



City of Lemon Grove  
City Council Regular Meeting Agenda  
Tuesday, September 18, 2018, 6:00 p.m.

Lemon Grove Community Center  
3146 School Lane, Lemon Grove, CA

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

Call to Order

Pledge of Allegiance

Changes to the Agenda

Presentations:

- Johnathon Taylor, President of the Board of CALI (Children's Academy of Learning Inclusivity)
- MTS Free Ride Day Outreach Presentation

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. Waive Full Text Reading of All Ordinances on the Agenda

Reference: James P. Lough, City Attorney

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

B. City of Lemon Grove Payment Demands

Reference: Molly Brennan, Finance Director

Recommendation: *Ratify Demands*

C. Approval of Meeting Minutes

Regular Meeting

September 4, 2018

Reference: Shelley Chapel, City Clerk

Recommendation: *Approve Minutes*

D. Adoption of the Biennial Review of Conflict of Interest Code

Reference: Shelley Chapel, City Clerk

*Recommendation: Adopt a Resolution entitled, "A Resolution of the City Council of the City of Lemon Grove, California, Authorizing the Amendments to the City of Lemon Grove Conflict of Interest Code as Required by the Fair Political Practices Commission, Repealing Resolution No. 2016-3428."*

E. Criminal History Information

Reference: Alicia Hicks, Human Resource Manager

*Recommendation: Adopt a Resolution entitled, "A Resolution of the City Council of the City of Lemon Grove, California, Authorizing the City to Access State and Federal Level Summary Criminal History Information."*

F. Council Consideration of Opposition of New Offshore Oil and Gas Drilling

Reference: Lydia Romero, City Manager

*Recommendation: Council consideration and adoption of Resolution entitled, "Resolution of the City Council of the City of Lemon Grove, California Opposing New Offshore Oil and Gas Drilling."*

G. 115 Funds Transfer from Sanitation District

Reference: Molly Brennan, Finance Manager

*Recommendation: Authorize the transfer of \$516,879 from the Sanitation District to the 115 Trust for investment towards future CalPERS obligations.*

Reports:

2. Request for Proposals – Indirect Cost Allocation Plan (*Sanitation District Board*)

The City Council will Consider authorizing the release of a Request for Proposals (RFP) to select a consultant to prepare an indirect cost allocation plan.

Reference: Molly Brennan, Finance Manager

*Recommendation: Authorize staff to release RFP to select a consultant to prepare an indirect cost allocation plan.*

3. Request for Proposals for Digital Message Board Signs on City-Owned Real Property Discussion

Reference: Mike James, Assistant City Manager

*Recommendation: Provide feedback and direction to staff regarding the request for proposal for a digital message board sign on City-owned real property.*

City Council Oral Comments and Reports on Meetings Attended at the Expense of the City.  
(GC 53232.3 (d)) (53232.3.(d) states that members of a legislative body shall provide brief reports on meetings attended at the expense of the local agency at the next regular meeting of the legislative body.)

City Manager and Department Director Reports (Non-Action Items)

Closed Session:

1. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION  
Government Code Section 54956.9 (d)(2)  
Number of potential cases: 1
2. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION  
Government Code Section 54956.9 (d)(2)  
Number of potential cases: 1
3. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION  
Government Code Section 54956.9 (d)(2)  
Number of potential cases: 1
4. PUBLIC EMPLOYEE EMPLOYMENT  
Government Code Section 54957

Adjournment

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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 [schapel@lemongrove.ca.gov](mailto:schapel@lemongrove.ca.gov). A full agenda packet is available for public review at City Hall.

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AFFIDAVIT OF NOTIFICATION AND POSTING

STATE OF CALIFORNIA )  
COUNTY OF SAN DIEGO) SS  
CITY OF LEMON GROVE)

I, Shelley Chapel, MMC, City Clerk of the City of Lemon Grove, hereby declare under penalty of perjury that a copy of the above Agenda of the Regular Meeting of the City Council of the City of Lemon Grove, California, was delivered and/or notice by email not less than 72 hours before the hour of 5:30 p.m. on September 12, 2018, to the members of the governing agency, and caused the agenda to be posted on the City's website at [www.lemongrove.ca.gov](http://www.lemongrove.ca.gov) and at Lemon Grove City Hall, 3232 Main Street Lemon Grove, CA 91945.

/s/: Shelley Chapel  
Shelley Chapel, MMC, City Clerk



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Reference: Molly Brennan, Finance Director

Recommendation: *Ratify Demands*

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/s/: Shelley Chapel  
Shelley Chapel, MMC, City Clerk

**LEMON GROVE CITY COUNCIL  
AGENDA ITEM SUMMARY**

**Item No.** 1.A  
**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.B  
**Dept.** Finance

**Item Title:** City of Lemon Grove Payment Demands

**Staff Contact:** Molly Brennan, Finance Manager

**Recommendation:**

Ratify Demands
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**Fiscal Impact:**

None.

**Environmental Review:**

Not subject to review

Categorical Exemption, Section

Negative Declaration

Mitigated Negative Declaration

**Public Information:**

None

Newsletter article

Notice to property owners within 300 ft.

Notice published in local newspaper

Neighborhood meeting

**Attachments:**

None.



**City of Lemon Grove Demands Summary**

Approved as Submitted:

Molly Brennan, Finance Manager

For Council Meeting: 09/18/18

ACH/AP Checks 08/28/18-09/06/18

931,215.02

Payroll - 08/28/18

128,995.03

Total Demands

1,060,210.05

CHECK NO	INVOICE NO	VENDOR NAME	CHECK DATE	Description	INVOICE AMOUNT	CHECK AMOUNT
ACH	Jul18-Aug14 18	California Public Empl Retirement System	08/28/2018	Pers Retirement 7/18/18-8/14/18	67,049.06	67,049.06
ACH	Jul18	San Diego County Sheriff's Department	08/28/2018	Law Enforcement Services - Jul'18	488,465.93	488,465.93
ACH	Aug28 18	Employment Development Department	08/30/2018	State Taxes 8/28/18	7,078.15	7,078.15
ACH	Aug15-Aug28 18	Calpers Supplemental Income 457 Plan	08/30/2018	457 Plan 8/15/18-8/28/18	5,828.39	5,828.39
ACH	Aug18	Wage Works	08/31/2018	FSA Reimbursement - Aug'18	889.25	889.25
ACH	Aug28 18	US Treasury	08/31/2018	Federal Taxes 8/28/18	23,301.36	23,301.36
ACH	Aug18	Power Pay Biz/Evo	09/04/2018	Online Credit Card Processing - Aug'18	65.85	65.85
ACH	Aug18	Authorize.Net	09/04/2018	Merchant Fees - Aug'18	31.60	31.60
ACH	Aug18	Dharma Merchant Services	09/04/2018	Merchant Fees - Aug'18	15.00	15.00
ACH	Sep 2018	Pers Health	09/06/2018	Pers Health Insurance - Sep 18	54,874.28	54,874.28
10092	11772991 11806718	AT&T	08/29/2018	Phone Service- 7/13/18-8/12/18 Fire Backup Phone Line- 7/22/18-8/21/18	83.88 40.38	124.26
10093	5656367609 5656367609 5656368783 5656368938	AutoZone, Inc.	08/29/2018	Diesel Exhaust Fluid - LGPW #32 Bulb - LGPW #17 Equip Repair/Battery - Paint Striper Equip Repair/Coolant/Hose/Cap - Paint Striper	26.94 5.16 92.58 22.38	147.06
10094	32186	Aztec Landscaping Inc.	08/29/2018	Landscape Mgmt Svc - Jul'18	9,629.00	9,629.00
10095	82952577 82955379 82956565	Boundtree Medical LLC	08/29/2018	Medical Supplies-Nitrile Gloves/Defib Pads/EKG Paper Medical Supplies-Gauze/Tourniquets/Elastic Bandages Medical Supplies- Defib Pads/Adult	3,442.52 1,372.32 180.99	4,995.83
10096	8/28/18	California State Disbursement Unit	08/29/2018	Wage Withholding Pay Period Ending 8/28/18	161.53	161.53
10097	19079785	Canon Financial Services Inc.	08/29/2018	Canon Plotter Contract Charge 8/21/18-9/20/18	144.00	144.00
10098	HIRT-2019-012 UDC-2019-010	County of San Diego- OES	08/29/2018	FY18-19 (7/1/18-6/30/19) HIRT Membership Fee FY18-19 Unified SD County- Emergency Svc Membership Fee	20,173.00 734.00	20,907.00
10099	201800706	County of SD/Assessor/Recorder/Clerk	08/29/2018	Recording Services - 7/11/18 & 7/19/18	418.00	418.00
10100	8/6/2018 8/6/2018 8/9/2018	Cox Communications	08/29/2018	Calsense Modem Line:2259 Washington 8/6/18-9/5/18 Calsense Modem Line:7071 Mt Vernon 8/6/18-9/5/18 Calsense Modem Line:8235 Mt Vernon 8/9/18-9/8/18	21.01 19.90 94.39	135.30

CHECK NO	INVOICE NO	VENDOR NAME	CHECK DATE	Description	INVOICE AMOUNT	CHECK AMOUNT
10101	4199	D- Max Engineering Inc.	08/29/2018	7276 Mt Vernon Erosion Control Plan Review thru 4/18/18	120.00	2,885.66
	4200			8179 Broadway Erosion Control Plan Review 3/1/18-4/18/18	149.70	
	4457			1993 Dain Dr Doc Review 7/1/18-7/31/18	319.90	
	4458			D-Max Stormwater Prof Svcs thru 7/31/18	690.00	
	4459			Celsius Phase II- 18-19 7/1/18-7/31/18	159.68	
	4460			6800 Mallard Ct Stormwater Inspection 7/1/18-7/31/18	320.45	
	4461			Center Hilltop Condos Stormwater Inspections 7/1/18-7/31/18	267.40	
	4462			Grove Lofts Stormwater Inspections 7/1/18-7/31/18	343.43	
	4463			Ildica Stormwater Inspection 7/1/18-7/31/18	224.17	
	4464			LGA Realignment Stormwater Inspection 7/1/18-7/31/18	290.93	
10102	0718.03.1052 0718.05.1053	Dexter Wilson Engineering, Inc.	08/29/2018	Eng Svc-District's Sewer System Mgmt Plan - Jul'18	560.00	787.50
				Perm Meter Location Eval & Interconnections - Jul'18	227.50	
10103	0821182305	Domestic Linen- California Inc.	08/29/2018	Shop Towels & Safety Mats 8/21/18	77.90	77.90
10104	8/13-16/18 8/6-9/18	Esgil Corporation	08/29/2018	75% Building Fees- 8/13/18-8/16/18	40,013.26	44,888.67
				75% Building Fees- 8/6/18-8/9/18	4,875.41	
10105	8/28/18	Franchise Tax Board	08/29/2018	Wage Withholding Pay Period Ending 8/28/18	191.58	191.58
10106	109608994	Globalstar USA, Inc.	08/29/2018	Satellite Service 7/16/18-8/15/18	165.31	165.31
10107	2-70871-DS-001 3-70871-DS-001	HNTB Corporation	08/29/2018	Prof Svcs: OCS for LGA Realignment Proj 5/26/18-6/29/18	4,510.12	10,580.12
				Prof Svcs: OCS for LGA Realignment Proj 6/30/18-7/27/18	6,070.00	
10108	00055003 00055003 00055003 00055003 00055003 00055255	Hudson Safe-T- Lite Rentals	08/29/2018	2 5-Gallon Yellow Traffic Paint	147.22	1,811.67
				10' Square Posts	740.43	
				12' Square Posts	248.98	
				Tow Away Zone Signs	194.85	
				Drive Rivets	51.52	
				4 5-Gallon Red Traffic Paint	428.67	
10109	Aug28 18	ICMA	08/29/2018	ICMA Deferred Compensation Pay Period Ending 8/28/18	580.77	580.77
10110	10958	Infrastructure Engineering Corporation	08/29/2018	Prof Svc: LGA Realignment 6/30/18-7/27/18	4,860.98	4,860.98
10111	1493	Janazz, LLC SD	08/29/2018	IT Services- City Hall- Aug'18	2,500.00	2,500.00
10112	129178	Knott's Pest Control, Inc.	08/29/2018	On Call Pest Control- Sheriff/PW/Various Locations	125.00	125.00
10113	1022962	Michael Baker International	08/29/2018	Prof Svc: As-Needed Engineering Svcs thru 7/31/18	28,971.25	28,971.25
10114	NEX18-180	NexTech Systems, Inc.	08/29/2018	Replacement Lighted Ped Sign- Knockdown @ Broadway Crosswalk	2,394.53	2,394.53
10115	6191	North County EVS, Inc.	08/29/2018	E310 Service & Safety Inspection/Power Loss Inspection	1,050.80	1,050.80
10116	2018312	Pacific Railway Enterprises, Inc.	08/29/2018	LGA Realignment Proj 6/3/18 - 7/28/18	29,842.90	29,842.90
10117	148185	Pacific Sweeping	08/29/2018	Street Sweeping/Parking Lot/Power Washing/Bus Shelters - Jul'18	6,428.55	6,428.55
10118	Sep-18	PLIC- SBD Grand Island	08/29/2018	Dental Insurance -Sep18	4,315.83	4,315.83
10119	143817 143817	PSOMAS	08/29/2018	Lighting District Annual Administration FY2018-2019	5,931.30	21,098.70
				Sanitation District Annual Administration FY2018-2019	15,167.40	
10120	17546F(6)	Rick Engineering Company	08/29/2018	Prof Svc: 2017/18 CIP Sewer Proj- 8 Locations 6/30/18-7/27/18	595.00	595.00
10121	Russo	Russo, Monique	08/29/2018	Refund/Russo, Monique/CD1-700-0018/Diversion Deposit-9/7/17	280.70	280.70
10122	0330937	SCS Engineers	08/29/2018	Env Consulting Svc: LGA Realignment 7/1/18-7/31/18	1,482.00	1,482.00
10123	8/21/2018 8/21/2018 8/2/2018 8/2/2018 8/2/2018 8/2/2018	SDG&E	08/29/2018	3225 Olive- 7/19/18-8/19/18	267.08	585.75
				3500 1/2 Main- 7/19/18-8/19/18	275.79	
				7701 1/2 North Ave A-New Service Fee 7/17/18-8/2/18	10.93	
				7701 1/2 North Ave B-New Service Fee 7/17/18-8/2/18	10.65	
				7772 1/2 North Ave A-New Service Fee 7/17/18-8/2/18	10.65	
				7772 1/2 North Ave B-New Service Fee 7/17/18-8/2/18	10.65	
10124	3394-07 3394-07 3394-07	Select Electric Corp.	08/29/2018	Traffic Signal Maintenance- Jul'18	1,344.00	4,893.16
				Traffic Signal Service Calls- Jul'18	3,015.16	
				Traffic Signal Dig Alert Mark Outs- Jul'18	534.00	

CHECK NO	INVOICE NO	VENDOR NAME	CHECK DATE	Description	INVOICE AMOUNT	CHECK AMOUNT
10125	490799	South Coast Emergency Vehicle Services	08/29/2018	E10 Replace Damaged Retractable Aluminum Access Ladder	4,677.69	4,677.69
10126	Sep-18	Standard Insurance Company	08/29/2018	Long Term Disability Insurance - Sep18	1,521.99	1,521.99
10127	00068712	The East County Californian	08/29/2018	Public Hearing Notice - CUP 6859 Federal Blvd 8/9/18	171.50	171.50
10128	L1072895SI	American Messaging	09/05/2018	Pager Replacement Program 9/1/18-9/30/18	42.96	42.96
10129	8/22/2018	AT&T	09/05/2018	Backup City Hall Internet- 7/23/18-8/22/18	89.25	89.25
10130	1160648-IN	Boot World Inc.	09/05/2018	Work Boots - Harper	250.00	250.00
10131	Bright	Bright, Ava	09/05/2018	Refund/Bright,Ava/Remaining Dep/CommCtr- 8/18/18	20.00	20.00
10132	19124685	Canon Financial Services Inc.	09/05/2018	Canon Copier Contract Charge 9/1/18	642.60	642.60
10133	4026842626 4026847807	Canon Solutions America, Inc.	09/05/2018	Canon Maintenance-Copier Usage 5/26/18-8/25/18 Canon Maintenance-Copier Usage 5/27/18-8/26/18	83.98 781.53	865.51
10134	3105367 3105367	Certified Laboratories	09/05/2018	Spill Guard Eco with Recycler/Spill Absorbent Supplies/Gold Rush 12x22 oz	660.81 98.74	759.55
10135	20245 20245 20245 20245 20245	City of La Mesa	09/05/2018	Overtime Reimbursement - Costello 7/23/18 Overtime Reimbursement - Casey (OOC) 7/28/18 Overtime Reimbursement - Jacobson 7/29/18 Overtime Reimbursement - Runkle 7/29/18 Overtime Reimbursement - Provence 7/31/18	1,286.68 1,275.33 84.31 1,214.60 1,115.35	4,976.27
10136	Aug18	Colonial Life	09/05/2018	Colonial Optional Insurance -Aug18	670.20	670.20
10137	19CTOFLGN02	County of San Diego- RCS	09/05/2018	800 MHZ Network - Aug '18	2,935.50	2,935.50
10138	8/30/2018	Cox Communications	09/05/2018	Peg Circuit Svc 8/30/18-9/29/18	2,904.39	2,904.39
10139	119972	CTS Language Link	09/05/2018	Notice of Nominees Proofreading:Chinese,Spanish,Tagalog,Vietnamese	220.00	220.00
10140	14858	Custom Auto Wrap Inc.	09/05/2018	Firefighter Skate Park Sign	1,367.11	1,367.11
10141	0904182305	Domestic Linen- California Inc.	09/05/2018	Shop Towels & Safety Mats 9/4/18	81.60	81.60
10142	8/20-23/18	Esgil Corporation	09/05/2018	75% Building Fees- 8/20/18-8/23/18	2,749.48	2,749.48
10143	26248	Excell Security, Inc.	09/05/2018	Senior Center Security Guard - 8/11/18	79.84	79.84
10144	6/21-8/20	Helix Water District	09/05/2018	Water Services- 6/21/18-8/20/18	31,212.58	31,212.58
10145	Holiday	Holiday, Keturah	09/05/2018	Refund/Holiday,Keturah/Deposit/LeeHouse 8/5/18	300.00	300.00
10146	69576	House of Automation	09/05/2018	Saw Cut & Install New Ground Sensor- PW Yard Security Gate	985.60	985.60
10147	Jones	Jones, Paul	09/05/2018	Refund/Paul,Jones/Ashcraft/Deposit/LBH 8/11/18	300.00	300.00
10148	IN1254492 IN1256584	Municipal Emergency Services Inc.	09/05/2018	SCBA Repair/Valve/Latch/Holder,Regulator Custom HyroStatic Testing-Joint Concept Maint	35.88 30.22	66.10
10149	Paris	Paris, Kimberly	09/05/2018	Refund/Paris,Kimberly/Farmers Market/Deposit-CommCtr 2/14/15	200.00	200.00
10150	INV024277	RapidScale Inc.	09/05/2018	Virtual Hosting 8/31/18	3,370.78	3,370.78
10151	Ref090418	Rick Engineering Company	09/05/2018	Refund - Invoice 13 & Partial 12	12,887.30	12,887.30
10152	062518-03 080418-01	Tallal, Inc.	09/05/2018	Production Design Fee/Flyers-Movies in the Park/Berry St Pk 5/25 Outdoor Movie Screen/Movies in the Park/Berry St Pk 8/3/18	75.00 445.00	520.00
10153	98131258499	Verizon Wireless	09/05/2018	Fire Prev Phone Line/Tables- 7/21/18-8/20/18	471.16	471.16
10154	VistaAzul	Vista Azul, LLC	09/05/2018	Refund/Vista Azul/TMO-0062 Extension Deposit	20.88	20.88
10155	Williams	Williams, Christopher	09/05/2018	Refund/Williams,Christopher/Deposit/CommCtr 7-24/18	200.00	200.00
					931,215.02	931,215.02

**LEMON GROVE CITY COUNCIL  
AGENDA ITEM SUMMARY**

**Item No.** 1.C

**Dept.** City Manager's Office

**Item Title:** Approval of City Council Meeting Minutes

**Staff Contact:** Shelley Chapel, MMC, City Clerk

**Recommendation:**

Approval of City Council Meeting Minutes for Regular Meeting held September 4, 2018

**Fiscal Impact:**

None.

**Environmental Review:**

Not subject to review

Categorical Exemption, Section

Negative Declaration

Mitigated Negative Declaration

**Public Information:**

None

Newsletter article

Notice to property owners within 300 ft.

Notice published in local newspaper

Neighborhood meeting

**Attachments:**

None.

**MINUTES OF A MEETING OF  
THE LEMON GROVE CITY COUNCIL  
TUESDAY, SEPTEMBER 4, 2018**

*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:**

Mayor Vasquez called the Regular Meeting to order at 6:02 p.m.

**Present:** Mayor Racquel Vasquez, Mayor Pro Tem Jerry Jones, Councilmember Jennifer Mendoza, and Councilmember Matt Mendoza.

**Absent:** Councilmember David Arambula

**Staff Members Present:**

Lydia Romero, City Manager, James Lough, City Attorney, Kristen Steinke, Assistant City Attorney, Mike James, Assistant City Manager/Public Works Director, Mike Chasin, Interim Fire Chief, Daryn Drum, Fire Division Chief, Sergeant Dueno, San Diego County Sheriff's Office - Lemon Grove Substation, David De Vries, Development Services Director, Shelley Chapel, City Clerk, Alicia Hicks, Human Resources Manager, and Molly Brennan, Finance Manager.

**Pledge Of Allegiance:**

Pledge of Allegiance to the Flag was led by Councilmember J. Mendoza.

**Presentations:**

Mayor Vasquez introduced David De Vries, Development Services Director as the recipient of a Proclamation declaring September 5, 2018, David De Vries Day in the City of Lemon Grove in honor of his years of service to the City as employee.

Mayor Vasquez introduced Sergeant Dueno who provided a traffic presentation from the San Diego County Sheriff's Department for the past year.

Mayor Vasquez introduced Fire Division Chief Daryn Drum who introduced Andy McKellar, Emergency Preparation Coordinator who gave a presentation on Disaster Preparedness in honor of September being declared as National Disaster Preparedness Month.

**Public Comments:**

Appeared to comment were: John L. Wood, Robert Vryeid, Jesus Benayas, Linda Calabrese, Marc De La Motte, Amber De La Motte, and Teresa Kinura.

**1. Consent Calendar:**

- A.** Waive Full Text Reading of All Ordinances on the Agenda.
- B.** Ratification of Payment of Demands

- C. City Council Meeting Minutes for the Meetings of March 20, 2018, April 3, 2018, June 19, 2018, July 3, 2018, July 17, 2018, July 20, 2018, August 7, 2018; and, Special Meeting April 24, 2018.
- D. Adoption of Resolution No. 2018-3600 Authorizing the Application Submittal for a Department of Justice Edward Byrne Memorial Justice Assistance Grant, and Directing the City Manager or her designee to execute any grant related documents upon award of any grant funds.
- E. Adoption of Resolution No. 2018-3601, Accepting a Private Drainage Easement on Lot 5 (formerly Lot 536) of Subdivision Map 3982 – San Altos Terrace Unit No. 3.
- F. Adoption of Resolution No. 2018-3602, approving the Final Map for Tentative Map TM0063 and authorize the City Clerk to accept the easements and the Final Map.
- G. Adoption of Resolution No. 2018-3603, Authorizing the Appointment of Deputy City Attorney Kristen Steinke as City Attorney, Effective October 1, 2018.
- H. Adoption of Resolution No. 2018-3604, Authorizing Mayor to Sign First Amended Agreement.

**Action: Motion by Councilmember J. Mendoza, seconded by Councilmember M. Mendoza to approve Consent Calendar Items A-H.**

**The motion passed by the following vote:**

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

**Absent: Arambula**

**Public Hearing:**

2. Public Hearing to Consider a Request for a Conditional Use Permit (CUP-180-0002) to Establish a Medical Marijuana Dispensary at 6859 Federal Blvd. in the General Commercial Zone.

Mayor Vasquez introduced David De Vries, Development Services Director who presented the staff report and PowerPoint Presentation.

Mayor Vasquez opened the Public Hearing at 7:51 p.m.

Appeared to comment were: Deborah Baczynski, John L. Wood, Lenore Dumas, Chris Williams, and Sapphire Blackwood.

During the discussion Councilmembers expressed concern about fencing, security, the homeless currently living onsite, trees and lighting.

Director De Vries, City Manager Romero, and City Attorney Lough provided the Council with responses to questions and concerns.

Jessica McElfresh, representative for the applicant provided a PowerPoint presentation and overview of the client's expectations, and that they were willing to work with the terms staff and the City Council had provided.

Adoption of the resolution would authorize Conditionally Approving a Request to Establish a Medical Marijuana Dispensary, Using the Findings Provided as Sufficient Considering the Conditions in the Resolution of Approval are Adhered to as Provided in the Report and Resolution.

**Action:** The public hearing was closed at 8:26 p.m. on a motion by Mayor Pro Tem Jones and second by Councilmember M. Mendoza. The motion passed by the following vote:

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

**Absent:** Arambula

**Action:** It was moved by Mayor Pro Tem Jones and seconded by Councilmember J. Mendoza to adopt Resolution No. 2018-3605 entitled, “Resolution of the City Council of the City of Lemon Grove, Conditionally Approving Conditional Use Permit CUP -180-0002, a Request to Allow a Medical Marijuana Dispensary at 6859 Federal Boulevard, Lemon Grove, California.”

To include the following amendments:

Conditions added and removed from page 5 of 18

B. Within 30 days of the issuance of this Conditional Use Permit, the applicant shall comply with the following:

1. The easterly and southerly boundaries of the parking area shall be fenced with a six foot high wrought iron fence, except for the front yard setback. **The fence along the southerly boundary shall be 8 feet high.** A lockable gate with Knox box access shall be installed along the southerly portion to the satisfaction of the Development Service Director.

~~0. The southerly property line shall be fenced with a six foot high wrought iron fence to the satisfaction of the Development Service Director.~~

2. A lockable gate and roof shall be installed on the trash enclosure to the satisfaction of the Development Service Director.

3. All boarded windows and doors shall be replaced.

Conditions added to page 7 of 18

E. 18. **Weed abatement, only trimming of weeds not removal, shall be required within the waterway semi-annually with removal of trimmings in accordance with State Laws.**

E. 20. The four existing mature London Plane trees on-site shall remain in place and properly maintained in-lieu of street trees and the four palm trees fronting the property. **Two additional London Plane trees shall be installed at 40 feet and 80 feet, east of the westerly property line along the southerly boundary of the parking area, within curbed planters to the satisfaction of the Development Services Director.**

Condition added to page 14 of 18

G. 54 This project approval does not include signage and sign permits shall be obtained prior to installation. All signage for dispensaries shall require a sign permit from the City prior to installation. Signage shall not include any terminology (including slang) or symbols for marijuana. Green crosses are not to be considered terminology including slang or symbols for marijuana. All signs shall conform to the Municipal Code Section 18.12. **No sign shall be placed above the roof line of the building.**

**The motion passed by the following vote:**

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

**Absent:** Arambula

### 3. Adopt-A-Park Program

City Manager Lydia Romero introduced Assistant City Manager/Public Works Director Mike James who presented the staff report and PowerPoint Presentation.

**Action:** It was moved by Councilmember J. Mendoza and seconded by Councilmember M. Mendoza to adopt Resolution No. 2018- 3606 entitled, *A Resolution of the City Council of the City Council of the City of Lemon Grove, California accepting the Adopt-A-Park Program.*

**The motion passed by the following vote:**

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

**Absent:** Arambula

#### 4. Pension Rate Stabilization Program Investment & Funding Policy

City Manager Lydia Romero introduced Finance Manager, Molly Brennan, who presented the staff report and PowerPoint Presentation.

The City Council will consider a resolution adopting the City of Lemon Grove and Lemon Grove Sanitation District Pension Rate Stabilization Program Investment and Funding Policy.

**Action:** It was moved by Mayor Pro Tem Jones and seconded by Councilmember J. Mendoza to adopt Resolution No. 2018- 3607 entitled, *A Resolution of the City Council of the City Council of the City of Lemon Grove, California approving the Pension Rate Stabilization Program Investment and Funding Policy.*

**The motion passed by the following vote:**

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

**Absent:** Arambula

#### **City Council Oral Comments & Reports on Meetings Attended At City Expense: (G.C. 53232.3(d))**

**Councilmember J. Mendoza** attended:

- Concerts in the Park
- Community Potluck at Kunkle Park
- League of California Cities Meeting
- East County Magazine Fundraiser

**Councilmember M. Mendoza** attended:

- Helix Water District Meeting

**Mayor Vasquez** attended the following meetings and events:

- Concerts in the Park
- State of City Address – gave the address
- Lemon Grove Reading Finale
- LUV Gala event at St. Paul’s Church
- SANDAG Board of Director’s Meeting

#### **City Manager and Department Director Reports: (Non-Action Items)**

**City Clerk Shelley Chapel** announced the names of four (4) qualifying City Council Candidates on the November ballot. In ballot order they are: Jerry Jones, Teresa Rosiak, Kamaal Martin, and Jennifer L. Mendoza. For more information on candidates, and general election information please visit the City Clerk’s Office Election page on the City website for updated information. [Lemongrove.ca.gov/election](http://Lemongrove.ca.gov/election).

City Attorney James Lough announced the City Council will be adjourning to closed session at 10:05 p.m. for the purposes above.



**Closed Session:**

1. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION  
Government Code Section 54956.9b  
Number of potential cases: 1
2. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION  
Government Code § 54956.9(a)  
City of Lemon Grove v. The Grove Collective et. al  
San Diego Superior Court – Central Division Case No.: 37-2016-00015271-CU-BC-CTL)

City Attorney Lough reported no reportable action on items discussed in Closed Session.

**Adjournment:**

There being no further business to come before the Council, the meeting was adjourned at 10:30 p.m. to a meeting to be held Tuesday, September 18, 2018, in the Lemon Grove Community Center located at 3146 School Lane, for a Regular meeting.

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Shelley Chapel, MMC  
City Clerk

**LEMON GROVE CITY COUNCIL  
AGENDA ITEM SUMMARY**

**Item No.** 1.D  
**Mtg. Date** September 18, 2018  
**Dept.** City Manager's Office, City Clerk

**Item Title:** Biennial Review and Adoption of the Amended Conflict of Interest Code.

**Staff Contact:** Shelley Chapel, City Clerk

**Recommendation:**

Adopt a Resolution (Attachment B) accepting the amended City of Lemon Grove Conflict of Interest Code.

**Item Summary:**

Government Code Title 9, Political Reform, Chapter 7 Conflict of Interest, Section 87306.5 requires that in each even-numbered year, the Council, as the Code reviewing body for the City departments, must review the Conflict of Interest Code, list of designated reporting positions, and the respective disclosure categories. The purpose of this review is to provide reasonable assurance that all foreseeable potential conflict of interest situations involving City employees and members of listed boards, commissions and committees, and consultants will be disclosed or prevented. State law also mandates that upon completion of the review of the Conflict of Interest Code, the Code should be amended to reflect any changes necessitated by the review, including new and/or different positions, duties and responsibilities.

City Conflict of Interest Code:

Staff has completed a review of Code and Appendix (Exhibits A-B) of Designated Filers and is requesting the Council adopt the proposed resolution which will amend the Conflict of Interest Code. The Appendix has been updated with the following positions which have been established or abolished since the last review in 2016.

The attached Conflict of Interest Code includes consultants as public officials and provides direction in determining if their scope of work is subject to disclosure.

These new position have been assigned the corresponding reportable categories approved by the Council at the time the positions were established.

Established Positions that were erroneously omitted in the previous Conflict of Interest update adopted by Resolution 2016-3428 June 21, 2016 are listed below and will be included in the revised in the update.

- Assistant City Manager
- Associate Civil Engineer
- Associate Senior Planner
- Community Services Assistant
- Consultants
- Deputy Building Official/Inspector (Esgil)
- Deputy City Attorney
- Deputy Fire Chief
- Deputy Fire Marshal
- Finance Manager
- Fire Battalion Chief



## REDLINE – SHOWING STAFF RECOMMENDATIONS

CURRENT POSITIONS	DISCLOSURE CATEGORIES 2016	DISCLOSURE CATEGORIES CHANGE PROPOSED FOR 2019
Assistant City Manager	1	1, 2, 4
Assistant Civil Engineer	1	3, 4
Assistant Planner	2, 3	3, 4
Associate Civil Engineer	1	3, 4
Associate Planner	2, 3	3, 4
Associate Senior Planner		3, 4
Building Official (Esgil)	2, 3	No Change
Building Technician (Esgil)	2, 3	No Change
City Clerk	4, 5	1, 2, 6
City Engineer	1	1, 2, 5
Code Enforcement /Storm Water Technician	4	2, 3
Community Advisory Commission	1	No Change
Community Services Superintendent	2, 3, 5, 6	No Change
Consultants	1	No Change
Deputy Building Official/Inspector (Esgil)	2, 3	No Change
Deputy City Attorney		1, 2
Deputy Fire Chief		3, 4, 6
Deputy Fire Marshal		3, 4
Development Services Director	1	Unlimited Disclosure
Development Technican II	2, 3	No Change
Engineer Inspector	4	No Change
Engineering Technician III	4	No Change
Finance Director/Treasurer		Unlimited Disclosure
Fire Battalion Chief		1, 2, 3
Fire Chief	2, 3	1, 2, 3
Fire Division Chief	2, 3	2, 3, 5
Fire Inspector		3, 4, 6
Fire Marshal		1, 2, 3
Fire Public Educator		3
Human Resources Manager		3, 5, 7
Management Analyst	4	3, 5
Principal Planner	1	1, 2, 3, 4, 7
Public Works Director	1	1, 2, 3, 4, 6, 7
Public Works Superintendent	2, 3	2, 3, 4, 6
Sanitation Supervisor	4	No Change
Senior Planner	1	1, 2, 3, 4, 7
Special Projects Supervisor	1	1, 2, 7
Street Supervisor	4	2, 4, 6

CURRENT POSITIONS	DISCLOSURE CATEGORIES 2016	DISCLOSURE CATEGORIES CHANGE PROPOSED FOR 2019
<b>City Attorney**</b>		
<b>City Council**</b>		
<b>City Manager**</b>		
<b>Finance Director (If City does not have Treasurer) **</b>		
<b>Mayor**</b>		
<b>Planning Commission**</b>		
<b>**City Council also sit as Members of the Successor Agency of the Lemon Grove Redevelopment Agency - Includes Chair, Members, Executive Director, Counsel, Secretary</b>		<p style="text-align: center;"><b>UNLIMITED DISCLOSURE 87200</b></p> <p style="text-align: center;"><b>**Statements are sent to the FPPC within 5 days of receipt</b></p>
<b>**City Council also sit as Members of the Public Finance Authority - Includes Chair, Members, Executive Director, Counsel, Secretary, and Treasurer</b>		

DISCLOSURE CATEGORIES
1. Investments and sources of Income.
2. Interest in Real Property.
3. Investments, interest in real property, and sources of income subject to regulatory, permit or licensing authority of the department.
4. Investments in business entities and sources of income that engage in land development, construction or the acquisition or sale of real property.
5. Investments in business entities and sources of income of the type which, within the past two years, have contracted with the City of Lemon Grove to provide services, supplies, materials, machinery or equipment.
6. Investments in business entities and sources of income of the type which, within the past two years, have contracted with your department to provide services, supplies, materials, machinery or equipment.
7. Business Positions.

**RESOLUTION NO. 2018-****A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LEMON GROVE, CALIFORNIA, AUTHORIZING THE AMENDMENTS TO THE CITY OF LEMON GROVE CONFLICT OF INTEREST CODE AS REQUIRED BY THE FAIR POLITICAL PRACTICES COMMISSION, REPEALING RESOLUTION NO. 2016-3428**

**WHEREAS**, the Political Reform Act of 1974, Government Code Sections 81000, et seq., requires every governmental agency to adopt a Conflict of Interest Code that designates positions and financial interest that be disclosed by those positions; and

**WHEREAS**, the Fair Political Practices Commission (FPPC) has adopted a regulation, 2 California Code of Regulations Section 18730, which contains the terms of a standard Conflict of Interest Code, which can be incorporated by reference and may be amended by the FPPC after public notice and hearings to conform to amendments in the Political Reform Act;

**WHEREAS**, the City Council has heretofore adopted, as the Conflict of Interest Code of the City of Lemon Grove, the model conflict of interest code set forth in the California Code of Regulations Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission;

**WHEREAS**, the Appendix to the City Code includes Exhibit A (in which officials and employees are designated and in which disclosure categories are set forth), which may be modified by City Council from time to time, and all of which together does constitute the Conflict of Interest Code of the City of Lemon Grove.;

**WHEREAS**, designated employees shall file Statements of Economic Interests with the City Clerk who will make the statements available for public inspection and reproduction per Government Code Section 81008. Upon receipt of the statements of the Mayor, Councilmembers, City Manager, Finance Director/City Treasurer and the City Attorney, the City Clerk shall make and retain a copy and forward the original of these statements to the Fair Political Practices Commission. Statements for all other designated position will be retained by the City Clerk;

**WHEREAS**, the Conflict of Interest Code differentiates between designated positions with different powers and responsibilities and requires disclosure of all foreseeable potential Conflict of Interest.

**WHEREAS**, it is necessary to amend the City's Conflict of Interest Code to reflect the deletion and addition of certain City positions; and

**WHEREAS**, the Political Reform Act requires the City to review its Conflict of Interest Code biennially to determine if it is accurate or, alternatively that the code must be amended.

**NOW, THEREFORE, BE IT RESOLVED**, that the City Council of the City of Lemon Grove, California hereby approves the attached City of Lemon Grove Conflict of Interest Code (Exhibit A).

Section 1: That the above recitals are true and correct.

Section 2: That the standard FPPC Conflict of Interest Code, as set forth in Title 2 California Code of Regulations Section 18730, and as may be amended from time to time by the FPPC, is incorporated by reference and constitutes the Conflict of Interest Code for the City of Lemon Grove.

Section 3: That the list of designated positions subject to the requirements of the Conflict of Interest Code are amended, including their respective disclosure categories are set forth in Exhibit A.

Section 4: That the City of Lemon Grove has conducted the 2018 Biennial review of its Conflict of Interest Code, as required by the Political Reform Act, and as a result of the biennial review determined the need for an amended Conflict of Interest Code as presented in this resolution.

Section 5: That Resolution No. 2016-3428 is hereby repealed.

**PASSED, ADOPTED AND APPROVED** by the City Council of the City of Lemon Grove, California, at a regular meeting this 18<sup>th</sup> day of September, 2018.

\_\_\_\_\_  
Racquel Vasquez, Mayor

Attest:

\_\_\_\_\_  
Shelley Chapel, MMC, City Clerk

STATE OF CALIFORNIA )  
  )  
COUNTY OF SAN DIEGO )

I, Shelley Chapel, City Clerk of the City of Lemon Grove, California, do hereby certify under penalty of perjury that the foregoing Resolution No. 2018-      was duly adopted by the City Council at the meeting of said City Council held on the 18<sup>th</sup> day of September, 2018, and that it was so adopted by the following vote:

- AYES:
- NOES:
- ABSENT:
- ABSTAINED:

\_\_\_\_\_  
Shelley Chapel, MMC, City Clerk  
City of Lemon Grove

Approved as to form:

\_\_\_\_\_  
Kristen Steinke, City Attorney

**REVISED APPENDIX**  
**CITY OF LEMON GROVE**  
**CONFLICT OF INTEREST CODE DESIGNATED POSITIONS**

**GENERAL PROVISIONS**

When a designated employee or individual is required to disclose investments, business positions and sources of income, he or she need only disclose investments in business entities and sources of income which do business in the City, plan to do business in the City or have done business in the City within the past two (2) years. In addition to other activities, a business entity is doing business within the City if it owns real property within the City. When a designated employee or individual is required to disclose real property he or she need only disclose that which is located in whole or in part, within or not more than two (2) miles outside the boundaries of the City or within two (2) miles of any land owned or used by the City.

Designated employees or individuals shall disclose their financial interest pursuant to the appropriate disclosure category as indicated in Exhibit "A".

- All designated employees required to submit an initial Statement of Interest Form 700 shall file electronically including electronic signature with the City Clerk within thirty (30) days after the effective date of this resolution. Initial filings shall cover the period of the twelve (12) months prior to the date of the adoption of this Conflict of Interest Code.

- All individuals appointed, promoted, or transferred to a designated position shall file statements within thirty (30) days of assuming office. These "assuming office" statements cover the period of the twelve (12) months prior to the date of assuming office statement.

- When an individual is in an "interim or acting" capacity, they are subject to the same disclosure requirements of the position in which they are filling. An assuming office would be filed.

- Annual statements shall be filed with the City Clerk by April 1 of each year by all designated employees, elected officials, committee/board/commission members or individuals. Such statements shall cover the period of the preceding calendar year.

- Every designated employee who leaves office shall file, within thirty (30) days of leaving office, a statement disclosing financial interests held or received at any time during the period between the closing date of the last statement required to be filed and the date of leaving office.

- Any individual serving in dual roles may file a combined statement by reporting according to their broadest range of disclosure.

- Failure to file the required statement in a timely fashion may result in the imposition of administrative, criminal, and civil sanctions as provided in Government Code Sections 81000-91014.

Resource: Title 2, California Code of Regulations, Section 18730 Provisions of Conflict of Interest Codes.



**DISCLOSURE CATEGORIES CATEGORY**

**Category 1:** Disclose all business entities and non-profit organizations in which investments, business positions (e.g. director, officer, partner, trustee, employee or hold any position of management) and sources of income including gifts, loans and travel payments located in Lemon Grove, including property located within a two-mile radius of any property owned or used by the City of Lemon Grove.

**Category 2:** All interests in real property within the jurisdiction of the City.

**Category 3:** All investments, business positions in business entities, non-profit organizations and sources of income, including gifts, loans and travel payments, interest in real property and sources of income subject to the regulatory, permit or licensing authority of the specific City department.

**Category 4:** All investments in business entities, non-profit organizations and sources of income, including gifts, loans and travel payments, and sources of income which engage in land development, construction or the acquisition of real property, and interests in real property located in Lemon Grove, including property located within a two-mile radius of any property owned or used by the City of Lemon Grove.

**Category 5:** All investments in business entities, non-profit organizations in which investments, business positions (e.g. director, officer, partner, trustee, employee or hold any position of management) and sources of income including gifts, loans and travel payments, and of the type which contracts with the City to provide services, supplies, materials, machinery or equipment to any City department.

**Category 6:** All investments in business entities and sources of income of the type which contracts with the City to provide to the designated employee's department services, supplies, materials, machinery or equipment to any City department.

**Category 7:** All investments, positions in business entities, income including gifts, loans and travel payments, and income from non-profit organizations, if the sources is the type that receives grants or other monies from or through the City.

**Unlimited Disclosures:** 87200 Category are required to file full disclosure of all categories pursuant to Article 2 of Chapter 7 of the Political Reform Act, Government Code sections 87200, et. seq. Lemon Grove Local Conflict of Interest Code August 22, 2017

**CONSULTANTS**

The staff person most knowledgeable of the work that a Consultant will be performing shall designate whether or not the Consultant must file a Statement of Economic Interest by marking the appropriate box on the Agreement or Contract cover sheet. When determined that a Consultant is designated and is responsible for disclosure, they shall be required to file a Statement of Economic Interest disclosing reportable interests subject to all disclosure categories.

Consultants who make (not just recommend) governmental decisions, such as whether to approve a rate, rule, or regulation, whether to issue, deny, suspend, or revoke any permit, license, application, certificate or similar authorization, adopt or grant City approval to a plan, design, report, study, or adopt or grant City approval of policies, standards, or guidelines for the City or any subdivision thereof shall be required to disclose. Consultants who act in a staff capacity with the City, and in that capacity perform the same or substantially all the same duties for the City that would otherwise be performed by an individual holding a designated position in the City's Conflict of Interest Code, shall disclose at the same level as the comparable designated position identified.

<b>CURRENT POSITIONS</b>	<b>DISCLOSURE CATEGORIES 2019</b>
Assistant City Manager	1, 2, 4
Assistant Civil Engineer	3, 4
Assistant Planner	3, 4
Associate Civil Engineer	3, 4
Associate Planner	3, 4
Associate Senior Planner	3, 4
Building Official (Esgil)	2, 3
Building Technician (Esgil)	2, 3
City Clerk	1, 2, 6
City Engineer	1, 2, 5
Code Enforcement /Storm Water Technician	2, 3
Community Advisory Commission	1
Community Services Superintendent	2, 3, 5, 6
Consultants	1
Deputy Building Official/Inspector (Esgil)	2, 3
Deputy City Attorney	1, 2
Deputy Fire Chief	3, 4, 6
Deputy Fire Marshal	3, 4
Development Services Director	Unlimited Disclosure
Development Technican II	2, 3
Engineer Inspector	4
Engineering Technician III	4
Finance Director/Treasurer	Unlimited Disclosure
Fire Battalion Chief	1, 2, 3
Fire Chief	1, 2, 3
Fire Division Chief	2, 3, 5
Fire Inspector	3, 4, 6
Fire Marshal	1, 2, 3
Fire Public Educator	3
Human Resources Manager	3, 5, 7
Management Analyst	3, 5
Principal Planner	1, 2, 3, 4, 7
Public Works Director	1, 2, 3, 4, 6, 7
Public Works Superintendent	2, 3, 4, 6
Sanitation Supervisor	4
Senior Planner	1, 2, 3, 4, 7
Special Projects Supervisor	1, 2, 7
Street Supervisor	2, 4, 6

<b>UNLIMITED DISCLOSURE POSITIONS</b>
City Attorney**
City Council**
City Manager**
Finance Director (If City does not have Treasurer) **
Mayor**
Planning Commission**
**City Council also sit as Members of the Successor Agency of the Lemon Grove Redevelopment Agency - Includes Chair, Members, Executive Director, Counsel, Secretary
**City Council also sit as Members of the Public Finance Authority - Includes Chair, Members, Executive Director, Counsel, Secretary, and Treasurer

### **UNLIMITED DISCLOSURE 87200**

**\*\*Statements are sent to the FPPC within 5 days of receipt**

**LEMON GROVE CITY COUNCIL  
AGENDA ITEM SUMMARY**

**Item No.** 1.E  
**Mtg. Date** September 18, 2018  
**Dept.** City Manager

**Item Title: Criminal History Information**

**Staff Contact:** Alicia Hicks, Human Resources Manager

**Recommendation:**

Adopt a resolution (attachment A) approving authorization to access State and Federal Level Summary Criminal History information from Department of Justice (DOJ) and Federal Bureau Investigations (FBI).

**Item Summary:**

Staff recommends to obtain authorization to access summary criminal history information for the purpose of employment, volunteers, contract employees, adult entertainers, licensing and commercial cannabis operations including cultivation, transportation, and distributing, testing, manufacturing and retail purposes and may not disseminate the information to private entity.

Furthermore, A city cannot hire a person or a volunteer to perform services at a park, playground, recreational center, or beach used for recreational purposes, in a position having supervisory or disciplinary authority over a minor, if that person has been convicted of various offenses specified in [Pub Res C §5164](#). A city must require each such prospective employee or volunteer to complete an application that inquires as to whether that individual has been convicted of any of these specified offenses. The city must screen, under [Pen C §11105.3](#), any such prospective employee or volunteer for that person's criminal background. [Pub Res C §5164](#).

**Fiscal Impact:**

No 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. Resolution.



**RESOLUTION NO. 2018-**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LEMON GROVE, CALIFORNIA  
AUTHORIZING THE CITY TO ACCESS STATE AND FEDERAL LEVEL SUMMARY  
CRIMINAL HISTORY INFORMATION**

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**WHEREAS**, Penal Code Sections 11105(b) (11) and 13300(b) (11) authorize cities to access state and local summary criminal history information for employment, licensing or certification; and

**WHEREAS**, Penal Code Sections 11105(b) (11) authorizes cities, to access federal level criminal history information by transmitting fingerprint images and related information the Department of Justice to be transmitted to the Federal Bureau of Investigation; and

**WHEREAS**, Penal Code Sections 11105(b) (11) and 13300 (b) (11) require that there be a requirement or exclusion from employment licensing, or certification based on specific criminal conduct on the part of the subject of the record; and

**WHEREAS**, Penal Code Sections 11105(b) (11) and 13300(b) (11) require the city to specifically authorize access to summary criminal history information for employment, licensing, or certification purposes; and

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Lemon Grove, California that the City of Lemon Grove is hereby authorized to access summary criminal history information for employment, including volunteers, and contract employees, adult entertainment, licensing and certification of commercial cannabis operations including cultivation, transportation, distributing, testing, manufacturing and retail purposes and may not disseminate the information to a private entity

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**LEMON GROVE CITY COUNCIL  
AGENDA ITEM SUMMARY**

**Item No.** 1.F  
**Mtg. Date** September 18, 2018  
**Dept.** City Manager's Office

**Item Title:** **Council Consideration of Opposition of New Offshore Oil and Gas Drilling**

**Staff Contact:** Lydia Romero, City Manager

**Recommendation:**

Council Consideration of Opposition of New Offshore Oil and Gas Drilling Resolution  
**(Attachment B)**

**Item Summary:**

At the request of Chairperson Gaspar and Council Member Zapf, they would like Lemon Grove to consider adopting a Resolution opposing any new offshore oil and gas drilling off the San Diego coastline. The cities of San Diego, Chula Vista, Oceanside, Encinitas, Imperial Beach, Solana Beach and Del Mar have passed similar Resolutions.

The staff report (**Attachment A**) provides background on the issue.

**Fiscal Impact:**

There is no fiscal effect as a result of this item.

**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 500 ft. |
| <input type="checkbox"/> Notice published in local newspaper | <input type="checkbox"/> Neighborhood meeting |   |

**Attachments:**

- A. Staff Report
- B. Resolution 2018-
- C. Request Letter





# Attachment A

## LEMON GROVE CITY COUNCIL STAFF REPORT

Item No. 1.F

Mtg. Date September 18, 2018

Item Title: **Council Consideration of Opposition of New Offshore Oil and Gas Drilling**

Staff Contact: [Lydia Romero, City Manager]

### Background and Discussion:

In January 2018, the current administration released a draft five-year leasing plan that would open 90% of the nation's offshore oil and natural gas reserves for exploration by global energy companies. This would include all three regions of the California coast, the coast of Washington state and Oregon, and most of the East Coast. The plan would allow oil and gas companies to lease 47 areas off America's coastlines from 2019 to 2024. Of those areas, seven would be in the Pacific Ocean- two off of Northern California, two off Central California, two off of Southern California and one off Washington state and Oregon. This proposal marks the first time since 1984 that any new offshore drilling leases would be offered for sale in California.

California officials have argued that expanding offshore oil production would most likely require the construction of expensive new platforms and onshore support equipment whose presence could harm the state's multibillion-dollar coastal economy, including tourism, fishing and the marine ecosystem. Disasters such as the 1969 Santa Barbara oil spill, the 1989 Exxon Valdez oil spill in Alaska and the 2010 Deepwater Horizon oil spill in the Gulf of Mexico have demonstrated the immense environmental and economic concerns with offshore oil drilling. California's coastal economy produces approximately \$44.5 billion in gross domestic product each year and employs almost half a million people in the state.

In 1994, the California state Legislature passed the California Coastal Sanctuary Act, which prohibited new oil and gas leases in the state's coastal waters (3 miles out from the shoreline), with some exceptions.

The San Diego region enjoys all of our beaches and the Pacific Ocean for recreational, commercial, and educational activities, all of which support our local economy. The habitat in and around our coastal waters is home to a vast array of wildlife, including fish, whales, sea turtles, and birds that depend on a healthy and clean environment and offshore oil and gas drilling and exploration off the Pacific coast puts these coastal resources, and the communities and industries that depend on them, at risk from oil spills and other damage. Concerns over the aesthetic impact of oil drilling platforms and other supporting infrastructure that would have an impact on the desirability of tourists and visitors to come to the region.

The County of San Diego, as well as nearly all the coastal cities, San Diego, Chula Vista, Encinitas, Imperial Beach, Solana Beach and Del Mar, have passed similar resolutions.

### Conclusion:

Staff recommends that the City Council adopt the resolution (**Attachment B**) opposing any new offshore oil drilling and to support any legislation that opposes this proposed plan by the federal administration...



# Attachment B

## RESOLUTION NO. 2018-

### RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LEMON GROVE, CALIFORNIA OPPOSING NEW OFFSHORE OIL AND GAS DRILLING

---

**WHEREAS**, the City of Lemon Grove values our ocean waters and coast which provide habitat to a vast array of wildlife including marine mammals, birds and fish that depend on a healthy and clean ocean environment; and

**WHEREAS**, the San Diego region depends on thousands of visitors who enjoy recreational activities on the beaches for tourism and local economic support; and

**WHEREAS**, offshore oil and gas drilling off the Pacific coast puts these coastal resources at risk of oil spills and other damage; and

**WHEREAS**, the State of California prohibits new leasing in state waters because of the unacceptably high risk of damage and disruption to the marine environment and economy of the state; and

**WHEREAS**, the America First Offshore Energy Executive Order could open the Pacific, Atlantic and Arctic Oceans to new drilling, tracking and other well stimulation, putting California's coastal resources at risk of more oil spills, increased greenhouse gases, continued dependence on fossil fuels and impacts of climate change and which could delay the movement toward greater reliance on renewable energy; and

**WHEREAS**, the City of Lemon Grove stands in support with our region partners in opposing an expansion of offshore oil and gas drilling because of the threat to our coast, wildlife, climate and coastal economy.

**NOW, THEREFORE BE IT RESOLVED**, by the City Council of the City of Lemon Grove, California, opposes any new offshore oil and gas leasing, drilling, and related exploratory activity in federal and state waters off the Pacific Coast, specifically near the San Diego County coastline.

Be it further resolved that the City Clerk shall forward a copy of this Resolution to Secretary Zinke; Bureau of Ocean Energy Management Director Walter Cruickshank; Governor Jerry Brown; U. S. Senators Feinstein and Harris; U.S. Representative Susan Davis; State Senator Joel Anderson; and State Representative Shirley Weber; and any other appropriate parties.

/////  
/////

# Attachment C



COUNTY OF SAN DIEGO



CITY OF SAN DIEGO

August 14, 2018

The Honorable Raquel Vasquez  
Mayor of Lemon Grove  
3232 Main Street  
Lemon Grove, CA 91945  
Via Facsimile: 6198253818

Dear Mayor Vasquez:

We are requesting the City of Lemon Grove join with the San Diego County Board of Supervisors, the Cities of San Diego, Chula Vista, Oceanside, Encinitas, Imperial Beach, Solana Beach, and Del Mar in opposing proposed expanded offshore oil and gas drilling off San Diego's coastline.

We must stand together in defense of California's coast by opposing any offshore drilling which will threaten marine wildlife and beaches, California's coastal tourism and recreation economy, public health, and interfere with military readiness and training activities essential to our national defense.

We kindly request that you adopt a resolution, like the attached resolution passed on March 6<sup>th</sup> by the city of San Diego or send similar correspondence to the Administration.

Please forward a copy to Secretary of the Interior, Ryan Zinke, and the acting Director of the Bureau of Ocean Energy Management, Walter Cruickshank, Governor Jerry Brown, and all federal and state legislators who represent your area.

Thank you for protecting our coast, our local economy, our health, and our national security.

Sincerely,

Handwritten signature of Kristin Gaspar.

Kristin Gaspar  
Chairwoman, Board of Supervisors  
District 3

Handwritten signature of Lorie Zapf.

Lorie Zapf  
Councilmember  
District 2

County Administration Center, 1600 Pacific Highway, Rm 335, San Diego, CA 92101  
City Administration Building, 202 C Street, San Diego, CA 92101

**LEMON GROVE SANITATION DISTRICT BOARD  
AGENDA ITEM SUMMARY**

**Item No.** 1.G  
**Mtg. Date** September 18, 2018  
**Dept.** Finance

**Item Title:** 115 Trust Transfer from Sanitation District

**Staff Contact:** Molly Brennan, Finance Manager

**Recommendation:**

Authorize the transfer of \$516,879 from the Sanitation District to the 115 Trust for investment towards future CalPERS obligations.

**Item Summary:**

The Sanitation District recently received \$516,879.00 from the City of San Diego Metropolitan Wastewater Department as a refund for treatment charges paid by the Sanitation District in FY 2015/2016 (**Attachment A**). This is one-time revenue that was not included in the budget. At the September 4, 2018 City Council Meeting during the Pension Rate Stabilization Program Funding Policy discussion, staff was directed to prepare for the transfer of the Metro refund into the newly opened 115 Trust. By pre-funding the Sanitation District's unfunded accrued pension liability (UAL), additional interest may be generated and future increases in UAL payments can be stabilized. Since funds in the 115 Trust may only be spent on pension related expenses, the new investment will also reduce the Sanitation District's overall net pension liability by creating a new pension asset. The funds will be invested in the Moderately Conservative portfolio, in line with the Pension Rate Stabilization Program Investment & Funding Policy.

**Fiscal Impact:**

The Sanitation District's fund balance will increase at the end of the fiscal year, since the cash transferred remains an asset of the Sanitation District. Additional interest earnings are anticipated.

**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. FY 2016 Metro Refund Notice



# Attachment A



**Public Utilities Department**  
Finance and Information Technology Division

August 28, 2018

Tim Gabrielson  
City Engineer  
City of Lemon Grove  
3232 Main Street  
Lemon Grove, CA 91945

Reference: Fiscal Year 2016 Metro Refund

Dear Mr. Gabrielson:

---

The Office of the City Comptroller has mailed your FY 2016 Metro Refund on August 24, 2018. It is check number 0001664421 in the amount of \$516,879.00. Please contact Hana Hanigan at (858) 292-6326 or via email at [hhanigan@sandiego.gov](mailto:hhanigan@sandiego.gov) if you have any questions.

---

Sincerely,

A handwritten signature in black ink, appearing to read "Edgar X. Patiño".

Edgar X. Patiño  
Supervising Management Analyst

EP:hkh

Enclosures: FY 2016 Table B

cc: Mike James, Public Works Director, City of Lemon Grove  
Stephanie Boyce, Management Analyst, City of Lemon Grove

G:\agencies\16 source\FY16 Refunds & Invoices\Lemon Grove FY16 Metro Reconcil check.docx



# Attachment A

TABLE B

CITY OF SAN DIEGO - METROPOLITAN WASTEWATER DEPARTMENT  
 PROJECTED DISTRIBUTION OF SYSTEM WASTEWATER COSTS - FISCAL YEAR 2016  
 FUNCTIONAL-DESIGN BASED ALLOCATION METHOD

AGENCY	ALLOCATION OF COSTS BY FLOW, SUSPENDED SOLIDS AND CHEMICAL OXYGEN DEMAND				TOTAL PAID FOR FY 2016	DIFFERENCE
	FLOW (a)	SS (a)	COD (a)	TOTAL FLOW, SS & COD		
CHULA VISTA	\$8,609,356	\$5,361,944	\$4,866,801	\$18,838,101	\$17,975,408	\$862,693
CORONADO	\$688,000	\$473,864	\$333,521	\$1,495,385	\$2,829,916	(\$1,334,531)
DEL MAR	\$287,428	\$220,925	\$103,021	\$611,374	\$281,928	\$329,446
EAST OTAY MESA	\$23,502	\$14,604	\$12,305	\$50,411	\$42,604	\$7,807
EL CAJON	\$3,892,749	\$2,732,079	\$2,128,389	\$8,753,216	\$9,315,460	(\$562,244)
IMPERIAL BEACH	\$1,200,401	\$558,315	\$507,178	\$2,265,894	\$2,242,532	\$23,362
LA MESA	\$2,304,930	\$1,306,998	\$1,022,202	\$4,634,130	\$4,480,624	\$153,506
LAKESIDE/ALPINE	\$1,487,801	\$1,040,771	\$887,305	\$3,415,877	\$3,623,460	(\$207,583)
LEMON GROVE	\$896,523	\$450,664	\$437,894	\$1,785,081	\$2,301,960	(\$516,879)
NATIONAL CITY	\$2,164,141	\$1,167,117	\$1,185,953	\$4,517,211	\$5,187,792	(\$670,581)
OTAY	\$78,884	\$247,191	\$93,837	\$419,912	\$812,536	(\$392,624)
PADRE DAM	\$1,208,174	\$1,428,352	\$961,628	\$3,598,153	\$4,218,144	(\$619,991)
POWAY	\$1,380,175	\$855,618	\$638,151	\$2,873,944	\$3,525,716	(\$651,772)
SPRING VALLEY	\$2,222,320	\$1,324,423	\$1,117,647	\$4,664,391	\$7,087,320	(\$2,422,929)
WINTERGARDENS	\$485,464	\$347,901	\$264,827	\$1,098,192	\$1,103,696	(\$5,504)
<b>SUBTOTAL PARTICIPATING AGENCIES</b>	<b>\$26,929,849</b>	<b>\$17,530,764</b>	<b>\$14,560,658</b>	<b>\$59,021,272</b>	<b>\$66,029,096</b>	<b>(\$6,007,824)</b>
SAN DIEGO	\$6,542,994	\$34,269,029	\$31,335,243	\$122,147,265		
<b>TOTAL</b>	<b>\$83,472,843</b>	<b>\$51,799,793</b>	<b>\$45,895,901</b>	<b>\$181,168,537</b>		

(a) Allocations based on estimated annual flows and strength loadings - See Table C

**LEMON GROVE SANITATION DISTRICT BOARD  
AGENDA ITEM SUMMARY**

**Item No.** 2  
**Mtg. Date** September 18, 2018  
**Dept.** Finance

**Item Title:** Request for Proposals – Indirect Cost Allocation Plan

**Staff Contact:** Molly Brennan, Finance Manager

**Recommendation:**

Authorize the release of a Request for Proposals (**Attachment B**) to select a consultant to prepare an indirect cost allocation plan.

**Item Summary:**

Staff has drafted a Request for Proposal (RFP) (**Attachment B**) for Sanitation District Board consideration. The intent of the RFP is to identify qualified consultants to complete an indirect cost allocation plan for the Lemon Grove Sanitation District. A professional cost allocation plan will provide Lemon Grove with a clear and defensible procedure for sharing indirect overhead expenses between the Sanitation District and the City's other funds.

The staff report (**Attachment A**) provides a brief overview of the RFP and the forthcoming process. Staff recommends that the RFP be released.

**Fiscal Impact:**

A cost allocation plan will cost approximately \$10,000-\$20,000, which staff was directed to include in the mid-year FY 18/19 budget revision from the Sanitation District, fund 15.

**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. Draft Request for Proposal



# Attachment A

## LEMON GROVE SANITATION DISTRICT BOARD STAFF REPORT

Item No.   2  

Mtg. Date  September 18, 2018 

Item Title: **Request for Proposal – Indirect Cost Allocation Plan**

Staff Contact: Molly Brennan, Finance Manager

### Background:

In October 2017, a consulting firm conducted a study of the Sanitation District staffing cost distributions, resulting in a report on an updated distribution for staffing costs between the funds. However, the study did not include any indirect and overhead costs and specifically notes, “This analysis is not a fully calculated cost allocation plan.” The intent of the Request for Proposal (RFP) is to fill the gap in the prior study by calculating the overhead and indirect cost allocation, which in combination with the prior study will create a fully calculated cost allocation plan.

During the FY 2018-2019 budget process, the gap in the prior cost allocation study was identified and staff was directed to prepare an RFP for a new study and to include the cost in the Mid-Year Budget Amendment. A professional cost allocation plan will provide Lemon Grove with a clear and defensible procedure for sharing indirect overhead expenses between the Sanitation District and the City’s other funds.

### Discussion:

Staff has drafted a RFP (**Attachment B**) for Sanitation District Board consideration. The intent of the RFP is to identify qualified finance consultants (or consultant teams) with expertise and experience in drafting cost allocation plan documents for cities in California.

The Draft RFP outlines the scope of work and selection process in detail.

Staff will begin the selection process immediately and may engage firms that submit proposals with clarifying questions. Based on its evaluation, staff will present a recommendation to the Sanitation District Board at the November 6, 2018 meeting.

### Conclusion:

Staff recommends that the Sanitation District Board authorize the release of the Request for Proposal to select a consulting firm to prepare an overhead and indirect cost allocation plan for the Sanitation District.



## Attachment B

### REQUEST FOR PROPOSAL

#### OVERHEAD & INDIRECT COST ALLOCATION PLAN



Lemon Grove Sanitation District  
Finance Department

# Attachment B

RELEASE DATE: September 19, 2018

REQUEST FOR PROPOSALS

COST ALLOCATION PLAN

IMPORTANT INFORMATION

Release of RFP: September 19, 2018

Responses Due: October 22, 2018, 4:00 P.M.

Responses must include the following:

- One original (unbound)
- Four copies
- One electronic copy (PDF)

Addresses for Responses:

Physical Address: City of Lemon Grove  
Attention: Molly Brennan, Finance Manager  
3232 Main Street  
Lemon Grove, CA 91945

Email Address: [mbrennan@lemongrove.ca.gov](mailto:mbrennan@lemongrove.ca.gov)

Proposed Award Date: November 6, 2018

Project Start Date: November 19, 2018

Contacts for Questions: Molly Brennan, Finance Manager  
[mbrennan@lemongrove.ca.gov](mailto:mbrennan@lemongrove.ca.gov)  
(619) 825-3803

# Attachment B

## TABLE OF CONENTS

I.	Intent . . . . .	1
II.	Background . . . . .	1
III.	Scope of Services . . . . .	1
IV.	Submittal Requirements. . . . .	2
V.	Submittal Directions. . . . .	3
VI.	Evaluation Criteria. . . . .	4
VII.	Selection Process. . . . .	4
VIII.	Terms & Conditions. . . . .	4



# Attachment B

## I. Intent

---

The Lemon Grove Sanitation District releases this Request for Proposal (RFP) with the intent to identify qualified consultants to complete an indirect cost allocation plan for the Lemon Grove Sanitation District. A professional cost allocation plan will provide Lemon Grove with a clear and defensible procedure for sharing indirect overhead expenses between the Sanitation District and **the City's other funds.**

## II. Background

---

The City of Lemon Grove ("**the City**") is located approximately ten miles east of downtown San Diego among many communities in San Diego County. The City encompasses 3.75 square miles and is largely bounded by the SR-94 to the north and the SR-125 to the east. The population is approximately 26,700. The City is a general law City operating under the Council/Manager form of government. The elected officials consist of elected City Councilmembers and one Mayor who are elected at large for four-year terms.

City Council and City staff also represent the Lemon Grove Sanitation District, a separate entity from the City, whose activities are recorded in four enterprise funds. The Sanitation District is responsible for the conveyance and treatment of wastewater within the City of Lemon Grove through approximately 67 miles of sewer lines. As of June 30, 2017 the Sanitation District had a net position of \$21,941,623. The FY 2018-2019 Sanitation District budget is \$7,842,072, about 28% of the total FY 2018-2019 Lemon Grove Consolidated Budget.

Beyond the Sanitation District, the City has three major governmental funds, the General Fund and two Special Revenue funds, along with twenty other non-major governmental funds. These funds support the essential operations and services including; law enforcement (San Diego Sheriff), fire (Heartland Fire and Rescue), animal control (Chula Vista Animal Control), public works, building and planning, and City administration. The elected officials and staff also serve as the administrators of the Lemon Grove Redevelopment Successor Agency.

The City prepares its budgets annually on basis consistent with generally accepted accounting principles. The Lemon Grove FY 2018-2019 Consolidated Budget totals \$28.1 million. The FY 2018-2019 Consolidated Budget, along with past budgets and financial statements are available **for review at the City's website at:** <https://www.lemongrove.ca.gov/departments/finance/budget-information>.

In October 2017, a consulting firm conducted a study of the Sanitation District staffing cost distributions, resulting in a report on an updated cost distribution for staffing between the funds. However, the study did not include any indirect and overheard costs **and specifically notes, "this analysis is not a fully calculated cost allocation plan."** The intent of this RFP is to fill the gap in the prior study by calculating the overhead and indirect cost allocation, which in combination with the prior study will create a fully calculated cost allocation plan.

## III. Scope of Services

---

Project tasks shall include, but are not necessarily limited to the following. If the consultant feels that additional tasks are warranted, **they must be clearly identified in the consultant's proposal.**

## Attachment B

- 1) Work with City staff to define the purpose, uses, and goals for an Overhead Indirect Cost Allocation Plan, ensuring that the development of the plan will be both accurate and appropriate for the Sanitation District's **current needs**.
- 2) Meet with various department staff to conduct interviews as needed to gain an understanding of the **City's practices and operations**.
- 3) Develop an overhead and indirect cost allocation plan that:
  - a. Establishes a defensible cost allocation methodology for specific administrative overhead costs that will properly distribute the costs between the City and Sanitation District
  - b. Allows for additions, revisions, or removal of costs, so the cost allocation plan can be easily adapted to a range of activities both simple and complex
  - c. Provides the ability to continuously update the plan from year to year to accommodate organizational and cost changes
- 4) Assist the Finance Department in presenting the draft cost allocation plan to selected City staff and the Sanitation District Board. It is expected that the comments and concerns will be collected during the draft presentation phase for inclusion in a final cost allocation plan and model.
- 5) Prepare a final cost allocation plan and provide six (6) bound copies and one (1) unbound; as well as a digital copy of the final plan, including related schedules and cost documentation in excel format so it can be updated by City staff.
- 6) The Sanitation District currently does not have a formal OMB Circular A-87 plan in place. As a supplemental part of the cost allocation study, this project will include development of a methodology appropriate for the calculation and allocation of an overhead cost rate complying with OMB Circular A-87. The methodology will distinguish any differences between the OMB Circular A-87 compliant calculation and the General Overhead Indirect Cost Allocation Plan described above. As the consultants work with the City on project task #1 and #2, it may become apparent that the General Overhead Indirect Cost Allocation Plan can be developed in compliance with OMB Circular A-87, negating the need for a separate OMB A-87 methodology and calculation.

#### IV. Submittal Requirement

---

The response should include the following information:

- 1) Cover Letter – provide a letter, signed by an officer of the consulting firm authorized to contractually bind the firm, stating that the firm is willing to enter into a mutually developed agreement and final scope of work with the Lemon Grove Sanitation District.
- 2) Project Personnel – identify the proposed project manager and project team. Include a one paragraph summary resume for each key team member.
- 3) Discussion of Similar Projects – identify similar projects that the consulting firm has completed and how the experiences make the firm qualified for this project. For each project, include dates of involvement, and status of the project.

## Attachment B

- 4) References – Provide complete contact information for at least four clients or partners with whom the firm has successfully completed similar projects.
- 5) Scope of Work & Project Strategy – relying on the proposed scope of work found in Section III of this RFP, provide the following:
  - o Proposed method to accomplish work or Revised Scope of Work,
  - o Project phases and tasks as available,
  - o Project Timeline and Timing of each phase as available,
  - o Deliverables if known, and
  - o Optional deductibles or add-ons.
- 6) Insurance – **provide evidence that the consulting firm can meet the City’s insurance requirements identified in Section VIII of this RFP.**

### V. Submittal Directions

---

Package to be Submitted: Four bound copies, one unbound copy, and one electronic copy in PDF version of the RFP package must be submitted. The electronic copy should be emailed to [mbrennan@lemongrove.ca.gov](mailto:mbrennan@lemongrove.ca.gov).

- 1) **Questions regarding this RFP and the City’s specific submission requirements** may be directed to Molly Brennan, Finance Manager. She may be reached by telephone at 619-825-3803 or by email at [mbrennan@lemongrove.ca.gov](mailto:mbrennan@lemongrove.ca.gov).
- 2) Due Date of RFP Package: All response packages must be submitted no later than 4:00 p.m. on October 22, 2018 and addressed to:

Molly Brennan  
City of Lemon Grove  
3232 Main Street  
Lemon Grove, CA 91945

\*Incomplete RFP response packages and packages received after the deadline noted above will not be considered.

\*Facsimile copies will not be accepted.

The City/Sanitation District reserves the right to reject any or all submittals. No obligation, either expressed or implied, exists on behalf of the City to make an award for the work or for costs incurred in the preparation of the response to the RFP. The City reserves the right to select more than one party to provide these services.

# Attachment B

## VI. Evaluation Criteria

---

City staff will evaluate responses to the RFP, with a focus on:

- o Experience and technical competence (specialized experience, record of performance, strength of key personnel and experience with similar local government agencies),
- o Proposed scope of work, method to accomplish work, deliverables and time schedules,
- o Quality and initiative demonstrated in responding to the RFP, and
- o Price of proposed services.

## VII. Selection Process

---

**Initial Review: City staff will conduct an initial review of all RFP responses received. Any incomplete response or a response that does not meet the basic qualifications for the project may be eliminated from further consideration.**

Evaluation Process: An evaluation panel composed of City staff (and outside consultants, if needed, as determined by City staff in its sole and absolute discretion) will review the remaining RFP responses. The evaluation panel reserves the right to request additional information.

Interview (optional): The final firms may be interviewed by the evaluation panel at a date and time to be determined.

Selection: Following the interview (if conducted), the evaluation panel will make a recommendation to the City Manager for the selection of the firm to enter into negotiations of an agreement. The City Manager, at his/her sole discretion, may ask the Sanitation District Board to approve the selection of the firm.

## VIII. Terms & Conditions

---

- 1) Issuance of this RFP does not commit the City to award a contract, or to pay any costs incurred in the preparation of a response to this request. The City retains the right to reject all submittals. Selection is also dependent upon the negotiation of a mutually acceptable contract with the successful respondent and approval by the City.
- 2) The firm selected to perform the scope work shall be required to provide evidence of public liability and property damage insurance with limits of not less than \$1 million per occurrence for all covered losses and not less than \$2 million general aggregate for injury to, or death of, one or more persons and/or property damage arising out of a single accident or occurrence, insuring against all liability of the City, the selected firm and its authorized representatives, arising out of, or in connection with, the performance of work pursuant to this RFQ. Professional liability insurance (errors and omissions) shall be required of the firm in the minimum amount of \$1 million dollars. The insurance shall be provided at the sole cost and expense of the firm(s) selected.

## Attachment B

- 3) As a general rule, all documents received by the City are considered public records and will be made available for public inspection and copying upon request. If you consider any documents submitted with your response to be proprietary or otherwise confidential, please submit a written request for a determination of whether the documents can be withheld from public disclosure no later than ten (10) days prior to the due date of your response. If you do not obtain a determination of confidentiality prior to the submittal deadline, any document(s) submitted will be subject to public disclosure.

**LEMON GROVE CITY COUNCIL  
AGENDA ITEM SUMMARY**

**Item No.**   3    
**Mtg. Date**  September 18, 2018   
**Dept.**  Public Works 

**Item Title:** **Request for Proposal for a Digital Message Board Sign on City-Owned Real Property**

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

**Recommendation:**

Provide feedback and direction to staff regarding the request for proposal for a digital message board sign on City-owned real property (**Attachment B**).

**Item Summary:**

On June 5, 2018, the City Council received a report that proposed the Fiscal Year 2018-2019 draft consolidated budget document. Within that document, there was a section that outlined other revenue options that did not require voters' approval. Constructing a digital message board sign on city-owned property was one of those options.

Staff now presents a report (**Attachment A**) that elaborates on the steps that staff took to create a request for proposals (RFP) (**Attachment B**) for a digital message board sign on city-owned real property, key points of the RFP, the benefits and risks of constructing and managing digital message board signs, and concludes with staff's request for feedback and direction.

**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.  Draft Request for Proposals



# Attachment A

## LEMON GROVE CITY COUNCIL STAFF REPORT

Item No.   3  

Mtg. Date  September 18, 2018 

Item Title: **Request for Proposals for Digital Message Board Signs on City-Owned Real Property**

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

### Background:

On June 5, 2018, the City Council received a report that proposed the Fiscal Year 2018-2019 draft consolidated budget document. A section of that report outlined other revenue options that did not require voters' approval. As a summary from that staff report, below is the excerpt that was presented:

**Electronic Bill Boards** – Lemon Grove has several static billboards that dot the 94. Billboard companies are moving towards electronic billboards to increase their advertising options for companies. Several years ago, Lemon Grove did explore this as a revenue generation option, however this option was never implemented. Based on an old proposal the City could receive approximately \$250,000 per year in revenue. This option has been explored by other cities in San Diego County but was dropped when met with community opposition.

### Discussion:

This report elaborates on the steps that staff took to update the request for proposals (RFP) (**Attachment B**) for a digital message board sign on city-owned real property, key points of the RFP, the benefits and risks of constructing and managing a digital message board sign, and concludes with a request that the City Council provide feedback and direction to staff.

### Request for Proposals:

The purpose of a RFP is to find the services of a specialized professional entity that has a demonstrated competence that will best fit the needs of the City. As detailed in Lemon Grove Municipal Code Section 3.24.070, staff created a RFP to find an entity that will be the most advantageous to the City, while considering the evaluation criteria in the RFP as well as providing a fair and reasonable price.

While creating the specific details listed within the RFP, staff contacted neighboring cities in San Diego County that have advertised for and/or constructed digital message board sign(s). That feedback was incorporated into the RFP.

### Key Points of the RFP:

The following section details key points of RFP:

#### *General Conditions:*

- If applicable, more than one entity may be selected to develop, construction and manage multiple digital signs.
- The entity(ies) selected will be responsible for the entire process that includes development, construction, and operation of the digital sign(s).



# Attachment A

- The digital sign(s) will provide direct revenue to the City and promote City sponsored events, local businesses, disseminate public safety messages (e.g. Amber Alerts), and traffic messages all at no cost to the City.
- The City's Sign Ordinance (Chapter 18.12 of the LGMC) may need to be amended as apart of this RFP process, all costs will be borne by the selected entity(ies).
- All City sites are offered in an "as is" and "where is" condition. City sites may include all City owned property and City right-of-way.

## *Submittal Requirements:*

- Proposal for each digital message board site will include a rendering of the type of digital sign(s) at its proposed location.
- Proposed business terms of an agreement with the City, to include a revenue stream to the City.

## *Evaluation Criteria:*

- Financial consideration to the City.
- Community benefit.
- Relevant experience and description of the project team.
- Detailed site development information.

## Benefits / Risks:

Staff has identified several benefits and risks associated with the RFP. In 2014, staff had multiple discussions with an advertising firm who provided feedback regarding the benefits and risks. That feedback was incorporated into the lists shown below.

### *Benefits:*

1. Timely public notices (e.g. natural disasters, amber alerts, FBI most wanted).
2. Promote City sponsored events.
3. Possible reduction of number of billboard signs in the City.
4. Modernize the City's image.
5. Stimulate economic investment to the City and support existing businesses.
6. Dedicated annual revenue source to the City.

### *Risks:*

1. Removal of existing landscaping in Caltrans ROW (e.g. trees).
2. Potential distraction to vehicular traffic.
3. Artificial lighting during the evening hours in residential areas.
4. Potential liability regarding the content of material advertised. |

## **Conclusion:**

Staff seeks City Council feedback and direction regarding the request for proposals. If the City Council desires for staff to advertise the request for proposals, staff will move forward with a public advertisement per the City's procurement policy and timeline outlined in the RFP.

Staff will return to the City Council for approval of its recommended firm to design, construct and manage digital message board sign(s) on City real property. |

# Attachment B

## REQUEST FOR PROPOSALS

### FOR

#### DIGITAL MESSAGE BOARD SIGNS ON CITY OWNED REAL PROPERTY

<b>Project Title:</b>	Digital Message Boards Signs on City Owned Real Property
<b>Description of Project:</b>	The City of Lemon Grove seeks proposals from signage firms to research, prepare, construct and manage digital message board sign(s) on City owned real property.
<b>Department Requesting:</b>	Public Works Department
<b>RFP Issue Date:</b>	September 19, 2018
<b>Submittal Deadline:</b>	5:00 p.m., November 1, 2018 (postmarks not accepted)
<b>Deliver Submittal To:</b>	Mike James, Assistant City Manager / Public Works Director City of Lemon Grove Public Works Director 3232 Main Street Lemon Grove, CA 91945 <a href="mailto:mjames@lemongrove.ca.gov">mjames@lemongrove.ca.gov</a>

# Attachment B

## I. INTRODUCTION

As part of the City's plan to attain fiscal sustainability, the City is exploring digital message board signs as a method to generate revenue. Moreover, updating the City's signage will help to modernize the City's image, promote the City's community events, add value to the City's urban landscape, and stimulate economic investment by attracting and supporting the local business community.

## II. SCOPE OF SERVICES

The City of Lemon Grove seeks submittals from qualified individuals, companies and/or entities (firms) to develop, construct and operate digital message board sign(s) on city-owned real property located along state highways and/or major traffic corridors. The proposals submitted in response to this RFP must conform to the terms, conditions and specifications described hereafter.

After receipt of responses to the RFP, review thereof, and selection of a firm(s) as the develop/operator of the digital sign(s), the City will negotiate and prepare an agreement with the proposed operator(s) for the development, construction and operation of the digital sign(s) on City property. Thereafter, the agreement will be presented to the Lemon Grove City Council for approval.

The RFP is put forth with the following understanding:

- A. The City may approve more than one such digital sign on City real property. The City may select a single firm for all digital signs or select different firms per sign.
- B. The proposal by a firm needs to set forth the City site or City sites desired, number of digital signs, type an design criteria of each sign or signs that will be developed, constructed and operated by the firm.
- C. The development, construction and operation of the digital sign(s) proposed by the firm must identify requirements related to and in compliance with the California Environmental Quality Act (CEQA) as a condition to the approval of the agreement, which shall be at the sole cost and expense of the firm. In addition, the development, construction and operation of the digital sign(s) must comply with all other applicable regulatory approvals (e.g. California Department of Transportation), which shall also be at the sole cost and expense of the firm.
- D. The development, construction and operation of the digital sign(s) need to provide direct revenue to the City and promote City sponsored events, support the local business community, disseminate public safety, and traffic message (e.g. Amber Alerts) at no cost to the City.
- E. The City existing sign ordinance, Chapter 18.12 of the Lemon Grove Municipal Code ([http://gcode.us/codes/lemongrove/view.php?topic=18-18\\_12&frames=on](http://gcode.us/codes/lemongrove/view.php?topic=18-18_12&frames=on)), may need to be revised in order to develop, construct and operate any digital sign(s). The cost to research any amendment to the existing code, prepare revisions, and assisting City staff to present the amendment to the City Council will be at the sole cost and expense of the firm(s).

## Attachment B

- F. The selected firm should have significant experience and a verifiable track record of accomplishment. Innovative proposal that maximize the return to the City are encouraged.
- G. The City sites are offered in an “as is” and “where is” condition, and the City does not make any representations and/or warranties as to the suitability of the City site for any proposed digital sign. Each firm is encouraged to perform its own feasibility analysis of any particular City site and the requisite regulatory approvals associated therewith for the use of said City site for a digital sign(s).

### III. SUBMITTAL REQUIREMENTS

The City welcomes responses to the RFP in a format that the firm believes best expresses the qualifications of the firm. Lengthy responses are not expected. Short, concise, yet comprehensive proposals are preferred.

All submittals should include the following:

- A. Relevant Experience – A description of at least three similar projects completed by the individuals, companies, and/or teams that comprise the firm, which clearly demonstrates the requisite expertise in the development, construction and operation of digital sign(s). Relevant similar projects should distinguish between the projects of the individuals, companies, and/or teams that comprise the firm, if applicable. Relevant experience should also include:
  - a. Being a direct party to a similar contractual obligation with the public sector and/or governmental entity for a similar project.
  - b. Preparation of applications and related documents pertaining to the California Environmental Quality Act (CEQA) or other similar or comparable environmental review process for a similar project.
  - c. A similar project as a lessee or party to a long-term ground lease or similar real property right or interest with a public sector and/or governmental agency.
  - d. Experience with California cities and California Department of Transportation should be highlighted.
- B. Description of the Project Team – Detailed information on the proposed work team and their specific role, including membership of the board of directors, senior management, corporate history, corporate mission statement, and corporate organizational structure. Similar information is requested for any business partner that will be involved with the project and their specific role.
- C. References – Provide complete contact information for at least five clients or partners with whom the firm has successfully completed similar projects for.
- D. Proposed Digital Electronic Billboard Site(s) – Using the potential areas for siting an electronic billboard, identify the site(s) that your company would propose. For reference,

## Attachment B

below is list of city owned real property:

<u>#</u>	<u>APN</u>	<u>Address (if applicable)</u>
1	475-402-25-00	7764 North Avenue
2	475-402-27-00	7752 North Avenue
3	475-430-07-00	8105 Lemon Grove Way
4	475-490-14-00	8111 Lemon Grove Way
5	479-094-01-00	7385 Broadway
6	479-094-03-00	7390 Pacific Avenue
7	480-043-26-00	3524-3530 Main Street
8	480-043-27-00	3510-3516 Main Street
9	480-043-30-00	3482-3492 Main Street
10	480-043-31-00	3466 Main Street
11	480-111-07-00	7859 Lester Avenue
12	480-111-08-00	7865 Lester Avenue
13	480-111-09-00	7883 Lester Avenue
14	480-111-10-00	7891 Lester Avenue
15	480-111-11-00	7917 Lester Avenue
16	480-111-22-00	7874 Broadway
17	480-173-01-00	3185 Olive Street
18	480-173-02-00	7730 Central Avenue
19	480-174-01-00	3240 Main Street
20	480-174-02-00	3225 Olive Street
21	480-174-03-00	3210 Main Street
22	480-174-04-00	3205 Olive Street
23	503-330-19-00	2271 Washington Street
24	576-392-10-00	7701 Nichols Street
25	760-234-59-00	8235 Mount Vernon Street

If the site is with Caltrans' designated landscaped areas, explain your experience in obtaining approval to install billboards in those areas.

Also include a detailed description of the digital sign(s) that will be developed, constructed and operated on each particular City site, as applicable. The detailed information should describe specifications of the Digital Sign(s) (e.g. remote diagnostic capabilities, Amber Alert capabilities, automatic brightness adjustments, UL and IEC criteria, color calibration, and remote shutdown capabilities) and compliance with the applicable federal, state, and local other regulatory laws and ordinances.

- E. Construction and Maintenance Requirements – Provide a detailed description of the construction of the digital sign (including but not limited to the preparation of the City site, the installation of infrastructure and utilities, and the installation of the digital sign(s)) and compliance with all applicable federal, state and local building codes. In addition, a detailed description of the regularly schedule onsite maintenance, internal services access for safety and improved appearance, and proposed upgrades to the digital sign during the term of an agreement will also need to be provided.

## Attachment B

- F. Development and Construction Schedule – An overall proposed development and construction schedule including the anticipated time periods needed to negotiate the agreement, approval period for any further entitlements to execute the development; period of time to obtain financing (if any), construction of the digital sign(s), and any other conditions in order to complete the development and construction of the digital sign(s).
- G. Agreement Terms and Conditions – The proposed business terms of an agreement including but not limited to:
- a. The length of the term together with any options (if any);
  - b. The proposed compensation to the City (e.g. upfront payments, annual payments, type of payment (percentage of gross revenue, including any definitions, other considerations);
  - c. Permitted and prohibited material to be advertised;
  - d. Type of advertising desired (e.g. static);
  - e. Criteria for promoting community events, local businesses, disseminating public safety and traffic related messages;
  - f. Amount and type of insurance to be provided;
  - g. Other applicable terms and conditions.

And compliance with all applicable federal, state and local building codes. Additionally, a detailed description of the regularly scheduled onsite maintenance, internal service access for safety and improved

- H. Project Proforma – A project development cost spreadsheet, which shall include specific line items costs (such as soft costs, hard costs, financing costs, contingency costs, etc.) in sufficient detail, a schedule as to when said costs are anticipated to occur, the development assumptions together with the rationale associated therewith, and the anticipated or project payments to the City.
- I. Sign Regulations – Provide firm's experience in analyzing sign regulations and drafting local government regulations. Specifically, the City is interested in what recommendations the firm will propose in order to allow a digital message board(s) to be constructed on the City's real property.
- J. Billboard Removal – If a firm owns billboards on Broadway, Lemon Grove Avenue, or Skyline Drive, identify which billboard(s) would be removed (if any) as part of a partnership with the City.

## Attachment B

- K. Insurance Coverage – Provide proof of professional liability, commercial general liability, and automobile liability insurance of at least \$3,000,000. If applicable, worker’s compensation insurance with limits prescribed by state law must also be provided.
- L. Indemnity – The firm will be required to defend, indemnify and hold the City harmless from and against any claims arising from the selection of the proposed operator(s), any amendment to the City sign ordinance, and/or approval of an agreement between the City and firm.
- M. Litigation History – Please include a description of any litigation involving any individuals, companies, and/or teams that comprise the firm, which is in any way associated with the development, construction or operation of digital sign(s). If applicable, please provide any information related to said litigation, including case name and number, the venue of the case, and the outcome.

#### IV. SUBMITTAL DIRECTIONS

- A. Package to be Submitted – Four bound copies and one electronic copy in PDF version of the RFP package must be submitted. Questions regarding this RFP and the City’s specific submission requirements may be directed to Mike James, Assistant City Manager / Public Works Director. He may be reached by telephone at 619-825-3814 or by email at [mjames@lemongrove.ca.gov](mailto:mjames@lemongrove.ca.gov).
- B. Due Date of RFP Package – All response packages must be submitted no later than 5:00 p.m. on November 1, 2018 and addressed to:

City of Lemon Grove  
3232 Main Street  
Lemon Grove, CA 91945  
Attn: Mike James

*\* Incomplete RFP response packages and packages received after the deadline noted above will not be considered.*

*\* Facsimile copies will not be accepted.*

The City reserves the right to reject any or all submittals. No obligation, either expressed or implied, exists on behalf of the City to make an award for the work or for costs incurred in the preparation of the response to the RFP. The City reserves the right to select more than one party to provide these services.

#### V. EVALUATION CRITERIA

In no particular order of importance, the evaluation of the RFP packages will be based on the following criteria:

## Attachment B

- A. Financial Consideration to the City – The City will analyze the direct financial benefits to the City and indirect benefits, such as no cost public service announcements.
- B. Community Benefits to the City – The City will examine what is in the best interest of the City in the promotion of City sponsored events, support the local business community, and the dissemination of public safety and traffic messages.
- C. Project Consideration – Quality of the design elements proposed.
- D. Relevant Experience – The firms demonstrable and documented experience with respect to similar development and operations, including working with the public sector and/or governmental agency, the quality of work, and meeting deadlines, and willingness to work through any and all issues regarding development and implementation of digital message board signs.
- E. Detailed Development Information – Review and approval of the required development information including but not limited to the development schedule, development proforma, and construction schedule.
- F. Organization and Structure – A primary desired quality of the firm includes the designation of an experienced professional individual or management team that will be the point of contact with the City throughout the life of the project.

### VI. SELECTION PROCESS

- A. Initial Review – City staff will conduct an initial review of all RFP responses received. Any incomplete response or a response that does not meet the basic qualifications for the project may be eliminated from further consideration.
- B. Evaluation Process – An evaluation panel composed of City staff (and outside consultants, if needed, as determined by City staff in its sole and absolute discretion) will review the remaining RFP responses. The evaluation panel reserves the right to request additional information and may elect to visit completed projects that are referenced.
- C. Interview (optional) – The final firms may be interviewed by the evaluation panel at a date and time to be determined.
- D. Selection – Following the interview (if conducted), the evaluation panel will make a recommendation to the City Manager for the selection of the firm to enter into negotiations of an agreement. The City Manager, at her sole discretion, may ask the City Council to approve the selection of the firm.



# Attachment B

## VII. GENERAL CONDITIONS

The City reserves the right to modify or cancel the selection process or schedule at any time. Additionally, the City may seek clarification or addition information from proposals, as it deems necessary to the evaluation of the response.

The RFP does not commit the City to sign an agreement, award a contract, or to pay any costs incurred in the preparation of a response to this RFP. City approval will be required.

All documents, conversations, correspondence, etc. between the City and the firms are public information subject to the laws and regulations that govern the City, unless specifically identified otherwise.

The City makes no representations about the placement of proposed signage. The respondent shall make its own conclusions concerning such placement.

## VIII. RESOURCES

- A. In submitting a response to this RFP, it is recommended that each firm review and analyze the City's Municipal Code, specifically section 18.12 ([http://gcode.us/codes/lemongrove/view.php?topic=18-18\\_12&frames=on](http://gcode.us/codes/lemongrove/view.php?topic=18-18_12&frames=on)).
- B. Additionally, the City envisions that the proposed locations of any digital message board sign(s) on City owned real property (e.g. parcels or right-of-way) will be located within 1,000 feet of State Highway 94 and 125.

**LEMON GROVE CITY COUNCIL  
AGENDA ITEM SUMMARY**

**Item No.** 1.A  
**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.B

**Dept.** Finance

**Item Title:** City of Lemon Grove Payment Demands

**Staff Contact:** Molly Brennan, Finance Manager

**Recommendation:**

Ratify Demands
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**Fiscal Impact:**

None.

**Environmental Review:**

Not subject to review

Categorical Exemption, Section

Negative Declaration

Mitigated Negative Declaration

**Public Information:**

None

Newsletter article

Notice to property owners within 300 ft.

Notice published in local newspaper

Neighborhood meeting

**Attachments:**

None.

**City of Lemon Grove Demands Summary**

Approved as Submitted:

Molly Brennan, Finance Manager

For Council Meeting: 09/18/18

ACH/AP Checks 08/28/18-09/06/18

931,215.02

Payroll - 08/28/18

128,995.03

Total Demands

1,060,210.05

CHECK NO	INVOICE NO	VENDOR NAME	CHECK DATE	Description	INVOICE AMOUNT	CHECK AMOUNT
ACH	Jul18-Aug14 18	California Public Empl Retirement System	08/28/2018	Pers Retirement 7/18/18-8/14/18	67,049.06	67,049.06
ACH	Jul18	San Diego County Sheriff's Department	08/28/2018	Law Enforcement Services - Jul'18	488,465.93	488,465.93
ACH	Aug28 18	Employment Development Department	08/30/2018	State Taxes 8/28/18	7,078.15	7,078.15
ACH	Aug15-Aug28 18	Calpers Supplemental Income 457 Plan	08/30/2018	457 Plan 8/15/18-8/28/18	5,828.39	5,828.39
ACH	Aug18	Wage Works	08/31/2018	FSA Reimbursement - Aug'18	889.25	889.25
ACH	Aug28 18	US Treasury	08/31/2018	Federal Taxes 8/28/18	23,301.36	23,301.36
ACH	Aug18	Power Pay Biz/Evo	09/04/2018	Online Credit Card Processing - Aug'18	65.85	65.85
ACH	Aug18	Authorize.Net	09/04/2018	Merchant Fees - Aug'18	31.60	31.60
ACH	Aug18	Dharma Merchant Services	09/04/2018	Merchant Fees - Aug'18	15.00	15.00
ACH	Sep 2018	Pers Health	09/06/2018	Pers Health Insurance - Sep 18	54,874.28	54,874.28
10092	11772991 11806718	AT&T	08/29/2018	Phone Service- 7/13/18-8/12/18 Fire Backup Phone Line- 7/22/18-8/21/18	83.88 40.38	124.26
10093	5656367609 5656367609 5656368783 5656368938	AutoZone, Inc.	08/29/2018	Diesel Exhaust Fluid - LGPW #32 Bulb - LGPW #17 Equip Repair/Battery - Paint Striper Equip Repair/Coolant/Hose/Cap - Paint Striper	26.94 5.16 92.58 22.38	147.06
10094	32186	Aztec Landscaping Inc.	08/29/2018	Landscape Mgmt Svc - Jul'18	9,629.00	9,629.00
10095	82952577 82955379 82956565	Boundtree Medical LLC	08/29/2018	Medical Supplies-Nitrile Gloves/Defib Pads/EKG Paper Medical Supplies-Gauze/Tourniquets/Elastic Bandages Medical Supplies- Defib Pads/Adult	3,442.52 1,372.32 180.99	4,995.83
10096	8/28/18	California State Disbursement Unit	08/29/2018	Wage Withholding Pay Period Ending 8/28/18	161.53	161.53
10097	19079785	Canon Financial Services Inc.	08/29/2018	Canon Plotter Contract Charge 8/21/18-9/20/18	144.00	144.00
10098	HIRT-2019-012 UDC-2019-010	County of San Diego- OES	08/29/2018	FY18-19 (7/1/18-6/30/19) HIRT Membership Fee FY18-19 Unified SD County- Emergency Svc Membership Fee	20,173.00 734.00	20,907.00
10099	201800706	County of SD/Assessor/Recorder/Clerk	08/29/2018	Recording Services - 7/11/18 & 7/19/18	418.00	418.00
10100	8/6/2018 8/6/2018 8/9/2018	Cox Communications	08/29/2018	Calsense Modem Line:2259 Washington 8/6/18-9/5/18 Calsense Modem Line:7071 Mt Vernon 8/6/18-9/5/18 Calsense Modem Line:8235 Mt Vernon 8/9/18-9/8/18	21.01 19.90 94.39	135.30

CHECK NO	INVOICE NO	VENDOR NAME	CHECK DATE	Description	INVOICE AMOUNT	CHECK AMOUNT
10101	4199	D- Max Engineering Inc.	08/29/2018	7276 Mt Vernon Erosion Control Plan Review thru 4/18/18	120.00	2,885.66
	4200			8179 Broadway Erosion Control Plan Review 3/1/18-4/18/18	149.70	
	4457			1993 Dain Dr Doc Review 7/1/18-7/31/18	319.90	
	4458			D-Max Stormwater Prof Svcs thru 7/31/18	690.00	
	4459			Celsius Phase II- 18-19 7/1/18-7/31/18	159.68	
	4460			6800 Mallard Ct Stormwater Inspection 7/1/18-7/31/18	320.45	
	4461			Center Hilltop Condos Stormwater Inspections 7/1/18-7/31/18	267.40	
	4462			Grove Lofts Stormwater Inspections 7/1/18-7/31/18	343.43	
	4463			Ildica Stormwater Inspection 7/1/18-7/31/18	224.17	
	4464			LGA Realignment Stormwater Inspection 7/1/18-7/31/18	290.93	
10102	0718.03.1052 0718.05.1053	Dexter Wilson Engineering, Inc.	08/29/2018	Eng Svc-District's Sewer System Mgmt Plan - Jul'18	560.00	787.50
				Perm Meter Location Eval & Interconnections - Jul'18	227.50	
10103	0821182305	Domestic Linen- California Inc.	08/29/2018	Shop Towels & Safety Mats 8/21/18	77.90	77.90
10104	8/13-16/18 8/6-9/18	Esgil Corporation	08/29/2018	75% Building Fees- 8/13/18-8/16/18	40,013.26	44,888.67
				75% Building Fees- 8/6/18-8/9/18	4,875.41	
10105	8/28/18	Franchise Tax Board	08/29/2018	Wage Withholding Pay Period Ending 8/28/18	191.58	191.58
10106	109608994	Globalstar USA, Inc.	08/29/2018	Satellite Service 7/16/18-8/15/18	165.31	165.31
10107	2-70871-DS-001 3-70871-DS-001	HNTB Corporation	08/29/2018	Prof Svcs: OCS for LGA Realignment Proj 5/26/18-6/29/18	4,510.12	10,580.12
				Prof Svcs: OCS for LGA Realignment Proj 6/30/18-7/27/18	6,070.00	
10108	00055003 00055003 00055003 00055003 00055003 00055255	Hudson Safe-T- Lite Rentals	08/29/2018	2 5-Gallon Yellow Traffic Paint	147.22	1,811.67
				10' Square Posts	740.43	
				12' Square Posts	248.98	
				Tow Away Zone Signs	194.85	
				Drive Rivets	51.52	
				4 5-Gallon Red Traffic Paint	428.67	
10109	Aug28 18	ICMA	08/29/2018	ICMA Deferred Compensation Pay Period Ending 8/28/18	580.77	580.77
10110	10958	Infrastructure Engineering Corporation	08/29/2018	Prof Svc: LGA Realignment 6/30/18-7/27/18	4,860.98	4,860.98
10111	1493	Janazz, LLC SD	08/29/2018	IT Services- City Hall- Aug'18	2,500.00	2,500.00
10112	129178	Knott's Pest Control, Inc.	08/29/2018	On Call Pest Control- Sheriff/PW/Various Locations	125.00	125.00
10113	1022962	Michael Baker International	08/29/2018	Prof Svc: As-Needed Engineering Svcs thru 7/31/18	28,971.25	28,971.25
10114	NEX18-180	NexTech Systems, Inc.	08/29/2018	Replacement Lighted Ped Sign- Knockdown @ Broadway Crosswalk	2,394.53	2,394.53
10115	6191	North County EVS, Inc.	08/29/2018	E310 Service & Safety Inspection/Power Loss Inspection	1,050.80	1,050.80
10116	2018312	Pacific Railway Enterprises, Inc.	08/29/2018	LGA Realignment Proj 6/3/18 - 7/28/18	29,842.90	29,842.90
10117	148185	Pacific Sweeping	08/29/2018	Street Sweeping/Parking Lot/Power Washing/Bus Shelters - Jul'18	6,428.55	6,428.55
10118	Sep-18	PLIC- SBD Grand Island	08/29/2018	Dental Insurance -Sep18	4,315.83	4,315.83
10119	143817 143817	PSOMAS	08/29/2018	Lighting District Annual Administration FY2018-2019	5,931.30	21,098.70
				Sanitation District Annual Administration FY2018-2019	15,167.40	
10120	17546F(6)	Rick Engineering Company	08/29/2018	Prof Svc: 2017/18 CIP Sewer Proj- 8 Locations 6/30/18-7/27/18	595.00	595.00
10121	Russo	Russo, Monique	08/29/2018	Refund/Russo, Monique/CD1-700-0018/Diversion Deposit-9/7/17	280.70	280.70
10122	0330937	SCS Engineers	08/29/2018	Env Consulting Svc: LGA Realignment 7/1/18-7/31/18	1,482.00	1,482.00
10123	8/21/2018 8/21/2018 8/2/2018 8/2/2018 8/2/2018 8/2/2018	SDG&E	08/29/2018	3225 Olive- 7/19/18-8/19/18	267.08	585.75
				3500 1/2 Main- 7/19/18-8/19/18	275.79	
				7701 1/2 North Ave A-New Service Fee 7/17/18-8/2/18	10.93	
				7701 1/2 North Ave B-New Service Fee 7/17/18-8/2/18	10.65	
				7772 1/2 North Ave A-New Service Fee 7/17/18-8/2/18	10.65	
				7772 1/2 North Ave B-New Service Fee 7/17/18-8/2/18	10.65	
10124	3394-07 3394-07 3394-07	Select Electric Corp.	08/29/2018	Traffic Signal Maintenance- Jul'18	1,344.00	4,893.16
				Traffic Signal Service Calls- Jul'18	3,015.16	
				Traffic Signal Dig Alert Mark Outs- Jul'18	534.00	

CHECK NO	INVOICE NO	VENDOR NAME	CHECK DATE	Description	INVOICE AMOUNT	CHECK AMOUNT
10125	490799	South Coast Emergency Vehicle Services	08/29/2018	E10 Replace Damaged Retractable Aluminum Access Ladder	4,677.69	4,677.69
10126	Sep-18	Standard Insurance Company	08/29/2018	Long Term Disability Insurance - Sep18	1,521.99	1,521.99
10127	00068712	The East County Californian	08/29/2018	Public Hearing Notice - CUP 6859 Federal Blvd 8/9/18	171.50	171.50
10128	L1072895SI	American Messaging	09/05/2018	Pager Replacement Program 9/1/18-9/30/18	42.96	42.96
10129	8/22/2018	AT&T	09/05/2018	Backup City Hall Internet- 7/23/18-8/22/18	89.25	89.25
10130	1160648-IN	Boot World Inc.	09/05/2018	Work Boots - Harper	250.00	250.00
10131	Bright	Bright, Ava	09/05/2018	Refund/Bright,Ava/Remaining Dep/CommCtr- 8/18/18	20.00	20.00
10132	19124685	Canon Financial Services Inc.	09/05/2018	Canon Copier Contract Charge 9/1/18	642.60	642.60
10133	4026842626 4026847807	Canon Solutions America, Inc.	09/05/2018	Canon Maintenance-Copier Usage 5/26/18-8/25/18 Canon Maintenance-Copier Usage 5/27/18-8/26/18	83.98 781.53	865.51
10134	3105367 3105367	Certified Laboratories	09/05/2018	Spill Guard Eco with Recycler/Spill Absorbent Supplies/Gold Rush 12x22 oz	660.81 98.74	759.55
10135	20245 20245 20245 20245 20245	City of La Mesa	09/05/2018	Overtime Reimbursement - Costello 7/23/18 Overtime Reimbursement - Casey (OOC) 7/28/18 Overtime Reimbursement - Jacobson 7/29/18 Overtime Reimbursement - Runkle 7/29/18 Overtime Reimbursement - Provence 7/31/18	1,286.68 1,275.33 84.31 1,214.60 1,115.35	4,976.27
10136	Aug18	Colonial Life	09/05/2018	Colonial Optional Insurance -Aug18	670.20	670.20
10137	19CTOFLGN02	County of San Diego- RCS	09/05/2018	800 MHZ Network - Aug '18	2,935.50	2,935.50
10138	8/30/2018	Cox Communications	09/05/2018	Peg Circuit Svc 8/30/18-9/29/18	2,904.39	2,904.39
10139	119972	CTS Language Link	09/05/2018	Notice of Nominees Proofreading:Chinese,Spanish,Tagalog,Vietnamese	220.00	220.00
10140	14858	Custom Auto Wrap Inc.	09/05/2018	Firefighter Skate Park Sign	1,367.11	1,367.11
10141	0904182305	Domestic Linen- California Inc.	09/05/2018	Shop Towels & Safety Mats 9/4/18	81.60	81.60
10142	8/20-23/18	Esgil Corporation	09/05/2018	75% Building Fees- 8/20/18-8/23/18	2,749.48	2,749.48
10143	26248	Excell Security, Inc.	09/05/2018	Senior Center Security Guard - 8/11/18	79.84	79.84
10144	6/21-8/20	Helix Water District	09/05/2018	Water Services- 6/21/18-8/20/18	31,212.58	31,212.58
10145	Holiday	Holiday, Keturah	09/05/2018	Refund/Holiday,Keturah/Deposit/LeeHouse 8/5/18	300.00	300.00
10146	69576	House of Automation	09/05/2018	Saw Cut & Install New Ground Sensor- PW Yard Security Gate	985.60	985.60
10147	Jones	Jones, Paul	09/05/2018	Refund/Paul,Jones/Ashcraft/Deposit/LBH 8/11/18	300.00	300.00
10148	IN1254492 IN1256584	Municipal Emergency Services Inc.	09/05/2018	SCBA Repair/Valve/Latch/Holder,Regulator Custom HyroStatic Testing-Joint Concept Maint	35.88 30.22	66.10
10149	Paris	Paris, Kimberly	09/05/2018	Refund/Paris,Kimberly/Farmers Market/Deposit-CommCtr 2/14/15	200.00	200.00
10150	INV024277	RapidScale Inc.	09/05/2018	Virtual Hosting 8/31/18	3,370.78	3,370.78
10151	Ref090418	Rick Engineering Company	09/05/2018	Refund - Invoice 13 & Partial 12	12,887.30	12,887.30
10152	062518-03 080418-01	Tallal, Inc.	09/05/2018	Production Design Fee/Flyers-Movies in the Park/Berry St Pk 5/25 Outdoor Movie Screen/Movies in the Park/Berry St Pk 8/3/18	75.00 445.00	520.00
10153	98131258499	Verizon Wireless	09/05/2018	Fire Prev Phone Line/Tables- 7/21/18-8/20/18	471.16	471.16
10154	VistaAzul	Vista Azul, LLC	09/05/2018	Refund/Vista Azul/TMO-0062 Extension Deposit	20.88	20.88
10155	Williams	Williams, Christopher	09/05/2018	Refund/Williams,Christopher/Deposit/CommCtr 7-24/18	200.00	200.00
					931,215.02	931,215.02

**LEMON GROVE CITY COUNCIL  
AGENDA ITEM SUMMARY**

**Item No.** 1.C

**Dept.** City Manager's Office

**Item Title:** Approval of City Council Meeting Minutes

**Staff Contact:** Shelley Chapel, MMC, City Clerk

**Recommendation:**

Approval of City Council Meeting Minutes for Regular Meeting held September 4, 2018

**Fiscal Impact:**

None.

**Environmental Review:**

Not subject to review

Categorical Exemption, Section

Negative Declaration

Mitigated Negative Declaration

**Public Information:**

None

Newsletter article

Notice to property owners within 300 ft.

Notice published in local newspaper

Neighborhood meeting

**Attachments:**

None.

**MINUTES OF A MEETING OF  
THE LEMON GROVE CITY COUNCIL  
TUESDAY, SEPTEMBER 4, 2018**

*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:**

Mayor Vasquez called the Regular Meeting to order at 6:02 p.m.

**Present:** Mayor Racquel Vasquez, Mayor Pro Tem Jerry Jones, Councilmember Jennifer Mendoza, and Councilmember Matt Mendoza.

**Absent:** Councilmember David Arambula

**Staff Members Present:**

Lydia Romero, City Manager, James Lough, City Attorney, Kristen Steinke, Assistant City Attorney, Mike James, Assistant City Manager/Public Works Director, Mike Chasin, Interim Fire Chief, Daryn Drum, Fire Division Chief, Sergeant Dueno, San Diego County Sheriff's Office - Lemon Grove Substation, David De Vries, Development Services Director, Shelley Chapel, City Clerk, Alicia Hicks, Human Resources Manager, and Molly Brennan, Finance Manager.

**Pledge Of Allegiance:**

Pledge of Allegiance to the Flag was led by Councilmember J. Mendoza.

**Presentations:**

Mayor Vasquez introduced David De Vries, Development Services Director as the recipient of a Proclamation declaring September 5, 2018, David De Vries Day in the City of Lemon Grove in honor of his years of service to the City as employee.

Mayor Vasquez introduced Sergeant Dueno who provided a traffic presentation from the San Diego County Sheriff's Department for the past year.

Mayor Vasquez introduced Fire Division Chief Daryn Drum who introduced Andy McKellar, Emergency Preparation Coordinator who gave a presentation on Disaster Preparedness in honor of September being declared as National Disaster Preparedness Month.

**Public Comments:**

Appeared to comment were: John L. Wood, Robert Vryeid, Jesus Benayas, Linda Calabrese, Marc De La Motte, Amber De La Motte, and Teresa Kinura.

**1. Consent Calendar:**

- A.** Waive Full Text Reading of All Ordinances on the Agenda.
- B.** Ratification of Payment of Demands



- C. City Council Meeting Minutes for the Meetings of March 20, 2018, April 3, 2018, June 19, 2018, July 3, 2018, July 17, 2018, July 20, 2018, August 7, 2018; and, Special Meeting April 24, 2018.
- D. Adoption of Resolution No. 2018-3600 Authorizing the Application Submittal for a Department of Justice Edward Byrne Memorial Justice Assistance Grant, and Directing the City Manager or her designee to execute any grant related documents upon award of any grant funds.
- E. Adoption of Resolution No. 2018-3601, Accepting a Private Drainage Easement on Lot 5 (formerly Lot 536) of Subdivision Map 3982 – San Altos Terrace Unit No. 3.
- F. Adoption of Resolution No. 2018-3602, approving the Final Map for Tentative Map TM0063 and authorize the City Clerk to accept the easements and the Final Map.
- G. Adoption of Resolution No. 2018-3603, Authorizing the Appointment of Deputy City Attorney Kristen Steinke as City Attorney, Effective October 1, 2018.
- H. Adoption of Resolution No. 2018-3604, Authorizing Mayor to Sign First Amended Agreement.

**Action: Motion by Councilmember J. Mendoza, seconded by Councilmember M. Mendoza to approve Consent Calendar Items A-H.**

**The motion passed by the following vote:**

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

**Absent: Arambula**

**Public Hearing:**

2. Public Hearing to Consider a Request for a Conditional Use Permit (CUP-180-0002) to Establish a Medical Marijuana Dispensary at 6859 Federal Blvd. in the General Commercial Zone.

Mayor Vasquez introduced David De Vries, Development Services Director who presented the staff report and PowerPoint Presentation.

Mayor Vasquez opened the Public Hearing at 7:51 p.m.

Appeared to comment were: Deborah Baczynski, John L. Wood, Lenore Dumas, Chris Williams, and Sapphire Blackwood.

During the discussion Councilmembers expressed concern about fencing, security, the homeless currently living onsite, trees and lighting.

Director De Vries, City Manager Romero, and City Attorney Lough provided the Council with responses to questions and concerns.

Jessica McElfresh, representative for the applicant provided a PowerPoint presentation and overview of the client's expectations, and that they were willing to work with the terms staff and the City Council had provided.

Adoption of the resolution would authorize Conditionally Approving a Request to Establish a Medical Marijuana Dispensary, Using the Findings Provided as Sufficient Considering the Conditions in the Resolution of Approval are Adhered to as Provided in the Report and Resolution.

**Action:** The public hearing was closed at 8:26 p.m. on a motion by Mayor Pro Tem Jones and second by Councilmember M. Mendoza. The motion passed by the following vote:

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

**Absent:** Arambula

**Action:** It was moved by Mayor Pro Tem Jones and seconded by Councilmember J. Mendoza to adopt Resolution No. 2018-3605 entitled, “Resolution of the City Council of the City of Lemon Grove, Conditionally Approving Conditional Use Permit CUP -180-0002, a Request to Allow a Medical Marijuana Dispensary at 6859 Federal Boulevard, Lemon Grove, California.”

To include the following amendments:

Conditions added and removed from page 5 of 18

B. Within 30 days of the issuance of this Conditional Use Permit, the applicant shall comply with the following:

1. The easterly and southerly boundaries of the parking area shall be fenced with a six foot high wrought iron fence, except for the front yard setback. **The fence along the southerly boundary shall be 8 feet high.** A lockable gate with Knox box access shall be installed along the southerly portion to the satisfaction of the Development Service Director.

~~0. The southerly property line shall be fenced with a six foot high wrought iron fence to the satisfaction of the Development Service Director.~~

2. A lockable gate and roof shall be installed on the trash enclosure to the satisfaction of the Development Service Director.

3. All boarded windows and doors shall be replaced.

Conditions added to page 7 of 18

E. 18. **Weed abatement, only trimming of weeds not removal, shall be required within the waterway semi-annually with removal of trimmings in accordance with State Laws.**

E. 20. The four existing mature London Plane trees on-site shall remain in place and properly maintained in-lieu of street trees and the four palm trees fronting the property. **Two additional London Plane trees shall be installed at 40 feet and 80 feet, east of the westerly property line along the southerly boundary of the parking area, within curbed planters to the satisfaction of the Development Services Director.**

Condition added to page 14 of 18

G. 54 This project approval does not include signage and sign permits shall be obtained prior to installation. All signage for dispensaries shall require a sign permit from the City prior to installation. Signage shall not include any terminology (including slang) or symbols for marijuana. Green crosses are not to be considered terminology including slang or symbols for marijuana. All signs shall conform to the Municipal Code Section 18.12. **No sign shall be placed above the roof line of the building.**

**The motion passed by the following vote:**

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

**Absent:** Arambula

### 3. Adopt-A-Park Program

City Manager Lydia Romero introduced Assistant City Manager/Public Works Director Mike James who presented the staff report and PowerPoint Presentation.

**Action:** It was moved by Councilmember J. Mendoza and seconded by Councilmember M. Mendoza to adopt Resolution No. 2018- 3606 entitled, *A Resolution of the City Council of the City Council of the City of Lemon Grove, California accepting the Adopt-A-Park Program.*

**The motion passed by the following vote:**

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

**Absent:** Arambula

#### 4. Pension Rate Stabilization Program Investment & Funding Policy

City Manager Lydia Romero introduced Finance Manager, Molly Brennan, who presented the staff report and PowerPoint Presentation.

The City Council will consider a resolution adopting the City of Lemon Grove and Lemon Grove Sanitation District Pension Rate Stabilization Program Investment and Funding Policy.

**Action:** It was moved by Mayor Pro Tem Jones and seconded by Councilmember J. Mendoza to adopt Resolution No. 2018- 3607 entitled, *A Resolution of the City Council of the City Council of the City of Lemon Grove, California approving the Pension Rate Stabilization Program Investment and Funding Policy.*

**The motion passed by the following vote:**

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

**Absent:** Arambula

#### **City Council Oral Comments & Reports on Meetings Attended At City Expense: (G.C. 53232.3(d))**

**Councilmember J. Mendoza** attended:

- Concerts in the Park
- Community Potluck at Kunkle Park
- League of California Cities Meeting
- East County Magazine Fundraiser

**Councilmember M. Mendoza** attended:

- Helix Water District Meeting

**Mayor Vasquez** attended the following meetings and events:

- Concerts in the Park
- State of City Address – gave the address
- Lemon Grove Reading Finale
- LUV Gala event at St. Paul’s Church
- SANDAG Board of Director’s Meeting

#### **City Manager and Department Director Reports: (Non-Action Items)**

**City Clerk Shelley Chapel** announced the names of four (4) qualifying City Council Candidates on the November ballot. In ballot order they are: Jerry Jones, Teresa Rosiak, Kamaal Martin, and Jennifer L. Mendoza. For more information on candidates, and general election information please visit the City Clerk’s Office Election page on the City website for updated information. [Lemongrove.ca.gov/election](http://Lemongrove.ca.gov/election).

City Attorney James Lough announced the City Council will be adjourning to closed session at 10:05 p.m. for the purposes above.

**Closed Session:**

1. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION  
Government Code Section 54956.9b  
Number of potential cases: 1
2. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION  
Government Code § 54956.9(a)  
City of Lemon Grove v. The Grove Collective et. al  
San Diego Superior Court – Central Division Case No.: 37-2016-00015271-CU-BC-CTL)

City Attorney Lough reported no reportable action on items discussed in Closed Session.

**Adjournment:**

There being no further business to come before the Council, the meeting was adjourned at 10:30 p.m. to a meeting to be held Tuesday, September 18, 2018, in the Lemon Grove Community Center located at 3146 School Lane, for a Regular meeting.

---

Shelley Chapel, MMC  
City Clerk

**LEMON GROVE CITY COUNCIL  
AGENDA ITEM SUMMARY**

**Item No.**   1.D    
**Mtg. Date** September 18, 2018  
**Dept.** City Manager's Office, City Clerk

**Item Title: Biennial Review and Adoption of the Amended Conflict of Interest Code.**

**Staff Contact: Shelley Chapel, City Clerk**

**Recommendation:**

Adopt a Resolution (Attachment B) accepting the amended City of Lemon Grove Conflict of Interest Code.
--

**Item Summary:**

Government Code Title 9, Political Reform, Chapter 7 Conflict of Interest, Section 87306.5 requires that in each even-numbered year, the Council, as the Code reviewing body for the City departments, must review the Conflict of Interest Code, list of designated reporting positions, and the respective disclosure categories. The purpose of this review is to provide reasonable assurance that all foreseeable potential conflict of interest situations involving City employees and members of listed boards, commissions and committees, and consultants will be disclosed or prevented. State law also mandates that upon completion of the review of the Conflict of Interest Code, the Code should be amended to reflect any changes necessitated by the review, including new and/or different positions, duties and responsibilities.

City Conflict of Interest Code:

Staff has completed a review of Code and Appendix (Exhibits A-B) of Designated Filers and is requesting the Council adopt the proposed resolution which will amend the Conflict of Interest Code. The Appendix has been updated with the following positions which have been established or abolished since the last review in 2016.

The attached Conflict of Interest Code includes consultants as public officials and provides direction in determining if their scope of work is subject to disclosure.

These new position have been assigned the corresponding reportable categories approved by the Council at the time the positions were established.

Established Positions that were erroneously omitted in the previous Conflict of Interest update adopted by Resolution 2016-3428 June 21, 2016 are listed below and will be included in the revised in the update.

Assistant City Manager  
Associate Civil Engineer  
Associate Senior Planner  
Community Services Assistant  
Consultants  
Deputy Building Official/Inspector (Esgil)  
Deputy City Attorney  
Deputy Fire Chief  
Deputy Fire Marshal  
Finance Manager  
Fire Battalion Chief



## REDLINE – SHOWING STAFF RECOMMENDATIONS

CURRENT POSITIONS	DISCLOSURE CATEGORIES 2016	DISCLOSURE CATEGORIES CHANGE PROPOSED FOR 2019
Assistant City Manager	1	1, 2, 4
Assistant Civil Engineer	1	3, 4
Assistant Planner	2, 3	3, 4
Associate Civil Engineer	1	3, 4
Associate Planner	2, 3	3, 4
Associate Senior Planner		3, 4
Building Official (Esgil)	2, 3	No Change
Building Technician (Esgil)	2, 3	No Change
City Clerk	4, 5	1, 2, 6
City Engineer	1	1, 2, 5
Code Enforcement /Storm Water Technician	4	2, 3
Community Advisory Commission	1	No Change
Community Services Superintendent	2, 3, 5, 6	No Change
Consultants	1	No Change
Deputy Building Official/Inspector (Esgil)	2, 3	No Change
Deputy City Attorney		1, 2
Deputy Fire Chief		3, 4, 6
Deputy Fire Marshal		3, 4
Development Services Director	1	Unlimited Disclosure
Development Technican II	2, 3	No Change
Engineer Inspector	4	No Change
Engineering Technician III	4	No Change
Finance Director/Treasurer		Unlimited Disclosure
Fire Battalion Chief		1, 2, 3
Fire Chief	2, 3	1, 2, 3
Fire Division Chief	2, 3	2, 3, 5
Fire Inspector		3, 4, 6
Fire Marshal		1, 2, 3
Fire Public Educator		3
Human Resources Manager		3, 5, 7
Management Analyst	4	3, 5
Principal Planner	1	1, 2, 3, 4, 7
Public Works Director	1	1, 2, 3, 4, 6, 7
Public Works Superintendent	2, 3	2, 3, 4, 6
Sanitation Supervisor	4	No Change
Senior Planner	1	1, 2, 3, 4, 7
Special Projects Supervisor	1	1, 2, 7
Street Supervisor	4	2, 4, 6

CURRENT POSITIONS	DISCLOSURE CATEGORIES 2016	DISCLOSURE CATEGORIES CHANGE PROPOSED FOR 2019
<b>City Attorney**</b>		
<b>City Council**</b>		
<b>City Manager**</b>		
<b>Finance Director (If City does not have Treasurer) **</b>		
<b>Mayor**</b>		
<b>Planning Commission**</b>		
<b>**City Council also sit as Members of the Successor Agency of the Lemon Grove Redevelopment Agency - Includes Chair, Members, Executive Director, Counsel, Secretary</b>		<p style="text-align: center;"><b>UNLIMITED DISCLOSURE 87200</b></p> <p style="text-align: center;"><b>**Statements are sent to the FPPC within 5 days of receipt</b></p>
<b>**City Council also sit as Members of the Public Finance Authority - Includes Chair, Members, Executive Director, Counsel, Secretary, and Treasurer</b>		

DISCLOSURE CATEGORIES
1. Investments and sources of Income.
2. Interest in Real Property.
3. Investments, interest in real property, and sources of income subject to regulatory, permit or licensing authority of the department.
4. Investments in business entities and sources of income that engage in land development, construction or the acquisition or sale of real property.
5. Investments in business entities and sources of income of the type which, within the past two years, have contracted with the City of Lemon Grove to provide services, supplies, materials, machinery or equipment.
6. Investments in business entities and sources of income of the type which, within the past two years, have contracted with your department to provide services, supplies, materials, machinery or equipment.
7. Business Positions.



**RESOLUTION NO. 2018-****A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LEMON GROVE, CALIFORNIA, AUTHORIZING THE AMENDMENTS TO THE CITY OF LEMON GROVE CONFLICT OF INTEREST CODE AS REQUIRED BY THE FAIR POLITICAL PRACTICES COMMISSION, REPEALING RESOLUTION NO. 2016-3428**

**WHEREAS**, the Political Reform Act of 1974, Government Code Sections 81000, et seq., requires every governmental agency to adopt a Conflict of Interest Code that designates positions and financial interest that be disclosed by those positions; and

**WHEREAS**, the Fair Political Practices Commission (FPPC) has adopted a regulation, 2 California Code of Regulations Section 18730, which contains the terms of a standard Conflict of Interest Code, which can be incorporated by reference and may be amended by the FPPC after public notice and hearings to conform to amendments in the Political Reform Act;

**WHEREAS**, the City Council has heretofore adopted, as the Conflict of Interest Code of the City of Lemon Grove, the model conflict of interest code set forth in the California Code of Regulations Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission;

**WHEREAS**, the Appendix to the City Code includes Exhibit A (in which officials and employees are designated and in which disclosure categories are set forth), which may be modified by City Council from time to time, and all of which together does constitute the Conflict of Interest Code of the City of Lemon Grove.;

**WHEREAS**, designated employees shall file Statements of Economic Interests with the City Clerk who will make the statements available for public inspection and reproduction per Government Code Section 81008. Upon receipt of the statements of the Mayor, Councilmembers, City Manager, Finance Director/City Treasurer and the City Attorney, the City Clerk shall make and retain a copy and forward the original of these statements to the Fair Political Practices Commission. Statements for all other designated position will be retained by the City Clerk;

**WHEREAS**, the Conflict of Interest Code differentiates between designated positions with different powers and responsibilities and requires disclosure of all foreseeable potential Conflict of Interest.

**WHEREAS**, it is necessary to amend the City's Conflict of Interest Code to reflect the deletion and addition of certain City positions; and

**WHEREAS**, the Political Reform Act requires the City to review its Conflict of Interest Code biennially to determine if it is accurate or, alternatively that the code must be amended.

**NOW, THEREFORE, BE IT RESOLVED**, that the City Council of the City of Lemon Grove, California hereby approves the attached City of Lemon Grove Conflict of Interest Code (Exhibit A).

Section 1: That the above recitals are true and correct.

Section 2: That the standard FPPC Conflict of Interest Code, as set forth in Title 2 California Code of Regulations Section 18730, and as may be amended from time to time by the FPPC, is incorporated by reference and constitutes the Conflict of Interest Code for the City of Lemon Grove.

Section 3: That the list of designated positions subject to the requirements of the Conflict of Interest Code are amended, including their respective disclosure categories are set forth in Exhibit A.

Section 4: That the City of Lemon Grove has conducted the 2018 Biennial review of its Conflict of Interest Code, as required by the Political Reform Act, and as a result of the biennial review determined the need for an amended Conflict of Interest Code as presented in this resolution.

Section 5: That Resolution No. 2016-3428 is hereby repealed.

**PASSED, ADOPTED AND APPROVED** by the City Council of the City of Lemon Grove, California, at a regular meeting this 18<sup>th</sup> day of September, 2018.

\_\_\_\_\_  
Racquel Vasquez, Mayor

Attest:

\_\_\_\_\_  
Shelley Chapel, MMC, City Clerk

STATE OF CALIFORNIA )  
  )  
COUNTY OF SAN DIEGO )

I, Shelley Chapel, City Clerk of the City of Lemon Grove, California, do hereby certify under penalty of perjury that the foregoing Resolution No. 2018-      was duly adopted by the City Council at the meeting of said City Council held on the 18<sup>th</sup> day of September, 2018, and that it was so adopted by the following vote:

- AYES:
- NOES:
- ABSENT:
- ABSTAINED:

\_\_\_\_\_  
Shelley Chapel, MMC, City Clerk  
City of Lemon Grove

Approved as to form:

\_\_\_\_\_  
Kristen Steinke, City Attorney

**REVISED APPENDIX**  
**CITY OF LEMON GROVE**  
**CONFLICT OF INTEREST CODE DESIGNATED POSITIONS**

**GENERAL PROVISIONS**

When a designated employee or individual is required to disclose investments, business positions and sources of income, he or she need only disclose investments in business entities and sources of income which do business in the City, plan to do business in the City or have done business in the City within the past two (2) years. In addition to other activities, a business entity is doing business within the City if it owns real property within the City. When a designated employee or individual is required to disclose real property he or she need only disclose that which is located in whole or in part, within or not more than two (2) miles outside the boundaries of the City or within two (2) miles of any land owned or used by the City.

Designated employees or individuals shall disclose their financial interest pursuant to the appropriate disclosure category as indicated in Exhibit "A".

- All designated employees required to submit an initial Statement of Interest Form 700 shall file electronically including electronic signature with the City Clerk within thirty (30) days after the effective date of this resolution. Initial filings shall cover the period of the twelve (12) months prior to the date of the adoption of this Conflict of Interest Code.

- All individuals appointed, promoted, or transferred to a designated position shall file statements within thirty (30) days of assuming office. These "assuming office" statements cover the period of the twelve (12) months prior to the date of assuming office statement.

- When an individual is in an "interim or acting" capacity, they are subject to the same disclosure requirements of the position in which they are filling. An assuming office would be filed.

- Annual statements shall be filed with the City Clerk by April 1 of each year by all designated employees, elected officials, committee/board/commission members or individuals. Such statements shall cover the period of the preceding calendar year.

- Every designated employee who leaves office shall file, within thirty (30) days of leaving office, a statement disclosing financial interests held or received at any time during the period between the closing date of the last statement required to be filed and the date of leaving office.

- Any individual serving in dual roles may file a combined statement by reporting according to their broadest range of disclosure.

- Failure to file the required statement in a timely fashion may result in the imposition of administrative, criminal, and civil sanctions as provided in Government Code Sections 81000-91014.

Resource: Title 2, California Code of Regulations, Section 18730 Provisions of Conflict of Interest Codes.

**DISCLOSURE CATEGORIES CATEGORY**

**Category 1:** Disclose all business entities and non-profit organizations in which investments, business positions (e.g. director, officer, partner, trustee, employee or hold any position of management) and sources of income including gifts, loans and travel payments located in Lemon Grove, including property located within a two-mile radius of any property owned or used by the City of Lemon Grove.

**Category 2:** All interests in real property within the jurisdiction of the City.

**Category 3:** All investments, business positions in business entities, non-profit organizations and sources of income, including gifts, loans and travel payments, interest in real property and sources of income subject to the regulatory, permit or licensing authority of the specific City department.

**Category 4:** All investments in business entities, non-profit organizations and sources of income, including gifts, loans and travel payments, and sources of income which engage in land development, construction or the acquisition of real property, and interests in real property located in Lemon Grove, including property located within a two-mile radius of any property owned or used by the City of Lemon Grove.

**Category 5:** All investments in business entities, non-profit organizations in which investments, business positions (e.g. director, officer, partner, trustee, employee or hold any position of management) and sources of income including gifts, loans and travel payments, and of the type which contracts with the City to provide services, supplies, materials, machinery or equipment to any City department.

**Category 6:** All investments in business entities and sources of income of the type which contracts with the City to provide to the designated employee's department services, supplies, materials, machinery or equipment to any City department.

**Category 7:** All investments, positions in business entities, income including gifts, loans and travel payments, and income from non-profit organizations, if the sources is the type that receives grants or other monies from or through the City.

**Unlimited Disclosures:** 87200 Category are required to file full disclosure of all categories pursuant to Article 2 of Chapter 7 of the Political Reform Act, Government Code sections 87200, et. seq. Lemon Grove Local Conflict of Interest Code August 22, 2017

**CONSULTANTS**

The staff person most knowledgeable of the work that a Consultant will be performing shall designate whether or not the Consultant must file a Statement of Economic Interest by marking the appropriate box on the Agreement or Contract cover sheet. When determined that a Consultant is designated and is responsible for disclosure, they shall be required to file a Statement of Economic Interest disclosing reportable interests subject to all disclosure categories.

Consultants who make (not just recommend) governmental decisions, such as whether to approve a rate, rule, or regulation, whether to issue, deny, suspend, or revoke any permit, license, application, certificate or similar authorization, adopt or grant City approval to a plan, design, report, study, or adopt or grant City approval of policies, standards, or guidelines for the City or any subdivision thereof shall be required to disclose. Consultants who act in a staff capacity with the City, and in that capacity perform the same or substantially all the same duties for the City that would otherwise be performed by an individual holding a designated position in the City's Conflict of Interest Code, shall disclose at the same level as the comparable designated position identified.

<b>CURRENT POSITIONS</b>	<b>DISCLOSURE CATEGORIES 2019</b>
Assistant City Manager	1, 2, 4
Assistant Civil Engineer	3, 4
Assistant Planner	3, 4
Associate Civil Engineer	3, 4
Associate Planner	3, 4
Associate Senior Planner	3, 4
Building Official (Esgil)	2, 3
Building Technician (Esgil)	2, 3
City Clerk	1, 2, 6
City Engineer	1, 2, 5
Code Enforcement /Storm Water Technician	2, 3
Community Advisory Commission	1
Community Services Superintendent	2, 3, 5, 6
Consultants	1
Deputy Building Official/Inspector (Esgil)	2, 3
Deputy City Attorney	1, 2
Deputy Fire Chief	3, 4, 6
Deputy Fire Marshal	3, 4
Development Services Director	Unlimited Disclosure
Development Technican II	2, 3
Engineer Inspector	4
Engineering Technician III	4
Finance Director/Treasurer	Unlimited Disclosure
Fire Battalion Chief	1, 2, 3
Fire Chief	1, 2, 3
Fire Division Chief	2, 3, 5
Fire Inspector	3, 4, 6
Fire Marshal	1, 2, 3
Fire Public Educator	3
Human Resources Manager	3, 5, 7
Management Analyst	3, 5
Principal Planner	1, 2, 3, 4, 7
Public Works Director	1, 2, 3, 4, 6, 7
Public Works Superintendent	2, 3, 4, 6
Sanitation Supervisor	4
Senior Planner	1, 2, 3, 4, 7
Special Projects Supervisor	1, 2, 7
Street Supervisor	2, 4, 6

<b>UNLIMITED DISCLOSURE POSITIONS</b>
City Attorney**
City Council**
City Manager**
Finance Director (If City does not have Treasurer) **
Mayor**
Planning Commission**
**City Council also sit as Members of the Successor Agency of the Lemon Grove Redevelopment Agency - Includes Chair, Members, Executive Director, Counsel, Secretary
**City Council also sit as Members of the Public Finance Authority - Includes Chair, Members, Executive Director, Counsel, Secretary, and Treasurer

**UNLIMITED DISCLOSURE 87200**

**\*\*Statements are sent to the FPPC within 5 days of receipt**

**LEMON GROVE CITY COUNCIL  
AGENDA ITEM SUMMARY**

**Item No.** 1.E  
**Mtg. Date** September 18, 2018  
**Dept.** City Manager

**Item Title: Criminal History Information**

**Staff Contact:** Alicia Hicks, Human Resources Manager

**Recommendation:**

Adopt a resolution (attachment A) approving authorization to access State and Federal Level Summary Criminal History information from Department of Justice (DOJ) and Federal Bureau Investigations (FBI).

**Item Summary:**

Staff recommends to obtain authorization to access summary criminal history information for the purpose of employment, volunteers, contract employees, adult entertainers, licensing and commercial cannabis operations including cultivation, transportation, and distributing, testing, manufacturing and retail purposes and may not disseminate the information to private entity.

Furthermore, A city cannot hire a person or a volunteer to perform services at a park, playground, recreational center, or beach used for recreational purposes, in a position having supervisory or disciplinary authority over a minor, if that person has been convicted of various offenses specified in [Pub Res C §5164](#). A city must require each such prospective employee or volunteer to complete an application that inquires as to whether that individual has been convicted of any of these specified offenses. The city must screen, under [Pen C §11105.3](#), any such prospective employee or volunteer for that person's criminal background. [Pub Res C §5164](#).

**Fiscal Impact:**

No 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. Resolution.





**RESOLUTION NO. 2018-**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LEMON GROVE, CALIFORNIA  
AUTHORIZING THE CITY TO ACCESS STATE AND FEDERAL LEVEL SUMMARY  
CRIMINAL HISTORY INFORMATION**

---

**WHEREAS**, Penal Code Sections 11105(b) (11) and 13300(b) (11) authorize cities to access state and local summary criminal history information for employment, licensing or certification; and

**WHEREAS**, Penal Code Sections 11105(b) (11) authorizes cities, to access federal level criminal history information by transmitting fingerprint images and related information the Department of Justice to be transmitted to the Federal Bureau of Investigation; and

**WHEREAS**, Penal Code Sections 11105(b) (11) and 13300 (b) (11) require that there be a requirement or exclusion from employment licensing, or certification based on specific criminal conduct on the part of the subject of the record; and

**WHEREAS**, Penal Code Sections 11105(b) (11) and 13300(b) (11) require the city to specifically authorize access to summary criminal history information for employment, licensing, or certification purposes; and

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Lemon Grove, California that the City of Lemon Grove is hereby authorized to access summary criminal history information for employment, including volunteers, and contract employees, adult entertainment, licensing and certification of commercial cannabis operations including cultivation, transportation, distributing, testing, manufacturing and retail purposes and may not disseminate the information to a private entity

////  
/////

**LEMON GROVE CITY COUNCIL  
AGENDA ITEM SUMMARY**

**Item No.** 1.F  
**Mtg. Date** September 18, 2018  
**Dept.** City Manager's Office

**Item Title:** **Council Consideration of Opposition of New Offshore Oil and Gas Drilling**

**Staff Contact:** Lydia Romero, City Manager

**Recommendation:**

Council Consideration of Opposition of New Offshore Oil and Gas Drilling Resolution  
**(Attachment B)**

**Item Summary:**

At the request of Chairperson Gaspar and Council Member Zapf, they would like Lemon Grove to consider adopting a Resolution opposing any new offshore oil and gas drilling off the San Diego coastline. The cities of San Diego, Chula Vista, Oceanside, Encinitas, Imperial Beach, Solana Beach and Del Mar have passed similar Resolutions.

The staff report (**Attachment A**) provides background on the issue.

**Fiscal Impact:**

There is no fiscal effect as a result of this item.

**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 500 ft. |
| <input type="checkbox"/> Notice published in local newspaper | <input type="checkbox"/> Neighborhood meeting |   |

**Attachments:**

- A. Staff Report
- B. Resolution 2018-
- C. Request Letter



# Attachment A

## LEMON GROVE CITY COUNCIL STAFF REPORT

Item No. 1.F

Mtg. Date September 18, 2018

Item Title: **Council Consideration of Opposition of New Offshore Oil and Gas Drilling**

Staff Contact: [Lydia Romero, City Manager]

### Background and Discussion:

In January 2018, the current administration released a draft five-year leasing plan that would open 90% of the nation's offshore oil and natural gas reserves for exploration by global energy companies. This would include all three regions of the California coast, the coast of Washington state and Oregon, and most of the East Coast. The plan would allow oil and gas companies to lease 47 areas off America's coastlines from 2019 to 2024. Of those areas, seven would be in the Pacific Ocean- two off of Northern California, two off Central California, two off of Southern California and one off Washington state and Oregon. This proposal marks the first time since 1984 that any new offshore drilling leases would be offered for sale in California.

California officials have argued that expanding offshore oil production would most likely require the construction of expensive new platforms and onshore support equipment whose presence could harm the state's multibillion-dollar coastal economy, including tourism, fishing and the marine ecosystem. Disasters such as the 1969 Santa Barbara oil spill, the 1989 Exxon Valdez oil spill in Alaska and the 2010 Deepwater Horizon oil spill in the Gulf of Mexico have demonstrated the immense environmental and economic concerns with offshore oil drilling. California's coastal economy produces approximately \$44.5 billion in gross domestic product each year and employs almost half a million people in the state.

In 1994, the California state Legislature passed the California Coastal Sanctuary Act, which prohibited new oil and gas leases in the state's coastal waters (3 miles out from the shoreline), with some exceptions.

The San Diego region enjoys all of our beaches and the Pacific Ocean for recreational, commercial, and educational activities, all of which support our local economy. The habitat in and around our coastal waters is home to a vast array of wildlife, including fish, whales, sea turtles, and birds that depend on a healthy and clean environment and offshore oil and gas drilling and exploration off the Pacific coast puts these coastal resources, and the communities and industries that depend on them, at risk from oil spills and other damage. Concerns over the aesthetic impact of oil drilling platforms and other supporting infrastructure that would have an impact on the desirability of tourists and visitors to come to the region.

The County of San Diego, as well as nearly all the coastal cities, San Diego, Chula Vista, Encinitas, Imperial Beach, Solana Beach and Del Mar, have passed similar resolutions.

### Conclusion:

Staff recommends that the City Council adopt the resolution (**Attachment B**) opposing any new offshore oil drilling and to support any legislation that opposes this proposed plan by the federal administration...



# Attachment B

## RESOLUTION NO. 2018-

### RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LEMON GROVE, CALIFORNIA OPPOSING NEW OFFSHORE OIL AND GAS DRILLING

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**WHEREAS**, the City of Lemon Grove values our ocean waters and coast which provide habitat to a vast array of wildlife including marine mammals, birds and fish that depend on a healthy and clean ocean environment; and

**WHEREAS**, the San Diego region depends on thousands of visitors who enjoy recreational activities on the beaches for tourism and local economic support; and

**WHEREAS**, offshore oil and gas drilling off the Pacific coast puts these coastal resources at risk of oil spills and other damage; and

**WHEREAS**, the State of California prohibits new leasing in state waters because of the unacceptably high risk of damage and disruption to the marine environment and economy of the state; and

**WHEREAS**, the America First Offshore Energy Executive Order could open the Pacific, Atlantic and Arctic Oceans to new drilling, tracking and other well stimulation, putting California's coastal resources at risk of more oil spills, increased greenhouse gases, continued dependence on fossil fuels and impacts of climate change and which could delay the movement toward greater reliance on renewable energy; and

**WHEREAS**, the City of Lemon Grove stands in support with our region partners in opposing an expansion of offshore oil and gas drilling because of the threat to our coast, wildlife, climate and coastal economy.

**NOW, THEREFORE BE IT RESOLVED**, by the City Council of the City of Lemon Grove, California, opposes any new offshore oil and gas leasing, drilling, and related exploratory activity in federal and state waters off the Pacific Coast, specifically near the San Diego County coastline.

Be it further resolved that the City Clerk shall forward a copy of this Resolution to Secretary Zinke; Bureau of Ocean Energy Management Director Walter Cruickshank; Governor Jerry Brown; U. S. Senators Feinstein and Harris; U.S. Representative Susan Davis; State Senator Joel Anderson; and State Representative Shirley Weber; and any other appropriate parties.

/////  
/////

# Attachment C



COUNTY OF SAN DIEGO



CITY OF SAN DIEGO

August 14, 2018

The Honorable Raquel Vasquez  
Mayor of Lemon Grove  
3232 Main Street  
Lemon Grove, CA 91945  
Via Facsimile: 6198253818

Dear Mayor Vasquez:

We are requesting the City of Lemon Grove join with the San Diego County Board of Supervisors, the Cities of San Diego, Chula Vista, Oceanside, Encinitas, Imperial Beach, Solana Beach, and Del Mar in opposing proposed expanded offshore oil and gas drilling off San Diego's coastline.

We must stand together in defense of California's coast by opposing any offshore drilling which will threaten marine wildlife and beaches, California's coastal tourism and recreation economy, public health, and interfere with military readiness and training activities essential to our national defense.

We kindly request that you adopt a resolution, like the attached resolution passed on March 6<sup>th</sup> by the city of San Diego or send similar correspondence to the Administration.

Please forward a copy to Secretary of the Interior, Ryan Zinke, and the acting Director of the Bureau of Ocean Energy Management, Walter Cruickshank, Governor Jerry Brown, and all federal and state legislators who represent your area.

Thank you for protecting our coast, our local economy, our health, and our national security.

Sincerely,

Handwritten signature of Kristin Gaspar in black ink.

Kristin Gaspar  
Chairwoman, Board of Supervisors  
District 3

Handwritten signature of Lorie Zapf in black ink.

Lorie Zapf  
Councilmember  
District 2

County Administration Center, 1600 Pacific Highway, Rm 335, San Diego, CA 92101  
City Administration Building, 202 C Street, San Diego, CA 92101



**LEMON GROVE SANITATION DISTRICT BOARD  
AGENDA ITEM SUMMARY**

**Item No.** 1.G  
**Mtg. Date** September 18, 2018  
**Dept.** Finance

**Item Title:** 115 Trust Transfer from Sanitation District

**Staff Contact:** Molly Brennan, Finance Manager

**Recommendation:**

Authorize the transfer of \$516,879 from the Sanitation District to the 115 Trust for investment towards future CalPERS obligations.

**Item Summary:**

The Sanitation District recently received \$516,879.00 from the City of San Diego Metropolitan Wastewater Department as a refund for treatment charges paid by the Sanitation District in FY 2015/2016 (**Attachment A**). This is one-time revenue that was not included in the budget. At the September 4, 2018 City Council Meeting during the Pension Rate Stabilization Program Funding Policy discussion, staff was directed to prepare for the transfer of the Metro refund into the newly opened 115 Trust. By pre-funding the Sanitation District's unfunded accrued pension liability (UAL), additional interest may be generated and future increases in UAL payments can be stabilized. Since funds in the 115 Trust may only be spent on pension related expenses, the new investment will also reduce the Sanitation District's overall net pension liability by creating a new pension asset. The funds will be invested in the Moderately Conservative portfolio, in line with the Pension Rate Stabilization Program Investment & Funding Policy.

**Fiscal Impact:**

The Sanitation District's fund balance will increase at the end of the fiscal year, since the cash transferred remains an asset of the Sanitation District. Additional interest earnings are anticipated.

**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. FY 2016 Metro Refund Notice





**Public Utilities Department**  
Finance and Information Technology Division

August 28, 2018

Tim Gabrielson  
City Engineer  
City of Lemon Grove  
3232 Main Street  
Lemon Grove, CA 91945

Reference: Fiscal Year 2016 Metro Refund

Dear Mr. Gabrielson:

---

The Office of the City Comptroller has mailed your FY 2016 Metro Refund on August 24, 2018. It is check number 0001664421 in the amount of \$516,879.00. Please contact Hana Hanigan at (858) 292-6326 or via email at [hhanigan@sanidiego.gov](mailto:hhanigan@sanidiego.gov) if you have any questions.

---

Sincerely,

A handwritten signature in black ink, appearing to read "Edgar X. Patiño".

Edgar X. Patiño  
Supervising Management Analyst

EP:hkh

Enclosures: FY 2016 Table B

cc: Mike James, Public Works Director, City of Lemon Grove  
Stephanie Boyce, Management Analyst, City of Lemon Grove

G:\agencies\16 source\FY16 Refunds & Invoices\Lemon Grove FY16 Metro Reconcil check.docx

# Attachment A

TABLE B

CITY OF SAN DIEGO - METROPOLITAN WASTEWATER DEPARTMENT  
 PROJECTED DISTRIBUTION OF SYSTEM WASTEWATER COSTS - FISCAL YEAR 2016  
 FUNCTIONAL-DESIGN BASED ALLOCATION METHOD

AGENCY	ALLOCATION OF COSTS BY FLOW, SUSPENDED SOLIDS AND CHEMICAL OXYGEN DEMAND					TOTAL PAID FOR FY 2016	DIFFERENCE
	FLOW (a)	SS (a)	COD (a)	TOTAL FLOW, SS & COD			
CHULA VISTA	\$8,609,356	\$5,361,944	\$4,866,801	\$18,838,101	\$17,975,408	\$862,693	
CORONADO	\$688,000	\$473,864	\$333,521	\$1,495,385	\$2,829,916	(\$1,334,531)	
DEL MAR	\$287,428	\$220,925	\$103,021	\$611,374	\$281,928	\$329,446	
EAST OTAY MESA	\$23,502	\$14,604	\$12,305	\$50,411	\$42,604	\$7,807	
EL CAJON	\$3,892,749	\$2,732,079	\$2,128,389	\$8,753,216	\$9,315,460	(\$562,244)	
IMPERIAL BEACH	\$1,200,401	\$558,315	\$507,178	\$2,265,894	\$2,242,532	\$23,362	
LA MESA	\$2,304,930	\$1,306,998	\$1,022,202	\$4,634,130	\$4,480,624	\$153,506	
LAKESIDE/ALPINE	\$1,487,801	\$1,040,771	\$887,305	\$3,415,877	\$3,623,460	(\$207,583)	
LEMON GROVE	\$896,523	\$450,664	\$437,894	\$1,785,081	\$2,301,960	(\$516,879)	
NATIONAL CITY	\$2,164,141	\$1,167,117	\$1,185,953	\$4,517,211	\$5,187,792	(\$670,581)	
OTAY	\$78,884	\$247,191	\$93,837	\$419,912	\$812,536	(\$392,624)	
PADRE DAM	\$1,208,174	\$1,428,352	\$961,628	\$3,598,153	\$4,218,144	(\$619,991)	
POWAY	\$1,380,175	\$855,618	\$638,151	\$2,873,944	\$3,525,716	(\$651,772)	
SPRING VALLEY	\$2,222,320	\$1,324,423	\$1,117,647	\$4,664,391	\$7,087,320	(\$2,422,929)	
WINTERGARDENS	\$485,464	\$347,901	\$264,827	\$1,098,192	\$1,103,696	(\$5,504)	
<b>SUBTOTAL PARTICIPATING AGENCIES</b>	<b>\$26,929,849</b>	<b>\$17,530,764</b>	<b>\$14,560,658</b>	<b>\$59,021,272</b>	<b>\$65,029,096</b>	<b>(\$6,007,824)</b>	
SAN DIEGO	\$56,542,994	\$34,269,029	\$31,335,243	\$122,147,265			
<b>TOTAL</b>	<b>\$83,472,843</b>	<b>\$51,799,793</b>	<b>\$45,895,901</b>	<b>\$181,168,537</b>			

(a) Allocations based on estimated annual flows and strength loadings - See Table C

**LEMON GROVE SANITATION DISTRICT BOARD  
AGENDA ITEM SUMMARY**

**Item No.** 2  
**Mtg. Date** September 18, 2018  
**Dept.** Finance

**Item Title:** Request for Proposals – Indirect Cost Allocation Plan

**Staff Contact:** Molly Brennan, Finance Manager

**Recommendation:**

Authorize the release of a Request for Proposals (**Attachment B**) to select a consultant to prepare an indirect cost allocation plan.

**Item Summary:**

Staff has drafted a Request for Proposal (RFP) (**Attachment B**) for Sanitation District Board consideration. The intent of the RFP is to identify qualified consultants to complete an indirect cost allocation plan for the Lemon Grove Sanitation District. A professional cost allocation plan will provide Lemon Grove with a clear and defensible procedure for sharing indirect overhead expenses between the Sanitation District and the City's other funds.

The staff report (**Attachment A**) provides a brief overview of the RFP and the forthcoming process. Staff recommends that the RFP be released.

**Fiscal Impact:**

A cost allocation plan will cost approximately \$10,000-\$20,000, which staff was directed to include in the mid-year FY 18/19 budget revision from the Sanitation District, fund 15.

**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. Draft Request for Proposal



# Attachment A

## LEMON GROVE SANITATION DISTRICT BOARD STAFF REPORT

Item No.   2  

Mtg. Date  September 18, 2018 

Item Title: **Request for Proposal – Indirect Cost Allocation Plan**

Staff Contact: Molly Brennan, Finance Manager

### Background:

In October 2017, a consulting firm conducted a study of the Sanitation District staffing cost distributions, resulting in a report on an updated distribution for staffing costs between the funds. However, the study did not include any indirect and overhead costs and specifically notes, “This analysis is not a fully calculated cost allocation plan.” The intent of the Request for Proposal (RFP) is to fill the gap in the prior study by calculating the overhead and indirect cost allocation, which in combination with the prior study will create a fully calculated cost allocation plan.

During the FY 2018-2019 budget process, the gap in the prior cost allocation study was identified and staff was directed to prepare an RFP for a new study and to include the cost in the Mid-Year Budget Amendment. A professional cost allocation plan will provide Lemon Grove with a clear and defensible procedure for sharing indirect overhead expenses between the Sanitation District and the City’s other funds.

### Discussion:

Staff has drafted a RFP (**Attachment B**) for Sanitation District Board consideration. The intent of the RFP is to identify qualified finance consultants (or consultant teams) with expertise and experience in drafting cost allocation plan documents for cities in California.

The Draft RFP outlines the scope of work and selection process in detail.

Staff will begin the selection process immediately and may engage firms that submit proposals with clarifying questions. Based on its evaluation, staff will present a recommendation to the Sanitation District Board at the November 6, 2018 meeting.

### Conclusion:

Staff recommends that the Sanitation District Board authorize the release of the Request for Proposal to select a consulting firm to prepare an overhead and indirect cost allocation plan for the Sanitation District.





**REQUEST FOR PROPOSAL**

OVERHEAD & INDIRECT COST ALLOCATION PLAN



Lemon Grove Sanitation District  
Finance Department

# Attachment B

RELEASE DATE: September 19, 2018

## REQUEST FOR PROPOSALS

COST ALLOCATION PLAN

### IMPORTANT INFORMATION

**Release of RFP:** September 19, 2018

**Responses Due:** October 22, 2018, 4:00 P.M.

Responses must include the following:

- One original (unbound)
- Four copies
- One electronic copy (PDF)

### **Addresses for Responses:**

Physical Address: City of Lemon Grove  
Attention: Molly Brennan, Finance Manager  
3232 Main Street  
Lemon Grove, CA 91945

Email Address: [mbrennan@lemongrove.ca.gov](mailto:mbrennan@lemongrove.ca.gov)

**Proposed Award Date:** November 6, 2018

**Project Start Date:** November 19, 2018

**Contacts for Questions:** Molly Brennan, Finance Manager  
[mbrennan@lemongrove.ca.gov](mailto:mbrennan@lemongrove.ca.gov)  
(619) 825-3803

# Attachment B

## TABLE OF CONENTS

I.	Intent . . . . .	1
II.	Background . . . . .	1
III.	Scope of Services . . . . .	1
IV.	Submittal Requirements. . . . .	2
V.	Submittal Directions. . . . .	3
VI.	Evaluation Criteria. . . . .	4
VII.	Selection Process. . . . .	4
VIII.	Terms & Conditions. . . . .	4

# Attachment B

## I. Intent

---

The Lemon Grove Sanitation District releases this Request for Proposal (RFP) with the intent to identify qualified consultants to complete an indirect cost allocation plan for the Lemon Grove Sanitation District. A professional cost allocation plan will provide Lemon Grove with a clear and defensible procedure for sharing indirect overhead expenses between the Sanitation District and the City's other funds.

## II. Background

---

The City of Lemon Grove ("the City") is located approximately ten miles east of downtown San Diego among many communities in San Diego County. The City encompasses 3.75 square miles and is largely bounded by the SR-94 to the north and the SR-125 to the east. The population is approximately 26,700. The City is a general law City operating under the Council/Manager form of government. The elected officials consist of elected City Councilmembers and one Mayor who are elected at large for four-year terms.

City Council and City staff also represent the Lemon Grove Sanitation District, a separate entity from the City, whose activities are recorded in four enterprise funds. The Sanitation District is responsible for the conveyance and treatment of wastewater within the City of Lemon Grove through approximately 67 miles of sewer lines. As of June 30, 2017 the Sanitation District had a net position of \$21,941,623. The FY 2018-2019 Sanitation District budget is \$7,842,072, about 28% of the total FY 2018-2019 Lemon Grove Consolidated Budget.

Beyond the Sanitation District, the City has three major governmental funds, the General Fund and two Special Revenue funds, along with twenty other non-major governmental funds. These funds support the essential operations and services including; law enforcement (San Diego Sheriff), fire (Heartland Fire and Rescue), animal control (Chula Vista Animal Control), public works, building and planning, and City administration. The elected officials and staff also serve as the administrators of the Lemon Grove Redevelopment Successor Agency.

The City prepares its budgets annually on basis consistent with generally accepted accounting principles. The Lemon Grove FY 2018-2019 Consolidated Budget totals \$28.1 million. The FY 2018-2019 Consolidated Budget, along with past budgets and financial statements are available for review at the City's website at: <https://www.lemongrove.ca.gov/departments/finance/budget-information>.

In October 2017, a consulting firm conducted a study of the Sanitation District staffing cost distributions, resulting in a report on an updated cost distribution for staffing between the funds. However, the study did not include any indirect and overheard costs and specifically notes, "this analysis is not a fully calculated cost allocation plan." The intent of this RFP is to fill the gap in the prior study by calculating the overhead and indirect cost allocation, which in combination with the prior study will create a fully calculated cost allocation plan.

## III. Scope of Services

---

Project tasks shall include, but are not necessarily limited to the following. If the consultant feels that additional tasks are warranted, they must be clearly identified in the consultant's proposal.

## Attachment B

- 1) Work with City staff to define the purpose, uses, and goals for an Overhead Indirect Cost Allocation Plan, ensuring that the development of the plan will be both accurate and appropriate for the Sanitation District's current needs.
- 2) Meet with various department staff to conduct interviews as needed to gain an understanding of the City's practices and operations.
- 3) Develop an overhead and indirect cost allocation plan that:
  - a. Establishes a defensible cost allocation methodology for specific administrative overhead costs that will properly distribute the costs between the City and Sanitation District
  - b. Allows for additions, revisions, or removal of costs, so the cost allocation plan can be easily adapted to a range of activities both simple and complex
  - c. Provides the ability to continuously update the plan from year to year to accommodate organizational and cost changes
- 4) Assist the Finance Department in presenting the draft cost allocation plan to selected City staff and the Sanitation District Board. It is expected that the comments and concerns will be collected during the draft presentation phase for inclusion in a final cost allocation plan and model.
- 5) Prepare a final cost allocation plan and provide six (6) bound copies and one (1) unbound; as well as a digital copy of the final plan, including related schedules and cost documentation in excel format so it can be updated by City staff.
- 6) The Sanitation District currently does not have a formal OMB Circular A-87 plan in place. As a supplemental part of the cost allocation study, this project will include development of a methodology appropriate for the calculation and allocation of an overhead cost rate complying with OMB Circular A-87. The methodology will distinguish any differences between the OMB Circular A-87 compliant calculation and the General Overhead Indirect Cost Allocation Plan described above. As the consultants work with the City on project task #1 and #2, it may become apparent that the General Overhead Indirect Cost Allocation Plan can be developed in compliance with OMB Circular A-87, negating the need for a separate OMB A-87 methodology and calculation.

### **IV. Submittal Requirement**

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The response should include the following information:

- 1) Cover Letter – provide a letter, signed by an officer of the consulting firm authorized to contractually bind the firm, stating that the firm is willing to enter into a mutually developed agreement and final scope of work with the Lemon Grove Sanitation District.
- 2) Project Personnel – identify the proposed project manager and project team. Include a one paragraph summary resume for each key team member.
- 3) Discussion of Similar Projects – identify similar projects that the consulting firm has completed and how the experiences make the firm qualified for this project. For each project, include dates of involvement, and status of the project.

## Attachment B

- 4) References – Provide complete contact information for at least four clients or partners with whom the firm has successfully completed similar projects.
- 5) Scope of Work & Project Strategy – relying on the proposed scope of work found in Section III of this RFP, provide the following:
  - Proposed method to accomplish work or Revised Scope of Work,
  - Project phases and tasks as available,
  - Project Timeline and Timing of each phase as available,
  - Deliverables if known, and
  - Optional deductibles or add-ons.
- 6) Insurance – provide evidence that the consulting firm can meet the City’s insurance requirements identified in Section VIII of this RFP.

### V. Submittal Directions

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Package to be Submitted: Four bound copies, one unbound copy, and one electronic copy in PDF version of the RFP package must be submitted. The electronic copy should be emailed to [mbrennan@lemongrove.ca.gov](mailto:mbrennan@lemongrove.ca.gov).

- 1) Questions regarding this RFP and the City’s specific submission requirements may be directed to Molly Brennan, Finance Manager. She may be reached by telephone at 619-825-3803 or by email at [mbrennan@lemongrove.ca.gov](mailto:mbrennan@lemongrove.ca.gov).
- 2) Due Date of RFP Package: All response packages must be submitted no later than 4:00 p.m. on **October 22, 2018** and addressed to:

Molly Brennan  
City of Lemon Grove  
3232 Main Street  
Lemon Grove, CA 91945

\*Incomplete RFP response packages and packages received after the deadline noted above will not be considered.

\*Facsimile copies will not be accepted.

The City/Sanitation District reserves the right to reject any or all submittals. No obligation, either expressed or implied, exists on behalf of the City to make an award for the work or for costs incurred in the preparation of the response to the RFP. The City reserves the right to select more than one party to provide these services.

## **VI. Evaluation Criteria**

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City staff will evaluate responses to the RFP, with a focus on:

- Experience and technical competence (specialized experience, record of performance, strength of key personnel and experience with similar local government agencies),
- Proposed scope of work, method to accomplish work, deliverables and time schedules,
- Quality and initiative demonstrated in responding to the RFP, and
- Price of proposed services.

## **VII. Selection Process**

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**Initial Review:** City staff will conduct an initial review of all RFP responses received. Any incomplete response or a response that does not meet the basic qualifications for the project may be eliminated from further consideration.

**Evaluation Process:** An evaluation panel composed of City staff (and outside consultants, if needed, as determined by City staff in its sole and absolute discretion) will review the remaining RFP responses. The evaluation panel reserves the right to request additional information.

**Interview (optional):** The final firms may be interviewed by the evaluation panel at a date and time to be determined.

**Selection:** Following the interview (if conducted), the evaluation panel will make a recommendation to the City Manager for the selection of the firm to enter into negotiations of an agreement. The City Manager, at his/her sole discretion, may ask the Sanitation District Board to approve the selection of the firm.

## **VIII. Terms & Conditions**

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- 1) Issuance of this RFP does not commit the City to award a contract, or to pay any costs incurred in the preparation of a response to this request. The City retains the right to reject all submittals. Selection is also dependent upon the negotiation of a mutually acceptable contract with the successful respondent and approval by the City.
- 2) The firm selected to perform the scope work shall be required to provide evidence of public liability and property damage insurance with limits of not less than \$1 million per occurrence for all covered losses and not less than \$2 million general aggregate for injury to, or death of, one or more persons and/or property damage arising out of a single accident or occurrence, insuring against all liability of the City, the selected firm and its authorized representatives, arising out of, or in connection with, the performance of work pursuant to this RFQ. Professional liability insurance (errors and omissions) shall be required of the firm in the minimum amount of \$1 million dollars. The insurance shall be provided at the sole cost and expense of the firm(s) selected.

## Attachment B

- 3) As a general rule, all documents received by the City are considered public records and will be made available for public inspection and copying upon request. If you consider any documents submitted with your response to be proprietary or otherwise confidential, please submit a written request for a determination of whether the documents can be withheld from public disclosure no later than ten (10) days prior to the due date of your response. If you do not obtain a determination of confidentiality prior to the submittal deadline, any document(s) submitted will be subject to public disclosure.



**LEMON GROVE CITY COUNCIL  
AGENDA ITEM SUMMARY**

**Item No.** 3  
**Mtg. Date** September 18, 2018  
**Dept.** Public Works

**Item Title:** Request for Proposal for a Digital Message Board Sign on City-Owned Real Property

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

**Recommendation:**

Provide feedback and direction to staff regarding the request for proposal for a digital message board sign on City-owned real property (**Attachment B**).

**Item Summary:**

On June 5, 2018, the City Council received a report that proposed the Fiscal Year 2018-2019 draft consolidated budget document. Within that document, there was a section that outlined other revenue options that did not require voters' approval. Constructing a digital message board sign on city-owned property was one of those options.

Staff now presents a report (**Attachment A**) that elaborates on the steps that staff took to create a request for proposals (RFP) (**Attachment B**) for a digital message board sign on city-owned real property, key points of the RFP, the benefits and risks of constructing and managing digital message board signs, and concludes with staff's request for feedback and direction.

**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. Draft Request for Proposals



# Attachment A

## LEMON GROVE CITY COUNCIL STAFF REPORT

Item No.   3  

Mtg. Date  September 18, 2018 

Item Title: **Request for Proposals for Digital Message Board Signs on City-Owned Real Property**

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

### Background:

On June 5, 2018, the City Council received a report that proposed the Fiscal Year 2018-2019 draft consolidated budget document. A section of that report outlined other revenue options that did not require voters' approval. As a summary from that staff report, below is the excerpt that was presented:

**Electronic Bill Boards** – Lemon Grove has several static billboards that dot the 94. Billboard companies are moving towards electronic billboards to increase their advertising options for companies. Several years ago, Lemon Grove did explore this as a revenue generation option, however this option was never implemented. Based on an old proposal the City could receive approximately \$250,000 per year in revenue. This option has been explored by other cities in San Diego County but was dropped when met with community opposition.

### Discussion:

This report elaborates on the steps that staff took to update the request for proposals (RFP) (**Attachment B**) for a digital message board sign on city-owned real property, key points of the RFP, the benefits and risks of constructing and managing a digital message board sign, and concludes with a request that the City Council provide feedback and direction to staff.

### Request for Proposals:

The purpose of a RFP is to find the services of a specialized professional entity that has a demonstrated competence that will best fit the needs of the City. As detailed in Lemon Grove Municipal Code Section 3.24.070, staff created a RFP to find an entity that will be the most advantageous to the City, while considering the evaluation criteria in the RFP as well as providing a fair and reasonable price.

While creating the specific details listed within the RFP, staff contacted neighboring cities in San Diego County that have advertised for and/or constructed digital message board sign(s). That feedback was incorporated into the RFP.

### Key Points of the RFP:

The following section details key points of RFP:

#### *General Conditions:*

- If applicable, more than one entity may be selected to develop, construction and manage multiple digital signs.
- The entity(ies) selected will be responsible for the entire process that includes development, construction, and operation of the digital sign(s).

# Attachment A

- The digital sign(s) will provide direct revenue to the City and promote City sponsored events, local businesses, disseminate public safety messages (e.g. Amber Alerts), and traffic messages all at no cost to the City.
- The City's Sign Ordinance (Chapter 18.12 of the LGMC) may need to be amended as apart of this RFP process, all costs will be borne by the selected entity(ies).
- All City sites are offered in an "as is" and "where is" condition. City sites may include all City owned property and City right-of-way.

## *Submittal Requirements:*

- Proposal for each digital message board site will include a rendering of the type of digital sign(s) at its proposed location.
- Proposed business terms of an agreement with the City, to include a revenue stream to the City.

## *Evaluation Criteria:*

- Financial consideration to the City.
- Community benefit.
- Relevant experience and description of the project team.
- Detailed site development information.

## Benefits / Risks:

Staff has identified several benefits and risks associated with the RFP. In 2014, staff had multiple discussions with an advertising firm who provided feedback regarding the benefits and risks. That feedback was incorporated into the lists shown below.

### *Benefits:*

1. Timely public notices (e.g. natural disasters, amber alerts, FBI most wanted).
2. Promote City sponsored events.
3. Possible reduction of number of billboard signs in the City.
4. Modernize the City's image.
5. Stimulate economic investment to the City and support existing businesses.
6. Dedicated annual revenue source to the City.

### *Risks:*

1. Removal of existing landscaping in Caltrans ROW (e.g. trees).
2. Potential distraction to vehicular traffic.
3. Artificial lighting during the evening hours in residential areas.
4. Potential liability regarding the content of material advertised. |

## **Conclusion:**

Staff seeks City Council feedback and direction regarding the request for proposals. If the City Council desires for staff to advertise the request for proposals, staff will move forward with a public advertisement per the City's procurement policy and timeline outlined in the RFP.

Staff will return to the City Council for approval of its recommended firm to design, construct and manage digital message board sign(s) on City real property. |

# Attachment B

## REQUEST FOR PROPOSALS

### FOR

#### DIGITAL MESSAGE BOARD SIGNS ON CITY OWNED REAL PROPERTY

<b>Project Title:</b>	Digital Message Boards Signs on City Owned Real Property
<b>Description of Project:</b>	The City of Lemon Grove seeks proposals from signage firms to research, prepare, construct and manage digital message board sign(s) on City owned real property.
<b>Department Requesting:</b>	Public Works Department
<b>RFP Issue Date:</b>	September 19, 2018
<b>Submittal Deadline:</b>	5:00 p.m., November 1, 2018 (postmarks not accepted)
<b>Deliver Submittal To:</b>	Mike James, Assistant City Manager / Public Works Director City of Lemon Grove Public Works Director 3232 Main Street Lemon Grove, CA 91945 <a href="mailto:mjames@lemongrove.ca.gov">mjames@lemongrove.ca.gov</a>

# Attachment B

## I. INTRODUCTION

As part of the City's plan to attain fiscal sustainability, the City is exploring digital message board signs as a method to generate revenue. Moreover, updating the City's signage will help to modernize the City's image, promote the City's community events, add value to the City's urban landscape, and stimulate economic investment by attracting and supporting the local business community.

## II. SCOPE OF SERVICES

The City of Lemon Grove seeks submittals from qualified individuals, companies and/or entities (firms) to develop, construct and operate digital message board sign(s) on city-owned real property located along state highways and/or major traffic corridors. The proposals submitted in response to this RFP must conform to the terms, conditions and specifications described hereafter.

After receipt of responses to the RFP, review thereof, and selection of a firm(s) as the develop/operator of the digital sign(s), the City will negotiate and prepare an agreement with the proposed operator(s) for the development, construction and operation of the digital sign(s) on City property. Thereafter, the agreement will be presented to the Lemon Grove City Council for approval.

The RFP is put forth with the following understanding:

- A. The City may approve more than one such digital sign on City real property. The City may select a single firm for all digital signs or select different firms per sign.
- B. The proposal by a firm needs to set forth the City site or City sites desired, number of digital signs, type an design criteria of each sign or signs that will be developed, constructed and operated by the firm.
- C. The development, construction and operation of the digital sign(s) proposed by the firm must identify requirements related to and in compliance with the California Environmental Quality Act (CEQA) as a condition to the approval of the agreement, which shall be at the sole cost and expense of the firm. In addition, the development, construction and operation of the digital sign(s) must comply with all other applicable regulatory approvals (e.g. California Department of Transportation), which shall also be at the sole cost and expense of the firm.
- D. The development, construction and operation of the digital sign(s) need to provide direct revenue to the City and promote City sponsored events, support the local business community, disseminate public safety, and traffic message (e.g. Amber Alerts) at no cost to the City.
- E. The City existing sign ordinance, Chapter 18.12 of the Lemon Grove Municipal Code ([http://gcode.us/codes/lemongrove/view.php?topic=18-18\\_12&frames=on](http://gcode.us/codes/lemongrove/view.php?topic=18-18_12&frames=on)), may need to be revised in order to develop, construct and operate any digital sign(s). The cost to research any amendment to the existing code, prepare revisions, and assisting City staff to present the amendment to the City Council will be at the sole cost and expense of the firm(s).

## Attachment B

- F. The selected firm should have significant experience and a verifiable track record of accomplishment. Innovative proposal that maximize the return to the City are encouraged.
- G. The City sites are offered in an “as is” and “where is” condition, and the City does not make any representations and/or warranties as to the suitability of the City site for any proposed digital sign. Each firm is encouraged to perform its own feasibility analysis of any particular City site and the requisite regulatory approvals associated therewith for the use of said City site for a digital sign(s).

### III. SUBMITTAL REQUIREMENTS

The City welcomes responses to the RFP in a format that the firm believes best expresses the qualifications of the firm. Lengthy responses are not expected. Short, concise, yet comprehensive proposals are preferred.

All submittals should include the following:

- A. Relevant Experience – A description of at least three similar projects completed by the individuals, companies, and/or teams that comprise the firm, which clearly demonstrates the requisite expertise in the development, construction and operation of digital sign(s). Relevant similar projects should distinguish between the projects of the individuals, companies, and/or teams that comprise the firm, if applicable. Relevant experience should also include:
  - a. Being a direct party to a similar contractual obligation with the public sector and/or governmental entity for a similar project.
  - b. Preparation of applications and related documents pertaining to the California Environmental Quality Act (CEQA) or other similar or comparable environmental review process for a similar project.
  - c. A similar project as a lessee or party to a long-term ground lease or similar real property right or interest with a public sector and/or governmental agency.
  - d. Experience with California cities and California Department of Transportation should be highlighted.
- B. Description of the Project Team – Detailed information on the proposed work team and their specific role, including membership of the board of directors, senior management, corporate history, corporate mission statement, and corporate organizational structure. Similar information is requested for any business partner that will be involved with the project and their specific role.
- C. References – Provide complete contact information for at least five clients or partners with whom the firm has successfully completed similar projects for.
- D. Proposed Digital Electronic Billboard Site(s) – Using the potential areas for siting an electronic billboard, identify the site(s) that your company would propose. For reference,

# Attachment B

below is list of city owned real property:

<u>#</u>	<u>APN</u>	<u>Address (if applicable)</u>
1	475-402-25-00	7764 North Avenue
2	475-402-27-00	7752 North Avenue
3	475-430-07-00	8105 Lemon Grove Way
4	475-490-14-00	8111 Lemon Grove Way
5	479-094-01-00	7385 Broadway
6	479-094-03-00	7390 Pacific Avenue
7	480-043-26-00	3524-3530 Main Street
8	480-043-27-00	3510-3516 Main Street
9	480-043-30-00	3482-3492 Main Street
10	480-043-31-00	3466 Main Street
11	480-111-07-00	7859 Lester Avenue
12	480-111-08-00	7865 Lester Avenue
13	480-111-09-00	7883 Lester Avenue
14	480-111-10-00	7891 Lester Avenue
15	480-111-11-00	7917 Lester Avenue
16	480-111-22-00	7874 Broadway
17	480-173-01-00	3185 Olive Street
18	480-173-02-00	7730 Central Avenue
19	480-174-01-00	3240 Main Street
20	480-174-02-00	3225 Olive Street
21	480-174-03-00	3210 Main Street
22	480-174-04-00	3205 Olive Street
23	503-330-19-00	2271 Washington Street
24	576-392-10-00	7701 Nichols Street
25	760-234-59-00	8235 Mount Vernon Street

If the site is with Caltrans' designated landscaped areas, explain your experience in obtaining approval to install billboards in those areas.

Also include a detailed description of the digital sign(s) that will be developed, constructed and operated on each particular City site, as applicable. The detailed information should describe specifications of the Digital Sign(s) (e.g. remote diagnostic capabilities, Amber Alert capabilities, automatic brightness adjustments, UL and IEC criteria, color calibration, and remote shutdown capabilities) and compliance with the applicable federal, state, and local other regulatory laws and ordinances.

- E. Construction and Maintenance Requirements – Provide a detailed description of the construction of the digital sign (including but not limited to the preparation of the City site, the installation of infrastructure and utilities, and the installation of the digital sign(s)) and compliance with all applicable federal, state and local building codes. In addition, a detailed description of the regularly schedule onsite maintenance, internal services access for safety and improved appearance, and proposed upgrades to the digital sign during the term of an agreement will also need to be provided.



## Attachment B

- F. Development and Construction Schedule – An overall proposed development and construction schedule including the anticipated time periods needed to negotiate the agreement, approval period for any further entitlements to execute the development; period of time to obtain financing (if any), construction of the digital sign(s), and any other conditions in order to complete the development and construction of the digital sign(s).
- G. Agreement Terms and Conditions – The proposed business terms of an agreement including but not limited to:
- a. The length of the term together with any options (if any);
  - b. The proposed compensation to the City (e.g. upfront payments, annual payments, type of payment (percentage of gross revenue, including any definitions, other considerations);
  - c. Permitted and prohibited material to be advertised;
  - d. Type of advertising desired (e.g. static);
  - e. Criteria for promoting community events, local businesses, disseminating public safety and traffic related messages;
  - f. Amount and type of insurance to be provided;
  - g. Other applicable terms and conditions.

And compliance with all applicable federal, state and local building codes. Additionally, a detailed description of the regularly scheduled onsite maintenance, internal service access for safety and improved

- H. Project Proforma – A project development cost spreadsheet, which shall include specific line items costs (such as soft costs, hard costs, financing costs, contingency costs, etc.) in sufficient detail, a schedule as to when said costs are anticipated to occur, the development assumptions together with the rationale associated therewith, and the anticipated or project payments to the City.
- I. Sign Regulations – Provide firm's experience in analyzing sign regulations and drafting local government regulations. Specifically, the City is interested in what recommendations the firm will propose in order to allow a digital message board(s) to be constructed on the City's real property.
- J. Billboard Removal – If a firm owns billboards on Broadway, Lemon Grove Avenue, or Skyline Drive, identify which billboard(s) would be removed (if any) as part of a partnership with the City.

## Attachment B

- K. Insurance Coverage – Provide proof of professional liability, commercial general liability, and automobile liability insurance of at least \$3,000,000. If applicable, worker’s compensation insurance with limits prescribed by state law must also be provided.
- L. Indemnity – The firm will be required to defend, indemnify and hold the City harmless from and against any claims arising from the selection of the proposed operator(s), any amendment to the City sign ordinance, and/or approval of an agreement between the City and firm.
- M. Litigation History – Please include a description of any litigation involving any individuals, companies, and/or teams that comprise the firm, which is in any way associated with the development, construction or operation of digital sign(s). If applicable, please provide any information related to said litigation, including case name and number, the venue of the case, and the outcome.

#### IV. SUBMITTAL DIRECTIONS

- A. Package to be Submitted – Four bound copies and one electronic copy in PDF version of the RFP package must be submitted. Questions regarding this RFP and the City’s specific submission requirements may be directed to Mike James, Assistant City Manager / Public Works Director. He may be reached by telephone at 619-825-3814 or by email at [mjames@lemongrove.ca.gov](mailto:mjames@lemongrove.ca.gov).
- B. Due Date of RFP Package – All response packages must be submitted no later than 5:00 p.m. on November 1, 2018 and addressed to:

City of Lemon Grove  
3232 Main Street  
Lemon Grove, CA 91945  
Attn: Mike James

*\* Incomplete RFP response packages and packages received after the deadline noted above will not be considered.*

*\* Facsimile copies will not be accepted.*

The City reserves the right to reject any or all submittals. No obligation, either expressed or implied, exists on behalf of the City to make an award for the work or for costs incurred in the preparation of the response to the RFP. The City reserves the right to select more than one party to provide these services.

#### V. EVALUATION CRITERIA

In no particular order of importance, the evaluation of the RFP packages will be based on the following criteria:

## Attachment B

- A. Financial Consideration to the City – The City will analyze the direct financial benefits to the City and indirect benefits, such as no cost public service announcements.
- B. Community Benefits to the City – The City will examine what is in the best interest of the City in the promotion of City sponsored events, support the local business community, and the dissemination of public safety and traffic messages.
- C. Project Consideration – Quality of the design elements proposed.
- D. Relevant Experience – The firms demonstrable and documented experience with respect to similar development and operations, including working with the public sector and/or governmental agency, the quality of work, and meeting deadlines, and willingness to work through any and all issues regarding development and implementation of digital message board signs.
- E. Detailed Development Information – Review and approval of the required development information including but not limited to the development schedule, development proforma, and construction schedule.
- F. Organization and Structure – A primary desired quality of the firm includes the designation of an experienced professional individual or management team that will be the point of contact with the City throughout the life of the project.

### VI. SELECTION PROCESS

- A. Initial Review – City staff will conduct an initial review of all RFP responses received. Any incomplete response or a response that does not meet the basic qualifications for the project may be eliminated from further consideration.
- B. Evaluation Process – An evaluation panel composed of City staff (and outside consultants, if needed, as determined by City staff in its sole and absolute discretion) will review the remaining RFP responses. The evaluation panel reserves the right to request additional information and may elect to visit completed projects that are referenced.
- C. Interview (optional) – The final firms may be interviewed by the evaluation panel at a date and time to be determined.
- D. Selection – Following the interview (if conducted), the evaluation panel will make a recommendation to the City Manager for the selection of the firm to enter into negotiations of an agreement. The City Manager, at her sole discretion, may ask the City Council to approve the selection of the firm.

# Attachment B

## VII. GENERAL CONDITIONS

The City reserves the right to modify or cancel the selection process or schedule at any time. Additionally, the City may seek clarification or addition information from proposals, as it deems necessary to the evaluation of the response.

The RFP does not commit the City to sign an agreement, award a contract, or to pay any costs incurred in the preparation of a response to this RFP. City approval will be required.

All documents, conversations, correspondence, etc. between the City and the firms are public information subject to the laws and regulations that govern the City, unless specifically identified otherwise.

The City makes no representations about the placement of proposed signage. The respondent shall make its own conclusions concerning such placement.

## VIII. RESOURCES

- A. In submitting a response to this RFP, it is recommended that each firm review and analyze the City's Municipal Code, specifically section 18.12 ([http://gcode.us/codes/lemongrove/view.php?topic=18-18\\_12&frames=on](http://gcode.us/codes/lemongrove/view.php?topic=18-18_12&frames=on)).
- B. Additionally, the City envisions that the proposed locations of any digital message board sign(s) on City owned real property (e.g. parcels or right-of-way) will be located within 1,000 feet of State Highway 94 and 125.