



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

<https://www.nationalcityca.gov/webcast>

LIVE WEBCAST  
COUNCIL CHAMBERS  
CIVIC CENTER

1243 NATIONAL CITY BOULEVARD  
NATIONAL CITY, CALIFORNIA  
TUESDAY, APRIL 21, 2020 – 6:00 PM

**ALEJANDRA SOTELO-SOLIS**  
Mayor

**MONA RIOS**  
Vice Mayor

**JERRY CANO**  
Councilmember

**RON MORRISON**  
Councilmember

**GONZALO QUINTERO**  
Councilmember

**NOTICE:** The health and well-being of National City residents, visitors, and employees during the COVID-19 outbreak remains our top priority. The City of National City is coordinating with the County of San Diego Health Human Services Agency, and other agencies to take measures to monitor and reduce the spread of the novel coronavirus (COVID-19). **The World Health Organization has declared the outbreak a global pandemic and local and state emergencies have been declared providing reprieve from certain public meeting laws such as the Brown Act.**

As a result, the City Council Meeting will occur only online to ensure the safety of City residents, employees and the communities we serve. A live webcast of the meeting may be viewed on the city's website at [www.nationalcityca.gov](http://www.nationalcityca.gov). **Written comments or testimony from the public must be submitted via e-mail to [clerk@nationalcityca.gov](mailto:clerk@nationalcityca.gov) by 4:30 p.m. on the day of the City Council Meeting.**

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

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

**PUBLIC COMMENTS:** The Elected Body will receive public comments via e-mail at [clerk@nationalcityca.gov](mailto:clerk@nationalcityca.gov) regarding any matters within the jurisdiction of the City and/or the Community Development Commission. **Written comments must be submitted via e-mail to [clerk@nationalcityca.gov](mailto:clerk@nationalcityca.gov) by 4:30 p.m. on the day of the City Council Meeting.** The time limit established for public testimony is three minutes per speaker. The Mayor or Chairperson may limit the

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

Meeting agendas and  
minutes available on the  
City's website at  
[WWW.NATIONALCITYCA.GOV](http://WWW.NATIONALCITYCA.GOV)

length of comments due to the number of persons wishing to speak or if comments become repetitious or unrelated.

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

**CONSENT CALENDAR:** Consent calendar items involve matters which are of a routine or noncontroversial nature. All consent items are adopted by approval of a single motion by the City Council. Prior to such approval, any item may be removed from the consent portion of the agenda and separately considered, upon request of a Councilmember, a staff member, or a member of the public.

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

**AVISO:** La salud y el bienestar de los residentes, visitantes y empleados de National City durante el brote de COVID-19 sigue siendo nuestra máxima prioridad. El Ayuntamiento de la Ciudad de National City se está coordinando con la Agencia de Salud y Servicios Humanos del Condado de San Diego y otras agencias para tomar medidas con el fin de monitorear y reducir la propagación del nuevo coronavirus (COVID-19). La Organización Mundial de la Salud declaró el brote como una pandemia global y se han manifestado emergencias locales y estatales que resultan en la suspensión de ciertas leyes de reuniones públicas, tal como la Ley Brown.

Como resultado de ello, la junta del Concejo Municipal del Ayuntamiento se llevará a cabo solamente en línea para garantizar la seguridad de los residentes, empleados y comunidades locales que atendemos. Se podrá ver una transmisión en vivo de la junta en el sitio web del Ayuntamiento en [www.nationalcityca.gov](http://www.nationalcityca.gov). **Los comentarios o testimonios escritos del público deben enviarse por correo electrónico a [clerk@nationalcityca.gov](mailto:clerk@nationalcityca.gov) antes de las 4:30 p.m. en el día de la junta del Concejo Municipal.**

**ORDEN DEL DÍA:** Las sesiones públicas de todas las juntas ordinarias del Concejo Municipal/Comisión de Desarrollo Comunitario - Autoridad de Vivienda (en lo sucesivo denominado Órgano Electo) inician a las 6:00 p.m. el primer y tercer martes de cada mes. Las audiencias públicas inician a las 6:00 p.m., a menos que se indique lo contrario. Las juntas cerradas inician en sesión abierta a las 5:00 p.m. o en cualquier otro momento que se indique, y tras anunciar los temas de la sesión cerrada, la junta se realiza como sesión cerrada. Si se programa una reunión de discusión y análisis, el tema y la hora de la misma aparecerán en la agenda. La Alcaldesa y los Concejales se reúnen por igual que el Presidente y los integrantes del Consejo de la Comisión de Desarrollo Comunitario.

**INFORMES:** Todos los temas e informes de la agenda de la sesión abierta, así como todos los documentos y escritos entregados al Órgano Electo menos de 72 horas antes de la sesión, aparecerán en el sitio web del Ayuntamiento. Las juntas ordinarias del Órgano Electo se transmiten por Internet y se archivan en el sitio web del Ayuntamiento en [www.nationalcityca.gov](http://www.nationalcityca.gov).

**COMENTARIOS PÚBLICOS:** El Órgano Electo recibirá comentarios públicos enviados por correo electrónico a [clerk@nationalcityca.gov](mailto:clerk@nationalcityca.gov) sobre cualquier asunto dentro de la jurisdicción del

Ayuntamiento y/o la Comisión de Desarrollo Comunitario. **Los comentarios por escrito deben enviarse por correo electrónico a [clerk@nationalcityca.gov](mailto:clerk@nationalcityca.gov) antes de las 4:30 p.m. en el día de la sesión del Concejo Municipal.** El límite de tiempo establecido para el testimonio público es de tres minutos por expositor. La Alcaldesa o el Presidente pueden limitar la duración de los comentarios debido a la cantidad de personas que desean hablar o si los comentarios se vuelven repetitivos o inconexos.

**AGENDA ESCRITA:** Con contadas excepciones, el Órgano Electo puede tomar medidas únicamente sobre los temas que aparecen en la agenda escrita. Los temas que no aparezcan en la agenda deben aparecer en una agenda subsecuente, a menos que sean de emergencia o urgencia demostrada, y la necesidad de tomar medidas sobre esos temas haya surgido después de haber sido publicada la agenda.

**CALENDARIO DE CONSENTIMIENTO:** Los temas del calendario de consentimiento implican cuestiones de naturaleza rutinaria o no controvertida. Todos los temas de consentimiento se adoptan mediante la aprobación de una sola moción del Concejo Municipal. Antes de la aprobación, cualquier tema puede eliminarse de la parte de consentimiento de la agenda y considerarse aparte, a petición de un concejal, individuo del personal del Ayuntamiento o persona del público.

Previa solicitud, esta agenda puede estar disponible en formatos alternativos apropiados para personas con discapacidades, en observancia de la Ley de Estadounidenses con Discapacidades. Llame al teléfono (619) 336-4228 de la Oficina del Secretario del Ayuntamiento para solicitar una modificación o adaptación de acceso relativa a la discapacidad. Notificar 24 horas antes de la sesión permitirá al Ayuntamiento hacer arreglos razonables para garantizar la accesibilidad a esta junta.

**OPEN TO THE PUBLIC**

**A. CITY COUNCIL**

**CALL TO ORDER**

**ROLL CALL**

**PLEDGE OF ALLEGIANCE TO THE FLAG**

**BUSINESS RELATING TO SPECIAL MUNICIPAL ELECTION MARCH 3, 2020**

1. [Resolution of the City Council of the City of National City reciting the results of the Special Municipal Election held on Tuesday, March 3, 2020 declaring the vote pursuant to California Election Code 10262 and such other matters as provided by law. \(City Clerk\)](#)
2. [Resolution of the City Council of the City of National City implementing the People's Adoption of City Council Ordinance No. 2019-2463 as the People's Ordinance which pursuant to statute is considered Adopted upon the date of certification of the Election results which adds Chapter 8.38 to the National City Municipal Code. \(City Attorney\)](#)

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

**PROCLAMATIONS AND CERTIFICATES**

**AWARDS AND RECOGNITIONS**

**PRESENTATIONS**

**INTERVIEWS / APPOINTMENTS**

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

**CONSENT CALENDAR**

3. [Motion of the City Council of the City of National City approving the waiving of the reading of the text of the Ordinances or Resolutions that are having a Public Hearing considered at this meeting and providing that such Ordinances or Resolutions shall be introduced and/or adopted after a reading of the title only. \(City Clerk\)](#)
4. [Approval of the Minutes of the Amended Special Meeting of the City Council of March 17, 2020. \(City Clerk\)](#)
5. [Resolution of the City Council of the City of National City authorizing the Mayor to execute a three year agreement between the City of National City and EsGil, LLC for a not-to-exceed amount of \\$800,000 to provide on-call](#)



plan reviews, permit processing, construction inspections, code enforcement services and related services for various City departments including but not limited to Building, Fire, and Engineering. (Building)

6. Resolution of the City Council of the City of National City: 1) approving the following project proposed to receive funding from the Road Maintenance and Rehabilitation Account (RMRA) through the Local Streets and Roads Funding Program as required by Senate Bill 1, the Road Repair and Accountability Act of 2017 – Roosevelt Avenue Street Resurfacing; 2) reaffirming to the public and State the City’s intent to fund previously proposed and adopted projects with RMRA revenues; and 3) authorizing the establishment of a Gas Tax Fund appropriation of \$1,176,782 for Fiscal Year 2021 and corresponding revenue budget for receipt of RMRA funds. (Engineering/Public Works)
7. Resolution of the City Council of the City of National City approving a First Amendment to the Agreement with A Reason to Survive, Inc. (ARTS) to allow for production of additional bike racks funded by a San Diego Association of Governments (SANDAG) Active Transportation Grant Program (ATGP) grant and local matching funds, and authorizing the Mayor to execute the Amendment. (Engineering/Public Works)
8. Investment transactions for the month ended January 31, 2020. (Finance)
9. Warrant Register #36 for the period of 2/26/20 through 3/3/20 in the amount of \$1,443,903.30. (Finance)
10. Warrant Register #37 for the period of 3/4/20 through 3/10/20 in the amount of \$1,806,802.44. (Finance)

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

11. Public Hearing and Adoption of a Resolution of the City Council of the City of National City amending the previously adopted Transportation Development Impact Fee (TDIF) schedule and annual adjustment to the TDIF, pursuant to National City Municipal Code Section 4.52.100 and consistent with Government Code Section 66017, approving an adjustment to the TDIF of 2 percent, as required by the San Diego Association of Governments (SANDAG) for receipt of TransNet local street improvement revenues, resulting in the TDIF increasing from \$2,534 per new residential dwelling unit to \$2,584 per unit beginning July 1, 2020. (Engineering/Public Works)
12. Public Hearing and Adoption of a Resolution by the City Council of the City of National City: 1) approving the TransNet Local Street Improvement Program of Projects for National City for Fiscal Years 2021 through 2025 consisting of the following projects: Plaza Blvd Widening (NC01), Street Resurfacing (NC03), Traffic Signal Install/Upgrades (NC04) and Citywide Safe Routes to School (NC15); and 2) authorizing the establishment of a TransNet

[Proposition "A" Fund appropriation of \\$1,430,000 for FY 2021 and corresponding revenue budget. \(Engineering/Public Works\)](#)

13. [Public Hearing and Introduction of an Ordinance of the City Council of the City of National City Establishing Local Campaign Contribution Limits. \(City Clerk and City Attorney\)](#)

#### **NON CONSENT RESOLUTIONS**

14. [Resolution of the City Council of the City of National City authorizing various Fiscal Year 2020 mid-year budget adjustments. \(Finance\)](#)

#### **NEW BUSINESS**

15. [City of National City comprehensive annual financial report \(CAFR\) and single audit report on federal awards for the fiscal year ended June 30, 2019. \(Finance\)](#)
16. [Temporary Use Permit - Request from Murphy's Produce to conduct an emergency food distribution event at 1031 National City Boulevard on April 25, 2020 and May 9, 2020 from 8:00 a.m. - 11:00 a.m. The applicant has requested a waiver of all fees. \(Neighborhood Services\)](#)
17. [City Council 2020 Legislative Recess. \(City Clerk\)](#)

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

##### **CONSENT RESOLUTIONS - HOUSING AUTHORITY**

##### **PUBLIC HEARINGS: RESOLUTIONS - HOUSING AUTHORITY**

##### **NON CONSENT RESOLUTIONS - HOUSING AUTHORITY**

##### **NEW BUSINESS - HOUSING AUTHORITY**

#### **C. REPORTS**

##### **STAFF REPORTS**

18. [Current Vacancies on Boards and Commissions. \(City Clerk\)](#)
19. [COVID-19 Update. \(City Manager\)](#)

##### **MAYOR AND CITY COUNCIL**

##### **CLOSED SESSION**

##### **CLOSED SESSION REPORT**

## **ADJOURNMENT**

Regular Meeting of the City Council and Community Development Commission - Housing Authority of the City of National City - Tuesday - May 5, 2020 - 6:00 p.m. - Council Chambers - National City, California.

The following page(s) contain the backup material for Agenda Item: [Resolution of the City Council of the City of National City reciting the results of the Special Municipal Election held on Tuesday, March 3, 2020 declaring the vote pursuant to California Election Code 10262 and such other matters as provided by law. \(City Clerk\)](#)

Please scroll down to view the backup material.

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

**MEETING DATE:** April 21, 2020

**AGENDA ITEM NO.** |

**ITEM TITLE:**

Resolution of the City Council of the City of National City reciting the results of the Special Municipal Election held on Tuesday, March 3, 2020 declaring the vote pursuant to California Election Code 10262 and such other matters as provided by law. (City Clerk)

**PREPARED BY:** Michael R. Dalla

**DEPARTMENT:** City Clerk

**PHONE:** (619) 336-4226

**APPROVED BY:** M Dalla

**EXPLANATION:**

Once the County of San Diego Registrar of Voters has canvassed the election and provided an "Official Canvass" of the returns to the City Clerk, the City Council must meet and adopt a Resolution to "Declare Results" pursuant to California Election Code 15400, incorporating the "Official Canvass" into the Resolution as Exhibit 'A'.

**FINAL ELECTION RETURNS**

Measure H: Shall the City Clerk & City Treasurer be Appointed?

	<u>Votes</u>	<u>%</u>
<b>NO</b>	4059	52 %
Yes	3747	48 %

Measure J: Shall Ordinance 2019-2463 (Banning Pet Sales) be Adopted?

	<u>Votes</u>	<u>%</u>
<b>YES</b>	5054	62 %
No	3126	38 %

**FINANCIAL STATEMENT:**

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

**ACCOUNT NO.**

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

**ENVIRONMENTAL REVIEW:**

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

**STAFF RECOMMENDATION:**

Adopt the Resolution.

**BOARD / COMMISSION RECOMMENDATION:**

**ATTACHMENTS:**

PowerPoint Slide – Final Results  
Resolution with Exhibit 'A' (Certified "Official Canvass" from the Registrar of Voters.)

# Official Canvass

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**Measure H:** Shall the City Clerk and City Treasurer be Appointed?

	<u>Votes</u>	<u>%</u>
<b>NO</b>	4059	52 %
Yes	3747	48 %

**Measure J:** Shall Ordinance No. 2019-2463 (Banning Pet Sales) be Adopted?

	<u>Votes</u>	<u>%</u>
<b>YES</b>	5054	62 %
No	3126	38 %



**RESOLUTION NO. 2020 –**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY  
RECITING THE RESULTS OF THE SPECIAL MUNICIPAL ELECTION HELD  
ON MARCH 3, 2020, AND DECLARING THE VOTE AND SUCH OTHER  
MATTERS AS PROVIDED BY LAW**

**WHEREAS**, a Special Municipal Election was held and conducted in the City of National City (“City”), California, on Tuesday, March 3, 2020, as required by law; and

**WHEREAS**, notice of the election was given in time, form, and manner as provided by law; that voting precincts were properly established; that election officers were appointed, and that in all respects, the Election was held and conducted, and the votes were cast, received, and canvassed, and the returns made and declared in time, form, and manner, as required by the provisions of the Elections Code of the State of California for the holding of elections in general law cities; and

**WHEREAS**, the City Clerk canvassed the returns of the election and has certified the results to this City Council, the results are received, attached, and made a part hereof as “Exhibit A”.

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

**SECTION 1.** That the whole number of votes (ballots) cast at the polls for Measure “H”, except by mail voter ballots, was **2822**.

And that the whole number of vote by mail ballots cast for Measure “H” was **5877** making a total of **8699** \*votes (ballots) cast in the City for Measure “H”.

That the whole number of votes (ballots) cast at the polls for Measure “J”, except by mail voter ballots, was **2822**.

And that the whole number of vote by mail ballots cast for Measure “J” was **5877**, making a total of **8699** \*votes (ballots) cast in the City for Measure “J”.

**SECTION 2.** The City Council does declare and determine that as a result of the election, a majority of the voters voting on the Measure to appoint the Offices of the City Clerk and City Treasurer (Measure “H”) did not vote in favor of it, and that the Measure was not carried, and shall not be deemed adopted and ratified.

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///  
///

**Resolution No. 2020-  
Page Two**

**SECTION 3.** The City Council does declare and determine that as a result of the election, a majority of the voters voting on the Measure to adopt Ordinance No. 2019-2463 regarding pet sales (Measure “J”) did vote in favor of it and it was carried and shall be deemed adopted and ratified as of April 21, 2020 the date of the adoption of this Resolution.

**PASSED and ADOPTED this 21<sup>st</sup> day of April, 2020.**

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Alejandra Sotelo-Solis, Mayor

**ATTEST:**

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Michael R. Dalla, City Clerk

**APPROVED AS TO FORM:**

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Angil Morris-Jones  
City Attorney



# County of San Diego

**MICHAEL VU**  
Registrar of Voters

**REGISTRAR OF VOTERS**  
County Operations Center Campus  
5600 Overland Avenue, Suite 100, San Diego, California 92123-1266

**CYNTHIA L. PAES**  
Assistant Registrar of Voters

Telephone: (858) 565-5800 Toll-free: 1 (800) 696-0136 TDD: (858) 694-3441  
Facsimile: (858) 694-2955 Web Address: [www.sdvote.com](http://www.sdvote.com)

April 2, 2020

TO: Andrew Potter  
Clerk of the Board of Supervisors

FROM: L. Michael Vu  
Registrar of Voters

## PRESIDENTIAL PRIMARY ELECTION MARCH 3, 2020 ELECTION CERTIFICATION

Enclosed are the certification documents for the following election:

*Jurisdiction:* Presidential Primary Election

*Election Date:* March 3, 2020

Please contact my staff at (858) 505-7210 if you have any questions regarding this matter.

Enclosures (2)

c: Supervisor Greg Cox, Chair  
Supervisor Jim Desmond, Vice Chair  
Supervisor Dianne Jacob  
Supervisor Kristin Gaspar  
Supervisor Nathan Fletcher  
Helen N. Robbins-Meyer, Chief Administrative Officer  
Donald F. Steuer, Assistant Chief Administrative Officer, Chief Operating Officer  
Tracy Sandoval, General Manager, Finance & General Government Group  
County Office of Education

**EXHIBIT 'A'**

Continued

c:

Cities:

Carlsbad  
Chula Vista  
Del Mar  
Lemon Grove  
National City  
Oceanside  
San Diego

Community College Districts:

Grossmont-Cuyamaca  
San Diego

School Districts:

Cajon Valley  
Chula Vista  
Escondido  
Lakeside  
Poway  
San Diego  
San Ysidro

**CERTIFICATION OF  
COUNTY CLERK/REGISTRAR OF VOTERS OF THE  
RESULTS OF THE CANVASS  
OF THE MARCH 3, 2020,  
PRESIDENTIAL PRIMARY ELECTION**

STATE OF CALIFORNIA


COUNTY OF SAN DIEGO

} ss.

I, Michael Vu, County Clerk/Registrar of Voters of County of San Diego, do hereby certify that, in pursuance of the provisions of Elections Code section 15300, et seq.. I did canvass the results of the votes cast in the Presidential Primary Election held in said County on March 3, 2020, for measures and contests that were submitted to the vote of the voters, and that the Statement of Votes Cast, to which this certificate is attached is full, true, and correct.

I hereby set my hand and official seal this 02 day of April, 2020. at the County of San Diego



  
\_\_\_\_\_  
County Clerk/Registrar of Voters  
County of San Diego  
State of California

Canvass Certification of Elections Official  
(03/2020)

**COUNTY OF SAN DIEGO  
PRESIDENTIAL PRIMARY ELECTION  
Tuesday, March 3, 2020  
Official Results (San Diego Portion Only)**

Elector Group	Counting Group	Voters Cast	Registered Voters	Turnout
Total	Polls	253,973		13.91%
	Mail	653,629		35.81%
	Total	907,602	1,825,237	49.73%

Precincts Reported: 1,862 of 1,862 (100.00%)

**PRESIDENT OF THE UNITED STATES REP (Vote for 1)  
REP**

Precincts Reported: 1,862 of 1,862 (100.00%)

Candidate	Party	Total	
<b>DONALD J. TRUMP</b>	REP	249,219	93.13%
BILL WELD	REP	6,640	2.48%
JOE WALSH	REP	5,562	2.08%
ROQUE "ROCKY" DE LA FUENTE	REP	3,151	1.18%
ROBERT ARDINI	REP	1,109	0.41%
MATTHEW JOHN MATERN	REP	1,050	0.39%
ZOLTAN G. ISTVAN	REP	866	0.32%
Total Votes		267,603	
		<b>Total</b>	
Denis C. Grasska	WRITE-IN	6	0.00%
Robert Lee Manning Jr.	WRITE-IN	0	0.00%



## PRESIDENT OF THE UNITED STATES DEM (Vote for 1) DEM

Precincts Reported: 1,862 of 1,862 (100.00%)

Candidate	Party	Total	
<b>BERNIE SANDERS</b>	DEM	178,055	35.80%
JOSEPH R. BIDEN	DEM	138,905	27.93%
ELIZABETH WARREN	DEM	63,745	12.82%
MICHAEL R. BLOOMBERG	DEM	61,482	12.36%
PETE BUTTIGIEG	DEM	25,908	5.21%
AMY KLOBUCHAR	DEM	11,413	2.29%
TOM STEYER	DEM	8,235	1.66%
TULSI GABBARD	DEM	3,055	0.61%
ANDREW YANG	DEM	2,899	0.58%
JULIÁN CASTRO	DEM	977	0.20%
ROQUE "ROCKY" DE LA FUENTE III	DEM	457	0.09%
CORY BOOKER	DEM	412	0.08%
MARIANNE WILLIAMSON	DEM	411	0.08%
MICHAEL BENNET	DEM	372	0.07%
MARK STEWART GREENSTEIN	DEM	257	0.05%
JOHN K. DELANEY	DEM	227	0.05%
MICHAEL A. ELLINGER	DEM	186	0.04%
JOE SESTAK	DEM	176	0.04%
DEVAL PATRICK	DEM	110	0.02%
MOSIE BOYD	DEM	108	0.02%
Total Votes		497,390	

		Total	
Nakia L. Anthony	WRITE-IN	0	0.00%
Daphne Denise Bradford	WRITE-IN	0	0.00%
Willie Felix Carter	WRITE-IN	0	0.00%
Michael Dename	WRITE-IN	0	0.00%
Jeffrey H. Drobman	WRITE-IN	0	0.00%
Robert Jordan	WRITE-IN	0	0.00%
Heather Marie Stagg	WRITE-IN	0	0.00%

## PRESIDENT OF THE UNITED STATES AI (Vote for 1) AI

Precincts Reported: 1,862 of 1,862 (100.00%)

Candidate	Party	Total	
<b>PHIL COLLINS</b>	AI	1,589	29.88%
ROQUE "ROCKY" DE LA FUENTE	AI	1,531	28.79%
DON BLANKENSHIP	AI	907	17.06%
J.R. MYERS	AI	687	12.92%
CHARLES KRAUT	AI	604	11.36%
Total Votes		5,318	

## PRESIDENT OF THE UNITED STATES PF (Vote for 1) PF

Precincts Reported: 1,862 of 1,862 (100.00%)

Candidate	Party	Total	
<b>GLORIA LA RIVA</b>	PF	337	67.54%
HOWIE HAWKINS	PF	162	32.46%
Total Votes		499	

## PRESIDENT OF THE UNITED STATES LIB (Vote for 1) LIB

Precincts Reported: 1,862 of 1,862 (100.00%)

Candidate	Party	Total	
<b>JACOB HORNBERGER</b>	LIB	620	22.32%
VERMIN SUPREME	LIB	394	14.18%
JO JORGENSEN	LIB	385	13.86%
KEN ARMSTRONG	LIB	240	8.64%
KIM RUFF	LIB	193	6.95%
DAN BEHRMAN	LIB	178	6.41%
ADAM KOKESH	LIB	176	6.34%
SAM ROBB	LIB	164	5.90%
MAX ABRAMSON	LIB	151	5.44%
ERIK CHASE GERHARDT	LIB	79	2.84%
SOURAYA FAAS	LIB	78	2.81%
STEVEN A RICHEY	LIB	71	2.56%
KEENAN WALLACE DUNHAM	LIB	45	1.62%
Total Votes		2,778	

		Total	
Sorinne Ardeleanu	WRITE-IN	4	0.14%
Nicholas D'Artagnan Dumas	WRITE-IN	0	0.00%
Geby Eva Espinosa	WRITE-IN	0	0.00%
James Orlando Ogle	WRITE-IN	0	0.00%

## PRESIDENT OF THE UNITED STATES GRN (Vote for 1) GRN

Precincts Reported: 1,862 of 1,862 (100.00%)

Candidate	Party	Total	
<b>HOWIE HAWKINS</b>	GRN	305	35.18%
DARIO HUNTER	GRN	212	24.45%
SEDINAM MOYOWASIFZA-CURRY	GRN	172	19.84%
DENNIS LAMBERT	GRN	119	13.73%
DAVID ROLDE	GRN	58	6.69%
Total Votes		867	

		Total	
Kent Mesplay	WRITE-IN	1	0.12%

## DEMOCRATIC COUNTY CENTRAL COMMITTEE 71ST ASSEMBLY DISTRICT (Vote for 6) DEM

Precincts Reported: 285 of 285 (100.00%)

Candidate	Party	Total	
<b>CHRISTINA PERRY</b>	DEM	15,174	11.45%
<b>SHARON B. COX</b>	DEM	13,606	10.27%
<b>TINA RYNBERG</b>	DEM	13,500	10.19%
<b>MARILYN RILEY</b>	DEM	13,094	9.88%
<b>ERIN CLARK</b>	DEM	13,003	9.82%
<b>JUDITH K. WALTERS</b>	DEM	10,006	7.55%
TIFFANY MAPLE	DEM	9,014	6.80%
TOM LEMMON	DEM	8,377	6.32%
CHRIS PEARSON	DEM	8,220	6.21%
RYAN DARSEY	DEM	7,403	5.59%
J. ERIC HEREFORD	DEM	7,390	5.58%
ROBERT GRAND	DEM	7,053	5.32%
JAMES ELIA	DEM	6,630	5.00%
Total Votes		132,470	

## REPUBLICAN COUNTY CENTRAL COMMITTEE 71ST ASSEMBLY DISTRICT (Vote for 6) REP

Precincts Reported: 285 of 285 (100.00%)

Candidate	Party	Total	
<b>JOEL ANDERSON</b>	REP	34,043	17.82%
<b>FRANK I. HILLIKER</b>	REP	24,329	12.74%
<b>JIM KELLY</b>	REP	17,438	9.13%
<b>DUSTIN TROTTER</b>	REP	15,206	7.96%
<b>MARK BRYAN</b>	REP	14,590	7.64%
<b>DAN BICKFORD</b>	REP	12,772	6.69%
BARON T. "BARRY" WILLIS	REP	12,222	6.40%
GARY G. KREEP	REP	11,724	6.14%
RON NEHRING	REP	10,223	5.35%
STEVE ROBAK	REP	9,170	4.80%
JORDAN GASCON	REP	8,201	4.29%
CHRISTINE LA MARCA	REP	7,429	3.89%
JILL BARTO	REP	7,393	3.87%
MIKE HARRISON	REP	6,285	3.29%
Total Votes		191,025	

## DEMOCRATIC COUNTY CENTRAL COMMITTEE 75TH ASSEMBLY DISTRICT (Vote for 6) DEM

Precincts Reported: 201 of 201 (100.00%)

Candidate	Party	Total	
<b>GLORIA R. CONEJO</b>	DEM	11,721	9.00%
<b>THERESA "TERRY" CORRALES</b>	DEM	11,291	8.67%
<b>HEATHER ROBERTS</b>	DEM	11,117	8.53%
<b>GEORGINE TOMASI</b>	DEM	10,600	8.14%
<b>GIBHRAN JIMENEZ</b>	DEM	9,936	7.63%
<b>VANESSA VALENZUELA</b>	DEM	9,511	7.30%
TIFFANY E. BOYD-HODGSON	DEM	8,230	6.32%
ANTONIO R. ROBLES	DEM	8,043	6.17%
WAYNE LU	DEM	7,793	5.98%
ROBERT "BOB" J. HAMILTON	DEM	6,329	4.86%
GEORGE VAN HASSELT	DEM	6,305	4.84%
NICOLLE LEEDS	DEM	5,847	4.49%
PAM BLAND	DEM	5,561	4.27%
MICHAEL F. SUMMERS	DEM	5,385	4.13%
VALENTINE RICHARD MACEDO	DEM	4,491	3.45%
GARY BLAND	DEM	4,471	3.43%
ARMANDO J. TELLES	DEM	3,626	2.78%
Total Votes		130,257	

## REPUBLICAN COUNTY CENTRAL COMMITTEE 75TH ASSEMBLY DISTRICT (Vote for 6) REP

Precincts Reported: 201 of 201 (100.00%)

Candidate	Party	Total	
<b>REGINA W. ROBERTS</b>	REP	22,790	17.51%
<b>KIMBERLY MEAD</b>	REP	18,487	14.20%
<b>MATT STOCKTON</b>	REP	15,001	11.52%
<b>ALANA SORENSEN</b>	REP	13,131	10.09%
<b>LEE J. DE MEO</b>	REP	13,064	10.04%
<b>RANDY BERHOLTZ</b>	REP	12,218	9.39%
C. BRIAN MELONAKOS	REP	9,995	7.68%
BRIAN TINNEY	REP	7,841	6.02%
DUNCAN FANE	REP	7,134	5.48%
WILLIAM DEL PILAR	REP	5,704	4.38%
JENNIFER DE MEO	REP	4,803	3.69%
Total Votes		130,168	

## DEMOCRATIC COUNTY CENTRAL COMMITTEE 76TH ASSEMBLY DISTRICT (Vote for 6) DEM

Precincts Reported: 249 of 249 (100.00%)

Candidate	Party	Total	
<b>FRANCINE BUSBY</b>	DEM	19,243	9.26%
<b>ESTHER C. SANCHEZ</b>	DEM	18,184	8.75%
<b>SHERI SACHS</b>	DEM	14,093	6.78%
<b>MEGAN LEY</b>	DEM	13,884	6.68%
<b>CECILY "CESS" RESNICK</b>	DEM	13,765	6.63%
<b>LINDA SUE SLATER</b>	DEM	13,110	6.31%
MARGUERITE KEALEY	DEM	11,518	5.54%
ROBERT "ROB" HOWARD	DEM	11,320	5.45%
BILL FOWLER	DEM	11,176	5.38%
KYLE BRIGHT	DEM	11,013	5.30%
LUKE TESLUK	DEM	10,454	5.03%
SARAH SPINKS	DEM	10,227	4.92%
VALENTINE MACEDO JR.	DEM	9,518	4.58%
DINAH POELLNITZ	DEM	8,952	4.31%
KYLE KRAHEL	DEM	8,427	4.06%
DANIEL R.F. O'DONNELL	DEM	7,438	3.58%
MARIE "MARIA" MCENEANY	DEM	7,082	3.41%
MICHAEL BULLOCK	DEM	6,177	2.97%
KEVIN SABELLICO	DEM	2,177	1.05%
Total Votes		207,758	

## REPUBLICAN COUNTY CENTRAL COMMITTEE 76TH ASSEMBLY DISTRICT (Vote for 6) REP

Precincts Reported: 249 of 249 (100.00%)

Candidate	Party	Total	
<b>MELANIE BURKHOLDER</b>	REP	21,734	14.29%
<b>JUDY REES</b>	REP	15,092	9.92%
<b>DONNA CLEARY</b>	REP	14,480	9.52%
<b>PATTI A. SIEGMANN</b>	REP	14,227	9.35%
<b>JOHN BUELL</b>	REP	13,812	9.08%
<b>DUANE SIEGMANN</b>	REP	13,553	8.91%
MARK MUIR	REP	12,650	8.32%
LESLIE SCHNEIDER	REP	11,623	7.64%
ROARKE SHANLEY	REP	10,631	6.99%
RAY PEARSON	REP	7,908	5.20%
MAUREEN "MO" MUIR	REP	6,439	4.23%
THOMAS KROUSE	REP	5,878	3.86%
JOSEPH PIMENTEL	REP	2,314	1.52%
DENNIS A. SISNEROS	REP	1,753	1.15%
Total Votes		152,094	



## DEMOCRATIC COUNTY CENTRAL COMMITTEE 77TH ASSEMBLY DISTRICT (Vote for 6) DEM

Precincts Reported: 308 of 308 (100.00%)

Candidate	Party	Total	
<b>LORI SALDAÑA</b>	DEM	27,086	14.52%
<b>MELINDA K. VÁSQUEZ</b>	DEM	19,154	10.27%
<b>LAUREN BIER</b>	DEM	18,212	9.76%
<b>OCTAVIO AGUILAR</b>	DEM	17,187	9.21%
<b>RYAN TRABUCO</b>	DEM	15,445	8.28%
<b>ESTHER "SUNNY" ESCOVEDO</b>	DEM	15,402	8.26%
INDRONEAL BANERJEE	DEM	13,114	7.03%
TERRY NORWOOD	DEM	12,722	6.82%
JASON M. BERCOVITCH	DEM	11,212	6.01%
RIA OTERO	DEM	10,382	5.57%
ZUBAIR AHMAD	DEM	10,182	5.46%
TORREY POWERS	DEM	8,444	4.53%
DANNY JACKSON	DEM	8,007	4.29%
Total Votes		186,549	

## REPUBLICAN COUNTY CENTRAL COMMITTEE 77TH ASSEMBLY DISTRICT (Vote for 6) REP

Precincts Reported: 308 of 308 (100.00%)

Candidate	Party	Total	
<b>CARL DEMAIO</b>	REP	26,976	18.41%
<b>TONY P. KRVARIC</b>	REP	17,496	11.94%
<b>T.J. ZANE</b>	REP	13,824	9.43%
<b>BRIAN PEPIN</b>	REP	12,999	8.87%
<b>ANDREW D. SKALE</b>	REP	12,186	8.31%
<b>LYNETTE J WILLIAMS</b>	REP	11,867	8.10%
MILES HIMMEL	REP	11,398	7.78%
KELLY BATTEN	REP	11,162	7.62%
DARREN GRETTLER	REP	9,813	6.70%
MICHAEL ALLMAN	REP	9,210	6.28%
THERESE WATSON	REP	5,909	4.03%
KELLI HILLARD	REP	3,716	2.54%
Total Votes		146,556	



# DEMOCRATIC COUNTY CENTRAL COMMITTEE 78TH ASSEMBLY DISTRICT

## (Vote for 6)

### DEM

Precincts Reported: 304 of 304 (100.00%)

Candidate	Party	Total	
<b>SARAH K. DAVIS</b>	DEM	22,866	8.37%
<b>BRYAN PEASE</b>	DEM	22,226	8.14%
<b>RICK BATES</b>	DEM	19,985	7.31%
<b>PRATIMA GUPTA</b>	DEM	19,483	7.13%
<b>BECCA TAYLOR</b>	DEM	18,518	6.78%
<b>WILLIAM RODRIGUEZ-KENNEDY</b>	DEM	17,664	6.47%
GRETCHEN NEWSOM	DEM	17,489	6.40%
PARISA IJADI-MAGHSOODI	DEM	14,917	5.46%
RAMÓN ESPINAL	DEM	13,691	5.01%
LOXIE GANT	DEM	13,673	5.00%
BERNADETTE BUTKIEWICZ	DEM	13,141	4.81%
HUY "JEAN-HUY" TRAN	DEM	12,724	4.66%
JONATHAN "CODY" PETERSON	DEM	10,766	3.94%
WENDY LEVY BATTERSON	DEM	10,259	3.76%
CYNARA KIDWELL	DEM	8,676	3.18%
CODI VIERRA	DEM	8,521	3.12%
CHYANN-MARIE COX	DEM	7,888	2.89%
OREN ROBINSON	DEM	7,308	2.67%
KEVIN LOURENS	DEM	6,947	2.54%
ZACH BUNSHAFT	DEM	6,464	2.37%
Total Votes		273,206	

# REPUBLICAN COUNTY CENTRAL COMMITTEE 78TH ASSEMBLY DISTRICT

## (Vote for 6)

### REP

Precincts Reported: 304 of 304 (100.00%)

Candidate	Party	Total	
<b>RICHARD BAILEY</b>	REP	14,592	13.77%
<b>ELIZABETH SPILLANE</b>	REP	10,382	9.80%
<b>BRADLEY GERBEL</b>	REP	9,872	9.31%
<b>AIMEE FAUCETT</b>	REP	8,451	7.97%
<b>FRANCIS BARRAZA</b>	REP	7,724	7.29%
<b>JEAN ROESCH</b>	REP	7,641	7.21%
MATTHEW G. PHY	REP	7,620	7.19%
DANIEL T. HOLSTEIN	REP	5,808	5.48%
JENNIFER BRYANT	REP	5,103	4.82%
MARY SCYOCURKA	REP	4,936	4.66%
JULIO DEGUZMAN JR.	REP	4,654	4.39%
JOHN "WOODY" WOODRUM	REP	3,981	3.76%
TJ CHALHOUB	REP	3,722	3.51%
DELIA MICHELLE SANCHEZ- HUFFMAN	REP	3,022	2.85%
DONNA J. WOODRUM	REP	2,359	2.23%
WASKAH M. WHELAN	REP	2,308	2.18%
MELANIE WOODS	REP	1,995	1.88%
MAGGIE J. CAMPBELL	REP	1,811	1.71%
Total Votes		105,981	

## DEMOCRATIC COUNTY CENTRAL COMMITTEE 79TH ASSEMBLY DISTRICT (Vote for 6) DEM

Precincts Reported: 288 of 288 (100.00%)

Candidate	Party	Total	
<b>TAISHA BROWN</b>	DEM	18,438	8.87%
<b>STEVE PADILLA</b>	DEM	15,876	7.64%
<b>EVLYN ANDRADE</b>	DEM	13,467	6.48%
<b>EDUARDO REYES</b>	DEM	13,183	6.34%
<b>DANNY ORTIZ</b>	DEM	12,601	6.06%
<b>DONNETTA E. MOORE</b>	DEM	12,543	6.03%
BRANDON COOPERSMITH	DEM	12,373	5.95%
TEMIKA M. COOK	DEM	11,712	5.63%
KATHRYN MEYER	DEM	11,453	5.51%
SHANE PARMELY	DEM	10,255	4.93%
NIDIA CASTAÑEDA	DEM	10,020	4.82%
JESUS CARDENAS	DEM	9,292	4.47%
CONNOR P. NESSELER	DEM	8,753	4.21%
ANDREA BETH DAMSKY	DEM	8,051	3.87%
DAVID MYERS	DEM	7,706	3.71%
SAMANTHA JENKINS	DEM	7,502	3.61%
MIRIAM KANTER PLOTKIN	DEM	7,343	3.53%
ANGELA DE JOSEPH	DEM	6,567	3.16%
JEHOAN JOVANNY ESPINOZA	DEM	5,397	2.60%
DAN SHOOK-CASTILLO	DEM	5,366	2.58%
Total Votes		207,898	

## REPUBLICAN COUNTY CENTRAL COMMITTEE 79TH ASSEMBLY DISTRICT (Vote for 6) REP

Precincts Reported: 288 of 288 (100.00%)

Candidate	Party	Total	
<b>JOHN MCCANN</b>	REP	12,821	14.37%
<b>TAMARA RODRIGUEZ</b>	REP	11,518	12.91%
<b>JOHN HOY</b>	REP	10,134	11.36%
<b>JOHN MOORE</b>	REP	9,122	10.23%
<b>GEORGE R. WILLIAMS</b>	REP	8,619	9.66%
<b>PATRICIA O'MARA</b>	REP	8,304	9.31%
HECTOR RAUL GASTELUM	REP	7,273	8.15%
BARRETT TETLOW	REP	6,998	7.85%
MORGAN MURTAUGH	REP	5,601	6.28%
DYLAN GRAHAM	REP	5,019	5.63%
ANTHONY MENDIOLA	REP	3,787	4.25%
Total Votes		89,196	

# DEMOCRATIC COUNTY CENTRAL COMMITTEE 80TH ASSEMBLY DISTRICT

## (Vote for 6)

### DEM

Precincts Reported: 227 of 227 (100.00%)

Candidate	Party	Total	
<b>DAVID ALVAREZ</b>	DEM	17,417	9.80%
<b>VIVIAN MORENO</b>	DEM	14,272	8.03%
<b>NATHAN FLETCHER</b>	DEM	13,082	7.36%
<b>ANDREA CARDENAS</b>	DEM	10,419	5.86%
<b>EDDIE PADILLA</b>	DEM	8,361	4.70%
<b>GRETEL RODRÍGUEZ</b>	DEM	8,067	4.54%
ROBERTO ALCANTAR	DEM	7,852	4.42%
STEVE CASTANEDA	DEM	7,751	4.36%
VICTORIA A. BARBA	DEM	7,498	4.22%
GENOVEVA AGUILAR	DEM	7,466	4.20%
DELFINA GONZALEZ	DEM	6,840	3.85%
RAFAEL A. PEREZ	DEM	6,615	3.72%
SARA S. KENT	DEM	6,211	3.50%
BRENDA AGUIRRE ARNOLD	DEM	5,923	3.33%
JOSE G. SANCHEZ	DEM	5,618	3.16%
JUDITH NUÑEZ	DEM	5,444	3.06%
KELVIN H. BARRIOS	DEM	5,387	3.03%
CHRISTINA GRIFFIN-JONES	DEM	4,970	2.80%
KATE BISHOP	DEM	4,590	2.58%
JONATHAN "JOHNNY" SWANSON	DEM	4,107	2.31%
CHRISTOPHER GRIS	DEM	3,732	2.10%
JOSÉ F. CERDA	DEM	3,641	2.05%
ANGELICA "ANGEL" GODINEZ	DEM	3,609	2.03%
CHRISTOPHER A. VALLEJO	DEM	2,643	1.49%
CATHIE HYATT	DEM	2,542	1.43%
TRAVIS KNOWLES	DEM	1,927	1.08%
TODD VOORHEES	DEM	1,724	0.97%
Total Votes		177,708	

## REPUBLICAN COUNTY CENTRAL COMMITTEE 80TH ASSEMBLY DISTRICT (Vote for 6) REP

Precincts Reported: 227 of 227 (100.00%)

Candidate	Party	Total	
<b>CRAIG A. CANDELORE</b>	REP	6,737	14.19%
<b>WILLIAM "BUD" MCLEROY</b>	REP	6,210	13.08%
<b>PAULA WHITSELL</b>	REP	5,827	12.27%
<b>LINCOLN PICKARD</b>	REP	5,624	11.84%
<b>ROBERT M. SANTOS</b>	REP	4,266	8.98%
<b>CASSANDRA NICOLE SHAND</b>	REP	3,926	8.27%
MARCO CISNEROS	REP	3,909	8.23%
CHERYL B. PEREZ	REP	3,860	8.13%
ALLAN CANDELORE	REP	3,709	7.81%
J.D. BOLLS	REP	3,422	7.21%
Total Votes		47,490	

## PEACE & FREEDOM COUNTY CENTRAL COMMITTEE 5TH SUPERVISORIAL DISTRICT (Vote for 4) PF

Precincts Reported: 350 of 350 (100.00%)

Candidate	Party	Total	
<b>JORDAN MILLS</b>	PF	59	25.65%
<b>JULIANA MUSHEYEV</b>	PF	57	24.78%
<b>RACHEL ANN SYLVESTER</b>	PF	54	23.48%
<b>ERIC S. MCGILL</b>	PF	37	16.09%
ANZY MCWHA	PF	23	10.00%
Total Votes		230	

## UNITED STATES REPRESENTATIVE 49TH DISTRICT (Vote for 1)

Precincts Reported: 326 of 326 (100.00%)

Candidate	Party	Total	
<b>MIKE LEVIN</b>	DEM	99,270	60.04%
BRIAN MARYOTT	REP	66,073	39.96%
Total Votes		165,343	

**UNITED STATES REPRESENTATIVE 50TH DISTRICT (Vote for 1)**

Precincts Reported: 375 of 375 (100.00%)

Candidate	Party	Total	
<b>AMMAR CAMPA-NAJJAR</b>	DEM	67,452	36.91%
DARRELL ISSA	REP	40,625	22.23%
CARL DEMAIO	REP	36,835	20.16%
BRIAN W. JONES	REP	20,202	11.06%
MARISA CALDERON	DEM	9,957	5.45%
NATHAN "NATE" WILKINS	REP	3,809	2.08%
JOSE CORTES	PF	1,587	0.87%
HELEN L. HORVATH	NONE	1,070	0.59%
HENRY ALAN OTA	NONE	835	0.46%
LUCINDA KWH JAHN	NONE	367	0.20%
Total Votes		182,739	

**UNITED STATES REPRESENTATIVE 51ST DISTRICT (Vote for 1)**

Precincts Reported: 267 of 267 (100.00%)

Candidate	Party	Total	
<b>JUAN C. VARGAS</b>	DEM	62,611	73.07%
JUAN M HIDALGO, JR	REP	23,073	26.93%
Total Votes		85,684	

**UNITED STATES REPRESENTATIVE 52ND DISTRICT (Vote for 1)**

Precincts Reported: 435 of 435 (100.00%)

Candidate	Party	Total	
<b>SCOTT PETERS</b>	DEM	111,897	49.12%
JIM DEBELLO	REP	73,779	32.39%
NANCY L. CASADY	DEM	36,422	15.99%
RYAN CUNNINGHAM	NONE	5,701	2.50%
Total Votes		227,799	



**UNITED STATES REPRESENTATIVE 53RD DISTRICT (Vote for 1)**

Precincts Reported: 459 of 459 (100.00%)

Candidate	Party	Total	
<b>SARA JACOBS</b>	DEM	58,312	29.13%
GEORGETTE GÓMEZ	DEM	39,962	19.97%
CHRIS STODDARD	REP	25,962	12.97%
JANESSA GOLDBECK	DEM	17,041	8.51%
FAMELA RAMOS	REP	15,005	7.50%
MICHAEL PATRICK ORISTIAN	REP	14,807	7.40%
TOM WONG	DEM	7,265	3.63%
ANNETTE MEZA	DEM	4,446	2.22%
JOSEPH R. FOUNTAIN	DEM	4,041	2.02%
JOSE CABALLERO	DEM	3,226	1.61%
JOAQUÍN VÁZQUEZ	DEM	3,078	1.54%
JOHN BROOKS	DEM	2,820	1.41%
FERNANDO GARCIA	NONE	1,832	0.92%
SUZETTE SANTORI	DEM	1,625	0.81%
ERIC ROGER KUTNER	DEM	734	0.37%
Total Votes		200,156	

**STATE SENATOR 39TH DISTRICT (Vote for 1)**

Precincts Reported: 605 of 605 (100.00%)

Candidate	Party	Total	
<b>TONI ATKINS</b>	DEM	212,626	91.94%
Total Votes		231,269	
		Total	
Linda Blankenship	WRITE-IN	18,643	8.06%

**MEMBER OF THE STATE ASSEMBLY 71ST DISTRICT (Vote for 1)**

Precincts Reported: 285 of 285 (100.00%)

Candidate	Party	Total	
<b>RANDY VOEPEL</b>	REP	70,044	60.86%
LIZ "ELIZABETH" LAVERTU	DEM	45,043	39.14%
Total Votes		115,087	

**MEMBER OF THE STATE ASSEMBLY 75TH DISTRICT (Vote for 1)**

Precincts Reported: 201 of 201 (100.00%)

Candidate	Party	Total	
<b>MARIE WALDRON</b>	REP	52,951	55.23%
KAREN "KATE" SCHWARTZ	DEM	37,516	39.13%
ROGER GARCIA	DEM	5,398	5.63%
Total Votes		95,865	

**MEMBER OF THE STATE ASSEMBLY 76TH DISTRICT (Vote for 1)**

Precincts Reported: 249 of 249 (100.00%)

Candidate	Party	Total	
<b>TASHA BOERNER HORVATH</b>	DEM	77,792	57.55%
MELANIE BURKHOLDER	REP	57,391	42.45%
Total Votes		135,183	

**MEMBER OF THE STATE ASSEMBLY 77TH DISTRICT (Vote for 1)**

Precincts Reported: 308 of 308 (100.00%)

Candidate	Party	Total	
<b>BRIAN MAIENSCHIN</b>	DEM	86,998	57.47%
JUNE YANG CUTTER	REP	64,384	42.53%
Total Votes		151,382	

**MEMBER OF THE STATE ASSEMBLY 78TH DISTRICT (Vote for 1)**

Precincts Reported: 304 of 304 (100.00%)

Candidate	Party	Total	
<b>CHRIS WARD</b>	DEM	69,125	55.62%
SARAH DAVIS	DEM	34,410	27.69%
MICAH PERLIN	DEM	20,741	16.69%
Total Votes		124,276	

**MEMBER OF THE STATE ASSEMBLY 79TH DISTRICT (Vote for 1)**

Precincts Reported: 288 of 288 (100.00%)

Candidate	Party	Total	
<b>SHIRLEY N. WEBER</b>	DEM	74,121	65.70%
JOHN MOORE	REP	19,619	17.39%
CARMELITA "C.L." LARRABASTER	REP	19,080	16.91%
Total Votes		112,820	

**MEMBER OF THE STATE ASSEMBLY 80TH DISTRICT (Vote for 1)**

Precincts Reported: 227 of 227 (100.00%)

Candidate	Party	Total	
<b>LORENA GONZALEZ</b>	DEM	56,872	72.72%
JOHN J. VOGEL	REP	13,999	17.90%
LINCOLN PICKARD	REP	7,334	9.38%
Total Votes		78,205	

### JUDGE OF THE SUPERIOR COURT OFFICE NO. 18 (Vote for 1)

Precincts Reported: 1,862 of 1,862 (100.00%)

Candidate	Party	Total	
<b>CJ MODY</b>		393,975	53.99%
ROBERTA WINSTON		335,797	46.01%
Total Votes		729,772	

### JUDGE OF THE SUPERIOR COURT OFFICE NO. 22 (Vote for 1)

Precincts Reported: 1,862 of 1,862 (100.00%)

Candidate	Party	Total	
<b>ALANA WONG ROBINSON</b>		398,792	54.88%
MARK SKEELS		224,937	30.95%
STEVE MILLER		102,965	14.17%
Total Votes		726,694	

### JUDGE OF THE SUPERIOR COURT OFFICE NO. 30 (Vote for 1)

Precincts Reported: 1,862 of 1,862 (100.00%)

Candidate	Party	Total	
<b>PAUL STARITA</b>		206,374	30.51%
TIM NADER		175,609	25.96%
PETE MURRAY		150,654	22.27%
MIKE MURPHY		143,779	21.26%
Total Votes		676,416	

### JUDGE OF THE SUPERIOR COURT OFFICE NO. 36 (Vote for 1)

Precincts Reported: 1,862 of 1,862 (100.00%)

Candidate	Party	Total	
<b>MICHELLE IALEGGIO</b>		531,553	77.08%
SHAWN A. MCMILLAN		158,043	22.92%
Total Votes		689,596	

### GROSSMONT-CUYAMACA COMMUNITY COLLEGE DISTRICT GOVERNING BOARD MEMBER TRUSTEE AREA 3 (Vote for 1)

Precincts Reported: 51 of 51 (100.00%)

Candidate	Party	Total	
<b>JULIE SCHORR</b>		10,448	75.60%
BARTOSZ "BARTEK" MURAWSKI		3,373	24.40%
Total Votes		13,821	

### GROSSMONT-CUYAMACA COMMUNITY COLLEGE DISTRICT GOVERNING BOARD MEMBER TRUSTEE AREA 4 (Vote for 1)

Precincts Reported: 76 of 76 (100.00%)

Candidate	Party	Total	
<b>ELENA ADAMS</b>		14,307	56.82%
JORDAN GASCON		10,874	43.18%
Total Votes		25,181	

### SAN DIEGO COMMUNITY COLLEGE DISTRICT MEMBER, BOARD OF TRUSTEES DISTRICT B (Vote for 1)

Precincts Reported: 125 of 125 (100.00%)

Candidate	Party	Total	
<b>BERNIE RHINERSON</b>		33,745	67.34%
DANIEL PIEDRA		16,364	32.66%
Total Votes		50,109	

### SAN DIEGO COMMUNITY COLLEGE DISTRICT MEMBER, BOARD OF TRUSTEES DISTRICT D (Vote for 1)

Precincts Reported: 127 of 127 (100.00%)

Candidate	Party	Total	
<b>MARY GRAHAM</b>		27,587	72.08%
MIKE PALOMBA		6,334	16.55%
ALEX LOUPE		4,350	11.37%
Total Votes		38,271	

### SAN DIEGO UNIFIED SCHOOL DISTRICT MEMBER, BOARD OF EDUCATION DISTRICT A (Vote for 1)

Precincts Reported: 111 of 111 (100.00%)

Candidate	Party	Total	
<b>SABRINA BAZZO</b>		23,273	48.84%
CRYSTAL TRULL		16,329	34.26%
STEPHEN GROCE		8,054	16.90%
Total Votes		47,656	

### SAN DIEGO UNIFIED SCHOOL DISTRICT MEMBER, BOARD OF EDUCATION DISTRICT D (Vote for 1)

Precincts Reported: 124 of 124 (100.00%)

Candidate	Party	Total	
<b>RICHARD ANDREW BARRERA</b>		38,220	97.14%
Total Votes		39,345	
		Total	
Camille Harris	WRITE-IN	1,040	2.64%
Marco Cisneros	WRITE-IN	85	0.22%

### SAN DIEGO UNIFIED SCHOOL DISTRICT MEMBER, BOARD OF EDUCATION DISTRICT E (Vote for 1)

Precincts Reported: 108 of 108 (100.00%)

Candidate	Party	Total	
<b>SHARON D. WHITEHURST-PAYNE</b>		16,514	54.98%
LAWANA RICHMOND		13,524	45.02%
Total Votes		30,038	

### MEMBER, BOARD OF SUPERVISORS DISTRICT NO. 1 (Vote for 1)

Precincts Reported: 322 of 322 (100.00%)

Candidate	Party	Total	
<b>BEN HUESO</b>		32,263	29.29%
NORA VARGAS		20,767	18.86%
RAFA CASTELLANOS		17,934	16.28%
SOPHIA RODRIGUEZ		16,634	15.10%
ALEX GALICIA		13,232	12.01%
HENRY BELISLE		4,035	3.66%
CAMILO MARQUEZ		2,679	2.43%
TONY VILLAFRANCA		2,591	2.35%
Total Votes		110,135	

### MEMBER, BOARD OF SUPERVISORS DISTRICT NO. 2 (Vote for 1)

Precincts Reported: 422 of 422 (100.00%)

Candidate	Party	Total	
<b>JOEL ANDERSON</b>		59,803	35.46%
STEVE VAUS		52,357	31.04%
KENYA TAYLOR		45,037	26.70%
BRIAN SESKO		11,465	6.80%
Total Votes		168,662	

### MEMBER, BOARD OF SUPERVISORS DISTRICT NO. 3 (Vote for 1)

Precincts Reported: 376 of 376 (100.00%)

Candidate	Party	Total	
<b>KRISTIN DIANE GASPAR</b>		72,598	42.82%
TERRA LAWSON-REMER		52,899	31.20%
OLGA DIAZ		44,063	25.99%
Total Votes		169,560	



### CITY OF CARLSBAD MEMBER, CITY COUNCIL DISTRICT NO. 1 (Vote for 1)

Precincts Reported: 15 of 15 (100.00%)

Candidate	Party	Total	
<b>CORI SCHUMACHER</b>		4,261	47.90%
TRACY CARMICHAEL		3,493	39.26%
SIMON ANGEL		1,142	12.84%
Total Votes		8,896	

### CITY OF CHULA VISTA MEMBER, CITY COUNCIL DISTRICT NO. 3 (Vote for 1)

Precincts Reported: 33 of 33 (100.00%)

Candidate	Party	Total	
<b>STEVE PADILLA</b>		7,744	54.77%
HENRY A. MARTINEZ II		4,404	31.15%
DOUG WOLF		1,992	14.09%
Total Votes		14,140	

### CITY OF CHULA VISTA MEMBER, CITY COUNCIL DISTRICT NO. 4 (Vote for 1)

Precincts Reported: 25 of 25 (100.00%)

Candidate	Party	Total	
<b>MIKE DIAZ</b>		4,762	45.41%
ANDREA CARDENAS		4,225	40.29%
DELFINA GONZALEZ		1,499	14.30%
Total Votes		10,486	

### CITY OF SAN DIEGO MAYOR (Vote for 1)

Precincts Reported: 796 of 796 (100.00%)

Candidate	Party	Total	
<b>TODD GLORIA</b>		147,654	41.48%
BARBARA BRY		81,541	22.91%
SCOTT SHERMAN		80,352	22.57%
TASHA WILLIAMSON		25,629	7.20%
GITA APPELBAUM SINGH		12,716	3.57%
RICH RIEL		8,099	2.28%
Total Votes		355,994	
		Total	
Jarvis Gandy	WRITE-IN	3	0.00%

**CITY OF SAN DIEGO CITY ATTORNEY (Vote for 1)**

Precincts Reported: 796 of 796 (100.00%)

Candidate	Party	Total	
<b>MARA W. ELLIOTT</b>		208,767	67.86%
CORY BRIGGS		71,672	23.30%
PETE MESICH		27,223	8.85%
Total Votes		307,662	

**CITY OF SAN DIEGO MEMBER, CITY COUNCIL DISTRICT NO. 1 (Vote for 1)**

Precincts Reported: 94 of 94 (100.00%)

Candidate	Party	Total	
<b>JOE LACAVAL</b>		10,335	24.08%
WILL MOORE		7,054	16.44%
AARON BRENNAN		6,399	14.91%
SAM NEJABAT		5,884	13.71%
LIJUN (LILY) ZHOU		3,910	9.11%
JAMES P. RUDOLPH		3,505	8.17%
HARID "H." PUENTES		3,340	7.78%
LOUIS A. RODOLICO		2,484	5.79%
Total Votes		42,911	

**CITY OF SAN DIEGO MEMBER, CITY COUNCIL DISTRICT NO. 3 (Vote for 1)**

Precincts Reported: 103 of 103 (100.00%)

Candidate	Party	Total	
<b>STEPHEN WHITBURN</b>		14,844	31.11%
TONI DURAN		10,836	22.71%
CHRIS OLSEN		9,705	20.34%
MICHELLE NGUYEN		8,340	17.48%
ADRIAN KWIATKOWSKI		3,996	8.37%
Total Votes		47,721	

**CITY OF SAN DIEGO MEMBER, CITY COUNCIL DISTRICT NO. 5 (Vote for 1)**

Precincts Reported: 91 of 91 (100.00%)

Candidate	Party	Total	
<b>MARNI VON WILPERT</b>		18,084	39.78%
JOE LEVENTHAL		16,778	36.91%
ISAAC WANG		8,764	19.28%
SIMON MOGHADAM		1,836	4.04%
Total Votes		45,462	

### CITY OF SAN DIEGO MEMBER, CITY COUNCIL DISTRICT NO. 7 (Vote for 1)

Precincts Reported: 103 of 103 (100.00%)

Candidate	Party	Total	
<b>RAUL CAMPILLO</b>		15,025	35.87%
NOLI ZOSA		12,783	30.51%
WENDY WHEATCROFT		8,526	20.35%
MONTY MCINTYRE		5,558	13.27%
Total Votes		41,892	

### CITY OF SAN DIEGO MEMBER, CITY COUNCIL DISTRICT NO. 9 (Vote for 1)

Precincts Reported: 83 of 83 (100.00%)

Candidate	Party	Total	
<b>KELVIN H. BARRIOS</b>		7,426	31.62%
SEAN ELO		4,819	20.52%
JOHNNY LEE DANG		3,473	14.79%
ANDREW GADE		2,222	9.46%
ROSS NAISMITH		1,997	8.50%
SAM BEDWELL		1,986	8.46%
ALEX SOTO		1,564	6.66%
Total Votes		23,487	

### PROP 13 - AUTHORIZES BONDS FOR FACILITY REPAIR (Vote for 1)

Precincts Reported: 1,862 of 1,862 (100.00%)

Candidate	Party	Total	
<b>NO</b>		463,034	54.13%
YES		392,331	45.87%
Total Votes		855,365	

### SD County MEASURE A - SAN DIEGO COUNTY AMD. TO SD COUNTY GENERAL PLAN (Vote for 1)

Precincts Reported: 1,862 of 1,862 (100.00%)

Candidate	Party	Total	
<b>NO</b>		423,630	50.97%
YES		407,534	49.03%
Total Votes		831,164	

### SD County - MEASURE B - NEWLAND SIERRA AMD. TO SD COUNTY GENERAL PLAN (Vote for 1)

Precincts Reported: 1,862 of 1,862 (100.00%)

Candidate	Party	Total	
<b>NO</b>		484,663	58.08%
YES		349,822	41.92%
Total Votes		834,485	



### **SD City - MEASURE C - INITIATIVE MEASURE - HOTEL VISITOR TAX INCREASE (Vote for 1)**

Precincts Reported: 796 of 796 (100.00%)

Candidate	Party	Total	
<b>YES</b>		239,024	65.24%
NO		127,349	34.76%
Total Votes		366,373	

### **SD City - MEASURE D - CHTR. AMD. REGARDING AUDIT CMTE. & AUDITOR (Vote for 1)**

Precincts Reported: 796 of 796 (100.00%)

Candidate	Party	Total	
<b>YES</b>		269,583	80.81%
NO		64,006	19.19%
Total Votes		333,589	

### **CV City - MEASURE E - PROJECT LABOR AGREEMENTS (Vote for 1)**

Precincts Reported: 122 of 122 (100.00%)

Candidate	Party	Total	
<b>YES</b>		37,462	67.56%
NO		17,990	32.44%
Total Votes		55,452	

### **Del Mar City - MEASURE G - ADOPT OF MARISOL SPECIFIC PLAN (Vote for 1)**

Precincts Reported: 5 of 5 (100.00%)

Candidate	Party	Total	
<b>NO</b>		1,406	58.90%
YES		981	41.10%
Total Votes		2,387	

### **Lemon Grove City - MEASURE S - PROPOSED 3/4 CENT TRANSACTIONS AND USE TAX (Vote for 1)**

Precincts Reported: 14 of 14 (100.00%)

Candidate	Party	Total	
<b>NO</b>		3,723	57.46%
YES		2,756	42.54%
Total Votes		6,479	

## National City - MEASURE H - SHALL CITY CLERK & TREASURER BE APPOINTED (Vote for 1)

Precincts Reported: 25 of 25 (100.00%)

Candidate	Party	Total	
<b>NO</b>		4,059	52.00%
YES		3,747	48.00%
Total Votes		7,806	

## National City - MEASURE J - REPEAL ORD. 2019-2463 (PET SALES) (Vote for 1)

Precincts Reported: 25 of 25 (100.00%)

Candidate	Party	Total	
<b>YES</b>		5,054	61.78%
NO		3,126	38.22%
Total Votes		8,180	

## Oceanside City - MEASURE K - SHALL CITY CLERK & TREASURER BE APPOINTED BY CITY MANAGER (Vote for 1)

Precincts Reported: 87 of 87 (100.00%)

Candidate	Party	Total	
<b>NO</b>		34,472	75.17%
YES		11,384	24.83%
Total Votes		45,856	

## Cajon Valley School - MEASURE L - 220M DOLLAR BONDS (Vote for 1)

Precincts Reported: 103 of 103 (100.00%)

Candidate	Party	Total	
<b>BONDS - NO</b>		19,552	54.09%
BONDS - YES		16,598	45.91%
Total Votes		36,150	

## Chula Vista School - MEASURE M - 300M DOLLAR BONDS (Vote for 1)

Precincts Reported: 159 of 159 (100.00%)

Candidate	Party	Total	
<b>BONDS - YES</b>		36,363	55.42%
BONDS - NO		29,247	44.58%
Total Votes		65,610	

## Escondido Union School - MEASURE Q - 205M DOLLAR BONDS (Vote for 1)

Precincts Reported: 89 of 89 (100.00%)

Candidate	Party	Total	
<b>BONDS - YES</b>		21,723	53.73%
BONDS - NO		18,707	46.27%
Total Votes		40,430	

## Lakeside Union School - MEASURE R - 33M DOLLAR BONDS (Vote for 1)

Precincts Reported: 27 of 27 (100.00%)

Candidate	Party	Total	
<b>BONDS - NO</b>		7,256	58.44%
BONDS - YES		5,161	41.56%
Total Votes		12,417	

## Poway Unified School - MEASURE P - 448M DOLLAR BONDS (Vote for 1)

Precincts Reported: 124 of 124 (100.00%)

Candidate	Party	Total	
<b>BONDS - YES</b>		32,836	50.35%
BONDS - NO		32,375	49.65%
Total Votes		65,211	

## San Ysidro School - MEASURE T - 52,985M DOLLAR BONDS (Vote for 1)

Precincts Reported: 22 of 22 (100.00%)

Candidate	Party	Total	
<b>BONDS - YES</b>		3,555	70.09%
BONDS - NO		1,517	29.91%
Total Votes		5,072	

## San Ysidro School - MEASURE U - 55,500M DOLLAR BONDS (Vote for 1)

Precincts Reported: 22 of 22 (100.00%)

Candidate	Party	Total	
<b>BONDS - YES</b>		3,492	68.90%
BONDS - NO		1,576	31.10%
Total Votes		5,068	

The following page(s) contain the backup material for Agenda Item: [Resolution of the City Council of the City of National City implementing the People's Adoption of City Council Ordinance No. 2019-2463 as the People's Ordinance which pursuant to statute is considered Adopted upon the date of certification of the Election results which adds Chapter 8.38 to the National City Municipal Code. \(City Attorney\)](#)

Please scroll down to view the backup material.

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

**MEETING DATE:** April 21, 2020

**AGENDA ITEM NO. |**

**ITEM TITLE:**

Resolution of the City Council of the City of National City implementing the People’s Adoption of City Council Ordinance No. 2019 – 2463 as the People’s Ordinance which pursuant to statute is considered Adopted upon certification of the Election results which adds Chapter 8.38 to the National City Municipal Code.

**PREPARED BY:** Angil P. Morris-Jones, City Attorney  
Nicole Pedone, Senior Assistant City Attorney

**DEPARTMENT:** City Attorney’s Office

**PHONE:** 619 336-4220

**APPROVED BY:** 

**EXPLANATION:**

On September 3, 2019, the City Council Adopted Ordinance No. 2019 - 2463, "An Ordinance of the City Council of the City of National City Adding Chapter 8.38 to the Municipal Code Prohibiting the Retail Sale of Dogs, Cats and Rabbits". On October 2, 2019, there was presented to the City Clerk a referendum petition against Ordinance No. 2019 - 2463, so as to repeal Ordinance No. 2019 - 2463 or submit it to the qualified voters of the City of National City. On November 13, 2019, pursuant to Section 9237 of the California Elections Code, the petition was examined by the City's Elections Official and it was determined that the referendum petition contained 2,507 valid signatures, which was a sufficient number of signatures under Sections 9235-9247 of the Elections Code, and the City's Elections Official accepted the petition for filing. On November 19, 2019, the City Council did not vote in favor of the repeal of Ordinance No. 2019 -2463, but directed the City Attorney to draft a Resolution for the City Council to place a Measure on the March 3, 2020 Special Municipal Election ballot for the qualified voters of the City to determine whether to adopt or repeal Ordinance No. 2019 -2463.

At the Special Municipal Election of March 3, 2020, a majority of the voters of the City of National City voted in favor of Measure J, Adopting Ordinance No. 2019 – 2463. This Resolution implements the People’s Ordinance adding Chapter 8.38 which is Adopted on April 21, 2020 and becomes effective 10 days after this date.

**FINANCIAL STATEMENT:**

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

**ACCOUNT NO.**

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

N/A

**ENVIRONMENTAL REVIEW:**

N/A

**ORDINANCE:** INTRODUCTION:  FINAL ADOPTION:

**STAFF RECOMMENDATION:**

Adopt Resolution implementing the People’s Ordinance.

**BOARD / COMMISSION RECOMMENDATION:**

**ATTACHMENTS:**

- 1) Resolution Implementing the People’s Ordinance
- 2) Ordinance 2020 -



# History of Ordinance No. 2019-2463: NCMC Chapter 8.38 Prohibiting the Retail Sale of Dogs, Cats and Rabbits

- ▶ **9/3/19: CC adopted the Ordinance**
- ▶ **10/2/19: Referendum petition filed against Ordinance so as to repeal Ordinance or submit it to the qualified voters of the City**
- ▶ **11/13/19: City's Election Official accepted the petition containing 2,507 valid signatures**
- ▶ **11/19/19: City's Election Official certified the results; effective date of Ordinance suspended**
- ▶ **Section 9241 of the Elections Code: provides in part that when a legislative body is presented with a qualified referendum petition, legislative body can either repeal the ordinance or submit the ordinance to the voters**
- ▶ **11/19/19: CC directed the City Attorney to draft a resolution for the CC to place a measure on the March 3, 2020 Special Municipal Election**
- ▶ **12/3/19: CC adopted Resolution No. 2019 - 170, ordering the Ordinance be submitted to the Qualified Voters of the City at the Special Municipal Election to be held on March 3, 2020**
- ▶ **3/3/2020: Majority of the voters of the City voted in favor of Measure J, adopting the Ordinance**
- ▶ **Once election results are declared and certified by CC, the Ordinance is officially adopted and goes into effect 10 days later**

# Summary of NCMC Chapter 8.38 Prohibiting the Retail Sale of Dogs, Cats and Rabbits

- ▶ A pet shop or retail pet store or its operator shall not sell, deliver, offer for sale, barter, auction or otherwise dispose of a cat, dog, or rabbit.
- ▶ Exceptions: (1) A publicly operated animal shelter or animal control enforcement agency, animal rescue organization or nonprofit humane society; (2) A pet shop or retail pet store offering a cat, dog, or rabbit owned by an animal shelter or animal rescue organization for purposes of adoption of the cat, dog, or rabbit by a member of the public, so long as the pet shop does not receive any fee from the adoption and does not have any monetary or ownership interest in the cat, dog, or rabbit; (3) The sale or offering for sale of a dog, cat or rabbit as part of an adoption event held by an animal shelter or rescue organization if the pet store does not receive any payment; and (4) Dogs, cats or rabbits sold directly from the premises from which they are born or through a breeder, excluding pet stores.
- ▶ Pet store has to maintain records just like under state law.
- ▶ Investigation officials have the right to inspect during regular business hours to conduct reasonable inspections to ensure compliance.
- ▶ Enforcement and Penalties:
  - ▶ NCMC Chapter 1.20 – General Penalty (misdemeanor or infraction) (criminal or civil injunction)
  - ▶ NCMC Chapters 1.44 and 1.48 – Administrative remedies (Citation, Abatement and Removal)
  - ▶ Public Nuisance statutes

**RESOLUTION NO. 2020 -**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY  
IMPLEMENTING THE PEOPLE'S ADOPTION OF CITY COUNCIL ORDINANCE NO.  
2019 – 2463 AS THE PEOPLE'S ORDINANCE WHICH PURSUANT TO STATUTE IS  
CONSIDERED ADOPTED UPON THE DATE OF CERTIFICATION OF THE  
ELECTION RESULTS WHICH ADDS CHAPTER 8.38 TO THE  
NATIONAL CITY MUNICIPAL CODE**

**WHEREAS**, the City of National City (the "City"), pursuant to the police powers delegated to it by the California Constitution, has the authority to enact or amend laws which promote the public health, safety, and general welfare of its residents; and

**WHEREAS**, on September 3, 2019, the City Council adopted Ordinance No. 2019 - 2463, "An Ordinance of the City Council of the City of National City Adding Chapter 8.38 to the Municipal Code Prohibiting the Retail Sale of Dogs, Cats and Rabbits;" and

**WHEREAS**, on October 2, 2019, there was presented to the City Clerk a referendum petition against Ordinance No. 2019 - 2463, so as to repeal Ordinance No. 2019 - 2463 or submit it to the qualified voters of the City of National City; and

**WHEREAS**, on November 13, 2019, pursuant to Section 9237 of the California Elections Code, the petition was examined by the City's Elections Official and it was determined that the referendum petition contained 2,507 valid signatures, which was a sufficient number of signatures under Sections 9235-9247 of the Elections Code, and the City's Elections Official accepted the petition for filing; and

**WHEREAS**, in accordance with Section 9240 of the Elections Code, the City's Elections Official certified the results of the examination to the City Council at its next regular meeting held on November 19, 2019; and

**WHEREAS**, Section 9237 of the Elections Code provides that when a referendum petition against an ordinance qualifies, the effective date of the ordinance shall be suspended and the legislative body shall reconsider the ordinance; and

**WHEREAS**, Section 9241 of the Elections Code provides in part that when a legislative body is presented with a qualified referendum petition, if the legislative body does not entirely repeal the ordinance against which the petition is filed, the legislative body shall submit the ordinance to the voters, either at the next regular municipal election occurring not less than 88 days after the order of the legislative body, or at a special election called for that purpose, not less than 88 days after the order of the legislative body, and the ordinance shall not become effective until a majority of the voters voting on the ordinance vote in favor of it; and

**WHEREAS**, at their meeting of November 19, 2019, the City Council did not vote in favor of the repeal of Ordinance No. 2019 -2463, but directed the City Attorney to draft a resolution for the City Council to place a measure on the March 3, 2020 Special Municipal Election ballot for the qualified voters of the City to determine whether to adopt or repeal Ordinance No. 2019 -2463; and

**WHEREAS**, at their meeting of December 3, 2019, the City Council, as authorized by Section 9241 of the Elections Code, adopted Resolution No. 2019 - 170, "A Resolution of the City Council of the City of National City Ordering the Submission of Ordinance No. 2019 - 2463, 'An Ordinance of the City Council of the City of National City Adding Chapter 8.38 to the National City Municipal Code Prohibiting the Retail Sale of



Dogs, Cats and Rabbits' to the Qualified Voters of the City of National City at the Special Municipal Election to be held on March 3, 2020;" and

**WHEREAS**, at the Special Municipal Election of March 3, 2020, a majority of the voters of the City of National City voting thereon voted in favor of Measure J, adopting Ordinance No. 2019 - 2463, "An Ordinance of the City Council of the City of National City Adding Chapter 8.38 to the National City Municipal Code Prohibiting the Retail Sale of Dogs, Cats and Rabbits."; and

**WHEREAS**, pursuant to Government Code §9217, the Ordinance passed by the voters shall be considered as Adopted upon the date that the vote is declared and certified by the legislative body and shall go into effect 10 days after that date.

**NOW, THEREFORE, BE IT RESOLVED**, that the City Council of the City of National City having by Resolution No. 2020 - \_\_\_\_\_ declared and certified the Election results does hereby determine and order that pursuant to state law that Ordinance No. 2019-2463 is by this Resolution implemented as Ordinance No. 2020 - \_\_\_\_\_ an Ordinance of the People of the City of National City adding Chapter 8.38 to the National City Municipal Code.

**PASSED and ADOPTED this 21<sup>st</sup> day of April, 2020.**

\_\_\_\_\_  
Alejandra Sotelo-Solis, Mayor

**ATTEST:**

\_\_\_\_\_  
Michael Dalla,  
City Clerk

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Angil P. Morris-Jones, City Attorney

ORDINANCE NO. 2020 –

**AN ORDINANCE OF THE PEOPLE OF THE CITY OF NATIONAL CITY ADDING CHAPTER 8.38 TO THE NATIONAL CITY MUNICIPAL CODE PROHIBITING THE RETAIL SALE OF DOGS, CATS AND RABBITS**

**THE PEOPLE OF THE CITY OF NATIONAL CITY HEREBY ORDAINS AS FOLLOWS:**

**Section 1.** That Ordinance No. 2019 - 2463, "An Ordinance of the City Council of the City of National City Adding Chapter 8.38 to the National City Municipal Code Prohibiting the Retail Sale of Dogs, Cat and Rabbits" is hereby adopted.

**Section 2.** That Chapter 8.38 of the Municipal Code is adopted based upon the following Recitals:

A. Congress passed the Animal Welfare Act in 1966 (7 U.S.C. § 2131 et seq.), a federal law that regulates the minimum standards of care and treatment for certain animals bred for commercial sale, including but not limited to dogs, cats and rabbits, which is enforced by the United States Department of Agriculture and Animal and Plant Health Inspection Service (USDA) and requires certain large scale animal breeders and dealers to be registered and licensed.

B. The Pet Rescue and Adoption Act, otherwise known as AB 485, a newly enacted state law effective January 1, 2019, prohibits a pet store operator from selling a dog, cat or rabbit in a pet store unless they were obtained from a public animal control agency or shelter, society for the prevention of cruelty to animals shelter, humane society shelter, or rescue group that is in cooperative agreement with at least one private or public shelter.

C. California Health and Safety Code section 122354.5(g) allows a local governing body to adopt requirements that are more protective of animal welfare than those set forth in the Pet Rescue and Adoption Act.

D. Investigations and research by the Companion Animal Protection Society (CAPS) have shown that California pet shops are using fake rescues to circumvent newly enacted state law and act as pass-throughs between puppy mills and pet shops.

E. CAPS and The American Society for the Prevention of Cruelty to Animals (ASPCA) report that puppy mills mass produce animals for the pet industry in overcrowded and unsanitary conditions without adequate food, water, exercise, socialization or veterinary care and many of the animals face an array of health problems that are discovered after purchase at a retail store.

F. According to the Humane Society of the United States there are Approximately 2.4 million puppies sold annually who originated from puppy mills, USDA licensed and non-USDA licensed, and there are an estimated 3 million dogs and cats euthanized by shelters every year in the United States.

G. The City Council has been approached by animal activists, animal shelters and City residents urging the City to enact further regulations which prohibit the retail sale of cats, dogs and rabbits and discourage the promulgation of unregulated and negligent commercial breeders or pet shop operators which despite state law continue to offer animals throughout San Diego County for retail sale under the guise of non-profit rescue agencies.

H. Pet stores often engage in offsite, even out of state, commercial breeding and/or purchase animals from offsite or out of state commercial breeders or brokers creating a degree of removal which obscures the ability of the City and/or the County of San Diego Humane Society to regulate the conditions in which the breeding took place and/or how the animals were cared for prior to being brought to the pet store.

I. The City of National City seeks to close the loopholes in California State law and enact greater protections for animal safety and welfare and for the public health, safety, and general welfare of its residents by prohibiting a pet shop or retail pet store or its operator from selling, delivering, or offering for sale, barter, auction or otherwise disposing of a cat, dog, or rabbit with exceptions for: (i) A publicly operated animal shelter or animal control enforcement agency, animal rescue organization or nonprofit humane society; (ii) A pet shop or retail pet store offering a cat, dog, or rabbit owned by an animal shelter or animal rescue organization for purposes of adoption of the cat, dog, or rabbit by a member of the public, so long as the pet shop does not receive any fee from the adoption and does not have any monetary or ownership interest in the cat, dog, or rabbit; (iii) The sale or offering for sale of a dog, cat or rabbit as part of an adoption event held by an animal shelter or rescue organization if the retail pet store or pet shop does not receive any payment from the sale or offering or for the use of the store or store resources in connection with the adoption event; or (iv) Dogs, cats and/or rabbits sold directly from the premises upon which they are born and reared or through a breeder, excluding pet shops or retail pet stores.

**Section 3.** That Chapter 8.38 is hereby added to the National City Municipal Code to read as follows:

#### CHAPTER 8.38

#### RETAIL SALES OF DOGS, CATS AND RABBITS

Sections:

8.38.010	Purpose
8.38.020	Definitions
8.38.030	Prohibition
8.38.040	Inspection by officials
8.38.050	Enforcement and remedies

8.38.010 Purpose. It is the purpose and intent of the City Council in this chapter to promote animal safety and welfare, public health, safety and welfare, and encourage best practices in the acquiring of dogs, cats and rabbits offered for retail sale or adoption in the City of National City.

8.38.020 Definitions. For the purpose of this Chapter, the following definitions shall apply:

A. “Animal Shelter”, means a public animal shelter or control facility operated by any city, county or other public agency or an entity operating under contract with any city, county or other public agency for the purpose of protecting animals from cruelty, neglect or abuse.

B. “Animal Rescue Organization”, means a nonprofit organization that has tax-exempt status under section 501(c)(3) of the Internal Revenue Code and whose mission and practice is, in whole or in significant part, the rescue, care and adoption of dogs, cats and/or rabbits. The term does not include a breeder or broker for payment or compensation.

C. “Breeder” means a person who owns or maintains dogs, cats, or rabbits for the purpose of breeding and selling their offspring for retail or wholesale or a person required to hold a class A license pursuant to the Animal Welfare Act, 7 U.S.C. § 2131, et seq.

D. “Broker” means a person who transfers dogs, cats, or rabbits for resale by another person and is required to hold a class B license by the United States Department of Agriculture pursuant to the Animal Welfare Act, 7 U.S.C. § 2131, et seq.

E. “Cat” means a *Felis domesticus* of either sex, altered or unaltered.

F. “Dog” means a *Canis familiaris* of either sex, altered or unaltered.

G. “Operator” means a person who owns or operates a retail pet store, or both, and/or who hires employees at a retail pet store or pet shop to engage in the retail sale of dogs, cats and/or rabbits.

H. “Pet Shop” or “Retail Pet Store” means any place or premise where birds, mammals or reptiles are kept for the purpose of either wholesale or retail sale, import, export, barter, exchange or gift.

I. “Rabbit” means an *Oryctolagus cuniculus* of either sex, altered or unaltered.

8.38.030 Prohibition.

A. A pet shop or retail pet store or its operator shall not sell, deliver, offer for sale, barter, auction or otherwise dispose of a cat, dog, or rabbit except as provided in subsection B.

B. The provisions of subsection A shall not apply to:

1. A publicly operated animal shelter or animal control enforcement agency, animal rescue organization or nonprofit humane society;

2. A pet shop or retail pet store offering a cat, dog, or rabbit owned by an animal shelter or animal rescue organization for purposes of adoption of the cat, dog, or rabbit by a member of the public, so long as the pet shop does not receive any fee from the adoption and does not have any monetary or ownership interest in the cat, dog, or rabbit;

3. The sale or offering for sale of a dog, cat or rabbit as part of an adoption event held by an animal shelter or rescue organization if the retail pet store or pet shop does not receive any payment from the sale or offering or for the use of the store or store resources in connection with the adoption event; or

4. Dogs, cats and/or rabbits sold directly from the premises upon which they are born and reared or through a breeder, excluding pet shops or retail pet stores.

8.38.040 Inspection by officials.

A. Each pet shop or retail pet store shall maintain records sufficient to document the source of each dog, cat, or rabbit that the pet shop acquires for at least one year following the date of acquisition. Such records shall be made available, immediately upon request, to any police officer, code enforcement officer, animal control officer, humane law enforcement officer or other investigating official.

B. The city, county, or any investigating official shall have the right to enter the premises of any pet shop or retail pet store from time to time during regular business hours to conduct reasonable inspections to ensure and verify compliance with this chapter. No person shall refuse to permit or interfere with a lawful inspection of any pet shop or retail pet store by city or county investigating officials.

8.38.050 Enforcement and Remedies.

A. A violation of any provision of this chapter or failure to comply with any requirement thereof shall be punishable as provided in National City Municipal Code chapters 1.04, 1.08, and 1.12. Each event or transaction in which a dog, cat, or rabbit is sold or offered for sale in violation of this section shall constitute a separate offense.

B. Any person, operator, pet shop or retail pet store operating or conducting or maintaining a pet shop or retail pet store contrary to the provisions of this chapter and/or state and federal laws shall be and the same is hereby declared to be unlawful and a public nuisance. The city attorney may, in addition to the penalties proscribed in this section, commence an action or actions, proceeding or proceedings for the abatement, removal, or enjoinder thereof, in any manner provided by law.

C. The remedies and penalties provided in this section are cumulative and in addition to any other remedies available at law or in equity.

**Section 4.** Severability. If any section, sentence, clause or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed this Ordinance and adopted this Ordinance and each section, sentence, clause or phrase thereof, irrespective of the fact that any one or more section, subsections, sentences, clauses, or phrases be declared invalid or unconstitutional.

**PASSED AND ADOPTED** by a majority of the voters of the City voting thereon. The City Council declared and certified the election results by Adoption of Resolution No. 2020 - \_\_\_\_\_ on April 21, 2020. Pursuant to Section 9217 of the Elections Code, the Ordinance shall be considered as adopted on April 21, 2020, and shall become effective 10 days after that date as Chapter 8.38 of the Municipal Code.

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

Please scroll down to view the backup material.



Item # \_\_\_\_

04/21/20

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

(City Clerk)

The following page(s) contain the backup material for Agenda Item: [Approval of the Minutes of the Amended Special Meeting of the City Council of March 17, 2020. \(City Clerk\)](#)  
Please scroll down to view the backup material.

Item # \_\_\_\_  
04/21/20

**APPROVAL OF THE MINUTES OF THE AMENDED SPECIAL  
MEETING OF THE CITY COUNCIL OF MARCH 17, 2020.**

(City Clerk)

**DRAFT      DRAFT      DRAFT**  
**MINUTES OF THE AMENDED SPECIAL MEETING OF THE  
CITY COUNCIL OF THE CITY OF NATIONAL CITY**

**March 17, 2020**

The Amended Special Meeting of the City Council of the City of National City was called to order at 6:02 p.m. by Mayor Alejandra Sotelo-Solis.

**ROLL CALL**

Council members present: Cano, Morrison, Quintero, Rios, Sotelo-Solis.

Administrative Officials present: Dalla, Morris-Jones, Parra, Raulston, Tellez, Williams, Winney.

**PLEDGE OF ALLEGIANCE TO THE FLAG BY COUNCILMEMBER MORRISON**

**PUBLIC COMMENTS**

John Moore expressed his concerns over “Drag Queen Story Hour” occurring at Public Libraries.

**EMERGENCY DECLARATION ADMIN (301-1-2)**

City Attorney Angil Morris-Jones stated, for the record, that on March 12, 2020, City Manager Brad Raulston, acting in his capacity as Emergency Services Director, signed an Emergency Proclamation declaring a local emergency as a result of the worldwide Coronavirus Pandemic (COVID-19). The City Council is required by law to adopt a Resolution ratifying the Emergency Declaration within seven (7) days of its original signing, and to review the Resolution every sixty (60) days until the local emergency ends. The Resolution will allow the City Council to recover costs incurred as a result of the emergency.

Mayor Sotelo-Solis asked that the Resolution be read into the record by City Clerk Michael Dalla. See attached Exhibit ‘A’.

**EMERGENCY DECLARATION ADMIN (301-1-2)**

1. Resolution No. 2020-35. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY RATIFYING THE PROCLAMATION OF A LOCAL EMERGENCY BY THE EMERGENCY SERVICES DIRECTOR. (City Manager)

**RECOMMENDATION:** Adopt the Resolution.

**TESTIMONY:** None.

**ACTION:** Motion by Quintero, seconded by Morrison, to adopt the Resolution. Carried by unanimous vote.

**CITY COUNCIL**

**CONSENT CALENDAR**

**ADOPTION OF CONSENT CALENDAR.** Item No. 2 (NCCMC), Item No. 3 (Minutes), Item Nos. 4 through 25 (Resolution No. 2020-36 through 2020-57), Item Nos. 26 through 29 (Reports), Item Nos. 30 through 32 (Temporary Use Permits), Item Nos. 33 through 36 (Warrant Registers). Motion by Cano, seconded by Rios, to approve the Consent Calendar, except for Item No. 30. Carried by unanimous vote.

**CONSENT CALENDAR (cont.)**

**MUNICIPAL CODE 2020 (506-2-35)**

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

**ACTION:** Approved. See above.

**GENERAL ADMIN (103-2-1)**

3. APPROVAL OF THE MINUTES OF THE REGULAR MEETINGS OF THE CITY COUNCIL AND COMMUNITY DEVELOPMENT COMMISSION - HOUSING AUTHORITY OF THE CITY OF NATIONAL CITY OF FEBRUARY 4, 2020 AND FEBRUARY 18, 2020 AND THE SPECIAL MEETINGS OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY OF FEBRUARY 4, 2020 AND FEBRUARY 18, 2020. (City Clerk)

**ACTION:** Approved. See above.

**EQUIPMENT / VEHICLE PURCHASE ADMIN (209-1-1)**

4. Resolution No. 2020-36. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE ESTABLISHMENT OF AN APPROPRIATION AND CORRESPONDING REVENUE BUDGET IN THE AMOUNT OF \$22,000.00 FROM THE COUNTY OF SAN DIEGO LOWER SWEETWATER FIRE PROTECTION DISTRICT EQUIPMENT REPLACEMENT PLAN AND AUTHORIZING THE PURCHASE OF BALLISTIC PROTECTION EQUIPMENT FOR THE NATIONAL CITY FIRE DEPARTMENT. (Fire)

**ACTION:** Adopted. See above.

**GRANT / PUBLIC SAFETY (206-4-27)**

5. Resolution No. 2020-37. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY RATIFYING AND AUTHORIZING THE ACCEPTANCE OF A \$148,746.54 FY 2017/2018 CITIZENS' OPTION FOR PUBLIC SAFETY (COPS) PROGRAM. THIS CITIZENS' OPTION FOR PUBLIC SAFETY (COPS) PROGRAM ALLOTMENT WILL FUND ESSENTIAL POLICE EQUIPMENT FOR FRONT LINE LAW ENFORCEMENT AS NEEDED; AND TO RATIFY AND AUTHORIZE THE ESTABLISHMENT OF AN APPROPRIATION AND CORRESPONDING REVENUE BUDGET IN THE AMOUNT OF THE GRANT WITHIN THE SUPPLEMENTAL LAW ENFORCEMENT SERVICES FUND (SLESF). (Police)

**ACTION:** Adopted. See above.

**CONSENT CALENDAR (cont.)**

**GRANT / PUBLIC SAFETY (206-4-27)**

6. Resolution No. 2020-38. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY RATIFYING AND AUTHORIZING THE ACCEPTANCE OF A \$157,591.08 FY 2017/2018 CITIZENS' OPTION FOR PUBLIC SAFETY (COPS) PROGRAM. THIS CITIZENS' OPTION FOR PUBLIC SAFETY (COPS) PROGRAM ALLOTMENT WILL FUND ESSENTIAL POLICE EQUIPMENT FOR FRONT LINE LAW ENFORCEMENT AS NEEDED; AND TO RATIFY AND AUTHORIZE THE ESTABLISHMENT OF AN APPROPRIATION AND CORRESPONDING REVENUE BUDGET IN THE AMOUNT OF THE GRANT WITHIN THE SUPPLEMENTAL LAW ENFORCEMENT SERVICES FUND (SLESF). (Police)

**ACTION:** Adopted. See above.

**GRANT / PUBLIC SAFETY (206-4-27)**

7. Resolution No. 2020-39. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY: 1) RATIFYING THE NATIONAL CITY POLICE DEPARTMENT'S GRANT APPLICATION IN THE AMOUNT OF \$200,000 TO THE 2019 SOUTHWEST BORDER RURAL LAW ENFORCEMENT ASSISTANCE GRANT; 2) AUTHORIZING THE ACCEPTANCE OF THE GRANT AWARD IN THE AMOUNT OF \$200,000; AND 3) AUTHORIZING THE ESTABLISHMENT OF REVENUE BUDGET AND CORRESPONDING APPROPRIATION TO PURCHASE COMPUTERS TO BE USED BY POLICE OFFICERS. THE CITY OF NATIONAL CITY WILL MATCH FUNDS IN THE AMOUNT OF \$36,803. (Police)

**ACTION:** Adopted. See above.

**CONTRACT (C2020-14)**

8. Resolution No. 2020-40. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY: 1) AWARDED A CONTRACT TO PORTILLO CONCRETE, INC. IN THE AMOUNT OF \$514,930 FOR THE DIVISION STREET – EUCLID AVENUE TO HARBISON AVENUE BICYCLE IMPROVEMENTS, CIP NO. 19-17; 2) AUTHORIZING A 15% CONTINGENCY IN THE AMOUNT OF \$77,239.50 FOR ANY UNFORESEEN CHANGES; AND 3) AUTHORIZING THE MAYOR TO EXECUTE THE CONTRACT. (Engineering/Public Works)

**ACTION:** Adopted. See above.

**CONTRACT (C2020-15)**

9. Resolution No. 2020-41. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY: 1) AUTHORIZING THE MAYOR TO EXECUTE PROGRAM SUPPLEMENT AGREEMENT (PSA) NO. F019 WITH THE STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION (CALTRANS) FOR THE PEDESTRIAN AMERICANS WITH DISABILITIES ACT (ADA) IMPROVEMENTS PROJECT TO ALLOW FOR REIMBURSEMENT OF UP TO \$243,200 IN ELIGIBLE PROJECT EXPENDITURES THROUGH THE HIGHWAY SAFETY IMPROVEMENTS

**CONSENT CALENDAR (cont.)**

**CONTRACT (C2020-15)**

9. Resolution No. 2020-41 (continued).  
PROGRAM (HSIP); AND 2) AUTHORIZING THE ESTABLISHMENT OF AN ENGINEERING GRANTS FUND APPROPRIATION OF \$243,200 AND CORRESPONDING REVENUE BUDGET. (Engineering/Public Works)  
**ACTION:** Adopted. See above.

**CONTRACT (C2020-16)**

10. Resolution No. 2020-42. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY: 1) AUTHORIZING THE MAYOR TO EXECUTE PROGRAM SUPPLEMENT AGREEMENT (PSA) NO. F020 WITH THE STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION (CALTRANS) FOR THE FIBER OPTIC TRAFFIC SIGNAL INTERCONNECT EXPANSION, PHASE II PROJECT TO ALLOW FOR REIMBURSEMENT OF UP TO \$455,100 IN ELIGIBLE PROJECT EXPENDITURES THROUGH THE HIGHWAY SAFETY IMPROVEMENTS PROGRAM (HSIP); AND 2) AUTHORIZING THE ESTABLISHMENT OF AN ENGINEERING GRANTS FUND APPROPRIATION OF \$455,100 AND CORRESPONDING REVENUE BUDGET. (Engineering/Public Works)  
**ACTION:** Adopted. See above.

**CONTRACT (C2020-17)**

11. Resolution No. 2020-43. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY: 1) AUTHORIZING THE MAYOR TO EXECUTE PROGRAM SUPPLEMENT AGREEMENT (PSA) NO. F022 WITH THE STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION (CALTRANS) FOR THE EAST 4TH STREET PROTECTED LEFT-TURN ENHANCEMENTS PROJECT TO ALLOW FOR REIMBURSEMENT OF UP TO \$177,440 IN ELIGIBLE PROJECT EXPENDITURES THROUGH THE HIGHWAY SAFETY IMPROVEMENTS PROGRAM (HSIP); AND 2) AUTHORIZING THE ESTABLISHMENT OF AN ENGINEERING GRANTS FUND APPROPRIATION OF \$177,440 AND CORRESPONDING REVENUE BUDGET. (Engineering/Public Works)  
**ACTION:** Adopted. See above.

**CONTRACT (C2020-18)**

12. Resolution No. 2020-44. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY: 1) AUTHORIZING THE MAYOR TO EXECUTE PROGRAM SUPPLEMENT AGREEMENT (PSA) NO. F023 WITH THE STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION (CALTRANS) FOR THE SWEETWATER ROAD SAFETY ENHANCEMENTS PROJECT TO ALLOW FOR REIMBURSEMENT OF UP TO \$680,940 IN ELIGIBLE PROJECT EXPENDITURES THROUGH THE HIGHWAY SAFETY IMPROVEMENTS PROGRAM (HSIP); AND 2) AUTHORIZING THE ESTABLISHMENT OF AN ENGINEERING GRANTS FUND APPROPRIATION OF \$680,940 AND CORRESPONDING REVENUE BUDGET. (Engineering/Public Works)  
**ACTION:** Adopted. See above.



**CONSENT CALENDAR (cont.)**

**EQUIPMENT / VEHICLE PURCHASE ADMIN (209-1-1)**

13. Resolution No. 2020-45. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY, WAIVING THE FORMAL BID PROCESS PURSUANT TO NATIONAL CITY MUNICIPAL CODE SECTION 2.60.260 REGARDING COOPERATIVE PURCHASING AND AUTHORIZING THE CITY TO PIGGYBACK ONTO GENERAL SERVICES ADMINISTRATION (GSA) CONTRACT #GS-28F-0022U WITH RUSS BASSET CORPORATION FOR THE PURCHASE AND INSTALLATION OF SIX NEW WORKSTATIONS AND REPLACEMENT OF CARPET TILES FOR NATIONAL CITY POLICE DISPATCH IN AN AMOUNT NOT TO EXCEED \$143,146.46. (Engineering/Public Works)  
**ACTION:** Adopted. See above.

**EQUIPMENT / VEHICLE PURCHASE ADMIN (209-1-1)**

14. Resolution No. 2020-46. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY, WAIVING THE FORMAL BID PROCESS PURSUANT TO NATIONAL CITY MUNICIPAL CODE SECTION 2.60.260 REGARDING COOPERATIVE PURCHASING AND AUTHORIZING THE CITY TO PIGGYBACK ONTO SOURCEWELL (FORMERLY "NATIONAL JOINT POWERS ALLIANCE") CONTRACT #062117-VRM WITH RDO EQUIPMENT CO. FOR THE PURCHASE AND BUILD-OUT OF ONE (1) 2020 VERMEER RTX130 TRENCHER WITH TRAILER IN AN AMOUNT NOT TO EXCEED \$14,117.92. (Engineering/Public Works)  
**ACTION:** Adopted. See above.

**EQUIPMENT / VEHICLE PURCHASE ADMIN (209-1-1)**

15. Resolution No. 2020-47. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY, WAIVING THE FORMAL BID PROCESS PURSUANT TO NATIONAL CITY MUNICIPAL CODE SECTION 2.60.260 REGARDING COOPERATIVE PURCHASING AND AUTHORIZING THE CITY TO PIGGYBACK ONTO SOURCEWELL (FORMERLY "NATIONAL JOINT POWERS ALLIANCE") CONTRACT #120716-NAF WITH NATIONAL AUTO FLEET GROUP FOR THE PURCHASE AND BUILD-OUT OF ONE (1) 2020 TOYOTA TACOMA 2WD (7162) SR ACCESS CAB TRUCK IN AN AMOUNT NOT TO EXCEED \$28,334.60.. (Engineering/Public Works)  
**ACTION:** Adopted. See above.

**EQUIPMENT / VEHICLE PURCHASE ADMIN (209-1-1)**

16. Resolution No. 2020-48. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY, WAIVING THE FORMAL BID PROCESS PURSUANT TO NATIONAL CITY MUNICIPAL CODE SECTION 2.60.260 REGARDING COOPERATIVE PURCHASING AND AUTHORIZING THE CITY TO PIGGYBACK ONTO SOURCEWELL (FORMERLY "NATIONAL JOINT POWERS ALLIANCE") CONTRACT #040319-CEC WITH MIRAMAR BOBCAT, INC. FOR THE PURCHASE AND BUILD-OUT OF ONE (1) T76 T4 BOBCAT COMPACT TRACK LOADER AND FELLING

**CONSENT CALENDAR (cont.)**

**EQUIPMENT / VEHICLE PURCHASE ADMIN (209-1-1)**

16. Resolution No. 2020-48 (continued).  
FT-40-2 LP TRAILER IN AN AMOUNT NOT TO EXCEED \$107,705.28.  
(Engineering/Public Works)  
**ACTION:** Adopted. See above.

**EQUIPMENT / VEHICLE PURCHASE ADMIN (209-1-1)**

17. Resolution No. 2020-49. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY, WAIVING THE FORMAL BID PROCESS PURSUANT TO NATIONAL CITY MUNICIPAL CODE SECTION 2.60.260 REGARDING COOPERATIVE PURCHASING AND AUTHORIZING THE CITY TO PIGGYBACK ONTO SOURCEWELL (FORMERLY "NATIONAL JOINT POWERS ALLIANCE") CONTRACT #120716-NAF WITH NATIONAL AUTO FLEET GROUP FOR THE PURCHASE AND BUILD-OUT OF ONE (1) 2020 FORD TRANSIT CARGO VAN (W1Y) T-350 IN AN AMOUNT NOT TO EXCEED \$95,316.33. (Engineering/Public Works)  
**ACTION:** Adopted. See above.

**EQUIPMENT / VEHICLE PURCHASE ADMIN (209-1-1)**

18. Resolution No. 2020-50. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY, WAIVING THE FORMAL BID PROCESS PURSUANT TO NATIONAL CITY MUNICIPAL CODE SECTION 2.60.260 REGARDING COOPERATIVE PURCHASING AND AUTHORIZING THE CITY TO PIGGYBACK ONTO SOURCEWELL (FORMERLY "NATIONAL JOINT POWERS ALLIANCE") CONTRACT #120716-NAF WITH NATIONAL AUTO FLEET GROUP FOR THE PURCHASE AND BUILD-OUT OF ONE (1) 2020 FORD SUPER DUTY F-550 DRW (F5G) 2WD TRUCK IN AN AMOUNT NOT TO EXCEED \$60,143.29. (Engineering/Public Works)  
**ACTION:** Adopted. See above.

**EQUIPMENT / VEHICLE PURCHASE ADMIN (209-1-1)**

19. Resolution No. 2020-51. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY, WAIVING THE FORMAL BID PROCESS PURSUANT TO NATIONAL CITY MUNICIPAL CODE SECTION 2.60.260 REGARDING COOPERATIVE PURCHASING AND AUTHORIZING THE CITY TO PIGGYBACK ONTO SOURCEWELL (FORMERLY "NATIONAL JOINT POWERS ALLIANCE") CONTRACT #062117-VRM WITH RDO EQUIPMENT CO. FOR THE PURCHASE AND BUILD-OUT OF ONE (1) 2020 VERMEER BC 1000XL BRUSH CHIPPER IN AN AMOUNT NOT TO EXCEED \$42,848.82. (Engineering/Public Works)  
**ACTION:** Adopted. See above.

**CONSENT CALENDAR (cont.)**

**PARKING & TRAFFIC CONTROL ADMIN 2020 (801-2-42)**

20. Resolution No. 2020-52. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE INSTALLATION OF A BLUE CURB DISABLED PERSONS PARKING SPACE WITH SIGN IN FRONT OF THE RESIDENCE LOCATED AT 205 E. 1ST STREET (TSC No. 2020-01). (Engineering/Public Works)

**ACTION:** Adopted. See above.

**PARKING & TRAFFIC CONTROL ADMIN 2020**

21. Resolution No. 2020-53. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE INSTALLATION OF A BLUE CURB DISABLED PERSONS PARKING SPACE WITH SIGN IN FRONT OF THE RESIDENCE LOCATED AT 116 W. 14TH STREET (TSC No. 2020-02). (Engineering/Public Works)

**ACTION:** Adopted. See above.

**PARKING & TRAFFIC CONTROL ADMIN 2020**

22. Resolution No. 2020-54. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE INSTALLATION OF 178 FEET OF "PASSENGER LOADING ZONE – 1-MINUTE ONLY" SIGNAGE ON THE NORTH SIDE OF E. 18TH STREET, WEST OF "JOHN OTIS ELEMENTARY SCHOOL" LOCATED AT 621 E. 18TH STREET (TSC No. 2020-04). (Engineering/Public Works)

**ACTION:** Adopted. See above.

**PARKING & TRAFFIC CONTROL ADMIN 2020**

23. Resolution No. 2020-55. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE INSTALLATION OF A SECOND DRIVEWAY TO ACCOMMODATE ONE OFF-STREET PARKING SPACE ON THE SOUTHEAST CORNER OF THE RESIDENCE AT 920 PLEASANT LANE (TSC No. 2020-05). (Engineering/Public Works)

**ACTION:** Adopted. See above.

**PARKING & TRAFFIC CONTROL ADMIN 2020**

24. Resolution No. 2020-56. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE INSTALLATION OF RED CURB "NO PARKING" AT THE INTERSECTION OF E. 11TH STREET AND PARADISE DRIVE TO ENHANCE VISIBILITY AT THE INTERSECTION (TSC NO. 2019-17). (Engineering/Public Works)

**ACTION:** Adopted. See above.

**CONTRACT (C2020-19)**

25. Resolution No. 2020-57. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE CITY MANAGER TO EXECUTE A SCIENCE OUTREACH PROGRAM FIELD TRIP AGREEMENT, WITH A MUTUAL INDEMNITY AND HOLD HARMLESS, BETWEEN THE CITY OF NATIONAL CITY AND THE SAN DIEGO COUNTY OFFICE OF EDUCATION, TO PROVIDE THE SPLASH

**CONSENT CALENDAR (cont.)**

**CONTRACT (C2020-19)**

25. Resolution No. 2020-57 (continued).  
SCIENCE MOBILE LAB DURING COMMUNITY SERVICE DAY ON  
SATURDAY, APRIL 25, 2020. (Community Services)  
**ACTION:** Adopted. See above.

**FINANCIAL MANAGEMENT 2019-2020 (204-1-34)**

26. National City Sales Tax Update - Second Quarter 2019. (Finance)  
**ACTION:** Filed. See above.

**FINANCIAL MANAGEMENT 2019-2020 (204-1-34)**

27. Investment transactions for the month ended October 31, 2019. (Finance)  
**ACTION:** Filed. See above.

**FINANCIAL MANAGEMENT 2019-2020 (204-1-34)**

28. Investment transactions for the month ended November 30, 2019.  
(Finance)  
**ACTION:** Filed. See above.

**FINANCIAL MANAGEMENT 2019-2020 (204-1-34)**

29. Investment Report for the quarter ended December 31, 2019. (Finance)  
**ACTION:** Filed. See above.

**TEMPORARY USE PERMITS 2020 (203-1-36)**

30. Temporary Use Permit – The 12th Annual Granfondo San Diego Fun Bike  
Ride sponsored by Life Sports Foundation on April 5, 2020 from 7:15 a.m.  
to 5 p.m. with no waiver of fees. (Neighborhood Services)  
**ACTION:** Item was postponed.

**TEMPORARY USE PERMITS 2020 (203-1-36)**

31. Temporary Use Permit — St. Anthony of Padua Church presentation of the  
“Live Stations of the Cross” starting at 410 W. 18th Street on April 10, 2020  
from 3 p.m. to 4 p.m. with no waiver of fees. (Neighborhood Services)  
**ACTION:** Approved. See above.

**TEMPORARY USE PERMITS 2020 (203-1-36)**

32. Temporary Use Permit – Halloween retail tent store hosted by Halloween  
Express at Westfield Plaza Bonita Mall from August 28, 2020 thru  
November 4, 2020 with no waiver of fees. (Neighborhood Services)  
**ACTION:** Approved. See above.

**WARRANT REGISTER JULY 2019 - JUNE 2020 (202-1-34)**

33. Warrant Register #30 for the period of 1/15/20 through 1/21/20 in the  
amount of \$424,659.10. (Finance)  
**ACTION:** Ratified. See above.

**CONSENT CALENDAR (cont.)**

**WARRANT REGISTER JULY 2019 - JUNE 2020 (202-1-34)**

34. Warrant Register #31 for the period of 1/22/20 through 1/28/20 in the amount of \$2,655,771.73. (Finance)

**ACTION:** Ratified. See above.

**WARRANT REGISTER JULY 2019 - JUNE 2020 (202-1-34)**

35. Warrant Register #32 for the period of 1/29/20 through 2/4/20 in the amount of \$1,284,377.87. (Finance)

**ACTION:** Ratified. See above.

**WARRANT REGISTER JULY 2019 - JUNE 2020 (202-1-34)**

36. Warrant Register #33 for the period of 2/5/20 through 2/11/20 in the amount of \$1,776,612.00. (Finance)

**ACTION:** Ratified. See above.

**STAFF REPORTS**

Emergency Services Chief Frank Parra gave an overview of the current Coronavirus Pandemic (COVID-19); provided medical facts, statistics, safety and precautionary measures; and provided a brief report on what the City is doing to ensure that employees and the public are being protected. He announced that access to all City buildings have been closed and/or modified and the latest amended Health Officer orders call for the closure of any event or assembly of 50 or more people. A comprehensive Public Information Campaign is being led by City Manager Brad Raulston, Assistant City Manager Tony Winney, and Management Analyst II Lauren Maxillom.

Police Chief Jose Tellez provided an overview of current police operations, compliance goals, and protocols in light of COVID-19; spoke about countywide restrictions and directives, and said that there are contingency plans to operate under emergency staffing conditions if required by the County or City emergency. He said that calls for service have been consistent and there has been an anecdotal increase in domestic violence and disturbance type calls.

Director of Housing Authority Carlos Aguirre provided an update on housing issues related to the COVID-19 crisis; he shared information on Executive Order N-28-20 signed by Governor Gavin Newsom on March 16, 2020 to aid both residential and commercial tenants by halting foreclosures and evictions of anyone facing loss of income due to COVID-19. He said that the Housing Authority is continuously monitoring housing situations and Federal resources and is also in constant contact with CSA San Diego County with regards to local foreclosures and evictions and the Regional Task Force on the Homeless (RTFH). Mr. Aguirre said that the Section 8 program has not been impacted and payments will still be made for tenants; extensions and waivers are also being granted.

## **STAFF REPORTS (cont.)**

City Manager Raulston said that due to social distancing guidelines, staff who regularly attend City Council meetings are not all present but they are working very hard to gather information to provide the community and to help people understand and cope with this crisis. He said that the City is working with other partners to focus on residents and businesses in terms of what financial support is available through the government and that final steps are being taken to close all public facilities and will post information on what remains available. At this time, public safety, public works and core services will continue.

## **MAYOR, CITY COUNCIL, AND OTHER ELECTED OFFICIALS**

Member Cano thanked staff for their work, and the preparations and updates provided to employees and the public, and shared his sentiments to those affected by COVID-19.

Member Quintero thanked staff for their hard work and for the reports provided at the meeting. He spoke on the importance of protecting lives, leadership, community resources, democracy, civility, providing easily digestible information and opportunities to meet.

Member Morrison shared news of Governor Newsom announcing that schools will be closed for the remainder of the school year; stated that the City should remain transparent as much as possible; spoke on the importance of keeping calm and rational and said he is very proud of how the City residents and businesses have conducted themselves. Member Morrison provided information from the last Local Government Commission he attended regarding homelessness, housing, and transportation and the current health situation.

Vice Mayor Rios said that she is proud of the leadership that has been exemplified since the beginning of the COVID-19 crisis, and the communication, transparency and daily information that has been provided to the community. Vice Mayor Rios asked to make the County's COVID-19 text message alert system information available to residents and spoke on the importance of abiding by the Shelter-in-Place Order. Member Rios shared that the San Diego County Water Authority (SDCWA) secured more than \$350 million dollars in water stewardship rates that benefits the San Diego region and voted to dismiss a lawsuit that had been pending for ten years. She said that a representative from SDCWA will discuss this at a later time.

Mayor Sotelo-Solis expressed her gratitude to staff and constituencies for their continued commitment and amazing work, and for providing information and keeping the community safe. She spoke on the importance of staying connected to others, supporting each other, remaining calm and reassured, and said that the City's first priority is the health and safety of the community. She assured everyone that their voice and perspective has been heard and that essential police, fire and public works services are and will continue to be priority.

**MAYOR, CITY COUNCIL, AND OTHER ELECTED OFFICIALS (cont.)**

Mayor Sotelo-Solis stated that the City will be diligent in making data-driven decisions and will follow all federal and state policies as well as all safety guidelines and encouraged others to do the same.

City Attorney Angil Morris-Jones announced that Deputy City Attorney Roberto “Robby” Contreras has accepted a position as Assistant City Attorney for the City of Carlsbad.

**ADJOURNMENT**

Motion by Morrison, seconded by Cano, to adjourn the meeting to the next Regular Meeting of the City Council and Community Development Commission - Housing Authority of the City of National City – Tuesday – April 7, 2020 - 6:00 p.m. – Online Only Meeting. Carried by unanimous vote.

The meeting closed at 7:04 p.m.

\_\_\_\_\_  
City Clerk

The foregoing minutes were approved at the Regular Meeting of April 21, 2020.

\_\_\_\_\_  
Mayor

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

Please scroll down to view the backup material.



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

**MEETING DATE:** April 21, 2020

**AGENDA ITEM NO. |**

**ITEM TITLE:**

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

**PREPARED BY:** Luis Sainz, Building Official

**DEPARTMENT:** Community Development

**PHONE:** 619-336-4214

**APPROVED BY:** 

**EXPLANATION:**

See attached.

**FINANCIAL STATEMENT:**

**APPROVED:**  Finance

**ACCOUNT NO. |**

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

[This agreement is on an as-needed basis and will be funded by fees collected, developer deposits, and various Capital Improvement Project funds and other funds as needed. This contract has a not-to-exceed amount of \$800,000 per year for a period of three years and is part of an existing contract.]

**ENVIRONMENTAL REVIEW:**

N/A

**ORDINANCE:** INTRODUCTION:  FINAL ADOPTION:

**STAFF RECOMMENDATION:**

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

**BOARD / COMMISSION RECOMMENDATION:**

**ATTACHMENTS:**

1. Explanation
2. Agreement
3. Resolution

## Explanation

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

At the time, the City had an existing contract with EsGil Corporation (SafeBuilt), who provides services for Permit Processing, Plan Reviews, Construction Inspections and Code Enforcement Services for the Building Division and Fire Department. The contract with EsGil would run concurrently with the contract of any new firm selected as a result of the RFP. On August 19, 2019, staff conducted panel interviews and ultimately Bureau Veritas was selected. This would now provide the Bldg. division with two firms to provide these services.

After the Bureau Veritas contract was ratified by the City Council on December 17, 2019 EsGil Corporation reached out to the City and met with City staff to discuss how they could improve on the services they provide and agreed to lower their plan review fees to be in line with the current Bureau Veritas contract. In addition, they also agreed to provide the City with an EsGil staff member to assist the Building Division with clerical work at the front counter at no cost to the City.

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

**AGREEMENT  
BETWEEN  
THE CITY OF NATIONAL CITY  
AND  
ESGIL CORPORATION**

THIS AGREEMENT is entered into on this 21st day of April 2020, between the CITY OF NATIONAL CITY, a municipal corporation (the "CITY"), and ESGIL, LLC, a California limited liability company (the "CONSULTANT").

**RECITALS**

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

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

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

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

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

2. **EFFECTIVE DATE AND LENGTH OF AGREEMENT.** This Agreement will become effective on April 21, 2020. The duration of this Agreement is for the period of April 21, 2020 through April 20, 2023. This Agreement may be extended by mutual agreement upon the same terms and conditions for an additional one (1) year term. The Parties may exercise up to two one-year extensions. The City Council authorizes and delegates that any extension of this Agreement be approved in writing by the City Manager.

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

The CONSULTANT shall be responsible for all research and reviews related to the work and shall not rely on personnel of the CITY for such services, except as authorized in advance by the CITY. The CONSULTANT shall appear at meetings related to pre-plan submittals, pre-construction, and proposed plan changes and/or changes to construction methods and materials related to larger projects and at other meetings at the CITY, or on subject properties, as directed by Luis Sainz to keep staff and City Council advised of the progress on any given matter.

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

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

5. **COMPENSATION AND PAYMENT.** The CITY establishes the plan checking fee by resolution of the City Council. The CITY collects the plan checking fee from the applicant. The CONSULTANT's compensation for reviewing building department plans, commonly referred to as "plan checking", shall be sixty percent (60%) of the plan checking fee collected by the CITY for each permit based upon the CITY's adopted fee schedule in effect at the time of the plan check submittal. The CONSULTANT's compensation for reviewing Fire Department plan reviews shall be thirty percent (30%) of the plan checking fee collected by the CITY for each permit based upon the CITY's adopted fee schedule in effect at the time of the plan check submittal. Beginning April 21, 2020, CONSULTANT will apply a 10% monthly reduction to plan check fees ("Reduction"). CONSULTANT shall provide the Reduction until (1) the dollar amount of each monthly Reduction totals \$10,500, or (2) January 31, 2021 whichever occurs earlier. The CONSULTANT shall provide one full-time clerical support staff person on an as-needed basis at no cost to the CITY. This clerical support staff person shall be an employee of the CONSULTANT, not of the CITY, and shall be subject to the terms of this Agreement.

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

this Section shall be paid according to the fully-burdened hourly rate applicable to the CITY staff person who identified the billing error.

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

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

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

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

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

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

8. **INDEPENDENT CONTRACTOR.** Both parties hereto in the performance of this Agreement will be acting in an independent capacity and not as agents, employees, partners, or joint venturers with one another. Neither the CONSULTANT nor the CONSULTANT'S

employees are employees of the CITY, and are not entitled to any of the rights, benefits, or privileges of the CITY'S employees, including but not limited to retirement, medical, unemployment, or workers' compensation insurance.

This Agreement contemplates the personal services of the CONSULTANT and the CONSULTANT'S employees, and it is recognized by the parties that a substantial inducement to the CITY for entering into this Agreement was, and is, the professional reputation and competence of the CONSULTANT and its employees. Neither this Agreement, nor any interest herein, may be assigned by the CONSULTANT without the prior written consent of the CITY. Nothing herein contained is intended to prevent the CONSULTANT from employing or hiring as many employees, or SUBCONSULTANTS, as the CONSULTANT may deem necessary for the proper and efficient performance of this Agreement. All agreements by CONSULTANT with its SUBCONSULTANT(S) shall require the SUBCONSULTANT(S) to adhere to the applicable terms of this Agreement.

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

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

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

12. **STANDARD OF CARE.**

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

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

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

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

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

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

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

15. **INDEMNIFICATION AND HOLD HARMLESS.** To the maximum extent provided by law, The CONSULTANT agrees to defend, indemnify and hold harmless the City of National City, its officers, officials, agents, employees, and volunteers against and from any and all liability, loss, damages to property, injuries to, or death of any person or persons, and all claims, demands, suits, actions, proceedings, reasonable attorneys' fees, and defense costs, of any kind or nature, including workers' compensation claims, of or by anyone whomsoever, resulting from or arising out of the CONSULTANT'S performance or other obligations under this Agreement; provided, however, that this indemnification and hold harmless shall not include any claims or liability arising from the established sole negligence or willful misconduct of the CITY, its agents, officers, employees or volunteers. CITY will cooperate reasonably in the defense of any action, and CONSULTANT shall employ competent counsel, reasonably acceptable to the City Attorney.

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

16. **EMPLOYEE PAYMENTS AND INDEMNIFICATION.**

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

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

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



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

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

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

A. Professional Liability Insurance (errors and omissions) with minimum limits of \$9,000,000 per claim.

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

C. Commercial General Liability Insurance, with minimum limits of \$1,000,000 per occurrence and \$2,000,000 aggregate with a \$10,000,000 umbrella policy, covering all bodily injury and property damage arising out of its operations, work, or performance under this Agreement. The policy shall name the CITY and its officers, agents, employees, and volunteers as additional insureds, and a separate additional insured endorsement shall be provided. The general aggregate limit must apply solely to this "project" or "location". The "project" or "location" should be noted with specificity on an endorsement that shall be incorporated into the policy.

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

E. The aforesaid policies shall constitute primary insurance as to the CITY, its officers, officials, employees, and volunteers, so that any other policies held by the CITY shall not contribute to any loss under said insurance. Said policies shall provide for thirty (30)

days prior written notice to the CITY's Risk Manager, at the address listed in subsection G below, of cancellation or material change.

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

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

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

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

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

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

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

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

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

incurred by the CITY in its prosecution or defense of the action, irrespective of the actual amount of attorney's fees incurred by the prevailing party.

20. **TERMINATION.**

A. This Agreement may be terminated with or without cause by the CITY. Termination without cause shall be effective only upon 60-day's written notice to the CONSULTANT. During said 60-day period the CONSULTANT shall perform all services in accordance with this Agreement.

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

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

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

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

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

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

To CONSULTANT:

Eric Gleason  
Senior Director  
EsGil Corporation  
9320 Chesapeake Drive, Suite 208  
San Diego, CA 92123

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

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

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

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

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

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

24. **ADMINISTRATIVE PROVISIONS.**

A. *Computation of Time Periods.* If any date or time period provided for in this Agreement is or ends on a Saturday, Sunday or federal, state or legal holiday, then such date

shall automatically be extended until 5:00 p.m. Pacific Time of the next day which is not a Saturday, Sunday or federal, state, or legal holiday.

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

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

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

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

F. *Amendment to this Agreement.* The terms of this Agreement may not be modified or amended except by an instrument in writing executed by each of the parties hereto.

G. *Assignment & Assumption of Rights.* CONSULTANT shall not assign this Agreement, in whole or in part, to any other party without first obtaining the written consent of CITY.

H. *Waiver.* The waiver or failure to enforce any provision of this Agreement shall not operate as a waiver of any future breach of any such provision or any other provision hereof.

I. *Applicable Law.* This Agreement shall be governed by and construed in accordance with the laws of the State of California. The venue for any legal action arising under this Agreement shall be in either state or federal court in the County of San Diego, State of California.

J. *Audit.* If this Agreement exceeds ten-thousand dollars (\$10,000), the parties shall be subject to the examination and audit of the State Auditor for a period of three (3) years after final payment under the Agreement, per Government Code Section 8546.7.

K. *Entire Agreement.* This Agreement supersedes any prior agreements, negotiations and communications, oral or written, and contains the entire agreement between the parties as to the subject matter hereof. No subsequent agreement, representation, or promise made by either party hereto, or by or to an employee, officer, agent or representative of any party hereto shall be of any effect unless it is in writing and executed by the party to be bound thereby.

L. *Successors and Assigns.* This Agreement shall be binding upon and shall inure to the benefit of the successors and assigns of the parties hereto.

M. *Subcontractors or Subconsultants.* The CITY is engaging the services of the CONSULTANT identified in this Agreement. The CONSULTANT shall not subcontract any portion of the work, unless such subcontracting was part of the original proposal or is allowed by the CITY in writing. In the event any portion of the work under this Agreement is subcontracted, the subconsultant(s) shall be required to comply with and agree to, for the benefit of and in favor of the CITY, both the insurance provisions in Section 18 and the indemnification and hold harmless provision of Section 15 of this Agreement.

N. *Construction.* The parties acknowledge and agree that (i) each party is of equal bargaining strength, (ii) each party has actively participated in the drafting, preparation and negotiation of this Agreement, (iii) each such party has consulted with or has had the opportunity to consult with its own, independent counsel and such other professional advisors as such party has deemed appropriate, relative to any and all matters contemplated under this Agreement, (iv) each party and such party's counsel and advisors have reviewed this Agreement, (v) each party has agreed to enter into this Agreement following such review and the rendering of such advice, and (vi) any rule or construction to the effect that ambiguities are to be resolved against the drafting party shall not apply in the interpretation of this Agreement, or any portions hereof, or any amendments hereto.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the date and year first above written.

**CITY OF NATIONAL CITY**

**ESGIL, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY**

*(Corporation – signatures of two corporate officers required)*

By: \_\_\_\_\_  
Alejandra Sotelo-Solis, Mayor

By: \_\_\_\_\_  
*(Name)*


**APPROVED AS TO FORM:**

Angil P. Morris-Jones  
City Attorney

\_\_\_\_\_  
*(Print)*

\_\_\_\_\_  
*(Title)*

By: \_\_\_\_\_  
Angil P. Morris-Jones  
City Attorney

By:   
\_\_\_\_\_  
*(Name)*

Thomas P. Wilkas  
\_\_\_\_\_  
*(Print)*

Chief Financial Officer  
\_\_\_\_\_  
*(Title)*

**EXHIBIT A – ESGIL RATE SCHEDULE**

<b>REGULAR BASIS RATE / AS-NEEDED RATE</b>	
<b>ON-SITE STAFFING RATES</b>	
Clerical/Administrative Support	Provide one (1) clerical support staff person on an as-needed basis at no cost to City. This clerical support staff shall be an employee of EsGil, LLC, not of the City of National City, and shall be subject to the terms of the Agreement.
Building/Engineering/Fire Inspector	\$83.00 per hour
<b>OFF-SITE STAFFING RATES</b>	
Building Plan Review	60% of City Plan Check Fee based on adopted fee schedule in effect at the time of plan check submittal
Fire Plan Review	30% of City Plan Check Fee based on adopted fee schedule in effect at the time of plan check submittal
Effective through December 31, 2020: EsGil will apply a 10% monthly reduction to plan check fees until total reduction reaches \$10,500.00.	

<b>LABOR CLASSIFICATION POSITION RATE</b>	
Labor rates are used only when requested by City and where the use of a percentage of the permit fee or plan check fee is not applicable or appropriate.	
LABOR CLASSIFICATION	HOURLY BILLING RATE
Division Manager	\$140.00
Supervising Structural Engineer	\$135.00
CASp Certified Access Examiner	\$94.40
LEED Certified Plans Examiner	\$94.40
Structural Engineer	\$94.40
Civil Engineer	\$94.40
Electrical Engineer	\$94.40
Energy Plans Examiner	\$94.40
Mechanical Engineer	\$94.40
Building Official	\$94.40
Supervising Building Inspector	\$94.40
Deputy Building Official	\$94.40
I.C.C. Plans Examiner	\$94.40
Building Inspector	\$83.00
Permit Technician	\$72.00
1.	Rates are subject to change each year on August 8 <sup>th</sup> .
2.	Rates are increased by a factor of 1.5 for overtime, holiday and weekend assignments.
3.	Thirty (30) day written notice is required and the increase shall not exceed 3% each year.
4.	Rate includes all necessary resources including equipment, materials, rechecks, plan check conferences at EsGil location, review of plan that are initially incomplete and for the transition of plans to and from the City.
5.	Engineering plan reviews will be charged on an hourly basis. A proposal for the review will be submitted to the City with a not-to-exceed amount.

## EXHIBIT B – ESGIL SCOPE OF WORK

### A. Plan Reviews

- ✓ Provide plan reviews consistent with application of building standards for buildings, shopping malls, civic centers, hospitals, sports arenas, municipal facilities, hotels, hazardous occupancies, trash recycling, dwelling additions, residential dwellings, and residential complexes by qualified staff. Staff to include the following:
  - Licensed structural engineers
  - Licensed civil engineers
  - Mechanical engineers
  - Licensed electrical engineers
  - Certified plans examiners
  - Certified building inspectors
- ✓ Structural reviews will be performed by or under the supervision of one of our licensed structural engineers. All plan review engineers are International Code Council (ICC) Certified and required to have previous experience working in government building departments.
- ✓ Provide state-mandated Certified Access Specialist Program (CAsp) Plans Examiners and Energy and Environmental Design (LEED) Certified Plans Examiners when needed.
- ✓ Provide 3rd party reviews for the Engineering Department for Capital Improvement Projects on an as needed basis by qualified plans examiners.
- ✓ Provide plan reviews for the Fire Department on an as needed basis by qualified plans examiners.
- ✓ EsGil will pick-up and deliver plans at no cost to the City upon City request.
  - Pick-up and deliveries will be made within twenty-four (24) hours of the City's request.
  - EsGil will receive plans by mail, courier, or via electronic transmission.
- ✓ Staff will identify any code deficiencies in a customized typed list for the applicant.
- ✓ Coordinate review with the other plan check disciplines (electrical, mechanical, plumbing, energy, structural and disabled access) to ensure communication and coordination of listed deficiencies.
- ✓ Completed review list shall be attached to the permit in the City's software program prior to or on the contract deadline

The following is a list of plan review turnaround times for each type of job assigned:

Project Type	Initial Check	Recheck	Plan Change
Single Family Dwelling	7 working days	5 working days	5 working days
Apartment	10 working days	5 working days	5 working days
Tenant Improvements	7 working days	5 working days	5 working days
Commercial/Industrial	12 working days	5 working days	5 working days
Rechecks	5 working days	5 working days	5 working days
Plan Changes	5 working days	5 working days	5 working days
Accelerated/expedited plan reviews are performed in one-half of the normal turnaround time <ul style="list-style-type: none"> <li>• Performed at standard overtime rate of time and one-half by City/Building Official request</li> </ul>			



B. Inspection Services

- ✓ Provide International Code Council (ICC) Certified Inspectors with a minimum of three (3) years of government building & safety experience.
- ✓ Provide as-needed inspections for Fire and Engineering Department(s) using qualified staff
- ✓ Provide as-needed code compliant inspections for residential and commercial projects.
  - Read and study project specifications, plans and drawings to become familiar with project prior to inspection, ensuring that structural or architectural changes have been stamped as approved by the appropriate authority.
  - Perform and document inspections on construction projects to determine that all aspects of the project, such as foundations, building, electrical, plumbing, and mechanical systems conform to the applicable building codes, ordinances, energy conservation, and disabled access requirements including known local, city, state and federal requirements
  - Provide excellent customer service to the public. Our certified inspectors are knowledgeable and specialize in on-site problem solving and working closely with contractors and property owners through completion of the inspection.
  - Coordinate reviews with fire, health, and other government agency inspectors, as well as property owners and builders.
  - Maintain records and follow-up to resolution of non-complying items – including appeals
  - Be available to all parties by cell phone and email to assist in problem solving and maintain high customer service levels.
  - Lease a copy of inspection ticket and discuss inspection results with site personnel
  - Result inspections finding into the City's designated software.

C. Code Enforcement

- ✓ Provide personnel to assist the City with conducting investigations of building safety related violations of applicable codes. Staff shall work closely with City decision makers. All Inspectors will be fully trained in City philosophy and City code enforcement requirements.
- ✓ Provide as-needed code enforcement assistance to City Planning, Fire, Engineering and Public Works.

D. Additional Services

- ✓ Provide additional services as mutually agreed upon
- ✓ Assist City staff in revising and updating City codes and ordinances

E. Independent Contractor

- ✓ EsGil is an independent contractor, and neither EsGil, nor any employee or agent thereof, shall be deemed for any reason to be an employee or agent of the City. EsGil and City agree that EsGil will be free to contract for similar service to be performed for other employers while under contract with City. EsGil is not an agent or employee of City and is not entitled to participate in any pension plan, insurance, bonus or similar benefits City provides for its employees. EsGil shall determine all conditions of employment including hours, wages, working conditions, discipline, hiring and discharge or any other condition of employment. EsGil employees are not subject to the direction and control of City. Any provision in this Agreement that may appear to give City the right to direct

EsGil as to the details of doing the work or to exercise a measure of control over the work means that EsGil will follow the direction of the City as to end results of the work only.

## EXHIBIT “C”

CONSULTANT must satisfy the following steps when posting a “Stop Work Order”:

- If a complaint is received by the Building Division regarding construction without proper building permits, the Permit Technician will verify what, if any, permits are issued for the subject location. If permits are issued, the complainant will be notified that no action will be taken. If the Permit Technician confirms that permits have not been issued, the complainant will be notified that an investigation will begin regarding the complaint.
- Immediately after determining that an investigation must begin, a referral is given to the Building Inspector for that day. The Building Inspector will be provided with the location of the job site and a description of the type of work being performed.
- The Building Inspector will arrive at the job site to investigate what type of construction is being performed if any. If the Building Inspector does not see any work being performed at the job site, the inspector must call the Permit Technician to notify the Permit Technician of the Building Inspector’s findings. If the Building Inspector sees work being performed that requires a building permit, then the Building Inspector must complete a Stop Work Order (Red Tag) and post the Stop Work Order on the building. The Stop Work Order (Red Tag) has a section called “Remarks”. Under this section, the Building Inspector must enter the following: “Per 2019 C.B.C., Section 105.1 and N.C.M.C. Section 15.08.060 - Stop all construction work immediately. Obtain building permits prior to any construction work.” The posting of the Stop Work Order (Red Tag) must be posted on the front of the building. Whenever possible, the Building Inspector should post the order on a window facing the front of the building, from the inside of the building with the written information facing the street. Depending on the size of the construction site, more than one Stop Work Order (Red Tag) may be necessary to be posted on the structure. The Building Inspector must use either duct tape or staples as appropriate to post the Stop Work Order (Red Tag).
- After posting the Stop Work Order (Red Tag), the Building Inspector must complete a Correction Notice. The Correction Notice must contain the location of the Stop Work Order (Red Tag), the date, time, and a description of what work was found to have been performed without building permits. In addition, the Correction Notice must also note that certain penalties now will apply when applying for the required permit and that anyone with questions about this process may contact the City’s Building Division at 619-336-4210.
- Photographs of the actual Stop Work Order posting must be taken from the public right-of-way, as well as a “close up” photograph from about 2-3 feet from the location where the Stop Work Order (Red Tag) is physically posted.
- The Building Inspector must leave their contact information (i.e. business card) with the homeowner, or others on site, and also answer any questions the

contractor/homeowner may have regarding why the posting was made and what must be done to resolve the violation.

- If any Building Inspector ever has any questions regarding any Stop Work Order (Red Tag) referral, or any questions regarding this protocol, please call Luis Sainz at (619)-336-4214.

**RESOLUTION NO. 2020 -**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY  
AUTHORIZING THE MAYOR TO EXECUTE A THREE-YEAR AGREEMENT WITH ESGIL,  
LLC FOR A NOT-TO-EXCEED AMOUNT OF \$800,000 TO PROVIDE ON-CALL PLAN  
REVIEWS, PERMIT PROCESSING, CONSTRUCTION INSPECTIONS, CODE  
ENFORCEMENT SERVICES AND RELATED SERVICES FOR VARIOUS CITY  
DEPARTMENTS INCLUDING BUT NOT LIMITED TO  
BUILDING, FIRE, AND ENGINEERING**

**WHEREAS**, on May 1, 2019, the City of National City requested services via a Request for Proposal (RFP) for on-call services to provide assistance with permit processing, plan reviews, construction inspection and Code Enforcement services; and

**WHEREAS**, the RFP was e-mailed to over 100 professional consulting firms and also advertised on PlanetBids where over 400 firms were notified; and

**WHEREAS**, the City has an existing contract with EsGil Corporation (SafeBuilt), who provides services for permit processing, plan reviews, construction inspections and code enforcement services for the Building and Fire Department; and

**WHEREAS**, the contract with EsGil, LLC would run concurrently with the contract of any new firm selected as a result of the RFP; and

**WHEREAS**, on August 19, 2020, staff conducted panel interviews and ultimately Bureau Veritas was selected which would provide the Building Division with two firms to provide services; and

**WHEREAS**, after the Bureau Veritas contract was ratified by the City Council on December 17, 2019, EsGil Corporation reached out to the City and met with City staff to discuss how they could improve on the services they provide and agreed to lower their plan review fees to be in line with the current Bureau Veritas contract; and

**WHEREAS**, staff recommends executing a three-year Agreement with EsGil ,LLC for a not-to-exceed amount of \$800,000 to provide on-call plan reviews, permit processing, construction inspections, code enforcement services and related services for various City Departments including but not limited to Building, Fire, and Engineering.

**NOW, THEREFORE, BE IT RESOLVED**, that the City Council of the City of National City hereby authorizes the Mayor to execute a three-year Agreement with EsGil, LLC for a not-to-exceed amount of \$800,000 to provide on-call plan reviews, permit processing, construction inspections, code enforcement services and related services for various City Departments including but not limited to Building, Fire, and Engineering. Said Agreement is on file in the office of the City Clerk.

**PASSED and ADOPTED this 21<sup>st</sup> day of April, 2020.**

\_\_\_\_\_  
Alejandra Sotelo-Solis, Mayor

**ATTEST:**

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

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Angil P. Morris-Jones, City Attorney

The following page(s) contain the backup material for Agenda Item: [Resolution of the City Council of the City of National City: 1\) approving the following project proposed to receive funding from the Road Maintenance and Rehabilitation Account \(RMRA\) through the Local Streets and Roads Funding Program as required by Senate Bill 1, the Road Repair and Accountability Act of 2017 – Roosevelt Avenue Street Resurfacing; 2\) reaffirming to the public and State the City’s intent to fund previously proposed and adopted projects with RMRA revenues; and 3\) authorizing the establishment of a Gas Tax Fund appropriation of \\$1,176,782 for Fiscal Year 2021 and corresponding revenue budget for receipt of RMRA funds. \(Engineering/Public Works\)](#)

Please scroll down to view the backup material.

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

**MEETING DATE:** April 21, 2020

**AGENDA ITEM NO.** |

**ITEM TITLE:**

Resolution of the City Council of the City of National City, 1) approving the following project proposed to receive funding from the Road Maintenance and Rehabilitation Account (RMRA) through the Local Streets and Roads Funding Program as required by Senate Bill 1, the Road Repair and Accountability Act of 2017 – Roosevelt Avenue Street Resurfacing; 2) reaffirming to the public and State the City’s intent to fund previously proposed and adopted projects with RMRA revenues; and 3) authorizing the establishment of a Gas Tax Fund appropriation of \$1,176,782 for Fiscal Year 2021 and corresponding revenue budget for receipt of RMRA funds.

**PREPARED BY:** Jose Lopez, Associate Civil Engineer

**DEPARTMENT:** Engineering/Public Works |

**PHONE:** 619-336-4312

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

**EXPLANATION:**

See attached.



**FINANCIAL STATEMENT:**

**APPROVED:**  Finance

**ACCOUNT NO.** |

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

Revenue Account: 109-00000-3416 (Gas Tax, SHC Sec 2030 RMRA) - \$1,176,782

Expenditure Account: 109-409-500-498-6035 (Street Resurfacing) - \$1,176,782

**ENVIRONMENTAL REVIEW:**

A Categorical Exemption will be filed prior to starting construction.

**ORDINANCE:** INTRODUCTION:  FINAL ADOPTION:

**STAFF RECOMMENDATION:**

Adopt Resolution approving a list of projects proposed to receive funding from the RMRA; and establishing budget appropriations and corresponding revenue budget.

**BOARD / COMMISSION RECOMMENDATION:**

N/A

**ATTACHMENTS:**

1. Explanation w/ attachments
2. Resolution

## **Explanation**

On April 28, 2017, Governor Brown signed State Senate Bill (SB) 1 (Beall, Chapter 5, Statutes of 2017), which is known as the Road Repair and Accountability Act of 2017. To address basic road maintenance, rehabilitation and critical safety needs on both the state highway and local streets and road system, SB 1: increases per gallon fuel excise taxes; increases diesel fuel sales taxes and vehicle registration fees; and provides for inflationary adjustments to tax rates in future years.

On November 1, 2017, the State Controller (Controller) began the process of depositing various portions of this new funding into the newly created Road Maintenance and Rehabilitation Account (RMRA). A percentage of this new RMRA funding is apportioned by formula to eligible cities and counties pursuant to Streets and Highways Code (SHC) Section 2032(h) for basic road maintenance, rehabilitation, and critical safety projects on the local streets and roads system. The State Department of Finance has published revised revenue projections for cities and counties. National City is eligible to receive up to \$1,176,782 in RMRA funds for FY 2021 (see attached revenue projections).

SB 1 emphasizes the importance of accountability and transparency in the delivery of California's transportation programs. Therefore, in order to be eligible for RMRA funding, statute requires cities and counties to provide basic annual RMRA project reporting to the California Transportation Commission (Commission).

SHC Section 2032.5(a) articulates the general intent of the legislation that recipients of RMRA funding be held accountable for the efficient investment of public funds to maintain local streets and roads and are accountable to the people through performance goals that are tracked and reported.

Pursuant to SHC Section 2030(a), the objective of the Local Streets and Roads Program is to address deferred maintenance on the local streets and roads system through the prioritization and delivery of basic road maintenance and rehabilitation projects as well as critical safety projects.

Cities and counties receiving RMRA funds must comply with all relevant federal and state laws, regulations, policies, and procedures. The main requirements for the program are codified in SHC Sections 2034, 2036, 2037, and 2038 and include the following:

- Prior to receiving an apportionment of RMRA funds from the Controller in a fiscal year, a city or county must submit to the Commission a list of projects proposed to be funded with these funds. All projects proposed to receive funding must be included in a city or county budget that is adopted by the applicable city council or county board of supervisors at a regular public meeting [SHC 2034(a)(1)].
- The list of projects must include a description and the location of each proposed project, a proposed schedule for the project's completion, and the estimated useful life of the improvement [SHC 2034(a)(1)].
- The project list does not limit the flexibility of an eligible city or county to fund projects in accordance with local needs and priorities so long as the projects are consistent with RMRA priorities as outlined in SHC 2030(b) [SHC 2034(a)(1)].
- The Commission will report to the Controller the cities and counties that have submitted a list of projects as described in SHC 2034(a)(1) and that are therefore



eligible to receive an apportionment of RMRA funds for the applicable fiscal year [SHC 2034(a)(2)].

- The Controller, upon receipt of the report from the Commission, shall apportion RMRA funds to eligible cities and counties pursuant to SHC 2032(h) [SHC 2034(a)(2)].
- For each fiscal year in which RMRA funds are received and expended, cities and counties must submit documentation to the Commission that includes a description and location of each completed project, the amount of funds expended on the project, the completion date, and the estimated useful life of the improvement [SHC 2034(b)].
- A city or county receiving an apportionment of RMRA funds is required to sustain a maintenance of effort (MOE) by spending at least the annual average of its general fund expenditures during the 2009–10, 2010–11, and 2011–12 fiscal years for street, road, and highway purposes from the city’s or county’s general fund [SHC 2036].
- A city or county may spend its apportionment of RMRA funds on transportation priorities other than priorities outlined in SHC 2030(b) if the city or county’s average Pavement Condition Index (PCI) meets or exceeds 80 [SHC 2037].
- By July 1, 2023, cities and counties receiving RMRA funds must follow guidelines developed by the California Workforce Development Board (Board) that address participation and investment in, or partnership with, new or existing pre-apprenticeship training programs [SHC 2038].

In order to comply with the requirements for receipt and use of RMRA funds, staff recommends the following City Council actions:

- 1) Approve the following project proposed to receive funding from the RMRA, as required by SB 1:
  - i. Roosevelt Avenue Street Resurfacing – provide pavement rehabilitation, grind and overlay on Roosevelt Avenue between Main Street and W. 16<sup>th</sup> Street (estimated construction completion by June 2021 with useful life of 10 to 15 years);
- 2) Reaffirm to the public and State the City’s intent to fund the following previously proposed and adopted projects with RMRA Account revenues:
  - i. Citywide Radar Speed Feedback Sign Installations – Install radar speed feedback signs on D Avenue between 24th Street and 30th Street; Harbison Avenue between Division Street and 4th Street; Plaza Bonita Center Way between Valley Road and Sweetwater Road; Valley Road between Sweetwater Road and Calle Abajo; Valley Road between Plaza Bonita Center Way to San Miguel Court; and Cleveland Avenue between Bay Marina Drive to Civic Center Drive (Estimated construction completion by June 2021 with useful life of 10 to 15 years).
  - ii. Division Street – Euclid Avenue to Harbison Avenue Bicycle Improvements - provide pavement rehabilitation, grind and overlay on Division Street between Euclid Avenue and Harbison Avenue (estimated construction completion by December 2020 with useful life of 10 to 15 years);

- 3) Authorize the establishment of a Gas Tax Fund appropriation of \$1,176,782 for Fiscal Year 2021 and corresponding revenue budget for receipt of RMRA funds.

# Local Streets and Roads - Projected Revenues

Estimated January 2020

	2019-20				2020-21		
	Hwy Users Tax Account	TCRF Loan Repayment	Road Mntnc Rehab Acct	TOTAL	Hwy Users Tax Account	Road Mntnc Rehab Acct	TOTAL
<b>SAN DIEGO COUNTY</b>							
CARLSBAD	2,806,325	129,556	2,123,096	5,058,977	2,902,038	2,176,539	5,078,576
CHULA VISTA	6,589,289	305,126	5,000,230	11,894,645	6,814,707	5,126,097	11,940,804
CORONADO	608,045	27,765	454,995	1,090,805	628,556	466,448	1,095,005
DEL MAR	113,618	5,004	82,001	200,623	117,315	84,065	201,380
EL CAJON	2,571,795	118,671	1,944,723	4,635,189	2,659,466	1,993,676	4,653,142
ENCINITAS	1,547,819	71,264	1,167,840	2,786,924	1,600,467	1,197,237	2,797,704
ESCONDIDO	3,714,653	171,712	2,813,925	6,700,290	3,841,509	2,884,757	6,726,267
IMPERIAL BEACH	675,683	30,858	505,677	1,212,218	698,480	518,406	1,216,886
LA MESA	1,485,565	68,375	1,120,493	2,674,433	1,536,079	1,148,698	2,684,777
LEMON GROVE	669,869	30,588	501,256	1,201,713	692,467	513,873	1,206,340
<b>NATIONAL CITY</b>	<b>1,521,585</b>	<b>70,047</b>	<b>1,147,888</b>	<b>2,739,520</b>	<b>1,573,334</b>	<b>1,176,782</b>	<b>2,750,117</b>
OCEANSIDE	4,327,068	200,135	3,279,698	7,806,901	4,474,922	3,362,255	7,837,177
POWAY	1,231,220	56,571	927,050	2,214,841	1,273,013	950,386	2,223,399
SAN DIEGO	34,435,839	1,597,035	26,171,332	62,204,205	35,615,685	26,830,119	62,445,805
SAN MARCOS	2,395,129	110,588	1,812,261	4,317,978	2,476,828	1,857,880	4,334,708
SANTEE	1,427,138	65,663	1,076,056	2,568,858	1,475,649	1,103,143	2,578,792
SOLANA BEACH	345,304	15,664	256,689	617,657	356,876	263,150	620,027
VISTA	2,485,269	114,656	1,878,916	4,478,841	2,569,973	1,926,212	4,496,186
County of San Diego	60,095,666	2,691,083	37,745,958	100,532,707	63,409,784	39,219,164	102,628,948
Total Cities & County: San Diego	129,046,879	5,880,360	90,010,084	224,937,323	134,717,150	92,798,888	227,516,038
<b>SAN FRANCISCO COUNTY</b>							
SAN FRANCISCO - City Allocation	20,257,431	993,663	16,283,602	37,534,696	20,991,523	16,693,494	37,685,017
SAN FRANCISCO - County Allocation	11,491,951	534,407	7,495,751	19,522,109	12,127,249	7,788,307	19,915,556
Total San Francisco	31,749,383	1,528,070	23,779,353	57,056,805	33,118,772	24,481,801	57,600,573
<b>SAN JOAQUIN COUNTY</b>							
ESCALON	192,103	8,730	143,055	343,888	198,552	146,656	345,209
LATHROP	604,870	28,034	459,398	1,092,302	625,581	470,962	1,096,543
LODI	1,641,536	76,753	1,257,781	2,976,071	1,698,239	1,289,442	2,987,682
MANTECA	2,011,642	94,188	1,543,505	3,649,335	2,081,226	1,582,359	3,663,584
RIPON	405,251	18,677	306,063	729,991	419,049	313,767	732,816
STOCKTON	7,565,578	355,714	5,829,251	13,750,543	7,828,370	5,975,986	13,804,356
TRACY	2,226,870	104,328	1,709,663	4,040,861	2,303,945	1,752,699	4,056,644
County of San Joaquin	18,150,371	794,360	11,141,940	30,086,671	19,149,457	11,576,804	30,726,261
Total Cities & County: San Joaquin	32,798,222	1,480,783	22,390,658	56,669,662	34,304,418	23,108,675	57,413,094

**RESOLUTION NO. 2020 -**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY  
1) APPROVING THE FOLLOWING PROJECT FOR FISCAL YEAR 2020-21  
PROPOSED TO RECEIVE FUNDING FROM THE ROAD MAINTENANCE AND  
REHABILITATION ACCOUNT (RMRA) THROUGH THE LOCAL STREETS  
AND ROADS FUNDING PROGRAM AS REQUIRED BY SENATE BILL 1, THE  
ROAD REPAIR AND ACCOUNTABILITY ACT OF 2017: ROOSEVELT  
AVENUE STREET RESURFACING; 2) REAFFIRMING TO THE PUBLIC AND  
STATE THE CITY'S INTENT TO FUND PREVIOUSLY PROPOSED AND  
ADOPTED PROJECTS WITH RMRA ACCOUNT REVENUES; AND 3)  
AUTHORIZING THE ESTABLISHMENT OF A GAS TAX FUND  
APPROPRIATION OF \$1,176,782 FOR FISCAL YEAR 2021 AND  
CORRESPONDING REVENUE BUDGET FOR RECEIPT OF RMRA FUNDS**

**WHEREAS**, Senate Bill 1 (SB 1), the Road Repair and Accountability Act of 2017 (Chapter 5, Statutes of 2017) was passed by the Legislature and Signed into law by the Governor in April 2017 to address the significant multi-modal transportation funding shortfalls statewide; and

**WHEREAS**, SB 1 includes accountability and transparency provisions that will ensure the residents of our City are aware of the projects proposed for funding in our community and which projects have been completed each fiscal year; and

**WHEREAS**, the City must adopt by resolution a list of projects proposed to receive fiscal year funding from the Road Maintenance and Rehabilitation Account (RMRA), created by SB 1, which must include a description and the location of each proposed project, a proposed schedule for the project's completion, and the estimated useful life of the improvement; and

**WHEREAS**, the City, will receive an estimated \$1,176,782 in RMRA funding in Fiscal Year 2020-21 from SB 1; and

**WHEREAS**, this is the 4th year in which the City is receiving SB 1 funding and will enable the City to continue essential road maintenance and rehabilitation projects, safety improvements, repairing and replacing aging bridges, and increasing access and mobility options for the traveling public that would not have otherwise been possible without SB 1; and

**WHEREAS**, the City prioritizes projects based on health and safety benefits, input from the community, project costs, schedule and available funding, and consistency with long-range planning documents and policies; and

**WHEREAS**, the list of projects proposed to receive funding from the RMRA were developed based on this criteria to ensure revenues are being used on high-priority and cost-effective projects that meet the community’s priorities for transportation investment; and

**WHEREAS**, revenues received from the RMRA will greatly assist the City in increasing the overall quality and sustainability of our transportation system for the benefit of the public; and

**WHEREAS**, the funding from SB 1 will help the City maintain and rehabilitate 1 mile of streets, throughout the City this year and a number of similar projects into the future; and

**WHEREAS**, the 2018 California Statewide Local Streets and Roads Needs Assessment found that the City’s streets and roads are in an “at-risk” condition and this revenue will help us increase the overall quality of our road system and over the next decade will bring our streets and roads into a “good” condition; and

**WHEREAS**, the SB 1 project list and overall investment in our local streets and roads infrastructure with a focus on basic maintenance and safety, investing in complete streets infrastructure, and using cutting-edge technology, materials and practices, will have significant positive co-benefits statewide.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of National City finds the foregoing recitals are true and correct.

**IT IS HEREBY FURTHER RESOLVED** that the City Council of the City of National City approves and reaffirms the following list of projects proposed to receive funding from the RMRA, as required by SB 1:

Roosevelt Avenue Street Resurfacing – provide pavement rehabilitation, grind and overlay on Roosevelt Avenue between Main Street and W. 16<sup>th</sup> Street (estimated construction completion by June 2021 with useful life of 10 to 15 years).

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///  
///

**BE IT HEREBY FURTHER RESOLVED** that the City Council of the City of National City approves and reaffirms the following list of previously proposed and adopted projects which will be funded in-part or solely with Fiscal Year 2020-21 Road Maintenance and Rehabilitation Account revenues in their delivery:

- 1) Citywide Radar Speed Feedback Sign Installations – Install radar speed feedback signs on D Avenue between 24th Street and 30th Street; Harbison Avenue between Division Street and 4th Street; Plaza Bonita Center Way between Valley Road and Sweetwater Road; Valley Road between Sweetwater Road and Calle Abajo; Valley Road between Plaza Bonita Center Way to San Miguel Court; and Cleveland Avenue between Bay Marina Drive to Civic Center Drive (Estimated construction completion by June 2021 with useful life of 10 to 15 years); and
  
- 2) Division Street – Euclid Avenue to Harbison Avenue Bicycle Improvements - provide pavement rehabilitation, grind and overlay on Division Street between Euclid Avenue and Harbison Avenue (estimated construction completion by December 2020 with useful life of 10 to 15 years).

**BE IT RESOLVED**, that the City Council authorizes the establishment of a Gas Tax Fund appropriation of \$1,176,782 for Fiscal Year 2021 and corresponding revenue budget for the receipt of RMRA funds.

**PASSED and ADOPTED this 21<sup>st</sup> day of April, 2020.**

\_\_\_\_\_  
Alejandra Sotelo-Solis, Mayor

**ATTEST:**

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

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Angil P. Morris-Jones  
City Attorney



The following page(s) contain the backup material for Agenda Item: [Resolution of the City Council of the City of National City approving a First Amendment to the Agreement with A Reason to Survive, Inc. \(ARTS\) to allow for production of additional bike racks funded by a San Diego Association of Governments \(SANDAG\) Active Transportation Grant Program \(ATGP\) grant and local matching funds, and authorizing the Mayor to execute the Amendment. \(Engineering/Public Works\)](#)

Please scroll down to view the backup material.

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

**MEETING DATE:** April 21, 2020

**AGENDA ITEM NO.**

**ITEM TITLE:**

Resolution of the City Council of the City of National City approving a First Amendment to the Agreement with A Reason to Survive, Inc. (ARTS) to allow for production of additional bike racks funded by a San Diego Association of Governments (SANDAG) Active Transportation Grant Program (ATGP) grant and local matching funds, and authorizing the Mayor to execute the Amendment.

**PREPARED BY:** Stephen Manganiello, Director of Eng/PW

**DEPARTMENT:** Engineering/Public Works

**PHONE:** 619-336-4382

**APPROVED BY:**



**EXPLANATION:**

See attached.

**FINANCIAL STATEMENT:**

**APPROVED:**



Finance

**ACCOUNT NO.**

**APPROVED:**

MIS

296-409-500-598-6602 (Bike Parking Enhancements Grant): \$18,727

001-409-500-598-6573 (Transportation Improvements CIP - local grant match): \$13,000

Funding available through prior appropriations.

**ENVIRONMENTAL REVIEW:**

N/A

**ORDINANCE: INTRODUCTION:**

**FINAL ADOPTION:**

**STAFF RECOMMENDATION:**

Adopt resolution executing a First Amendment to the Agreement with ARTS to allow for production of additional bike racks as part of a SANDAG ATGP grant.

**BOARD / COMMISSION RECOMMENDATION:**

N/A

**ATTACHMENTS:**

1. First Amendment to Agreement
2. Resolution



## Explanation

In March 2018, the City of National City (City) partnered with ARTS to apply for a \$50,000 Active Transportation Grant Program (ATGP) grant from the San Diego Association of Governments (SANDAG) to construct bike parking areas or “Bike Corrals” at various locations within the public rights of way in National City. On July 27, 2018, the SANDAG Board of Directors awarded a \$50,000 ATGP grant to the City for design and construction of bike parking enhancements. The grant required a minimum local match of \$12,500. On March 5, 2019, the City Council adopted Resolution No. 2019-23 approving grant appropriations to allow City staff to begin work on the project.

On August 15, 2019, the City Manager entered into an Agreement with ARTS to assist with community engagement, design, and fabrication of custom bike racks to be installed by City Public Works in designated bike parking areas Citywide. The original Agreement had a not-to-exceed amount of \$31,273 and an expiration date of June 30, 2020.

To allow for production of additional bike racks under the SANDAG grant, the parties desire to amend the Agreement to increase the not-to-exceed amount by \$31,727, for a total Agreement amount of \$63,000, and extend the term of the Agreement to December 6, 2020. The First Amendment to the Agreement will be funded by a combination of SANDAG ATGP grant funds and local matching funds. The local matching funds are available through General Fund appropriations for transportation improvements, previously authorized by City Council through adoption of the FY 2020 Capital Improvement Program budget.

ARTS agrees that upon completion of the bike racks, ownership of the physical works of art installed within public rights of way shall be transferred to the CITY, and ARTS waives and releases all rights of ownership to those works of art.

**FIRST AMENDMENT TO THE AGREEMENT  
BY AND BETWEEN  
THE CITY OF NATIONAL CITY  
AND  
A REASON TO SURVIVE, INC.**

THIS FIRST AMENDMENT TO THE AGREEMENT, is entered into this 21st day of April, 2020, by and between the CITY OF NATIONAL CITY, a municipal corporation (“CITY”), and A REASON TO SURVIVE, INC., a California non-profit corporation (“ARTS”).

**RECITALS**

WHEREAS, in March 2018, the CITY partnered with ARTS to apply for a \$50,000 Active Transportation Grant Program (“ATGP”) grant from the San Diego Association of Governments (“SANDAG”) to construct bike parking areas or “Bike Corrals” at various locations within the public rights of way in National City;

WHEREAS, on July 27, 2018, the SANDAG Board of Directors awarded a \$50,000 ATGP grant to the CITY for design and construction of bike parking enhancements;

WHEREAS, on March 5, 2019, the City Council adopted Resolution No. 2019-23 approving grant appropriations to allow CITY staff to begin work on the project;

WHEREAS, on August 15, 2019, the City Manager entered into an Agreement with ARTS to assist with community engagement, design, and fabrication of custom bike racks to be installed by City Public Works in designated bike parking areas Citywide;

WHEREAS, the original Agreement had a not-to-exceed amount of \$31,273 and an expiration date of June 30, 2020.

WHEREAS, to allow for production of additional bike racks under the SANDAG grant, the parties desire to amend the Agreement to increase the not-to-exceed amount and extend the term of the Agreement.

WHEREAS, ARTS agrees that upon completion of the bike racks, ownership of the physical works of art installed within public rights of way shall be transferred to the CITY, and ARTS waives and releases all rights of ownership to those works of art.

**AGREEMENT**

NOW, THEREFORE, the parties agree to amend the Agreement entered into on August 15, 2019 as follows:

1. Increase the not-to-exceed amount by \$31,727, for a total Agreement amount of \$63,000.

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2. Extend the term of the Agreement to December 6, 2020, to match the expiration date of the SANDAG grant.
3. The parties further agree that, with the foregoing exceptions, each and every term and provision of the Agreement entered into on August 15, 2019 shall remain in full force and effect.

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

**CITY OF NATIONAL CITY**

**A REASON TO SURVIVE, INC. (ARTS)**

By: \_\_\_\_\_  
Alejandra Sotelo-Solis, Mayor

By: \_\_\_\_\_  
James Halliday, Executive Director

APPROVED AS TO FORM:

\_\_\_\_\_  
Angil P. Morris-Jones  
City Attorney

**RESOLUTION NO. 2020 –**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY APPROVING A FIRST AMENDMENT TO THE AGREEMENT WITH A REASON TO SURVIVE, INC. (ARTS) TO ALLOW FOR PRODUCTION OF ADDITIONAL BIKE RACKS FUNDED BY A SAN DIEGO ASSOCIATION OF GOVERNMENTS (SANDAG) ACTIVE TRANSPORTATION GRANT PROGRAM (ATGP) GRANT AND LOCAL MATCHING FUNDS, AND AUTHORIZING THE MAYOR TO EXECUTE THE AMENDMENT**

**WHEREAS**, in March 2018, the City of National City (City) partnered with A Reason to Survive (ARTS) to apply for a \$50,000 Active Transportation Grant Program (ATGP) grant from the San Diego Association of Governments (SANDAG) to construct bike parking areas or “Bike Corrals” at various locations within the public rights of way in National City; and

**WHEREAS**, on July 27, 2018, the SANDAG Board of Directors awarded a \$50,000 ATGP grant to the City for design and construction of bike parking enhancements with a required minimum local match of \$12,500; and

**WHEREAS**, on March 5, 2019, the City Council adopted Resolution No. 2019-23 approving grant appropriations to allow City staff to begin work on the project; and

**WHEREAS**, on August 15, 2019, the City Manager entered into an Agreement with ARTS for a not to exceed amount of \$31,273 to assist with community engagement, design, and fabrication of custom bike racks to be installed by the City of National City Public Works in designated bike parking areas Citywide; and

**WHEREAS**, to allow for production of additional bike racks under the SANDAG grant, the parties desire to amend the Agreement to increase the not-to-exceed amount by \$31,727, for a total Agreement amount of \$63,000, and extend the term of the Agreement to December 6, 2020; and

**WHEREAS**, the First Amendment to the Agreement will be funded by a combination of SANDAG ATGP grant funds and local matching funds; and

**WHEREAS**, the local matching funds are available through General Fund appropriations for transportation improvements, previously authorized by City Council through adoption of the Fiscal Year 2020 Capital Improvement Program budget; and

**WHEREAS**, ARTS agrees that upon completion of the bike racks, ownership of the physical works of art installed within public rights of way shall be transferred to the CITY, and ARTS waives and releases all rights of ownership to those works of art.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of National City hereby approves the First Amendment to the Agreement with A Reason to Survive, Inc. (ARTS) for a total Agreement amount of \$63,000, and extend the term of the Agreement to December 6, 2020 to allow for production of additional bike racks funded by a San Diego Association of Governments (SANDAG) Active Transportation Grant Program (ATGP) grant and local matching funds.

**BE IT FURTHER RESOLVED**, that the City Council of the City of National City hereby authorizes the Mayor to execute the First Amendment.

**PASSED and ADOPTED this 21<sup>st</sup> day of April, 2020.**

\_\_\_\_\_  
Alejandra Sotelo-Solis, Mayor

**ATTEST:**

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

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Angil P. Morris-Jones  
City Attorney

The following page(s) contain the backup material for Agenda Item: [Investment transactions for the month ended January 31, 2020. \(Finance\)](#)  
Please scroll down to view the backup material.

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

**MEETING DATE:** April 21, 2020

**AGENDA ITEM NO.:**

**ITEM TITLE:**

Investment transactions for the month ended January 31, 2020.

**PREPARED BY:** *Ron Gutlay*

**PHONE:** 619-336-4346

**DEPARTMENT:** Finance

**APPROVED BY:** *Mark Ralento*

**EXPLANATION:**

In accordance with California Government Code Section 53646 and Section XIIA of the City of National City's investment policy, a monthly report shall be submitted to the legislative body accounting for transactions made during the reporting period.

The attached listing reflects investment transactions of the City of National City's investment portfolio for the month ending January 31, 2020.

**FINANCIAL STATEMENT:**

**ACCOUNT NO.**  
NA

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

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

**ENVIRONMENTAL REVIEW:**

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

**ORDINANCE:** INTRODUCTION  FINAL ADOPTION

**STAFF RECOMMENDATION:**

Accept and file the Investment Transaction Ledger for the month ended January 31, 2020.

**BOARD / COMMISSION RECOMMENDATION:**

NA

**ATTACHMENTS:**

Investment Transaction Ledger



Transaction Type	Settlement Date	CUSIP	Quantity	Security Description	Price	Acq/Disp Yield	Amount	Interest Pur/Sold	Total Amount	Gain/Loss
<b>ACQUISITIONS</b>										
Purchase	01/03/2020	60934N807	210.44	Federated Investors Govt Oblig Fund Inst.	1.000	1.27%	210.44	0.00	210.44	0.00
Purchase	01/07/2020	60934N807	600,000.00	Federated Investors Govt Oblig Fund Inst.	1.000	1.27%	600,000.00	0.00	600,000.00	0.00
Purchase	01/08/2020	60934N807	6,700.00	Federated Investors Govt Oblig Fund Inst.	1.000	1.27%	6,700.00	0.00	6,700.00	0.00
Purchase	01/10/2020	60934N807	6,900.00	Federated Investors Govt Oblig Fund Inst.	1.000	1.27%	6,900.00	0.00	6,900.00	0.00
Purchase	01/11/2020	60934N807	6,600.00	Federated Investors Govt Oblig Fund Inst.	1.000	1.27%	6,600.00	0.00	6,600.00	0.00
Purchase	01/13/2020	60934N807	6,828.13	Federated Investors Govt Oblig Fund Inst.	1.000	1.27%	6,828.13	0.00	6,828.13	0.00
Purchase	01/15/2020	60934N807	579.00	Federated Investors Govt Oblig Fund Inst.	1.000	1.27%	579.00	0.00	579.00	0.00
Purchase	01/15/2020	60934N807	148.33	Federated Investors Govt Oblig Fund Inst.	1.000	1.27%	148.33	0.00	148.33	0.00
Purchase	01/15/2020	60934N807	613.33	Federated Investors Govt Oblig Fund Inst.	1.000	1.27%	613.33	0.00	613.33	0.00
Purchase	01/15/2020	60934N807	211.79	Federated Investors Govt Oblig Fund Inst.	1.000	1.27%	211.79	0.00	211.79	0.00
Purchase	01/15/2020	60934N807	482.50	Federated Investors Govt Oblig Fund Inst.	1.000	1.27%	482.50	0.00	482.50	0.00
Purchase	01/15/2020	60934N807	280.25	Federated Investors Govt Oblig Fund Inst.	1.000	1.27%	280.25	0.00	280.25	0.00
Purchase	01/15/2020	60934N807	38,111.58	Federated Investors Govt Oblig Fund Inst.	1.000	1.27%	38,111.58	0.00	38,111.58	0.00
Purchase	01/15/2020	60934N807	17,908.29	Federated Investors Govt Oblig Fund Inst.	1.000	1.27%	17,908.29	0.00	17,908.29	0.00
Purchase	01/15/2020	60934N807	25,700.39	Federated Investors Govt Oblig Fund Inst.	1.000	1.27%	25,700.39	0.00	25,700.39	0.00
Purchase	01/15/2020	90LAIF\$00	31,974.47	Local Agency Investment Fund State Pool	1.000	2.03%	31,974.47	0.00	31,974.47	0.00





Transaction Type	Settlement Date	CUSIP	Quantity	Security Description	Price	Acq/Disp Yield	Amount	Interest Pur/Sold	Total Amount	Gain/Loss
<b>ACQUISITIONS</b>										
Purchase	01/17/2020	3135G0X24	625,000.00	FNMA Note 1.625% Due 1/7/2025	99.688	1.69%	623,050.00	197.48	623,247.48	0.00
Purchase	01/21/2020	60934N807	626.87	Federated Investors Govt Oblig Fund Inst.	1.000	1.27%	626.87	0.00	626.87	0.00
Purchase	01/21/2020	60934N807	438.96	Federated Investors Govt Oblig Fund Inst.	1.000	1.27%	438.96	0.00	438.96	0.00
Purchase	01/21/2020	60934N807	11,015.85	Federated Investors Govt Oblig Fund Inst.	1.000	1.27%	11,015.85	0.00	11,015.85	0.00
Purchase	01/25/2020	60934N807	5,625.00	Federated Investors Govt Oblig Fund Inst.	1.000	1.27%	5,625.00	0.00	5,625.00	0.00
Purchase	01/28/2020	60934N807	4,900.00	Federated Investors Govt Oblig Fund Inst.	1.000	1.27%	4,900.00	0.00	4,900.00	0.00
Purchase	01/29/2020	60934N807	4,700.00	Federated Investors Govt Oblig Fund Inst.	1.000	1.27%	4,700.00	0.00	4,700.00	0.00
Purchase	01/31/2020	60934N807	490,000.00	Federated Investors Govt Oblig Fund Inst.	1.000	1.22%	490,000.00	0.00	490,000.00	0.00
Purchase	01/31/2020	60934N807	10,962.50	Federated Investors Govt Oblig Fund Inst.	1.000	1.22%	10,962.50	0.00	10,962.50	0.00
<b>Subtotal</b>			<b>1,896,517.68</b>				<b>1,894,567.68</b>	<b>197.48</b>	<b>1,894,765.16</b>	<b>0.00</b>
Security Contribution	01/31/2020	90SDCP\$00	195,000.00	County of San Diego Pooled Investment Pool	1.000		195,000.00	0.00	195,000.00	0.00
<b>Subtotal</b>			<b>195,000.00</b>				<b>195,000.00</b>	<b>0.00</b>	<b>195,000.00</b>	<b>0.00</b>
<b>TOTAL ACQUISITIONS</b>			<b>2,091,517.68</b>				<b>2,089,567.68</b>	<b>197.48</b>	<b>2,089,765.16</b>	<b>0.00</b>
<b>DISPOSITIONS</b>										
Sale	01/17/2020	60934N807	623,247.48	Federated Investors Govt Oblig Fund Inst.	1.000	1.27%	623,247.48	0.00	623,247.48	0.00
<b>Subtotal</b>			<b>623,247.48</b>				<b>623,247.48</b>	<b>0.00</b>	<b>623,247.48</b>	<b>0.00</b>
Paydown	01/15/2020	02582JHE3	0.00	American Express Credit Trust 2017-3 A 1.77% Due 11/15/2022	100.000		0.00	280.25	280.25	0.00



Transaction Type	Settlement Date	CUSIP	Quantity	Security Description	Price	Acq/Disp Yield	Amount	Interest Pur/Sold	Total Amount	Gain/Loss
<b>DISPOSITIONS</b>										
Paydown	01/15/2020	02587AAJ3	0.00	American Express Credit Trust 2017-1 A 1.93% Due 9/15/2022	100.000		0.00	482.50	482.50	0.00
Paydown	01/15/2020	161571GX6	0.00	Chase Issuance Trust 2015-A4 A4 1.84% Due 4/15/2022	100.000		0.00	613.33	613.33	0.00
Paydown	01/15/2020	43815NAC8	0.00	Honda Auto Receivables Trust 2019-3 A3 1.78% Due 8/15/2023	100.000		0.00	148.33	148.33	0.00
Paydown	01/15/2020	477870AC3	0.00	John Deere Owner Trust 2019-B A3 2.21% Due 12/15/2023	100.000		0.00	211.79	211.79	0.00
Paydown	01/15/2020	47788EAB4	37,825.71	John Deere Owner Trust 2018-B A2 2.83% Due 4/15/2021	100.000		37,825.71	285.87	38,111.58	1.55
Paydown	01/15/2020	47789JAB2	17,505.94	John Deere Owner Trust 2019-A A2 2.85% Due 12/15/2021	100.000		17,505.94	402.35	17,908.29	0.80
Paydown	01/15/2020	65479JAD5	0.00	Nissan Auto Receivables Owner 2019-C A3 1.93% Due 7/15/2024	100.000		0.00	579.00	579.00	0.00
Paydown	01/15/2020	89238KAD4	25,215.45	Toyota Auto Receivables Trust 2017-D A3 1.93% Due 1/18/2022	100.000		25,215.45	484.94	25,700.39	69.94
Paydown	01/21/2020	43814UAG4	0.00	Honda Auto Receivables Trust 2018-2 A3 3.01% Due 5/18/2022	100.000		0.00	438.96	438.96	0.00
Paydown	01/21/2020	43814WAB1	10,749.14	Honda Auto Receivables Trust 2019-1 A2 2.75% Due 9/20/2021	100.000		10,749.14	266.71	11,015.85	0.69
Paydown	01/21/2020	43815HAC1	0.00	Honda Auto Receivables Trust 2018-3 A3 2.95% Due 8/22/2022	100.000		0.00	626.87	626.87	0.00
<b>Subtotal</b>			<b>91,296.24</b>				<b>91,296.24</b>	<b>4,820.90</b>	<b>96,117.14</b>	<b>72.98</b>
Maturity	01/07/2020	89233GA71	600,000.00	Toyota Motor Credit Discount CP 2.14% Due 1/7/2020	98.995		593,972.33	6,027.67	600,000.00	0.00

# Transaction Ledger

As of January 31, 2020



Transaction Type	Settlement Date	CUSIP	Quantity	Security Description	Price	Acq/Disp Yield	Amount	Interest Pur/Sold	Total Amount	Gain/Loss
<b>DISPOSITIONS</b>										
Maturity	01/31/2020	912828UL2	490,000.00	US Treasury Note 1.375% Due 1/31/2020	100.000		490,000.00	0.00	490,000.00	687.42
<b>Subtotal</b>			<b>1,090,000.00</b>				<b>1,083,972.33</b>	<b>6,027.67</b>	<b>1,090,000.00</b>	<b>687.42</b>
Security Withdrawal	01/06/2020	60934N807	2,259.21	Federated Investors Govt Oblig Fund Inst.	1.000		2,259.21	0.00	2,259.21	0.00
<b>Subtotal</b>			<b>2,259.21</b>				<b>2,259.21</b>	<b>0.00</b>	<b>2,259.21</b>	<b>0.00</b>
<b>TOTAL DISPOSITIONS</b>			<b>1,806,802.93</b>				<b>1,800,775.26</b>	<b>10,848.57</b>	<b>1,811,623.83</b>	<b>760.40</b>

<b>OTHER TRANSACTIONS</b>										
Interest	01/08/2020	89236TFS9	400,000.00	Toyota Motor Credit Corp Note 3.35% Due 1/8/2024	0.000		6,700.00	0.00	6,700.00	0.00
Interest	01/10/2020	24422EUR8	400,000.00	John Deere Capital Corp Note 3.45% Due 1/10/2024	0.000		6,900.00	0.00	6,900.00	0.00
Interest	01/11/2020	06051GEU9	400,000.00	Bank of America Corp Note 3.3% Due 1/11/2023	0.000		6,600.00	0.00	6,600.00	0.00
Interest	01/13/2020	3137EADB2	575,000.00	FHLMC Note 2.375% Due 1/13/2022	0.000		6,828.13	0.00	6,828.13	0.00
Interest	01/25/2020	45950KCM0	500,000.00	International Finance Corp Note 2.25% Due 1/25/2021	0.000		5,625.00	0.00	5,625.00	0.00
Interest	01/28/2020	69353RFE3	400,000.00	PNC Bank Callable Note Cont 6/28/2022 2.45% Due 7/28/2022	0.000		4,900.00	0.00	4,900.00	0.00
Interest	01/29/2020	91159HHL7	400,000.00	US Bancorp Callable Note 1X 12/29/2020 2.35% Due 1/29/2021	0.000		4,700.00	0.00	4,700.00	0.00
Interest	01/31/2020	912828S76	600,000.00	US Treasury Note 1.125% Due 7/31/2021	0.000		3,375.00	0.00	3,375.00	0.00
Interest	01/31/2020	912828UL2	490,000.00	US Treasury Note 1.375% Due 1/31/2020	0.000		3,368.75	0.00	3,368.75	0.00

# Transaction Ledger

As of January 31, 2020



Transaction Type	Settlement Date	CUSIP	Quantity	Security Description	Price	Acq/Disp Yield	Amount	Interest Pur/Sold	Total Amount	Gain/Loss
<b>OTHER TRANSACTIONS</b>										
Interest	01/31/2020	912828V72	450,000.00	US Treasury Note 1.875% Due 1/31/2022	0.000		4,218.75	0.00	4,218.75	0.00
<b>Subtotal</b>			<b>4,615,000.00</b>				<b>53,215.63</b>	<b>0.00</b>	<b>53,215.63</b>	<b>0.00</b>
Dividend	01/03/2020	60934N807	133,910.84	Federated Investors Govt Oblig Fund Inst.	0.000		210.44	0.00	210.44	0.00
Dividend	01/15/2020	90LAIF\$00	511,584,474.84	Local Agency Investment Fund State Pool	0.000		31,974.47	0.00	31,974.47	0.00
<b>Subtotal</b>			<b>511,718,385.68</b>				<b>32,184.91</b>	<b>0.00</b>	<b>32,184.91</b>	<b>0.00</b>
<b>TOTAL OTHER TRANSACTIONS</b>			<b>516,333,385.68</b>				<b>85,400.54</b>	<b>0.00</b>	<b>85,400.54</b>	<b>0.00</b>

The following page(s) contain the backup material for Agenda Item: [Warrant Register #36 for the period of 2/26/20 through 3/3/20 in the amount of \\$1,443,903.30. \(Finance\)](#)  
Please scroll down to view the backup material.

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

**MEETING DATE:** April 21, 2020

**AGENDA ITEM NO.:**

**ITEM TITLE:**

Warrant Register #36 for the period of 2/26/20 through 3/3/20 in the amount of \$1,443,903.30. (Finance)

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

**DEPARTMENT:** Finance

**PHONE:** 619-336-4572

**APPROVED BY:** 

**EXPLANATION:**

Per Government Section Code 37208, attached are the warrants issued for the period 2/26/20 - 3/3/20. Consistent with Department of Finance's practice, listed below are all payments above \$50,000.

<u>Vendor</u>	<u>Check/Wire</u>	<u>Amount</u>	<u>Explanation</u>
Health Net Inc	346599	81,626.67	GRP# R1192A – Feb 2020
Innovative Construction	346650	51,207.00	Euclid Bicycle & Ped Enh.

**FINANCIAL STATEMENT:**

**APPROVED:** 

**FINANCE**

**ACCOUNT NO.**

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

**MIS**

Warrant total \$1,443,903.30.

**ENVIRONMENTAL REVIEW:**

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

**ORDINANCE:** INTRODUCTION  FINAL ADOPTION

**STAFF RECOMMENDATION:**

Ratify warrants totaling \$1,443,903.30

**BOARD / COMMISSION RECOMMENDATION:**

**ATTACHMENTS:**

Warrant Register # 36



**WARRANT REGISTER # 36  
3/3/2020**

<u>PAYEE</u>	<u>DESCRIPTION</u>	<u>CHK NO</u>	<u>DATE</u>	<u>AMOUNT</u>
ACEDO, I	RETIREE HEALTH BENEFITS / MARCH 2020	346520	3/3/20	160.00
ANDERSON, E	RETIREE HEALTH BENEFITS / MARCH 2020	346521	3/3/20	110.00
BEARD, P	RETIREE HEALTH BENEFITS / MARCH 2020	346522	3/3/20	70.00
BECK, L	RETIREE HEALTH BENEFITS / MARCH 2020	346523	3/3/20	140.00
BISHOP, R	RETIREE HEALTH BENEFITS / MARCH 2020	346524	3/3/20	110.00
BOEGLER, C	RETIREE HEALTH BENEFITS / MARCH 2020	346525	3/3/20	260.00
BULL, P	RETIREE HEALTH BENEFITS / MARCH 2020	346526	3/3/20	580.00
CAMEON, C	RETIREE HEALTH BENEFITS / MARCH 2020	346527	3/3/20	400.00
CARRILLO, R	RETIREE HEALTH BENEFITS / MARCH 2020	346528	3/3/20	290.00
COLE, L	RETIREE HEALTH BENEFITS / MARCH 2020	346529	3/3/20	165.00
COLLINSON, C	RETIREE HEALTH BENEFITS / MARCH 2020	346530	3/3/20	420.00
CONDON, D	RETIREE HEALTH BENEFITS / MARCH 2020	346531	3/3/20	280.00
CORDERO, E	RETIREE HEALTH BENEFITS / MARCH 2020	346532	3/3/20	520.00
CORPUZ, T	RETIREE HEALTH BENEFITS / MARCH 2020	346533	3/3/20	140.00
DANESHFAR, Z	RETIREE HEALTH BENEFITS / MARCH 2020	346534	3/3/20	250.00
DEESE, L	RETIREE HEALTH BENEFITS / MARCH 2020	346535	3/3/20	660.00
DESROCHERS, P	RETIREE HEALTH BENEFITS / MARCH 2020	346536	3/3/20	110.00
DIAZ, M	RETIREE HEALTH BENEFITS / MARCH 2020	346537	3/3/20	680.00
DILLARD, S	RETIREE HEALTH BENEFITS / MARCH 2020	346538	3/3/20	480.00
DREDGE, J	RETIREE HEALTH BENEFITS / MARCH 2020	346539	3/3/20	250.00
EISER III, G	RETIREE HEALTH BENEFITS / MARCH 2020	346540	3/3/20	250.00
ESPIRITU, D	RETIREE HEALTH BENEFITS / MARCH 2020	346541	3/3/20	620.00
ETZLER, J	RETIREE HEALTH BENEFITS / MARCH 2020	346542	3/3/20	460.00
FABINSKI, D	RETIREE HEALTH BENEFITS / MARCH 2020	346543	3/3/20	220.00
FERNANDEZ, R	RETIREE HEALTH BENEFITS / MARCH 2020	346544	3/3/20	270.00
FIFIELD, K	RETIREE HEALTH BENEFITS / MARCH 2020	346545	3/3/20	540.00
GAUT, A	RETIREE HEALTH BENEFITS / MARCH 2020	346546	3/3/20	700.00
GELSKEY, K	RETIREE HEALTH BENEFITS / MARCH 2020	346547	3/3/20	115.00
GIBBS JR, R	RETIREE HEALTH BENEFITS / MARCH 2020	346548	3/3/20	120.00
GONZALES, M	RETIREE HEALTH BENEFITS / MARCH 2020	346549	3/3/20	480.00
HANSON, E	RETIREE HEALTH BENEFITS / MARCH 2020	346550	3/3/20	135.00
HARLAN, M	RETIREE HEALTH BENEFITS / MARCH 2020	346551	3/3/20	500.00
HAUG, S	RETIREE HEALTH BENEFITS / MARCH 2020	346552	3/3/20	120.00
HERNANDEZ, M	RETIREE HEALTH BENEFITS / MARCH 2020	346553	3/3/20	600.00
HERNANDEZ, R	RETIREE HEALTH BENEFITS / MARCH 2020	346554	3/3/20	400.00
HODGES, B	RETIREE HEALTH BENEFITS / MARCH 2020	346555	3/3/20	200.00
IBARRA, J	RETIREE HEALTH BENEFITS / MARCH 2020	346556	3/3/20	780.00
JAMES, R	RETIREE HEALTH BENEFITS / MARCH 2020	346557	3/3/20	140.00
JONES, D	RETIREE HEALTH BENEFITS / MARCH 2020	346558	3/3/20	480.00
JUNIEL, R	RETIREE HEALTH BENEFITS / MARCH 2020	346559	3/3/20	50.00
KIMBLE, R	RETIREE HEALTH BENEFITS / MARCH 2020	346560	3/3/20	300.00
KLOS, F	RETIREE HEALTH BENEFITS / MARCH 2020	346561	3/3/20	480.00
LEACH, D	RETIREE HEALTH BENEFITS / MARCH 2020	346562	3/3/20	600.00
LIMFUECO, M	RETIREE HEALTH BENEFITS / MARCH 2020	346563	3/3/20	160.00
MATIENZO, M	RETIREE HEALTH BENEFITS / MARCH 2020	346564	3/3/20	100.00
MC CABE, T	RETIREE HEALTH BENEFITS / MARCH 2020	346565	3/3/20	280.00
MCDANIEL, P	RETIREE HEALTH BENEFITS / MARCH 2020	346566	3/3/20	290.00
MEDINA, R	RETIREE HEALTH BENEFITS / MARCH 2020	346567	3/3/20	105.00
MENDOZA, G	RETIREE HEALTH BENEFITS / MARCH 2020	346568	3/3/20	290.00



**WARRANT REGISTER # 36  
3/3/2020**

<u>PAYEE</u>	<u>DESCRIPTION</u>	<u>CHK NO</u>	<u>DATE</u>	<u>AMOUNT</u>
MINER, D	RETIREE HEALTH BENEFITS / MARCH 2020	346569	3/3/20	580.00
MORRISON, R	RETIREE HEALTH BENEFITS / MARCH 2020	346570	3/3/20	520.00
NAGLE, D	RETIREE HEALTH BENEFITS / MARCH 2020	346571	3/3/20	460.00
NOTEWARE, D	RETIREE HEALTH BENEFITS / MARCH 2020	346572	3/3/20	120.00
OLIVARES, G	RETIREE HEALTH BENEFITS / MARCH 2020	346573	3/3/20	280.00
OLIVERIA, H	RETIREE HEALTH BENEFITS / MARCH 2020	346574	3/3/20	360.00
PAUU JR, P	RETIREE HEALTH BENEFITS / MARCH 2020	346575	3/3/20	340.00
PEASE JR, D	RETIREE HEALTH BENEFITS / MARCH 2020	346576	3/3/20	140.00
PETERS, S	RETIREE HEALTH BENEFITS / MARCH 2020	346577	3/3/20	290.00
POST, R	RETIREE HEALTH BENEFITS / MARCH 2020	346578	3/3/20	280.00
RAY, S	RETIREE HEALTH BENEFITS / MARCH 2020	346579	3/3/20	190.00
ROARK, L	RETIREE HEALTH BENEFITS / MARCH 2020	346580	3/3/20	135.00
RODRIGUEZ, M	RETIREE HEALTH BENEFITS / MARCH 2020	346581	3/3/20	260.00
RUIZ, J	RETIREE HEALTH BENEFITS / MARCH 2020	346582	3/3/20	310.00
SANCHEZ, L	RETIREE HEALTH BENEFITS / MARCH 2020	346583	3/3/20	330.00
SERVATIUS, J	RETIREE HEALTH BENEFITS / MARCH 2020	346584	3/3/20	340.00
SHOEMSKER, M	RETIREE HEALTH BENEFITS / MARCH 2020	346585	3/3/20	480.00
SHORT, C	RETIREE HEALTH BENEFITS / MARCH 2020	346586	3/3/20	300.00
SMITH, J	RETIREE HEALTH BENEFITS / MARCH 2020	346587	3/3/20	320.00
STEWART, W	RETIREE HEALTH BENEFITS / MARCH 2020	346588	3/3/20	200.00
STRASEN, W	RETIREE HEALTH BENEFITS / MARCH 2020	346589	3/3/20	135.00
TIPTON, B	RETIREE HEALTH BENEFITS / MARCH 2020	346590	3/3/20	250.00
VERRY, L	RETIREE HEALTH BENEFITS / MARCH 2020	346591	3/3/20	280.00
VILLAGOMEZ, J	RETIREE HEALTH BENEFITS / MARCH 2020	346592	3/3/20	480.00
WHITE, J	RETIREE HEALTH BENEFITS / MARCH 2020	346593	3/3/20	230.00
YBARRA, A	RETIREE HEALTH BENEFITS / MARCH 2020	346594	3/3/20	660.00
	<b>RETIREE HEALTH BENEFITS</b>			<b>24,130.00</b>
ANDERSON, S	REFUND / B OF A PLAN FUND DEDUCTION	346595	3/3/20	873.00
CITY OF NATIONAL CITY	PETTY CASH REPLENISHMENT - SEPT - JAN 20	346596	3/3/20	411.25
HEALTH NET	GRP# N7177A - FEB 2020	346597	3/3/20	1,860.36
HEALTH NET	GRP# N7176F - FEB 2020	346598	3/3/20	1,598.46
HEALTH NET INC	GRP# R1192A - FEB 2020	346599	3/3/20	81,626.67
HEALTH NET INC	GRP# 57135A - FEB 2020	346600	3/3/20	2,504.29
HEALTH NET INC	GRP# 57135M - FEB 2020	346601	3/3/20	1,252.16
KAISER FOUNDATION HEALTH PLANS	GRP# 104220-01, 06, 07 - JAN 2020	346602	3/3/20	20,085.04
KAISER FOUNDATION HEALTH PLANS	GRP# 104220-03, 09 - FEB 2020	346603	3/3/20	7,444.04
KAISER FOUNDATION HEALTH PLANS	GRP# 104220-03, 09 - JAN 2020	346604	3/3/20	6,938.76
KAISER FOUNDATION HEALTH PLANS	GRP# 104220-05 - JAN 2020	346605	3/3/20	3,951.61
KAISER FOUNDATION HEALTH PLANS	GRP# 104220-7002- JAN 2020	346606	3/3/20	1,632.72
LIFE ASSIST INC	IC3780, PARALLAX EYEWEAR, CLEAR LENS~	346607	3/3/20	217.50
MINUTEMAN PRESS	ANNUAL BUDGET BOOOKS FOR FY20	346608	3/3/20	1,372.89
PE, R	REFUND / B OF A PLAN FUND DEDUCTION	346609	3/3/20	14.66
PRO BUILD COMPANY	MOP 45707 GENERAL SUPPLIES - PW	346610	3/3/20	4,764.83
SABALA, A	REFUND / B OF A PLAN FUND DEDUCTION	346611	3/3/20	368.00
SHEPHARD, S	REFUND / B OF A PLAN FUND DEDUCTION	346612	3/3/20	1,069.36
ACME SAFETY & SUPPLY CORP	ANCHOR STAND	346613	3/3/20	144.20
ALDEMCO	FOOD / NUTRITION	346614	3/3/20	4,057.22
ALL FRESH PRODUCTS	FOOD / NUTRITION	346615	3/3/20	684.84
ARROWHEAD FORENSIC PRODUCTS	P&E SUPPLIES / PD	346616	3/3/20	1,631.25





**WARRANT REGISTER # 36  
3/3/2020**

<u>PAYEE</u>	<u>DESCRIPTION</u>	<u>CHK NO</u>	<u>DATE</u>	<u>AMOUNT</u>
AT&T	AT&T SBC ANNUAL PHONE SERVICE FOR FY20	346617	3/3/20	524.66
BALL KIA	KIA OPTIMA CAR PARTS	346618	3/3/20	463.34
BETTER IMPACT USA INC	BETTER IMPACT RENEWAL	346619	3/3/20	425.00
BROADWAY AUTO GLASS	OFFSITE WINDOW TINT, REPAIR, AND	346620	3/3/20	469.00
CALIFORNIA ELECTRIC SUPPLY	MOP 45698 ELECTRIC SUPPLIES - PW	346621	3/3/20	618.64
CDWG	NIMBLE STORAGE CAREPACK / MIS	346622	3/3/20	19,445.48
CDWG	CISCO HARDDRIVE 600 GB 12GB/S~	346623	3/3/20	2,013.15
CEKANDER, L	TRAINING REIMB CPTED BASIC CEKANDER	346624	3/3/20	205.34
CHRISTENSEN & SPATH LLP	ATTORNEY SERVICES: FIRST TIME HOME BUYER	346625	3/3/20	5,850.00
CLAIMS MANAGEMENT ASSOCIATES	PROFESSIONAL SERVICES	346626	3/3/20	6,400.00
CLEAR WATER TECHNOLOGIES LLC	WATER TREATMENT SERVICE AGREEMENT	346627	3/3/20	475.00
CLF WAREHOUSE INC	MOP 80331 AUTO SUPPLIES - PW	346628	3/3/20	487.46
COCINA ARTESANAL	CATERING - STATE OF THE CITY	346629	3/3/20	200.00
COX COMMUNICATIONS	COX DATA VIDEO SERVICES FY20	346630	3/3/20	174.00
CSA SAN DIEGO COUNTY	CDBG AGREEMENT: CSA SAN DIEGO COUNTY	346631	3/3/20	7,078.16
DALEY & HEFT LLP	LIABILITY CLAIM COST	346632	3/3/20	7,970.75
DALEY & HEFT LLP	LIABILITY CLAIM COST	346633	3/3/20	2,887.50
DALEY & HEFT LLP	LIABILITY CLAIM COST	346634	3/3/20	1,653.98
DALEY & HEFT LLP	LIABILITY CLAIM COST	346635	3/3/20	1,092.50
DALEY & HEFT LLP	LIABILITY CLAIM COST	346636	3/3/20	1,049.66
DALEY & HEFT LLP	LIABILITY CLAIM COST	346637	3/3/20	580.00
DALEY & HEFT LLP	LIABILITY CLAIM COST	346638	3/3/20	320.30
DAY WIRELESS SYSTEMS	RADIO SERVICE	346639	3/3/20	5,116.02
D-MAX ENGINEERING INC	T&A90413 HABITAT 4 HUMANATY	346640	3/3/20	1,816.21
DURAN, D	TRAINING REIMB ARIDE DURAN	346641	3/3/20	44.75
ENDURA LLC	DISPATCH CHAIRS	346642	3/3/20	5,048.82
ENNIS FLINT INC	TRAFFIC PAINT	346643	3/3/20	2,129.96
EPIC LAND SOLUTIONS INC	APPRAISAL OF BAY MARINA DRIVE & CLEVELAN	346644	3/3/20	3,500.00
FACTORY MOTOR PARTS	MOP 82766 AUTO SUPPLIES - PW	346645	3/3/20	94.22
GRAINGER	MOP 65179 GENERAL SUPPLIES - PW	346646	3/3/20	440.32
HAAKER EQUIPMENT COMPANY	STREET SWEEPER REPAIR	346647	3/3/20	18,612.41
HEALTH NET	GRP# R1192R - FEB 2020	346648	3/3/20	832.36
HOUSING CALIFORNIA	2020 ANNUAL HOUSING CALIFORNIA CONFERENCE	346649	3/3/20	475.00
INNOVATIVE CONSTRUCTION	EUCLID BICYCLE & PED. ENH.	346650	3/3/20	51,207.00
JM NATIONAL CITY SD LLC	CATERING - STATE OF THE CITY	346651	3/3/20	74.99
LASER SAVER INC	MOP 04840. INK CARTRIDGES / PD	346652	3/3/20	260.78
LCPTRACKER INC	LCP TRACKER ANNUAL RENEWAL	346653	3/3/20	4,267.00
LOPEZ, L	TRAINING MILEAGE REIMBURSEMENT	346654	3/3/20	61.71
LOPEZ, TERESA YOLANDA	SENIOR CENTER TRASLATOR INTERPRETER	346655	3/3/20	160.00
MANGANIELLO, S	TRAVEL REIMBURSEMENT	346656	3/3/20	163.07
MCDUGAL LOVE ECKIS	LIABILITY CLAIM COST	346657	3/3/20	1,316.25
MCDUGAL LOVE ECKIS	LIABILITY CLAIM COST	346658	3/3/20	809.83
NATIONAL CITY AUTO TRIM	R&M CITY VEHICLES AS NEEDED FY 2020	346659	3/3/20	278.56
NATIONAL CITY ELECTRIC	CITYWIDE ON-SITE ELECTRICAL	346660	3/3/20	395.00
NATIONAL CITY MOTORCYCLES	SERVICE AND REPAIR FOR EMERGENCY	346661	3/3/20	978.85
O'REILLY AUTO PARTS	MOP 75877 GENERAL SUPPLIES - PW	346662	3/3/20	11.66
PADRE JANITORIAL SUPPLIES	CONSUMABLES NUTRITION	346663	3/3/20	2,918.64
PALMA, A	MILEAGE REIMB TO REGIONAL MEETING	346664	3/3/20	20.11
PARTS AUTHORITY METRO LLC	MOP 75943 AUTO SUPPLIES - PW	346665	3/3/20	348.71



**WARRANT REGISTER # 36  
3/3/2020**

<u>PAYEE</u>	<u>DESCRIPTION</u>	<u>CHK NO</u>	<u>DATE</u>	<u>AMOUNT</u>
PARTS AUTHORITY METRO LLC	MOP 75943 AUTO SUPPLIES - PW	346666	3/3/20	93.79
PENSKE FORD	R&M CITY VEHICLES FOR FY 2019	346667	3/3/20	317.30
PORTILLO CONCRETE INC	PALM AVE ROAD REHAB PROJECT CIP 19-05	346668	3/3/20	28,500.00
POWERSTRIDE BATTERY CO INC	MOP 67839 AUTO SUPPLIES - PW	346669	3/3/20	283.75
PROFORCE LAW ENFORCEMENT	TASER CARTRIDGES AND TASER	346670	3/3/20	15,707.00
PRUDENTIAL OVERALL SUPPLY	MOP 45742 LAUNDRY SERVICES - PW	346671	3/3/20	887.43
RDO EQUIPMENT CO	BELT / PW	346672	3/3/20	90.57
RED TRUCK FIRE & SAFETY CO	CITYWIDE, ON-SITE FIRE EXTINGUISHER	346673	3/3/20	1,947.41
REDDY, R	TRAVEL EXPENSE REPORT	346674	3/3/20	12.65
SDG&E	GAS & ELECTRIC UTILITIES FOR PW FY 2020	346675	3/3/20	30,881.75
SEAPORT MEAT COMPANY	FOOD / NUTRITION	346676	3/3/20	713.43
SEGAL, M	TRAINING REIM SOCIAL MEDIA SEGAL	346677	3/3/20	109.92
SHARP ELECTRONICS CORPORATION	MAINTENANCE 20 SHARP COPIERS FOR FY20	346678	3/3/20	3,237.84
SMART & FINAL	MOP CREDIT CARD STATEMENT	346679	3/3/20	271.41
SMART & FINAL	CASA DE SALUD SNACKS	346680	3/3/20	145.56
SOUTH BAY COMMUNITY SERVICES	SBCS DVRT CDBG AGREEMENT FY 20	346681	3/3/20	4,590.33
SOUTHERN CALIF TRUCK STOP	MOP 45758 AUTO SUPPLIES - PW	346682	3/3/20	51.51
SPEEDPRO IMAGING	JOIN NCPD STICKERS	346683	3/3/20	85.35
STAPLES BUSINESS ADVANTAGE	CAMACHO REC SUPPLIES SAFE FOR EL TOYON	346684	3/3/20	650.94
STAPLES BUSINESS ADVANTAGE	OFFICE SUPPLIES/ COUNCIL	346685	3/3/20	15.94
SWEETWATER AUTHORITY	WATER BILL FOR FACILITIES FY 2020	346686	3/3/20	1,164.84
SYSCO SAN DIEGO INC	FOOD NUTRITION	346687	3/3/20	6,339.26
THE LINE PRINTING COMPANY INC	PRINTING MATERIAL FOR STATE OF THE CITY	346688	3/3/20	3,614.85
THE SHERWIN WILLIAMS CO	MOP 77816 PAINT SUPPLIES - PW	346689	3/3/20	253.44
VALLEY INDUSTRIAL SPECIALTIES	MOP 46453 GENERAL SUPPLIES - PW	346690	3/3/20	607.91
VASQUEZ, XAVIER	VIDEO DOCUMENTATION - STATE OF THE CITY	346691	3/3/20	1,500.00
VILLA MANILA	CATERING - STATE OF THE CITY	346692	3/3/20	122.34
VULCAN MATERIALS COMPANY	HOT ASPHALTS	346693	3/3/20	357.95
WAXIE SANITARY SUPPLY	MISCELLANEOUS JANITORIAL SUPPLIES	346694	3/3/20	2,467.03
WEST COAST ARBORISTS INC	ARBORIST SERVICES	346695	3/3/20	14,700.00
WEST PAYMENT CENTER	INVESTIGATION	346696	3/3/20	608.63
WETMORES	MOP 80333 AUTO SUPPLIES - PW	346697	3/3/20	14.31
NAPOLEONE PIZZA HOUSE	CATERING - STATE OF THE CITY	346698	3/3/20	700.00

**A/P Total 451,443.70**

**SECTION 8 HAPS**

**Start Date 2/26/2020**  
**End Date 3/3/2020**

**992,459.60**

**GRAND TOTAL**

**\$ 1,443,903.30**

**CERTIFICATION**

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

*Mark Roberts*

MARK ROBERTS, DIRECTOR OF FINANCE

BRAD RAULSTON, CITY MANAGER

**FINANCE COMMITTEE**

ALEJANDRA SOTELO-SOLIS, MAYOR/CHAIRWOMAN

MONA RIOS, VICE MAYOR

JERRY CANO, COUNCILMEMBER

GONZALO QUINTERO, COUNCILMEMBER

RONALD J. MORRISON, COUNCILMEMBER

I HEREBY CERTIFY THAT THE FOREGOING CLAIMS AND DEMANDS WERE APPROVED AND THE CITY TREASURER IS AUTHORIZED TO ISSUE SAID WARRANTS IN PAYMENT THEREOF BY THE CITY COUNCIL ON THE 21<sup>ST</sup> OF APRIL 2020.

AYES \_\_\_\_\_

NAYS \_\_\_\_\_

ABSENT \_\_\_\_\_

The following page(s) contain the backup material for Agenda Item: [Warrant Register #37 for the period of 3/4/20 through 3/10/20 in the amount of \\$1,806,802.44. \(Finance\)](#)  
Please scroll down to view the backup material.

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

**MEETING DATE:** April 21, 2020

**AGENDA ITEM NO.:**

**ITEM TITLE:**

Warrant Register #37 for the period of 3/4/20 through 3/10/20 in the amount of \$1,806,802.44. (Finance)

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

**DEPARTMENT:** Finance

**PHONE:** 619-336-4572

**APPROVED BY:** 

**EXPLANATION:**

Per Government Section Code 37208, attached are the warrants issued for the period 3/4/20 - 3/10/20. Consistent with Department of Finance's practice, listed below are all payments above \$50,000.

<u>Vendor</u>	<u>Check/Wire</u>	<u>Amount</u>	<u>Explanation</u>
EsGil Corporation	346734	69,918.07	EsGil – Permit & Inspection Service
Geosytec Consultants Inc	346739	119,096.91	CNC as Needed Services
Kaiser Foundation HP	346746	191,064.68	Group# 104220-0002 – Feb 2020

**FINANCIAL STATEMENT:**

**APPROVED:** 

**FINANCE**

**ACCOUNT NO.**

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

**MIS**

Warrant total \$1,806,802.44.

**ENVIRONMENTAL REVIEW:**

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

**ORDINANCE:** INTRODUCTION  FINAL ADOPTION

**STAFF RECOMMENDATION:**

Ratify warrants totaling \$1,806,802.44

**BOARD / COMMISSION RECOMMENDATION:**

**ATTACHMENTS:**

Warrant Register # 37



**WARRANT REGISTER # 37  
3/10/2020**

<u>PAYEE</u>	<u>DESCRIPTION</u>	<u>CHK NO</u>	<u>DATE</u>	<u>AMOUNT</u>
ACE UNIFORMS & ACCESSORIES INC	STATION UNIFORMS	346699	3/10/20	3,059.41
AETNA BEHAVIORAL HEALTH	EMPLOYEE ASSISTANCE PROGRAM - MARCH	346700	3/10/20	1,045.36
ALTA LANGUAGE SERVICES INC	EMPLOYEE BILINGUAL TESTING	346701	3/10/20	132.00
AT&T	AT&T SBC ANNUAL PHONE SERVICE FOR FY20	346702	3/10/20	2,286.60
AT&T	AT&T SBC ANNUAL PHONE SERVICE FOR FY20	346703	3/10/20	93.24
BENNETT BOWEN & LIGHTHOUSE INC	REVERSIBLE JACKETS VARIOUS SIZES	346704	3/10/20	418.68
BLACK, N	EDUCATION REIMBURSEMENT	346705	3/10/20	375.37
BOOT WORLD	MOP 64096 SAFETY WEARING APPAREL - PW	346706	3/10/20	690.35
C A P F	FIRE LTD - MARCH 2020	346707	3/10/20	1,062.00
CALIFA GROUP	CALIFA BROADBAND FY20	346708	3/10/20	4,887.94
CALIFORNIA ELECTRIC SUPPLY	FIXTURE / PW	346709	3/10/20	1,104.36
CALIFORNIA LAW ENFORCEMENT	PD LTD - MARCH 2020	346710	3/10/20	2,058.00
CHRISTENSEN & SPATH LLP	ATTORNEY SERVICES FOR 8TH & B PROJECT AC	346711	3/10/20	843.75
CLF WAREHOUSE INC	MOP 80331 AUTO SUPPLIES - PW	346712	3/10/20	530.26
COHERO	RMS SUPPORT SERVICES ANNUAL RENEWAL	346713	3/10/20	28,000.00
COUNTY OF SAN DIEGO	CO OF SD PARKING CITATION REVENUE / AUG	346714	3/10/20	14,329.00
COUNTY OF SAN DIEGO	CO OF SD PARKING CITATION REVENUE / FEB	346715	3/10/20	10,707.50
COUNTY OF SAN DIEGO	CO OF SD PARKING CITATION REVENUE / SEP	346716	3/10/20	8,235.00
COUNTY OF SAN DIEGO	CO OF SD PARKING CITATION REVENUE / JAN	346717	3/10/20	8,142.50
COUNTY OF SAN DIEGO	CO OF SD PARKING CITATION REVENUE / NOV	346718	3/10/20	6,120.50
COUNTY OF SAN DIEGO	CO OF SD PARKING CITATION REVENUE / OCT	346719	3/10/20	5,900.00
COUNTY OF SAN DIEGO	CO OF SD PARKING CITATION REVENUE / DEC	346720	3/10/20	5,833.00
COUNTY OF SAN DIEGO	NEXTGEN REGIONAL COMMUNICATIONS SYSTEM	346721	3/10/20	9,063.00
COX COMMUNICATIONS	COX DATA VIDEO SERVICES FY20	346722	3/10/20	445.22
CRUZ, J	TRAINING ADV LDG HNR GRD CRUZ J	346723	3/10/20	538.25
DALEY & HEFT LLP	LIABILITY CLAIM COST	346724	3/10/20	8,353.96
DALEY & HEFT LLP	LIABILITY CLAIM COST	346725	3/10/20	8,133.96
DALEY & HEFT LLP	LIABILITY CLAIM COST	346726	3/10/20	2,448.22
DALEY & HEFT LLP	LIABILITY CLAIM COST	346727	3/10/20	1,973.36
DALEY & HEFT LLP	LIABILITY CLAIM COST	346728	3/10/20	420.30
DAY WIRELESS SYSTEMS (20)	COMMUNICATIONS EQUIPMENT SERVICE	346729	3/10/20	675.75
DELGADO, E	CASA DE SALUD SNACKS AND OFFICE SUPPLIES	346730	3/10/20	128.78
DISCOUNT SPECIALTY CHEMICALS	URIC SALT REMOVER	346731	3/10/20	231.97
DURON, C	EDUCATION REIMBURSEMENT	346732	3/10/20	300.00
ESGIL CORPORATION	ESGIL - PERMIT & INSPECTION SERVICES	346734	3/10/20	69,918.07
EXOS COMMUNITY SERVICES LLC	MANAGEMENT FEES~	346735	3/10/20	30,740.63
FACTORY MOTOR PARTS	MOP 82766 AUTO SUPPLIES - PW	346736	3/10/20	128.00
FEDEX	FED EX FEE	346737	3/10/20	22.90
GBS FENCE	T&A90360 3301 FAIRLOMAS RD.	346738	3/10/20	568.08
GEOSYNTEC CONSULTANTS INC	CNC AS NEEDED SERVICES	346739	3/10/20	119,096.91
GRAINGER	MOP 65179 GENERAL SUPPLIES - PW	346740	3/10/20	230.18
HAAKER EQUIPMENT COMPANY	WIRE SKID / PW	346741	3/10/20	91.20
HANSON AGGREGATES PACIFIC	INFIELD SOIL A-1 RED	346742	3/10/20	262.91
HAWTHORNE MACHINERY	KEYS / PW	346743	3/10/20	65.90
HUB CONSTRUCTION	1 1/2 X4X 10 EXPANSION JOINT	346744	3/10/20	42.78
KAISER FOUNDATION HEALTH PLANS	GROUP# 104220-0002 - FEB 2020	346745	3/10/20	191,064.68
KAISER FOUNDATION HEALTH PLANS	GRP# 104220-01, 06, 07 - FEB 2020	346746	3/10/20	20,688.34
KAISER FOUNDATION HEALTH PLANS	GROUP# 104220-05 - FEB 2020	346747	3/10/20	5,830.46
KAISER FOUNDATION HEALTH PLANS	GRP# 104220-09, FEB 2020	346748	3/10/20	



**WARRANT REGISTER # 37  
3/10/2020**

<u>PAYEE</u>	<u>DESCRIPTION</u>	<u>CHK NO</u>	<u>DATE</u>	<u>AMOUNT</u>
LASER SAVER INC	MOP 45725, FIRE CHARGES	346749	3/10/20	48.88
LIEBERT CASSIDY WHITMORE	PERSONNEL MATTER	346750	3/10/20	768.00
MCDUGAL LOVE ECKIS	LIABILITY CLAIM COST	346751	3/10/20	980.00
NAPA AUTO PARTS	MOP 45735 GENERAL SUPPLIES - PW	346752	3/10/20	113.08
NATIONAL CREDIT REPORTING	PAY FOR BACKGROUND CREDIT REPORTS	346753	3/10/20	1,190.15
OFFICE SOLUTIONS BUSINESS	MOP83776.OFFICE SUPPLIES/ENG.	346754	3/10/20	19.98
O'REILLY AUTO PARTS	MOP 75877 AUTO SUPPLIES - PW	346755	3/10/20	346.11
PARTS AUTHORITY METRO LLC	MOP 75943 AUTO SUPPLIES - PW	346756	3/10/20	99.80
PCS MOBILE	CF-VZSU46AU, BATTERY PACK FOR CF-30K	346757	3/10/20	337.13
POWERSTRIDE BATTERY CO INC	MOP 67839 AUTO SUPPLIES - PW	346758	3/10/20	155.41
PROFESSIONAL SEARCH GROUP LLC	TEMPORARY SERVICES / NSD	346759	3/10/20	1,600.00
PRUDENTIAL OVERALL SUPPLY	MOP 45742 LAUNDRY SERVICES - PW	346760	3/10/20	1,183.77
PTS	PAYPHONE SERVICES	346761	3/10/20	78.00
QUAL CHEM CORPORATION	5 GALLON GRANULAR SEWER MAINTAINER	346762	3/10/20	552.97
QUESTYS SOLUTIONS	QUESTYS WORKFLOW DESIGN, TRAINING	346763	3/10/20	5,400.00
REDDY, R	TRAVEL EXPENSE REPORT	346764	3/10/20	12.65
RIVERSIDE COUNTY SHERIFF DEPT	TRAINING TUITION DISPATCH SILVIA	346765	3/10/20	369.00
SAN DIEGO MIRAMAR COLLEGE	TRAINING 122POLICEACEMDY 2 STUDENTS	346766	3/10/20	1,380.00
SAN DIEGO MIRAMAR COLLEGE	TRAINING TUITION FTO UPD 2 FEB3	346767	3/10/20	46.00
SASI	DEBIT CARD CHARGES / FEB 2020	346768	3/10/20	128.50
SCST INC	EUCLID AVE. BICYCLE & PED. ENH.	346769	3/10/20	22,382.50
SEECCLICKFIX INC	SEECCLICKFIX ANNUAL RENEWAL	346770	3/10/20	16,682.00
SMART SOURCE OF CALIFORNIA LLC	MOP 63845, FIRE CHARGES	346771	3/10/20	120.88
SOUTHERN CALIF TRUCK STOP	MOP 45758 GENERAL SUPPLIES - PW	346772	3/10/20	243.64
SOUTHWEST SIGNAL SERVICE	LIGHTING SERVICES / JAN 2020	346773	3/10/20	23,684.63
SPOK INC	METROCALL PAGING FOR FY20	346774	3/10/20	657.86
STAPLES BUSINESS ADVANTAGE	OFFICE SUPPLIES	346775	3/10/20	835.50
STILES, J	EDUCATION REIMBURSEMENT	346776	3/10/20	621.00
SWAGIT PRODUCTION LLC	SWAGIT WEBCASTING FOR FY20	346777	3/10/20	1,920.83
THE ALTUM GROUP	AMORTIZATION - THE ALTUM GROUP	346778	3/10/20	2,575.00
THE SHERWIN WILLIAMS CO	MOP 77816 PAINT SUPPLIES / NSD	346779	3/10/20	259.39
TOPECO PRODUCTS	MOP 63849 GENERAL AUTO SUPPLIES - PW	346780	3/10/20	129.81
T'S & SIGNS	FOAMCORE~ BIRTHDAY CARD	346781	3/10/20	190.31
U S BANK	MONTHLY CREDIT CARD STATEMENT - FEBRUARY	346782	3/10/20	731.47
VERIZON WIRELESS	VERIZON CELLULAR SERVICES FOR FY20	346783	3/10/20	11,084.28
VISION SERVICE PLAN	VISION SERVICE PLAN (CA) - FEB 2020	346784	3/10/20	904.61
VULCAN MATERIALS COMPANY	HOT ASPHALT	346785	3/10/20	184.68
WESTFLEX INDUSTRIAL	MOP 63850 GENERAL AUTO SUPPLIES - PW	346786	3/10/20	962.82
WETMORES	MOP 80333 GENERAL SUPPLIES - PW	346787	3/10/20	47.11
WILLY'S ELECTRONIC SUPPLY	ELECTRONICS SUPPLIES	346788	3/10/20	736.06
Z A P MANUFACTURING INC	STREET TRAFFIC SIGNS	346789	3/10/20	5,750.63

**A/P Total 683,076.13**

**PAYROLL**

Pay period	Start Date	End Date	Check Date	
4	2/11/2020	2/24/2020	3/4/2020	<b>1,086,649.27</b>

**GRAND TOTAL**

**\$ 1,806,802.44**

**CERTIFICATION**

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

*Mark Roberts*

MARK ROBERTS, DIRECTOR OF FINANCE

BRAD RAULSTON, CITY MANAGER

**FINANCE COMMITTEE**

ALEJANDRA SOTELO-SOLIS, MAYOR/CHAIRWOMAN

MONA RIOS, VICE MAYOR

JERRY CANO, COUNCILMEMBER

GONZALO QUINTERO, COUNCILMEMBER

RONALD J. MORRISON, COUNCILMEMBER

I HEREBY CERTIFY THAT THE FOREGOING CLAIMS AND DEMANDS WERE APPROVED AND THE CITY TREASURER IS AUTHORIZED TO ISSUE SAID WARRANTS IN PAYMENT THEREOF BY THE CITY COUNCIL ON THE 21<sup>ST</sup> OF APRIL 2020.

AYES \_\_\_\_\_

NAYS \_\_\_\_\_

ABSENT \_\_\_\_\_



The following page(s) contain the backup material for Agenda Item: [Public Hearing and Adoption of a Resolution of the City Council of the City of National City amending the previously adopted Transportation Development Impact Fee \(TDIF\) schedule and annual adjustment to the TDIF, pursuant to National City Municipal Code Section 4.52.100 and consistent with Government Code Section 66017, approving an adjustment to the TDIF of 2 percent, as required by the San Diego Association of Governments \(SANDAG\) for receipt of TransNet local street improvement revenues, resulting in the TDIF increasing from \\$2,534 per new residential dwelling unit to \\$2,584 per unit beginning July 1, 2020. \(Engineering/Public Works\)](#)

Please scroll down to view the backup material.

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

**MEETING DATE:** April 21, 2020

**AGENDA ITEM NO.**

**ITEM TITLE:**

Public Hearing and Adoption of a Resolution of the City Council of the City of National City amending the previously adopted Transportation Development Impact Fee (TDIF) schedule and annual adjustment to the TDIF, pursuant to National City Municipal Code Section 4.52.100 and consistent with Government Code Section 66017, approving an adjustment to the TDIF of 2 percent, as required by the San Diego Association of Governments (SANDAG) for receipt of *TransNet* local street improvement revenues, resulting in the TDIF increasing from \$2,534 per new residential dwelling unit to \$2,584 per unit beginning July 1, 2020.

**PREPARED BY:** Stephen Manganiello, Director of Eng/PW

**DEPARTMENT:** Engineering & Public Works

**PHONE:** 619-336-4382

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



**EXPLANATION:**

See attached.

**FINANCIAL STATEMENT:**

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

**ACCOUNT NO.**

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

Funds will be deposited into the following TDIF Revenue Accounts: 326-00000-3162 and 326-00000-3163

**ENVIRONMENTAL REVIEW:**

N/A

**ORDINANCE:** INTRODUCTION:  FINAL ADOPTION:

**STAFF RECOMMENDATION:**

Hold Public Hearing and adopt Resolution increasing the TDIF from \$2,534 per new residential dwelling unit to \$2,584 per unit beginning July 1, 2020.

**BOARD / COMMISSION RECOMMENDATION:**

N/A

**ATTACHMENTS:**

1. Explanation
2. Public Hearing Notice
3. Resolution

## Explanation

In November 2004, San Diego County voters approved local Proposition A extending the TransNet ½ cent sales tax to fund the region's transportation system for 40 years. As part of Proposition A and the *TransNet* Extension Ordinance, the Regional Transportation Congestion Improvement Program (RTCIP) was created to ensure that new development directly invests in the region's transportation system to offset the negative impacts of growth on congestion and mobility. One of the requirements of the RTCIP was that by July 1, 2008, each local agency must contribute \$2,000 from exactions imposed on the private sector for each new residence constructed within each jurisdiction. Failure to do so would result in an agency's loss of *TransNet* funding for improvement of local streets. Cities have the authority to impose impact fees under the *Mitigation Fee Act* contained in California Government Code sections 66000 through 66025.

Therefore, on April 1, 2008, to satisfy the requirements of the *TransNet* RTCIP for receipt and expenditure of *TransNet* funds, City Council adopted Ordinance No. 2008-2310 amending Title 4 of the National City Municipal Code by adding Chapter 4.52 "Establishing and Approving a Transportation Development Impact Fee for Capital Improvement Projects Necessary to Maintain Acceptable Levels of Traffic and Transportation Service Within the City".

The *TransNet* Extension Ordinance requires that the RTCIP transportation mitigation fee charged by local jurisdictions be adjusted every year on July 1 in order to maintain the purchasing power of the program for improvements to the Regional Arterial System. On February 28, 2020, the SANDAG Board of Directors approved a 2 percent adjustment to the RTCIP, raising the minimum fee from \$2,533.15 per new residential dwelling unit to \$2,583.82 per unit beginning July 1, 2020.

The following table summarizes the adjusted Transportation Development Impact Fee (TDIF) schedule for new residential development, which will go into effect on July 1, 2020, if adopted by City Council. The TDIF shall be collected prior to the issuance of any building permit for new residential development in the City of National City. A copy of the City's Transportation Impact Fee Program Report is available at the Office of the City Engineer.

<i>Residential Land Use</i>	<i>Fee</i>
<i>Single-family</i>	<i>\$ 2,584 per dwelling unit</i>
<i>Multi-family</i>	<i>\$ 2,584 per dwelling unit</i>

## NOTICE OF PUBLIC HEARING

**NOTICE IS HEREBY GIVEN** that the City Council of the City of National City will hold a Public Hearing after the hour of 6:00 p.m., **Tuesday, April 21, 2020**, via live webcast from the City Council Chambers, Civic Center, 1243 National City Blvd., National City, CA., to consider: **AMENDING THE PREVIOUSLY ADOPTED TRANSPORTATION DEVELOPMENT IMPACT FEE (TDIF) SCHEDULE AND ANNUAL ADJUSTMENT TO THE TDIF, PURSUANT TO NATIONAL CITY MUNICIPAL CODE SECTION 4.52.100 AND CONSISTENT WITH GOVERNMENT CODE SECTION 66017, APPROVING AN ADJUSTMENT TO THE TDIF OF 2 PERCENT, RESULTING IN THE TDIF INCREASING FROM \$2,534 PER NEW RESIDENTIAL DWELLING UNIT TO \$2,584 PER UNIT BEGINNING JULY 1, 2020.**

Due to the precautions taken to combat the spread of coronavirus (COVID-19), City Hall, including the City Council Chambers, are **closed to the public**. Anyone interested in this Public Hearing may view the City Council Meeting on the City's website at <https://www.nationalcityca.gov/webcast>.

If you challenge the nature of the proposed action in court, you may be limited to raising only those issues you or someone else submitted via e-mail to [clerk@nationalcityca.gov](mailto:clerk@nationalcityca.gov) by 4:30 p.m. on the day of the City Council Meeting.

Michael Dalla, City Clerk

**RESOLUTION NO. 2020 –**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY  
AMENDING THE PREVIOUSLY ADOPTED TRANSPORTATION DEVELOPMENT  
IMPACT FEE (TDIF) SCHEDULE AND ANNUAL ADJUSTMENT TO THE TDIF,  
PURSUANT TO NATIONAL CITY MUNICIPAL CODE SECTION 4.52.100 AND  
CONSISTENT WITH GOVERNMENT CODE SECTION 66017, APPROVING AN  
ADJUSTMENT TO THE TDIF OF 2 PERCENT, AS REQUIRED BY THE SAN DIEGO  
ASSOCIATION OF GOVERNMENTS (SANDAG) FOR RECEIPT OF *TRANSNET*  
LOCAL STREET IMPROVEMENT REVENUES, RESULTING IN THE TDIF  
INCREASING FROM \$2,534 PER NEW RESIDENTIAL DWELLING UNIT  
TO \$2,584 PER UNIT BEGINNING JULY 1, 2020**

**WHEREAS**, in November 2004, San Diego County voters approved local Proposition A extending the *TransNet* ½ cent sales tax to fund the region’s transportation system for 40 years, and as part of Proposition A and the *TransNet* Extension Ordinance, the Regional Transportation Congestion Improvement Program (RTCIP) was created to ensure that new development directly invests in the region’s transportation system to offset the negative impacts of growth on congestion and mobility; and

**WHEREAS**, one of the requirements of the RTCIP was that by July 1, 2008, each local agency must contribute \$2,000 from exactions imposed on the private sector for each new residence constructed within each jurisdiction, and failure to do so would result in an agency’s loss of *TransNet* funding for improvement of local streets; and

**WHEREAS**, on April 1, 2008, to satisfy the requirements of the *TransNet* RTCIP for receipt and expenditure of *TransNet* funds, City Council adopted Ordinance No. 2008-2310 amending Title 4 of the National City Municipal Code by adding Chapter 4.52 “Establishing and Approving a Transportation Development Impact Fee for Capital Improvement Projects Necessary to Maintain Acceptable Levels of Traffic and Transportation Service Within the City”; and

**WHEREAS**, the *TransNet* Extension Ordinance requires that the RTCIP transportation mitigation fee charged by local jurisdictions be adjusted every year on July 1 in order to maintain the purchasing power of the program for improvements to the Regional Arterial System; and

**WHEREAS**, on February 28, 2020, the SANDAG Board of Directors approved a 2 percent adjustment to the RTCIP, raising the minimum fee from \$2,534 per new residential dwelling unit to \$2,584 per unit beginning July 1, 2020.

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**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of National City hereby approves the adoption of a Resolution amending the Transportation Development Impact Fee (TDIF) from \$2,534 per new residential dwelling unit to \$2,584 per unit beginning July 1, 2020.

**PASSED and ADOPTED this 2nd day of April, 2019.**

\_\_\_\_\_  
Alejandra Sotelo-Solis, Mayor

**ATTEST:**

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

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Angil P. Morris-Jones, City Attorney

The following page(s) contain the backup material for Agenda Item: [Public Hearing and Adoption of a Resolution by the City Council of the City of National City: 1\) approving the TransNet Local Street Improvement Program of Projects for National City for Fiscal Years 2021 through 2025 consisting of the following projects: Plaza Blvd Widening \(NC01\), Street Resurfacing \(NC03\), Traffic Signal Install/Upgrades \(NC04\) and Citywide Safe Routes to School \(NC15\); and 2\) authorizing the establishment of a TransNet Proposition “A” Fund appropriation of \\$1,430,000 for FY 2021 and corresponding revenue budget. \(Engineering/Public Works\)](#)

Please scroll down to view the backup material.

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

**MEETING DATE:** April 21, 2020

**AGENDA ITEM NO.**

**ITEM TITLE:**

Public Hearing on the Adoption of a Resolution by the City Council of the City of National City, 1) approving the *TransNet* Local Street Improvement Program of Projects for National City for Fiscal Years 2021 through 2025 consisting of the following projects: Plaza Blvd Widening (NC01), Street Resurfacing (NC03), Traffic Signal Install/Upgrades (NC04) and Citywide Safe Routes to School (NC15); and 2) authorizing the establishment of a *TransNet* Proposition "A" Fund appropriation of \$1,430,000 for FY 2021 and corresponding revenue budget.

**PREPARED BY:** Stephen Manganiello, Director of Eng/PW

**DEPARTMENT:** Engineering / Public Works

**PHONE:** 619-336-4382

**APPROVED BY:**



**EXPLANATION:**

See attached.

**FINANCIAL STATEMENT:**

**APPROVED:**



**Finance**

**ACCOUNT NO.** Revenue Account #307-0000-3466: \$1,430,000

**APPROVED:**

**MIS**

Expenditure Account #307-409-500-598-6569 (Plaza Boulevard Widening - NC01): \$0

Expenditure Account #307-409-500-598-6035 (Street Resurfacing - NC03): \$900,000

Expenditure Account #307-409-500-598-6558 (Traffic Signal Install/Upgrades - NC04): \$330,000

Expenditure Account #307-409-500-598-6166 (Citywide Safe Routes to School - NC15): \$200,000

**ENVIRONMENTAL REVIEW:**

N/A

**ORDINANCE:** INTRODUCTION:

FINAL ADOPTION:

**STAFF RECOMMENDATION:**

Hold Public Hearing and adopt Resolution approving the *TransNet* Local Street Improvement Program of Projects for National City for Fiscal Years 2021 through 2025.

**BOARD / COMMISSION RECOMMENDATION:**

N/A

**ATTACHMENTS:**

1. Explanation
2. Public Hearing Notice
3. Resolution



Explanation

On November 4, 2004, the voters of San Diego County approved the San Diego Transportation Improvement Program Ordinance and Expenditure Plan (*TransNet* Extension Ordinance). The *TransNet* Extension Ordinance provides that SANDAG, acting as the Regional Transportation Commission, shall approve on a biennial basis a multi-year program of projects submitted by local jurisdictions identifying those transportation projects eligible to use transportation sales tax (*TransNet*) funds.

Local agencies receiving *TransNet* funds are required to update their portion of the *TransNet* Local Street Improvement Program of Projects every two years. Based on the estimate of annual *TransNet* local street improvement revenues for Fiscal Years 2021 through 2025 provided by SANDAG, staff proposes the following five-year program:

Project Name (ID)	Project No.	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025
Plaza Boulevard Widening (NC01)	6569	\$0	\$0	\$1,000,000	\$1,000,000	\$0
Street Resurfacing (NC03)	6035	\$900,000	\$1,100,000	\$300,000	\$300,000	\$1,400,000
Traffic Signal Install / Upgrades (NC04)*	6558	\$330,000	\$300,000	\$200,000	\$200,000	\$200,000
Citywide Safe Routes to School (NC15)	6166	\$200,000	\$236,000	\$191,000	\$246,000	\$204,000
DRAFT <i>TransNet</i> Revenue Forecast (SANDAG - revised 2/2/2016)	<b>Total</b>	<b>\$1,430,000</b>	<b>\$1,636,000</b>	<b>\$1,691,000</b>	<b>\$1,746,000</b>	<b>\$1,804,000</b>

\* \$8,000 from NC04 will be programmed annually to satisfy National City's fair-share contribution to the Regional Arterial Management System (RAMS).

If the above list of projects identified to receive *TransNet* local street improvement revenues for Fiscal Years 2021 through 2025 is adopted by City Council, SANDAG staff will program these projects as Amendment No. 14 to the 2018 Regional Transportation Improvement Program (RTIP) for SANDAG Board review.

In accordance with Section 5(A) of the *TransNet* Extension Ordinance and Rule 7 of SANDAG Board Policy No. 31, the City Council is required to hold a noticed public hearing with an agenda item that clearly identifies the proposed list of projects identified to receive *TransNet* local streets funding prior to approval of the projects.

It shall be noted that the accompanying Resolution contains provisions required by SANDAG, which have been reviewed and accepted by staff. While one such provision is a "hold harmless" provision, staff has determined that risk to the City is minimal since SANDAG's involvement in National City's *TransNet* projects is limited to accounting processes and financial audits.

In order to use *TransNet* revenues to complete the projects listed above, staff requests City Council authorization for the establishment of a *TransNet* Proposition "A" Fund appropriation of \$1,430,000 for FY 2021 and corresponding revenue budget.

## NOTICE OF PUBLIC HEARING

**NOTICE IS HEREBY GIVEN** that the City Council of the City of National City will hold a Public Hearing after the hour of 6:00 p.m., **Tuesday, April 21, 2020**, via live webcast from the City Council Chambers, Civic Center, 1243 National City Blvd., National City, CA., to consider: **APPROVAL OF THE TRANSNET LOCAL STREET IMPROVEMENT PROGRAM OF PROJECTS FOR NATIONAL CITY FOR FISCAL YEARS 2021 THROUGH 2025 CONSISTING OF THE FOLLOWING PROJECTS: PLAZA BOULEVARD WIDENING (NC01), STREET RESURFACING (NC03), TRAFFIC SIGNAL INSTALL/UPGRADES (NC04) AND CITYWIDE SAFE ROUTES TO SCHOOL (NC15).**

Notice is hereby given in accordance with Section 5(A) of the TransNet Extension Ordinance and Rule 7 of SANDAG Board Policy No. 31.

Due to the precautions taken to combat the spread of coronavirus (COVID-19), City Hall, including the City Council Chambers, are **closed to the public**. Anyone interested in this Public Hearing may view the City Council Meeting on the City's website at <https://www.nationalcityca.gov/webcast>.

If you challenge the nature of the proposed action in court, you may be limited to raising only those issues you or someone else submitted via e-mail to [clerk@nationalcityca.gov](mailto:clerk@nationalcityca.gov) by 4:30 p.m. on the day of the City Council Meeting.

Michael Dalla, City Clerk

**RESOLUTION NO. 2020 –**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY APPROVING THE *TRANSNET* LOCAL STREET IMPROVEMENT PROGRAM OF PROJECTS FOR NATIONAL CITY FOR FISCAL YEARS 2021 THROUGH 2025 CONSISTING OF THE FOLLOWING PROJECTS: PLAZA BLVD WIDENING (NC01), STREET RESURFACING (NC03), TRAFFIC SIGNAL INSTALL/UPGRADES (NC04) AND CITYWIDE SAFE ROUTES TO SCHOOL (NC15); AND AUTHORIZING THE ESTABLISHMENT OF A *TRANSNET* PROPOSITION “A” FUND APPROPRIATION OF \$1,430,000 FOR FY 2021 AND CORRESPONDING REVENUE BUDGET**

**WHEREAS**, on November 4, 2004, the voters of San Diego County approved the San Diego Transportation Improvement Program Ordinance and Expenditure Plan (*TransNet* Extension Ordinance); and

**WHEREAS**, the *TransNet* Extension Ordinance provides that SANDAG, acting as the Regional Transportation Commission, shall approve on a biennial basis a multi-year program of projects submitted by local jurisdictions identifying those transportation projects eligible to use transportation sales tax (*TransNet*) funds; and

**WHEREAS**, the City of National City was provided with an estimate of annual *TransNet* local street improvement revenues for Fiscal Years 2021 through 2025; and

**WHEREAS**, the City of National City has held a noticed Public Hearing on an agenda item that clearly identified the proposed list of projects prior to approval of the projects by its authorized legislative body in accordance with Section 5(A) of the *TransNet* Extension Ordinance and Rule 7 of SANDAG Board Policy No. 31.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of National City hereby approves the *TransNet* Local Street Improvement Program of Projects for National City for Fiscal Years 2021 through 2025, summarized as follows:

<b>Project Name (ID)</b>	<b>Project No.</b>	<b>FY 2021</b>	<b>FY 2022</b>	<b>FY 2023</b>	<b>FY 2024</b>	<b>FY 2025</b>
Plaza Boulevard Widening (NC01)	6569	\$0	\$0	\$1,000,000	\$1,000,000	\$0
Street Resurfacing (NC03)	6035	\$900,000	\$1,100,000	\$300,000	\$300,000	\$1,400,000
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DRAFT <i>TransNet</i> Revenue Forecast (SANDAG - revised 2/2/2016)	<b>Total</b>	<b>\$1,430,000</b>	<b>\$1,636,000</b>	<b>\$1,691,000</b>	<b>\$1,746,000</b>	<b>\$1,804,000</b>

\* \$8,000 from NC04 will be programmed annually to satisfy National City's fair-share contribution to the Regional Arterial Management System (RAMS).

**BE IT FURTHER RESOLVED** that pursuant to Section 2(C)(1) of the *TransNet* Extension Ordinance, the City of National City certifies that no more than 30 percent of its cumulative revenues shall be spent on local street and road maintenance-related projects.

**BE IT FURTHER RESOLVED** that pursuant to Section 4(E)(3) of the *TransNet* Extension Ordinance, the City of National City certifies that all new projects, or major reconstruction projects, funded by *TransNet* revenues shall accommodate travel by pedestrians and bicyclists, and that any exception to this requirement permitted under the Ordinance and proposed shall be clearly noticed as part of the City of National City’s Public Hearing process.

**BE IT FURTHER RESOLVED** that pursuant to Section 8 of the *TransNet* Extension Ordinance, the City of National City certifies that the required minimum annual level of local discretionary funds to be expended for street and road purposes will be met throughout the 5-year period consistent with the most recent Maintenance of Effort Requirements adopted by SANDAG.

**BE IT FURTHER RESOLVED** that pursuant to Section 9A of the *TransNet* Extension Ordinance, the City of National City certifies that it will exact a minimum of \$2,583.82, plus all applicable annual increases, from the private sector for each newly constructed residential housing unit in the City of National City (unless exempted under the *TransNet* Extension Ordinance,) and shall contribute such exactions to the Regional Transportation Congestion Improvement Program (RTCIP).

**BE IT FURTHER RESOLVED** that pursuant to Section 13 of the *TransNet* Extension Ordinance, the City of National City certifies that it has established a separate Transportation Improvement Account for *TransNet* revenues with interest earned expended only for those purposes for which the funds were allocated.

**BE IT FURTHER RESOLVED** that pursuant to Section 18 of the *TransNet* Extension Ordinance, the City of National City certifies that each project of \$250,000 or more will be clearly designated during construction with *TransNet* project funding identification signs.

**BE IT FURTHER RESOLVED** that the City of National City does hereby certify that all other applicable provisions of the *TransNet* Extension Ordinance and SANDAG Board Policy No. 31 have been met.

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**BE IT FURTHER RESOLVED** that the City of National City agrees to indemnify, hold harmless, and defend SANDAG, the San Diego County Regional Transportation Commission, and all officers and employees thereof against all causes of action or claims related to the City of National City's *TransNet* funded projects.

**PASSED and ADOPTED this 21<sup>st</sup> day of April, 2020.**

\_\_\_\_\_  
Alejandra Sotelo-Solis, Mayor

**ATTEST:**

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

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Angil P. Morris-Jones  
City Attorney

The following page(s) contain the backup material for Agenda Item: [Public Hearing and Introduction of an Ordinance of the City Council of the City of National City Establishing Local Campaign Contribution Limits. \(City Clerk and City Attorney\)](#)

Please scroll down to view the backup material.

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

**MEETING DATE:** April 21, 2020

**AGENDA ITEM NO.** \_\_\_\_\_

**ITEM TITLE:**

Public Hearing and Introduction of an Ordinance of the City Council of the City of National City Establishing Local Campaign Contribution Limits. (City Clerk and City Attorney)

**PREPARED BY:** Michael R. Dalla

**DEPARTMENT:** City Clerk / City Attorney

**PHONE:** (619) 336-4226

**APPROVED BY:** M. Dalla 

**EXPLANATION:**

See attached.

**FINANCIAL STATEMENT:**

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

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

**ACCOUNT NO.**

**ENVIRONMENTAL REVIEW:**

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

**STAFF RECOMMENDATION:**

Conduct the Public Hearing and Introduce the Ordinance.

**ATTACHMENTS:**

Explanation  
PowerPoint Presentation  
Ordinance



## **EXPLANATION**

At the October 1, 2019 meeting of the City Council, a presentation was made by the City Clerk regarding Campaign Contributions in National City elections. Data was presented showing a dramatic increase in campaign contributions made to National City candidates during the last four Municipal Election cycles (2012–2018).

Some of the key facts contained in the City Clerk’s presentation were:

- 67% of the cities in San Diego have Campaign Contribution Limit Ordinances.
- Contribution Limits range from \$100 in Poway to \$4,300 in Escondido.
- The average contribution limit for all twelve (12) cities is \$750.00.
- Half of the cities do not allow contributions from businesses.
- Total Candidate Contributions in National City increased by over 2900% from 2012 to 2018.
- The average contribution per National City Candidate in 2018 was a record \$49,666.
- 88% of Candidate Contributions in 2018 were from outside of National City.

Based on the information and data presented, the City Clerk recommended that the City Council consider joining with other cities within the County and State, and adopt a local Campaign Contribution Limit Ordinance, by approving the following:

**RECOMMENDATION:** 1) The City Council direct the City Attorney to prepare a draft Campaign Contribution Limit Ordinance for Council review and possible adoption on or before February 2020, with a recommended effective date of January 2021; 2) That the contribution limit in the Ordinance be established at \$1,000 per individual, business or union and \$2,000 per political party; 3) That the Ordinance include a mechanism for annual automatic adjustments based on changes in the Consumer Price Index (CPI).

According to the City Clerk, such an Ordinance, “would be an important step toward ensuring that our local elections remain honest and fair by placing realistic and enforceable limits on the amount of money that may be contributed to political campaigns, preventing improper or undue influence by contributors, and to help maintain public trust in the electoral process”.

The City Council adopted the three (3) Recommendations and directed the City Attorney to prepare a draft Campaign Contribution Ordinance.

**KEY PROVISIONS OF THE DRAFT ORDINANCE**

**CONTRIBUTION LIMITS AND EXCLUSIONS**

<b><u>Contributors</u></b>	<b><u>Limit</u></b>
Individuals (includes Businesses & Labor Unions)	\$1,000
Political Party's (includes PACs)	\$2,000
Personal Contributions	No limit
City Contractors	Not permitted

**NOTE:** Provides for CPI adjustment to limits every two (2) years.

# **CAMPAIGN CONTRIBUTIONS - KEY FACTS**

- 67% of the Cities in San Diego have Campaign Contribution Limit Ordinances.
- Contribution Limits range from \$100 in Poway to \$4300 in Escondido.
- The average contribution limit for all 12 cities is \$725.00.
- The average limit for 10 cities (excluding the highest and lowest limits) is \$430.00.
- Half of the Cities do not allow contributions from businesses.
- Total Candidate Contributions in National City increased by over 2900% from 2012 to 2018.
- The average contribution per National City Candidate in 2018 was a record \$49,666.
- 88% of Candidate Contributions in 2018 were from outside of the City.

# KEY PROVISIONS OF THE DRAFT ORDINANCE

## CONTRIBUTION LIMITS AND EXCLUSIONS

<u>Contributors</u>	<u>Limit</u>
Individuals (includes Businesses & Labor Unions) .....	\$1,000
Political Party's (includes PACs) .....	\$2,000
Personal Contributions .....	No limit
City Contractors .....	Not permitted

**NOTE:** Provides for Consumer Price Index (CPI) adjustment to limits every two (2) years.

**JURISDICTION**

**CONTRIBUTION LIMIT**

**NOTES**

Chula Vista.....	\$350 Per Individual \$1,190 Per Political Party	No Businesses, PAC's, Unions
Coronado.....	\$200 Per Individual No Limit on Political Parties	No Businesses
Del Mar.....	\$200 Per Individual / Entity \$2,500 Per Political Party	No Businesses
Encinitas .....	\$250 Per Individual	
Escondido.....	\$4,300 Per Individual, Business, Union, Political Party	
Lemon Grove.....	\$1,090 Per Individual, Business, Union, Political Party	
<b>NATIONAL CITY.....</b>	<b>\$1,000 Per Individual, Business, Labor Union \$2,000 Per Political Party (includes PAC's)</b>	
Poway.....	\$100 Per Individual	
San Diego.....	\$600 Per Individual (Council) \$1,150 Per Individual (Mayor)	No Businesses
San Marcos.....	\$250 Per Individual \$500 Per Political Party	No Businesses
Santee.....	\$700 Per Individual	
Solana Beach.....	\$180 Per Individual	
Vista.....	\$480 Per Individual	No Businesses
County of San Diego.....	\$850 Per Individual	

**ORDINANCE NO. 2020 -**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY  
ADDING CHAPTER 2.75, TITLED, "ELECTION CAMPAIGN REGULATIONS",  
TO THE NATIONAL CITY MUNICIPAL CODE**

**WHEREAS**, in order to protect the integrity of the electoral process, and to serve the best interests of the people of National City, it is the desire of the City Council to adopt realistic and enforceable regulations applicable to political campaign contributions; and

**WHEREAS**, such regulations may be enacted pursuant to the authority granted to the City by Article XI, Section 7 of the California Constitution, and are specifically authorized by Sections 81013 and 85703(a) of the Government Code, found in the Political Reform Act of 1974; and

**WHEREAS**, the regulations hereby enacted are intended to supplement the provisions of state law with regard to the making, acceptance, expenditure, and reporting of campaign contributions.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF NATIONAL CITY HEREBY ORDAINS as follows:**

**Section 1.** That Chapter 2.75 is added to the National City Municipal Code, to read as follows:

**CHAPTER 2.75  
ELECTION CAMPAIGN REGULATIONS**

Sections

- 2.75.010 Purpose and Intent
- 2.75.020 Definitions
- 2.75.030 Campaign Contributions – Limitations and Exclusions
- 2.75.040 Campaign Expenditures – Uncontrolled by Candidate or Committee
- 2.75.050 Retention of Records
- 2.75.060 Electioneering
- 2.75.070 City Measures -- Exemption
- 2.75.080 Duties of City Clerk
- 2.75.090 Effect of Receipt of Funds on Voting
- 2.75.100 Enforcement Authority
- 2.75.110 Enforcement – Criminal or Civil Liability
- 2.75.120 Enforcement – Administrative
- 2.75.130 Civil Actions by Residents
- 2.75.140 Time for Commencement of Actions

2.75.010 Purpose and Intent. It is the purpose and intent of the City Council in enacting this Chapter:

- A. To place realistic and enforceable limits on the amounts of money that may be contributed to political campaigns in City elections.
- B. To preserve an orderly political forum in which individuals may express themselves effectively.
- C. To prevent the exercise by campaign contributors of potential undue or improper influence over elected officials.
- D. To promote participation in government and foster trust that the democratic process is not subverted by affluent special interest groups.
- E. To provide for the full and fair enforcement of the provisions of this chapter.

2.75.020 Definitions. For the purposes of this chapter, the words and phrases used herein shall have the meanings ascribed to them by the Political Reform Act of 1974, Government Code Section 82000 et seq., except as follows:

- A. "Candidate" applies to persons seeking an elective City office.
- B. "City Election" means any primary, general, or special election, including recall election, held within the City of National City, for elective City office.
- C. "Committee" means a candidate's controlled committee or a committee formed primarily to support or oppose a candidate, or a city general purpose committee active only in the City.
- D. "Contribution" shall have the same meaning as set forth in Government Code Section 82015, but with respect to an election for City office, except that the exclusion set forth therein for costs of a meeting or fund-raising event in the home or office of the occupant shall be limited to costs of \$1,000.00 or less.
- E. "Controlled Committee" means a committee which is controlled directly or indirectly by a candidate or which acts jointly with a candidate or controlled committee in connection with the making of expenditures. A candidate controls a committee if he or she, his or her agent, or any other committee he or she controls, has a significant influence on the actions or decisions of the committee.
- F. "Electioneering" means the visible display or audible dissemination of information that advocates for or against any candidate.
- G. "Elective City Office" means member of the City Council, including the Mayor.
- H. "Enforcement Authority" means the special counsel, officer, agent, or entity designated by action of the City Attorney to enforce the provisions of this chapter. Nothing in this chapter shall be construed as limiting the authority of any law enforcement agency or prosecuting attorney from enforcing the provisions of this chapter where such law enforcement agency or prosecuting attorney otherwise has lawful authority to do so.

- I. "Expenditure" means a payment, a forgiveness of a loan, a payment of a loan by a third party, or an enforceable promise to make a payment, unless it is clear from the surrounding circumstances that it is not made for political purposes. An expenditure is made on the date the payment is made or on the date consideration, if any, is received, whichever is earlier.
- J. "General Purpose Committee" shall have the same meaning as set forth in Government Code Section 82027.5.
- K. "Independent Committee" means a committee that receives contributions or makes expenditures for the purpose of influencing or attempting to influence a City election, which is not made with the cooperation, consultation, or in concert with, or at the request or suggestion of, any candidate or his or her committee, or any of their agents.
- L. "Individual" means a natural person, proprietorship, firm, partnership, joint venture, syndicate, business trust, company, corporation, limited liability company, association, labor union, committee, and any other organization or group of persons acting in concert, who meets the definition set forth in Government Code Section 82047. "Individual" does not include a Political Party Committee, a Political Action Committee, or an Independent Committee.
- M. "Political Action Committee" means an organization that pools campaign contributions from members and donates those contributions to campaigns for or against candidates or ballot measures.
- N. "Party Committee" means the state central committee or county central committee of an organization that meets the requirements for recognition as a political party pursuant to Section 5100 or 5151 of the Elections Code.

2.75.030 Campaign Contributions – Limitations and Exclusions.

- A. Contributions by individuals to candidates or controlled committees. No individual shall make any contribution to a candidate and/or the candidate's controlled committee, with respect to any single City election, which will cause the total amount contributed by such individual to the candidate and the candidate's controlled committee, when combined, to exceed \$1000.00 in a calendar year.
- B. Acceptance or solicitation by candidates or controlled committees from individuals. No candidate or controlled committee, including the candidate's campaign treasurer, shall solicit or accept any contribution from any individual with respect to any single City election, which will cause the total amount contributed by such individual to the candidate and the candidate's controlled committee, when combined, to exceed \$1000.00 in a calendar year.
- C. Contributions by candidates. The provisions of subsections A and B of this section shall not apply to contributions from a candidate to his or her controlled committee, nor to the expenditure by the candidate of his or her personal funds on behalf of his or her own candidacy.



- D. Contributions by political party committees, political action committees and independent committees to candidates or controlled committees. No political party committee, political action committee or independent committee, shall make any contribution to a candidate and/or the candidate's controlled committee, with respect to any single City election, which will cause the total amount contributed to the candidate and the candidate's controlled committee, when combined, to exceed \$2,000 in a calendar year.
- E. Acceptance or solicitation by candidates or controlled committees from political party committees, political action committees and independent committees. No candidate or controlled committee, including the candidate's campaign treasurer, shall solicit or accept any contribution from any political party committee, political action committee, or independent committee, with respect to any single City election, which will cause the total amount accepted by such political party committee, political action committee, or independent committee to the candidate and the candidate's controlled committee, when combined, to exceed \$2,000 in a calendar year.
- F. Family contributions. Contributions by spouses shall be treated as separate contributions and shall not be aggregated. Contributions by children under 18 years of age shall be treated as contributions attributed equally to each parent or guardian.
- G. Applicability of section to candidate and committees. The provisions of this section are applicable to any contributions made to a candidate or controlled committee whether used by such candidate or controlled committee to finance a current campaign, to pay debts incurred in prior campaigns, or otherwise.
- H. Contributions by city contractors. No individual who contracts with the City of National City, either for the rendition of personal services or for the furnishing of any materials, supplies, or equipment to the City, or for the sale or lease of any land or building, to or from the City, shall make any contribution to a City candidate or controlled committee at any time between the commencement of negotiations for and (i) the completion of performance of such contract or (ii) the termination of negotiations for such contract, whichever occurs later.
- I. Contributions from City employees.
  - 1. It is unlawful for a candidate or a candidate's controlled committee, to solicit, directly or indirectly, a contribution from a City employee with knowledge that the person from whom the contribution is solicited is a City employee.
  - 2. This subsection shall not prohibit a candidate or a candidate's controlled committee from soliciting contributions from City employees if the solicitation is part of a solicitation made to a significant segment of the public that may include City employees, and the solicitation does not otherwise violate the provisions of this chapter.

3. Nothing in this subsection prohibits a City employee from making a contribution to a candidate, and nothing in this subsection prohibits a candidate from accepting a contribution from a City employee.

4. As used in this subsection, the term "City employee" means any employee of the City of National City (City) or any of its organizational subdivisions, agencies, offices, boards, or commissions.

- J. Aggregation of contributions from different individuals financed, maintained, or controlled by same individual. Contributions from different individuals, but which are financed, maintained, or controlled by the same individual, shall be aggregated for purposes of the contribution limits of subsections A and B of this section. All contributions made by an individual whose contribution activity is financed, maintained, or controlled by an individual, shall be deemed to be made by the same individual.
- K. A contribution drawn from a checking account or credit card account held by an individual doing business as a sole proprietorship is considered a contribution from that individual for purposes of this subsection, and may lawfully be received by a candidate for elected City office. A non-monetary contribution in the form of goods and services donated by an individual doing business as a sole proprietorship is considered a contribution from that individual for purposes of this subsection, and may lawfully be received by a candidate for elective City office.
- L. Adjustments for cost of living. The campaign contribution limits and contribution acceptance and solicitation limits specified in subsections A, B, C and D of this section shall be adjusted in February of each odd-numbered year commencing in 2023, for changes in the Consumer Price Index (CPI) over the previous two-year period. The City Clerk shall apply the annual percent change in the CPI for All Urban Consumers (CPI-U) for the San Diego Metropolitan Area to determine the appropriate rate of increase or decrease. Adjustments made pursuant to this subsection shall be rounded to the nearest \$5.00.

2.75.040 Campaign Expenditures - Uncontrolled by Candidate or Committee.

Persons or organizations not subject to the control of a candidate or committee, but who make independent expenditures for or against a candidate or committee, shall indicate clearly on any material published, displayed, or broadcast the names of the persons or organizations who made the expenditures, the true names of any persons on whose behalf the expenditures were made, and that the expenditures were not authorized by a candidate or committee.

2.75.050 Retention of Records. The candidate, committee, or authorized agent thereof shall retain all campaign records for a period of three (3) years after the election.

2.75.060 Electioneering. It is unlawful for any person to participate in electioneering as a candidate, for a candidate, committee, or any other election campaign on City-owned property or at a City-hosted or City-sponsored event. This includes, but is not limited to, any of the following:

- A. A display of a candidate's name, likeness, or logo.
- B. A display of a ballot measure number, title, subject, or logo.

- C. Distribution of buttons, hats, pencils, pens, shirts, signs, or stickers containing electioneering information.
- D. Dissemination of audible electioneering information.

2.75.070 City Measures - Exemptions. This chapter shall not apply to contributions or expenditures by a person or committee on behalf of a committee supporting or opposing a City measure.

2.75.080 Duties of City Clerk. In addition to other duties of the City Clerk under the terms of this chapter, the City Clerk must:

- A. Supply appropriate forms and manuals prescribed by the California Fair Political Practices Commission (FPPC). These forms and manuals must be furnished to all candidates and committees, and to all other persons required to report;
- B. Determine whether required documents have been filed, and if so, whether they conform with the requirements of state law;
- C. Notify promptly all persons and known committees who have failed to file a document in the form and at the time required by state law;
- D. Report apparent violations of this chapter and applicable state law to the Enforcement Authority;
- E. Compile and maintain a current list of all statements or parts of statements filed with the City Clerk's office pertaining to each candidate and each measure;
- F. Cooperate with the City Attorney and Enforcement Authority in the performance of the duties of the Enforcement Authority as prescribed in this chapter and applicable state laws.

2.75.090 Effect of Receipt of Funds on Voting. Within twelve (12) months after receiving a campaign contribution or other income totaling \$1,000.00 or more from any source, no holder of elective City office shall make, participate in making, or attempt to influence, any government decision or action that will have a reasonably foreseeable material financial effect on the campaign contributor or other source of income that is distinguishable from its effect on the public generally, or on a significant segment of the public, as defined in the Political Reform Act of 1974.

2.75.100 Enforcement Authority.

- A. Role of City Attorney. The City Attorney shall not investigate or prosecute any alleged violations of this chapter, but shall defend the constitutionality and legality of this chapter in any civil proceedings in which the City or City Council is a party.
- B. Role of special counsel. Review of complaints of violation of this chapter and criminal prosecution, shall be conducted only by special counsel who shall be the District Attorney, the Attorney General, or such other qualified and independent special counsel, or combination of the foregoing, as may be

appointed by the City Attorney. All special counsel shall have the authority to prosecute any and all Municipal Code violations of this chapter. However, special counsel other than the Attorney General or District Attorney, shall not have authority to prosecute matters exclusively within the powers of the Attorney General or District Attorney under Government Code Section 91001. Special counsel shall also conduct civil litigation to compel compliance with this chapter or to enjoin conduct in violation of this chapter, and shall conduct administrative enforcement under Section 2.75.120 of this chapter.

- C. Appointment of special counsel. At least ninety (90) days prior to a City election, special counsel shall be appointed by the City Attorney. Should the appointment of additional special counsel become necessary or appropriate, the City Attorney may appoint such additional special counsel as may be required. The appointment of special counsel shall be in writing, and copies of the written appointment shall be provided to the City Council, City Manager, and City Clerk. The cost of special counsel shall be paid from the City general fund. Any activity by the special counsel in accordance with this chapter, shall not be subject to review or control by the City Attorney or City Council.
- D. Initiation of investigations. Any person residing in the City who believes that a violation of this chapter has occurred, may file a written complaint requesting investigation of such violation by the special counsel. If the special counsel determines that there is reason to believe a violation of this chapter has occurred, the special counsel shall conduct an investigation and may commence such civil criminal, or administrative legal action as he or she deems necessary for the enforcement of this chapter.
- E. Investigative powers of special counsel. The special counsel shall have such investigative powers as are necessary for the performance of duties described in this article, and may be furnished records of campaign contributions and expenditures of any person or committee. In the event that production of such records is refused, the special counsel may commence civil litigation to compel such production.
- F. Immunity of special counsel. The special counsel shall be immune from liability for enforcement of this chapter.

#### 2.75.110 Enforcement – Criminal or Civil Liability.

- A. Criminal and civil liability. Any knowing or willful violation of any provision of this chapter may be prosecuted either as an infraction or misdemeanor, at the discretion of the prosecutor. In addition to any other penalty provided by law, any willful or knowing failure to report truthfully any contribution or expenditure, shall be punishable by a fine of not less than \$1,000.00. The campaign treasurer of any committee shall be both criminally and civilly liable for any violation of this article by the committee. In addition, the candidate shall be both criminally and civilly liable for any violation by a committee controlled by the candidate.
- B. Forfeiture of contributions. In any legal action brought under this chapter for injunctive relief or civil liability, where it is determined that a candidate or committee has accepted a contribution or contributions in excess of the applicable limits set forth in this chapter, the full amount of said contribution(s)

shall be forfeited to the City's general fund. If funds are not available in the election campaign account for this purpose, the candidate or campaign treasurer shall be personally liable to pay said amount to the City's general fund.

2.75.120 Enforcement – Administrative

- A. Additional to other remedies. The remedies provided for by this section are in addition to all other legal remedies, civil or criminal, which may be pursued by the City to address any violation of this chapter.
- B. Notice and order. Whenever the special counsel appointed pursuant to Section 2.75.100, determines that there is probable cause that a violation of one or more provisions of this chapter has occurred or exists, a written notice and order may be issued to the alleged violator.
- C. Contents of notice and order. The notice and order shall refer to the code section violated and describe how the sections are or have been violated, and the dates of all violations. The notice and order shall also state a date, time and place for a hearing which shall be held no fewer than ten (10) days following service of the notice.
- D. Service of Notice and Order. The notice and order shall be served upon the alleged violator by personal service, or by certified mail, with postage prepaid and return receipt requested.
- E. Designation of Hearing Officer. The City Attorney shall designate a hearing officer, who shall not be a City employee. The compensation of the hearing officer, if any, shall be paid by the City. The retention and compensation of the hearing officer shall not be directly or indirectly conditioned upon the outcome of the hearing.
- F. Violation established by preponderance of evidence. At the hearing, the hearing officer shall consider whether a preponderance of evidence demonstrates the existence of a violation.
- G. Conduct of Hearing. Hearings shall be conducted in an expeditious manner to enable all interested parties to present relevant evidence. Formal rules of evidence shall not be applied. Time limits for presenting evidence, order of testimony, handling of exhibits, and similar matters, shall be determined at the discretion of the hearing officer. The alleged violator or any other interested persons may present testimony or documentary evidence concerning the existence of the violations, and the alleged violator may cross-examine witnesses. The hearing officer may continue the hearing to obtain additional evidence, or for other good cause.
- H. Failure to attend hearing. Failure of the alleged violator to attend the hearing shall constitute an admission of the violation by the alleged violator and a failure to exhaust administrative remedies that may bar judicial review.
- I. Decision by hearing officer. After considering all the testimony and the evidence submitted at the hearing, the hearing officer shall issue a written

decision, including findings regarding the existence of each violation, the reasons for the decision, and providing notice of the right to judicial review. The written decision shall be issued within thirty (30) days of the conclusion of the hearing, and served on the alleged violator within ten (10) days of its issuance. The decision shall be final upon service upon the alleged violator, subject only to judicial review as permitted by law.

- J. Imposition of penalty. If the hearing officer finds by a preponderance of the evidence that the alleged violator committed the violation, the hearing officer shall impose a penalty and a date the penalty and any costs of the hearing shall be due and payable by the violator.
- K. Amount of penalty. The administrative penalty for a violation of this chapter shall be a maximum \$1,000.00 per violation, and the maximum total penalty shall not exceed \$10,000.00. In determining the amount of penalty to be imposed, the hearing officer shall consider the following factors: duration of the violation, frequency of recurrence of the violation, seriousness of the violation, history of violations, good faith effort of the violator to correct the violation, economic effect of the violation on the violator, impact of the violation on the community and the City, and any other relevant factors that justice may require.
- L. Failure to pay penalty. Upon the failure of any person to pay the assessed administrative penalty by the date specified in the hearing officer's decision, the unpaid amount shall constitute a personal obligation of the violator. The City Attorney shall collect the obligation by use of any appropriate legal means.
- M. Judicial review. Any person subject to the decision of the hearing officer, may obtain judicial review of the decision pursuant to the provisions of Government Code Section 53069.4.

#### 2.75.130 Civil Actions by Residents.

- A. Any resident of the City may bring a civil action regarding the provisions of this chapter, as follows:
  - 1. To enjoin an actual or threatened violation;
  - 2. To compel compliance by a private person;
  - 3. To obtain declaratory relief.
- B. Any action brought under this Section 2.75.130, shall be commenced within six (6) months of the time the alleged violation occurred.

2.75.140 Time for Commencement of Actions. Except as provided in Section 2.75.130, any action brought alleging violation of this chapter must be commenced within two (2) years of the date of the alleged violation.

**Section 2.** That this Ordinance shall become effective on January 1, 2021.

**PASSED and ADOPTED this 21<sup>st</sup> day of April, 2020.**

\_\_\_\_\_  
Alejandra Sotelo-Solis, Mayor

**ATTEST:**

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

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Angil P. Morris-Jones  
City Attorney

The following page(s) contain the backup material for Agenda Item: [Resolution of the City Council of the City of National City authorizing various Fiscal Year 2020 mid-year budget adjustments. \(Finance\)](#)

Please scroll down to view the backup material.



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

**MEETING DATE:** April 21, 2020

**AGENDA ITEM NO.:**

**ITEM TITLE:**

Resolution of the City Council of the City of National City authorizing various fiscal year 2020 mid-year budget adjustments.

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

**PHONE:** 619-336-4330

**DEPARTMENT:** Finance

**APPROVED BY:** Mark Roberts

**EXPLANATION:**

See attached staff report.

**FINANCIAL STATEMENT:**

**ACCOUNT NO.**

See attached staff report.

**APPROVED:** Mark Roberts **FINANCE**

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

**ENVIRONMENTAL REVIEW:**

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

**ORDINANCE:** INTRODUCTION  FINAL ADOPTION

**STAFF RECOMMENDATION:**

Accept the staff report and adopt the resolution authorizing fiscal year 2020 mid-year budget adjustments.

**BOARD / COMMISSION RECOMMENDATION:**

**ATTACHMENTS:**

1. Staff report
2. Resolution
3. Exhibit "A" – Recommended Mid-Year Budget Adjustments, Fiscal Year 2020



## City Council Staff Report

April 21, 2020

### ITEM

Staff Report: Fiscal Year 2020 Mid-Year Budget Review

### BACKGROUND

The mid-year budget review was originally scheduled to be presented on March 17, 2020 and was developed based on data and analysis that pre-dated the significant actions that have been required to respond to the COVID-19 pandemic. This report reviews the financial results of the activities of the first half of the current fiscal year and provides projections of revenues and expenditures through the end of the fiscal year that incorporate, to the extent possible, the estimated impacts of the pandemic on the City's fiscal year 2020 budget. In addition, the report recommends various budget adjustments.

### DISCUSSION

#### Summary

The adopted fiscal year 2020 budget authorizes a use of \$4.1 million of unassigned fund balance for operating and capital expenditures. Based on year-to-date actual revenues and expenditures through December 31, 2019 and expected activities through year-end, the anticipated use of unassigned fund balance is projected to be \$4.8 million. The following sections of this report will discuss the significant factors leading to the variance.

#### Revenues

For fiscal year 2020, General Fund revenues are expected to be less than amounts budgeted by \$1.1 million. The projected variances in each revenue category resulting in the overall variance are shown in the "Fiscal Year-End Revenue Projections" table. The "Mid-Year Revenue Comparison" table below compares revenues realized through the mid-point of this fiscal year to the mid-point of last fiscal year.

Mid-Year Revenue Comparison

GENERAL FUND REVENUES AS OF DECEMBER 31 <sup>ST</sup>			
<u>Revenue Category</u>	<u>FY 20</u>	<u>FY 19</u>	<u>Difference</u>
Sales & Use Tax	\$ 6,252,367	\$ 6,581,756	(\$329,388)
District Transactions & Use Tax	4,134,378	4,347,216	(212,838)
Property Tax <sup>1</sup>	946,832	840,602	106,227
Property Tax in Lieu of VLF <sup>2</sup>	-	-	-
Other Revenues	4,143,678	4,273,976	(130,298)
Total	<u>\$15,477,255</u>	<u>\$16,043,550</u>	<u>(\$566,295)</u>

1 reflects reduction for property tax allocation to the Library and Parks Maintenance funds

2 VLF – vehicle license fees

The General Fund’s primary sources of revenue are the sales & use tax, the district transactions & use tax, property tax in lieu of vehicle license fees, and property taxes. During the first six months of the current fiscal year, these revenues were approximately \$11.3 million, \$0.4 million behind last year, while General Fund revenues as a whole totaled \$15.5 million, approximately \$0.6 million less than the same period last year. Significant factors in the year-to-year difference include the following:

- Combined, receipts from the sales-related taxes, sales & use tax and the City’s district transactions & use tax, were \$0.3 million below those received for the same period of the prior fiscal year. Contributing to the negative variance of these revenues were allocations received by the City during the 1<sup>st</sup> quarter of the fiscal year 2019 that had been delayed from fiscal year 2018 as the State transitioned to a new sales tax reporting system. In general, however, all business sectors except for the building & construction sector had been steady or strong overall with autos & transportation, general consumer goods, and allocations from County and State pools generating approximately 80% of these revenues.
- “Other Revenues” comprises all other General Fund revenues not specifically identified in the above table. These revenues were \$0.1 million lower during the first half of the year compared to the first half of last year. As is to be expected, some of the accounts are ahead of last year’s amounts and some are behind, because of the nature of the funding source and variations that occur from year to year in the timing of receipts.

While no amounts are reflected in the table for property tax in lieu of vehicle license fees (“VLF”) revenue, it is included in this table because it is a significant funding source for the City. In accordance with State statutes, this revenue, which is based on the change in assessed property valuations, is distributed to the City by the County of San Diego in two equal installments, the first of which is paid in January and the second in May. The revenue anticipated from this source for the current fiscal year is reflected in the table below and represents a \$0.4 million increase over fiscal year 2019.

Fiscal Year-End Revenue Projections

GENERAL FUND  
 REVENUES  
 FISCAL YEAR 2020

<u>Revenue Category</u>	<u>Projected</u>	<u>Adjusted Budget</u> <sup>1</sup>	<u>Projected Balance</u>	<u>% Variance</u>
Sales & Use Tax	\$17,390,000	\$18,690,000	(\$1,300,000)	(7.0%)
District Transactions & Use Tax	11,570,000	11,965,000	(395,000)	(3.3%)
Property Tax <sup>2</sup>	2,255,750	2,200,893	54,857	2.5%
Property Tax in Lieu of VLF	7,128,882	7,000,000	128,882	1.8%
Other Revenues <sup>3</sup>	20,439,312	20,035,996	403,316	2.0%
<b>Total</b>	<b>\$58,783,944</b>	<b>\$59,891,889</b>	<b>(\$1,107,945)</b>	<b>(1.9%)</b>

1 adopted budget total, plus budget amendments and an adjustment of \$4.8 million to Other Revenues to balance revenues to appropriations for the revenue offset WI-TOD and Paradise Creek Park Remediation capital improvement projects that were carried forward from fiscal year 2019.

2 reflects reduction for property tax allocation to the Library and Parks Maintenance funds

3 Transfer(s) In not reflected

The above table provides projections of fiscal year 2020 General Fund revenues and compares them to their adjusted budgets. As noted above, General Fund revenues are expected to be below the adjusted budget by approximately \$1.1 million overall. This estimate is based upon year-to-date and historical data, input from the City’s sales tax consultant, and information obtained from the State of California and County of San Diego. Significant elements of the expected overall positive variance include:

- As explained above, while both sales & use tax and the district transaction & use tax are below actuals for the same time period last fiscal year, more recent revenue receipts had indicated the City would finish the year with revenues in these two accounts exceeding their combined budgets by approximately \$1.1 million. However, based upon information from the City’s sales tax consultant and the restrictions on business operations in place to help contain the spread of COVID-19, the outlook for these two accounts is a combined shortfall of \$1.7 million compared to budget, a negative swing of \$2.8 million.
- Overall, revenues in the “Other Revenues” category are expected to end the year above budget by \$0.4 million, which is attributable to a combination of projected positive and negative variances in the various individual accounts.

**Expenditures**

Expenditure totals at year-end are currently projected to be below budget by \$1.5 million. The projected variances in each expenditure category resulting in the overall variance are shown in the “Fiscal Year-End Expenditure Projections” table. The “Mid-Year Expenditure Comparison”

below compares expenditures through the mid-point of this fiscal year to the mid-point of last fiscal year.

Mid-Year Expenditure Comparison

GENERAL FUND  
 EXPENDITURES  
 AS OF DECEMBER 31<sup>ST</sup>

<u>Expenditure Category</u>	<u>FY 20</u>	<u>FY 19</u>	<u>Difference</u>
Personnel Services	\$21,852,855	\$21,011,040	\$841,815
Maintenance & Operations (M&O)	2,075,400	2,637,010	(561,610)
Capital Outlay	45,129	46,383	(1,254)
Capital Improvement Program	1,691,765	2,630,357	(938,592)
Internal Service Charges	3,572,848	3,770,772	(197,925)
Total	<u>\$29,237,996</u>	<u>\$30,095,562</u>	<u>(\$857,565)</u>

1 Transfer(s) Out not reflected

As of December 31, 2019, General Fund expenditures totaled \$29.2 million, below those at the same point last fiscal year by \$0.9 million. The most significant factors in the year-to-year difference were:

- higher personnel costs than for fiscal year 2019 at the same point, primarily due to negotiated compensation increases, increased health insurance costs and rate increases for retirement plan contributions. These increases were offset, in part, by lower overtime costs for Fire Department personnel, due to a lesser requirement for Strike Team support than in the prior year;
- lower spending on capital projects due largely to the timing of work and invoicing from contractors;
- slower rates of spending for M&O spread across various accounts, but most notably in contract services where timing can vary from year to year and in emergency animal treatment as a result of delayed invoices from the City of Chula Vista; and
- lower internal service charges resulting from an overall reduction in budgeted amounts from fiscal year 2019.

The table below provides a projection of General Fund expenditures for all of fiscal year 2020 and compares them to the adjusted budget. As noted above, General Fund expenditures are expected to be below the adjusted budget by approximately \$1.5 million overall.

Fiscal Year-End Expenditure Projections

GENERAL FUND  
 EXPENDITURES  
 FISCAL YEAR 2020

<u>Expenditure Category</u> <sup>1</sup>	<u>Projected</u>	<u>Adjusted Budget</u> <sup>2</sup>	<u>Projected Balance</u>	<u>% Variance</u>
Personnel Services	\$40,408,628	\$41,389,121	(\$ 980,493)	(2.4%)
Maintenance & Operations	6,515,061	7,036,012	(520,951)	(7.4%)
Capital Outlay	639,827	639,827	-	0.0%
Capital Improvements	11,818,167	11,818,167	-	0.0%
Internal Service Charges	7,270,695	7,270,695	-	0.0%
<b>Total</b>	<b>\$66,652,378</b>	<b>\$68,153,822</b>	<b>(\$1,501,444)</b>	<b>(2.2%)</b>

1 Transfer(s) Out not reflected

2 adopted budget total, plus budget amendments, and encumbrances and capital projects appropriations carried forward from previous fiscal year(s)

Personnel costs at fiscal-year-end are projected to be less than budgeted by \$1.0 million, primarily resulting from anticipated savings in full-time salaries and health insurance premiums, attributable to vacant authorized positions.

Maintenance & operations expenditures are projected to be 7.4% below budget, due to a combination of anticipated savings in various accounts partially offset by unanticipated expenses in others.

All appropriations for capital outlay and capital improvements are being projected as being entirely spent, because none of the current projects are expected to yield any savings from the amounts budgeted. It is likely, however, that some portion of the current year’s appropriations will be unspent at year-end and will be carried over to next fiscal year. Similarly, all amounts budgeted for internal service charges are projected to be spent, although at year-end actual expenditures of the service provider funds will be reviewed for savings and charges will be adjusted accordingly.

Staff will continue to monitor all revenues and expenditures, particularly with respect to the impacts of COVID-19, and will provide updates in conjunction with the fiscal year 2021 budget development process.

**Transfers In/Out**

While technically not revenues and expenditures (and, hence, not shown above), transfers in and out of the General Fund may contribute to fund balance increases and decreases, respectively. Transfers in and out are not expected to deviate from the budgeted amounts.

**Net Impact on Unassigned Fund Balance**

The table below combines the revenue and expenditure projections discussed above. As noted in the summary at the beginning of this report, the adopted budget anticipated the use of \$4.1 million of unassigned fund balance for operating and capital expenditures. As part of the review leading to the development of this report, it was determined that an oversight occurred with respect to budgeting for the Paradise Creek Park Site Remediation project. This project is revenue offset, and while \$1.0 million in revenue was included in the budget for it, the corresponding appropriation was omitted. Had the \$1.0 million appropriation been included, as shown in the “Adjusted Budget” column below, the use of unassigned fund balance in the adopted budget would have been reported to be \$5.2 million, also including the addition of a \$90,000 appropriation to the City Clerk’s Office Elections account for costs associated with the March 3, 2020 special election. The “Projected” column shows an anticipated use of \$4.8 million of unassigned fund balance, so while as shown in the “Variance” column, that amount is \$0.4 million better than the \$5.2 million reflected in the adjusted budget column, it is about \$0.7 million greater than expressed in the adopted budget.

GENERAL FUND  
 IMPACT ON UNASSIGNED FUND BALANCE  
 FISCAL YEAR 2020

	<u>Projected</u>	<u>Adjusted Budget</u>	<u>Variance</u>
Revenues	\$58,783,944	\$59,891,889	(\$1,107,945)
Transfers In	6,000	6,000	-
<b>Total Revenues &amp; Transfers In</b>	<b>\$58,789,944</b>	<b>\$59,897,889</b>	<b>(\$1,107,945)</b>
Expenditures	\$66,652,378	\$68,153,822	(\$1,501,444)
Transfers Out	1,924,479	1,924,479	-
<b>Total Expenditures &amp; Transfers Out</b>	<b>\$68,576,857</b>	<b>\$70,078,301</b>	<b>(\$1,501,444)</b>
Use of Fund Balance	(\$ 9,786,914)	(\$10,180,412)	\$ 393,498
Less Use of Assigned Fund Balance *	1,283,217	1,283,217	-
Less Use of Committed Fund Balance *	3,665,451	3,665,451	-
<b>Use of Unassigned Fund Balance</b>	<b>(\$ 4,838,246)</b>	<b>(\$ 5,231,744)</b>	<b>\$ 393,498</b>

\* For purpose of estimating use of unassigned fund balance, all appropriations impacting assigned and committed fund balance are assumed to be expended.

Note: Some totals may not agree due to rounding.

## BUDGET ADJUSTMENTS

During the mid-year budget review process, the Department of Finance, in conjunction with City department staff, identified budget adjustments necessary due to expenses unanticipated during the annual budgeting process and to correct certain accounts. The attached schedule (“Exhibit ‘A’”) details the recommended adjustments. The recommendation section below provides a summary of those adjustments by account group and fund.

## RECOMMENDATIONS

1. Authorize the City Manager to approve budget adjustments up to the following amounts:

- **General Fund**

- Expenditures

- \$253,501 Maintenance & Operations
- \$8,418 Capital Outlay

- **Parks Maintenance Fund**

- Expenditures

- \$9,000 Capital Outlay

- **Library Capital Outlay Fund**

- Expenditures

- \$10,000 Capital Improvements

- **Development Impact Fees Fund**

- Expenditures

- \$100,000 Capital Improvements

- **Housing Authority Fund**

- Expenditures

- \$185,000 Maintenance & Operations

- **Facilities Maintenance Fund**

- Expenditures

- \$5,000 Capital Outlay
- \$41,665 Fixed Charges & Debt Services

- **Vehicle Replacement Fund**

- Expenditures

- \$75,000 Capital Outlay

2. Ratify the City Manager’s authorization to proceed with the acquisition of two motorcycles for the Police Department at an estimated cost of \$75,000 due to the urgent



need for the vehicles. The total cost of the motorcycles exceeds the amount of the City Manager’s approval authority and requires subsequent ratification by the City Council.

### **FISCAL IMPACT**

The recommended General Fund budget adjustments have been reflected in the projections of total revenues and expenditures to fiscal year end. If approved, they will result in additional General Fund appropriations and use of unassigned fund balance of \$261,919. The adjustments for the six other funds combined total \$425,665 with \$14,000 of that amount funded by transfers from the General Fund and the remainder from available fund balance in the respective funds.

### **ATTACHMENTS**

Resolution  
Exhibit “A” – Recommended Mid-Year Budget Adjustments, Fiscal Year 2020



# **Fiscal Year 2020 General Fund Budget Mid-Year Budget Review**



# Department of Finance

**Mark Roberts**  
**Director**

**Paul Valadez**  
**Budget Manager**



# Authorized Use of Unassigned Fund Balance – Fiscal Year 2021

Use of Unassigned Fund Balance, Adopted	\$4,141,744
Additional Authorized Use of Unassigned Fund Balance	90,000
<hr/>	
Use of Unassigned Fund Balance, Adjusted	\$4,231,744
CIP expenditures not appropriated	1,000,000
<hr/>	
Use of Unassigned Fund Balance, Corrected	\$5,231,744

# Fund Balance Categories

**Non-spendable** – amounts that cannot be spent because they are: 1) not in spendable form or 2) legally or contractually required to be maintained intact.

**Restricted** – resources that have spending constraints that are either 1) “externally” imposed or 2) imposed by law through constitutional provisions or enabling legislation.

**Committed** – amounts that have internally imposed restrictions mandated by formal action of the City Council.

**Assigned** – amounts that are constrained by the Council’s intent that they will be used for specific purposes. (Decision-making with regard to these amounts may be made by a committee or other governmental official.)

**Unassigned** – the “residual” fund balance for the General Fund. This residual amount of unassigned fund balance reflects the resources available for further appropriation and expenditure for general governmental purposes.



# Fiscal Year-End Revenue Projections – General Fund

## GENERAL FUND REVENUES FISCAL YEAR 2020

<u>Revenue Category</u> <sup>1</sup>	<u>Projected</u>	<u>Adjusted Budget</u> <sup>2</sup>	<u>Projected Balance</u>	<u>% Variance</u>
Sales & Use Tax	\$17,390,000	\$18,690,000	(\$1,300,000)	-7.0%
District Transactions & Use Tax	11,570,000	11,965,000	(395,000)	-3.3%
Property Tax <sup>3</sup>	2,255,750	2,200,893	54,857	2.5%
Property Tax in Lieu of VLF	7,128,882	7,000,000	128,882	1.8%
Other Revenues	20,439,312	20,035,996	403,316	2.0%
<b>Total</b>	<b>\$58,783,944</b>	<b>\$59,891,889</b>	<b>(\$1,107,945)</b>	<b>-1.9%</b>

<sup>1</sup> Transfer(s) In not reflected.

<sup>2</sup> adopted budget total, plus budget amendments and an adjustment of \$4.8 million to Other Revenues to balance revenues to appropriations for the revenue offset WI-TOD and Paradise Creek Park Remediation capital improvement projects that were carried forward from fiscal year 2019

<sup>3</sup> Reflects reduction for property tax allocation to the Library and Parks Maintenance Funds.



# Fiscal Year-End Expenditure Projections – General Fund

## GENERAL FUND EXPENDITURES FISCAL YEAR 2020

<u>Expenditure Category</u> <sup>1</sup>	<u>Projected</u>	<u>Adjusted Budget</u> <sup>2</sup>	<u>Projected Balance</u>	<u>% Variance</u>
Personnel Services	\$40,408,628	\$41,389,121	(\$980,493)	-2.4%
Maintenance & Operations	6,515,061	7,036,012	(520,951)	-7.4%
Capital Outlay	639,827	639,827	-	0.0%
Capital Improvements	11,818,167	11,818,167	-	0.0%
Internal Service Charges	7,270,695	7,270,695	-	0.0%
<b>Total</b>	<b>\$66,652,378</b>	<b>\$68,153,822</b>	<b>(\$1,501,444)</b>	<b>-2.2%</b>

<sup>1</sup> Transfer(s) Out not reflected.

<sup>2</sup> adopted budget total, plus budget amendments, and encumbrances and capital projects appropriations carried forward from previous fiscal year(s)



# Recommended Mid-Year Budget Adjustments – General Fund

Appropriation Adjustments:

Engineering & Public Works - Street Lights & Signals	\$20,000
Engineering & Public Works - Contract Services	150,000
Fire - Contract Services	41,901
Human Resources - Professional Services	34,600
Neighborhood Services - Automotive Leases	8,418
Non-Departmental - Postage	7,000
<hr/>	
Total	\$261,919





# Impact on Fund Balance

## GENERAL FUND IMPACT ON UNASSIGNED FUND BALANCE FISCAL YEAR 2020

	<u>Projected</u>	<u>Adjusted Budget</u>	<u>Projected Variance</u>
Revenues	\$58,783,944	\$59,891,889	(\$1,107,945)
Transfers In	6,000	6,000	-
<b>Total Revenues &amp; Transfers In</b>	<b>\$58,789,944</b>	<b>\$59,897,889</b>	<b>(\$1,107,945)</b>
Expenditures	\$66,652,378	\$68,153,822	(\$1,501,444)
Transfers Out	1,924,479	1,924,479	-
<b>Total Expenditures &amp; Transfers Out</b>	<b>\$68,576,857</b>	<b>\$70,078,301</b>	<b>(\$1,501,444)</b>
Use of Fund Balance	(\$9,786,914)	(\$10,180,412)	\$393,498
Less Use of Assigned Fund Balance *	1,283,217	1,283,217	-
Less Use of Committed Fund Balance	3,665,451	3,665,451	-
<b>Use of Unassigned Fund Balance</b>	<b>(\$4,838,246)</b>	<b>(\$5,231,744)</b>	<b>\$393,498</b>

\* For purpose of estimating use of unassigned fund balance, all appropriations impacting assigned and committed fund balance are assumed to be expended.

Note: Some totals may not agree, due to rounding.

# Other Funds



# Supplemental Appropriation Requests – Other Funds

## Appropriation Adjustments:

Parks Maintenance Fund - Automotive Leases	\$9,000
Library Capital Outlay Fund	10,000
Development Impact Fees Fund - Police Department Parking Structure	100,000
Housing Authority Fund - Professional Services	185,000
Facilities Maintenance Fund - Automotive Leases	5,000
Facilities Maintenance Fund - Loan Interest Payment	41,665
Vehicle Replacement Fund - Automotive Equipment	75,000
<hr/>	
Total Appropriation Adjustments	\$425,665

## Revenue Budget Adjustments:

Parks Maintenance Fund - Automotive Leases	\$9,000
Facilities Maintenance Fund - Automotive Leases	5,000
<hr/>	
Total Revenue Budget Adjustments	\$14,000

# Questions

**RESOLUTION NO. 2020 –**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY  
APPROVING VARIOUS FISCAL YEAR 2020  
MID-YEAR BUDGET ADJUSTMENTS**

**WHEREAS**, on June 4, 2019, the City Council of the City of National City adopted Resolution No. 2019-85, adopting the Budget for Fiscal Year 2020; and

**WHEREAS**, as part of the Mid-Year review process, the Finance Department reviewed the first six months for actual revenues and expenditures, and projected the last six months of the fiscal year; and

**WHEREAS**, the Mid-Year Budget review was presented to the City Council and members of the public on April 21, 2020; and

**WHEREAS**, the City Manager request approval of the Recommended Mid-Year Budget Adjustments (“Exhibit ‘A’”); and

**WHEREAS**, the City Manager request that the City Council ratify the issuance of a purchase order in the amount of \$67,458 for two replacement motorcycles for the Police Department that are beyond economical repair;

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of National City hereby approves the Fiscal Year 2020 Recommended Mid-Year Budget Adjustments (“Exhibit ‘A’”) and authorizes the City Manager to make the associated adjustments to the Fiscal Year 2020 Budget.

**BE IT FURTHER RESOLVED** that the City Council of the City of National City ratifies the purchase of the two replacement motorcycles for the Police Department.

**PASSED and ADOPTED this 21<sup>st</sup> day of April, 2020.**

\_\_\_\_\_  
Alejandro Sotelo-Solis, Mayor

**ATTEST:**

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

**APPROVED AS TO FORM**

\_\_\_\_\_  
Angil P. Morris Jones, City Attorney

**Recommended Mid-Year Budget Adjustments  
Fiscal Year 2020**

Fund/Department	Appropriation Account	Appropriation Amount	Revenue Account, if Applicable	Revenue Amount	Net Use of Fund Balance
<b>General Fund (001)</b>					
Engineering & Public Works	Street Lights & Signals	20,000			20,000
<ul style="list-style-type: none"> <li>▪ Increase in utility costs for street lights from SDGE &amp; CalTrans.</li> </ul>					
Engineering & Public Works	Contract Services	150,000			150,000
<ul style="list-style-type: none"> <li>▪ Environmental remediation of the Police Department shooting range- required by County Dept. of Environmental Health.</li> </ul>					
Fire	Contract Services	41,901			41,901
<ul style="list-style-type: none"> <li>▪ Increase in dispatch cost.</li> </ul>					
Human Resources	Professional Services	16,100			16,100
<ul style="list-style-type: none"> <li>▪ Ongoing investigation and legal costs for personnel matters .</li> </ul>					
Human Resources	Professional Services	18,500			18,500
<ul style="list-style-type: none"> <li>▪ Unforeseen personnel promotions and backfill of safety positions due to separations and retirements.</li> </ul>					
Neighborhood Services	Automotive Leases	8,418			8,418
<ul style="list-style-type: none"> <li>▪ Appropriation for existing leased vehicle inadvertently omitted from budget.</li> </ul>					
Non-Departmental	Postage	7,000			7,000
<ul style="list-style-type: none"> <li>▪ March mailers sent to residents &amp; businesses from City Manager's Office.</li> </ul>					
<b>General Fund - Unassigned Fund Balance</b>		<b>261,919</b>		-	<b>261,919</b>

**Recommended Mid-Year Budget Adjustments  
Fiscal Year 2020**

Fund/Department	Appropriation Account	Appropriation Amount	Revenue Account, if Applicable	Revenue Amount	Net Use of Fund Balance
<b>Parks Maintenance Fund (105)</b>					
Engineering & Public Works / Parks	Automotive Leases	9,000	Interfund transfer from General Fund	9,000	-
<ul style="list-style-type: none"> <li>To add the appropriation for the lease of a light duty stake bed truck in the Parks Maintenance Fund based on a transfer from General fund.</li> </ul>					
<b>Library Capital Outlay Fund (108)</b>					
Engineering & Public Works	Library Upgrades	10,000			10,000
<ul style="list-style-type: none"> <li>This capital improvement project was included in the CIP summary schedule, but the appropriation was inadvertently omitted from the budget.</li> </ul>					
<b>Development Impact Fees Fund (325)</b>					
Engineering & Public Works	Police Department Parking Structure	100,000			100,000
<ul style="list-style-type: none"> <li>This capital improvement project was included in the CIP summary schedule, but the appropriation was inadvertently omitted from the budget.</li> </ul>					
<b>Housing Authority Fund (501)</b>					
Housing	Professional Services	175,000			175,000
<ul style="list-style-type: none"> <li>To establish appropriations for consulting services for the Housing Authority.</li> </ul>					
Housing	Materials & Supplies	10,000			10,000
<ul style="list-style-type: none"> <li>To establish appropriations for cleaning supplies, personal protective equipment, and other equipment and supplies necessary for staff to work safely and efficiently at work and from home due to COVID-19</li> </ul>					
<b>Facilities Maintenance Fund (626)</b>					
Engineering & Public Works	Automotive Leases	5,000		5,000	-
<ul style="list-style-type: none"> <li>To add the appropriation for the lease of a cargo van in the Facilities Maintenance Fund based on a transfer from the General Fund.</li> </ul>					
Engineering & Public Works	Loan Interest Payment	41,665			41,665
<ul style="list-style-type: none"> <li>To add appropriations for the interest payments on the Honeywell lease that were inadvertently omitted from the budget.</li> </ul>					

**Recommended Mid-Year Budget Adjustments  
Fiscal Year 2020**

Fund/Department	Appropriation Account	Appropriation Amount	Revenue Account, if Applicable	Revenue Amount	Net Use of Fund Balance
Vehicle Replacement Fund (644)					
Engineering & Public Works	Automotive Equipment	75,000			75,000
<ul style="list-style-type: none"> <li>▪ Add appropriations for the purchase of two replacement motorcycles for the Police Department and ratify the City Manager's authorization to issue a purchase order for the vehicles. Motorcycles being replaced are beyond economical repair.</li> </ul>					



The following page(s) contain the backup material for Agenda Item: [City of National City comprehensive annual financial report \(CAFR\) and single audit report on federal awards for the fiscal year ended June 30, 2019. \(Finance\)](#)  
Please scroll down to view the backup material.

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

**MEETING DATE:** April 21, 2020

**AGENDA ITEM NO.:**

**ITEM TITLE:**

City of National City comprehensive annual financial report (CAFR) and single audit report on federal awards for the fiscal year ended June 30, 2019. (Finance)

**PREPARED BY:** Karim Galeana, Finance Manager

**PHONE:** 619-336-4331

**DEPARTMENT:** Finance

**APPROVED BY:** 

**EXPLANATION:**

Transmitted herewith is the City of National City's comprehensive annual financial report and the single audit report on federal awards for the fiscal year ended June 30, 2019 prepared by the City's external auditors, The Pun Group, LLP.

The reports include all agencies under the control of the City Council, as well as the Successor Agency to the Community Development Commission as the National City Redevelopment Agency.

The auditors have conducted their examination of the financial statements in accordance with generally accepted auditing standards and have expressed an unmodified ("clean") opinion of those statements.

**FINANCIAL STATEMENT:**

**ACCOUNT NO.**  
NA

**APPROVED:**  **FINANCE**

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

**ENVIRONMENTAL REVIEW:**

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

**ORDINANCE:** INTRODUCTION  FINAL ADOPTION

**STAFF RECOMMENDATION:**

Accept and file the reports.

**BOARD / COMMISSION RECOMMENDATION:**

**ATTACHMENTS:**

1. The comprehensive annual financial report (CAFR) and single audit report on federal awards for the fiscal year ended June 30, 2019 are available on the City's website at <https://www.nationalcityca.gov/government/finance/financial-reports>. Hard copies are available in the City Clerk's Office and the City Library, once City facilities reopen.
2. Presentation



# CITY OF NATIONAL CITY

Presentation to the City Council  
For the Fiscal Year Ended June 30, 2019

April 21, 2020





## Financial Indicators and Key Pension and OPEB Information

**City of National City  
Governmental Activities  
Net Cost of Services to Tax Revenues  
For the Year Ended June 30, 2019**

<b>Net Cost of Services</b>	<b>\$ (54,039,478)</b>
<b>Tax Revenues</b>	<u>51,987,107</u>
<b>Ratio</b>	<u><u>103.95%</u></u>

**City of National City**  
**General Fund**  
**Unassigned Fund Balance to Annual Expenditures**  
**For the Year Ended June 30, 2019**

<b>Unassigned fund balance</b>	<b>\$ 13,673,543</b>
<b>Annual expenditures</b>	<u><b>59,566,684</b></u>
<b>Ratio</b>	<u><u><b>22.96%</b></u></u>

## Aggregate Net Pension Liability For the Year Ended June 30, 2019

	Plan's Aggregate Net Pension Liability		
	Discount Rate -1% (6.15%)	Current Discount Rate (7.15%)	Discount Rate +1% (8.15%)
Miscellaneous	\$ 52,173,734	\$ 34,932,328	\$ 20,682,754
Safety	95,938,077	67,958,381	45,055,659
<b>Total</b>	<b>\$ 148,111,811</b>	<b>\$ 102,890,709</b>	<b>\$ 65,738,413</b>

Miscellaneous Plan 73.15% funded

Safety Plan 66.31% funded

## Pension Expense For the Year Ended June 30, 2019

	<b>Governmental Activities</b>
CalPERS Miscellaneous Plan	\$ 5,966,188
CalPERS Safety Plan	9,430,850
<b>Total</b>	<b>\$ 15,397,038</b>

Miscellaneous Plan Contributions \$3,371,801 (27.54% of covered payroll)

Safety Plan Contributions \$6,483,584 (48.8% of covered payroll)



## Total OPEB Liability June 30, 2019

	<b>Total OPEB Liability</b>		
	<b>Discount Rate -1% (2.15%)</b>	<b>Current Discount Rate (3.15%)</b>	<b>Discount Rate +1% (4.15%)</b>
<b>Total OPEB Liability</b>	<b>\$ 5,867,454</b>	<b>\$ 5,302,749</b>	<b>\$ 4,814,973</b>



## Audit Results

## Audit Results

- **Unmodified Opinion for ALL Opinion Units**
  - Financial statements are fairly presented in all material respects
  - Significant accounting policies have been consistently applied
  - Estimates are reasonable
  - Disclosures are properly reflected in the financial statements

## **Federal Single Audit**

- Compliance for each major federal program
- Internal control over compliance required by Uniform Guidance
- Report on Schedule of Expenditures of Federal Awards

## Federal Single Audit

<u>CFDA Number(s)</u>	<u>Name of Federal Program or Cluster</u>	<u>Expenditures</u>
14.218	CDBG - Entitlement Grants Cluster	\$ 810,700
14.871	Housing Choice Voucher Cluster	12,232,680
20.205	Highway Planning and Construction Cluster	2,056,465
	<b>Total Expenditures of All Major Federal Programs</b>	<b>\$ 15,099,845</b>
	<b>Total Expenditures of Federal Awards</b>	<b>\$ 15,976,625</b>
	<b>Percentage of Total Expenditures of Federal Awards</b>	<b>94.51%</b>

## Federal Single Audit

### *Results*

- No material weaknesses or significant deficiencies
- Unmodified report issued on compliance for major programs
- No findings disclosed that are required to be reported
- City qualified as a low-risk auditee

## Other Results

- No disagreements with management
- No accounting issues were encountered where no authoritative guidance was available
- Accounting principles were consistently applied
- No significant deficiencies or material weaknesses in internal control over financial reporting or compliance were noted
- No material irregularities were discovered



**Thank You**  
**For allowing The Pun Group, LLP**  
**to provide services to the**  
  
**City of National City**



The following page(s) contain the backup material for Agenda Item: [Temporary Use Permit - Request from Murphy's Produce to conduct an emergency food distribution event at 1031 National City Boulevard on April 25, 2020 and May 9, 2020 from 8:00 a.m. - 11:00 a.m. The applicant has requested a waiver of all fees. \(Neighborhood Services\)](#)  
Please scroll down to view the backup material.

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

**MEETING DATE:** April 21, 2020

**AGENDA ITEM NO.** |

**ITEM TITLE:**

Temporary Use Permit - Request from Murphy's Produce to conduct an emergency food distribution event at 1031 National City Boulevard on April 25, 2020 and May 9, 2020 from 8:00 a.m. – 11:00 a.m. The applicant has requested a waiver of all fees. (Neighborhood Services)

**PREPARED BY:** Dionisia Trejo

**DEPARTMENT:** Neighborhood Services Department

**PHONE:** (619) 336-4255

**APPROVED BY:** 

**EXPLANATION:**

This is a request from Murphy's Produce to conduct an emergency food distribution at 1031 National City Boulevard on April 25, 2020 at 8:00 a.m. and May 9, 2020 at 8:00 a.m.

The purpose of the event is to help the National City community with food due to COVID-19. This will be a drive-through event. Vehicles will drive up and food boxes will be placed in their trunks. Volunteers will wear masks and gloves at all times. Identification showing National City residency will be required. The food distribution will be in the parking lot. No one will enter the building during the event.

Note: This is the first time this organization has requested a Temporary Use Permit to conduct the Murphy's Produce emergency food distribution.

**FINANCIAL STATEMENT:**

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

**ACCOUNT NO.** |

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

City fee of \$272.00 for processing the TUP through various City departments and \$437.62 for Public Works.

Total Fees are \$709.62

**ENVIRONMENTAL REVIEW:**

N/A

**ORDINANCE:** INTRODUCTION:  FINAL ADOPTION:

**STAFF RECOMMENDATION:**

Approve the Application for a Temporary Use Permit subject to compliance with all conditions of approval with a request for waiver of fees in accordance with City Council Policy 802.

**BOARD / COMMISSION RECOMMENDATION:**

N/A

**ATTACHMENTS:**

Application for a Temporary Use Permit with recommended conditions of approval. |



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) FOOD DISTRIBUTION

SD.

### Event Name & Location

Event Title MURPHYS Produce with Purpose Food Distribution

Event Location (list all sites being requested) 1031 NATIONAL CITY Blvd. N.C. Ca.

### Event Times

Set-Up Starts  
Date April 25, 2020 Time 8:00 AM Day of Week Saturday

and May 9, 2020  
Event Starts  
Date \_\_\_\_\_ Time \_\_\_\_\_ Day of Week \_\_\_\_\_

Event Ends  
Date \_\_\_\_\_ Time \_\_\_\_\_ Day of Week \_\_\_\_\_

Breakdown Ends  
Date \_\_\_\_\_ Time \_\_\_\_\_ Day of Week \_\_\_\_\_

RECEIVED  
APR 7 2020  
Neighborhood Services Department  
City of National City

### Applicant Information

Applicant (Your name) Jimmy MURPHY Sponsoring Organization PROJECT 1:1

Event Coordinator (if different from applicant) \_\_\_\_\_

Mailing Address 1031 NATIONAL CITY Blvd. N.C. Ca.

Day Phone 760 500 7925 After Hours Phone \_\_\_\_\_ Cell \_\_\_\_\_ Fax \_\_\_\_\_

Public Information Phone \_\_\_\_\_ E-mail JimmyMURPHY13@va100.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 April 13, 2020

## 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.

\$ 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:

MORRIS PRODUCE WITH PURPOSE will be hosting emergency food distributions to help families and individuals suffering with food insecurity due to COVID-19.

### Estimated Attendance

Anticipated # of Participants: 100      Anticipated # of Spectators: 0

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

*NO CONTACT - DRIVE THROUGH TO PICK UP FOOD BOXES  
that will be placed in Recipients vehicles.*

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 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: \_\_\_\_\_



**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 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.

**Accessibility**

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

DISABLED AND ABLE BODIED RECIPIENTS SHALL REMAIN  
IN THEIR VEHICLES

**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?

\_\_\_\_\_ # of canopies size \_\_\_\_\_

\_\_\_\_\_ # of tents size \_\_\_\_\_

No canopies/tents being set up

Setting up tables and chairs?

Furnished by Applicant or Contractor

9 # 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







- 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. There is a \$25 fee to process the permit application. 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 \$502.00

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. ▶ \_\_\_\_\_

▶ Load-in Day & Time \_\_\_\_\_ ▶ Load-out Day & Time \_\_\_\_\_  
Company Phone

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:

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**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>MURPHY'S PRODUCE W/TFI</u>		<u>EMERG FOOD DIST</u>	<u>1031 NATIONAL CITY</u>
<u>PURPOSE</u>		expected # of	Attendees: <u>100</u>
Event Host/Coordinator: <u>Timmy MURPHY</u>		Phone Number: <u>760 500 7925</u>	

1031 NATIONAL CITY BLD

### 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>1</u>	✓		
Will enough recycling bins provided for the event? Provide number of recycle bins: _____			✓
Will all portable toilets have secondary containment trays? (exceptions for ADA compliant portable toilets)			✓
Do all storm drains have screens to temporarily protect trash and debris from entering?			✓
Are spill cleanup kits readily available at designated spots?			✓

\* 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: MURPHY'S PRODUCE WITH PURPOSE  
Person in Charge of Activity: JIMMY MURPHY / REGINA GAMBOA  
Address: 1031 NATIONAL CITY BLVD / NATIONAL CITY CA 91950  
Telephone: 1-760-500-7925 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 attorneys 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 / CEO

Date: April 13, 2020

For Office Use Only

Certificate of Insurance Approved \_\_\_\_\_ Date \_\_\_\_\_

Traffic flow chart for Murphy's Produce with Purpose (Emergency Food Distribution) :

We would like to have the event on Saturday April 18<sup>th</sup> 2020, the event will start at 8 am- 11am but I think we will run out of food well before the time set. We picked Saturday because hopefully there will not be a lot of traffic out on a Saturday Morning.

Cars will be entering the facility at 1031 National City Blvd from 2 different streets.

I have submitted some pictures of the facility and the roads to enter the facility,

First entry is north bound National City Blvd to 11<sup>th</sup> street, Make right on 11<sup>th</sup> then immediate left into the facility they will then enter into the lane closes to the street and exit out of the first exit available onto National City Blvd, ( we would need no parking signs on the east sidewalk of National City Blvd from 12<sup>th</sup> St. to Plaza Blvd )

Second entry is cars would come up 12<sup>th</sup> street and make a Right on "A" St. and a left on 11<sup>th</sup> St. then up to the top of hill and enter facility on right side before they get to National City Blvd. They will enter the first lane closest to the building and drive along the building and exit out of the second exit onto National City Blvd. (so we would need no parking signs on the north side of 11<sup>th</sup> from A St. to National City Blvd.)

If we can get signs on the sidewalk with no parking for the event on National City Blvd from 12<sup>th</sup> to Plaza Blvd. and signs on the sidewalk for no parking on north bound side of 11<sup>th</sup> that would help with the flow of traffic.

This event is an emergency food distribution and people will have to stay in their cars at all times. There will be 2 lines for cars to enter and exit the facility, the cars will simply pull into the driveway and our volunteers (wearing mask and gloves) will load the trunks with the boxes / bags of food for the families and shut the trunk. The cars will then proceed out of the facility onto National City Blvd.

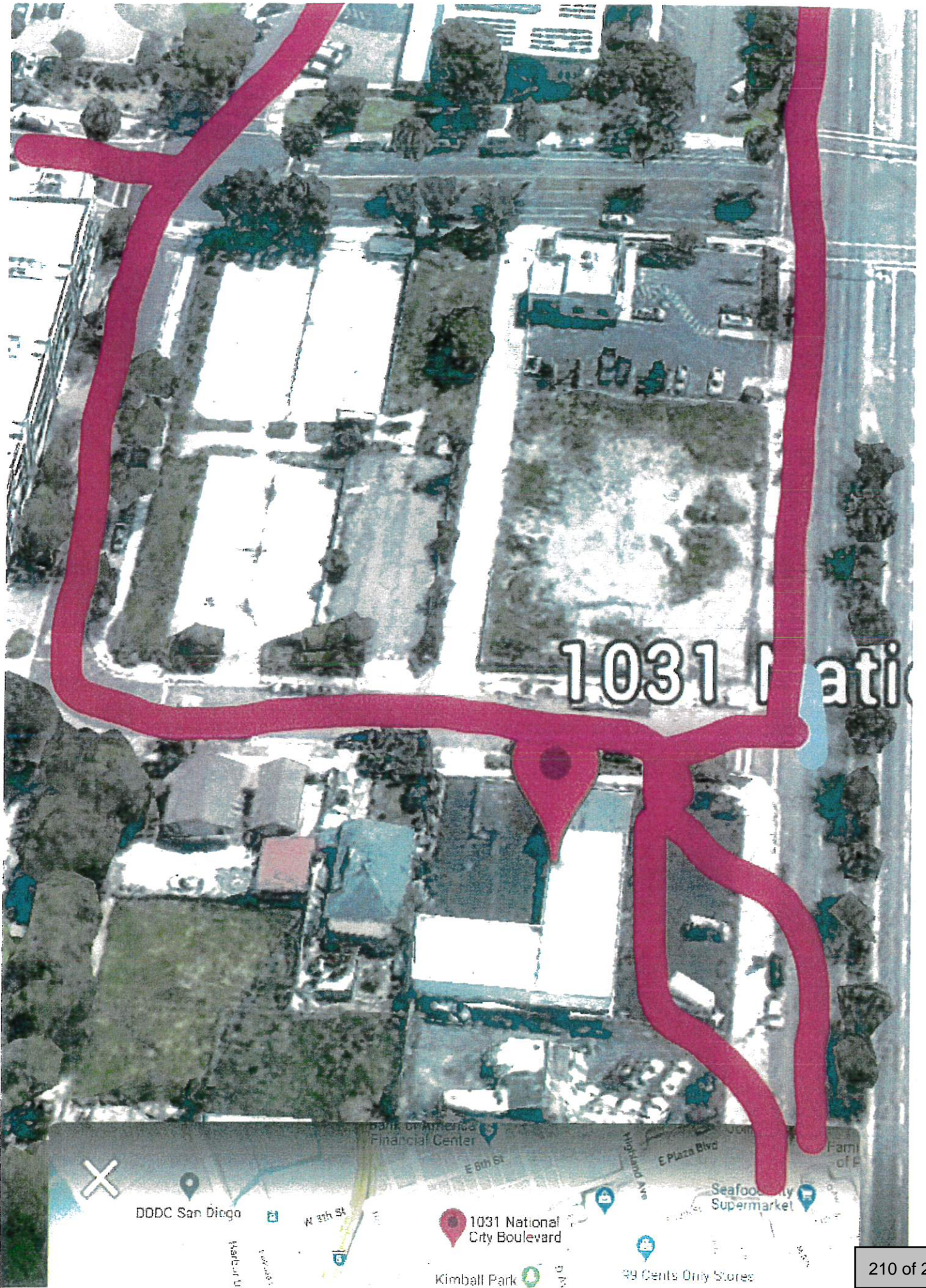
The Distribution will be focused on the community of National City and we are going to ask that every car that enters has a national city address, we are hoping to feed 150 families but if we get more food donated then the numbers will hopefully be higher.

The Distribution will just be using the parking lot of the facility, there will be no entrance by anyone into the facility during the distribution.









1031 National City

DDDC San Diego

Bank of America Financial Center

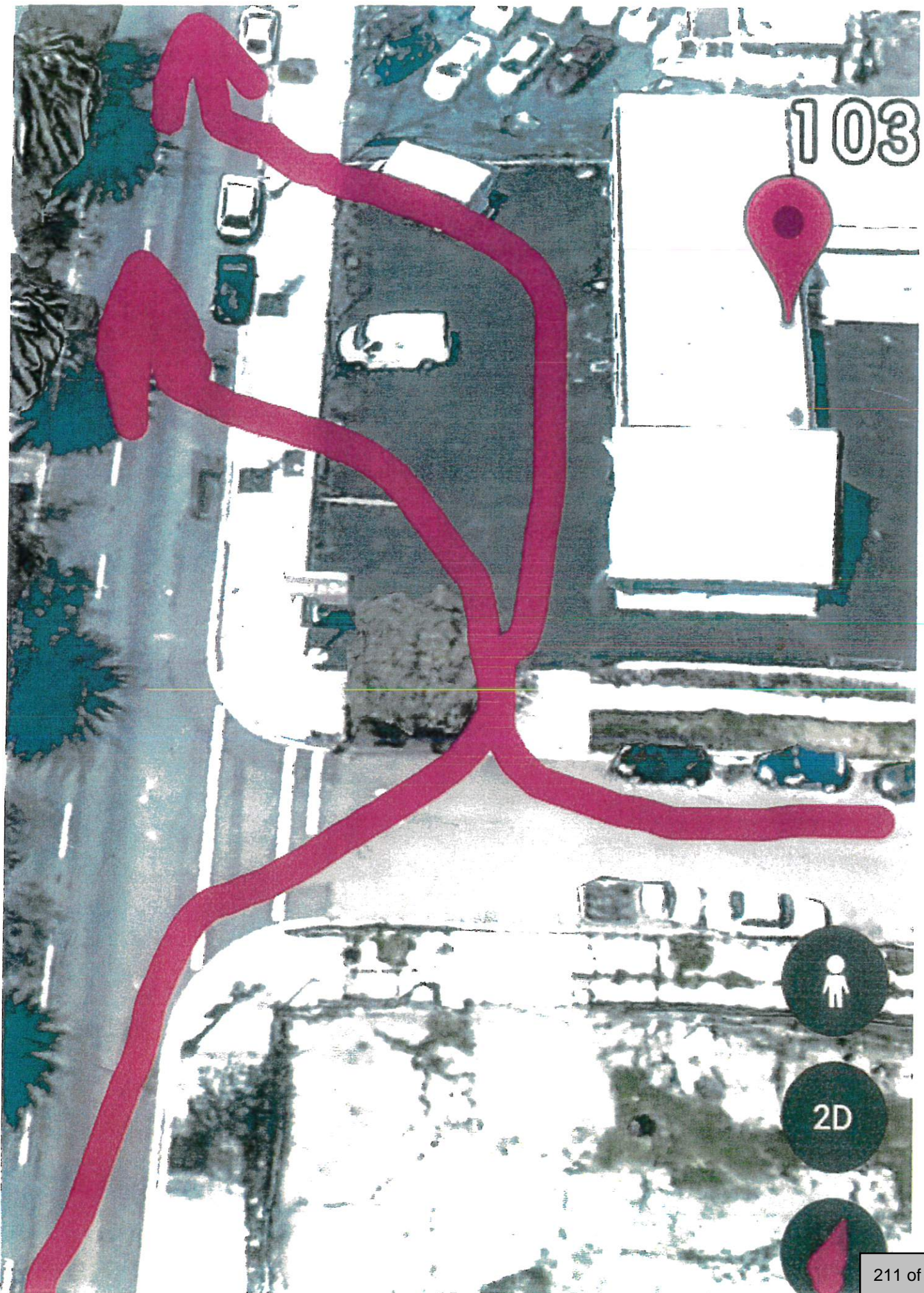
1031 National City Boulevard

Kimball Park 14

Seafood Supermarket

99 Cents Only Stores

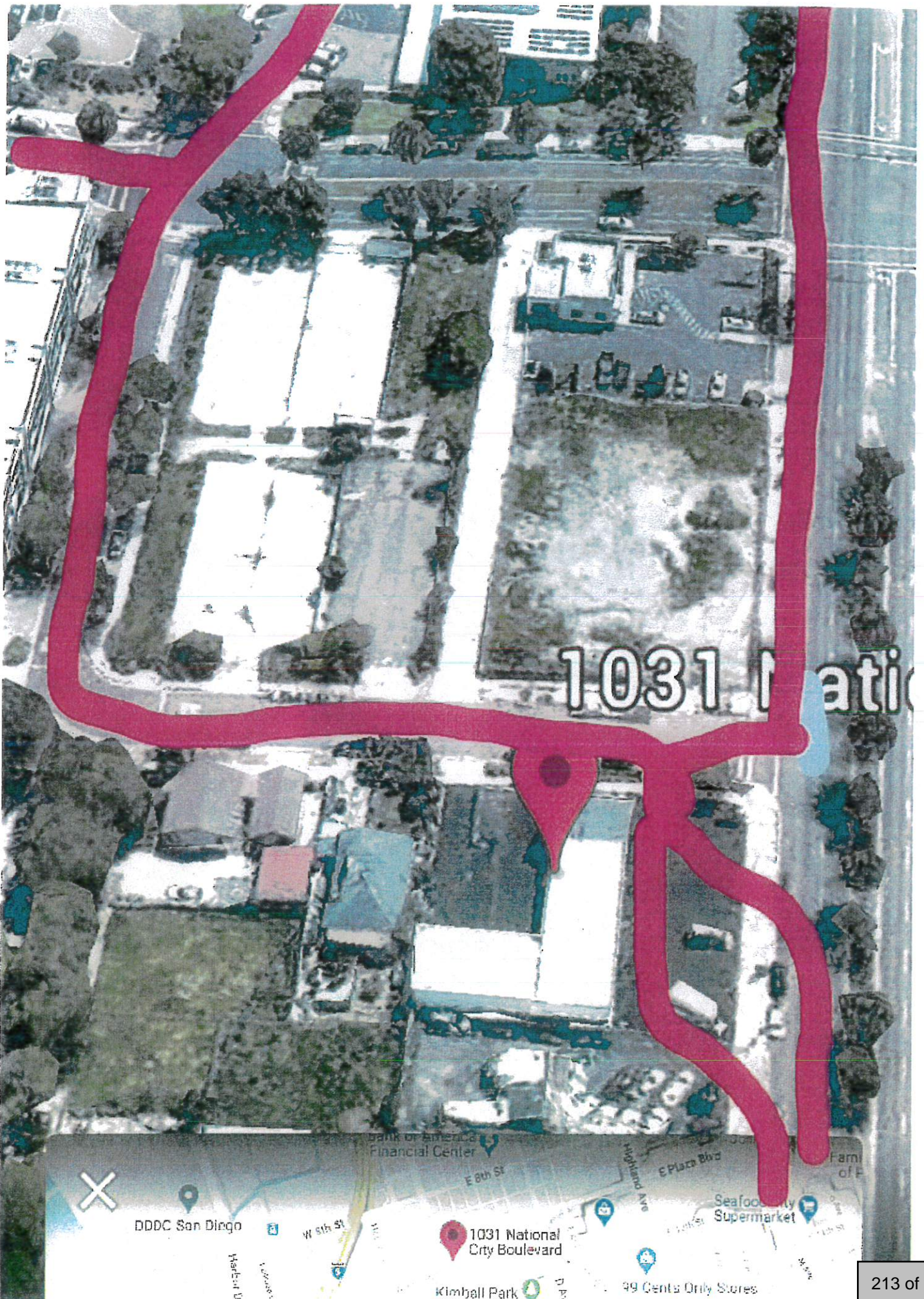












1031 National City Boulevard

DDDC San Diego

Bank of America Financial Center

1031 National City Boulevard

Kimball Park

Seafood Supermarket

99 Cents Only Stores

















ty  
ment

National City

2D



**CERTIFICATE OF LIABILITY INSURANCE**

DATE (MM/DD/YYYY)  
4/15/2020

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

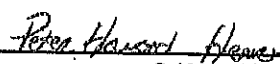
PRODUCER <b>ESP INSURANCE BROKERAGE LLC</b> 306 Main Street Worcester, MA 01608	CONTACT NAME:
	PHONE (A/C, No, Ext):      FAX (A/C, No): E-MAIL ADDRESS:
INSURER(S) AFFORDING COVERAGE	
INSURER A : Philadelphia Indemnity Insurance Co.	NAIC # <b>18058</b>
INSURED <b>Murphy's Produce with Purpose</b> 1031 National City Blvd National City, CA 91950	INSURER B :
	INSURER C :
	INSURER D :
	INSURER E :
	INSURER F :

COVERAGES      CERTIFICATE NUMBER:      REVISION NUMBER:

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

INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	<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"/> LOC OTHER:	X	PHPK2119114	04/09/2020	04/09/2021	EACH OCCURRENCE	\$ 1,000,000
						DAMAGE TO RENTED PREMISES (Ea occurrence)	\$ 100,000
						MED EXP (Any one person)	\$ 5,000
						PERSONAL & ADV INJURY	\$ 1,000,000
						GENERAL AGGREGATE	\$ 2,000,000
						PRODUCTS - COMP/OP AGG	\$ 2,000,000
							\$
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS					COMBINED SINGLE LIMIT (Ea accident)	\$
						BODILY INJURY (Per person)	\$
						BODILY INJURY (Per accident)	\$
						PROPERTY DAMAGE (Per accident)	\$
							\$
	UMBRELLA LIAB <input type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED      RETENTION \$					EACH OCCURRENCE	\$
						AGGREGATE	\$
							\$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N N/A				PER STATUTE	OTH-ER
						E.L. EACH ACCIDENT	\$
						E.L. DISEASE - EA EMPLOYEE	\$
						E.L. DISEASE - POLICY LIMIT	\$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)  
 The City of National City, its officials, agents, employees and volunteers are included as additional insured with respect to general liability as required by written contract.  
 Coverage applies to Murphy's Produce with Purpose food bank activities within the effective dates reflected on the certificate.  
 Location: 1031 National City Blvd National City CA 91950

CERTIFICATE HOLDER City of National City c/o Risk Manager 1243 National City Boulevard National City, CA 91950-4397	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.  AUTHORIZED REPRESENTATIVE 
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## Dionisia Trejo

---

**From:** Joe Olson  
**Sent:** Tuesday, April 14, 2020 5:06 PM  
**To:** Dionisia Trejo  
**Cc:** Armando Vergara  
**Subject:** FW: Murphys Produce with Purpose

Dio,

Below is the declaration of intent with a request for Waiver of fees.

Thanks,

**Joseph Olson**  
Manager, Neighborhood Services Division  
City of National City  
1243 National City Blvd.  
National City, CA 91950  
Direct: 619-336-4548

*The City of National City is open Monday through Thursday from 7:00am-6:00pm; offices are closed on Fridays.*



**From:** james murphy [mailto:jimmymurphy13@yahoo.com]  
**Sent:** Tuesday, April 14, 2020 5:04 PM  
**To:** Joe Olson <jolson@nationalcityca.gov>; Jim Murphy <jimmymurphy13@yahoo.com>  
**Subject:** Murphys Produce with Purpose

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Good afternoon Joe,

I first of all wanted to thank you and everyone involved for trying to get this unique distribution fast tracked and for all your help on this emergency distribution project. I know in times like this our community will really benefit with a little extra food in the pantry.

I wanted to see if at all possible the city would be willing to wave the fees associated with this event. This Emergency Food distribution is totally free to the families, I am paying for certain items that we will be distributing as well as some items that are donated. My goal would be to start on the 25th of April and do a bi-weekly distribution that would cater to our neighborhoods. All the food would be donated for distribution and we would be collaborating and partnering with Project 1:1 and with other local non profits to pull this event off. I also want to make sure everyone knows that we have submitted plans for the proper tenant improvement work that is currently not permitted at our facility and we are ready to pay all fees associated with the project once the building department gets back to us to take further steps in getting the red tape off the building.

That being said the building at 1031 National City Blvd will be closed and all doors locked for absolutely no entrance by any employees or volunteers during any time of the events. We will only be utilizing the driveways for staging and drive thru distribution with zero contact to the public. We are excited about helping the community and partnering up with the city on these distributions. Please let me know if you need anything from me and thanks to you and the city for taking the time to work with us.

Thanks

Jimmy Murphy

Murphys produce with purpose

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

**SPONSORING ORGANIZATION: Project II**  
**EVENT: Murphy's Produce with Purpose Food Distribution**  
**DATE OF EVENT: April 25, 2020 / Every two weeks during pandemic**

**APPROVALS:**

RISK MANAGER	YES [x]	NO [ ]	SEE CONDITIONS [x]
PUBLIC WORKS	YES [x]	NO [ ]	SEE CONDITIONS [x]
FIRE	YES [x]	NO [ ]	SEE CONDITIONS [x]
POLICE	YES [x]	NO [ ]	SEE CONDITIONS [x]
CITY ATTORNEY	YES [x]	NO [ ]	SEE CONDITIONS [x]

**CONDITIONS OF APPROVAL:**

**PUBLIC WORKS (619)366-4580**

Streets Division

1 staff for 2hrs. @ \$75.47hr. = \$150.94  
 1 Truck for 2hrs. @ \$22.76hr. = \$45.52  
 15 "NO PARKING " signs w/barricades @ \$1.49ea. = \$22.35  
 Total cost = \$ 218.81

**POLICE DEPARTMENT**

The police department will have officer's extra patrol the area as calls allow and will not be available for traffic control. A parking enforcement officer will be needed to assist with traffic control in the area of National City Blvd and 12<sup>th</sup> St.

**CITY ATTORNEY**

Approved on conditions that Risk Manager approves

**RISK MANAGER (619) 336-4370**

Risk Management has reviewed the above captioned request to for the issuance of a Temporary Use Permit. As a condition of the issuance of the permit as the following document has been provided:

- A valid copy of the Certificate of Liability Insurance.
- The insurance policy has a combined single limit of no less than \$1,000,000.00 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 coverage is sufficient to provide coverage in the event of a claim
- The Certificate Holder reflects:

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

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**

**No fees for this event**

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

- 1) Maintain Fire Department access at all times. Emergency services access shall be given to all emergency apparatus upon approach.
- 2) Access for Fire Department shall be maintained at all times. At no time shall fire lanes, fire hydrants, fire protection systems of all types etc. be obstructed at any time. A minimum of 20 feet wide shall be maintained for the use of fire lanes.

The following page(s) contain the backup material for Agenda Item: [City Council 2020  
Legislative Recess. \(City Clerk\)](#)

Please scroll down to view the backup material.





## **CITY COUNCIL 2020 LEGISLATIVE RECESS**

### **Staff Report**

Since 2014, the City Council (Council) has observed a legislative recess during the summer to provide City staff and Elected Officials an opportunity to catch up on work, reenergize, and prepare for the start of a new fiscal year. The purpose of this agenda item, is to determine whether the City Council would like to once again consider a legislative recess in 2020.

### **Background**

Observing a legislative recess from a City's Council meeting schedule is practiced by a number of San Diego cities that recess both in the summer and winter. Some cities, including the State Legislature, and quasi-governmental entities, such as the San Diego Association of Governments (SANDAG), recess over an entire month, generally in the summer. Last year, the Council voted to recess during the month of July. For the previous five years, the Council voted to recess during the month of July (four times), and in August (one time).

### **Discussion**

To assist the Council with its decision, please note the following:

- There are five (5) Tuesdays in June. Should the City Council recess in July, there would be seven (7) weeks between meetings (June 17–August 4). As a reminder, the first meeting in August (this year, August 4<sup>th</sup>), typically begins at 5:00 p.m. due to the “National Night Out Against Crime” event.

### **Recommendation**

Staff requests City Council direction on observing a legislative recess. Should the Council desire a recess, it is recommended that the Council consider the month of July. In accordance with National City Municipal Code (NCMC) Section 2.04.020, any Regular Meeting may be dispensed with a vote.

The following page(s) contain the backup material for Agenda Item: [Current Vacancies on Boards and Commissions. \(City Clerk\)](#)

Please scroll down to view the backup material.

Item # \_\_\_\_  
04/21/20

**CURRENT VACANCIES ON BOARDS AND COMMISSIONS.**

(City Clerk)

# Current Vacancies on Boards and Commissions

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## Civil Service Commission

There is one (1) vacancy and no new applicants.

**(Meets the 2<sup>nd</sup> Wednesday of every other month)**

## Community & Police Relations Commission

There is one (1) expired term, with reappointment requested.

**(Meets the 3<sup>rd</sup> Thursday of Feb., May, Aug., and Nov.)**

## Planning Commission

There is one (1) vacancy and one (1) expired term, with reappointment requested. There are no new applicants.

**(Meets the 1<sup>st</sup> and 3<sup>rd</sup> Monday of every month)**

## Veterans and Military Families Advisory Committee

There is one (1) vacancy and no new applicants.

**(Meets Quarterly)**

The following page(s) contain the backup material for Agenda Item: [COVID-19 Update.](#)  
[\(City Manager\)](#)

Please scroll down to view the backup material.

Item # \_\_\_\_  
04/21/20

**COVID-19 Update**

**(City Manager)**