



AGENDA

Consolidated Regular Meeting

City Council Chamber - 1243 National City
Boulevard, National City, CA

Alejandra Sotelo-Solis, Mayor
Marcus Bush, Vice-Mayor
Jose Rodriguez, Councilmember
Ron Morrison, Councilmember
Mona Rios, Councilmember

Brad Raulston, City Manager
Barry J. Schultz, Interim City Attorney
Luz Molina, City Clerk
Mitchell Beauchamp, City Treasurer

The City Council also sits as the City of National City Community Development Commission, Housing Authority, Joint Powers Financing Authority, and Successor Agency to the Community Development Commission as the National City Redevelopment Agency

Thank you for participating in local government and the City of National City Council Meetings.

Meetings: Regular City Council Meetings are held on the first and third Tuesday of the month at 6:00 p.m. Special Closed Session Meeting and Workshops may be same day, the start time is based on needs. Check Special Agendas for times.

Location: Regular City Council Meetings are held in the Council Chamber located at City Hall, 1243 National City Boulevard, National City, CA 91950, the meetings are open to the public.

Agendas and Material: [Agendas and Agenda Packet](#) for items listed are available on the City website, and distributed to the City Council no less than 72 hours prior to the City Council Meeting. Sign up for [E-Notifications](#) to receive alerts when items are posted.

Public Participation: Encouraged in a number of ways as described below. Members of the public may attend the City Council Meeting in person, watch the City Council Meeting via [live](#) web stream, or participate remotely via Zoom. [Recording of Meetings](#) are archived and available for viewing on the City's website.

Public Comment: Persons wishing to address the City Council on matters not on the agenda may do so under Public Comments. Those wishing to speak on items on the agenda may do so when the item is being considered. Please submit a Speaker's Slip to the City Clerk prior to the meeting or immediately following the announcement of the item. All comments will be limited up to three (3) minutes. The Presiding Officer shall have the authority to reduce the time allotted to accommodate for a large number of speakers. *(City Council Policy 104)*

If you wish to submit written comment [email](#) to the City Clerk's Office at least 2 hours prior to the City Council Meeting to allow time for distribution to the City Council.

Spanish Interpretation Services: Spanish Interpretation Services are available, please contact the City Clerk prior to the start of the meeting for assistance.

American Disabilities Act Title II: In compliance with the American Disabilities Act of 1990, persons with a disability may request an agenda in appropriate alternative formats as required by Title II. Any person with a disability who requires a medication or accommodation in order to participate in a meeting should direct such request to the City Clerk's Office (619) 336-4228 at least 24 hours in advance of the meeting.



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Gracias por participar en las reuniones del gobierno local y del Consejo de la Ciudad de National City.

Reuniones: Las reuniones regulares del Consejo Municipal se llevan a cabo el primer y tercer martes del mes a las 6:00 p.m. La reunión especial de sesión privada y los talleres pueden ser el mismo día, la hora de inicio se basa en las necesidades. Consulte las agendas especiales para conocer los horarios.

Ubicación: Las reuniones regulares del Concejo Municipal se llevan a cabo en la Cámara del Consejo ubicada en el Ayuntamiento, 1243 National City Boulevard, National City, CA 91950, las reuniones están abiertas al público.

Agendas y Material: Las Agendas y el Paquete de Agenda para los temas enumerados están disponibles en el sitio web de la Ciudad y se distribuyen al Concejo Municipal no menos de 72 horas antes de la Reunión del Concejo Municipal. Regístrese para recibir notificaciones electrónicas cuando se publiquen artículos.

Participación pública: Se fomenta de varias maneras como se describe a continuación. Los miembros del público pueden asistir a la Reunión del Concejo Municipal en persona, ver la Reunión del Concejo Municipal a través de la transmisión web en vivo o participar de forma remota a través de Zoom. Las grabaciones de las reuniones están archivadas y disponibles para su visualización en el sitio web de la Ciudad.

Comentario Público: Las personas que deseen dirigirse al Concejo Municipal sobre asuntos que no están en la agenda pueden hacerlo bajo Comentarios públicos. Quienes deseen hacer uso de la palabra sobre los temas del programa podrán hacerlo cuando se esté examinando el tema. Por favor, envíe una solicitud del orador al Secretario de la Ciudad antes de la reunión o inmediatamente después del anuncio del artículo. Todos los comentarios estarán limitados a tres (3) minutos. El Presidente tendrá la autoridad para reducir el tiempo asignado para dar cabida a un gran número de oradores. (Política del Concejo Municipal 104)

Si desea enviar comentarios por escrito, envíe un correo electrónico a la Oficina del Secretario de la Ciudad al menos 2 horas antes de la Reunión del Concejo Municipal para dar tiempo a la distribución al Consejo Municipal.

Servicios de interpretación en español: Los servicios de interpretación en español están disponibles, comuníquese con el Secretario de la Ciudad antes del inicio de la reunión para obtener ayuda.

Título II de la Ley de Discapacidades Americanas: En cumplimiento con la Ley de Discapacidades Americanas de 1990, las personas con discapacidad pueden solicitar una agenda en formatos alternativos apropiados según lo requerido por el Título II. Cualquier persona con una discapacidad que requiera un medicamento o adaptación para participar en una reunión debe dirigir dicha solicitud a la Oficina del Secretario de la Ciudad (619) 336-4228 al menos 24 horas antes de la reunión.



AGENDA

Consolidated Regular Meeting

Tuesday, October 4, 2022, 6:00 p.m.
City Council Chamber - 1243 National City Boulevard
National City, CA

Pages

1. CALL TO ORDER

2. ROLL CALL

3. PLEDGE OF ALLEGIANCE TO THE FLAG

4. PUBLIC COMMENT

In accordance with State law, an item not scheduled on the agenda may be brought forward by the general public for comment; however, the City Council will not be able to discuss or take action on any issue not included on the agenda. Speakers will have up to three (3) minutes.

5. PROCLAMATIONS AND RECOGNITION

5.1. National City celebrates Latino Heritage Month recognizing the Valderama, Baca and Nieto families.

6. PRESENTATION (Limited to Five (5) Minutes each)

6.1. Introduction of New City Employees

5

7. INTERVIEWS AND APPOINTMENTS

Mayoral and City Council appointments to City Boards/Commission/Committees

7.1. Appointments: City Boards, Commissions and Committees – City Council
Appointment for Civil Service Commission

6

Recommendation:

City Council to Conduct Interviews and Appointment.

8. REGIONAL BOARDS AND COMMITTEE REPORTS (Limited to Five (5) Minutes each)

9. CONSENT CALENDAR

The Consent Calendar may be enacted in one motion by the City Council with a Roll Call Vote without discussion unless a Councilmember, a member of the Public, or the City Manager request an item be removed for discussion. Items removed from the Consent Calendar will be considered immediately following the adoption of the Calendar.

- 9.1. Approval of Reading by Title Only and Waiver of Reading in Full of Ordinance on this Agenda

Motion of the City Council of the City of National City, California, approving the waiving of the reading of the text of the Ordinances or Resolutions that are having a Public Hearing considered at this meeting and providing that such Ordinances or Resolutions shall be introduced and/or adopted after a reading of the title only.

- 9.2. Declaring Findings to Continue to Teleconference Meetings to November 14, 2022, as Required by AB 361. 20

Recommendation:

Adopt a Resolution Entitled, "Resolution of the City Council of the City of National City, California, Making the Findings Required by AB 361 to Continue Teleconference Meetings of the City Council and the City Boards, Commissions, and Committees to November 14, 2022."

- 9.3. Request to designate the Fire Chief, Chief of Police, and Management Analyst III (Fire) as authorized agents to continue the cost recovery process for all open and future disasters up to three (3) years following the date of approval. 23

Recommendation:

Adopt the Resolution entitled, "Resolution of the City Council of the City of National City, California, Designation of Applicant's Agent Resolution for Non-State Agencies"

- 9.4. Resolution of the City Council of the City of National City authorizing the Mayor to execute a Mills Act Historic Preservation Contract for 520 'F' Avenue. (Applicants: Christine & Liam Dunfey, Joe Dzida) (Case File 2022-27 M) 25

Recommendation:

Staff recommends adoption of a resolution authorizing the Mayor to execute a Mills Act Historic Preservation Contract for 520 'F' Avenue.

- 9.5. Project close-out and notice of completion for five construction projects. 41
- Recommendation:
 Adopt a Resolution Entitled, "Resolution of the City Council of the City of National City, California, 1) accepting the work performed by the general contractors on the following five projects identified below: a) Camacho Recreation Center HVAC Replacement project CIP No. 20-07; b) Euclid Bike and Pedestrian Enhancements project CIP No. 18-10; c) Paradise Creek Park Expansion project CIP No. 18-16; d) Sweetwater Road Safety Enhancements project CIP No. 19-12; and e) Sweetwater River Bikeway Connections/ 30th Street Bicycle Facility Improvements project – CIP 18-14; 2) approving the final contract amounts; 3) ratifying the release of retentions; and 4) authorizing the Mayor to sign the Notice of Completion for the projects”.
- 9.6. Temporary Use Permit – Circo Hermanos Caballero Blue Unit sponsored by Circo Hermanos Caballero from October 6, 2022 to October 17, 2022 at the Westfield Plaza Bonita Mall with no waiver of fees., 2022-95 86
- Recommendation:
 Approve the application for a Temporary Use Permit subject to compliance with all conditions of approval with no waiver of fees.
- 9.7. Temporary Use Permit – Care for Humanity hosted by Church of Christ on October 23, 2022, from 12 p.m. to 4 p.m. at 3201 Kimball Park with no waiver of fees., 2022-85 117
- Recommendation:
 Approve the Application for a Temporary Use Permit subject to compliance with all conditions of approval with no waiver of fees or in accordance to City Council Policy 802.
- 9.8. Temporary Use Permit – Hope Fest hosted by Heart Revolution Church at 1920 Sweetwater Road on October 31, 2022, from 6 p.m. to 9 p.m. with no waiver of fees. 138
- Recommendation:
 Approve the Application for a Temporary Use Permit subject to compliance with all conditions of approval with no waiver of fees or in accordance to City Council Policy 802.
- 9.9. Warrant Register #7 for the period of 8/12/22 through 8/18/22 in the amount of \$686,957.09. 156
- Recommendation:
 Ratify Warrants Totaling \$686,957.09

- 9.10. Warrant Register #8 for the period of 8/19/22 through 8/25/22 in the amount of \$2,168,757.25. 159

Recommendation:

Ratify Warrants Totaling \$2,168,757.25

10. STAFF REPORTS

- 10.1. Update on the disposition of City-owned real property located at 921 & 929 National City Boulevard, National City. 162

Recommendation:

Staff recommends that the City Council authorize negotiations for an Exclusive Negotiating Agreement (ENA) with Tower 999, LLC to establish terms and conditions to consider the disposition of City-owned real property located at 921 & 929 National City Boulevard, National City.

- 10.2. Letter to Governor Gavin Newsom requesting the amendment of Senate Bill 357. 165

Recommendation:

Authorize the Mayor to sign the letter.

11. CITY MANAGER'S REPORT

12. ELECTED OFFICIALS REPORT

13. CITY ATTORNEY REPORT

14. ADJOURNMENT

Regular Meeting of the City Council of the City of National City - Tuesday, October 18, 2022 - 6:00 p.m. - Council Chambers - National City, California.



**NEW HIRES
AUGUST 2022 - SEPTEMBER 2022**

IT DEPARTMENT



**John Saour
SR. IT TECH ANALYST**

**ENGINEERING /
PUBLIC WORKS**

PLANNING DEPARTMENT



**Sarah Esendencia
EXECUTIVE SECRETARY**



**Moises Sandoval
PARK CARETAKER**



AGENDA REPORT

Department: City Clerk's Office
Prepared by: Shelley Chapel, MMC, Deputy City Clerk
Meeting Date: Tuesday, October 4, 2022
Approved by: Brad Raulston, City Manager

SUBJECT:

Appointments: City Boards, Commissions and Committees – City Council Appointment for Civil Service Commission

RECOMMENDATION:

City Council to Conduct Interviews and Appointment.

BOARD/COMMISSION/COMMITTEE PRIOR ACTION:

Not Applicable.

EXPLANATION:

Vacancies on multiple Boards/Commissions/Committees (BCCs) were noticed in the Star News, posted on the City Hall Bulletin Boards, City Website, NatCity News, and City Social Media sites to advertise openings and the application acceptance period.

The most recent Vacancy Notices were posted on Monday, August 1, 2022, and all applications were due to the City Clerk's Office by the deadline of Thursday, August 22, 2022, at 5:00 p.m.

The following BCC currently has a vacancy caused by end of term and/or resignations:

Civil Service Commission

Incumbents were given the option to be considered for reappointment, those consideration applications are included in Attachment B. No applications have been received.

(See Explanation (Attachment A) for more information)

FINANCIAL STATEMENT:

This report does not reflect financial changes to the budget at this time.

RELATED CITY COUNCIL 2020-2025 STRATEGIC PLAN GOAL:

Communication and Outreach

ENVIRONMENTAL REVIEW:

This is not a project under CEQA and is therefore not subject to environmental review.CCR15378; PRC 21065.

PUBLIC NOTIFICATION:

Agenda Report posted within 72 hours of meeting date and time in accordance with Brown Act.

ORDINANCE:
Not Applicable

EXHIBITS:

Attachment A – Explanation

Attachment B – Applications (redacted)

Attachment C – City Council Policy #107

Attachment D – Boards/Commission/Committees Reference Chart

The City Clerk’s Office began advertising and accepting applications for one vacancy on the following Boards/Commissions/Committee: Civil Service Commission on August 1, 2022.

Background

In order to obtain qualified candidates, a Notice of Vacancy was advertised on the following: The City website, posted on the City Hall Bulletin Boards, the Star News and City Social Media sites to advertise openings and the application acceptance period. The vacancy presented is due to term expiration (September 2022).

Vacancies are listed below:

BCC	Number of Open Seats and Term expiration for that seat	Appointing Member(s)	Residency Requirement	Applications Received
Civil Service Commission	(1) One - Sept. 30, 2022	City Council	Yes (1)	Javier Alvarado*

Residency requirements are listed if required in the chart above. If filling a resident requirement, applicant must reside within the City of National City at the time the application is submitted to be considered for the resident position.

***One (1) applicant Javier Alvarado** is currently a member of the Civil Service Commission appointed May 3, 2022, to present with a term that expires September 30, 2022. Attendance of meetings is shown below for reference.

Attendance	2022 – Five (7)
Attended	3
Absent	3 (due to agenda item recusal)
Cancelled	1

Per City Council Policy #107 (D)(14)(3) Mandatory Training and Filing Requirements: Commissioner Alvarado has completed all required training and filing requirements.

****Per City Council Policy #107 (D)(10) Re-appointment beyond two terms.** Anyone wishing to be re-appointed to any Board, Commission, or Committee and has served two or more full terms already must be approved by a four-fifths vote of the City Council. If all five members of the City Council are not present, or if one member abstains or recuses their vote, the four-fifths requirement shall be changed to require only a simple majority.

Appointment:

Per City Council Policy #107 (D)(7):

The Mayor will make the motion to appoint (naming the appointee) and Councilmembers may second the motion. The City Clerk will then take a roll call vote of the City Council. A majority vote of the City Council will be required for the appointment. If, the majority of the City Council choose to deny the proposed appointment, at which point the Mayor would propose an alternative candidate from the current application pool, or could choose to reopen the application period and return to City Councils with a different applicant for consideration. If Mayor Appointment is not approved by the majority of the City Council by confirmation, that applicant is removed from the pool for that seat. The Mayor will return to a future meeting with a substitute Mayoral appointment.

Per City Council Policy #107 (D)(14)(3): Attendance

A Commissioner or Member of a Board, Committee, or Commission must be present at least one hour, or 50% of the entire meeting, whichever is less, to be counted as present for purposes of attendance.

Per City Council Policy #107 (D)(14)(3): Mandatory Training and Filing Requirements:

Commissioners and Members of Board, Committee, or Commission, as appointed by the legislative body, are entrusted with certain responsibilities and concomitant training and reporting. The following are requirements of Commissioners and Members of Boards, Commissions, and Committees. This training is required to be completed within 30 days of appointment or notification.

1. Oath of Office (Article XX of the California Constitution, and California Government Code Section 36507)
2. Fair Political Practices Commission (FPPC) Statement of Economic Interest Form 700 Filing (California Government Code Section 87100 et seq)
3. AB1234 Ethics Training (California Government Code Section 53235.1(b))
4. Anti-Sexual Harassment Training
5. Brown Act Training
6. Social Media Training
7. Any training required by State Law, Federal Law, or City Policies.

All training is offered in a variety of formats including in person, via Zoom, training website/software, and pre-recorded video. Currently, these are all requirements of the Mayor and City Council, and City staff.

**CITY OF NATIONAL CITY
BOARDS, COMMISSIONS, AND COMMITTEES**

STATEMENT OF INTENT / REQUEST FOR RE-APPOINTMENT

The City Council will soon consider the appointment / re-appointment to the Civil Service Commission.

Please check the appropriate box, sign and return to the City Clerk's Office.

I respectfully request to be re-appointed to the Civil Service Commission.

I do not desire to be re-appointed.

Javier Alvarado

Signature

CITY COUNCIL POLICY CITY OF NATIONAL CITY

TITLE: Appointments to Boards, Commission and Committees	POLICY # 107
ADOPTED: June 17, 1986	AMENDED: November 16, 2021

PURPOSE

To establish a procedure to serve as a guide in making appointments to various City Boards, Commissions, and Committees. The City currently has the following Boards, Commissions, and Committees to which this Policy applies:

Mayor's Appointments:

1. Board of Library Trustees
2. Community and Police Relations Commission
3. Park, Recreation, and Senior Citizens Advisory Committee
4. Public Art Committee
5. Sweetwater Authority
6. Traffic Safety Committee
7. Veterans and Military Families Advisory Committee

City Council Appointments:

1. Civil Service Commission
2. Planning Commission
3. Housing Advisory Committee including Ex-Officio Members
4. Port Commission

POLICY

Appointment Process

- A. Opportunity to apply. All interested individuals shall be given an opportunity to submit applications for vacancies on City Boards, Commissions, and Committees. Incumbent Appointees are not automatically re-appointed but are required to fill out an abbreviated application provided by the City Clerk, indicating their interest in continuing to serve.
- B. Unexpired terms. If an incumbent Appointee was appointed to fill an unexpired term and the Appointee serves for less than one year in that position, the Council may re-appoint the incumbent without considering other applicants.
- C. Vacancies. When vacancies occur, the following procedure shall be followed:
 1. Schedule vacancy. When a term is expiring or expires, public notice of the vacancy shall be made, inviting interested individuals to submit applications for the vacancy on a form provided by the City Clerk on the City website.

Unscheduled vacancy. An unscheduled vacancy shall be filled according to

CITY COUNCIL POLICY CITY OF NATIONAL CITY

TITLE: Appointments to Boards, Commission and Committees	POLICY # 107
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Government Code Section 54974, which generally provides as follows: Whenever an unscheduled vacancy occurs, whether due to resignation, death, termination, or other causes, a special vacancy notice shall be posted in the Office of the City Clerk, the City website, outside City Hall on the Bulletin Board, and on City social media platforms not earlier than twenty (20) days before or not later than twenty (20) days after the vacancy occurs. The City Council shall not make a final appointment for at least ten (10) working days after posting the notice in designated locations. The notice's posting and application period shall be thirty (30) calendar days. However, if it finds that an emergency exists, the City Council may, fill the unscheduled vacancy immediately. According to this section, a person appointed to fill the vacancy shall serve only on an interim basis until the final appointment.

The end of term for the members of Boards, Commissions, and Committees generally occurs in an annual rotation during the months of March and September. Appointments will be considered at those times unless a vacancy resulting from a resignation results in the lack of a Quorum on the Board, Commission, or Committee, in which case the appointment could occur at the time of the unscheduled vacancy in accordance with the procedure set out above.

3. Government Code Section 40605, and National City Municipal Code Title 16, grants the Mayor, with the City Council's approvals, the authority to make all appointments unless otherwise explicitly provided by statute. The exceptions are:
 1. Civil Service Commission
 2. Planning Commission
 3. Housing Advisory Committee including Ex-Officio Members
 4. Planning Commission

The City Council fills vacancies on these bodies.

- D. Implementation. Implementation of Council policy for appointment to Boards, Commissions, and Committees requires the following:
 1. Per Government Code Section 54972, on or before December 31 of each year, the City Council shall prepare a list of appointments of all regular and ongoing Boards, Commissions, and Committees appointed by the City Council. The City Clerk will prepare the list of all regular and ongoing Boards, Commissions, and Committees appointed by the Mayor or the City Council. The list shall contain a list of all terms that will expire during the next calendar year, the incumbent appointee's name, the appointment date, the term's expiration date, and the position's necessary qualifications. It shall also include a list of all

CITY COUNCIL POLICY CITY OF NATIONAL CITY

TITLE: Appointments to Boards, Commission and Committees	POLICY # 107
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Boards, Commissions, and Committees whose members serve at the City Council's pleasure and the qualifications required for each position. This Local Appointments List shall be made available to the public on the City website.

2. Notice. A public notice for vacancies must be placed in the newspaper of general circulation within the City, on the City's website, City Hall Bulletin Boards, and City social media platforms.
3. Expiration of term. All appointees will receive a letter as their terms expire asking if they would like to re-apply for the position.
4. Applications. Applications shall be available on the City website and in the City Clerk's Office. Submissions must be received before the advertised deadline for consideration for the appointment. All applications will be retained in the City Clerk's Office for one year from the date the application was submitted. During the one-year retention period of the application, an applicant shall be considered for other vacancies on Boards, Commissions, and Committees. The City Clerk's Office will notify the applicant being considered for an appointment to confirm that they are still interested in volunteering.
5. A member may only serve on one (1) Board, Commission, or Committee at a time. If an applicant applies for another position on a different Board, Commission, or Committee, that applicant will forfeit the prior seat and a vacancy will occur per policy.
6. Interviews:
 - a. Mayor Appointments: Interviews for Mayoral appointments will be conducted by the Mayor outside of the public meeting and scheduled by the Mayor's Office.
 - b. City Council Appointments: Interviews for the four (4) Civil Service Commission, Planning Commission, Housing Advisory Committee, and Port Commission who serve at the City Council's pleasure and are appointed by the City Council as a body will be interviewed in the public forum at a City Council Meeting as described below.
7. Mayoral Appointments:

The Mayor will make the motion to appoint (naming the appointee) and Councilmembers may second the motion. The City Clerk will then take a roll call

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vote of the City Council. A majority vote of the City Council will be required for the appointment. If the majority of the City Council choose to deny the proposed appointment, the Mayor shall either propose an alternative candidate from the current application pool or choose to reopen the application period and return to the City Council at a future City Council Meeting with a different applicant for consideration. If a Mayoral Appointment is not approved by the majority of the City Council by confirmation, that applicant is removed from the pool for that seat. The Mayor will return to a future meeting with a substitute Mayoral appointment.

8. For City Council Appointments, the Interview Process is as follows:
 - a. The City Clerk will provide an overview of the Board, Commission, or Committee(s) with current vacancy (ies). The Mayor will introduce the applicant and two (2) questions will be asked of each applicant on behalf of the City Council.
 - b. Each applicant is given two (2) minutes to make a brief introduction of themselves and their qualifications to the City Council.
 - c. Mayor and City Councilmembers will ask questions of each applicant. All applicants must be asked the same questions.
 - d. Total time per applicant is five (5) timed minutes with time allowed for clarification at the discretion of the City Council, not to exceed ten (10) minutes total per applicant.
 - e. All appointments and interviews before the City Council will be scheduled as needed to fill unexpected vacancies, with every effort to be made before an individual's term expires. Interviews may take place at one meeting, with appointments made at a subsequent meeting.
9. Vacancies for City Council Appointed Positions. If the vacancy is for a City Council appointed position, and there is more than one (1) applicant for a given position, the voting process will proceed as follows: Once the interviews are complete, each Councilmember votes for their choice via a written ballot provided by the City Clerk. Each Councilmember shall print and sign their name on the ballot. All ballots shall be considered a public record and be open to inspection by the public. The ballots are passed to the City Clerk who announces the number of votes for each candidate.

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If the appointment process is conducted via a virtual meeting the process is the same except the ballot/vote process. The City Clerk's Office will provide a Vote Sheet (a piece of paper electronically) with the name of each applicant to be considered. The Mayor will count to three (3) and the Council will hold their vote sheet up in front of their face to make sure it is captured on the camera during the live virtual meeting. The City Clerk will tally the votes and will then confirm the votes with a verbal roll call. The applicant with the most votes is appointed.

In the event of a tie, each Councilmember votes again until one (1) candidate has the majority vote and is declared to be the newly-appointed member of the Board, Commission, or Committee.

10. Re-appointment beyond two terms. Anyone wishing to be re-appointed to any Board, Commission, or Committee and has served two or more full terms already must be approved by a four-fifths vote of the City Council. If all five members of the City Council are not present, or if one member abstains or recuses their vote, the four-fifths requirement shall be changed to require only a simple majority.

11. Report to Council:

All applications received for vacancies, whether Mayoral Appointment or City Council Appointment, will be attached to the staff report to Council. All applications will have private personal information redacted (name, street numbers and name of street address, and phone number). This redacted information is in alignment with Government Code Section 6255(a) because the public interest served by not disclosing the applicant's personal, private information and protection of the applicant's right to privacy outweighs the public interest served by disclosing that information.

12. An automatic vacancy upon becoming a Non-Resident. An unscheduled vacancy automatically occurs when a resident holding an appointment position on a City Board, Committee, or Commission becomes a non-resident by moving out of National City limits. When an unscheduled vacancy occurs due to a resident becoming a non-resident, the unscheduled vacancy may be filled as follows:

- a. A special vacancy notice shall be posted in the Office of the City Clerk, and in other places as directed by the City Council, not earlier than 20 days before or not later than 20 days after the vacancy occurs. Final Appointment at a City Council Meeting shall not be made by the Appointing Authority for at least 10 working days after the posting of the notice in the City Clerk's Office.

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- b. The Appointing Authority may appoint the former resident to a Non-Residential position if a Non-Residential position is vacant.

However, the Appointing Authority may, if it finds that an emergency exists, fill the unscheduled vacancy immediately. A person appointed to fill the vacancy shall serve only on an acting basis until the final appointment is made pursuant to this section.

- 13. Only City Residents may be elected to Chair and Vice-Chair positions. To be eligible to be elected as the Chairperson of a City Board, Committee, or Commission, the member must be a resident of the City.
- 14. Resignations, Attendance, Training, and Removals

Resignation:

If a Commissioner or Member of a Board, Committee, or Commission is unable to continue serving because of health, business requirements, or personal reasons, a letter of resignation shall be submitted to the City Clerk, who will present to the City Council.

Attendance:

Regular attendance at meetings is critical to be effective operation of City Boards, Commissions, and Committees. The City Council relies on the advice of the City's Boards, Commissions, and Committees, which is the result of discussions among appointed members. The City Council anticipates that members of Boards, Committees, and Commissions shall make every reasonable effort to attend all regular and special meetings of their respective Boards, Commissions, and Committees, and to be prepared to discuss matters on their respective agendas.

A Commissioner or Member of a Board, Committee, or Commission shall be considered removed from any advisory board under the following conditions:

- 1. A Commissioner or Member of a Board, Committee, or Commission with unexcused absences from three consecutive regularly scheduled meetings.
- 2. A Commissioner or Member of a Board, Committee, or Commission misses more than 25% of the advisory body's meetings in a calendar year.

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3. A Commissioner or Member of a Board, Committee, or Commission must be present at least one hour, or 50% of the entire meeting, whichever is less, to be counted as present for purposes of attendance.

Excused Absences:

An “excused absence” is only granted when absolutely necessary and pre-approved if at all possible. The City Council encourages Boards, Commissions, and Committees to refrain from scheduling meetings on cultural and religious holidays in order to encourage full participation by all Commissioners, Board Members, and the public. The pre-approval of excused absences will be by the body as a whole and documented in the meeting minutes.

Excused absences are listed as follows:

1. Illness of the Commissioner or Member of the Board, Committee, or Commission, their family member, or their personal friend;
2. Business commitment of the Commissioner or Member of the Board, Committee, or Commission that interferes with the attendance at a meeting;
3. Attendance of the Commissioner or Member of the Board, Committee, or Commission at a funeral, religious service or ceremony, wedding, or other similarly-significant event; or
4. Other reason for which the Commissioner or Member of the Board, Committee, or Commission has given notice to the Chairperson or Secretary of their unavailability fifteen (15) days in advance, as long as the unavailability is not expected to last longer than 30 days.

Removal:

The Secretary or Lead of each Board, Commission, or Committee will report the attendance to the Office of the City Clerk on a monthly basis. If the attendance or absences fall within these guidelines, the Office of the City Clerk will prepare a report to City Council for review and possible removal of the Commissioner, Member, or Alternate sitting on the Board, Committee, or Commission. Any Commissioner, Member, or Alternate sitting on a Board, Committee, or Commission may be removed from office at any time by a simple majority vote of the City Council at a regularly scheduled Council meeting with or without cause.

Mandatory Training and Filing Requirements:

Commissioners and Members of Board, Committee, or Commission, as appointed by the legislative body, are entrusted with certain responsibilities and

CITY COUNCIL POLICY CITY OF NATIONAL CITY

TITLE: Appointments to Boards, Commission and Committees	POLICY # 107
ADOPTED: June 17, 1986	AMENDED: November 16, 2021

concomitant training and reporting. The following are requirements of Commissioners and Members of Boards, Commissions, and Committees. This training is required to be completed within 30 days of appointment or notification.

1. Oath of Office (Article XX of the California Constitution, and California Government Code Section 36507)
2. Fair Political Practices Commission (FPPC) Statement of Economic Interest Form 700 Filing (California Government Code Section 87100 et seq)
3. AB1234 Ethics Training (California Government Code Section 53235.1(b))
4. Sexual Harassment Training
5. Brown Act Training
6. Social Media Training
7. Any training required by State Law, Federal Law, or City Policies.

All training is offered in a variety of formats including in person, via Zoom, training website/software, and pre-recorded video. Currently, these are all requirements of the Mayor and City Council, and City staff.

Removal:

Failure to complete any of these requirements within 30 days of the appointment date or date of notification is cause for automatic removal.

Related Policy References

Government Code Section 40605

Government Code Section 54970, et seq.

Article XX of the California Constitution, and California Government Code Section 36507

California Government Code Section 53235(b)

California Government Code Section 87100 et seq

National City Municipal Code Title 16 (pending)

Prior Policy Amendments:

February 2, 2021 (Resolution No. 2021-08)

May 19, 2020 (Resolution No. 2020-95)

November 9, 1993 (Resolution No. 93-173)

June 11, 2013 (Revised – No Resolution – Refer to Meeting Minutes)

October 8, 2013 (Resolution No. 2013-147)

May 19, 2020 (Resolution No. 2020-20)

BOARDS/COMMISSION/COMMITTEES

BOARDS, COMMISSION AND COMMITTEES (11)	BOARD OF LIBRARY TRUSTEE	CIVIL SERVICE COMMISSION	COMMUNITY AND POLICE RELATIONS COMMISSION	PARK, RECREATION AND SENIOR CITIZENS' ADVISORY COMMITTEE (7 Members)	PLANNING COMMISSION and HOUSING ADVISORY COMMITTEE (7 Members) 2 Ex Officio	PORT COMMISSION	PUBLIC ART COMMITTEE	SWEETWATER AUTHORITY	TRAFFIC SAFETY COMMITTEE
TOTAL MEMBERS (51+)	(5 Members)	(5 Members)	(8 Members)	(7 Members)	(7 Members)	(1 Member)	(5 Members)	(1 Member)	(5 Members)
TERM	3 Years	5 Years	3 Years	3 Years	4 Years	4 Years	3 Years	4 Years	3 Years
RESIDENCY REQUIREMENT	Yes	Yes	5 Resident up to 2 Non-Resident (1) Non-Voting Member	Yes	Yes	Yes	No	n/a	Yes
VOTER REQUIREMENT	No	No	No	No	No	No	No	No	No
MAYORAL APPOINTMENT SUBJECT TO CONFIRMATION BY THE CITY COUNCIL	X		X	X			X	X	X
CITY COUNCIL AS A BODY APPOINTMENT		X			X	X			
COMPENSATION	No	No	No	No	Compensation set by Council Resolution	No	No	No	No
FORM 700 FILING REQUIREMENT	Yes	Yes	Yes	No	Yes	n/a	No	n/a	No
MEETINGS	1 X per month	1X every other month	1X every 3 months	1X every 2 months	2X per month	n/a	1X per quarter	n/a	1X per month
REQUIRED TO REPORT TO COUNCIL ANNUALLY	Yes, on or before August 31st and to the State Librarian	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
OTHER		Can not be salaried employee or holds office of the City							

CITY COUNCIL POLICY #107 and NCMC TITLE 16

**Effective February 2, 2020 all Chair and Vice-Chairs are required to be NC Residents



AGENDA REPORT

Department: City Clerk's Office
Prepared by: Shelley Chapel, Deputy City Clerk
Meeting Date: October 4, 2022
Approved by: Brad Raulston, City Manager

SUBJECT:

Declaring Findings to Continue to Teleconference Meetings to November 14, 2022, as Required by AB 361.

RECOMMENDATION:

Adopt a Resolution Entitled, "Resolution of the City Council of the City of National City, California, Making the Findings Required by AB 361 to Continue Teleconference Meetings of the City Council and the City Boards, Commissions, and Committees to November 14, 2022."

BOARD/COMMISSION/COMMITTEE PRIOR ACTION:

Not Applicable.

EXPLANATION:

Adoption of the resolution would allow the City Council and the City Boards, Commissions, and Committees to continue teleconference meetings via Zoom past the November 14, 2022, expiration date of the Governors Executive Order N-08-21. The State of Emergency continues as the COVID-19 Delta Variant has emerged causing a spike in cases throughout the world. The City complies with the County of San Diego County Health Department and Cal OSHA requirements to ensure the health and safety of its staff and the public.

Adopting this resolution would allow the City Council to reevaluate this declaration of findings every thirty (30) days for ongoing continuation or further action.

FINANCIAL STATEMENT:

Not Applicable

RELATED CITY COUNCIL 2020-2025 STRATEGIC PLAN GOAL:

Communication and Outreach

ENVIRONMENTAL REVIEW:

This is not a project under CEQA and is therefore not subject to environmental review.CCR15378; PRC 21065.

PUBLIC NOTIFICATION:

Agenda Report posted within 72 hours of meeting date and time in accordance with Brown Act.

ORDINANCE:

Not Applicable

EXHIBITS:

Exhibit A - Resolution

RESOLUTION NO. 2022-

RESOLUTION OF CITY COUNCIL OF THE CITY OF NATIONAL CITY, CALIFORNIA, MAKING THE FINDINGS REQUIRED BY AB 361 TO CONTINUE TELECONFERENCE MEETINGS OF THE CITY COUNCIL AND THE CITY BOARDS, COMMISSIONS, AND COMMITTEES TO NOVEMBER 14, 2022

WHEREAS, the World Health Organization has declared the COVID-19 outbreak a global pandemic and local and state emergencies have been declared providing reprieve from certain public meeting laws such as the Brown Act; and

WHEREAS, beginning March 2020, California Governor Newsom executed Executive Order N-29-20 including additional updates as the pandemic progressed and extending into 2021. The most recent Executive Order N-08-21, issued June 11, 2021 waived all physical presence requirements under the Ralph M. Brown Act as a means of limiting the spread of COVID-19; and

WHEREAS, Executive Order N-08-21 expired on September 30, 2021. The date was predicted as a time when hopes were that agencies could begin to transition back to public meetings held in full compliance with the Ralph M. Brown Act; and

WHEREAS, on September 16, 2021, California Governor Newsom signed into law Assembly Bill (AB) 361, which extends the authority of public agencies to conduct meetings by teleconference, including video conference, while the state of emergency resulting from the COVID-19 pandemic and accompanying recommendations for social distancing remain in place; and

WHEREAS, on October 5, 2021, City Council adopted Resolution No. 2021-147 declaring findings to continue to teleconference for an additional 30 days; and

WHEREAS, on November 2, 2021, City Council adopted Resolution No. 2021-164 declaring findings to continue to teleconference for an additional 30 days; and

WHEREAS, on December 7, 2021, City Council adopted Resolution No. 2021-183 declaring findings to continue to teleconference for an additional 30 days; and

WHEREAS, on January 4, 2022, City Council adopted Resolution No. 2022-01 declaring findings to continue to teleconference for an additional 30 days; and

WHEREAS, on February 1, 2022, City Council adopted Resolution No. 2022-11 declaring findings to continue to teleconference for an additional 30 days; and

WHEREAS, on March 1, 2022, City Council adopted Resolution No. 2022-31 declaring findings to continue to teleconference for an additional 30 days; and

WHEREAS, on April 5, 2022, City Council adopted Resolution No. 2022-47 declaring findings to continue to teleconference for an additional 30 days; and

WHEREAS, on May 17, 2022, City Council adopted Resolution No. 2022-74 declaring findings to continue to teleconference for an additional 30 days; and

WHEREAS, on June 7, 2022, City Council adopted Resolution No. 2022-85 declaring findings to continue to teleconference for an additional 30 days; and

WHEREAS, on June 21, 2022, City Council adopted Resolution No. 2022-100 declaring findings to continue to teleconference for an additional 30 days; and

WHEREAS, on July 19, 2022, City Council adopted Resolution No. 2022-119 declaring findings to continue to teleconference for an additional 30 days.

WHEREAS, on August 16, 2022, City Council adopted Resolution No. 2022-130 declaring findings to continue to teleconference for an additional 30 days.

WHEREAS, on September 15, 2022, City Council adopted Resolution No. 2022-136 declaring findings to continue to teleconference for an additional 30 days.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF NATIONAL CITY, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE, AND ORDER AS FOLLOWS:

Section 1: Makes the findings required by AB 361 to continue teleconference meetings of the Legislative Body and its appointed Boards, Commissions, and Committees:

Section 2. Makes the findings that the City of National City meets the requirements to continue holding meetings remotely in order to ensure the health and safety of its staff and the public:

Section 3. That the City Clerk shall certify the passage and adoption of this Resolution and enter it into the book of original Resolutions.

PASSED and ADOPTED this 4th day of October 2022.

Alejandra Sotelo-Solis, Mayor

ATTEST:

Luz Molina, City Clerk

APPROVED AS TO FORM:

Barry J. Schultz, Interim City Attorney



AGENDA REPORT

Department: Fire Department
Prepared by: Sergio Mora, Fire Chief
Meeting Date: Tuesday, October 4, 2022
Approved by: Brad Raulston, City Manager

SUBJECT:

Request to designate the Fire Chief, Chief of Police, and Management Analyst III (Fire) as authorized agents to continue the cost recovery process for all open and future disasters up to three (3) years following the date of approval.

RECOMMENDATION:

Adopt the Resolution entitled, "Resolution of the City Council of the City of National City, California, Designation of Applicant's Agent Resolution for Non-State Agencies"

BOARD/COMMISSION/COMMITTEE PRIOR ACTION:

Not Applicable.

EXPLANATION:

The City of National City must provide a list of authorize agents to California's Office of Emergency Services (CalOES) to represent the City in efforts to recover costs associated with disaster responses. The National City Fire Department requests that the Fire Chief, Chief of Police, and Management Analyst III (Fire) be designated as the authorized agents to continue the cost recovery process for all open and future disasters up to three (3) years following the date of approval.

FINANCIAL STATEMENT:

Not Applicable

RELATED CITY COUNCIL 2020-2025 STRATEGIC PLAN GOAL:

Public Safety

ENVIRONMENTAL REVIEW:

This is not a project under CEQA and is therefore not subject to environmental review.CCR15378; PRC 21065.

PUBLIC NOTIFICATION:

Agenda Report posted within 72 hours of meeting date and time in accordance with Brown Act.

ORDINANCE:

Not Applicable

EXHIBITS:

Exhibit A - Resolution

RESOLUTION NO. 2022 -

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY,
CALIFORNIA, DESIGNATION OF APPLICANT'S AGENT RESOLUTION FOR NON-
STATE AGENCIES**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF NATIONAL CITY
that the

FIRE CHIEF, or

CHIEF OF POLICE, or

MANAGEMENT ANALYST III (FIRE)

is hereby authorized to execute for and on behalf of the **CITY OF NATIONAL CITY**, established under the laws of the State of California, this application and to file it with the California Governor's Office of Emergency Services for the purpose of obtaining certain federal financial assistance under Public Law 93-288 as amended by the Robert T. Stafford, Disaster Relief and Emergency Assistance Act of 1988, and/or state financial assistance under the California Disaster Assistance Act.

That the **CITY OF NATIONAL CITY** a public entity established under the laws of the State of California, hereby authorizes its agent(s) to provide to the Governor's Office of Emergency Services for all matters pertaining to such state disaster assistance the assurances and agreements required.

This is a universal resolution and is effective for all open and future disasters up to three (3) years following the date of approval below.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF NATIONAL CITY,
CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE, AND ORDER AS FOLLOWS:**

Section 1: That the City Council hereby authorizes the Fire Chief, Chief of Police, and/or Management Analyst III (Fire) as Applicant's Agent.

Section 2: That the City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

PASSED and ADOPTED this 4th day of October, 2022.

Alejandra Sotelo-Solis, Mayor

ATTEST:

Luz Molina, City Clerk

APPROVED AS TO FORM:

Barry J. Schultz, Interim City Attorney



AGENDA REPORT

Department: Community Development
Prepared by: David Welch, Associate Planner
Meeting Date: Tuesday, October 4, 2022
Approved by: Brad Raulston, City Manager

SUBJECT:

Resolution of the City Council of the City of National City authorizing the Mayor to execute a Mills Act Historic Preservation Contract for 520 'F' Avenue. (Applicants: Christine & Liam Dunfey, Joe Dzida) (Case File 2022-27 M)

RECOMMENDATION:

Staff recommends adoption of a resolution authorizing the Mayor to execute a Mills Act Historic Preservation Contract for 520 'F' Avenue.

BOARD/COMMISSION/COMMITTEE PRIOR ACTION:

Not Applicable.

EXPLANATION:

The property owners of 520 'F' Avenue are requesting a Mills Act contract. The structure, known as the Sarah B. Annis House, is a two-story Stick Eastlake style home located in the Small Lot Residential (RS-2) zone. The 2,130 square-foot house is constructed with wood siding, with decorative wood trim and contrasting colors. The home was constructed in 1886 and has been used as apartments in the past.

Mills Act contracts are historic preservation tools that provide property tax savings for owners in exchange for a commitment to maintain and/or restore a historic structure. This property was part of a list of historic properties designated by City Council in 2018. The residence is in decent condition, but requires some maintenance and repair work. Future work includes repair (and replacement, as necessary) of exterior woodwork, plumbing, electric components, and the removal and replacement of the exterior paint. The National City Historic Society requested the ability to approve the paint color. The Mills Act contract is valid for 10 years and automatically extends for one year on the anniversary date. The City may cancel the contract if breached or opt not to renew it if proper notice is provided. There are currently 18 Mills Act contracts in the City.

According to the San Diego County Assessor, there will be a reduction of approximately 30% in the assessed value of the property, which translates into a property tax reduction of about \$1,994 annually with respect to the "1%" portion of the property tax bill. Because the property lies within the former redevelopment area, this reduction will be to property taxes available to the Successor Agency. The loss to the Successor Agency would in turn impact the amount of residual balance available for distribution to other agencies, including the City whose share would be about \$359.

FINANCIAL STATEMENT:

This action will result in a reduction in annual Successor Agency property tax revenue of approximately \$1,994. The impact on the City would be an approximate loss of \$359 in residual balance distribution revenue from the Successor Agency.

RELATED CITY COUNCIL 2020-2025 STRATEGIC PLAN GOAL:

Not Applicable

ENVIRONMENTAL REVIEW:

This is not a project under CEQA and is therefore not subject to environmental review.CCR15378;
PRC 21065.

PUBLIC NOTIFICATION:

Agenda Report posted within 72 hours of meeting date and time in accordance with Brown Act.

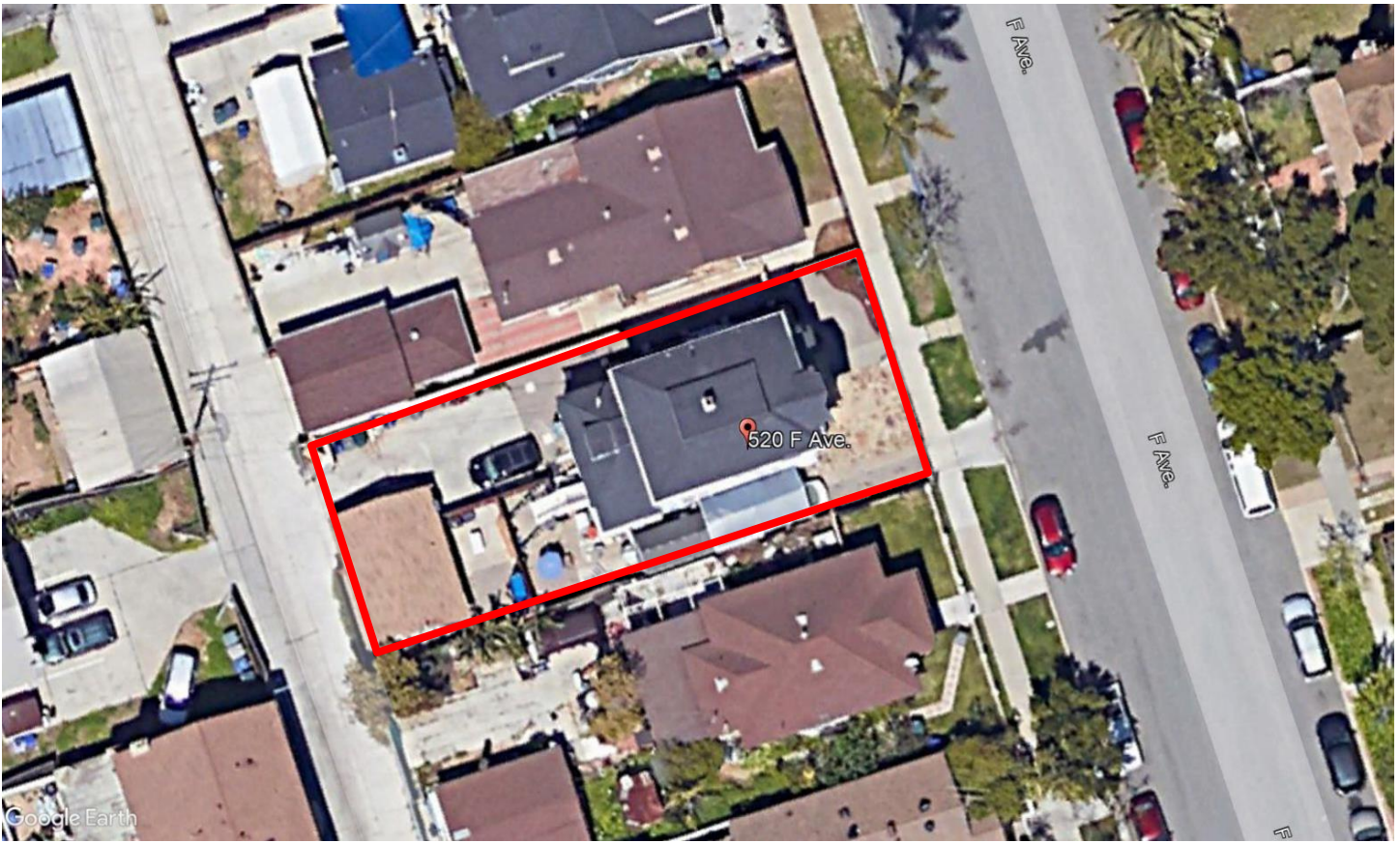
ORDINANCE:

Not Applicable

EXHIBITS:

1. Overhead
2. Site Photos
3. Maintenance Plan
4. List of current Mills Act contracts
5. Mills Act Contract
6. Resolution

2022-27 M – 520 'F' Avenue – Overhead





ATTACHMENT B

520 F Avenue Maintenance Plan

- 1.) Repair (and replace as necessary) exterior woodwork.
- 2.) Repair (and replace as necessary) plumbing and electrical components.
- 3.) Remove old paint and repaint exterior with new paint.
 - a. Change the colors of the home to gray with white trim and bright teal doors.

NATIONAL CITY MILLS ACT CONTRACTS			
	CASE FILE NO.	ADDRESS:	APPLICANT
1	M-2002-1	3600 E. 8 th Street	Moncrieff Family Limited Partnership
2	M-2002-2	926 A Avenue	Janice Martinelli
3	M-2002-3	1941 Highland Avenue	Celia, Josefina Hernandez
4	M-2003-1	916 A Avenue	Jeannette Salazar
5	M-2003-2	928 A Avenue	Jeannette Salazar
6	M-2003-3	1433 E. 24 th Street	Jim Ladd
7	M-2003-4	45 East Plaza Blvd.	Janice Martinelli
8	M-2003-5	907 A Avenue	Louise Branch
9	M-2005-1	906 A Avenue	Janice Martinelli
10	M-2006-1	910 A Avenue	Janice Martinelli
11	M-2006-2	934 A Avenue	Janice Martinelli
12	2007-44 M	2824 L Avenue	Sherri Steliga
13	2010-9 M	2525 N Avenue	ICF
14	2010-28 M	940 E. 16 th Street	Janice Martinelli
15	2018-10 M	1430 E. 24 th Street	Stephani Norton
16	2020-01 M	555 E. 1 st Street	Justin Tjalma
17	2020-04 M	204 E. 2 nd Street	Jerry Overbey
18	2020-10 M	540 E Avenue	McNeil Family Trust
19	2021-04 M	538 C Avenue	Christopher & Tang Warnke

*Recording Requested by and When
Recorded Please Mail to:*

Shelley Chapel
Deputy City Clerk
City of National City
1243 National City Boulevard
National City, CA 91950-4301

APN(s): 556-232-20-00

Above Space for Recorder's Use Only.

MILLS ACT CONTRACT

For property located at 520 'F' Avenue

THIS MILLS ACT CONTRACT ("Contract") is entered into by and between THE CITY OF NATIONAL CITY, a municipal corporation ("CITY") and Christine E. and William R. Dunfey, & Joseph Dzida ("OWNER").

RECITALS

WHEREAS, California Government Code Section 50280, et seq., referred to as the Mills Act, authorizes cities to enter into contracts with the owners of "qualified historic properties," defined in Government Code Section 50280.1, to provide for the use, maintenance, and restoration of such historic properties so as to retain their characteristics as properties of historic significance.

WHEREAS, OWNER possesses fee title to that certain real property, together with associated structures and improvements thereon, Assessor's Parcel No. 556-232-20-00, and located at the street address 520 'F' Avenue, National City, California (the "Historic Site"), on property generally described as:

LOT 16 AND THE SOUTH 20 FEET OF LOT 17, BLOCK 43 OF MCCOY'S SUBDIVISION OF 10 ACRE LOT 11 OF QUARTER SECTION 155 OF RANCHO DE LA NATION, IN THE CITY OF NATIONAL CITY, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 6, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, APRIL 22, 1881.

WHEREAS, the City Council of the City of National City designated the above property as a Historic Site and it is so listed and currently eligible for listing in the “List of Identified Historic Sites in National City.” A copy of such listing is attached to this Contract as **Attachment A**.

WHEREAS, City and OWNER, for their mutual benefit, now desire to enter into this Contract both to protect and preserve the characteristics of historic significance of the Historic Site and to qualify the Historic Site for an assessment of valuation pursuant to the provisions of Article 1.9 (commencing with Section 439) of Chapter 3 of Part 2 of Division 1 of the California Revenue and Taxation Code, and of Article 12 (commencing with Section 50280) of Chapter 1 of Part 1 of Division 1 of the California Government Code.

AGREEMENT

NOW THEREFORE, in consideration of the mutual benefits and covenants, CITY and OWNER agree as follows:

1. Effective Date and Term of Contract. This Contract shall be effective and commence on October 4, 2022 (“Effective Date”), and shall remain in effect for a term of ten (10) years thereafter. The initial ten-year term, and any extension pursuant to Section 2, shall collectively be referred to hereafter as the “Term.”

2. Automatic Renewal and Notice of Non-Renewal.
 - a. Renewal. Each year on the anniversary of the effective date of this Contract (the “Renewal Date”), a year shall automatically be added to the initial term of this Contract unless notice of non-renewal is served as provided herein.

 - b. Non-Renewal. If either OWNER or CITY desires, in any year, not to renew this Contract, OWNER or CITY shall serve written notice of non-renewal on the other party in advance of the annual Renewal Date of the Contract. Unless such notice is served by OWNER to CITY, in writing to the City Council, at least ninety (90) days prior to the annual Renewal Date, or served by CITY to OWNER at least sixty (60) days prior to the annual Renewal Date, one (1) year shall automatically be added to the Term as provided herein. If either CITY or OWNER serve notice to the other of non-renewal in any year, the Contract shall remain in effect for the balance of the Term then remaining, either from its original execution or from the last renewal of the Contract, whichever may apply.

- (1) Protest. Upon receipt by OWNER of a notice of non-renewal from CITY, OWNER may make a written protest of the notice to the City Council. Any protest must be received by the CITY no later than 15 days from the date of the notice of non-renewal.
 - c. Withdrawal of Non-Renewal. CITY may, at any time prior to the Renewal Date of the Contract, withdraw its notice of non-renewal.
 - d. City Non-Renewal. If CITY serves notice of non-renewal in any year, the existing Term of the Contract shall remain in effect for the balance of the period remaining since the original execution or the last renewal of the Contract, as the case may be.
3. *[Reserved]*
 4. Eligibility. To be eligible for this Contract, the Historic Site shall be listed and shall remain eligible for listing in the “List of Identified Historic Sites in National City.” (**Attachment A.**)
 5. Standards for Historic Site. During the Term, the Historic Site shall be subject to the following conditions, requirements, and restrictions:
 - a. OWNER shall preserve and maintain the characteristics of the cultural and historical significance of the Historic Site, and, when necessary, restore and rehabilitate the Historic Site to conform to the rules and regulations of the Office of Historic Preservation of the Department of California State Parks, the United States Secretary of the Interior’s Standards for Rehabilitation, and the State Historical Building Code, as amended from time to time. Work shall be done in accordance with the maintenance schedule drafted by the OWNER, attached to this Contract as **Attachment B**.
 - b. OWNER shall maintain all buildings, structures, yards and other improvements in a manner which does not detract from the appearance of the immediate neighborhood. The following conditions are prohibited:
 - (1) Dilapidated, deteriorating, or unrepaired structures, such as: fences, roofs, doors, walls and windows;
 - (2) Scrap lumber, junk, trash, or debris;
 - (3) Abandoned, discarded or unused objects or equipment, such as automobiles, automobile parts, furniture, stoves, refrigerators, cans,

- containers, or similar items;
 - (4) Stagnant water or excavations, including swimming pools or spas;
 - (5) Any device, decoration, design, structure or vegetation which is unsightly by reason of its height, condition, or its inappropriate location.
- c. Five years after the Effective Date, and every five years thereafter, City shall inspect the interior and exterior of the Historic Site to determine OWNER'S continued compliance with the Contract. Inspections required by this Section must:
- (1) Be scheduled by prior appointment between City and OWNER, and
 - (2) Occur no later than thirty days from the five-year anniversary described in this Section.
- d. OWNER shall allow visibility of the exterior of the structure from the public right-of-way. OWNER shall not block the view to the exterior of structure with any new structure, such as walls, fences, or shrubbery.
- e. If OWNER applies to CITY for a permit for demolition, substantial exterior alteration, or removal of the Historic Site, OWNER shall attend and participate in a scheduled hearing regarding such application before the board or commission designated by the City Council to oversee CITY'S historic resources prior to the issuance of such permit. CITY will endeavor to schedule such hearing within three (3) weeks after OWNER submits such application to CITY.
- f. Notwithstanding the foregoing Section 5(e), if OWNER applies to CITY for a permit for the demolition, substantial exterior alteration, or removal of the Historic Site, OWNER shall comply with all CITY and State of California environmental regulations, policies, and requirements prior to CITY'S issuance of the requested permit.
6. Information of Compliance. OWNER hereby agrees to furnish CITY with any and all information requested by CITY which CITY deems necessary or helpful to determine compliance with the terms and provisions of this Contract.
7. Breach of Contract; Cancellation. If CITY determines that the OWNER has breached any of the conditions of the Contract, or have allowed the Historic Site

to deteriorate to the point that it no longer meets the standards for a “qualified historical property” as defined by Government Code Section 50280.1, CITY shall do one of the following:

- a. Public Hearing. Cancel this Contract after CITY has given written notice of, and has held, a public hearing on the proposed cancellation. Notice of such hearing shall be mailed to the last known address of the OWNER within the historic zone and shall be published pursuant to Government Code Section 6061. If CITY cancels the Contract pursuant to Section 7(a), OWNER shall pay those cancellation fees set forth in Government Code Section 50286.
 - b. Court Action. Bring any action in court, pursuant to Section 14(e) necessary to enforce the Contract, including, but not limited to, an action to enforce the Contract by specific performance or injunction.
8. OWNER’S Cancellation Alternative. As an alternative to cancellation of the Contract, OWNER may bring any action in court, pursuant to Section 14(e), necessary to enforce the Contract, including, but not limited to, an action to enforce the Contract by specific performance or injunction.
9. Binding Effect of Contract. OWNER hereby subjects the Historic Site to the covenants, reservations, and restrictions set forth in this Contract. CITY and OWNER hereby declare their specific intent that the covenants, reservations, and restrictions as set forth in this Contract shall be deemed covenants running with the land and shall pass to and be binding upon OWNER’S successors and assigns in title or interest to the Historic Site. Each and every contract, deed, or other instrument hereinafter executed, covering or conveying the Historic Site, or any portion thereof, shall conclusively be held to have been executed, delivered, and accepted subject to the covenants, reservations, and restrictions expressed in this Contract regardless of whether such covenants, reservations, and restrictions are set forth in such contract, deed, or other instrument. CITY and OWNER hereby declare their understanding and intent that the burden of the covenants, reservations, and restrictions set forth herein touch and concern the land, in that OWNER’S legal interest in the Historic Site is rendered less valuable thereby. CITY and OWNER hereby further declare their understanding and intent that the benefit of such covenants, reservations, and restrictions touch and concern the land by enhancing and maintaining the historic characteristics and significance of the Historic Site for the benefit of CITY, the public, and OWNER.

10. Processing Fee. OWNER shall pay to CITY a processing fee of \$2,270.00.
11. Notice. Any notice required to be given by the terms of this Contract shall be provided at the address of the respective parties as specified below or at any other address as may be later specified by either party.

To CITY:

City of National City
 Director of Community Development
 1243 National City Boulevard
 National City, CA 91950

To OWNER:

Christine E. and William R. Dunfey, &
 Joseph Dzida
 7993 Via Hoja
 Carlsbad, CA 92009

12. Indemnity and Hold Harmless of City. OWNER shall defend, indemnify and hold harmless the CITY, its officers, officials, agents, employees, and volunteers against and from any and all liability, loss, damages to property, injuries to, or death, of any person or persons, and all claims, demands, suits, actions, proceedings, reasonable attorneys' fees, and defense costs, of any kind or nature, including workers' compensation claims, of or by anyone whomsoever, resulting from or arising out of the OWNER'S performance or other obligations, including (a) maintenance of the Historic Site by OWNER or any contractor, subcontractor, agent, lessee, or any other person under this Contract, and also arising out of (b) any restrictions on the use or development of the Historic Site, from application or enforcement of the National City Municipal Code or from enforcement of this Contract; provided, however, that this indemnification and hold harmless shall not include any claims or liability arising from the established sole negligence or willful misconduct of the CITY, its agents, officers, employees or volunteers. CITY will cooperate reasonably in the defense of any action, and OWNER shall employ competent counsel, reasonably acceptable to the City Attorney of the City of National City.

The indemnity, defense, and hold harmless obligations contained herein shall survive the termination of this Agreement for any alleged or actual omission, act, or negligence under this Agreement that occurred during the Term of this Agreement and shall not be restricted to insurance proceeds, if any, received by the CITY, officers, officials, agents, employees, and volunteers.

13. Eminent Domain. If the Historic Site is acquired in whole or in part by eminent domain or other acquisition by any entity authorized to exercise the power of eminent domain, and the acquisition is determined by the CITY to frustrate the

purpose of this Contract, the Contract shall be canceled and no fee shall be imposed under Government Code Section 50286. The Contract shall be deemed null and void for all purposes of determining the value of the property so acquired.

14. General Provisions.

- a. None of the terms, provisions, or conditions of this Contract shall be deemed to create a partnership between the parties and any of their heirs, successors, or assigns, nor shall such terms, provisions, or conditions cause them to be considered joint ventures or members of any joint enterprise.
- b. All of the agreements, rights, covenants, reservations, and restrictions contained in this Contract shall be binding upon and shall inure to the benefit of the parties herein, their heirs, successors, legal representatives, assigns and all persons acquiring any part or portion of the Historic Site, whether by operation of law or in any manner whatsoever.
- c. If any of the provisions of this Contract are held to be unenforceable or invalid by any court of competent jurisdiction, or by subsequent preemptive legislation, the validity and enforceability of the remaining provisions, or portions thereof, shall not be effected thereby.
- d. This Contract shall not take effect unless and until OWNER'S signature is notarized by a notary public. Furthermore, if an agent or representative of OWNER signs this Contract on behalf of OWNER, the agent or representative must furnish proof to the satisfaction of CITY, that the agent or representative has authority to act on OWNER'S behalf.
- e. This Contract shall be governed by the laws of the State of California. The venue for any action shall be a court of competent jurisdiction in the County of San Diego, State of California.
- f. OWNER or an agent of OWNER shall provide written notice of this Contract to the State Office of Historic Preservation within six (6) months of entering into the Contract.

15. Consultation with State Commission. CITY and OWNER may consult with the State Historical Resources Commission for its advice and counsel on matters relevant to historical property contracts.

18. Statutory References: A reference anywhere in this Contract to a Government Code section, or other statutory authority, means a reference to that section as may be later amended.

CITY OF NATIONAL CITY

OWNERS OF RECORD

Date: October 4, 2022

Date: _____

By: _____
Alejandra Sotelo-Solis, Mayor

By: _____
Christine E. Dunfey
(Notarized Signature)

Date: _____

Date: _____

Attest:

By: _____
Shelley Chapel, Deputy City Clerk

By: _____
William R. Dunfey
(Notarized Signature)

APPROVED AS TO FORM:

Date: _____

Barry J. Schultz
Interim City Attorney

By: _____
Joseph Dzida
(Notarized Signature)

OWNER PLEASE HAVE NOTARY PUBLIC ATTACH A SEPARATE PROOF OF NOTARY PAGE WITH SIGNATURE AND SEAL.

RESOLUTION NO. 2022-

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY, CALIFORNIA AUTHORIZING THE MAYOR TO EXECUTE A MILLS ACT HISTORIC PRESERVATION CONTRACT FOR 520 'F' AVENUE APPLICANTS: CHRISTINE AND LIAM DUNFEY, JOE DZIDA CASE FILE NO. 2022-27 M

WHEREAS, property located at 520 "F" was part of the original list of historic properties, adopted during a Public Hearing in 2018; and

WHEREAS, the property owners of 520 "F" Avenue have requested to enter into a Mills Act Contract with the City of National City.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF NATIONAL CITY, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE, AND ORDER AS FOLLOWS:

Section 1: The Mayor is hereby authorized to execute a Mills Act Contract for 520 'F' Avenue. Said contract is on file in the Office of the City Clerk.

Section 2: The City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolution.

PASSED and ADOPTED this 4th day of October, 2022.

Alejandra Sotelo-Solis, Mayor

ATTEST:

Luz Molina, City Clerk

APPROVED AS TO FORM:

Barry J. Schultz, Interim City Attorney



AGENDA REPORT

Department: Engineering and Public Works
Prepared by: Luca Zappiello, Assistant Engineer - Civil
Meeting Date: Tuesday, October 4, 2022
Approved by: Brad Raulston, City Manager

SUBJECT:

Project close-out and notice of completion for five construction projects.

RECOMMENDATION:

Adopt a Resolution Entitled, "Resolution of the City Council of the City of National City, California, 1) accepting the work performed by the general contractors on the following five projects identified below: a) Camacho Recreation Center HVAC Replacement project CIP No. 20-07; b) Euclid Bike and Pedestrian Enhancements project CIP No. 18-10; c) Paradise Creek Park Expansion project CIP No. 18-16; d) Sweetwater Road Safety Enhancements project CIP No. 19-12; and e) Sweetwater River Bikeway Connections/ 30th Street Bicycle Facility Improvements project – CIP 18-14; 2) approving the final contract amounts; 3) ratifying the release of retentions; and 4) authorizing the Mayor to sign the Notice of Completion for the projects”.

BOARD/COMMISSION/COMMITTEE PRIOR ACTION:

Not Applicable.

EXPLANATION:

Staff is recommending the City Council accept the work performed by the general contractors on the following five projects identified below: 1) Camacho Recreation Center HVAC Replacement project CIP No. 20-07; 2) Euclid Bike and Pedestrian Enhancements project CIP No. 18-10; 3) Paradise Creek Park Expansion project CIP No. 18-16; 4) Sweetwater Road Safety Enhancements project CIP No. 19-12; and 5) Sweetwater River Bikeway Connections/ 30th Street Bicycle Facility Improvements project – CIP 18-14. The construction information for each project is identified in table 1.1 which includes the project construction dates, original contract amount and final contract amount. It should be noted that all of the projects have been completed within the approved contingency identified in the contract award. In addition, staff has attached the project award resolutions and final contract balance of each project to this agenda report.

The total construction cost for these projects is \$9,219,566 which includes the following funding sources: \$7,185,779 of grant funding, \$877,297 Gas Tax, \$634,156 Traffic Signal Upgrades, \$267,438 Facility, \$254,895 Housing Funding.

If the City Council accepts the work for all of these projects, staff will file Notices of Completion with the San Diego County Recorder’s Office.

1. Camacho Recreation Center HVAC Replacement project CIP No. 20-07

The project removed and disposed the previous HVAC system and install a new HVAC system on the roof of the Camacho Recreation Center at 1810 E 22nd St, National City, CA 91950.

As a result of the satisfactory completion of the project, staff recommends that City Council; 1) accept the work performed by Southwest Construction Services Inc. for the Camacho Recreation Center HVAC Replacement project, CIP No. 20-07; 2) approve the final contract amount of \$267,438.19; 3) ratify the release of retention in the amount of \$13,371.91; and 4) authorize the Mayor to sign the Notice of Completion for the project.

2. Euclid Bike and Pedestrian Enhancements project CIP No. 18-10

The project constructed nearly two miles of traffic calming, bicycle and pedestrian enhancements on Euclid Avenue from the northern City limits at Cervantes Avenue south to E. 24th Street. Project improvements included traffic calming through road diets, curb extensions, median refuge islands, Class II buffered bicycle lanes, Class III bicycle routes, Class IV bikeways with bend-outs, high visibility crosswalks, pedestrian actuated LED-enhanced crosswalk signs, two High-Intensity Activated crosswalks (HAWKs) located near Paradise Valley Hospital, and a new traffic signal at the entrance to Euclid Plaza (Vallarta Supermarket) and Windsor Heights Apartments.

As a result of the satisfactory completion of the project, staff recommends that City Council; 1) accept the work performed by Portillo Concrete, Inc. for the Euclid Avenue Bicycle and Pedestrian Enhancements project, CIP No. 18-10; 2) approve the final contract amount of \$4,212,297.39; 3) ratify the release of retention in the amount of \$117,549.22; and 4) authorize the Mayor to sign the Notice of Completion for the project.

3. Paradise Creek Park Expansion project CIP No. 18-16

The project developed an approximately 4-acre Community Park with decomposed granite (DG) walking paths, educational and interpretive signage, trees, native vegetation, bioretention areas for storm water treatment, community garden, playground and passive recreational areas, and other amenities on the west side of Paradise Creek between W. 22nd Street and W. 19th Street.

As a result of the satisfactory completion of the project, staff recommends that City Council; 1) accept the work performed by Dick Miller Inc. for the Paradise Creek Park Expansion project, CIP No. 18-16; 2) approve the final contract amount of \$2,572,476.72; 3) ratify the release of retention in the amount of \$129,288.22; and 4) authorize the Mayor to sign the Notice of Completion for the project.

4. Sweetwater Road Safety Enhancements project CIP No. 19-12

The project provided a 2" grind and overlay on 0.5 miles of Sweetwater Road from Stockman Street to the east side of Via Romaya Street within the existing right-of way, and upgrade ADA ramps to the current standard within the project limits, as well as address damaged cross gutter, and curb and gutter. The project also installed new street lighting, raised median for traffic calming, new striping including crosswalk and class II bike lane along Sweetwater Road.

As a result of the satisfactory completion of the project, staff recommends that City Council; 1) accept the work performed by Eagle Paving, Inc. for the Sweetwater Road Safety Enhancements project, CIP No. 19-12; 2) approve the final contract amount of \$1,273,050.99; 3) ratify the release of retention in the amount of \$61,929.80; and 4) authorize the Mayor to sign the Notice of Completion for the project.

5. Sweetwater River Bikeway Connections/ 30th Street Bicycle Facility Improvements project – CIP 18-14

The project included traffic calming and pedestrian and bicycle enhancements on 30th Street between "D" Avenue and N. 2nd Avenue, connecting existing pedestrian and bicycle facilities near Sweetwater High School to the regional Sweetwater River Bike Path off N. 2nd Avenue. Improvements also included street resurfacing, ADA upgrades, approximately 1 mile of Class II bike lanes with signage, traffic signal modifications at Highland Avenue and E. 30th Street, concrete pads at bus stops, and gateway enhancements at both entrances to the Sweetwater River Bike Path (located at W. 33rd Street and N. 2nd Avenue, respectively).

As a result of the satisfactory completion of the project, staff recommends that City Council; 1) accept the work performed by Blue Pacific Engineering and Construction Inc. for the Sweetwater River Bikeway Connections/ 30th Street Bicycle Facility Improvements project, CIP No. 18-14; 2) approve the final contract amount of \$915,469.68; 3) ratify the release of retention in the amount of \$44,221.97; and 4) authorize the Mayor to sign the Notice of Completion for the project.

No	Projects	CIP	Contractor	Contract Award - Council Resolutions	Start Date	Completion Date	Original Contract Amount	Change Orders	Line Item Adjustment	Final Contract Amount
1	Camacho Recreation Center HVAC Replacement	20-07	Southwest Construction Services Inc.	2021-124	4/6/2022	5/27/2022	\$230,704.00	\$36,734.19	\$0.00	\$267,438.19
2	Euclid Avenue Bicycle and Pedestrian Enhancements	18-10	Portillo Concrete, Inc.	2019-104	7/11/2019	1/24/2022	\$4,060,691.00	\$209,363.69	-\$57,757.30	\$4,212,297.39
3	Paradise Creek Park Expansion	18-16	Dick Miller Inc	2019-128	10/3/2019	2/25/2022	\$2,330,869.70	\$241,607.05	\$13,287.71	\$2,585,764.46
4	Sweetwater Road Safety Enhancements	19-12	Eagle Paving, Inc.	2021-07	4/12/2021	12/9/2021	\$1,086,911.00	\$186,139.99	-\$34,455.04	\$1,238,595.95
5	Sweetwater River Bikeway Connections/ 30th Street Bicycle Facility Improvements	18-14	Blue Pacific Engineering and Construction	2019-133	1/27/2020	6/25/2022	\$957,028.89	-\$20,842.17	-\$20,717.04	\$915,469.68

FINANCIAL STATEMENT:

Not Applicable

RELATED CITY COUNCIL 2020-2025 STRATEGIC PLAN GOAL:

Transportation Choices and Infrastructure

ENVIRONMENTAL REVIEW:

This is a project under CEQA subject to a Categorical Exemption. Existing Facilities. CCR 15301(c).

PUBLIC NOTIFICATION:

Agenda Report posted within 72 hours of meeting date and time in accordance with Brown Act.

ORDINANCE:

Not Applicable

EXHIBITS:

Exhibit A - Project award resolutions

Exhibit B - Final Contract Balances

Exhibit C - Notice of Completions

Exhibit D - Resolution

RESOLUTION NO. 2021 - 124

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY, CALIFORNIA, 1) AWARDING A CONTRACT FOR THE CAMACHO RECREATION CENTER HVAC REPLACEMENT PROJECT, CIP NO. 20-07 TO SWCS, INC. IN THE NOT-TO-EXCEED AMOUNT OF \$230,704.00, 2) AUTHORIZING THE MAYOR TO EXECUTE THE CONTRACT AND 3) AUTHORIZING A 15% CONTINGENCY IN THE AMOUNT OF \$34,605.60 FOR ANY UNFORESEEN CHANGES

WHEREAS, the Camacho Recreation Center HVAC Replacement Project, CIP NO.20-07 ("Project"), will remove the existing HVAC system and install a new HVAC system on the roof of the Camacho Recreation Center located at 1810 East 22nd St, National City, CA 91950; and

WHEREAS, on July 22, 2021, the City posted the bid solicitation on PlanetBids, a free public electronic bidding system for contractors, and on July 26, 2021, and July 28, 2021, the City advertised in local newspapers; and

WHEREAS, on August 12, 2021, the City received two (2) bids by the 1:00 p.m. deadline; and

WHEREAS, SWCS, Inc. was the apparent lowest bidder with a total bid amount of \$230,704.00; and

WHEREAS, upon review of all documents submitted, City staff determined SWCS, Inc. the lowest responsive bidder qualified to perform the work as described in the Project specifications; and

WHEREAS, City staff recommends awarding a contract to SWCS, Inc. in the not-to-exceed amount of \$230,704.00; and

WHEREAS, City staff requests City Council authorize the Mayor to execute the contract with SWCS, Inc. for the Project; and

WHEREAS, City staff further recommends authorizing a 15% contingency amount up to \$34,605.60 for any unforeseen conditions that may arise during the Project.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF NATIONAL CITY, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE, AND ORDER AS FOLLOWS:

Section 1: Awards the Camacho Recreation Center HVAC Replacement Project, CIP No. 20-07, to the lowest responsive, responsible bidder, to wit:

SWCS, INC.


Section 2: Authorizes the Mayor to execute a contract for \$230,704.00 with SWCS, Inc. for the Camacho Recreation Center HVAC Replacement Project, CIP No. 20-07.

Section 3: Authorizes a 15% contingency in the amount of up to \$34,605.60 for any unforeseen changes.

///

Section 4: The City Clerk shall certify the passage and adoption of this Resolution and enter it into the book of original Resolutions.

PASSED and ADOPTED this 7th day of September, 2021.



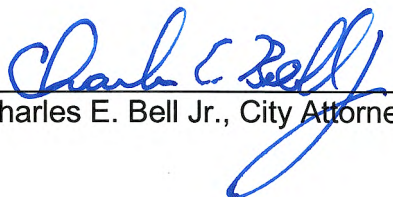
Alejandra Sotelo-Solis, Mayor

ATTEST:



Luz Molina, City Clerk

APPROVED AS TO FORM:



Charles E. Bell Jr., City Attorney

Passed and adopted by the Council of the City of National City, California, on September 7, 2021, by the following vote, to-wit:

Ayes: Sotelo-Solis, Rodriguez, Bush, Morrison, Rios.

Nays: None.

Absent: None.

Abstain: None.

AUTHENTICATED BY: ALEJANDRA SOTELO-SOLIS
Mayor of the City of National City, California

LUZ MOLINA
City Clerk of the City of National City, California



BY: Shelley Chapel
Shelley Chapel, MMC Deputy City Clerk

I HEREBY CERTIFY that the above and foregoing is a full, true and correct copy of RESOLUTION NO. 2021-124 of the City of National City, California, passed and adopted by the City Council of said City on September 7, 2021.

Luz Molina
Luz Molina, City Clerk

RESOLUTION NO. 2019 – 104

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY,
AWARDING A CONTRACT TO PORTILLO CONCRETE, INC. IN THE AMOUNT OF
\$4,060,691 FOR THE EUCLID AVENUE BICYCLE AND PEDESTRIAN
ENHANCEMENTS PROJECT, CIP NO. 18-10, AUTHORIZE A 10% CONTINGENCY
IN THE AMOUNT OF \$406,069.10 FOR ANY UNFORESEEN CHANGES, AND
AUTHORIZE THE MAYOR TO EXECUTE THE CONTRACT**

WHEREAS, the Euclid Avenue Bicycle and Pedestrian Enhancements Project will construct nearly two miles of traffic calming, bicycle and pedestrian enhancements on Euclid Avenue from the northern City limits at Cervantes Avenue south to East 24th Street; and

WHEREAS, project improvements will include traffic calming through road diets, curb extensions, median refuge islands, Class II buffered bicycle lanes, Class III bicycle routes, Class IV bikeways with bend-outs, high visibility crosswalks, pedestrian actuated LED-enhanced crosswalk signs, two High-Intensity Activated crosswalks (HAWKs) located near Paradise Valley Hospital, and a new traffic signal at the entrance to Euclid Plaza (Vallarta Supermarket) and Windsor Heights Apartments; and

WHEREAS, on February 19, 2019, per Resolution No. 2019- 19, the City Council executed PSA No. S18 with the California Department of Transportation (Caltrans) for the Euclid Avenue Bicycle and Pedestrian Enhancements Project to allow for reimbursement of up to \$3,335,000 in eligible project expenditures through the State Active Transportation Program; and

WHEREAS, on May 20, 2019, the Engineering Department publicly opened, examined, and declared three (3) sealed bids for the Euclid Avenue Bicycle and Pedestrian Enhancements Project; and

WHEREAS, Portillo Concrete, Inc., was the lowest responsive bidder qualified to perform the work as described in the project specifications with a total bid amount of \$4,060,691; and

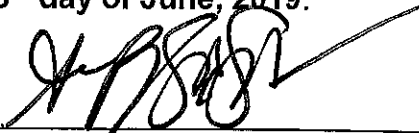
WHEREAS, a 10% contingency amount up to \$406,069.10 for any unforeseen conditions that may arise.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of National City hereby awards the contract for the Euclid Avenue Bicycle and Pedestrian Enhancements Project to Portillo Concrete, Inc.

BE IT FURTHER RESOLVED by the City Council of the City of National City that the Mayor is hereby authorized to execute a contract in the not-to-exceed amount of \$4,060,691 with Portillo Concrete, Inc., for the Euclid Avenue Bicycle and Pedestrian Enhancements Project. Said contract is on file in the office of the City Clerk.

BE IT FURTHER RESOLVED that the City Council hereby authorizes a 10% contingency amount up to \$406,069.10 for any unforeseen conditions that may arise.

PASSED AND ADOPTED this 18th day of June, 2019.



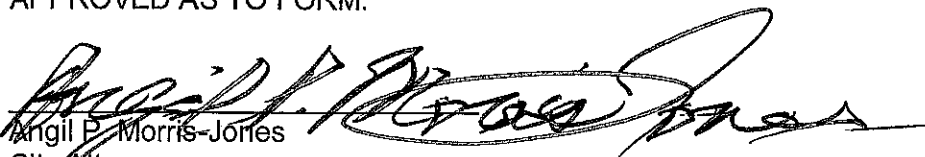
Alejandra Sotelo-Solis, Mayor

ATTEST:



For Michael R. Dalla, City Clerk

APPROVED AS TO FORM:



Angil P. Morris-Jones
City Attorney

Passed and adopted by the Council of the City of National City, California, on June 18, 2019 by the following vote, to-wit:

Ayes: Councilmembers Cano, Morrison, Quintero, Rios, Sotelo-Solis.
Nays: None.
Absent: None.
Abstain: None.

AUTHENTICATED BY: ALEJANDRA SOTELO-SOLIS
Mayor of the City of National City, California

MICHAEL R. DALLA
City Clerk of the City of National City, California

By: _____
Deputy

I HEREBY CERTIFY that the above and foregoing is a full, true and correct copy of RESOLUTION NO. 2019-104 of the City of National City, California, passed and adopted by the Council of said City on June 18, 2019.

City Clerk of the City of National City, California



By: *Cheryl Dewell*
Deputy

RESOLUTION NO. 2019 – 128

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY,
1) AWARDING A CONTRACT TO DICK MILLER, INC. IN THE AMOUNT OF
\$2,330,869.70 FOR THE PARADISE CREEK PARK EXPANSION PROJECT, CIP NO.
18-16; 2) AUTHORIZING A 15% CONTINGENCY IN THE AMOUNT OF \$349,630.45
FOR ANY UNFORESEEN CHANGES; AND 3) AUTHORIZING THE MAYOR TO
EXECUTE THE CONTRACT**

WHEREAS, on May 16, 2017, City Council adopted Resolution No. 2017-73 authorizing the filing of an application for the Urban Greening Grant Program funds through the California Department of Natural Resources for National City's Paradise Creek Park Project and authorizing the City Manager to execute the grant agreement with California Department of Natural Resources, if selected for grant award; and

WHEREAS, in November 2017, staff was notified that National City had been awarded a \$1,151,265 Urban Greening Grant for the project which the City Manager subsequently executed in July 2018; and

WHEREAS, in October 16, 2018, City Council adopted Resolution No. 2018-182 awarding a contract for the construction of the Paradise Creek Park Site Remediation and Improvements Project that will provide the site remediation, grading, and infrastructure improvements necessary to construct the new approximately 4-acre Paradise Creek Park; and

WHEREAS, the Paradise Creek Park Expansion Project will develop an approximately 4-acre Community Park with decomposed granite (DG) walking paths, educational and interpretive signage, trees, native vegetation, bioretention areas for storm water treatment, community garden, playground and passive recreational areas, and other amenities on the west side of Paradise Creek between W. 22nd Street and W. 19th Street; and

WHEREAS, on June 27, 2019, the bid solicitation was posted on PlanetBids, a free public electronic bidding system for contractors and on July 2, 2019 and July 9, 2019, the bid solicitation was advertised in local newspapers; and

WHEREAS, on July 30, 2019, six (6) bids were received electronically on PlanetBids by the 2:00 p.m. deadline with Dick Miller Inc. being the apparent lowest bidder with a total bid amount of \$2,330,869.70; and

WHEREAS, upon review of all documents submitted, Dick Miller, Inc.'s bid was deemed responsive and lowest responsible bidder qualified to perform the work as described in the project specification with an estimated completion date of May 2020; and

WHEREAS, staff recommends awarding a contract to Dick Miller, Inc. in the not to exceed amount of \$2,330,869.70 and to authorize a 15% contingency in the amount of \$349,630.45 to address any unforeseen conditions that may arise.


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

DICK MILLER, INC.

BE IT FURTHER RESOLVED by the City Council of the City of National City that the Mayor is hereby authorized to execute on behalf of the City a contract in the not-to exceed amount of \$2,330,869.70 with Dick Miller, Inc. for the Paradise Creek Park Expansion Project. Said contract is on file in the office of the City Clerk.

BE IT FURTHER RESOLVED that the City Council of the City of National City authorizes a 15% contingency in the amount of up to \$349,630.45 for any unforeseen changes.

PASSED and ADOPTED this 3rd day of September, 2019.



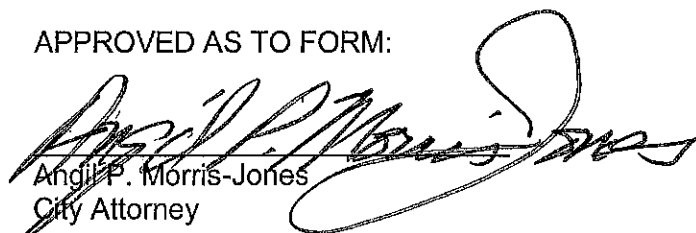
Alejandra Sotelo-Solis, Mayor

ATTEST:



701 Michael R. Dalla, City Clerk

APPROVED AS TO FORM:



Angil P. Morris-Jones
City Attorney

Passed and adopted by the Council of the City of National City, California, on September 3, 2019 by the following vote, to-wit:

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

Nays: None.

Absent: None.

Abstain: None.

AUTHENTICATED BY: ALEJANDRA SOTELO-SOLIS
Mayor of the City of National City, California

MICHAEL R. DALLA
City Clerk of the City of National City, California

By: _____
Deputy

I HEREBY CERTIFY that the above and foregoing is a full, true and correct copy of RESOLUTION NO. 2019-128 of the City of National City, California, passed and adopted by the Council of said City on September 3, 2019.

City Clerk of the City of National City, California



By: *Cheryl Neuell*
Deputy

RESOLUTION NO. 2021 - 07

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY, CALIFORNIA, 1) AWARDED A CONTRACT TO EAGLE PAVING COMPANY, INC. IN THE NOT-TO-EXCEED AMOUNT OF \$1,086,911.00 FOR THE SWEETWATER ROAD SAFETY ENHANCEMENT PROJECT, CIP NO. 19-12; 2) AUTHORIZING A 15% CONTINGENCY IN THE AMOUNT OF \$163,036.65 FOR ANY UNFORESEEN CHANGES; AND 3) AUTHORIZING THE MAYOR TO EXECUTE THE CONTRACT

WHEREAS, the Sweetwater Road Safety Enhancement Project, CIP No. 19-12 (Project) will provide a 2" grind and overlay on 0.5 miles of Sweetwater Road from Stockman Street to the east side of Via Romaya Street within the existing right-of way, upgrade ADA ramps to the current standard within the Project limits, as well as address damaged cross gutter, curb and gutter and will also install new street lighting, raised median for traffic calming, new striping including crosswalk and class II bike lane along Sweetwater Road; and

WHEREAS, on December 12, 2016, the California Department of Transportation (Caltrans) awarded the City of National City (City) a \$680,940 Highway Safety Improvement Program (HSIP) grant for the Project; and

WHEREAS, on January 27, 2020, Caltrans authorized the City to proceed with the construction phase in the amount of \$680,940 (\$604,440 for construction and \$76,500 for construction management) with a local match of \$83,475 local match; and

WHEREAS, the bid solicitation was posted on PlanetBids, a free public electronic bidding system for contractors and on December 10, 2020, and was advertised in local newspapers on December 21, 2020 and December 28, 2020; and

WHEREAS, on January 11, 2021, six (6) bids were received by the 11:00 a.m. deadline for the Project; and

WHEREAS, Eagle Paving Company, Inc., was the lowest responsive bidder qualified to perform the work as described in the project specifications with a total bid amount of \$1,086,911.00; and

WHEREAS, City staff recommends awarding a contract to Eagle Paving Company, Inc., in the not-to-exceed amount of \$1,086,911.00; and

WHEREAS, City staff recommends authorizing a 15% contingency amount up to \$163,036.65 for any unforeseen conditions that may arise during the Project.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF NATIONAL CITY, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE, AND ORDER AS FOLLOWS:

Section 1: That the City Council hereby awards the Sweetwater Road Safety Enhancement Project, CIP No. 19-12, to the lowest responsive, responsible bidder, to wit:

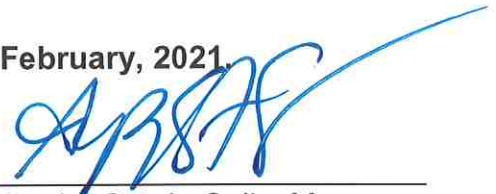
EAGLE PAVING COMPANY, INC.

Section 2: That the City Council of the City of National City hereby authorizes the Mayor to execute a contract in the amount of \$1,086,911.00 with Eagle Paving Company, Inc. for the Sweetwater Road Safety Enhancement Project, CIP No. 19-12 and said contract is on file in the office of the City Clerk.

Section 3: That the City Council authorizes a 15% contingency in the amount of up to \$163,036.65 for any unforeseen changes.

Section 4: That the City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

PASSED and ADOPTED this 2nd day of February, 2021.



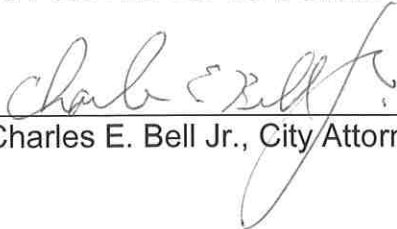
Alejandra Sotelo-Solis, Mayor

ATTEST:



Luz Molina, City Clerk

APPROVED AS TO FORM:



Charles E. Bell Jr., City Attorney

Passed and adopted by the Council of the City of National City, California, on February 2, 2021, by the following vote, to-wit:

Ayes: Sotelo-Solis, Rodriguez, Bush, Morrison, Rios.

Nays: None.

Absent: None.

Abstain: None.

AUTHENTICATED BY: ALEJANDRA SOTELO-SOLIS
Mayor of the City of National City, California



LUZ MOLINA
City Clerk of the City of National City, California

BY: *Melissa Chapel*
Deputy

I HEREBY CERTIFY that the above and foregoing is a full, true and correct copy of RESOLUTION NO. 2021-07 of the City of National City, California, passed and adopted by the Council of said City on February 2, 2021.

Luz Molina
City Clerk of the City of National City, California

RESOLUTION NO. 2019 - 133

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY, 1) AWARDING A CONTRACT TO BLUE PACIFIC ENGINEERING & CONSTRUCTION IN THE AMOUNT OF \$957,028.89 FOR THE SWEETWATER RIVER BIKEWAY CONNECTIONS/30TH STREET BICYCLE FACILITIES IMPROVEMENTS PROJECT, CIP NO. 18-14; 2) AUTHORIZING A 15% CONTINGENCY IN THE AMOUNT OF \$143,554.33 FOR ANY UNFORESEEN CHANGES; 3) AUTHORIZING THE MAYOR TO EXECUTE THE CONTRACT; AND 4) AUTHORIZING THE ESTABLISHMENT OF AN ENGINEERING GRANTS FUND APPROPRIATION OF \$889,000 AND CORRESPONDING REVENUE BUDGET

WHEREAS, on October 22, 2015, the California Department of Transportation (Caltrans) awarded the City of National City (City) a \$1,129,000 Active Transportation Program (ATP) grant for the Sweetwater River Bikeway Connections Project (Project) and at their meeting on December 7, 2016, the California Transportation Commission (CTC) allocated \$25,000 for the Project Approval/Environmental Document (PAED) phase; and

WHEREAS, on February 21, 2017, per City Council Resolution No. 2017-19, City Council executed Program Supplement Agreement No. P036 with Caltrans for the Project to allow for reimbursement of eligible project expenditures through the State ATP; and

WHEREAS, on June 29, 2017, the CTC allocated \$165,000 for the Preliminary Engineering (PS&E) phase, which included preparation of construction plans, specifications and estimates; and

WHEREAS, on October 17, 2017, per City Council Resolution No. 2017-195, City Council authorized the establishment of an Engineering Grants Fund appropriation in the amount of \$165,000 and a corresponding revenue budget to allow staff to proceed with preliminary engineering for the Project, which will be reimbursed by the State ATP grant; and

WHEREAS, the Sweetwater River Bikeway Connections/30th Street Bicycle Facilities Improvements Project includes traffic calming and pedestrian and bicycle enhancements on 30th Street between "D" Avenue and N. 2nd Avenue, connecting existing pedestrian and bicycle facilities near Sweetwater High School to the regional Sweetwater River Bike Path off N. 2nd Avenue; and

WHEREAS, improvements will include street resurfacing, ADA upgrades, approximately 1 mile of Class II bike lanes with signage, traffic signal modifications at Highland Avenue and East 30th Street, concrete pads at bus stops, and gateway enhancements at both entrances to the Sweetwater River Bike Path located at W. 33rd Street and N. 2nd Avenue; and

WHEREAS, on August 13, 2019, the bid solicitation was posted on PlanetBids, a free public electronic bidding system for contractors and on August 15, 2019 and August 20, 2019, the bid solicitation was advertised in local newspapers; and

WHEREAS, on September 3, 2019, six (6) bids were received by the 11:00 a.m. deadline with Blue Pacific Engineering & Construction being the apparent lowest bidder with a total bid amount of \$957,028.89; and

WHEREAS, upon review of all documents submitted, Blue Pacific Engineering & Construction's bid was deemed responsive, and they are the lowest responsible bidder qualified to perform the work as described in the project specifications with an estimated completion date of Summer 2020; and

WHEREAS, staff recommends awarding a contract to Blue Pacific Engineering & Construction in the not-to-exceed amount of \$957,028.89, authorization to establish an Engineering Grants Fund appropriation of \$889,000 and corresponding revenue budget to partially fund project construction with the remaining contract award being funded through prior City Council Capital Improvement Program (CIP) *TransNet* appropriations in the amount of \$68,028.89 for Traffic Signal Upgrades; and

WHEREAS, staff also recommends authorizing a 15% contingency in the amount of \$143,554.33 to address any unforeseen conditions that may arise.

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby awards the contract for the Sweetwater River Bikeway Connections/30th Street Bicycle Facilities Improvements Project to the lowest, responsive, responsible bidder, to wit:

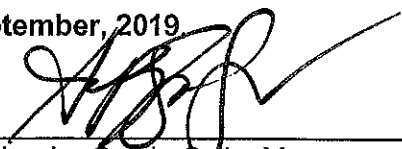
BLUE PACIFIC ENGINEERING & CONSTRUCTION

BE IT FURTHER RESOLVED by the City Council of the City of National City that the Mayor is hereby authorized to execute on behalf of the City a contract in the not-to-exceed amount of \$957,028.89 with Blue Pacific Engineering & Construction Sweetwater River Bikeway Connections/30th Street Bicycle Facilities Improvements Project. Said contract is on file in the Office of the City Clerk.

BE IT FURTHER RESOLVED that the City Council of the City of National City authorizes a 15% contingency in the amount of up to \$143,554.33 for any unforeseen changes.

BE IT FURTHER RESOLVED that the City Council of the City of National City authorizes the establishment of an Engineering Grants Fund appropriation of \$889,000 and corresponding revenue budget.

PASSED and ADOPTED this 17th day of September, 2019



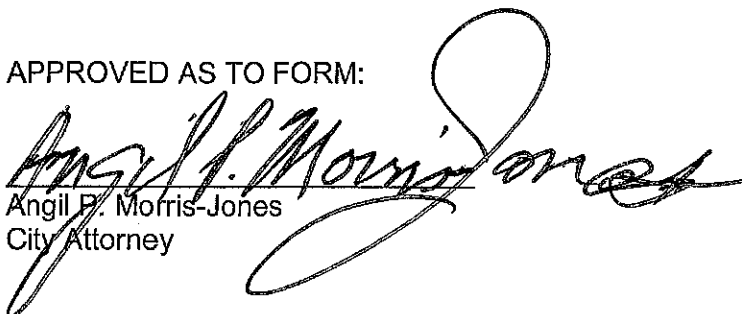
Alejandra Sotelo-Solis, Mayor

ATTEST:



For Michael R. Dalla, City Clerk

APPROVED AS TO FORM:



Angil F. Morris-Jones
City Attorney

Passed and adopted by the Council of the City of National City, California, on September 17, 2019 by the following vote, to-wit:

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

Nays: None.

Absent: None.

Abstain: None.

AUTHENTICATED BY: ALEJANDRA SOTELO-SOLIS
Mayor of the City of National City, California

MICHAEL R. DALLA
City Clerk of the City of National City, California

By: _____
Deputy

I HEREBY CERTIFY that the above and foregoing is a full, true and correct copy of RESOLUTION NO. 2019-133 of the City of National City, California, passed and adopted by the Council of said City on September 17, 2019.

City Clerk of the City of National City, California



By: *Cheryl Dewell*
Deputy



FINAL CONTRACT BALANCE

DATE: August 4, 2022

PROJECT: Camacho Recreation Center HVAC Replacement
FY 21-22
CIP No. 20-07

TO: Southwest Construction Services Inc.
11653 Riverside Dr. Ste. 153
Lakeside, CA 92040

ORIGINAL CONTRACT AMOUNT:	\$230,704.00
START DATE:	April 6, 2022
COMPLETION DATE:	May 27, 2022
ORIGINAL CONTRACT LENGTH:	30 Working Days
EXTENSION OF WORK DAYS:	8 Working Days
TOTAL CONTRACT TIME:	38 Working Days
FINAL CONTRACT AMOUNT:	\$267,438.19

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 Exposed ducting below roof membrane and made watertight connections at 4 separate locations. Work included but was not limited to removing existing TPO roof section, fabrication and extension of existing ductwork through roof, installation of wood curbs, sheet metal curb flashing and re-installing TPO roof section. To properly install the new HVAC equipment, the existing ducts had to be exposed and tied into. This Change Order total amount was **\$22,280.50**

Change Order #2 provided for the replacement of deteriorated conduit throughout roof penetrations, (4) feeds to S-1, S-2, S-3, and S-4 as well as (1) roof top GFCI outlet. During investigation it was identified that the existing conduit was in poor condition and needed to be replaced. This Change Order total amount was **\$2,232.46**

Change Order #3 called for the removal of the additional asphalt roofing uncovered after removal of PVC roofing for framing. Proceed per RFI #4 and details provided by the Structural engineer to frame equipment pads on the top side of the sheathing anchors and install equipment curbs to the structural components. The addition of crickets to the top of edge of the platforms to flow water runoff around the new platforms is also included. The roofing is to be replaced with additional insulation board to

FINAL CONTRACT BALANCE

Camacho Recreation Center HVAC Replacement
CIP No. 20-07

areas where asphalt roofing was removed to bring elevations within compliance to remove ponding. The removal of an existing abandoned pad near S-5. This Change Order total amount was **\$12,221.23**

All Change Orders listed above increased the total contract amount **\$36,734.19**.

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 **\$267,438.19**
2. A retention in the amount of **\$13,371.91** was held until satisfactory completion of said project.

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. Southwest Construction Services Inc. will not be entitled to damages or additional payment for delays as described in the 2018 edition of the Standard Specifications for Public Works Construction, Section 6-6.3, for performing the work as described above.



FINAL CONTRACT BALANCE

DATE: January 27, 2022
PROJECT: Euclid Bike and Pedestrian Enhancements
FY 19-22
CIP No. 18-10
TO: Portillo Concrete, Inc.
3527 Citrus St.
Lemon Grove, CA 91945

ORIGINAL CONTRACT AMOUNT:	\$4,060,691.00
START DATE:	July 11, 2019
COMPLETION DATE:	January 24, 2022
ORIGINAL CONTRACT LENGTH:	200 Working Days
EXTENSION OF WORK DAYS:	139 Working Days
CONTRACT MAINTENANCE	250 Working Days
WORKING DAYS SUSPENDED:	41 Working Days
TOTAL CONTRACT TIME:	630 Working Days
FINAL CONTRACT AMOUNT:	\$4,212,297.39.

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 construct three additional bus pads not originally called out on the bid plans at the following locations: NB Euclid just south of 20th, SB Euclid just north of 20th, and SB Euclid just south of 16th. Each bus pad was performed at the alternate bid price of \$15,000 each including all work stipulated in the project specifications. This Change Order total amount was **\$45,000.00.**

Change Order #2 directed the contractor to remove and replace existing pull boxes with pre-existing damage as encounter during construction of new concrete improvements. The cost for the replaced boxes was as follows: The smaller HN1324 Pull Box was \$400 Ea. and the larger HN1730 Box \$450 Ea. The unit price includes removal and disposal of the existing pull box and replacement. All pull box lids received the same labeling as the existing. A total of two HN1324 and two HN1730's were replaced. This Change Order total amount was **\$ 1,700.00.**

FINAL CONTRACT BALANCE

Euclid Bike and Pedestrian Enhancements
CIP No. 18-10

Change Order #3 directed the contractor to pothole additional unknown utilities not shown on the plans. All work was performed on a T&M basis. This Change Order total amount was **\$ 4,056.72**.

Change Order #4 directed the contractor to switch from the originally specified 110V LED pedestrian crossing system to a 12V battery back-up system typical of all other locations within the city. The 12V system utilizes 2 LED signs and one battery back-up box at each location. The contractor also relocated two existing school crossing LED signs from Plaza and switch with two of the new pedestrian crossing signs at 22nd. This Change Order total amount was **\$ 12,195.95**.

Change Order #5 directed the contractor to relocate the existing single through head at 16th S/B further east to be in the center of the single travel lane, move the left-turn signal head to be at the center of the left-turn lane, and plug and patch existing mount locations no longer needed. At 18th and 20th, the contractor removed the existing traffic signal heads closest to the left-turn signal head and plug and patched existing mount locations no longer needed. This Change Order total amount was **\$ 4,099.56**.

Change Order #6 directed the contractor to remove the existing catch basin frame and grate between 7th and 8th on the east side of Euclid and install a new frame and grate per SDRSD D-13 and D-15. Once the frame and grate were removed, the contractor broke down the concrete 6" to 12" into the existing and reconstruct as needed. This Change Order total amount was **\$ 5,541.15**.

Change Order #7 directed the contractor to install additional conduit as needed on a Time and Material basis at Euclid and Windsor and Euclid and 6th per the revised SDG&E Service Orders plans. All necessary potholing and installation of the additional conduit was tracked on daily T&M tickets including ticket #'s 9453, 0639, 0640, 9454, 9455, 9456, 9457, 9458, 9460, 9461, and 9463. This Change Order total amount was **\$ 36,822.92**.

Change Order #8 directed the contractor to make necessary modification per the revised traffic signal plans by Kimley-Horn installing modified luminaire arms on poles A and H at Windsor, modifying pole E from a Type 15TS to a 1A and installing a new pole G at 6th and Euclid. This change order included all necessary work to accommodate the modification and installation to the poles. This Change Order total amount was **\$ 16,362.17**.

Change Order #9 directed the contractor to install 5 additional vehicle detection loops. The loops were paid at the contract unit price of \$500 each. This Change Order total amount was **\$ 2,500.00**.

Change Order #10 directed the contractor to cut, re-splice and test recently installed fiber per the revised as-built drawings. This Change Order total amount was **\$ 1,253.95**.

Change Order #11 directed the contractor to perform additional work per the revised design plan issued by Kimley-Horn for the NW corner of Euclid and Plaza. This revised plan changed the layout to the previous curb and gutter, sidewalk, traffic signal poles and foundations, pedestrian push button locations and foundations, revised survey and other misc. improvements. This change specifically includes all traffic signal and survey work. This Change Order total amount was **\$ 10,347.65**.

FINAL CONTRACT BALANCE

Euclid Bike and Pedestrian Enhancements
CIP No. 18-10

Change Order #12 directed the contractor to perform additional work on a T&M basis per the revised design plan issued by Kimley-Horn for the NW corner of Euclid and Plaza. This revised plan changes the layout to the previous curb and gutter, sidewalk, retention basins, misc. concrete, and gravity wall and included all changes to the concrete improvements. This Change Order total amount was **\$ 22,733.46.**

Change Order #13 directed the contractor to perform additional work on a T&M basis to construct a concrete foundation around the existing foundation and stabilize the TS foundation within the basin. The contractor also constructed a retaining wall around the new SDG&E meter pedestal as required by SDG&E prior to energizing. This Change Order total amount was **\$ 9,401.92.**

Change Order #14 directed the contractor to modify traffic signal Pole A and Pole H by relocating the luminaire shoe and topping the remainder of the pole height to allow clearance from the SDG&E power lines. The modification included work to be performed by a certified welder. This Change Order total amount was **\$ 8,873.66.**

Change Order #15 directed the contractor to install new DLC and detector cards back to the controller cabinet for the added bike loops at Euclid and 24th for both NB and SB. This Change Order total amount was **\$ 3,132.57.**

Change Order #16 directed the contractor to install new DLC cable and detector card back to the controller cabinet for the added loop at Euclid and Plaza for the right turn movement on Euclid S/B. This Change Order total amount was **\$ 967.46.**

Change Order #17 directed the contractor to perform misc. work on a T&M basis for unknown items encountered in the field. T&M work was identified on 4/16/20, 4/21/20 and 6/2/20 for all the unknown items encountered in the field including misc. removals, utilities and potholing. This Change Order total amount was **\$ 2,875.91.**

Change Order #18 directed the contractor to construct a new bio-filter system on 1st east of Euclid in lieu of being constructed at Euclid and Plaza due to the redesign of the left turn pocket on SB Euclid at Plaza. This Change Order total amount was **\$ 29,106.64.**

Change Order #19 directed the contractor to perform all work at Euclid and Plaza at night as requested by National City Fire. The city has agreed to pay PCI the plant opening cost to perform all necessary asphalt repairs at night. This Change Order total amount was **\$ 1,827.00.**

Change Order #20 back charged the contractor for all overtime inspection Per Section 2-11 of the project specification, where all overtime inspection costs shall be borne by the contractor. This Change Order total amount was deduct of **\$ 9,435.00.**

All Change Orders listed above increased the total contract amount by **\$209,363.69.**

Line item adjustments based on actual field measurements per the FINAL BILLING STATEMENT resulted in a decrease of **\$57,757.30.**

FINAL CONTRACT BALANCE

Euclid Bike and Pedestrian Enhancements

CIP No. 18-10

CONTRACT ADJUSTMENT:

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

1. The contract price with change order and line items is adjusted to **\$4,212,297.39**.
2. A retention in the amount of **\$117,549.22** was held until satisfactory completion of said project.

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. Portillo Concrete, Inc. will not be entitled to damages or additional payment for delays as described in the 2018 edition of the Standard Specifications for Public Works Construction, Section 6-6.3, for performing the work as described above.



FINAL CONTRACT BALANCE

DATE: JULY 28, 2022

PROJECT: PARADISE CREEK PARK EXPANSION
FY 19-20
CIP No. 18-16

TO: DICK MILLER INC
930 BOARDWALK SUITE H
SAN MARCOS, CA 92078

ORIGINAL CONTRACT AMOUNT:	\$2,330,869.70
START DATE:	October 3, 2019
CONTRACT COMPLETION DATE:	November 25, 2020
CHANGE ORDER COMPLETION DATE:	February 25, 2022
ORIGINAL CONTRACT LENGTH:	120 Working Days
EXTENSION OF WORK DAYS:	98 Working Days
TOTAL CONTRACT TIME:	218 Working Days
FINAL CONTRACT AMOUNT:	\$2,585,764.46

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 furnished and installed a construction sign for the Urban Greening Program to identify the project's funding source, California's Governor and the Secretary of Natural Resources. This Change Order total amount was **\$922.79**.

Change Order #2 provided 14 additional working days for Dick Miller Inc. to construct approximately 13,800 SF of pervious concrete along the multiuse path. As two separate CIP projects were being constructed at Paradise Creek, this change order allowed for funding deadlines and schedules to be maintained on the two simultaneous projects. This Change Order total amount was **\$0**.

Change Order #3 upsized the 1 gallon plant species to 5 gallon plant species. Due to lack of availability, the Landscape Architect recommended upsizing four of the plant species. This change order provided a credit for the 1 gallon plants and additional cost for the 5 gallon plant species. This Change Order total amount was **\$9,672.77**.

FINAL CONTRACT BALANCE

PARADISE CREEK PARK EXPANSION

CIP No. 18-16

Change Order #4 directed the Contractor to remove and replace an existing water pressure regulator and existing 1" pipe riser up stream from PRV. This Change Order also included the change of a 3" GW line to a 4" line in the Public Works Mechanics Shop. This Change Order total amount was **\$8,036.31**.

Change Order #5 allowed for adjustments to seat wall elevations in the playground area for adequate stormwater drainage. After beginning construction, the contractor identified issues with drainage in the original seat wall plans. 2 working days were added to allow for additional grading and forming of the seat wall at the revised elevations. This Change Order total amount was **\$3,835.53**.

Change Order #6 provided procurement and installation of 14 additional irrigation nozzles, 4,700 square feet of hydroseeding and modifications to the stair landing. The additional hydroseeding and irrigation compensated for the additional footprint identified in the field, while mitigating maintenance requirements in this area. The modifications to the stairs were to satisfy ADA requirements along the connector path. This Change Order total amount was **\$6,882.13**.

Change Order #7 allocated funds for various park improvements including landscaping, irrigation and surface improvements within the community garden. During construction the City, Landscape Architect and Kimball Elementary agreed upon the final improvement plans for the community garden. This work was performed at an agreed upon lump sum price. This Change Order total amount was **\$48,272.85**.

Change Order #8 directed the Contractor to install 190 concrete footings with PVC sleeves below the handrail posts for the ADA path at the perimeter of the park. To support the handrail and increase longevity of the curb below the rail, it was determined that a 1-foot deep concrete footing would be installed below the curb. This change order also includes a credit for the reduced square footage needed for constructing the pedestrian impervious concrete paving. This Change Order total amount was **\$21,442.45**.

Change Order #9 allowed for changes to 3 shade structure footings. While the plans originally called for 24-inch footings, field conditions only supported footings up to 18-inches. The approved redesigned footings were 12-inch spread footings to support soil conditions, structural loading and site depth requirements. This Change Order total amount was **\$5,209.34**.

Change Order #10 directed the Contractor to excavate behind the community garden to allow for proper drainage. Existing soil elevations were too high to allow for proper drainage away from the community garden. This Change Order total amount was **\$1,823.94**.

Change Order #11 provided approximately 100 linear feet of pervious concrete improvements between 21st St and 22nd St. The pathway improvements replaced plans for impervious concrete and included changes to elevations to satisfy ADA slope requirements. This revision included modifications to irrigation and landscaping in this area, as well as changes to the rubberized surfacing in the playground area. This Change Order total amount was **\$10,245.90**.

Change Order #12 allowed for procurement and installation of 11 12-foot diameter galvanized steel edging rings to support landscaping. The original plans called for 6-foot diameter rings. However, the manufacturer specified that the rings were not to be constructed below a 6-foot radius due to the thickness of the material. The Landscape Architect agreed to a 12-foot diameter and additional steel needed to fabricate the olive tree rings. This Change Order total amount was **\$20,332.89**.

FINAL CONTRACT BALANCE

PARADISE CREEK PARK EXPANSION

CIP No. 18-16

Change Order #13 directed the Contractor to encase 3 electrical conduits in concrete above an existing storm drain. An unmarked storm drain was identified approximately 17" below grade in an area being trenched for conduits supporting irrigation and security cameras. Encasing the conduits satisfied code requirements, minimized city maintenance and reduced risk of damaging the existing infrastructure. This Change Order total amount was **\$1,928.10**.

Change Order #14 allowed for changes to the supports below the play structures in the playground. The plans called for an allowable depth of 24-inches which failed to satisfy the minimal manufactured depth of 48-inches. The supports were redesigned as spread footings and were approved for full warranty. This Change Order total amount was **\$3,150.00**.

Change Order #15 provided additional grading for the south end sidewalk path to meet ADA cross slope requirements and match existing sidewalk elevations. This Change Order total amount was **\$704.51**.

Change Order #16 added jute netting on the new slopes that had landscaping and irrigation improvements. The jute net provides slope stabilization and minimizes city maintenance. This Change Order total amount was **\$7,071.26**.

Change Order #17 allowed for changes to the supports of the USA Shade Structures. Due to allowable soil depths identified in the field, the supports for the shade structures were redesigned to spread footings with additional direct embedment of the columns. This Change Order total amount was **\$3,018.79**.

Change Order #18 directed the Contractor to install a customized pedestrian gate at the community garden. This Change Order total amount was **\$6,016.01**

Change Order #19 increased the footing size and re-routed the subdrainage for the shade structures after the footings were redesigned. The increase in the footing size increased the need for subdrainage which was re-routed. This Change Order total amount was **\$10,834.28**.

Change Order #20 allowed for changes to the supports below the LSI playground equipment. The plans called for an allowable depth of 24 inches, however the allowable depth identified in the field was 18 inches. The approved supports were redesigned as 12-inch spread footings to support soil conditions and structural loading. This Change Order total amount was **\$1,260.00**.

Change Order #21 directed the Contractor to install an electrical pull box within the community garden shed. After the contractor identified potential risks within the shed for the exposed cables, it was determined that a pull box would be the best solution for safety and maintenance to house the power and low voltage cables. This Change Order total amount was **\$959.31**.

Change Order #22 modified the design to the park rail sign for safety concerns. The original design had various sharp edges exposed to park guests. The redesign increased thickness and changed lettering to minimize exposed edges. This Change Order total amount was **\$3,220.00**.

Change Order #23 directed the Contractor to install one gigabit PoE extender at the community garden to supply communication for the fiber system and security camera. The original detail did not meet electrical standards and required an extender for the city IT to maintain the system properly. This Change Order total amount was **\$724.68**.

FINAL CONTRACT BALANCE

PARADISE CREEK PARK EXPANSION

CIP No. 18-16

Change Order #24 modified the spacing between posts for the custom lodge wood rails around the playground area. The proposed spacing for the fencing could not be accommodated by the available space. The Landscape Architect modified the design to have 9-foot spacing which required additional fabrication and material. This Change order total amount was **\$921.30**.

Change Order #25 credited the City for the modification from 72-inch box olive trees to 60-inch olive trees. The change was made due to a lack of availability of the 72-inch trees in the local nurseries. This Change Order resulted in a credit being issued to the City in the amount of **(\$24,635.01)**.

Change Order #26 directed the Contractor to install plywood backer boards for the vehicular gate wood cladding at the community garden. The backer board allowed for complete installation and eliminated the potential for warping or damage to the reclaimed wood. This Change Order total amount was **\$2,327.84**.

Change Order #27 directed the Contractor to grade a bio swale at the bottom of the slope adjacent to the community garden and core drill into curb connecting to the pervious parking lot. To protect against erosion and to control runoff the bio swale was implemented to collect drainage with excess draining into the pervious parking lot. This Change Order total amount was **\$2,127.84**.

Change Order #28 provided signage specifying which trees were not funded by the granting program. The Landscape Architect added several trees which exceeded the 15-gallon maximum size dictated by the grant manager. These trees were identified by the additional signage. This Change order total amount was **\$5,950.14**.

Change Order #29 allocated funds for increases in the bond premium. The special provisions stated the contractor shall be compensated for the increase in the contractor's bond premium caused by extra work. The bond premium per change order was 2%. This Change Order total amount was **\$5,212.75**.

Change Order #30 directed the Contractor to remove the grate from the hot coal bin. The city's intent was to ensure the use of the coal bin was for disposal of hot coals and not as equipment for recreational grilling. This Change Order total amount was **\$469.67**.

Change Order #31 directed the Contractor to install marine plywood on the double gates and fabricate supports for the sinks in the community garden. The city's designer requested plywood on the gates for aesthetic purposes and sink supports to protect the pipes from being exposed to the outdoor elements. This Change Order total amount was **\$6,033.15**.

Change Order #32 directed the Contractor to grade and install decomposed granite along the gabion wall. Additionally, the city's designer requested that waterproofing be added to the gabion wall bench. This Change Order total amount was **\$5,583.14**.

Change Order #33 provided tamper-resistant screws at all electrical handhole covers. After identifying some stolen screws at the solar lights, the contractor was directed to replace missing cover plates and all cover plate screws with tamper-resistant screws to protect against exposure and vandalism. This Change Order total amount was **\$365.11**.

Change Order #34 directed the Contractor to replace the damaged electric pole box. The box and some wires inside were damaged by vandalism and needed replacement. This Change Order total amount was **\$5,975.39**.

FINAL CONTRACT BALANCE

PARADISE CREEK PARK EXPANSION

CIP No. 18-16

Change Order #35 allocated funds for the staining of the pervious concrete in the park. Approximately 13,100 square feet of the pervious concrete was Natina stained for aesthetic purposes. This Change Order total amount was **\$23,185.56**.

Change Order #36 directed the Contractor to install 1,500 square feet of mulch. This Change Order total amount was **\$3,455.47**.

Change Order #37 provided a park sign on the southerly entrance to the park. Upon the city's request, the contractor provided a park sign on 22nd St. This Change Order total amount was **\$1,990.29**.

Change Order #38 directed the Contractor to core drill for additional drainage. The city directed the contractor to provide 5 additional core drilled holes along the concrete curb to allow for additional drainage. This Change Order total amount was **\$289.81**.

Change Order #39 provided additional support for the community garden gate. The gate was bending at the supports. The Landscape Architect designed a galvanized metal spreader bar for the top of the gate to eliminate bending at the support beam and recommended wood glue in combination with staples to secure the wooden panels to the gate. This Change Order total amount was **\$7,609.01**.

Change Order #39S directed the Contractor to supplement the metal spreader bar with post extensions on the community garden gate posts. The extensions were necessary for spreader bar installation because the gate posts were ½-inch below the top of the gate This Change Order total amount was **\$1,313.68**.

Change Order #40 allocated funds for an additional irrigation flow sensor at the park. The Landscape Architect tested the irrigation system and recommended installing an additional irrigation flow sensor to regulate all of the control valves properly. This Change Order total amount was **\$1,590.23**.

Change Order #41 was drafted but not ultimately proceeded with.

Change Order #42 directed the Contractor to repair and replace damaged CCTV cables that had been vandalized. The contractor proceeded with repairing and replacing the CCTV cables and provided tamper proof measures including tack welding and epoxying pull-boxes. This Change Order total amount was **\$16,277.84**

All Change Orders listed above increased the total contract amount **\$241,607.05**.

Original Contract Amount:	\$2,330,869.70	
Change Order Total:	\$241,607.05	
New Contract Amount:	\$2,572,476.75	
Final Contract Balance:	\$2,585,764.46	
Line-Item Adjustments Increase:	\$13,287.71	(Final Contract Balance – New Contract Amount)

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 **\$2,585,764.46**.

FINAL CONTRACT BALANCE

PARADISE CREEK PARK EXPANSION

CIP No. 18-16

2. A retention in the amount of **\$129,288.22** was held until satisfactory completion of said project.

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. DICK MILLER INC will not be entitled to damages or additional payment for delays as described in the 2018 edition of the Standard Specifications for Public Works Construction, Section 6-6.3, for performing the work as described above.



FINAL CONTRACT BALANCE

DATE: August 15, 2022

PROJECT: SWEETWATER ROAD SAFETY ENHANCEMENTS
FY 20-21
CIP No. 19-12

TO: Eagle Paving, Inc.
13915 Danielson Street
Poway, CA 92064

ORIGINAL CONTRACT AMOUNT:	\$1,086,911.00
START DATE:	April 12, 2021
CONTRACT COMPLETION DATE:	November 5, 2021
CHANGE ORDER COMPLETION DATE:	December 9, 2021
ORIGINAL CONTRACT LENGTH:	70 Working Days
EXTENSION OF WORK DAYS:	47 Working Days (Contract suspended from 7/2/2021 to 8/12/2021)
TOTAL CONTRACT TIME:	117 Working Days
FINAL CONTRACT AMOUNT:	\$1,238,595.95

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 provided for an amendment to the price of line item alternative #1, 2" Grind and Overlay. The 2" street grind was replaced with an edge grind only, substituting the included reinforcing fabric with a Forta-Fi Fiber additive to the AC mix and adjusted to meet new finished elevations. This Change Order resulted in a credit being issued to the City in the amount of **(\$17,990.00)**.

Change Order #2 provided for an adjustment in price to alternate line item #2, Full Street Section Remove and Replace. The original dig out limits were increased from 300 square feet of 4" dig-outs at \$1,408.00 per ton to 1,040 tons on the new plans. This total tonnage was then converted to a lower rate of \$131.46.00 per ton. This Change Order total amount was **\$134,180.40**.

Change Order #2(S) increased the total amount of dig-out quantity from 1,048 tons to 1184.38. This increased the total change order amount by **\$19,023.50**.

Change Order #3 used thermoplastic striping instead of paint for the bike lanes. The other city bike lanes had this material and was substituted to stay consistent. This Change Order total amount was **\$18,776.10**.

FINAL CONTRACT BALANCE

SWEETWATER ROAD SAFETY ENHANCEMENTS

CIP No. 19-12

Change Order #4 proceeded with the installation of a spread footing to support the streetlights at the designed locations. A CMU wall foundation was discovered during potholing that extended underneath the sidewalk leaving less space for the original foundations. This Change Order total amount was **\$6,934.43**.

Change Order #5 provided for additional potholing to avoid unforeseen underground conditions to properly re-locate street light foundations and conduit. The potholing used for the 4 additional streetlight foundations to meet lighting space requirements and avoid other dry utility packages. This Change Order total amount was **\$22,299.71**.

Change Order #6 was a no cost change order for contract suspension from 7/2/21 to 8/12/21 for delays in material delivery time.

Change Order #7 procured and installed 2 pedestrian barricades on the North side of Sweetwater Road and an OM1-1 sign on the median nose of Stockman St. Barricades were previously installed to protect certain streetlights and vehicles from running over the median. This Change Order total amount was **\$2,915.85**.

All Change Orders listed above increased the total contract amount **\$186,139.99**.

Original Contract Amount:	\$1,086,911.00
Change Order Total:	\$186,139.99
New Contract Amount:	\$1,273,050.99
Final Contract Balance:	\$1,238,595.95
Contract Savings from line item adjustments:	\$34,455.04 (New Contract Amount – Final Contract Balance)

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 **\$1,238,595.95**
2. A retention in the amount of **\$61,929.80** was held until satisfactory completion of said project.

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. Eagle Paving, Inc. will not be entitled to damages or additional payment for delays as described in the 2018 edition of the Standard Specifications for Public Works Construction, Section 6-6.3, for performing the work as described above.



FINAL CONTRACT BALANCE

DATE: June 27, 2022

PROJECT: Sweetwater River Bikeway Connections / 30th Street Bicycle Facility Improvements
FY 20-22
CIP No. 18-14

TO: Blue Pacific Engineering and Construction
7330 Opportunity Road, Suite A
San Diego, CA 92111

ORIGINAL CONTRACT AMOUNT:	\$957,028.89
START DATE:	January 27, 2020
COMPLETION DATE:	June 25, 2022
ORIGINAL CONTRACT LENGTH:	110 Working Days
EXTENTION OF WORK DAYS:	228 Working Days
WORKING DAYS SUSPENDED:	229 Working Days
LIQUIDATED DAMAGES	35 Working Days
TOTAL CONTRACT TIME:	602 Working Days
FINAL CONTRACT AMOUNT:	\$915,469.68

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 to remove and replace existing pull boxes with pre-existing damage as encountered during construction of new improvements as directed by the Inspector. The cost for the replaced boxes was as follows: The smaller HN1324 Pull Box was \$482 Ea. and the larger HN1730 Box \$663 Ea. The unit price included removal and disposal of the existing pull box and replacement. All pull box lids received the same labeling as the existing. A total of five HN1324 and one HN1730's were replaced. This Change Order total amount was **\$ 3,073.00.**

Change Order #2 directed the contractor to remove/replace/relocate the existing #5 pull box with a #6 pull box at the NE corner of Highland and 30th per the revised plan sheet 22 prepared by Kimley-Horn. Relocation included all necessary conduit, conductors, disconnect and reconnect required to perform work shown on the plans. This Change Order total amount was **\$ 2,168.00.**

FINAL CONTRACT BALANCE

Sweetwater River Bikeway Connections / 30th Street Bicycle Facility Improvements,
CIP 18-14

Change Order #3 directed the contractor to construct a dual remote pedestrian push button and relocate existing conduit at the NE corner of Highland and 30th in order to meet ADA compliance. All work was performed per the revised traffic signal plan sheet 22 prepared by Kimley-Horn. This Change Order total amount was **\$ 1,550.00**

Change Order #4 directed the contractor to construct/install additional striping through the intersections of 30th and Highland for both the NB to WB movement, WB to SB movement and at 30th and 2nd for the NB to WB movement per the details provided in an email to the contractor on 4/13/21. All work was performed per Caltrans specifications. This Change Order total amount was **\$ 1,890.00**.

Change Order #5 directed the contractor to construct/install a solar powered street light by Solar Path Sun Solutions model number ALPHA-WAVE-A-150W-SLA-30-3-30k-A-150AH-GR-1-01 with a 30' pole height just south of the 54 bridge near the Sweetwater River bike access. All work was performed per the City specifications and the added Caltrans encroachment permit. This Change Order total amount was **\$ 23,276.83**.

Change Order #6 applied liquidated damages as the contractor failed to meet the contractual completion date of the project per Section 6-9 of the Special Provisions. The City came to an agreement with Blue Pacific and assessed liquidated damages in the amount of \$52,800. This Change Order total amount was **\$ -52,800.00**.

All Change Orders listed above decreased the total contract amount by **\$20,842.17**.

Line item adjustments based on actual field measurements per the FINAL BILLING STATEMENT resulted in a decrease of **\$20,717.04**.

CONTRACT ADJUSTMENT:

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

1. The contract price with change order and line items is adjusted to **\$915,469.68**.
2. As a result of the satisfactory completion of said project, a retention amount of **\$44,221.97** 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. Blue Pacific Engineering and Construction will not be entitled to damages or additional payment for delays as described in the 2018 edition of the Standard Specifications for Public Works Construction, Section 6-6.3, for performing the work as described above.

RECORDING REQUESTED BY
WHEN RECORDED MAIL TO:
NAME: CITY OF NATIONAL CITY
ADDRESS: 1243 NATIONAL CITY BOULEVARD
NATIONAL CITY, CA 91950

NOTICE OF COMPLETION

CALIFORNIA CIVIL CODE SECTION 3093

NOTICE IS HEREBY GIVEN of the completion on May 27, 2022 of the:
Camacho Recreation Center HVAC Replacement, CIP No. 20-07

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

<u>1810 E. 22nd St</u>	<u>National City</u>	<u>CA</u>	<u>91950</u>
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

Southwest Construction Services, Inc.

Name of Original Contractor

The following work and material were supplied:

Labor provided: General Laborer. Materials: HVAC ducts and casings, insulation, hangers and supports, digital control system and electrical systems. Equipment: R-410A 3 and 4 Ton units, rooftop converter, and outdoor gas heating unit.

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: October 4, 2022;

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 October 4, 2022 at, National City, California.

Signature: _____

ALEJANDRA SOTELO-SOLIS, MAYOR

RECORDING REQUESTED BY
WHEN RECORDED MAIL TO:
NAME: CITY OF NATIONAL CITY
ADDRESS: 1243 NATIONAL CITY BOULEVARD
NATIONAL CITY, CA 91950

NOTICE OF COMPLETION

CALIFORNIA CIVIL CODE SECTION 3093

NOTICE IS HEREBY GIVEN of the completion on January 24, 2022 of the:

Euclid Avenue Bicycle and Pedestrian Enhancements, CIP No.18-10

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

<u>Euclid between Cervantes and E. 24th St</u>	<u>National City</u>	<u>CA</u>	<u>91950</u>
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

Portillo Concrete, Inc.

Name of Original Contractor

The following work and material were supplied:

General Laborer, Equipment and Materials for traffic calming, pedestrian and bicycle
enhancements on Euclid Avenue between Cervantes Avenue and E. 24th Street.

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: October 4, 2022;

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 October 4, 2022 at, National City, California.

Signature: _____
ALEJANDRA SOTELO-SOLIS, MAYOR

RECORDING REQUESTED BY
WHEN RECORDED MAIL TO:
NAME: CITY OF NATIONAL CITY
ADDRESS: 1243 NATIONAL CITY BOULEVARD
NATIONAL CITY, CA 91950

NOTICE OF COMPLETION

CALIFORNIA CIVIL CODE SECTION 3093

NOTICE IS HEREBY GIVEN of the completion on November 25, 2020 of the:
Paradise Creek Park Expansion, CIP No. 18-16

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

W. 18th St. and Hoover Ave. 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

Dick Miller Inc

Name of Original Contractor

The following work and material were supplied:

Labor provided: General Laborer. Materials: Concrete, asphalt, pavers, playground and park equipment, irrigation and lighting. Equipment: paving and grading 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: October 4, 2022;

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 October 4, 2022 at, National City, California.

Signature: _____

RON MORRISON, MAYOR

Noc09-05

RECORDING REQUESTED BY
WHEN RECORDED MAIL TO:
NAME: CITY OF NATIONAL CITY
ADDRESS: 1243 NATIONAL CITY BOULEVARD
NATIONAL CITY, CA 91950

NOTICE OF COMPLETION

CALIFORNIA CIVIL CODE SECTION 3093

NOTICE IS HEREBY GIVEN of the completion on June 25, 2022 of the:
Sweetwater River Bikeway Connections/30th Street Bicycle Facility Improvements, CIP No.18-14

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

30 St between 2nd and D Ave. 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

Blue Pacific Engineering and Construction

Name of Original Contractor

The following work and material were supplied:

Labor provided: General Laborer, Equipment and Materials for street resurfacing, ADA upgrades, approximately 1 mile of Class II bike lanes with signage, and gateway enhancements at both entrances to the Sweetwater River Bike Path (located at W. 33rd Street and N. 2nd Avenue, respectively).

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: October 4, 2022;

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 October 4, 2022 at, National City, California.

Signature: _____

ALEJANDRA SOTELO-SOLIS, MAYOR

RESOLUTION NO. 2022 -

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY, CALIFORNIA 1) ACCEPTING THE WORK PERFORMED BY THE GENERAL CONTRACTORS ON THE FOLLOWING FIVE PROJECTS IDENTIFIED BELOW: A) CAMACHO RECREATION CENTER HVAC REPLACEMENT PROJECT CIP NO. 20-07; B) EUCLID BIKE AND PEDESTRIAN ENHANCEMENTS PROJECT CIP NO. 18-10; C) PARADISE CREEK PARK EXPANSION PROJECT CIP NO. 18-16; D) SWEETWATER ROAD SAFETY ENHANCEMENTS PROJECT CIP NO. 19-12; AND E) SWEETWATER RIVER BIKEWAY CONNECTIONS/ 30TH STREET BICYCLE FACILITY IMPROVEMENTS PROJECT – CIP 18-14; 2) APPROVING THE FINAL CONTRACT AMOUNTS; 3) RATIFYING THE RELEASE OF RETENTIONS; AND 4) AUTHORIZING THE MAYOR TO SIGN THE NOTICE OF COMPLETION FOR THE PROJECTS

WHEREAS, Staff is recommending the City Council accept the work performed by the general contractors on the following five projects identified below: 1) Camacho Recreation Center HVAC Replacement project CIP No. 20-07; 2) Euclid Bike and Pedestrian Enhancements project CIP No. 18-10; 3) Paradise Creek Park Expansion project CIP No. 18-16; 4) Sweetwater Road Safety Enhancements project CIP No. 19-12; and 5) Sweetwater River Bikeway Connections/ 30th Street Bicycle Facility Improvements project – CIP 18-14; and

WHEREAS, the construction information for each project is identified in table 1.1 of the agenda report which includes the project construction dates, original contract amount and final contract amount; and

WHEREAS, the projects have been completed within the approved contingency identified in the contract award; and

WHEREAS, the total construction cost for these projects is \$9,219,566 which includes the following funding sources: \$7,185,779 of grant funding, \$877,297 Gas Tax, \$634,156 Traffic Signal Upgrades, \$267,438 Facility, \$254,895 Housing Funding.; and

WHEREAS, if the City Council accepts the work for all of these projects, staff will file Notices of Completion with the San Diego County Recorder's Office. ; and

WHEREAS, the Camacho Recreation Center HVAC Replacement project CIP No. 20-07 removed and disposed the previous HVAC system and install a new HVAC system on the roof of the Camacho Recreation Center at 1810 E 22nd St, National City, CA 91950; and

WHEREAS, as a result of the satisfactory completion of the project, staff recommends that City Council; 1) accept the work performed by Southwest Construction Services Inc. for the Camacho Recreation Center HVAC Replacement project, CIP No. 20-07; 2) approve the final contract amount of \$267,438.19; 3) ratify the release of

retention in the amount of \$13,371.91; and 4) authorize the Mayor to sign the Notice of Completion for the project; and

WHEREAS, the Euclid Bike and Pedestrian Enhancements project CIP No. 18-10 constructed nearly two miles of traffic calming, bicycle and pedestrian enhancements on Euclid Avenue from the northern City limits at Cervantes Avenue south to E. 24th Street. Project improvements included traffic calming through road diets, curb extensions, median refuge islands, Class II buffered bicycle lanes, Class III bicycle routes, Class IV bikeways with bend-outs, high visibility crosswalks, pedestrian actuated LED-enhanced crosswalk signs, two High-Intensity Activated crosswalks (HAWKs) located near Paradise Valley Hospital, and a new traffic signal at the entrance to Euclid Plaza (Vallarta Supermarket) and Windsor Heights Apartments; and

WHEREAS, as a result of the satisfactory completion of the project, staff recommends that City Council; 1) accept the work performed by Portillo Concrete, Inc. for the Euclid Avenue Bicycle and Pedestrian Enhancements project, CIP No. 18-10; 2) approve the final contract amount of \$4,212,297.39; 3) ratify the release of retention in the amount of \$117,549.22; and 4) authorize the Mayor to sign the Notice of Completion for the project; and

WHEREAS, the Paradise Creek Park Expansion project CIP No. 18-16, developed an approximately 4-acre Community Park with decomposed granite (DG) walking paths, educational and interpretive signage, trees, native vegetation, bioretention areas for storm water treatment, community garden, playground and passive recreational areas, and other amenities on the west side of Paradise Creek between W. 22nd Street and W. 19th Street; and

WHEREAS, as a result of the satisfactory completion of the project, staff recommends that City Council; 1) accept the work performed by Dick Miller Inc. for the Paradise Creek Park Expansion project, CIP No. 18-16; 2) approve the final contract amount of \$2,572,476.72; 3) ratify the release of retention in the amount of \$129,288.22; and 4) authorize the Mayor to sign the Notice of Completion for the project; and

WHEREAS, the Sweetwater Road Safety Enhancements project CIP No. 19-12 provided a 2" grind and overlay on 0.5 miles of Sweetwater Road from Stockman Street to the east side of Via Romaya Street within the existing right-of way, and upgrade ADA ramps to the current standard within the project limits, as well as address damaged cross gutter, and curb and gutter. The project also installed new street lighting, raised median for traffic calming, new striping including crosswalk and class II bike lane along Sweetwater Road; and

WHEREAS, as a result of the satisfactory completion of the project, staff recommends that City Council; 1) accept the work performed by Eagle Paving, Inc. for the Sweetwater Road Safety Enhancements project, CIP No. 19-12; 2) approve the final contract amount of \$1,273,050.99; 3) ratify the release of retention in the amount of \$61,929.80; and 4) authorize the Mayor to sign the Notice of Completion for the project; and

WHEREAS, the Sweetwater River Bikeway Connections/ 30th Street Bicycle Facility Improvements project – CIP 18-14 included traffic calming and pedestrian and bicycle enhancements on 30th Street between "D" Avenue and N. 2nd Avenue, connecting existing pedestrian and bicycle facilities near Sweetwater High School to the regional Sweetwater River Bike Path off N. 2nd Avenue. Improvements also included street resurfacing, ADA upgrades, approximately 1 mile of Class II bike lanes with signage, traffic signal modifications at Highland Avenue and E. 30th Street, concrete pads at bus stops, and gateway enhancements at both entrances to the Sweetwater River Bike Path (located at W. 33rd Street and N. 2nd Avenue, respectively); and

WHEREAS, as a result of the satisfactory completion of the project, staff recommends that City Council; 1) accept the work performed by Blue Pacific Engineering and Construction Inc. for the Sweetwater River Bikeway Connections/ 30th Street Bicycle Facility Improvements project, CIP No. 18-14; 2) approve the final contract amount of \$915,469.68; 3) ratify the release of retention in the amount of \$44,221.97; and 4) authorize the Mayor to sign the Notice of Completion for the project; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF NATIONAL CITY, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE, AND ORDER AS FOLLOWS:

Section 1: That the City Council hereby authorizes the accepting the work performed by the general contractors on the following five projects identified below: a) Camacho Recreation Center HVAC Replacement project CIP No. 20-07; b) Euclid Bike and Pedestrian Enhancements project CIP No. 18-10; c) Paradise Creek Park Expansion project CIP No. 18-16; d) Sweetwater Road Safety Enhancements project CIP No. 19-12; and e) Sweetwater River Bikeway Connections/ 30th Street Bicycle Facility Improvements project – CIP 18-14.

Section 2: Approving the final contract amounts.

Section 3: Authorizing the ratifying the release of retentions.

Section 4: Authorizing the authorizing the Mayor to sign the Notice of Completion for the projects.

Section 5: That the City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

Resolution No. 2022 –
Page Two

PASSED and ADOPTED this 4th day of October 2022.

Alejandra Sotelo-Solis, Mayor

ATTEST:

Luz Molina, City Clerk

APPROVED AS TO FORM:

Barry Schultz, Interim City Attorney



AGENDA REPORT

Department: Community Development
Prepared by: Dionisia Trejo, Administrative Secretary
Meeting Date: Tuesday, October 4, 2022
Approved by: Brad Raulston, City Manager

SUBJECT:

Temporary Use Permit – Circo Hermanos Caballero Blue Unit sponsored by Circo Hermanos Caballero from October 6, 2022 to October 17, 2022 at the Westfield Plaza Bonita Mall with no waiver of fees.

RECOMMENDATION:

Approve the application for a Temporary Use Permit subject to compliance with all conditions of approval with no waiver of fees.

BOARD/COMMISSION/COMMITTEE PRIOR ACTION:

Not Applicable.

EXPLANATION:

This is a request from Circo Hermanos to conduct the Circo Hermanos Caballero Blue Unit at Westfield Plaza Bonita Mall from October 6, 2022 to October 17, 2022. Set up for this event will commence at 8:00 a.m. October 5, 2022 on the west side parking lot of Plaza Bonita Mall and will begin breakdown at 10:00 p.m. October 18, 2022. Each show lasts approximately one hour and forty-five minutes

This is a completely self-contained event in a traditional big top circus with concessions. There are no performing animals, no rides, no games, no outside vendors and no alcohol. Vehicles are used for transportation of operations. There will be internal Security Guards and sufficient parking is available at the mall. Food will be prepared on-site in a trailer. Clean-up will be performed after each show.

Note: This is the first time this organization has requested a Temporary Use Permit.

FINANCIAL STATEMENT:

City fee of \$312.00 for processing the TUP, plus for building \$502.86 and \$1,993.00 for the Fire Department.
Total fees: \$2,807.86

RELATED CITY COUNCIL 2020-2025 STRATEGIC PLAN GOAL:

Not Applicable

ENVIRONMENTAL REVIEW:

This is not a project under CEQA and is therefore not subject to environmental review.CCR15378;
PRC 21065.

PUBLIC NOTIFICATION:

Agenda Report posted within 72 hours of meeting date and time in accordance with Brown Act.

ORDINANCE:

Not Applicable

EXHIBITS:

TUP Circo Hermanos Caballero

Conditions of Approval Circo Hermanos Caballero



City of National City ■ Neighborhood Services Department
1243 National City Boulevard ■ National City, CA 91950
(619) 336-4364 ■ fax (619) 336-4217
www.nationalcityca.gov

Special Event Application

Type of Event

- Fair/Festival, Parade/March, Walk or Run, Concert/Performance, TUP, Sporting Event, Other (specify) Circus

Event Name & Location

Event Title Circo hermanos caballero blue unit
Event Location (list all sites being requested) Westfield Plaza bonita

Event Times

Set-Up Starts 10-5-22 8:00 am to 10:00 pm
Date 9/20/2022 Time Day of Week
Event Starts 10-6-22 7:30 pm
Date 9/23/22 Time Day of Week
Event Ends 10-17-22 10:00 pm
Date 10/3/22 Time Day of Week
Breakdown Ends 10-18-22 10:00 pm
Date 10/5/22 Time Day of Week

RECEIVED
SEP 19 REC'D
Neighborhood Services Department
City of National City

Applicant Information

Applicant (Your name) Ruben caballero SR. Sponsoring Organization
Event Coordinator (if different from applicant)
Mailing Address 7820 la cienega st las vegas nv 89123
Day Phone 702-325-6713 After Hours Phone Cell Same Fax
Public Information Phone 725-230-8009 E-mail Abnel_25@yahoo.com

Applicant agrees to investigate, defend, indemnify and hold harmless the City, its officers, employees and agents from and against any and all loss, damage, liability, claims, demands, detriments, costs, charges, expense (including attorney's fees) and causes of action of any character which the City, its officers, employees and agents may incur, sustain or be subjected to on account of loss or damage to property or the loss of use thereof and for bodily injury to or death of any persons (including but not limited to the employees, subcontractors, agents and invitees of each party hereto) arising out of or in any way connected to the occupancy, enjoyment and use of any City premises under this agreement to the extent permitted by law.

Applicant understands this TUP/special event may implicate fees for City services, which will have to be paid in the City's Finance Department 48 hours prior to the event set-up. The undersigned also understands and accepts the City's refund policy for application processing and facility use and that fees and charges are adjusted annually and are subject to change.

Signature of Applicant: [Signature] Date 9/13/22

Special Event Application (continued)

Please complete the following sections with as much detail as possible since fees and requirements are based on the information you provide us.

Fees/Proceeds/Reporting

Is your organization a "Tax Exempt, nonprofit" organization? Yes No

Are admission, entry, vendor or participant fees required? Yes No

If YES, please explain the purpose and provide amount (s):

Its a family circus show with acrobats , jugglers , contorcionist, dancers, motorcycles

And the admission is - general 40 adults and 20 for the kids

\$ Estimated Gross Receipts including ticket, product and sponsorship sales from this event.

\$ 60,000 Estimated Expenses for this event.

\$ _____ What is the projected amount of revenue that the Nonprofit Organization will receive as a result of this event?

Description of Event

First time event Returning Event include site map with application

Note that this description may be published in our City Public Special Events Calendar:

Its a family circus show with acrobats , jugglers , contorcionist, dancers, motorcycles

Estimated Attendance

Anticipated # of Participants: 30 Anticipated # of Spectators: 200 to 300

Traffic Control, Security, First Aid and Accessibility

Requesting to close street(s) to vehicular traffic? Yes No

List any streets requiring closure as a result of the event (provide map): _____

Date and time of street closure: _____ Date and time of street reopening: _____

Other (explain) _____

Requesting to post "no parking" notices? Yes No

Requested "No Parking" on city streets and/or parking lots (list streets/parking lots) (provide map): _____

Other (explain) _____

Security and Crowd Control

Depending on the number of participants, your event may require Police services.

Please describe your procedures for both Crowd Control and Internal Security: _____

Please see attachment

Have you hired Professional Security to handle security arrangements for this event?

Yes No If YES, name and address of Security Organization _____

Security Director (Name): Caballero productions inc. Phone: 702-325-6713

If using the services of a professional security firm and the event will occur on City property, please provide a copy of its insurance certificate, evidencing liability with limits of at least \$1 Million dollars per occurrence/\$2 Million dollars aggregate, as well as and additional insured endorsement naming the City of National City, its officers, employees, and agents as additional insureds. Evidence of insurance must be provided by the vendor or its insurer to the Neighborhood Services Department at the time of submission.

Is this a night event? Yes No If YES, please state how the event and surrounding area will be illuminated to ensure safety of the participants and spectators: _____

Its a Night event and day time event we have lights towers ots a circus

First Aid

Depending on the number of participants, your event may require specific First Aid services. First aid station to be staffed by event staff? Yes No First aid/CPR certified? Yes No

First aid station to be staffed by professional company. ▶ Company _____

If using the services of a professional medical organization/company and the event will occur on City property, please provide a copy of its insurance certificate, evidencing liability with limits of at least \$1 Million dollars per occurrence/\$2 Million dollars aggregate, as well as and additional insured endorsement naming the City of National City, its officers, employees, and agents as additional insureds. Evidence of insurance must be provided by the vendor or its insurer to the Neighborhood Services Department at the time of submission.

Accessibility

Please describe your Accessibility Plan for access at your event by individuals with disabilities:

Please see attachment

Elements of your Event

Setting up a stage? Yes No

Requesting City's PA system

Requesting City Stage; if yes, which size? Dimensions (13x28) Dimensions (20x28)

Applicant providing own stage ▶ 20x20 Round(Dimensions)

Setting up canopies or tents?

_____ # of canopies size _____

1 # of tents size 120 round

No canopies/tents being set up

Setting up tables and chairs?

Furnished by Applicant or Contractor

_____ # of tables No tables being set up

_____ # of chairs No chairs being set up

(For City Use Only) Sponsored Events – Does not apply to co-sponsored events

_____ # of tables No tables being set up

_____ # of chairs No chairs being set up

Contractor Name Caballero productions inc.

Contractor Contact Information 7820 la cienega st las vegas nv 89123 702-325-6713
Address City/State Phone Number

Setting up other equipment?

Sporting Equipment (explain) _____

Other (explain) _____

Not setting up any equipment listed above at event

Having amplified sound and/or music? Yes No

PA System for announcements CD player or DJ music

Live Music ► Small 4-5 piece live band ► Large 6+ piece live band

Other (explain) _____

If using live music or a DJ. ► Contractor Name Caballero productions inc.

► 7820 la cienega st las vegas nv 89123 702-325-6713
Address City/State Phone Number

Using lighting equipment at your event? Yes No

Bringing in own lighting equipment

Using professional lighting company ▶ Company Name Caballero productions inc.

7820 la cienega st las vegas nv 89123 , 702-325-6713

Address

City/State

Phone Number

Using electrical power? Yes No

Using Kimball Park Bowl
Lighting (from _____ to _____)

Using on-site electricity

For sound and/or lighting

For food and/or refrigeration

Bringing in generator(s)

For sound and/or lighting

For food and/or refrigeration

Vendor Information

PLEASE NOTE: You may be required to apply for a temporary health permit if food or beverages are sold or given away during your special event. Also see 'Permits and Compliance' on page 8 in the Special Event Guide. For additional information on obtaining a temporary health permit, please contact the County of San Diego Environmental Health at (619) 338-2363.

Having food and non-alcoholic beverages at your event? Yes No

Vendors preparing food on-site ▶ # 1 ▶ Business License # _____

If yes, please describe how food will be served and/or prepared: _____

If you intend to cook food in the event area please specify the method:

GAS ELECTRIC CHARCOAL OTHER (Specify): _____

Vendors bringing pre-packaged food ▶ # 1 ▶ Business License # _____

Vendors bringing bottled, non-alcoholic beverages (i.e., bottled water, can soda, etc.) ▶ # 1

Vendors selling food # 1 ▶ Business License #(s) _____

Vendors selling merchandise # _____ ▶ Business License #(s) _____

Food/beverages to be handled by organization; no outside vendors

Vendors selling services # _____ ▶ Business License #(s) _____

▶ Explain services _____

Vendors passing out information only (no business license needed) # _____

▶ Explain type(s) of information _____

No selling or informational vendors at event

Having children activities? Yes No

PLEASE NOTE: In the event inflatable jumps are provided at the event, The City of National City requires commercial liability insurance with limits of at least \$1 Million dollars per occurrence/\$2 Million dollars aggregate. In addition, the City of National City must be named as an Additional Insured pursuant to a separate endorsement, which shall be provided by the vendor or its insurer to the City's Risk Manager, along with the Certificate of Insurance, for approval prior to the event. The application should be filed out at least one week prior to the event. For questions or to obtain a copy of the "Facility Use Application", please contact the Engineering/Public Works Department at (619) 336-4580.

Inflatable bouncer house # _____ Rock climbing wall Height _____

Inflatable bouncer slide # _____ Arts & crafts (i.e., craft making, face painting, etc.)

Carnival Rides _____ Other _____ Circus _____

Having fireworks or aerial display? Yes No

Vendor name and license # _____

Dimensions _____ Duration _____

Number of shells _____ Max. size _____

PLEASE NOTE: In the event fireworks or another aerial display is planned for your event, The City of National City requires commercial liability insurance with limits of at least \$2 Million dollars per occurrence/ \$4 Million dollars aggregate. In addition, the City of National City must be named as an Additional Insured pursuant to a separate endorsement, which shall be provided by the vendor or its insurer to the City's Risk Manager, along with the Certificate of Insurance, for approval prior to the event. Depending on the size and/or nature of the fireworks display, the City reserves the right to request higher liability limits. The vendor must also obtain a fireworks permit from the National City Fire Department and the cost is \$602.00

Arranging for media coverage? Yes No

Yes, but media will not require special set-up

Yes, media will require special set-up. Describe _____

Event Signage

PLEASE NOTE: For City sponsored or co-sponsored events, banners publicizing the event may be placed on the existing poles on the 1800 block and 3100 block of National City Boulevard. The banners must be made to the City's specifications. Please refer to the City's Special Event Guidebook and Fee Schedule for additional information.

Are you planning to have signage at your event? Yes No

Yes, we will post signage # _____ Dimensions _____

Yes, having inflatable signage # _____ ▶ (complete Inflatable Signage Request form)

Yes, we will have banners # _____

What will signs/banners say? _____

How will signs/banners be anchored or mounted? _____

Location of banners/signage _____

Waste Management

PLEASE NOTE: One toilet for every 250 people is required, unless the applicant can show that there are sufficient facilities in the immediate area available to the public during the event.

Are you planning to provide portable restrooms at the event? Yes No

If yes, please identify the following:

▶ Total number of portable toilets: 9

▶ Total number of ADA accessible portable toilets: 2

Contracting with portable toilet vendor. ▶ Caballero productions inc.

Company Phone

▶ Load-in Day & Time _____ ▶ Load-out Day & Time _____

Portable toilets to be serviced. ▶ Time Monday and friday at 12:00 pm

Set-up, Breakdown, Clean-up

Setting up the day before the event?

Yes, will set up the day before the event. ▶ # of set-up day(s) 9/20/22 to 9/23/22

No, set-up will occur on the event day

Requesting vehicle access onto the turf?

Yes, requesting access onto turf for set-up and breakdown (complete attached Vehicle Access Request form)

No, vehicles will load/unload from nearby street or parking lot.

NPDES-Litter Fence

- City to install litter fence
- Applicant to install litter fence
- N/A

Breaking down set-up the day after the event?

- Yes, breakdown will be the day after the event. ▶ # of breakdown day(s) 10/4/22
- No, breakdown will occur on the event day.

How are you handling clean-up?

- Using City crews
- Using volunteer clean-up crew during and after event.
- Using professional cleaning company during and after event.

Miscellaneous

Please list anything important about your event not already asked on this application:

Please see attachment

**Please make a copy of this application for your records.
We do not provide copies.**



Special Events

Pre-Event Storm Water Compliance Checklist

I. Special Event Information

Name of Special Event: <u>Circo hermanos caballero blue unit</u>	
Event Address: <u>Westfield Plaza bonita</u>	Expected # of Attendees: <u>200</u>
Event Host/Coordinator: <u>Caballero productions inc.</u>	Phone Number: <u>702-325-6713</u>

II. Storm Water Best Management Practices (BMPs) Review

	YES	NO	N/A
Will enough trash cans provided for the event? Provide number of trash bins: <u>6</u>	Yes		
Will enough recycling bins provided for the event? Provide number of recycle bins: <u>6</u>	Yes		
Will all portable toilets have secondary containment trays? (exceptions for ADA compliant portable toilets)	Yes		
Do all storm drains have screens to temporarily protect trash and debris from entering?			N/a
Are spill cleanup kits readily available at designated spots?			N/a

* A Post-Event Storm Water Compliance Checklist will be completed by City Staff.

City of National City

PUBLIC PROPERTY USE HOLD HARMLESS AND INDEMNIFICATION AGREEMENT

Persons requesting use of City property, facilities or personnel are required to provide a minimum of \$1,000,000 combined single limit insurance for bodily injury and property damage which includes the City, its officials, agents and employees named as additional insured and to sign the Hold Harmless Agreement. Certificate of insurance must be attached to this permit. The insurance company issuing the insurance policy must have a A.M. Best's Guide Rating of A:VII and that the insurance company is a California admitted company; if not, then the insurance policy to the issuance of the permit for the event. The Certificate Holder must reflect:

City of National City
Risk Management Department
1243 National City Boulevard
National City, CA 91950

Organization: Caballero productions inc.

Person in Charge of Activity: Ruben caballero SR.

Address: 7820 la cienega st las vegas nv 89123

Telephone: 702-325-6713 Date(s) of Use: 9/23/22 to 10/3/22

HOLD HARMLESS AGREEMENT

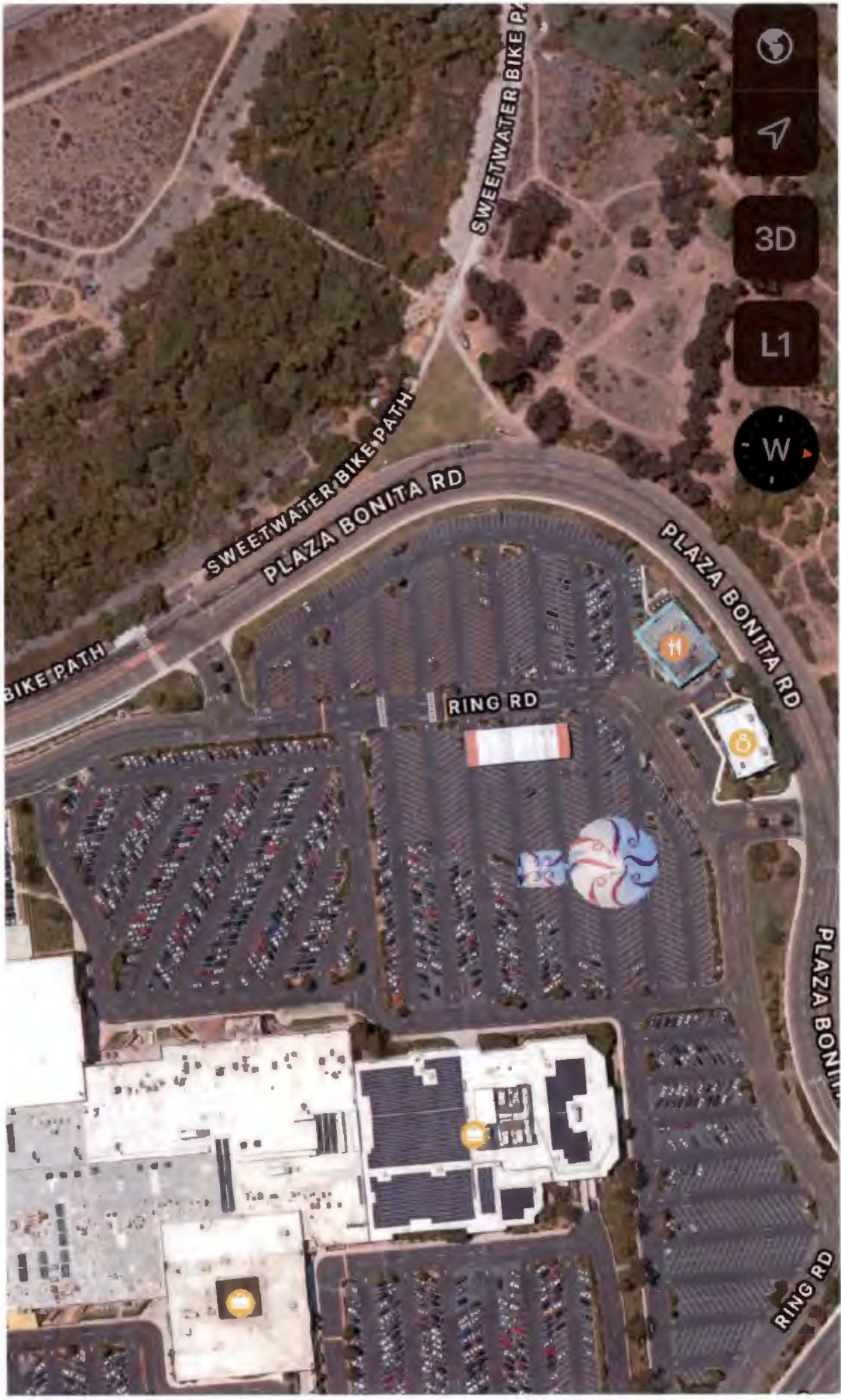
As a condition of the issuance of a temporary use permit to conduct its activities on public or private property, the undersigned hereby agree(s) to defend, indemnify and hold harmless the City of National City and the Parking Authority and its officers, employees and agents from and against any and all claims, demands, costs, losses, liability or, for any personal injury, death or property damage, or both, or any litigation and other liability, including attorney's fees and the costs of litigation, arising out of or related to the use of public property or the activity taken under the permit by the permittee or its agents, employees or contractors.

Signature of Applicant: 

Official Title: Owner Date: 9/13/22

For Office Use Only

Certificate of Insurance Approved _____ Date _____



Caballero Productions Inc.
DBA Circo Hermanos Caballero
General Information

Our in house security is made up of two people from our company personnel and are fully dedicated to the safety and protection of our patrons as they also provide guidance in and around the circus tent show.

Our circus tent is in full compliance with all the sections of the ²⁰¹³~~2012~~ California Uniform Fire Code Title 24 Part 9 of the California Administrative Codes. We also have appropriate certification of Flame Proofing for the circus tent. A fire lane is maintained on all sides of the circus tent. The emergency exits are well lighted and clearly visible from any direction inside the tent and throughout to guide our patrons to safety in case of an emergency.

Restroom facilities are provided for the comfort of our patrons. The facilities are hired from a local company and are cleaned, sanitized, pumped and filled with chemicals as needed.

Recorded music beds are utilized for the performance and single microphone is used for the pertinent announcements. The sound is kept at an appropriate level and only inside the big top.

There are no alcoholic beverages served or sold what so ever. Only traditional circus concession items such as popcorn, soft drinks, cotton candy, hot dogs, snow cones, bottled water and nachos is what we cater to our patrons.

Our power is supplied from a 150KW generator enclosed in a 48 foot trailer with ventilated windows always parked 25 feet from the tent. A 100 gallon holding diesel tanks is next to the generator and a fire extinguisher is ready and available.

The circus contracts commercial waste management services at each location for trash removal. A 30 yard open top container is requisitioned and it is emptied as needed. The site is cleaned daily and it is returned to a as was condition after the final performance before the departure of the circus.

Our circus is professionally managed and directed by executives that have worked in the entertainment industry for more than thirty years. We provide a quality, world class, family entertainment service to enhance the life and lift the spirits of the community, creating a delightful sentiment and leaving a lasting impression in the heart of the same.

Circo Hermanos Caballero

Presented by Caballero Productions, Inc

General Information

Circo Hermanos Caballero is a family owned and operated European style Big Top Travelling Circus. The performance is one hour and 45 minutes, with a 15 intermission.

The Caballero family is committed to provide enchanting and delightful, high quality wholesome family entertainment to the American public in a safe and pleasant setting. State-of-the-art lighting and sound systems combined with theatrical and special effects are coupled and intertwined with superb artistry to produce a tapestry of awe, amazement, wonder and admiration that spellbinds the senses and emotions of the audience. There are no wild animals in the show, neither performing or for exhibition. It is definitely a high quality circus delivering a world-class performance.

The two-hour performance is presented in a European/Latin style, combined the best circus elements of both continents. The performance takes place in a one-ring stage with the audience at a comfortable distance. This yields a first-class performance. The spectators can better appreciate the show, and the players can enjoy the audience's undivided attention. Theatrical style, lighting, and a modern sound system provides an exuberant and vivacious circus experience. Jugglers, acrobats, dare devils, clowns, contortionists, flying trapeze artists and aerialists are the acts presented in our show.

It is in no manner a carnival. We do not offer any games of chance, mechanical rides, freak shows, or exhibitionists of any kind. We are a wholesome family entertainment serving the community by fostering the continuity of an age-old family tradition, yet in doing so we present it with a modern touch.

Circuses are indubitably, a cultural event, but more so a wonderful and delightful experience that brings families together for two hours of solid fun and excitement creating starry-eye memories that will be cherished throughout a lifetime. Circo Caballero has the ability to capture the hearts and imagination of the young and old alike, casting a "magical" spell over the spectator leaving them with eyes wide open (and often mouths wide open), as the audience watches in awe and disbelief the incredible and daring feats of the young men and women who fly through the air great elegance, gracefulness and incredible ease, like bird in flight.

Our circus is professionally managed and directed by executives that have worked in the entertainment industry for more than thirty years. We provide a quality, world-class, family entertainment service to enhance the life and lift the spirits of the community, creating a delightful sentiment and leaving a lasting impression on the heart.



**CALIFORNIA DEPARTMENT OF FORESTRY and FIRE PROTECTION
OFFICE OF THE STATE FIRE MARSHAL**

REGISTERED FLAME RESISTANT PRODUCT

Product:

PRECONSTRAINT 702 BLACKOUT

Registration No.

F-44408

Product Marketed By:

SERGE FERRARI

1510 S.W. 5TH COURT

POMPANO BEACH, FL 33069

This product meets the minimum requirements of flame resistance established by the California State Fire Marshal for products identified in Section 13115, California Health and Safety Code.

The scope of the approved use of this product is provided in the current edition of the CALIFORNIA APPROVED LIST OF FLAME RETARDANT CHEMICALS AND FABRICS, GENERAL AND LIMITED APPLICATIONS CONCERNS published by the California State Fire Marshal.


Deputy State Fire Marshal

Circo Caballero Trash/Recycling Plan

Circo Caballero does not hire or contract with outside vendors or temporary workers. All staffing will be with workers that travel with the show. The staff is currently trained on proper sanitary and clean-up procedures. There is a staff of 25 people and while some people are working throughout the day, all of them are present from one hour before the first show of the day until after the show is over and clean-up is completed.

As opposed to a carnival where patrons wander all over the property and purchase food items throughout their stay, the circus limits the areas in which the public travels, therefore the major portion of the clean up will be in a limited area.

Staff continuously cleans up the entrance area throughout the time the show is open to the public so trash does not remain on the ground. Trash is cleaned up after each performance inside the tent. And, once each day, trash will be picked up in the parking area, which is expected to be minimal since most people consume items early in the show and are unlikely to bring trash back to their car.

A trash dumpster will be contracted for placement on the grounds. Several trash cans and recycle bins are available for public use in the circus entrance area. However, due to the nature of our operation, most people buy their food products and take them immediately into the tent where they sit down. They normally let their trash fall through the bleachers, where we clean it up after each show. For this reason, almost all of the trash remains inside the tent, making the possibility of it blowing around the property minimal.

Since sodas and water are served in plastic bottles and cans, our staff will put those, along with appropriate paper products into the recycle bins and transport them to an appropriate recycling facility or make arrangements with the dumpster company for their removal.

Circo Caballero Security Plan

LENGTH OF SHOW: Approximately one and one-half hours
EXPECTED ATTENDANCE: 300 per performance

**NO GAMES OF CHANCE, NO RIDES.
NO ALCOHOL IS SOLD OR SERVED, NO OUTSIDE CONTRACTED VENDORS**

Since Circo Caballero is a family show and attracts primarily families, in-house security has been sufficient to provide appropriate crowd control. Since there is nothing to see other than the show itself, there are no people just loitering in the area. Crowds come at show time, enter the enclosed midway area and take their seats. After the show there is nothing else to see so they exit to their cars.

Many of the things that attract or encourage trouble or the necessity for police intervention will not be present at Circo Caballero. Alcohol will not be sold or served and there are no games of chance or mechanical rides. While a carnival attracts ages 12 - 22, a prime age for those who cause trouble, Circo Caballero primarily attracts children of elementary school ages or younger along with their parents and grandparents.

Circo Caballero has its own security team consisting of uniformed (unarmed) security personnel (includes 1 head of security). The uniforms consist of matching Circo Caballero shirts and pants. This low key approach to security maintains the atmosphere of family fun. If requested, the security team can wear uniforms that identify them as security.

All security will be scheduled one hour before each performance and stay 30 minutes after the performance. Security personal will be stationed both inside and outside the tent as well as next to the ticket booth.

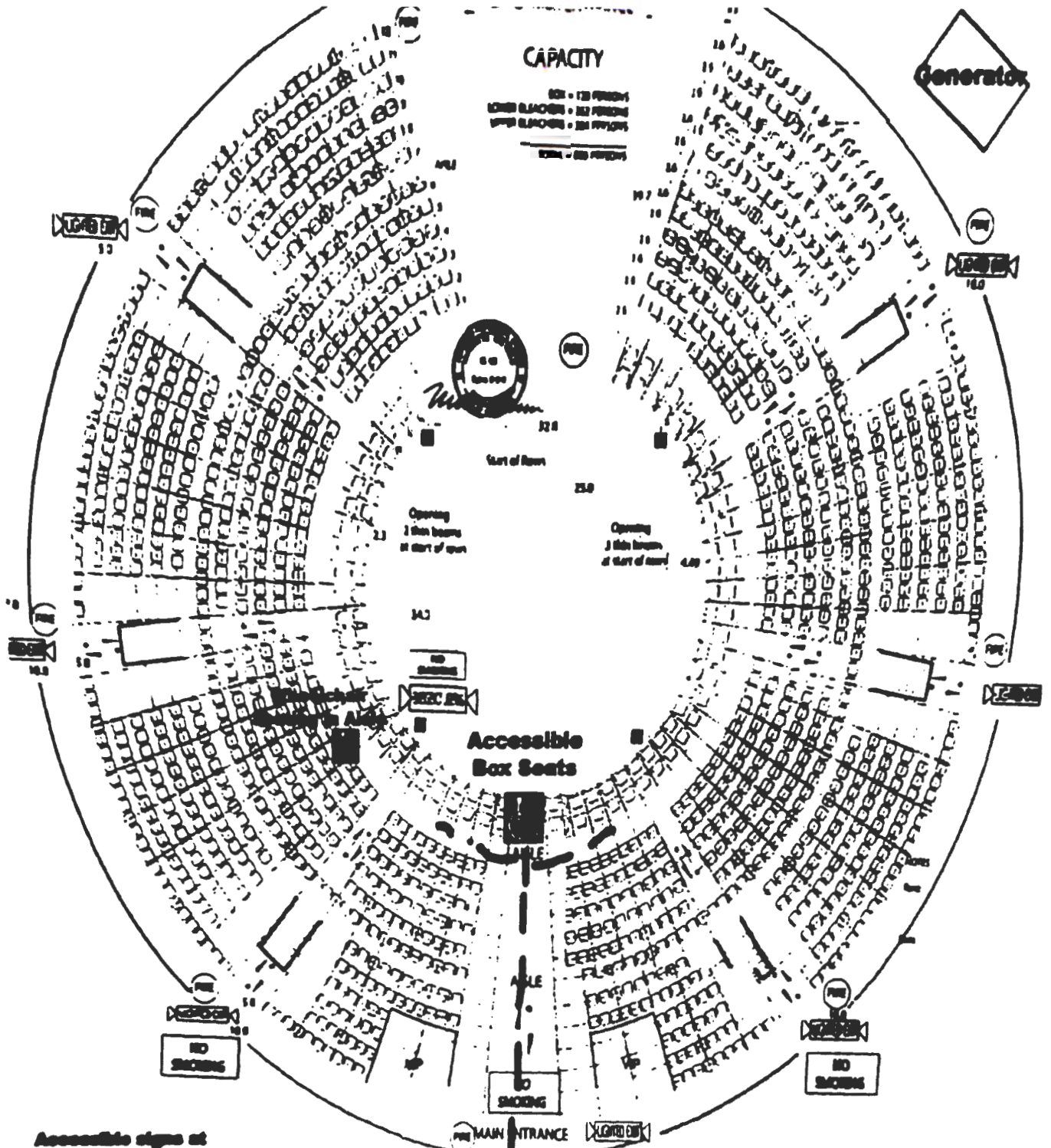
Security Personnel will have access to walkie-talkies for communication between themselves in addition to cell phones that can be used to call additional personnel as well as local police or fire, if it becomes necessary.

Further, the layout of the Circo Caballero tent has more exists than are required by State Codes and the total number of feet on those exists also exceeds state requirements. While Circo Caballero only seats up seats, we expect an average attendance of 300 - 500 people per show in, making the exiting far more than needed.

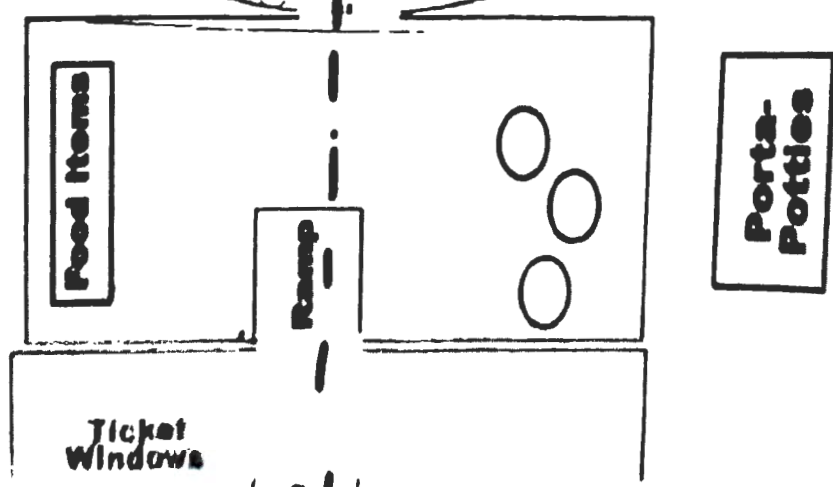
All requirements for aisles, lighting, electrical, generators, fire extinguishers and other safety issues are met or exceeded by Circo Caballero. In case of emergency, the exits lead to the fire lane, which is always kept unobstructed, making an easy path of escape for patrons.

Circo Caballero is expecting inspections by the local Fire Department as well as the city building department (if required) and the County Health Department. This will assure that we are meeting all those requirements for public safety.

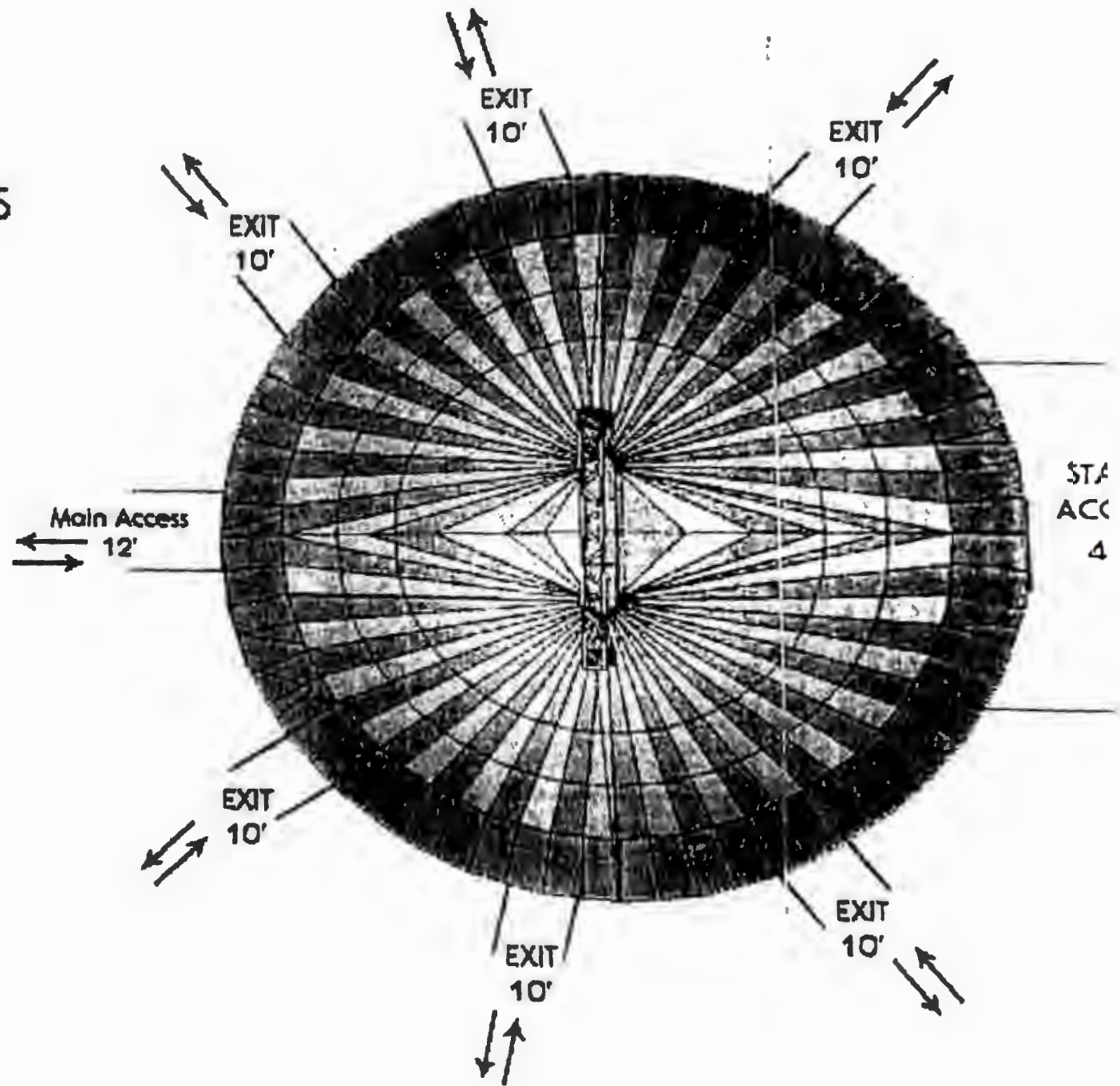
Circo Caballero has trained first aid staff on site along with a first aid station.



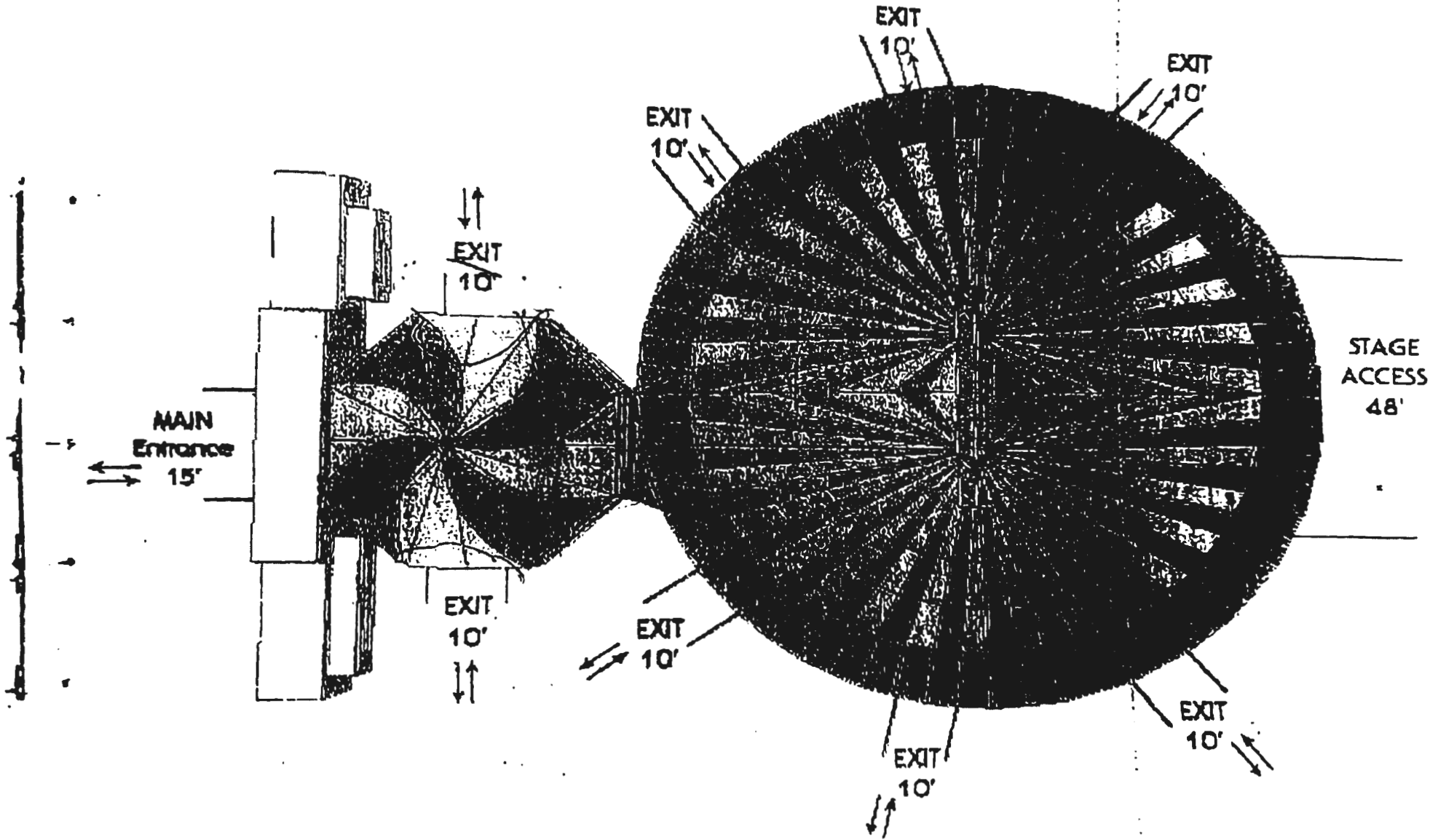
Accessible signs at
Entrance/Exit
without path of travel
to reach 48-foot



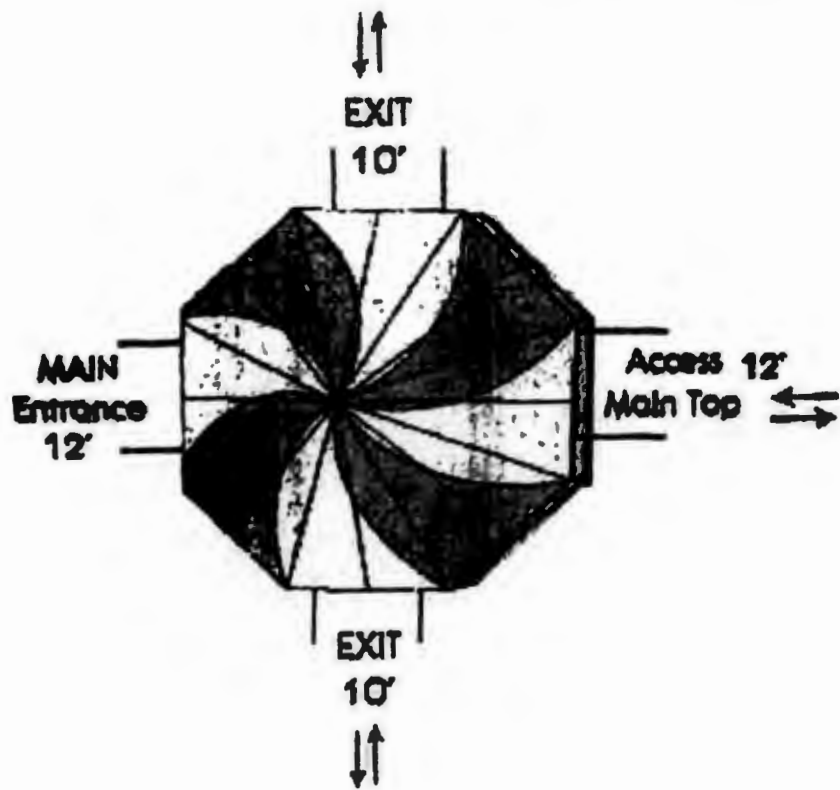
MAIN TOP ACCESS ROUTES



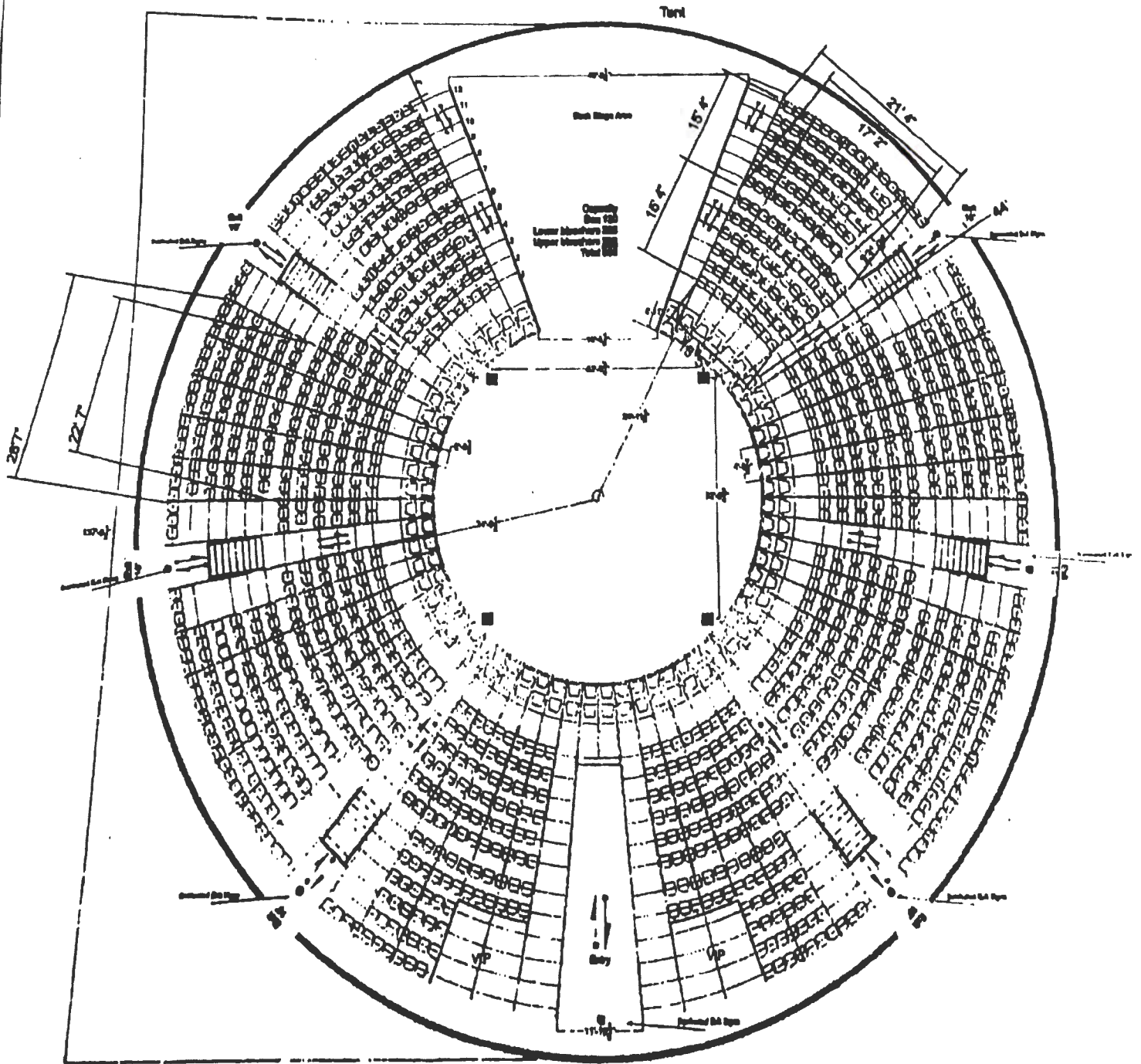
CIRCO CABALLERO ACCESS ROUTES



Concession Stand Access Routes



Circo Hermanos Caballero



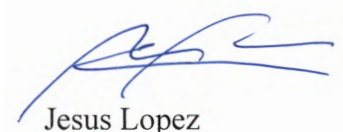
September 13, 2022

Dear Sir/Madam:

Caballero Productions, Inc. dba Circo Hermanos Caballero - Blue Unit has permission to obtain the permits to host a circus at Westfield Plaza Bonita - National City, CA, for the event dates of September 20 - October 5, 2022.

Please contact me with any questions as we look forward to having this wonderful event at our property then.

Best regards,



Jesus Lopez
Facilities Manager
Westfield Plaza Bonita
3030 Plaza Bonita Rd. Suite 2075
National City, CA 91950



City of National City BUSINESS TAX CERTIFICATE



2022

TO BE POSTED IN A CONSPICUOUS PLACE
AND
NOT TRANSFERABLE OR ASSIGNABLE

"For Services Provided in National City, California Only"

Business Name CIRCO HERMANOS CABALLERO
Business Location 7820 LA CIENEGA ST
LAS VEGAS, NV 89123-1755
Business Owner(s) CABALLERO PRODUCTIONS INC

Business Type Entertainment
Account Number 09051647
Effective Date September 23, 2022
Expiration Date December 31, 2022

CIRCO HERMANOS CABALLERO
7820 LA CIENEGA ST
LAS VEGAS, NV 89123-1755

City Manager

**NOTE: IT IS YOUR OBLIGATION TO RENEW THIS
CERTIFICATE WHETHER OR NOT YOU RECEIVE A
RENEWAL NOTICE**

For all inquiries regarding this certificate, contact HdL
Business Tax Support Center at (619) 382-2596.

**THIS BUSINESS TAX CERTIFICATE DOES NOT PERMIT A BUSINESS
THAT IS OTHERWISE PROHIBITED**

CIRCO HERMANOS CABALLERO

Thank you for your payment on your National City Business Tax Certificate. **ALL CERTIFICATES MUST BE AVAILABLE FOR INSPECTION UPON REQUEST.** If you have questions concerning your business license, contact the Business Support Center via email at: NationalCity@HdLgov.com or by telephone at: (619) 382-2596

Keep this portion for your license separate in case you need a replacement for any lost, stolen, or destroyed license. A fee may be charged for a replacement or duplicate certificate.

This certificate does not entitle the holder to conduct business before complying with all requirements of the National City Municipal code and other applicable laws, nor to conduct business in a zone where conducting such business violates law.

If you have a fixed place of business within the National City, please display the Business Tax Certificate below in a conspicuous place at the premises. Otherwise, every Business Tax Certificate holder not having a fixed place of business in the City shall keep the Business Tax Certificate upon his or her person, or affixed in plain view any cart, vehicle, van or other movable structure or device at all times if required by the Collector.

Starting January 1, 2021, Assembly Bill 1607 requires the prevention of gender-based discrimination of business establishments. A full notice is available in English or other languages by going to: <https://www.dca.ca.gov/publications/>



BUSINESS TAX SUPPORT CENTER
8839 N CEDAR AVE #212
FRESNO, CA 93720-1832



City of National City BUSINESS TAX CERTIFICATE

CIRCO HERMANOS CABALLERO
7820 LA CIENEGA ST
LAS VEGAS, NV 89123-1755

Account Number: 09051647
Date of Issue: 09/23/2022

**CITY OF NATIONAL CITY
NEIGHBORHOOD SERVICES DEPARTMENT
APPLICATION FOR A TEMPORARY USE PERMIT
CONDITIONS OF APPROVAL**

SPONSORING ORGANIZATION: Circo Hermanos Caballero

EVENT: Circo Hermanos Caballero Blue Unit

DATE OF EVENT: October 6, 2022 thru October 17, 2022

APPROVALS:

COMMUNITY SERVICES	YES [x]	NO []	SEE CONDITIONS []
RISK MANAGER	YES [x]	NO []	SEE CONDITIONS [x]
PUBLIC WORKS	YES [x]	NO []	SEE CONDITIONS [x]
FINANCE	YES [x]	NO []	SEE CONDITIONS [x]
FIRE	YES [x]	NO []	SEE CONDITIONS [x]
POLICE	YES [x]	NO []	SEE CONDITIONS [x]
ENGINEERING	YES [x]	NO []	SEE CONDITIONS []
COMMUNITY DEVELOPMENT	YES [x]	NO []	SEE CONDITIONS [x]

CONDITIONS OF APPROVAL:

PUBLIC WORKS (619)366-4580

No involvement

POLICE DEPARTMENT

No comments received

ENGINEERING

No comments received

COMMUNITY SERVICES

No comments

FINANCE

No comments received

COMMUNITY DEVELOPMENT

Planning

No comments received

Building

A Building permit will be required for the Circo Hermanos tent and generator. In order to properly process the Building Permit provide a clear detailed plan minimum size 30" X 24", 3 copies. The plans should include all the details for the following:

1. **Complete** plans and details for the tent structures and canopies, include Flame Retardant Certificate and distances between them
2. **Stages**
3. **ADA** - complete accessibility details
4. **Generator** - details of size and number of generators (with grounding details).
5. **Electrical** - What will the generators provide power for? Load Calcs., cable/trip protection
6. **Site Lighting** -
7. **Exiting** - We need all details for exiting, including exit distances, fencing, lighting, total area in square feet of fenced areas.
8. **Maximum total attendance (Occupants)** include all employees and staff. This will determine number of bathrooms, hand wash stations and exits.
9. **Show all extinguishers on site plan**
10. **Permit/Plan Check Fees** –Plan check fees are **\$154.86 hourly and after hour inspection fees are \$284 min., Generator \$64**
11. **Cooking/Food** – detail cooking/food service. Health Department clearance is required to be provided to the city, if one is not needed provide documentation from County Health Department stating that in writing.
12. **Seating**

Neighborhood Services

Neighborhood Notifications – Events are required to notify residents and/or businesses of the surrounding impacted areas by the event. The notice shall include the name of the event, name and phone number of the company/organization producing the event, the dates and times of the event (including set-up and breakdown) and a detailed description of how the residents and/or businesses may be affected, such as by street closures, “No Parking” signs being posted, music at the event, etc.

Display of banners -- Banners are allowed on site for event but must be removed immediately thereafter event completion. If you wish to place banners in any location other than on-site, you must get approval from the property/business owner where you intend to display the banner.

RISK MANAGER (619) 336-4370

Risk Management has reviewed the above-captioned application for issuing a Temporary Use Permit. As much as the event will be held solely on private property, no additional insurance requirements are necessary for the permit issuance.

It should be noted that the applicant properly executed the Hold Harmless and Indemnification Agreement when the Special Event Application was submitted.

FIRE (619) 336-4550

INSPECTION REQUIRED

Total fee amount for all Fire Department permits is, (\$1,993.00) One Thousand Nine Hundred and Ninety Three dollars. Carnival and Fairs (Multiple Day) \$1,031.00, Places of Assembly \$211.00, Tent \$751.00. Fees can only be waived by City Council.

Stipulations required by the Fire Department for this event are as follows:

- 1) Access to Circo Hermanos Caballero to be maintained at all times.
- 2) Exit signs shall be provided at all required exits. Exit signs shall be green in color (National City Municipal Code) and either self illuminating or electrical with a 90 minute back-up power.
- 3) Exits, aisles and passageways shall not be blocked or have their minimum clear width obstructed in any manner by ticket offices, turnstiles, concessions, chairs, equipment, animal chutes, poles, or guy ropes, or by persons, etc.
- 4) Internal combustion power sources that may be used for "Generator" shall be of adequate capacity to permit uninterrupted operation during normal operating hours. External fuel storage tanks will not be allowed.
- 5) Internal combustion power sources (Generators/Transformers) shall be isolated from contact with the public by either physical guards, fencing or an enclosure. Internal combustion power shall be at least 20 feet away from the tent and shall be provided with a fire extinguisher rated at minimum of 10 B-C.
- 6) Fire Hydrants shall not be blocked or obstructed.
- 7) Participants on foot are to move immediately upon approach of emergency vehicle(s).

- 8) Vehicles in roadway are to move immediately to the right upon approach of emergency vehicle(s).
- 9) Vehicles shall be isolated from contact with the tents or canopies, Vehicles shall be at least **20** feet away from tents or canopies.
- 10) If tents or canopies are used, tents having an area in excess of 200 square feet and or canopies in excess of 400 square feet or multiple tents and or canopies placed together equaling or greater than the above stated areas, are to be used, they shall be flame-retardant treated with an approved California State Fire Marshal seal attached. A ten feet separation distance must be maintained between tents and canopies. A permit from the Fire Department must be obtained. **Cooking shall not be permitted under tents or canopies unless the tents or canopies meet "State Fire Marshal approval for cooking.** Fees can only be waived by the City Council.

Canopies:

0 – 400 sf -	\$0
401 – 500 sf -	\$391.00
501 – 600 sf -	\$436.00
601 – 700 sf -	\$571.00

Tents:

0 –200 sf -	\$391.00
201 – (+) sf -	\$751.00

- 11) Concession stands utilized for cooking shall have a minimum of 10 feet of clearance on two sides and shall not be located within 10 feet of amusement rides or devices.
- 12) All cooking booths or areas to have one 2A:10BC. If grease or oil is used in cooking a 40:BC or class "K" fire extinguisher will be required. All fire extinguishers to have a current State Fire Marshal Tag attached.
- 13) Fire extinguishers to be mounted in a visible location between 3½'to 5' from the floor to the top of the extinguisher. Maximum travel distance from an extinguisher shall not be more than 75 feet travel distance. **All fire extinguisher to have a current State Fire Marshal Tag attached.**
- 14) Emergency generators and standby power systems shall be installed, tested, and maintained in accordance with NFPA 110 and NFPA 101, *Standard for Emergency and Standby Power Systems.*
- 15) Smoking shall not be permitted in tents, canopies or membrane structures. Approved "No Smoking" signs shall be conspicuously posted.

- 16) First Aid shall be provided by organization
- 17) Any electrical power used is to be properly grounded and approved. Extension cords shall be used as "Temporary Wiring" only.
- 18) Fees can only be waived by City Council.
- 19) If occupants is over 500, there shall be trained Crowd Managers or crowd manager/supervisors at a ratio of one crowd manager/supervisors for every 250 occupants, as approved in addition to the security. Please provide the current Crowd Manager certification to NCFD prior to the event.
- 20) Required inspections taking place, after hours, holidays, and weekends will be assessed a minimum of two hundred and eleven dollars (\$211.00) dollars. Fee is to be paid to the Fire Department Administration offices under separate permit. **Fee is to be paid prior to event.**



AGENDA REPORT

Department: Community Development
Prepared by: Dionisia Trejo, Administrative Secretary
Meeting Date: Tuesday, October 4, 2022
Approved by: Brad Raulston, City Manager

SUBJECT:

Temporary Use Permit – Care for Humanity hosted by Church of Christ on October 23, 2022, from 12 p.m. to 4 p.m. at 3201 Kimball Park with no waiver of fees.

RECOMMENDATION:

Approve the Application for a Temporary Use Permit subject to compliance with all conditions of approval with no waiver of fees or in accordance to City Council Policy 802.

BOARD/COMMISSION/COMMITTEE PRIOR ACTION:

Not Applicable.

EXPLANATION:

This is a request from Church of Christ to conduct the Care for Humanity event at Kimball Park on October 23, 2022, from 12 p.m. to 4 p.m. Set up for the event will commence at 4 a.m. on the day of the event.

The purpose of the event is to provide care packages, free health screenings, free school supplies and clothing. This event will consist of live music, family games and informational booths. Applicant will provide their own stage.

Note: This is the first time this organization has requested a Temporary User Permit to conduct the Care for Humanity.

FINANCIAL STATEMENT:

City fee of \$312.00 for processing the TUP through the various City departments, plus \$602.82 for Public Works and \$211.00 for Fire Inspection.
Total fees: \$1,125.82

RELATED CITY COUNCIL 2020-2025 STRATEGIC PLAN GOAL:

Not Applicable

ENVIRONMENTAL REVIEW:

This is not a project under CEQA and is therefore not subject to environmental review.CCR15378; PRC 21065.

PUBLIC NOTIFICATION:

Agenda Report posted within 72 hours of meeting date and time in accordance with Brown Act.

ORDINANCE:

Not Applicable

EXHIBITS:

Exhibit A - Care for Humanity TUP
Exhibit B - Conditions of Approval Care for Humanity



City of National City ■ Neighborhood Services Department
1243 National City Boulevard ■ National City, CA 91950
(619) 336-4364 ■ fax (619) 336-4217
www.nationalcityca.gov

Special Event Application

Type of Event

- Fair/Festival
 Parade/March
 Walk or Run
 Concert/Performance
 TUP
 Sporting Event
 Other (specify) _____

Event Name & Location

Event Title Care for Humanity
 Event Location (list all sites being requested) Kimball Park

Event Times

Set-Up Starts
 Date 10/23/2022 Time 4:00 am Day of Week Saturday
 Event Starts
 Date 10/23/2022 Time 12:00 pm Day of Week Saturday
 Event Ends
 Date 10/23/2022 Time 4:00pm Day of Week Saturday
 Breakdown Ends
 Date 10/23/2022 Time 6:00 pm Day of Week Saturday

RECEIVED
 AUG 25 REC'D
 Neighborhood Services Department
 City of National City

Applicant Information

Applicant (Your name) Jewell Buenavista / John Pangilinan (619) 432-9027
 Sponsoring Organization Church of Christ/Iglesia Ni
 Event Coordinator (if different from applicant) Kimberly Comilang/John Pangilinan
 Mailing Address 35927 Shetland Hills East, Fallbrook, CA 92028
 Day Phone 619-948-6441 After Hours Phone 619-948-6441 Cell 619-948-6441 Fax _____
 Public Information Phone _____ E-mail kim.comilang@gmail.com PANGILINANJUNTA@GMAIL.COM

Applicant agrees to investigate, defend, indemnify and hold harmless the City, its officers, employees and agents from and against any and all loss, damage, liability, claims, demands, detriments, costs, charges, expense (including attorney's fees) and causes of action of any character which the City, its officers, employees and agents may incur, sustain or be subjected to on account of loss or damage to property or the loss of use thereof and for bodily injury to or death of any persons (including but not limited to the employees, subcontractors, agents and invitees of each party hereto) arising out of or in any way connected to the occupancy, enjoyment and use of any City premises under this agreement to the extent permitted by law.

Applicant understands this TUP/special event may implicate fees for City services, which will have to be paid in the City's Finance Department 48 hours prior to the event set-up. The undersigned also understands and accepts the City's refund policy for application processing and facility use and that fees and charges are adjusted annually and are subject to change.

Signature of Applicant: *John Pangilinan* Date 08/25/2022

Special Event Application (continued)

Please complete the following sections with as much detail as possible since fees and requirements are based on the information you provide us.

Fees/Proceeds/Reporting

Is your organization a "Tax Exempt, nonprofit" organization? Yes No

Are admission, entry, vendor or participant fees required? Yes No

If YES, please explain the purpose and provide amount (s):

\$ Estimated Gross Receipts including ticket, product and sponsorship sales from this event.

\$ Estimated Expenses for this event.

\$ What is the projected amount of revenue that the Nonprofit Organization will receive as a result of this event?

Description of Event

First time event Returning Event include site map with application

Note that this description may be published in our City Public Special Events Calendar:

Care package give-aways, free health screenings, free school supplies and clothing, live music and performances.

Estimated Attendance

Anticipated # of Participants: 500 Anticipated # of Spectators: 500

Traffic Control, Security, First Aid and Accessibility

Requesting to close street(s) to vehicular traffic? Yes No

List any streets requiring closure as a result of the event (provide map): _____

Date and time of street closure: _____ Date and time of street reopening: _____

Other (explain) _____

Requesting to post "no parking" notices? Yes No

Requested "No Parking" on city streets and/or parking lots (list streets/parking lots) (provide map): _____

Other (explain) _____

Security and Crowd Control

Depending on the number of participants, your event may require Police services.

Please describe your procedures for both Crowd Control and Internal Security: Our organization will have
volunteer internal security on site during setup, throughout the event, and during teardown. Our security
staff will also monitor booths, stage, and all surrounding areas of venue.

Have you hired Professional Security to handle security arrangements for this event?

Yes No If YES, name and address of Security Organization _____

Security Director (Name): _____ Phone: _____

If using the services of a professional security firm and the event will occur on City property, please provide a copy of its insurance certificate, evidencing liability with limits of at least \$1 Million dollars per occurrence/\$2 Million dollars aggregate, as well as an additional insured endorsement naming the City of National City, its officers, employees, and agents as additional insureds. Evidence of insurance must be provided by the vendor or its insurer to the Neighborhood Services Department at the time of submission.

Is this a night event? Yes No If YES, please state how the event and surrounding area will be illuminated to ensure safety of the participants and spectators: _____

First Aid

Depending on the number of participants, your event may require specific First Aid services. First aid station to be staffed by event staff? Yes No First aid/CPR certified? Yes No

First aid station to be staffed by professional company. ▶ Company _____

If using the services of a professional medical organization/company and the event will occur on City property, please provide a copy of its insurance certificate, evidencing liability with limits of at least \$1 Million dollars per occurrence/\$2 Million dollars aggregate, as well as and additional insured endorsement naming the City of National City, its officers, employees, and agents as additional insureds. Evidence of insurance must be provided by the vendor or its insurer to the Neighborhood Services Department at the time of submission.

Accessibility

Please describe your Accessibility Plan for access at your event by individuals with disabilities:

Elements of your Event

Setting up a stage? Yes No

Requesting City's PA system

Requesting City Stage; if yes, which size? Dimensions (13x28) Dimensions (20x28)

Applicant providing own stage ▶ 28ft x 16ft (Dimensions)

Setting up canopies or tents?

37 # of canopies size 10x10, 10x20

_____ # of tents size _____

No canopies/tents being set up

20 10x10
23 ; 10x10
3 ; 10x20
2 ; 20x20

Setting up tables and chairs?

Furnished by Applicant or Contractor

60 _____ # of tables No tables being set up

500 _____ # of chairs No chairs being set up

(For City Use Only) Sponsored Events – Does not apply to co-sponsored events

_____ # of tables No tables being set up

_____ # of chairs No chairs being set up

Contractor Name _____

Contractor Contact Information _____
Address City/State Phone Number

Setting up other equipment?

Sporting Equipment (explain) _____

Other (explain) _____

Not setting up any equipment listed above at event

Having amplified sound and/or music? Yes No

PA System for announcements CD player or DJ music

Live Music ▶ Small 4-5 piece live band ▶ Large 6+ piece live band

Other (explain) _____

If using live music or a DJ. ▶ Contractor Name Matt Basson/Bigfoot Stage

▶ 230 Hutchinson Street Vista 619-757-7703
Address City/State Phone Number

Using lighting equipment at your event? Yes No

Bringing in own lighting equipment

Using professional lighting company ▶ Company Name _____

Address _____ City/State _____ Phone Number _____

Using electrical power? Yes No

Using Kimball Park Bowl Lighting (from _____ to _____)

12:00PM - 4:00PM

Using on-site electricity For sound and/or lighting For food and/or refrigeration

Bringing in generator(s) For sound and/or lighting For food and/or refrigeration

Vendor Information

PLEASE NOTE: You may be required to apply for a temporary health permit if food or beverages are sold or given away during your special event. Also see 'Permits and Compliance' on page 8 in the Special Event Guide. For additional information on obtaining a temporary health permit, please contact the County of San Diego Environmental Health at (619) 338-2363.

Having food and non-alcoholic beverages at your event? Yes No

Vendors preparing food on-site ▶ # _____ ▶ Business License # _____

If yes, please describe how food will be served and/or prepared: Care packages will include grocery items. We will also be providing prepackaged light refreshment to attendees (bottled water, chips)

If you intend to cook food in the event area please specify the method:
 GAS ELECTRIC CHARCOAL OTHER (Specify): _____

Vendors bringing pre-packaged food ▶ # _____ ▶ Business License # _____

Vendors bringing bottled, non-alcoholic beverages (i.e., bottled water, can soda, etc.) ▶ # _____

Vendors selling food # _____ ▶ Business License #(s) _____

Vendors selling merchandise # _____ ▶ Business License #(s) _____

Food/beverages to be handled by organization; no outside vendors

Vendors selling services # _____ ▶ Business License #(s) _____

▶ Explain services _____

Vendors passing out information only (no business license needed) # _____

▶ Explain type(s) of information _____

No selling or informational vendors at event

Having children activities? Yes No

PLEASE NOTE: In the event inflatable jumps are provided at the event, The City of National City requires commercial liability insurance with limits of at least \$1 Million dollars per occurrence/\$2 Million dollars aggregate. In addition, the City of National City must be named as an Additional Insured pursuant to a separate endorsement, which shall be provided by the vendor or its insurer to the City's Risk Manager, along with the Certificate of Insurance, for approval prior to the event. The application should be filed out at least one week prior to the event. For questions or to obtain a copy of the "Facility Use Application", please contact the Engineering/Public Works Department at (619) 336-4580.

Inflatable bouncer house # _____ Rock climbing wall Height _____

Inflatable bouncer slide # _____ Arts & crafts (i.e., craft making, face painting, etc.)

Carnival Rides _____ Other _____

Having fireworks or aerial display? Yes No

Vendor name and license # _____

Dimensions _____ Duration _____

Number of shells _____ Max. size _____

PLEASE NOTE: In the event fireworks or another aerial display is planned for your event, The City of National City requires commercial liability insurance with limits of at least \$2 Million dollars per occurrence/ \$4 Million dollars aggregate. In addition, the City of National City must be named as an Additional Insured pursuant to a separate endorsement, which shall be provided by the vendor or its insurer to the City's Risk Manager, along with the Certificate of Insurance, for approval prior to the event. Depending on the size and/or nature of the fireworks display, the City reserves the right to request higher liability limits. The vendor must also obtain a fireworks permit from the National City Fire Department and the cost is \$602.00.

Arranging for media coverage? Yes No

Yes, but media will not require special set-up

Yes, media will require special set-up. Describe _____

Event Signage

PLEASE NOTE: For City sponsored or co-sponsored events, banners publicizing the event may be placed on the existing poles on the 1800 block and 3100 block of National City Boulevard. The banners must be made to the City's specifications. Please refer to the City's Special Event Guidebook and Fee Schedule for additional information.

Are you planning to have signage at your event? Yes No

Yes, we will post signage # 25 Dimensions 24x18

Yes, having inflatable signage # _____ ▶ (complete Inflatable Signage Request form)

Yes, we will have banners # 15

What will signs/banners say? Free Health Screenings, Free School Supplies, Fun for the whole family

How will signs/banners be anchored or mounted? Zip ties

Location of banners/signage Signs - poles on National City Blvd.

Waste Management

Banners - Baseball diamond fences, fences along

PLEASE NOTE: One toilet for every 250 people is required, unless the applicant can show that there are sufficient facilities in the immediate area available to the public during the event.

Are you planning to provide portable restrooms at the event? Yes No

corner of 16th st and NATIONAL CITY BLVD

If yes, please identify the following:

▶ Total number of portable toilets: _____

▶ Total number of ADA accessible portable toilets: _____

Contracting with portable toilet vendor. ▶ _____
Company Phone

▶ Load-in Day & Time _____ ▶ Load-out Day & Time _____

Portable toilets to be serviced. ▶ Time _____

Set-up, Breakdown, Clean-up

Setting up the day before the event?

Yes, will set up the day before the event. ▶ # of set-up day(s) 3

No, set-up will occur on the event day

Requesting vehicle access onto the turf?

Yes, requesting access onto turf for set-up and breakdown (complete attached Vehicle Access Request form)

No, vehicles will load/unload from nearby street or parking lot.

NPDES-Litter Fence

City to install litter fence

Applicant to install litter fence

N/A

Breaking down set-up the day after the event?

Yes, breakdown will be the day after the event. ▶ # of breakdown day(s) _____

No, breakdown will occur on the event day.

How are you handling clean-up?

Using City crews

Using volunteer clean-up crew during and after event.

Using professional cleaning company during and after event.

Miscellaneous

Please list anything important about your event not already asked on this application:

**Please make a copy of this application for your records.
We do not provide copies.**



Special Events

Pre-Event Storm Water Compliance Checklist

I. Special Event Information

Name of Special Event: <u>Care for Humanity</u>	
Event Address: <u>Kimball Park</u>	Expected # of Attendees: <u>1000</u>
Event Host/Coordinator: <u>Kimberly Comilang</u>	Phone Number: <u>619-948-6441</u>

II. Storm Water Best Management Practices (BMPs) Review

	YES	NO	N/A
Will enough trash cans provided for the event? Provide number of trash bins: <u>16</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Will enough recycling bins provided for the event? Provide number of recycle bins: <u>10</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Will all portable toilets have secondary containment trays? (exceptions for ADA compliant portable toilets)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Do all storm drains have screens to temporarily protect trash and debris from entering?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Are spill cleanup kits readily available at designated spots?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

* A Post-Event Storm Water Compliance Checklist will be completed by City Staff.

City of National City

PUBLIC PROPERTY USE HOLD HARMLESS AND INDEMNIFICATION AGREEMENT

Persons requesting use of City property, facilities or personnel are required to provide a minimum of \$1,000,000 combined single limit insurance for bodily injury and property damage which includes the City, its officials, agents and employees named as additional insured and to sign the Hold Harmless Agreement. Certificate of insurance must be attached to this permit. The insurance company issuing the insurance policy must have a A.M. Best's Guide Rating of A:VII and that the insurance company is a California admitted company; if not, then the insurance policy to the issuance of the permit for the event. The Certificate Holder must reflect:

City of National City
Risk Management Department
1243 National City Boulevard
National City, CA 91950

Organization: Iglesia Ni Cristo - Church of Christ

Person in Charge of Activity: Kimberly Comilang/John Pangilinan

Address: 35927 Shetland Hill East Fallbrook, CA 92028

Telephone: 619-948-6441 Date(s) of Use: _____

HOLD HARMLESS AGREEMENT

As a condition of the issuance of a temporary use permit to conduct its activities on public or private property, the undersigned hereby agree(s) to defend, indemnify and hold harmless the City of National City and the Parking Authority and its officers, employees and agents from and against any and all claims, demands, costs, losses, liability or, for any personal injury, death or property damage, or both, or any litigation and other liability, including attorney's fees and the costs of litigation, arising out of or related to the use of public property or the activity taken under the permit by the permittee or its agents, employees or contractors.

Signature of Applicant: 

Official Title: Overall Coordinator

Date: 8/25/2022

For Office Use Only


Certificate of Insurance Approved _____ Date _____



LEGEND

 **REGISTRATION**
(3) – 10x10 booths

 **CHURCH INFO BOOTH**
(1) – 10x10 booths

 **A/V BOOTH**
(2) – 10x10 booths

 **PRIZE BOOTH**
(1) – 10x10 booths

 **KIDS BOOTH**
(9) – 10x10 booths

 **FIRST AID/SECURITY (SCAN)**
(4) – 10x10 booths



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
08/25/2022

PRODUCER

Robert Papa (99845A)
2934 E 8th St
National City, CA 91950-3054

INSURED

Iglesia Ni Cristo
2201 E 8th St
National City, CA 91950

THIS CERTIFICATION IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

INSURERS AFFORDING COVERAGE	NAIC #
INSURER A: Truck Insurance Exchange	21709
INSURER B: Farmers Insurance Exchange	21652
INSURER C: Mid Century Insurance Co.	21687
INSURER D:	
INSURER E:	

COVERAGES

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR. ADD'L LTR. INSRD	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS
A	GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOG	607000288	10/28/22	10/30/22	EACH OCCURRENCE \$ 2,000,000
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> NON-OWNED AUTOS				DAMAGE TO RENTED PREMISES (Ea occurrence) \$ MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$ GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMPROP AGG \$ \$
	GARAGE LIABILITY <input type="checkbox"/> ANY AUTO				COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
	EXCESS/UMBRELLA LIABILITY <input type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS MADE <input type="checkbox"/> DEDUCTIBLE <input type="checkbox"/> RETENTION \$				AUTO ONLY - EA ACCIDENT \$ OTHER THAN EA ACC \$ AUTO ONLY: AGG \$ EACH OCCURRENCE \$ AGGREGATE \$ \$ \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? If yes, describe under SPECIAL PROVISIONS below				WC STATUTORY LIMITS OTH-ER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$
	OTHER				

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES / EXCLUSIONS ADDED BY ENDORSEMENT / SPECIAL PROVISIONS


Care Package give-aways, free health screenings, free school supplies and clothing, live music and performances.
Kimball Park, National City, CA 91950

CERTIFICATE HOLDER

City of National City
Risk Management Department
1243 National City Boulevard
National City, CA 91950

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL 15 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES.

AUTHORIZED REPRESENTATIVE  99-84-5A

IMPORTANT

If the certificate holder is an **ADDITIONAL INSURED**, the policy(ies) must be endorsed. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

If **SUBROGATION IS WAIVED**, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

DISCLAIMER

The Certificate of Insurance on the reverse side of this form does not constitute a contract between the issuing insurer(s), authorized representative or producer, and the certificate holder, nor does it affirmatively or negatively amend, extend or alter the coverage afforded by the policies listed thereon.

City of National City BUSINESS TAX CERTIFICATE



2022

TO BE POSTED IN A CONSPICUOUS PLACE
AND
NOT TRANSFERABLE OR ASSIGNABLE

"For Services Provided in National City, California Only"

Business Name IGLESIA NI CRISTO
Business Location 2201 E 8TH ST
NATIONAL CITY, CA 91950-2803
Business Owner(s) ERIC JOHN EUSEBIO
JOY SOLIMAN

Business Type Exempt / Non-Profit
Account Number 09005393
Effective Date January 01, 2022
Expiration Date December 31, 2022

IGLESIA NI CRISTO
2201 E 8TH ST
NATIONAL CITY, CA 91950-2803

City Manager

NOTE: IT IS YOUR OBLIGATION TO RENEW THIS CERTIFICATE WHETHER OR NOT YOU RECEIVE A RENEWAL NOTICE

For all inquiries regarding this certificate, contact HdL Business Tax Support Center at (619) 382-2596.

THIS BUSINESS TAX CERTIFICATE DOES NOT PERMIT A BUSINESS THAT IS OTHERWISE PROHIBITED.

IGLESIA NI CRISTO

Thank you for your payment on your National City Business Tax Certificate. **ALL CERTIFICATES MUST BE AVAILABLE FOR INSPECTION UPON REQUEST.** If you have questions concerning your business license, contact the Business Support Center via email at: NationalCity@HdLgov.com or by telephone at: (619) 382-2596

Keep this portion for your license separate in case you need a replacement for any lost, stolen, or destroyed license. A fee may be charged for a replacement or duplicate certificate.

This certificate does not entitle the holder to conduct business before complying with all requirements of the National City Municipal code and other applicable laws, nor to conduct business in a zone where conducting such business violates law.

If you have a fixed place of business within the National City, please display the Business Tax Certificate below in a conspicuous place at the premises. Otherwise, every Business Tax Certificate holder not having a fixed place of business in the City shall keep the Business Tax Certificate upon his or her person, or affixed in plain view any cart, vehicle, van or other movable structure or device at all times if required by the Collector.

Starting January 1, 2021, Assembly Bill 1607 requires the prevention of gender-based discrimination of business establishments. A full notice is available in English or other languages by going to: <https://www.dca.ca.gov/publications/>



BUSINESS TAX SUPPORT CENTER
8839 N CEDAR AVE #212
FRESNO, CA 93720-1832



City of National City BUSINESS TAX CERTIFICATE

IGLESIA NI CRISTO
2201 E 8TH ST
NATIONAL CITY, CA 91950-2803

Account Number: 09005393
Date of Issue: 01/01/2022

**CITY OF NATIONAL CITY
NEIGHBORHOOD SERVICES DEPARTMENT
APPLICATION FOR A TEMPORARY USE PERMIT
CONDITIONS OF APPROVAL**

**SPONSORING ORGANIZATION: Church of Christ
EVENT: Care for Humanity
DATE OF EVENT: October 23, 2022**

APPROVALS:

COMMUNITY SERVICES	YES [x]	NO []	SEE CONDITIONS []
RISK MANAGER	YES [x]	NO []	SEE CONDITIONS [x]
PUBLIC WORKS	YES [x]	NO []	SEE CONDITIONS [x]
FINANCE	YES [x]	NO []	SEE CONDITIONS [x]
FIRE	YES [x]	NO []	SEE CONDITIONS [x]
POLICE	YES [x]	NO []	SEE CONDITIONS [x]
ENGINEERING	YES [x]	NO []	SEE CONDITIONS []
COMMUNITY DEVELOPMENT	YES [x]	NO []	SEE CONDITIONS [x]

CONDITIONS OF APPROVAL:

PUBLIC WORKS (619)366-4580

Streets Division
No involvement

Facilities Division
No involvement

Parks Division

1. Three hours for set up on Thursday 10/27/2022 to mark irrigation valve boxes and paint a fire lane at regular pay @ \$66.98=\$200.94
2. One staff for the duration of event 4 hours from 12.00PM—4:00PM for litter control and service public restrooms. Overtime rate at \$100.47
3. total \$401.88
4. Event organizer did not request the City Stage and PA.
5. total expense for event \$602.82

POLICE DEPARTMENT

No comments

ENGINEERING

No comments received

COMMUNITY SERVICES

No involvement

FINANCE

Business license is current.

COMMUNITY DEVELOPMENT

Planning

1. Speakers shall be directed away from residential properties
2. Activities shall comply with Table III of NCMC Title 12 (Noise)

Building

A Building / Electrical permit will be required for the Generators.

1. **Generator** - details of size and number of generators (with grounding details), (permit required).
2. **Electrical** - What will the generators provide power for?

Fees:

Generator **\$64.00/kw**

Neighborhood Services

Neighborhood Notifications – Events are required to notify residents and/or businesses of the surrounding impacted areas by the event. The notice shall include the name of the event, name and phone number of the company/organization producing the event, the dates and times of the event (including set-up and breakdown) and a detailed description of how the residents and/or businesses may be affected, such as by street closures, “No Parking” signs being posted, music at the event, etc.

Display of banners -- Banners are allowed on site for event but must be removed immediately thereafter event completion. If you wish to place banners in any location other than on-site, you must get approval from the property/business owner where you intend to display the banner.

RISK MANAGER (619) 336-4370

Risk Management has reviewed the above-captioned request for the issuance of a Temporary Use Permit. In order to satisfy the City's insurance requirements, it will be necessary that the applicant must provide the following:

- Has provided a valid copy of the Certificate of Liability Insurance.
- The insurance policy provides a combined single limit of no less than \$2,000,000.00 (TWO MILLION DOLLARS) for each occurrence and \$2,000,000.00 (TWO MILLION DOLLARS) in aggregate that would cover the date and location of the event.
- The applicant must provide a separate additional insured endorsement wherein it notes as the additional insured as "The City of National City, its officials, agents, employees and volunteers".
- The insurance company issuing the insurance policy has an A.M. Best's Guide Rating of A: VII and that the insurance company is a California admitted company.
- The Certificate Holder reflects:
City of National City
c/o Risk Manager
1243 National City Boulevard
National City, CA. 91950

It should be noted that the Indemnification and Hold Harmless Agreement were properly executed by the applicant at the time the Special Event Application was submitted.

FIRE (619) 336-4550

A \$211.00 fee will be required for after hour inspection, Please contact the National City Fire Department for payment of fees.

Stipulations required by the Fire Department for this event are as follows:

- 1) Access to the street to be maintained at all times, to both entrances and Fire Department connections for fire sprinkler systems, standpipes, etc.
- 2) Fire Department access into and through the park is to be maintained at all times. Fire apparatus access roads shall have an unobstructed width of not less than 20 feet and an unobstructed vertical clearance of not less than 14 feet.
- 3) Fire Hydrants shall not be blocked or obstructed.

- 4) Participants on foot are to move immediately to the sidewalk upon approach of emergency vehicle(s).
- 5) Vehicles in roadway are to move immediately to the right upon approach of emergency vehicle(s).
- 6) Provide a 2A:10BC fire extinguisher at stage. Extinguisher to be mounted in a visible location between 3½' to 5' from the floor to the top of the extinguisher. Maximum travel distance from an extinguisher shall not be more than 75 feet travel distance.
- 7) Internal combustion power sources shall be isolated from contact with the public by either physical guards, fencing or an enclosure.
- 8) Internal combustion power sources that may be used for "generators" shall be of adequate capacity to permit uninterrupted operation during normal operating hours.
- 9) A fire safety inspection is to be conducted by the Fire Department prior to operations of the event.
- 10) Required inspections taking place, after hours, holidays, and weekends will be assessed a minimum of two hundred **(\$211.00) dollars.**
- 11) Any electrical power used is to be properly grounded and approved. Extension cords shall be used as "Temporary Wiring" only.
- 12) If tents or canopies are used, the following information shall apply:
 - Tents having an area from 0-200 square feet shall be \$391.00
 - Tents having an area more than 201 square feet shall be \$751.00
 - Canopies having an area from 0-400 square feet shall be no charge
 - Canopies from 401-500 square feet shall be \$391.00
 - Canopies from 501-600 square feet shall be \$436.00
 - Canopies from 601 square feet or greater shall be \$571.00
 - Multiple tents and or canopies placed together equaling or greater than the above stated information shall be charged accordingly
 - Tents shall be flame-retardant treated with an approved State Fire Marshal seal attached. A permit from the Fire Department must be obtained. Fees can only be waived by the City Council
 - **A ten feet separation distance must be maintained between tents and canopies**

- 13) First Aid will be provided by organization.
- 14) Vehicles shall be isolated from contact with the tents or canopies, Vehicles shall be at least **20** feet away from tents or canopies.
- 15) All chairs used for seating inside or outside tents/canopies shall be secured to one another using approved chair binding methods.
- 16) Request meeting with organizer to finalize any Fire Lanes, Stage info, canopies, food and kid activities. (Additional fee's may be required)
- 17) Building department may need to review stage plans if required.
- 18) Stages with covered tops or walls coverings etc. shall have a Certificate of State Fire Marshal flame resistance and it shall be provided to the National City Fire Department before the event.

Fire Department Fees can only be waived by City Council

Approval contingent upon final field inspection and compliance with all applicable codes and ordinances



AGENDA REPORT

Department: Community Development
Prepared by: Dionisia Trejo, Administrative Secretary
Meeting Date: Tuesday, October 4, 2022
Approved by: Brad Raulston, City Manager

SUBJECT:

Temporary Use Permit – Hope Fest hosted by Heart Revolution Church at 1920 Sweetwater Road on October 31, 2022, from 6 p.m. to 9 p.m. with no waiver of fees.

RECOMMENDATION:

Approve the Application for a Temporary Use Permit subject to compliance with all conditions of approval with no waiver of fees or in accordance to City Council Policy 802.

BOARD/COMMISSION/COMMITTEE PRIOR ACTION:

Not Applicable.

EXPLANATION:

This is a request from Heart Revolution Church to conduct the Hope Festival at 1920 Sweetwater Road on October 31, 2022, from 6 p.m. to 9 p.m. Set up for the event will commence at 7:00 a.m. on the day of the event. This event will include music, “trunk or treat” (area where people decorate their car trunks and distribute candy), inflatable bouncer slides, rock climbing wall, food booths and eating areas with tables and chairs.

Note: This event was approved by Council in 2021 with no waiver of fees.

FINANCIAL STATEMENT:

City fee of \$312.00 for processing the TUP through various City departments and \$515.00 for the Fire Inspection.
Total Fees \$827.00

RELATED CITY COUNCIL 2020-2025 STRATEGIC PLAN GOAL:

Not Applicable

ENVIRONMENTAL REVIEW:

This is not a project under CEQA and is therefore not subject to environmental review.CCR15378; PRC 21065.

PUBLIC NOTIFICATION:

Agenda Report posted within 72 hours of meeting date and time in accordance with Brown Act.

ORDINANCE:

Not Applicable

EXHIBITS:

Exhibit A - TUP Hope Fest
Exhibit B - Conditions of Approval Hope Fest



City of National City ■ Neighborhood Services Department
1243 National City Boulevard ■ National City, CA 91950
(619) 336-4364 ■ fax (619) 336-4217
www.nationalcityca.gov

Special Event Application

Type of Event

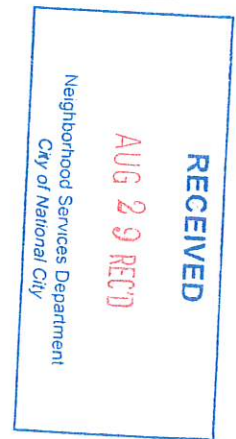
- Fair/Festival (checked), Parade/March, Walk or Run, Concert/Performance, TUP, Sporting Event, Other (specify)

Event Name & Location

Event Title Hope Fest
Event Location (list all sites being requested) Heart Revolution Church

Event Times

Set-Up Starts Date 10/31/2022 Time 7:00 AM Day of Week Monday
Event Starts Date 10/31/2022 Time 6:00 PM Day of Week Monday
Event Ends Date 10/31/2022 Time 9:00 PM Day of Week Monday
Breakdown Ends Date 10/31/2022 Time 11:00 PM Day of Week Monday



Applicant Information

Applicant (Your name) Derick Ventura Sponsoring Organization Heart Revolution Church
Event Coordinator (if different from applicant)
Mailing Address 1914 Sweetwater Road, National City, CA 91950
619-829-1437
Day Phone After Hours Phone Cell 619-829-1437 Fax
Public Information Phone 619-425-9333 E-mail derick@heartrevchurch.com

Applicant agrees to investigate, defend, indemnify and hold harmless the City, its officers, employees and agents from and against any and all loss, damage, liability, claims, demands, detriments, costs, charges, expense (including attorney's fees) and causes of action of any character which the City, its officers, employees and agents may incur, sustain or be subjected to on account of loss or damage to property or the loss of use thereof and for bodily injury to or death of any persons (including but not limited to the employees, subcontractors, agents and invitees of each party hereto) arising out of or in any way connected to the occupancy, enjoyment and use of any City premises under this agreement to the extent permitted by law.

Applicant understands this TUP/special event may implicate fees for City services, which will have to be paid in the City's Finance Department 48 hours prior to the event set-up. The undersigned also understands and accepts the City's refund policy for application processing and facility use and that fees and charges are adjusted annually and are subject to change.

Signature of Applicant: [Signature] Date 8-29-2022

Special Event Application (continued)

Please complete the following sections with as much detail as possible since fees and requirements are based on the information you provide us.

Fees/Proceeds/Reporting

Is your organization a "Tax Exempt, nonprofit" organization? Yes No

Are admission, entry, vendor or participant fees required? Yes No

If YES, please explain the purpose and provide amount (s):

\$ Estimated Gross Receipts including ticket, product and sponsorship sales from this event.

\$ 5,000.00 Estimated Expenses for this event.

\$⁰ What is the projected amount of revenue that the Nonprofit Organization will receive as a result of this event?

Description of Event

First time event Returning Event include site map with application

Note that this description may be published in our City Public Special Events Calendar:

Annual festival in conjunction with Halloween. Open to the public, including an inflatable zone, rock climbing wall, and carnival ride. A "trunk or treat" area where people decorate their trunks and distribute candy. Various food will be available for purchase.

Estimated Attendance

Anticipated # of Participants: 100 Anticipated # of Spectators: 900

Traffic Control, Security, First Aid and Accessibility

Requesting to close street(s) to vehicular traffic? Yes No

List any streets requiring closure as a result of the event (provide map): _____

Date and time of street closure: _____ Date and time of street reopening: _____

Other (explain) _____

Requesting to post "no parking" notices? Yes No

Requested "No Parking" on city streets and/or parking lots (list streets/parking lots) (provide map): _____

Other (explain) _____

Security and Crowd Control

Depending on the number of participants, your event may require Police services.

Please describe your procedures for both Crowd Control and Internal Security: _____

Church volunteers will provide security and crowd control coverage throughout the event.

Have you hired Professional Security to handle security arrangements for this event?

Yes No If YES, name and address of Security Organization _____

Security Director (Name): _____ Phone: _____

If using the services of a professional security firm and the event will occur on City property, please provide a copy of its insurance certificate, evidencing liability with limits of at least \$1 Million dollars per occurrence/\$2 Million dollars aggregate, as well as an additional insured endorsement naming the City of National City, its officers, employees, and agents as additional insureds. Evidence of insurance must be provided by the vendor or its insurer to the Neighborhood Services Department at the time of submission.

Is this a night event? Yes No If YES, please state how the event and surrounding area will be illuminated to ensure safety of the participants and spectators: _____

Rented light towers will be added to existing parking lot lighting.

First Aid

Depending on the number of participants, your event may require specific First Aid services. First aid station to be staffed by event staff? Yes No First aid/CPR certified? Yes No

First aid station to be staffed by professional company. ▶ Company _____

If using the services of a professional medical organization/company and the event will occur on City property, please provide a copy of its insurance certificate, evidencing liability with limits of at least \$1 Million dollars per occurrence/\$2 Million dollars aggregate, as well as and additional insured endorsement naming the City of National City, its officers, employees, and agents as additional insureds. Evidence of insurance must be provided by the vendor or its insurer to the Neighborhood Services Department at the time of submission.

Accessibility

Please describe your Accessibility Plan for access at your event by individuals with disabilities:
Our campus, including our restrooms, are ADA compliant.

Elements of your Event

Setting up a stage? Yes No

Requesting City's PA system

Requesting City Stage; if yes, which size? Dimensions (13x28) Dimensions (20x28)

Applicant providing own stage ▶ _____(Dimensions)

Setting up canopies or tents?

15 _____ # of canopies size 10' x 10'

0 _____ # of tents size _____

No canopies/tents being set up

Setting up tables and chairs?

Furnished by Applicant or Contractor

10 _____ # of tables No tables being set up

70 _____ # of chairs No chairs being set up

(For City Use Only) Sponsored Events – Does not apply to co-sponsored events

_____ # of tables No tables being set up

_____ # of chairs No chairs being set up

Contractor Name _____

Contractor Contact Information _____
Address City/State Phone Number

Setting up other equipment?

Sporting Equipment (explain) _____

Other (explain) _____

Not setting up any equipment listed above at event

Having amplified sound and/or music? Yes No

PA System for announcements CD player or DJ music

Live Music ▶ Small 4-5 piece live band ▶ Large 6+ piece live band

Other (explain) _____

If using live music or a DJ. ▶ Contractor Name To be determined _____

▶ _____
Address City/State Phone Number

Using lighting equipment at your event? Yes No

Bringing in own lighting equipment

Using professional lighting company ▶ Company Name _____

_____ Address City/State Phone Number

Using electrical power? Yes No

Using Kimball Park Bowl Lighting (from _____ to _____)

Using on-site electricity For sound and/or lighting For food and/or refrigeration

Bringing in generator(s) For sound and/or lighting For food and/or refrigeration

Vendor Information

PLEASE NOTE: You may be required to apply for a temporary health permit if food or beverages are sold or given away during your special event. Also see 'Permits and Compliance' on page 8 in the Special Event Guide. For additional information on obtaining a temporary health permit, please contact the County of San Diego Environmental Health at (619) 338-2363.

Having food and non-alcoholic beverages at your event? Yes No

Vendors preparing food on-site ▶ # _____ ▶ Business License # _____

If yes, please describe how food will be served and/or prepared: _____

If you intend to cook food in the event area please specify the method: GAS ELECTRIC CHARCOAL OTHER (Specify): Food trucks, propane

Vendors bringing pre-packaged food ▶ # _____ ▶ Business License # _____

Vendors bringing bottled, non-alcoholic beverages (i.e., bottled water, can soda, etc.) ▶ # _____

Vendors selling food #³ _____ ▶ Business License #(s) _____

Vendors selling merchandise #⁵ _____ ▶ Business License #(s) _____

Food/beverages to be handled by organization; no outside vendors

Vendors selling services # _____ ▶ Business License #(s) _____

▶ Explain services _____

Vendors passing out information only (no business license needed) # _____

▶ Explain type(s) of information _____

No selling or informational vendors at event

Having children activities? Yes No

PLEASE NOTE: In the event inflatable jumps are provided at the event, The City of National City requires commercial liability insurance with limits of at least \$1 Million dollars per occurrence/\$2 Million dollars aggregate. In addition, the City of National City must be named as an Additional Insured pursuant to a separate endorsement, which shall be provided by the vendor or its insurer to the City's Risk Manager, along with the Certificate of Insurance, for approval prior to the event. The application should be filed out at least one week prior to the event. For questions or to obtain a copy of the "Facility Use Application", please contact the Engineering/Public Works Department at (619) 336-4580.

Inflatable bouncer house # ³ _____ Rock climbing wall Height ²⁵ feet _____

Inflatable bouncer slide # ² _____ Arts & crafts (i.e., craft making, face painting, etc.)

Carnival Rides _____ Swing Ride _____ Other _____

Having fireworks or aerial display? Yes No

Vendor name and license # _____

Dimensions _____ Duration _____

Number of shells _____ Max. size _____

PLEASE NOTE: In the event fireworks or another aerial display is planned for your event, The City of National City requires commercial liability insurance with limits of at least \$2 Million dollars per occurrence/ \$4 Million dollars aggregate. In addition, the City of National City must be named as an Additional Insured pursuant to a separate endorsement, which shall be provided by the vendor or its insurer to the City's Risk Manager, along with the Certificate of Insurance, for approval prior to the event. Depending on the size and/or nature of the fireworks display, the City reserves the right to request higher liability limits. The vendor must also obtain a fireworks permit from the National City Fire Department and the cost is \$602.00

Arranging for media coverage? Yes No

Yes, but media will not require special set-up

Yes, media will require special set-up. Describe _____

Event Signage

PLEASE NOTE: For City sponsored or co-sponsored events, banners publicizing the event may be placed on the existing poles on the 1800 block and 3100 block of National City Boulevard. The banners must be made to the City's specifications. Please refer to the City's Special Event Guidebook and Fee Schedule for additional information.

Are you planning to have signage at your event? Yes No

Yes, we will post signage # _____ Dimensions _____

Yes, having inflatable signage # _____ ▶ (complete Inflatable Signage Request form)

Yes, we will have banners # _____

What will signs/banners say? _____

How will signs/banners be anchored or mounted? _____

Location of banners/signage _____

Waste Management

PLEASE NOTE: One toilet for every 250 people is required, unless the applicant can show that there are sufficient facilities in the immediate area available to the public during the event.

Are you planning to provide portable restrooms at the event? Yes No

If yes, please identify the following:

▶ Total number of portable toilets: _____

▶ Total number of ADA accessible portable toilets: _____

Contracting with portable toilet vendor. ▶ _____
Company Phone

▶ Load-in Day & Time _____ ▶ Load-out Day & Time _____

Portable toilets to be serviced. ▶ Time _____

Set-up, Breakdown, Clean-up

Setting up the day before the event?

Yes, will set up the day before the event. ▶ # of set-up day(s) _____

No, set-up will occur on the event day

Requesting vehicle access onto the turf?

Yes, requesting access onto turf for set-up and breakdown (complete attached Vehicle Access Request form)

No, vehicles will load/unload from nearby street or parking lot.

NPDES-Litter Fence

City to install litter fence

Applicant to install litter fence

N/A

Breaking down set-up the day after the event?

Yes, breakdown will be the day after the event. ▶ # of breakdown day(s) _____

No, breakdown will occur on the event day.

How are you handling clean-up?

Using City crews

Using volunteer clean-up crew during and after event.

Using professional cleaning company during and after event.

Miscellaneous

Please list anything important about your event not already asked on this application:

**Please make a copy of this application for your records.
We do not provide copies.**



Special Events

Pre-Event Storm Water Compliance Checklist

I. Special Event Information

Name of Special Event: <u>Hope Fest</u>	
Event Address: <u>1920 Sweetwater Road, National City, CA</u>	Expected # of Attendees: <u>800</u>
Event Host/Coordinator: <u>Derick Ventura</u>	Phone Number: <u>619-425-9333</u>

II. Storm Water Best Management Practices (BMPs) Review

	YES	NO	N/A
Will enough trash cans provided for the event? Provide number of trash bins: <u>10</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Will enough recycling bins provided for the event? Provide number of recycle bins: <u>10</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Will all portable toilets have secondary containment trays? (exceptions for ADA compliant portable toilets)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Do all storm drains have screens to temporarily protect trash and debris from entering?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Are spill cleanup kits readily available at designated spots?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

* A Post-Event Storm Water Compliance Checklist will be completed by City Staff.

City of National City

PUBLIC PROPERTY USE HOLD HARMLESS AND INDEMNIFICATION AGREEMENT

Persons requesting use of City property, facilities or personnel are required to provide a minimum of \$1,000,000 combined single limit insurance for bodily injury and property damage which includes the City, its officials, agents and employees named as additional insured and to sign the Hold Harmless Agreement. Certificate of insurance must be attached to this permit. The insurance company issuing the insurance policy must have a A.M. Best's Guide Rating of A:VII and that the insurance company is a California admitted company; if not, then the insurance policy to the issuance of the permit for the event. The Certificate Holder must reflect:

City of National City
Risk Management Department
1243 National City Boulevard
National City, CA 91950

Organization: Heart Revolution Church

Person in Charge of Activity: Derick Ventura

Address: 1920 Sweetwater Rd., National City, CA 91950

Telephone: 619-425-9333 Date(s) of Use: 10/31/2022

HOLD HARMLESS AGREEMENT

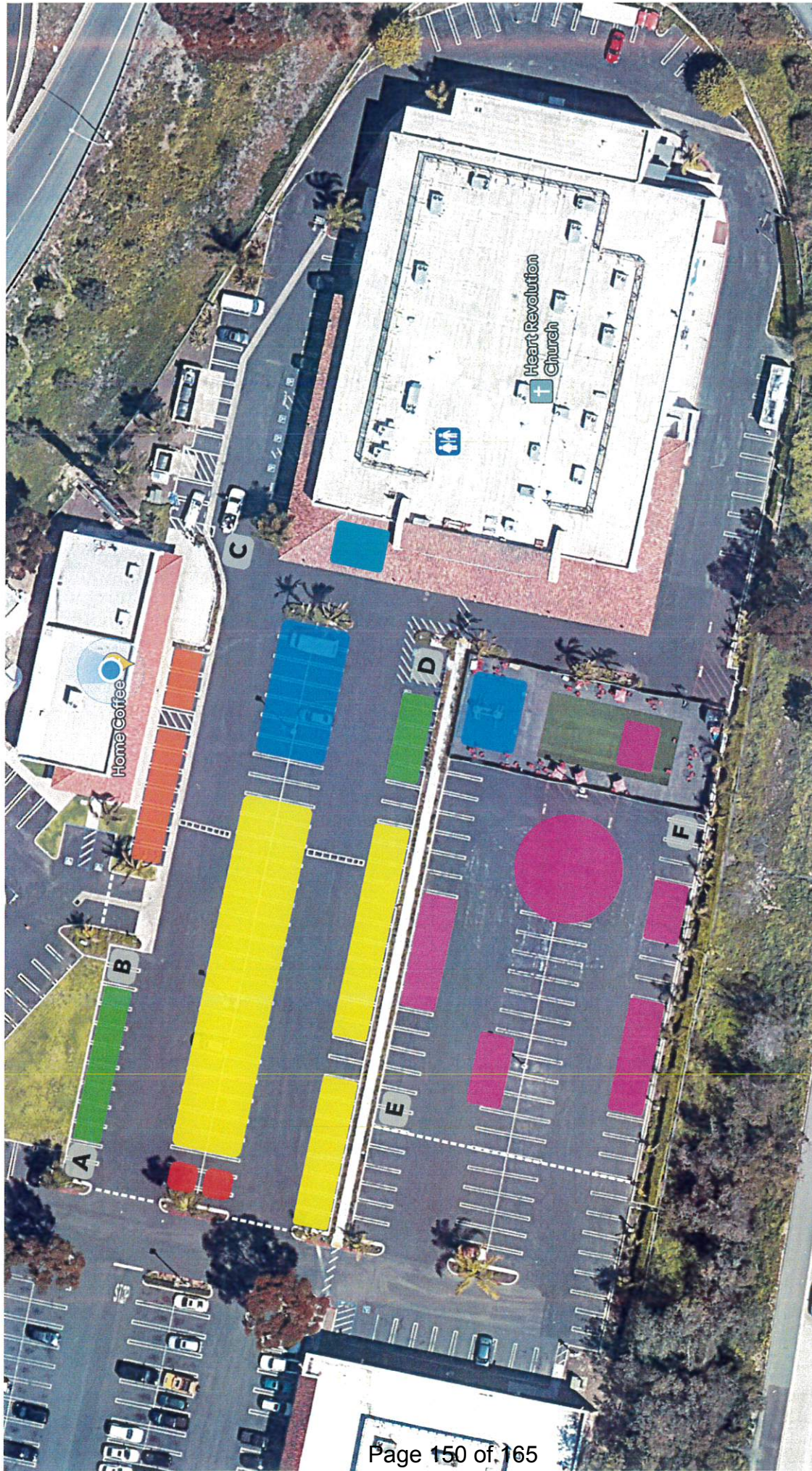
As a condition of the issuance of a temporary use permit to conduct its activities on public or private property, the undersigned hereby agree(s) to defend, indemnify and hold harmless the City of National City and the Parking Authority and its officers, employees and agents from and against any and all claims, demands, costs, losses, liability or, for any personal injury, death or property damage, or both, or any litigation and other liability, including attorney's fees and the costs of litigation, arising out of or related to the use of public property or the activity taken under the permit by the permittee or its agents, employees or contractors.

Signature of Applicant: 

Official Title: Assistant Pastor Date: 8-29-2022

For Office Use Only

Certificate of Insurance Approved _____ Date _____



- Vendors
- Heart Revolution Info Booths
- Reserved parking for Trunk or Treat
- Food
- Sitting Area
- Sound System/DJ
- My Little Carnival (inflatables and rides)
- Restrooms
- Light Towers (A-F)

City of National City
BUSINESS TAX CERTIFICATE



2022

**TO BE POSTED IN A CONSPICUOUS PLACE
AND
NOT TRANSFERABLE OR ASSIGNABLE**

"For Services Provided in National City, California Only"

Business Name HEART REVOLUTION CHURCH
Business Location 1920 SWEETWATER RD
NATIONAL CITY, CA 91950-7628
Business Owner(s) SERGIO DELAMORA

Business Type Exempt / Non-Profit
Account Number 09004756
Effective Date January 01, 2022
Expiration Date December 31, 2022

HEART REVOLUTION CHURCH
1914 SWEETWATER RD
NATIONAL CITY, CA 91950-7628

City Manager

**NOTE: IT IS YOUR OBLIGATION TO RENEW THIS
CERTIFICATE WHETHER OR NOT YOU RECEIVE A
RENEWAL NOTICE**

For all inquiries regarding this certificate, contact HdL
Business Tax Support Center at (619) 382-2596.

**THIS BUSINESS TAX CERTIFICATE DOES NOT PERMIT A BUSINESS
THAT IS OTHERWISE PROHIBITED.**

HEART REVOLUTION CHURCH

Thank you for your payment on your National City Business Tax Certificate. **ALL CERTIFICATES MUST BE AVAILABLE FOR INSPECTION UPON REQUEST.** If you have questions concerning your business license, contact the Business Support Center via email at: NationalCity@HdL.gov or by telephone at: (619) 382-2596

Keep this portion for your license separate in case you need a replacement for any lost, stolen, or destroyed license. A fee may be charged for a replacement or duplicate certificate.

This certificate does not entitle the holder to conduct business before complying with all requirements of the National City Municipal code and other applicable laws, nor to conduct business in a zone where conducting such business violates law.

If you have a fixed place of business within the National City, please display the Business Tax Certificate below in a conspicuous place at he premises. Otherwise, every Business Tax Certificate holder not having a fixed place of business in the City shall keep the Business Tax Certificate upon his or her person, or affixed in plain view any cart, vehicle, van or other movable structure or device at all times if required by the Collector.

Starting January 1, 2021, Assembly Bill 1607 requires the prevention of gender-based discrimination of business establishments. A full notice is available in English or other languages by going to: <https://www.dca.ca.gov/publications/>



BUSINESS TAX SUPPO
CENTER
8839 N CEDAR AVE #212



City of National City
BUSINESS TAX CERTIFICATE

HEART REVOLUTION CHURCH
1914 SWEETWATER RD
NATIONAL CITY, CA 91950-7628

Account Number: 09004756
Date of Issue: 01/01/2022

**CITY OF NATIONAL CITY
 NEIGHBORHOOD SERVICES DEPARTMENT
 APPLICATION FOR A TEMPORARY USE PERMIT
 CONDITIONS OF APPROVAL**

SPONSORING ORGANIZATION: Heart Revolution Church

EVENT: Hope Fest

DATE OF EVENT: October 31, 2022

APPROVALS:

COMMUNITY SERVICES	YES [x]	NO []	SEE CONDITIONS []
RISK MANAGER	YES [x]	NO []	SEE CONDITIONS []
PUBLIC WORKS	YES [x]	NO []	SEE CONDITIONS []
FINANCE	YES [x]	NO []	SEE CONDITIONS [x]
FIRE	YES [x]	NO []	SEE CONDITIONS [x]
POLICE	YES [x]	NO []	SEE CONDITIONS [x]
ENGINEERING	YES [x]	NO []	SEE CONDITIONS []
COMMUNITY DEVELOPMENT	YES [x]	NO []	SEE CONDITIONS [x]

CONDITIONS OF APPROVAL:

PUBLIC WORKS (619)366-4580

No involvement

POLICE DEPARTMENT

No comments at this time, other than if they plan on having volunteer security, please have them provide their contact info in case officers need to make contact the day of the event. We will put in a request for Extra patrol.

ENGINEERING

No comments received

COMMUNITY SERVICES

No involvement

FINANCE

No comments received

COMMUNITY DEVELOPMENT

Planning

1. Lights shall be directed away from residential properties
2. Speakers shall be directed away from residential properties
3. Activities shall comply with Table III of NCMC Title 12 (Noise)

Building

No comments provided

Neighborhood Services

Neighborhood Notifications – Events are required to notify residents and/or businesses of the surrounding impacted areas by the event. The notice shall include the name of the event, name and phone number of the company/organization producing the event, the dates and times of the event (including set-up and breakdown) and a detailed description of how the residents and/or businesses may be affected, such as by street closures, “No Parking” signs being posted, music at the event, etc.

Display of banners -- Banners are allowed on site for event but must be removed immediately thereafter event completion. If you wish to place banners in any location other than on-site, you must get approval from the property/business owner where you intend to display the banner.

RISK MANAGER (619) 336-4370

Risk Management has reviewed the above-captioned application for issuing a Temporary Use Permit. As much as the event will be held solely on private property, no additional insurance requirements are necessary for the permit issuance.

It should be noted that the applicant properly executed the Hold Harmless and Indemnification Agreement when the Special Event Application was submitted.

FIRE (619) 336-4550

Inspection Required

\$211.00 fee will be charged for an After Hour Inspection if needed. \$515 Carnival and Fair Fee is required. Addition fees may be charged based on any changes. Current Total Cost is \$515.00.

Stipulations required by the Fire Department for this event are as follows:

- 1) Access to the area to be maintained at all times, entrances and emergency roadways. **No Blocking Off.**
- 2) Fire Department access into and through booth areas are to be maintained at all times. Fire apparatus access roads shall have an unobstructed width of not less than 20 feet and an unobstructed vertical clearance of not less than 14 feet.
- 3) Fire Hydrants, Fire Department Connections (FDC) Fire Protection Devices, etc. shall not be blocked or obstructed.

- 4) Participants on foot are to move immediately to the sidewalk upon approach of emergency vehicle(s).
- 5) Vehicles in roadway are to move immediately to the right upon approach of emergency vehicle(s).
- 6) Provide a 2A:10BC fire extinguisher at stage area. Extinguisher to be mounted in a visible location between 3½'to 5' from the floor to the top of the extinguisher. Maximum travel distance from an extinguisher shall not be more than 75 feet travel distance.
- 7) Internal combustion power sources that may be used for inflatables, light towers, etc. shall be of adequate capacity to permit uninterrupted operation during normal operating hours. Refueling shall be conducted only when the ride is not in use.
- 8) Internal combustion power sources shall be isolated from contact with the public by either physical guards, fencing or an enclosure. Internal combustion power shall be at least **20** feet away stage area.
- 9) Any electrical power used is to be properly grounded and approved. Extension cords shall be used as "Temporary Wiring" only.
- 10) A fire safety inspection is to be conducted by the Fire Department prior to operations of the event to include all rides, cooking areas, game booths, etc.
- 11) If tents or canopies are used, the following information shall apply:
 - Tents having an area from 0-200 square feet shall be \$391.00
 - Tents having an area more than 201 square feet shall be \$751.00
 - Canopies having an area from 0-400 square feet shall be no charge.
 - Canopies from 401-500 square feet shall be \$391.00.
 - Canopies from 501-600 square feet shall be \$436.00.
 - Canopies from 601 square feet or greater shall be \$571.00.
 - Multiple tents and or canopies placed together equaling or greater than the above stated information shall be charged accordingly.
 - Tents shall be flame-retardant treated with an approved State Fire Marshal seal attached. A permit from the Fire Department must be obtained. Fees can only be waived by the City Council.

A ten foot separation distance must be maintained between tents and canopies. A permit from the Fire Department must be obtained. **Cooking shall not be permitted under tents or canopies unless the tents or canopies meet State Fire Marshal approval for cooking. See Fire Marshal for required explanation.**

- 12) Concession stands utilized for cooking shall have a minimum of 10 feet of clearance on two sides and shall not be located within 10 feet of tents or canopies.
- 13) All cooking booths or areas to have one 2A:10BC fire extinguisher. **If grease or oil is used in cooking a 40:BC or class "K" fire extinguisher will be required.** See Fire Marshal for required explanation. All fire extinguishers to have a current State Fire Marshal Tag attached.
- 14) First Aid will be provided by the Church.
- 15) All Jumpers, Bounce Houses, Inflatables, Stage coverings etc. shall have a Certificate of State Fire Marshal flame resistance and shall be provided to the National City Fire Department before the event. Additional fees may apply based on square footage.
- 16) All blower motors for Jumpers, slides, etc. must be listed for use.
- 17) The Carnivals and Fairs on day permit is \$515.00 if needed.
- 18) Required inspections taking place, after hours, holidays, and weekends will be assessed a minimum of one hundred (\$211.00) dollars.
- 19) Food Trucks require a National City Business License (contact the NC Finance Dept.) which includes a NCFD permit and inspection prior to the event. They must contact NCFD prior to the event and make arraignments for the inspection or they may not be allowed to participate.



AGENDA REPORT

Department: Finance
Prepared by: Karla Apalategui, Sr. Accounting Assistant
Meeting Date: Tuesday, October 4, 2022
Approved by: Brad Raulston, City Manager

SUBJECT:

Warrant Register #7 for the period of 8/12/22 through 8/18/22 in the amount of \$686,957.09.

RECOMMENDATION:

Ratify Warrants Totaling \$686,957.09

BOARD/COMMISSION/COMMITTEE PRIOR ACTION:

Not Applicable.

EXPLANATION:

Per Government Section Code 37208, below are the payments issued for period 8/12/22 – 8/18/22. 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>
SD Mechanical Energy	359505	68,247.00	Preventative Maintenance for HVAC
Wright Construction	359527	163,694.95	CIP Paradise Creek Mitigation at K
PRISM	191619	207,265.00	Property Insurance

FINANCIAL STATEMENT:

Warrant total \$686,957.09

RELATED CITY COUNCIL 2020-2025 STRATEGIC PLAN GOAL:

Not Applicable

ENVIRONMENTAL REVIEW:

This is not a project under CEQA and is therefore not subject to environmental review.CCR15378; PRC 21065.

PUBLIC NOTIFICATION:

Agenda Report posted within 72 hours of meeting date and time in accordance with Brown Act.

ORDINANCE:

Not Applicable

EXHIBITS:

Exhibit A -Warrant Register No. 7



**WARRANT REGISTER # 7
8/18/2022**

<u>PAYEE</u>	<u>DESCRIPTION</u>	<u>CHK NO</u>	<u>DATE</u>	<u>AMOUNT</u>
RANDALL LAMB ASSOCIATES INC	CIP 20-20 CIVIC CENTER SERVER ROOM CRAC	359452	8/15/22	2,875.00
ACE UNIFORMS & ACCESSORIES INC	RECRUIT CECILIA GARCIA UNIFORM	359453	8/18/22	1,161.24
ACME SAFETY & SUPPLY CORP	SURVEY VEST	359454	8/18/22	417.39
ALDEMCO	FOOD / NUTRITION CENTER	359456	8/18/22	2,755.37
ALL FRESH PRODUCTS	FOOD / NUTRITION CENTER	359457	8/18/22	776.60
AMAZON	AMAZON ITEMS FOR NATIONAL NIGHT OUT	359458	8/18/22	3,223.72
BIOCONNECT US INC	CABINET&SAFE TRUST PLATFORM ANNUAL /FIRE	359459	8/18/22	14,998.10
BOOT WORLD	MOP 64096 SAFETY WEARING APPAREL	359460	8/18/22	185.94
CALPELRA	CALPELRA TRAINING CONFERENCE 2022	359461	8/18/22	842.00
CAMACHO	ADV LODGING SUBSISTENCE	359462	8/18/22	309.86
CANON SOLUTIONS AMERICA INC.	CANON PLOTTER EQUIPMENT MAINTENANCE	359463	8/18/22	80.88
CENTER FOR PUBLIC SAFETY	CPSM - PARTIAL PAYMENT	359464	8/18/22	28,227.48
CLYDE ARMORY	MAGPUL MBUS	359465	8/18/22	26,296.16
COUNTY OF SAN DIEGO	OBSERVER CLOTHING 5/16,6/7,4/29	359466	8/18/22	54.00
COUNTY OF SAN DIEGO	PARKING CITATION REVENUE - JUNE 2022	359467	8/18/22	8,413.00
COUNTY OF SAN DIEGO	MAIL POSTAGE BILLING SUMMARY FOR MAY 202	359468	8/18/22	2,366.00
COURTESY REFRIGERATION INC	P&E FREEZER REPAIR	359469	8/18/22	514.63
CYRACOM INTERNATIONAL, INC	JUNE LANGUAGE LINE	359470	8/18/22	159.90
DEVANEY PATE MORRIS & CAMERON	LEGAL SERVICE - BALANCE PLAN EIR	359471	8/18/22	7,050.00
DIVISION 8 INCORPORATED	CITY WIDE ONSITE GLASS AND WINDOW	359472	8/18/22	6,980.00
D-MAX ENGINEERING INC	CIP 22-07 PARADISE VALLEY CREEK WATER	359473	8/18/22	2,781.93
EDENS	CITATION REFUNDS - JULY 2022	359474	8/18/22	30.00
ENTERPRISE FLEET MANAGEMENT	ENTERPRISE FLEET LEASES - ENG/PW	359475	8/18/22	15,415.29
FASTSIGNS	DOOR GLASS HOURS FOR POLICE DEPT.	359476	8/18/22	54.38
FERGUSON ENTERPRISES 1350	MOP 45723 GENERAL SUPPLIES- PW	359477	8/18/22	852.33
FILIPISHINA	CITATION REFUNDS - JULY 2022	359478	8/18/22	70.00
FLEET SERVICES INC	MOP 67804 GENERAL AUTO SUPPLIES- PW	359479	8/18/22	238.13
FON JON PET CARE CENTER	SCANLON BOARD AND CARE	359480	8/18/22	225.00
GIL	REIMB: OXYGEN TANK	359481	8/18/22	51.66
GRAINGER	NITRILE GLOVES	359482	8/18/22	1,079.33
HERTZ VEHICLES LLC	CITATION REFUNDS - JULY 2022	359483	8/18/22	70.00
HIGUERA	CITATION REFUNDS - JULY 2022	359484	8/18/22	80.00
HOME DEPOT CREDIT SERVICES	CASA TEENS BIRD HOUSE WOOD KITS	359485	8/18/22	478.07
KIMLEY HORN	NTP FOR THE EVALUATION OF AFFORDABLE HOUSING	359486	8/18/22	9,755.90
KIMLEY HORN	CIP 22-41 PROJECT SUPPORT SERVICES - ENG	359487	8/18/22	590.00
KREISBERG LAW FIRM	ASSIST IN REPRESENTING THE CITY	359488	8/18/22	4,000.00
LASER SAVER INC	MOP 04840 TONER PD	359489	8/18/22	837.81
LOPEZ	CITATION REIMBURSEMENT #3026112	359490	8/18/22	60.00
LOPEZ	REIMBURSEMENT FOR RUBEN LOPEZ - POST SUP	359491	8/18/22	454.47
MANASSE	CITATION REFUNDS - JULY 2022	359492	8/18/22	25.00
MES CALIFORNIA	ROCKER LUG DOUBLE SWIVEL FEMALE ADAPTER	359493	8/18/22	869.63
MHZ COMMUNICATIONS ENT	TECH SERVICES REPAIR BK-RADIO / FIRE	359494	8/18/22	558.69
NATIONAL CITY TROPHY	NATIONAL CITY TROPHY	359495	8/18/22	12.89
NCPOA	REIMB 1/2 COST OF A TABLE AT SD POA	359496	8/18/22	600.00
PENSKE FORD	R&M CITY VEHICLES FY 2023	359497	8/18/22	230.22
PRO BUILD COMPANY	MOP 45707 GENERAL SUPPLIES- PW	359498	8/18/22	303.89
PROFESSIONAL SEARCH GROUP LLC	TEMPORARY OFFICE ASSISTANT	359499	8/18/22	2,000.00
PROFESSIONAL SEARCH GROUP LLC	TEMP WORKER ADMIN	359500	8/18/22	3,277.00



**WARRANT REGISTER # 7
8/18/2022**

<u>PAYEE</u>	<u>DESCRIPTION</u>	<u>CHK NO</u>	<u>DATE</u>	<u>AMOUNT</u>
PRUDENTIAL OVERALL SUPPLY	MOP 45742 LAUNDRY SERVICES- PW	359501	8/18/22	154.17
RED WING BUSINESS	SAFETY BOOTS AS NEEDED FOR FY22 STREETS	359502	8/18/22	575.62
ROBLES	CITATION REFUNDS - JULY 2022	359503	8/18/22	25.00
ROJAS	LICENSE REIMBURSEMENT	359504	8/18/22	85.00
SAN DIEGO MECHANICAL ENERGY	PREVENTATIVE MAINTENANCE FOR HVAC	359505	8/18/22	68,247.00
SCI CONSULTING GROUP	APPLICATION REVIEW - PHASE 1: DETERMINATION	359506	8/18/22	39,760.00
SDG&E	GAS AND ELECTRIC FOR FACILITIES FOR FY23	359507	8/18/22	6,505.07
SEAPORT MEAT COMPANY	FOOD / NUTRITION CENTER	359508	8/18/22	610.57
SMART & FINAL	MOP 45756 YOUTH SNACKS FOR TEENS	359509	8/18/22	533.04
SOUTHERN CALIF TRUCK STOP	MOP 45758 GENERAL AUTO SUPPLIES - PW	359510	8/18/22	160.85
SOUTHWEST SIGNAL SERVICE	LIGHTING MAINTENANCE	359511	8/18/22	23,152.38
STAPLES BUSINESS ADVANTAGE	MOP 20468 SUPPLIES PD	359512	8/18/22	1,849.66
STC TRAFFIC	CIP ON-CALL PROJECT SUPPORT GENERAL SERV	359513	8/18/22	585.00
SYMBOLARTS, LLC	POLICE OFFICER BADGES	359514	8/18/22	4,231.88
SYSCO SAN DIEGO INC	FOOD / NUTRITION CENTER	359515	8/18/22	6,041.93
TECHNOLOGY INTEGRATION GROUP	MIS SUPPLIES	359516	8/18/22	60.90
THE COUNSELING TEAM	JULY PEER SUPPORT SERVICE	359517	8/18/22	1,325.00
THE KNOX COMPANY	3200 SURFACE, BLACK, HINGED~	359518	8/18/22	2,504.54
TRANS-LANG	TRANSLATION SERVICES - TRANS LANG	359519	8/18/22	403.60
T'S & SIGNS	MISS NATIONAL CITY PAGEANT	359520	8/18/22	1,663.88
U S BANK	MOP 19657 CC PD TRACI	359521	8/18/22	603.92
UNITED ROTARY BRUSH CORP	STREET SWEEPER REPAIRS AND MAINTENANCE	359522	8/18/22	1,520.66
VARGAS	CITATION REFUNDS - JULY 2022	359523	8/18/22	120.00
WEST PAYMENT CENTER	JULY CHARGES	359524	8/18/22	659.00
WETMORES	MOP 80333 GENERAL SUPPLIS- PW	359525	8/18/22	1,246.47
WILLY'S ELECTRONIC SUPPLY	MOP 45763 ELECTRIC SUPPLIES- PW	359526	8/18/22	85.37
WRIGHT CONSTRUCTION	CIP 19-35 PARADISE CREEK MITIGATION AT K	359527	8/18/22	163,694.95
			A/P Total	479,094.35
WIRED PAYMENTS				
PAYCHEX BENEFIT TECH INC	BENETRAC ESR SERVICES BASE FEE - AUGUST	57696	8/12/22	597.74
PRISM	PROPERTY INSURANCE	191619	8/15/22	207,265.00
	GRAND TOTAL			\$ 686,957.09



AGENDA REPORT

Department: Finance
Prepared by: Karla Apalategui, Sr. Accounting Assistant
Meeting Date: Tuesday, October 4, 2022
Approved by: Brad Raulston, City Manager

SUBJECT:

Warrant Register #8 for the period of 8/19/22 through 8/25/22 in the amount of \$2,168,757.25.

RECOMMENDATION:

Ratify Warrants Totaling \$2,168,757.25

BOARD/COMMISSION/COMMITTEE PRIOR ACTION:

Not Applicable.

EXPLANATION:

Per Government Section Code 37208, below are the payments issued for period 8/19/22 – 8/25/22. 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>
Chen Ryan Associates	359538	62,831.11	Bayshore Bikeway Segment 5 Eng
City of Chula Vista	359540	107,321.00	4 th Quarter payment
Neri Landscape Architecture	359564	83,880.00	CIP 22-26 Toyon Park Prop 68 Grant
SDG&E	359584	74,265.43	Gas & Electric for Facilities for FY23
Public Emp Ret System	220819	259,597.91	Service Period 7/26/22 – 8/08/22

FINANCIAL STATEMENT:

Warrant total \$2,168,757.25.

RELATED CITY COUNCIL 2020-2025 STRATEGIC PLAN GOAL:

Not Applicable

ENVIRONMENTAL REVIEW:

This is not a project under CEQA and is therefore not subject to environmental review.CCR15378; PRC 21065.

PUBLIC NOTIFICATION:

Agenda Report posted within 72 hours of meeting date and time in accordance with Brown Act.

ORDINANCE:

Not Applicable

EXHIBIT:

Exhibit A - Warrant Register No. 8



**WARRANT REGISTER # 8
8/25/2022**

<u>PAYEE</u>	<u>DESCRIPTION</u>	<u>CHK NO</u>	<u>DATE</u>	<u>AMOUNT</u>
ACE UNIFORMS & ACCESSORIES INC	RECRUIT HENRY	359528	8/25/2022	2,123.26
ADMINSURE INC	WORKERS' COMPENSATION CLAIMS - SEPTEMBER	359529	8/25/2022	8,353.00
AIRGAS USA LLC	MOP 45714 GENERAL SUPPLIES	359530	8/25/2022	302.84
ALL AROUND FENCE INC	REPAIR AND REPLACE FENCING -ENG/PW	359531	8/25/2022	4,963.00
AT&T	AT&T & SBC ANNUAL PHONE SERVICE FOR FY23	359532	8/25/2022	2,109.42
AT&T	AT&T & SBC ANNUAL PHONE SERVICE FOR FY23	359533	8/25/2022	91.17
BLUE PACIFIC ENGINEERING	CIP 18-14 SWEETWATER BIKEWAY CONNECTION	359534	8/25/2022	42,670.46
CALIFORNIA DEPARTMENT	PAY SALES TAX LIABILITY 1ST QTR	359535	8/25/2022	1,927.00
CDWG	NIMBLE STORAGE LICENSING RENEWAL 3/5/22	359536	8/25/2022	22,824.04
CELLEBRITE INC	CELLEBRITE FY 23	359537	8/25/2022	4,676.25
CHEN RYAN ASSOCIATES INC	BAYSHORE BIKEWAY SEGMENT 5- ENG/PW	359538	8/25/2022	62,831.11
CITRIX SYSTEMS INC	CITRIX RENEWAL ADC VPX 200~	359539	8/25/2022	1,100.00
CITY OF CHULA VISTA	4TH QUARTER PAYMENT	359540	8/25/2022	107,321.00
CLEAN HARBORS ENVIRONMENTAL	HOUSEHOLD HAZARDOUS WASTE SERVICES- ENG	359542	8/25/2022	1,205.74
CORELOGIC SOLUTIONS LLC	CORELOGIC INVOICES FY23	359543	8/25/2022	2,008.33
COUNTY OF SAN DIEGO	NEXTGEN REGIONAL COMMUNICATIONS SYSTEM	359544	8/25/2022	7,894.50
COX COMMUNICATIONS	COX DATA, VIDEO SERVICES FY23	359545	8/25/2022	2,398.54
CYBRARIAN SOLUTIONS	CYBRARIAN RENEWAL 8/1/22-7/31/23	359546	8/25/2022	1,469.70
DANIELS TIRE SERVICE	TIRES FOR CITY FLEET FOR FY 2023	359547	8/25/2022	9,674.15
DELL MARKETING L P	CREATIVE CLOUD RENEWAL	359548	8/25/2022	14,783.54
DEPT OF JUSTICE	DOJ FINGERPRINTING	359549	8/25/2022	260.00
ESRI INC	MAINTENCE FOR CAD FY 2023	359550	8/25/2022	1,500.00
EXPERIAN	CREDIT CHECKS	359551	8/25/2022	42.20
FATPIPE INC	FATPIPE GOLD SOFTWARE	359552	8/25/2022	8,908.40
FEDEX	MAILING OF LAPTOP	359553	8/25/2022	55.55
FON JON PET CARE CENTER	BOARDING AND BATH SERVICES RENDERED FEB	359554	8/25/2022	255.00
GONZALES	TRAINING REIMB / ROBERTO GONZALES	359555	8/25/2022	285.12
GOVCONNECTION INC	FORTINET ANNUAL LICENSING	359556	8/25/2022	13,024.02
HAMEL	RE-IMBRSMT,EMT-P LICENSE RENEWAL, K HAME	359557	8/25/2022	250.00
IDEMIA IDENTITY & SECURITY USA	IDEMIA LIVESCAN SYSTEM TENPRINT	359558	8/25/2022	6,000.75
INTENT DIGITAL LLC	VOTELYNX XLG-PLATINUM SUPPORT INTENT	359559	8/25/2022	3,000.00
KASEYA US LLC	DARK WEB ID SUBSCRIPTION	359560	8/25/2022	2,076.34
KREISBERG LAW FIRM	LEGAL SERVICES FOR JULY 2022	359561	8/25/2022	120.00
LASER SAVER INC	LASER SAVER MOP FY23	359562	8/25/2022	217.45
MOTOROLA SOLUTIONS INC	NETRMS 6/1/22 - 5/31/23	359563	8/25/2022	2,405.00
NERI LANDSCAPE ARCHITECTURE	CIP 22-26 EL TOYON PARK PROP 68 GRANT	359564	8/25/2022	83,880.00
NINYO & MOORE	CIP 22-31 NC BLVD BIKEWAY PROJECT - ENG/	359565	8/25/2022	3,916.41
NTT AMERICA, INC	CISCO SMARTNET HARDWARE	359566	8/25/2022	22,423.96
NV5 INC	SERVICES FOR NATIONAL CITY GIS WEBSERVER	359567	8/25/2022	4,831.25
OPENGOV INC	OPENGOV 7/1/22 - 6/30/23	359568	8/25/2022	10,925.00
O'REILLY AUTO PARTS	MOP 75877 AUTO SUPPLIES- PW	359569	8/25/2022	463.24
PALOMAR HEALTH	SART EXAMS	359570	8/25/2022	1,350.00
PARTS AUTHORITY METRO LLC	EVAPORATOR	359571	8/25/2022	202.07
PENSKE FORD	R&M CITY VEHICLES FY 2023	359572	8/25/2022	99.66
POLICE AND FIRE PSYCHOLOGY	PSYCH EVAL FOR NEW HIRES	359573	8/25/2022	850.00
PRO BUILD COMPANY	MOP 45707 GENERAL SUPPLIES	359574	8/25/2022	67.99
PROFESSIONAL SEARCH GROUP LLC	WEEK ENDING JULY 31, 2022 - EMILY PORTES	359575	8/25/2022	1,556.10



**WARRANT REGISTER # 8
8/25/2022**

<u>PAYEE</u>	<u>DESCRIPTION</u>	<u>CHK NO</u>	<u>DATE</u>	<u>AMOUNT</u>
PROJECT PROFESSIONALS CORP	PROFESSIONAL SERVICES - ENG/PW	359576	8/25/2022	17,516.45
PRUDENTIAL OVERALL SUPPLY	MOP 45742 LAUNDRY SERVICES- PW	359577	8/25/2022	306.13
QUESTYS SOLUTIONS	QUESTYS ANNUAL RENEWAL 7/1/22 - 6/30/23	359578	8/25/2022	21,987.02
RELIANCE STANDARD	SEPT 2022 - GRP VAI826233, VCI801146	359579	8/25/2022	4,113.23
SAKAMOTO	REIMBURSEMENT FOR CHAD SAKAMOTO - GLOCK	359580	8/25/2022	317.50
SAN DIEGO POLICE EQUIPMENT	MOLLE FOR INVESTIGATIONS CARRIERS	359581	8/25/2022	76.13
SASI	REF#120159	359583	8/25/2022	449.50
SDG&E	GAS AND ELECTRIC FOR FACILITIES FOR FY23	359584	8/25/2022	74,265.43
SITEONE LANDSCAPE SUPPLY LLC	MOP 69277 LANDSCAPE SUPPLIES- PW	359585	8/25/2022	486.83
SMART & FINAL	MOP #45756/OFFICE SUPPLIES/HR	359586	8/25/2022	107.27
SMART SOURCE OF CALIFORNIA LLC	CPN - 7420835 RIBBED LANYARD	359587	8/25/2022	2,726.35
SOUTHERN CALIF TRUCK STOP	MOP 45758 GENERAL AUTO SUPPLIES- PW	359588	8/25/2022	157.54
SPECIAL SERVICES GROUP LLC	COVERT TRACKER	359589	8/25/2022	1,845.19
STAPLES BUSINESS ADVANTAGE	MOP 45704 EL TOYON OFFICE SUPPLIES	359590	8/25/2022	407.35
STARTECH COMPUTERS	STARTECH MOP FY22	359591	8/25/2022	362.50
STC TRAFFIC	TRFFIC SIGNAL DESIGN SERVICES FOR HIGHLAND	359592	8/25/2022	270.00
SWAGIT PRODUCTION LLC	SWAGIT WEBCAST FOR FY23	359593	8/25/2022	1,920.83
SWEETWATER AUTHORITY	WATER BILL FOR PARKS DIVISION FY 2023	359594	8/25/2022	102.04
SYMBOLARTS, LLC	NAVARRO RETIREMENT BADGE	359595	8/25/2022	147.00
TECHNOLOGY INTEGRATION GROUP	MIS EQUIP	359596	8/25/2022	153.34
THE LINCOLN NATIONAL LIFE INS	AUGUST 2022 - GRP#415491	359597	8/25/2022	8,647.60
TYLER TECHNOLOGIES INC	TYLER CAD 9/1/22 - 8/31/23	359598	8/25/2022	6,300.00
WAXIE SANITARY SUPPLY	MISCELLANEOUS JANITORIAL SUPPLIES FY	359599	8/25/2022	3,235.03
WEST COAST ARBORISTS	ONGOING TREE TRIMMING SERVICE	359600	8/25/2022	6,000.00
WETMORES	MOP 80333 AUTO SUPPLIES- PW	359601	8/25/2022	1,043.79
WILLY'S ELECTRONIC SUPPLY	WILLY'S ELECTRONICS MOP FY22	359602	8/25/2022	943.99

A/P Total 623,580.60

WIRED PAYMENTS

PUBLIC EMP RETIREMENT SYSTEM	SERVICE PERIOD 07/26/22 - 08/08/2022	220819	8/19/2022	259,597.91
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PAYROLL

Pay period	Start Date	End Date	Check Date	
18	8/9/2022	8/22/2022	8/31/2022	1,285,578.74

GRAND TOTAL

2,168,757.25



AGENDA REPORT

Department: Housing Authority
Prepared by: Carlos Aguirre, Housing Director
Meeting Date: Tuesday, October 4, 2022
Approved by: Brad Raulston, City Manager

SUBJECT:

Update on the disposition of City-owned real property located at 921 & 929 National City Boulevard, National City.

RECOMMENDATION:

Staff recommends that the City Council authorize negotiations for an Exclusive Negotiating Agreement (ENA) with Tower 999, LLC to establish terms and conditions to consider the disposition of City-owned real property located at 921 & 929 National City Boulevard, National City.

BOARD/COMMISSION/COMMITTEE PRIOR ACTION:

Not Applicable.

EXPLANATION:

The City of National City owns an 11,761 sq. ft. parcel of land at 921 and 929 National City Boulevard in National City (together referred to as "City Property"). The City Property is made up of two separate lots that were purchased by the Community Development Commission of the City of National City ("CDC"). The lot located at 921 National City Boulevard was purchased in August 2000 for \$350,000 and was formerly an education center. The lot located at 929 National City Boulevard was purchased by the CDC in July 2003 for \$225,000. The City Property was included in the Long Range Property Management Plan ("LRPMP") that was approved by the Oversight Board of Successor Agency to the Community Development Commission of the City of National City in December 2015. The LRPMP stated that the City would retain and later dispose the City Property for future development. The disposition of the City Property would require a distribution of proceeds from a sale to the affected taxing entities or further negotiations with the taxing entities if a sales price concession was necessary to enable the development of affordable housing.

On April 12, 2022, Tower 999, LLC acquired the property adjacent to the south of the City Property ("Trophy Lounge Property") for approximately \$1.2 million. Representatives of Tower 999, LLC met with City staff on May 25, 2022 to propose a 20,000 square foot, 9 story building at both the Trophy Lounge and City Property. The initial proposal made by Tower 999, LLC stated that the project would have approximately 100 units of which 25% of the units would be restricted as lower-income units. The new development would also include 5,000 square feet of street-level retail space and 55 parking spaces. In June 2022, representatives with Tower 999, LLC and Southwestern College met on several occasions to discuss opportunities for partnership in the proposed development and remained open to negotiation of a future partnership with the potential of including student housing for Southwestern College in the development.

The sale of the City Property is subject to the provisions of the Surplus Land Act as amended by AB 1486 and AB 1255. Under the Surplus Land Act, Government Code Sections 54220-54233 ("Act"), surplus land is land owned in fee simple by the City for which the City Council takes formal action in a regular public meeting declaring the land as surplus and not necessary for the City's use. The Act provides that land shall be declared either "surplus land" or "exempt surplus land" before the City takes action to dispose of it consistent with the Act and City policies and procedures. City staff had intended to declare the land "surplus" but Tower 999, LLC indicated that their proposal qualified the property for sale as "exempt" surplus land. Tower 999, LLC shared a letter with City staff on June 14, 2022 drafted by their attorney stating that the City should strongly consider selling the City Property to Tower 999, LLC as exempt surplus land. At the City Council meeting on June 21, 2022, City staff provided an update on the sale of the City Property and the City Council directed staff to look further into the legality of selling the property as "exempt" surplus land and for City staff to further consider the Tower 999, LLC development proposal.

The City's legal review of the applicability of Surplus Land Act exemptions determined that the City Property could be sold without competitive bid as exempt surplus land as long as the City determined that the development of affordable housing was in the best interest of the City and that future development on the City Property satisfied the following conditions of Government Code Section 54221 subdivision (f)(1)(A): (1) Not less than 80 percent of the parcel shall be used for the development of housing; (2) Not less than 40 percent of the total number of housing units shall be affordable to households whose income are equal to, or less than 60% of AMI, and at least half of which shall be affordable to very low-income households; and (3) Affordable units are subject to at least a 30-year regulatory agreement.

Under an Exclusive Negotiation Agreement ("ENA"), City staff and its consultants would perform additional financial due diligence to make sure that Tower 999, LLC was in a firm position to move forward with the appropriate financial commitments and capacity to develop the City Property while ensuring compliance with the affordability requirements of the Surplus Land Act. The ENA would guide the process of negotiations through establishment of exclusive rights, negotiation timelines, development objectives, limitations, and responsibilities. The parties would also structure mutually-acceptable terms and conditions in the ENA for good-faith negotiations intended to culminate in mutually-acceptable terms of a Disposition and Development Agreement ("DDA") that would set forth terms and conditions for sale of the City-owned real property located at 921 & 929 National City Boulevard. If the parties are successful in negotiating the terms of the ENA, the ENA will require the City Council's approval and authorization to proceed with a DDA.

FINANCIAL STATEMENT:

Upon executing an Exclusive Negotiation Agreement, the City would require that the Developer pay the costs of City consultants needed throughout the ENA period and the legal cost for preparing the Disposition and Development Agreement.

RELATED CITY COUNCIL 2020-2025 STRATEGIC PLAN GOAL:

Housing and Community Development

ENVIRONMENTAL REVIEW:

This is not a project under CEQA and is therefore not subject to environmental review.CCR15378; PRC 21065.

PUBLIC NOTIFICATION:

Agenda Report posted within 72 hours of meeting date and time in accordance with Brown Act.

ORDINANCE:

Not Applicable

EXHIBITS:

Choose an item.

October 5, 2022

The Honorable Gavin Newsom
Governor of the State of California
State Capitol, First Floor
Sacramento, California 95814

Re: SB 357 (Wiener)

Dear Governor Newsom,

The City Council of National City urges the amendment of Senate Bill 357, which is harming our community by giving sex buyers, human traffickers and pimps the freedom to victimize women and children without fear of consequence. SB 357 benefits sex buyers who perpetuate sexual violence against children and vulnerable community members.

Identifying victims of human trafficking is a difficult and time-consuming task for law enforcement. Loitering investigations by law enforcement are key components in stopping sex trafficking and identifying those who would exploit children. Officers rely on loitering arrests which often that lead to serious convictions for traffickers and pimps.

The repeal or amendment of this bill will also send a message of support and care to working-class neighborhoods and small businesses in National City. We are advocating for our community so that our families and businesses will not be forced to tolerate an increase in prostitution leaving them powerless as they will feel less safe. In anticipation of SB357 becoming law in 2023, the prostitution activity that our community is currently experiencing is extreme compared to previous years.

Instead of legalizing loitering to commit prostitution which benefits buyers and exploiters, we are asking legislators to consider other alternatives such as providing human trafficking victims exit strategies that include housing, employment, mental health services and case management. Law enforcement should be allowed to continue loitering investigations with the goal of identifying and rescuing victims of human trafficking.

Sincerely,

Alejandra Sotelo-Solis
Mayor of National City