



City of Lemon Grove
City Council Regular Meeting Agenda
Tuesday, September 1, 2015, 6:00 p.m.
Lemon Grove Community Center
3146 School Lane, Lemon Grove, CA

The City Council also sits as the Lemon Grove Housing Authority, Lemon Grove Sanitation District Board, Lemon Grove Roadway Lighting District Board, and Lemon Grove Successor Agency

Call to Order

Pledge of Allegiance

Changes to the Agenda

Public Comment

(Note: In accordance with State Law, the general public may bring forward an item not scheduled on the agenda; however, the City Council may not take any action at this meeting. If appropriate, the item will be referred to staff or placed on a future agenda.)

1. Consent Calendar

(Note: The items listed on the Consent Calendar will be enacted in one motion unless removed from the Consent Calendar by Council, staff, or the public. Items that are pulled will be considered at the end of the agenda.)

A. Approval of Meeting Minutes

August 4, 2015 – Regular Meeting

Members present: Sessom, Gastil, Jones, and Mendoza

Reference: Susan Garcia, City Clerk

Recommendation: Approve Minutes

B. City of Lemon Grove Payment Demands

Reference: Cathy Till, Finance Director

Recommendation: Ratify Demands

C. Waive Full Text Reading of All Ordinances on the Agenda

Reference: James P. Lough, City Attorney

Recommendation: Waive the full text reading of all ordinances included in this agenda; Ordinances shall be introduced and adopted by title only

D. Denial of Claim

The City Council will consider a claim submitted by Edward and Jane Shroyer.

Reference: Mike James, Public Works Director

Recommendation: Deny Claim

E. Denial of Claim

The City Council will consider a claim submitted by Jessica Brown.

Reference: Public Works Director

Recommendation: Deny Claim

- F. Third Amendment to the National Pollutant Discharge Elimination System Regional Storm Water Copermittee Memorandum of Understanding Board Member Appointment

The City Council will consider the San Diego Regional Water Quality Control Board 2007 Memorandum of Understanding that continues cost sharing obligations for regional and watershed programs. The Third Amendment will remain in effect through August 2019.

Reference: Malik Tamimi, Management Analyst
Recommendation: Adopt Resolution

- G. Southern California Firefighters Benefit Trust

The City Council will consider the Southern California Firefighters Benefit Trust that allows all members of the union to deposit pre-taxed money into a fund for health care upon retirement.

Reference: Corinne Russell, Human Resources Manager
Recommendation: Adopt Resolution

- H. Mayoral Appointment to the Oversight Board of the Lemon Grove Successor Agency

The City Council will consider appointing Mike James, Public Works Director, to serve on the Oversight Board following Graham Mitchell's resignation.

Reference: Mary Sessom, Mayor and James P. Lough, City Attorney
Recommendation: Approve Appointment

- I. City of Lemon Grove Semi-Annual Investment Report (January 1, 2015 – June 30, 2015)

The City Council will consider the Investment Policy and direct the City Treasurer to invest for safety, liquidity, and yield.

Reference: Cathy Till, Finance Director
Recommendation: Receive and File

- J. Recognized Obligation Payment Schedule (January 1, 2016 – June 30, 2016)

The City Council will review Successor Agency Oversight Board adopted ROPS 2015-16(B) that authorized Successor Agency staff to submit the document to the County of San Diego, the State of California Department of Finance, and the State Controller's Office for review and approval.

Reference: Cathy Till, Finance Director
Recommendation: Approve Recognized Obligation Payment Schedule

- K. Change Order No. 1 for the Palm Street & Golden Avenue Safe Routes to School Project

The City Council will consider approving Change Order No. 1 increasing the project cost by \$13,500.

Reference: Carol Dick, Development Services Director
Recommendation: Adopt Resolution

2. Crime Free Multi Housing Program

The City Council will consider the results of a Crime Free Multi-Housing Program marketing letter sent to property owners with the highest percentage of calls for service.

Reference: Laureen Ojeda Ryan, Administrative Analyst
Recommendation: Discuss and Provide Direction to Staff

3. Ordinance No. 432 –Solar Permitting Efficiency Act Ordinance

The City Council will consider the Solar Permitting Efficiency Act that requires California cities and counties to adopt an ordinance that creates an expedited solar permitting process by September 30, 2015.

Reference: Carol Dick, Development Services Director

Recommendation: Introduce Ordinance and Conduct First Reading by Title

4. Ordinance No. 430 - Amending Chapter 8.24, Section 12.20.355, and Section 17.08.030 of the Lemon Grove Municipal Code to Incorporate Electronic Smoking Regulations

The City Council will consider an Ordinance that regulates electronic cigarette smoking in the same manner as tobacco regulation.

Reference: James P. Lough, City Attorney

Recommendation: Conduct Second Reading by Title and Adopt Ordinance

5. Ordinance No. 431 - Lemon Grove Community Advisory Commission

The City Council will consider an ordinance that changes the Lemon Grove Municipal Code to re-task the Planning Commission into a Community Advisory Commission with permanent and temporary members.

Reference: James P. Lough, City Attorney

Recommendation: Introduce Ordinance and Conduct First Reading by Title

City Council Oral Comments and Reports on Meetings Attended at the Expense of the City.
(GC 53232.3 (d))

(53232.3.(d) states that members of a legislative body shall provide brief reports on meetings attended at the expense of the local agency at the next regular meeting of the legislative body.)

Department Director Reports (Non-Action Items)

Closed Session

Conference with Legal Counsel—Existing Litigation(Paragraph (1) of subdivision (d) of Section 54956.9)

City of Lemon Grove, et al. vs. California Department of Finance, et al. 34-2013-80001480-CU-WM-GDS

Adjournment

In compliance with the Americans with Disabilities Act (ADA), the City of Lemon Grove will provide special accommodations for persons who require assistance to access, attend and/or participate in meetings of the City Council. If you require such assistance, please contact the City Clerk at (619) 825-3800 or email sgarcia@lemongrove.ca.gov prior to the meeting. A full agenda packet is available for public review at City Hall.

**MINUTES OF A MEETING OF
THE LEMON GROVE CITY COUNCIL**

August 4, 2015

The City Council also sits as the Lemon Grove Housing Authority, Lemon Grove Sanitation District Board, Lemon Grove Roadway Lighting District Board, and Lemon Grove Successor Agency

Call to Order

Members present: Mary Sessom, George Gastil, Jerry Jones, and Jennifer Mendoza.

Members absent: Racquel Vasquez.

City Staff present: Kathi Henry, Interim City Manager, Carol Dick, Development Services Director; Susan Garcia, City Clerk; James P. Lough, City Attorney; Mike James, Public Works Director; Lt. May, Sheriff's Department; Rick Sitta, Fire Chief; and Cathleen Till, Finance Director.

Mayor Sessom reported that Mayor Pro Tem Vasquez has an excused absence. Also, Councilmember Gastil will be late and moved Item No. 3 up on the agenda for discussion.

Public Comment

John L. Wood commented on recent traffic signal repair, the realignment project, the City Engineer position, and the methods used for the Chollas Creek clean-up.

Bob Jones commented on street repair in his neighborhood and the condition of Citronella Street.

1. Consent Calendar

A. Approval of City Council Minutes

July 7, 2015 Regular Meeting

B. Ratification of Payment Demands

C. Waive Full Text Reading of All Ordinances and Resolutions on the Agenda

D. Housing-Related Parks Program Grant Resolution Revision

E. City of Lemon Grove Amended Master Fee Schedule for Fiscal Year 2015-16

F. Change Order No. 1 for the Cured in Place Pipe Lining Project

Action: Motion by Councilmember Jones, seconded by Councilmember Mendoza, to approve the Consent Calendar passed, by the following vote:

Ayes: Sessom, Jones, Mendoza

Absent: Vasquez, Gastil

Resolution No. 2015-3354: Resolution of the City Council of the City of Lemon Grove, California Authorizing the Assumption of the Rights and Responsibilities under the Infill Infrastructure Grant (IIG) Program

Resolution No. 2015-3355: Resolution of the City Council of the City of Lemon Grove Updating the City of Lemon Grove Master Fee Schedule for Fiscal Year 2015-16

Resolution No. 2015-275: Resolution of the Lemon Grove Sanitation District Approving Change Order No. 1 for the Cured in Place Pipe Lining Project

3. Adoption of the City of Lemon Grove ADA Transition Plan

Carol Dick stated that the Americans with Disabilities Act (ADA) of 1990 is a civil rights statute that prohibits discrimination against people who have disabilities. Title II of the ADA specifically addresses the subject of making City services and facilities accessible to those with disabilities.

It is apparent through City records, that the City of Lemon Grove previously required and completed ADA improvements of City facilities and rights-of-ways through the Capital Improvement Program and new facility construction. These improvements are recognized and filed as ADA improvements, but are not systematically catalogued or tracked through a coordinated program.

The purpose of the Transition Plan is to provide a comprehensive and coordinated framework to ensure that the citizens of Lemon Grove have full access to City programs and facilities. The Transition Plan is required to be updated periodically until all accessibility barriers are removed.

Public Speaker(s)

There were no requests from the public to speak.

Action: Motion by Councilmember Jones, seconded by Councilmember Mendoza, to adopt the resolution passed, by the following vote:

Ayes: Sessom, Jones, Mendoza

Absent: Vasquez, Gastil

Resolution No. 2015-3356: Resolution of the Lemon Grove City Council Approving the City of Lemon Grove ADA Transition Plan

Councilmember Gastil joined the meeting.

2. Connect Main Street Project Concept

Carol Dick reported that the Main Street Promenade Extension Planning Project, now known as "Connect Main Street" is approximately two miles in length and encompasses existing right-of-way, utility easements and physical improvements from the existing Main Street Promenade to the south edge of Lemon Grove.

On January 21, 2014, the City Council selected citizen volunteers to participate as members of a Working Group. The Working Group originally consisted of five members and met over the last year and a half. The members are Helen Ofield, Marie Venable, James Davis, Richard Lee Cortopassi, and Roberta Cronquist although she resigned due to relocation.

City Departments were asked to review and comment on the project and most comments have been addressed. The Sheriff's Department recommended that lighting be included, however, the team was not in full agreement regarding park lighting.

Mike Singleton, KTU+A, provided a presentation of the proposed concept and features.

Councilmember Jones expressed concern for the proposed street closures of Mt. Vernon to San Miguel, the tip of Broadway, and the proposed one way segment of Main Street.

Public Speaker(s)

Bob Jones commented on the proposed street closures.

Action: Motion by Councilmember Jones, seconded by Councilmember Gastil, to accept the proposed concept and refer a General Plan Amendment to the Planning Commission or the Community Advisory Commission for a public hearing passed, by the following vote:

Ayes: Sessom, Gastil, Jones, Mendoza

Absent: Vasquez

4. Ordinance No. 430 – Amending Chapter 8.24, Section 12.20.355, and Section 17.08.030 of the Lemon Grove Municipal Code to Incorporate Electronic Smoking Regulation

James P. Lough reported that electronic smoking devices (“electronic cigarettes” or “e-cigarettes”) are battery powered devices which allow the user to inhale water vapor without producing fire, ash or carbon monoxide. They are designed to be “smoked” like tobacco products. The user exhales a cloud of vapor (“vaping”) that disperses chemicals, sometimes including nicotine, into the surrounding environment in a similar manner to tobacco smoke.

Currently, there is very little federal or state regulation or control of electronic smoking devices. Most laws currently relate to the use of tobacco or the smoke generated from traditional tobacco related products. Electronic smoking devices have not been widely studied but they contain a variety of chemicals and the dispersion of those chemicals in public places and workplaces have largely unknown health impacts.

The proposed ordinance is in three parts. Part One adopts a replacement chapter in the Lemon Grove Municipal Code for the current tobacco regulations. It follows the County of San Diego model for electronic smoking enforcement. It prevents electronic smoking in the same work places that the State prohibits tobacco smoking. Part Two adds language to the “no smoking” in parks section to include electronic smoking (“vaping”) devices. Part Three amends the subsection of the Zoning Code that defines a “smoking lounge” to allow electronic smoking products.

Public Speaker(s)

Lorenzo Higley, Community Action Service Advocacy, and Lynda Barbour, American Cancer Society, commented on electronic smoking devices. They asked that the proposed ordinance be amended under definitions.

After discussion, the City Council directed the City Attorney to further analyze the definitions within the ordinance with the County of San Diego Counsel.

Action: Motion by Councilmember Jones, seconded by Councilmember Gastil, to introduce Ordinance No. 430 as presented passed, by the following vote:

Ayes: Sessom, Gastil, Jones, Mendoza

Absent: Vasquez

Ordinance No. 430: An Ordinance of the City Council of the City of Lemon Grove, California Amending and Renaming Chapter 8.24 (Smoking in Public Areas: Electronic Smoking Devices); Amending Section 12.20.355 (Smoking in Public Parks); and Amending Part of Section 17.08.030 (Definitions: Smoking Lounge) of the Lemon Grove Municipal Code

5. CalPoly San Luis Obispo General Plan Update Project Proposal

Carol Dick reported that the City Council recently identified an update to the Lemon Grove General Plan as a priority goal and has begun funding this work program in the annual budget.

An opportunity to develop a portion of a General Plan Update was introduced to staff through Rose Kelly, a Planning Department Intern and Master's Candidate with CalPoly SLO. She suggested to her instructor, Professor Kelly Main, that Lemon Grove would be an ideal city for a Master's Studio project.

The Cal Poly SLO Master in City & Regional Planning (MCRP) degree program focuses on community-based studios that provide students a "real world" planning experience and an opportunity to make a difference in California communities. The students are arranged in teams and develop consultant-quality plans and documents. The program cost is \$15,000 that will cover travel, room and board for the students and faculty.

Ms. Dick noted that staff will move forward to form a focus group (or Community Advisory Commission) to assist with identifying the scope of work for an update.

The General Plan Update in this agreement is not expected to be formally adopted until and unless the associated technical studies and environmental analysis have been completed.

Public Speaker(s)

There were no requests from the public to speak.

Action: Motion by Councilmember Jones, seconded by Gastil, to adopt the resolution passed, by the following vote:

Ayes: Sessom, Gastil, Jones, Mendoza
Absent: Vasquez

Resolution No. 2015-3357: Resolution of the Lemon Grove City Council Approving the Calpoly San Luis Obispo General Plan Update Project Proposal

6. Designation of Voting Delegate for the League of California Cities Annual Conference Business Meeting

Mayor Sessom stated that the League of California Cities (League) is holding its annual conference from September 30 – October 2, 2015, in San Jose. In order to vote, the League requires cities to designate one voting delegate.

Action: Motion by Mayor Sessom, seconded by Councilmember Mendoza, to designate Councilmember Jones as the voting delegate passed, by the following vote:

Ayes: Sessom, Gastil, Mendoza
Noes: Jones
Absent: Vasquez

City Council Oral Comments and Reports on Meetings Attended at the Expense of the City. (GC 53232.3 (d))

Councilmember Mendoza attended Concert in the Park, HealZone, Buena Vista Mural project event, and a Heartland Communications meeting.

Councilmember Gastil reported on MTS, FACTSD, ECEDC, LOSSAN meetings, and the Buena Vista Mural project event, and a recreation party.

Mayor Sessom reported that Federal Aviation Administration is extending the public comment period for its Draft Environmental Assessment of the Southern California Metroplex project to September 8, 2015, which includes the corridors over Lemon Grove.

Adjournment

There being no further business to come before the City Council, Housing Authority, Sanitation District Board, Lemon Grove Roadway Lighting District Board, and the Lemon Grove Successor Agency the meeting was adjourned at 8:05 p.m.

Susan Garcia

Susan Garcia, City Clerk

City of Lemon Grove Demands Summary

Approved as Submitted:

Cathleen Till, Finance Director

For Council Meeting: 09/01/15

ACH/AP Checks 07/28/15-08/20/15

1,820,099.00

Payroll - 08/04/15

133,644.55

Payroll - 08/18/15

150,328.19

Total Demands

2,104,071.74

Check No	Vendor No	Vendor Name	Check Date	Vendor Name	Check Amount	
CHECK NO	INVOICE NO	VENDOR NAME	CHECK DATE	Description	INVOICE AMOUNT	CHECK AMOUNT
ACH	Jul21 15	US Treasury	07/28/2015	Federal Taxes 7/21/15	27,710.37	27,710.37
ACH	41539581	WEX Wright Express Fleet Services	07/29/2015	Fuel - Fire Dept.- Jun'15	1,179.73	1,179.73
ACH	Jul15	Dharma Merchant Services	08/03/2015	Merchant Fees - Jul'15	992.87	992.87
ACH	Jul15	Bluefin Payment Systems	08/03/2015	Merchant Statement Fee - Jul'15	9.95	9.95
ACH	Jul15	Power Pay Biz	08/04/2015	Online Credit Card Processing - Jul'15	54.88	54.88
ACH	Jul15	Authorize.Net	08/04/2015	Merchant Fees In-Store & Online - Jul'15	50.25	50.25
ACH	Aug15	Pers Health	08/04/2015	Pers Health Insurance - Aug'15	52,915.13	52,915.13
ACH	Jun 15	SD County Sheriff's Department	08/05/2015	Law Enforcement Services - Jun'15	399,233.73	399,233.73
ACH	283105138	US Bank Equipment Finance	08/06/2015	Defibrillator Lease-Contract Payment 8/11/15	1,663.30	1,663.30
ACH	Aug4 15	Employment Development Dept.	08/06/2015	State Taxes 8/4/15	7,489.77	7,489.77
ACH	Jun24-Jul21	Calpers Supplemental Income 457 Plan	08/07/2015	457 Plan 6/24/15-7/21/15	14,763.56	14,763.56
ACH	8/6/15	Pitney Bowes Global Financial Services	08/10/2015	Postage Meter Rental 8/6/15	250.00	250.00
ACH	Aug4 15	US Treasury	08/11/2015	Federal Taxes 8/4/15	30,409.00	30,409.00
ACH	4154920380	SDG&E	08/11/2015	Electric Usage:St Light 6/30/15-7/31/15	2,789.93	2,789.93
ACH	3568860625	SDG&E	08/11/2015	Electric Usage:St Light 6/30/15-7/31/15	1,253.61	1,253.61
ACH	Jul15	Wells Fargo Bank	08/11/2015	Bank Service Charge - Jul'15	2,060.28	2,060.28
ACH	Jun24-Jul21	Ca Public Empl Retirement System	08/12/2015	Pers Retirement 6/24/15-7/21/15	61,985.14	61,985.14
ACH	Jul 15	Home Depot Credit Services	08/13/2015	Home Depot Charges - Jul'15	701.43	701.43
ACH	1000139705	City of San Diego	08/19/2015	Metro Sewer System FY16 1st Qtr	575,490.00	575,490.00
ACH	Aug18 15	Employment Development Dept.	08/20/2015	State Taxes 8/18/15	10,522.67	10,522.67
4179	10521	AAA Imaging	07/29/2015	Business Card Shells & Business Cards Order	912.60	912.60
4180	6333	Bob Murray & Associates	07/29/2015	Professional Services- City Manager Recruitment	2,147.75	2,147.75
4181	81817457	Boundtree Medical LLC	07/29/2015	Cardiac Science Powerheart	2,807.98	2,807.98
4182	15097770	Canon Financial Services Inc.	07/29/2015	Canon Copier Contract Charge- 7/13/15	642.60	642.60
4183	152-34	Circulate San Diego	07/29/2015	Caltrans Safe Routes to School 5/1/15-5/31/15	10,482.78	10,482.78
4184	7/2015	Cox Communications	07/29/2015	Phone/PW Yard/2873 Skyline- 7/19/15-8/18/15	209.11	209.11
4185	16100083	CSAC Excess Insurance Authority	07/29/2015	Excess Workers Comp Insurance FY16	98,623.00	98,623.00
4186	23417	Excell Security, Inc.	07/29/2015	Senior Center Security Guard - 7/11/15	252.00	252.00
4187	Himango	Himango, Malinda	07/29/2015	Refund/Himango, Malinda/ Summer Camp Wk 1	95.00	95.00
4188	00634035_SNV 00648752_SNV	Municipal Emergency Services Inc.	07/29/2015	Scott X3 Air Paks Uniform Allowance- Lavigne 7/8/15	20,412.00 259.56	20,671.56
4189	4133	North County EVS, Inc.	07/29/2015	North County EVS, Inc.	3,597.33	3,597.33
4190	3010210754	Parkhouse Tire Inc.	07/29/2015	E310- Tire Repair	412.33	412.33

4191	FSA-7/16/15 Uni- 7/16/15	Pepin, Matt	07/29/2015	FSA Reimbursement- Pepin 7/16/15 Uniform Allowance- Pepin 7/16/15	814.00 26.94	840.94
4192	4044	Restroom Facilities LTD	07/29/2015	Annual Fee for Licensing/Data Transfer Fee-Main St Promenade	450.00	450.00
4193	0259335	SCS Engineers	07/29/2015	Soil Excavation,Transportation & Disposal-Main St Prop-Jun'15	6,041.75	6,041.75
4194	7/22/2015 7/22/2015 7/18/2015	SDG&E	07/29/2015	3225 Olive- 6/22/15-7/22/15 3500 1/2 Main - 6/22/15-7/22/15 8119 Broadway- 6/22/15-7/18/15	152.55 286.75 72.86	512.16
4195	5610010355 5620004258	Siemens Industry Inc.	07/29/2015	Traffic Signal Maintenance- Jun15 Traffic Response Call Outs- Jun15	1,222.00 1,494.02	2,716.02
4196	Soroptomists	Soroptomists International of LG	07/29/2015	Refund/Soroptomists/ Deposit-CC 5/18/15	200.00	200.00
4197	46229	The East County Californian	07/29/2015	Ordinance 429 - 7/16/15	63.00	63.00
4198	75380368 75384001 75388371	Waxie Sanitary Supply	07/29/2015	Cleaning Supplies Cleaning Supplies Cleaning Supplies	529.80 187.60 59.10	776.50
4199	B9237	A-Pot Rentals	08/05/2015	Portable Restroom Rental- 7/9/15-8/8/15	132.20	132.20
4200	INV31326	Accela, Inc. #774375	08/05/2015	GIS Interface Maintenance 8/22/15-8/21/16	550.00	550.00
4201	15834-1	All Access Services	08/05/2015	Forklift Rental- Bus Shelter Installation	1,176.61	1,176.61
4202	55415	Anthem Blue Cross EAP	08/05/2015	Employee Assistance Program- Aug15	165.00	165.00
4203	0068493	Art's Lawnmower	08/05/2015	Chains for Chainsaws	90.68	90.68
4204	Jul22 15	AT&T	08/05/2015	AT&T High Speed Internet Max Plus 7/23/15-8/22/15	65.00	65.00
4205	5656890742 5656899574	AutoZone, Inc.	08/05/2015	Diesel Exhaust Fluid Duralast Battery for Pressure Washer	27.00 92.87	119.87
4206	1209	Badawi & Associates	08/05/2015	FY 2015 Audit - Progress Billing #1	7,218.00	7,218.00
4207	4403204	Bearcom	08/05/2015	Portable Radios Monthly Contract- 7/22/15-8/21/15	150.00	150.00
4208	627540-9 628315-9 629829-9	BJ's Rentals	08/05/2015	Propane Propane Boom Rental- Banners	26.46 16.63 300.00	343.09
4209	Boughton	Boughton, BillieKai	08/05/2015	Refund/ Boughton, Billiekai/ Day Camp Week 8 & 9	190.00	190.00
4210	389816	Brody Chemical Comp. Inc.	08/05/2015	Citrus Degreaser	186.26	186.26
4211	Aug3 15	Burke, Patrick	08/05/2015	Music Fee - Movie in the Park- 8/14/15	125.00	125.00
4212	8/4/15	California State Disbursement Unit	08/05/2015	Wage Withholding - Pay Period Ending 8/4/15	267.00	267.00
4213	Cedillo	Cedillo, Dorothy	08/05/2015	Refund/Cedillo,Dorothy/Deposit ComCtr 7-24-15	300.00	300.00
4214	152-35	Circulate San Diego	08/05/2015	Caltrans Safe Routes to School- 6/1/15-6/30/15	13,776.62	13,776.62
4215	2923 2925 2928 2929	D- Max Engineering Inc.	08/05/2015	JRMP Services- 4/1/15-6/30/15 2014-2015 Compliance Inspections- Through 6/30/15 Stormwater Svc: 1st Review- Starbucks LG Plaza Dev. Lemon Grove Valencia Construction Inspections- Jun15	7,440.00 20,740.75 801.70 371.50	29,353.95
4216	Easton	Easton, Elda	08/05/2015	Refund/Easton, Elda/Deposit LBH 7-25-15	300.00	300.00
4217	7/13-16/15 7/20-23/15 7/27-30/15	Esgil Corporation	08/05/2015	75% Building Fees- 7/13/15-7/16/15 75% Building Fees- 7/20/15-7/23/15 75% Building Fees- 7/27/15-7/30/15	2,891.57 34,729.85 28,880.57	66,501.99
4218	23446	Excell Security, Inc	08/05/2015	Senior Center Security Guard - 7/19/15	216.00	216.00
4219	885881	FunFlicks Outdoor Movies	08/05/2015	Outdoor Movie Rental Svc - Movies in the Park 7/24/15	749.00	749.00
4220	Garcia	Garcia, Maria	08/05/2015	Refund/Garcia,Maria/Deposit LBH 7-18-15	200.00	200.00
4221	6619545	Globalstar USA, Inc	08/05/2015	Satellite Service- 6/16/15-7/15/15	85.08	85.08
4222	Jul-Dec14	Harper, Raymond	08/05/2015	Re-issue: Retiree Health Benefits- Jul14-Dec14	1,200.00	1,200.00
4223	110244	Knott's Pest Control, Inc	08/05/2015	Monthly Bait Stations-Berry St/ Jul15	70.00	175.00

	110245			Monthly Bait Stations- Civic Ctr Park/ Jul15	60.00	
	110246			Monthly Bait Stations- Sheriff/ Jul15	45.00	
4224	7974683-5	Landcare Holdings, LLC	08/05/2015	Landscape Maintenance- Jul15	9,918.00	9,918.00
4225	07-2003	Lemon Grove School District	08/05/2015	Fuel Services- PW: Jun15	2,385.48	2,385.48
4226	Martinez	Martinez, Juan	08/05/2015	Refund/Martinez,Juan/Deposit L8H 7-11-15	300.00	300.00
4227	Millhouse	Millhouse, Lisa	08/05/2015	Refund/Millhouse; Lisa/Deposit L8H 7-19-15	300.00	300.00
4228	118991 119063	Orange Commercial Credit- Best Tire	08/05/2015	Flat Tire Repair LGPW #01 4 New Tires LGPW #03	15.00 404.73	419.73
4229	9/11/15	Premier Inflatables Rentals	08/05/2015	Jumper Rentals- Movies in the Park 8/14 & 9/11	500.00	500.00
4230	Ramirez	Ramirez, Liliana	08/05/2015	Refund/Ramirez,Liliana/Deposit Courtyard 7-18-15	300.00	300.00
4231	30540468	RCP Block & Brick, Inc.	08/05/2015	Paint Brush/Cement Grout	62.69	62.69
4232	338176-00	RJ Safety Co Inc.	08/05/2015	7" Green Tilt Umbrella	103.09	103.09
4233	2015	SD County Paramedic Association	08/05/2015	2015 Protocol Books	239.76	239.76
4234	181201	SD East County Chamber of Commerce	08/05/2015	First Friday Aug'15 Breakfast Event - Gastil	20.00	20.00
4235	LGBC-1516 LGLI-1516	SD Pooled Insurance Program Authority	08/05/2015	Bond/Crime Program- July 1, 2015- June 30, 2016 Liability Insurance- July 1, 2015- July 1, 2016	1045 105,911.00	106,956.00
4236	Smith	Smith,Angela	08/05/2015	Refund/ Smith, Angela/ Deposit ComCtr 7-11-15	200.00	200.00
4237	STMT 6/28/15	Staples-Credit Plan	08/05/2015	Office Supplies	152.74	152.74
4238	RG 2070851	Swank Motion Pictures, Inc.	08/05/2015	Big Hero 6 Movie Rental - Movie in the Park 7/24/15	401.00	401.00
4239	0720150389	Underground Service Alert	08/05/2015	New Ticket Charges- Jul15	103.50	103.50
4240	C31603	Valley Power Systems Inc.	08/05/2015	E-10- Transmission Repair	231.05	231.05
4241	Aug4 15	Vantage Point Transfer Agents-457	08/05/2015	ICMA Deferred Compensation Pay Period Ending 8/4/15	50.00	50.00
4242	70815410 70819443 70819444 70823650 70826459 70833608 70833609 70835012	Vulcan Materials	08/05/2015	Asphalt Asphalt Asphalt Asphalt Asphalt Asphalt Asphalt Asphalt	126.36 130.14 87.73 128.02 167.11 518.55 128.48 113.03	1,399.42
4243	10536	AAA Imaging	08/12/2015	11X19 Bathroom Closure Signs - Promenade	23.76	23.76
4244	L1072895	American Messaging	08/12/2015	Pager Replacement Program- 8/1/15-8/31/15	45.26	45.26
4245	26711	Anita Fire Hose Company Etc	08/12/2015	2.5" Double Jacket 400 PSI Hose - LGPW24	90.41	90.41
4246	630604-9 631871-9 632005-9	BJ's Rentals	08/12/2015	Gas - Compactor Rammer- Berry St Digout Propane Gas - Saw Chain	75.60 15.12 44.16	134.88
4247	406	Broadway Auto Electric	08/12/2015	Asphalt Truck Repair - Turn Signals & Relays	200.48	200.48
4248	60464	Cantol USA Inc.	08/12/2015	Graffiti Supplies	933.10	933.10
4249	13231	City of El Cajon	08/12/2015	Overtime Reimbursement- Smylie 6/24/15	1,290.27	1,290.27
4250	1000139617	City of San Diego	08/12/2015	Municipal Sewer Transportation- 4th Qtr 4/1/15-6/30/15	9,010.42	9,010.42
4251	8/1/2015 7/30/2015 7/30/2015	Cox Communications	08/12/2015	Phone/City Hall- Jul15 Internet/Community Ctr- 7/30/15-8/29/15 Peg Circuit Svc- 7/30/15-8/29/15	570.12 75.00 2,855.47	3,500.59
4252	12450 12461 12532	Custom Auto Wrap Inc.	08/12/2015	Update Concert Flyer Sponsor Patches Movie Banner Update	94.74 101.00 206.20	401.94
4253	29201	Dokken Engineering	08/12/2015	Map Reviews - Jul'15	1,712.50	1,712.50
4254	8/3-6/15	Esgil Corporation	08/12/2015	75% Building Fees- 8/3/15-8/6/15	5,512.89	5,512.89
4255	51992 52122	Ew Truck & Equipment Co Inc	08/12/2015	Vehicle Repairs - '04 Sterling Sanitation Vehicle Repair	3,572.21 816.46	4,388.67

4256	105970	Fire Etc.	08/12/2015	Duffle Bag	102.55	102.55
4257	AR007033	Grossmont Union High School District	08/12/2015	Bus Trip - SD Zoo 6/24/15	229.20	229.20
4258	SS000176286 SS000176287	Hawthorne Machinery Co	08/12/2015	CAT0420E Repairs CAT0420E Repairs	748.29 938.88	1,687.17
4259	9139073424 9139178616	HD Supply Facilities Maintenance, LTD	08/12/2015	Copy Paper Office Supplies	584.71 136.14	720.85
4260	0021738-IN	HDL Coren & Cone	08/12/2015	Property Tax: Jul-Sept15	1,980.00	1,980.00
4261	00031815 00031816 0031727	Hudson Safe-T- Lite Rentals	08/12/2015	Street Signs EDCO Trash Day Sign Message Board Rental 6/24-7/19 - Concerts in Park	455.70 292.95 900.00	1,648.65
4262	20407	Ink Electric, Inc.	08/12/2015	Removed 7 Damaged Trolley Stop Lights	170.00	170.00
4263	07-2011 07-2008	Lemon Grove School District	08/12/2015	Fuel Services-Jul15 Softball Water Usage- 5/1/15-6/30/15	921.03 1,011.06	1,932.09
4264	313262	M.N. Mauzy Mechanical Inc.	08/12/2015	AC Repair - City Hall 7/27/15	662.00	662.00
4265	1981871	Mantek	08/12/2015	Water Based Spill Absorbent	549.47	549.47
4266	15-019-01	MJC Construction	08/12/2015	Storm drain repair & improvement at 8063 Alton Dr.	32,000.00	32,000.00
4267	Reissue-8/12	Modmerica Group	08/12/2015	Reissue- Commercial Real Estate Broker Incentive Program	2,158.80	2,158.80
4268	00654110_SNV	Municipal Emergency Services Inc.	08/12/2015	Mask Fit Testing	25.00	25.00
4269	119146	Orange Commercial Credit- Best Tire	08/12/2015	Flat Tire Repair - Streets Loader	76.48	76.48
4270	15-0987	Pacific HVAC Service	08/12/2015	AC Repair	277.79	277.79
4271	18972 18984	Pacific Products & Services, Inc.	08/12/2015	Sign Posts Light Duty Wedge Puller	1,178.26 176.69	1,354.95
4272	Aug 15	PLIÇ- SBD Grand Island	08/12/2015	Dental Insurance - Aug'15	3,994.27	3,994.27
4273	PD-28646	Plumbers Depot Inc.	08/12/2015	Deep Sewer Sonde	749.64	749.64
4274	AR170090	SD Association of Governments	08/12/2015	ARIIS 2016 JPA Fees- 7/1/15-6/30/16	16,332.00	16,332.00
4275	181151	SD East County Chamber of Commerce	08/12/2015	Tuition - Leadership 2015-2016- Drum	850.00	850.00
4276	Jul 15	SDG&E	08/12/2015	Gas & Electric 6/22/15-7/22/15	24,059.94	24,059.94
4277	2861314784 2861314967 2861316227	Sharp Rees-Stealy Medical Centers	08/12/2015	Medical Examination Medical Examination Medical Examination	103.00 424.00 45.00	572.00
4278	476803	South Coast Emergency Vehicle Serv.	08/12/2015	E210- Cover Plates	123.13	123.13
4279	96652	Tristar Risk Management	08/12/2015	W/C Losses- Jul'15	3,886.39	3,886.39
4280	97489000830 9748901527 Fire- 7/20	Verizon Wireless	08/12/2015	City Phone Charges- 6/13/15-7/12/15 Mobile Broadband Access- 6/13/15-7/12/15 EOC Router/Emer Phone Lines- 6/13/15-7/12/15	687.42 76.02 341.79	1,105.23
4281	70819443 70840546 70840547 70841969 70848256 70852808 70855717 70855718	Vulcan Materials	08/12/2015	Asphalt Asphalt Asphalt Asphalt Asphalt Asphalt Asphalt Asphalt	130.14 89.39 87.73 87.73 89.39 93.55 90.22 87.73	755.88
4282	95609008	Kimley- Horn and Associates Inc.	08/13/2015	Lemon Grove Safe Routes Project- through Jul31, 2015	2,600.00	2,600.00
4283	21212	Associated Students of SDSU	08/19/2015	Aquaplex Day Passes - 13 Adult/80 Child - Daycamp	478.00	478.00
4284	Aug15 Jul15	AT&T	08/19/2015	Phone Service- Aug15 Fire Backup Phone Line- 7/1/15-7/31/15	359.90 32.43	392.33
4285	634448-9 636763-9	BJ's Rentals	08/19/2015	Propane Propane	28.17 26.46	54.63
4286	1123424-IN 1123425-IN	Boot World Inc	08/19/2015	Work Boots - Corona, Hunt, McDonald Work Boots - Landeros, Pedroza	490.31 500.00	3,000.90

	1123590-IN			Work Boots - PW Sani/Sts Crew	2,010.59	
4287	10019158	Boyer Moving & Storage	08/19/2015	Moving Expenses- Upstairs Carpet Installation-City Hall	2,980.00	2,980.00
4288	1001428	Cannon Pacific Sweeping, Inc.	08/19/2015	Street Sweeping/Power Washing- Jul15	5,443.28	5,443.28
4289	QTR-4	City of La Mesa	08/19/2015	JPA Reconciliation - QTR End 6/30/15	27,882.00	27,882.00
4290	81562751 81563414	Corelogic Information Solutions Inc.	08/19/2015	RealQuest Graphics Package- Jul15 Image Requests - Jul15	300.00 22.00	322.00
4291	201504095	County of SD/Assessor/Recorder/Clerk	08/19/2015	Recorder Copies- 7/29/15	89.00	89.00
4292	8/6/2015 8/6/2015 8/1/2015 8/5/2015	Cox Communications	08/19/2015	Calsense Modem Line:2259 Washington- 8/6/15-9/5/15 Calsense Modem Line:7071 Mt Vernon 8/6/15-9/5/15 Main Phone/Fire- 8/1/15-8/31/15 Phone/Rec Ctr/ 3131 School Ln 8/4/15-9/3/15	19.72 19.72 390.08 98.25	527.77
4293	07150560	DAR Contractors	08/19/2015	Animal Disposal- Jul15	162.00	162.00
4294	8/10-13/15	Esgil Corporation	08/19/2015	75% Building Fees- 8/10/15-8/13/15	1,861.55	1,861.55
4295	Uni- 7/28/15	Gamester, Sean	08/19/2015	Uniform Allowance- Gamester 7/28/15	179.00	179.00
4296	AR007088	Grossmont Union High School District	08/19/2015	BusTrips- Daycamp - Aquatica 7/1/15, SDSU 7/29/15	1,487.40	1,487.40
4297	FSA 8/3/15	Hales, Suzanna	08/19/2015	FSA Reimbursement - Hales 8/3/15	220.00	220.00
4298	Jan-Jun15	James, Mike	08/19/2015	Cell Phone Reimbursement- Jan'15-Jun'15/James	210.00	210.00
4299	67	Janazz, LLC	08/19/2015	Technical Support- Jul15	1,485.00	1,485.00
4300	110783 110784 110785	Knott's Pest Control, Inc.	08/19/2015	Monthly Bait Stations-Berry St/ Aug15 Monthly Bait Stations- Civic Ctr Park/ Aug15 Monthly Bait Stations- Sheriff/ Aug15	70.00 60.00 45.00	175.00
4301	07-2012	Lemon Grove School District	08/19/2015	Fuel Services-PW: Jul15	2,691.51	2,691.51
4302	Jul15	Lounsberry Ferguson Altona & Peak LLP	08/19/2015	General 01163-00002 - Jul'15 Code Enforcement 01163-00003 - Jul'15 DOF 01163-00017 - Jul'15 Moore Vs. City 01163-00018 - Jul'15 Affordable Housing 01163-00019 - Jul'15 Cost-Share Agreement 01163-00023 - Jul'15	12,582.80 2,490.00 2,778.68 116.20 403.49 1,344.60	19,715.77
4303	48209	Modern Septic Service Inc.	08/19/2015	Clean Out Pump Station 8/5/15	420.00	420.00
4304	2015-01	Nu-Line Technologies LLC	08/19/2015	Draw 1- Sewer Lining CIPPL 5/1/15-5/31/15	12,154.06	12,154.06
4305	19450	Opper & Varco LLP	08/19/2015	Prof Svc: City Mark Project- Jul'15	654.48	654.48
4306	119202	Orange Commercial Credit- Best Tire	08/19/2015	Flat Repair/Service Call	159.44	159.44
4307	1534	Pacific IP	08/19/2015	Repair Phone Extensions 7/9/15	160.00	160.00
4308	2015-285	Quality Code Publishing LLC	08/19/2015	Internet Website Updating-LG Municipal Code	1,487.01	1,487.01
4309	8/1/15	Ratkovich, Michael	08/19/2015	Forcible Entry Operations/Fire Mgmt 2A Classes	649.22	649.22
4310	Jul15	Smart & Final	08/19/2015	Daycamp/Movies/Concerts in the Park Supplies	333.77	333.77
4311	358855	Sun Badge Company	08/19/2015	Engineer Badge - Hull	99.29	99.29
4312	RG 2079230	Swank Motion Pictures, Inc.	08/19/2015	Annie Movie Rental- Movie in the Park 8/14/15	351.00	351.00
4313	STMT 7/22	US Bank Corporate Payment Systems	08/19/2015	Department Lunch Meeting Traffic Signal Light Replacement Connect Main St Meeting Virtual Hosting- Jul15 Coffee Supplies- City Hall Registration Folders for Daycamp Water Filter- City Hall File Cabinet Keyboard & Mouse Crystal Reports 2013 Upgrade AC Adapter Hanging File Rails Mouse & Keyboard Badge Pinning Ceremony Supplies Hardware for Narcotic Vault Fire Station Garage Door Rollers & Hinges 6" Helmet Shield	55.26 400.48 22.28 1,619.03 191.05 71.63 48.00 86.39 75.58 318.60 8.58 10.57 37.79 138.71 9.06 30.90 67.50	13,732.91

				Vehicle Modern Cable	40.62	
				Light Bulbs	23.77	
				Pre Paid Car Washes - Fire Stn	240.00	
				4305- Oil Change	47.25	
				Screws for Helmet Shields	3.09	
				Business Card Stock	119.59	
				Parking for EMS Meeting	4.00	
				Tennis Balls for Air Connections	4.75	
				E210- Auto Eject for Shore line	220.00	
				4305- Rear Brakes & Fuel Filter	530.98	
				Vision Statement Display for Station Kitchen	87.85	
				Craigslist Job Posting- MSW	25.00	
				10FT X 10FT Popup Canopy (Heat Stress Requirement)	151.18	
				Angle Grinder, Grit Metal Cut-Off Wheel	37.21	
				Desk & Storage Cabinet	564.86	
				Aquatica Season Passes - 60 Adult/36 Child- Daycamp	4,046.97	
				Pizza for Daycamp	151.20	
				Daycamp T-Shirts	67.78	
				Monitor Mount	47.84	
				APWA15 Expo - James/Bell/Adams/Harper/Landeros	3,925.00	
				MMASC Membership Dues - James	75.00	
				Padlock	47.48	
				UT Subscription- Final	41.08	
				MMASC Region 8 Petco Park Event - James 8/22/15	39.00	
4314	Aug18 15	Vantage Point Transfer Agents-457	08/19/2015	ICMA Deferred Compensation Pay Period Ending 8/18/15	50.00	50.00
4315	Fire- 5/20	Verizon Wireless	08/19/2015	EOC Router/Emer Phone Lines/Tablets- 4/21/15-5/20/15	632.23	632.23
4316	70857255	Vulcan Materials	08/19/2015	Asphalt	88.56	350.98
	70863386			Asphalt	262.42	
					1,820,099.00	1,820,099.00

City of Lemon Grove Demands Summary

Approved as Submitted:

Cathleen Till, Finance Director

For Council Meeting: 09/01/15

ACH/AP Checks 07/28/15-08/20/15

1,820,099.00

Payroll - 08/04/15

133,644.55

Payroll - 08/18/15

150,328.19

Total Demands

2,104,071.74

Check No	Vendor No	Vendor Name	Check Date	Vendor Name	Check Amount	
CHECK NO	INVOICE NO	VENDOR NAME	CHECK DATE	Description	INVOICE AMOUNT	CHECK AMOUNT
ACH	Jul21 15	US Treasury	07/28/2015	Federal Taxes 7/21/15	27,710.37	27,710.37
ACH	41539581	WEX Wright Express Fleet Services	07/29/2015	Fuel - Fire Dept.- Jun'15	1,179.73	1,179.73
ACH	Jul15	Dharma Merchant Services	08/03/2015	Merchant Fees - Jul'15	992.87	992.87
ACH	Jul15	Bluefin Payment Systems	08/03/2015	Merchant Statement Fee - Jul'15	9.95	9.95
ACH	Jul15	Power Pay Biz	08/04/2015	Online Credit Card Processing - Jul'15	54.88	54.88
ACH	Jul15	Authorize.Net	08/04/2015	Merchant Fees In-Store & Online - Jul'15	50.25	50.25
ACH	Aug15	Pers Health	08/04/2015	Pers Health Insurance - Aug'15	52,915.13	52,915.13
ACH	Jun 15	SD County Sheriff's Department	08/05/2015	Law Enforcement Services - Jun'15	399,233.73	399,233.73
ACH	283105138	US Bank Equipment Finance	08/06/2015	Defibrillator Lease-Contract Payment 8/11/15	1,663.30	1,663.30
ACH	Aug4 15	Employment Development Dept.	08/06/2015	State Taxes 8/4/15	7,489.77	7,489.77
ACH	Jun24-Jul21	Calpers Supplemental Income 457 Plan	08/07/2015	457 Plan 6/24/15-7/21/15	14,763.56	14,763.56
ACH	8/6/15	Pitney Bowes Global Financial Services	08/10/2015	Postage Meter Rental 8/6/15	250.00	250.00
ACH	Aug4 15	US Treasury	08/11/2015	Federal Taxes 8/4/15	30,409.00	30,409.00
ACH	4154920380	SDG&E	08/11/2015	Electric Usage:St Light 6/30/15-7/31/15	2,789.93	2,789.93
ACH	3568860625	SDG&E	08/11/2015	Electric Usage:St Light 6/30/15-7/31/15	1,253.61	1,253.61
ACH	Jul15	Wells Fargo Bank	08/11/2015	Bank Service Charge - Jul'15	2,060.28	2,060.28
ACH	Jun24-Jul21	Ca Public Empl Retirement System	08/12/2015	Pers Retirement 6/24/15-7/21/15	61,985.14	61,985.14
ACH	Jul 15	Home Depot Credit Services	08/13/2015	Home Depot Charges - Jul'15	701.43	701.43
ACH	1000139705	City of San Diego	08/19/2015	Metro Sewer System FY16 1st Qtr	575,490.00	575,490.00
ACH	Aug18 15	Employment Development Dept	08/20/2015	State Taxes 8/18/15	10,522.67	10,522.67
4179	10521	AAA Imaging	07/29/2015	Business Card Shells & Business Cards Order	912.60	912.60
4180	6333	Bob Murray & Associates	07/29/2015	Professional Services- City Manager Recruitment	2,147.75	2,147.75
4181	81817457	Boundtree Medical LLC	07/29/2015	Cardiac Science Powerheart	2,807.98	2,807.98
4182	15097770	Canon Financial Services Inc.	07/29/2015	Canon Copier Contract Charge- 7/13/15	642.60	642.60
4183	152-34	Circulate San Diego	07/29/2015	Caltrans Safe Routes to School 5/1/15-5/31/15	10,482.78	10,482.78
4184	7/2015	Cox Communications	07/29/2015	Phone/PW Yard/2873 Skyline- 7/19/15-8/18/15	209.11	209.11
4185	16100083	CSAC Excess Insurance Authority	07/29/2015	Excess Workers Comp Insurance FY16	98,623.00	98,623.00
4186	23417	Excell Security, Inc.	07/29/2015	Senior Center Security Guard - 7/11/15	252.00	252.00
4187	Himango	Himango, Malinda	07/29/2015	Refund/Himango, Malinda/ Summer Camp Wk 1	95.00	95.00
4188	00634035_SNV 00648752_SNV	Municipal Emergency Services Inc.	07/29/2015	Scott X3 Air Paks Uniform Allowance- Lavigne 7/8/15	20,412.00 259.56	20,671.56
4189	4133	North County EVS, Inc	07/29/2015	North County EVS, Inc.	3,597.33	3,597.33
4190	3010210754	Parkhouse Tire Inc.	07/29/2015	E310- Tire Repair	412.33	412.33

4191	FSA-7/16/15 Uni- 7/16/15	Pepin, Matt	07/29/2015	FSA Reimbursement- Pepin 7/16/15 Uniform Allowance- Pepin 7/16/15	814.00 26.94	840.94
4192	4044	Restroom Facilities LTD	07/29/2015	Annual Fee for Licensing/Data Transfer Fee-Main St Promenade	450.00	450.00
4193	0259335	SCS Engineers	07/29/2015	Soil Excavation,Transportation & Disposal-Main St Prop-Jun'15	6,041.75	6,041.75
4194	7/22/2015 7/22/2015 7/18/2015	SDG&E	07/29/2015	3225 Olive- 6/22/15-7/22/15 3500 1/2 Main - 6/22/15-7/22/15 8119 Broadway- 6/22/15-7/18/15	152.55 286.75 72.86	512.16
4195	5610010355 5620004258	Siemens Industry Inc.	07/29/2015	Traffic Signal Maintenance- Jun15 Traffic Response Call Outs- Jun15	1,222.00 1,494.02	2,716.02
4196	Soroptomists	Soroptomists International of LG	07/29/2015	Refund/Soroptomists/ Deposit-CC 5/18/15	200.00	200.00
4197	46229	The East County Californian	07/29/2015	Ordinance 429 - 7/16/15	63.00	63.00
4198	75380368 75384001 75388371	Waxie Sanitary Supply	07/29/2015	Cleaning Supplies Cleaning Supplies Cleaning Supplies	529.80 187.60 59.10	776.50
4199	89237	A-Pot Rentals	08/05/2015	Portable Restroom Rental- 7/9/15-8/8/15	132.20	132.20
4200	INV31326	Accela, Inc. #774375	08/05/2015	GIS Interface Maintenance 8/22/15-8/21/16	550.00	550.00
4201	15834-1	All Access Services	08/05/2015	Forklift Rental- Bus Shelter Installation	1,176.61	1,176.61
4202	55415	Anthem Blue Cross EAP	08/05/2015	Employee Assistance Program- Aug15	165.00	165.00
4203	0068493	Art's Lawnmower	08/05/2015	Chains for Chainsaws	90.68	90.68
4204	Jul22 15	AT&T	08/05/2015	AT&T High Speed Internet Max Plus 7/23/15-8/22/15	65.00	65.00
4205	5656890742 5656899574	AutoZone, Inc.	08/05/2015	Diesel Exhaust Fluid Duralast Battery for Pressure Washer	27.00 92.87	119.87
4206	1209	Badawi & Associates	08/05/2015	FY 2015 Audit - Progress Billing #1	7,218.00	7,218.00
4207	4403204	Bearcom	08/05/2015	Portable Radios Monthly Contract- 7/22/15-8/21/15	150.00	150.00
4208	627540-9 628315-9 629829-9	BJ's Rentals	08/05/2015	Propane Propane Boom Rental- Banners	26.46 16.63 300.00	343.09
4209	Boughton	Boughton, BillieKai	08/05/2015	Refund/ Boughton, Billiekai/ Day Camp Week 8 & 9	190.00	190.00
4210	389816	Brody Chemical Comp. Inc.	08/05/2015	Citrus Degreaser	186.26	186.26
4211	Aug3 15	Burke, Patrick	08/05/2015	Music Fee - Movie in the Park- 8/14/15	125.00	125.00
4212	8/4/15	California State Disbursement Unit	08/05/2015	Wage Withholding - Pay Period Ending 8/4/15	267.00	267.00
4213	Cedillo	Cedillo, Dorothy	08/05/2015	Refund/Cedillo,Dorothy/Deposit ComCtr 7-24-15	300.00	300.00
4214	152-35	Circulate San Diego	08/05/2015	Caltrans Safe Routes to School- 6/1/15-6/30/15	13,776.62	13,776.62
4215	2923 2925 2928 2929	D- Max Engineering Inc.	08/05/2015	JRMP Services- 4/1/15-6/30/15 2014-2015 Compliance Inspections- Through 6/30/15 Stormwater Svc: 1st Review- Starbucks LG Plaza Dev. Lemon Grove Valencia Construction Inspections- Jun15	7,440.00 20,740.75 801.70 371.50	29,353.95
4216	Easton	Easton, Elda	08/05/2015	Refund/Easton, Elda/Deposit LBH 7-25-15	300.00	300.00
4217	7/13-16/15 7/20-23/15 7/27-30/15	Esgil Corporation	08/05/2015	75% Building Fees- 7/13/15-7/16/15 75% Building Fees- 7/20/15-7/23/15 75% Building Fees- 7/27/15-7/30/15	2,891.57 34,729.85 28,880.57	66,501.99
4218	23446	Excell Security, Inc	08/05/2015	Senior Center Security Guard - 7/19/15	216.00	216.00
4219	885881	FunFlicks Outdoor Movies	08/05/2015	Outdoor Movie Rental Svc - Movies in the Park 7/24/15	749.00	749.00
4220	Garcia	Garcia, Maria	08/05/2015	Refund/Garcia,Maria/Deposit LBH 7-18-15	200.00	200.00
4221	6619545	Globalstar USA, Inc.	08/05/2015	Satellite Service- 6/16/15-7/15/15	85.08	85.08
4222	Jul-Dec14	Harper, Raymond	08/05/2015	Re-issue: Retiree Health Benefits- Jul14-Dec14	1,200.00	1,200.00
4223	110244	Knott's Pest Control, Inc.	08/05/2015	Monthly Bait Stations-Berry St/ Jul15	70.00	175.00

	110245			Monthly Bait Stations- Civic Ctr Park/ Jul15	60.00	
	110246			Monthly Bait Stations- Sheriff/ Jul15	45.00	
4224	7974683-5	Landcare Holdings, LLC	08/05/2015	Landscape Maintenance- Jul15	9,918.00	9,918.00
4225	07-2003	Lemon Grove School District	08/05/2015	Fuel Services-PW: Jun15	2,385.48	2,385.48
4226	Martinez	Martinez, Juan	08/05/2015	Refund/Martinez,Juan/Deposit LBH 7-11-15	300.00	300.00
4227	Millhouse	Millhouse, Lisa	08/05/2015	Refund/Millhouse, Lisa/Deposit LBH 7-19-15	300.00	300.00
4228	118991 119063	Orange Commercial Credit- Best Tire	08/05/2015	Flat Tire Repair LGPW #01 4 New Tires LGPW #03	15.00 404.73	419.73
4229	9/11/15	Premier Inflatables Rentals	08/05/2015	Jumper Rentals- Movies in the Park 8/14 & 9/11	500.00	500.00
4230	Ramirez	Ramirez, Lilliana	08/05/2015	Refund/Ramirez,Lilliana/Deposit Courtyard 7-18-15	300.00	300.00
4231	30540468	RCP Block & Brick, Inc.	08/05/2015	Paint Brush/Cement Grout	62.69	62.69
4232	338176-00	RI Safety Co Inc.	08/05/2015	7" Green Tilt Umbrella	103.09	103.09
4233	2015	SD County Paramedic Association	08/05/2015	2015 Protocol Books	239.76	239.76
4234	181201	SD East County Chamber of Commerce	08/05/2015	First Friday Aug'15 Breakfast Event - Gastil	20.00	20.00
4235	LGBC-1516 LGLI-1516	SD Pooled Insurance Program Authority	08/05/2015	Bond/Crime Program- July 1, 2015- June 30, 2016 Liability Insurance- July 1, 2015- July 1, 2016	1045 105,911.00	106,956.00
4236	Smith	Smith,Angela	08/05/2015	Refund/ Smith, Angela/ Deposit ComCtr 7-11-15	200.00	200.00
4237	STMT 6/28/15	Staples-Credit Plan	08/05/2015	Office Supplies	152.74	152.74
4238	RG 2070851	Swank Motion Pictures, Inc.	08/05/2015	Big Hero 6 Movie Rental - Movie in the Park 7/24/15	401.00	401.00
4239	0720150389	Underground Service Alert	08/05/2015	New Ticket Charges- Jul15	103.50	103.50
4240	C31603	Valley Power Systems Inc.	08/05/2015	E-10- Transmission Repair	231.05	231.05
4241	Aug4 15	Vantage Point Transfer Agents-457	08/05/2015	ICMA Deferred Compensation Pay Period Ending 8/4/15	50.00	50.00
4242	70815410 70819443 70819444 70823650 70826459 70833608 70833609 70835012	Vulcan Materials	08/05/2015	Asphalt Asphalt Asphalt Asphalt Asphalt Asphalt Asphalt Asphalt	126.36 130.14 87.73 128.02 167.11 518.55 128.48 113.03	1,399.42
4243	10536	AAA Imaging	08/12/2015	11X19 Bathroom Closure Signs - Promenade	23.76	23.76
4244	L1072895	American Messaging	08/12/2015	Pager Replacement Program- 8/1/15-8/31/15	45.26	45.26
4245	26711	Anita Fire Hose Company Etc	08/12/2015	2.5" Double Jacket 400 PSI Hose - LGPW24	90.41	90.41
4246	630604-9 631871-9 632005-9	BJ's Rentals	08/12/2015	Gas - Compactor Rammer- Berry St Digout Propane Gas - Saw Chain	75.60 15.12 44.16	134.88
4247	406	Broadway Auto Electric	08/12/2015	Asphalt Truck Repair - Turn Signals & Relays	200.48	200.48
4248	60464	Cantol USA Inc	08/12/2015	Grafitti Supplies	933.10	933.10
4249	13231	City of El Cajon	08/12/2015	Overtime Reimbursement- Smylie 6/24/15	1,290.27	1,290.27
4250	1000139617	City of San Diego	08/12/2015	Municipal Sewer Transportation- 4th Qtr 4/1/15-6/30/15	9,010.42	9,010.42
4251	8/1/2015 7/30/2015 7/30/2015	Cox Communications	08/12/2015	Phone/City Hall- Jul15 Internet/Community Ctr- 7/30/15-8/29/15 Peg Circuit Svc- 7/30/15-8/29/15	570.12 75.00 2,855.47	3,500.59
4252	12450 12461 12532	Custom Auto Wrap Inc.	08/12/2015	Update Concert Flyer Sponsor Patches Movie Banner Update	94.74 101.00 206.20	401.94
4253	29201	Dokken Engineering	08/12/2015	Map Reviews - Jul'15	1,712.50	1,712.50
4254	8/3-6/15	Esgil Corporation	08/12/2015	75% Building Fees- 8/3/15-8/6/15	5,512.89	5,512.89
4255	51992 52122	Ew Truck & Equipment Co Inc.	08/12/2015	Vehicle Repairs - '04 Sterling Sanitation Vehicle Repair	3,572.21 816.46	4,388.67

4256	105970	Fire Etc.	08/12/2015	Duffle Bag	102.55	102.55
4257	AR007033	Grossmont Union High School District	08/12/2015	Bus Trip - SD Zoo 6/24/15	229.20	229.20
4258	SS000176286 SS000176287	Hawthorne Machinery Co	08/12/2015	CAT0420E Repairs CAT0420E Repairs	748.29 938.88	1,687.17
4259	9139073424 9139178616	HD Supply Facilities Maintenance, LTD	08/12/2015	Copy Paper Office Supplies	584.71 136.14	720.85
4260	0021738-IN	HDL Coren & Cone	08/12/2015	Property Tax: Jul-Sept15	1,980.00	1,980.00
4261	00031815 00031816 0031727	Hudson Safe-T- Lite Rentals	08/12/2015	Street Signs EDCO Trash Day Sign Message Board Rental 6/24-7/19 - Concerts in Park	455.70 292.95 900.00	1,648.65
4262	20407	Ink Electric, Inc.	08/12/2015	Removed 7 Damaged Trolley Stop Lights	170.00	170.00
4263	07-2011 07-2008	Lemon Grove School District	08/12/2015	Fuel Services-Jul15 Softball Water Usage- 5/1/15-6/30/15	921.03 1,011.06	1,932.09
4264	313262	M.N. Mauzy Mechanical Inc.	08/12/2015	AC Repair - City Hall 7/27/15	662.00	662.00
4265	1981871	Mantek	08/12/2015	Water Based Spill Absorbent	549.47	549.47
4266	15-019-01	MJC Construction	08/12/2015	Storm drain repair & improvement at 8063 Alton Dr.	32,000.00	32,000.00
4267	Reissue-8/12	Modmerica Group	08/12/2015	Reissue- Commercial Real Estate Broker Incentive Program	2,158.80	2,158.80
4268	00654110_SNV	Municipal Emergency Services Inc.	08/12/2015	Mask Fit Testing	25.00	25.00
4269	119146	Orange Commercial Credit- Best Tire	08/12/2015	Flat Tire Repair - Streets Loader	76.48	76.48
4270	15-0987	Pacific HVAC Service	08/12/2015	AC Repair	277.79	277.79
4271	18972 18984	Pacific Products & Services, Inc.	08/12/2015	Sign Posts Light Duty Wedge Puller	1,178.26 176.69	1,354.95
4272	Aug 15	PLIC- SBD Grand Island	08/12/2015	Dental Insurance - Aug'15	3,994.27	3,994.27
4273	PD-28646	Plumbers Depot Inc.	08/12/2015	Deep Sewer Sonde	749.64	749.64
4274	AR170090	SD Association of Governments	08/12/2015	ARIIS 2016 JPA Fees- 7/1/15-6/30/16	16,332.00	16,332.00
4275	181151	SD East County Chamber of Commerce	08/12/2015	Tuition - Leadership 2015-2016- Drum	850.00	850.00
4276	Jul 15	SDG&E	08/12/2015	Gas & Electric 6/22/15-7/22/15	24,059.94	24,059.94
4277	2861314784 2861314967 2861316227	Sharp Rees-Stealy Medical Centers	08/12/2015	Medical Examination Medical Examination Medical Examination	103.00 424.00 45.00	572.00
4278	476803	South Coast Emergency Vehicle Serv.	08/12/2015	E210- Cover Plates	123.13	123.13
4279	96652	Tristar Risk Management	08/12/2015	W/C Losses- Jul'15	3,886.39	3,886.39
4280	97489000830 9748901527 Fire- 7/20	Verizon Wireless	08/12/2015	City Phone Charges- 6/13/15-7/12/15 Mobile Broadband Access- 6/13/15-7/12/15 EOC Router/Emer Phone Lines- 6/13/15-7/12/15	687.42 76.02 341.79	1,105.23
4281	70819443 70840546 70840547 70841969 70848256 70852808 70855717 70855718	Vulcan Materials	08/12/2015	Asphalt Asphalt Asphalt Asphalt Asphalt Asphalt Asphalt Asphalt	130.14 89.39 87.73 87.73 89.39 93.55 90.22 87.73	755.88
4282	95609008	Kimley- Horn and Associates Inc.	08/13/2015	Lemon Grove Safe Routes Project- through Jul31, 2015	2,600.00	2,600.00
4283	21212	Associated Students of SDSU	08/19/2015	Aquaplex Day Passes - 13 Adult/80 Child - Daycamp	478.00	478.00
4284	Aug15 Jul15	AT&T	08/19/2015	Phone Service- Aug15 Fire Backup Phone Line- 7/1/15-7/31/15	359.90 32.43	392.33
4285	634448-9 636763-9	BJ's Rentals	08/19/2015	Propane Propane	28.17 26.46	54.63
4286	1123424-IN 1123425-IN	Boot World Inc	08/19/2015	Work Boots - Corona, Hunt, McDonald Work Boots - Landeros, Pedroza	490.31 500.00	3,000.90

	1123590-IN			Work Boots - PW Sani/Sts Crew	2,010.59	
4287	10019158	Boyer Moving & Storage	08/19/2015	Moving Expenses- Upstairs Carpet Installation-City Hall	2,980.00	2,980.00
4288	1001428	Cannon Pacific Sweeping, Inc.	08/19/2015	Street Sweeping/Power Washing- Jul15	5,443.28	5,443.28
4289	QTR-4	City of La Mesa	08/19/2015	JPA Reconciliation - QTR End 6/30/15	27,882.00	27,882.00
4290	81562751 81563414	Corelogic Information Solutions Inc.	08/19/2015	RealQuest Graphics Package- Jul15 Image Requests - Jul15	300.00 22.00	322.00
4291	201504095	County of SD/Assessor/Recorder/Clerk	08/19/2015	Recorder Copies- 7/29/15	89.00	89.00
4292	8/6/2015 8/6/2015 8/1/2015 8/5/2015	Cox Communications	08/19/2015	Calsense Modem Line:2259 Washington- 8/6/15-9/5/15 Calsense Modem Line:7071 Mt Vernon 8/6/15-9/5/15 Main Phone/Fire- 8/1/15-8/31/15 Phone/Rec Ctr/ 3131 School Ln 8/4/15-9/3/15	19.72 19.72 390.08 98.25	527.77
4293	07150560	DAR Contractors	08/19/2015	Animal Disposal- Jul15	162.00	162.00
4294	8/10-13/15	Esgil Corporation	08/19/2015	75% Building Fees- 8/10/15-8/13/15	1,861.55	1,861.55
4295	Uni- 7/28/15	Gamester, Sean	08/19/2015	Uniform Allowance- Gamester 7/28/15	179.00	179.00
4296	AR007088	Grossmont Union High School District	08/19/2015	BusTrips- Daycamp - Aquatica 7/1/15, SDSU 7/29/15	1,487.40	1,487.40
4297	FSA 8/3/15	Hales, Suzanna	08/19/2015	FSA Reimbursement - Hales 8/3/15	220.00	220.00
4298	Jan-Jun15	James, Mike	08/19/2015	Cell Phone Reimbursement- Jan'15-Jun'15/James	210.00	210.00
4299	67	Janazz, LLC	08/19/2015	Technical Support- Jul15	1,485.00	1,485.00
4300	110783 110784 110785	Knott's Pest Control, Inc.	08/19/2015	Monthly Bait Stations-Berry St/ Aug15 Monthly Bait Stations- Civic Ctr Park/ Aug15 Monthly Bait Stations- Sheriff/ Aug15	70.00 60.00 45.00	175.00
4301	07-2012	Lemon Grove School District	08/19/2015	Fuel Services-PW: Jul15	2,691.51	2,691.51
4302	Jul15	Lounsberry Ferguson Altona & Peak LLP	08/19/2015	General 01163-00002 - Jul'15 Code Enforcement 01163-00003 - Jul'15 DOF 01163-00017 - Jul'15 Moore Vs. City 01163-00018 - Jul'15 Affordable Housing 01163-00019 - Jul'15 Cost-Share Agreement 01163-00023 - Jul'15	12,582.80 2,490.00 2,778.68 116.20 403.49 1,344.60	19,715.77
4303	48209	Modern Septic Service Inc.	08/19/2015	Clean Out Pump Station 8/5/15	420.00	420.00
4304	2015-01	Nu-Line Technologies LLC	08/19/2015	Draw 1- Sewer Lining CIPPL 5/1/15-5/31/15	12,154.06	12,154.06
4305	19450	Opper & Varco LLP	08/19/2015	Prof Svc: City Mark Project- Jul'15	654.48	654.48
4306	119202	Orange Commercial Credit- Best Tire	08/19/2015	Flat Repair/Service Call	159.44	159.44
4307	1534	Pacific IP	08/19/2015	Repair Phone Extensions 7/9/15	160.00	160.00
4308	2015-285	Quality Code Publishing LLC	08/19/2015	Internet Website Updating-LG Municipal Code	1,487.01	1,487.01
4309	8/1/15	Ratkovich, Michael	08/19/2015	Forcible Entry Operations/Fire Mgmt 2A Classes	649.22	649.22
4310	Jul15	Smart & Final	08/19/2015	Daycamp/Movies/Concerts in the Park Supplies	333.77	333.77
4311	358855	Sun Badge Company	08/19/2015	Engineer Badge - Hull	99.29	99.29
4312	RG 2079230	Swank Motion Pictures, Inc.	08/19/2015	Annie Movie Rental- Movie in the Park 8/14/15	351.00	351.00
4313	STMT 7/22	US Bank Corporate Payment Systems	08/19/2015	Department Lunch Meeting Traffic Signal Light Replacement Connect Main St Meeting Virtual Hosting- Jul15 Coffee Supplies- City Hall Registration Folders for Daycamp Water Filter- City Hall File Cabinet Keyboard & Mouse Crystal Reports 2013 Upgrade AC Adapter Hanging File Rails Mouse & Keyboard Badge Pinning Ceremony Supplies Hardware for Narcotic Vault Fire Station Garage Door Rollers & Hinges 6" Helmet Shield	55.26 400.48 22.28 1,619.03 191.05 71.63 48.00 86.39 75.58 318.60 8.58 10.57 37.79 138.71 9.06 30.90 67.50	13,732.91

				Vehicle Modem Cable	40.62	
				Light Bulbs	23.77	
				Pre Paid Car Washes - Fire Stn	240.00	
				4305- Oil Change	47.25	
				Screws for Helmet Shields	3.09	
				Business Card Stock	119.59	
				Parking for EMS Meeting	4.00	
				Tennis Balls for Air Connections	4.75	
				E210- Auto Eject for Shore line	220.00	
				4305- Rear Brakes & Fuel Filter	530.98	
				Vision Statement Display for Station Kitchen	87.85	
				Craigslist Job Posting- MSW	25.00	
				10FT X 10FT Popup Canopy (Heat Stress Requirement)	151.18	
				Angle Grinder, Grit Metal Cut-Off Wheel	37.21	
				Desk & Storage Cabinet	564.86	
				Aquatica Season Passes - 60 Adult/36 Child- Daycamp	4,046.97	
				Pizza for Daycamp	151.20	
				Daycamp T-Shirts	67.78	
				Monitor Mount	47.84	
				APWA15 Expo - James/Bell/Adams/Harper/Landeros	3,925.00	
				MMASC Membership Dues - James	75.00	
				Padlock	47.48	
				UT Subscription- Final	41.08	
				MMASC Region 8 Petco Park Event - James 8/22/15	39.00	
4314	Aug18 15	Vantage Point Transfer Agents-457	08/19/2015	ICMA Deferred Compensation Pay Period Ending 8/18/15	50.00	50.00
4315	Fire- 5/20	Verizon Wireless	08/19/2015	EOC Router/Emer Phone Lines/Tablets- 4/21/15-5/20/15	632.23	632.23
4316	70857255	Vulcan Materials	08/19/2015	Asphalt	88.56	350.98
	70863386			Asphalt	262.42	
					1,820,099.00	1,820,099.00

**LEMON GROVE CITY COUNCIL
AGENDA ITEM SUMMARY**

Item No. 1.D
Mtg. Date September 1, 2015
Dept. Public Works

Item Title: Denial of Claims

Staff Contact: Mike James, Public Works Director

Recommendation:

Deny three claims submitted by Edward and Jane Shroyer.

Item Summary:

On May 19th, June 15th and July 29th, the City of Lemon Grove received three timely filed claims from Edward and Jane Shroyer. Staff recommends denying each claim based on the findings of each initial investigation.

Fiscal Impact:

None.

Environmental Review:

- | | |
|---|---|
| ☒ Not subject to review | ☐ Negative Declaration |
| ☐ Categorical Exemption, Section | ☐ Mitigated Negative Declaration |

Public Information:

- | | | |
|--|---|---|
| ☒ None | ☐ Newsletter article | ☐ Notice to property owners within 300 ft. |
| ☐ Notice published in local newspaper | ☐ Neighborhood meeting | |

Attachments:

None.

**LEMON GROVE CITY COUNCIL
AGENDA ITEM SUMMARY**

Item No. 1.E
Mtg. Date September 1, 2015
Dept. Public Works

Item Title: Denial of Claim

Staff Contact: Mike James, Public Works Director

Recommendation:

Deny a claim submitted by Jessica Anne Brown.

Item Summary:

On July 13, 2015, the City of Lemon Grove received a timely filed claim from Jessica Anne Brown. Staff recommends denying the claim based on the findings of the initial investigation.

Fiscal Impact:

None.

Environmental Review:

- | | |
|---|---|
| ☒ Not subject to review | ☐ Negative Declaration |
| ☐ Categorical Exemption, Section | ☐ Mitigated Negative Declaration |

Public Information:

- | | | |
|--|---|---|
| ☒ None | ☐ Newsletter article | ☐ Notice to property owners within 300 ft. |
| ☐ Notice published in local newspaper | ☐ Neighborhood meeting | |

Attachments:

None.

**LEMON GROVE CITY COUNCIL
AGENDA ITEM SUMMARY**

Item No. 1.F
Mtg. Date September 1, 2015
Dept. Development Services

Item Title: **Third Amendment to the National Pollutant Discharge Elimination System Regional Storm Water Copermittee Memorandum of Understanding**

Staff Contact: Malik Tamimi, Management Analyst

Recommendation:

Adopt a resolution (**Attachment B**) approving the Third Amendment of the National Pollutant Discharge Elimination System Regional Storm Water Copermittee Memorandum of Understanding (**Attachment C**).

Item Summary:

The San Diego Regional Water Quality Control Board Order R9-2013-0001 (Permit) requires agencies work together to implement watershed and regional storm water management programs. Copermittees, including the City of Lemon Grove, adopted the Regional Memorandum of Understanding (MOU) on November 16, 2007 and changes are necessary to reflect the 2013 Permit requirements. This third amendment continues cost sharing obligations for regional and watershed programs required by the 2013 Permit. The Third Amendment to the Regional MOU will remain effective through August 2019 or the life of the current Permit plus 12 months, whichever is longer. The staff report provides additional details on the proposed MOU.

Fiscal Impact:

This Regional MOU establishes a not to exceed limit through FY 2019 of \$4,583,197 for Regional General Programs and \$4,084,000 for San Diego Bay Watershed Program. The City's share is 1.01 percent (\$11,573 average per year over four years) of the Regional Cost Share and 3.09 percent (\$31,549 average per year over four years) of the San Diego Bay Watershed. The aforementioned average cost share is consistent with the Second Amendment of the MOU. It is worth noting that there is a slight decrease in the cost share under the Third Amendment compared to FY 2014-15.

Environmental Review:

- | | |
|---|---|
| ☒ Not subject to review | ☐ Negative Declaration |
| ☐ Categorical Exemption, Section 15301 | ☐ Mitigated Negative Declaration |

Public Information:

- | | | |
|--|---|---|
| ☒ None | ☐ Newsletter article | ☐ Notice to property owners within 300 ft. |
| ☐ Notice published in local newspaper | ☐ Neighborhood meeting | |

Attachments:

- A. Staff Report
- B. Resolution
- C. Third Amendment to the MOU

Attachment A

LEMON GROVE CITY COUNCIL STAFF REPORT

Item No. 1.F

Mtg. Date September 1, 2015

Item Title: **Third Amendment to the National Pollutant Discharge Elimination System
Regional Storm Water Copermittee Memorandum of Understanding**

Staff Contact: **Malik Tamimi, Management Analyst**

Discussion:

The Storm Water Permit issued by the San Diego Regional Water Quality Control Board requires a Regional Memorandum of Understanding (MOU) among the permitted agencies to meet watershed and regional obligations. The 21 permitted agencies under the Storm Water Permit are collectively called Copermittees, which includes the City of Lemon Grove.

The purpose of the Regional MOU is to establish shared program obligations for each Copermittee. The Regional MOU establishes regional working bodies and watershed working groups that develop and implement work products to meet the Storm Water Permit requirements in Order R9-2013-0001.

The most significant changes to the MOU include the applicability of the Brown Act to various working groups. The applicability of the Brown Act to Copermittee working group has been defined and ensures compliance with the Act. Other changes include:

- Identification of the County of San Diego as the Regional Principal Copermittee, and
- Reassignment of a Regional Principal Copermittee or responsibilities requires three-fourths majority vote in place of a unanimous vote, and
- Inclusion of a not to exceed cost for Regional General Programs and Watershed Programs through FY 2019.

Annual spending per fiscal year is presented in Table 1 of the MOU (**Attachment C**), establishing the cost share obligations to implement the various storm water programs. The Copermittees reached consensus during the Second Amendment to the MOU to include a "not to exceed" budget for FY 2014-15. The Third Amendment presents proposed budgets through FY 2019. The total cumulative not to exceed cost over the next four fiscal years presented in Table 1 of the MOU (Attachment C) is \$4,583,197 for Regional General Programs and \$4,084,000 for San Diego Bay Watershed Program. The City's share is 1.01 percent (\$11,573 average per year) of the Regional Cost Share and 3.09 percent (\$31,549 average per year) of the San Diego Bay Watershed for a total maximum average of \$43,122.

The cumulative cost share proposed in the Third Amendment on average per fiscal year is consistent with costs presented and expended under the Second Amendment to the MOU. In fact the proposed cost on average per fiscal year in the Third Amendment is less than the cost expended during FY 2014-15 under the Second Amendment to the MOU and the San Diego Bay Watershed Program total of \$48,788.

The approval of this Third Amendment of the Regional MOU will allow for continued collaboration and cost sharing among Copermittees through August 2019 or through the life of the current Storm Water Permit plus 12 months, whichever is longer.

Attachment A

Conclusion:

Staff recommends that the City Council adopt a resolution (**Attachment B**) approving the Third Amendment of the National Pollutant Discharge Elimination System Regional Storm Water Copermittee MOU (**Attachment C**)

Attachment B

**RESOLUTION NO. 2015-
RESOLUTION OF THE LEMON GROVE CITY COUNCIL APPROVING THE THIRD
AMENDMENT TO THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM
REGIONAL STORM WATER COPERMITTEE MEMORANDUM OF UNDERSTANDING**

WHEREAS, on, May 8, 2013, the Regional Water Quality Control Board issued a National Pollution Discharge Elimination System Permit Order No. R9-2013-0001 (Permit); and

WHEREAS, the Permit was issued to the County of San Diego, the San Diego Unified Port District (Port), the San Diego County Regional Airport Authority (Airport), and the incorporated cities of San Diego County including the City of Lemon Grove, collectively called Copermittees; and

WHEREAS, the Permit requires agencies to work together to implement watershed and regional storm water management programs; and

WHEREAS, the Copermittees developed a Regional Memorandum of Understanding (MOU) to establish shared program responsibilities including program implementation costs; and

WHEREAS, the Third Amendment to the Regional MOU was necessary to meet the new Permit requirements; and

WHEREAS, the City supports the amendments made to the Third Amendment to the Regional MOU; and

NOW, THEREFORE, BE IT RESOLVED that the Lemon Grove City Council hereby approves the amendments to the Regional MOU and authorizes the City Manager to sign the Third Amendment to the National Pollutant Discharge Elimination System Regional Storm Water Copermittee MOU.

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Third Amendment to National Pollutant Discharge Elimination System

San Diego Regional Stormwater Copermittees

MEMORANDUM OF UNDERSTANDING

July 2, 2015

This Memorandum of Understanding (MOU), entered into by the County of San Diego (County), the San Diego Unified Port District (Port), the San Diego County Regional Airport Authority (Airport), and the incorporated cities of San Diego, Carlsbad, Chula Vista, Coronado, Escondido, Imperial Beach, La Mesa, San Marcos, Del Mar, El Cajon, Encinitas, Lemon Grove, National City, Oceanside, Poway, Santee, Solana Beach, and Vista (Cities), collectively called Copermittees, establishes the shared program responsibilities of each party with respect to compliance with the National Pollutant Discharge Elimination System (NPDES) stormwater permit regulations administered by the United States Environmental Protection Agency (U.S. EPA) under the authority granted by the Federal Water Pollution Control Act (Clean Water Act) 33 USCA 1251 et seq. as amended.

RECITALS

WHEREAS, in 1987 Congress amended Section 402 of the Federal Water Pollution Control Act (33 USCA §1342p) to require the U.S. EPA to promulgate regulations for applications for permits for stormwater discharges; and

WHEREAS, the U.S. EPA adopted final permit regulations on November 16, 1990; and

WHEREAS, these permit regulations require the control of pollutants from stormwater discharges by requiring an NPDES permit, which would allow the lawful discharge of stormwater into waters of the United States; and

WHEREAS, the County, the Port, the Airport, and the Cities desire to implement an integrated stormwater management program with the objective of improving surface water quality in the County of San Diego, but do so without waiving and expressly subject to any and all objections and appeals made by any Copermittee in response to any NPDES Permit; and

WHEREAS, the California State Water Resources Control Board (CSWRCB) as designee of the U.S. EPA has delegated authority to the San Diego Regional Water Quality Control Board (Regional Board) for administration of the NPDES stormwater permit within the boundaries of its region; and

WHEREAS, on, May 8, 2013, the Regional Board issued an NPDES permit as Order No. R9-2013-0001 (Permit) governing waste discharge requirements for stormwater and urban runoff from the County, the Port, the Airport, and the Cities, naming these entities as Copermittees; and

WHEREAS, said Permit requires that the Copermittees cooperate in the implementation of various Urban Runoff Management Plans;

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

Attachment C

I. DEFINITIONS

At Large means representing all of the Copermittees of this MOU.

Chair means presiding over and providing leadership and direction to a Working Body. This includes serving as a point of contact to external entities such as Regional Board staff, stakeholders, and industry groups, soliciting group input on and developing meeting content, facilitating meetings, and coordinating with the Secretary or Working Body Support staff to finalize work products for distribution to the Working Body. Chair responsibilities may also be divided between Co-Chairs.

Contract Administration means developing, soliciting, awarding, and managing contracts.

Consensus means general agreement reached between the participants of a Working Body.

Direct Costs mean those costs directly related to the development of a work product, or to the performance of a particular function or service. Direct Costs may include the wages of Copermittee employees engaged in an activity and the cost of materials or supplies needed to support that activity. Depreciation, equipment, and office space are not considered Direct Costs.

Fiscal Year starts on July 1 and ends on June 30 of the following year.

General Programs are collaborative urban runoff management activities which are (1) mandated by or necessary to implement requirements of the Permit, (2) necessary to anticipate the requirements, or prepare for renewal, of the Permit, (3) required to comply with Regional Board Orders or other directives required of Copermittees as dischargers of urban runoff (e.g., 13267 Orders, Total Maximum Daily Loads, etc.), or (4) other urban runoff management activities conducted with the unanimous approval of Copermittees sharing the cost or responsibility.

In-kind Contribution means a non-monetary contribution that can be used to satisfy an equivalent monetary obligation. Examples of In-kind Contributions are equipment or services provided for use.

Program Planning Subcommittee is composed as described in Section III.C.4 and 5.

Regional General Programs are activities that apply to all Copermittees, or that provide a regional benefit to Copermittees as determined by the Regional Management Committee.

Regional Principal Permittee is the County of San Diego unless another Regional Principal Permittee is selected in accordance with Section III.B.5. In addition to the responsibilities of all Copermittees described in Section II, the Regional Principal Permittee provides general coordination for the development and implementation of Regional General Programs, including the specific tasks and responsibilities described in Section III.A.1.b.

Regional Stormwater Management Committee or Management Committee is composed as described in Section III.B.2.

Representative means a Copermittee staff member or consultant who serves as a point of contact and/or participant in the activities of a Working Body on behalf of the Copermittee. Except as described in Section III.B (Regional Stormwater Management Committee), Representatives are not required to attend meetings, but are expected to maintain a reasonable knowledge of, and involvement in, the activities of the Working Body. To the best of their ability each Copermittee Representative should have expertise and knowledge in the subject matter of each applicable Working Body.

Secretary means a person who takes responsibility for the records, correspondence, minutes or notes of meetings, and related affairs of a Working Body. This includes: maintaining group contact lists; preparing and sending out meeting notifications and agendas; arranging for meeting rooms and equipment; taking, preparing, and finalizing meeting minutes or notes; and, coordinating with the Chair or Working Body Support staff to organize and distribute work products to the Working Body.

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Simple Majority means at least one-half (50%) of applicable Copermittees, rounded up to the nearest integer, or plus one where the number of Copermittees is even. For the purposes of this MOU, a simple majority may never be less than three Copermittees.

Special Formula means any cost share formula that differs from the Default Formula in the selection or weighting of individual factors or in the methodology used to calculate one or more of them.

Three-fourths Majority means at least three-fourths (75%) of applicable Copermittees, rounded up to the nearest integer. For the purposes of this MOU, a Three-fourths Majority may never be less than three Copermittees.

Two-thirds Majority means at least two-thirds (67%) of applicable Copermittees, rounded up to the nearest integer. For the purposes of this MOU, a Two-thirds Majority may never be less than three Copermittees.

Urbanized Land Area means the total of all SANDAG land uses within the geographic area, subject to the cost share, excepting therefrom, the following coded land uses: 1403 Military Barracks; 4102 Military Airports; 6700 Military Use; 6701 Military Use; 6702 Military Training; 6703 Military Weapons; 7209 Casinos; 7603 Open Space Reserves, Preserves; 7609 Undevelopable Natural Areas; 9200 Water; 9201 Bays, Lagoons; 9202 Inland Water; and 9300 Indian Reservations.

Watershed Copermittee means any Copermittee that is identified both as a Copermittee under Table 1.a and a Responsible Copermittee under any Watershed Management Area as defined in Table B-1 of the Permit.

Watershed General Programs are activities that apply to the Copermittees comprising any individual Watershed Management Area (WMA) defined in Table B-1 of the Permit, or providing a general benefit to Copermittees within the WMA as determined by a Watershed Workgroup.

Working Body means Committees, Subcommittees, Workgroups, Sub-workgroups, or any other group of Copermittees' employees assembled to conduct specific tasks required by, for, or in furtherance of, compliance with the Permit.

Working Body Support means those tasks associated with carrying out the responsibilities of the Working Body. This includes researching, drafting, modifying, and finalizing work products such as work plans, budgets, and meeting materials. Working Body Support does not include chairing or co-chairing meetings or tasks that are equitably divided amongst the Representatives of the Working Body. Working Body Support tasks are reimbursable, and may be contracted by any participating Copermittee.

II. RESPONSIBILITIES OF ALL COPERMITTEES

The following apply to General Programs.

A. Performance and Reimbursement of Tasks

1. Any individual Copermittee performing tasks necessary to fulfill budgeted General Program responsibilities for a Working Body is entitled to reimbursement of the costs incurred in accordance with section II.B.
2. Any Copermittee performing contract administration tasks to fulfill budgeted General Program responsibilities for a Working Body is entitled to reimbursement of contract management costs at a rate of 5% of the total contract cost or as otherwise agreed on by the participating Copermittees.
3. Any Copermittee performing tasks other than contract administration or voluntarily serving as a Working Body Chair, Co-chair, or Secretary, is entitled to reimbursement of the Direct Costs of performing those services in accordance with section II.B.

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4. A Copermittee shall not be obliged to conduct work, enter into any contract, continue with any work or contract, or incur any other cost on behalf of other Copermittees if each Copermittee has not contributed the funds that it is obliged to contribute toward the activity or program, or if the Copermittee has not received adequate assurances that such funds will be received before payments become due. The Copermittee shall have sole discretion to determine whether assurances that require funds will be timely received or adequate.
5. A member of a Working Body providing Working Body Support may terminate those obligations for convenience, but shall first make a good faith effort to carry out or transfer existing responsibilities to another party.

B. Fiscal Responsibilities

1. Division of Shared General Program Costs
 - a. Prior to the allocation of shared costs, each proposed or approved budget task or sub-task shall be identified as either a Regional General Program cost or a Watershed General Program cost, and the Copermittees sharing that cost shall be identified. The cost of any particular budget element shall be subject to the approval of only the Copermittees to which it applies. The associated costs shall be divided among participating Copermittees as described below.
 - (1) Default Formula. Shared costs shall be divided according to a Default Formula of 45% Urbanized Land Area, 45% Population, and 10% Equal Division unless a Special Formula is approved by the Copermittees to which the cost applies.
 - (a) Population costs shall be divided among the Copermittees as follows: Whenever any geographic portion of the Port or Airport jurisdiction(s), respectively, lies(s) within the geographic area to which the shared program or activity is applicable, the Port or Airport, respectively, will each pay a fixed 0.5% of total Population costs. The remaining percentage of the population costs shall be divided among Copermittees by dividing the total population of each Copermittee by the combined total Copermittee population within the geographic area applicable to the shared program or activity. These percentages shall be calculated using the most recently available population data available from the San Diego Association of Governments (SANDAG), unless more recent data are available from an equivalent source such as the U.S. Census Bureau, and are determined to be acceptable by the Copermittees sharing the cost.
 - (b) Urbanized Land Area costs shall be divided among Copermittees by dividing the total Urbanized Land Area of each Copermittee by the combined total Urbanized Land Area of all participating Copermittees within the geographic area applicable to the shared program or activity. Urbanized Land Area shares shall be calculated using the most recently available San Diego Association of Governments (SANDAG) land use statistics. The Urbanized Land Area share for the County shall include those urbanized lands in the unincorporated portion of the County that are west of the County Water Authority (CWA) service area boundary as it exists on the date of this MOU or as formally amended by the CWA.
 - (c) Ten Percent (10%) of the total cost to be shared shall be divided equally amongst all of the Copermittees.

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- (d) Modification of the Default Formula requires the unanimous vote of all Copermittees. For cost sharing that applies only to a group that contains fewer than all Copermittees, a unanimous vote is required of all affected Copermittees.

- (2) Special Formulas.

Special Formulas may be applied to any shared Regional or Watershed General Program cost, and require the unanimous vote of the Copermittees participating in the cost.

- (3) In-kind Contributions. Subject to approval by the Copermittees participating in a particular shared General Program budget, a Copermittee may provide an in-kind contribution of equal value rather than a monetary contribution toward all or part of the cost of an activity. Copermittee in-kind contributions may include Working Body Support.

2. Work Plans and Shared Cost Budgets

- a. Limitations on Cost-sharing

General Program activities that may be cost-shared by the Copermittees include collaborative urban runoff management activities which are (1) mandated by or necessary to implement requirements of the Permit, (2) necessary to anticipate the requirements, or prepare for renewal, of the Permit, (3) required to comply with Regional Board Orders or other directives required of Copermittees as dischargers of urban runoff (e.g., 13267 Orders, Total Maximum Daily Loads, etc.), or (4) other urban runoff management activities conducted with the unanimous approval of Copermittees sharing the cost or responsibility.

Examples of such activities include:

- (1) Development or implementation of any program requirements of the MS4 Permit, such as, the BMP Design Manual, regional education and outreach, or Water Quality Improvement Plans;
- (2) Public participation activities, such as facilitating public meetings and workshops;
- (3) Program assessment;
- (4) Plan updates;
- (5) Water quality monitoring, assessment and reporting;
- (6) Annual reporting, including establishment and management of data and information clearinghouses;
- (7) Preparation of technical analyses, recommendations and comments regarding the MS4 Permit, total maximum daily loads, and other relevant storm water quality regulations;
- (8) Preparation of documents required by the MS4 Permit, such as Reports of Waste Discharge; and
- (9) Special studies related to storm water quality-related pollutants, their sources, and potential best management practices.

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b. Regional Work Plans and Shared Cost Budgets

1. No later than October 31st of each year, each Regional Working Body shall prepare and submit to the Planning Subcommittee a Work Plan and Shared Costs Budget for the upcoming Fiscal Year.
2. Each Work Plan shall identify the parties that will serve as a Working Body Chair, Co-chair, or Secretary for the upcoming Fiscal Year. These assignments will be served on a fiscal year basis, and shall be for a minimum term of one year.
3. A Copermittee may not be compelled to act, or continue acting, as a Working Body Chair, Co-chair, or Secretary, and may at any time terminate an existing assignment. Before doing so, the Copermittee shall first make a good faith effort to carry out or transfer existing responsibilities.
4. Each budget shall describe major tasks, schedules, and projected costs, which Copermittees will provide Working Body Support, Contract Administration, in-kind contributions, and any other information applicable to regional general program costs.
5. To ensure that each Copermittee governing body has sufficient time to consider fiscal impacts, the Planning Subcommittee shall prepare a consolidated draft Regional Work Plan and Shared Costs Budget no later than December 31st of each year for the regional general programs. After consideration of comments and discussion, a final Regional Work Plan and Shared Costs Budget shall be prepared, approved by the Management Committee, and distributed to the Copermittees no later than January 31st of each year. The consolidated Regional Work Plan and Shared Costs Budget shall also identify the party or parties serving as Regional General Program operations fund managers.
6. Modifications to any adopted Regional Work Plan and Shared Costs Budget that will result in an overall increase in cost require the approval of the Regional Management Committee.

c. Watershed Work Plans and Shared Cost Budgets

1. Each Watershed Workgroup, for which costs will be shared, shall prepare, adopt, and distribute to the participating Copermittees a Watershed Work Plan and Shared Costs Budget.
2. Each Watershed Work Plan and Shared Costs Budget shall include a description of major tasks, schedules, and projected costs, and shall identify the Copermittees that will provide or contract services or incur other costs. It shall also identify the party or parties serving as Watershed General Program operations fund managers.
3. Modifications to any adopted Watershed Shared Costs Budget and Work Plan that will result in an overall increase in cost require the unanimous approval of the applicable Copermittees.

3. Cumulative Budget Limits

- a. The total Shared Cost Budget authorized under this MOU may not exceed the Cumulative Limits specified for each spending category in **Table 1**. These values represent the maximum amount that may be cost-shared for each spending category for the duration of this MOU. They do not represent funding commitments. Once a Cumulative Limit has been reached, the Copermittees must establish separate agreements for sharing additional costs for that budget category. The estimated annual limits shown for each fiscal year are for planning purposes only. Where an estimated annual limit is not reached in any fiscal year, the surplus amount may be carried over into subsequent

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fiscal years, so long as the Cumulative Limit is not exceeded. Budget limits apply only to their designated budget category. They may not be exchanged or credited across budget categories. Spending in each budget category may not exceed the applicable Cumulative Limit under any circumstances.

Table 1: Not-to-exceed Limits by Budget Category

Budget Category	Estimated Annual Spending Limits				Cumulative Limit
	FY 2015-16	FY 2016-17	FY 2017-18	FY 2018-19	
1. Regional General Programs	\$1,782,597	\$900,200	\$1,000,200	\$900,200	\$4,583,197
2. Watershed General Programs					
a) San Luis Rey WMA	\$779,025	\$823,550	\$697,091	\$975,456	\$3,275,122
b) San Dieguito WMA	\$337,944	\$854,136	\$340,950	\$545,203	\$2,078,233
c) Los Penasquitos WMA	\$744,313	\$804,510	\$561,095	\$680,663	\$2,790,581
d) San Diego River WMA	\$1,151,733	\$742,219	\$574,802	\$800,161	\$3,268,915
e) San Diego Bay WMA	\$1,260,000	\$862,000	\$1,038,000	\$924,000	\$4,084,000
f) Tijuana River WMA	\$400,000	\$450,000	\$320,000	\$375,000	\$1,545,000
3. Total Not-to-exceed Amount	\$6,485,612	\$5,436,615	\$4,532,138	\$5,200,683	\$21,625,048

4. Management and Payment of Funds

- a. For Regional General Programs, the Copermittees shall each pay a yearly assessment into one or more Regional General Program operations funds for their respective portion of any Regional Shared Costs Budget approved pursuant to this MOU. The Regional General Program operations fund shall be managed by the Regional Principal Permittee, or any other Permittee on approval of the Copermittees.
- b. For Watershed General Programs, the applicable Watershed Copermittees shall each pay an assessment into one or more Watershed General Program operations funds for their assigned portion of any Watershed Shared Costs Budget approved pursuant to this MOU. Each Watershed General Program operations fund shall be managed by the Watershed Lead Permittee, or any other Watershed Permittee on approval of the participating Copermittees.
- c. The Copermittee managing each General Program operations fund shall provide Budget Balance and Expenditure Status Reports following the end of each fiscal year. This shall include a detailed accounting of all costs and expenses in accordance with the adopted Work Plan and Shared Costs Budget, including those incurred by Copermittees providing Working Body Support, contracting services, in-kind services, or other applicable costs.
- d. Each Copermittee shall pay invoices within 60 days of receipt from the Copermittee managing the applicable General Program operations fund.

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- e. Funds collected and not expended in any fiscal year shall be credited to the Copermittees' share of the next fiscal year's costs in accordance with the Copermittees' defined shared costs.
- f. Copermittees providing Working Body Support, Contract Administration, in-kind services, or incurring other budgeted costs on behalf of other Copermittees shall provide documentation of those expenses as requested by the Copermittee managing the applicable General Program operations fund. They shall only receive credit for those expenses if a detailed accounting of all costs and expenses meeting the minimum standards agreed upon by the Copermittees has been provided.
- g. Differences in the approved actual cost of expenses from those budgeted shall be either credited or added as appropriate to the amount of the Copermittee's share. In the event that any Copermittees' share of the next fiscal year's costs is less than the amount to be credited, the difference shall be refunded to the Copermittee. Refunds shall be provided to Copermittees no later than 90 days after final accounting.
- h. At its discretion, a Copermittee managing a General Program operations fund may, prior to the completion of a fiscal year, make payment to any Copermittee providing Working Body Support, Contract Administration, in-kind services, or incurring other budgeted expenditures on behalf of other Copermittees so long as all of the conditions of Section II B.4.f above have been satisfied and there are sufficient funds available to make a payment without requiring additional contributions or jeopardizing program objectives. If for some reason excess payment is made, the Copermittee receiving the payment agrees to return the additional payment without any recourse against the managing Copermittee.

III. REGIONAL GENERAL PROGRAMS

In addition to the requirements of Section II, the following apply to Regional General Programs.

A. Regional Principal Permittee

- 1. The County is hereby designated Regional Principal Permittee (Principal Permittee).
 - a. The County or any other Copermittee may not be compelled to act, or continue acting, as Principal Permittee. A Copermittee may at any time terminate its assignment as Principal Permittee, but shall first make a good faith effort to carry out or transfer existing responsibilities.
 - b. In addition to the responsibilities of all Copermittees described in Section II, the Principal Permittee shall provide general coordination for the development and implementation of Regional General Programs, including the following tasks and responsibilities:
 - (1) Establish, chair, and provide overall coordination and leadership of the Regional Stormwater Management Committee (Management Committee) and the Regional Program Planning Subcommittee (Planning Subcommittee).
 - (2) Maintain a current contact list of Copermittees and interested parties.
 - (3) Maintain knowledge of and advise the Copermittees regarding current and proposed state and federal policies, regulations, and other NPDES programs; assist the Copermittees in the development and presentation of positions on these issues before local, state, and federal agencies.

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B. Regional Stormwater Management Committee

1. The purpose of the Regional Stormwater Management Committee (Management Committee) is to provide a public forum for the development, approval, and coordination of urban runoff management programs, and for the exploration of issues of regional significance.
2. The Management Committee shall consist of one Representative of each Copermittee. Each Copermittee shall have one vote.
3. The Management Committee shall meet at least annually.
4. At a minimum, the Management Committee shall have the following responsibilities:
 - a. Address common issues, promote consistency among jurisdictional and watershed programs, and plan and coordinate activities required under the Permit;
 - b. Develop, implement, and arrange for implementation of Regional General Programs;
 - c. Provide a general forum for informing and receiving input from stakeholders and interested parties;
 - d. Provide a forum for public participation in the development and implementation of regional urban runoff management programs and activities;
 - e. Establish or modify Working Bodies to review specific issues, make recommendations, or conduct work in support of shared regional priorities or objectives;
 - f. Formally approve the recommendations, work products, and deliverables of Working Bodies presented for consideration;
 - g. Adopt an Annual Regional Work Plan and Shared Costs Budget in accordance with the budgetary limits set forth in Table 1;
 - h. Approve an Annual Regional Work Plan and Shared Costs Budget; and
 - i. Approve year-end Budget Balance and Expenditure Status Reports.
5. The Management Committee shall be chaired by the Principal Permittee, or may alternatively be chaired or co-chaired by any other Copermittee. A reassignment or change in the responsibilities of the Principal Permittee requires a three-fourths majority approval of all Copermittees.
6. Voting Requirements for the Management Committee
 - a. For a meeting or a vote to be held, a quorum of a Two-thirds Majority of voting representatives of the Management Committee must either be present or participate remotely via legally acceptable electronic communication (telephone, voice over internet protocol, etc.).
 - b. Management Committee voting shall not be conducted outside of meetings (e.g., by email).
 - c. For a motion to be approved, an affirmative vote of a Simple Majority of the Management Committee is needed.
 - d. On approval of the Management Committee, activities undertaken by a subset of Copermittees, but providing a regional benefit to Copermittees, may be considered Regional General Programs.
 - e. Approval of any shared cost requires a unanimous vote of all Copermittees participating in the cost.
7. Meetings of the Management Committee, including any closed sessions with legal counsel, shall be conducted in accordance with the "Brown Act" (Government Code Section 54950 et seq.). Except for official meetings of the Management Committee, nothing herein shall be interpreted to

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require meetings between staff members of the individual Copermittees (including designated representatives of the Copermittees) to be subject to the Brown Act, where the Brown Act would not otherwise apply.

C. Regional Program Planning Subcommittee

1. The purposes of the Regional Program Planning Subcommittee (Planning Subcommittee) shall be to provide regional coordination of urban runoff management activities, to develop and implement Regional General Programs, and to coordinate the activities of Working Bodies.
2. At a minimum, the Planning Subcommittee shall have the following responsibilities:
 - a. Serve as an intermediary between the Management Committee and other Copermittee Working Bodies;
 - b. Plan and coordinate Management Committee meetings;
 - c. Establish or modify Regional Workgroups to review specific issues, make recommendations, or conduct work in support of shared regional priorities or objectives;
 - d. Oversee, coordinate, and track the progress of As-Needed Regional Workgroups in developing specific work products, responding to information requests, and completing tasks;
 - e. Establish and maintain a calendar of Copermittee meetings and events;
 - f. Conduct regional program planning including developing an Annual Regional Work Plan and Shared Costs Budget for Management Committee consideration and approval;
 - g. Review and recommend Management Committee approval of work products, recommendations, and requests of Regional Workgroups for consideration and approval;
 - h. Annually receive, review, comment on, and consolidate the recommended Work Plans and Shared Costs Budgets of each Regional Workgroup;
 - i. Coordinate and liaise with Regional Board staff, stakeholders, regulated parties, and other interested parties to identify and explore key regional issues and concerns.
 - j. Provide Representation to the California Stormwater Quality Association (CASQA);
 - k. Provide representation or participation for other professional organizations and societies as appropriate and feasible;
 - l. Provide regular updates to Copermittees and interested parties via Management Committee meetings or other appropriate means (e-mail, etc.); and
 - m. Provide subject area input as needed for the development, implementation, review, and revision of General Programs, and the development of associated reports and work products.
3. The Planning Subcommittee shall be chaired by the Principal Permittee, or may alternatively be chaired or co-chaired by any other Copermittee upon approval of the Management Committee.
4. Planning Subcommittee meetings shall be open to all Copermittees; however, voting membership in any year shall be limited to one representative of each Watershed Management Area (WMA) listed in Permit Table a.1 except the South Orange County WMA. Any Copermittee may only represent one WMA. For each fiscal year, each WMA will designate a Copermittee as a voting member of the Planning Subcommittee prior to the beginning of that fiscal year. Each WMA may also designate an alternate voting member.
5. Each voting member shall be considered an at-large member. Their purpose is to represent the interests of all Copermittees of this MOU rather than those of their specific WMAs.
6. The Planning Subcommittee may not alter the responsibilities of, or impose new fiscal obligations on, any Copermittee or Working Body, except as approved by the Management Committee.

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However, the Planning Subcommittee may approve changes to approved Annual Regional Work Plans and Shared Costs Budgets within approved annual budget limits.

7. Voting Requirements for the Planning Subcommittee:
 - a. The Planning Subcommittee shall only make advisory recommendations for items requiring Management Committee approval.
 - b. The Planning Subcommittee may use any voting methodology it deems appropriate to develop advisory recommendations or conduct other business, and, shall present minority or dissenting recommendations for consideration by the Management Committee as applicable.
 - c. Except as prohibited by law, the Planning Subcommittee may conduct votes outside of meetings (e.g., by e-mail) as appropriate.
8. Meetings of the Planning Subcommittee, including any closed sessions with legal counsel, shall be conducted in accordance with the "Brown Act" (Government Code Section 54950 et seq.). Except for official meetings of the Planning Subcommittee, nothing herein shall be interpreted to require meetings between staff members of the individual Copermittees (including designated representatives of the Copermittees) to be subject to the Brown Act, where the Brown Act would not otherwise apply.

D. Regional Workgroups

1. The purpose of Regional Workgroups is to provide staffing and perform tasks and develop work products requested by the Regional Management Committee or the Regional Program Planning Subcommittee, and provide related coordination of activities and work products with stakeholders and interested parties. Regional Workgroups are advisory to the Management Committee through the Planning Subcommittee.
2. Copermittee participation on Regional Workgroups is voluntary.
3. No minimum meeting frequency is required. The Regional Workgroups shall meet as necessary to coordinate the performance of specified work products as staff to implement the Permit.
4. At a minimum, each Regional Workgroup shall have the following responsibilities:
 - a. Facilitate consistency in the development, implementation, review, and revision of General Programs, and develop associated reports and work products.
 - b. By October 31st of each year, prepare and submit to the Planning Subcommittee a recommended Work Plan for the activities of the Workgroup in the ensuing fiscal year. This shall include a description of major tasks, deliverables, and projected schedules, and the assignment and/or division of responsibilities for task completion.
 - c. Provide subject area input to other Regional Workgroups as needed.
As necessary, coordinate and liaise with Regional Board staff, stakeholders, regulated parties, and other interested parties regarding applicable tasks.
5. Voting Requirements for Regional Workgroups
 - a. Regional Workgroups shall make consensus support staff recommendations to the Planning Subcommittee, who shall in turn make recommendations for formal votes to the Management Committee.
 - b. Regional Workgroups may use any voting methodology they deem appropriate to develop consensus, and, as applicable, shall present minority or dissenting recommendations for consideration.

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- c. Regional Workgroups may conduct votes outside of meetings (e.g., by email) as appropriate.

IV. WATERSHED GENERAL PROGRAMS

The following apply to Watershed General Programs.

A. Watershed Workgroups

1. The purpose of Watershed Workgroups is to allow Copermittees within a Watershed Management Area to share costs for watershed activities and programs. Watershed Workgroups may use this MOU to share costs for convenience, but are not required to do so.
2. No action is required for the Copermittees within a Watershed Management Area to establish a Watershed Workgroup.
3. Watershed Workgroups may share costs as part of this MOU up to the cumulative limits identified in Table 1. These values represent the maximum amount that may be cost-shared by a Watershed Workgroup for the duration of this MOU. They do not represent funding commitments. Once a cumulative limit has been reached, the Watershed Copermittees must establish separate agreements for sharing additional costs. Costs that may be shared by Watershed Workgroups are identified in section II.B.2.a.
4. Management and payment of funds by Watershed Workgroups shall be conducted in accordance with the requirements of section II.B.4. Any Watershed Copermittee may manage a Watershed General Program operations fund.
5. No minimum meeting frequency is required for any Watershed Workgroup. The Watershed Workgroups shall meet as necessary to coordinate the performance of specified work tasks as staff to implement the Permit.
6. On approval of the Watershed Workgroup, activities undertaken by a subset of Watershed Copermittees, but providing a general benefit to Copermittees within the WMA, may be considered Watershed General Programs.
7. Watershed Workgroups may use any method they deem appropriate to conduct votes or develop consensus. However, the following requirements shall apply for any vote to share costs:
 - a. The voting membership of each Watershed Workgroup shall consist of one designated voting representative for each Watershed Copermittee participating in the cost; and
 - b. For a vote to pass, an affirmative vote of all Copermittees participating in the cost is needed.
8. Meetings of any Watershed Workgroup, including any closed sessions with legal counsel, shall be conducted in accordance with the "Brown Act" (Government Code Section 54950 et seq.) as applicable. Except for official meetings of a Watershed Workgroup, nothing herein shall be interpreted to require meetings between staff members of the individual Copermittees (including designated representatives of the Copermittees) to be subject to the Brown Act, where the Brown Act would not otherwise apply.

V. DISPUTE RESOLUTION

Should a dispute arise among any of the parties regarding any matter related to this MOU, the parties agree to first meet and confer in good faith to attempt to resolve the dispute. If that fails to resolve the dispute, they shall submit the matter to mediation.

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1. **Mandatory Non-binding Mediation.** If a dispute arises out of, or relates to this MOU, or the breach thereof, and if the dispute cannot be settled through normal contract negotiations, the Parties agree to attempt to settle the dispute in an amicable manner, using mediation under the Mediation Rules of the American Arbitration Association [AAA] or any other neutral organization agreed to by the parties. A mediation session is required before having recourse in a court of law. The cost of mediation shall be borne by the parties equally.
2. **Selection of Mediator.** A single Mediator that is acceptable to all Parties shall be used to mediate the dispute. The Mediator may be selected from lists furnished by the AAA or any other agreed upon Mediator. To initiate mediation, the initiating Party shall serve a Request for Mediation on the opposing Party.
3. **Conduct of Mediation Sessions.** Mediation hearings will be conducted in an informal manner and discovery will not be allowed. All discussions, statements, or admissions in the mediation process will be confidential settlement negotiations under Ca. Evidence Code section 1152. The Parties may agree to exchange any information they deem necessary.
 - a. Both Parties must have an authorized representative attend the mediation. Each representative must have the authority to recommend entering into a settlement. Either Party may have attorney(s) or expert(s) present.
 - b. Any agreements resulting from mediation shall be documented in writing. All mediation results and documentation, by themselves, shall be “non-binding” and inadmissible for any purpose in any legal proceeding, unless such admission is otherwise agreed upon, in writing, by both Parties. Mediators shall not be subject to any subpoena or liability and their actions shall not be subject to discovery.

VI. GENERAL PROVISIONS

A. Term of Agreement

1. This MOU shall become effective on the date the last party executes the MOU.
2. The life of the MOU shall run through August 2019, or with the life of the current Permit plus twelve months, whichever is longer. For purposes of this paragraph, any permit renewal or replacement after May 2019 shall be considered a new permit; any earlier amendment of the Permit increasing the obligations of the Regional Principal Permittee or a Watershed Lead Permittee may at that Copermittee’s sole option, be declared to be a new permit; and the Management Committee shall determine whether any other earlier amendment to the Permit is of such significance as to effectively be a new Permit.

B. Withdrawal of Copermittee

1. Participation in this MOU may be withdrawn by any Copermittee for any reason only after the Copermittee complies with all of the following conditions of withdrawal:
 - a. The Copermittee shall notify all of the other Copermittees in writing 90 days prior to its intended date of withdrawal.
 - b. Any expenses associated with withdrawal, including but not limited to, filing and obtaining the withdrawing Copermittee’s individual NPDES permit and the amendment of the Permit will be solely the responsibility of the withdrawing Copermittee.

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- c. The withdrawing Copermittee shall be responsible for their portion of any shared costs incurred according to the conditions of this MOU up to the time that each of the conditions in Section VI.B.1.a. has been met.
- d. Any monies paid by withdrawing Copermittee in excess of the amount due under the terms of the MOU shall be refunded to the Copermittee at the time the withdrawal becomes final as set forth in Section VI.B.1.a.
- e. The withdrawing Copermittee shall not be entitled to participate in the division of proceeds in any reserve fund account when the MOU is dissolved.

C. Non-Compliance with MOU Requirements

- 1. Any participant to this MOU found to be in non-compliance with the conditions of this MOU shall be solely liable for any lawfully assessed penalties resulting from such non-compliance. Failure to comply with MOU conditions within specified or agreed upon timelines shall constitute non-compliance with the MOU.
- 2. Limitations on Use of Funds. Notwithstanding the rights and obligations of the Parties created by this MOU, no Party may be found in breach of this MOU where compliance would require that Party to violate any law or grant assurance, including but not limited to provisions of the Federal Aviation Administration 1999 Policy and Procedure Concerning the Use of Airport Revenue [64 Fed. Reg. 7696, dated Feb. 16, 1999]; the Airport and Airway Improvement Act of 1982 codified at 49 U.S.C. § 47107(b); the Federal Aviation Administration Authorization Act of 1994, P.L. 103-305 (Aug. 23, 1994); the Airport Revenue Protection Act of 1996, Title VIII of the Federal Aviation Administration Act of 1996, P.L. 104-264 (Oct. 9, 1996), 110 Stat. 3269 (Oct. 9, 1996); 49 U.S.C. § 46301(n)(5); and 49 U.S.C. § 47133. The Parties recognize that the Authority has received federal Airport Improvement Project (“AIP”) grants containing grant assurance 25, which provides: “All revenues generated by the airport . . . will be expended by it for the capital or operating costs of the airport; the local airport system; or other local facilities which are owned or operated by the owner or operator of the airport and which are directly and substantially related to the actual air transportation of passengers or property; or for noise mitigation purposes on or off the airport.”

D. Amendments to the Memorandum of Understanding

This MOU may be amended only by unanimous consent of all Copermittees. No amendment shall be effective unless it is in writing and signed by the duly authorized representatives of the Copermittees.

E. Governing Law

This MOU shall be governed and construed in accordance with the laws of the State of California. If any provision or provisions shall be held to be invalid, illegal, or unenforceable, the validity, legality, and enforceability of the remaining provisions shall not in any way be affected or impaired thereby.

The headings used throughout this MOU are for convenience only and do not in any way limit or amplify the terms or provisions of the MOU.

F. Consent and Breach Not Waiver

No term or provision hereof shall be deemed waived and no breach excused, unless such waiver or consent shall be in writing and signed by the Copermittee to have waived or consented. Any consent by

Attachment C

any Copermittee to, or waiver of, a breach by the other, whether expressed or implied, shall not constitute a consent to, waiver of, or excuse for any other different or subsequent breach.

G. No Indemnification

1. Each Copermittee shall have the sole responsibility to comply with the Permit.
2. Each Copermittee shall pay all fines, penalties, and costs which may arise out of such Copermittee's non-compliance with the Permit.
3. By entering into this MOU, no Copermittee assumes liability for claims or actions arising out of the performance of any work or actions or omissions, by any other Copermittee, its agents, officers, and employees under this MOU.
4. By entering into this MOU, each Copermittee agrees to defend itself from any claim, action or proceeding arising out of the acts or omissions of itself and retain its own legal counsel, and bear its own defense costs.

H. Application of Prior Agreements

This MOU constitutes the entire Agreement between the parties with respect to the subject matter; all prior agreements, representations, statements, negotiations, and undertakings are superseded hereby.

I. Right to Audit

Each Party retains the right to review and audit, and the reasonable right of access to other Parties' respective premises to review and audit the other Parties' compliance with the provisions of this MOU (Party's Right). The Party's Right includes the right to inspect and photocopy same, and to retain copies, outside of the Parties' premises, of any and all records, including any and all books, records, and documents, related to this MOU with appropriate safeguards, if such retention is deemed necessary by the auditing Party in its sole discretion. This information shall be kept by the auditing Party in the strictest confidence allowed by law.

J. Execution of Agreement

This MOU may be executed in counterpart and the signed counterparts shall constitute a single instrument. In the event that any Copermittee is unable to execute this amendment prior to August 31, 2015, execution of this amendment after that date shall constitute ratification of this amendment, and the MOU and extensions shall be in effect once all signatures are obtained.

**LEMON GROVE CITY COUNCIL
AGENDA ITEM SUMMARY**

Item No. 1.G
Mtg. Date September 1, 2015
Dept. City Manager's Office

Item Title: Southern California Firefighters Benefit Trust

Staff Contact: Corinne Russell, Human Resource Manager

Recommendation:

Adopt a resolution (**Attachment A**) approving participation in the Southern California Firefighters Benefit Trust and include certain promoted out positions.

Item Summary:

The City and Lemon Grove Firefighters Association, Local 2728 entered into a Memorandum of Understanding (MOU) on June 17, 2015. During the negotiations of the new MOU, the City agreed to administer a program that allows all members of the union to deposit pre-taxed money into a fund for health care upon retirement. This benefit is managed by the Southern California Firefighter Benefit Trust, but the City will administer their payroll deductions and remit contributions for the members.

This benefit requires all Union members to participate with a pre-established set dollar value. If members promote to a management position, which prevents them from being a member of Local 2728, he/she would typically no longer be eligible to participate in this program. This resolution will allow Fire Department personnel who have promoted out of the Union to continue to participate.

Fiscal Impact:

None.

Environmental Review:

☒ Not subject to review

☐ Negative Declaration

☐ Categorical Exemption, Section

☐ Mitigated Negative Declaration

Public Information:

☒ None

☐ Newsletter article

☐ Notice to property owners within 300 ft.

☐ Notice published in local newspaper

☐ Neighborhood meeting

Attachments:

RESOLUTION NO. 2015-____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LEMON GROVE, CALIFORNIA,
APPROVING MANDATORY EMPLOYEE CONTRIBUTIONS TO THE "MEDICAL EXPENSE
REIMBURSEMENT PLAN" OF THE SOUTHERN CALIFORNIA FIREFIGHTERS BENEFIT
TRUST**

WHEREAS, the Lemon Grove Firefighters Association Local 2728, has elected to participated in the Southern California Firefighters Benefit Trust, which provides a tax-favored "Medical Expense Reimbursement Plan" which will provide reimbursement for medical expenses for retired fire fighters who meet the eligibility rules of the Plan;

WHEREAS, each employee represented by the Lemon Grove Firefighters Association Local 2728 participates in this Trust by employee/employer contribution under a side letter of Agreement titled "Establishing Southern California Firefighters Benefit Trust" and

WHEREAS, certain management safety personnel promoted out of Local 2728 have indicated their request to also participate in this Trust through mandatory employee/employer contributions; and

WHEREAS, the governing body of the City of Lemon Grove has the authority to authorize mandatory deductions from employee payroll, and hereby enters into this "Special Agreement," as defined in the Trust Agreement Governing the Southern California Firefighters Benefit Trust, for contributions to such Trust; and

WHEREAS, the Employer acknowledges receipt of a copy of the Southern California Firefighters Benefit Trust "Medical Expense Reimbursement Plan;"

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Lemon Grove, California hereby:

1. Certify that all of the above recitals are true and correct;
2. Authorize the City to impose a \$ 100.00 per employee per month mandatory deduction to be deposited with the Southern California Firefighters Benefit Trust for all eligible employees, as defined by the Trust, and those who promote out of the Local 2728 bargaining unit on or after September 2, 2015. This amount shall be adjusted whenever, and in the same amount that, the contribution amount in the bargaining agreement with IAFF Local 2728 is adjusted; and
3. That this Resolution shall take effect upon its adoption by this City Council.

**LEMON GROVE CITY COUNCIL
AGENDA ITEM SUMMARY**

Item No. 1.H
Mtg. Date September 1, 2015
Dept. City Manager's Office

Item Title: **Mayoral Appointment to the Oversight Board of the Lemon Grove Successor Agency**

Staff Contact: Mary Sessom, Mayor & James P. Lough, City Attorney

Recommendation:

Receive and file Mayor Sessom's appointment to the Oversight Board of the Lemon Grove Successor Agency.

Item Summary:

As a result of the California Supreme Court decision in California Redevelopment Association, et al. v. Ana Matosantos, et al., each redevelopment agency in the State of California was dissolved as of February 1, 2012, pursuant to Part 1.85 of Division 24 of the Health and Safety Code, added by Assembly Bill 1X 26.

In accordance with Health and Safety Code Section 34173, the City of Lemon Grove (City) elected to serve as the Successor Agency to the Lemon Grove Community Development Agency (Agency) to wind down the affairs of the Agency. The Successor Agency's activities are subject to review and approval by an Oversight Board.

The Health and Safety Code specifies that the Mayor of each Successor Agency is to appoint two individuals to serve on the Oversight Board. The Board currently has a vacancy due to Graham Mitchell's departure. The Mayor appointed Mike James, Public Works Director, to serve as his replacement.

Fiscal Impact:

None.

Environmental Review:

- | | |
|--|--|
| ☒ Not subject to review
☐ Categorical Exemption, Section | ☐ Negative Declaration
☐ Mitigated Negative Declaration |
|--|--|

Public Information:

- | | | |
|--|--|---|
| ☒ None
☐ Notice published in local newspaper | ☐ Newsletter article
☐ Neighborhood meeting | ☐ Notice to property owners within 300 ft. |
|--|--|---|

Attachments:

A. Staff Report

Attachment A

LEMON GROVE CITY COUNCIL STAFF REPORT

Item No. 1.H

Mtg. Date September 1, 2015

Item Title: Mayoral Appointment to the Oversight Board of the Lemon Grove Successor Agency

Staff Contact: Mary Sessom, Mayor & James P. Lough, City Attorney

Discussion:

As a result of the California Supreme Court decision in California Redevelopment Association, et al. v. Ana Matosantos, et al., each redevelopment agency in the State of California was dissolved as of February 1, 2012, pursuant to Part 1.85 of Division 24 of the Health and Safety Code, added by Assembly Bill 1X 26.

In accordance with Health and Safety Code Section 34173, the City of Lemon Grove (City) has elected to serve as the Successor Agency to the Lemon Grove Community Development Agency (Agency) to wind down the affairs of the Agency. The Successor Agency's activities are subject to review and approval by an Oversight Board.

The Oversight Board directs the staff of the Successor Agency (i.e. City staff) and has fiduciary responsibilities to holders of enforceable obligations that are included on the required Recognized Obligation Payment Schedule (ROPS). In accordance with AB 1X 26, the ROPS must be approved by the Oversight Board and submitted to the Department of Finance prior to October 5, 2015.

The Mayor of Lemon Grove was granted two appointments to the Oversight Board (pursuant to the Health and Safety Code). One of those appointments is to be a former employee of the Agency; the second is an appointment at-large. The Mayor originally appointed Graham Mitchell, former Executive Director of the Agency to serve on the Board. Following Graham Mitchell's resignation as City Manager, the Mayor selected Mike James, Public Works Director, to serve on the board.

Conclusion:

It is recommended that the City Council receive and file the Mayoral appointment to the Oversight Board of the former Lemon Grove Successor Agency.

**LEMON GROVE CITY COUNCIL
AGENDA ITEM SUMMARY**

Item No. 1.1
Mtg. Date September 15, 2015
Dept. Finance

Item Title: City of Grove Lemon Semi-Annual Investment Report (January 1 – June 30, 2015)

Staff Contact: Cathy Till, Finance Director

Recommendation:

Staff recommends that the City Council receive and file the investment report (**Attachment A**) for the six month period ending June 30, 2015.

Item Summary:

California law and the City's Investment policy require the City's fiscal officer to submit a semi-annual report to the City Council at the end of each six month period. The report should contain information on all securities held, and include a statement denoting the ability of the local agency to meet its expenditure requirements for the next six months. The staff report provides the name of the investing entities, the balance in each account, the investment yield, and the interest earned for the six months ending June 30, 2015.

Fiscal Impact:

None.

Environmental Review:

☒ Not subject to review

☐ Categorical Exemption, Section

☐ Negative Declaration

☐ Mitigated Negative Declaration

Public Information:

☒ None

☐ Newsletter article

☐ Notice to property owners within 300 ft.

☐ Notice published in local newspaper

☐ Neighborhood meeting

Attachments:

A. Staff Report

Attachment A

LEMON GROVE CITY COUNCIL STAFF REPORT

Date 1.1

Mtg. Date September 15, 2015

Item Title: City of Lemon Semi-Annual Investment Report (January-June, 2015)

Staff Contact: Cathy Till, Finance Director

Discussion:

The City of Lemon Grove's Investment Policy directs the City Treasurer to invest for safety, liquidity, and yield. City resources are organized and accounted for on a fund basis, with some of those funds being restricted for specified uses and others that are unrestricted. For investment purposes, however, the funds are invested as a pool. The Investment Report for the Period Ending June 30, 2015 shows a combined pool balance of \$22,274,201. In addition, the pool had combined interest earnings of \$25,521 from January 1-June 30, 2015. Interest for the period continues to reflect the lower rates currently being offered on safe, short-term investments, although the City is starting to invest in conservative longer term instruments.

The City is in compliance with the adopted investment policy and is able to meet its expenditure requirements for the next six months. The following table shows a summary from the City, Sanitation District, Roadway Lighting District and Successor Agency for the period January-June, 2015.

	BOOK VALUE	% OF TOTAL	YIELD	INTEREST EARNED
Multi-Bank Securities	\$ 2,458,093	15.8	.0%*	0*
Local Agency Investment Fund (LAIF)	\$11,324,258	72.6	.21%	23,407
US Bank	\$ 1,804,359	11.6	.01%	184
TOTAL	\$22,274,201	100%		\$25,521

*In January, the City started investing in longer term bonds with Multi-Bank Securities. The terms range from 12-60 months and the yields range from .45% to 2.0%. As the investments mature, the City will start to realize a better return on investment than it currently has in LAIF.

Conclusion:

Staff recommends that the City Council receive and file the investment report for the six months ended June 30, 2015.

**LEMON GROVE SUCCESSOR AGENCY
AGENDA ITEM SUMMARY**

Item No. 1.J
Mtg. Date September 1, 2015
Dept. Finance

Item Title: Recognized Obligation Payment Schedule (January 1, 2016 – June 30, 2016)

Staff Contact: Cathy Till, Finance Director

Recommendation:

Approve the Recognized Obligation Payment Schedule (ROPS) for the period of January 1, 2016 through June 30, 2016 (ROPS 2015-16(B)).

Item Summary:

The purpose of this agenda item is to present the ROPS 2015-16(B) for approval by the Successor Agency Board.

Fiscal Impact:

None.

Environmental Review:

- | | |
|---|---|
| ☒ Not subject to review | ☐ Negative Declaration |
| ☐ Categorical Exemption, Section | ☐ Mitigated Negative Declaration |

Public Information:

- | | | |
|--|---|---|
| ☒ None | ☐ Newsletter article | ☐ Notice to property owners within 300 ft. |
| ☐ Notice published in local newspaper | ☐ Neighborhood meeting | |

Attachments:

- A. Staff Report
- B. Recognized Obligation Payment Schedule (January 1, 2016 – June 30, 2016)

Attachment A

LEMON GROVE SUCCESSOR AGENCY STAFF REPORT

Item No. 1.J

Mtg. Date September 1, 2015

Item Title: **Recognized Obligation Payment Schedule (January 1, 2016 – June 30, 2016)**

Staff Contact: Cathy Till, Finance Director

Discussion:

The State requires all Successor Agency Oversight Boards to approve the Recognized Obligation Payment Schedule for the period of January 1, 2016 to June 30, 2016 (ROPS 2015-16(B)) by October 5, 2015. In order to meet that deadline, staff presents the ROPS 2015-16(B) to the Lemon Grove Successor Agency Board for consideration prior to the October 5th deadline. On August 25, 2015, the Successor Agency Oversight Board adopted a resolution approving the ROPS 2015-16(B) and authorized Successor Agency staff to submit the document to the County of San Diego, the State of California Department of Finance, and the State Controller's Office for review and approval. The purpose of this agenda item is to present the ROPS 2015-16(B), for consideration.

The ROPS 2015-16(B) document includes the following:

- A summary detailing the amount requested;
- ROPS detail for the period January 1 – June 30, 2016;
- Cash balances information;
- Prior period adjustments page for the January 1—June 30, 2015 ROPS period showing prior period estimates compared to actual payments; and
- A notes page.

Overall, the ROPS identifies a total of \$1,724,634 in anticipated expenditures between January 1, 2016 and June 30, 2016.

The following subsections provide information about the expenditures identified in the ROPS 2015-16(B).

Bond Debt Service

- During the ROPS 2014-15(B) period, debt service payments are due for the 2007, 2010, and 2014 Tax Allocation Bonds. The three payments, totalling \$537,212, will be made from the Residual Property Tax Trust Fund (RPTTF).

Lemon Grove Avenue Realignment

The ROPS 2014-15(B) identifies \$500,000 in Lemon Grove Avenue Realignment expenditures to be paid during this period. These expenditures are allocated from bond proceeds.

In addition, there is an Outstanding Obligation of \$2,162,973 which represents the amount to be expended from bond proceeds for the project. The Successor Agency currently holds these funds in an investment account.

Miscellaneous

In addition, the following items are identified in the ROPS 2015-16(B):

Attachment A

- \$125,000 Administrative Allowance – this reflects staff time and other administrative costs in administering the Successor Agency and is paid from RPTTF monies; and
- \$201,574 Side Fund Liability (previously approved) ; and
- \$167,795 Prior Period Shortfall (previously approved) ; and
- \$125,000 Administrative Allowance for staff and overhead costs; and
- \$527,838 Actuarial Unfunded Liability (previously approved); and
- \$165,215 Overpayment to the County (previously approved by the Board, but denied by the Department of Finance).
- \$545,686 to be held in a U.S. Bank account as a reserve for the August 2016 bond payments required by the 2014 refunding bond.

At the present time the Successor Agency is not requesting funding for the obligations listed below. However, these items are included as “placeholders” on the ROPS in the event future RPTTF is available to the City to pay them.

- City Loan (\$3,160,748) – this is due to the City as of January 31, 2012. Currently, the City is not eligible to be repaid due to a pending lawsuit the Agency has against the DOF as well as pending legislation disallowing all City loans to former Redevelopment Agencies.

Fiscal Analysis

In total, there are \$30.9 million in outstanding Agency obligations. Of that, \$28.7 million will be funded with RPTTF. This includes bond debt service (\$24.5 million), City loans to the former Agency (\$3.5 million) and \$729,400 in pension liability costs. In addition, there is a the reimbursement for the City's administrative costs. Finally, there is the Lemon Grove Avenue Realignment project, which currently has a balance of \$2,162,973 as outlined in the Report of Cash Balances, which is part of the ROPS reporting requirements.

Conclusion:

Staff recommends that the Successor Agency Board approve the Recognized Obligation Payment Schedule (ROPS) for the period of January 1, 2016 through June 30, 2016 (ROPS 2015-16(B)).

Lemon Grove Recognized Obligation Payment Schedule (ROPS 15-16B) - Notes
January 1, 2016 through June 30, 2016

Item # Notes/Comments

- 18 This was approved on the ROPS 15-16A. The approved amount has been decreased by the \$65,000 that was paid to PERS on 7/1/2015.

Overpayment to the County. In July 2012, the City paid the County \$557,054. That amount represented excess RPTTF revenues over expenditures. Staff analyzed the calculation as part of its research into the Agency's negative cash balance, and discovered that the bond payments made by the Agency were underreported by \$178,465. That amount is partially offset by other expenditures not being as much as anticipated. The net result was a \$165,215 overpayment to the County. The City loaned the Agency the funds to make this payment. The Successor Agency has contacted the County of San Diego and confirmed that the obligation must be included on the ROPS as a cash flow loan in order for them to repay it, since the funds have already been distributed to the affected agencies. This was reported on ROPS 15-16A, and denied. I believe the DOF wants the County to concur with our conclusions, which the County has indicated they will do. In the confusion of the ROPS for the period Jan 1-June 30, 2012, a portion of the bond payment was incorrectly stated as being paid from the Housing Fund. That was incorrect--the entire bond payments should have been reported as RPTTF Expenditures, as there was no funding for the Housing Fund after the demise of redevelopment--the Recognized Obligations Payment Schedule for January to June 2012 for the "Low and Moderate Housing Fund" is attached to prove the bond payments were incorrectly allocated to this fund.

RECOGNIZED OBLIGATION PAYMENT SCHEDULE

Per AB 26 - Section 34177(l)

File for Period January to June, 2012

Project Name / Debt Obligation	Total from Form B	Source of Payment						
		RPTTF	Low and Moderate Income Housing Fund	Bond Proceeds	Reserve Balances	Administrative Cost Allowance	Other Revenue Sources	TOTAL
1) Lemon Grove Avenue Realignment	\$ 278,669.71	0.00	0.00	278,669.71	0.00	0.00	0.00	\$ 278,669.71
2) Main Street Promenade	\$ 476,668.21		0.00	431,668.21	20,000.00	0.00	25,000.00	\$ 476,668.21
3) Federal Blvd Slope Restoration	\$ 40,000.00	0.00	0.00	0.00	40,000.00	0.00	0.00	\$ 40,000.00
4) Affordable Housing Assistance	\$ -	0.00	0.00	0.00	0.00	0.00	0.00	\$ -
5) Business Assistance	\$ 16,250.00	16,250.00	0.00	0.00	0.00	0.00	0.00	\$ 16,250.00
6) Bond Issuance/Debt	\$ 600,708.00	424,818.00	175,890.00	0.00	0.00	0.00	0.00	\$ 600,708.00
7) Administrative/Regulatory	\$ 158,445.09	5,250.00	42,875.00	0.00	350.00	109,970.09	0.00	\$ 158,445.09
8)	\$ -							\$ -
9)	\$ -							\$ -
10)	\$ -							\$ -
11)	\$ -							\$ -
12)	\$ -							\$ -
13)	\$ -							\$ -
14)	\$ -							\$ -
15)	\$ -							\$ -
16)	\$ -							\$ -
17)	\$ -							\$ -
18)	\$ -							\$ -
19)	\$ -							\$ -
20)	\$ -							\$ -
Totals - This Page	\$ 1,570,741.01	\$ 446,318.00	\$ 218,765.00	\$ 710,337.92	\$ 60,350.00	\$ 109,970.09	\$ 25,000.00	\$ 1,570,741.01
Totals - Page 2	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Grand total - All Pages	\$ 1,570,741.01	\$ 446,318.00	\$ 218,765.00	\$ 710,337.92	\$ 60,350.00	\$ 109,970.09	\$ 25,000.00	\$ 1,570,741.01

Recognized Obligation Payment Schedule (ROPS 15-16B) - Summary

Filed for the January 1, 2016 through June 30, 2016 Period

Name of Successor Agency: Lemon Grove

Name of County: San Diego

Current Period Requested Funding for Outstanding Debt or Obligation		Six-Month Total
Enforceable Obligations Funded with Non-Redevelopment Property Tax Trust Fund (RPTTF) Funding		
A	Sources (B+C+D):	\$ 500,000
B	Bond Proceeds Funding (ROPS Detail)	500,000
C	Reserve Balance Funding (ROPS Detail)	-
D	Other Funding (ROPS Detail)	-
E	Enforceable Obligations Funded with RPTTF Funding (F+G):	\$ 2,270,620
F	Non-Administrative Costs (ROPS Detail)	2,145,620
G	Administrative Costs (ROPS Detail)	125,000
H	Total Current Period Enforceable Obligations (A+E):	\$ 2,770,620

Successor Agency Self-Reported Prior Period Adjustment to Current Period RPTTF Requested Funding

I	Enforceable Obligations funded with RPTTF (E):	2,270,620
J	Less Prior Period Adjustment (Report of Prior Period Adjustments Column S)	-
K	Adjusted Current Period RPTTF Requested Funding (I-J)	\$ 2,270,620

County Auditor Controller Reported Prior Period Adjustment to Current Period RPTTF Requested Funding

L	Enforceable Obligations funded with RPTTF (E):	2,270,620
M	Less Prior Period Adjustment (Report of Prior Period Adjustments Column AA)	-
N	Adjusted Current Period RPTTF Requested Funding (L-M)	2,270,620

Certification of Oversight Board Chairman:
Pursuant to Section 34177 (m) of the Health and Safety code, I
hereby certify that the above is a true and accurate Recognized
Obligation Payment Schedule for the above named agency.

Name _____ Title _____

/s/

Signature _____ Date _____

Lemon Grove Recognized Obligation Payment Schedule (ROPS 15-16B) - Report of Cash Balances
(Report Amounts in Whole Dollars)

Pursuant to Health and Safety Code section 34177 (i), Redevelopment Property Tax Trust Fund (RPTTF) may be listed as a source of payment on the ROPS, but only to the extent no other funding source is available or when payment from property tax revenues is required by an enforceable obligation. For tips on how to complete the Report of Cash Balances Form, see [INSERT URL LINK TO CASH BALANCE TIPS SHEET]

ROPS 14-15B Actuals (01/01/15 - 06/30/15)														
A	B	C	D	E	F	G	H	I						
	Cash Balance Information by ROPS Period							Comments						
		Bonds issued on or before 12/31/10	Bonds issued on or after 01/01/11	Prior ROPS period balances and DDR RPTTF balances retained	Prior ROPS reserve for future period(s) distributed as RPTTF	Rent, Grants, Interest, Etc.	Non-Admin and Admin							
										Bond Proceeds		Reserve Balance	Other	RPTTF
										Fund Sources				

1	Beginning Available Cash Balance (Actual 01/01/15)	2,336,154						(1,616,356)
2	Revenue/Income (Actual 06/30/15)		1,066			4,500		1,908,177
3	Expenditures for ROPS 14-15B Enforceable Obligations (Actual 06/30/15)							
	RPTTF amounts, H3 plus H4 should equal total reported actual expenditures in the Report of PPA, Columns L and Q	174,457				4,500		677,560
4	Retention of Available Cash Balance (Actual 06/30/15)							
	RPTTF amount retained should only include the amounts distributed as reserve for future period(s)	2,162,763						
5	ROPS 14-15B RPTTF Prior Period Adjustment							
	RPTTF amount should tie to the self-reported ROPS 14-15B PPA in the Report of PPA, Column S	No entry required						
6	Ending Actual Available Cash Balance							
	C to G = (1 + 2 - 3 - 4), H = (1 + 2 - 3 - 4 - 5)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	(385,739)

ROPS 15-16A Estimate (07/01/15 - 12/31/15)								
7	Beginning Available Cash Balance (Actual 07/01/15)	\$ 2,162,763	\$ -	\$ -	\$ -	\$ -	\$ -	(385,739)
8	Revenue/Income (Estimate 12/31/15)							
	RPTTF amounts should tie to the ROPS 14-15B distribution from the County Auditor-Controller during June 2015	1,066				4,500		1,398,384
9	Expenditures for ROPS 14-15B Enforceable Obligations (Estimate 12/31/15)							
	RPTTF amount retained should only include the amounts distributed as reserve for future period(s)	500,000				4,500		1,398,213
10	Retention of Available Cash Balance (Estimate 12/31/15)							
	RPTTF amount retained should only include the amounts distributed as reserve for future period(s)							
11	Ending Estimated Available Cash Balance (7 + 8 - 9 - 10)	\$ 1,663,829	\$ -	\$ -	\$ -	\$ -	\$ -	(385,568)

PROPS 14-153 CAC FPA: To be completed by the CAC. Note that CACs will need to enter their own duty calendar for the FPA. Also note that the Address entered as a large town.

ROPS 14-15B Successor Agency (SA) Self-reported Prior Period Adjustments (PPA): Pursuant to HSC Section 34186 (e), SAs are required to report the differences between their actual available funding and their actual expenditures for the ROPS 14-15B (January through June 2015) period. The amount of Redevelopment Property Tax Trust Fund (RPTTF) approved for the ROPS 15-16B (January through June 2016) period will be offset by the SA's self-reported ROPS 14-15B prior period adjustment. HSC Section 34186 (a) also specifies that the prior period adjustments self-reported by SAs are subject to audit by the County Auditor-Treasurer (C&T) and the State Controller.																				
A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S	T	
		Non-RPTTF Expenditures							RPTTF Expenditures											
																		Net SA Non-Admin and Admin PPA (Amount Used to Offset ROPS 15-16B Requested RPTTF)		
		Bond Proceeds		Reserve Balance		Other Funds				Non-Admin		Admin								
Item #	Project Name / State Designation	Authorized	Actual	Authorized	Actual	Authorized	Actual	Authorized	Available RPTTF (ROPS 14-15B distributed + all other available as of 01/1/15)	Net Lesser of Authorized / Available	Actual	Difference (If K is less than L, the difference is zero)	Authorized	Available RPTTF (ROPS 14-15B distributed + all other available as of 01/1/15)	Net Lesser of Authorized / Available	Actual	Difference (If total actual exceeds total authorized, the total difference is zero)	Net Difference (M+R)	SA Comments	
1	2004 Refinance Bonds	\$ 200,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 200,000	\$ 200,000	\$ 200,000	\$ -	\$ -	\$ 119,900	\$ 119,900	\$ -	\$ 119,900	\$ -	\$ -		
2	2011 Lemon Grove Ave Roadway	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-		
3	2011 Lemon Grove Roadway Bonds	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-		
4	Lemon Grove Ave Right-of-Way	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-		
5	Continuing Bond Disclosure	-	-	-	-	-	-	\$ 250	-	-	-	-	-	-	-	-	-	-		
6	Sam Anusak Comprehensive Admin Fee	-	-	-	-	-	-	\$ 200	-	-	-	-	-	-	-	-	-	-		
7	Lemon Grove Ave Right-of-Way	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-		
8	Lemon Grove Ave Right-of-Way	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-		
9	Lemon Grove Ave Right-of-Way	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-		
10	Refinance 2004 Bonds	-	-	-	-	-	-	\$ 121,900	-	-	\$ 112,900	\$ -	-	-	-	-	-	-		
11	2011 Bonds	-	-	-	-	-	-	\$ 2,000	-	-	-	-	-	-	-	-	-	-		
12	Competition	-	-	-	-	-	-	\$ 10,300	-	-	\$ 10,300	\$ -	-	-	-	-	-	-		

ROPS 14-15B C&T PPA's to be completed by ROPS 15-16 C&T. Note that C&T will need to enter data on the C&T PPA. Also note that the Agency will be required to submit a final report.

Net Lesser of Authorized / Available

Actual

Difference

**LEMON GROVE CITY COUNCIL
AGENDA ITEM SUMMARY**

Item No. 1.k
Mtg. Date September 1, 2015
Dept. Development Services

Item Title: **Change Order No. 1 for the Palm Street & Golden Avenue Safe Routes to School Project**

Staff Contact: Carol Dick, Development Services Director

Recommendation:

Adopt a resolution (**Attachment A**) approving Change Order No. 1 for the Palm Street & Safe Routes to School project.

Item Summary:

On July 15, 2008, the City Council approved an application for the Safe Routes to School (SRTS) grant program. The proposed SRTS project identified safety improvements along the south side of Palm Avenue from Skyline Drive to Palm Middle School and in-pavement lighting improvements at the intersection of School Lane and Golden Avenue. The City was notified on October 22, 2008, that the project application was approved for grant funding in an amount not to exceed \$743,510. With the City's voluntary match of \$186,250, the total project budget equals \$929,760. The City received an authorization to proceed with project design from the Federal Highway Association for an amount not to exceed \$85,766.

On November 19, 2009, the Lemon Grove City Council awarded the Palm Street and Golden Avenue Safe Routes to School Design Project to Kimley-Horn and Associates in an amount not to exceed \$67,680. The project was delayed pending Caltrans consideration of the conversion of the school to a charter school and the adoption of the ADA Transition Plan. The project design was completed in 2011 and Engineering staff requests approval of the addendum in order to bring the project up to today's standards and to extend the time limits to coincide with the grant restrictions.

- * Change Order No. 1: \$13,500. New Contract Value: \$81,180.00. Description: Updates to project design and standards, lighting modifications, construction administration services, preparation of revised Bid Documents and optional items including as-built drawings and Caltrans Local Assistance.

Staff recommends that the City Council adopt a resolution (**Attachment A**) approving Change Order No. 1 increasing the project cost by \$13,500.00.

Fiscal Impact:

Reduction of \$13, 500 to the project budget.

Environmental Review:

- | | |
|---|---|
| ☒ Not subject to review | ☐ Negative Declaration |
| ☐ Categorical Exemption, Section | ☐ Mitigated Negative Declaration |

Public Information:

- | | | |
|--|---|---|
| ☒ None | ☐ Newsletter article | ☐ Notice to property owners within 300 ft. |
| ☐ Notice published in local newspaper | ☐ Neighborhood meeting | |

Attachments

A. Resolution

Attachment A

RESOLUTION NO. 2015-

RESOLUTION OF THE LEMON GROVE SANITATION DISTRICT APPROVING CHANGE ORDER NO. 1 FOR THE PALM STREET & GOLDEN AVENUE SAFE ROUTES TO SCHOOL PROJECT

WHEREAS, on July 15, 2008, City Council approved an application for the Safe Routes to School (SRTS) grant program; and

WHEREAS, the SRTS grant application identified safety improvements along the south side of Palm Avenue from Skyline Drive to Palm Middle School and in-pavement lighting improvements at the intersection of School Lane and Golden Avenue; and

WHEREAS, on October 22, 2008, the SRTS application was approved for grant funding in an amount not to exceed \$743,510; and

WHEREAS, on September 2, 2009, the City received an authorization to proceed with project design from the Federal Highway Association for an amount not to exceed \$85,766; and

WHEREAS, staff prepared and advertised a request for proposals (RFP) for Palm Street and Golden Avenue Safe Routes to School Design Project; and

WHEREAS, on November 19, 2009, the Lemon Grove City Council adopted Resolution No. 2009-, which awarded Contract No. 2009-06 for the Palm Street & Golden Avenue Safe Routes to School (project) to Kimley-Horn and Associates, Incorporated; and

WHEREAS, the project design was substantially completed in 2011 by Kimley-Horn and Associates, Incorporated; and

WHEREAS, the delay in the project warrants analysis and modifications to update the project design to today's standards; and

WHEREAS, the additional scope warrants a contract adjustment of \$13,500.00 for a project total not to exceed \$81,180.00, and

WHEREAS, the contract limit is extended consistent with the restrictions of the grant award.

NOW, THEREFORE, BE IT RESOLVED that the City of Lemon Grove City Council, hereby:

1. Approves the attached Change Order No. 1 (**Exhibit 1**); and
2. Directs the Interim City Manager / Interim City Engineer or designee to execute Change Order No. 1.

/////
/////

Exhibit 1

Consultant shall perform the following Additional Services:

- **Task 1.** Conduct a site visit at both Palm Street and Golden Avenue to determine if there are any changes that are required to the plan set that was previous approved by the City of Lemon Grove. Update the plan set as necessary. A total of eight hours are assumed for this task.
- **Task 2.** Review the current opinion of probable construction cost to update quantities as needed based on changes in the previous task as well updating the unit prices for items in the bid list. A total of three hours is assumed for this task.
- **Task 3.** Revise the Bid document as need to include the new front end boiler plate bid documents provided by the City and revise the specifications based on current construction standards that may be different then when the plans were approved in 2010. Attend an additional pre-bid meeting for the project. A pre-bid meeting was already had the last time this project was let out for construction. A total of six hours is assumed for this task.
- **Task 4.** Increase the contract value for construction phase services by \$4,000. This include recovering previous construction phase budget of \$1,600 that was used to change from in pavement lighting to RRFB. The additional budget of \$2,400 will be to provide the City more support during the construction phase than what was originally approved. This involves responding to more than the five RFI's that were in the original agreement as well as construction observation as need based on the requests from the City. This task assumes a total of twelve additional hours.
- **Task 5.** Prepare a detail of the RRFB on the plan set. This includes the solar panel used to power the RRFB as well as the sign locations and the pole that is to be used. A total of eight hours is assumed for this task.
- **Optional Task 6.** Increase the project close out support based on the current engineering staff at the City of Lemon Grove. The previous project close out phase would be to revise the drawings to the as-built drawings. The previous task assumed that City forces would provide red line comments that have been approved by the City. This task now assumes that Kimley-Horn staff will field verify any construction revision prior to prepare the final as-built drawings. A total of ten additional hours is assumed for this task. A budget based on time and materials for this task is \$1,800.
- **Optional Task 7.** Increase the budget for Caltrans Local Assistance paperwork close out for the project. The previous scope assumed that Kimley-Horn would prepare the draft final project close out plans for submittal to the City and that the City would process the paper work with Caltrans Local Assistance for final close-out. This task assumed fifteen additional hours for processing the paperwork and making revisions as needed by Caltrans. This task assumes only one round of revisions to the paperwork in order to be accepted and finalized by the City. It is also assumed that the City inspector will provide daily logs as required by the Local Assistance Manual. A budget based on time and materials for this task is \$2,800.

Exhibit 1

For the Additional Services set forth above, Client shall pay Consultant the following additional compensation:

A lump sum fee of \$8,900.

Optional Tasks 6 and 7 if authorized with be billed on a time and materials basis.

Option Task 6 budget is \$1,800 and Option Task 7 budget is \$2,800.

AMENDMENT NUMBER 1 TO THE AGREEMENT BETWEEN THE CLIENT AND KIMLEY-HORN AND ASSOCIATES, INC.

AMENDMENT NUMBER 1 DATED August 18, 2015 to the agreement between the City of Lemon Grove CA, ("Client") and Kimley-Horn and Associates, Inc., ("Consultant") dated November 19, 2009 ("the Agreement") concerning The Palm Street and Golden Avenue Safe Routes to school project (the "Project").

The Consultant has entered into the Agreement with Client for the furnishing of professional services, and the parties now desire to amend the Agreement.

Therefore, it is mutually agreed that the Agreement is amended to include Additional Services to be performed by Consultant and provisions for additional compensation by the Client to the Consultant, all as set forth in Exhibit A hereto. The parties ratify the terms and conditions of the Agreement not inconsistent with this Amendment, all of which are incorporated by reference.

CLIENT:

City of Lemon Grove CA

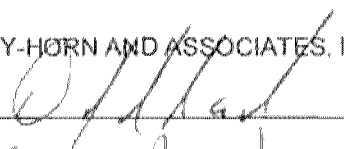
By: _____

Title: _____

Date: _____

CONSULTANT:

KIMLEY-HORN AND ASSOCIATES, INC.

By: 

Title: Senior Project Manager

Date: 8/18/2015

LEMON GROVE CITY COUNCIL
AGENDA ITEM SUMMARY

Item No. 2
Mtg. Date September 1, 2015
Dept. City Manager's Office

Item Title: Crime Free Multi-Housing Program

Staff Contact: Laureen Ryan Ojeda, Administrative Analyst

Recommendation:

Provide feedback and direction to staff regarding next steps for the Crime Free Multi-Housing program.

Item Summary:

During its February 17, 2015 meeting, the City Council received a report requesting feedback and direction for staff regarding marketing a Crime Free Multi-Housing (CFMH) Program. At the City Council's direction staff developed a marketing letter that was mailed to those property owners with the highest percentage of calls for service. The staff report provides results of the marketing effort by city staff.

Fiscal Impact:

None.

Environmental Review:

- | | |
|---|---|
| ☒ Not subject to review | ☐ Negative Declaration |
| ☐ Categorical Exemption, Section | ☐ Mitigated Negative Declaration |

Public Information:

- | | | |
|--|---|---|
| ☒ None | ☐ Newsletter article | ☐ Notice to property owners within 300 ft. |
| ☐ Notice published in local newspaper | ☐ Neighborhood meeting | |

Attachments:

A. Staff Report

Attachment A

LEMON GROVE CITY COUNCIL STAFF REPORT

Item No. 2

Mtg. Date September 1, 2015

Item Title: Crime Free Multi-Housing Program

Staff Contact: Laureen Ryan Ojeda, Administrative Analyst

Discussion:

During its February 17, 2015 meeting, the City Council received a report requesting feedback and direction for staff regarding marketing a Crime Free Multi-Housing Program. At the City Council's direction staff developed a marketing letter that was mailed to those property owners with the highest percentage of calls for service. The staff report provides results of the marketing effort by city staff.

Background

As a reminder, the County, through the Sheriff's Department, operates a Crime Free Multi-Housing program. As the City's contractor for law enforcement services, the City is eligible to access the Sheriff Department's program. The program is intended for communities that have four or more rental units—condo properties are not eligible to participate. The program allows the Sheriff's Department and property managers to work together to solve problems through training, inspections, and other tools designed to reduce criminal activity in and around the property. The program in Lemon Grove would be managed through the Crime Prevention Specialist assigned to the City and does not require an increase in our Sheriff's Service Contract.

Results

A targeted mail marketing campaign was implemented during the month of June. Letters went out to rental communities with calls for service greater than four times the average. A total of 7 communities received letters asking for voluntary compliance with the program. Staff received zero response from these letters.

Based on the lack of response and discussions with the Sheriff's Department about their experience with a voluntary compliance model, voluntary compliance from high calls for service properties is unlikely to be successful. Additionally, this program only works in rental communities where there are on-site managers. The Lemon Grove Municipal Code does not require on-site managers regardless of the size of the rental property.

Recommendations:

If the City Council wishes to continue the pursuit of crime free housing certification for rental communities, staff presents the following options for City Council consideration: 1) Mail market all rental communities within the City regardless of number of calls for service to gain voluntary compliance; 2) Adopt an ordinance requiring on-site building managers for new rental communities with more than 6 units; 3) Adopt an ordinance making participation in the Crime Free Multi-Housing Program mandatory for any new rental communities with more than 6 units; 4) Provide direction for an ordinance making CFMH Program building design and maintenance criteria mandatory for developers building communities with greater than 6 units. Crime prevention through Environmental Design (CPTED) for example requires a minimum of dead

**LEMON GROVE CITY COUNCIL
AGENDA ITEM SUMMARY**

Item No. 3
Mtg. Date September 1, 2015
Dept. Development Services

Item Title: **Ordinance No. 432 – Solar Permitting Efficiency Act Ordinance**

Staff Contact: Aaron Goodman, Building Official
Rose Kelly, Development Services Intern
Carol Dick, Development Services Director

Recommendation:

1. Introduce and conduct the first reading by title only of Ordinance No. 432 adopting the Solar Permitting Efficiency Act Ordinance (**Attachment B**).
2. Authorize the City Attorney to prepare a summary for publication and set the matter for second reading and adoption on September 15, 2015.

Item Summary:

The Solar Permitting Efficiency Act requires California cities and counties to adopt an ordinance that creates an expedited solar permitting process by September 30, 2015. The Act requires cities and counties to substantially conform their streamlined permitting process to the recommendations contained in the current version of Spring 2015 Second Edition of the Solar Permitting Guide Book which lays out a standardized and streamlined permitting process for small residential photovoltaic (PV) and solar water heating systems (SWH) that can be adopted with minor changes to reflect local conditions.

Fiscal Impact:

None

Environmental Review:

- | | |
|--|---|
| ☐ Not subject to review | ☐ Negative Declaration |
| ☒ Categorical Exemption, Section 15308 | ☐ Mitigated Negative Declaration |

Public Information:

- | | | |
|--|---|---|
| ☒ None | ☐ Newsletter article | ☐ Notice to property owners within 300 ft. |
| ☐ Notice published in local newspaper | ☐ Neighborhood meeting | |

Attachments:

- A. Staff Report
- B. Ordinance No. 432 – Solar Permitting Efficiency Act
- C. Chapter 15.33 - Small Residential Rooftop Solar Systems

Attachment A

LEMON GROVE CITY COUNCIL STAFF REPORT

Item No. 3

Mtg. Date September 1, 2015

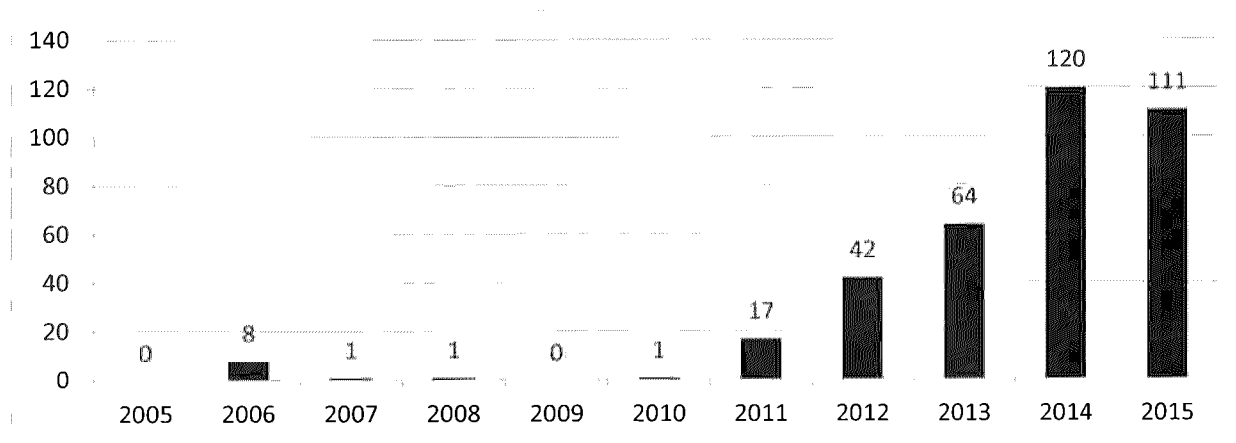
Item Title: **Ordinance No. 432 – Solar Permitting Efficiency Act Ordinance)**

Staff Contact: Carol Dick, Development Services Director

Discussion:

Background

Currently, the City of Lemon Grove approves small residential photovoltaic (PV) systems subject to a combination of building permits (project specific) which require supporting documents and after issuance, a variety of inspections. The Lemon Grove process has been rated “good”¹ by *Vote Solar* citing the only deficiencies as a lack of online permit access and faster turn-around time. Currently, all residential PV permits cost less than \$500. The number of solar permits issued by the City of Lemon Grove since 2005 is outlined in the chart below.



In 2014, the California Legislature passed the Solar Permitting Efficiency Act to require cities and counties to adopt ordinances that implement best practices, outlined in the Spring 2015 Second Edition of the Solar Permitting Guidebook.

Analysis:

The attached Ordinance updates the City’s building permit process to comply with AB 2188 (Chapter 521, Statutes 2014) by:

- Restricting the cost increase that any City may impose.
- Publishing all documents and forms required by the City on the City website.
- Providing an expedited solar energy application submittal process available on the City website, email, or fax.
- Adopting a compliance checklist of all requirements.
- Limiting the installation inspections to one required inspection.

¹ Vote Solar. (2015). Project Permit Database. Available from: <http://projectpermit.org/#muni=1058>.

Attachment A

The Ordinance would require improvements to online access, including the availability of documents and submittal. Sample documents and checklists have been produced by the State and are available for revisions for local conditions. In addition, the City will need to develop a residential photovoltaic (PV) page for the City's website for easy access to documents and application forms. Online submittal will be made available to the public.

Limiting the number of required site inspections to one inspection is expected to reduce time and costs for the applicant. Although the method is still under study, a consolidated Fire and Building inspection may be considered. A system will be developed to provide adequate logistics and coordination between the two departments. Due to the already low cost of residential PV permits, no changes to the fee schedule are necessary.

The legislative intent is to encourage the installation of solar energy systems by removing obstacles to, and minimizing cost of, permitting for such systems. Adoption of this Ordinance is not expected to increase City costs or staff time.

Environmental Impact:

This Ordinance is exempt from environmental review as per Section 15308 of the California Environmental Quality Act (CEQA) Guidelines, which exempts actions taken by regulatory agency for protection of the environment. This regulatory process provides procedures towards protection of the environment.

Conclusion:

Staff recommends that the City Council introduce Ordinance No. 432 by title and allow the publication of a Summary of the Ordinance in a newspaper of general circulation.

ATTACHMENT B

ORDINANCE 432

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LEMON GROVE, CALIFORNIA ADDING CHAPTER 15-33 TO THE LEMON GROVE MUNICIPAL CODE TO PROVIDE AN EXPEDITED, STREAMLINED PERMITTING PROCESS FOR SMALL RESIDENTIAL ROOFTOP SOLAR SYSTEMS

WHEREAS, the City Council of the City of Lemon Grove seeks to implement AB 2188 (Chapter 521, Statutes 2014) through the creation of an expedited, streamlined permitting process for small residential rooftop solar energy systems; and

WHEREAS, the City Council wishes to advance the use of solar energy by all of its citizens, businesses and industries; and

WHEREAS, solar energy creates local jobs and economic opportunity; and

WHEREAS, the City Council recognizes that rooftop solar energy provides reliable energy and pricing for its residents and businesses; and

WHEREAS, it is in the interest of the health, welfare and safety of the people of the City of Lemon Grove to provide an expedited permitting process to assure the effective deployment of solar technology; and

WHEREAS, Subsection (a) of Section 65850.5 of the California Government Code provides that it is the policy of the State to promote and encourage the installation and use of solar energy systems by limiting obstacles to their use and by minimizing the permitting costs of such systems; and

WHEREAS, Subdivision (g)(1) of Section 65850.5 of the California Government Code provides that, on or before September 30, 2015, every city, county, or city and county shall adopt an ordinance, consistent with the goals and intent of subdivision (a) of Section 65850.5, that creates an expedited, streamlined permitting process for small residential rooftop solar energy systems.

NOW, THEREFORE, the City Council of the City of Lemon Grove hereby ordains as follows:

SECTION ONE:

Chapter 15.33, SMALL RESIDENTIAL ROOFTOP SOLAR SYSTEMS, establishing an expedited, streamlined permitting process for Small Residential Rooftop Solar Systems, is hereby added to the City of Lemon Grove Municipal Code to read as shown in Exhibit A.

SECTION TWO:

ENVIRONMENTAL FINDING. The City Council finds in its independent judgment that the proposed amendment to the Municipal Code is exempt from environmental review as per Section 15308 of the California Environmental Quality Act (CEQA) Guidelines, which exempts actions taken by regulatory agency for protection of the environment where the regulatory process provides procedures for protection of the environment.

Attachment B

None of the exceptions in CEQA Guidelines Section 15300.2 exist. Notwithstanding the exemption as per Section 15308, the City Council further finds that there is no possibility that the activity may have a significant effect on the environment; therefore pursuant to Section 15061(b)(3) of the CEQA Guidelines the activity is exempt from the provisions of CEQA.

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CHAPTER 15.33

SMALL RESIDENTIAL ROOFTOP SOLAR SYSTEMS

15.33.010 Purpose. The purpose of this chapter is to provide an expedited, streamlined solar permitting process that complies with the Solar Rights Act and AB 2188 (Chapter 521, Statutes 2014, California Government Code Section 65850.5) in order to achieve timely and cost-effective installations of small residential rooftop solar energy systems. This chapter encourages the use of solar systems by removing unreasonable barriers, minimizing costs to property owners and the city and facilitating property owners to install solar energy systems. This chapter allows the city to achieve those goals while protecting the public health and safety.

15.33.020 Definitions

The following definitions shall apply to this chapter:

A. "Electronic submittal" means the utilization of one or more of the following:

1. e-mail
2. the internet
3. facsimile.

B. "Small residential rooftop solar energy system" means all of the following:

1. A solar energy system that is no larger than 10 kilowatts alternating current nameplate rating or 30 kilowatts thermal.
2. A solar energy system that conforms to all applicable state fire, structural, electrical, and other building codes as adopted or amended by the City and paragraph (iii) of subdivision (c) of Section 714 of the Civil Code, as such section or subdivision may be amended, renumbered, or redesignated from time to time.
3. A solar energy system that is installed on a single or duplex family dwelling.
4. A solar panel or module array that does not exceed the maximum legal building height as defined by the City of Lemon Grove.

C. "Solar energy system" has the same meaning set forth in paragraphs (1) and (2) of subdivision (a) of Section 801.5 of the Civil Code, as such section or subdivision may be amended, renumbered, or redesignated from time to time.

D. "Eligibility Checklist" means the submittal checklist required by the City of Lemon Grove to be submitted with the small residential rooftop solar energy system demonstrating compliance.

E. "Specific, adverse impact" means a significant, quantifiable, direct, and unavoidable impact, based on objective, identified, and written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete.

F. "Reasonable restrictions" on a solar energy system are those restrictions that do not significantly increase the cost of the system or significantly decrease its efficiency or specified performance, or that allow for an alternative system of comparable cost, efficiency, and energy conservation benefits.

Attachment C

G. "Restrictions that do not significantly increase the cost of the system or decrease its efficiency or specified performance" means:

1. For Water Heater Systems or Solar Swimming Pool Heating Systems: an amount exceeding 10 percent of the cost of the system, but in no case more than one thousand dollars (\$1,000), or decreasing the efficiency of the solar energy system by an amount exceeding 10 percent, as originally specified and proposed.

2. For Photovoltaic Systems: an amount not to exceed one thousand dollars (\$1,000) over the system cost as originally specified and proposed, or a decrease in system efficiency of an amount exceeding 10 percent as originally specified and proposed.

15.33.030 Applicability

A. This chapter applies to the permitting of all small residential rooftop solar energy systems in the city.

B. Small residential rooftop solar energy systems legally established or permitted prior to the effective date of the ordinance codified in this chapter are not subject to the requirements of this chapter unless physical modifications or alterations are undertaken that materially change the size, type, or components of a small rooftop energy system in such a way as to require new permitting. Routine operation and maintenance or like-kind replacements shall not require a permit.

15.33.040 Solar Energy System Requirements

A. All solar energy systems shall meet applicable health and safety standards and requirements imposed by the state and the City.

B. Solar energy systems for heating water in single-family residences and for heating water in commercial or swimming pool applications shall be certified by an accredited listing agency as defined by the California Plumbing and Mechanical Code.

C. Solar energy systems for producing electricity shall meet all applicable safety and performance standards established by the California Electrical Code, the Institute of Electrical and Electronics Engineers, and accredited testing laboratories such as Underwriters Laboratories and, where applicable, rules of the Public Utilities Commission regarding safety and reliability.

15.33.050 Applications and Documents

A. All documents required for the submission of an expedited solar energy system application shall be made available on the City website.

B. Electronic submittal of the required permit application and documents by email, fax, or the Internet shall be made available to all small residential rooftop solar energy system permit applicants.

C. The Planning and Building Department shall adopt an eligibility checklist of all requirements with which small residential rooftop solar energy systems shall comply to be eligible for expedited review.

Attachment C

D. Prior to submitting an application, the applicant shall:

1. Verify to the applicant's reasonable satisfaction through the use of standard engineering evaluation techniques that the support structure for the small residential rooftop solar energy system is stable and adequate to transfer all wind, seismic, and dead and live loads associated with the system to the building foundation; and

2. At the applicant's cost, verify to the applicant's reasonable satisfaction using standard electrical inspection techniques that the existing electrical system including existing line, load, ground and bonding wiring as well as main panel and subpanel sizes are adequately sized, based on the existing electrical system's current use, to carry all new photovoltaic electrical loads.

E. The permit application and associated documentation may be submitted to the Building Division in person, by mail, or by electronic submittal together with required permit processing and inspection fees. In the case of electronic submittal, the electronic signature of the applicant on all forms, applications, and other documents may be used in lieu of a wet signature.

F. The small residential rooftop solar system permit process and eligibility checklist shall substantially conform to recommendations for expedited permitting contained in the most current version of the California Solar Permitting Guidebook adopted by the Governor's Office of Planning and Research.

15.33.060 Permit Review and Inspection Requirements

A. The Planning and Building Department shall implement an administrative, nondiscretionary review process to expedite approval of small residential rooftop solar energy systems.

B. Review of the application shall be limited to the Chief Building Official's review of whether the application meets local, State, and Federal health and safety requirements.

C. If an application is deemed incomplete, a written correction notice detailing all deficiencies in the application and any additional information or documentation required to be eligible for expedited permit issuance shall be sent to the applicant for resubmission.

D. If an application is not denied in writing within 45 days from the date of receipt of the application, the application shall be deemed approved, unless that delay is the result of a reasonable request for additional information.

E. Upon confirmation by the building official of the application and supporting documentation being complete and meeting the requirements of the eligibility checklist, the building official shall administratively approve the application and issue all required permits or authorizations. Such approval does not authorize an applicant to connect the small residential rooftop energy system to the local utility provider's electricity grid. The applicant is responsible for obtaining such approval or permission from the local utility provider.

F. The Chief Building Official may require an applicant to apply for a Minor Use Permit if the official finds, based on substantial evidence, that the solar energy system could have a specific, adverse impact upon the public health and safety. Such decisions may be appealed to the city Planning Commission. If a Minor Use Permit is required, the city may deny such application if it makes written findings based upon substantive

Attachment C

evidence in the record that the proposed installation would have a specific, adverse impact upon public health or safety and there is no feasible method to satisfactorily mitigate or avoid, as defined, the adverse impact. Such findings shall include the basis for the rejection of the potential feasible alternative for preventing the adverse impact. Such decisions may be appealed to the city Planning Commission.

G. Any condition imposed on an application shall be designed to mitigate the specific, adverse impact upon health and safety at the lowest possible cost.

H. "A feasible method to satisfactorily mitigate or avoid the specific, adverse impact" includes, but is not limited to, any cost-effective method, condition, or mitigation imposed by the City on another similarly situated application in a prior successful application for a permit. The City shall use its best efforts to ensure that the selected method, condition, or mitigation meets the conditions of subparagraphs (A) and (B) of paragraph (1) of subdivision (d) of Section 714 of the California Civil Code defining restrictions that do not significantly increase the cost of the system or decrease its efficiency or specified performance.

I. Only one inspection shall be required and performed by the Building Division, and may include a consolidated inspection with the Fire Marshall, for small residential rooftop solar energy systems eligible for expedited review.

J. The inspection shall be done in a timely manner and should include consolidated inspections.

K. If a small residential rooftop solar energy system fails inspection, a subsequent inspection is authorized; however the subsequent inspection need not conform to the requirements of this section.

**LEMON GROVE CITY COUNCIL
AGENDA ITEM**

Item No. 4
Mtg. Date September 1, 2015
Dept. City Attorney

Item Title: Ordinance No. 430 – Amending Chapter 8.24, Section 12.20.355, and Section 17.08.030 of the Lemon Grove Municipal Code to Incorporate Electronic Smoking Regulations

Staff Contact: James P. Lough, City Attorney

Recommendation:

Conduct second reading by title and adopt Ordinance No. 430, amending Chapter 8.24, Section 12.20.355, and Section 17.08.030 of the Lemon Grove Municipal Code to Incorporate Electronic Smoking Regulations

Item Summary:

The City has been requested to consider an Ordinance that regulates electronic cigarette smoking in the same manner as tobacco regulation. The Sheriff's Department local office has asked that the City Council consider adopting regulation of electronic smoking currently on the books in the County of San Diego.

Citing health studies and the potential risks to local citizens from electronic smoking apparatus, the County has banned smoking of chemical substances by electronic means, also referred to as vaping, in the workplace. A full and detailed analysis was provided to the City Council in a staff report dated August 4, 2015.

Fiscal Impact:

None except possible incremental increases in enforcement costs.

Environmental Review:

- | | |
|---|---|
| ☒ Not subject to review | ☐ Negative Declaration |
| ☐ Categorical Exemption, Section 15308 | ☐ Mitigated Negative Declaration |

Public Information:

- | | | |
|--|---|---|
| ☒ None | ☐ Newsletter article | ☐ Notice to property owners within 300 ft. |
| ☐ Notice published in local newspaper | ☐ Neighborhood meeting | |

Attachments:

- A. City of Lemon Grove Electronic Smoking Regulatory Ordinance
- B. Strike out/underline text of amended Ordinance language

Attachment A

ORDINANCE NO. 430

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LEMON GROVE, CALIFORNIA AMENDING AND RENAMING CHAPTER 8.24 (SMOKING IN PUBLIC AREAS: ELECTRONIC SMOKING DEVICES); AMENDING SECTION 12.20.355 (SMOKING IN PUBLIC PARKS); AND AMENDING PART OF SECTION 17.08.030 (DEFINITIONS: SMOKING LOUNGE) OF THE LEMON GROVE MUNICIPAL CODE

WHEREAS, the City Council of the City of Lemon Grove adopted Ordinance Number 218 (1994) to prohibit smoking in workplaces; and

WHEREAS, the California State Legislature has since enacted Labor Code Section 6404.5 which bans smoking in workplaces and preempts local legislation on the subject, making the current Chapter 8.24 inoperative in its application to tobacco products; and

WHEREAS, there is no state regulation of electronic smoking devices that regulates workplaces in Lemon Grove; and

WHEREAS, the City Council has recognized the studies of other health and governmental organizations that determined electronic smoking devices pose a health risk to smokers and persons who work within their immediate vicinity; and

WHEREAS, the City Council has determined that the regulation of electronic smoking devices is necessary to protect the citizens of Lemon Grove from health risks similar to those caused by tobacco products; and

WHEREAS, the City Council of the City of Lemon Grove has determined to regulate electronic smoking devices in the same manner as tobacco products under California Labor Code Section 6404.5; and

WHEREAS, the City Council desires to leave Ordinance Number 218 in effect even though it is currently preempted by state law in that Labor Code Section 6404.5(g) allows certain preexisting ordinances regulating tobacco in the workplace can regulate workplace smoking in the future if the state repeals its workplace smoking prohibitions;

WHEREAS, the City Council of the City of Lemon Grove desires to extend the protections of the current regulation of smoking tobacco in the workplace and city parks to include electronic smoking to limit adverse health impacts on the public.

NOW THEREFORE, the City Council of the City of Lemon Grove does ordain as follows;

1. Ordinance Number 218 is to remain in effect but is no longer operative pursuant to Labor Code Section 6404.5. Upon the effective date of this ordinance, Ordinance Number 218 shall no longer be codified in the Lemon Grove Municipal Code.

2. Lemon Grove Municipal Code Chapter 8.24 (SMOKING IN PUBLIC AREAS: ELECTRONIC SMOKING DEVICES) is renamed and added to read as shown in Attachment "C", part 1, which is attached hereto and incorporated herein by reference.

Attachment A

3. Lemon Grove Municipal Code Section 12.20.355 (SMOKING IN PUBLIC PARKS) (Massage Therapy Practice: Local Licensing) is amended to read as shown in ATTACHMENT "C", part 2, which is attached hereto and incorporated herein by reference.

4. Lemon Grove Municipal Code Section 17.08.030 (DEFINITIONS) is amended only with respect to the definition of "SMOKING LOUNGES" to read as shown in Attachment "C", part 3, which is attached hereto and incorporated herein by reference.

INTRODUCED by the City Council on August 4, 2015. **PASSED AND ADOPTED** by the City Council of the City of Lemon Grove, State of California, on September 1, 2015.

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Attachment B, Part 1: Chapter 8.24 Smoking in Public Areas (Electronic Smoking Devices)

8.24.010 FINDINGS AND INTENT.

(a) Credible studies have demonstrated that there are health concerns regarding the use of tobacco products and electronic smoking devices by users of the devices and bystanders.

(b) The U.S Food and Drug Administration (FDA) has found that tobacco products do contain carcinogens and other harmful substances. Nicotine is contained in tobacco. Nicotine is a highly addictive neurotoxin included in the Proposition 65 list of Chemicals Known to the State to Cause Cancer or Reproductive Toxicity. Nicotine is known to cause birth defects. Nicotine is a component of the emissions from tobacco products and involuntarily exposes non-users to nicotine.

(c) The Centers for Disease Control and Prevention has reported that from 2011-2012, the use of electronic cigarettes by U.S. middle and high school students more than doubled.

(d) Despite the potential use of electronic smoking devices as an aid to quitting smoking , the products are not approved by the for smoking cessation or treatment of any health concerns. An analysis by the FDA found that e-cigarettes do contain carcinogens, including nitrosamines as well as toxic chemicals such as diethylene glycol. Although electronic smoking devices do not produce the same smoke as conventional tobacco product cigarettes, they do produce a cloud of vapors containing unknown substances and sometimes produce unpleasant odors. The possible health effects of bystanders breathing or absorbing these vapors through their skin is unknown.

(e) Nicotine is contained in most electronic smoking devices. Nicotine is a highly addictive neurotoxin included in the Proposition 65 list of Chemicals Known to the State to Cause Cancer or Reproductive Toxicity and is known to cause birth defects. Nicotine is a component of the emissions from electronic smoking devices containing nicotine and involuntarily exposes non-users to nicotine.

(f) Scientific studies and FDA testing demonstrated that the solutions in electronic smoking devices contained toxic chemicals and that labelling often-misrepresented nicotine content contained in the devices.

(g) There are products approved by the FDA for smoking cessation. To date, scientific studies have not demonstrated the benefit of electronic smoking devices for smoking cessation. The FDA does not approve these devices for smoking cessation.

(h) With certain exceptions, state law prohibits smoking inside an enclosed space at a place of employment.

(i) The use of electronic smoking devices in locations where the smoking of tobacco is prohibited may cause confusion and uncertainty, and make it more difficult to enforce smoke free environments and other prohibitions on smoking tobacco.

(j) The enactment of this Ordinance is not intended to repeal the provisions of Ordinance Number. 218, enacted in 1994. By adoption of this Ordinance, Ordinance Number 218 shall no longer be codified in the Lemon Grove Municipal Code. Ordinance Number 218 law that shall remain in effect but no longer be operative since the State of California has preempted the field of regulation with the

Attachment B

enactment of Labor Code Section 6404.5. Under Labor Code Section 6404.5(g), Ordinance Number 218 shall become operative if the State repeals the tobacco restriction provisions of Labor Code Section 6404.5.

(k) It is the intent of the City Council in enacting the Ordinance that amends Chapter 8.24 of the Lemon Grove Municipal Code to provide for the public health, safety and welfare, by prohibiting the use of electronic smoking devices where state law or regulation prohibits the use and smoking of tobacco products under Labor Code Section 6404.5.

(Added by Ord. No.)

8.24.020 Definitions.

The following words and phrases, whenever used in this chapter, shall be construed as hereafter set out, unless it is apparent from the context that a different meaning is clearly intended:

- "Electronic smoking device" is defined as an electronic and/or battery operated device, the use of which may resemble smoking, which can be used to deliver an inhaled dose of nicotine or other substances. "Electronic smoking device" includes any such electronic smoking device, whether manufactured, distributed, marketed, or sold as an electronic cigarette, an electronic cigar, an electronic cigarillo, an electronic pipe, an electronic hookah, or any other product name or descriptor. "Electronic smoking device" does not include any product specifically approved by the U.S. Food and Drug Administration for use in mitigation, treatment, or prevention of disease.

"Enclosed space" is defined as set forth in state law, Labor Code section 6404.5 and includes lobbies, lounges, waiting areas, elevators, stairwells, and restrooms that are a structural part of the building.

"Place of employment" is defined as set forth in state law, Labor Code section 6404.5.

"Smoking" or "Smoke" for the purpose of this Chapter is also defined as the use of an electronic smoking device intended to emulate smoking, which permits a person to inhale vapors, mists or aerosol that may or may not contain nicotine.

8.24.030 PROHIBITION ON USE OF ELECTRONIC SMOKING DEVICES IN AN ENCLOSED SPACE AT A PLACE OF EMPLOYMENT AND OTHER LOCATIONS

(a) Enclosed Spaces at Places of Employment. No person shall engage in the smoking of an electronic smoking device in the City of Lemon Grove in an enclosed space at a place of employment, as defined in Labor Code section 6404.5 or his Chapter 8.24, whichever provision is operative. The prohibition in this section shall not apply to any place that is not defined as an enclosed space or a place of employment or any place that is otherwise excepted from the smoking prohibitions in Labor Code section 6404.5 or to any place of employment in a public building owned, leased or operated by another governmental jurisdiction.

(b) Other Locations Where Smoking Tobacco is Prohibited by State Statute or Regulation. No person shall engage in the smoking of an electronic smoking device in any other location where smoking tobacco is prohibited by any state statute or regulation.

8.24.040 VIOLATIONS AND ENFORCEMENT.

Attachment B

Any violation of the prohibition set forth in Section 8.24.030 is an infraction, punishable by a fine not to exceed one hundred dollars (\$100) for a first violation, two hundred dollars (\$200) for a second violation within one year, and five hundred dollars (\$500) for a third and for each subsequent violation within one year.

8.24.050 SEPARATE VIOLATION FOR EACH INCIDENT.

Each incident in violation of Section 8.24.030 shall constitute a separate offense.

8.24.060 ENFORCEMENT AUTHORITY.

The City Attorney and the Sheriff are authorized to administer and enforce this chapter. The City Attorney and the Sheriff may exercise any enforcement powers provided by law to enforce this chapter

8.24.070 Nonretaliation.

No person or employer shall discharge, refuse to hire, or in any manner retaliate against any employee or applicant for employment because such employee or applicant exercises any rights afforded by this article. Violation of this section is a misdemeanor punishable according to Chapter 1.12 of this code. (Ord. 218 § 1, 1994)

8.24.080 Other applicable laws.

This chapter shall not be interpreted or construed to permit smoking where it is otherwise restricted by other applicable laws. (Ord. 218 § 1, 1994)

8.24.090 Severability.

If any provision or clause of this chapter or the application thereof to any person or circumstances is held to be unconstitutional or to be otherwise invalid by any court of competent jurisdiction, such invalidity shall not affect other provisions, clauses or applications thereof which can be implemented without the invalid provision, clause or application, and to this end the provisions and clauses of this ordinance are declared to be severable. (Ord. 218 § 1, 1994)

ATTACHMENT C, Part 2: CHAPTER 12.20 (Parks and Facilities)

12.20.355 Smoking in public parks.

It is unlawful to possess a lighted or burning tobacco product, ~~or tobacco-related product~~ or use an electronic smoking device, as defined in Lemon Grove Municipal Code Chapter 8.24, at any time within the boundaries of any park, including designated parking areas of any city park. (Ord. 383 § 1, 2009)

ATTACHMENT C, Part 3: CHAPTER 17.08 Definitions (ZONING TITLE)

17.08.030 Definitions.

Throughout this title, the following words and phrases shall have the meanings found in this section:

“Smoking lounge” means businesses that include cigar lounges, electronic smoking lounges ~~and hookah lounges, or any combination of those uses~~. Smoking lounges may serve food.

**LEMON GROVE CITY COUNCIL
AGENDA ITEM SUMMARY**

Item No. 5
Mtg. Date September 1, 2015
Dept. City Attorney

Item Title: **Ordinance No. 431 - Lemon Grove Community Advisory Commission**

Staff Contact: James P. Lough, City Attorney

Recommendation:

1. Introduce and conduct the first reading by title only of Ordinance No. 431 adopting the Lemon Grove Community Advisory Commission Ordinance (**Attachment B**).
2. Authorize the City Attorney to prepare a summary for publication and set the matter for second reading and adoption on September 15, 2015.

Item Summary:

The City Council has given direction to staff to prepare ordinance changes to the municipal code to re-task the Planning Commission into a Community Advisory Commission with permanent and temporary members. The Community Advisory Commission (CAC) will replace the Planning Commission and the City Council will assume planning duties once held by the Commission. The Community Advisory Commission will work on specific assignments delegated by the City Council involving any subject matter that the City Council seeks advice and counsel. Once this Ordinance is approved, staff will return with other implementing Ordinances.

Fiscal Impact:

None

Environmental Review:

- | | |
|---|---|
| ☒ Not subject to review | ☐ Negative Declaration |
| ☐ Categorical Exemption, Section | ☐ Mitigated Negative Declaration |

Public Information:

- | | | |
|--|---|---|
| ☒ None | ☐ Newsletter article | ☐ Notice to property owners within 300 ft. |
| ☐ Notice published in local newspaper | ☐ Neighborhood meeting | |

Attachments:

- A. Staff Report
- B. Ordinance No. 431 - Community Advisory Commission
- C. Strike Out/Underline LGMC Chapter 2.08

LEMON GROVE CITY COUNCIL STAFF REPORT

Item No. 5

Mtg. Date September 1, 2015

Item Title: **Ordinance No. 431 - Lemon Grove Community Advisory Commission)**

Staff Contact: James P. Lough, City Attorney

Discussion:

Background

On January 20, 2015 and during the goal-setting workshop, Councilmembers weighed in on expanded roles of former members of the Planning Commission in the future. The ideas shared achieve goals of increasing community involvement and obtaining more input on policy issues. The ideas also continue support for the focus group concept.

The matter returned to the City Council on May 5, 2015. The City Council approved a proposal to re-task the Planning Commission by adopting the format laid out on page 5 of the Staff Report as follows:

Analysis:

The attached Ordinance eliminates the Planning Commission. In the absence of a specific authorization in a local municipal code, state law assumes that the City Council will serve as the City's Planning Agency. However, staff will need to bring back further ordinance changes to reflect the change in governance for the various duties held by the Planning Commission.

The Ordinance sets up a Community Advisory Commission ("CAC"). The CAC is made up of three permanent and a variable number of temporary members. The number and makeup of the temporary membership would change based upon the need of citizen-members as determined on an issue-to-issue basis by the City Council.

The CAC would serve the role as either a Committee or Focus Group with the permanent members serving in the leadership positions for the Committee (*i.e.* Chair and Vice Chair of the overall committee or focus group and chairs of any sub-groups formed). The purpose would be to provide more stability to the Committee/Group with less reliance on staff to assume a leadership role.

The Community Advisory Commission consists of three permanent members who shall be residents of the City. By resolution, the City Council can appoint additional members that serve for a limited duration (temporary) to assist the permanent members in the study of issues assigned to the Community Advisory Commission by the City Council. Limited duration members can be residents, business owners or property owners within the City.

Permanent members of the Commission shall be appointed by the City Council and shall serve for a period of three years, or until reappointment or appointment of a successor. Temporary members of the Commission shall be appointed for a limited duration by resolution of the City Council that establishes the task to be studied by the Commission or by subsequent resolution. The temporary Commission members shall serve for the length of time designated in the Resolution of the City Council establishing the matter to be studied or as amended by subsequent resolution of the City Council.

Attachment A

The Commission shall have all of the powers and duties established by state law, ordinances and resolutions, which the Council may enact. The City Council, acting as the Planning Commission in all matters, may delegate to the Commission advisory functions on a case-by-case basis by Resolution. It is the duty of the Commission to advise the City Council upon the amendment or revision of the General Plan when requested by the City Council.

Environmental Impact:

Pursuant to Public Resources Code Section 21065, this action does not constitute a "project" within the meaning of CEQA. The action has no potential to cause either a direct change in the environment, or a reasonably foreseeable indirect physical change in the environment, and therefore does not require environmental review.

Conclusion:

Based on previous direction given by the City Council, Staff recommends that the City Council introduce Ordinance No. 431 by title and allow the publication of a Summary of the Ordinance in a newspaper of general circulation.

ATTACHMENT B

ORDINANCE NO. 431

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LEMON GROVE, CALIFORNIA AMENDING AND RENAMING CHAPTER 2.08 TO ELIMINATE THE PLANNING COMMISSION AND ESTABLISH THE COMMUNITY ADVISORY COMMISSION IN CHAPTER 2.08 OF THE LEMON GROVE MUNICIPAL CODE

WHEREAS, on January 20, 2015, the City Council of the City of Lemon Grove considered various options related to the need for a Planning Commission and possible alternatives for community input; and

WHEREAS, on May 5, 2015, the City Council determined to assume the role of the planning agency of the City of Lemon Grove and begin the process to eliminate the Planning Commission and create the Community Advisory Commission as well as other changes in public noticing; and

WHEREAS, the Community Advisory Commission would consist of three permanent members and temporary members that are to be appointed on a case-by-case basis by subsequent Resolution; and

WHEREAS, the City Council desires to assume the role of planning agency as authorized by the California Government Code;

NOW THEREFORE, the City Council of the City of Lemon Grove does ordain as follows;

1. Lemon Grove Municipal Code Chapter 2.08 is amended to read as shown in Exhibit A (Attachment C), which is attached hereto and incorporated herein by reference.

INTRODUCED by the City Council on September 1, 2015. **PASSED AND ADOPTED** by the City Council of the City of Lemon Grove, State of California, on September 15, 2015 by the following vote:

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ATTACHMENT C

EXHIBIT A

PROPOSED LANGUAGE: (STRIKE OUT/REDLINE)

Chapter 2.08 COMMUNITY ADVISORY COMMISSION~~PLANNING COMMISSION~~

2.08.010 Creation.

—The Community Advisory Commission ("Commission") is created to advise the City Council on issues of community importance, under the terms and conditions established by resolution of the City Council. There is created in the city a planning commission referred to in this chapter as the commission. (Ord. 431 § 1, 2015; Ord. 52 § 1, 1980; Ord. 23 § 1, 1978)

2.08.020 Membership.

The ~~commission~~ Community Advisory Commission shall consist of ~~five~~ three permanent members who shall be residents of the ~~city~~ City. By resolution, the City Council shall appoint additional members that serve for a limited duration (temporary) to assist the permanent members in the study of issues assigned to the Community Advisory Commission by the City Council. Limited duration members shall be residents, business owners and/or property owners within the City. (Ord. 431 § 1, 2015; Ord. 190, 1991)

2.08.030 Votes.

Each member of the ~~commission~~ Commission, temporary and permanent, shall have one vote. (Ord. 431 § 1, 2015; Ord. 52 § 3, 1980; Ord. 23 § 3, 1978)

2.08.040 Terms.

Permanent mMembers of the ~~commission~~ Commission shall be appointed by the City ~~council~~ Council and shall serve for a period of three years, or until reappointment or appointment of a successor. Temporary members of the Commission shall be appointed for a limited duration by resolution of the City Council that establishes the task to be studied by the Commission or by subsequent resolution. The temporary Commission members shall serve for the length of time designated in the Resolution of the City Council establishing the matter to be studied or as amended by subsequent resolution of the City Council. (Ord. 431 § 1, 2015; Ord. 294, 1999; Ord. 190, 1991)

2.08.050 Vacancies.

Vacancies in the permanent members of the Commission~~commission~~ occurring other than by expiration of the term shall be filled by appointment by the ~~council~~ Council upon recommendation by the Mayor. Vacancies of temporary members may be filled by subsequent Resolution of the City Council. (Ord. 431 § 1, 2015; Ord. 52 § 7, 1980; Ord. 23 § 7, 1978)

2.08.060 Resignation ~~irement~~ upon unexcused absence.

Absence from three consecutive regular meetings of the Commission shall ~~may~~ be deemed by the ~~city council~~ to constitute a ~~resignation~~ ~~irement~~ of such member unless excused by the City Council. Unless an absence is excused, and the position shall be declared vacant. (Ord. 431 § 1, 2015; Ord. 52 § 8, 1980; Ord. 23 § 8, 1978)

Attachment A

2.08.070 Quorum.

~~A majority of voting members~~Three voting members shall constitute a quorum at any meeting. (Ord. 431 § 1, 2015; Ord. 52 § 9, 1980; Ord. 23 § 9, 1978)

2.08.080 Compensation.

Members ~~may~~will be compensated at a rate established by the cityCity councilCouncil. (Ord. 431 § 1, 2015; Ord. 191, 1991)

2.08.090 Powers and duties.

~~The Commission~~commission shall have all of the powers and duties established by state law, ~~and by ordinances and resolutions,~~ -which the Council may enact. The City Council, acting as the planning body under State law, may delegate to the Commission advisory functions on a case-by-case basis by Resolution. (Ord. 431 § 1, 2015; Ord. 52 § 11, 1980; Ord. 23 § 10, 1978)

2.08.100 Rules and regulations.

In absence of rules and regulations adopted by the City Council by Resolution, the Commission~~commission~~ may prepare and adopt rules and regulations for the internal government of its business and designate the time and place for holding meetings. (Ord. 431 § 1, 2015; Ord. 52 § 12, 1980; Ord. 23 § 11, 1978)

2.08.110 Plans.

~~It is the duty of the Commission~~commission to advise the City Council upon the amendment or revision of the General Plan when requested by the City Council. ~~adopt a general plan, as defined by state law, for the physical development of the city and to make such other plans, studies and recommendations as it may deem necessary to insure an orderly and beneficial development of the city.~~(Ord. 431 § 1, 2015; Ord. 52 § 13, 1980; Ord. 23 § 12, 1978)

PROPOSED LANGUAGE: (CLEAN VERSION)

Chapter 2.08 COMMUNITY ADVISORY COMMISSION

2.08.010 Creation.

The Community Advisory Commission ("Commission") is created to advise the City Council on issues of community importance, under the terms and conditions established by resolution of the City Council. (Ord. 431 § 1, 2015; Ord. 52 § 1, 1980; Ord. 23 § 1, 1978)

2.08.020 Membership.

The Community Advisory Commission shall consist of three permanent members who shall be residents of the City. By resolution, the City Council shall appoint additional members that serve for a limited duration (temporary) to assist the permanent members in the study of issues assigned to the Community Advisory Commission by the City Council. Limited duration members shall be residents, business owners and/or property owners within the City. (Ord. 431 § 1, 2015; Ord. 190, 1991)

ATTACHMENT C

2.08.030 Votes.

Each member of the Commission, temporary and permanent, shall have one vote. (Ord. 431§ 1, 2015; Ord. 52 § 3, 1980; Ord. 23 § 3, 1978)

2.08.040 Terms.

Permanent members of the Commission shall be appointed by the City Council and shall serve for a period of three years, or until reappointment or appointment of a successor. Temporary members of the Commission shall be appointed for a limited duration by resolution of the City Council that establishes the task to be studied by the Commission or by subsequent resolution. The temporary Commission members shall serve for the length of time designated in the Resolution of the City Council establishing the matter to be studied or as amended by subsequent resolution of the City Council. (Ord. 431 § 1, 2015; Ord. 294, 1999; Ord. 190, 1991)

2.08.050 Vacancies.

Vacancies in the permanent members of the Commission occurring other than by expiration of the term shall be filled by appointment by the Council upon recommendation by the mayor. Vacancies of temporary members may be filled by subsequent Resolution of the City Council. (Ord. 431 § 1, 2015; Ord. 52 § 7, 1980; Ord. 23 § 7, 1978)

2.08.060 Resignation upon unexcused absence.

Absence from three consecutive regular meetings of the Commission shall be deemed City Council to constitute a resignation of such member unless excused by the City Council. Unless an absence is excused, the position shall be vacant. (Ord. 431§ 1, 2015; Ord. 52 § 8, 1980; Ord. 23 § 8, 1978)

2.08.070 Quorum.

A majority of voting members shall constitute a quorum at any meeting. (Ord. 431§ 1, 2015; Ord. 52 § 9, 1980; Ord. 23 § 9, 1978)

2.08.080 Compensation.

Members may be compensated at a rate established by the City Council. (Ord. 431 § 1, 2015; Ord. 191, 1991)

2.08.090 Powers and duties.

The Commission shall have all of the powers and duties established by state law, ordinances and resolutions, which the Council may enact. The City Council, acting as the planning body under State law, may delegate to the Commission advisory functions on a case-by-case basis by Resolution. (Ord. 431 § 1, 2015; Ord. 52 § 11, 1980; Ord. 23 § 10, 1978)

2.08.100 Rules and regulations.

In absence of rules and regulations adopted by the City Council by Resolution, the Commission may prepare and adopt rules and regulations for the internal government of its business and designate the time and place for holding meetings. (Ord. 431 § 1, 2015; Ord. 52 § 12, 1980; Ord. 23 § 11, 1978)

Attachment A

2.08.110 Plans.

It is the duty of the Commission to advise the City Council upon the amendment or revision of the General Plan when requested by the City Council. (Ord. 431 § 1, 2015; Ord. 52 § 13, 1980; Ord. 23 § 12, 1978)