

Redevelopment Agency:
Chair Nury Martinez
Vice-Chair Julie Ruelas
Member Steven Veres
Member Dr. José Hernández
Member Maribel De La Torre



SAN FERNANDO REDEVELOPMENT AGENCY

AGENDA

APRIL 7, 2008 - 6:00 P.M.

**CITY COUNCIL CHAMBER
117 MACNEIL STREET, SAN FERNANDO**

CALL TO ORDER/ROLL CALL

APPROVAL OF AGENDA

PUBLIC STATEMENTS

There will be a three (3) minute limitation per each member of the audience who wishes to make comments in order to provide a full opportunity to every person who desires to address the Agency Board.

CONSENT CALENDAR

Items on the Consent Calendar are considered routine and may be disposed of by a single motion to adopt staff recommendation. If the Board wishes to discuss any item, it should first be removed from the Consent Calendar.

- 1) APPROVAL OF RESOLUTION NO. 996 TO REIMBURSE THE CITY FOR REDEVELOPMENT EXPENSES

Recommend approval of Resolution.

- 2) SAN FERNANDO DOWNTOWN MALL ASSOCIATION CIRCO NACIONAL DE MEXICO AT 1320 SAN FERNANDO ROAD ("SKATE PARK")

Recommend that the Agency approve the use of the Skate Park at 1320 San Fernando Road as the location of the Circo Nacional de Mexico for the dates of Friday, May 2 through Saturday, May 12, 2008, during the hours requested.

SAN FERNANDO REDEVELOPMENT AGENCY

AGENDA – April 7, 2008

Page 2

AGENCY DISCUSSION

STAFF COMMUNICATION

ADJOURNMENT

I hereby certify under penalty of perjury under the laws of the State of California, that the foregoing agenda was posted on the City Hall bulletin board not less than 72 hours prior to the meeting.



Elena G. Chávez, City Clerk

Signed and Posted: April 4, 2008 (2:00 p.m.)

Agendas are posted on the City's Internet Website (www.sfcity.org). Agendas may also be picked up at the City Clerk's Office at no charge.

A complete packet of information containing Staff Reports and exhibits related to each item is available for public review prior to a meeting in the City Clerk's Office and also at the San Fernando Library.

San Fernando Redevelopment Agency

RESOLUTION #996

A RESOLUTION TO REIMBURSE THE CITY OF SAN FERNANDO FOR EXPENSES MADE ON
BEHALF OF THE REDEVELOPMENT AGENCY
IN ACCORDANCE WITH APPROVED REIMBURSEMENT AGREEMENTS.

| PAYEE | PURPOSE | FUND | AMOUNT |
|---|--|------------------|---------------------|
| RBF CONSULTING | ENVIRONMENTAL IMPACT REPORT FOR DOWNTOWN MIXED USE PROJECT-FEB SERVICES. | 85-150-8158-4270 | \$5,097.69 |
| CITY NATIONAL BANK | SF POOL PROJ. - RETAINAGE OF 10% OF COMPLETED WORK | 89-191-7517-4600 | \$27,190.71 |
| NOVUS CONSTRUCTION | SF REGIONAL POOL PROJ. | 89-191-7517-4600 | \$244,716.42 |
| BETTER CONSTRUCTION & DESIGN | REHAB WORK COMPLETED @ 923 MORNINGSIDE | 94-155-4461-4440 | \$12,105.00 |
| LOW OFFICES DAPEER, ROSENBLIT & LITVAK, LLP | LEGAL SERVICES | 94-155-8155-4270 | \$13,986.27 |
| A & E PRINTING INC. | PLASTIC BAGS FOR FLYERS | 94-155-8155-4270 | \$703.63 |
| RBF CONSULTING | ENVIRONMENTAL IMPACT REPORT FOR DOWNTOWN MIXED USE PROJECT-JAN SERVICES. | 94-155-8158-4270 | \$10,080.63 |
| RBF CONSULTING | ENVIRONMENTAL IMPACT REPORT FOR DOWNTOWN MIXED USE PROJECT-FEB SERVICES. | 94-155-8158-4270 | \$6,374.34 |
| SMART & FINAL | SUPPLIES FOR FORECLOSURE INFO EVENT ON 03/15/08 | 94-191-0000-4300 | \$40.97 |
| CASTILLO, ANTONIO | TUITION REIMBURSEMENT | 94-191-0000-4365 | \$192.89 |
| | SUB-TOTAL | | \$320,488.55 |

FUND SUMMARY:

| | |
|--------------------------------|---------------------|
| 80 CAPITAL PROJECTS | \$0.00 |
| 81 PROJECT 1 - TAX ALLOCATION | \$0.00 |
| 83 PROJECT 1A - DEBT SERVICE | \$0.00 |
| 85 PROJECT 2 - TAX ALLOCATION | \$5,097.69 |
| 88 PROJECT 3 - TAX ALLOCATION | \$0.00 |
| 89 PROJECT 3 - PROJECT | \$271,907.13 |
| 91 PROJECT 3A - TAX ALLOCATION | \$0.00 |
| 93 SFRA AREA 4-DEBT SERVICE | \$0.00 |
| 94 LOW INCOME HOUSING FUND | \$43,483.73 |
| TOTAL | \$320,488.55 |

Approved by the Agency Board on: April 7, 2008

AYES:
NOES:
ABSENT:

REDEVELOPMENT AGENCY CHAIR
CITY OF SAN FERNANDO

PUBLIC WORKS AND PARKS DEPARTMENT

MEMORANDUM

TO: Chair Nury Martinez and Agencymembers
Mayor Nury Martinez and Councilmembers

FROM: Jose Pulido, Executive Director/City Administrator *JP For Jose Pulido*
By: Ron Ruiz, Temporary Public Works and Parks Director *DR For Ron Ruiz*

DATE: April 7, 2008

SUBJECT: San Fernando Downtown Mall Association Circo Nacional de México at 1320 San Fernando Road ("Skate Park")

RECOMMENDATION:

It is recommended that the Redevelopment Agency:

- a. Approve the use of the Skate Park at 1320 San Fernando Road ("Skate Park") as the location of the Circo Nacional de México for the dates of Friday, May 2, 2008 through Saturday, May 12, 2008 during the hours requested.

It is recommended that the City Council:

- a. Approve the request, with conditions, from the San Fernando Downtown Mall Association to host the Circo Nacional de México at the Skate Park for the dates of Friday, May 2, 2008 through Saturday, May 12, 2008 during the hours requested;
- b. Approve an amplified sound permit;
- c. Approve a fee waiver of up to \$2,750 for the business license fee (11 days at \$250/day); and
- d. Approve a fee waiver for water usage on site and adopt a resolution (Attachment "A") for \$250.

BACKGROUND:

1. On March 11, 2008, the Recreation and Community Services staff (Helen Collins and Virginia Diediker) met with the San Fernando Downtown Mall Association (represented by Juana Cuiriz) to discuss the proposed Circo Nacional de México ("Circus Event").

2. On March 18, 2008, the San Fernando Downtown Mall Association submitted a letter requesting the use of the Skate Park to host the Circus Event and fee waivers for costs payable to the City to hold said event (Attachment "B").
3. On March 21, 2008, the San Fernando Downtown Mall Association submitted the Special Event Application to the Recreation and Community Services Department for the Circus Event.

ANALYSIS:

The Downtown Mall Association is proposing to host the Circus Event at the Skate Park as a fundraiser for the 2009 Bridal Expo and other events which promote the Mall, under their Agreement with the City (Attachment "C"). Staff is recommending approval for the San Fernando Downtown Mall Association to conduct the Circus Event from Friday, May 2, 2008 through Monday, May 12, 2008 with daily shows at 7:30 p.m. and two shows on Saturday and Sunday at 5:00 p.m. and 7:30 p.m., with the following conditions:

Amplified Sound Permit Conditions

An amplified sound permit is required for the Circus Event because the Event will require amplified sound equipment that makes sound audible for more than 25 feet from the building or outdoor space. It is staff's assessment that the Circus Event's adherence to the conditions of approval recommended below will ensure compliance with Municipal Code Section 34-69:

- All proposed audio equipment shall be directed away from the adjoining residential properties. Sound emitted from any amplified speakers and other sources of sound from the event shall conform to the applicable noise limitation standards of the San Fernando Municipal Code, and shall not interfere with or disturb the occupants of any neighboring properties or pedestrian and vehicular traffic along the adjacent public right-of-ways.
- The use of amplified sound at the Circus Event shall be limited to the hours of 12:00 p.m. and 9:30 p.m. for the requested dates.
- A contact person responsible for the amplified sound shall be available to City staff at all times during the event, and shall control the sound level as necessary to immediately address any noise and/or other community concerns that may arise during the hours of the event, subject to the direction by authorized city staff.

Other Conditions:

- Any proposed temporary vendor facilities, food table areas, booths, or displays shall not obstruct a minimum five-foot pedestrian walkway, and shall otherwise comply with all applicable Municipal Code requirements.
- Two licensed and bonded security guards must be present at the Circus Event during hours of operation. The contract for said services must be submitted seven days before the first day of the Circus Event.
- A \$2,000,000 general liability insurance policy listing the City of San Fernando as a certificate holder is required; proof must be required 14 days before the first day of the Circus Event.
- All public right-of-way areas affected by the Circus Event shall be completely cleaned at the conclusion of said event.
- Directional signage identifying parking for patrons of the Circus Event must be displayed.
- The San Fernando Downtown Mall Association shall obtain the necessary permits from the Los Angeles County Health Department and the Los Angeles Fire Department for submittal prior to the event.
- The San Fernando Downtown Mall Association shall agree to reimburse the City for the cost of any additional traffic control and/or security that is required to be provided by the San Fernando Police Department in connection with the event, if and as determined to be necessary by the Police Department.

CONCLUSION:

The San Fernando Downtown Mall Association and the Circo Nacional de México have agreed to not request a fee waiver for the admission tax, which is \$.47 per ticket.

If the Redevelopment Agency/City Council chooses to approve this request, staff will post no parking signs on Kalisher Street directly adjacent to the Circus Event, and residents will be issued temporary parking permits.

BUDGET IMPACT:

If approved, the estimated loss of revenue to waive the business license fee is \$2,750 (11 days at \$250/day), and the General Fund will provide \$250 for flat rate water usage on site.

ATTACHMENTS:

- A. San Fernando Downtown Mall Association requesting use of Skate Park and fee waivers
- B. 1984 Agreement between the City of San Fernando & the Mall Association District, Inc.
- C. Resolution

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN FERNANDO
AMENDING THE BUDGET FOR THE FISCAL YEAR 2007-2008
ADOPTED ON JUNE 18, 2007**

WHEREAS, the City Council has received and considered the proposed adjustment to the budget for Fiscal Year 2008, commencing July 1, 2007, and ending June 30, 2008; and

WHEREAS, the City Council has determined that it is necessary to increase the expenditures of the current City budget; and

WHEREAS, an annual budget for the City of San Fernando for the Fiscal Year beginning July 1, 2007 and ending June 30, 2008, a copy of which is on file in the City Clerk's Office, has been adopted on June 18, 2007;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAN FERNANDO DOES HEREBY RESOLVE, FIND, DETERMINE AND ORDER AS FOLLOWS:

Section 1: The following adjustments are made in the named City fund:

1. General Fund - Increase expenditures by \$250

PASSED, APPROVED, AND ADOPTED this 7th day of April, 2008

Mayor Nury Martinez

ATTEST:

Elena G. Chavez, City of San Fernando

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss
CITY OF SAN FERNANDO)

I HEREBY CERTIFY that the foregoing Resolution was approved and adopted at a regular meeting of the City Council held on the 7th day of April, 2008 by the following vote to wit:

AYES:

NOES:

ABSENT:

Elena G. Chavez, City of San Fernando



March 18, 2008

Mayor Nury Martinez
City Council Members
San Fernando City Hall
117 Macneil St.
San Fernando, CA 91340

Honorable Mayor:

Last year bringing Circo Nacional de Mexico to our downtown area was a total success.

This year again we are respectfully requesting fee waivers to use the vacant property located next to the skate park, 1320 San Fernando Road, the Business License, the amplified sound permit and the use of water, they provide their own security guards. If the permit is granted they would start the set up process on Wednesday April 30, 2008. The first show will be scheduled for Friday May 2, 2008. One show on Sunday May 4th at 5 pm will be free for our Senior Citizen, on May 8th there will be the City of San Fernando night, a complementary night for all of our city employees. There will one daily show at 7:30 pm., two shows on weekends at 5 and 7:30 pm. The duration of each show is two hours. The last show will be schedule on Monday May 12, 2008. The duration of the total stay will be 15 days including set up and strike.

For your information I am enclosing a media clip from la Opinion, some complimentary tickets from last year and a copy certificate of Insurance 2007/2008 .

The show is expected to attract families from our neighboring cities to the vibrant San Fernando Downtown Area. This will provide a great opportunity for business owners in the area to benefit from the added traffic.

Last year from the proceeds we were able to donate \$3,000 to the Mayor's Menudo Cook-off. This year our proceeds will be split with the Mariachi Apprentice Program

If you have any additional questions, please don't hesitate to contact us (818)361-6729 or by email juana@c@downtownsanfernando.com

Best regards,


Juana Cuiriz
CBO
San Fernando Mall Association

Mailing Address: P.O. Box 1147 • San Fernando, CA 91341
204 S. Brand Blvd. #208 • San Fernando, CA 91340 • Tel. (818) 361-6729 • Fax (818) 361-7029

CITY CONTRACT NO. 768AGREEMENT

THIS AGREEMENT is made this 17th day of December, 1984, by and between the CITY OF SAN FERNANDO, a municipal corporation ("City"), and the MALL ASSESSMENT DISTRICT, INC., a California non-profit mutual benefit corporation ("Corporation").

R E C I T A L S:

1. On November 4, 1968, the City adopted Ordinance No. 973, establishing a parking and business improvement area, fixing the boundaries thereof, establishing benefit zones, classifying businesses therein, and fixing the initial rate of increase or additional levy of license tax to be imposed on the businesses in such area and zones, which ordinance became effective January 1, 1969.

2. On September 5, 1984, Mall Assessment District, Inc., was incorporated as a California non-profit mutual benefit corporation for the sole purpose of administering said District.

3. The City desires to contract with the Corporation to perform the work and render the services called for in purposes A, B, C and D of said Ordinance No. 973, except for the mall maintenance which is reserved to the City, and for the payment for such services.

NOW, THEREFORE, in consideration of the covenants and promises hereinafter set forth, the parties hereto do agree as follows:

1. The City hereby hires and retains Corporation to render and perform and Corporation covenants agrees to render and perform for the consideration herein specified the work and services herein set forth.

2. Corporation agrees to render all services, perform all work, and bear all expenses within the limits of the funds paid it therefor by the City to carry out the following purposes:

- (a) Purpose A of Section 9 of Ordinance No. 973, except for the cleaning and maintenance of the San Fernando Road Pedestrian Mall.
- (b) Purpose B of Section 9 of Ordinance No. 973.
- (c) Purpose C of Section 9 of Ordinance No. 973.
- (d) Purpose D of Section 9 of Ordinance No. 973.

3. The area within which Corporation agrees to render the service and perform the work for the City is Parking and Business Improvement Area B of the City of San Fernando, more particularly described and delineated in Section 7 of Ordinance No. 973.

4. The City Council shall cause to be prepared not later than the 15th day of March of each year an estimate of all proceeds of the additional tax revenue to be realized each year from the rate of increase or additional levy of or

to the license tax under Ordinance No. 973 and for each of the purposes set forth in Section 12 of said ordinance. After first deducting an amount to be determined by resolution of the City Council to cover the costs of collection and deducting those proceeds realized from additional levy to the business license tax under paragraph 12(A)(1)(e) of Ordinance No. 973 (for maintenance of the pedestrian mall), the balance of the proceeds realized from the increase or additional levy of or to the business license tax under Ordinance No. 973 for each of the purposes set forth in Section 3 above, shall be budgeted for payment to Corporation for rendering the service and performing the work required for each of said purposes within said area.

5. Corporation, prior to November 15th of each calendar year, shall submit to the City Council for its approval a program and budget for the expenditure of the funds to be received by it for each of those purposes listed in Section 3 above, said budget to cover the period of January 1st to December 31st of the following year.

6. Whenever the City allocates to Corporation sums of money or otherwise from time to time appropriates or pays any money to Corporation for the work and services to be performed hereunder, all such payments, except as otherwise specified, at the time said payments are made, shall be and are hereby agreed to be in consideration of the services

rendered by Corporation on behalf of the City specified in this Agreement. The consideration to be paid hereunder for the work performed and services rendered by Corporation shall be paid by the City to Corporation or the vendor contracting with Corporation within thirty (30) days following the month during which said work was performed and services were rendered unless otherwise ordered by the City Council, and all such payments shall be subject to the following conditions:

(a) All payments are to be made upon a claim or demand presented, audited, and paid as in the case of other claims against the City as provided by law.

(b) When such allocations or payments are made, Corporation shall, on or before the 1st day of January and the first day of July of each calendar year, submit to the City Council a report describing its activities for the preceding six month period, ending respectively December 31 and June 30, particularly setting forth services rendered in connection with each of the purposes listed in Section 3. Said report shall be submitted within 45 days of the close of the reporting period.

(c) The amount allocated in the annual budget for the expenditure of the proceeds of the increase or additional levy of or to the business license tax under

Ordinance No. 973, or otherwise, 'from time to time appropriated by the City for the services to be rendered hereunder by Corporation; shall not be a fixed or binding obligation upon the City to continuously thereafter pay the Corporation said sum, but shall be dependent upon the filing of proper claims and reports evidencing the services rendered as required by subdivisions (a) and (b) of this section, and shall be further dependent upon the availability of continuing the appropriation of the same for said purposes as determined by the City Council and the availability of such proceeds realized from the increase or additional levy of or to the business license tax set forth above.

Notwithstanding the above, City shall, from time to time, advance funds to Corporation for the purpose of maintaining a cash fund, not to exceed One Thousand Dollars (\$1,000.00), to cover the current operating expenses incurred in performing those services listed in Section 3 above.

7. It is understood and agreed by and between the parties hereto that this Agreement and all obligations thereunder can be terminated and cancelled by either party hereto upon written notice to be given to the other at least sixty (60) days prior to the date of termination. Upon such termination, all obligations of the City hereunder shall immediately cease and terminate.

8. Corporation may, from time to time, engage in fundraising and other activities in the course of its activities under this Agreement. Any profit realized from such activities shall be utilized by Corporation to serve those purposes listed in Section 3 above.

9. Corporation shall indemnify and hold harmless City from and against any and all claims arising from Corporation's activities under this Agreement, and shall further indemnify and hold harmless City from and against any and all claims arising from any breach or default in the performance of any obligation on Corporation's part to be performed under the terms of this Agreement, or arising from any negligence of Corporation, or any of Corporation's agents, contractors, or employees, and from and against all costs, attorney's fees, expenses and liabilities incurred in the defense of any such claim or any action or proceeding brought thereon; and in case any action or proceeding be brought against City by reason of such claim, Corporation, upon notice from City, shall defend the same at Corporation's cost.

10. Corporation agrees to take and maintain in full force and effect public liability and property damage insurance with City named as insured for liability or financial loss resulting from injuries occurring to persons or to property arising out of the services performed under

this Agreement, the amount of said insurance to be not less than One Million Dollars (\$1,000,000.00) for bodily injury for any one person on account of any one incident and for property damage. Corporation shall provide City with certificates of insurance evidencing compliance with the foregoing, and such certificates shall provide for a written obligation on the part of Corporation's insurance carrier to notify City in writing thirty (30) days prior to the cancellation of or material change in the policy. If Corporation fails to take out and maintain the aforesaid insurance, this Agreement shall terminate.

11. In the event of any dispute between the parties hereto involving the covenants or conditions contained in this Agreement or arising out of the subject matter of this Agreement, the prevailing party shall be entitled to recover reasonable expenses, attorney's fees and costs.

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

CITY OF SAN FERNANDO

By *Carole Weyland*
Mayor Pro Tem

ATTEST:

By *Donald E. Penman*
City Clerk

MALL ASSESSMENT DISTRICT, INC.

By *Mitchell L. P.*
President

ENDORSEMENT

F115

Date: 1-14-86

Please attach the enclosed endorsement to:

Kind of policy: Commercial Liability

Company and Policy Number: Fireman's Fund
MXC 6212926



Endorsement amending classification to reflect 1 location only
Check #70936 attached. (\$164.)

Please do not fail to have this done. Thank you. Rita Solis/m

WILMA

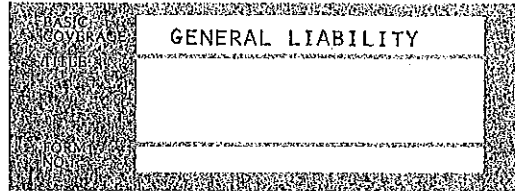
TO San Fernando Mall Assessment Dist.
1108 Celis, Rm 203
San Fernando, Ca. 91340 SAN FERFI

SAN FERNANDO/VALLEYHEART
INSURANCE SERVICES
P.O. Box 3387
Northridge, CA 91323 VICES

| | |
|---|--|
| INVOICE NUMBER No 76314 | SAN FERNANDO / VALLEY HEART INSURANCE |
| PLEASE RETURN THIS PORTION WITH YOUR PAYMENT | 19359 Londellus St. Northridge, CA. 91323 (818) 885-5257 |
| |  |
| |  |
| San Fernando Mall Assessment Dist. 1108 Celis, Rm 203 San Fernando, Ca. 91340 | |
| CUSTOMER NO. SAN560 | INSURED'S NAME IF DIFFERENT FROM CUSTOMER FILE |
| | DATE 1-14-86 |

| | | | |
|--|--|---|-----------------------------------|
| POLICY NUMBER MXC 6212926 | EFFECTIVE DATE MO.-DAY-YR. 10-19-85 | RENEWAL DATE MO.-DAY-YR. ***** | INVOICE NUMBER No 76314 |
| BUSINESS CODE 89 3 | COMPANY CODE 23 | DESCRIPTION OF COVERAGE | |
| | | Commercial Liability Policy | |
| | | End. #4 | |
| | | Thank you, Marge | |
| | | Our check #70936 attached | |
| PREMIUMS ARE DUE ON EFFECTIVE DATE OF POLICY | | PREMIUM \$164.00 CR | |
| | | BALANCE \$164.00 CR | |

SAN FERNANDO / VALLEY HEART INSURANCE



IF THE FOLLOWING INFORMATION IS NOT COMPLETE, REFER TO THE APPROPRIATE DECLARATIONS ATTACHED TO THE POLICY.

| | | |
|---|-----------------------------------|---------------------|
| INSURED SAN FERNANDO MALL ASSESSMENT | POLICY NUMBER 2-49 MXC 6212926 | SEQUENTIAL NO. 4 |
| PRODUCER SAN FERNANDO INS. | EFFECTIVE DATE 10-19-85 | |

DECLARATIONS

THE PREMIUM FOR THIS POLICY AMENDMENT IS INCLUDED IN THE PREMIUM SHOWN ON THE GENERAL DECLARATIONS UNLESS A SPECIFIC AMOUNT IS SHOWN HERE:

ADDITIONAL PREMIUM \$ _____ RETURN PREMIUM \$ 164. _____

AMENDMENT

LOC. 1 IS DELETED FROM THE POLICY.

THE FOLLOWING CODES ARE AMENDED TO APPLY TO LOC. 2

- 314-86415-003
- 314-79111-003
- 314-59361-003

CODE 65121 IS DELETED FROM THE POLICY

AMEND MULTICOVER TO REFLECT ABOVE CHANGES

1-2-86:PC

| | | |
|--|-----------|--|
| ONE OF THE FIREMAN'S FUND INSURANCE COMPANIES AS NAMED IN THE POLICY | PRESIDENT | COUNTERSIGNATURE OF AUTHORIZED AGENT |
|--|-----------|--|

STOCK NO. 140519-11-82