project. \(Engineering/Public Works\)](#)  
Please scroll down to view the backup material.

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

**MEETING DATE:** September 18, 2018

**AGENDA ITEM NO.**

**ITEM TITLE:**

Resolution of the City Council of the City of National City: 1) accepting the work performed by PAL General Engineering, Inc. for the Wilson Avenue and W. 22<sup>nd</sup> Street Improvements Project, CIP No. 17-19; 2) approving the final contract amount of \$369,659.12; 3) authorizing the release of retention in the amount of \$18,482.96; and 4) authorizing the Mayor to sign the Notice of Completion for the project.

**PREPARED BY:** Jose Lopez, P.E., Assistant Engineer - Civil

**DEPARTMENT:** Engineering/Public Works

**PHONE:** 619-336-4312

**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 Resolution accepting the work performed by PAL General Engineering, Inc. for the Wilson Avenue and W. 22<sup>nd</sup> Street Improvements Project, CIP No. 17-19 and approving the final contract amount of \$369,659.12.

**BOARD / COMMISSION RECOMMENDATION:**

N/A

**ATTACHMENTS:**

1. Explanation
2. Notice of Completion
3. Final Contract Balance Report
4. Resolution

## **EXPLANATION**

The project included pedestrian, bicycle and streetscape enhancements along Wilson Avenue and W. 22nd Street in National City. Specific improvements included construction of new sidewalk, Americans with Disabilities Act (ADA) curb ramps, asphalt and concrete paving, Class II bicycle facilities, lighting, and landscaping. The improvements provide pedestrian and bicycle connections from the Paradise Creek Housing project (formerly known as Westside Infill Transit Oriented Development) and 24<sup>th</sup> Street Trolley Station to the planned Paradise Creek Park expansion site located on the west side of Paradise Creek adjacent to Harding Avenue. This project is fully funded through a State Strategic Growth Council Affordable Housing and Sustainable Communities (AHSC) Program grant.

On December 20, 2017, the bid solicitation was posted on PlanetBids, a free public electronic bidding system for contractors. On December 22, 2017 and December 29, 2017, the bid solicitation was advertised in local newspapers.

On January 15, 2018, seven (7) bids were received electronically on PlanetBids by the 2:00 p.m. deadline. Bid results were available immediately after the 2:00 p.m. deadline. PAL General Engineering, Inc. (PAL) was the apparent lowest bidder with a total bid amount of \$355,404 as the basis of award. Based on review of the information provided by PAL at the responsibility hearing, additional documentation requested from the hearing, and extensive reference checks on similar projects completed by PAL over the past three years, staff determined that PAL is the lowest responsible bidder qualified to perform the work as described in the project specifications.

On February 6, 2018, the City Council adopted Resolution No. 2018-16 awarding the contract to PAL, in the not-to-exceed amount of \$355,404.

Construction started on March 26, 2018 and was substantially completed on June 29, 2018.

The change orders issued for this project are detailed in the Final Contract Balance Report (see attached). The change orders increased the contract by \$17,703.12, while line item adjustments decreased the contract by \$3,448.00 for a net contract increase of \$14,255.12. This results in a 4% contract increase for a final contract balance of \$369,659.12.

As a result of satisfactory completion of the project, staff recommends that City Council, 1) accept the work of PAL General Engineering, Inc. for the Wilson Avenue and W. 22<sup>nd</sup> Street Improvements Project, CIP No. 17-19; 2) approve the final contract amount of \$369,659.12; 3) authorize the release of retention in the amount of \$18,482.96; and 4) authorize the Mayor to sign the Notice of Completion for the project.

The Notice of Completion will be filed with the San Diego County Recorder's Office.

RECORDING REQUESTED BY  
WHEN RECORDED MAIL TO:  
NAME: CITY OF NATIONAL CITY  
ADDRESS: 243 NATIONAL CITY BOULEVARD  
NATIONAL CITY, CA 91950

## NOTICE OF COMPLETION

CALIFORNIA CIVIL CODE SECTION 3093

NOTICE IS HEREBY GIVEN of the completion on June 29<sup>th</sup>, 2018 of the:

Wilson Ave and W. 22<sup>nd</sup> Street Improvements, CIP No. 17-19

Work of improvement or portion of work of improvement under construction or alteration.

Wilson Ave and W. 22<sup>nd</sup> Street    National City    CA    91950

Street Address

City

State

Zip Code

The undersigned owns the following interest or estate in said property:

Owner in fee

Nature of the interest or estate of owner (mortgagor, lessee, etc.)

Said work of improvement was performed on the property pursuant to a contract with

**PAL General Engineering, Inc.**

Name of Original Contractor

The following work and material were supplied:

Labor provided: General Laborer. Materials: Concrete, asphalt, landscaping and irrigation, street lighting, signing and striping. Equipment: Excavation and paving equipment

General statement of kind of labor, services, equipment or materials

The names and addresses of co-owners are: N/A

Joint tenants, tenants in common, or other owners

Dated: July 2, 2018;

\_\_\_\_\_  
Signature of Owner

City of National City, 1243 National City Blvd., National City, CA 91950

I, the undersigned, say: I have read the foregoing Notice of Completion and know the contents thereof; the same is true of my own knowledge. I declare under penalty of perjury that the foregoing is true and correct.

Executed on July 2, 2018 at, National City, California.

Signature: \_\_\_\_\_

RON MORRISON, MAYOR

Noel17-19



## FINAL CONTRACT BALANCE

**DATE:** September 4, 2018

**PROJECT:** Wilson Avenue and W. 22<sup>nd</sup> Street Improvements  
FY 18  
CIP No. 17-19

**TO:** PAL General Engineering, Inc.  
10675 Treena Street  
San Diego CA, 92131

ORIGINAL CONTRACT AMOUNT:	\$355,404.00
START DATE:	March 26 <sup>th</sup> , 2018
COMPLETION DATE:	June 29 <sup>th</sup> , 2018
ORIGINAL CONTRACT LENGTH:	90 Working Days
EXTENTION OF WORK DAYS:	0 Working Days
TOTAL CONTRACT TIME:	69 Working Days
FINAL CONTRACT AMOUNT:	\$369,659.12

### DESCRIPTION:

The Final Contract Balance reports final line item amounts and summarizes all change orders to produce a final contract amount.

### CHANGE ORDERS AND LINE ITEM ADJUSTMENTS:

Change Order #1. Additional grinding and disposal of asphalt was needed on Wilson Ave and W. 22nd street to have the existing street meet the new curb/gutter grades. Under direction of the Engineer the Contractor proceeded with the additional grinding and disposal. This Change Order total amount is **\$5,955.88**.

Change Order #2. The designed grades for the curb/gutter from stations 13+76 to 15+95 on Wilson avenue were not matching existing conditions and had to be redesigned. Under direction of the Engineer the Contractor proceeded with reforming the curb/gutter between stations 13+76 to 15+95 with the new adjusted grades. This Change Order total amount was **\$4,098.36**.

Change Order #3. Remove and replace crosswalk striping at 18th Street and Coolidge Avenue and remove and replace raised crosswalks striping on 18th Street at Coolidge Avenue and Hoover Avenue. Under direction of the Engineer the Contractor proceeded with removing and replacing the crosswalks at the above mentioned locations. This Change Order total amount was **\$7,338.49**.



## **FINAL CONTRACT BALANCE**

Wilson Avenue and W. 22<sup>nd</sup> Street Improvements  
CIP No. 17-19

Change Order #4. A section of the plans was deleted on W. 22nd Street from stations 102+70 to 104+20 with the future plans of a park coming through. Under direction of the Engineer the Contractor proceeded with the deletion of work from sections 102+70 to 104+20. This work includes but not limited to clearing/grubbing the demolition of sidewalk, driveway, curb/gutter and the installation of irrigations and trees/shrubs. The deductive Change Order total amount was **\$(3,153.91)**

Change Order #5. The new back of sidewalk grades on W. 22nd Street created an existing wall foundation to be exposed. A 6" curb was added to the back of sidewalk to cover the foundation and tie into the existing wall. Under direction of the Engineer the Contractor proceeded with the adding 110 linear feet of 6" curb at the back of sidewalk. This Change Order total amount was **\$4,936.80**.

Change Order #6. National City police department, fire department and construction management team had to respond to a gas leak from the subcontractor, ACE Electric, damaging an existing gas lateral with an excavator. The gas lateral was properly marked out, therefore, the Contractor is responsible for the costs incurred for the emergency response. See attached City Ordinance No. 2010-2341. This deductive Change Order total amount is **\$(1,472.50)**

All Change Orders listed above increased the total contract amount **\$17,703.12**.  
All line item adjustments decreased the total contract amount by **\$3,448.00**.

### **CONTRACT ADJUSTMENT:**

As a result of the above change orders and line item adjustments, the contract price is adjusted as follows:

1. The final contract price is adjusted to **\$369,659.12**.
2. As a result of the satisfactory completion of said project, a retention amount of **\$18,482.96** is set for invoice processing and payment upon the receipt of signatures and City Council's ratification of this agreement and the Notice of Completion.

This document and its purpose to balance payment shall be considered full compensation for furnishing and installing the materials, labor, tools and equipment, profit, overhead, and all incidentals for performing the work described above. PAL General Engineering, Inc. will not be entitled to damages or additional payment for delays as described in the 2015 edition of the Standard Specifications for Public Works Construction, Section 6-6.3, for performing the work as described above.

RESOLUTION NO. 2018 --

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY  
ACCEPTING THE WORK PERFORMED BY PAL GENERAL ENGINEERING, INC  
FOR THE WILSON AVENUE AND W. 22<sup>ND</sup> STREET IMPROVEMENTS PROJECT  
(CIP NO. 17-19), APPROVING THE FINAL CONTRACT AMOUNT OF \$369,659.12;  
AUTHORIZING THE RELEASE OF RETENTION IN THE AMOUNT OF \$18,482.96;  
AND AUTHORIZING THE MAYOR TO SIGN THE NOTICE OF  
COMPLETION FOR THE PROJECT

WHEREAS, BE IT RESOLVED by the City Council of the City of National City as follows:

It appearing to the satisfaction of the Engineering Department that all work required to be done by PAL General Engineering, Inc. for the total final contract amount of \$369,659.12, for the Wilson Avenue and West 22<sup>nd</sup> Street Improvements Project (CIP No. 17-19) has been completed, the City Council of National City hereby accepts said work, authorizes the release of the retention in the amount of \$18,482.96, authorizes the Mayor to execute the Notice of Completion, and orders that payment for said work be made in accordance with said contract.

PASSED and ADOPTED this 18th day of September, 2018.

\_\_\_\_\_  
Ron Morrison, Mayor

ATTEST:

\_\_\_\_\_  
Michael R. Dalla, City Clerk

APPROVED AS TO FORM:

Angil P. Morris-Jones  
City Attorney

By: \_\_\_\_\_  
Nicole Pedone  
Acting City Attorney

The following page(s) contain the backup material for Agenda Item: [Resolution of the City Council of the City of National City authorizing the installation of red curb "No Parking" on the east side of National City Blvd, north side of the driveway adjacent to the 2829 National City Blvd., Frank Subaru business, in order to provide appropriate clearance and access onto National City Blvd. \(TSC No. 2018-20\). \(Engineering/Public Works\)](#)

Please scroll down to view the backup material.

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

**MEETING DATE:** September 18, 2018

**AGENDA ITEM NO.**

**ITEM TITLE:**

Resolution of the City Council of the City of National City authorizing the installation of red curb "No Parking" on the east side of National City Blvd, north side of the driveway adjacent to the 2829 National City Blvd, Frank Subaru business, in order to provide appropriate clearance and access onto National City Blvd. (TSC No. 2018-20).

**PREPARED BY:** Carla Hutchinson, Assistant Engineer - Civil

**DEPARTMENT:** Engineering/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 Resolution authorizing the installation of red curb "No Parking" on the north side of the driveway adjacent to the 2829 National City Blvd, Frank Subaru business.

**BOARD / COMMISSION RECOMMENDATION:**

At their meeting on August 8, 2018, the Traffic Safety Committee approved staff's recommendation to install red curb "No Parking" on the north side of the driveway adjacent to the 2829 National City Blvd.

**ATTACHMENTS:**

1. Explanation w/Exhibit
2. Staff Report to the Traffic Safety Committee on August 8, 2018 (TSC No. 2018-20)
3. Resolution

## **EXPLANATION**

Mr. Jerry Drewett, Facilities Manager for "Frank Subaru" located on 2829 National City Blvd, has requested to install red curb "No Parking" on the north side of the driveway adjacent to the business on National City Blvd.

Staff performed a site evaluation. The posted speed limit along National City Blvd is 35 mph, and National City Blvd between 30<sup>th</sup> Street and 28<sup>th</sup> Street has a negligible slope. This area of National City Blvd has existing time restricted 4-hour parallel parking spaces on both sides of the street. The adjacent driveway to the property is 40-feet wide. There is 20-feet of existing red curb "No Parking" on the east side of National City Blvd, south of the corner with E. 28<sup>th</sup> Street. There is also 20-feet of existing red curb "No Parking" on the east side of National City Blvd, south of the driveway adjacent to the property. Staff observed that when vehicles exit the driveway, it is difficult to safely turn onto National City Blvd with the northbound traffic.

"Frank Subaru" regularly transports vehicles in large car-transport trailer trucks, which enter and exit the business, and require appropriate clearance to safely exit through the driveway onto National City Blvd. Mr. Drewett stated that large vehicles have difficulty exiting from the business driveway onto National City Blvd, when vehicles park very close to the driveway.

This item was presented to the Traffic Safety Committee on August 8, 2018. No one was present to speak in support of the installation of red curb on the north side of the driveway on National City Blvd.

Staff presented the results of the site evaluation and after discussion, the Traffic Safety Committee voted to approve staff's recommendation for the installation of 20 feet of red curb "No Parking" on the east side of National City Blvd, north of the driveway adjacent to 2829 National City Blvd, in order to provide appropriate clearance and access onto National City Blvd. The amount of red curb proposed to be installed on the east side of National City Blvd is summarized as follows:

1. Install 20 feet of red curb "No Parking" on the east side of National City Blvd, north side of the driveway adjacent to 2829 National City Blvd. This will result in the loss of one (1) on-street parking space.

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



# Location Map with Recommended Enhancements (TSC Item: 2018-20)



**NATIONAL CITY TRAFFIC SAFETY COMMITTEE  
AGENDA REPORT FOR AUGUST 8, 2018**

**ITEM NO. 2018-20**

**ITEM TITLE:** REQUEST TO INSTALL RED CURB "NO PARKING" ON THE EAST SIDE OF NATIONAL CITY BLVD, NORTH SIDE OF THE DRIVEWAY ADJACENT TO 2829 NATIONAL CITY BLVD IN ORDER TO ENHANCE CLEARANCE AND ACCESS ONTO NATIONAL CITY BLVD

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

**DISCUSSION:**

Mr. Jerry Drewett, Facilities Manager for "Frank Subaru" located on 2829 National City Blvd, has requested to install red curb "No Parking" on the north side of the driveway adjacent to the business on National City Blvd.

Staff performed a site evaluation. The posted speed limit along National City Blvd is 35 mph, and National City Blvd between 30<sup>th</sup> Street and 28<sup>th</sup> Street has a negligible slope. This area of National City Blvd has existing time restricted 4-hour parallel parking spaces on both sides of the street. The adjacent driveway to the property is 40-feet wide. There is 20-feet of existing red curb "No Parking" on the east side of National City Blvd, south of the corner with E. 28<sup>th</sup> Street. There is also 20-feet of existing red curb "No Parking" on the east side of National City Blvd, south of the driveway adjacent to the property. Staff observed that when vehicles exit the driveway, it is difficult to safely turn onto National City Blvd with the northbound traffic.

"Frank Subaru" regularly transports vehicles in large car-transport trailer trucks, which enter and exit the business, and require appropriate clearance to safely exit through the driveway onto National City Blvd. Mr. Drewett stated that large vehicles have difficulty exiting from the business driveway onto National City Blvd, when vehicles park very close to the driveway.

Therefore, staff recommends to install 20 feet of red curb "No Parking" on the east side of National City Blvd, north of the driveway adjacent to 2829 National City Blvd, in order to provide appropriate clearance and access onto National City Blvd.

**STAFF RECOMMENDATION:**

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

1. Install 20 feet of red curb "No Parking" on the east side of National City Blvd, north side of the driveway adjacent to 2829 National City Blvd. This will result in the loss of one (1) on-street parking space.

**ATTACHMENTS:**

1. Public Request
2. Public Notice
3. Location Map
4. Photos

2018-20



6/5/2018

Frank Subaru  
2829 NCB  
Jerry Drewett (Contact)



Requesting Red Curb for  
1 car length from north  
side of driveway going  
north on NCB



Google



August 1, 2018

Facilities Manager

Subject: TRAFFIC SAFETY COMMITTEE (TSC) ITEM NO. 2018-20

**REQUEST TO INSTALL 20 FEET OF RED CURB "NO PARKING" ON THE EAST SIDE OF NATIONAL CITY BLVD, NORTH SIDE OF THE DRIVEWAY ADJACENT TO 2829 NATIONAL CITY BLVD IN ORDER TO ENHANCE CLEARANCE AND ACCESS ONTO NATIONAL CITY BLVD**

Dear Sir/Madame:

The City of National City would like to invite you to our next public Traffic Safety Committee Meeting scheduled for **Wednesday, August 8, 2018, at 1:00 P.M.** in the 2<sup>nd</sup> Floor Large Conference Room of the Civic Center Building, 1243 National City Boulevard, to discuss the above-referenced item.

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

If you have any questions, comments, and/or concerns, please contact the Engineering Department at 619-336-4380 and reference Traffic Safety Committee Item Number 2018-20.

Sincerely,

Stephen Manganiello  
City Engineer

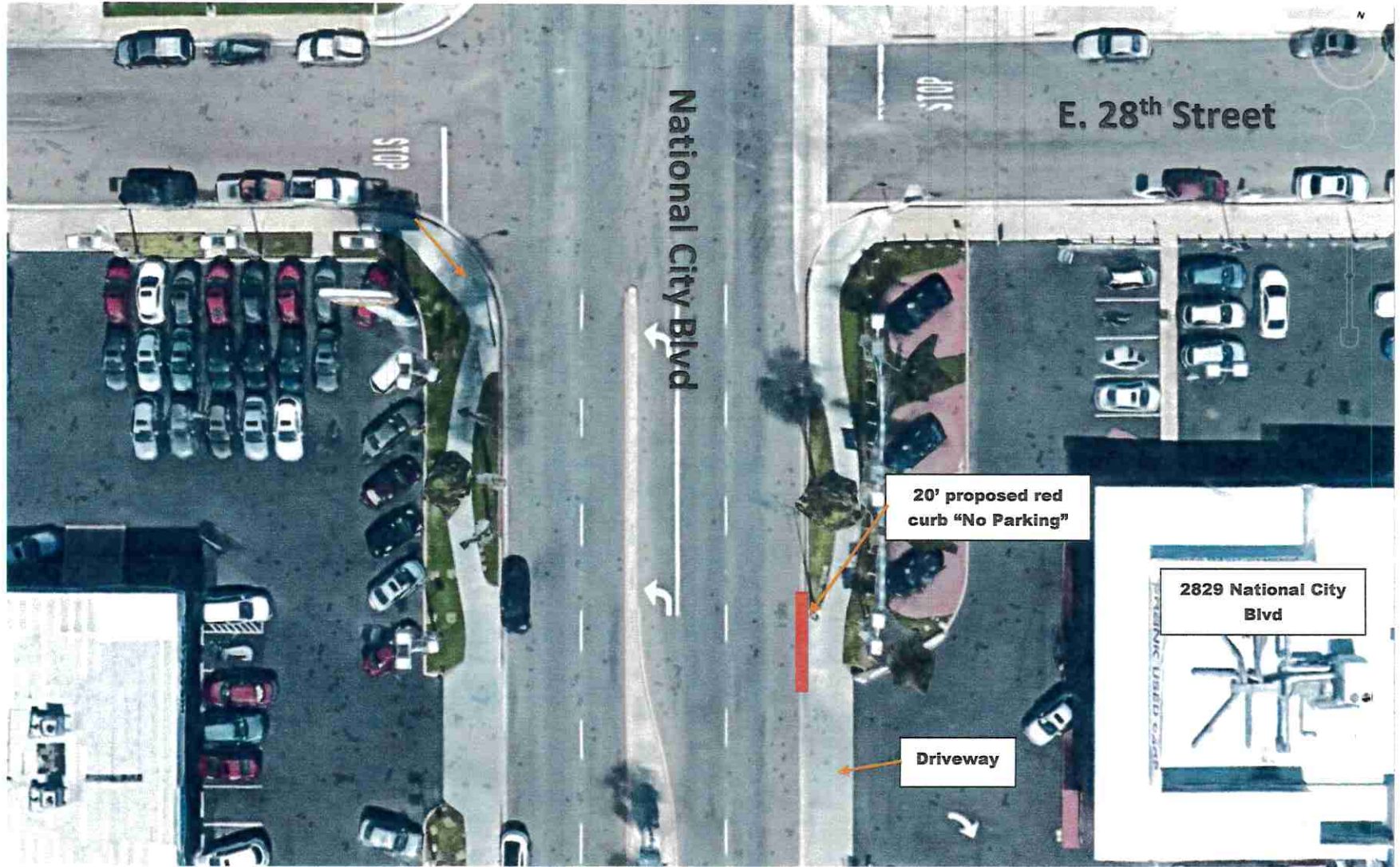
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Enclosure: Location Map

2018-20



# Location Map with Recommended Enhancements (TSC Item: 2018-20)





Location of proposed red curb "No Parking" on National City Blvd (looking north)



Location of proposed red curb "No Parking" on National City Blvd (looking east)

RESOLUTION NO. 2018 –

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY  
AUTHORIZING THE INSTALLATION OF 20 FEET OF RED CURB “NO PARKING”  
ON THE EAST SIDE OF NATIONAL CITY BOULEVARD, NORTH OF  
THE DRIVEWAY ADJACENT TO 2829 NATIONAL CITY BOULEVARD  
(FRANK SUBARU) IN ORDER TO PROVIDE APPROPRIATE  
CLEARANCE AND ACCESS ONTO NATIONAL CITY BOULEVARD

WHEREAS, the Facilities Manager for “Frank Subaru”, located on 2829 National City Boulevard, has requested the installation of red curb “No Parking” on the north side of the driveway adjacent to the business on National City Boulevard to provide appropriate clearance and access onto National City Boulevard; and

WHEREAS, after a site evaluation, staff recommends the installation of 20 feet of red curb “No Parking” on the east side of National City Boulevard, north of the driveway adjacent to 2829 National City Boulevard; and

WHEREAS, at its meeting on August 8, 2018, the Traffic Safety Committee approved staff’s recommendation to install 20 feet of red curb “No Parking” on the east side of National City Boulevard, north side of the driveway adjacent to 2829 National City Boulevard.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of National City hereby authorizes the installation of 20 feet of red curb “No Parking” on the east side of National City Boulevard, north side of the driveway adjacent to 2829 National City Boulevard (Frank Subaru) in order to provide appropriate clearance and access onto National City Boulevard.

PASSED and ADOPTED this 18th day of September, 2018.

\_\_\_\_\_  
Ron Morrison, Mayor

ATTEST:

\_\_\_\_\_  
Michael R. Dalla, City Clerk

APPROVED AS TO FORM:

Angil P. Morris-Jones  
City Attorney

By: \_\_\_\_\_  
Nicole Pedone  
Acting City Attorney



The following page(s) contain the backup material for Agenda Item: [Resolution of the City Council of the City of National City authorizing the installation of red curb "No Parking" at the intersection of E. 24th Street and "J" Avenue to enhance visibility and access from "J" Avenue onto E. 24th Street \(TSC No. 2018-21\). \(Engineering/Public Works\)](#)

Please scroll down to view the backup material.

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

**MEETING DATE:** September 18, 2018

**AGENDA ITEM NO.**

**ITEM TITLE:**

Resolution of the City Council of the City of National City authorizing the installation of red curb "No Parking" at the intersection of E. 24<sup>th</sup> Street and J Avenue to enhance visibility and access from "J" Avenue onto E. 24th Street (TSC No. 2018-21).

**PREPARED BY:** Carla Hutchinson, Assistant Engineer - Civil

**DEPARTMENT:** Engineering/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 Resolution authorizing the installation of red curb "No Parking" at the intersection of E. 24<sup>th</sup> Street and J Avenue.

**BOARD / COMMISSION RECOMMENDATION:**

At their meeting on August 8, 2018, the Traffic Safety Committee approved staff's recommendation to install red curb "No Parking" at the intersection of E. 24<sup>th</sup> Street and J Avenue.

**ATTACHMENTS:**

1. Explanation w/Exhibit
2. Staff Report to the Traffic Safety Committee on August 8, 2018 (TSC No. 2018-21)
3. Resolution

## EXPLANATION

Cesar Romero, an area resident, has requested the installation of red curb "No Parking" at the intersection of E. 24<sup>th</sup> Street and J Avenue to improve visibility and enhance safety for the vehicles exiting from J Avenue onto E. 24<sup>th</sup> Street.

Staff performed a site evaluation. E. 24<sup>th</sup> Street and J Avenue are currently 2-lane roadways and both streets have available parking on both sides of the street. The intersection between the two streets is currently stop controlled for northbound and southbound traffic on "J" Avenue. The posted speed limit on E. 24<sup>th</sup> Street is 35 mph. Furthermore, staff observed that at the intersection of E. 24<sup>th</sup> Street and "J" Avenue, there is no red curb "No Parking" on E. 24<sup>th</sup> Street.

Staff confirmed that when vehicles on E. 24<sup>th</sup> Street park very close at the intersection, visibility for the vehicles exiting from "J" Avenue onto E. 24<sup>th</sup> Street is partially obstructed. Therefore, staff recommends installing 20 feet of red curb "No Parking" on the south side of E. 24<sup>th</sup> street, west of "J" Avenue, and on the north side of E. 24<sup>th</sup> Street, east of "J" Avenue. Also, staff recommends installing 10 feet of red curb "No Parking" on the south side of E. 24<sup>th</sup> Street, east of "J" Avenue, and on the north side of 24<sup>th</sup> Street, west of "J" Avenue.

Staff also reviewed the traffic collision history for this location, which confirmed there were no "reported" traffic collisions within the past four years.

This item was presented to the Traffic Safety Committee on August 8, 2018. Public notices were sent to area residents inviting them to attend the meeting. There were three community members in attendance to speak in support of the item. Mr. Romero, Mrs. Romero, and Mr. Quismondo confirmed that it is difficult to see oncoming traffic for vehicles existing from "J" Avenue onto E. 24<sup>th</sup> Street due to cars being parked too close to the intersection. They agreed that installing red curb "No Parking" at the intersection would help enhance safety and visibility.

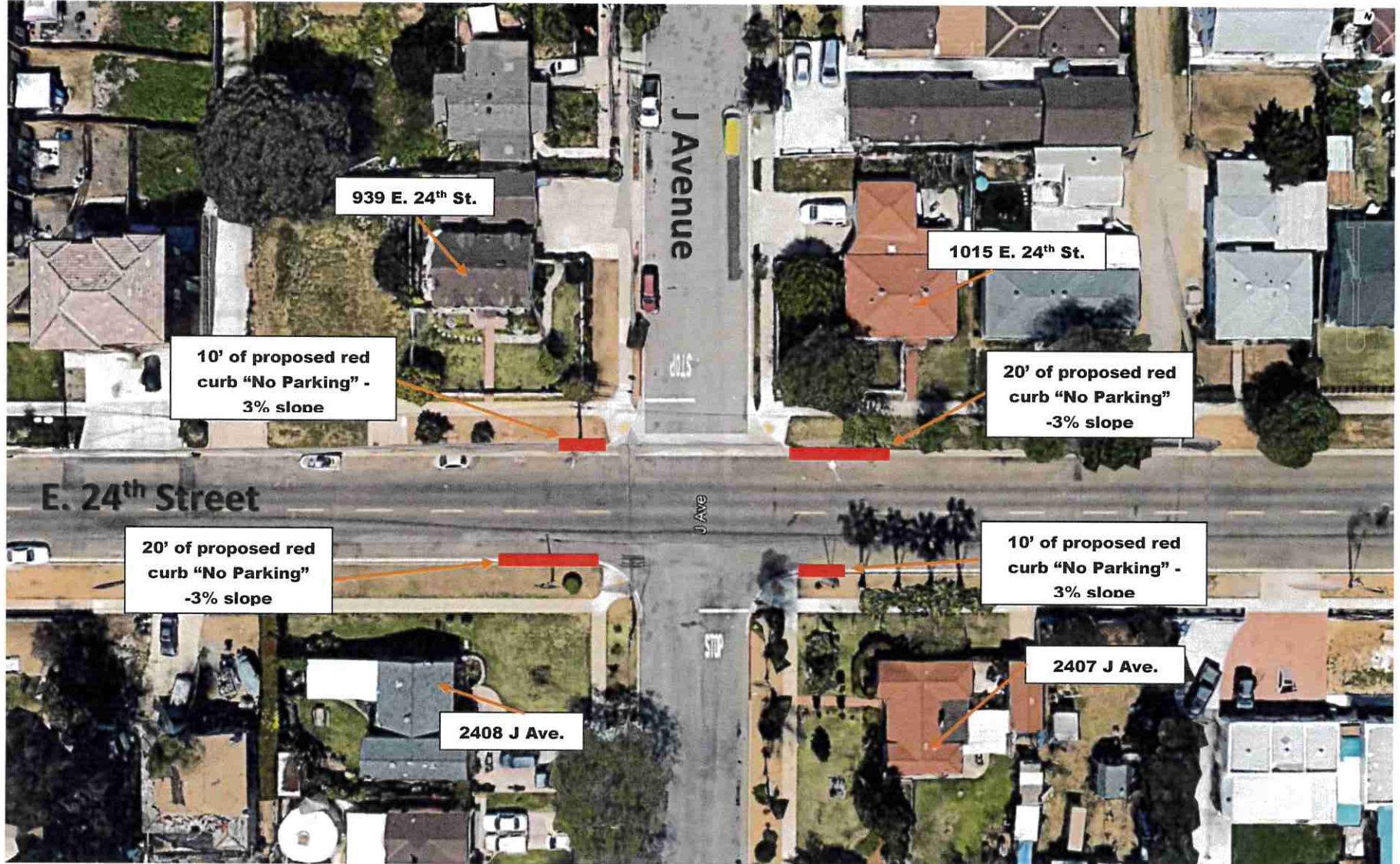
Based on the staff report, testimony of the community members, and traffic collision history, the Traffic Safety Committee unanimously approved staff's recommendation to the following traffic safety enhancements:

1. Install 20 feet of red curb "No Parking" on the west side of "J" Avenue, south of E. 24<sup>th</sup> Street. This will result in the loss of one (1) on-street parking space;
2. Install 20 feet of red curb "No Parking" on the east side of "J" Avenue, north of E. 24<sup>th</sup> Street. This will result in the loss of one (1) on-street parking space;
3. Install 10 feet of red curb "No Parking" on the west side of "J" Avenue, north of E. 24<sup>th</sup> Street. This will not result in the loss of on-street parking space;
4. Install 10 feet of red curb "No Parking" on the east side of "J" Avenue, south of E. 24<sup>th</sup> Street. This will not result in the loss of on-street parking space.

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



# Location Map with Recommended Enhancements (TSC Item: 2018-21)



**NATIONAL CITY TRAFFIC SAFETY COMMITTEE  
AGENDA REPORT FOR AUGUST 8, 2018**

**ITEM NO. 2018-21**

**ITEM TITLE:** REQUEST TO INSTALL RED CURB “NO PARKING” AT THE INTERSECTION OF E. 24<sup>TH</sup> STREET AND “J” AVENUE IN ORDER TO IMPROVE VISIBILITY AT THE INTERSECTION

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

**DISCUSSION:**

Cesar Romero, an area resident, has requested the installation of red curb “No Parking” at the intersection of E. 24<sup>th</sup> Street and J Avenue to improve visibility and enhance safety for the vehicles exiting from J Avenue onto E. 24<sup>th</sup> Street.

Staff performed a site evaluation. E. 24<sup>th</sup> Street and J Avenue are currently 2-lane roadways and both streets have available parking on both sides of the street. The intersection between the two streets is currently stop controlled for northbound and southbound traffic on “J” Avenue. The posted speed limit on E. 24<sup>th</sup> Street is 35 mph. Furthermore, staff observed that at the intersection of E. 24<sup>th</sup> Street and “J” Avenue, there is no red curb “No Parking” on E. 24<sup>th</sup> Street.

Staff confirmed that when vehicles on E. 24<sup>th</sup> Street park very close at the intersection, visibility for the vehicles exiting from “J” Avenue onto E. 24<sup>th</sup> Street is partially obstructed. Therefore, staff recommends installing 20 feet of red curb “No Parking” on the south side of E. 24<sup>th</sup> street, west of “J” Avenue, and on the north side of E. 24<sup>th</sup> Street, east of “J” Avenue. Also, staff recommends installing 10 feet of red curb “No Parking” on the south side of E. 24<sup>th</sup> Street, east of “J” Avenue, and on the north side of 24<sup>th</sup> Street, west of “J” Avenue.

Staff also reviewed the traffic collision history for this location, which confirmed there were no “reported” traffic collisions within the past four years. See attachment traffic collision summary table.

**STAFF RECOMMENDATION:**

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

1. Install 20 feet of red curb “No Parking” on the west side of “J” Avenue, south of E. 24<sup>th</sup> Street. This will result in the loss of one (1) on-street parking space;
2. Install 20 feet of red curb “No Parking” on the east side of “J” Avenue, north of E. 24<sup>th</sup> Street. This will result in the loss of one (1) on-street parking space;
3. Install 10 feet of red curb “No Parking” on the west side of “J” Avenue, north of E. 24<sup>th</sup> Street. This will not result in the loss of on-street parking space.

4. Install 10 feet of red curb "No Parking" on the east side of "J" Avenue, south of E. 24<sup>th</sup> Street. This will not result in the loss of on-street parking space.

**ATTACHMENTS:**

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

2018-21



## PUBLIC REQUEST FORM

### Contact Information

Name: Cesar Romero

Address: 939 E 24th St.

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

### Request Information

Location: 24th St. and ~~23th~~ J AVENUE

Request: STOP SIGN RED CURB AT THE INTERSECTION

Attachments:  Yes  No Description: \_\_\_\_\_

### Internal Use Only:

Request Received By: \_\_\_\_\_ Date: APRIL 19, 2018

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

Assigned To: \_\_\_\_\_

Notes: \_\_\_\_\_





August 1, 2018

Resident/Property Owner

Subject: TRAFFIC SAFETY COMMITTEE (TSC) ITEM NO. 2018-21

**REQUEST TO INSTALL RED CURB "NO PARKING" AT THE INTERSECTION OF E. 24<sup>TH</sup> STREET AND J AVENUE IN ORDER TO IMPROVE VISIBILITY AT THE INTERSECTION**

Dear Sir/Madame:

The City of National City would like to invite you to our next public Traffic Safety Committee Meeting scheduled for **Wednesday, August 8, 2018, at 1:00 P.M.** in the 2<sup>nd</sup> Floor Large Conference Room of the Civic Center Building, 1243 National City Boulevard, to discuss the above-referenced item.

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

If you have any questions, comments, and/or concerns, please contact the Engineering Department at 619-336-4380 and reference Traffic Safety Committee Item Number 2018-21.

Sincerely,

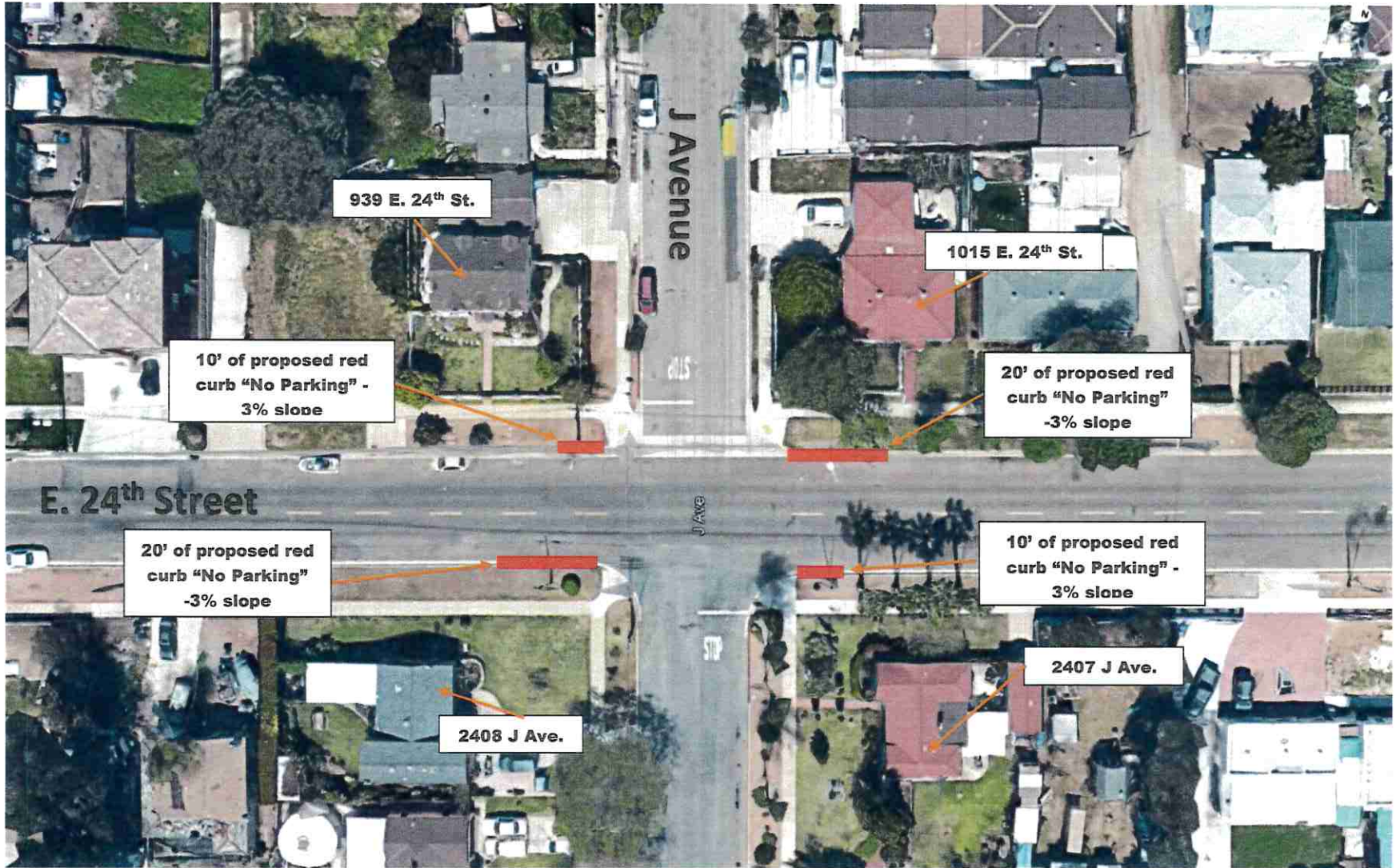
Stephen Manganiello  
City Engineer

SM:ch

Enclosure: Location Map

2018-21

# Location Map with Recommended Enhancements (TSC Item: 2018-21)







Location of proposed red curb "No Parking" on E. 24th Street (looking west)



Location of proposed red curb "No Parking" on E. 24th Street (looking south)



Location of proposed red curb "No Parking" on E. 24th Street (looking east)



Location of proposed red curb "No Parking" on E. 24th Street (looking south)





Location of proposed red curb "No Parking" on E. 24th Street (looking east)



Location of proposed red curb "No Parking" on E. 24th Street (looking north)



Location of proposed red curb "No Parking" on E. 24th Street (looking west)

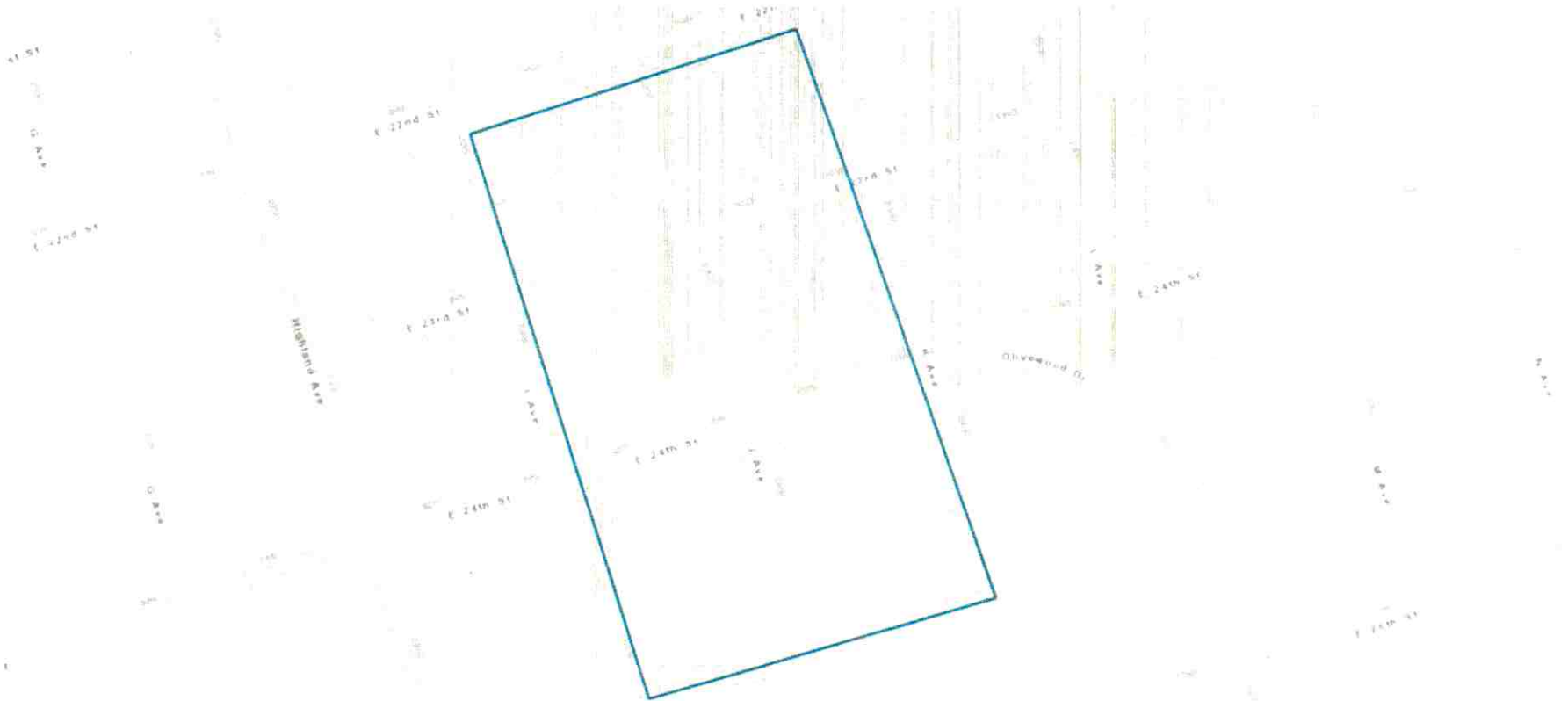


Location of proposed red curb "No Parking" on E. 24th Street (looking north)



## Traffic Collision History (NCPD Records Division)

From August 1, 2014 – August 1, 2018, there were no traffic collisions on the intersection of E. 24<sup>th</sup> Street and J Avenue.



RESOLUTION NO. 2018 –

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY  
AUTHORIZING THE INSTALLATION OF RED CURB “NO PARKING” AT  
THE INTERSECTION OF EAST 24TH STREET AND “J” AVENUE TO ENHANCE  
VISIBILITY AND ACCESS FROM “J” AVENUE ONTO EAST 24TH STREET

WHEREAS, an area resident, has requested the installation of red curb “No Parking” at the intersection of East 24th Street and “J” Avenue to improve visibility and enhance safety for the vehicles exiting from “J” Avenue onto East 24th Street; and

WHEREAS, after a site evaluation, staff recommends the following traffic safety enhancements:

1. Installation of 20 feet of red curb “No Parking” on the west side of “J” Avenue, south of East 24th Street. This will result in the loss of one (1) on-street parking space;
2. Installation of 20 feet of red curb “No Parking” on the east side of “J” Avenue, north of East. 24th Street. This will result in the loss of one (1) on-street parking space;
3. Installation of 10 feet of red curb “No Parking” on the west side of “J” Avenue, north of East 24th Street. This will not result in the loss of any on-street parking space;
4. Installation of 10 feet of red curb “No Parking” on the east side of “J” Avenue, south of East 24th Street. This will not result in the loss of any on-street parking space; and

WHEREAS, at its meeting on August 8, 2018, the Traffic Safety Committee unanimously approved staff’s recommendation to the following traffic safety enhancements:

1. Installation of 20 feet of red curb “No Parking” on the west side of “J” Avenue, south of East 24th Street. This will result in the loss of one (1) on-street parking space;
2. Installation of 20 feet of red curb “No Parking” on the east side of “J” Avenue, north of East. 24th Street. This will result in the loss of one (1) on-street parking space;
3. Installation of 10 feet of red curb “No Parking” on the west side of “J” Avenue, north of East 24th Street. This will not result in the loss of any on-street parking space;
4. Installation of 10 feet of red curb “No Parking” on the east side of “J” Avenue, south of East 24th Street. This will not result in the loss of any on-street parking space.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of National City hereby authorizes the installation of the following traffic safety enhancements:

1. Installation of 20 feet of red curb “No Parking” on the west side of “J” Avenue, south of East 24th Street. This will result in the loss of one (1) on-street parking space;
2. Installation of 20 feet of red curb “No Parking” on the east side of “J” Avenue, north of East. 24th Street. This will result in the loss of one (1) on-street parking space;
3. Installation of 10 feet of red curb “No Parking” on the west side of “J” Avenue, north of East 24th Street. This will not result in the loss of any on-street parking space; and

4. Installation of 10 feet of red curb “No Parking” on the east side of “J” Avenue, south of East 24th Street. This will not result in the loss of any on-street parking space.

PASSED and ADOPTED this 18th day of September, 2018.

\_\_\_\_\_  
Ron Morrison, Mayor

ATTEST:

\_\_\_\_\_  
Michael R. Dalla, City Clerk

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

By: \_\_\_\_\_  
Nicole Pedone  
Acting 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 230 feet of "No Parking" signage on the east side of 400-500 block of "T" Avenue to enhance safety for vehicles traveling on "T" Avenue \(TSC No. 2018-22\). \(Engineering/Public Works\)](#)  
Please scroll down to view the backup material.

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

**MEETING DATE:** September 18, 2018

**AGENDA ITEM NO.**

**ITEM TITLE:**

Resolution of the City Council of the City of National City authorizing the installation of 230 feet of "No Parking" signage on the east side of 400-500 block of "T" Avenue to enhance safety for vehicles traveling on "T" Avenue (TSC No. 2018-22).

**PREPARED BY:** Luca Zappiello, Civil Engineering Tech

**DEPARTMENT:** Engineering/Public Works

**PHONE:** 619-336-4360

**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 a Resolution authorizing installation of 230 feet of "No Parking" signage on the east side of 400-500 block of "T" Avenue.

**BOARD / COMMISSION RECOMMENDATION:**

At their meeting on August 8, 2018, the Traffic Safety Committee approved staff's recommendation to install 230 feet of "No Parking" signage on the east side of 400-500 block of "T" Avenue.

**ATTACHMENTS:**

1. Explanation w/ Exhibit
2. Staff Report to the Traffic Safety Committee on August 8, 2018 (TSC No. 2018-22)
3. Resolution

## **EXPLANATION**

At the June 20, 2018 Traffic Safety Committee meeting, Mr. Richard Delgado, committee member, requested the City's attention to the 400-500 block of "T" Avenue. Mr. Delgado expressed concerns since there is a section of "T" Avenue that is too narrow to accommodate two-way traffic with parking on both sides of the street. Mr. Delgado proposed the installation of a "No Parking" signage, which would enhance safety and visibility for vehicles traveling on "T" Avenue.

Staff visited site. The 400-500 block of "T" Avenue is located in a residential area between E. 4th Street and E. 7th Street and is a 2-lane local roadway with unrestricted parallel parking on both sides on the street and posted speed limits of 25 mph.

Staff took measurements on "T" Avenue and confirmed that section of the street is 40 feet wide. However, at 400-500 block of "T" Avenue, there is a 230-foot section of the street that becomes 28 feet wide. California Fire Code requires a minimum clearance of 20 feet for emergency vehicles. When vehicles are parked on both sides of "T" Avenue where the section of the street is 28 feet wide, the travel way narrows to 16 feet or less. Therefore, parking must be restricted to only one side of the street to ensure compliance with the California Fire Code. Since only the west side of "T" Avenue has a sidewalk, staff recommends the installation of "No Parking" signage on the east side of 400-500 block of "T" Avenue.

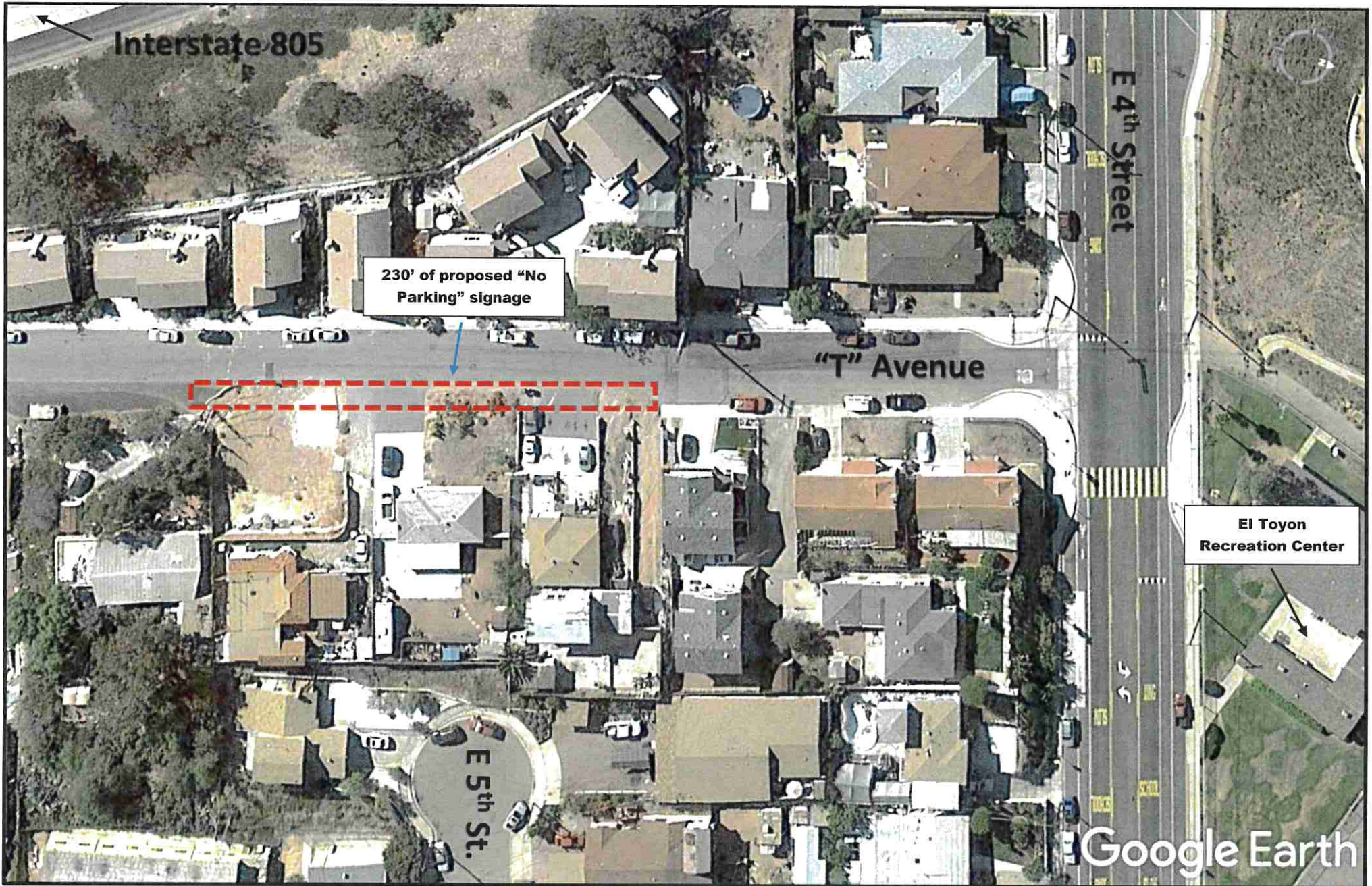
This item was presented to the Traffic Safety Committee on August 8, 2018. A public notice was mailed out to area residents. There were no members of the community present to speak on the item.

Based on the staff report, the Traffic Safety Committee approved staff's recommendation to install 230 feet of "No Parking" signage on the east side of 400-500 block of "T" Avenue.

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



# Location Map with Recommended Enhancements (TSC Item: 2018-22)



**NATIONAL CITY TRAFFIC SAFETY COMMITTEE  
AGENDA REPORT FOR AUGUST 8, 2018**

**ITEM NO. 2018-22**

**ITEM TITLE:** REQUEST TO INSTALL 230 FEET OF "NO PARKING" SIGNAGE ON THE EAST SIDE OF 400-500 BLOCK OF "T" AVENUE TO ENHANCE SAFETY FOR VEHICLES TRAVELING ON "T" AVENUE.

**PREPARED BY:** Luca Zappiello, Junior Engineer - Civil  
Engineering & Public Works Department

**DISCUSSION:**

At the June 20, 2018 Traffic Safety Committee meeting, Mr. Richard Delgado, committee member, requested the City's attention to the 400-500 block of "T" Avenue. Mr. Delgado expressed concerns since there is a section of "T" Avenue that is too narrow to accommodate two-way traffic with parking on both sides of the street. Mr. Delgado proposed the installation of a "No Parking" signage, which would enhance safety and visibility for vehicles traveling on "T" Avenue.

Staff visited site. The 400-500 block of "T" Avenue is located in a residential area between E. 4<sup>th</sup> Street and E. 7<sup>th</sup> Street and is a 2-lane local roadway with unrestricted parallel parking on both sides on the street and posted speed limits of 25 mph.

Staff took measurements on "T" Avenue and confirmed that section of the street is 40 feet wide. However, at 400-500 block of "T" Avenue, there is a 230-foot section of the street that becomes 28 feet wide. California Fire Code requires a minimum clearance of 20 feet for emergency vehicles. When vehicles are parked on both sides of "T" Avenue where the section of the street is 28 feet wide, the travel way narrows to 16 feet or less. Therefore, parking must be restricted to only one side of the street to ensure compliance with the California Fire Code. Since only the west side of "T" Avenue has a sidewalk, staff recommends the installation of "No Parking" signage on the east side of 400-500 block of "T" Avenue where.

Staff sent notices to area property owners and tenants, inviting them to attend the Traffic Safety Committee Meeting and/or contact staff with any questions.

**STAFF RECOMMENDATION:**

Based on an evaluation of existing conditions, staff recommends the installation of 230 feet of "No Parking" signage on the east side of 400-500 block of "T" Avenue to enhance safety for vehicles traveling on "T" Avenue.

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

**EXHIBITS:**

1. Public Request
2. Public Notice
3. Location Maps
4. Photos





## PUBLIC REQUEST FORM

Name: Richard Delgado

Address: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

Location: \_\_\_\_\_

Request: concerns since there is a section of "T" Avenue that is too narrow to accommodate two-way traffic with parking on both sides of the street.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Attachments:  Yes  No Description: \_\_\_\_\_

Request Received By: L. Zappiello Date: June 20, 2018

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

Assigned To: L. Zappiello

Notes: \_\_\_\_\_



August 2, 2018

Resident/Property Owner

Subject: TRAFFIC SAFETY COMMITTEE (TSC) ITEM NO. 2018-22

**REQUEST TO INSTALL 230 FEET OF "NO PARKING" SIGNAGE ON THE EAST SIDE OF 400-500 BLOCK OF "T" AVENUE TO ENHANCE SAFETY FOR VEHICLES TRAVELING ON "T" AVENUE.**

Dear Sir/Madame:

The City of National City would like to invite you to our next public Traffic Safety Committee Meeting scheduled for **Wednesday, August 8, 2018, at 1:00 P.M.** in the 2<sup>nd</sup> Floor Large Conference Room of the Civic Center Building, 1243 National City Boulevard, to discuss the above-referenced item.

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

If you have any questions, comments, and/or concerns, please contact the Engineering Department at 619-336-4380 and reference Traffic Safety Committee Item Number 2018-23.

Sincerely,

Stephen Manganiello  
City Engineer

SM:lz

Enclosure: Location Map

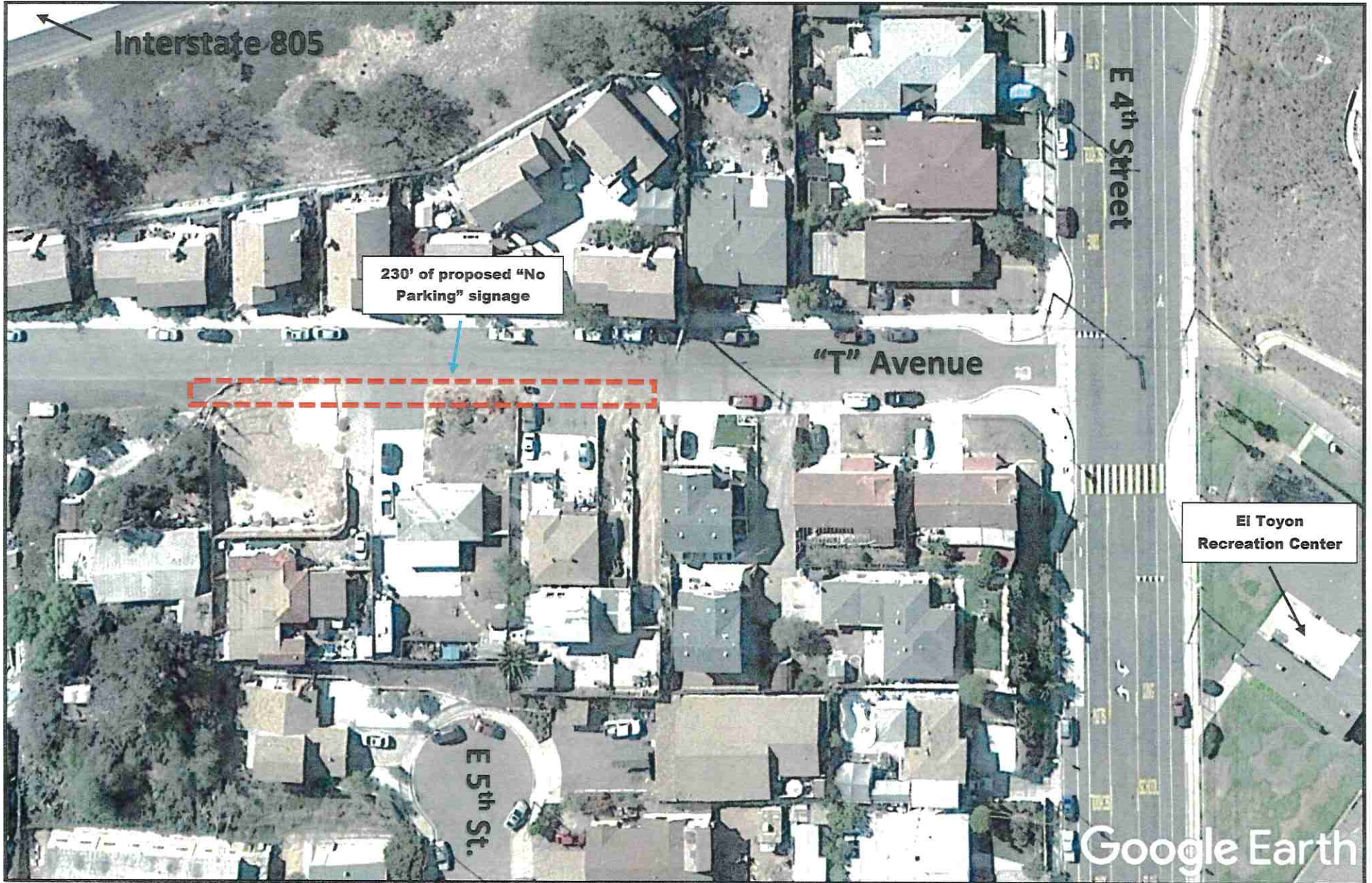
2018-22

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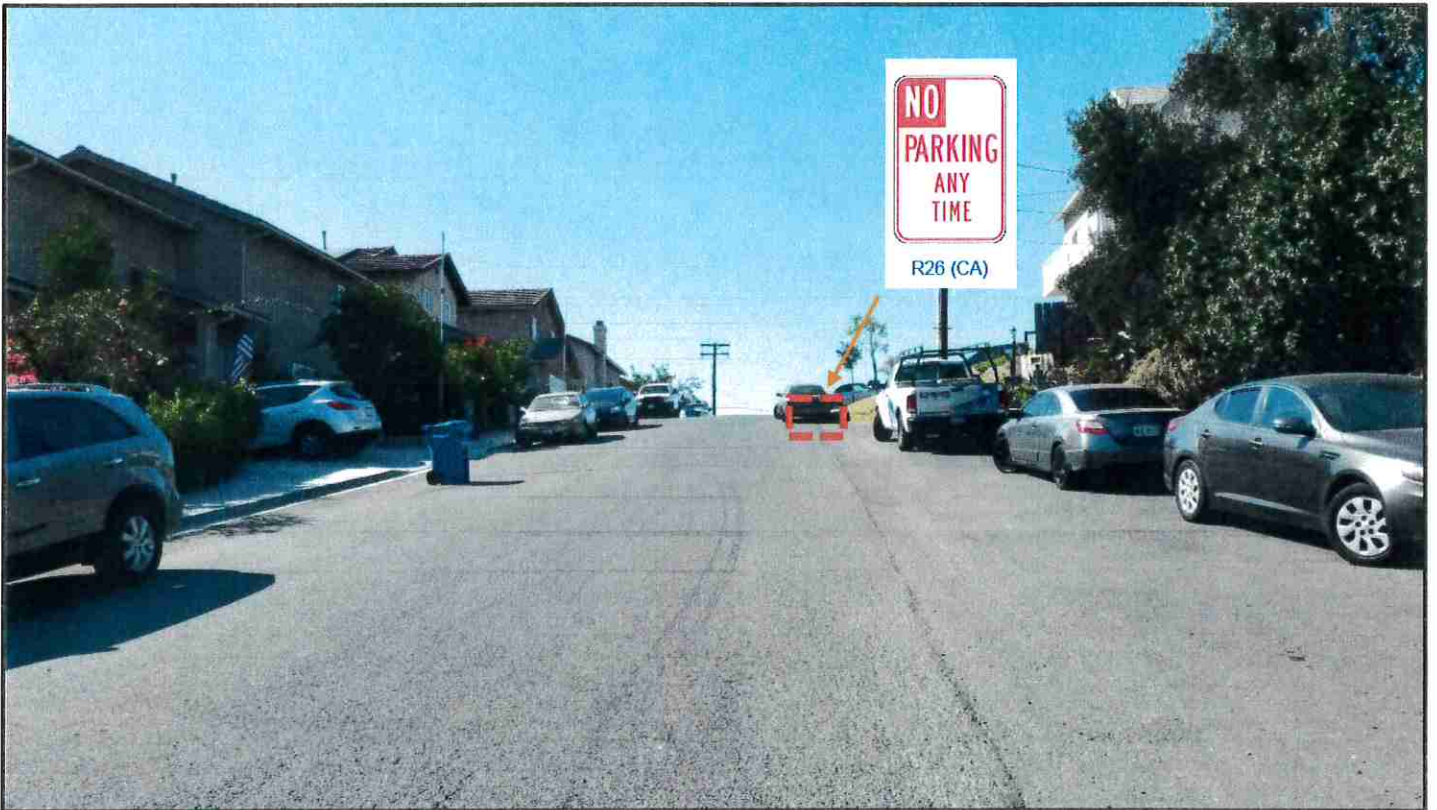
1234 National City Boulevard, National City, CA 91950-6530  
(619) 336-4380 Fax (619) 336-4397 [engineering@nationalcityca.gov](mailto:engineering@nationalcityca.gov)



# Location Map with Recommended Enhancements (TSC Item: 2018-22)







Proposed installation of 230' of "No Parking" signage on the east side of 400-500 block of T Ave (looking north)



Proposed installation of 230' of "No Parking" signage on the east side of 400-500 block of T Ave (looking north)





Proposed installation of 230' of "No Parking" signage on the east side of 400-500 block of T Ave (looking north)



Proposed installation of 230' of "No Parking" signage on the east side of 400-500 block of T Ave (looking north)

RESOLUTION NO. 2018 –

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY  
AUTHORIZING THE INSTALLATION OF 230 FEET OF “NO PARKING”  
SIGNAGE ON THE EAST SIDE OF THE 400-500 BLOCK OF “T” AVENUE  
TO ENHANCE SAFETY FOR VEHICLES TRAVELING ON “T” AVENUE

WHEREAS, at the June 20, 2018 Traffic Safety Committee meeting, committee member Richard Delgado requested the installation of “No Parking” signage on the 400-500 block of “T” Avenue to enhance safety and visibility for vehicles traveling on “T” Avenue because there is a section of “T” Avenue that is too narrow to accommodate two-way traffic due to vehicles parking on both sides of the street; and

WHEREAS, during a site evaluation, staff confirmed that a 230-foot section of “T” Avenue, located at the 400-500 block of “T” Avenue, measures 28 feet wide and that when vehicles park on both sides of the street, the travel way narrows to 16 feet or less, which is less than the 20 foot clearance required by the California Fire Code for emergency vehicles; and

WHEREAS, to ensure compliance with the California Fire Code, staff recommends parking must be restricted to only one side of the street at the 400-500 block of “T” Avenue; and

WHEREAS, because only the west side of “T” Avenue has a sidewalk, staff recommends the installation of “No Parking” signage on the east side of 400-500 block of “T” Avenue to enhance safety for vehicles traveling on “T” Avenue; and

WHEREAS, at its meeting on August 8, 2018, the Traffic Safety Committee approved staff’s recommendation to install “No Parking” signage on the east side of the 400-500 block of “T” Avenue.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of National City hereby authorizes the installation of 230 feet of “No Parking” signage on the east side of the 400-500 block of “T” Avenue to enhance safety for vehicles traveling on “T” Avenue.

PASSED and ADOPTED this 18th day of September, 2018.

\_\_\_\_\_  
Ron Morrison, Mayor

ATTEST:

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

\_\_\_\_\_  
Michael R. Dalla, City Clerk

By: \_\_\_\_\_  
Nicole Pedone  
Acting 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\) ratifying the acceptance of the California Library Literacy Services \(CLLS\) Grant in the amount of \\$18,000 to fund the National City Library's literacy services program for FY 2019; and 2\) authorizing the establishment of Library Grants Fund appropriations totaling \\$18,000 and a corresponding revenue budget. \(Library\)](#)

Please scroll down to view the backup material.

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

**MEETING DATE:** September 18, 2018

**AGENDA ITEM NO.:**

**ITEM TITLE:**

Resolution of the City Council of the City of National City: 1) ratifying the acceptance of the California Library Literacy Services (CLLS) Grant in the amount of \$18,000 to fund the National City Library's literacy services program for FY2019; and 2) authorizing the establishment of Library Grants Fund appropriations totalling \$18,000 and a corresponding revenue budget.

**PREPARED BY:** Mariya Anton

**DEPARTMENT:** Library

**PHONE:** 619-470-5800

**APPROVED BY:** 

**EXPLANATION:**

The CLLS grant is designed to support the Library's literacy services program to English-speaking adults who seek to improve their reading, writing, and math skills. In determining the amount of funding to the libraries that provide literacy services to their communities, the California State Library uses a funding formula that consists of three parts:

1. A *baseline* amount of \$18,000 to provide a minimum level of local literacy staffing and services;
2. A *per capita* amount per adult learner served in the previous year; and
3. A *match* of local funds earmarked for adult literacy services. This local match is fulfilled by a CDBG grant awarded to the Library by the City Council on May 1st in the amount of \$52,000 to defray the personnel costs of the Literacy Coordinator who oversees the operation of the literacy program.

The CLLS grant is awarded in two payments each year. The first payment of \$18,000 is the *baseline* amount. The second payment is determined by applying the other two parts of the formula (*per capita* and *match*) once the final report on the previous year is submitted to the State Library by September 18, 2018 deadline.

**FINANCIAL STATEMENT:**

**APPROVED:** 

**FINANCE**

**ACCOUNT NO.**

**APPROVED:** \_\_\_\_\_

**MIS**

320-31339-3463 (Literacy Services Grant) - \$18,000

320-431-339\* (Literacy Services Grant) - \$18,000

The City's required match will be met with CDBG funds awarded to the Library

**ENVIRONMENTAL REVIEW:**

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

**ORDINANCE:** INTRODUCTION  FINAL ADOPTION

**STAFF RECOMMENDATION:**

Adopt the resolution.

**BOARD / COMMISSION RECOMMENDATION:**

Approved by the Library Board of Trustees on September 5, 2018.

**ATTACHMENTS:**

1. Award Letter
2. Resolution



August 15, 2018

Minh Duong, City Librarian  
National City Public Library  
1401 National City Boulevard  
National City, CA 91950-3314

[minh.duong@nationalcitylibrary.org](mailto:minh.duong@nationalcitylibrary.org)

Dear Ms. Duong:

We're happy to provide funds for the fiscal year that began July 1, 2018 to support your California Library Literacy Services program and the important work you, your staff and volunteers do in your community.

The recently signed state budget continues California Library Literacy Services funding at \$4.82 million and adds \$2.5 million for family literacy.

At this time, we're providing the \$18,000 baseline amount for your program. The remainder will be sent in the fall after a review of the Final Report you submit to us in September.

There are three parts to the library's [funding formula](#):

1. A *baseline* amount (\$18,000) for each approved literacy program to provide libraries with the funding needed to deliver a minimum level of local literacy staffing and services;
2. A *per capita* amount per adult learner served in the previous year; and
3. A *match* on local funds raised and expended for adult literacy services—reflecting a commitment to a continuing state/local partnership and providing an incentive for increased local support for adult literacy.

The payment process begins once we receive your signed Claim Form (attached). Please direct any questions to: Andrea Freeland @ 916.651.3191 and/or [andrea.freeland@library.ca.gov](mailto:andrea.freeland@library.ca.gov).

**NOTE:** All claims must be completed and signed in both places and all claims must be mailed to Fiscal Office – must have original signatures to process claims.

Thank you for your willingness to do so much for so many people in need.

Respectfully yours,

  
Greg Lucas  
California State Librarian

cc: Matthew Boatman, Literacy Coordinator (via email: [matthew.boatman@nationalcitylibrary.org](mailto:matthew.boatman@nationalcitylibrary.org))

File  
Enc.: Claim Form

RESOLUTION NO. 2018 –

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY  
RATIFYING THE ACCEPTANCE OF A CALIFORNIA LIBRARY LITERACY  
SERVICES GRANT IN THE AMOUNT OF \$18,000 TO FUND  
THE NATIONAL CITY LIBRARY'S LITERACY SERVICES PROGRAM  
FOR FISCAL YEAR 2019, AND AUTHORIZING THE ESTABLISHMENT  
OF A LIBRARY GRANTS FUND APPROPRIATION IN THE AMOUNT  
OF \$18,000 AND CORRESPONDING REVENUE BUDGET

WHEREAS, the California Library Literacy Services ("CLLS") Grant is designed to support the Library's literacy services program to English-speaking adults who seek to improve their reading, writing, and math skills; and

WHEREAS, to determine the amount of funding for libraries that provide literacy services to their communities, the California State Library uses a funding formula consisting of the following three parts:

1. A baseline amount of \$18,000 to provide a minimum level of local literacy staffing and services;
2. A per capita amount per adult learner served in the previous year; and
3. A match of local funds earmarked for adult literacy services that is provided by a CDBG grant awarded to the Library by the City Council on May 1, 2018 in the amount of \$52,000 to defray the personnel costs of the Literacy Coordinator who oversees the operation of the literacy program.

WHEREAS, the CLLS grant is provided to the Library in two payments each year; the first payment of \$18,000 is the baseline amount, and the second payment is determined by applying the other two parts of the formula (per capita match) once the final report on the previous fiscal year is submitted to the State Library by the September 18, 2018 deadline.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of National City hereby ratifies the acceptance of grants funds in the amount of \$18,000 from the California Library Literacy Services to fund the National City Public Library's literacy services program for Fiscal Year 2019.

BE IT FURTHER RESOLVED that the City Council authorizes the establishment of a Library Grants Fund appropriation in the amount of \$18,000 and corresponding revenue budget.

*[Signature Page to Follow]*

Resolution No. 2018 –  
Page Two

PASSED and ADOPTED this 18th day of September, 2018.

\_\_\_\_\_  
Ron Morrison, Mayor

ATTEST:

\_\_\_\_\_  
Michael R. Dalla, City Clerk

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

By: \_\_\_\_\_  
Nicole Pedone  
Acting 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\) authorizing the acceptance of the San Diego Unified Port District's Tidelands Activation Grant funds of \\$10,000 and \\$3,330 in services provided by the San Diego Unified Port District for special events at the National City Aquatic Center and Pepper Park, with no matching funds required; 2\) authorizing the City Manager to execute an agreement between the City of National City and the San Diego Unified Port District to receive FY19 Tidelands Activation Grant funds; and 3\) authorizing the establishment of a Reimbursable Grants Citywide Fund appropriation of \\$10,000 and corresponding revenue budget. \(Community Services\)](#)  
Please scroll down to view the backup material.



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

**MEETING DATE:** September 18, 2018

**AGENDA ITEM NO.:**

**ITEM TITLE:**

Resolution of the City Council of the City of National City, 1) authorizing the acceptance of the San Diego Unified Port District's Tidelands Activation Grant funds of \$10,000 and \$3,330 in services provided by the San Diego Unified Port District for special events at the National City Aquatic Center and Pepper Park, with no matching funds required; 2) authorizing the City Manager to execute an agreement between the City of National City and the San Diego Unified Port District to receive FY19 Tidelands Activation Grant funds; 3) and authorizing the establishment of a Reimbursable Grants Citywide Fund appropriation of \$10,000 and corresponding revenue budget.

**PREPARED BY:** Audrey Denham

**PHONE:** 619-336-4243

**DEPARTMENT:** Community Services

**APPROVED BY:** 

**EXPLANATION:**

See staff report.

**FINANCIAL STATEMENT:**

**ACCOUNT NO.**

282-00000-3699 (Reimbursable Grants Citywide Fund contract services account) - \$10,000.00  
282-418-058-299 (Reimbursable Grants Citywide Fund contract services account) - \$10,000.00  
No financial impact on the City's General Fund budget.

**APPROVED:** 

**FINANCE**

**APPROVED:** \_\_\_\_\_

**MIS**

**ENVIRONMENTAL REVIEW:**

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

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

**STAFF RECOMMENDATION:**

Adopt the resolution, 1) authorizing the acceptance of the San Diego Unified Port District's Tidelands Activation Grant funds; 2) authorizing the City Manager to execute the agreement between the City of National City and the San Diego Unified Port District 3) authorizing the establishment of a Reimbursable Grants Citywide Fund appropriation of \$10,000 and corresponding revenue budget.

**BOARD / COMMISSION RECOMMENDATION:**

**ATTACHMENTS:**

1. Staff Report
2. Agreement



## City Council Staff Report

September 18, 2018

### ITEM

Staff Report: Resolution of the City Council of the City of National City, 1) authorizing the acceptance of the San Diego Unified Port District’s Tidelands Activation Grant funds of \$10,000 and \$3,330 in services provided by the San Diego Unified Port District for special events at the National City Aquatic Center and Pepper Park, with no matching funds required; 2) authorizing the City Manager to execute an agreement between the City of National City and the San Diego Unified Port District to receive FY19 Tidelands Activation Grant funds; 3) and authorizing the establishment of a Reimbursable Grants Citywide Fund appropriation of \$10,000 and corresponding revenue budget.

### BACKGROUND

In an effort to support a vibrant and active waterfront, the San Diego Unified Port District (the Port) offers sponsorship of community organized events through the Tidelands Activation Program (TAP). The annual grant program supports events that engage the community and inspire visitors to enjoy San Diego Bay. Events are selected through a rigorous public evaluation process led by the TAP Advisory Committee, which includes members of the community. The City of National City (the City) is a recipient of the FY19 TAP grant and has been awarded \$10,000 in funding and \$3,330 in Port provided services to support Aquatic Adventures by the Bay, which will include various fitness demonstrations and activities. Previous grant funding is as follows:

Fiscal Year	Event	Grant Funds	Port Services
2017	Aquatic Adventures by the Bay	\$5,000	\$5,000
2018	Aquatic Adventures by the Bay and Family Fun and Fitness Series	\$10,000	\$2,460

### DISCUSSION

In order to receive Port funding and services the City must enter into an agreement with the Port; following are key terms of the agreement:



City responsibilities:

- Include Port logo on visual materials such as flyers, posters, postcards, banners, videos, e-headers, newspaper/magazine ads, and giveaways
- Include Port logo on the City’s webpage in the Events section
- Include Port logo and/or mention Port on social media posts
- Include Port logo and/or mention Port in press releases/media relations and City newsletter
- Hang Port banner in prominent location at the event
- Reserve prominent booth space for the Port to distribute promotional items and marketing materials

Port responsibilities:

- Financial support not to exceed \$10,000
- Service fee waivers not to exceed \$3,330
- Marketing and advertising support such as posting the event on Port webpage in Upcoming Events section, event creation on Facebook, and social media mentions on Facebook and Twitter
- Communications and publicity support such as mention of event in list of sponsored Tidelands Activation Program events press release and inclusion in E-blast distributions to Port newsletter subscribers
- Provide interactive booth with educational information and giveaways or provide materials for distribution and/or display

**RECOMMENDATION**

Adopt the resolution, 1) authorizing the acceptance of the San Diego Unified Port District’s Tidelands Activation Grant funds; 2) authorizing the City Manager to execute the agreement between the City of National City and the San Diego Unified Port District 3) authorizing the establishment of a Reimbursable Grants Citywide Fund appropriation of \$10,000 and corresponding revenue budget.

**FISCAL IMPACT**

The City of National City shall be compensated and reimbursed by the San Diego Unified Port District on the basis of invoices submitted. The Department of Finance staff will establish the appropriation in the Reimbursable Grants Citywide Fund contract services account (282-418-058-299) and deposit reimbursements into the same fund account (282-00000-3699), thus having no financial impact on the City’s General Fund budget.

**AGREEMENT BETWEEN  
SAN DIEGO UNIFIED PORT DISTRICT  
and  
CITY OF NATIONAL CITY  
for  
AQUATIC ADVENTURES BY THE BAY  
AGREEMENT NO. 178-2018JLR**

The parties to this Agreement are the SAN DIEGO UNIFIED PORT DISTRICT, a public corporation (District) and CITY OF NATIONAL CITY, a Municipal Corporation located in National City, California (City).

Recitals:

District and City desire to enter into an agreement for promotional services at Aquatic Adventures by the Bay.

Both parties agree to the following:

1. **SCOPE OF SERVICES.** City shall furnish all technical and professional labor, and materials to satisfactorily comply with Attachment A, Scope of Services, attached hereto and incorporated herein, as requested by District. City shall keep the Executive Director of the District or their designated representative informed of the progress of said services at all times.
2. **TERM OF AGREEMENT.** This Agreement shall commence on September 4, 2018 and shall terminate on June 30, 2019, subject to earlier termination as provided below.
3. **COMPENSATION.** For performance of services rendered pursuant to this Agreement and as further described in Attachment B, Compensation and Invoicing, attached hereto and incorporated herein; District shall compensate City based on the following, subject to the limitation of the maximum expenditure provided herein:
  - a. **Maximum Expenditure.** The District shall pay the City \$10,000.00, and provide \$3,330.00 in District Services for a maximum expenditure under this Agreement not to exceed \$13,330.00. Said expenditure shall include

without limitation all sums, charges, reimbursements, costs and expenses provided for herein. City shall not be required to perform further services after compensation has been expended. In the event that the City anticipates the need for services in excess of the maximum Agreement amount, the District shall be notified in writing immediately. District must approve an amendment to this Agreement before additional fees and costs are incurred.

- b. **Progress Documentation.** At the District's request, City shall provide District progress reports in a format and on a schedule as District directs. Progress reports shall include a description of work completed, cumulative dollar costs incurred, anticipated work for the next reporting period, percentage of work complete, and the expected completion date for remaining work. The report shall identify problem areas and important issues that may affect project cost and/or schedule. The report shall present actual percent completion versus planned percent completion.

#### 4. **RECORDS**

- a. City shall maintain full and complete records of the cost of services performed under this Agreement. Such records shall be open to inspection of District at all reasonable times in the City of San Diego and such records shall be kept for at least three (3) years after the termination of this Agreement.
- b. Such records shall be maintained by City for a period of three (3) years after completion of services to be performed under this Agreement or until all disputes, appeals, litigation or claims arising from this Agreement have been resolved, whichever is later.
- c. City understands and agrees that District, at all times under this Agreement, has the right to review project documents and work in progress and to audit financial records, whether or not final, which City or anyone else associated with the work has prepared or which relate to the

work which City is performing for District pursuant to this Agreement regardless of whether such records have previously been provided to District. City shall provide District at City's expense a copy of all such records within five (5) working days of a written request by District. District's right shall also include inspection at reasonable times of the City's office or facilities, which are engaged in the performance of services pursuant to this Agreement. City shall, at no cost to District furnish reasonable facilities and assistance for such review and audit. City's failure to provide the records within the time requested shall preclude City from receiving any compensation due under this Agreement until such documents are provided.

5. **CITY'S SUB-CONTRACTORS**

- a. It may be necessary for City to sub-contract for the performance of certain technical services or other services for City to perform and complete the required services; provided, however, all City's sub-contractors shall be subject to prior written approval by District. The City shall remain responsible to District for any and all services and obligations required under this Agreement, whether performed by City or City's sub-contractors. City shall compensate each City's sub-contractors in the time periods required by law. Any City's sub-contractors employed by City shall be independent and not agents of District. City shall insure that City's sub-contractors satisfy all substantive requirements for the work set forth by this Agreement, including insurance and indemnification.
  
- b. City shall also include a clause in its Agreements with City's sub-contractors which reserves the right, during the performance of this Agreement and for a period of three (3) years following termination of this Agreement, for a District representative to audit any cost, compensation or settlement resulting from any items set forth in this Agreement. This clause shall also require City's sub-contractors to retain all necessary records for a period of three (3) years after completion of services to be

performed under this Agreement or until all disputes, appeals, litigation or claims arising from this Agreement have been resolved, whichever is later.

6. **COMPLIANCE**

- a. In performance of this Agreement, City and City's sub-contractors shall comply with the California Fair Employment and Housing Act, the American with Disabilities Act, and all other applicable federal, state, and local laws prohibiting discrimination, including without limitation, laws prohibiting discrimination because of age, ancestry, color, creed, denial of family and medical care leave, disability, marital status, medical condition, national origin, race, religion, sex, or sexual orientation. City shall comply with the prevailing wage provisions of the Labor Code, and the Political Reform Act provisions of the Government Code, as applicable.
- b. City shall comply with all Federal, State, regional and local laws, and district Ordinances and Regulations applicable to the performance of services under this Agreement as exist now or as may be added or amended.

7. **INDEPENDENT ANALYSIS.** City shall provide the services required by this Agreement and arrive at conclusions with respect to the rendition of information, advice or recommendations, independent of the control and direction of District, other than normal contract monitoring provided, however, City shall possess no authority with respect to any District decision.

8. **ASSIGNMENT.** This is a personal services Agreement between the parties and City shall not assign or transfer voluntarily or involuntarily any of its rights, duties, or obligations under this Agreement without the express written consent of District in each instance.

9. **INDEMNIFY, DEFEND, HOLD HARMLESS**

- a. **Duty to Indemnify, duty to defend and hold harmless:** To the fullest extent provided by law, City agrees to defend, indemnify and hold

harmless the District, its agents, officers or employees, from and against any claim, demand, action, proceeding, suit, liability, damage, cost (including reasonable attorneys' fees) or expense for, including but not limited to, damage to property, the loss or use thereof, or injury or death to any person, including City's officers, agents, subcontractors, employees, ("Claim"), caused by, arising out of, or related to the performance of services by City as provided for in this Agreement **or related to the 2018 "Aquatic Adventures by the Bay"**, or failure to act by City, its officers, agents, subcontractors and employees. The City's duty to defend, indemnify, and hold harmless shall not include any Claim arising from the active negligence, sole negligence or willful misconduct of the District, its agents, officers, or employees.

- b. The City further agrees that the duty to indemnify, and the duty to defend the District as set forth in 9.a, requires that City pay all reasonable attorneys' fees and costs District incurs associated with or related to enforcing the indemnification provisions, and defending any Claim arising from the services of the City provided for in this Agreement.
- c. The District may, at its own election, conduct its defense, or participate in the defense of any Claim related in any way to this Agreement. If the District chooses at its own election to conduct its own defense, participate in its own defense or obtain independent legal counsel in defense of any Claim arising from the services of City provided for in this Agreement, City agrees to pay all reasonable attorneys' fees and all costs incurred by District.

## 10. **INSURANCE REQUIREMENTS**

- a. City shall at all times during the term of this Agreement maintain, at its expense, the following minimum levels and types of insurance:
  - (1) Commercial General Liability (including, without limitation, Contractual Liability, Personal Injury, Advertising Injury, and

Products/Completed Operations) coverages, with coverage at least as broad as Insurance Services Office Commercial General Liability Coverage (occurrence Form CG 0001) with limits no less than one million dollars (\$1,000,000) per Occurrence and two million dollars (\$2,000,000) Aggregate for bodily injury, personal injury and property damage.

- (a) The deductible or self-insured retention on this Commercial General Liability shall not exceed \$5,000 unless District has approved of a higher deductible or self-insured retention in writing.
  - (b) The Commercial General Liability policy shall be endorsed to include the District; its agents, officers and employees as additional insureds in the form as required by the District. An exemplar endorsement is attached (Exhibit A, Certificate of Insurance, attached hereto and incorporated herein).
  - (c) The coverage provided to the District, as an additional insured, shall be primary and any insurance or self-insurance maintained by the District shall be excess of the City's insurance and shall not contribute to it.
  - (d) The Commercial General Liability policy shall be endorsed to include a waiver of transfer of rights of recovery against the District ("Waiver of Subrogation").
- (2) Commercial Automobile Liability (Owned, Scheduled, Non-Owned, or Hired Automobiles) written at least as broad as Insurance Services Office Form Number CA 0001 with limits of no less than one million dollars (\$1,000,000) combined single limit per accident for bodily injury and property damage.



- (3) Workers' Compensation, statutory limits, is required of the City and all sub-consultants (or be a qualified self-insured) under the applicable laws and in accordance with "Workers' Compensation and Insurance Act", Division IV of the Labor Code of the State of California and any Acts amendatory thereof. Employer's Liability, in an amount of not less than one million dollars (\$1,000,000) each accident, \$1,000,000 disease policy limit and \$1,000,000 disease each employee. This policy shall be endorsed to include a waiver of subrogation endorsement, where permitted by law.
    - (4) Umbrella or Excess Liability insurance with limits no less than one million dollars (\$1,000,000) per occurrence and aggregate. This policy must provide excess insurance over the same terms and conditions required above for the General Liability, Automobile Liability and Employer's Liability policies.
  - b. City shall furnish District with certificates of insurance coverage for all the policies described above upon execution of this Agreement and upon renewal of any of these policies. A Certificate of Insurance in a form acceptable to the District, an exemplar Certificate of Insurance is attached as Exhibit A and made a part hereof, evidencing the existence of the necessary insurance policies and endorsements required shall be kept on file with the District. Except in the event of cancellation for non-payment of premium, in which case notice shall be 10 days, all such policies must be endorsed so that the insurer(s) must notify the District in writing at least 30 days in advance of policy cancellation. City shall also provide notice to District prior to cancellation of, or any change in, the stated coverages of insurance.
  - c. The Certificate of Insurance must delineate the name of the insurance company affording coverage and the policy number(s) specifically referenced to each type of insurance, either on the face of the certificate or on an attachment thereto. If an addendum setting forth multiple

insurance companies or underwriters is attached to the certificate of insurance, the addendum shall indicate the insurance carrier or underwriter who is the lead carrier and the applicable policy number for the CGL coverage.

- d. Furnishing insurance specified herein by the District will in no way relieve or limit any responsibility or obligation imposed by the Agreement or otherwise on City or City's sub-contractors or any tier of City's sub-contractors. District shall reserve the right to obtain complete copies of any of the insurance policies required herein.

11. **ACCURACY OF SERVICES.** City shall be responsible for the technical accuracy of its services and documents resulting therefrom and District shall not be responsible for discovering deficiencies therein. City shall correct such deficiencies without additional compensation. Furthermore, City expressly agrees to reimburse District for any costs incurred as a result of such deficiencies. City shall make decisions and carry out its responsibilities hereunder in a timely manner and shall bear all costs incident thereto so as not to delay the District, the project, or any other person related to the project, including the City or its agents, employees, or subcontractors.

12. **INDEPENDENT CONTRACTOR.** City and any agent or employee of City shall act in an independent capacity and not as officers or employees of District. The District assumes no liability for the City's actions and performance, nor assumes responsibility for taxes, bonds, payments or other commitments, implied or explicit by or for the City. City shall not have authority to act as an agent on behalf of the District unless specifically authorized to do so in writing. City acknowledges that it is aware that because it is an independent contractor, District is making no deductions from its fee and is not contributing to any fund on its behalf. City disclaims the right to any fee or benefits except as expressly provided for in this Agreement.

13. **ADVICE OF COUNSEL.** The parties agree that they are aware that they have the right to be advised by counsel with respect to the negotiations, terms and conditions of this Agreement, and that the decision of whether or not to seek the advice of counsel with respect to this Agreement is a decision which is the sole responsibility of each of the parties hereto. This Agreement shall not be construed in favor of or against either party by reason of the extent to which each party participated in the drafting of the Agreement. The formation, interpretation and performance of this Agreement shall be governed by the laws of the State of California.
14. **INDEPENDENT REVIEW.** Each party hereto declares and represents that in entering into this Agreement it has relied and is relying solely upon its own judgment, belief and knowledge of the nature, extent, effect and consequence relating thereto. Each party further declares and represents that this Agreement is being made without reliance upon any statement or representation not contained herein of any other party, or any representative, agent or attorney of any other party.
15. **INTEGRATION AND MODIFICATION.** This Agreement contains the entire Agreement between the parties and supersedes all prior negotiations, discussion, obligations and rights of the parties in respect of each other regarding the subject matter of this Agreement. There is no other written or oral understanding between the parties. No modifications, amendment or alteration of this Agreement shall be valid unless it is in writing and signed by the parties hereto.
16. **OWNERSHIP OF RECORDS.** Any and all materials and documents, including without limitation drawings, specifications, computations, designs, plans, investigations and reports, prepared by City, if any, pursuant to this Agreement, shall be the property of District from the moment of their preparation and the City shall deliver such materials and documents to District at the Don L. Nay Port Administration Building (located at 3165 Pacific Highway, San Diego, California 92101) whenever requested to do so by District. However, City shall have the

right to make duplicate copies of such materials and documents for its own file, or other purposes as may be expressly authorized in writing by District. Said materials and documents prepared or acquired by City pursuant to this Agreement (including any duplicate copies kept by the City) shall not be shown to any other public or private person or entity, except as authorized by District. City shall not disclose to any other public or private person or entity any information regarding the activities of District, except as expressly authorized in writing by District.

17. **TERMINATION.** In addition to any other rights and remedies allowed by law, the Executive Director (President/CEO) of District may terminate this Agreement at any time with or without cause by giving thirty (30) days written notice to City of such termination and specifying the effective date thereof. In that event, all finished or unfinished documents and other materials shall at the option of District be delivered by City to the Don L. Nay Port Administration Building (located at 3165 Pacific Highway, San Diego, California 92101). Termination of this Agreement by Executive Director (President/CEO) as provided in this paragraph shall release District from any further fee or claim hereunder by City other than the fee earned for services which were performed prior to termination but not yet paid. Said fee shall be calculated and based on the schedule as provided in this Agreement.

18. **DISPUTE RESOLUTION**

a. If a dispute arises out of or relates to this Agreement, or the alleged breach thereof, and is not settled by direct negotiation or such other procedures as may be agreed, and if such dispute is not otherwise time barred, the parties agree to first try in good faith to settle the dispute amicably by mediation administered at San Diego, California, by the American Arbitration Association, or by such other provider as the parties may mutually select, prior to initiating any litigation or arbitration. Notice of any such dispute must be filed in writing with the other party within a reasonable time after the dispute has arisen. Any resultant Agreements

shall be documented and may be used as the basis for an amendment or directive as appropriate.

- b. If mediation is unsuccessful in settling all disputes that are not otherwise time barred, and if both parties agree, any still unresolved disputes may be resolved by arbitration administered at San Diego, California, by the American Arbitration Association, or by such other provider as the parties may mutually select, provided, however, that the Arbitration Award shall be non-binding and advisory only. Any resultant Agreements shall be documented and may be used as the basis for an amendment or directive as appropriate. On demand of the arbitrator or any party to this Agreement, sub-contractor and all parties bound by this arbitration provision agree to join in and become parties to the arbitration proceeding.
  - c. The foregoing mediation and arbitration procedures notwithstanding, all claim filing requirements of the Agreement documents, the California Government Code, and otherwise, shall remain in full force and effect regardless of whether or not such dispute avoidance and resolution procedures have been implemented, and the time periods within which claims are to be filed or presented to the District Clerk as required by said Agreement, Government Code, and otherwise, shall not be waived, extended or tolled thereby. If a claim is not timely filed or presented, such claim shall be time barred and the above dispute avoidance and resolution procedures, whether or not implemented or then pending, shall likewise be time barred as to such claims.
19. **PAYMENT BY DISTRICT.** Payment by the District pursuant to this Agreement does not represent that the District has made a detailed examination, audit, or arithmetic verification of the documentation submitted for payment by the City, made an exhaustive inspection to check the quality or quantity of the services performed by the City, made an examination to ascertain how or for what purpose the City has used money previously paid on account by the District, or constitute a waiver of claims against the City by the District. The District may in

its sole discretion withhold payments or seek reimbursement from the City for expenses, miscellaneous charges, or other liabilities or increased costs incurred or anticipated by the District which are the fault of or as result of work performed or negligent conduct by or on behalf of the City. Upon five (5) day written notice to the City, the District shall have the right to estimate the amount of expenses, miscellaneous charges, or other liabilities or increased costs and to cause the City to pay the same; and the amount due the City under this Agreement or the whole or so much of the money due or to become due to the City under this Agreement as may be considered reasonably necessary by the District shall be retained by the District until such expenses, miscellaneous charges, or other liabilities or increased costs shall have been corrected or otherwise disposed of by the City at no expense to the District. If such expenses, miscellaneous charges, or other liabilities or increased costs are not corrected or otherwise disposed of at no expense to the District prior to completion date of the Agreement, the District is authorized to pay for such expenses, miscellaneous charges, or other liabilities or increased costs from the amounts retained as outlined above or to seek reimbursement of same from the City. It is the express intent of the parties to this Agreement to protect the District from loss because of conduct by or on behalf of the City.

20. **CAPTIONS.** The captions by which the paragraphs of this Agreement are identified are for convenience only and shall have no effect upon its interpretation.
  
21. **EXECUTIVE DIRECTOR'S SIGNATURE.** It is an express condition of this Agreement that said Agreement shall not be complete nor effective until signed by either the Executive Director (President/CEO) or Authorized Designee on behalf of the District and by Authorized Representative of the City.
  - a. Submit all correspondence regarding this Agreement to:

Terrie Eichholz  
TAP - Waterfront Arts & Activation  
San Diego Unified Port District



P.O. Box 120488  
San Diego, CA 92112-0488  
Tel: 619-686-6551  
Email: [TAP@portofsandiego.org](mailto:TAP@portofsandiego.org)

- b. The City's Authorized Representative assigned below has the authority to authorize changes to the scope, terms and conditions of this Agreement:

Audrey M. Denham  
City of National City  
140 E. 12<sup>th</sup> Street, Suite B  
National City, CA 91950  
Tel: 619-336-4243  
Email: [adenham@nationalcityca.gov](mailto:adenham@nationalcityca.gov)

- c. Written notification to the other party shall be provided, in advance, of changes in the name or address of the designated Authorized Representative.

**SAN DIEGO UNIFIED PORT DISTRICT**

**CITY OF NATIONAL CITY**

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Yvonne Wise  
Director, Waterfront Arts & Activation

---

Leslie Deese  
City Manager

Approved as to form and legality:  
GENERAL COUNSEL

---

By: Assistant/Deputy

A manually signed copy of this Agreement transmitted by email or any other means of electronic transmission shall be deemed to have the same legal effect as delivery of an original signed copy of this Agreement.

## **ATTACHMENT A SCOPE OF SERVICES**

### **San Diego Unified Port District**

#### **Promotional Services**

In return for a marketing sponsorship investment of \$10,000 in District funding and \$3,330 in District services, the City agrees to promote District and/or commerce, navigation, recreation, fisheries and tenant businesses on the District tidelands. The City agrees to provide the District the following in return for the marketing sponsorship investment:

#### **EVENT ORGANIZER WILL PROVIDE:**

##### **Marketing & Advertising Inclusion:**

- Logo inclusion in visual materials with all collateral approved by the District prior to printing:
  - PoSD Logo in printed event art including flyers, posters, and postcards
  - PoSD Logo in digital event art including banners, memes, cover art, background art, and e-headers
  - PoSD Logo in all print advertising including newspaper and magazine ads
- Logo and link inclusion in digital materials:
  - PoSD Logo on website with link to the <https://www.portofsandiego.org/experiences/tidelands-activation-program>
- Handle and hashtag inclusion in Social Media:
  - Facebook: Posts mentioning PoSD sponsorship tagging [@portofsandiego](#), [#Wonderfront](#), [#SanDiegoBay](#) and/or [#GoSanDiego](#)
  - Twitter: Tweets mentioning PoSD sponsorship tagging [@portofsandiego](#), [#Wonderfront](#), [#SanDiegoBay](#) and/or [#GoSanDiego](#)
  - Instagram: Posts mentioning PoSD sponsorship tagging [@portofsandiego](#), [#Wonderfront](#), [#SanDiegoBay](#) and/or [#GoSanDiego](#)

##### **Communications & Publicity Inclusion:**

- Press Releases/Media Relations:
  - Include Port's full standard TAP sentence in at least one press release
  - Include PoSD in list of sponsors in at least one press release
  - Include Port messaging in media speaking points
  - Include Port spokesperson in interview opportunities
- Mention of PoSD as sponsor and inclusion in event specific E-blast distribution

##### **On-Site Inclusion:**

- Prominent PoSD TAP banner placement near stage or entry at all events
- Reserved prominent space for optional placement of Port's TAP Booth, 10x10 or 10x20
- 10 Admission Tickets to event, VIP section or other special programming

- Mention of appreciation on stage during speaking program
- Opportunity to have Port spokesperson participate in speaking program
- Opportunity to distribute promotional items and marketing materials at information booth or in gift bags

**PORT OF SAN DIEGO TO PROVIDE:**

**Financial Support:** \$10,000

**Service Fee Waivers:** \$3,330

**Marketing & Advertising support:**

- Inclusion of event on PoSD TAP webpage in Upcoming Events section.
- Event sharing/co-hosting on Facebook with link back to event organization website for more information or ticket purchase
- Social media mentions on Facebook (44,000 fans) and Twitter (28,000 followers) tagging handles provided by event organizer, using #Wonderfront, #SanDiegoBay and/or #GoSanDiego

**Communications & Publicity Inclusion:**

- Mention in list of sponsored Tidelands Activation Program events press release sent out by the Port annually
- Inclusion in E-blast distributions to PoSD newsletter subscribers Community Events, Recreation & Tours list (5,500 subscribers) and/or Headlines list (2,500 subscribers).

**On-Site MarCom presence:**

- Interactive Booth 10x10 or 10x20 with educational information and giveaways, if available
- Sharing of photos/videos taken by Port photographer or videographer, as scheduling allows
- Provided materials for distribution and/or display, as available

Tidelands Activation Program Agreement: The parties acknowledge and agree the total amounts of cash and services provided by District through the 2018-19 Tidelands Activation Program may not equal the sums of cash and services granted in the Tidelands Activation Program Agreement, specifically cash and services. In such case, there is not a breach of the Tidelands Activation Program Agreement by the District. In the event the applicant disputes terms of the Tidelands Activation Program Agreement, applicant shall have no right to a credit or offset in any other agreements inclusive of the Tidelands Use & Occupancy Permit or leases between Parties.

To ensure compliance with the Tidelands Activation Program award-recipient's fulfillment requirements, all Citys will forward to District proof that it provided the above-mentioned promotional services and submit all of the following electronic materials within thirty (30) days of completion of work represented by the request under the Agreement:

- (1) A completed Tidelands Activation Program Wrap-Up form (located in the Event Organizer Toolkit on District's website);
- (2) Promotional Samples such as event photographs, press releases, social media posts, advertisements, calendar notices, or other promotional materials;

Submittals shall be emailed to [TAP@portofsandiego.org](mailto:TAP@portofsandiego.org) attention of: Terrie Eichholz, Waterfront Arts & Activation. Compliance with the award-recipient's fulfillment requirements and District Stormwater Conditions will be considered in the District's review of any future sponsorship applications.

### **District Stormwater Conditions**

The District has the authority to make and enforce necessary rules and regulations governing, among other things, stormwater management and discharge control. The District's stormwater regulations are found in Article 10 of the San Diego Unified Port District Code ("District Code"). Among other things, the District Code prohibits all non-stormwater discharges to the stormwater conveyance system and San Diego Bay.

Special events have been identified by the District as a potential source of non-stormwater discharges to the storm drain system and San Diego Bay. Discharges to the storm drain system or the Bay that are not entirely stormwater violate the District's Code. To help prevent illicit discharges, the District requires the implementation and maintenance of Best Management Practices (BMPs) at special events. **The discharge of any event-related material (including trash, bacteria, or metals) into the storm drain system or the bay will result in a citation.** BMPs specific to the activities planned for each special event are to be identified in writing prior to the event time. The following BMPs are routinely required:

- Trash dumpsters, portable toilets, or generators shall have secondary containment and must be located at least 10 feet away from any open stormdrain inlets or catch basins and the water's edge.
- All waste containers must be covered when not in use. Dumpsters must have lids closed and covered.
- Waste containers should be kept at acceptable levels (not overflowing).
- Full trash bags must be transported in a spill proof container to ensure that any leaks from the bags do not spill on the ground.
- Keep outdoor areas neat and clean before, during, and after the event.
- Remove and dispose of debris generated by the event. .
- Regularly conduct outdoor sweeping of hardscape areas like the parking lot, (if spaces have been requested) sidewalks or any other paved area within your event site to adequately control dust and debris.
- Minimize outdoor material storage areas in and around your event space.
- Keep outdoor material storage areas clean and dry.
- Keep materials stored under overhead cover (e.g. tarps or canopies) or within secondary containment.
- Keep stored materials closed and secure with proper labels.
- Keep the event site clear from indoor activities being tracked outdoors (e.g. dirt or spilled liquids being stepped in and tracked outside)

- A spill kit is to be easily accessible at all locations that have the potential to pollute (wash stations, dumpsters, portable restrooms, etc.)
- All spills (oil, grease, trash juice and beverages) must be cleaned up immediately. Some spills will require the use of a power washer to remove any stain.
- Capture, contain, and properly dispose of all wash water used before, during, and after the event. If hazardous materials are present, you must hire someone who is a licensed hazardous waste removal company to properly dispose of the water.
- Minimize the volume of cleaning water to decrease wastewater
- Keep event clear of illegal connections and unauthorized non-stormwater discharges to the storm drain system or the bay. **Only rain is allowed in the storm drain system or the bay.**
- Keep site clear of leaking fluids from vehicles and equipment. Use drip pans under vehicles or equipment.
- Regularly conduct preventive maintenance on all vehicles and equipment directly associated with the event to ensure no leaks are present.
- Have absorbent booms or spill materials available when fueling vehicles and equipment on-site.
- Train employees in stormwater, spill response, and pollution prevention.
- Conduct routine inspections of BMPs and storm drain system to ensure that BMPs are functioning properly and that no discharges to the storm drains have occurred.

BMP implementation record and the stormwater training will be filled out and signed by event organizer during a pre-event environmental walk-through. Direction related to permitted special event activities can be found in the District's Jurisdictional Runoff Management Document (JRMP). The JRMP is available on the District website: (<https://www.portofsandiego.org/environment/clean-water.html>) or by contacting the Environmental Protection Department, (619) 686-6254.

**ATTACHMENT B  
COMPENSATION & INVOICING  
San Diego Unified Port District**

**1. COMPENSATION**

- a. For the satisfactory performance and completion of the services under this Agreement, District shall pay City compensation as set forth hereunder.
  - (1) City shall be compensated and reimbursed by District on the basis of invoices submitted. Each invoice shall include:
    - (a) Date work performed;
    - (b) Description of the work performed;

**2. INVOICING**

- a. **Payment Documentation.** City shall include the following information on each invoice submitted for payment by District.
  - (1) Agreement No. 178-2018JLR
  - (2) The following certification phrase, with printed name, title and signature of City's project manager or designated representative:

"I certify under penalty of perjury that the above statement is just and correct according to the terms of Document No. \_\_\_\_\_, and that payment has not been received."
  - (3) Dates of service provided
  - (4) Date of invoice
  - (5) A unique invoice number
- b. District shall, at its discretion, return to City, without payment, any invoice, which has been submitted without the above information and certification phrase.
- c. Invoices shall be emailed to [TAP@portofsandiego.org](mailto:TAP@portofsandiego.org) attention of: Terrie Eichholz, Waterfront Arts & Activation.
- d. Should District contest any portion of an invoice, that portion shall be held for resolution, but the uncontested balance shall be processed for payment. District may, at any time, conduct an audit of any and all records kept by City for the Services. Any overpayment discovered in such an audit may be charged against the City's future invoices and any retention funds.
- e. City shall submit the following items with their invoices via email:
  - (1) Completed Tidelands Activation Program Wrap-Up form

(can be found in the Event Organizer Toolkit on District's website)  
(2) promotional samples, as listed in Attachment A

- f. City shall submit all invoices within thirty (30) days of completion of work represented by the request under the Agreement. Payment will be made to City after receipt of a proper Invoice.



**EXHIBIT A  
CERTIFICATE OF INSURANCE  
San Diego Unified Port District**

By signing this form, the authorized agent or broker **certifies** the following:

- (1) The Policy or Policies described below have been issued by the noted Insurer(s) [Insurance Company(ies)] to the Insured and is (are) in force at this time.
- (2) As required in the Insured's agreement(s) with the District, the policies include, or have been endorsed to include, the coverages or conditions of coverage **noted on page 2 of this certificate**.
- (3) Signed copies of **all** endorsements issued to effect require coverages or conditions of coverage are attached to this certificate.

**Return this form to:**      **San Diego Unified Port District**  
c/o Ebix BPO  
P.O. Box 100085 – 185  
Duluth, GA 30096 – OR –  
Email: [portofsandiego@ebix.com](mailto:portofsandiego@ebix.com)  
Fax: 1-866-866-6516

Name and Address of Insured (Consultant)	SDUPD Agreement Number: _____  This certificate applies to all operations of named insureds on District property in connection with all agreements between the District and Insured.
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CO LTR	TYPE OF INSURANCE	POLICY NO.	DATES	LIMITS
	<b>Commercial General Liability</b> <input type="checkbox"/> Occurrence Form <input type="checkbox"/> Claims-made Form Retro Date _____ <input type="checkbox"/> Liquor Liability Deductible/SIR: \$ _____		<b>Commencement Date:</b>  <b>Expiration Date:</b>	<b>Each Occurrence:</b> \$ _____  <b>General Aggregate:</b> \$ _____
	<b>Commercial Automobile Liability</b> <input type="checkbox"/> All Autos <input type="checkbox"/> Owned Autos <input type="checkbox"/> Non-Owned & Hired Autos		<b>Commencement Date:</b>  <b>Expiration Date:</b>	<b>Each Occurrence:</b> \$ _____
	<b>Workers' Compensation – Statutory</b>  Employer's Liability		<b>Commencement Date:</b>  <b>Expiration Date:</b>	E.L. Each Accident \$ _____  E.L. Disease Each Employee \$ _____  E.L. Disease Policy Limit \$ _____
	<b>Excess/Umbrella Liability</b>		<b>Commencement Date:</b>  <b>Expiration Date:</b>	Each Occurrence: \$ _____  General Aggregate: \$ _____

CO LTR	COMPANIES AFFORDING COVERAGE	A. M. BEST RATING
A		
B		
C		
D		

**A. M. Best Financial Ratings of Insurance Companies Affording Coverage Must be A-VII or better unless approved in writing by the District.**

Name and Address of Authorized Agent(s) or Broker(s)	E-mail Address: _____
	Phone: _____ Fax Number: _____
	Signature of Authorized Agent(s) or Broker(s) _____
	Date: _____

**SAN DIEGO UNIFIED PORT DISTRICT**

**REQUIRED INSURANCE ENDORSEMENT**

<u>ENDORSEMENT NO.</u>	<u>EFFECTIVE DATE</u>	<u>POLICY NO.</u>
<b>NAMED INSURED:</b>		
<b>GENERAL DESCRIPTION OF AGREEMENT(S) AND/OR ACTIVITY(IES):</b> All written agreements, contracts and leases with the San Diego Unified Port District and any and all activities or work performed on district premises		

**Notwithstanding any inconsistent statement in the policy to which this endorsement is attached or in any endorsement now or hereafter attached thereto, it is agreed as follows:**

1. The San Diego Unified Port District, its officers, agents, and employees are additional insureds in relation to those operations, uses, occupations, acts, and activities described generally above, including activities of the named insured, its officers, agents, employees or invitees, or activities performed on behalf of the named insured.
2. Insurance under the policy(ies) listed on this endorsement is primary and no other insurance or self-insured retention carried by the San Diego Unified Port District will be called upon to contribute to a loss covered by insurance for the named insured.
3. This endorsement shall include a waiver of transfer of rights of recovery against the San Diego Unified Port District ("Waiver of Subrogation").
4. The policy(ies) listed on this endorsement will apply separately to each insured against whom claim is made or suit is brought except with respect to the limits of the insurer's liability.
5. As respects the policy(ies) listed on this endorsement, with the exception of cancellation due to nonpayment of premium, thirty (30) days written notice by certified mail, return receipt requested, will be given to the San Diego Unified Port District prior to the effective date of cancellation. In the event of cancellation due to nonpayment of premium, ten (10) days written notice shall be given.

Except as stated above, and not in conflict with this endorsement, nothing contained herein shall be held to waive, alter or extend any of the limits, agreements or exclusions of the policy(ies) to which this endorsement applies.

\_\_\_\_\_  
(NAME OF INSURANCE COMPANY)

\_\_\_\_\_  
(SIGNATURE OF INSURANCE COMPANY AUTHORIZED REPRESENTATIVE)

<p><b>MAIL THIS ENDORSEMENT AND NOTICES OF CANCELLATION:</b></p> <p>San Diego Unified Port District c/o Ebix BPO P.O. Box 100085 – 185 Duluth, GA 30096 – OR – Email to: <a href="mailto:portofsandiego@ebix.com">portofsandiego@ebix.com</a> Fax: 1-866-866-6516</p>
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RESOLUTION NO. 2018 –

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE ACCEPTANCE OF THE SAN DIEGO UNIFIED PORT DISTRICT'S FISCAL YEAR 2019 TIDELANDS ACTIVATION GRANT FUNDS IN THE AMOUNT OF \$10,000 AND \$3,330 IN SERVICES PROVIDED BY THE SAN DIEGO UNIFIED PORT DISTRICT FOR SPECIAL EVENTS AT THE NATIONAL CITY AQUATIC CENTER AND PEPPER PARK, WITH NO MATCHING FUNDS REQUIRED; AUTHORIZING THE CITY MANAGER TO EXECUTE AGREEMENT NO. 178-2018JLR BETWEEN THE CITY OF NATIONAL CITY AND THE SAN DIEGO UNIFIED PORT DISTRICT FOR AQUATIC ADVENTURES BY THE BAY TO RECEIVE THE TIDELANDS ACTIVATION GRANT FUNDS; AND AUTHORIZING THE ESTABLISHMENT OF A REIMBURSABLE GRANTS CITYWIDE FUND APPROPRIATION AND CORRESPONDING REVENUE BUDGET IN THE AMOUNT OF \$10,000

WHEREAS, in an effort to support a vibrant and active waterfront, the San Diego Unified Port District (the "Port") offers sponsorship of community organized events through the Tidelands Activation Program ("TAP") annual grant to support events that engage the community and inspire visitors to enjoy San Diego Bay; and

WHEREAS, events are selected through a rigorous public evaluation process led by the TAP Advisory Committee that includes members of the community; and

WHEREAS, the City of National City was a recipient of the TAP grant in Fiscal Year 2018, and received \$10,000 in funding and up to \$2,460 in Port-provided services at the National City Aquatic Center for the Aquatic Adventures by the Bay event series; and

WHEREAS, for Fiscal Year 2019, the City applied for the TAP grant and requested additional funding to add a new Family Fun and Fitness Series at the National City Aquatic Adventures and Pepper Park, and was awarded \$10,000 in funding and \$3,330 in Port-provided services.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of National City hereby authorizes the acceptance of the San Diego Unified Port District's Fiscal Year 2019 Tidelands Activation Grant funds in the amount of \$10,000 and \$3,330 in services provided by the San Diego Unified Port District for special events at the National City Aquatic Center and Pepper Park, with no matching funds required.

BE IT FURTHER RESOLVED that the City Council hereby authorizes the City Manager to execute Agreement No. 178-2018JLR between the City of National City and the San Diego Unified Port District for Aquatic Adventures by the Bay to receive Fiscal Year 2019 Tidelands Activation Grant funds.

BE IT FURTHER RESOLVED that the City Council hereby authorizes the establishment of a Reimbursable Grants Citywide Fund appropriation in the amount of \$10,000 and corresponding revenue budget.

*[Signature Page to Follow]*

PASSED and ADOPTED this 18th day of September, 2018.

\_\_\_\_\_  
Ron Morrison, Mayor

ATTEST:

\_\_\_\_\_  
Michael R. Dalla, City Clerk

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

By: \_\_\_\_\_  
Nicole Pedone  
Acting 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 an increase of \\$15,000 to the Community Services Department's General Fund Contract Services appropriation and use of General Fund unassigned fund balance for the EXOS contract to operate Las Palmas Pool in FY18. \(Community Services\)](#)

Please scroll down to view the backup material.

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

**MEETING DATE:** September 18, 2018

**AGENDA ITEM NO.:**

**ITEM TITLE:**

Resolution of the City Council of the City of National City authorizing an increase of \$15,000 to the Community Services Department's General Fund Contract Services appropriation and use of General Fund unassigned fund balance for the EXOS contract to operate Las Palmas Pool in FY18.

**PREPARED BY:** Audrey Denham

**PHONE:** 619-336-4243

**DEPARTMENT:** Community Services

**APPROVED BY:** Audrey Denham

**EXPLANATION:**

In FY18, the EXOS contract to operate Las Palmas Pool exceeded the budgeted amount by \$15,000, due to an increase in swimming pool rentals. Since insufficient funds remain in the Community Services Department's other General Fund Maintenance & Operations appropriations, an increase to its Contract Services appropriation is necessary, requiring the use of General Fund unassigned fund balance. However, as a result of the operations related to EXOS' operation of the pool, there was a corresponding increase in revenue to offset the additional expenses. In fact, FY18 swimming pool revenue exceeded the budgeted amount by \$135,000.

**FINANCIAL STATEMENT:**

**ACCOUNT NO.**

001-441-058-299 (Contract Services) - \$15,000

**APPROVED:** Mark Ralvito **FINANCE**  
**APPROVED:** \_\_\_\_\_ **MIS**

*This appropriation requires the use of General Fund unassigned fund balance of \$15,000. Approval of this appropriation will increase the fiscal-year-to-date use of General Fund unassigned fund balance from \$5,210,932 to \$5,225,932.*

**ENVIRONMENTAL REVIEW:**

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

**ORDINANCE:** INTRODUCTION  FINAL ADOPTION

**STAFF RECOMMENDATION:**

**BOARD / COMMISSION RECOMMENDATION:**

**ATTACHMENTS:**

1. Resolution

RESOLUTION NO. 2018 –

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY  
AUTHORIZING AN INCREASE OF \$15,000 TO THE COMMUNITY SERVICES  
DEPARTMENT'S GENERAL FUND CONTRACT SERVICES APPROPRIATION  
AND USE OF GENERAL FUND UNASSIGNED FUND BALANCE FOR THE EXOS  
AGREEMENT FOR OPERATION LAS PALMAS POOL IN FISCAL YEAR 2018

WHEREAS, In Fiscal Year 2018, the EXOS Agreement to operate Las Palmas Pool exceeded the budgeted amount by \$15,000 due to an increase in swimming pool rentals; and

WHEREAS, since insufficient funds remain in the Community Services Department's other General Fund Maintenance and Operations appropriations, an increase to its Contract Services appropriation is necessary, requiring the use of General Fund unassigned fund balance; and

WHEREAS, however, as a result of the operations related to EXOS' operation of the pool, there was a corresponding increase in revenue to offset the additional expenses causing swimming pool revenue to exceed the budgeted amount by \$135,000 in Fiscal Year 2018.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of National City hereby

PASSED and ADOPTED this 18th day of September, 2018.

\_\_\_\_\_  
Ron Morrison, Mayor

ATTEST:

\_\_\_\_\_  
Michael R. Dalla, City Clerk

APPROVED AS TO FORM:

Angil P. Morris-Jones  
City Attorney

By: \_\_\_\_\_  
Nicole Pedone  
Acting City Attorney



The following page(s) contain the backup material for Agenda Item: [Resolution of the City Council of the City of National City designating the officials authorized to order the deposit and withdrawal of City monies with the Local Agency Investment Fund \(LAIF\) on behalf of the City of National City. \(Finance\)](#)

Please scroll down to view the backup material.

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

**MEETING DATE:** September 18, 2018

**AGENDA ITEM NO.**

**ITEM TITLE:**

Resolution of the City of National City designating the officials authorized to order the deposit and withdrawal of City monies with the Local Agency Investment Fund on behalf of the City of National City.

**PREPARED BY:** Arnold Ocana

**DEPARTMENT:** Finance

**PHONE:** 619-336-4342

**APPROVED BY:** \_\_\_\_\_

**EXPLANATION:**

The City Council of the City of National City is responsible for designating those City officials authorized to approve transactions with the Local Agency Investment Fund (LAIF) on behalf of the City. Staff requests the list of authorized persons be updated to remove the name of the City's former Financial Services Officer (FSO), Javier Carcamo.

The proposed resolution would designate City Manager Leslie Deese and Director of Finance Mark Roberts as the City's representatives authorized to perform these transactions.

Upon filling of the vacant FSO position, a resolution to add the name of the person filling the position to the list of authorized officials will be requested.

**FINANCIAL STATEMENT:**

**APPROVED:** Mark Roberts Finance

**ACCOUNT NO.**

**APPROVED:** \_\_\_\_\_ MIS

There is no financial impact associated with this item.

**ENVIRONMENTAL REVIEW:**

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

**ORDINANCE:** INTRODUCTION:  FINAL ADOPTION:

**STAFF RECOMMENDATION:**

Adopt the resolution, designating the persons authorized to order the deposit and withdrawal of City monies with the Local Agency Investment Fund.

**BOARD / COMMISSION RECOMMENDATION:**

NA

**ATTACHMENTS:**

Resolution

RESOLUTION NO. 2018 –

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY  
DESIGNATING THE OFFICIALS AUTHORIZED TO ORDER THE DEPOSIT  
AND WITHDRAWAL OF CITY MONIES WITH THE LOCAL AGENCY  
INVESTMENT FUND ON BEHALF OF THE CITY OF NATIONAL CITY

WHEREAS, pursuant to Chapter 730 of the statutes of 1976, Section 16429.1 was added to the California Government Code to create a Local Agency Investment Fund (LAIF) in the State Treasury for the deposit of money of a local agency for the purpose of investment by the State Treasurer; and

WHEREAS, the City Council of the City of National City does hereby find that the deposit and withdrawal of monies in the Local Agency Investment Fund in accordance with the provisions of Section 16429.1 of the Government Code for the purpose of investment as stated therein are in the best interests of the City of National City.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of National City hereby authorizes the deposit and withdrawal of City monies in the Local Agency Investment Fund in the State Treasury in accordance with the provisions of Section 16429.1 of the Government Code for the purpose of investment as stated therein, and verification by the State Treasurer's Office of all banking information as provided in that regard.

BE IT FURTHER RESOLVED that the following City officers or their successors in office shall be authorized to order the deposit or withdrawal of monies in the Local Agency Investment Fund:

Leslie Deese, City Manager

\_\_\_\_\_

Mark Roberts, Director of Finance

\_\_\_\_\_

PASSED and ADOPTED this 18th day of September, 2018.

\_\_\_\_\_  
Ron Morrison, Mayor

ATTEST:

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

\_\_\_\_\_  
Michael R. Dalla, City Clerk

By: \_\_\_\_\_  
Nicole Pedone  
Acting City Attorney

The following page(s) contain the backup material for Agenda Item: [Resolution of the City Council of the City of National City designating the officials authorized to order the deposit and withdrawal of City monies with financial institutions on behalf of the City of National City. \(Finance\)](#)

Please scroll down to view the backup material.

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

**MEETING DATE:** September 18, 2018

**AGENDA ITEM NO.**

**ITEM TITLE:**

Resolution of the City of National City designating the officials authorized to order the deposit and withdrawal of City monies with financial institutions on behalf of the City of National City.

**PREPARED BY:** Arnold Ocana

**DEPARTMENT:** Finance

**PHONE:** 619-336-4342

**APPROVED BY:** \_\_\_\_\_

**EXPLANATION:**

The City Council of the City of National City is responsible for designating those City officials authorized to approve transactions with financial institutions on behalf of the City. Staff requests the list of authorized persons be updated to remove the name of the City's former Financial Services Officer (FSO), Javier Carcamo.

The proposed resolution would designate City Manager Leslie Deese and Director of Finance Mark Roberts as the City's representatives authorized to perform these transactions.

Upon filling of the vacant FSO position, a resolution to add the name of the person filling the position to the list of authorized officials will be requested.

**FINANCIAL STATEMENT:**

**APPROVED:** Mark Roberts Finance

**ACCOUNT NO.**

**APPROVED:** \_\_\_\_\_ MIS

There is no financial impact associated with this item.

**ENVIRONMENTAL REVIEW:**

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

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

**STAFF RECOMMENDATION:**

Adopt the resolution, designating the persons authorized to order the deposit and withdrawal of City monies with financial institutions.

**BOARD / COMMISSION RECOMMENDATION:**

NA

**ATTACHMENTS:**

Resolution

RESOLUTION NO. 2018 –

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY  
DESIGNATING THE OFFICIALS AUTHORIZED TO ORDER  
THE DEPOSIT AND WITHDRAWAL OF CITY MONIES WITH FINANCIAL  
INSTITUTIONS ON BEHALF OF THE CITY OF NATIONAL CITY

BE IT RESOLVED by the City Council of the City of National City that the following City officers or their successors in office shall be authorized to order the deposit and withdrawal of monies with financial institutions on behalf of the City of National City:

Leslie Deese, Executive Director

\_\_\_\_\_

Mark Roberts, Director of Finance

\_\_\_\_\_

PASSED and ADOPTED this 18th day of September, 2018.

\_\_\_\_\_  
Ron Morrison, Mayor

ATTEST:

\_\_\_\_\_  
Michael R. Dalla, City Clerk

APPROVED AS TO FORM:

Angil P. Morris-Jones  
City Attorney

By:

\_\_\_\_\_  
Nicole Pedone  
Acting City Attorney



The following page(s) contain the backup material for Agenda Item: [Resolution of the City Council of the City of National City accepting the written statement that no further changes are needed at this time to the Conflict of Interest Code which incorporates by reference the Fair Political Practices Commission's Standard Model Conflict of Interest Code, currently in effect through Resolution No. 2016-131. \(City Attorney\)](#)  
Please scroll down to view the backup material.

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

**MEETING DATE:** September 18, 2018

**AGENDA ITEM NO.** 18

**ITEM TITLE:**

Resolution of the City Council of the City of National City accepting the written statement that no further changes are needed at this time to the Conflict of Interest Code which incorporates by reference the Fair Political Practices Commission's Standard Model Conflict of Interest Code, currently in effect through Resolution No. 2016-131. (City Attorney)

**PREPARED BY:** Roberto Contreras  
Acting Senior Assistant City Attorney

**DEPARTMENT:** City Attorney

**APPROVED BY:** 

**PHONE:** Ext. 4412

**EXPLANATION:**

Please see attached memorandum.

**FINANCIAL STATEMENT:**

**APPROVED:** \_\_\_\_\_ Finance

**ACCOUNT NO.**

**APPROVED:** \_\_\_\_\_ MIS

N/A

**ENVIRONMENTAL REVIEW:**

N/A

**ORDINANCE:** INTRODUCTION:  FINAL ADOPTION:

**STAFF RECOMMENDATION:**

Adopt the attached resolution.

**BOARD / COMMISSION RECOMMENDATION:**

N/A

**ATTACHMENTS:**

Memorandum  
Proposed resolution.

Mayor  
Ron Morrison

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



City Attorney  
Angil P. Morris-Jones

Senior Assistant City Attorney  
Nicole Pedone

Deputy City Attorney  
Roberto M. Contreras

TO: Mayor and City Council DATE: September 18, 2018  
FROM: City Attorney  
SUBJECT: Written Statement that No Further Amendment is Needed to the Current Conflict of Interest Code

---

### THE BASIC CONFLICT OF INTEREST RULE

The basic rule for conflicts of interest is set forth in Section 87100 of the Political Reform Act, California Government Code Section 87100, et seq. (the "Act"), as follows:

No public official at any level of state or local government shall make, participate in making or in any way attempt to use his official position to influence a governmental decision in which he knows or has reason to know he has a financial interest.

In this context, "public official" means every member, officer, employee, or consultant of a state or local government agency (Section 82048).

### THE CITY'S CONFLICT OF INTEREST CODE

The Political Reform Act requires various city officials to file an annual Statement of Economic Interests ("SEI"). Those required to file statements are divided into two groups – those required to file under Government Code Section 87200 (mayors, council members, planning commissioners, city managers, city attorneys, and those who manage public investments), and those required to file under Government Code Section 87300. The reporting requirements of the Section 87200 filers are established by state law. The reporting requirements of the Section 87300 filers are established by conflict of interest codes adopted by each city. The conflict of interest code contains a list of "designated positions" which are subject to the code. The individuals who occupy those positions are required to file a SEI. What information those individuals must report on their SEI is also identified in the code under "disclosure categories." The categories of financial interests that must potentially be disclosed are: investments, interests in real property (except a personal residence), sources of income including gifts, and business positions. Whether all or only some of these interests must be reported, and to what extent they must be reported, is determined on a case-by-case basis.

The criteria for determining whether an officer, employee, board member, or consultant should file a statement of economic interests under a conflict of interest code are set forth in Sections 18700, and 18702 through 18702.4 of Title 2 of the California Code of Regulations. (Title 2 of the California Code of Regulations [“CCR”] are the administrative regulations adopted by the FPPC to implement the Political Reform Act). Essentially, if in carrying out the duties of their position, the individual is involved in making, participating in the making, or using or attempting to use his/her official position to influence a governmental decision that he/she knows or has reason to know he/she has a disqualifying conflict of interest, then the individual is subject to the reporting requirement. In adopting a conflict of interest code, the City Council makes the factual determination as to whether these criteria are present, thus requiring inclusion of a classification in the code.

The CCR contains certain sections which provide some guidance to the City Council in making this determination.

Section 18702.1 provides that a public official “makes a governmental decision” when the official, acting within the authority of his or her office, votes on a matter, appoints a person, obligates his or her agency to any course of action, enters into any contract on behalf of the agency, or determines not to act on any of the above, unless such determination not to act is made because of his or her financial interest.

Section 18702.2 states that a public official “participates in making a governmental decision” when, acting within the authority of his or her position, he or she negotiates, without significant substantive review, with a governmental entity or private person regarding a governmental decision. A public official also participates in making a governmental decision when he or she advises or makes recommendations to the decision-maker either directly or without significant intervening substantive review, by conducting research or making any investigation that requires the exercise of judgment on the part of the official in order to influence a governmental decision; or prepares or presents any report, analysis, or opinion, orally or in writing, which requires the exercise of judgment in order to influence a governmental decision.

Section 18702.3 sets forth the factors to consider in determining when a public official is “using or attempting to use his/her official position to influence a governmental decision”. With regard to a governmental decision which is within or before an official’s agency or an agency appointed by or subject to the budgetary control of his or her agency, the official is attempting to use his or her official position to influence the decision if, for the purpose of influencing the decision, the official contacts or appears before or otherwise attempts to influence any member, officer, or employee or consultant of the agency; or if, for the purpose of influencing the decision, the official acts or purports to act on behalf of, or as the representative of, his or her agency to any member, officer, employee, or consultant of an agency. Such actions include, but are not limited to, the use of official stationery.

Section 18702.4 enumerates the actions which are not considered “making or participating in making a governmental decision,” as follows:

- (1) Actions of public officials which are solely ministerial, secretarial, manual, or clerical.

- (2) Appearances by a public official as a member of the general public before an agency in the course of its prescribed governmental function to represent himself or herself on matters related solely to the official's personal interests.
- (3) Actions by public officials relating to their compensation or the terms or conditions of their employment or contract.

Section 18702.4 also provides that an official is not attempting to "use his or her official position to influence a governmental decision" when engaged in the following activities:

- (1) Appearing in the same manner as any other member of the general public before an agency in the course of its prescribed governmental function solely to represent himself or herself on a matter which is related to his or her personal interests.
- (2) Communicating with the general public or the press.
- (3) Negotiating his or her compensation or the terms and conditions of his or her employment or contract.
- (4) Preparing drawings or submissions of an architectural, engineering, or similar nature to be used by a client in connection with a proceeding before any agency.
- (5) Appearing before a design or architectural review committee or similar body of which he or she is a member to present drawings or submissions of an architectural, engineering, or similar nature which the official has prepared for a client.

#### DISCLOSURE CATEGORIES UNDER THE CONFLICT OF INTEREST CODE

The types of financial interests which must be reported under the Conflict of Interest Code are known as "Disclosure Categories". The following are seven potential Disclosure Categories:

- CATEGORY 1: Investments and sources of income.
- CATEGORY 2: Interests in real property.
- CATEGORY 3: Investments, interests in real property, and sources of income subject to the regulatory, permit, or licensing authority of the department.
- CATEGORY 4: Investments in business entities and sources of income that engage in land development, construction, or the acquisition or sale of real property.
- CATEGORY 5: Investments in business entities and sources of income of the type which, within the past 12 months or calendar year, whichever is applicable, have contracted with the City of National City or the Community Development Commission of the City of National City to provide services, supplies, materials, machinery, or equipment.

CATEGORY 6: Investments in business entities and sources of income of the type which, within the past 12 months or calendar year, whichever is applicable, have contracted with the person's department to provide services, supplies, materials, machinery, or equipment.

CATEGORY 7: Business positions.

Section 18730 of the CCR, which is incorporated in the City's Conflict of Interest Code, describes the information that is required to be reported on the SEI under the Disclosure Categories as follows:

1. Investment and Real Property Disclosure.

When an investment or an interest in real property is required to be reported, the statement shall contain the following:

- a) A statement of the nature of the investment or interest.
- b) The name of the business entity in which each investment is held, and a general description of the business activity in which the business entity is engaged.
- c) The address or other precise location of the property.
- d) A statement whether the fair market value of the investment or interest in real property equals or exceeds two thousand dollars (\$2,000), exceeds ten thousand dollars (\$10,000), exceeds one hundred thousand dollars (\$100,000), or exceeds one million dollars (\$1,000,000).

2. Personal Income Disclosure.

When personal income is required to be reported, the statement shall contain:

- a) The name and address of each source of income aggregating five hundred dollars (\$500) or more in value, or fifty dollars (\$50) or more in value if the income was a gift, and a general description of the business activity, if any, of each source.
- b) A statement of whether the aggregate value of income from each source, or in the case of a loan, the highest amount owed to each source, was one thousand dollars (\$1,000) or less, greater than one thousand dollars (\$1,000), greater than ten thousand dollars (\$10,000), or greater than one hundred thousand dollars (\$100,000).
- c) A description of the consideration, if any, for which the income was received.
- d) In the case of a gift, the name, address, and business activity of the donor and any intermediary through which the gift was made, a description of the gift, the amount, or value of the gift, and the date on which the gift was receive.



- e) In the case of a loan, the annual interest rate and the security, if any, given for the loan and the term of the loan.

3. Business Entity Income Disclosure.

When income of a business entity, including income of a sole proprietorship, is required to be reported, the statement shall contain:

- a) The name, address, and a general description of the business activity of the business entity.
- b) The name of every person from whom the business entity received payments if the filer's pro rata share of gross receipts from such person was equal to or greater than ten thousand dollars (\$10,000).

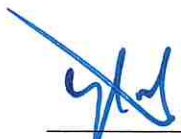
4. Business Position Disclosure.

When business positions are required to be reported, a designated employee shall list the name and address of each business entity in which he or she is a director, officer, partner, trustee, employee, or in which he or she holds any position of management, a description of the business activity in which the business entity is engaged, and the designated employee's position with the entity.

REQUIREMENT TO REVIEW/AMEND  
CONFLICT OF INTEREST CODE

Section 87306.5 of the Act requires that no later than October 1 of each even-numbered year, the code reviewing body (the City Council is the "code reviewing body" for all agencies in the City, including the CDC) shall cause a review of its conflict of interest code to occur, and for the code to be amended if necessitated by changed circumstances. Upon review of the code, if no change is required, a written statement to that effect shall be submitted to the City Council no later than October 1 of that same year.

The City Council last amended the City's Conflict of Interest Code on September 6, 2016, pursuant to Resolution No. 2016-131. Upon review of the code, no further changes are required or recommended. At the present time, it is my recommendation that the Code designating positions remain as previously adopted. There are no new positions to be added at this time. Accordingly, the resolution for approval accepts the written statement indicating no change is required.

  
\_\_\_\_\_  
Roberto Contreras  
Acting Senior Assistant City Attorney  
For: ANGIL P. MORRIS-JONES  
City Attorney

RESOLUTION NO. 2018 –

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY  
ACCEPTING THE WRITTEN STATEMENT THAT NO FURTHER CHANGES  
ARE NEEDED AT THIS TIME TO THE CONFLICT OF INTEREST CODE  
WHICH INCORPORATES BY REFERENCE THE FAIR POLITICAL PRACTICES  
COMMISSION'S STANDARD MODEL CONFLICT OF INTEREST CODE,  
CURRENTLY IN EFFECT THROUGH RESOLUTION NO. 2016-131

WHEREAS, the Political Reform Act, Government Code Sections 81000, et seq., requires every state or local government agency to adopt and promulgate a Conflict of Interest Code; and

WHEREAS, the Fair Political Practices Commission has adopted a standard model Conflict of Interest Code, 2 California Code of Regulations Section 18730, which can be incorporated by reference, and which will be amended to conform to amendments in the Political Reform Act of 1974 after public notice and hearings conducted by the Fair Political Practices Commission pursuant to the Administrative Procedure Act, Government Code Sections 11370, et seq.; and

WHEREAS, the City of National City has adopted the standard model and amended its Conflict of Interest Code in 2016 by Resolution Number 2016-131; and

WHEREAS, Section 87306.5 of the Act requires that no later than October 1 of each even-numbered year, the code reviewing body (the City Council is the "code reviewing body" for all agencies in the City, including the CDC) shall cause a review of its conflict of interest code to occur, and for the code to be amended if necessitated by changed circumstances; and

WHEREAS, the City has reviewed its current Conflict of Interest Code to determine whether any changes are necessitated by current circumstances; and

WHEREAS, upon review of the current Conflict of Interest Code, the City has determined that no further changes are needed at this time.

NOW, THEREFORE, BE IT RESOLVED that the City Council accepts the written statement that no further change is needed to the current Conflict of Interest Code adopted by Resolution Number 2016-131.

PASSED and ADOPTED this 18th day of September, 2018.

\_\_\_\_\_  
Ron Morrison, Mayor

ATTEST:

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

\_\_\_\_\_  
Michael R. Dalla, City Clerk

By: \_\_\_\_\_  
Nicole Pedone  
Acting City Attorney

The following page(s) contain the backup material for Agenda Item: [National City Sales Tax Update Newsletter - First Quarter 2018. \(Finance\)](#)  
Please scroll down to view the backup material.

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

**MEETING DATE:** September 18, 2018

**AGENDA ITEM NO.:**

**ITEM TITLE:**

National City Sales Tax Update Newsletter – First Quarter 2018

**PREPARED BY:** Yen Kelly, Budget Analyst

**PHONE:** 619-336-4332

**DEPARTMENT:** Finance

**APPROVED BY:** Mark Ralvito

**EXPLANATION:**

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

Attached is the "National City Sales Tax Update" newsletter for the first quarter of fiscal year 2018, which summarizes sales tax data for the period.

**FINANCIAL STATEMENT:**

**ACCOUNT NO.**

NA

**APPROVED:** Mark Ralvito **FINANCE**

**APPROVED:** \_\_\_\_\_ **MIS**

**ENVIRONMENTAL REVIEW:**

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

**ORDINANCE:** INTRODUCTION  FINAL ADOPTION

**STAFF RECOMMENDATION:**

Accept and file the report.

**BOARD / COMMISSION RECOMMENDATION:**

**ATTACHMENTS:**

National City Sales Tax Update Newsletter – First Quarter 2018



# Q4 2017



# National City Sales Tax Update

First Quarter Receipts for Fourth Quarter Sales (October - December 2017)

## National City In Brief

National City's receipts from October through December were 0.9% below the fourth sales period in 2016. Excluding reporting aberrations, actual sales were up 2.6%.

A late payment added to already sluggish new auto sales while a reporting error bumped up the auto lease category and auto repair jumped over 50%. On the whole, autos and transportation dipped 1.1% on an actual basis.

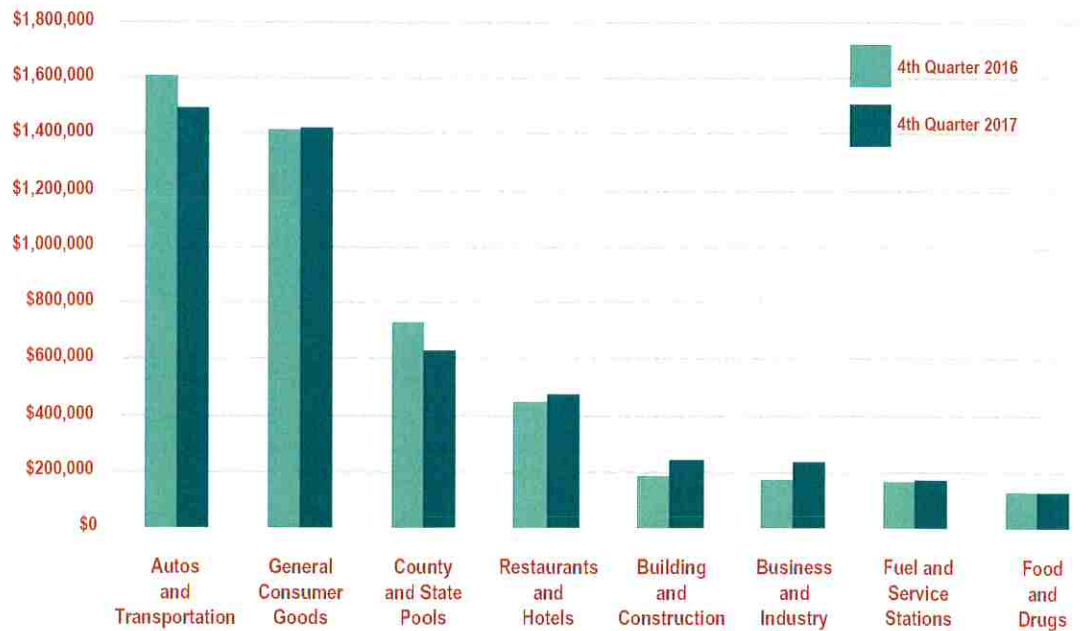
In addition, another error which inflated year-ago returns in the countywide use tax allocation pool contributed to the decline in gross receipts.

Holiday quarter performance held for department stores while electronics outpaced regional trends. Building materials surged for the third quarter in a row while onetime events bloated results in business and industry. Restaurants benefited from a recent opening.

Receipts from the City's voter-approved Measure D transactions tax were overstated by reporting errors in general retail and food and drugs. Nonetheless, construction-related sectors posted double digit increases over last year.

Net of aberrations, taxable sales for all of San Diego County grew 3.0% over the comparable time period; the Southern California region was up 3.5%.

## SALES TAX BY MAJOR BUSINESS GROUP



### TOP 25 PRODUCERS

IN ALPHABETICAL ORDER

Arco AM PM	Ron Baker Chevrolet
C & M Motors Truck Center	Ross
Frank Hyundai	South Bay Volkswagen
Frank Subaru	South County Buick GMC
Frank Toyota Scion	T Mobile
Honda Acura Mitsu Suzuki & Kia	Target
JC Penney	Toys R Us
Macys	Univar
Mossy Nissan	USA Gasoline
Nordstrom Rack	Victoria's Secret
Perry Chrysler Dodge Jeep Ram	Walmart Supercenter
Perry Ford	Westair Gases & Equipment
Probuild Company	

### REVENUE COMPARISON

Three Quarters - Fiscal Year To Date

	2016-17	2017-18
Point-of-Sale	\$12,026,303	\$12,166,768
County Pool	1,891,167	1,768,678
State Pool	7,100	2,257
<b>Gross Receipts</b>	<b>\$13,924,570</b>	<b>\$13,937,703</b>
Measure D	\$8,468,870	\$8,785,495



**California Overall**

Factored for accounting anomalies, statewide fourth quarter receipts from local government's one cent sales tax were 4.4% higher than the holiday quarter of 2016.

Rising fuel prices and solid gains from building/construction supplies, restaurants and e-commerce were the primary contributors to the overall increase. A healthy quarter for auto sales and construction equipment were additional factors. Tax revenues from general consumer goods sold through brick and mortar stores rose a modest 1% over last year's comparable quarter while receipts from online sales increased 13.2%.

Performance for the inland areas of the state were generally stronger than the coastal areas which had earlier recovered from the previous downturn.

**Nexus Issue to be Revisited**

In 1992, the U.S. Supreme Court ruled in *Quill v. North Dakota* that businesses lacking a physical presence or "nexus" in a state cannot be required to collect or remit that state's taxes. This does not excuse buyers from paying a corresponding use tax but the costs of enforcement, particularly on smaller purchases, is difficult and local brick and mortar retailers are placed at a competitive disadvantage.

California has been more effective at collecting use tax than most states with an aggressive program of auditing major business purchases, requiring CPA's to report unpaid use tax on client's annual returns and requiring businesses with annual gross receipts of \$100,000 or more to register for the purposes of reporting use tax.

The State has also increased the number of out-of-state sellers required to collect sales tax through broader definitions of what constitutes physical presence including a requirement that larger internet retailers collect and remit sales tax if paying a commission for customer referrals obtained via a link on a California seller's website.

Still, the estimated revenue losses are substantial particularly for agencies with voter-approved transactions tax districts. Because of *Quill*, retailers are

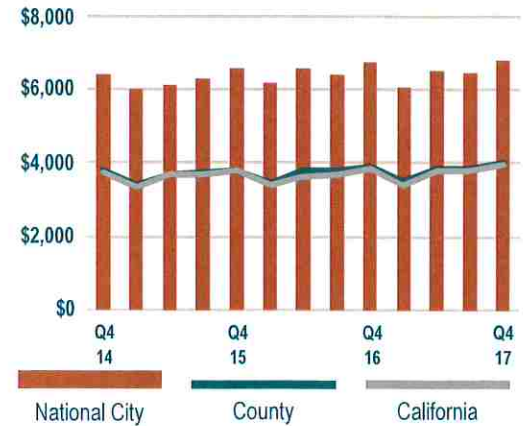
not required to collect the tax for purchases in an adjacent jurisdiction if the retailer has no physical presence in that jurisdiction. The resulting loss to local governments projected by the State Board of Equalization in 2016-17 was \$756 Million in uncollected tax revenues and losses to the state of \$697 Million: (<https://www.boe.ca.gov/legdiv/pdf/e-commerce-2017F.pdf>).

Congress has refused to act on numerous attempts to seek legislative relief over the last two decades. However, three justices – Clarence Thomas, Neil Gorsuch and Anthony Kennedy have recently expressed doubts about the *Quill* decision with Kennedy noting in 2015, that the ruling has produced a "startling revenue shortfall" in many states as well as "unfairness to local retailers and customers."

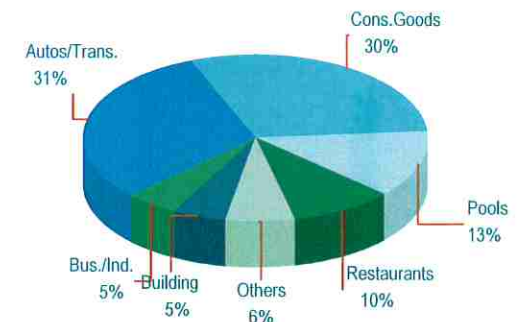
In January 2018, the U.S. Supreme Court agreed to hear arguments in the case of *South Dakota v. Wayfair Inc.* where *Wayfair* is challenging the State's recently adopted requirement that retailers collect and remit, or pay, sales tax on purchases made by South Dakota residents.

Oral arguments are scheduled for April with a decision expected by the end of June 2018.

**SALES PER CAPITA**



**REVENUE BY BUSINESS GROUP**  
National City This Quarter



**NATIONAL CITY TOP 15 BUSINESS TYPES**

Business Type	*In thousands of dollars			
	National City	County	HdL State	
	Q4 '17*	Change	Change	Change
Auto Lease	99.5	33.3%	15.1%	16.6%
Auto Repair Shops	77.7	58.8%	5.2%	3.6%
Building Materials	203.6	41.4%	5.9%	11.6%
Casual Dining	183.0	8.9%	0.8%	3.5%
Department Stores	231.6	0.9%	-2.4%	-5.4%
Discount Dept Stores	— CONFIDENTIAL —		4.4%	4.1%
Electronics/Appliance Stores	108.9	13.7%	4.6%	5.8%
Family Apparel	273.6	2.3%	3.6%	2.1%
New Motor Vehicle Dealers	1,161.2	-8.2%	-0.1%	2.6%
Quick-Service Restaurants	243.7	4.4%	6.0%	4.9%
Service Stations	173.1	7.1%	8.9%	11.4%
Shoe Stores	81.7	-2.3%	-0.8%	0.3%
Specialty Stores	157.4	0.0%	1.7%	4.4%
Used Automotive Dealers	85.8	-8.3%	-12.3%	0.4%
Women's Apparel	91.6	-12.6%	-6.2%	-5.9%
<b>Total All Accounts</b>	<b>4,178.1</b>	<b>1.4%</b>	<b>5.1%</b>	<b>4.0%</b>
<b>County &amp; State Pool Allocation</b>	<b>629.0</b>	<b>-13.9%</b>	<b>-10.8%</b>	
<b>Gross Receipts</b>	<b>4,807.1</b>	<b>-0.9%</b>	<b>2.7%</b>	



The following page(s) contain the backup material for Agenda Item: [Investment Report for the quarter ended June 30, 2018. \(Finance\)](#)  
Please scroll down to view the backup material.

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

**MEETING DATE:** September 18, 2018

**AGENDA ITEM NO.:**

**ITEM TITLE:**

Investment Report for the quarter ended June 30, 2018.

**PREPARED BY:** *Ronald Gutlay*

**PHONE:** 619-336-4346

**EXPLANATION:**

See attached staff report.

**DEPARTMENT:** Finance

**APPROVED BY:** \_\_\_\_\_

**FINANCIAL STATEMENT:**

**ACCOUNT NO.**

See attached staff report.

**APPROVED:** *Mark Ralento* **FINANCE**

**APPROVED:** \_\_\_\_\_ **MIS**

**ENVIRONMENTAL REVIEW:**

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

**ORDINANCE:** INTRODUCTION  FINAL ADOPTION

**STAFF RECOMMENDATION:**

Accept and File the Investment Report for the Quarter ended June 30, 2018.

**BOARD / COMMISSION RECOMMENDATION:**

N/A

**ATTACHMENTS:**

1. Staff Report
2. Investment Listings



## City Council Staff Report

September 18, 2018

### ITEM

Staff Report: Investment Report for the quarter ended June 30, 2018.

### BACKGROUND

The California Government Code (§ 53646(b)) requires that, when the treasurer or the chief fiscal officer of a local agency renders to the legislative body of the agency a quarterly report on the agency’s investment portfolio, such report shall include the following information regarding all securities, investments, and moneys held by the local agency:

- type of investment;
- issuer (bank or institution);
- date of maturity;
- dollar amount invested; and
- current market valuation as of the date of the report.

In addition, the Government Code (§ 53646(b)(2)) requires that the report state the City’s compliance with its investment policy and include a statement regarding the ability of the local agency to meet its pool’s ability to meet its expenditure requirements Code (§ 53646(b)(3)).

### OVERVIEW OF CITY INVESTMENTS

The City’s pooled investment portfolio balance as of June 30, 2018 is summarized below and compared to the balance as of June 30, 2017.

Table 1			
	6/30/2018		6/30/2017
<b>Book Value</b> <sup>1</sup>	\$	65,735,130	\$ 70,617,167
<b>Market Value</b> <sup>2</sup>	\$	65,533,931 <sup>3</sup>	\$ 70,689,724

(1) actual cost of investments

(2) amount at which the investments could be sold

(3) total includes deposits of \$11,000,000 and withdrawals of \$15,200,000 plus investment gains since 6/30/2017

The California Treasurer's Local Agency Investment Fund (“LAIF”) and The County of San Diego Pooled Money Fund comprise 54.49% of the City of National City’s total investment portfolio (42.00% and 12.49%, respectively). These are liquid investment pools that allow participants to earn market rate returns, while retaining access to funds within 24 to 48 hours of a

withdrawal request with no penalty. The remainder of the City’s portfolio is composed of investments that may be liquidated at any time. However, these investments likely do not provide the short liquidity (i.e., quick access to funds) of the pooled money funds, and liquidation/withdrawal of these investments is at the risk of loss and/or penalty to the City.

Summaries of the City’s investment portfolio are illustrated below.

**INVESTMENT PORTFOLIO SUMMARY BY ISSUER/MANAGER**

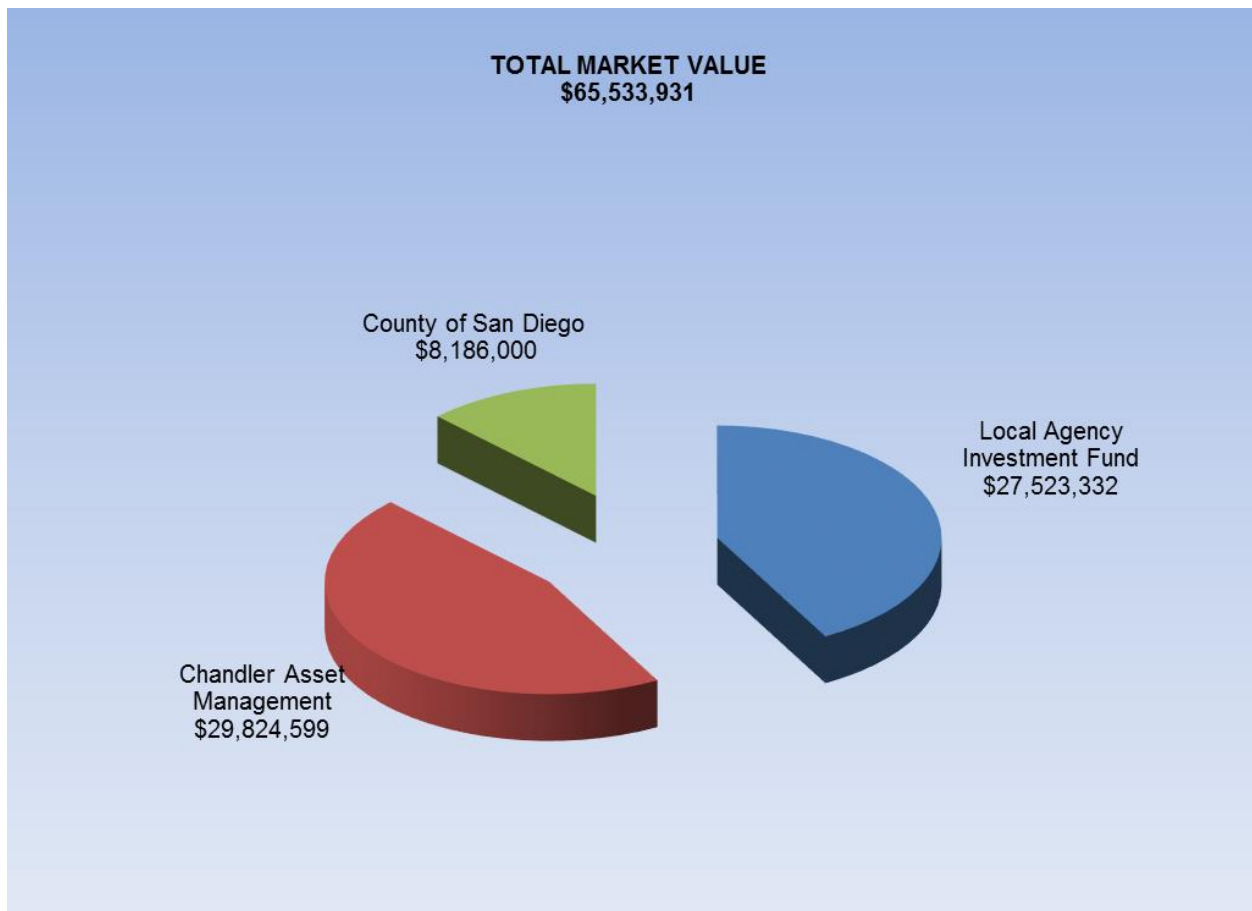
**As of June 30, 2018**

Table 2

<b>Issuer/Manager</b>	<b>Book Value</b>	<b>Total Market Value<sup>1</sup></b>	<b>Market YTM</b>	<b>% of Portfolio</b>
Local Agency Investment Fund	27,447,534	\$ 27,523,332 <sup>2</sup>	1.85%	42.00%
Chandler Asset Management	30,059,013	\$ 29,824,599	2.52%	45.51%
County of San Diego	8,228,583	\$ 8,186,000	1.94%	12.49%
<b>Totals for June 30, 2018</b>	<b>65,735,130</b>	<b>65,533,931</b>		<b>100.00%</b>

1 includes accrued interest

2 calculated on 30/360 basis; includes LAIF participation factor of 0.998126869



**INVESTMENT PERFORMANCE BY ISSUER/MANAGER**  
**For the Quarter Ended June 30, 2018**

Total Market Value <sup>1</sup>					
Issuer/Manager	3/31/18	6/30/18	Change	Period Return	Yield (Net) <sup>3</sup>
Local Agency Investment Fund	\$ 26,781,682	\$ 27,523,332	\$ 741,650 <sup>2</sup>	0.48%	1.93%
Chandler Asset Management	29,736,638	\$ 29,824,599	\$ 87,961	0.32%	NA
County of San Diego	8,148,000	\$ 8,186,000	\$ 38,000	0.44%	1.79%
<b>Totals for June 30, 2018</b>	<b>\$ 64,666,320</b>	<b>\$ 65,533,931</b>	<b>\$ 867,611</b>	<b>1.24%</b>	<b>3.72%</b>

<sup>1</sup> includes accrued interest

<sup>2</sup> Deposits 6/7/18 \$1,500,000; Withdrawals 5/17/18 \$500,000, 5/21/18 \$400,000

<sup>3</sup> Annualized

### COMPLIANCE STATEMENT

All of the City's investments are in compliance with the City's investment policy (City Council Policy No. 203) and the California Government Code (§ 53601 et seq).

### FINANCIAL STATEMENT

Realized and unrealized gains for the period, reflected below, were \$205,374. These changes include changes in security market values, gain or loss from the sale of assets, accrued interest, and reinvested interest/earnings.

Table 4	
Issuer/Manager	Gain/(Loss)
Chandler Asset Management	41,752
County of San Diego	36,411
LAIF	127,211
<b>Totals for June 30, 2018</b>	<b>\$ 205,374</b>

The difference between the changes reflected in the previous two tables is attributable to the purchase and sale of securities for which the first of the tables accounts but the second table typically does not (unless an investment is sold before maturity).

### STAFF CERTIFICATION

Staff certifies that there are sufficient funds to meet the pool's expenditure requirements.

### RECOMMENDATIONS

Accept and file the Investment Report for the quarter ended June 30, 2018.

**Local Agency Investment Fund**  
**P.O. Box 942809**  
**Sacramento, CA 94209-0001**  
**(916) 653-3001**

[www.treasurer.ca.gov/pmia-laif/laif.asp](http://www.treasurer.ca.gov/pmia-laif/laif.asp)

May 15, 2018

CITY OF NATIONAL CITY

FINANCE DIRECTOR  
 1243 NATIONAL CITY BLVD  
 NATIONAL CITY, CA 91950-4397

PMIA Average Monthly Yields

**Account Number:**  
 98-37-576

Tran Type Definitions

April 2018 Statement

Effective Date	Transaction Date	Tran Type	Confirm Number	Authorized Caller	Amount
4/13/2018	4/12/2018	QRD	1568536	SYSTEM	100,140.62

Account Summary

Total Deposit:	100,140.62	Beginning Balance:	26,747,393.25
Total Withdrawal:	0.00	Ending Balance:	26,847,533.87



**Local Agency Investment Fund**  
**P.O. Box 942809**  
**Sacramento, CA 94209-0001**  
**(916) 653-3001**

[www.treasurer.ca.gov/pmia-laif/laif.asp](http://www.treasurer.ca.gov/pmia-laif/laif.asp)

June 19, 2018

CITY OF NATIONAL CITY

FINANCE DIRECTOR  
 1243 NATIONAL CITY BLVD  
 NATIONAL CITY, CA 91950-4397

PMIA Average Monthly Yields

**Account Number:**  
 98-37-576

Tran Type Definitions

May 2018 Statement

Effective Date	Transaction Date	Tran Type	Confirm Number	Authorized Caller	Amount
5/18/2018	5/17/2018	RW	1570977	JAVIER CARCAMO	-500,000.00
5/22/2018	5/21/2018	RW	1571142	JAVIER CARCAMO	-400,000.00

Account Summary

Total Deposit:	0.00	Beginning Balance:	26,847,533.87
Total Withdrawal:	-900,000.00	Ending Balance:	25,947,533.87

**Local Agency Investment Fund**  
**P.O. Box 942809**  
**Sacramento, CA 94209-0001**  
**(916) 653-3001**

[www.treasurer.ca.gov/pmia-laif/laif.asp](http://www.treasurer.ca.gov/pmia-laif/laif.asp)

August 07, 2018

CITY OF NATIONAL CITY

FINANCE DIRECTOR  
 1243 NATIONAL CITY BLVD  
 NATIONAL CITY, CA 91950-4397

PMIA Average Monthly Yields

**Account Number:**  
 98-37-576

Tran Type Definitions

June 2018 Statement

Effective Date	Transaction Date	Tran Type	Confirm Number	Authorized Caller	Amount
6/8/2018	6/7/2018	RD	1572374	JAVIER CARCAMO	1,500,000.00

Account Summary

Total Deposit:	1,500,000.00	Beginning Balance:	25,947,533.87
Total Withdrawal:	0.00	Ending Balance:	27,447,533.87



BETTY T. YEE

California State Controller

LOCAL AGENCY INVESTMENT FUND  
REMITTANCE ADVICE

Agency Name	NATIONAL CITY
Account Number	98-37-576

As of 07/13/2018, your Local Agency Investment Fund account has been directly credited with the interest earned on your deposits for the quarter ending 06/30/2018.

Earnings Ratio		.00005216919081336
Interest Rate		1.90%
Dollar Day Total	\$	2,438,423,894.73
Quarter End Principal Balance	\$	27,447,533.87
Quarterly Interest Earned	\$	127,210.60



## State of California Pooled Money Investment Account Market Valuation 6/30/2018

Description	Carrying Cost Plus		Fair Value	Accrued Interest
	Accrued Interest	Purch. Amortized Cost		
1* United States Treasury:				
Bills	\$ 15,515,706,740.80	\$ 15,606,139,290.87	\$ 15,596,583,000.00	NA
Notes	\$ 26,759,493,974.77	\$ 26,750,630,461.92	\$ 26,629,882,500.00	\$ 73,723,356.00
1* Federal Agency:				
SBA	\$ 825,001,427.53	\$ 825,001,427.53	\$ 815,954,863.84	\$ 1,381,409.64
MBS-REMICs	\$ 29,303,504.33	\$ 29,303,504.33	\$ 29,847,169.21	\$ 136,825.25
Debentures	\$ 1,998,416,070.50	\$ 1,997,919,837.87	\$ 1,986,861,900.00	\$ 5,758,745.15
Debentures FR	\$ -	\$ -	\$ -	\$ -
Debentures CL	\$ 300,000,000.00	\$ 300,000,000.00	\$ 295,668,000.00	\$ 1,921,709.00
Discount Notes	\$ 12,856,645,347.11	\$ 12,904,163,694.26	\$ 12,899,708,000.00	NA
1* Supranational Debentures	\$ 589,036,885.09	\$ 589,036,885.09	\$ 586,421,000.00	\$ 1,950,779.00
1* Supranational Debentures FR	\$ 100,530,876.06	\$ 100,375,183.89	\$ 100,699,984.77	\$ 536,523.90
2* CDs and YCDs FR	\$ 425,000,000.00	\$ 425,000,000.00	\$ 425,000,000.00	\$ 1,694,459.24
2* Bank Notes	\$ 900,000,000.00	\$ 900,000,000.00	\$ 899,729,548.85	\$ 5,764,500.01
2* CDs and YCDs	\$ 15,400,000,000.00	\$ 15,400,000,000.00	\$ 15,394,663,524.14	\$ 58,042,847.26
2* Commercial Paper	\$ 7,498,660,819.38	\$ 7,521,101,541.69	\$ 7,521,009,486.12	NA
1* Corporate:				
Bonds FR	\$ -	\$ -	\$ -	\$ -
Bonds	\$ -	\$ -	\$ -	\$ -
1* Repurchase Agreements	\$ -	\$ -	\$ -	\$ -
1* Reverse Repurchase	\$ -	\$ -	\$ -	\$ -
Time Deposits	\$ 4,882,240,000.00	\$ 4,882,240,000.00	\$ 4,882,240,000.00	NA
AB 55 & GF Loans	\$ 733,964,000.00	\$ 733,964,000.00	\$ 733,964,000.00	NA
<b>TOTAL</b>	<b>\$ 88,813,999,645.57</b>	<b>\$ 88,964,875,827.45</b>	<b>\$ 88,798,232,976.93</b>	<b>\$ 150,911,154.45</b>

Fair Value Including Accrued Interest

\$ 88,949,144,131.38

\* Governmental Accounting Standards Board (GASB) Statement #72

Repurchase Agreements, Time Deposits, AB 55 & General Fund loans, and Reverse Repurchase agreements are carried at portfolio book value (carrying cost).

The value of each participating dollar equals the fair value divided by the amortized cost (**0.998126869**).  
As an example: if an agency has an account balance of \$20,000,000.00, then the agency would report its participation in the LAIF valued at **\$19,962,537.38** or \$20,000,000.00 x **0.998126869**.

# Monthly Account Statement

## City of National City

June 1, 2018 through June 30, 2018

### Chandler Team

For questions about your account,  
please call (800) 317-4747 or  
Email operations@chandlerasset.com

### Custodian

Bank of New York Mellon  
Lauren Dehner  
(904) 645-1918

***Information contained herein is confidential. We urge you to compare this statement to the one you receive from your qualified custodian. Prices are provided by IDC, an independent pricing source. In the event IDC does not provide a price or if the price provided is not reflective of fair market value, Chandler will obtain pricing from an alternative approved third party pricing source in accordance with our written valuation policy and procedures. Our valuation procedures are also disclosed in Item 5 of our Form ADV Part 2A.***



PORTFOLIO CHARACTERISTICS

Average Duration	1.67
Average Coupon	1.67 %
Average Purchase YTM	1.75 %
Average Market YTM	2.52 %
Average S&P/Moody Rating	AA+/Aa1
Average Final Maturity	1.85 yrs
Average Life	1.71 yrs

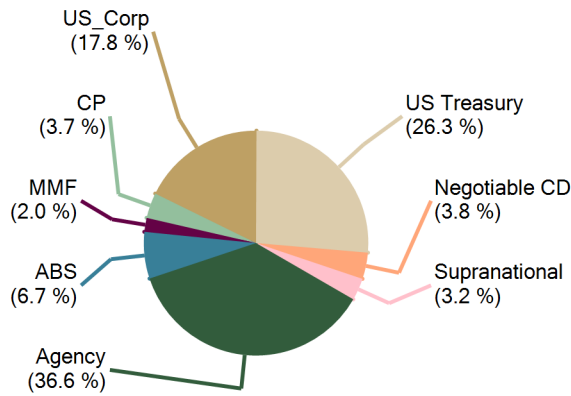
ACCOUNT SUMMARY

	Beg. Values as of 5/31/18	End Values as of 6/30/18
<b>Market Value</b>	29,710,215	29,696,566
<b>Accrued Interest</b>	109,696	128,034
<b>Total Market Value</b>	<b>29,819,910</b>	<b>29,824,599</b>
<b>Income Earned</b>	40,901	41,752
<b>Cont/WD</b>		-2,151
<b>Par</b>	30,128,754	30,151,543
<b>Book Value</b>	30,040,700	30,059,013
<b>Cost Value</b>	30,040,700	30,059,013

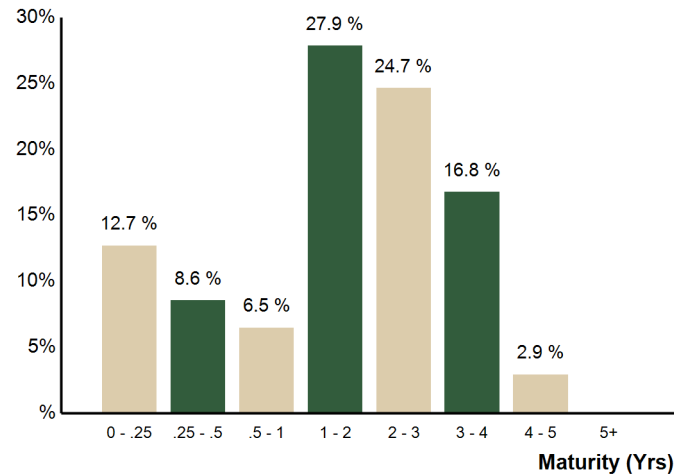
TOP ISSUERS

Issuer	% Portfolio
Government of United States	26.3 %
Federal Home Loan Bank	12.2 %
Federal Home Loan Mortgage Corp	11.9 %
Federal National Mortgage Assoc	9.3 %
Federal Farm Credit Bank	3.2 %
Toyota ABS	2.2 %
Toronto Dominion Holdings	2.0 %
Federated Govt Obligation Money	2.0 %
<b>Total</b>	<b>69.1 %</b>

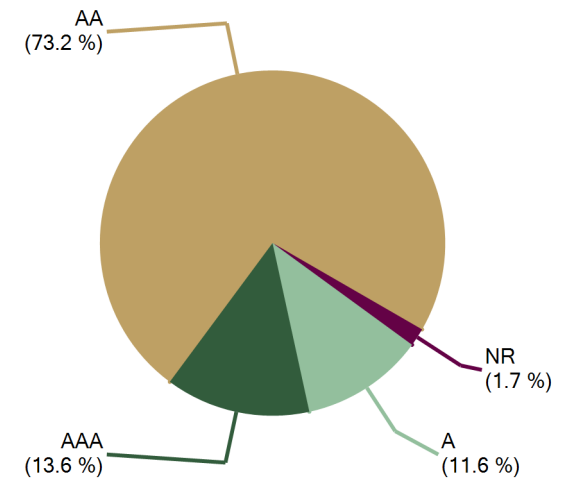
SECTOR ALLOCATION



MATURITY DISTRIBUTION



CREDIT QUALITY (S&P)



PERFORMANCE REVIEW

Total Rate of Return As of 6/30/2018	Current Month	Latest 3 Months	Year To Date	1 Yr	Annualized			Since 2/29/2012	Since 2/29/2012
					3 Yrs	5 Yrs	10 Yrs		
City of National City	0.02 %	0.32 %	0.19 %	0.38 %	0.71 %	0.76 %	N/A	0.66 %	4.28 %
ICE BAML 1-3 Yr US Treasury/Agency Index	0.02 %	0.22 %	0.10 %	0.09 %	0.44 %	0.60 %	N/A	0.55 %	3.51 %
ICE BAML 1-3 Yr US Corp/Govt Rated AAA-A Index	0.01 %	0.27 %	0.10 %	0.20 %	0.61 %	0.75 %	N/A	0.74 %	4.78 %



## City of National City

June 30, 2018

### COMPLIANCE WITH INVESTMENT POLICY

*Assets managed by Chandler Asset Management are in full compliance with state law and with the City's investment policy.*

Category	Standard	Comment
Municipal Securities	BBB rated equivalent by a NRSRO or 4th highest general classification by a NRSRO; 30% maximum	Complies
Treasury Issues	No Limitation	Complies
Agency Issues	No Limitation	Complies
Supranationals	"AA" rated or higher by a NRSRO; 30% maximum; U.S. dollar denominated; Issued by: IBRD, IFC, IADB	Complies
Banker's Acceptances	"A-1" rated or higher by at least two NRSROs; and "A" rated long term debt by two NRSROs; 40% maximum; 180 days max maturity	Complies
Commercial Paper	"A-1" rated or higher by at least two NRSROs; and "A" rated long term debt by two NRSROs; 25% maximum; 270 days max maturity	Complies
FDIC insured Time Deposits/ Certificates of Deposit	Amount per institution limited to the max covered under FDIC; 30% maximum combined certificates of deposit including CDARS	Complies
Negotiable Certificates of Deposit	"A" rated or higher by at least two NRSROs; and/or have short term debt rated "A1" or higher by at least two NRSROs; 30% maximum	Complies
Corporate Medium Term Notes	"A" rated or better by at least two NRSROs; 30% maximum; Issued by corporations organized and operating within the U.S.	Complies
Money Market Mutual Funds	AAA rated or equivalent by at least two NRSROs; 20% maximum; SEC registered with assets under management in excess of \$500 million	Complies
Mortgage Pass-throughs, CMOs and Asset Backed Securities	"AA" rated or better by two NRSROs; "A" rated or higher for the issuer's debt by two NRSROs; 20% maximum	Complies
Local Agency Investment Fund - LAIF	maximum LAIF program; Currently not used by investment adviser	Complies
Prohibited Securities	Inverse floaters; Ranges notes; Interest-only strips from mortgaged backed securities; Zero interest accrual securities; Reverse Repurchase Agreements; Foreign currency denominated sec	Complies
Callable Securities	20% maximum (does not include "make whole call" securities)	Complies
Maximum Issuer	5% max (except US Government, its agencies and enterprises)	Complies
Maximum maturity	5 years	Complies



## Reconciliation Summary

As of 6/30/2018

BOOK VALUE RECONCILIATION	
<b>Beginning Book Value</b>	<b>\$30,040,699.81</b>
<b>Acquisition</b>	
+ Security Purchases	\$590,281.65
+ Money Market Fund Purchases	\$1,114,444.68
+ Money Market Contributions	\$0.00
+ Security Contributions	\$0.00
+ Security Transfers	\$0.00
<b>Total Acquisitions</b>	<b>\$1,704,726.33</b>
<b>Dispositions</b>	
- Security Sales	\$0.00
- Money Market Fund Sales	\$590,281.65
- MMF Withdrawals	\$2,151.10
- Security Withdrawals	\$0.00
- Security Transfers	\$0.00
- Other Dispositions	\$0.00
- Maturities	\$991,806.83
- Calls	\$0.00
- Principal Paydowns	\$99,223.36
<b>Total Dispositions</b>	<b>\$1,683,462.94</b>
<b>Amortization/Accretion</b>	
+/- Net Accretion	\$0.00
	\$0.00
<b>Gain/Loss on Dispositions</b>	
+/- Realized Gain/Loss	(\$2,950.40)
	(\$2,950.40)
<b>Ending Book Value</b>	<b>\$30,059,012.80</b>

CASH TRANSACTION SUMMARY	
<b>BEGINNING BALANCE</b>	<b>\$76,629.26</b>
<b>Acquisition</b>	
Contributions	\$0.00
Security Sale Proceeds	\$0.00
Accrued Interest Received	\$0.00
Interest Received	\$19,791.75
Dividend Received	\$429.57
Principal on Maturities	\$991,806.83
Interest on Maturities	\$3,193.17
Calls/Redemption (Principal)	\$0.00
Interest from Calls/Redemption	\$0.00
Principal Paydown	\$99,223.36
<b>Total Acquisitions</b>	<b>\$1,114,444.68</b>
<b>Disposition</b>	
Withdrawals	\$2,151.10
Security Purchase	\$590,281.65
Accrued Interest Paid	\$0.00
<b>Total Dispositions</b>	<b>\$592,432.75</b>
<b>Ending Book Value</b>	<b>\$598,641.19</b>



Income Earned

5/31/18 Thru 6/30/18

CUSIP	Security Description	Trade Date Settle Date Units	Book Value: Begin Book Value: Acq Book Value: Disp Book Value: End	Prior Accrued Inc. Received Ending Accrued Total Interest	Accr. Of Discount Amort. Of Premium Net Accret/Amort Income Earned	Unreal G/L Total Income
<b>Fixed Income</b>						
02665WAZ4	American Honda Finance Note 2.45% Due 09/24/2020	07/11/2017 07/14/2017 400,000.00	405,848.00 0.00 0.00 405,848.00	1,823.89 0.00 2,640.56 816.67	0.00 0.00 0.00 816.67	0.00 0.00 0.00 816.67
037833AQ3	Apple Inc Note 2.1% Due 05/06/2019	Various Various 400,000.00	406,652.60 0.00 0.00 406,652.60	583.33 0.00 1,283.33 700.00	0.00 0.00 0.00 700.00	0.00 0.00 0.00 700.00
084670BL1	Berkshire Hathaway Note 2.1% Due 08/14/2019	01/26/2017 01/31/2017 285,000.00	287,815.80 0.00 0.00 287,815.80	1,778.88 0.00 2,277.63 498.75	0.00 0.00 0.00 498.75	0.00 0.00 0.00 498.75
161571HF4	Chase CHAIT Pool 2016-A5 1.27% Due 07/15/2021	05/23/2018 05/25/2018 550,000.00	541,384.77 0.00 0.00 541,384.77	310.44 582.08 310.44 582.08	0.00 0.00 0.00 582.08	0.00 0.00 0.00 582.08
166764AR1	Chevron Corp Callable Note Cont 2/3/2020 1.961% Due 03/03/2020	12/13/2017 12/15/2017 400,000.00	399,064.00 0.00 0.00 399,064.00	1,917.42 0.00 2,571.09 653.67	0.00 0.00 0.00 653.67	0.00 0.00 0.00 653.67
22160KAJ4	Costco Wholesale Corp Note 2.15% Due 05/18/2021	07/25/2017 07/28/2017 400,000.00	401,208.00 0.00 0.00 401,208.00	310.56 0.00 1,027.22 716.66	0.00 0.00 0.00 716.66	0.00 0.00 0.00 716.66
3130A7CV5	FHLB Note 1.375% Due 02/18/2021	10/13/2016 10/14/2016 490,000.00	490,960.40 0.00 0.00 490,960.40	1,927.67 0.00 2,489.13 561.46	0.00 0.00 0.00 561.46	0.00 0.00 0.00 561.46
3130A8PK3	FHLB Note 0.625% Due 08/07/2018	08/30/2016 08/31/2016 455,000.00	452,684.05 0.00 0.00 452,684.05	900.52 0.00 1,137.50 236.98	0.00 0.00 0.00 236.98	0.00 0.00 0.00 236.98
3130AABG2	FHLB Note 1.875% Due 11/29/2021	03/08/2017 03/09/2017 565,000.00	559,044.90 0.00 0.00 559,044.90	58.85 0.00 941.67 882.82	0.00 0.00 0.00 882.82	0.00 0.00 0.00 882.82
3133782M2	FHLB Note 1.5% Due 03/08/2019	05/28/2015 05/29/2015 440,000.00	443,207.60 0.00 0.00 443,207.60	1,521.67 0.00 2,071.67 550.00	0.00 0.00 0.00 550.00	0.00 0.00 0.00 550.00



Income Earned

5/31/18 Thru 6/30/18

CUSIP	Security Description	Trade Date Settle Date Units	Book Value: Begin Book Value: Acq Book Value: Disp Book Value: End	Prior Accrued Inc. Received Ending Accrued Total Interest	Accr. Of Discount Amort. Of Premium Net Accret/Amort Income Earned	Unreal G/L Total Income
313378WG2	FHLB Note 2.5% Due 03/11/2022	03/13/2018 03/14/2018 600,000.00	596,646.00 0.00 0.00 596,646.00	3,333.33 0.00 4,583.33 1,250.00	0.00 0.00 0.00 1,250.00	0.00 0.00 0.00 1,250.00
313379Q69	FHLB Note 2.125% Due 06/10/2022	06/20/2017 06/21/2017 600,000.00	607,110.00 0.00 0.00 607,110.00	6,056.25 6,375.00 743.75 1,062.50	0.00 0.00 0.00 1,062.50	0.00 0.00 0.00 1,062.50
313380FB8	FHLB Note 1.375% Due 09/13/2019	Various Various 540,000.00	536,816.60 0.00 0.00 536,816.60	1,608.75 0.00 2,227.50 618.75	0.00 0.00 0.00 618.75	0.00 0.00 0.00 618.75
3133EFSJ7	FFCB Note 1.3% Due 12/14/2018	12/10/2015 12/14/2015 550,000.00	549,279.50 0.00 0.00 549,279.50	3,316.81 3,575.00 337.64 595.83	0.00 0.00 0.00 595.83	0.00 0.00 0.00 595.83
3133EFW52	FFCB Note 1.15% Due 07/01/2019	04/08/2016 04/11/2016 400,000.00	401,956.00 0.00 0.00 401,956.00	1,916.67 0.00 2,300.00 383.33	0.00 0.00 0.00 383.33	0.00 0.00 0.00 383.33
3135G0D75	FNMA Note 1.5% Due 06/22/2020	12/17/2015 12/21/2015 575,000.00	568,778.50 0.00 0.00 568,778.50	3,809.38 4,312.50 215.63 718.75	0.00 0.00 0.00 718.75	0.00 0.00 0.00 718.75
3135G0E33	FNMA Note 1.125% Due 07/20/2018	Various Various 450,000.00	449,689.56 0.00 0.00 449,689.56	1,842.19 0.00 2,264.06 421.87	0.00 0.00 0.00 421.87	0.00 0.00 0.00 421.87
3135G0E58	FNMA Note 1.125% Due 10/19/2018	09/14/2016 09/15/2016 395,000.00	397,010.55 0.00 0.00 397,010.55	518.44 0.00 888.75 370.31	0.00 0.00 0.00 370.31	0.00 0.00 0.00 370.31
3135G0N82	FNMA Note 1.25% Due 08/17/2021	01/26/2017 01/31/2017 440,000.00	425,444.80 0.00 0.00 425,444.80	1,588.89 0.00 2,047.22 458.33	0.00 0.00 0.00 458.33	0.00 0.00 0.00 458.33
3135G0T78	FNMA Note 2% Due 10/05/2022	12/12/2017 12/13/2017 500,000.00	494,215.00 0.00 0.00 494,215.00	1,555.56 0.00 2,388.89 833.33	0.00 0.00 0.00 833.33	0.00 0.00 0.00 833.33
3135G0YT4	FNMA Note 1.625% Due 11/27/2018	08/31/2015 08/31/2015 440,000.00	446,141.96 0.00 0.00 446,141.96	79.44 0.00 675.28 595.84	0.00 0.00 0.00 595.84	0.00 0.00 0.00 595.84



Income Earned

5/31/18 Thru 6/30/18

CUSIP	Security Description	Trade Date Settle Date Units	Book Value: Begin Book Value: Acq Book Value: Disp Book Value: End	Prior Accrued Inc. Received Ending Accrued Total Interest	Accr. Of Discount Amort. Of Premium Net Accret/Amort Income Earned	Unreal G/L Total Income
3137EADB2	FHLMC Note 2.375% Due 01/13/2022	Various Various 575,000.00	585,310.00 0.00 0.00 585,310.00	5,234.90 0.00 6,372.92 1,138.02	0.00 0.00 0.00 1,138.02	0.00 0.00 0.00 1,138.02
3137EADK2	FHLMC Note 1.25% Due 08/01/2019	05/05/2015 05/06/2015 450,000.00	446,149.35 0.00 0.00 446,149.35	1,875.00 0.00 2,343.75 468.75	0.00 0.00 0.00 468.75	0.00 0.00 0.00 468.75
3137EADM8	FHLMC Note 1.25% Due 10/02/2019	05/05/2015 05/06/2015 450,000.00	444,822.75 0.00 0.00 444,822.75	921.88 0.00 1,390.63 468.75	0.00 0.00 0.00 468.75	0.00 0.00 0.00 468.75
3137EADR7	FHLMC Note 1.375% Due 05/01/2020	08/24/2016 08/25/2016 455,000.00	460,332.60 0.00 0.00 460,332.60	521.35 0.00 1,042.71 521.36	0.00 0.00 0.00 521.36	0.00 0.00 0.00 521.36
3137EAEF2	FHLMC Note 1.375% Due 04/20/2020	04/27/2017 04/28/2017 460,000.00	457,741.40 0.00 0.00 457,741.40	720.35 0.00 1,247.43 527.08	0.00 0.00 0.00 527.08	0.00 0.00 0.00 527.08
3137EAEK1	FHLMC Note 1.875% Due 11/17/2020	01/18/2018 01/19/2018 600,000.00	594,780.00 0.00 0.00 594,780.00	437.50 0.00 1,375.00 937.50	0.00 0.00 0.00 937.50	0.00 0.00 0.00 937.50
3137EAEL9	FHLMC Note 2.375% Due 02/16/2021	03/13/2018 03/14/2018 600,000.00	598,068.00 0.00 0.00 598,068.00	4,156.25 0.00 5,343.75 1,187.50	0.00 0.00 0.00 1,187.50	0.00 0.00 0.00 1,187.50
369550BE7	General Dynamics Corp Note 3% Due 05/11/2021	Various Various 400,000.00	397,216.30 0.00 0.00 397,216.30	666.66 0.00 1,666.66 1,000.00	0.00 0.00 0.00 1,000.00	0.00 0.00 0.00 1,000.00
40428HPV8	HSBC USA Inc Note 2.75% Due 08/07/2020	11/16/2017 11/20/2017 290,000.00	293,569.90 0.00 0.00 293,569.90	2,525.42 0.00 3,190.00 664.58	0.00 0.00 0.00 664.58	0.00 0.00 0.00 664.58
43814PAB6	Honda Auto Receivables Owner T 17-3 A2 1.57% Due 01/21/2020	09/25/2017 09/29/2017 116,255.71	129,518.73 0.00 13,273.35 116,245.38	73.44 169.47 65.91 161.94	0.00 0.00 0.00 161.94	0.00 0.00 0.00 161.94
43814UAG4	Honda Auto Receivables 2018-2 A3 3.01% Due 05/18/2022	05/22/2018 05/30/2018 175,000.00	174,996.19 0.00 0.00 174,996.19	14.63 263.38 190.22 438.97	0.00 0.00 0.00 438.97	0.00 0.00 0.00 438.97



Income Earned

5/31/18 Thru 6/30/18

CUSIP	Security Description	Trade Date Settle Date Units	Book Value: Begin Book Value: Acq Book Value: Disp Book Value: End	Prior Accrued Inc. Received Ending Accrued Total Interest	Accr. Of Discount Amort. Of Premium Net Accret/Amort Income Earned	Unreal G/L Total Income
459058ERO	Intl. Bank Recon & Development Note 1% Due 10/05/2018	03/30/2016 03/31/2016 450,000.00	449,667.00 0.00 0.00 449,667.00	700.00 0.00 1,075.00 375.00	0.00 0.00 0.00 375.00	0.00 0.00 375.00
459200HM6	IBM Corp Note 1.625% Due 05/15/2020	02/07/2018 02/09/2018 400,000.00	392,596.00 0.00 0.00 392,596.00	288.89 0.00 830.56 541.67	0.00 0.00 0.00 541.67	0.00 0.00 541.67
45950KCM0	International Finance Corp Note 2.25% Due 01/25/2021	01/24/2018 01/26/2018 500,000.00	498,580.00 0.00 0.00 498,580.00	3,937.50 0.00 4,875.00 937.50	0.00 0.00 0.00 937.50	0.00 0.00 937.50
46625HKA7	JP Morgan Chase Callable Note Cont 12/23/2019 2.25% Due 01/23/2020	08/23/2017 08/28/2017 400,000.00	403,336.00 0.00 0.00 403,336.00	3,200.00 0.00 3,950.00 750.00	0.00 0.00 0.00 750.00	0.00 0.00 750.00
47788BAB0	John Deere Owner Trust 2017-B A2A 1.59% Due 04/15/2020	07/11/2017 07/18/2017 106,809.36	118,062.61 0.00 11,262.53 106,800.08	83.44 156.45 75.48 148.49	0.00 0.00 0.00 148.49	0.00 0.00 148.49
594918BF0	Microsoft Note 1.3% Due 11/03/2018	10/29/2015 11/03/2015 130,000.00	129,870.00 0.00 0.00 129,870.00	131.44 0.00 272.28 140.84	0.00 0.00 0.00 140.84	0.00 0.00 140.84
594918BG8	Microsoft Callable Note Cont. 10/03/20 2% Due 11/03/2020	07/11/2017 07/14/2017 270,000.00	270,999.00 0.00 0.00 270,999.00	420.00 0.00 870.00 450.00	0.00 0.00 0.00 450.00	0.00 0.00 450.00
65478GAB6	Nissan Auto Receivables Owner 2017-B A2A 1.56% Due 05/15/2020	08/16/2017 08/23/2017 399,874.33	440,143.11 0.00 40,284.50 399,858.61	305.18 572.21 277.25 544.28	0.00 0.00 0.00 544.28	0.00 0.00 544.28
68389XBK0	Oracle Corp Callable Note Cont 8/01/21 1.9% Due 09/15/2021	10/26/2017 10/31/2017 400,000.00	395,816.00 0.00 0.00 395,816.00	1,604.44 0.00 2,237.78 633.34	0.00 0.00 0.00 633.34	0.00 0.00 633.34
69353RFE3	PNC Bank Callable Note Cont 6/28/2022 2.45% Due 07/28/2022	04/24/2018 04/26/2018 400,000.00	385,792.00 0.00 0.00 385,792.00	3,348.33 0.00 4,165.00 816.67	0.00 0.00 0.00 816.67	0.00 0.00 816.67
857477AV5	State Street Bank Note 1.95% Due 05/19/2021	07/12/2017 07/17/2017 400,000.00	396,056.00 0.00 0.00 396,056.00	260.00 0.00 910.00 650.00	0.00 0.00 0.00 650.00	0.00 0.00 650.00





Income Earned

5/31/18 Thru 6/30/18

CUSIP	Security Description	Trade Date Settle Date Units	Book Value: Begin Book Value: Acq Book Value: Disp Book Value: End	Prior Accrued Inc. Received Ending Accrued Total Interest	Accr. Of Discount Amort. Of Premium Net Accret/Amort Income Earned	Unreal G/L Total Income
89237RAB4	Toyota Auto Receivable 2017-C A2A 1.58% Due 07/15/2020	07/25/2017 08/02/2017 399,962.07	434,357.19 0.00 34,398.91 399,958.28	305.02 571.91 280.86 547.75	0.00 0.00 0.00 547.75	0.00 547.75
89238BAB8	Toyota Auto Receivables Owner 2018-A A2A 2.1% Due 10/15/2020	01/23/2018 01/31/2018 265,000.00	264,972.92 0.00 0.00 264,972.92	247.33 463.75 247.33 463.75	0.00 0.00 0.00 463.75	0.00 463.75
91159HHL7	US Bancorp Callable Note 1X 12/29/2020 2.35% Due 01/29/2021	07/19/2017 07/24/2017 400,000.00	404,036.00 0.00 0.00 404,036.00	3,185.56 0.00 3,968.89 783.33	0.00 0.00 0.00 783.33	0.00 783.33
912828G53	US Treasury Note 1.875% Due 11/30/2021	08/28/2017 08/29/2017 600,000.00	604,994.20 0.00 0.00 604,994.20	30.74 0.00 952.87 922.13	0.00 0.00 0.00 922.13	0.00 922.13
912828J50	US Treasury Note 1.375% Due 02/29/2020	07/25/2017 07/26/2017 600,000.00	598,408.26 0.00 0.00 598,408.26	2,084.92 0.00 2,757.47 672.55	0.00 0.00 0.00 672.55	0.00 672.55
912828L32	US Treasury Note 1.375% Due 08/31/2020	Various Various 600,000.00	600,184.82 0.00 0.00 600,184.82	2,084.92 0.00 2,757.47 672.55	0.00 0.00 0.00 672.55	0.00 672.55
912828L40	US Treasury Note 1% Due 09/15/2018	10/29/2015 11/02/2015 450,000.00	449,667.52 0.00 0.00 449,667.52	953.80 0.00 1,320.65 366.85	0.00 0.00 0.00 366.85	0.00 366.85
912828M98	US Treasury Note 1.625% Due 11/30/2020	11/29/2016 11/30/2016 570,000.00	568,331.99 0.00 0.00 568,331.99	25.31 0.00 784.53 759.22	0.00 0.00 0.00 759.22	0.00 759.22
912828Q37	US Treasury Note 1.25% Due 03/31/2021	04/27/2017 04/28/2017 375,000.00	369,024.69 0.00 0.00 369,024.69	794.06 0.00 1,178.28 384.22	0.00 0.00 0.00 384.22	0.00 384.22
912828Q78	US Treasury Note 1.375% Due 04/30/2021	05/25/2017 05/31/2017 500,000.00	494,650.11 0.00 0.00 494,650.11	601.09 0.00 1,164.62 563.53	0.00 0.00 0.00 563.53	0.00 563.53
912828S43	US Treasury Note 0.75% Due 07/15/2019	08/01/2016 08/02/2016 435,000.00	434,780.56 0.00 0.00 434,780.56	1,234.70 0.00 1,505.08 270.38	0.00 0.00 0.00 270.38	0.00 270.38



**Income Earned**

5/31/18 Thru 6/30/18

CUSIP	Security Description	Trade Date Settle Date Units	Book Value: Begin Book Value: Acq Book Value: Disp Book Value: End	Prior Accrued Inc. Received Ending Accrued Total Interest	Accr. Of Discount Amort. Of Premium Net Accret/Amort Income Earned	Unreal G/L Total Income
912828SD3	US Treasury Note 1.25% Due 01/31/2019	04/29/2015 04/30/2015 400,000.00	401,095.09 0.00 0.00 401,095.09	1,671.27 0.00 2,085.64 414.37	0.00 0.00 0.00 414.37	0.00 0.00 0.00 414.37
912828ST8	US Treasury Note 1.25% Due 04/30/2019	Various Various 450,000.00	449,676.31 0.00 0.00 449,676.31	489.14 0.00 947.70 458.56	0.00 0.00 0.00 458.56	0.00 0.00 0.00 458.56
912828TH3	US Treasury Note 0.875% Due 07/31/2019	03/30/2016 03/31/2016 400,000.00	398,204.46 0.00 0.00 398,204.46	1,169.89 0.00 1,459.94 290.05	0.00 0.00 0.00 290.05	0.00 0.00 0.00 290.05
912828UB4	US Treasury Note 1% Due 11/30/2019	10/29/2015 11/02/2015 450,000.00	443,181.20 0.00 0.00 443,181.20	12.30 0.00 381.15 368.85	0.00 0.00 0.00 368.85	0.00 0.00 0.00 368.85
912828UL2	US Treasury Note 1.375% Due 01/31/2020	12/08/2016 12/09/2016 490,000.00	489,312.58 0.00 0.00 489,312.58	2,252.04 0.00 2,810.39 558.35	0.00 0.00 0.00 558.35	0.00 0.00 0.00 558.35
912828UV0	US Treasury Note 1.125% Due 03/31/2020	Various Various 600,000.00	596,517.64 0.00 0.00 596,517.64	1,143.45 0.00 1,696.72 553.27	0.00 0.00 0.00 553.27	0.00 0.00 0.00 553.27
912828VK3	US Treasury Note Due 06/30/2018	02/26/2015 02/27/2015 0.00	402,954.47 0.00 402,954.47 0.00	2,309.39 2,750.00 0.00 440.61	0.00 0.00 0.00 440.61	0.00 0.00 0.00 440.61
912828W89	US Treasury Note 1.875% Due 03/31/2022	04/26/2018 04/30/2018 600,000.00	580,593.75 0.00 0.00 580,593.75	1,905.74 0.00 2,827.87 922.13	0.00 0.00 0.00 922.13	0.00 0.00 0.00 922.13
912828XK1	US Treasury Note 0.875% Due 07/15/2018	07/31/2015 07/31/2015 450,000.00	448,560.10 0.00 0.00 448,560.10	1,490.16 0.00 1,816.47 326.31	0.00 0.00 0.00 326.31	0.00 0.00 0.00 326.31
			<b>27,757,885.39</b>	<b>92,176.37</b>	<b>0.00</b>	
			<b>0.00</b>	<b>19,791.75</b>	<b>0.00</b>	
			<b>502,173.76</b>	<b>110,133.55</b>	<b>0.00</b>	<b>0.00</b>
<b>TOTAL Fixed Income</b>		<b>27,337,901.47</b>	<b>27,255,711.63</b>	<b>37,748.93</b>	<b>37,748.93</b>	<b>37,748.93</b>



**Income Earned**

5/31/18 Thru 6/30/18

CUSIP	Security Description	Trade Date Settle Date Units	Book Value: Begin Book Value: Acq Book Value: Disp Book Value: End	Prior Accrued Inc. Received Ending Accrued Total Interest	Accr. Of Discount Amort. Of Premium Net Accret/Amort Income Earned	Unreal G/L Total Income
<b>Cash &amp; Equivalent</b>						
06417GXH6	Bank of Nova Scotia Yankee CD 1.57% Due 08/09/2018	08/08/2017 08/09/2017 520,000.00	520,000.00 0.00 0.00 520,000.00	6,712.62 0.00 7,392.96 680.34	0.00 0.00 0.00 680.34	0.00 0.00 0.00 680.34
06538CFD8	Bank of Tokyo Mitsubishi NY Discount CP Due 06/13/2018	03/13/2018 03/13/2018 0.00	591,806.83 0.00 591,806.83 0.00	2,776.67 3,193.17 0.00 416.50	0.00 0.00 0.00 416.50	0.00 0.00 0.00 416.50
36164KHH7	GE Capital Treasury LLC Discount CP 2% Due 08/17/2018	02/12/2018 02/12/2018 500,000.00	494,833.33 0.00 0.00 494,833.33	3,027.78 0.00 3,861.11 833.33	0.00 0.00 0.00 833.33	0.00 0.00 0.00 833.33
60934N807	Federated Investors Govt Oblig Fund Inst.	05/29/2018 05/29/2018 598,641.19	76,629.26 1,114,444.68 592,432.75 598,641.19	0.00 429.57 0.00 429.57	0.00 0.00 0.00 429.57	0.00 0.00 0.00 429.57
62479MKF9	MUFG Bank Ltd/NY Discount CP 2.34% Due 10/15/2018	06/14/2018 06/15/2018 595,000.00	0.00 590,281.65 0.00 590,281.65	0.00 0.00 618.80 618.80	0.00 0.00 0.00 618.80	0.00 0.00 0.00 618.80
89113W6Q4	Toronto Dominion NY Yankee CD 1.6% Due 08/24/2018	12/19/2017 12/20/2017 350,000.00	349,545.00 0.00 0.00 349,545.00	4,853.33 0.00 5,320.00 466.67	0.00 0.00 0.00 466.67	0.00 0.00 0.00 466.67
89113XX33	Toronto Dominion NY Yankee CD 2.68% Due 05/24/2019	05/23/2018 05/24/2018 250,000.00	250,000.00 0.00 0.00 250,000.00	148.89 0.00 707.22 558.33	0.00 0.00 0.00 558.33	0.00 0.00 0.00 558.33
<b>TOTAL Cash &amp; Equivalent</b>		<b>2,813,641.19</b>	<b>2,282,814.42 1,704,726.33 1,184,239.58 2,803,301.17</b>	<b>17,519.29 3,622.74 17,900.09 4,003.54</b>	<b>0.00 0.00 0.00 4,003.54</b>	<b>0.00 0.00 0.00 4,003.54</b>
<b>TOTAL PORTFOLIO</b>		<b>30,151,542.66</b>	<b>30,040,699.81 1,704,726.33 1,686,413.34 30,059,012.80</b>	<b>109,695.66 23,414.49 128,033.64 41,752.47</b>	<b>0.00 0.00 0.00 41,752.47</b>	<b>0.00 0.00 0.00 41,752.47</b>



**COUNTY OF SAN DIEGO INVESTMENT POOL**  
**TREASURY INVESTMENT RESULTS**

**June**  
**2018**

County of San Diego Treasurer-Tax Collector | 1600 Pacific Hwy, San Diego, CA 92101 | [www.sdttc.com](http://www.sdttc.com)

# PARTICIPANT CASH BALANCES

## County of San Diego Pooled Money Fund

As of June 30, 2018

(\$000)

PARTICIPANT	FMV 04/30/18	FMV 05/31/18	FMV 06/30/18	% of Total	PARTICIPANT	FMV 04/30/18	FMV 05/31/18	FMV 06/30/18	% of Total
<b>COUNTY</b>	\$ 1,785,500	\$ 1,056,179	\$ 707,323	7.11%	Lakeside FPD	9,338	10,046	9,411	
<b>COUNTY - SPECIAL TRUST FUNDS</b>	2,863,505	2,843,921	2,904,062	29.18%	Leucadia Wastewater District	9,612	9,628	9,655	
<b>NON-COUNTY INVESTMENT FUNDS</b>	145,079	149,217	129,603	1.29%	Lower Sweetwater FPD	631	610	617	
<b>SCHOOLS - (K THRU 12)</b>	4,677,975	4,745,759	4,373,818	43.95%	Metropolitan Transit System	23,016	25,695	43,105	
					Mission Resource Conservation District	311	315	316	
<b>COMMUNITY COLLEGES</b>					North County Cemetery District	4,635	4,629	4,811	
San Diego	242,035	244,838	239,072	2.40%	North County Dispatch	2,961	2,748	2,589	
Grossmont-Cuyamaca	94,978	93,207	95,170	0.96%	North County FPD	4,405	4,776	3,588	
MiraCosta	153,237	155,189	152,718	1.53%	Otay Water District	12,088	12,109	12,131	
Palomar	312,653	298,472	300,562	3.02%	Pomerado Cemetery District	1,875	1,890	1,900	
Southwestern	267,829	266,291	266,453	2.68%	Public Agencies Self-Insurance System	3,406	3,412	3,422	
<b>Total Community Colleges</b>	<b>1,070,732</b>	<b>1,057,997</b>	<b>1,053,975</b>	<b>10.59%</b>	Ramona Cemetery District	969	969	966	
					Rancho Santa Fe FPD	15,186	15,956	14,776	
<b>FIRST 5 COMMISSION</b>	40,305	36,729	36,792		Rincon del Diablo Municipal Water District	3,063	3,566	3,574	
<b>SANCAL</b>	731	732	740		SANDAG	39,666	40,497	44,381	
<b>SDCERA</b>	599	597	5,501		SD County Regional Airport Authority	272,692	278,309	273,648	
					San Diego Housing Commission	20,795	20,831	20,890	
<b>CITIES</b>					San Diego Geographic Information Source	629	554	406	
Chula Vista	167,812	167,805	163,684		San Diego Law Library	3,396	3,437	3,448	
Coronado	29,897	29,949	33,983		San Diego Local Agency Formation Comm	1,057	930	772	
Del Mar	2,602	2,607	2,614		San Diego Regional Training Center	633	688	798	
Encinitas	2	2	3,981		San Dieguito River Park	1,117	1,033	1,261	
National City	8,149	8,163	8,186		San Marcos FPD	1	1	1	
					San Miguel Consolidated FPD	7,286	10,026	9,611	
<b>INDEPENDENT AGENCIES</b>					Santa Fe Irrigation District	4,234	4,241	4,253	
Alpine FPD	1,770	2,051	1,896		Serra Cooperative Library System	231	231	232	
Bonita-Sunnyside FPD	5,789	6,215	5,928		Upper San Luis Rey Resource Conserv Dist	49	50	50	
Borrego Springs FPD	1,754	1,489	1,440		Vallecitos Water District	5,200	5,209	5,224	
Canebrake County Water District	51	51	52		Valley Center FPD	2,574	3,129	2,952	
Deer Springs FPD	10,917	10,087	10,170		Valley Center Cemetery District	382	387	388	
Fallbrook Public Utility District	15	15	15		Valley Center Water District	22,024	23,825	24,351	
Grossmont Healthcare District	1,021	0	3		Vista FPD	2,662	3,164	3,173	
Julian-Cuyamaca FPD	84	98	30		<b>Total Voluntary Participants</b>	<b>747,815</b>	<b>759,653</b>	<b>781,892</b>	<b>7.88%</b>
Lake Cuyamaca Rec & Park District	197	171	178						
					<b>Pooled Money Fund Total</b>	<b>\$ 11,290,606</b>	<b>\$ 10,612,727</b>	<b>\$ 9,950,674</b>	<b>100.00%</b>



Apologies on the delay, but please see below and let me know if you need anything else. Thank you!

National City		Pool YTM: 1.938			
Conversion of Oracle Cash Balance to COSD Pool Market Price					
Month Ended June 30, 2018		Current Month	Prior Month	Prior Quarter	Prior Year
		6/30/2018	5/31/2018	3/31/2018	6/30/2017
COSD Pool Market Price		99.480%	99.497%	99.408%	99.570%
Fund Description	Oracle Cash Balance	Market Value	Market Value	Market Value	Market Value
44077 NATIONAL CITY INVESTMENT FUND	8,228,583	8,185,787	8,162,695	8,148,203	8,092,126
<b>Total for National City</b>	<b>8,228,583</b>	<b>8,185,787</b>	<b>8,162,695</b>	<b>8,148,203</b>	<b>8,092,126</b>

<http://www.sdtreastax.com/>" style='position:absolute;margin-left:0;margin-top:0;width:52.55pt;height:52.55pt;z-index:251659264;visibility:visible;mso-wrap-style:square;mso-width-percent:0;mso-height-percent:0;mso-wrap-distance-left:0;mso-wrap-distance-top:0;mso-wrap-distance-right:9pt;mso-wrap-distance-bottom:0;mso-position-horizontal:left;mso-position-horizontal-relative:text;mso-position-vertical:absolute;mso-position-vertical-relative:text;mso-width-percent:0;mso-height-percent:0;mso-width-relative:page;mso-height-relative:page' o:button="t">

**Steven Wong**

Associate Accountant

San Diego County Treasurer-Tax Collector's Office

Phone: 619.685.2640 | Fax: 619.446.8222 | [www.sdttc.com](http://www.sdttc.com)



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Please see below and let me know if you need anything else. Thank you!

<b>National City</b>		<b>Pool YTM: 1.881</b>			
<b>Conversion of Oracle Cash Balance to COSD Pool Market Price</b>					
<b>Month Ended May 31, 2018</b>					
		<b>Current Month</b>	<b>Prior Month</b>	<b>Prior Quarter</b>	<b>Prior Year</b>
		<b>5/31/2018</b>	<b>4/30/2018</b>	<b>2/28/2018</b>	<b>5/31/2017</b>
<b>COSD Pool Market Price</b>		<b>99.497%</b>	<b>99.326%</b>	<b>99.129%</b>	<b>99.693%</b>
<b>Fund Description</b>	<b>Oracle Cash Balance</b>	<b>Market Value</b>	<b>Market Value</b>	<b>Market Value</b>	<b>Market Value</b>
44077 NATIONAL CITY INVESTMENT FUND	8,203,963	8,162,695	8,148,638	8,111,723	5,111,332
<b>Total for National City</b>	<b>8,203,963</b>	<b>8,162,695</b>	<b>8,148,638</b>	<b>8,111,723</b>	<b>5,111,332</b>

Apologies on the late reply, but here is the information you are looking for:

National City		Pool YTM: 1.839			
Conversion of Oracle Cash Balance to COSD Pool Market Price					
Month Ended April 30, 2018					
		Current Month	Prior Month	Prior Quarter	Prior Year
		4/30/2018	3/31/2018	1/31/2018	4/30/2017
COSD Pool Market Price		99.326%	99.408%	99.256%	99.227%
Fund Description	Oracle Cash Balance	Market Value	Market Value	Market Value	Market Value
44077 NATIONAL CITY INVESTMENT FUND	8,203,963	8,148,638	8,148,203	8,122,099	5,085,547
<b>Total for National City</b>	<b>8,203,963</b>	<b>8,148,638</b>	<b>8,148,203</b>	<b>8,122,099</b>	<b>5,085,547</b>

Please let me know if you need anything else. Thank you!

<http://www.sdtreastax.com/>

**Steven Wong**

Associate Accountant

San Diego County Treasurer-Tax Collector's Office

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The following page(s) contain the backup material for Agenda Item: [Warrant Register #7 for the period of 08/08/18 through 08/14/18 in the amount of \\$1,759,826.86. \(Finance\)](#)  
Please scroll down to view the backup material.

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

**MEETING DATE:** September 18, 2018

**AGENDA ITEM NO.:**

**ITEM TITLE:**

Warrant Register #7 for the period of 08/08/18 through 08/14/18 in the amount of \$1,759,826.86.  
(Finance)

**PREPARED BY:** Karla Apalategui, Accounting Assistant

**DEPARTMENT:** Finance

**PHONE:** 619-336-4572

**APPROVED BY:** \_\_\_\_\_

**EXPLANATION:**

Per Government Section Code 37208, attached are the warrants issued for the period of 08/08/18 through 08/14/18.

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

<u>Vendor</u>	<u>Check/Wire</u>	<u>Amount</u>	<u>Explanation</u>
Health Net Inc	336577	87,119.80	Health Net Ins R1192A / Jul 2018
Project Professionals Corp	336631	50,273.95	Wilson Ave & W. 22 <sup>nd</sup> St.
Adminsure Inc	451884	74,516.59	W/C Acct Replenishment / Jul 2018
Public Emp Ret System	8092018	250,700.87	Service Period 07/17/18 – 07/30/18

**FINANCIAL STATEMENT:**

**APPROVED:** Mark Ralvito **FINANCE**

**ACCOUNT NO.**

**APPROVED:** \_\_\_\_\_ **MIS**

Warrant total \$1,759,826.86.

**ENVIRONMENTAL REVIEW:**

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

**ORDINANCE:** INTRODUCTION  FINAL ADOPTION

**STAFF RECOMMENDATION:**

Ratify warrants totaling \$1,759,826.86

**BOARD / COMMISSION RECOMMENDATION:**

**ATTACHMENTS:**

Warrant Register # 7



**WARRANT REGISTER # 7  
8/14/2018**

<u>PAYEE</u>	<u>DESCRIPTION</u>	<u>CHK NO</u>	<u>DATE</u>	<u>AMOUNT</u>
4 PILLARS WELLNESS	BACK AND NECK PAIN EVENT-WELLNESS	336559	8/14/18	90.00
AMERICAN PLANNING ASSOCIATION	MEMBERSHIP / REEDER & PE	336560	8/14/18	961.00
HAPPY SOFTWARE INC	SUPPORT RENEWAL: HAPPY SOFTWARE FY 2018	336561	8/14/18	11,912.00
KNOX SERVICES	GOVERNMENTAL PURPOSES	336562	8/14/18	345.60
LOZANO SMITH LLP	PROFESSIONAL SERVICES	336563	8/14/18	3,698.10
RAULSTON, B	TRAVEL EXPENSE REIMBURSEMENT -	336564	8/14/18	30.80
RIOS, M	TRAVEL EXPENSES / SECTION 8 TRAINING	336565	8/14/18	171.88
STRAFFORD	TRAINING, TRAVEL & SUBSISTENCE	336566	8/14/18	247.00
U S BANK	US BANK CREDIT CARD SERVICES	336567	8/14/18	1,799.36
U S BANK	GOVERNMENTAL PURPOSES/BOOKS	336568	8/14/18	349.49
VALDIVIA GUERRERO JR, J	MILEAGE REIMBURSEMENT	336569	8/14/18	144.97
WEST PAYMENT CENTER	BOOKS / CITY ATTORNEY'S OFFICE	336570	8/14/18	408.93
DELTA DENTAL	DENTAL INS PREMIER JUL 2018	336571	8/14/18	15,796.77
DELTA DENTAL	COBRA PREMIER DENTAL INS JUL 2018	336572	8/14/18	180.88
DELTA DENTAL INSURANCE CO	PMI DENTAL INS JUL 2018	336573	8/14/18	2,875.29
DELTA DENTAL INSURANCE CO	COBRA DENTAL INS PMI JUL 2018	336574	8/14/18	16.50
HEALTH NET	HEALTH NET INS N7176F JUL 2018	336575	8/14/18	1,522.34
HEALTH NET	HEALTH NET INS N7177A JUL 2018	336576	8/14/18	1,181.18
HEALTH NET INC	HEALTH NET INS R1192A JUL 2018	336577	8/14/18	87,119.80
HEALTH NET INC	HEALTH NET INS 57135A JUL 2018	336578	8/14/18	5,962.66
SASI	MONTHLY TRUST ACCOUNTING APR 2018	336579	8/14/18	57.40
A&B SAW & LAWNMOWER	CARBIDE CHAIN FOR SAWS	336580	8/14/18	1,072.11
ALPHA PROJECT FOR THE HOMELESS	ALPHA PROJECT/ JUNE	336581	8/14/18	13,142.38
AMAZON	BOOKS / LIBRARY	336582	8/14/18	3,153.97
ANTHONY KIAH	REFUND OF DEVELOPER DEPOSIT T&A 90291	336583	8/14/18	1,646.20
ARC ERGONOMICS	SIT/STAND DESK / CITY COUNCIL	336584	8/14/18	976.75
AT&T	AT&T PHONES	336585	8/14/18	366.51
AT&T	AT&T PHONE SERVICE	336586	8/14/18	360.52
AT&T	AT&T PHONES	336587	8/14/18	80.23
CALIFA GROUP	MEMBERSHIP RENEWAL- FY 2018-19	336588	8/14/18	400.00
CALIFORNIA ELECTRIC SUPPLY	MOP 45698 ELECTRIC SUPPLIES PW	336589	8/14/18	1,502.72
CEB	BOOKS / CITY ATTORNEY'S OFFICE	336590	8/14/18	431.86
CEKANDER, L	TRAINING AD LDG IACA 28TH/CEKANDER	336591	8/14/18	1,065.25
CHELIUS, A	TRAINING REIM ICA NATIONAL CONF/CHELIUS/PD	336592	8/14/18	249.88
CITY OF NATIONAL CITY	PETTY CASH REPLENISHMENT JUN 2018	336593	8/14/18	1,366.00
CLF WAREHOUSE INC	MOP 80331 AUTO SUPPLIES PW	336594	8/14/18	57.58
COUNTY OF SAN DIEGO	C OF SD SHARE PARKING CIT JUN 2018	336595	8/14/18	10,555.00
COUNTY OF SAN DIEGO	REGIONAL COMMUNICATIONS SYSTEM	336596	8/14/18	9,055.62
COUNTY OF SAN DIEGO	MAIL PROCESSING SERVICES MAY 2018	336597	8/14/18	3,525.00
COX COMMUNICATIONS	COX VIDEO SERVICES	336598	8/14/18	574.62
CSAC EXCESS INS AUTHORITY	PROPERTY INSURANCE	336599	8/14/18	5,671.00
CWEA MEMBERSHIP	ANNUAL MEMBERSHIP RENEWAL / PW	336600	8/14/18	200.00
DANIELS TIRE SERVICE	TIRES FOR CITY FLEET FY 2019	336601	8/14/18	2,368.94
D-MAX ENGINEERING	PARADISE CREEK DAC GRANT	336602	8/14/18	48,823.24
DOUGHERTY, J	TRAINING ADV LODGE/POST SPVR /DOUGHERTY	336603	8/14/18	1,308.00
EISER III, G	PROFESSIONAL SERVICES	336604	8/14/18	4,712.50



**WARRANT REGISTER # 7  
8/14/2018**

<u>PAYEE</u>	<u>DESCRIPTION</u>	<u>CHK NO</u>	<u>DATE</u>	<u>AMOUNT</u>
FACTORY MOTOR PARTS	MOP 82766 AUTO SUPPLIES PW	336605	8/14/18	130.90
FASTSIGNS	PRINTED POSTER WITH UV LAMINATION- LIBRARY	336606	8/14/18	48.59
FIRE ETC	FIRE HOSE	336607	8/14/18	2,651.33
FLORES JR, R	MILEAGE REIMBURSEMENT / FLORES	336608	8/14/18	144.97
GRAINGER	65179 BUILDING SUPPLIES PW	336609	8/14/18	2,275.05
HAPPY SOFTWARE INC	REGIONAL REGISTRATION / SEC 8	336610	8/14/18	350.00
HDL COREN & CONE	CONTRACT SVCS PROPERTY TAX JUL-SEP 2018	336611	8/14/18	2,814.24
HINDERLITER DE LLAMAS	AUDIT SVCS/TRANSACTIONS TAX QTR 4 2017	336612	8/14/18	14,775.50
IRON MOUNTAIN	MONTHLY MGMT STORAGE CHARGE JUL 2018	336613	8/14/18	375.30
JONES, R	TRAINING REIM DISPATCH PS/JONES	336614	8/14/18	339.09
KNOX SERVICES	GOVERNMENTAL PURPOSES	336615	8/14/18	105.75
KONICA MINOLTA	KONICA MINOLTA COPIERS	336616	8/14/18	8,124.55
LASER SAVER INC	PRINTER CARTRIDGES, BUILDING	336617	8/14/18	706.44
LOZANO SMITH LLP	PROFESSIONAL SERVICES	336618	8/14/18	2,506.58
MES CALIFORNIA	FOAM CONCENTRATE	336619	8/14/18	1,060.31
MEYERS NAVE	LABOR RELATIONS & NEGOTIATIONS SERVICES	336620	8/14/18	12,133.00
MHZ COMMUNICATIONS ENT	REPAIR HEADSETS	336621	8/14/18	432.97
NATIONAL CITY CHAMBER	MEMBERSHIP / MORRISON	336622	8/14/18	125.00
O'REILLY AUTO PARTS	MOP 75877 AUTO SUPPLIES PW	336623	8/14/18	136.24
PACIFIC TELEMAGEMENT SERVICE	PACIFIC TELEMAGEMENT SERVICE	336624	8/14/18	78.00
PAL GENERAL ENGINEERING INC	WILSON AVE & WEST 22ND	336626	8/14/18	18,482.96
PARTS AUTHORITY METRO LLC	MOP 75943 AUTO SUPPLIES PW	336627	8/14/18	547.34
PARTS AUTHORITY METRO LLC	MOP 75943 AUTO SUPPLIES PW	336628	8/14/18	7.91
PENSKE FORD	R&M CITY VEHICLES FY 2019	336629	8/14/18	46.29
PRO BUILD	MOP 45707 PAINT SUPPLIES NSD	336630	8/14/18	76.43
PROJECT PROFESSIONALS CORP	WILSON AVE. & W. 22ND ST.	336631	8/14/18	50,273.95
PRUDENTIAL OVERALL SUPPLY	45742 LAUNDRY SVC PW	336632	8/14/18	616.60
RKI INSTRUMENTS INC	CALIBRATE GAS SENSOR	336633	8/14/18	422.77
SAM'S ALIGNMENT	WHEEL ALIGNMENT SERVICE FOR CITY	336634	8/14/18	120.00
SANDAG	FY 2019 MEMBER AGENCY ASSESSMENT / CMO	336635	8/14/18	13,134.00
SASI	MONTHLY TRUST ACCOUNTING AUG 2018	336636	8/14/18	422.50
SDG&E	SDG&E UTILITIES FOR FACILITIES	336637	8/14/18	1,444.48
STAPLES BUSINESS ADVANTAGE	MOP 45704 OFFICE SUPPLIES/CITY CLERK	336638	8/14/18	845.45
STAPLES BUSINESS ADVANTAGE	MOP 45704 OFFICE SUPPLIES NSD	336639	8/14/18	158.08
STEELE, J	VIOLATION DISMISSED REFUND	336640	8/14/18	100.00
TABAO, JOEL	BUILDING FEE REFUND	336641	8/14/18	5,130.67
TOPECO PRODUCTS	MOP 63849 AUTO SUPPLIES PW	336642	8/14/18	203.87
U S BANK	CREDIT CARD EXPENSES / POLICE	336643	8/14/18	3,473.08
U S BANK	CREDIT CARD EXPENSES / CITY ATTORNEY	336644	8/14/18	410.75
UNITED ROTARY BRUSH CORP	STREET SWEEPER REPAIRS	336645	8/14/18	305.22
VALLEY INDUSTRIAL SPECIALTIES	MOP 46453 ELECTRIC PW	336646	8/14/18	350.63
VERIZON WIRELESS	VERIZON CELL PHONES	336647	8/14/18	13,601.42
WILLY'S ELECTRONIC SUPPLY	WILLY'S ELECTRONICS SUPPLIES MOP	336649	8/14/18	46.21
CELLEBRITE USA INC	FY19 SERVICE / MIS	336650	8/14/18	6,845.00
CSMFO	JOB ADVERTISING / FINANCE	336651	8/14/18	275.00
CSMFO	MEMBERSHIP RENEWAL / FINANCE	336652	8/14/18	165.00





**WARRANT REGISTER # 7  
8/14/2018**

<u>PAYEE</u>	<u>DESCRIPTION</u>	<u>CHK NO</u>	<u>DATE</u>	<u>AMOUNT</u>
GFOA	JOB ADVERTISING / FINANCE	336653	8/14/18	150.00
MOTOROLA SOLUTIONS INC	6 RADIO BATTERIES	336654	8/14/18	1,536.64
			<b>A/P Total</b>	<b>119,964.46</b>
 <b>WIRED PAYMENTS</b>				
PAYCHEX BENEFIT TECHNOLOGIES	BENETRAC ESR SVCS BASE FEE AUG 2018	435370	8/10/18	540.75
ARCO BUSINESS SOLUTIONS	FUEL FOR CITY FLEET JULY 2018	451872	8/8/18	32,546.75
ADMINSURE INC	W/C ACCT REPLENISHMENT JUL 2018	451884	8/8/18	74,516.59
EDD	UNEMPLOYMENT INS BENEFIT CHARGE	732617	8/8/18	4,988.00
PUBLIC EMP RETIREMENT SYSTEM	REMAINING BALANCE 6/19/18-7/2/18 & 7/3/18-7/16/18	8092018	8/9/18	3,886.24
PUBLIC EMP RETIREMENT SYSTEM	SERVICE PERIOD 07/17/18 - 07/30/18	8092018	8/9/18	250,700.87
 <b>PAYROLL</b>				
<b>Pay period</b>	<b>Start Date</b>	<b>End Date</b>	<b>Check Date</b>	
17	7/31/2018	8/13/2018	8/22/2018	<b>1,272,683.20</b>
			<b>GRAND TOTAL</b>	<b><u>\$1,759,826.86</u></b>

**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

\_\_\_\_\_  
ALBERT MENDIVIL, VICE-MAYOR

\_\_\_\_\_  
ALEJANDRA SOTELO-SOLIS, MEMBER

\_\_\_\_\_  
MONA RIOS, MEMBER

\_\_\_\_\_  
JERRY CANO, 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 18<sup>th</sup> OF SEPTEMBER, 2018.

AYES \_\_\_\_\_

NAYS \_\_\_\_\_

ABSENT \_\_\_\_\_

The following page(s) contain the backup material for Agenda Item: [Warrant Register #8 for the period of 08/15/18 through 08/21/18 in the amount of \\$687,978.46. \(Finance\)](#)  
Please scroll down to view the backup material.

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

**MEETING DATE:** September 18, 2018

**AGENDA ITEM NO.:**

**ITEM TITLE:**

Warrant Register #8 for the period of 08/15/18 through 08/21/18 in the amount of \$687,978.46.  
(Finance)

**PREPARED BY:** Karla Apalategui, Accounting Assistant

**DEPARTMENT:** Finance

**PHONE:** 619-336-4572

**APPROVED BY:** \_\_\_\_\_

**EXPLANATION:**

Per Government Section Code 37208, attached are the warrants issued for the period of 08/15/18 through 08/21/18.

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

<u>Vendor</u>	<u>Check/Wire</u>	<u>Amount</u>	<u>Explanation</u>
Kaiser Foundation HP	336658	192,260.64	Group #104220 0002 / July 2018
Pal Gen Engineering Inc	336708	107,520.05	Wilson Ave and 22 <sup>nd</sup> St. Improv
Pal Gen Engineering Inc	336709	66,039.17	Wilson Ave and 22 <sup>nd</sup> St. Improv
SDG&E	336715	118,102.55	Gas & Electric Utilities / Streets

**FINANCIAL STATEMENT:**

**APPROVED:** Mark Ralvito **FINANCE**

**ACCOUNT NO.**

**APPROVED:** \_\_\_\_\_ **MIS**

Warrant total \$687,978.46.

**ENVIRONMENTAL REVIEW:**

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

**ORDINANCE:** INTRODUCTION  FINAL ADOPTION

**STAFF RECOMMENDATION:**

Ratify warrants totaling \$687,978.46

**BOARD / COMMISSION RECOMMENDATION:**

**ATTACHMENTS:**

Warrant Register # 8



**WARRANT REGISTER # 8  
8/21/2018**

<u>PAYEE</u>	<u>DESCRIPTION</u>	<u>CHK NO</u>	<u>DATE</u>	<u>AMOUNT</u>
AIRGAS WEST	MOP 45714. SUPPLIES FOR PARKS DEPT	336655	8/20/18	406.00
GOVERNMENT FINANCE	BUDGET AWARD PROGRAM APPLICATION / FINANCE	336656	8/21/18	425.00
HEALTH NET	GROUP #R1192Q JULY 2018	336657	8/21/18	656.19
KAISER FOUNDATION HEALTH PLANS	GROUP #104220 0002 JULY 2018	336658	8/21/18	192,260.64
KAISER FOUNDATION HEALTH PLANS	GROUP #104220 01 06 07 JULY 2018	336659	8/21/18	21,249.62
KAISER FOUNDATION HEALTH PLANS	GROUP #104220 - 03 09 JULY 2018	336660	8/21/18	11,499.73
KAISER FOUNDATION HEALTH PLANS	GROUP #104220 05 JULY 2018	336661	8/21/18	3,528.46
KAISER FOUNDATION HEALTH PLANS	GROUP #104220 7002 JULY 2018	336662	8/21/18	2,226.84
MCGRAW HILL EDUCATION	BOOKS / LIBRARY	336663	8/21/18	77.92
OFFICE SOLUTIONS BUSINESS	ALERA RAVINO BIG & TALL CHAIR FOR BLDG	336664	8/21/18	313.20
OPTUM	HAS BANKING DUE OCT, NOV, DEC 2017	336665	8/21/18	117.00
RELIANCE STANDARD	GROUP VA1826233 - JULY 2018	336666	8/21/18	4,212.75
SMART SOURCE OF CALIFORNIA LLC	MOP 63845. BUSINESS CARDS / MORRISON	336667	8/21/18	165.40
STAPLES BUSINESS ADVANTAGE	MOP 45704. OFFICE SUPPLIES / FINANCE	336668	8/21/18	94.06
ACE UNIFORMS & ACCESSORIES INC	SWAT UNIFORM / PD	336669	8/21/18	172.38
ACME SAFETY & SUPPLY CORP	GLASS BEADS / PW	336670	8/21/18	764.09
AETNA BEHAVIORAL HEALTH	ON SITE TRAINING WORKSHOP/SEMINAR	336671	8/21/18	650.00
ALTA LANGUAGE SERVICES INC	EMPLOYEE BILINGUAL TESTING	336672	8/21/18	120.00
AMERICAN BACKFLOW SPECIALTIES	PURCHASE OF BACKFLOW / PW	336673	8/21/18	959.45
AMERICAN BUTTON MACHINES	PHOTO BUTTON MACHINE / COMMUNITY SVCS	336674	8/21/18	732.44
ARMIDA ALDARA DE LASROSA	VIOLATION DISMISSED / INTEREST OF JUSTICE	336675	8/21/18	25.00
BJ'S RENTALS INC	RENTAL OF SCISSOR LIFT / PW	336676	8/21/18	438.10
C A P F	AUGUST 2018 - FIRE LTD	336677	8/21/18	931.00
CALIFORNIA COMMERCIAL SECURITY	ELECTRONIC DOOR LOCK INSTALLATION	336678	8/21/18	202.50
CALIFORNIA ELECTRIC SUPPLY	MOP 45698 GEN. SUPPLIES PW	336679	8/21/18	1,058.89
CALIFORNIA LAW ENFORCEMENT	AUGUST 2018 - PD LTD	336680	8/21/18	2,033.50
CALIFORNIA WING SPECIALTIES	WINGS FOR PILOTS / PD	336681	8/21/18	321.06
COMMERCIAL AQUATIC SERVICE INC	CHEMICAL SUPPLIES FOR POOL / PW	336682	8/21/18	804.75
CYNTHIA TITGEN CONSULTING INC	WORKERS' COMPENSATION CONSULTING JULY	336683	8/21/18	2,041.25
DANIELS TIRE SERVICE	TIRES FOR CITY FLEET FY 2019	336684	8/21/18	1,140.68
DELTA DENTAL	AUGUST 2018 - DENTAL INS PREMIER	336685	8/21/18	15,835.54
DELTA DENTAL	GROUP #05-0908601002 COBRA DENTAL INS	336686	8/21/18	326.62
DELTA DENTAL INSURANCE CO	GROUP #05-7029600000 PMI DENTAL INS	336687	8/21/18	2,909.95
DEPT OF JUSTICE	DOJ PRINTS / PD	336688	8/21/18	1,125.00
D-MAX ENGINEERING	T&A#90219 MARINER'S LANDING	336689	8/21/18	14,725.67
DUNBAR ARMORED INC	ARMORED SERVICES - FINANCE	336690	8/21/18	273.57
ERGOMETRICS	POLICE LIEUTENANT ASSESSMENT	336691	8/21/18	6,032.70
EXPRESS PIPE AND SUPPLY	CITY WIDE PLUMBING PARTS / PW	336692	8/21/18	20.23
FENCESCREEN.COM	SCREEN FOR APPARATUS COVER / FIRE	336693	8/21/18	404.19
FERGUSON ENTERPRISES 1350	MOP 45723 PLUMBING SUPPLIES PW	336694	8/21/18	130.41
FITNESS DIRECT	TREADMILL REPAIR	336695	8/21/18	350.19
FON JON PET CARE CENTER	K9 BOARDING / PD	336696	8/21/18	70.00
GRAINGER	MOP 65179 GENERAL SUPPLIES PW	336697	8/21/18	538.52
HERNANDEZ, A	REIMB: HERNANDEZ, A. KIWANIS CLUB / PD	336698	8/21/18	100.00
HINDERLITER DE LLAMAS	AUDIO SERVICES - TRANSACTIONS TAX	336699	8/21/18	13,114.66
HINDERLITER DE LLAMAS	CONTRACT & AUDIT SVCS - SALES TAX	336700	8/21/18	11,170.82



**WARRANT REGISTER # 8  
8/21/2018**

<u>PAYEE</u>	<u>DESCRIPTION</u>	<u>CHK NO</u>	<u>DATE</u>	<u>AMOUNT</u>
HUNTER'S NURSERY INC	MOP 45719 LANDSCAPE SUPPLIES PW	336701	8/21/18	807.65
KAISER FOUNDATION HEALTH PLANS	GROUP #104220-05 - AUG 2018	336702	8/21/18	3,753.78
LANGUAGE LINE SERVICES	LANGUAGE LINE SERVICES	336703	8/21/18	123.96
LASER SAVER INC	MOP INK CARTRIDGES / PD	336704	8/21/18	119.52
MCDUGAL LOVE ECKIS	LIABILITY CLAIM COST	336705	8/21/18	3,500.00
MCDUGAL LOVE ECKIS	LIABILITY CLAIM COST	336706	8/21/18	1,102.76
MEYERS NAVE	LABOR RELATIONS & NEGOTIATIONS SERVICES	336707	8/21/18	1,365.00
PAL GENERAL ENGINEERING INC	WILSON AVE. AND 22ND ST. IMPROVEMENTS	336708	8/21/18	107,520.05
PAL GENERAL ENGINEERING INC	WILSON AVE & W 22ND ST IMPROVEMENTS	336709	8/21/18	66,039.17
PEACE OFFICERS RESEARCH	RESERVE DUES / PD	336710	8/21/18	80.00
PRO BUILD	MOP 45707 GENERAL SUPPLIES PW	336711	8/21/18	4,535.72
PRUDENTIAL OVERALL SUPPLY	MOP 45742 LAUNDRY SERVICES PW	336712	8/21/18	344.33
RED WING SHOES STORE	SAFETY BOOTS / PW	336713	8/21/18	125.00
REGIONAL TRAINING CENTER	SD EMPLOYMENT RELATIONS CONSORTIUM FEES	336714	8/21/18	2,625.00
SDG&E	GAS & ELECTRIC UTILITIES / STREETS	336715	8/21/18	118,102.55
SDTTC	420W. 2ST ST. PROP. TAX	336716	8/21/18	77.38
SITONE LANDSCAPE SUPPLY LLC	MOP 69277 LANDSCAPE SUPPLIES PW	336717	8/21/18	406.48
SMART & FINAL	MOP BUSINESS CARDS PD	336718	8/21/18	236.57
SMART SOURCE OF CALIFORNIA LLC	MOP 63845. LIGHTBULB STRESS BALLS / CMO	336719	8/21/18	368.82
SOUTH BAY WINDOW & GLASS CO	BLINDS FOR CONF ROOM/GRANGER	336720	8/21/18	585.07
SOUTHERN CALIF TRUCK STOP	MOP 45758 OIL SERVICES PW	336721	8/21/18	65.42
SOUTHWEST SIGNAL SERVICE	LIGHTWORK AT VARIOUS LOCATIONS – JULY	336722	8/21/18	15,315.29
SWEETWATER AUTHORITY	WATER UTILITIES FY 2018 / FACILITIES	336723	8/21/18	9,247.39
SYMBOLARTS, LLC	BADGES AND REPAIRS / PD	336724	8/21/18	482.00
THE COUNSELING TEAM	EMPLOYEE PEER SUPPORT JUNE	336725	8/21/18	1,193.75
THE HOME DEPOT CREDIT SERVICES	HOME DEPOT MECHANICS TOOLS	336726	8/21/18	677.75
THE LINCOLN NATIONAL LIFE INS	GROUP #415491 LIFE & AD&D STD LTD INS	336727	8/21/18	12,612.50
TSC GROUP INC	STATION 33 LEASE, SEPTEMBER 2018	336728	8/21/18	2,302.78
U S BANK	CREDIT CARD FY 2018 / COMMUNITY SERVICES	336729	8/21/18	794.55
U S BANK	CREDIT CARD JUL 2018 COMM SERVICES	336730	8/21/18	32.25
U S HEALTHWORKS	DOT EXAMS	336731	8/21/18	192.00
UNITED ROTARY BRUSH CORP	SWEEPER REPAIRS / PW	336732	8/21/18	152.61
VALLEY INDUSTRIAL SPECIALTIES	MOP 46453 GEN SUPPLIES PW	336733	8/21/18	859.49
VCA EMERGENCY ANIMAL HOSPITAL	STRAY ANIMAL CARE / PD	336734	8/21/18	55.15
VISION SERVICE PLAN	AUG 2018 - VISION SERVICE PLAN	336735	8/21/18	829.15
VISTA PAINT	MOP 68834 PAINT SUPPLIES NSD	336736	8/21/18	466.05
WAXIE SANITARY SUPPLY	MISCELLANEOUS JANITORIAL SUPPLIES / PW	336737	8/21/18	2,578.32
WEST COAST ARBORISTS INC	GRID PRUNING & TREE MAINTENANCE / PARKS	336738	8/21/18	10,292.00
WESTFLEX INDUSTRIAL	MOP 63850 GENERAL SUPPLIES PW	336739	8/21/18	139.06
WHILLOCK CONTRACTING INC	BUILDING FEE REFUND	336740	8/21/18	358.05
WILLDAN FINANCIAL SERVICES	USER FEE STUDY	336741	8/21/18	715.00
WILLY'S ELECTRONIC SUPPLY	MOP 45763 GENERAL SUPPLIES PW	336742	8/21/18	43.12

**A/P Total 687,978.46**

**GRAND TOTAL**

**\$ 687,978.46**



**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

\_\_\_\_\_  
ALBERT MENDIVIL, VICE-MAYOR

\_\_\_\_\_  
ALEJANDRA SOTELO-SOLIS, MEMBER

\_\_\_\_\_  
MONA RIOS, MEMBER

\_\_\_\_\_  
JERRY CANO, 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 18<sup>th</sup> OF SEPTEMBER, 2018.

AYES \_\_\_\_\_

NAYS \_\_\_\_\_

ABSENT \_\_\_\_\_

The following page(s) contain the backup material for Agenda Item: [Public Hearing and Adoption of a Resolution by the City Council of the City of National City establishing Residential Permit Parking District L on both sides of Bucky Lane, valid daily from 5:00 p.m. to 8:00 a.m. \(TSC 2018-16\). \(Engineering/Public Works\)](#)

Please scroll down to view the backup material.

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

**MEETING DATE:** September 18, 2018

**AGENDA ITEM NO.**

**ITEM TITLE:**

Public Hearing and Adoption of a Resolution by the City Council of the City of National City establishing Residential Permit Parking District "L" on both sides of Bucky Lane, valid daily from 5:00pm to 8:00am (TSC 2018-16).

**PREPARED BY:** Luca Zappiello, Junior Engineer – Civil

**DEPARTMENT:** Engineering/Public Works

**PHONE:** 619-336-4360

**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:**

Hold public hearing to consider establishment of Residential Permit Parking District "L".

**BOARD / COMMISSION RECOMMENDATION:**

At their meeting on July 11, 2018, the Traffic Safety Committee unanimously approved the staff recommendation to establish Residential Permit Parking District "L".

**ATTACHMENTS:**

1. Explanation w/ Exhibit
2. Affidavit of Posting "Notice of Public Hearing"
3. Staff Report to the Traffic Safety Committee on July 11, 2018 (TSC No. 2018-16)
4. Resolution

## EXPLANATION

Mr. Frank Scott and his neighbors have signed a petition requesting that the City establish a Residential Parking District on both sides of Bucky Lane. Mr. Scott stated that there is a lack of on-street parking available due to numerous apartment complexes that were built in the last few years around Bucky Lane and they have caused significant parking impacts. Mr. Scott also stated that the establishment of a Residential Permit Parking District on Bucky Lane is a potential solution for this issue since it would allow residents living on Bucky Lane to park their vehicles in front of their houses.

Section 22507 of the California Vehicle Code allows jurisdictions to create preferential parking permit programs through ordinance or resolution based on provisions that are reasonable and necessary to ensure the effectiveness of the program. The ordinance or resolution may include a designation of certain streets upon which preferential parking privileges are given to residents and merchants adjacent to the streets for their use and the use of their guests, under which the residents and merchants may be issued a permit or permits that exempt them from the prohibition or restriction of the ordinance or resolution.

Currently, there are nine active Residential Permit Parking Districts in National City established through City Council Resolution: "A", "C", "D", "E", "F", "G", "H", "I", and "J". Parking District "K" was approved by City Council, but will not be posted until the redevelopment project on the northeast corner of National City Blvd and E. 16<sup>th</sup> Street is completed. See attached map.

With Mr. Scott's initiative, a petition was created and distributed by residents around the neighborhood. The petition was then submitted to Engineering staff for review. The neighborhood is composed of the following single-family residences on Bucky Lane: 835, 836, 839, 840, 905, 906, 911, 912, 917, 918, 923, 924, 929, 930, 935, 941 and the following multi-family residences on N Highland Avenue: 413, 421

According to City Council Policy the following minimum criteria must be met in order for a Residential Parking Permit District to be considered:

- 1) The Residential Parking Permit District shall consist of at least one side of a street section between two consecutive streets. *This condition is met.*
- 2) A petition shall be signed by 60 percent of the property owners within the proposed boundaries of the Residential Parking Permit District. *This condition is met since the 60% of the property owners signed the petition.*
- 3) At least 70 percent of available curbside parking spaces are occupied by commuter vehicles during the time the parking study is being conducted. *This condition is met (see explanation below).*

This item was presented to the Traffic Safety Committee (TSC) on July 11, 2018. Mr. Frank Scott and dozens of residents living on Bucky Lane were in attendance at the meeting. All of the residents expressed concerns about parking issues on Bucky Lane and all of them agreed that the establishment of a Residential Permit Parking District on Bucky Lane is a potential solution for all of their parking issues. Staff's initial recommendation was to deny the request since the results of the parking surveys indicate that, on average, 68 percent of total available on-street parking spaces within the proposed District boundary were occupied at 6:30 a.m. (overnight parking) while, on

average, 39 percent of available spaces were occupied at 3:30 p.m. (daytime parking) by vehicles not belonging to the residents of the proposed Parking District. The City Council Policy requires that at least 70 percent of the available curbside parking spaces have to be occupied by commuter vehicles during the time the parking study is being conducted. However, staff acknowledged the following conditions:

- The results of the parking surveys indicate that Bucky Lane does have overnight parking issues since almost 70 percent of the total available curbside parking spaces are occupied by commuter vehicles. Furthermore, the results from the seven different overnight parking surveys indicate two instances where the total available on-street parking spaces exceed the 70 percent threshold (74% on Saturday 5/26/18 and 84% on Saturday 6/2/18).
- Testimony from dozens of residents living on Bucky Lane who attended the Traffic Safety Meeting expressing concerns about the parking issues on Bucky Lane;

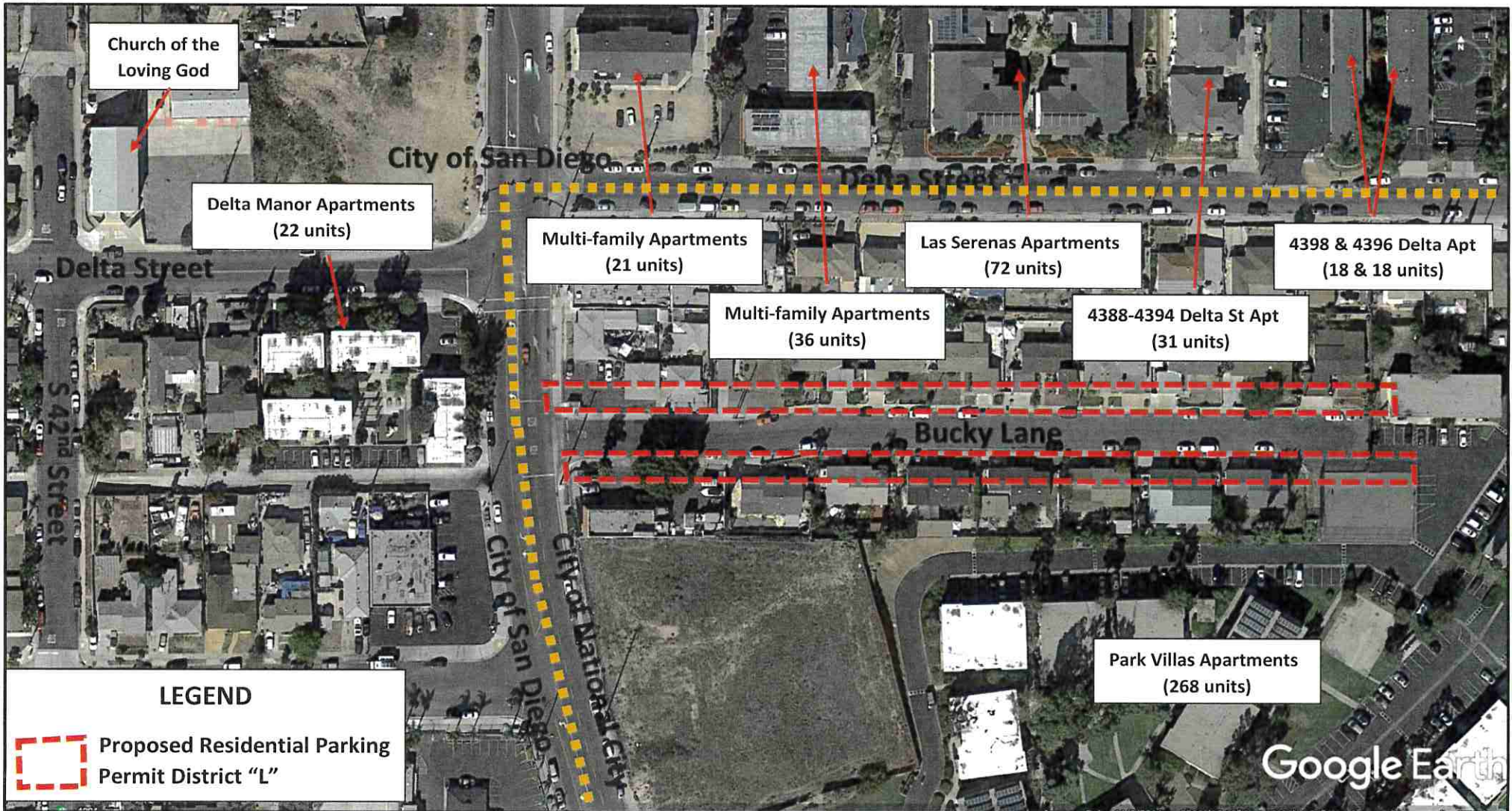
Based on the above-mentioned conditions, staff's final recommendation is to support the establishment of a Residential Permit Parking District on Bucky Lane for overnight parking. Staff recommends the installation of a Residential Permit Parking District area sign valid from "5 p.m. to 8 a.m. daily" in order to resolve the problem of overnight parking. All of the residents agree with staff's recommendation.

The Traffic Safety Committee voted unanimously to support staff's recommendation to install a Residential Permit Parking District "L" area sign, "5 p.m. to 8 a.m., daily" on both sides of Bucky Lane.

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



# Proposed Residential Parking Permit District on Bucky Lane (TSC Item: 2018-16)





AFFIDAVIT OF POSTING  
NOTICE OF PUBLIC HEARING

State of California        )  
  )  
County of San Diego        )

Stephen Manganiello, being first duly sworn, certifies:

THAT he is now and has been the City Engineer of the City of National City:

THAT the City Council of National City will hold a Public Hearing on September 18, 2018, to consider **ESTABLISHING A RESIDENTIAL PARKING PERMIT DISTRICT "L" ON BOTH SIDES OF BUCKY LANE VALID FROM "5 PM TO 8 AM DAILY", PURSUANT TO CITY COUNCIL POLICY 710 ENTITLED RESIDENTIAL PERMIT PARKING PROGRAM.**

THAT he caused the notices of said Public Hearing to be posted at intervals of no more than 100 feet as prescribed by law, on the 3<sup>rd</sup> day of September 2018 and thereafter, he made this affidavit and filed it with the City Clerk of the City of National City.

Dated at National City, California this 3<sup>rd</sup> day of September 2018.

  
Stephen Manganiello  
City Engineer

  
Michael R. Dalla, CMC  
City Clerk

**NATIONAL CITY TRAFFIC SAFETY COMMITTEE  
AGENDA REPORT FOR JULY 11, 2018**

**ITEM NO. 2018-16**

**ITEM TITLE:** REQUEST TO ESTABLISH A RESIDENTIAL PARKING PERMIT DISTRICT "L" ON BOTH SIDES OF BUCKY LANE

**PREPARED BY:** Luca Zappiello, Junior Engineering - Civil Engineering & Public Works Department

**DISCUSSION:**

Mr. Frank Scott and his neighbors have signed a petition requesting that the City establish a Residential Parking District on both sides of Bucky Lane. Mr. Scott stated that there is a lack of on-street parking available due to numerous apartment complexes that were built in the last few years around Bucky Lane and they have caused significant parking impacts. Mr. Scott also stated that the establishment of a Residential Permit Parking District on Bucky Lane is a potential solution for this issue since it would allow residents living on Bucky Lane to park their vehicles in front of their houses.

Section 22507 of the California Vehicle Code allows jurisdictions to create preferential parking permit programs through ordinance or resolution based on provisions that are reasonable and necessary to ensure the effectiveness of the program. The ordinance or resolution may include a designation of certain streets upon which preferential parking privileges are given to residents and merchants adjacent to the streets for their use and the use of their guests, under which the residents and merchants may be issued a permit or permits that exempt them from the prohibition or restriction of the ordinance or resolution. See attached copy of Section 22507 of the California Vehicle Code.

Currently, there are nine active Residential Permit Parking Districts in National City established through City Council Resolution: "A", "C", "D", "E", "F", "G", "H", "I", and "J". Parking District "K" was approved by City Council, but will not be posted until the redevelopment project on the northeast corner of National City Blvd and E. 16<sup>th</sup> Street is completed. See attached map.

With Mr. Scott's initiative, a petition was created and distributed by residents around the neighborhood. The petition was then submitted to Engineering staff for review. The neighborhood is composed of the following single-family residences on Bucky Lane: 835, 836, 839, 840, 905, 906, 911, 912, 917, 918, 923, 924, 929, 930, 935, 941 and the following multi-family residences on N Highland Avenue: 413, 421

According to City Council Policy the following minimum criteria must be met in order for a Residential Parking Permit District to be considered:

- 1) The Residential Parking Permit District shall consist of at least one side of a street section between two consecutive streets. *This condition is met.*

- 2) A petition shall be signed by 60 percent of the property owners within the proposed boundaries of the Residential Parking Permit District. *This condition is met since the 60% of the property owners signed the petition.*
- 3) At least 70 percent of available curbside parking spaces are occupied by commuter vehicles during the time the parking study is being conducted. *This condition is not met since the results of the parking surveys indicate that, on average, 68 percent of total available on-street parking spaces within the proposed District boundary were occupied at 6:30 a.m. while, on average, 39 percent of available space were occupied at 3:30 p.m. by vehicles not belonging to the residents of the proposed Parking District. See attached Table I summary of survey results and discussion below.*

Engineering staff did an additional study of parking occupancy to compare the number of area resident vehicles versus the number of commuter vehicles. The result of this study indicates that 67 percent of the total on-street vehicles parked within the proposed District boundary were occupied by vehicles not belonging to the residents of the proposed Parking District at 6:30 a.m., while 62 percent were occupied at 3:30 p.m. See attached Table II summary of survey results.

Parking enforcement officers from the City's Neighborhood Services Division performed license plate surveys of vehicles parked in the proposed Parking District over a two-week period. Data was collected on various days of the week at 6:30 a.m. and again at 3:30 p.m.

**STAFF RECOMMENDATION:**

Since only two of the three conditions of the City Council Residential Permit Parking District Policy are met, Engineering staff does not recommend establishment of Residential Parking District "L" on Bucky Lane.

**EXHIBITS:**

1. Resident's Request
2. Petition
3. Public Notice
4. Location Map
5. Photos
6. Parking Occupancy Survey Results Table I & Table II
7. Existing Residential Permit Parking District Map
8. Section 22507 of the California Vehicle Code
9. Residential Permit Parking Program - Policy Number 710

2018-16



## PUBLIC REQUEST FORM

Name: Frank Scott

Address: 905 Bucky Lane

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

Location: Bucky Lane

Request: Request for Residential Permit Parking District

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Attachments:  Yes  No Description: \_\_\_\_\_

Request Received By: L. Zappiello Date: March 26, 2018

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

Assigned To: L. Zappiello

Notes: \_\_\_\_\_

**REQUEST FOR RESIDENTIAL PERMIT PARKING DISTRICT**

**PETITION TO ESTABLISH A RESIDENTIAL PERMIT PARKING DISTRICT ON  
BUCKY LANE**

NAME (PRINT)	SIGNATURE	DATE	STREET ADDRESS
JUAN LIVA	<i>[Signature]</i>	03-31-18	906 BUCKY LN.
Luz Maya	<i>[Signature]</i>	03-31-18	906 BUCKY LN.
S. RUIZ R.	<i>[Signature]</i>	03-31-18	918 Bucky Ln. N.C.
ESPERANZA RUIZ	<i>[Signature]</i>	03-31-18	918 Bucky Ln N.C.
Helix Monica	<i>[Signature]</i>	03-31-18	924 Bucky N.C.
Ramiro Jaime	<i>[Signature]</i>	3-31-18	840 Bucky LN.
Luzia Morales	<i>[Signature]</i>	3-31-18	840 Bucky LN.
Danny Barragan	<i>[Signature]</i>	3-31-18	917 Bucky Ln.
Jaime Barragan	<i>[Signature]</i>	3-31-18	917 Bucky Lane N.C.
Rafael Barragan	<i>[Signature]</i>	3-31-18	941 Bucky Ln N.C.
Maria Olga	<i>[Signature]</i>	3/31/18	941 Bucky Ln N.C.
MARCOS GOMEZ	<i>[Signature]</i>	4-1-18	839 Bucky Lane
NOHELI PASTRANA	<i>[Signature]</i>	4.1.18	836 Bucky Ln.
Monica Ochoa	<i>[Signature]</i>	4-1-18	924 Bucky Lane
J. Ochoa	<i>[Signature]</i>	4/4/18	923 Bucky Ln
LOVIMA ARELLANO	<i>[Signature]</i>	4/4/18	923 Bucky Ln
David Barragan	<i>[Signature]</i>	4/6/18	929 Bucky Lane National City CA 91960

REQUEST FOR RESIDENTIAL PERMIT PARKING DISTRICT

**PETITION TO ESTABLISH A RESIDENTIAL PERMIT PARKING DISTRICT ON  
BUCKY LANE**

NAME (PRINT)	SIGNATURE	DATE	STREET ADDRESS
Josephine Barragan	[Signature]	4/6/18	929 Bucky Lane
Juan A. Graziano	[Signature]	4/6/2018	911 Bucky Lane
Dega Graziano	[Signature]	4/6/18	911 Bucky Lane National City CA 91950
Frank Scott	[Signature]	4/10/18	905 Bucky Lane
MARLY P. Scott	[Signature]	4/10/18	905 Bucky Lane





July 3, 2018

Resident/Property Owner

Subject: TRAFFIC SAFETY COMMITTEE (TSC) ITEM NO. 2018-16

**REQUEST TO ESTABLISH A RESIDENTIAL PARKING PERMIT DISTRICT "L" ON  
BOTH SIDES OF BUCKY LANE**

Dear Sir/Madame:

The City of National City would like to invite you to our next public Traffic Safety Committee Meeting scheduled for **Wednesday, July 11, 2018, at 1:00 P.M.** in the 2<sup>nd</sup> Floor Large Conference Room of the Civic Center Building, 1243 National City Boulevard, to discuss the above-referenced item.

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

If you have any questions, comments, and/or concerns, please contact the Engineering Department at 619-336-4380 and reference Traffic Safety Committee Item Number 2018-16.

Sincerely,

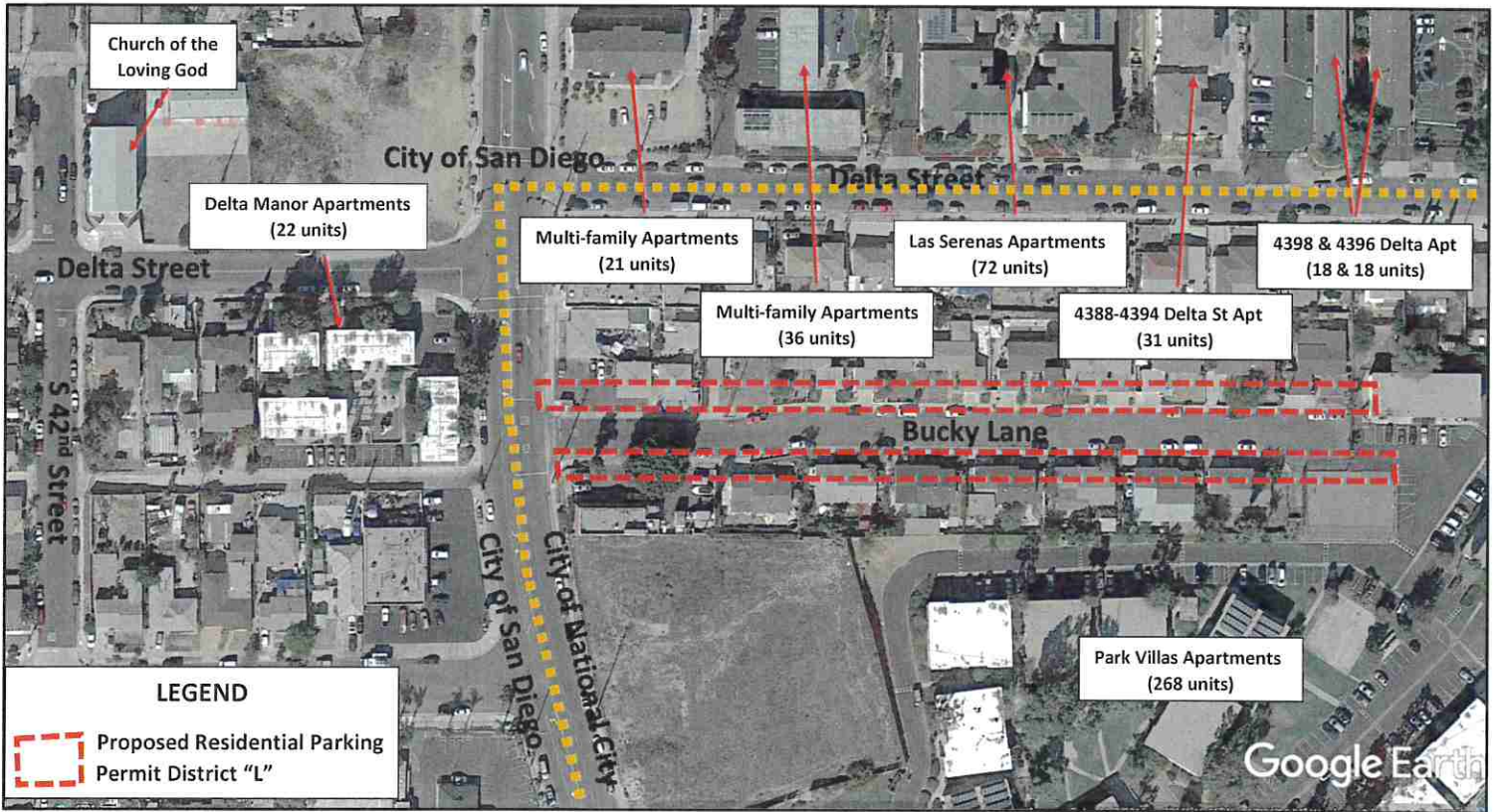
Stephen Manganiello  
City Engineer

SM:lz

Enclosure: Location Map

2018-16

# Proposed Residential Parking Permit District on Bucky Lane (TSC Item: 2018-16)







Proposed Residential Parking Permit District "L" – Bucky Lane (looking west)

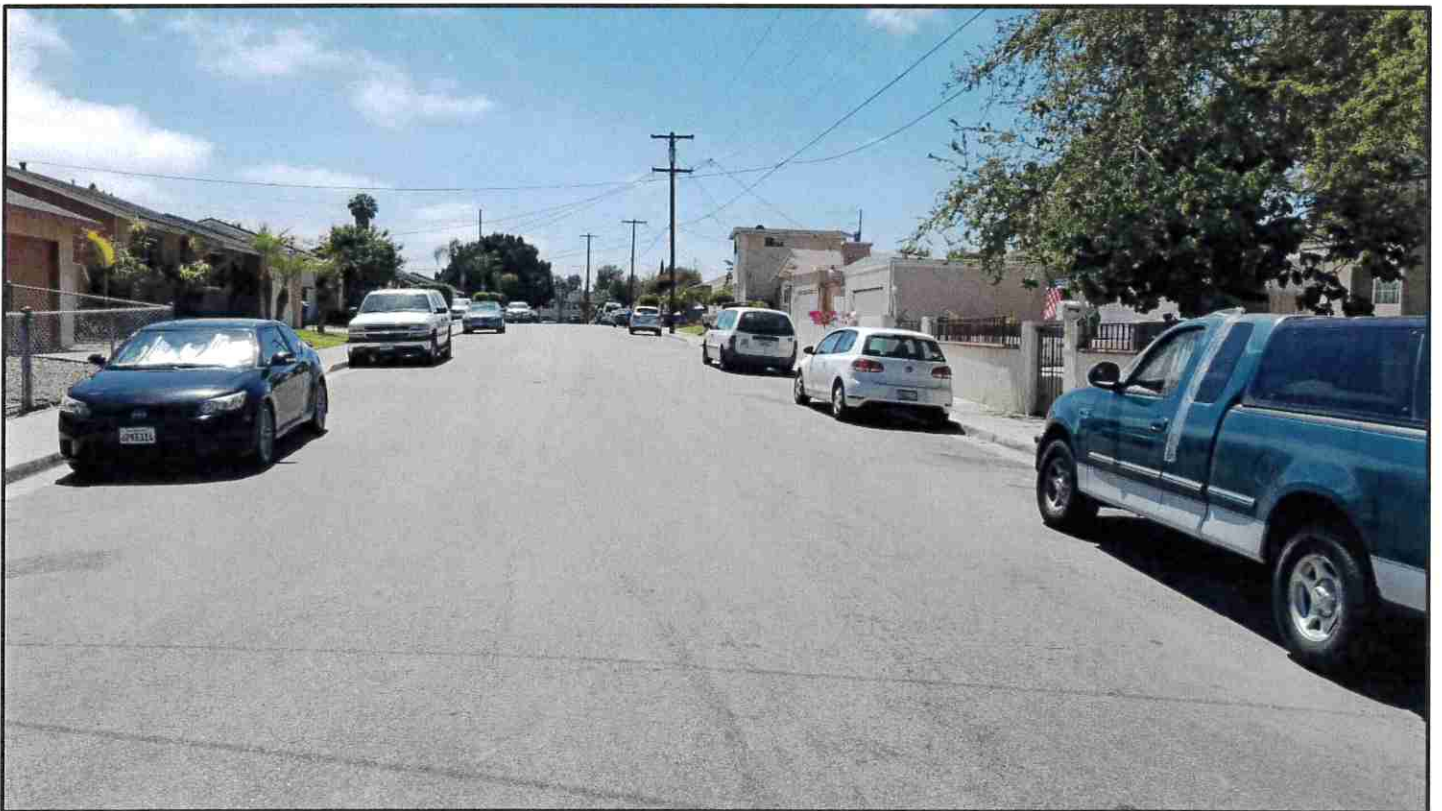


Proposed Residential Parking Permit District "L" – Bucky Lane (looking east)

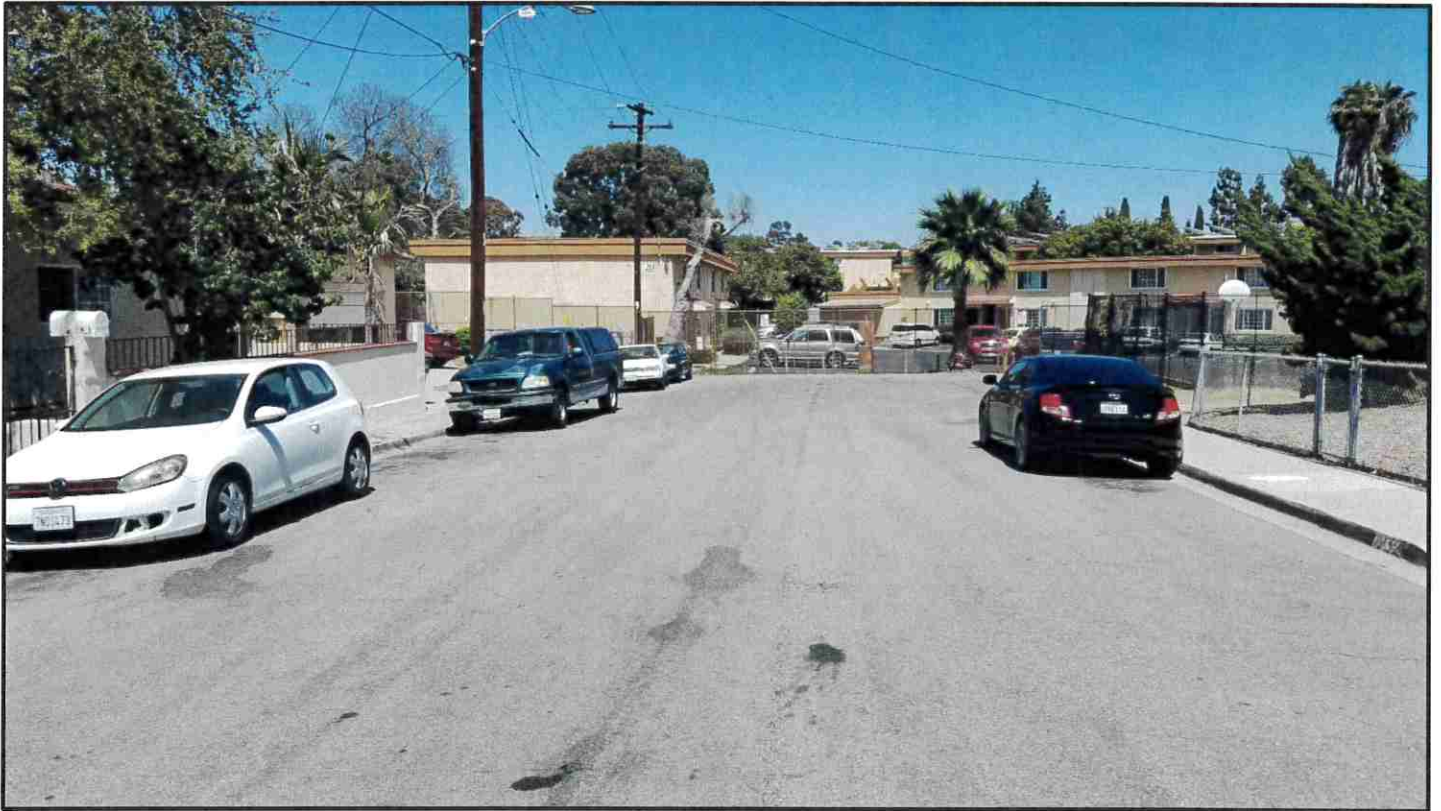




Proposed Residential Parking Permit District "L" – Bucky Lane (looking east)



Proposed Residential Parking Permit District "L" – Bucky Lane (looking west)



Proposed Residential Parking Permit District "L" – Bucky Lane (looking east)



### Residential Permit Parking District on both sides of Bucky Lane

**Table I: Parking Occupancy Survey Results – On-street parking available**

Date of survey	Time of survey	Total available on-street parking spaces (no.)	Total on-street parking occupied by area resident vehicles (no.)	Total on-street parking occupied by commuter vehicles (no.)	Total on-street parking spaces occupied (no.)	Percentage parking occupied by area residents from the total parking available (%)	Percentage parking occupied by commuter vehicles from the total parking available (%)	Percentage on-street parking spaces occupied (%)
Wednesday	5/23/2018 6:30 AM	38	15	21	36	39	55	95
Wednesday	5/23/2018 3:30 PM	38	9	13	22	24	34	58
Friday	5/25/2018 6:30 AM	38	14	26	40	37	68	105
Friday	5/25/2018 3:30 PM	38	6	16	22	16	42	58
Saturday	5/26/2018 6:30 AM	38	10	28	38	26	74	100
Saturday	5/26/2018 3:30 PM	38	9	16	25	24	42	66
Tuesday	5/29/2018 6:30 AM	38	14	25	39	37	66	103
Tuesday	5/29/2018 3:30 PM	38	11	14	25	29	37	66
Thursday	5/31/2018 6:30 AM	38	11	23	34	29	61	89
Thursday	5/31/2018 3:30 PM	38	7	12	19	18	32	50
Saturday	6/2/2018 6:30 AM	38	12	32	44	32	84	116
Saturday	6/2/2018 3:30 PM	38	11	20	31	29	53	82
Monday	6/4/2018 6:30 AM	38	11	26	37	29	68	97
Monday	6/4/2018 3:30 PM	38	11	13	24	29	34	63
<b>Average early morning 6:30 am</b>						<b>33</b>	<b>68</b>	<b>101</b>
<b>Average late afternoon 3:30 pm</b>						<b>24</b>	<b>39</b>	<b>63</b>
<b>Total Average</b>						<b>28</b>	<b>54</b>	<b>82</b>

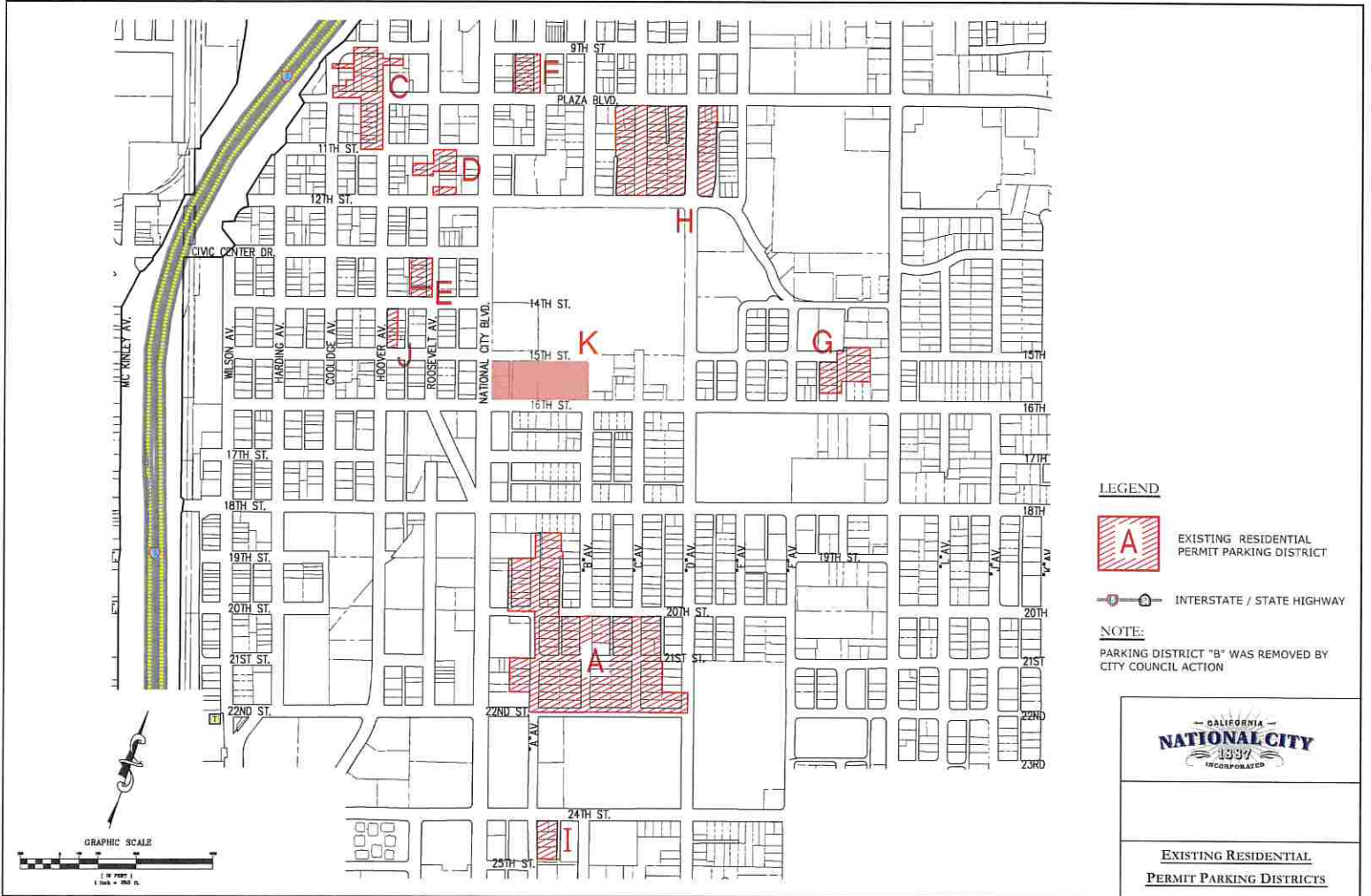
\* Total available on-street parking spaces have been determined by an on-site inspection and number of vehicles that can park on each curbside, with consideration for driveways. Please note that a vehicle length of 20 feet has been used.



**Residential Permit Parking District on both sides of Bucky Lane**

**Table II: Parking Occupancy Survey Results – Area Resident Vehicles vs Commuter Vehicles**

Date of survey	Time of survey	On-street parking occupied by area resident vehicles	On-street parking occupied by commuter vehicles	Area resident vehicles + commute vehicles	Percentage parking occupied by area residents from the total vehicles parked	Percentage parking occupied by commuter vehicles from the total vehicles parked	
		n.	n.	n	%	%	
Wednesday	5/23/2018	6:30 AM	15	21	36	42	58
Wednesday	5/23/2018	3:30 PM	9	13	22	41	59
Friday	5/25/2018	6:30 AM	14	26	40	35	65
Friday	5/25/2018	3:30 PM	6	16	22	27	73
Saturday	5/26/2018	6:30 AM	10	28	38	26	74
Saturday	5/26/2018	3:30 PM	9	16	25	36	64
Tuesday	5/29/2018	6:30 AM	14	25	39	36	64
Tuesday	5/29/2018	3:30 PM	11	14	25	44	56
Thursday	5/31/2018	6:30 AM	11	23	34	32	68
Thursday	5/31/2018	3:30 PM	7	12	19	37	63
Saturday	6/2/2018	6:30 AM	12	32	44	27	73
Saturday	6/2/2018	3:30 PM	11	20	31	35	65
Monday	6/4/2018	6:30 AM	11	26	37	30	70
Monday	6/4/2018	3:30 PM	11	13	24	46	54
<b>Average early morning 6:30 am</b>					<b>33</b>	<b>67</b>	
<b>Average late afternoon 3:30 pm</b>					<b>38</b>	<b>62</b>	
<b>Total Average</b>					<b>35</b>	<b>65</b>	



**LEGEND**



EXISTING RESIDENTIAL PERMIT PARKING DISTRICT



INTERSTATE / STATE HIGHWAY

**NOTE:**

PARKING DISTRICT "B" WAS REMOVED BY CITY COUNCIL ACTION



EXISTING RESIDENTIAL PERMIT PARKING DISTRICTS



of the Department of Transportation of such determination by the county health officer.

(b) No person shall stop, park, or leave standing any vehicle in violation of the restrictions stated on the signs or markings.

(c) This section does not apply to any of the following:

(1) Public utility vehicles while performing a work operation.

(2) The driver of any vehicle which is disabled in such a manner and to such an extent that it is impossible to avoid stopping, parking, or leaving the disabled vehicle standing on the roadway.

Amended Ch. 455, Stats. 1987. Effective January 1, 1988.

**Local Regulations: Parking Privileges: Car Share or Ridesharing Programs**

22507.1. (a) A local authority may, by ordinance or resolution, designate certain streets or portions of streets for the exclusive parking privilege of motor vehicles participating in a car share vehicle program or ridesharing program. The ordinance or resolution shall establish the criteria for a public or private company or organization to participate in the program, and may limit the types of motor vehicles that may be included in the program. Under the car share vehicle program a car share vehicle or ridesharing vehicle shall be assigned a permit by the local authority that allows that vehicle to park in the exclusive designated parking areas.

(b) The ordinance or resolution described in subdivision (a) does not apply until signs or markings giving adequate notice thereof have been placed.

(c) A local ordinance or resolution adopted pursuant to subdivision (a) may contain provisions that are reasonable and necessary to ensure the effectiveness of a car share vehicle program or ridesharing program.

(d) For purposes of this section, a “car share vehicle” is a motor vehicle that is operated as part of a regional fleet by a public or private car sharing company or organization and provides hourly or daily service.

Added Sec. 1, Ch. 189, Stats. 2006. Effective January 1, 2007.

**Local Regulation of State Highway: Stopping, Standing, or Parking**

22506. Local authorities may by ordinance or resolution prohibit or restrict the stopping, standing, or parking of vehicles on a state highway, in their respective jurisdictions, if the ordinance or resolution is first submitted to and approved in writing by the Department of Transportation, except that where maintenance of any state highway is delegated by the Department of Transportation to a city, the department may also delegate to the city the powers conferred on the department.

Amended Ch. 455, Stats. 1987. Effective January 1, 1988.

**Local Regulations**

22507. (a) Local authorities may, by ordinance or resolution, prohibit or restrict the stopping, parking, or standing of vehicles, including, but not limited to, vehicles that are six feet or more in height (including any load thereon) within 100 feet of any intersection, on certain streets or highways, or portions thereof, during all or certain hours of the day. The ordinance or resolution may include a designation of certain streets upon which preferential parking privileges are given to residents and merchants adjacent to the streets for their use and the use of their guests, under which the residents

and merchants may be issued a permit or permits that exempt them from the prohibition or restriction of the ordinance or resolution. With the exception of alleys, the ordinance or resolution shall not apply until signs or markings giving adequate notice thereof have been placed. A local ordinance or resolution adopted pursuant to this section may contain provisions that are reasonable and necessary to ensure the effectiveness of a preferential parking program.

(b) An ordinance or resolution adopted under this section may also authorize preferential parking permits for members of organizations, professions, or other designated groups, including, but not limited to, school personnel, to park on specified streets if the local authority determines that the use of the permits will not adversely affect parking conditions for residents and merchants in the area.

Amended Sec. 1, Ch. 223, Stats. 2001. Effective January 1, 2002.

**Permit Parking: Private Driveway**

22507.2. Notwithstanding subdivision (e) of Section 22500, a local authority may, by ordinance, authorize the owner or lessee of property to park a vehicle in front of the owner's or lessee's private driveway when the vehicle displays a permit issued pursuant to the ordinance authorizing such parking.

The local authority may charge a nonrefundable fee to defray the costs of issuing and administering the permits.

A local ordinance adopted pursuant to this section may not authorize parking on a sidewalk in violation of subdivision (f) of Section 22500.

Amended Ch. 45, Stats. 1985. Effective January 1, 1986.

**Local Parking Regulations**

22507.5. (a) Notwithstanding Section 22507, local authorities may, by ordinance or resolution, prohibit or restrict the parking or standing of vehicles on certain streets or highways, or portions thereof, between the hours of 2 a.m. and 6 a.m., and may, by ordinance or resolution, prohibit or restrict the parking or standing, on any street, or portion thereof, in a residential district, of commercial vehicles having a manufacturer's gross vehicle weight rating of 10,000 pounds or more. The ordinance or resolution relating to parking between the hours of 2 a.m. and 6 a.m. may provide for a system of permits for the purpose of exempting from the prohibition or restriction of the ordinance or resolution, disabled persons, residents, and guests of residents of residential areas, including, but not limited to, high-density and multiple-family dwelling areas, lacking adequate offstreet parking facilities. The ordinance or resolution relating to the parking or standing of commercial vehicles in a residential district, however, shall not be effective with respect to any commercial vehicle, or trailer component thereof, making pickups or deliveries of goods, wares, and merchandise from or to any building or structure located on the restricted streets or highways or for the purpose of delivering materials to be used in the actual and bona fide repair, alteration, remodeling, or construction of any building or structure upon the restricted streets or highways for which a building permit has previously been obtained.

(b) Subdivision (a) of this section is applicable to vehicles specified in subdivision (a) of Section 31303, except that an ordinance or resolution adopted pursuant to subdivision (a) of this section shall not permit the parking of those vehicles which is otherwise prohibited under this code.

# CITY COUNCIL POLICY

TITLE: RESIDENTIAL PERMIT PARKING PROGRAM

POLICY  
NUMBER: 710

ADOPTED: August 23, 1994

AMENDED OR  
REVISED:

## Purpose

Page 1 of 9

The purpose of this policy statement is to regulate a Residential Permit Parking Program heretofore established by the City Council.

A petition for a Residential Permit Parking Area shall be directed to the Traffic Safety Committee. Before further processing of a request for a Residential Parking Permit District the petition shall be signed by 60% of the owners within the proposed boundaries of the Residential Parking Permit District.

The Traffic Safety Committee shall direct the City Engineer to proceed with the processing of this program in conformance with the following stated procedures.

## SECTION 1. Definitions

- (a) "Residential Area" shall mean a contiguous area consisting of primarily residential uses containing public streets or parts thereof;
- (b) "Residential Permit Parking Area" shall mean the adjacent public street frontage to a residential area designated as herein provided wherein resident motor vehicles displaying a valid permit as described herein shall be exempt from parking restrictions established pursuant to this policy statement;
- (c) "Resident Vehicle" shall mean a motor vehicle parked in a residential area in which it is registered with the State of California Department of Motor Vehicles or a similar registering entity;
- (d) "Commuter Vehicle" shall mean a motor vehicle, other than one described in subparagraph (e) herein, parked in a residential area in which it is not registered with the State of California Department of Motor Vehicles;
- (e) "Transient Vehicle" shall mean a motor vehicle which has been issued a temporary residential parking permit pursuant to this policy statement;
- (f) "Motor Vehicle" shall include an automobile, truck, recreation vehicle, motorcycle or other motor-driven or self-propelled form of transportation.

# CITY COUNCIL POLICY

TITLE: RESIDENTIAL PERMIT PARKING PROGRAM

POLICY  
NUMBER: 710

ADOPTED: August 23, 1994

AMENDED OR  
REVISED:

Page 2 of 9

(g) "Owns" shall mean that a person has at least one-quarter interest in a parcel of real property within a residential permit parking area.

(h) "Lease" shall mean that a person pays rent or other remuneration for use of a parcel of real property as his residence or place of business.

(i) "Person" shall mean natural person, joint venture, Joint Stock Company, partnership association, club, company, corporation, business trust, organization, or the agent, employee, lessee, manager, officer or servant of any of them.

(j) "City Engineer" shall mean the City Engineer of the City of National City or his designee.

(k) "Clerk" shall mean the person or officer who is or acts as clerk of the City Council of the City of National City.

l) "Code" shall mean National City Municipal Code.

## SECTION 2. Designation of Residential Permit Parking Areas

(a) The City Council shall, upon the recommendation of the Traffic Safety Committee and subsequent to a public hearing consider for designation as residential permit parking areas those residential areas meeting and satisfying the objective criteria therefore established in this policy statement.

(b) The City Council shall then designate by resolution certain residential areas as residential permit parking areas in which motor vehicles displaying a valid parking permit may stand or be parked without limitations by parking time or parking area restrictions established by this policy statement. Said resolution shall also state the applicable parking regulation and period of the day for its application, and the fee to be charged upon permit issuance.

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## SECTION 3. Designation Criteria

(a) A residential area shall be deemed eligible for consideration as a residential permit parking area if, based on studies prepared at the direction of the City Engineer, objective criteria establish that the residential area is impacted by commuter vehicles for any extended period during the day or night, or weekends, or during holidays.

(b) In determining whether a residential area identified as eligible for residential permit parking may be designated as a residential permit parking area, the City Council shall take into account factors which include but are not limited to the following:

(1) The extent of the desire and need for the residents for residential permit parking;

(2) The extent to which legal on-street parking spaces are occupied by motor vehicles during the period proposed for parking restriction;

(3) The extent to which vehicles parking in the area during the period proposed for parking restriction are commuter vehicles rather than resident vehicles;

(4) The extent to which motor vehicles registered to persons residing in the residential area cannot be accommodated by the number of available off-street parking spaces.

(c) The following are set forth as minimum criteria in determining whether to proceed with a recommendation for approval of a Residential Permit Parking District:

(1) The Residential Parking Permit District shall consist of at least one side of a street section between two consecutive intersecting streets.

(2) At least 70 percent of the available curbside parking spaces are occupied by commuter vehicles during the time the parking study is being conducted.



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## SECTION 4. Designation Process

- (a) When directed to do so by the Traffic Safety Committee, the City Engineer shall cause to have such surveys and studies as are deemed necessary to determine whether a residential area is eligible for residential permit parking.
- (b) Upon the completion of the surveys or studies, the City Engineer shall provide a written report to the Traffic Safety Committee on the subject of:
- (1) Eligibility of the residential area under consideration for residential permit parking;
  - (2) Tentative boundaries for the proposed residential permit parking area; and
  - (3) Appropriate area prohibition or time limitation on parking and the period of the day for its application.
- (c) The Traffic Safety Committee shall review the report and its findings and subsequently make a recommendation to the City Council to approve or deny the proposed Residential Parking Permit District. The City Council at the next possible Council meeting following the Traffic Safety Committee meeting may set a date for a public hearing on the establishment of the proposed Residential Permit Parking District.
- (d) The Clerk shall cause notice of such hearing to be published twice in a local newspaper of general circulation in the city. The first publication shall be not less than ten days prior to the date of such hearing.
- (e) The City Engineer shall cause notice of such hearing to be posted conspicuously, at not more than one hundred foot intervals and at all street intersections, in the proposed residential permit parking area.
- (f) The notice shall clearly state the purpose of the hearing; the location and date and time of the hearing; the tentative boundaries of the proposed residential permit parking area; and that any interested person shall be entitled to appear and be heard.

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## SECTION 5. Public Hearing

(a) At the public hearing, the City Council may review the written reports, surveys and studies, take public testimony and determine whether the proposed Residential Permit Parking District is justified and desired by the residents within the boundaries of the district and the immediate neighborhood. The City Council may then designate by resolution the new Residential Permit Parking District and direct the City Engineer to cause the appropriate signing of the District per Section 7.

## SECTION 6. Issuance of Permits

(a) The City Engineer is hereby authorized and directed to issue, upon proper written application therefore, a parking permit. Each such permit shall list the license number of the motor vehicle for which it is issued, and the date when it was issued. No more than one parking permit shall be issued to each motor vehicle for which application is made. The City Engineer is authorized to issue such rules and regulations, not inconsistent with this policy statement, governing the manner in which persons shall qualify for parking permits;

(b) Parking permits may be issued for motor vehicles only upon application of the following persons;

(1) A legal resident of the residential permit parking area who has a motor vehicle registered in his/her name, or who has a motor vehicle for his/her exclusive use and under his/her control;

(2) A person who owns or leases commercial property and actively engages in business activity within a residential permit parking area. However, no more than one parking permit may be issued for each business establishment for a motor vehicle registered to or under the control of such a person.

(c) Proof of residency shall be demonstrated by providing rent or utility receipts or other such documents that verifies residency to the satisfaction of the City Engineer.

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(d) Proof of motor vehicle ownership or vehicle use and control shall be demonstrated by providing a valid vehicle registration card and a valid drivers license.

(e) Temporary residential parking permits may be issued for vehicles which are:

(1) Owned, rented or under the operational control of any person who owns or leases property in the residential permit area, or (2) used in providing services to persons or property in the residential permit area. Temporary residential parking permits may also be issued to vehicles owned by temporary visitors who are residing in the residential permit parking area. Such temporary residential parking permits shall have all of the rights and privileges of a regular permit. A temporary parking permit shall be valid for no more than fourteen days from the date of issuance. No resident of a residential permit parking area shall be issued more than two temporary parking permits at one time. A temporary residential parking permit issued to a vehicle providing services or to vehicles owned by temporary visitors shall be considered to be a temporary permit issued to the resident of the property where the services are provided or the temporary visitors are residing.

(f) Long-term visitor parking permits may be issued to residents of a permit district who require regular service or care over a long period of time. The resident must establish the need for a long-term permit by indicating a disability or a hardship situation that requires regular at-home care or some other assistance for a period of more than two weeks. A resident shall be limited to one such long-term visitor permit which may be transferable to the vehicles of multiple care or service providers. Each care or service provider shall register their vehicle(s) with the Engineering Department. The long-term permit shall be valid for one year after the date of issuance. Long-term visitor parking permits issued per this paragraph shall be counted against the permit limits of paragraph (g).

(g) The number of permits issued to any one address in a residential area shall be limited to the number of curbside spaces along the property frontage or two, whichever is greater. Non-single family residential addresses shall be limited to two permits. The determination of the number of spaces along the property frontage shall be made by the City Engineer.

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## SECTION 7. Posting of Residential Permit Parking Area

Upon adoption by the City Council of a resolution designating a residential permit parking area, the City Engineer pursuant to Title II of the Code shall cause appropriate signs to be erected in the area indicating, prominently, thereon the area prohibition or time limitation, period of the day for its application, and conditions under which permit parking shall be exempt therefrom.

## SECTION 8. Display of Permits

Permits shall be displayed in a manner determined by the Chief of Police.

## SECTION 9. Permit Parking Exemptions

A resident motor vehicle or transient motor vehicle on which is displayed a valid parking permit as provided for herein shall be permitted to stand or be parked in a residential permit parking area without being limited by time restrictions or area prohibitions established pursuant to this policy. Said resident motor vehicle or transient motor vehicle shall not be exempt from parking restrictions or prohibitions established pursuant to an authority other than this policy. All other motor vehicles other than vehicles specified in Title II of the Code and vehicles where the operator or the passenger being transported by said vehicle displays a license issued under the provisions of Section 22511.5 of the California Vehicle Code, parked within a residential permit parking area shall be subject to the time restrictions or area prohibitions adopted as provided in this policy, as well as the penalties provided for herein.

A residential parking permit shall not guarantee or reserve to the holder thereof an on-street parking space within the designated residential permit parking area.

## SECTION 10. Application for and Duration of Permit

Each parking permit issued by the City Engineer shall be valid for not more than one year from the date of issuance. Permits shall expire on the last day of the anniversary month of the formation of the area in such manner as may be required by the City Engineer. Each application or reapplication for a parking permit shall contain information sufficient to identify the applicant, his residence address or address of real property owned or

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leased within a residential permit parking area, and the license number of the motor vehicle for which application is made, and such other information that may be deemed relevant by the City Engineer.

## SECTION 11. Permit Fees

(a) The annual renewal fee for a residential parking permit shall be \$10.00 and shall be revised by resolution at such time when user fees in general are updated.

(b) The fee for a temporary residential parking permit shall be two dollars (\$2.00).

## SECTION 12. Penalty Provisions

(a) It shall be unlawful and a violation of this policy unless expressly provided to the contrary herein, for any person to stand or park a motor vehicle for a period exceeding the time limitation or in violation of the area prohibition established pursuant hereto. Said violation shall be an infraction punishable in accordance with the provisions of Title II of the Code.

(b) It shall be unlawful and a violation of this policy for a person to falsely represent himself as eligible for a parking permit or to furnish false information in an application therefore;

(c) It shall be unlawful and a violation of this policy for a person holding a valid parking permit issued pursuant hereto to permit the use or display of such permit on a motor vehicle other than that for which the permit is used. Such conduct shall constitute an unlawful act and violation of this policy both by the person holding the valid parking permit and the person who uses or displays the permit on a motor vehicle other than that for which it is issued;

(d) It shall be unlawful and a violation of this policy for a person to copy, produce or otherwise bring into existence a facsimile or counterfeit parking permit or permits without written authorization from the City Engineer or designate. It shall further be unlawful and a violation of this policy for a person to knowingly use or

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display a facsimile or counterfeit parking permit in order to evade area prohibitions or time limitations on parking applicable in a residential permit parking area. A violation of this subsection shall be a misdemeanor punishable in accordance with the provisions of Section 11.12 of the Code.

## SECTION 13. Revocation of Permit

The City Engineer or designate is authorized to revoke the residential parking permit of any person found to be in violation of this policy and, upon written notification thereof, the person shall surrender such permit to the City Engineer. Failure when so requested to surrender a residential parking permit so revoked shall constitute a violation of law and of this policy.

## SECTION 14. Severability

The provisions of this policy area severable and if any provisions, clause, sentence, subsection, word or part thereof is held illegal, invalid, or unconstitutional, or inapplicable to any person or circumstance, such illegality, invalidity, or unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, subsections, sections, words or parts of the policy or their application to other persons or circumstances. It is hereby declared to be the legislative intent that this policy would have been adopted if such illegal, invalid, or unconstitutional provision, clause, sentence, subsection, section, word or part had not been included therein, or if such person or circumstance to which the policy or part thereof is held inapplicable had been specifically exempted therefrom.

## SECTION 15. Sunset Provision and Removal of Designation.

(a) Each residential permit parking area may be re-evaluated for eligibility 2 years after the date of designation and every 2 years thereafter. The City Engineer shall apply the same criteria as provided in Section 3 to determine if the area is still eligible for the designation.

(b) The designation process set forth in this policy statement shall be utilized by the City Engineer and the City Council in determining whether to remove a designation as a residential permit parking area from a particular residential area or portion thereof.



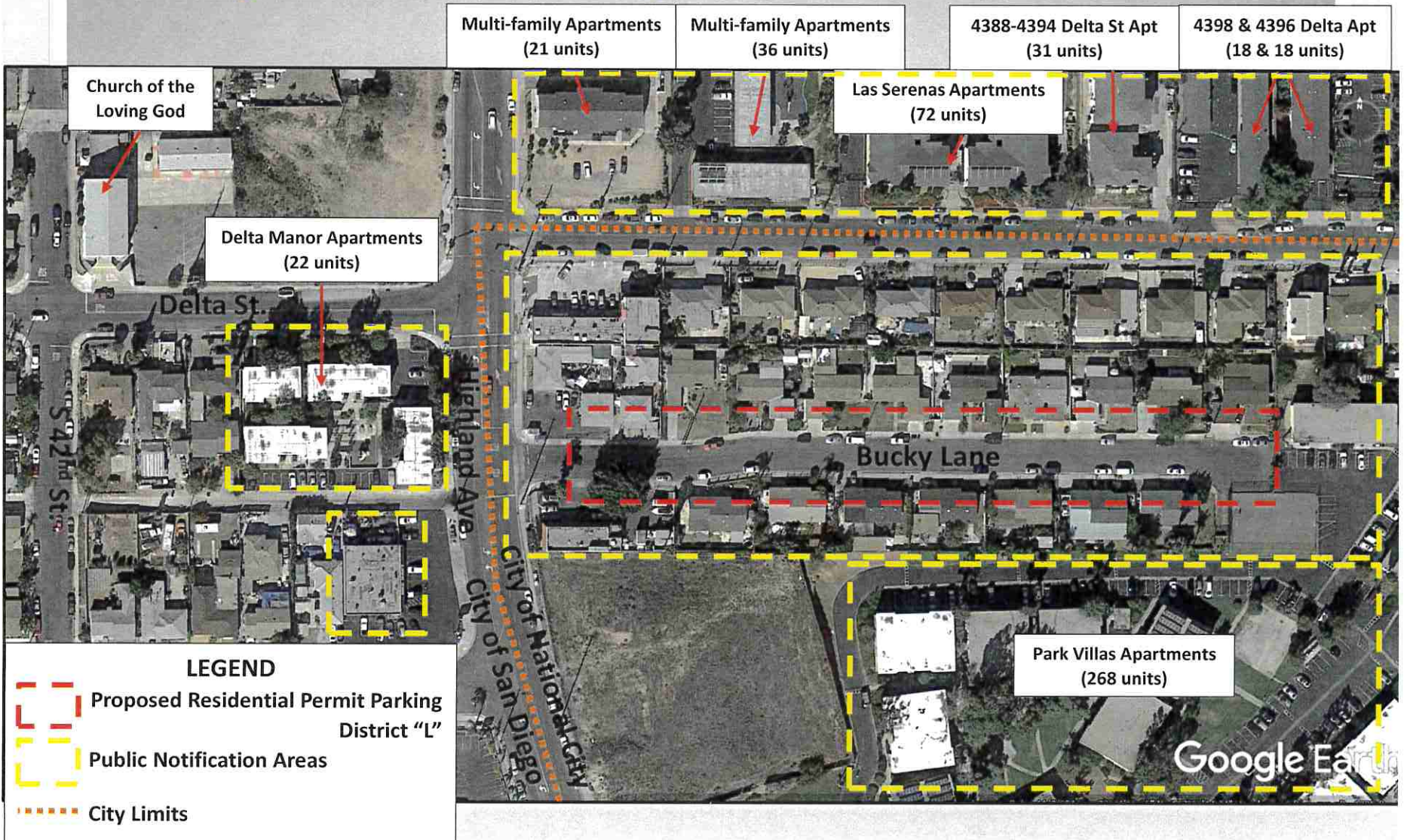


# Public Hearing to Consider Establishment of Residential Permit Parking District "L"

*City Council Meeting  
September 18, 2018*



# Proposed Parking District Boundaries





## Existing Conditions



Bucky Lane, early morning (looking east)



Bucky Lane, afternoon (looking east)



Bucky Lane, early morning (looking west)



Bucky Lane, afternoon (looking west)



## Authority to Establish Preferential Parking Permit Programs

- Section 22507 of the California Vehicle Code allows jurisdictions to create preferential parking permit programs through ordinance or resolution based on provisions that are reasonable and necessary to ensure the effectiveness of the program.
- The ordinance or resolution may include a designation of certain streets upon which preferential parking privileges are given to residents and merchants adjacent to the streets for their use and the use of their guests, under which the residents and merchants may be issued a permit or permits that exempt them from the prohibition or restriction of the ordinance or resolution.

## **Criteria for City Council Consideration (City Council Policy No. 710 – “Residential Permit Parking Program”)**

- The extent of the desire and need for the residents to have residential permit parking
- The extent to which legal on-street parking spaces are occupied by motor vehicles during the period proposed for parking restriction
- The extent to which motor vehicles registered to persons residing within the proposed Residential Permit Parking District boundaries cannot be accommodated by the number of available off-street parking spaces.



## Criteria for City Council Consideration (City Council Policy No. 710 – “Residential Permit Parking Program”)

- The Residential Parking Permit District shall consist of at least one side of a street section between two consecutive streets
- A petition shall be signed by 60 percent of the property owners within the proposed boundaries of the Residential Parking Permit District
  - *67% of property owners in proposed District signed the petition*
- At least 70 percent of available curbside parking spaces are occupied by commuter vehicles (vehicles registered to owners living outside of the proposed parking district boundaries) during the time the parking study is being conducted
  - *See next slide for survey data*



# Parking Occupancy Study

Date of survey		Time of survey	Total available on-street parking spaces (no.)	Total on-street parking occupied by area resident vehicles (no.)	Total on-street parking occupied by commuter vehicles (no.)	Total on-street parking spaces occupied (no.)	Percentage parking occupied by area residents from the total parking available (%)	Percentage parking occupied by commuter vehicles from the total parking available (%)	Percentage on-street parking spaces occupied (%)	
Wednesday	5/23/2018	6:30 AM	38	15	21	36	39	55	95	
Wednesday	5/23/2018	3:30 PM	38	9	13	22	24	34	58	
Friday	5/25/2018	6:30 AM	38	14	26	40	37	68	105	
Friday	5/25/2018	3:30 PM	38	6	16	22	16	42	58	
Saturday	5/26/2018	6:30 AM	38	10	28	38	26	74	100	
Saturday	5/26/2018	3:30 PM	38	9	16	25	24	42	66	
Tuesday	5/29/2018	6:30 AM	38	14	25	39	37	66	103	
Tuesday	5/29/2018	3:30 PM	38	11	14	25	29	37	66	
Thursday	5/31/2018	6:30 AM	38	11	23	34	29	61	89	
Thursday	5/31/2018	3:30 PM	38	7	12	19	18	32	50	
Saturday	6/2/2018	6:30 AM	38	12	32	44	32	84	116	
Saturday	6/2/2018	3:30 PM	38	11	20	31	29	53	82	
Monday	6/4/2018	6:30 AM	38	11	26	37	29	68	97	
Monday	6/4/2018	3:30 PM	38	11	13	24	29	34	63	
Overnight Parking							Average early morning 6:30 am	33	68	101
							Average late afternoon 3:30 pm	24	39	63
							Total Average	28	54	82

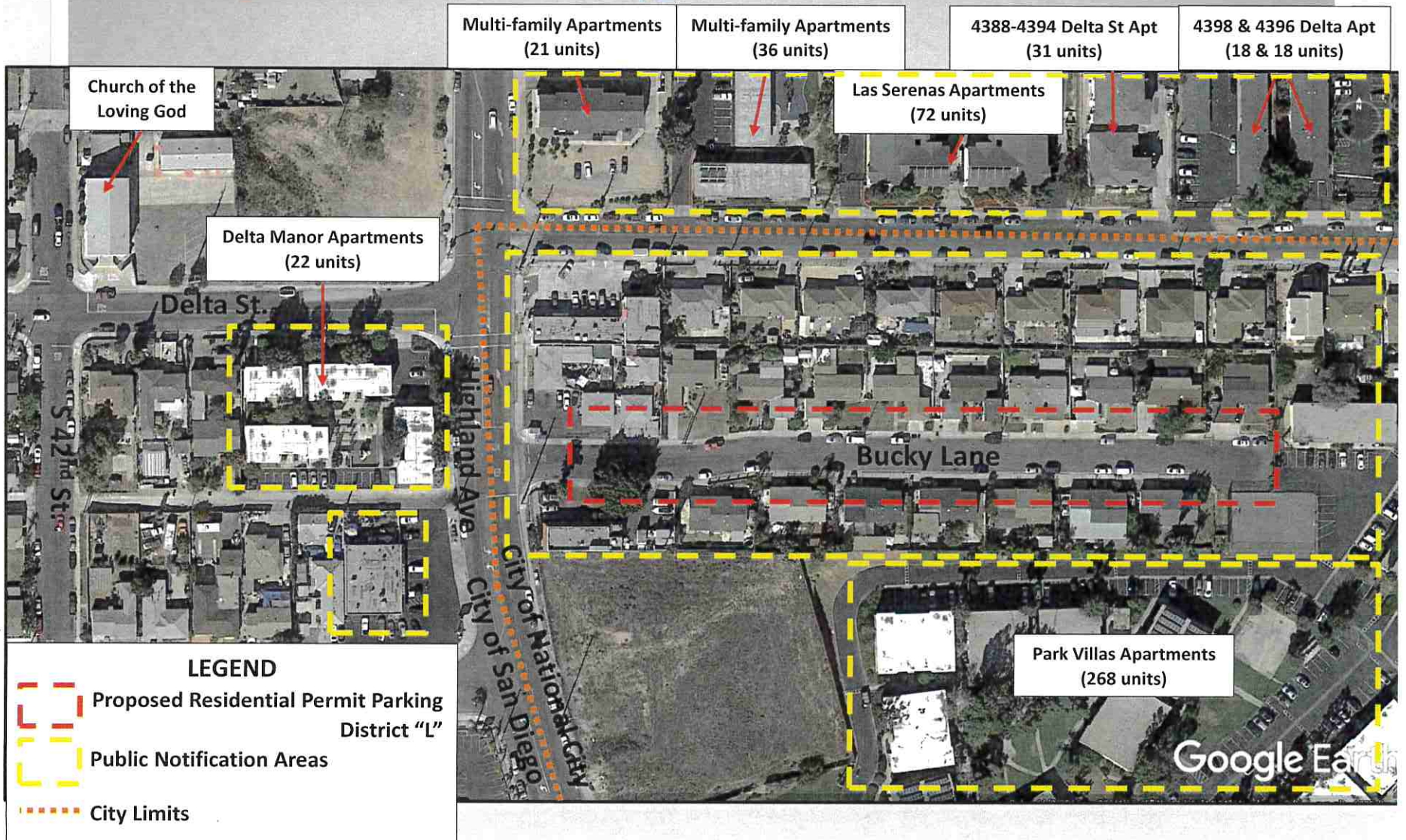
**Table I: Parking Occupancy Survey Results – On-street parking available**

# Process

- Staff presented item to Traffic Safety Committee on July 11, 2018
  - Over one dozen residents attended in support of the District
  - Homeowners and tenants in proximity to District were invited to attend
  - TSC unanimously approved establishment of Residential Permit Parking District "L" on both sides of Bucky Lane (daily, 5pm-8am)
- Staff set date / time for Public Hearing and provided proper noticing:
  - Published the public hearing twice in the local newspaper (September 7, 2018 and September 14, 2018)
  - Posted the public hearing throughout the District boundaries on September 3, 2018.



# Proposed Parking District Boundaries



RESOLUTION NO. 2018 –

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY  
DESIGNATING RESIDENTIAL PERMIT PARKING DISTRICT “L”,  
ESTABLISHING PROHIBITED PARKING, AUTHORIZING PERMITS  
AND POSTING OF SIGNS ON BOTH SIDES OF BUCKY LANE,  
VALID DAILY FROM 5:00 PM TO 8:00 AM

WHEREAS, on June 19, 1984, the City Council adopted Resolution No. 14,356 to establish a Residential Permit Parking Program; and

WHEREAS, the City Council, by Resolution No. 14,357 adopted a policy for regulating said Program; and

WHEREAS, a petition was submitted to the City from residents on Bucky Lane requesting that the City establish a Residential Parking District on both sides of Bucky Lane because there is a lack of on-street parking available due to numerous apartment complexes that were built in the last few years around Bucky Lane that have caused significant parking impacts; and

WHEREAS, the establishment of a Residential Permit Parking District on Bucky Lane is a potential solution for the parking issue since it would allow residents living on Bucky Lane to park their vehicles in front of their houses; and

WHEREAS, on July 11, 2018, staff recommended and the Traffic Safety Committee approved the formation of a new parking district as requested with the installation of a Residential Permit Parking District area sign valid from “5 p.m. to 8 a.m. daily” on both sides of the 800 and 900 blocks of Bucky Lane in order to resolve the problem of overnight parking; and

WHEREAS, at its regular meeting of September 18, 2018, the City Council held a public hearing in order to consider the formation of Residential Permit Parking District “L”, and at that time received and considered oral and documentary evidence regarding the matter.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of National City establishes the boundaries of Residential Permit Parking District “L” to include both sides of the 800 and 900 blocks of Bucky Lane.

BE IT FURTHER RESOLVED that parking be prohibited for all vehicles from “5 p.m. to 8 a.m. daily”, except those vehicles displaying either an “Area L” residential parking permit or a disabled person’s license plate.

BE IT FURTHER RESOLVED that the City Manager is authorized and directed to issue, upon written application, parking permits, as per Section 6 of aforesaid Residential Permit Parking Program Policy, under Resolution No. 14,356.

BE IT FURTHER RESOLVED that the City Manager is authorized and directed to post appropriate signs on Bucky Lane identifying the residential permit parking area.

*[Signature Page to Follow]*

PASSED and ADOPTED this 18th day of September, 2018.

\_\_\_\_\_  
Ron Morrison, Mayor

ATTEST:

\_\_\_\_\_  
Michael R. Dalla, City Clerk

APPROVED AS TO FORM:

Angil P. Morris-Jones  
City Attorney

By: \_\_\_\_\_  
Nicole Pedone  
Acting City Attorney

The following page(s) contain the backup material for Agenda Item: [Request for City Council direction on amending Chapters 9.37, 9.38, and 10.52 of the City of National City Municipal Code to regulate the use of Electronic Smoking Devices. \(Planning\)](#)  
Please scroll down to view the backup material.



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

**MEETING DATE:** September 18, 2018

**AGENDA ITEM NO.** |

**ITEM TITLE:**

Request for City Council direction on Amending Chapters 9.37, 9.38, and 10.52 of the City of National City Municipal Code to regulate the use of Electronic Smoking Devices.

**PREPARED BY:** Martin Reeder, AICP *MR*

**DEPARTMENT:** Planning

**PHONE:** 619-336-4313

**APPROVED BY:** 

**EXPLANATION:**

At the City Council meeting of September 4, 2018, staff was asked to bring back an item for discussion related to the use of Electronic Smoking Devices. The subject was originally brought to the attention of the City Council and City staff by the American Lung Association ("Association"). The Association has suggested changes to four sections of the National City Municipal Code, including Chapter 9.37, 9.38, 10.52, and 18.50. The first three sections are under the sole purview of the City Council. Changes to Title 18 (Zoning) require a public hearing at and recommendation to the City Council by the Planning Commission.

The attached background report describes the issues and suggested changes in detail.

**FINANCIAL STATEMENT:**

**APPROVED:** \_\_\_\_\_ Finance

**ACCOUNT NO.** |

**APPROVED:** \_\_\_\_\_ MIS

**ENVIRONMENTAL REVIEW:**

Not a project per CEQA.

**ORDINANCE:** INTRODUCTION:  FINAL ADOPTION:

**STAFF RECOMMENDATION:**

Direct staff to bring back an Ordinance regulating the use of Electronic Smoking Devices.

**BOARD / COMMISSION RECOMMENDATION:**

n/a

**ATTACHMENTS:**

1. Background Report
2. Municipal Code changes suggested by the American Lung Association of California
3. City of Coronado Ordinance and staff report regulating Electronic Smoking Devices

## BACKGROUND REPORT

### Staff Recommendation

Staff recommends that the City Council direct staff to bring back an Ordinance regulating the use of Electronic Smoking Devices and to prepare changes to Title 18 (Zoning) for review and recommendation by the Planning Commission.

### History

At the City Council meeting of September 4, 2018, staff was asked to bring back an item for discussion related to the use of Electronic Smoking Devices. The subject was originally brought to the attention of the City Council and City staff by the American Lung Association ("Association").

### Overview

The Association has suggested changes to four sections of the National City Municipal Code, including Chapter 9.37, 9.38, 10.52, and 18.50, which are summarized as follows:

Chapter 9.37 – Prohibition of Smoking in Open Air Dining Areas.

- Deleted existing definitions and replaced with recommended definitions from the California Business and Professions Code (please note that the language would apply to marijuana use as well).

Chapter 9.38 – Restricting the sale, display and promotion of tobacco products or cigarettes to minors.

- Deleted existing definitions and replaced with recommended definitions from the California Business and Professions Code.
- In section 9.38.050 (exceptions to 9.38.050) changed the age from 18 to 21 years to reflect state law.
- In section 9.38.080 (signage) changed the age from 18 to 21 years to reflect state law and added language describing the exception for active duty military personnel who are at least 18 years old.

Chapter 10.52 – Regulations for the use of municipal parks, playgrounds and golf courses.

- No definitions were found for this chapter.
- Revised the regulatory language in 10.42.010 HH to reflect new definitions used elsewhere in municipal code.

These three sections are under the sole purview of the City Council and do not require a recommendation by the Planning Commission.

The Association is also recommending changes to Title 18 (Zoning) of the Municipal Code. It should be noted that changes to Title 18 require a public hearing at and recommendation to the City Council by the Planning Commission. For purposes of discussion, the recommended changes to Title 18 that would be discussed by the Planning Commission are as follows:

#### Chapter 18.50 – Glossary

- Deleted older language referencing tobacco related paraphernalia.
- Added new language that mirrors state law to clarify definition of a tobacco specialty shop which will help avoid problems in the future (the city of San Diego is struggling with this).
  - No alcohol or food for consumption on premises is sold.
  - Anyone under the age of 21 years of age is prohibited from entering unless that person is accompanied by his or her parent or guardian.

Attachment No. 2 provides the recommended changes in context with the current Code language. In addition, the Association has provided a similar Ordinance recently adopted by the City of Coronado (Attachment No.3). While there are other local cities that have addressed Electronic Smoking Devices, the Association feels that the Coronado Ordinance is the most effective.

#### Summary and next steps

The American Lung Association is recommending changes to the City's Municipal Code related to the use of Electronic Smoking Devices. Staff is supportive of changes to the Code in this regard. Prior to this item returning to the City Council, staff would present the recommended changes to Title 18 (Section 18.50 – Glossary) of the Municipal Code to the Planning Commission. The Commission's recommendation will be provided to the City Council along with the changes to Titles 9 and 10, as mentioned above, at a subsequent public hearing at the City Council.

#### Options

1. Direct staff to bring back a formal Ordinance amending Sections 9.37, 9.38, and 10.52; and to bring back an Ordinance regulating the use of Electronic Smoking Devices and to prepare changes to Title 18 (Zoning) for review and recommendation by the Planning Commission; or
2. File the report.



## Recommended Changes to National City Municipal Code

### Chapter 9.37 – Prohibition of Smoking in Open Air Dining Areas

#### Existing Definitions: 9.37.010.D

~~"Smoking" means possessing a lighted tobacco product, lighted tobacco paraphernalia, or any other lighted weed or plant, including but not limited to a lighted pipe, lighted hookah pipe, lighted cigar, or lighted cigarette of any kind, or the lighting of a tobacco product, tobacco paraphernalia, or any other weed or plant, including but not limited to a pipe, a hookah pipe, cigar, or cigarette of any kind.~~

#### Recommended Definitions: 9.37.010.D (from California B&P code, see page 4)

"Smoking" means inhaling, exhaling, burning, or carrying any lighted or heated cigar, cigarette, or pipe, or any other lighted or heated tobacco or plant product intended for inhalation, whether natural or synthetic, in any manner or in any form. "Smoking" includes the use of an electronic smoking device that creates an aerosol or vapor, in any manner or in any form, or the use of any oral smoking device for the purpose of circumventing the prohibition of smoking.

(x) (x) "Tobacco product" means any of the following:

(x) A product containing, made, or derived from tobacco or nicotine that is intended for human consumption, whether smoked, heated, chewed, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means, including, but not limited to, cigarettes, cigars, little cigars, chewing tobacco, pipe tobacco, or snuff.

(x) An electronic device that delivers nicotine or other vaporized liquids to the person inhaling from the device, including, but not limited to, an electronic cigarette, cigar, pipe, or hookah.

(x) Any component, part, or accessory of a tobacco product, whether or not sold separately.

(x) "Tobacco product" does not include a product that has been approved by the United States Food and Drug Administration for sale as a tobacco cessation product or for other therapeutic purposes where the product is marketed and sold solely for such an approved purpose.

### Chapter 9.38: Restricting the sale, display and promotion of tobacco products or cigarettes to minors

#### Existing Definitions: 9.38.020

~~"Cigarette," as used in this chapter and as defined by 15 U.S. Code Section 1332, means: (A) any roll of tobacco wrapped in paper or in any substance not containing tobacco; and (B) any~~

~~roll of tobacco wrapped in any substance containing tobacco which, because of its appearance, the type of tobacco used in the filler, or its packaging and labeling, is likely to be offered to, or purchased by, consumers as a cigarette described in subparagraph A of this definition.~~

~~"Tobacco product" means any substance or product other than cigarettes containing tobacco leaf, including but not limited to cigars, pipe tobacco, snuff, chewing tobacco, and dipping tobacco.~~

**Recommended Definitions: 9.38.020 (from California B&P code, see page 4)**

"Smoking" means inhaling, exhaling, burning, or carrying any lighted or heated cigar, cigarette, or pipe, or any other lighted or heated tobacco or plant product intended for inhalation, whether natural or synthetic, in any manner or in any form. "Smoking" includes the use of an electronic smoking device that creates an aerosol or vapor, in any manner or in any form, or the use of any oral smoking device for the purpose of circumventing the prohibition of smoking.

(x) (x) "Tobacco product" means any of the following:

(x) A product containing, made, or derived from tobacco or nicotine that is intended for human consumption, whether smoked, heated, chewed, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means, including, but not limited to, cigarettes, cigars, little cigars, chewing tobacco, pipe tobacco, or snuff.

(x) An electronic device that delivers nicotine or other vaporized liquids to the person inhaling from the device, including, but not limited to, an electronic cigarette, cigar, pipe, or hookah.

(x) Any component, part, or accessory of a tobacco product, whether or not sold separately.

(x) "Tobacco product" does not include a product that has been approved by the United States Food and Drug Administration for sale as a tobacco cessation product or for other therapeutic purposes where the product is marketed and sold solely for such an approved purpose.

**Section 9.38.050 – Exceptions to location of tobacco products and tobacco advertising displays inside retail establishments**

**Existing/Recommended Regulatory Language: 9.38.050**

A. Section 9.38.040 does not apply to commercial establishments where access to the premises by persons under ~~eighteen~~ twenty-one years of age is prohibited by law.

B.

**Section 9.38.080 – Posting of signs regarding tobacco products and cigarette sales to minors**

**Existing/Recommended Regulatory Language: 9.38.080**



Every tobacco retailer shall post conspicuously in their place of business at each point of purchase a notice stating that the sale of tobacco products and cigarettes to persons under ~~eighteen years~~ twenty-one years of age is prohibited by law and subject to penalties, except for US Armed Forces active duty personnel with military ID who are at least 18 years of age. The notice shall also state that photo identification is required to purchase tobacco products and cigarettes. The letters of the sign shall be at least one-half inch in height.

## **Chapter 10.52 – Regulations for the use of municipal parks, playgrounds and golf courses**

**Existing Definitions:** No separate definition for smoking or tobacco products appears in this chapter, so perhaps it is relying on definitions in Chapter 9.

### **Existing/Recommended Regulatory Language: 10.52.010.HH**

Except in any golf course, smoke any tobacco products ~~possess a lighted or burning tobacco product or tobacco-related product, including but not limited to cigars, cigarettes and pipes; use, including chewing of, tobacco or tobacco-related products; dispose of any lighted or unlighted tobacco or tobacco-related product in any place other than a designated waste disposal container.~~

## **LAND USE ORDINANCE – NEEDS APPROVAL FROM PLANNING COMMISSION**

### **Existing/Recommended Definitions: 18.50.01 – Tobacco Specialty Shop**

"Tobacco specialty shop" means any business, the primary use of which is the sale of tobacco products ~~or tobacco-related paraphernalia.~~ A business shall be determined a tobacco specialty shop when more than forty percent of its retail floor area is devoted to the display and sales of tobacco products, when no alcohol or food for consumption on the premises is sold, and when anyone under the age of twenty-one years of age is prohibited from entering unless that person is accompanied by his or her parent or legal guardian.

**For Reference Only**

**California's Business and Professions Code**

**Division 8.5 Stop Tobacco Access to Kids Enforcement Act**

**Effective June 9, 2016**

22950.5 For purposes of this division, the following terms have the following meanings:

(c) "Smoking" means inhaling, exhaling, burning, or carrying any lighted or heated cigar, cigarette, or pipe, or any other lighted or heated tobacco or plant product intended for inhalation, whether natural or synthetic, in any manner or in any form. "Smoking" includes the use of an electronic smoking device that creates an aerosol or vapor, in any manner or in any form, or the use of any oral smoking device for the purpose of circumventing the prohibition of smoking.

(d) (1) "Tobacco product" means any of the following:

(A) A product containing, made, or derived from tobacco or nicotine that is intended for human consumption, whether smoked, heated, chewed, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means, including, but not limited to, cigarettes, cigars, little cigars, chewing tobacco, pipe tobacco, or snuff.

(B) An electronic device that delivers nicotine or other vaporized liquids to the person inhaling from the device, including, but not limited to, an electronic cigarette, cigar, pipe, or hookah.

(C) Any component, part, or accessory of a tobacco product, whether or not sold separately.

(2) "Tobacco product" does not include a product that has been approved by the United States Food and Drug Administration for sale as a tobacco cessation product or for other therapeutic purposes where the product is marketed and sold solely for such an approved purpose.

**INTRODUCTION OF “AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CORONADO AMENDING CHAPTER 36.08 OF THE CORONADO MUNICIPAL CODE TO REGULATE THE USE OF ELECTRONIC SMOKING DEVICES”**

**RECOMMENDATION:** Introduce “An Ordinance of the City Council of the City of Coronado Amending Chapter 36.08 of the Coronado Municipal Code to regulate the use of electronic smoking devices” and direct the City Clerk to read the title of the introduced ordinance.

**FISCAL IMPACT:** Expenditures will be incurred by the City with regard to signage, education, and enforcement. It could cost between \$10,000-\$20,000 if all existing signage in our parks, beaches, and business districts are updated to include vaping/electronic smoking devices. In regards to staff time, it is difficult to predict how much time will be utilized for education and enforcement of these potential new regulations.

**CITY COUNCIL AUTHORITY:** Introducing an ordinance is a policy matter reflective of the Council’s legislative role. Therefore, a person that would challenge such a legislative action must prove that the decision was “arbitrary, capricious, entirely lacking in evidentiary support, or unlawfully or procedurally unfair.”

**PUBLIC NOTICE:** None required.

**CALIFORNIA ENVIRONMENTAL QUALITY ACT:** The consideration or adoption of smoking related ordinances is exempt under CEQA Guidelines section 15308.

**BACKGROUND:** At the June 5, 2018 meeting, the Council directed staff to bring back amendments to the Coronado Municipal Code for the inclusion of electronic smoking devices in the City’s prohibition of smoking in public places.

Effective January 1, 2014, Coronado adopted new outdoor smoking regulations. These regulations include prohibiting smoking on all outdoor public property (parks, beaches, streets, highways, alleys, rights of ways, parkways, sidewalks, parking lots, and pathways), within 25 feet of enclosed areas that prohibit smoking, at outdoor public places, outdoor recreational areas, outdoor service areas, and within outdoor dining areas if the majority of the dining area is on public property. These regulations are codified in Coronado Municipal Code Chapter 36.08.

Regionally, fifteen cities and the County of San Diego have updated their outdoor smoking ordinances to prohibit the use of electronic smoking devices in the same manner as cigarettes. Electronic smoking devices, often called “e-cigarettes,” are battery-powered products, usually delivering nicotine, flavorings and other chemicals that are often used in addition to or as an alternative to tobacco cigarettes. The devices allow the user to inhale nicotine or other substances in varying doses down to a zero dose. The liquid can contain flavoring with the nicotine or consist of just flavoring. The nicotine and/or flavoring is delivered through a heated water vapor that does not contain tobacco or produce fire, smoke, ash or carbon monoxide. Over the last five years, electronic smoking devices have become increasingly popular and now are even being used to inhale marijuana and other drugs.

10e

06/19/18

Attachment 3

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Given their relatively recent introduction, scientific research on the long-term health effects from the use of electronic smoking devices is limited; however, according to several studies, there are significant health concerns related to electronic smoking devices, some of which conclude that electronic smoking devices and vaping:

- Expose users to toxic chemicals from use of electronic smoking devices with and without nicotine;
- Secondhand aerosol exhaled by users contain nicotine and toxins; and
- There is substantial evidence that electronic smoking device use results in symptoms of dependence.

**ANALYSIS:** Attached is an ordinance that amends Chapter 36.08 to define “smoke” and “smoking” as having the same meaning as set forth in State of California Health and Safety Code Section 104495, which includes in its definition of “smoke” and “smoking” the use of an electronic smoking device that creates an aerosol or vapor, in any manner or in any form, or the use of any oral smoking device for the purpose of circumventing the prohibition of smoking. The definition of “smoke” and “smoking” includes not just tobacco but other substances as well.

The second reading and adoption of the ordinance will occur at the July 17 City Council meeting and will become effective August 16. The estimation to install new signs is 60-90 days.

**ALTERNATIVES:** Direct staff to regulate electronic smoking devices in some other manner or take no action.

Submitted by City Manager’s Office/Ritter

Attachment: Ordinance Amending Chapter 36.08 of the CMC

CM	ACM	AS	CA	CC	CD	CE	F	L	P	PSE	R/G
BK	TR	N/A	LNH	MLC	N/A	N/A	N/A	N/A	N/A	N/A	N/A

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CORONADO, CALIFORNIA AMENDING CHAPTER 36.08 OF THE CORONADO MUNICIPAL CODE TO REGULATE THE USE OF ELECTRONIC SMOKING DEVICES**

**WHEREAS**, Coronado Municipal Code Chapter 36.08 currently regulates tobacco product use and prohibits smoking in certain public areas but does not encompass the use of electronic smoking devices; and

**WHEREAS**, electronic smoking devices or “e-cigarettes” are battery-operated devices designed to deliver nicotine, flavors, and other substances through a vapor inhaled by the user; and

**WHEREAS**, during the past several years the popularity of electronic smoking devices including electronic cigarettes or “e-cigarettes” in this country has grown exponentially; and

**WHEREAS**, while relatively new, there are several studies which show there are significant health concerns related to electronic smoking devices and vaping including at least one study that shows secondhand aerosol exhaled by users contains nicotine and toxins causing potentially harmful effects from passive inhalation of the vapors on bystanders; and

**WHEREAS**, the use of electronic smoking devices in locations where other types of cigarettes, pipes and cigars are prohibited may cause confusion and uncertainty and make it more difficult to enforce bans on smoking; and

**WHEREAS**, California state law prohibits the sale of electronic smoking devices to minors; and

**WHEREAS**, the City Council of the City of Coronado wishes to amend the Coronado Municipal Code as it regulates and prohibits smoking and the use of tobacco products in Chapter 36.08 to include electronic smoking devices and other similar devices in order to promote a smoke-free environment for its citizens and visitors in the City of Coronado.

**NOW THEREFORE**, the City Council of the City of Coronado, California, does ordain as follows:

**SECTION ONE.**

All of the above statements are true

**SECTION TWO:**

Chapter 36.08 of the Coronado Municipal Code is hereby amended to read, as follows:

SEE EXHIBIT “A”



**SECTION THREE:**

Severability. If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this Chapter, or its application to any person or circumstance, is for any reason held to be invalid or unenforceable, such invalidity or unenforceability shall not affect the validity or enforceability of the remaining sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases of this Chapter, or its application to any other person or circumstance. The City Council declares that it would have adopted each section, subsection, subdivision, paragraph, sentence, clause or phrase hereof, irrespective of the fact that any one or more other sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases hereof be declared

**SECTION FOUR:**

This ordinance was introduced on June 19, 2018.

**SECTION FIVE:**

This ordinance shall be effective thirty (30) days after its adoption. Within fifteen (15) days after its adoption, the City Clerk is directed to publish this ordinance to the provisions of Government Code Section 36933.

**PASSED AND ADOPTED** this \_\_\_ day of \_\_\_\_\_ 2018, by the following votes, to wit:

- AYES:**
- NAYS:**
- ABSTAIN:**
- ABSENT:**

\_\_\_\_\_  
Richard Bailey, Mayor  
City of Coronado

**ATTESTATION AND CERTIFICATE:**

I hereby certify that this is a true and correct copy of Ordinance No. \_\_\_\_, which has been published pursuant to law.

\_\_\_\_\_  
Mary L. Clifford, CMC  
City Clerk

## EXHIBIT A

### Chapter 36.08 PROHIBITION OF SMOKING IN ~~CERTAIN~~ PUBLIC AREAS AND TOBACCO PRODUCT USE PLACES

#### 36.08.010 Definitions.

A. "Business" means any sole proprietorship, partnership, joint venture, corporation, association, or other entity formed for profit-making purposes.

B. "Employee" means any person who is employed or retained as an independent contractor by any employer or nonprofit entity in consideration for direct or indirect monetary wages or profit, or any person who volunteers his or her services for an employer or nonprofit entity.

C. "Employer" means any business or nonprofit entity that retains the service of one or more employees.

D. "Enclosed area" means an area in which outside air cannot circulate freely to all parts of the area, and includes an area that has:

1. Any type of overhead cover whether or not that cover includes vents or other openings and at least three walls or other vertical constraint to airflow including, but not limited to, vegetation of any height whether or not those boundaries include vents or other openings; or

2. Four walls or other vertical constraints to airflow including, but not limited to, vegetation that exceeds six feet in height whether or not those boundaries include vents or other openings.

E. "Outdoor dining area" means any unenclosed area including rights-of-way and sidewalks that may be located on private property, public property, or a combination of both private and public property, which is available to or customarily used by the general public or employees, and which is designed, established, or regularly used for consuming food or drink.

F. "Outdoor public place" means any publicly or privately owned area, including, but not limited to streets, highways, alleys, rights-of-way, parkways, sidewalks, parking lots or pathways open to the general public for a public event, regardless of any fee or age requirement. The term "outdoor public place" also includes, but is not limited to, a farmers' market, parade, craft fair, festival, concert, play, or any other event open to the general public.

G. "Outdoor recreational area" means any publicly or privately owned area, including but not limited to streets, highways, alleys, rights-of-way, parkways, sidewalks, parking lots or pathways that is controlled or used by the City and open to the general public for recreational purposes, regardless of any fee or age requirement. The term "outdoor recreational area" also includes, but is not limited to, parks, picnic areas, playgrounds, sports fields, walking paths, gardens, hiking trails, bike paths, riding trails, swimming pools, roller- and ice-skating rinks, skateboard parks, amusement parks, and beaches.

H. "Outdoor service area" means any publicly or privately owned area, including, but not limited to, streets, highways, alleys, rights-of-way, parkways, sidewalks, parking lots or pathways



designed to be used or is regularly used by one or more persons to receive a service, wait to receive a service or to make a transaction, whether or not such service or transaction includes the exchange of money. The term “outdoor service area” also includes, but is not limited to, areas at and adjacent to information kiosks, automated teller machines (ATMs), ticket lines, bus stops or shelters, mobile vendor lines or cab stands.

I. “Person” means any natural person, business, cooperative association, nonprofit entity, personal representative, receiver, trustee, assignee, or any other legal entity including a government agency.

J. “Place of employment” means any area, enclosed or unenclosed, under the legal or de facto control of an employer that an employee or the general public may have cause to enter in the normal course of the operations, regardless of the hours of operation, and includes a private residence required to be licensed as a family day care home under California law.

K. “Public property” means, for the purposes of this chapter, property owned or controlled by the City, including those areas that a business has the use of, with or without the benefit of an encroachment permit.

L. “Smoke” or “smoking” shall have the meaning set forth in Health and Safety Code Section 104495, as may be amended from time to time and includes inhaling, exhaling, burning, or carrying any lighted or heated cigar, cigarette, or pipe, or any other lighted or heated tobacco or plant product intended for inhalation, whether natural or synthetic, in any manner or in any form. “Smoking” includes the use of an electronic smoking device that creates an aerosol or vapor, in any manner or in any form, or the use of any oral smoking device for the purpose of circumventing the prohibition of smoking. ~~means the gases, particles, or vapors released into the air as a result of the combustion of tobacco products, when the apparent or usual purpose of the combustion, is human inhalation of the byproducts.~~ Material that contains no tobacco or nicotine and the purpose of which is solely olfactory, such as, for example, smoke from incense, is not considered “smoke” under this definition.

~~M. “Smoking” means engaging in an act that generates tobacco smoke, such as, for example: possessing a lighted pipe, a lighted hookah pipe, a lighted cigar, or a lighted cigarette of any kind; or lighting or igniting a pipe, a hookah pipe, a cigar, or a cigarette of any kind.~~

M. N. “Unenclosed area” means an area in which outside air can circulate freely to all parts of the area, and includes an area that has:

1. Any type of overhead cover, and no more than two walls or other vertical constraint to airflow including, but not limited to, vegetation of any height; or
2. No more than three walls or other vertical constraint to airflow including, but not limited to, vegetation of any height, and which has no overhead cover of any type.

#### 36.08.020 Prohibition of smoking in enclosed places.

Smoking is prohibited by State law in the enclosed areas of places of employment within the City of Coronado as such places are defined and regulated pursuant to California Labor Code Section 6404.5 as may be amended from time to time, which is hereby incorporated by reference as if fully set forth herein.

#### 36.08.030 Minimum smoking distance required.

A. Smoking in all unenclosed areas shall be prohibited less than 25 feet from any doorway, window, opening, crack, or vent from an enclosed area in which smoking is prohibited.

B. Exceptions:

1. The unenclosed areas of private residential properties.
2. Outdoor dining areas in which the majority of dining area consists of private property. Notwithstanding the general provision in subsection A of this section prohibiting smoking within 25 feet of any doorway, window, opening, crack or vent into an enclosed area in which smoking is prohibited, this prohibition does not apply to: (a) outdoor dining areas when the outdoor dining area is entirely sited on private property, or (b) outdoor dining areas that are sited on a combination of public and private property, and where the majority of the contiguous outdoor dining area consists of private property.

36.08.040 Prohibition of smoking in unenclosed areas.

A. Smoking is prohibited in the unenclosed areas of the following places within the City of Coronado:

1. All public property, including but not limited to streets, highways, alleys, rights-of-way, parkways, sidewalks, parking lots and pathways;
2. Outdoor public places;
3. Outdoor recreational areas;
4. Outdoor service areas;
5. Outdoor dining areas.

B. Exceptions:

1. Coronado Municipal Golf Course. Notwithstanding the general provision in subsection (A)(3) of this section prohibiting smoking in outdoor recreation areas, the prohibition does not apply to the Coronado Municipal Golf Course.
2. Outdoor dining areas in which the majority of dining area consists of private property. Notwithstanding the general provision in subsection (A)(5) of this section prohibiting smoking in outdoor dining areas, the prohibition against smoking does not apply to: (a) outdoor dining areas when the outdoor dining area is entirely sited on private property, or (b) outdoor dining areas that are sited on a combination of public and private property, and where the majority of the contiguous outdoor dining area consists of private property.

C. Nothing in this chapter prohibits any person, employer, or nonprofit entity with legal control over any property from prohibiting smoking on any part of such property, even if smoking is not otherwise prohibited in that area.

36.08.050 Other requirements and prohibitions.

A. No person, employer, or nonprofit entity shall knowingly permit smoking in an area which is under the legal or de facto control of that person, employer or nonprofit entity and in which smoking is prohibited by law, unless otherwise required by State or Federal law.

B. A person, employer, or nonprofit entity that has legal or de facto control of an unenclosed area in which smoking is prohibited by this chapter shall post a clear, conspicuous and unambiguous "No Smoking" or "Smoke Free" sign at each point of ingress to the area, and in at least one other point within the area. For purposes of this section, the City Manager or his/her designee shall be responsible for the posting of signs in regulated facilities owned or leased in whole or in part by the City. Notwithstanding this provision, the presence or absence of signs shall not be a defense to a charge of smoking in violation of any other provision of this chapter.

C. No person, employer, or nonprofit entity shall intimidate, threaten any reprisal, or effect any reprisal, for the purpose of retaliating against another person who seeks to attain compliance with this chapter.

D. Each instance of smoking in violation of this chapter shall constitute a separate violation. For violations other than for smoking, each day of a continuing violation of this chapter shall constitute a separate violation.

#### 36.08.060 Penalties and enforcement.

A. The remedies provided by this chapter are cumulative and in addition to any other remedies available at law or in equity.

B. Each incident of person, employer, or entity in violation of this chapter is an infraction subject to a \$100.00 fine or otherwise shall be punishable in accordance with Chapter 1.08 CMC. Enforcement of this chapter shall be the responsibility of the City Manager or his/her designee. In addition, any peace officer or code enforcement official also may enforce this chapter.

C. Causing, permitting, aiding, abetting, or concealing a violation of any provision of this chapter shall also constitute a violation of this chapter.

D. Any violation of this chapter is hereby declared to be a nuisance.

E. Except as otherwise provided, enforcement of this chapter is at the sole discretion of the City. Nothing in this chapter shall create a right of action in any person against the City or its agents to compel public enforcement of this chapter against private parties.

#### 36.08.070 Statutory construction.

It is the intent of the City Council of the City of Coronado to supplement applicable State and Federal law and not to duplicate or contradict such law, and this chapter shall be construed consistently with that intention.



The following page(s) contain the backup material for Agenda Item: [Staff report seeking City Council direction on proposed changes to sample Contractor Responsibility Ordinance. \(Engineering/Public Works and City Attorney\)](#)

Please scroll down to view the backup material.

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

**MEETING DATE:** September 18, 2018

**AGENDA ITEM NO.**

**ITEM TITLE:**

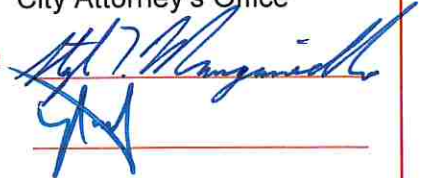
Staff report seeking City Council direction on proposed changes to sample Contractor Responsibility Ordinance

**PREPARED BY:** Stephen Manganiello

**PHONE:** 619-336-4382

**DEPARTMENT:** Engineering/Public Works  
City Attorney's Office

**APPROVED BY:**

  
\_\_\_\_\_

**EXPLANATION:**

See attached presentation. Upon receiving direction from City Council on staff's proposed changes to the sample Contractor Responsibility Ordinance, staff will set a public hearing to introduce the proposed Ordinance on October 2, 2018, with a subsequent public hearing for adoption to follow on October 16, 2018.

**FINANCIAL STATEMENT:**

**ACCOUNT NO.**

N/A

**APPROVED:** \_\_\_\_\_ **Finance**

**APPROVED:** \_\_\_\_\_ **MIS**

**ENVIRONMENTAL REVIEW:**

N/A

**ORDINANCE:** INTRODUCTION:

FINAL ADOPTION:

**STAFF RECOMMENDATION:**

Based on previous City Council direction to bring back a draft Ordinance, staff recommends changes to the sample Contractor Responsibility Ordinance for consistency with CA Public Contract Code, National City's standard contract documents for Public Works Construction, and competitive bidding procedures.

**BOARD / COMMISSION RECOMMENDATION:**

N/A

**ATTACHMENTS:**

1. Presentation
2. Sample Contractor Responsibility Ordinance



# Contractor Responsibility Ordinance

*City Council Meeting  
September 18, 2018*



## Background

- 2/20/2018: City Council directed staff to review a sample Contractor Responsibility Ordinance used by the City of Los Angeles and research whether or not other cities have adopted similar ordinances
- 5/1/2018: City Attorney's Office provided a report to City Council
  - Staff findings:
    - Sample Ordinance may conflict with case law interpretation of CA Public Contract Code
    - Sample Ordinance, as written, conflicts with the City's standard contract documents and procedures for Public Works Construction
    - There are no cities in San Diego Region that have adopted similar ordinances
  - City Council directed staff to return with a Contractor Responsibility Ordinance for discussion

## Research

- Staff contacted the City of Los Angeles and San Diego Contracting Opportunities Center in National City
  - Assistant Director - Bureau of Contract Administration (Public Works) for the City of Los Angeles: oversees enforcement of the City's governing policies and procedures
  - Confirmed Contractor Responsibility Ordinance (CRO) is still in effect and in use by City of LA
  - Contractor Responsibility Questionnaire (CRQ) and Pledge of Compliance must be completed and included with every bid for all construction contracts
  - CRO is not implemented as a "standalone" document; separate construction contract documents are still required for all public works projects
  - CRQ should be confidential – per CA Public Contract Code 20101, "The questionnaires and financial statements shall not be public records and shall not be open to public inspection..."
- Program Manager – Office of Contract Compliance for the City of LA
  - Confirmed Contractor Responsibility Ordinance is still in effect and primarily overseen by Bureau of Contract Administration
- Director and Deputy Director – San Diego Contracting Opportunities Center
  - Did not find Ordinance to be unreasonably burdensome or restrictive for small business



## Staff Recommendations

- Staff recommends the following substantive changes to the sample Contractor Responsibility Ordinance
  - Contractor Responsibility shall be determined “after” a determination of “responsiveness”
    - After the bid opening and certification of the bid results, staff shall review the apparent low bidder’s bid for “responsiveness”
    - If a determination is made that the apparent low bidder’s bid is “responsive,” the contractor shall complete and submit the Responsibility Questionnaire, Pledge of Compliance and any additional forms for determination of responsibility within 7 calendar days of notification
  - If a determination of responsiveness is made, staff will recommend contract award at the next available City Council meeting; all subcontractors will be required to submit a Pledge of Compliance prior to contract award
  - Requiring “all” bidders to submit contractor responsibility documents as part of their bid is unreasonably burdensome on contractors and may result in an increase in “nonresponsive” bids, which would not be in the public’s best interest.

## Staff Recommendations

- Rephrase Section 2(c) to comply with CA Public Contract Code 20101: "The questionnaires and financial statements shall not be public records and shall not be open to public inspection..."
- Rephrase Section 2(d) to comply with CA Supreme Court case on responsibility hearings.
- Remove Section 4(b) under "Exemptions"
- Remove all references to "Rules and Regulations" for implementation (See Sections 5 and 7) – the contract documents and supplemental ordinance (if adopted) provide the requirements for contractor bidding, responsibility and project construction
- Remove the first sentence of Section 6(b) because this provision has retroactive application
- Remove Section 7(b) and (c) because these provisions have retroactive application



## Next Steps

- 9/18/2018: City Council to provide direction to staff on proposed changes to the sample Ordinance by way of formal vote
- 10/2/2018: City Council to hold public hearing to introduce proposed Ordinance
- 10/16/2018: City Council to hold public hearing to consider adoption of proposed Ordinance
- 11/20/2018: Staff will develop and present to City Council a Responsibility Questionnaire, Pledge of Compliance and any additional forms for determination of contractor responsibility; Council shall provide direction to staff by way of formal vote
- 12/4/2018: Staff will present final contractor responsibility documents for adoption by City Council

## Model Ordinance

### **Sec. 1 — Definitions.**

(a) "Awarding Authority" means \_\_\_\_\_, or any employee or officer of \_\_\_\_\_, that is authorized to award or enter into any contract as defined herein, on behalf of \_\_\_\_\_.

(b) "Contract," as used within this Article, means any contracts for the performance of public works construction, alteration, demolition, installation, or repair work within the meaning of California Labor Code § 1720(a).

(c) "Contractor" means any person, firm, corporation, partnership, association or any combination thereof, which enters into a Contract with \_\_\_\_\_.

(d) "Subcontractor" means any person not an employee who enters into a Contract with a Contractor to assist the contractor in performing a Contract.

(e) "Bidder" means any person or entity that applies for any contract whether or not the application process is through an Invitation for Bid, Request for Proposal, Request for Qualifications or other procurement process.

(f) "Bid" means any application submitted by a bidder in response to an Invitation to Bid, Request for Proposal or Request for Qualifications or other procurement process.

(g) "Invitation for Bid" means the process through which \_\_\_\_\_ solicits Bids including Requests for Proposals and Requests for Qualifications.

(h) "Designated Administrative Agency (DAA)" means \_\_\_\_\_ department(s), board(s), or office(s) designated by \_\_\_\_\_ to bear administrative responsibilities under this Article. \_\_\_\_\_ shall maintain a record of such designation.

### **Sec. 2 — Determination of Contractor Responsibility**

(a) Prior to awarding a Contract, \_\_\_\_\_ shall make a determination that the prospective Contractor is one that has the necessary quality, fitness and capacity to perform the work set forth in the contract. Responsibility will be determined by each awarding authority from reliable information concerning a number of criteria, including but not limited to: management expertise; technical qualifications; experience; organization, material, equipment and facilities necessary to perform the work; financial resources; satisfactory performance of other contracts; satisfactory record of compliance with relevant laws and regulations; and satisfactory record of business integrity.

(b) Every Bidder must complete and submit with its bid a questionnaire developed by the DAA which will provide information the awarding authority needs in order to determine if the bidder meets the criteria set forth in paragraph (a) of this Section. If no Bid is required, the prospective

Contractor must submit a questionnaire. The response to the questionnaire must be signed under penalty of perjury. If, after execution of a Contract, \_\_\_\_\_ learns that the Contractor submitted false information on the questionnaire, \_\_\_\_\_ may terminate the Contract and pursue the remedies set forth in Section 6 of this Article. The Contractor shall be obligated to update its responses to the questionnaire during the term of the Contract within thirty calendar days after any change to the responses previously provided if such change would affect Contractor's fitness and ability to continue performing the Contract. \_\_\_\_\_ may consider failure of the Contractor to update the questionnaire with this information as a material breach of the Contract and invoke the remedies set forth in Section 6 of this Article.

(c) There shall be a period of no fewer than fourteen calendar days between the date for receipt of Bids and the award of the Contract in order to allow full review of questionnaires submitted by Bidders. If no Bid is required, the prospective Contractor must submit a questionnaire no fewer than fourteen calendar days prior to execution of the Contract in order to allow full review of the questionnaire. Questionnaires will be public records and information contained therein will be available for public review, except to the extent that such information is exempt from disclosure pursuant to applicable law. The awarding authority may rely on responses to the questionnaire, information from compliance and regulatory agencies and/or independent investigation to determine bidder responsibility.

(d) Before being declared non-responsible, a Bidder shall be notified of the proposed determination of non-responsibility, served with a summary of the information upon which the awarding authority is relying and provided with an opportunity to be heard in accordance with applicable law. At the responsibility hearing, the Bidder will be allowed to rebut adverse information and to present evidence that it has the necessary quality, fitness and capacity to perform the work. The Bidder must exercise its right to request a hearing within five calendar days after receipt of such notice. Failure to submit a written request for a hearing within the time frame set forth in this Section, will be deemed a waiver of the right to such a hearing and the awarding authority may proceed to determine whether or not the award of the Contract should be made to another Bidder or whether or not the Bidder is non-responsible for this and future Contracts. The determination by an awarding authority that the Bidder is non-responsible shall be final and constitute exhaustion of the Bidder's administrative remedies.

(e) A list of individuals and entities which have been determined to be non-responsible by \_\_\_\_\_ shall be maintained by the DAA. After two years from the date the individual or entity has been determined to be non-responsible, the individual or entity may request removal from the list by the awarding authority. If the individual or entity can satisfy the awarding authority that it has the necessary quality, fitness, and capacity to perform work in accordance with the criteria set forth in paragraph (a) of this Section, its name shall be removed from the list. Unless otherwise removed from the list by the awarding authority, names shall remain on the list for five years from the date of being declared non-responsible.

(f) Contractors shall ensure that their Subcontractors meet the criteria for responsibility as set forth in paragraph (a) of this Section.



**Sec. 3 — Compliance with all laws.**

(a) Contractors shall comply with all applicable federal, state and local laws in the performance of the Contract, including but not limited to laws regarding health and safety, labor and employment, wage and hours, and licensing laws which affect employees.

(b) Contractors shall notify the awarding authority within thirty calendar days after receiving notification that any government agency has initiated an investigation which may result in a finding that the Contractor is not in compliance with paragraph (a) of this Section. Initiation of an investigation is not, by itself, a basis for a determination of non-responsibility by an awarding authority.

(c) Contractors shall notify the awarding authority within thirty calendar days of all findings by a government agency or court of competent jurisdiction that the Contractor has violated paragraph (a) of this Section.

(d) Upon award of a Contract, Contractors shall complete a Pledge of Compliance attesting under penalty of perjury to compliance with paragraph (a) of this Section. Whenever any Contract, which was not initially subject to this Article is amended, the Contractor shall complete a Pledge of Compliance attesting under penalty of perjury to compliance with paragraph (a) of this Section.

(e) Contractors shall ensure that their Subcontractors complete a Pledge of Compliance attesting under penalty of perjury to Compliance with paragraph (a) of this Section.

(f) Contractors shall ensure that their Subcontractors comply with paragraphs (b) and (c) of this Section.

**Sec. 4 — Exemptions.**

(a) In order to promote the purposes of this Article and to protect \_\_\_\_\_'s interests, the following Contracts are exempt from its application: Contracts with a governmental entity such as the United States of America, the State of California, a county, city or public agency of such entities, or a public or quasi-public corporation located therein and declared by law to have such public status.

(b) In order to promote the purposes of this Article and to protect \_\_\_\_\_'s interests, the following Contracts are exempt from application of Section 2 of this Article:

(1) Contracts awarded on the basis of exigent circumstances whenever any awarding authority finds that \_\_\_\_\_ would suffer a financial loss or that \_\_\_\_\_ operations would be adversely impacted unless exempted from the provisions of Section 2 of this Article. This finding must be approved by the DAA prior to Contract execution.

(2) Contracts where the services are proprietary or only available from a single source. This finding must be approved by the DAA prior to Contract execution.

**Sec. 5 — Administration.**

(a) The DAA shall promulgate rules and regulations for implementation of this Article. Said rules shall be submitted to \_\_\_\_\_ for consideration within sixty days after the effective date of this Ordinance.

(b) The DAA shall develop a questionnaire to be used by awarding authorities for determining bidder responsibility within sixty days after the effective date of this Ordinance.

(c) The DAA shall monitor compliance with this Article including investigation of alleged violations.

**Sec. 6 — Enforcement.**

(a) Contracts shall provide that violation of this Article shall constitute a material breach thereof and entitle \_\_\_\_\_ to terminate the Contract and otherwise pursue legal remedies that may be available.

(b) Compliance with Section 3 of this Article shall be required in Contract amendments, if the initial Contract was not subject to the provisions of this Article. Contract amendments shall provide that violation of Section 3 shall constitute a material breach thereof and entitle \_\_\_\_\_ to terminate the Contract and otherwise pursue legal remedies that may be available.

(c) Violations of this Article may be reported to the DAA which shall investigate such complaint. Whether based upon such complaint or otherwise, if the DAA has determined that the Contractor has violated any provision of this Article, the DAA shall issue a written notice to the Contractor that the violation is to be corrected within ten calendar days from receipt of notice. In the event the Contractor has not corrected the violation, or taken reasonable steps to correct the violation within ten calendar days, then the DAA may:

1. Request the awarding authority to declare a material breach of the Contract and exercise its contractual remedies thereunder, which are to include but not be limited to termination of the contract.
2. Request the awarding authority to declare the Contractor to be non-responsible in accordance with the procedures set forth in Section 2 of this Article.

**Sec. 7 — Application of This Article.**

(a) This Article shall be applicable to Invitations for Bids issued after the rules and regulations have been adopted by \_\_\_\_\_.

(b) This Article shall be applicable to Contracts entered into after the rules and regulations have been adopted by \_\_\_\_\_, unless the Contract is awarded pursuant to an Invitation for Bid issued prior to adoption of the rules and regulations by \_\_\_\_\_.

(c) Section 3 of this Article shall be applicable to Contract amendments, entered into after the rules and regulations have been adopted by \_\_\_\_\_ if the initial Contract was not subject to the provisions of this Article.

**Sec. 8 — Consistency with Federal or State Law.**

The provisions of this Article shall not be applicable to those instances in which its application would be prohibited by federal or state law or where the application would violate or be inconsistent with the terms or condition of a grant or contract with an agency of the United States, the State of California or the instruction of an authorized representative of any such agency with respect to any such grant or contract.

**Sec. 9 — Severability.**

If any provision of this Article is declared legally invalid by any court of competent jurisdiction, the remaining provisions shall remain in full force and effect.

The following page(s) contain the backup material for Agenda Item: [Discussion and consideration of \(1\) a motion to direct the City Attorney to hire outside counsel to conduct an investigation into the allegations that while members of the Rotary Club, Councilmember Mona Rios and past chairman of the Planning Commission Marcus Bush, violated California Government Code Section 87100 or any other State laws that relate to public officials; and \(2\) a motion to determine and authorize the establishment of an appropriation from the general fund to fund the investigation. \(City Attorney\)](#)

Please scroll down to view the backup material.

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

**MEETING DATE:** September 18, 2018

**AGENDA ITEM NO.** |

**ITEM TITLE:** Discussion and consideration of (1) a motion to direct the City Attorney to hire outside counsel to conduct an investigation into the allegations that while members of the Rotary Club, Councilmember Mona Rios and past chairman of the Planning Commission Marcus Bush, violated California Government Code Section 87100 or any other State laws that relate to public officials; and (2) a motion to determine and authorize the establishment of an appropriation from the general fund to fund the investigation.

**PREPARED BY:** Acting City Attorney Nicole Pedone

**DEPARTMENT:** City Attorney

**PHONE:** 336-4221

**APPROVED BY:** 

**EXPLANATION:**

At the September 4, 2018 City Council meeting, the City Council voted unanimously to place the above-referenced discussion and motion as an item on the September 18, 2018 City Council Agenda.

**FINANCIAL STATEMENT:**

**APPROVED:** \_\_\_\_\_ Finance

**ACCOUNT NO.** |

**APPROVED:** \_\_\_\_\_ MIS

N/A

**ENVIRONMENTAL REVIEW:**

N/A

**ORDINANCE:** INTRODUCTION:

FINAL ADOPTION:

**STAFF RECOMMENDATION:**

**BOARD / COMMISSION RECOMMENDATION:**

N/A

**ATTACHMENTS:**

None



The following page(s) contain the backup material for Agenda Item: [Update on the status of finalizing Maintenance and Operating Agreements with the National City Historical Society, National City Living History Farm Preserve \(Stein Farm\), and the San Diego Electric Railway Association. \(Housing & Economic Development\).](#)

Please scroll down to view the backup material.

Item # \_\_\_\_  
09/18/18

**Update on the status of finalizing Maintenance and  
Operating Agreements with the National City  
Historical Society, National City Living History  
Farm Preserve (Stein Farm), and the  
San Diego Electric Railway Association.**

**(Housing & Economic Development)**