

City of Lemon Grove
City Council Regular Meeting Agenda
Tuesday, December 19, 2017, 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 Board

Call to Order

Pledge of Allegiance

Changes to the Agenda

Presentations

Lemon Grove History Minute #10

Honoring Marcos Ortega on the occasion of his retirement from Marcos' Jewelry

SDG&E Overview – Vanessa Mapula Garcia, Senior Public Affairs Manager

San Diego Sheriff Department Body Worn Cameras – Lt. Amos, San Diego Sheriff's Department

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.)

A. Approval of City Council Meeting Minutes

October 3, 2017 Regular Meeting

J. Mendoza, Arambula, Jones, M. Mendoza

November 7, 2017 Regular Meeting

Vasquez, J. Mendoza, Arambula, Jones, M. Mendoza

November 14, 2017 Special Meeting

Vasquez, J. Mendoza, Arambula, Jones, M. Mendoza

B. City of Lemon Grove Payment Demands

Reference: Gilbert Rojas, Interim 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.

D. Annual Local Appointments List Update

The City Council will consider the revisions to the Appointments List, which serves to provide awareness of the opportunities to serve on local regulatory and advisory boards, commissions, and committees.

Reference: Susan Garcia, City Clerk

Recommendation: Receive and File

E. Local Agency Improvement Fee Report (Fiscal Year 2016-2017) as Required by California Government Code Section 66006

The City Council will review the report for the Improvement fees and the Transportation Uniform Mitigation Fee Program.

Reference: Gilbert Rojas, Interim Finance Director

Recommendation: Receive and File

F. Mayor Pro Tem Rotation

The City Council will consider a resolution that confirms the rotation of Councilmember Jerry Jones to serve as the Mayor Pro Tem from December 19, 2017 through December 18, 2018.

Reference: Lydia Romero, City Manager

Recommendation: Adopt Resolution

2. Lemon Grove Little League Memorandum of Understanding

The City Council will consider a resolution that approves the memorandum of understanding with the Lemon Grove Little League.

Reference: Mike James, Assistant City Manager, Public Works Director

Recommendation: Adopt Resolution

3. Traffic Commission and other Municipal Code Amendments

The City Council will consider and an ordinance proposing modifications to the Lemon Grove Municipal Code adjusting the membership of the traffic advisory committee and clarify responsibilities of staff members on current management roles.

Reference: James Lough, City Attorney

Recommendation: Conduct Second Reading and Adopt Ordinance

4. Appointment of City Councilmembers to Committees, Commissions and Boards

The City Council will consider the appointments to various committees, commissions and boards.

Reference: Racquel Vasquez, Mayor
Recommendation: Accept Appointments

City Council Oral Comments and Reports on Meetings Attended at the Expense of the City.

(GC 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 – Anticipated Litigation Significant exposure to litigation pursuant to paragraph (2) or (3) of subdivision (d) of Government Code Section 54956.9: One Case

Pursuant to Government Code Section 54957: Public Employee Performance Evaluation – City Manager

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**

October 3, 2017

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

City Councilmembers present: Mayor Pro Tem Jennifer Mendoza, Councilmember David Arambula, Councilmember Jerry Jones, and Councilmember Matt Mendoza.

City Councilmembers absent: Mayor Racquel Vasquez.

City Staff present: City Manager, Lydia Romero; Sheriff's Department Sergeant, Scott Amos; Development Services Director, David De Vries; Assistant City Manager/Public Works Director; Mike James, City Attorney, James Lough; Fire Chief, Colin Stowell; and Management Analyst, Malik Tamimi.

Pledge of Allegiance

The Pledge of Allegiance was led by Mayor Pro Tem Mendoza.

Mayor Pro Tem J. Mendoza asked for a moment of silence to recognize the recent tragedy in Las Vegas.

Presentations

Mayor Pro Tem Mendoza read a proclamation that recognized Patti Peterson's retirement and 18 ½ years of service to the City.

The Lemon Grove History Minute #5 video was presented that featured RCP Block & Brick.

Mayor Pro Tem Mendoza read a proclamation honoring RCP Block & Brick, a Lemon Grove Home Grown 40 year business.

Chief Stowell introduced Frankie Rodriguez, Fire Inspector.

Dave Huey introduced Edgar Soto, Park Ranger.

Mayor Pro Tem Mendoza read a proclamation for Fire Prevention Week October 8th-14th.

Carisa Workman, Deputy Fire Marshall, provided a presentation of Heartland Fire & Rescue's fire prevention services.

Public Comment

Elijah Gorden, Victor Vega, and Roberto Nelson, Lemon Grove Heal Zone Youth Group members, expressed appreciation for their opportunities to work on City projects, with special thanks that the water fountain was repaired.

Dave (no last name provided) commented on locations of proposed medical marijuana dispensaries and expressed concern with impacts to the City.

Valerie Dailey commented on the street lighting along Roy Street, the absence of speed limit signage, and the current Hepatitis A outbreak.

1. Consent Calendar

A. Approval of City Council Minutes

September 19, 2017 Regular Meeting

B. Ratification of Payment Demands

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

D. Resolution Reversing Director Decision- Appeal for MMD - 6915 North

E. Acceptance of the FY 2016-2017 Sewer Capital Improvements Project:

Upsizing, Replacement and Maintenance

F. Calle Norte Storm Drain Installation and Repair Project (Contract No. 2018-05)

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

Ayes: J. Mendoza, Arambula, Jones, M. Mendoza

Abstain: M. Mendoza - from Item 1. D

Absent: Vasquez

Resolution No. 2017- 3539: Resolution of the City Council of the City of Lemon Grove Approving an Appeal of a Zoning Clearance Denial Allowing the Applicant to Apply for a Conditional Use Permit Seeking to Establish a Medical Marijuana Dispensary at 6915 North Avenue (ZC1-700-0016), Lemon Grove, California

Resolution No. 2017-289: Resolution of the Lemon Grove Sanitation District Board Accepting the FY 2016-2017 Sewer Capital Improvement Project: Upsizing, Replacement, and Maintenance (Contract 2016-24) as Complete

Resolution No. 2017 – 3540: Resolution of the Lemon Grove City Council Awarding a Contract for Calle Norte Storm Drain Installation and Repair Project (Contract No. 2018-05)

2. City of Lemon Grove ADA Transition Plan Update

Malik Tamimi reported that the Americans with Disabilities Act (ADA) of 1990 is a civil rights statute that prohibits discrimination against people who have disabilities. ADA Transition Plans present how jurisdictions transition toward compliance with the Act and are intended to be updated periodically. The City of Lemon Grove applied and received grant funding through SANDAG Active Transportation Grant Program (ATGP) to update the City's ADA Transition Plan.

The City's ADA Transition Plan was developed by in-house staff and identifies the City's Engineering Division as being responsible for the program, which is implemented through the City's Capital Improvement Program (CIP). The City's ADA Transition Plan also describes the program's implementation procedures that includes data gathering, evaluation, and ranking required to develop an inventory. Furthermore, it touches on accessibility of public rights-of-way, buildings, programs and services, communications, parking, accessible route and entry, and lastly a grievance procedure. The ADA Transition Plan is required to be updated periodically, until all accessibility barriers have been removed.

On March 3, 2015, the City Council approved the submittal of an application for ATGP funds through SANDAG, for the preparation of an ADA Transition Plan. The City's grant application fell under the Non-Capital Planning category with a requested project funding amount of \$150,000, including an in-kind contribution of \$10,000. The grant was not awarded to the City of Lemon Grove for the ADA Transition Plan project.

The City was compelled to move forward with the development of its own in-house ADA Transition Plan, for a number of reasons, including it being a prerequisite to receiving federal transportation funding.

In late 2016, SANDAG reallocated available grant funding under the ATGP. A partial funding of \$50,000 became available through this program. SANDAG approached the City regarding the available funding referencing the 2015 ADA Transition Plan project. The City had already completed an ADA Transition Plan in August 2015, however, the existing plan would benefit from additional updates. The available grant funding would be used to hire a consultant with technical expertise in ADA to enhance and update the existing ADA Transition Plan while meeting the requirements of the ATGP.

Mr. Tamimi provided a summary of the proposed scope of work and requested deliverables that will be released in a Request for Proposal:

Summary Report - Collect existing information and records to develop a summary report. This may include interviewing City staff to gain institutional knowledge, reviewing the City's ADA Transition Plan, and past Capital Improvement Project (CIP) lists.

Field Inspections - Conduct field inspections of existing facilities. This includes generating a field inspection form, conducting field reconnaissance, and coordinating inspections with facility managers.

Existing Conditions Report - Summarize the findings of the field inspections. This includes providing a summary of the existing conditions, for City facilities as it pertains to ADA accessibility, and including cost estimates for implementation into the CIP.

Draft/Final Plan - Prepare a draft and final plan, with updates to the existing ADA Transition Plan including cost estimates per facility.

The ATGP agreement requires that the project be completed within a 24 month period, no later than July 2019.

Councilmember Arambula asked if compliance would be modifying something that is grandfather in and would that risk grant funding.

Lydia Romero stated that risk is that the City could get sued. The City has a greater responsibility to people with disabilities.

Mayor Pro Tem Mendoza asked if this would include the Historical Society buildings.

Malik Tamimi answered that those buildings and the Civic Center Park would be included ADA assessment.

Mayor Pro Tem Mendoza asked Mr. Tamimi if he received adequate direction.

Mr. Tamimi stated that he received adequate direction to move forward.

Public Speaker(s)

There were no requests from the public to speak.

Public Comment (continued)

Matt Pendleton, Lemon Grove Little League, reported on their current financial state and desire to provide baseball year round, and repair of the slope failure adjacent to the baseball fields.

Councilmember Arambula asked if staff could provide the City Council with an update on the field repair.

Stephen Browne commented on the water issue at the Little League fields due to broken water pipes.

Mayor Pro Tem Mendoza suggested that the Little League contact Helix Water District.

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

Councilmember Jones reported on recent SANDAG and Metro Wastewater meetings.

Councilmember Arambula reported on a recent MTS Board meeting.

Councilmember M. Mendoza had no reports this evening.

Lydia Romero commented on the City's kindness counts campaign.

Mayor Pro Tem J. Mendoza reported on a recent SANDAG meeting. She reported on the upcoming Fire Department breakfast and the Lemon Grove Soroptimist chill cook-off fundraising event.

City Manager and Department Director Reports

Mike James reported on the Hepatitis A outbreak including the measures in place throughout the County and the City, to combat the spread of the disease.

Closed Session

Conference with Legal Counsel – Existing Litigation Government Code Section 54956.9
Janice L McKenhnice v Susan Garcia Case No. 37-2017-00035975 CU-WM-CTL

Closed Session Report: No reportable action was taken.

Adjournment

There being no further business the meeting was adjourned at 7:35 p.m.

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

November 7, 2017

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

City Councilmembers present: Mayor Racquel Vasquez, Mayor Pro Tem Jennifer Mendoza, Councilmember David Arambula, Councilmember Jerry Jones, and Councilmember Matt Mendoza.

City Councilmembers absent: None.

City Staff present: City Manager, Lydia Romero; Sheriff's Department, Scott Amos; Development Services Director, David De Vries, City Clerk, Susan Garcia; Assistant City Manager/Public Works Director; Mike James, City Attorney, James Lough; and Fire Chief, Colin Stowell.

Pledge of Allegiance

The Pledge of Allegiance was led by Councilmember M. Mendoza.

Mayor Vasquez asked for a moment of silence to recognize the recent tragedy in Texas.

Presentations

The Lemon Grove History Minute #7 video was presented featuring Mike Telles of Dell Awards.

Mayor Vasquez presented a proclamation to Dell Awards a Lemon Grove Home Grown 40 year business.

Tom Bell, Public Works Superintendent, introduced Sanitation Tech I - George Irons and Street Tech I - Ivan Ortega.

Jim Wiebolt, Sheriff's Department Crime Prevention Specialist, presented the Crime Free Multi Housing Award to Jasmine Hale the onsite manager at Celsius 1 and applauded her efforts in obtaining this award.

Mayor Vasquez presented a proclamation that honored and recognized the retirement of Jim Wiebolt, Sheriff's Department Crime Prevention Specialist.

Public Comment

There were no public comment speakers.

1. Consent Calendar

A. Ratification of Payment Demands

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

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

Ayes: Vasquez, J. Mendoza, Arambula, Jones, M. Mendoza

2. Professional Services Agreement with Nichols Consulting Engineers to Update the Pavement Management Program

Mike James reported that the City last updated its pavement management program (PMP) in 2010. Since then staff used the schedule and treatment types called for in the PMP to make up the list of streets treated as a part of its annual street rehabilitation capital improvement project.

Similar to the process followed in 2010, an update to the PMP will evaluate the condition of the 68 centerline miles to calculate a new Pavement Condition Index (PCI) in order to prepare a five year plan to repair the City's street network.

On August 15, 2017, the City Council authorized staff to advertise a request for proposals to update the pavement management program. The advertised scope of work requested that the selected consultant will review all historic data about the city's pavement management program, evaluate the current street conditions, create a five-year list to treat the City streets utilizing all anticipated funds, and provide software training to city staff to manage the program during the five-year period.

An evaluation committee formed with City staff evaluated each of the three proposals per the criteria listed in the request for proposals. Staff concluded that of the proposals received, Nichols Consulting Engineers (NCE) was the most qualified firm. NCE's level of local government experience, listed project team professionals, understanding of available funding sources available to cities, and institutional knowledge of Lemon Grove made it the most qualified company to perform the PMP update.

The major components of NCE's proposed scope of work include a field survey of existing streets, calculating the PCI for each street segment, updating the maintenance and rehabilitation history of past treatments, develop strategies to maintain and rehabilitate the street network moving forward, creating a budgetary analysis with multiple scenarios for the City Council to consider, link all roadway data to the City's existing GIS with the integration of Streetsaver, and lastly perform training for City staff.

Lastly, NCE will perform non-destructive pavement deflection testing to evaluate the subsurface or structural capacity of the existing pavement. This process will primarily focus on the City's regional arterial and collector streets with "spot testing" throughout the city's street network. Deflection testing is a means to help prevent under or over designing a recommended street treatment option. This will help to provide the most cost-effective solutions to treat the City's streets that fall into those categories.

The final report from NCE will be a five-year planning document, with multiple funding scenarios based on current information, that staff will be able to utilize when designing and constructing its annual street rehabilitation projects.

Public Speaker(s)

There were no requests from the public to speak.

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

Ayes: Vasquez, J. Mendoza, Arambula, Jones, M. Mendoza

Resolution No. 2017 – 3544: Resolution of the City Council of the City of Lemon Grove, California Awarding a Professional Services Agreement to Nichols Consulting Engineers to Update the Pavement Management Program

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

Councilmember M. Mendoza had no reports this evening.

Mayor Pro Tem J. Mendoza attended the Mexican American Business Professional's luncheon, meetings at SANDAG, participated in the Lemon Grove Clean-up event, a Relay for Life meeting, Circulate San Diego Awards, a Heartland Communications meeting, and the Council on American Islamic Relations event.

In addition, Mayor Pro Tem J. Mendoza expressed concern related to noise at the City's parks that impacts the adjacent neighborhoods. She asked if this matter could be placed on a future agenda, along with discussion to reinstitute the City's Planning Commission.

Lydia Romero answered that after the first of the year staff will return to the City Council with agenda items to discuss mitigation of noise at the parks and to reinstitute the Planning Commission.

Councilmember Jones attended a Metro TAC meeting, the free oral health clinic opening operated by UCSD at Lemon Grove's Academy for the Sciences and Humanities, CASA Awards, Metro Wastewater and SANDAG meetings.

Councilmember Arambula attended a MTS meeting and Women Who Changed the Game Awards, and the CARE banquet.

Mayor Vasquez attended the San Diego Housing Federation Conference, National City's Mayor Morrison's State of the City Address, the free oral health clinic opening operated by UCSD at Lemon Grove's Academy for the Sciences and Humanities, Circulate San Diego Awards, a LAFCO meeting, the Council on American Islamic Relations, a SANDAG meeting, and the Lemon Grove Clean-up event.

City Manager and Department Director Reports

David De Vries reported on the recent Lemon Grove clean-up event and expressed appreciation to those who assisted with the event.

Lydia Romero reported that there will be a grand opening for Ryan Brothers Coffee on November 18th from 9:00 a.m. to 11:00 a.m. In addition, there will be mural painting at the Lester Avenue Breezeway from 11:00 a.m. to 4:00 p.m. in partnership with the Sage Club at San Diego State University.

Closed Session

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

Name of case: 37-2016-00015271-CU-BC-CTL City of Lemon Grove v. SWRAJ Hotel, Inc., et al.

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

Name of case: 37-2017-00037623-CU-PO-CTL Rosa Vasquez v. The City of San Diego; City of Lemon Grove

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

Name of case: 17CV LAB MDD Case Bush v. Jones; Romero

Pursuant to Government Code Section 54957: Public Employee Performance Evaluation

Title: City Attorney

Closed Session Report: City Council appointed the City Attorney on both cases.

Adjournment

There being no further business the meeting was adjourned at 8:40 p.m.

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

November 14, 2017

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

City Councilmembers present: Mayor Racquel Vasquez, Mayor Pro Tem Jennifer Mendoza, Councilmember David Arambula, Councilmember Jerry Jones, and Councilmember Matt Mendoza.

City Councilmembers absent: None.

City Staff present: City Manager, Lydia Romero; City Attorney, James Lough, Assistant City Manager/Public Works Director; Mike James, Development Services Director, David De Vries, Division Chief, Daryn Drum and Interim Finance Director Gil Rojas.

Pledge of Allegiance

The Pledge of Allegiance was led by Council Member Arambula

1. CalPERS Pension Funding Workshop

CalPERS Pension Funding Workshop will examine short term and long term pension cost projections and discuss various options.

City Council gave direction to staff to examine various funding options and bring those options to a future City Council meeting.

Public Comment

None.

Adjournment

There being no further business the meeting was adjourned at 8:10 p.m.

City of Lemon Grove Demands Summary

Approved as Submitted:

Al Burrell, Interim Financial Consultant
For Council Meeting: 12/19/17

ACH/AP Checks 11/28/17-12/11/17 1,496,020.51

Payroll - 12/05/17 205,656.38

Total Demands 1,701,676.89

Check No	Vendor No	Vendor Name	Check Date	Vendor Name	Check Amount	CHECK AMOUNT
CHECK NO	INVOICE NO	VENDOR NAME	DATE	Description	INVOICE AMOUNT	CHECK AMOUNT
ACH	945819	Aflac	11/28/2017	AFLAC Insurance 11/21/17	1,038.72	1,038.72
ACH	Nov21 17	US Treasury	11/28/2017	Federal Taxes 11/21/17	27,360.17	27,360.17
ACH	Refill 11/28/17	Pitney Bowes Global Financial Services LLC	11/29/2017	Postage Usage 11/28/17	250.00	250.00
ACH	51986017	WEX Bank	11/29/2017	Fuel - Fire Dept - Oct'17	881.63	881.63
ACH	Oct25-Nov7 17	Calpers Supplemental Income 457 Plan	11/29/2017	457 Plan 10/25/17-11/7/17	5,001.16	5,001.16
ACH	1000210395	City of San Diego	11/29/2017	Metro Sewer System FY18 - 2nd Qtr 10/1/17-12/31/17	695,486.00	695,486.00
ACH	Oct17	San Diego County Sheriff's Department	11/29/2017	Law Enforcement Services - Oct'17	459,622.42	459,622.42
ACH	Nov17	Wage Works	11/30/2017	FSA Reimbursement - Nov'17	214.32	214.32
ACH	Refill 11/29/17	Pitney Bowes Global Financial Services LLC	11/30/2017	Postage Usage 11/29/17	250.00	250.00
ACH	Oct11-Nov7 17	California Public Empl Retirement System	11/30/2017	Pers Retirement 10/11/17-11/07/17	65,240.18	65,240.18
ACH	Refill 11/30/17	Pitney Bowes Global Financial Services LLC	12/01/2017	Postage Usage 11/30/17	250.00	250.00
ACH	7890388	LEAF	12/01/2017	Ricoh C3502 Copier System-PW Yard - Nov'17	160.51	160.51
ACH	Nov17	Power Pay Biz/Evo	12/01/2017	Online Credit Card Processing - Nov'17	64.45	64.45
ACH	Nov17	Dharma Merchant Services	12/04/2017	Merchant Fees - Nov'17	282.75	282.75
ACH	Nov17	Authorize.Net	12/04/2017	Merchant Fees In-Store & Online - Nov'17	50.85	50.85
ACH	Dec 2017	Pers Health	12/04/2017	Pers Health Insurance - Dec 17	52,494.74	52,494.74
ACH	Nov8-Nov21 17	Calpers Supplemental Income 457 Plan	12/05/2017	457 Plan 11/8/17-11/21/17	5,001.16	5,001.16
ACH	Refill 12/5/17	Pitney Bowes Global Financial Services LLC	12/06/2017	Postage Usage 12/5/17	250.00	250.00
ACH	4154920380 3568860625	SDG&E	12/07/2017	Electric Usage:St Light 10/31/17-11/30/17 Electric Usage:St Light 10/31/17-11/30/17	1,912.18 1,308.46	3,220.64
ACH	Nov17	Wells Fargo Bank	12/11/2017	Bank Service Charge - Nov'17	695.08	695.08
8711	AP281700	A-1 Party Rentals	11/29/2017	Bonfire-Rntl Equip-Jumper/Stage/Dance Floor/Chairs/Tables	1,891.85	1,891.85
8712	2017-143	American Asphalt South, Inc.	11/29/2017	Resurface Roadway Type II Slurry- Broadway WB	29,706.98	29,706.98
8713	Dec 1 17	Berk, Chris	11/29/2017	Bonfire - Photo Booth 5-9 pm 12/1/17	800.00	800.00
8714	Dec 1 17	Burke, Patrick J	11/29/2017	Bonfire - Band Fee 5-8 pm 12/1/17	850.00	850.00
8715	17959429	Canon Financial Services Inc.	11/29/2017	Canon Plotter Contract Charge 11/20/17-12/19/17	129.60	129.60
8716	Dec 1 17	Catherine Kalivas	11/29/2017	Bonfire- Rock Climbing Wall 4-8 pm 12/1/17	700.00	700.00
8717	Oct-17	City of Chula Vista	11/29/2017	After Hours Calls- Oct '17	596.82	596.82
8718	FRS0000069 FRS0000069	City of El Cajon	11/29/2017	Overtime Reimbursement- Case 11/4/17 Overtime Reimbursement- Farrelly 11/4/17	1,365.47 1,299.69	2,665.16
8719	19744	City of La Mesa	11/29/2017	FY17-18 Qtr 1-JPA Reconciliation- Jul-Sep '17	35,117.00	35,117.00
8720	HIRT-2018-011 UDC-2018-010	County of San Diego- Treasurer/OES	11/29/2017	FY17-18 (7/1/17-6/30/18) HIRT Membership Fee FY17-18 Unified SD County- Emergency Svc Membership Fee	20,173.00 735.00	20,908.00
8721	11/18/2017	Cox Communications	11/29/2017	City Manager/Copy Room Fax Line- 11/18/17-12/17/17	8.28	8.28

8722	1114172305	Domestic Linen- California Inc.	11/29/2017	Shop Towels & Safety Mats 11/14/17	105.55	105.55
8723	11/13-16/17 11/20-22/17	Esgil Corporation	11/29/2017	75% Building Fees- 11/13/17-11/16/17 75% Building Fees- 11/20/17-11/22/17	2,011.51 1,300.50	3,312.01
8724	Dec 1 17	Game Truck Inland Empire	11/29/2017	Bonfire- Video Game Truck 4-8 pm 12/1/17	600.00	6'
8725	108899750	Globalstar USA, Inc.	11/29/2017	Satellite Service 10/16/17-11/15/17	167.74	167.74
8726	Dec 1 17	Julie's Party People	11/29/2017	Bonfire - Face Painting & Balloon Art 4-8 pm 12/1/17	400.00	400.00
8727	Dec 1 17	Lemon Grove Historical Society	11/29/2017	Holiday Decor & Lighting- Lee House/Parsonage - Bonfire 12/1	150.00	150.00
8728	IN1176805	Municipal Emergency Services Inc.	11/29/2017	SCBA ID Bands	266.60	266.60
8729	3010263243	Parkhouse Tire Inc.	11/29/2017	E210 - 4 Tires & Installation	1,998.57	1,998.57
8730	11/20/2017	SDG&E	11/29/2017	3225 Olive- 10/18/17-11/16/17	110.04	110.04
8731	Dec 1 17	Sioux Corporation	11/29/2017	Bonfire - Hayrides 12/1/17	850.00	850.00
8732	46027	Uniforms Plus, Inc.	11/29/2017	Uniform- Rodriguez	75.10	75.10
8733	Nov 21 17	Vantage Point Transfer Agents-457	11/29/2017	ICMA Deferred Compensation Pay Period Ending 11/21/17	580.77	580.77
8734	Webb	Webb, Clifford	11/29/2017	Refund/Clifford Webb/CD17-0003/Diversion Deposit 1/31/17	500.00	500.00
8735	C4695	A-Pot Rentals, Inc.	12/06/2017	Portable Restroom Rental 11/9/17-12/8/17	132.10	132.10
8736	12212	AAA Imaging	12/06/2017	Business Cards - Ortuno, Hlcks	75.43	75.43
8737	5889 5890 5891	Aguirre & Associates	12/06/2017	2065 69th Street Map Review - Nov '17 Dain Drive Map Review - Nov '17 Celsius 2 Map Review - Nov '17	57.50 345.00 1,150.00	1,552.50
8738	39257-1	All Access Services	12/06/2017	Knuckle Boom Rental - 11/16/17	668.98	668.98
8739	743440	Alliant Insurance Services, Inc.	12/06/2017	Pee Wee Sports Program Insurance 1/1/17-1/1/18	858.00	858.00
8740	120117	American General Life Insurance Co.	12/06/2017	Life Insurance - L Romero	232.18	232
8741	L1072895RL	American Messaging	12/06/2017	Pager Replacement Program- 12/1/17-12/31/17	40.74	40.
8742	10505330 11/22/2017 10548283	AT&T	12/06/2017	Phone Service- 10/13/17-11/12/17 Backup City Hall internet- 10/23/17-11/22/17 Fire Backup Phone Line- 10/22/17-11/21/17	65.24 84.00 34.85	184.09
8743	5656005493 5656019276	AutoZone, Inc.	12/06/2017	Battery - LGPW#20- '00 GMC2500/Facilities Fuel Cap - LGPW#19- '99 Ford/Facilities	119.51 15.59	135.10
8744	17-897	Bartel Associates, LLC	12/06/2017	Prof Svcs: Oct '17/Actuarial Consult Svcs-CLG CalPERS Review	1,950.00	1,950.00
8745	5561 5562	Bear Electrical Solutions, Inc.	12/06/2017	Traffic Signal Maint.-Response - Oct 2017 Traffic Signal Maint.- Routine - Oct 2017	3,015.00 1,144.00	4,159.00
8746	4646963	Bearcom	12/06/2017	Portable Radios Monthly Contract 11/22/17-12/21/17	150.00	150.00
8747	816573-9 823620-9	BJ's Rentals	12/06/2017	Auger Post Hole & Bit Rental/PW Yard/Welding Fence Boom Knuckle Rental - Holiday Banners/Decor 11/27/17	50.30 329.31	379.61
8748	12/5/17	California State Disbursement Unit	12/06/2017	Wage Withholding Pay Period Ending 12/5/17	161.53	161.53
8749	18002461	Canon Financial Services Inc.	12/06/2017	Canon Copier Contract Charge 1/1/18	642.60	642.60
8750	4024359172 4024363987 4024363988	Canon Solutions America, Inc.	12/06/2017	Canon Maintenance-Copier Usage 8/26/17-11/25/17 Canon Maintenance-Copier Usage 8/27/17-11/26/17 Canon Maintenance-Copier Usage 8/27/17-11/26/17	92.51 621.70 52.29	766.50
8751	694420006 694422919	Cintas Corporation #694	12/06/2017	Janitorial Supplies - 11/23/17 Janitorial Supplies - 11/30/17	1,582.71 213.06	1,795.77
8752	18CTOFLGN05	County of San Diego- RCS	12/06/2017	800 MHz Network - Nov'17	2,964.00	2,964.00
8753	SD10025FY18 SD10199FY18	County of SD- Vector Control Program	12/06/2017	Mosquito & Vector Disease Control Assessment-SD 10025 FY18 Mosquito & Vector Disease Control Assessment-SD 10199 FY18	83.09 153.78	236.87
8754	11/19/2017 12/29/2017	Cox Communications	12/06/2017	Phone/PW Yard/2873 Skyline- 11/19/17-12/18/17 Peg Circuit Svc- 11/30/17-12/29/17	211.81 2,888.46	3,100.2
8755	3902 3931	D- Max Engineering Inc.	12/06/2017	Calle Norte Stormwater Inspection Svcs 6/22/17-8/15/17 McDonalds SWQMP Review #2 9/1/17-11/30/17	2,304.30 779.70	3,188.85

	3936			1993 Dain Drive Plans SWQMP Review thru 11/30/17		104.85	
8756	1128172305	Domestic Linen- California Inc.	12/06/2017	Shop Towels & Safety Mats 11/28/17		105.05	105.05
8757	11/27-30/17	Esgil Corporation	12/06/2017	75% Building Fees- 11/27/17-11/30/17		3,764.09	3,764.09
8758	120517	Friends of the Library	12/06/2017	City Donation- LG Library Community Activities/Various Programs		1,500.00	1,500.00
8759	Gonzalez	Gonzalez, Regina	12/06/2017	Refund/Gonzalez,Regina/Deposit-LBH 11/11/17		400.00	400.00
8760	AR009029	Grossmont Union High School District	12/06/2017	Daycamp - Turkey Daycamp Flyers		815.55	815.55
8761	112117-4	Heartland Fire Training Facility	12/06/2017	30th Academy - 1 Recruit		3,567.00	3,567.00
8762	00048434 00048502 00048581	Hudson Safe-T- Lite Rentals	12/06/2017	Plastic K-Rails/Water Wall Rental - Calle Norte 11/1/17-11/13/17 Hi-Intensity Chevron Signs No Parking Barricades & Signs - 11/27/17		1,018.00 290.93 622.44	1,931.37
8763	IPermit/Mauzy	I Permit E Raters	12/06/2017	Refund/I Permit E Raters/Mauzy Heating/Permit Withdrawn-B17-0434		229.33	229.33
8764	1422	Janazz, LLC SD	12/06/2017	IT Services- City Hall- Nov '17		2,524.88	2,524.88
8765	201723 201723 201723 201723 201735	Lemon Grove Car Wash, Inc.	12/06/2017	Smog - '99 Ford F350/LGPW#19 - 11/29/17 Smog - Ford F350/LGPW#17 - 11/29/17 Smog - '08 Chevy/LGPW#28 - 11/29/17 Smog - '03 GMC Sierra/LGPW#22 - 11/29/17 Full Service Car Wash - Fire - 11/13/17		99.75 99.75 99.75 99.75 9.00	408.00
8766	4359718	Mallory Safety and Supply, LLC	12/06/2017	Nitrile Gloves/Drivers Gloves/PVC Coated Gloves		425.39	425.39
8767	40002923 40002940	Maneri Sign Co., Inc.	12/06/2017	Street Signs Do Not Block Intersection Signs		386.48 110.04	496.52
8768	30668	Marken PPE Restoration	12/06/2017	Personal Protective Ensemble Cleaning & Repairs		50.00	50.00
8769	11/27/2017 11/27/17B	Maxfield, Brad	12/06/2017	Reimb: Tuition Reimb-FIPT 341/HazMat Prog/Maxfield 11/7-9/17 Reimb: Tuition Reimb-FIPT 340 Fire Ofcr/Maxfield 8/28-9/14		254.21 193.00	447.21
8770	11/30/2017	MV Cheng & Associates Inc.	12/06/2017	Prof Svcs: Interim Finance Director - Nov '17		1,377.50	1,377.50
8771	WO-42265-1	Office Advantage, Inc.	12/06/2017	Office Supplies- Fire		53.45	53.45
8772	417155419	Physio-Control, Inc.	12/06/2017	Annual Maintenance Agreement 2/1/18-1/31/19		1,556.25	1,556.25
8773	3101752737	Pitney Bowes Global Financial Services LLC	12/06/2017	Postage Meter Rental 9/30/17-12/29/17		180.75	180.75
8774	PD-36615	Plumbers Depot Inc.	12/06/2017	Sewer Camera - Repair/Rearview Camera Valve & Cable		436.21	436.21
8775	0058320 17546D(4)	Rick Engineering Company	12/06/2017	Prof Svc: LGA Realignment & 20A UG Dist Projs 9/30/17-10/27/17 Prof Svc: City Engineer 9/30/17-10/27/17		8,837.33 13,504.52	22,341.85
8776	11/20/2017	SDG&E	12/06/2017	3500 1/2 Main- 10/18/17-11/16/17		203.93	203.93
8777	377642 377643 377644	Sun Badge Company	12/06/2017	Captain Badges - Fire Engineer Badges - Fire Battalion Chief Badges - Fire		301.12 301.12 204.41	806.65
8778	3217-3 3671-1 3751-1	The Sherwin-Williams Co.	12/06/2017	Community Project Supplies - Breezeway 11/16/17 Graffiti Cleanup Supplies Graffiti Cleanup Supplies		99.59 258.03 78.58	436.20
8779	163276	Transportation Safety Apparel	12/06/2017	Protective Clothing/Jacket/Irons, Hunt		196.86	196.86
8780	Tuitasi	Tuitasi, Jessica	12/06/2017	Refund/Tuitasi,Jessica/LBH-11/24/17		200.00	200.00
8781	1120170381	Underground Service Alert	12/06/2017	43 New Ticket Charges - Nov '17		80.95	80.95
8782	4823608	US Bank- Corporate Trust Services	12/06/2017	Admin Fees- 2010 Bonds: 11/1/17-10/31/18		2,420.00	2,420.00
8783	Dec5 17	Vantage Point Transfer Agents-457	12/06/2017	ICMA Deferred Compensation Pay Period Ending 12/5/17		580.77	580.77
8784	9796202556 9796619643 9796637507	Verizon Wireless	12/06/2017	Mobile Broadband Access- 10/13/17-11/12/17 Fire Prev Phone Line- 10/21/17-11/20/17 MDC Engine Tablets- 10/21/17-11/20/17		76.02 248.41 190.05	514.48
8785	Wallace	Wallace, Dovie	12/06/2017	Refund/Wallace,Dovie/Deposit Bal-LBH 11/4/17		50.00	50.00
8786	129666	West Coast Arborists, Inc	12/06/2017	Tree Maintenance/Trolley Corridor - 8/16/17-8/31/17		4,041.30	4,041.30
8787	Williams	Williams, Carmon	12/06/2017	Refund/Williams,Carmon/Deposit-LBH 12/2/17		200.00	200.00

1,496,020.51 1,496,020.51

**LEMON GROVE CITY COUNCIL
AGENDA ITEM SUMMARY**

Item No. 1.C
Dept. City Attorney

Item Title: Waive Full Text Reading of All Ordinances on the Agenda.

Staff Contact: 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.

Fiscal Impact:

None.

Environmental Review:

- | | |
|---|---|
| <input checked="" type="checkbox"/> Not subject to review | <input type="checkbox"/> Negative Declaration |
| <input type="checkbox"/> Categorical Exemption, Section | <input type="checkbox"/> Mitigated Negative Declaration |

Public Information:

- | | | |
|--|---|---|
| <input checked="" type="checkbox"/> None | <input type="checkbox"/> Newsletter article | <input type="checkbox"/> Notice to property owners within 300 ft. |
| <input type="checkbox"/> Notice published in local newspaper | <input type="checkbox"/> Neighborhood meeting | |

Attachments:

None.

**LEMON GROVE CITY COUNCIL
AGENDA ITEM SUMMARY**

Item No. 1.D
Mtg. Date December 19, 2017
Dept. City Manager's Office

Item Title: Annual Local Appointments List Update

Staff Contact: Susan Garcia, City Clerk

Recommendation:

Receive and file the revised Local Appointments List.

Item Summary:

California Government Code 54970-54974 requires on or before December 31 of each year, each legislative body shall prepare an appointments list of all regular and ongoing boards, commissions, and committees which are appointed by the legislative body of the local agency. This list shall be known as the Local Appointments List.

The Appointments List serves to provide awareness of the opportunities to serve on local regulatory and advisory boards, commissions, and committees.

Fiscal Impact:

None.

Environmental Review:

- | | |
|---|---|
| <input checked="" type="checkbox"/> Not subject to review | <input type="checkbox"/> Negative Declaration |
| <input type="checkbox"/> Categorical Exemption, Section | <input type="checkbox"/> Mitigated Negative Declaration |

Public Information:

- | | | |
|--|---|---|
| <input type="checkbox"/> None | <input type="checkbox"/> Newsletter article | <input type="checkbox"/> Notice to property owners within 300 ft. |
| <input type="checkbox"/> Notice published in local newspaper | <input type="checkbox"/> Neighborhood meeting | |

Attachments:

A. Local Appointments List

**City of Lemon Grove
Local Appointments List**

In compliance with the requirements of Government Code 54970, the following Local Appointments List is posted on an annual basis. The List presents all current members of City Commissions and Committees and the dates of their terms of office

Code Enforcement and Administrative Citation Hearing Officers

The City's Code Enforcement policy authorizes City staff to issue administrative citations for violations of the Municipal Code, and also provides for the appointment of up to six hearing officers to conduct appeal hearings for any citation issued. Hearing Officers are appointed by the City Council and are not required to reside in the City.

<i>Name</i>	<i>Date Appointed</i>	<i>Present Term Expires</i>
Franco Del Rosario	04-05-16	04-05-19
Katie Dexter	04-15-16	04-05-19
Anthony Jemison	04-05-16	04-05-19
Animal Control Officer or designee	N/A	N/A
Stormwater designee	N/A	N/A

Oversight Board of the Lemon Grove Successor Agency

Pursuant to the implementation of Assembly Bill X1 26 (Blumenfield), the Lemon Grove Community Development Agency dissolved. State law prescribes that three of the seven members of the Oversight Board of the Lemon Grove Successor Agency are appointed by the Mayor—the other four members are appointed by the County of San Diego, Lemon Grove School District, the Grossmont-Cuyamaca Community College District, and the Grossmont Healthcare District. The meetings are held as needed in a public location within the City.

<i>Name</i>	<i>Date Appointed</i>	<i>No Set Term Length</i>
City Manager or designee	01-05-16	
Bob Bailey, Rep. Successor Agency	01-05-16	
Jerry Selby, County of San Diego	01-15-16	
James Davis, County of San Diego	01-05-16	
Gina Potter, County Board of Education	01-05-16	
Sue Rearic, Grossmont-Cuyamaca College	01-05-16	
Michael Emerson, Grossmont Healthcare	01-05-16	

Community Advisory Committee

The Community Advisory Committee meetings are held monthly at the Community Center on the second Monday of each month at 6 p.m.

<i>Name</i>	<i>Date Appointed</i>	<i>Term Length</i>
James Davis resigned	06-20-17	6-20-19
<i>Thomas Clabby replaced James Davis</i>	06-20-17	6-20-19
Angeles Nelson	06-20-17	6-20-18
Yajaira Preciado	06-20-17	6-20-20

**LEMON GROVE CITY COUNCIL
AGENDA ITEM SUMMARY**

Item No. 1.E
Mtg. Date December 19, 2017
Dept. Finance

Item Title: Local Agency Improvement Fee Report (Fiscal Year 2016-2017) as Required by California Government Code Section 66006

Staff Contact: Gilbert Rojas, Interim Finance Director

Recommendation:

Receive and file the annual Local Agency Improvement Fee Report for Fiscal Year 2016-2017 (**Attachment A**).

Item Summary:

California Government Code Section 66006 requires public agencies that collect "improvement fees" to prepare and make public an annual report regarding those fees. The City collects two fees that fall under the category of "improvement fees" as defined by the Government Code—the Parkland Dedication Ordinance In-Lieu Fee and the Transportation Uniform Mitigation Fee Program.

Government Code 66006 specifies that the improvement fee report include eight reporting components:

- o Description of Fee/Fund,
- o Fee Structure per Dwelling Unit,
- o Beginning Balance,
- o Collection and Interest,
- o Expenditure,
- o Expected Date of Expenditure,
- o Interfund Transfer/Loans, and
- o Refunds.

Agencies are required to make the report available for public review. The report has been available for review at the City Hall counter since December 19, 2017.

Fiscal Impact:

None.

Environmental Review:

- | | |
|---|---|
| <input checked="" type="checkbox"/> Not subject to review | <input type="checkbox"/> Negative Declaration |
| <input type="checkbox"/> Categorical Exemption, Section | <input type="checkbox"/> Mitigated Negative Declaration |

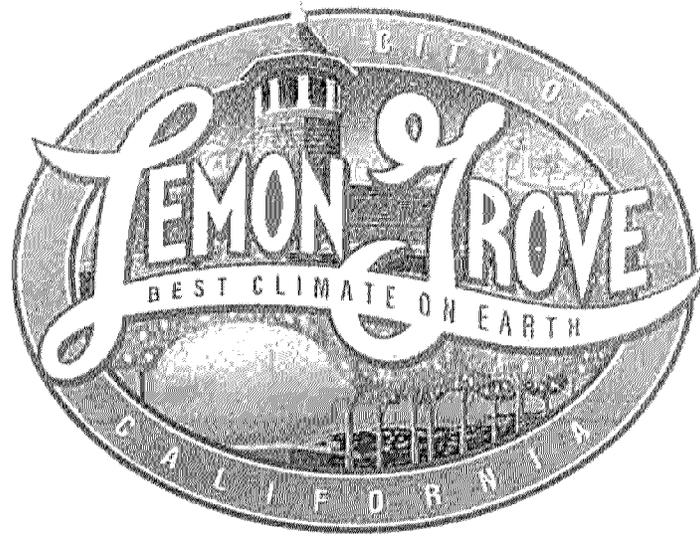
Public Information:

- | | | |
|--|---|---|
| <input checked="" type="checkbox"/> None | <input type="checkbox"/> Newsletter article | <input type="checkbox"/> Notice to property owners within 300 ft. |
| <input type="checkbox"/> Notice published in local newspaper | <input type="checkbox"/> Neighborhood meeting | |

Attachments:

- A. Local Agency Improvement Fee Report for Fiscal Year 2016-2017

CITY OF LEMON GROVE



Local Agency Improvement Fee Report (Fiscal Year 2016-2017)

*as required by California Government
Code Section 66006*

December 19, 2017

Attachment A

**Local Agency Improvement Fee Report
Fiscal Year 2016-2017
(As required by California Government Code Section 66006)**

This report provides information as required by California Government Code Section 66006 for two funds that fall under the category of "improvement fees" managed by the City of Lemon Grove: Parkland Dedication Ordinance In-Lieu Fee and Transportation Uniform Mitigation Fee Program.

1) PARKLAND DEDICATION ORDINANCE (PLDO)

A) Description of Fee/Fund: The fee is collected upon final inspection of new residential construction and deposited into a special fund. The fund is utilized to fund capital improvements and/or construct park facilities within the City of Lemon Grove.

B) Fee Structure per Dwelling Unit:

Zones	In-lieu of Land	Fee/Unit
RL, RL/M	762.3 sq. ft.	\$ 900
RM, RM/H, DVSP	544.5 sq. ft.	\$ 639
R/P, CC/GC	435.6 sq. ft.	\$ 513

C) Beginning Balance: \$117,012.35

D) Collection & Interest

1. Collected in new fees: \$ 16,137.00

2. Earned in interest: \$ 840.24

E) Expenditure: \$ 43,316.53

F) Expected Date of Expenditure: During Fiscal Year 2017-18 the City anticipates using the PLDO funds to expand the Amphitheatre/Gazebos at Berry Street Park.

G) Interfund Transfer/Loans: None

H) Refunds: None

Attachment A

**Local Agency Improvement Fee Report
Fiscal Year 2016-2017
(As required by California Government Code Section 66006)**

2) TRANSPORTATION UNIFORM MITIGATION FEE PROGRAM

- A) Description of Fee/Fund: The fee is collected prior to issuance of building permits for new residential units and deposited into a special fund. The fee is mandated as part of the voter-approval TransNet Extension and must be used for the rehabilitation or improvement of the City's regional arterials within seven years of collection.
- B) Fee Structure: \$2,357 (effective between July 1, 2016 and June 30, 2017) per new housing unit, replaced housing unit, or condo converted unit (the creation of the fee includes ten exemptions to the fee; e.g. a low-income housing unit is exempt from the fee).
- C) Beginning Balance: \$462,954.71
- D) Collection & Interest
- 1. Collected in new fees: \$ 51,854.00
 - 2. Earned in interest: \$ 2,997.39
- E) Expenditure: \$ 0.00
- F) Expected Date of Expenditure: During Fiscal Year 2017-18 the City anticipates spending all RTCIP fees on the Lemon Grove Avenue Realignment Project.
- G) Interfund Transfer/Loans: None
- H) Refunds: None

**LEMON GROVE CITY COUNCIL
AGENDA ITEM SUMMARY**

Item No. 1.F
Mtg. Date December 19, 2017
Dept. City Manager's Office

Item Title: Mayor Pro Tem Rotation

Staff Contact: Lydia Romero, City Manager

Recommendation:

Adopt a resolution (**Attachment B**) confirming the rotation of Councilmember Jerry Jones to serve as the Mayor Pro Tem commencing December 19, 2017 through December 18, 2018 and establishing the Mayor Pro Tem rotation schedule for the subsequent three years.

Item Summary:

City of Lemon Grove Resolution No. 2649 (**Attachment C**), adopted on July 16, 2006, establishes the policy to determine the rotation of the Mayor Pro Tem position among the City Council. Based on the policy, it is Councilmember Jerry Jones's turn to rotate into the Mayor Pro Tem position.

The staff report (**Attachment A**) provides an analysis of how Resolution No. 2649 is applied and provides a schedule for the Mayor Pro Tem rotation for the next several years. The Mayor Pro Tem appointment and rotation schedule is presented in a resolution (**Attachment B**) for City Council consideration.

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. Resolution

C. Resolution 2649

Attachment A

LEMON GROVE CITY COUNCIL STAFF REPORT

Item No. 1.F

Mtg. Date December 19, 2017

Item Title: **Mayor Pro Tem Rotation**

Staff Contact: Lydia Romero, City Manager

Discussion:

Each year, the City rotates its Mayor Pro Tem designee (Resolution No. 2649, adopted on July 16, 2006, establishes the rotation policy—**Attachment C**). During election years, Government Code Section 36801 states that following the declaration of election results and the installation of elected officials, the City Council chooses one of its members to serve as Mayor Pro Tem. During non-election years, the Mayor Pro Tem rotation occurs one year following the previous year's rotation.

The City's Mayor Pro Tem rotation policy is based on the three principles outlined below:

1. The rotation should follow the pattern established from the previous six years,
2. The Mayor Pro Tem should serve for approximately a one-year period, and
3. In the event that two or more Councilmembers have not served as Mayor Pro Tem and have equal tenure in office, the one who received the most votes in the previous election should be placed higher on the rotation list.

The following City Councilmembers have rotated in the Mayor Pro Tem position in the following order for the past seven years: Mary England (2011), George Gastil (2012), Howard Cook (2013), Jerry Jones (2014), Racquel Vasquez (2015), George Gastil (2016) and Jennifer Mendoza (2017).

Based on the principles outlined in Resolution No. 2649, the following shows the rotation of Mayor Pro Tem for the next three terms:

December 2017 – December 2018	Jerry Jones
December 2018 – December 2019	David Arambula
December 2019 – December 2020	Matt Mendoza

It is recommended that Councilmember Jerry Jones be appointed as the Mayor Pro Tem commencing on December 19, 2017 to serve in that position for the next year, followed by Councilmembers Arambula and M. Mendoza.

Conclusion:

Staff recommends that the City Council adopt the resolution (**Attachment B**) appointing Councilmember Jerry Jones as the Mayor Pro Tem from the period of December 19, 2017 through December 18, 2018 and confirm the rotation schedule for the subsequent three years.

Attachment B

RESOLUTION NO. 2017-

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LEMON GROVE, CALIFORNIA CONFIRMING THE ROTATION OF COUNCILMEMBER JENNIFER MENDOZA TO SERVE AS THE MAYOR PRO TEM FOR THE PERIOD OF DECEMBER 20, 2016 THROUGH DECEMBER 19, 2017 AND ESTABLISHING THE MAYOR PRO TEM ROTATION SCHEDULE FOR THE SUBSEQUENT THREE YEARS

WHEREAS, Lemon Grove Municipal Code Section 2.14.080 establishes the position of Mayor Pro Tem; and

WHEREAS, Resolution 2649, adopted by the City Council on July 16, 2006, established a policy to determine the rotation of the Mayor Pro Tem among Councilmembers; and

WHEREAS, referring to the policy established by Resolution 2649, the City Council determines the rotation of the Mayor Pro Tem by following the rotation pattern established from previous years, considering that the Mayor Pro Tem should serve for approximately a period of one year, and in the event that two or more Councilmembers have not served as Mayor Pro Tem and have equal tenure in office, the one who received the most votes in the previous election should be placed higher on the rotation list; and

WHEREAS, referring to the policy established by Resolution 2649, after a municipal election, the City Council is to appoint its Mayor Pro Tem and confirm the rotation for the subsequent two years by resolution; and

WHEREAS, applying the policy established by Resolution 2649, Councilmember Jerry Jones would serve as Mayor Pro Tem for the period of December 19, 2017 through December 18, 2018, followed by Councilmember Arambula then by Councilmember Matt Mendoza.

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

1. Appoints Councilmember Jerry Jones as Mayor Pro Tem from December 19, 2017 through December 18, 2018; and
2. Confirms that Councilmember David Arambula serve as Mayor Pro Tem for a one-year period following Councilmember Jerry Jones's term; and
3. Confirms that Councilmember Matt Mendoza will serve as Mayor Pro Tem for a one-year period following Councilmember David Arambula's term.

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Attachment C

RESOLUTION NO. 2649

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LEMON GROVE, CALIFORNIA, TO ESTABLISH THE POLICY FOR THE ROTATION OF MAYOR PRO TEM

WHEREAS, Government Code Section 36801 requires that during the City Council meeting at which the declaration of the election results for a General Municipal Election are made and, following the installation of elected officials, choose one of its number as Mayor Pro Tem; and

WHEREAS, if the Mayor is absent or unable to act, the Mayor Pro Tem shall serve until the Mayor returns or is able to act and the Mayor Pro Tem has all of the powers and duties of the Mayor; and

WHEREAS, the City Council of the City of Lemon Grove, California, hereby establishes the following policy:

1. After the certification of each municipal election (or regularly scheduled election) and at the seating of a new Mayor Pro Tem, the City Council shall review the Mayor Pro Tem rotation list for the next two years.
2. The Mayor Pro Tem should serve on a rotating basis so that each councilmember serves one (1) year as Mayor Pro Tem during his/her four (4) year term.
3. In the event of an occurrence that creates a disruption in the regular rotation of the Mayor Pro Tem, the Council shall consider the following principals in developing the rotation list:
 - a. The rotation history of the previous six years,
 - b. The Mayor Pro Tem serves for approximately a one-year period, and
 - c. In the event that two or more Councilmembers have not served as Mayor Pro Tem and have equal tenure in office, the one who received the most votes in the previous election should be placed higher on the rotation list.
4. Appointment of new Mayor Pro Tem and the rotation list for the next two years shall be done by resolution.
5. The Mayor Pro Tem shall be sworn in prior to commencement of office.

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**LEMON GROVE CITY COUNCIL
AGENDA ITEM SUMMARY**

Item No. 2
Mtg. Date December 19, 2017
Dept. Public Works

Item Title: **Lemon Grove Little League Memorandum of Understanding**

Staff Contact: Mike James, Assistant City Manager / Public Works Director

Recommendation:

Adopt a resolution (**Attachment B**) approving the memorandum of understanding with the Lemon Grove Little League.

Item Summary:

Each year the City meets with the Lemon Grove Little League (LGLL) to discuss an agreement for the continued use of the City owned fields for LGLL activities. In September 2017, staff met with two members of the LGLL to discuss the agreement. During that discussion many topics were reviewed that included: Providing better definitions of terms in the agreement, showing a map of the area, clarifying cost sharing, etc. The staff report (**Attachment A**) will provide greater detail regarding the City and LGLL agreement and the roles/responsibilities that each party will have moving forward.

Additionally, at the meeting with staff in September 2017 and at a City Council meeting in October 2017, the LGLL discussed the financial need that it requires before beginning the 2018 season. A portion of the staff report will detail financial impacts experienced by the LGLL and the current need for assistance.

Fiscal Impact:

None.

Environmental Review:

- | | |
|---|---|
| <input checked="" type="checkbox"/> Not subject to review | <input type="checkbox"/> Negative Declaration |
| <input type="checkbox"/> Categorical Exemption, Section | <input type="checkbox"/> Mitigated Negative Declaration |

Public Information:

- | | | |
|--|---|---|
| <input checked="" type="checkbox"/> None | <input type="checkbox"/> Newsletter article | <input type="checkbox"/> Notice to property owners within 300 ft. |
| <input type="checkbox"/> Notice published in local newspaper | <input type="checkbox"/> Neighborhood meeting | |

Attachments:

- A. Staff Report
- B. Resolution
- C. Aztec Landscaping Proposals
- D. Photographs of LGLL Fields

Attachment A

LEMON GROVE CITY COUNCIL STAFF REPORT

Item No. 2

Mtg. Date December 19, 2017

Item Title: **Lemon Grove Little League Memorandum of Understanding**

Staff Contact: Mike James, Assistant City Manager / Public Works Director

Background:

The City of Lemon Grove and Lemon Grove Little League (LGLL) have collaborated to provide youth sports services since the City first incorporated in 1977. This partnership in fact pre-dates the existence of the City, in that the City assumed the agreement that was previously established by the County of San Diego and the LGLL for the use of the ballfields and facilities at the Monterey Heights Park. Augmented over the years, the City Council has seen several reports that amended the usage and allocate funds for maintenance, construction, and repairs. The table below provides a summary of prior actions approved by the City Council:

Date	Description	City Cost	LGLL Cost
11-20-1978	Allocate revenue sharing funds for unspecified improvements to the park.	\$35,000	\$0
12-12-1978	Authorized the release of \$25,000 for infrastructure improvements.	\$25,000	\$0
4-16-1979	Allocate an additional \$1,000 to complete improvements.	\$1,000	\$0
3-3-1980	Permission granted to LGLL to operate a park concession at Monterey Heights Park.	\$0	\$75 (Permit Fee)
1-4-1994	Allocate capital reserve fund money for the expansion of the LGLL fields.	\$8,000	\$0
6-6-2000	Agreement between the Lemon Grove School District, LGLL and the City to develop a Master Plan for the Monterey Heights Sports Complex.	\$0	\$0
12-19-2000	Execute an agreement with Schmidt Design Group for the Master Plan design services.	\$67,768	\$0
3-19-2002	Addendum No. 1 to the three-entity agreement to commit for 20 years to support any application of future grant funding opportunities.	\$0	\$0

Discussion:

The LGLL and City collectively own five baseball fields located at 7701 Nichols Street that were referred to Monterey Heights Park. **Attachment B – Exhibit 1** details the area that is owned by

Attachment A

the City (Fields 1-2) and LGLL (Fields 3-5). There are approximately 11 acres of total field space, with 3.5 acres owned by the City. As previously mentioned, City staff meets with the LGLL each year before the baseball season starts to discuss the annual agreement. Most recently in September 2017, staff met with two members of the LGLL to review the agreement. During that discussion many topics were reviewed that included: Providing better definitions of terms in the agreement, showing a map of the area, clarifying cost sharing, etc. Staff created a revised draft agreement (**Attachment B – Exhibit 1**) that included the requested amendments from LGLL as well as providing language that is clearer about the roles and responsibility of both parties moving forward. The draft agreement has been reviewed by LGLL leadership, however at the time of this staff report it has not been approved by the LGLL Board of Director. That action is anticipated to occur in January 2018.

Financial Impact:

At a City Council meeting in October 2017, the LGLL provided public comment that discussed the financial need that it requires before beginning the season. The two reasons that drove the fiscal need for the LGLL are due to field maintenance and water consumption. Both of those reasons are explained in greater detail below:

1. Field Maintenance – The LGLL maintains all five fields (**Attachment D**) with its group of volunteers. The exhibit shown in **Attachment B – Exhibit 1** identifies all five fields. As background the little league division and approximate age range of players that play on each field are listed below:
 - Field 1 – T-Ball [4-6 years of age (YOA)],
 - Field 2 – Caps (6-7 YOA),
 - Field 3 – Majors (11-12 YOA),
 - Field 4 – Minors (8-10 YOA), and
 - Field 5 – Juniors (13-14 YOA)/Seniors (14+ YOA).

This work includes trash pick-up, weeding, graffiti maintenance, mowing, seeding (as needed), edging, repairs to bleachers/shade cloth/fencing, field chalking, and amending the soil to ensure that the fields are safe and well maintained for all players to the fields.

On November 13, 2017, City staff met with the LGLL leadership and learned that the LGLL will typically go “dark” during the off season to save money on field maintenance and water usage for four out of the five fields. The remaining field (Field 5 - Seniors Field) is currently rented out to an outside group. The field maintenance at that field is provided by that group. A month or two before the season begins LGLL hires a vendor to recondition the fields to a playable condition. That vendor has cost the LGLL \$4,700 in the past. To come up with options to determine what the City may do to support the LGLL, City staff requested quotes from the City’s landscape maintenance contractor to recondition all five fields as well as to perform an irrigation audit on the two fields that are located on City property. Both proposals (**Attachment D**) include prevailing wage rates. Staff estimates the total cost to bring back the condition of the fields to a safe playable condition for Fields 1-5 equals \$9,536, for Fields 1-4 equals \$8,665, and for Fields 1 and 2 which are City owned equals \$7,882. Rather than contracting the maintenance project to a third party vendor, an additional option for the City to assist the LGLL may include creating a volunteer project to prepare the fields for season conditions. The anticipated cost to the City is likely only related to staff time, materials, tools and supplies to assist the volunteers (estimated to cost under \$1,000).

Attachment A

2. Water Consumption – There are currently two water meters that monitor water usage to all of the LGLL fields. As of November 2017, the LGLL owes Helix Water District \$3,303 in past due amounts for water billings. From August 2016 through August 2017 the LGLL paid a total of \$13,646 for water usage. For comparison, the City expended \$2,835 during the same time. Since September 2017, City staff has visited the field several times and determined that an irrigation audit is mandatory at this time to determine if all of the irrigation lines are operational (not leaking), provide adequate coverage to all turf areas on the fields, and are using the most optimal sprinklers heads available. This task is further complicated because there are no known plans or diagrams that show where the irrigation lines exist on any of the five fields. If the City assists with any additional water costs moving forward or irrigation repair projects, it is critical that an irrigation audit is performed to insure that all future water usage is efficiently managed. The City's cost to perform an irrigation audit on Field 1-2 is \$570 and Field 3-5 is \$870, which are both embedded in the previously mentioned proposal shown in **Attachment D**.

For the LGLL to begin the season without pre-existing debt and fields that will be playable the total estimated need is between \$8,003 and \$11,968. The lower amount equals the LGLL cost estimate to maintain the fields with its previously used contractor and the amount due to Helix. The higher amount equals the City's cost estimate to maintain Fields 1-4 and the amount due to Helix. At this time, staff does not have any funding source identified to support either cost. Staff recommends that the City Council provides direction to staff to incorporate all, some or none of the costs during the mid-year budget process.

While not a part of the agreement, yet occurring at the same time as the agreement and financial need discussion, Field 2, on City owned property, experienced a slope failure that required an emergency response by the City to mitigate the damage to the property owned by the City. The slope was likely caused by a faulty irrigation line that saturated the slope to the point of the weight of the slope could no longer be stable. This resulted in an area approximately 60' by 100' failing and damaging the outfield. Because the City owned the property and the LGLL had no resources to contribute to the repair of the slope, City staff moved forward with an emergency repair to the slope which cost a total of \$27,568. The details of the cost include: geotechnical engineer oversight (\$1,143), general contractor repairing the slope (\$25,335), and lastly hydro-seeding the slope for stabilization (\$1,090).

Conclusion:

That the City Council adopts a resolution (**Attachment B**) approving the memorandum of understanding (**Attachment B – Exhibit 1**) with the Lemon Grove Little League.

Attachment B

RESOLUTION NO. 2017 -

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LEMON GROVE, CALIFORNIA APPROVING THE MEMORANDUM OF UNDERSTANDING WITH THE LEMON GROVE LITTLE LEAGUE

WHEREAS, prior to the incorporation of the City of Lemon Grove, an agreement existed between the County of San Diego and the Lemon Grove Little League for the use of the ballfields and facilities at the Monterey Heights Park; and

WHEREAS, the City and Lemon Grove Little League have encouraged the continued involvement of its residents and guests in the development provision of recreational activities; and

WHEREAS, each year the City and Lemon Grove Little League meet to discuss and finalize an annual agreement (*Exhibit 1*) for use of the sports fields; and

WHEREAS, the City Council finds that the memorandum of understanding serve both the best interest of the participants in the Lemon Grove Little League and the general public.

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

1. Approves the memorandum of understanding with the Lemon Grove Little League (*Exhibit 1*); and
2. Authorizes the City Manager or her designee to sign and manage the agreement. |

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Attachment B – Exhibit 1

MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding (MOU) is entered on this ____ day of ____, 2017, by and between the City of Lemon Grove, a municipal corporation (City) and Lemon Grove Little League (LGLL), a California corporation, regarding the following:

RECITALS

WHEREAS, LGLL is a corporation organized and operating in the State of California; and

WHEREAS, the City is a public body, corporate and politic, exercising governmental functions and powers pursuant to the general laws as authorized by the Constitution of the State of California; and

WHEREAS, the City and LGLL are mutually interested in and concerned with the provision of providing adequate facilities and services for community sports and recreation at the Lemon Grove Little League Field Complex; and

WHEREAS, within this facility, LGLL shall accept responsibility for providing activities, programs, and services to benefit youth recreational programs that may include, but not limited to, baseball and softball activities; and

WHEREAS, the City and LGLL are desirous of entering this MOU under the terms and conditions set forth herein.

NOW, THEREFORE, the City and LGLL agree as follows:

1. Description of Facility: The LGLL fields are located at 7701 Nichols Street, Lemon Grove, CA 91945 (Exhibit 1). Within the fields the LGLL and City are owners of separate fields that make up the facility site. At the time of this agreements execution the facilities include:

- a. Baseball fields,
- b. Concession area and storage,
- c. Restrooms,
- d. Batting cages,
- e. Parking lot, and
- f. Other baseball/softball related equipment and facilities.

2. Term of MOU: The term of this MOU shall be one (1) year. At the end of the term, the MOU shall be reviewed and, if acceptable to both parties, renewed by the City Council of the City of Lemon Grove and the Board of Directors of the Lemon Grove Little League.

Attachment B – Exhibit 1

3. Times of Use: LGLL will observe all established park hours and use rules. The City will provide the LGLL with a copy of all rules affecting LGLL's use of the facility. LGLL participants and those associated with LGLL activities may not arrive prior to dawn nor remain after dusk on any given day. LGLL is responsible for coordinating the opening of gates by with its own representative. Use of motorized equipment and player warm-ups are not permitted prior to 7:00 a.m. nor after dusk. LGLL practices, events (such as opening day or closing day ceremonies and tournaments), and games may not start earlier than 7:00 a.m. and shall end no later than thirty (30) minutes prior to sunset unless written approval is received from the City.

4. Scheduling Facilities: A master schedule of facilities, dates and times for the use of the facilities shall be established in advance at semiannual scheduling meetings between LGLL and the City representative. The purpose of the scheduling meetings shall be to coordinate the uses of the facilities and to avoid conflict between the City, LGLL, the Lemon Grove School District (District), and any third-party uses and to protect the real and personal property involved.

5. Scheduling Meetings: At the first meeting, which shall take place before or during June of each year, the City and LGLL shall agree upon a schedule, in writing, for the fall and winter months with respect to the use of the facilities including, but not limited to the times, uses and users of the facilities. At the second meeting, which shall take place by December of each year, the City and LGLL shall agree upon a schedule, in writing, for the times, uses and users of the facilities. After the schedules are set at the scheduling meetings, both parties shall notify each other in the event of any scheduling changes. Should an unanticipated event that is not included on the schedules set at the scheduling meetings arise, each party agrees to reasonable accommodate the other party with respect to such event. All tournaments shall be scheduled a minimum of two weeks in advance. LGLL shall have priority use of the facilities. City retains all rights and control over the scheduling for the use the City facilities.

6. Prohibited Uses: LGLL shall not use or permit facilities, the City's property, or any portion of thereof, to be improved, developed, used or occupied in any manner or for any purpose that is in any way violation of any applicable law, ordinance, or regulation of any federal, state, county, or local government agency, body or entity. Use of all properties and facilities shall be in accordance with all policies, rules and/or regulations of the property owner. Specific prohibited uses include:

- a. At no time is alcohol consumption permitted at the facilities by league members or LGLL spectators during LGLL scheduled uses.
- b. No tobacco or vaping products will be allowed at any time on City property.
- c. No camping or overnight parking will be allowed at any time on City property, unless specifically approved in writing by the City.

Attachment B – Exhibit 1

7. Installation of Equipment, Facilities, or Improvements. LGLL agrees that it may not install sprinkler systems, turf, lighting, fencing, equipment and/or other improvements on City's property without prior written approval by the City of the location, plans and specifications for the placement of all such equipment, facilities and permanent improvements upon City property. City shall have the sole discretion to approve the type, design, and construction of such facilities or improvements in advance.

8. Cost of Improvements. The cost of any installation of equipment or construction for approved purposes shall be mutually agreed upon in writing prior to installation or commencement of construction on City property. The cost of maintaining such improvements and facilities shall be mutually agreed upon, in writing, prior to installation or commencement of construction. Any such installation or construction shall be memorialized in a separate agreement regarding use, maintenance and payment for the improvements, which agreement shall be an addendum to this MOU.

9. Removal of Personal Property and Fixtures. Upon termination of this MOU, or upon termination of use of a specific property or facility, LGLL shall retain ownership of its personal property, and shall remove it from City property. All improvement made to the City property and facilities that have become fixtures shall remain the property of the City, except as otherwise agreed upon by the parties in a separate agreement relating to such improvement.

10. Supervision. LGLL shall provide an adequate number of competent personnel to supervise all activities on City's property. However, the City may reject an employee or representative on the City property based on not meeting supervisory standards as established in advance of usage. In no event shall the City be responsible or liable for LGLL's failure to provide adequate or competent supervision of activities on the City's property. The obligation to provide supervision shall include the responsibility to provide security for events, if appropriate. LGLL shall also be responsible for enforcing all rules, regulations, and policies governing the use of a facility on City property.

11. Costs and Supplies. LGLL will furnish and supply all expendable materials necessary to carry on its programs while using facilities. LGLL shall be responsible for payment of all costs associated with tournaments held to include, but not limited to, restrooms, parking lot clean up, security and other costs that are related to the facility use.

12. Maintenance or Property. Unless otherwise specified in this MOU or any separate agreement between the parties hereto, the LGLL is responsible for all maintenance of its property. Additionally, on the City's property, the LGLL agrees to be responsible for:

- a. Landscape and irrigation maintenance.

Attachment B – Exhibit 1

- b. Maintenance and repair of baseball equipment, including chain link fencing and backstops, benches, infields, bleachers, bases, mounds, home plate, scoreboards, outfield and back stop netting, including batting cages.
- c. Removing all graffiti or vandalism within 72 hours of notification.
- d. Removal of litter and trash.

If a situation occurs where a major facility repair is requested on City property the LGLL will promptly contact the City to request a field visit to discuss solutions that may include contracting emergency repairs, cost sharing, etc.

13. Utilities and Staffing. The LGLL is responsible for all electrical and restroom costs. The City is responsible for all waste management costs. Costs related to water for irrigation of the fields will be shared by both parties. Each year at the December meeting, the LGLL will provide the City with its prior year's costs for water. The City will review that amount, in conjunction with the LGLL's financial statement to determine what is the amount needed to support the LGLL and if the City can provide said support.

14. Concessions. LGLL will obtain all necessary permits and/or licenses from applicable federal, state, county, or local government entities for concession or other business or sales activities conducted by the LGLL. Concession areas and storage areas for concession supplies shall be made available during the same times to coincide with LGLL activities. Concession, storage and surrounding areas shall be kept clean and uncluttered. LGLL shall be responsible for maintenance of such areas while in use. All proceeds generated by fees charged from concession sales shall be kept by the LGLL but reported annually to the City at its December meeting. The City reserves the right to discuss future proceed sharing between the City and LGLL.

15. Parking Lot Use. LGLL shall be responsible for clean-up expenses for the use of the parking lot adjacent to the facilities. All proceeds generated by fees charged for parking shall be kept by the LGLL but reported annually to the City at its December meeting. The City reserves the right to discuss future proceed sharing between the City and LGLL.

16. Damages Caused by LGLL Activities. LGLL shall be responsible for damages to property caused by its activities. Said damages may include, but are not limited to, parked cars, windshields, and neighboring properties.

17. Administrative Review and Amendment. The President or his/her designee of the LGLL and the Assistant City Manager / Public Works Director or his/her designee of the City shall meet annually to review and coordinate matters of mutual concern in the administration of the MOU. The provision of this MOU may be amended or modified only by mutual consent and written agreement approved by the City Council and the LGLL Executive Board of Directors.

Attachment B – Exhibit 1

18. Defense, Indemnification, and Hold Harmless. Notwithstanding any other provision contained in this MOU, and to the fullest extent allowed by law, LGLL shall defend, hold harmless and indemnify the City and its elected and appointed boards, officers, agents and employees from and against all costs claims for damages to real or personal property, or personal injury to any third party, including reasonable attorney fees arising under this MOU. LGLL further agrees that the indemnification and hold harmless described herein shall include all defense-related fees and costs associated with the defense of City by counsel selected by City. However, this MOU does not require LGLL to defend, hold harmless or indemnify the City for the City's own sole negligence or willful misconduct on City property.

19. Insurance. During the term of this MOU, LGLL shall obtain and maintain in full force and effect the following insurance policies from companies authorized to issue insurance in the State of California:

- a. *Comprehensive General Liability* - occurrence based, including premises-operations, products/completed operations coverage, broad form property damage, bodily injury and blanket contractual liability with the following coverages:

General Liability \$1,000,000 per person per occurrence.
 \$2,000,000 annual aggregate combined.
 \$1,000,000 property damage or bodily injury per
 occurrence, cross liability exclusions prohibited,
 costs of defense shall be in addition to coverage.

- b. *Automobile Liability* – LGLL does not currently own, hire or use any automobiles. However, if LGLL does own, hire or use any automobile on City owned property or in relation to this MOU, LGLL shall obtain a policy of automobile liability insurance for the duration of the vehicle's use with the following coverages and including the endorsements detailed in 19 (d).

Auto Liability \$1,000,000 per person per occurrence.
 \$2,000,000 annual aggregate combined.
 \$1,000,000 property damage or bodily injury per
 occurrence, cross liability exclusions prohibited,
 costs of defense shall be in addition to coverage.

- c. *Workers' Compensation* – If applicable, LGLL shall maintain insurance in amounts in accordance with statutory requirements.

- d. *Endorsements* – Shall be obtained so that each policy contains the following four provisions, the wording for which shall be to the satisfaction of the City.

Attachment B – Exhibit 1

- i. Additional Insured (Not required for professional errors and omissions liability insurance or workers' compensation). "The City of Lemon Grove and its elected and appointed boards, officers, agents, and employees are additional insureds."
- ii. Notice. "Said policy shall not terminate, nor shall it be canceled or reduced in coverage without thirty (30) days' written notice to the City of Lemon Grove.
- iii. Primary Coverage. The policy provides primary coverage to the City of Lemon Grove and its elected and appointed boards, officers, agents and employees. It is not secondary or in any way subordinate to any other insurance or coverage maintained by the City of Lemon Grove.
- iv. Waiver of Subrogation. The LGLL waives any right of recovery it may have against the City of Lemon Grove and its elected and appointed boards, officers and employees because of payments it makes for injury or damages.

20. Additional Insurance. LGLL shall meet any insurance requirements of owners whose property may be available for use under this MOU, including but no limited to, Helix Water District, Lemon Grove School District (LGSD) or other agencies or bodies.

21. Use Permits. All joint use areas made available for use under this MOU, such as properties owned by LGSD or other entities shall be scheduled through the City with use permits completed and filed with the associated entity.

22. Assignment. LGLL shall not sell, assign or sublease its rights under this MOU without the prior written consent of the City. Consent to an assignment in one instance shall not be a waiver of the right to withhold consent to a subsequent request.

23. Default. Failure of any party to comply with any term or condition or fulfillment of any obligation of this MOU within thirty (30) days of receipt of written notice of default, or such period of time as mutually agreed to, shall constitute a default. Such written notice of default shall specify the nature of the default with reasonable particularity so that party may cure the default.

24. Minor Defaults. Defaults caused by failure to clean, repair, maintain and secure are deemed minor and will be referred for immediate resolution to the Assistant City Manager / Public Works Director or his/her designee.

Attachment B – Exhibit 1

25. Dispute Resolution. In the event that any dispute arises out of this MOU, the parties shall in good faith meet and confer to resolve the dispute.

26. Attorney's Fees. If a suit or other legal proceeding, including arbitration, is instituted regarding any controversy arising out of this MOU, the prevailing party shall be entitled to recover, in addition to costs, such sum as the court may adjudge reasonable as attorneys' fees.

27. Notice. Any notice required or permitted under this MOU shall be deemed given when delivered or when deposited in the mail, certified or registered, postage prepaid, addressed as follows:

To LGLL: Lemon Grove Little League

Lemon Grove, CA 91945

To City: City of Lemon Grove
Public Works Department
3232 Main Street
Lemon Grove, CA 91945

28. Termination of MOU. This MOU may be terminated by either party for any reason upon at least one hundred and eighty (180) days written notice to the other. Notwithstanding, separate agreements which exceed one hundred and eighty (180) days duration will be terminable under the terms of such agreement.

In the event of a default by a party to this MOU, and after providing notice and an opportunity to reach compliance as provided herein, the non-defaulting party shall have the right to terminate this MOU. Such termination shall be effective upon providing the defaulting party written notice of termination in accordance with this paragraph. The written notice of termination shall specify the default that serves as a basis for termination of this MOU.

29. Equal Opportunity / Non-Discrimination. The parties covenant that there shall be no discrimination against or segregation of any person or groups of persons on account of race, color, creed, religion, sex, marital status, age, handicap, national origin or ancestry in the use, occupancy, or enjoyment of the facilities described in this MOU.

30. ADA Compliance. The owner of the property and facilities made available for use under this MOU is solely responsible for ensuring full compliance with the requirements of the American with Disabilities Act.

31. Compliance with Rules and Regulations of Property Owner. LGLL agrees that it shall comply with all policies, rules and regulations established by the owner of the property and facilities made available for use under this MOU.

Attachment B – Exhibit 1

32. Official Representative. LGLL representative, for purposes of this MOU, shall be the Board President. The City representative shall be the Assistant City Manager / Public Works Director or his/her designee.

33. Employees. For purposes of this MOU, all persons employed in the performance of services and functions for each party shall be deemed employees of that party only, and no party employee shall be considered an employee of the other party under the jurisdiction of said other party, nor shall such other party employees have any pension, civil service, or enjoy any other status of benefit accruing to employees of the other party.

34. Entire MOU. This MOU constitutes the entire understanding between the parties with respect to the subject matter and supersedes any prior negotiations, representations, agreements and understandings.

35. Amendments. This MOU may not be amended, modified or changed nor shall any waiver of any provision hereof be effective, except by an agreement in writing signed by the parties hereto.

36. MOU Binding. This MOU shall inure to the benefit of and be binding upon the parties signing and their respective successors.

37. Governing Law. The interpretation, validity and enforcement of this MOU shall be governed by and construed under the laws of the State of California.

38. Partial Invalidity. The provisions of this MOU are severable. Should any provision be found or deemed to be invalid, this MOU shall be construed as not containing such provision, and all other provisions which are otherwise lawful shall remain in full force and effect.

39. Waiver. The failure by either party to enforce any term or provision of this MOU shall not constitute a waiver of that term or provision, or any other term or provision. No waiver by either party of any term or provision of this MOU shall be deemed or shall constitute a waiver of any other provision of this MOU, nor shall any waiver constitute a continuing waiver unless otherwise expressly provided in writing.

40. Future Assurances. Each party hereto shall cooperate and take such actions as may reasonable be requested by the other party hereto in order to carry out the provisions of this MOU and the transactions contemplated by this MOU.

41. Construction of MOU. The terms and provisions of this MOU shall be liberally construed to effectuate the purpose this MOU. In determining the meaning of, or resolving any ambiguity with respect to, any word, phrase or provision of this MOU, no uncertainty or ambiguity shall be construed or resolved against either party under nay rule of construction, including the party primarily responsible for the drafting ad preparation of this MOU.

Attachment B – Exhibit 1

42. Time of Essence. Time is of the essence with respect to the obligations of each party under this MOU.

43. Exhibits and Recitals. All exhibits and recitals referenced in this MOU and attached hereto are hereby incorporate by this reference into this MOU.

THIS MOU is executed by the duly authorized representatives of the Lemon Grove Little League and the City of Lemon Grove on the date first herein above written.

CITY OF LEMON GROVE

LEMON GROVE LITTLE LEAGUE

Lydia Romero, City Manager

NAME, President

ATTEST:

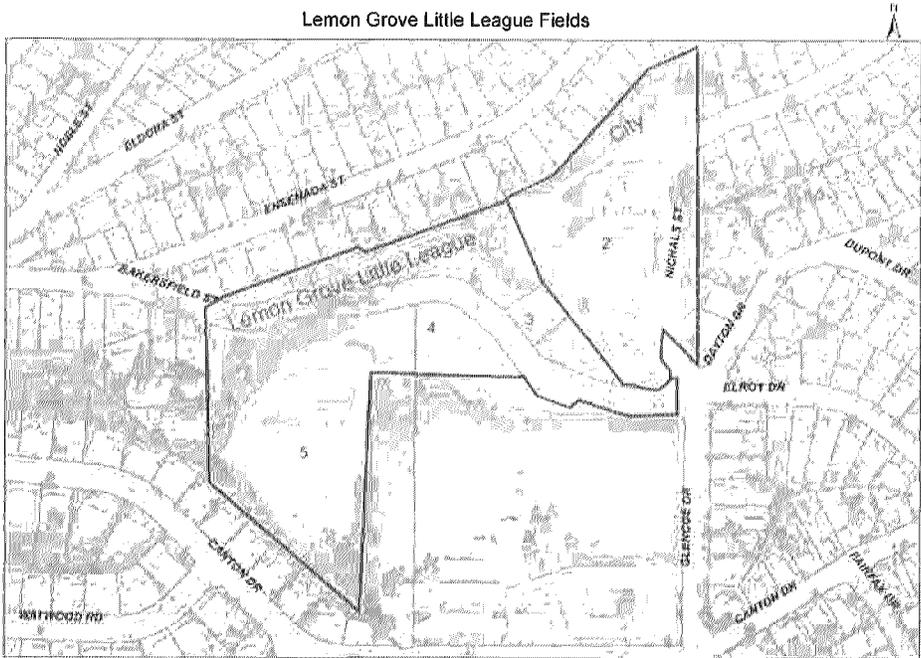
Susan Garcia, City Clerk

APPROVED AS TO FORM AND LEGALITY:

James P. Lough, City Attorney

Attachment B – Exhibit 1

Exhibit 1: City and Lemon Grove Little League Property Boundaries



1 inch = 200 feet



Field 1 – T Ball Field



Attachment D

Field 2 – Caps



Field 3 – Majors



Attachment D

Field 4 - Minors



Field 5 - Seniors



Attachment D



**LEMON GROVE CITY COUNCIL
AGENDA ITEM SUMMARY**

Item No. 3
Mtg. Date December 19, 2017
Dept. City Attorney

Item Title: Ordinance Amending Lemon Grove Municipal Code Sections in Titles 10 (Vehicles and Traffic) and 12 (Streets, Sidewalks and Public Places) to Adjust Membership of the Traffic Advisory Committee and Make Various Other Technical Changes

Staff Contact: James P. Lough, City Attorney

Recommendation:

Conduct second reading and adopt Ordinance No. 447 (**Attachment B**) amending Sections 10.04.020(M), 10.08.020, 10.16.030, 12.04.540, 12.04.560, 12.04.570 of the Lemon Grove Municipal Code ("LGMC") to adjust the membership of the Traffic Advisory Committee and clarify responsibilities of staff members based on current management roles. .

Item Summary:

This Ordinance amends Titles 10 (VEHICLES AND TRAFFIC) AND 12 (STREETS, SIDEWALKS AND PUBLIC PLACES) to adjust the membership of the Traffic Advisory Committee and to make other technical changes to the code to reflect the current management responsibilities of various staff in Public Works and Engineering.

Fiscal Impact:

There is no direct fiscal impact.

Environmental Review:

- | | |
|---|---|
| <input checked="" type="checkbox"/> Not subject to review | <input type="checkbox"/> Negative Declaration |
| <input type="checkbox"/> Categorical Exemption, Section | <input type="checkbox"/> Mitigated Negative Declaration |

Public Information:

- | | | |
|--|---|---|
| <input checked="" type="checkbox"/> None | <input type="checkbox"/> Newsletter article | <input type="checkbox"/> Notice to property owners within 300 ft. |
| <input type="checkbox"/> Notice published in local newspaper | <input type="checkbox"/> Neighborhood meeting | |

Attachments:

- A. Staff Report
- B. Ordinance No. 447
- C. Municipal Code Excerpts of Existing Language

LEMON GROVE CITY COUNCIL STAFF REPORT

Item No. 3

Mtg. Date December 19, 2017

Item Title: Ordinance Amending Lemon Grove Municipal Code Sections in Titles 10 (Vehicles and Traffic) and 12 (Streets, Sidewalks and Public Places) to Adjust Membership of the Traffic Advisory Committee and Make Various Other Technical Changes

Staff Contact: James P Lough, City Attorney

Background

Traffic Advisory Commission

The Traffic Advisory Commission has been part of the City's code since incorporation. Its composition is typical of traffic commissions formed in the 1970s or earlier. Its purpose was to bring a wide group of stakeholders to the table to discuss neighborhood traffic issues. The composition was intended to be a mix of laypersons and technical staff that made recommendations to the City Council. These recommendations, like most cities with similar committees, combined political and personal concerns of various stakeholders with the technical requirements of staff. Often these competing forces brought forward recommendations that compromised technical/legal concerns with the represented stakeholder members making policy recommendations inconsistent with city-wide council policies.

Starting in the mid-1970s, cities faced new legal and regulatory challenges. General Plans became mandatory planning tools including a newly required Circulation Element. The California Environmental Quality Act ("CEQA") was adopted and required cities to consider the environmental impacts of their traffic policies. The Subdivision Map Act was overhauled. It went from essentially a surveying guide to a set of regulations that required streets to be properly designed. Over this same period, California Tort Claim requirements, either legislative or judicially inspired, put more pressure on cities to properly design and maintain its infrastructure. Fire and building codes put more emphasis on technical criteria that protected the public. State regulation of traffic regulations now routinely require engineering, law enforcement, fire safety concerns be addressed before decisions can be made by cities.

Over time, the Traffic Advisory Committee became less relevant. It was unwieldy and was difficult to coordinate the schedules of its large roster. The issues were becoming more and more technical, putting the public members in the position of having to either become more educated in the technical aspects of the issues or simply rely on staff expertise. Overall, the process, in most similar cities, led to more *ad hoc* decisions that were at variance with council established city-wide policies.

Reorganization of Offices and Titles

When the City was incorporated, the County Code was used as a basis for the first Municipal Code. This is the typical way it is done by new cities to keep some continuity in rules applicable to the land within city boundaries. The downside to this approach is the new municipal code contains remnants of terminology better suited to a county.

For instance, counties had road commissioners and surveyors as established offices. Today, most of these roles, in cities and counties, are part of the public works department. Throughout

Attachment A

the Lemon Grove Municipal Code are references to carryovers from former county titles. For instance, the code references to the city health department.

The Lemon Grove Municipal Code contained dozens of references to the "road commissioner" and the "surveyor". However, surveying is mostly performed by a developer under strict state requirements found in the California Business & Professions Code and the Subdivision Map Act. For City projects, the surveying duties are usually handled as part of engineering services by contract.

Analysis:

Traffic Advisory Commission

The changes to the Traffic Advisory Commission are intended to address legal/technical concerns related to traffic issues. The main purpose is to address the need, under the current regulatory environment, for the City Council to receive unfiltered advice on the traffic impacts of potential developments and general policies. It is the City Council's role to listen to the public and determine whether to make policy changes.

Specifically, the Chamber of Commerce, Mayor, City Manager and School District positions are eliminated. None of these appointments have been made in at least a decade. With these non-technical positions, the technical staff appointments were the minority of the committee membership. The result of these factors resulted in no meetings being held recently. The Council has used Focus Groups and the Community Advisory Commission was formed to address these types of issues.

The choice of the Chamber of Commerce spot predates the Downtown Specific Plans and other long-range planning tools. The School District appointment predates the Safe Routes to School program under that program, which is now the focus of city/school traffic issues. Under this program, the design components are done based on technical expertise which includes school input. Most general traffic issues do not involve schools.

The goal of this amendment is to allow the Traffic Advisory Committee to begin to give the City Council technical/legal advice on traffic issues, whether project specific or not. This input can be used to help the Council address public concerns while establishing a hearing record that demonstrates that the Council applied professional advice to the problem. This helps the Council focus on solutions that do not create unintended safety and/or legal concerns.

Reorganization of Offices and Titles

The office of "road commissioner" is a county creation with no counterpart in most cities. This code amendment defines the "road commissioner" as the Public Works Director since most of the functions fit most closely under the current authority of this office. Some of the functions of the "road commissioner" fall under the aegis of the City Engineer. Since the City Engineer is a contract position, the authority better fits with the Public Works Director. The "road commissioner" definition is modified to allow the Public Works Director (road commissioner) to delegate responsibilities requiring professional/technical expertise to employees or contractors holding the proper professional credentials. This would retain the current method of hiring or relying upon

Attachment A

professional surveyors or engineers to provide technical services under the direction of the Public Works Director. This Ordinance requires no change in current operations.

The option of eliminating all references to "road commissioner" in the Municipal Code. However, the sheer volume of references made that option impractical.

The code amendments also eliminate two references to the Director of Parks and Recreation. Both references were located in the code sections addressed in the sections dealing with changes involving the "road commissioner". Each section addresses park maintenance issues which, in Lemon Grove, have been performed by the Public Works Department even when the City had a Parks and Recreation program.

Environmental Impact:

This Ordinance is not a project as defined under the California Environmental Quality Act. There are no physical changes made to the environment by this Agenda item.

Costs

There are no fiscal impacts.

Conclusion:

Staff recommends that the City Council conducts the second reading and adopt Ordinance No. 447 by title and set the matter for adoption at the next regular city Council meeting. Further, that the City Council authorize publication of a summary of the Ordinance in a newspaper of general circulation.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LEMON GROVE, CALIFORNIA, AMENDING LEMON GROVE MUNICIPAL CODE AMENDING LEMON GROVE MUNICIPAL CODE SECTIONS IN TITLES 10 (VEHICLES AND TRAFFIC) AND 12 (STREETS, SIDEWALKS AND PUBLIC PLACES) TO ADJUST MEMBERSHIP OF THE TRAFFIC ADVISORY COMMITTEE AND MAKE VARIOUS OTHER TECHNICAL CHANGES

WHEREAS, the City of Lemon Grove has a Traffic Advisory Commission that is intended to review traffic and circulation issues; and

WHEREAS, the composition of its membership no longer reflects the changing needs for engineering, fire safety, design criteria, law enforcement and legal requirements applicable to the City in managing its roads and rights-of-way; and

WHEREAS, the City Council of the City of Lemon Grove has determined that the Traffic Advisory Commission requires a composition that will have the necessary technical expertise to make professional recommendations to the City Council on roads and rights-of-way issues; and

WHEREAS, the City Council finds that the current references in the Lemon Grove Municipal Code to “road commissioner” and “surveyor” do not reflect the current responsibilities of officers, contractors and employees performing those duties; and

WHEREAS, the City Council finds that a current reference in the Lemon Grove Municipal Code to “director of parks and recreation”, as it pertains to park maintenance responsibilities, do not reflect the current responsibilities of officers, contractors and employees performing those duties; and

WHEREAS, the City Council hereby finds that the Municipal Code references to certain duties of City officers and/or employees require clarification.

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

Section 1. The foregoing recitals are true and correct.

Section 2. This Ordinance amends Lemon Grove Municipal Code Section 10.04.020 (Definitions), subsection (M) only, to read as follows:

TITLE 10 VEHICLES AND TRAFFIC

Chapter 10.04 GENERAL PROVISIONS AND DEFINITIONS

10.04.020 Definitions.

The following definitions shall be used in this Chapter as follows: ...

M. "Road commissioner" means the Public Works Director, or designee. For duties requiring professional expertise, the road commissioner may call upon professional employees or contractors to perform the necessary work under the supervision and control of the road commissioner of the city.

Section 3. Lemon Grove Municipal Code Section 10.08.020 (Membership—Appointment—Compensation) is amended to read as follows:

TITLE 10 VEHICLES AND TRAFFIC

Chapter 10.08 TRAFFIC ADVISORY COMMITTEE

10.08.020 (Membership—Appointment—Compensation)

A. The committee shall consist of the following members:

- 1. One representative of the Public Works Department;**
- 2. One representative of the City Engineer;**
- 3. One representative of the Development Services Department;**
- 4. One representative of the San Diego County Sheriff's department; and**
- 5. One representative designated by Heartland Fire & Rescue.**

B. The traffic advisory committee secretary, appointed by the traffic advisory committee, shall inform the city council of the name of each member of the committee, and any alternates that such organizations or individuals may appoint.

C. Representatives to the committee shall serve without additional compensation over and above their rate of pay and/or contractual rate.

Section 4. Lemon Grove Municipal Code Section 12.04.540 (Trimming or removal—Permit—Required) is amended to read as follows:

Title 12 STREETS, SIDEWALKS AND PUBLIC PLACES

Chapter 12.04 PROTECTION OF HIGHWAYS

12.04.540 Trimming or removal—Permit—Required.

A. No person shall trim, prune, cut, break, deface, destroy, burn or remove any tree, hedge, plant, shrub, or flower growing or to grow upon any city-owned public property within the city, unless authorized in writing to do so by the director of public works, or designee, or the city council.

B. No person shall trim, prune, cut, break, deface, destroy, burn or remove any tree, hedge or shrub from a public or city highway within the city, unless authorized in writing to do so by the director of public works, or designee.

Section 7. This Ordinance shall be effective thirty (30) days following its adoption. Within fifteen (15) days following its adoption, the City Clerk shall publish the title thereof, as a summary as required by state law.

INTRODUCED by the City Council on December 5, 2017. **PASSED AND ADOPTED** by the City Council of the City of Lemon Grove, State of California, on December 19, 2017, by the following vote:

AYES:

NOES:

ABSENT:

Racquel Vasquez, Mayor

Attest: _____

Susan Garcia, City Clerk

Approved as to form:

James P. Lough, City Attorney

10.08.020 Membership—Appointment—Compensation.

A. The committee shall consist of the following members:

1. One representative designated by the Lemon Grove Chamber of Commerce;
2. Two city representatives appointed by the Mayor and approved by the city council;
3. The city manager or his or her designee;
4. One representative of the San Diego County sheriff's department;
5. One representative designated by the San Miguel Consolidated Fire Protection District;
6. One representative designated by the Lemon Grove School District.

B. The traffic advisory committee secretary shall inform the city council of the name of each member of the committee, and any alternates that such organizations or individuals may appoint.

C. Representatives to the committee shall serve without compensation except traveling expenses when specifically authorized by the council. (Ord. 304, 2001; Ord. 281, 1998; Ord. 134, 1987; prior code § 72.221)

10.04.020 Definitions.

Whenever in this title the following terms are used, they shall have the meaning respectively ascribed to them in this section: ...

M. "Road commissioner" means the surveyor and road commissioner of the city.

12.04.540 Trimming or removal—Permit—Required.

A. No person shall trim, prune, cut, break, deface, destroy, burn or remove any tree, hedge, plant, shrub, or flower growing or to grow upon any city-owned public property within the city, unless authorized in writing to do so by the director of public works, the director of parks and recreation or the city surveyor and road commissioner, whichever is the appropriate city officer, or the city council.

B. No person shall trim, prune, cut, break, deface, destroy, burn or remove any tree, hedge or shrub from a public or city highway within the city, unless authorized in writing to do so by the city surveyor and road commissioner. (Prior code § 71.501)

12.04.560 Planting—Permit—Required.

No person shall plant any tree, hedge or shrub upon or within any city highway, public highway or public property within the city, unless authorized in writing to do so by the director of public works, director of parks and recreation or city surveyor and road commissioner, whichever is the appropriate city officer. (Prior code § 71.510)

12.04.570 Planting—Permit—Issuance or denial.

No permit for the planting of a tree, shrub or hedge within any public or city highway shall be issued by the city surveyor and road commissioner unless the species of the tree, shrub or hedge to be planted is one approved by the director of parks and recreation. The permit for the planting of a tree, shrub or hedge may be issued upon such terms and conditions as the city surveyor and road commissioner determines appropriate to protect persons and property or may be denied. (Prior code § 71.512)

**LEMON GROVE CITY COUNCIL
AGENDA ITEM SUMMARY**

Item No. 4
Mtg. Date December 19, 2017
Dept. Mayor's Office

Item Title: Appointment of City Councilmembers to Committees, Commissions and Boards

Staff Contact: Racquel Vasquez, Mayor

Recommendation:

Ratify or make changes to the Mayor's assignments to committees, commissions and boards of City Councilmembers.

Item Summary:

The 2018 Commission, Boards & Committees Appointments identifies City Council appointments to various committees, commissions and boards. It is recommended that the City Council ratify or make changes to these appointments to these committees, commissions and boards.

The proposed appointment listing will be distributed at or before the City Council meeting.

Fiscal Impact:

None.

Environmental Review:

- | | |
|---|---|
| <input checked="" type="checkbox"/> Not subject to review | <input type="checkbox"/> Negative Declaration |
| <input type="checkbox"/> Categorical Exemption, Section 1 | <input type="checkbox"/> Mitigated Negative Declaration |

Public Information:

- | | | |
|--|---|---|
| <input checked="" type="checkbox"/> None | <input type="checkbox"/> Newsletter article | <input type="checkbox"/> Notice to property owners within 300 ft. |
| <input type="checkbox"/> Notice published in local newspaper | <input type="checkbox"/> Neighborhood meeting | |

Attachments: