



SAN FERNANDO

MAYOR/CHAIR MARY MENDOZA
VICE MAYOR/VICE CHAIR HECTOR A. PACHECO
COUNCILMEMBER/BOARDMEMBER SYLVIA BALLIN
COUNCILMEMBER/BOARDMEMBER CINDY MONTAÑEZ
COUNCILMEMBER/BOARDMEMBER CELESTE T. RODRIGUEZ

CITY OF SAN FERNANDO

CITY COUNCIL AND SUCCESSOR AGENCY TO THE SAN FERNANDO REDEVELOPMENT AGENCY REGULAR MEETING AGENDA SUMMARY MONDAY, JUNE 6, 2022 - 6:00 PM

CITY HALL COUNCIL CHAMBER
117 MACNEIL STREET
SAN FERNANDO, CALIFORNIA 91340
TELECONFERENCE – PURSUANT TO PROVISIONS OF ASSEMBLY BILL 361

SPECIAL NOTICE REGARDING COVID-19

NOTICE OF TELECONFERENCE: Pursuant to Adopted Resolution No. 8098 by the City Council of the City of San Fernando, effective January 12, 2022, the City of San Fernando's Legislative Bodies may participate via teleconference and/or video in Accordance with Government Code Section 54953 as permitted under the provisions of Assembly Bill 361

PUBLIC PARTICIPATION OPTIONS

WATCH THE MEETING:

Live stream with audio and video, via YouTube Live, at:

<https://www.youtube.com/c/CityOfSanFernando>

Note: Comments submitted via YouTube will not be read into the record.

SUBMIT PUBLIC COMMENT IN PERSON:

Members of the public may provide comments in the City Council Chambers during the Public Comments section of the Agenda by submitting a comment card to the City Clerk.

SUBMIT PUBLIC COMMENT VIA EMAIL:

Members of the public may submit comments **by email** to cityclerk@sfcity.org no later than **5:00 p.m. the day of the meeting**, to ensure distribution to the City Council prior to consideration of the agenda. Comments received via email will be distributed to the City Council, read into the record, limited to three minutes, and made part of the official public record of the meeting.

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CALL-IN TO PROVIDE PUBLIC COMMENT LIVE AT THE MEETING:

Members of the public may **call-in between 6:00 p.m. and 6:15 p.m.** Comments will be heard in the order received, and limited to three minutes. If necessary, the call-in period may be extended by the Mayor. Note: This is audio only and no video.

Call-in Telephone Number: (669) 900-6833

Meeting ID: 833 6022 0211

Passcode: 924965

When connecting to the Zoom meeting to speak, you will be placed in a virtual “waiting area,” with your audio disabled, until it is your turn to speak and limited to three minutes.

CALL TO ORDER/ROLL CALL

PLEDGE OF ALLEGIANCE

Led by City Clerk Julia Fritz

APPROVAL OF AGENDA

Recommend that the City Council approve the agenda as presented and move that all ordinances presented tonight be read in title only as authorized under Government Code Section 36934.

PRESENTATIONS

- A. PRESENTATION OF CERTIFICATES OF APPRECIATION TO MISSION CITY BASEBALL LEAGUE’S VOLUNTEERS
- B. PRESENTATION OF A CERTIFICATE OF PROCLAMATION DECLARING THE MONTH OF JUNE AS PRIDE MONTH

DECORUM AND ORDER

The City Council, elected by the public, must be free to discuss issues confronting the City in an orderly environment. Public members attending City Council meetings shall observe the same rules of order and decorum applicable to the City Council (SF Procedural Manual). Any person making impertinent derogatory or slanderous remarks or who becomes boisterous while addressing the City Council or while attending the City Council meeting, may be removed from the room if the Presiding Officer so directs the sergeant-at-arms and such person may be barred from further audience before the City Council.

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PUBLIC STATEMENTS

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Members of the public may provide a **live public comment by calling in between 6:00 p.m. and 6:15 p.m. CALL-IN INFORMATION: Telephone Number: (669) 900-6833; Meeting ID: 833 6022 0211; Passcode: 924965**

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 City Council wishes to discuss any item, it should first be removed from the Consent Calendar.

1) CONSIDERATION TO ADOPT A RESOLUTION APPROVING THE WARRANT REGISTER

Recommend that the City Council adopt Resolution No. 22-061 approving the Warrant Register.

2) CONSIDERATION TO ADOPT A RESOLUTION APPROVING THE WARRANT REGISTER FOR THE SUCCESSOR AGENCY TO THE SAN FERNANDO REDEVELOPMENT AGENCY

Recommend that the Successor Agency to the San Fernando Redevelopment Agency adopt Resolution No. 170 approving the Warrant Register.

3) CONSIDERATION TO ADOPT A RESOLUTION RE-AUTHORIZING REMOTE TELECONFERENCE MEETINGS FOR THE PERIOD OF JUNE 14, 2022 TO JULY 13, 2022, OF THE CITY OF SAN FERNANDO'S LEGISLATIVE BODIES IN COMPLIANCE WITH GOVERNMENT CODE SECTION 54953(E) AND OTHER APPLICABLE PROVISIONS OF ASSEMBLY BILL 361

Recommend that the City Council adopt Resolution No. 8155 re-authorizing remote teleconference meetings for the period of June 14, 2022 to July 13, 2022, of the City of San Fernando's Legislative Bodies in compliance with Government Code Section 54953(E) and other applicable provisions of Assembly Bill 361.

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4) CONSIDERATION TO ADOPT A RESOLUTION DECLARING JUNE 19TH AS “JUNETEENTH NATIONAL INDEPENDENCE DAY” AND OBSERVED AS AN OFFICIAL PAID HOLIDAY FOR CITY EMPLOYEES

Recommend that the City Council:

- a. Adopt Resolution No. 8154 declaring June 19th as “Juneteenth National Independence Day” and observed as an official paid holiday for City employees; and
- b. Authorize the City Manager to close City facilities on Monday, June 20, 2022, in observance of Juneteenth National Independence Day.

5) CONSIDERATION TO ADOPT A RESOLUTION SETTING A PUBLIC HEARING DATE TO CONSIDER THE PLACEMENT OF LIENS ON REAL PROPERTY FOR NON-PAYMENT OF RESIDENTIAL AND COMMERCIAL SOLID WASTE COLLECTION SERVICES BILLINGS

Recommend that the City Council adopt Resolution No. 8152 declaring the City Council’s intention to place liens on real property for non-payment of residential and commercial solid waste collection services billings and setting the date for the Public Hearing on July 18, 2022.

6) CONSIDERATION TO ADOPT A RESOLUTION SUSPENDING SECTION 54-5 (CAMPING) AND SECTION 54-4 (FIRE) OF THE SAN FERNANDO MUNICIPAL CODE FOR THE FAMILY HIKING AND WILDLIFE ENVIRONMENTAL STEWARDSHIP PROGRAM OVERNIGHT CAMPING WORKSHOP

Recommend that the City Council:

- a. Adopt Resolution No. 8150 temporarily suspending Section 54-5 (Camping) and Section 54-4 (Fire) of the City of San Fernando Municipal Code for one night only on Saturday, July 16, 2022, for the Family Hiking and Wildlife Environmental Stewardship Program overnight camping workshop to be held at Rudy Ortega Sr. Park, and;
- b. Provide staff direction, as appropriate.

7) CONSIDERATION TO AUTHORIZE RELEASE OF A NOTICE INVITING BIDS FOR THE DESIGN OF THE LAS PALMAS PARK REVITALIZATION PROJECT

Recommend that the City Council authorize staff to release a Notice Inviting Bids soliciting professional services from qualified and experienced firms to develop a set of biddable plans, specifications and a project cost estimate for the Las Palmas Park Revitalization Project.

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PUBLIC HEARING

8) A PUBLIC HEARING TO CONSIDER ADOPTING A RESOLUTION APPROVING THE 6TH CYCLE 2021-2029 HOUSING ELEMENT, SAFETY ELEMENT UPDATE, AND MITIGATED NEGATIVE DECLARATION

Recommend that the City Council:

- a. Conduct a Public Hearing;
- b. Adopt Resolution No. 8153 approving the 6th Cycle 2021-2029 Housing Element, Safety Element Update, and Mitigated Negative Declaration; and
- c. Authorize the City Manager to make iterative changes to the 2021-2029 Housing Element in response to comments from the California Department of Housing and Community Development to support state certification of the 2021-2029 Housing Element.

ADMINISTRATIVE REPORTS

9) CONSIDERATION TO ADOPT A RESOLUTION REQUIRING THE ADOPTION OF MANDATORY WATER CONSERVATION MEASURES IN THE CITY OF SAN FERNANDO

Recommend that the City Council:

- a. Adopt Resolution No. 8151 requiring the adoption of mandatory water conservation measures in the City of San Fernando; and
- b. Authorize the City Manager to implement education and enforcement programs to support mandatory water conservation efforts to reduce water usage by 20 percent from 2020 water usage levels.

10) FISCAL YEAR 2022-2023 BUDGET STUDY SESSION NO. 3

Recommend that the City Council review and discuss the Fiscal Year 2022-2023 Proposed Budget.

11) SECOND READING FOR ADOPTION OF ORDINANCE NO. 1710 ADDING CHAPTER 24 TO THE SAN FERNANDO MUNICIPAL CODE TO PROHIBIT SMOKING IN MULTI-UNIT HOUSING

Recommend that the City Council conduct a second reading, in title only, of Ordinance No. 1710 titled, "An Ordinance of the City Council of the City of San Fernando, California, adding Chapter 24 to the San Fernando Municipal Code to prohibit smoking in multi-unit housing."

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12) DISCUSSION REGARDING A CLEANUP AND IMPROVED LIGHT AND SAFETY MEASURES ON THE BIKE PATH

This item was agendized by Councilmember Sylvia Ballin.

STAFF COMMUNICATION INCLUDING COMMISSION UPDATES

GENERAL CITY COUNCIL/BOARD MEMBER COMMENTS AND LIAISON UPDATES

ADJOURNMENT The meeting will adjourn to its next regular meeting.

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.

Julia Fritz, CMC

City Clerk

Signed and Posted: June 2, 2022 (5:00 p.m.)

The Regular Meetings of the City Council of the City of San Fernando also serves as concurrent Regular Meetings of the Successor Agency to the San Fernando Redevelopment Agency, and, from time to time, such other bodies of the City composed exclusive of the Members of the City Council.

Agendas and complete Agenda Packets (including staff reports and exhibits related to each item) are posted on the City's Internet website www.sfcity.org. These are also available for public reviewing prior to a meeting in the City Clerk Department. Any public writings distributed by the City Council to at least a majority of the Councilmembers regarding any item on this regular meeting agenda will also be made available at the City Clerk Department at City Hall located at 117 Macneil Street, San Fernando, CA, 91340 during normal business hours. In addition, the City may also post such documents on the City's website at www.sfcity.org. In accordance with the Americans with Disabilities Act of 1990, if you require a disability-related modification/accommodation to attend or participate in this meeting, including auxiliary aids or services please call the City Clerk Department at (818) 898-1204 or cityclerk@sfcity.org at least 48 hours prior to the meeting.

**Regular Meeting
San Fernando City Council
and Successor Agency to the
San Fernando Redevelopment Agency**

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AGENDA REPORT

To: Mayor Mary Mendoza and Councilmembers

From: Nick Kimball, City Manager
By: Sonia Gomez-Garcia, Interim Director of Finance/City Treasurer

Date: June 6, 2022

Subject: Consideration to Adopt a Resolution Approving the Warrant Register

RECOMMENDATION:

It is recommended that the City Council adopt Resolution No. 22-061 (Attachment "A") approving the Warrant Register.

BACKGROUND:

For each City Council meeting the Finance Department prepares a Warrant Register for Council approval. The Register includes all recommended payments for the City. Checks, other than special checks, generally are not released until after the Council approves the Register. The exceptions are for early releases to avoid penalties and interest, excessive delays and in all other circumstances favorable to the City to do so. Special checks are those payments required to be issued between Council meetings such as insurance premiums and tax deposits. Staff reviews requests for expenditures for budgetary approval and then prepares a Warrant Register for Council approval and or ratification. Items such as payroll withholding tax deposits do not require budget approval.

The Director of Finance/City Treasurer hereby certifies that all requests for expenditures have been signed by the department head, or designee, receiving the merchandise or services thereby stating that the items or services have been received and that the resulting expenditure is appropriate. The Director of Finance/City Treasurer hereby certifies that each warrant has been reviewed for completeness and that sufficient funds are available for payment of the warrant register.

ATTACHMENT:

A. Resolution No. 22-061

RESOLUTION NO. 22-061

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN FERNANDO,
CALIFORNIA, ALLOWING AND APPROVING FOR PAYMENT DEMANDS
PRESENTED ON DEMAND/ WARRANT REGISTER NO. 22-061**

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

1. That the demands (EXHIBIT "A") as presented, having been duly audited, for completeness, are hereby allowed and approved for payment in the amounts as shown to designated payees and charged to the appropriate funds as indicated.
2. That the City Clerk shall certify to the adoption of this Resolution and deliver it to the City Treasurer.

PASSED, APPROVED, AND ADOPTED this 6th day of June 2022.

Mary Mendoza, Mayor of the City of
San Fernando, California

ATTEST:

Julia Fritz, City Clerk

CERTIFICATION

I, City Clerk of the City of San Fernando, California, do hereby certify that the foregoing is a full, true, and correct copy of Resolution No. 22-061 which was regularly introduced and adopted by the City Council of the City of San Fernando, California, at a regular meeting thereof held on the 6th day of June, 2022, by the following vote of the City Council:

AYES:

NAYS:

ABSENT:

ABSTAINED:

IN WITNESS WHEREOF, I have here unto set my hand and affixed the official seal of the City of San Fernando, California, this _____ day of June, 2022.

Julia Fritz, City Clerk

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Voucher List
CITY OF SAN FERNANDO

Bank code : bank3

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
227051	6/6/2022	892552 A & M CATERING, INC.	1004	12633	CATERING FOR LP SENIOR CLUB MOT 004-2380	8,059.27
					Total :	8,059.27
227052	6/6/2022	891587 ABLE MAILING INC.	35762	12444	MAILING AND FULFILLMENT SERVICES	99.23
				12444	072-360-0000-4300	99.23
			35763		070-382-0000-4300	12.50
					072-360-0000-4300	12.50
					070-382-0000-4300	12.50
					Total :	223.46
227053	6/6/2022	888356 ADVANCED AUTO REPAIR	1562	12537	VEHICLE MAINT, REPAIRS & BODY WO 070-382-0000-4400	129.29
			1564	12537	VEHICLE MAINT, REPAIRS & BODY WO 070-382-0000-4400	295.00
			1566	12537	VEHICLE MAINT, REPAIRS & BODY WO 041-320-0311-4400	187.62
					Total :	611.91
227054	6/6/2022	889043 ALADIN JUMPERS	9358	12627	EQUIPMENT RENTAL FOR RCS DEPT. F 001-424-0000-4260	150.00
					Total :	150.00
227055	6/6/2022	894104 ALBA, DAVID RICK	DR#10-1367		BOOKING FEE REFUND 001-3725-0000	1.00
					Total :	1.00
227056	6/6/2022	894121 ALL UNITED ROOFING CO	BS2201645		BUILDING PERMIT REFUND 001-3320-0000	121.98
					055-3719-0154	3.17
					055-2247	4.00
					Total :	129.15
227057	6/6/2022	893813 ALMANZA, LAURAMARIE C	REIMB.		PRIZES- SR CLUB BINGO NIGHT 004-2346	272.13

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Bank code : bank3

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
227057	6/6/2022	893813 893813 ALMANZA, LAURAMARIE C	(Continued)			Total : 272.13
227058	6/6/2022	887695 AL'S KUBOTA TRACTOR	228436		VEHICLE MAINT- PK0083 041-320-0390-4400	51.10
					Total :	51.10
227059	6/6/2022	894078 AMERICAN BUSINESS BANK	P2		5% RETENTION HELD-SF PARK INFILT 010-2037	3,635.00
					012-2037	8,862.50
					Total :	12,497.50
227060	6/6/2022	100165 AMERICAN WATER WORKS, INC.	32683		MAINTENANCE OF PRESSURE WASHE 001-152-0000-4300	763.51
					Total :	763.51
227061	6/6/2022	100184 ANDERSON TROPHY CO.	716661	12493	TROPHIES FOR YOUTH AND ADULT SP 017-420-1330-4300	1,773.63
			716736	12493	TROPHIES FOR YOUTH AND ADULT SP 017-420-1330-4300	117.11
					Total :	1,890.74
227062	6/6/2022	100188 ANDY GUMP INC.	INV921562	12491	PORTABLE RESTROOM SERVICE 070-384-0000-4260	336.34
			INV921563	12491	PORTABLE RESTROOM SERVICE 043-390-0000-4260	217.28
			INV921564	12491	PORTABLE RESTROOM SERVICE 043-390-0000-4260	336.49
					Total :	890.11
227063	6/6/2022	893441 ARAMARK REFRESHMENT SERVICES	12527751	12451	EMPLOYEE BREAK ROOM SUPPLIES 001-222-0000-4300	494.18
					Total :	494.18
227064	6/6/2022	894045 ARROYO BACKGROUND	2746	12636	BACKGROUND INVESTIGATIONS 001-222-0000-4270	637.50
					Total :	637.50
227065	6/6/2022	102530 AT & T	818-270-2203		PD NETWORK LINE - MAY 2022	

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Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
227065	6/6/2022	102530 AT & T	(Continued)		001-222-0000-4220	222.04
					Total :	222.04
227066	6/6/2022	889037 AT&T MOBILITY	287277903027X0508202		MODEM FOR ELECTRONIC MESSAGE	101.19
					001-310-0000-4220	783.39
					Total :	101.19
227067	6/6/2022	892412 AT&T MOBILITY	287297930559X0410202	12605	WIRELESS MODEMS FOR POLICE VEH	62,305.80
					010-225-3698-4500	783.39
					001-222-0000-4220	63,089.19
					Total :	63,089.19
227068	6/6/2022	892904 ATAP PHOTOGRAPHY	43		SENIOR EXPO PHOTOGRAPHER	250.00
					004-2346	250.00
					Total :	250.00
227069	6/6/2022	889942 ATHENS SERVICES	12198434	12528	CITY STREET SWEEPING-MAY 2022	17,443.40
					011-311-0000-4260	17,443.40
					Total :	17,443.40
227070	6/6/2022	891209 AUTONATION SSC	509889	12481	FORD GENUINE PARTS FOR ALL PD VE	6,843.75
			CM509889	12481	041-320-0225-4400	-1,642.50
					041-320-0225-4400	5,201.25
					Total :	5,201.25
227071	6/6/2022	893176 AUTOZONE STORE 5681	5681364787		OVAL TRAILER STOP LIGHT - CE8007	12.56
					041-320-0152-4400	12.56
					Total :	12.56
227072	6/6/2022	890980 AVILA, JESSE H.	MAY 2022		GLACVCD TRUSTEE MEMBER STIPENI	150.00
					001-190-0000-4111	150.00
					Total :	150.00
227073	6/6/2022	893013 AYSON, LEILANI	MAY2022	12546	CONTRACTED INSTRUCTOR: ZUMBA~	170.00
					017-420-1337-4260	170.00

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227073	6/6/2022	893013 893013 AYSON, LEILANI	(Continued)			170.00
					Total :	170.00
227074	6/6/2022	889913 BALLIN, SYLVIA	TRAVEL		PER DIEM-NALEO CONF IN CHICAGO,	70.00
					001-101-0101-4370	70.00
					Total :	70.00
227075	6/6/2022	892784 BARAJAS, MARIA BERENICE	MAY2022	12547	CONTRACTED INSTRUCTOR (TBC/CYC	580.00
					017-420-1337-4260	580.00
					Total :	580.00
227076	6/6/2022	892426 BEARCOM	5369728	12595	MAINTENANCE AGREEMENT FOR RAD	12,191.39
					001-135-0000-4260	12,191.39
					Total :	12,191.39
227077	6/6/2022	891301 BERNARDEZ, RENATE Z.	639	12637	COUNCIL MEETINGS INTERPRETATION	300.00
					001-101-0000-4270	300.00
					Total :	300.00
227078	6/6/2022	894114 BERRIOS-GARCIA, JOSE LUIS	DR#21-2434		BOOKING FEE REFUND	135.00
					001-3725-0000	135.00
					Total :	135.00
227079	6/6/2022	893591 BIOMEDICAL WASTE DISPOSAL	113605		BIOMEDICAL WASTE DISPOSAL	99.00
					001-224-0000-4270	99.00
					Total :	99.00
227080	6/6/2022	888800 BUSINESS CARD	041122	12643	ADOBE ANNUAL SUBSCRIPTION RENE	5,589.60
					001-135-0000-4260	5,589.60
					Total :	5,589.60
227081	6/6/2022	888800 BUSINESS CARD	041822		HOLSTER	267.91
			051022		001-222-0000-4300	356.21
			051222		CISCO SWITCH-BODY CAMERA DOCKI	356.21
					010-225-3698-4500	317.95
					CPR SUPPLIES	317.95
					001-222-0000-4300	942.07
					Total :	942.07

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Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
227082	6/6/2022	888800 BUSINESS CARD	042322	12643	ADOBE ANNUAL SUBSCRIPTION RENE 001-135-0000-4260	197.18
					Total :	197.18
227083	6/6/2022	892464 CANON FINANCIAL SERVICES, INC	28559130	12615	COPIER MAINTENANCE SERVICE 001-135-0000-4260	651.40
					Total :	651.40
227084	6/6/2022	892465 CANON SOLUTIONS AMERICA, INC.	6000158877	12462	COPIER MONTHLY RATES & OVERAGE 001-135-0000-4260	997.22
			6000249082	12462	COPIER MONTHLY RATES & OVERAGE 001-135-0000-4260	1,113.20
					Total :	2,110.42
227085	6/6/2022	100805 COOPER HARDWARE INC.	130100	12454	SUPPLIES FOR P.W. OPS 001-311-0000-4300	189.41
					Total :	189.41
227086	6/6/2022	892687 CORE & MAIN LP	Q727582	12471	WATER & FIRE SERVICE LINE MATERI/	855.02
					070-385-0701-4600	855.02
					Total :	855.02
227087	6/6/2022	892812 COSTAR REALTY INFORMATION, INC	115892812-1	12629	ON-LINE DATABASE FOR COMMERCIAL	5,349.57
					001-135-0000-4260	5,349.57
					Total :	5,349.57
227088	6/6/2022	102003 COUNTY OF LOS ANGELES	RE-PW-22050906346	12485	INDUSTRIAL WASTE CHARGES 072-360-0000-4450	5,296.49
					Total :	5,296.49
227089	6/6/2022	887930 CPCA	22456		MEMBERSHIP RENEWAL 001-222-0000-4380	440.00
					Total :	440.00
227090	6/6/2022	893904 CRICKET CONSULTING	1106		SCADA - EDIT FOLDERS 070-384-0000-4260	360.00
			1107		SCADA - EDIT FOLDER 070-384-0000-4260	360.00

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Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
227090	6/6/2022	893904 893904 CRICKET CONSULTING	(Continued)			Total : 720.00
227091	6/6/2022	103794 CSUN/ CENTER FOR	107SFV	12559	CITY WIDE GIS SERVICES 070-385-0000-4260	1,200.00
				12559	072-360-0000-4260	1,200.00
				12559	001-310-0000-4270	1,200.00
					Total :	3,600.00
227092	6/6/2022	887121 DELL MARKETING L.P.	10575073063	12599	SERVER HARD DRIVE EXTENDED WAF 001-135-0000-4260	1,150.00
			10584282889	12640	SERVER EXTENDED WARRANTY-COMI 001-135-0000-4260	2,049.84
					Total :	3,199.84
227093	6/6/2022	891425 DIAZ, MARISOL	REIMB.		SUPPLIES-SR CLUB MOTHER'S DAY EV 004-2346	145.95
					001-422-0000-4300	99.78
					Total :	245.73
227094	6/6/2022	894117 DIRICIO-LUNA, JUAN	DR#22-0073		BOOKING FEE REFUND~ 001-3725-0000	135.00
					Total :	135.00
227095	6/6/2022	893103 DUARTE, MARITZA	REIMB.		FLOWERS FOR SR CLUB MOTHER'S D. 004-2380	410.00
					Total :	410.00
227096	6/6/2022	889121 EDGESOFT, INC.	3285	12442	MAINTENANCE OF AIMS SOFTWARE 055-135-0000-4260	2,080.00
					Total :	2,080.00
227097	6/6/2022	101063 EMPLOYMENT DEVELOPMENT	L1980237584		UNEMPLOYMENT INS-PERIOD ENDING 001-190-0390-4132	11,700.00
					001-190-0130-4132	2,501.00
					001-190-3689-4132	-675.00
					Total :	13,526.00
227098	6/6/2022	890401 ENVIROGEN TECHNOLOGIES INC	0013323-in		APRIL'22-MAINT., REPAIRS, PARTS, LAI	

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227098	6/6/2022	890401 ENVIROGEN TECHNOLOGIES INC	(Continued)	12464	070-384-0857-4260	7,814.52
					Total :	7,814.52
227099	6/6/2022	101147 FEDEX	7-754-79422		COURIER SERVICES 001-190-0000-4280	79.43
					Total :	79.43
227100	6/6/2022	893956 FLEMING, MONICA M.	MAY 2022	12585	ZUMBA INSTRUCTOR 017-420-1337-4260	137.50
					Total :	137.50
227101	6/6/2022	892198 FRONTIER COMMUNICATIONS	209-150-5145-010598		PAC 50 TO SHERIFFS 05/01-05/31 001-222-0000-4220	576.65
			209-150-5250-081292		RADIO REPEATER PD 05/02-06/01 001-222-0000-4220	46.51
			209-151-4941-102990		PD PAGING 05/01-05/31 001-222-0000-4220	51.37
			209-151-4942-041191		CITY YARD AUTO DIALER 5/10-06/09 070-384-0000-4220	55.56
			209-151-4943-081292		PD RADIO REPEATER 05/02-06/01 001-222-0000-4220	46.51
			818-361-0901-051499		SEWER FLOW MONI PW 05/01-05/31 072-360-0000-4220	65.57
			818-361-2385-012309		MTA PHONE LINE 05/13-06/12 007-440-0441-4220	55.56
			818-361-2472-031415		001-190-0000-4220 PW PHONE LINE 05/04-06/03 070-384-0000-4220	111.11
			818-361-3958-091407		CNG STATION 5/01/05/31 074-320-0000-4220	522.96
			818-361-7825-120512		HERRITAGE PARK IRR SYTM 05/13-06/12 001-420-0000-4220	52.70
			818-831-5002-052096		PD SPECIAL ACTIVITES PHONE 05/04-06/03 001-222-0000-4220	56.65
			818-837-7174-052096		PD SPECIAL ACTIVITIES PHONE 05/10-06/03 001-222-0000-4220	55.69
						37.75

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227101	6/6/2022	892198 FRONTIER COMMUNICATIONS	(Continued)		ENGINEERING FAX MONEM 05/01-05/31 001-310-0000-4220	38.87
			818-838-1841-112596		LP FAX NUMBER 05/13-06/12 001-420-0000-4220	32.93
					Total :	1,806.39
227102	6/6/2022	893953 GALE, PAUL JOHN	MAY2022	12586	KARATE INSTRUCTOR~ 017-420-1326-4260	441.00
					Total :	441.00
227103	6/6/2022	894105 GALINDO, ALEJANDRO CHRISTIAN	DR#21-2583		BOOKING FEE REFUND~ 001-3725-0000	135.00
					Total :	135.00
227104	6/6/2022	887249 GALLS, LLC	020968052		OFFICER'S RAIN JACKET 001-222-0000-4300	100.41
					Total :	100.41
227105	6/6/2022	894109 GARCIA, EDUARDO	DR#21-2649		BOOKING FEE REFUND~ 001-3725-0000	135.00
					Total :	135.00
227106	6/6/2022	101273 GARCIA, PATTY	REIMB.		DRY CLEANING-JAMBOREE EVENT CC 001-424-0000-4300	65.00
					Total :	65.00
227107	6/6/2022	893908 GARCIA, SONIA G.	34-44		PETTY CASH REIMBURSEMENT 001-101-0000-4300	22.64
					001-225-0000-4350	35.87
					001-310-0000-4300	22.63
					072-360-0000-4300	60.66
					072-360-0000-4360	118.00
					001-106-0000-4270	11.48
					001-424-0000-4300	43.30
					Total :	314.58
227108	6/6/2022	893949 GARCIA, SONIA G.	149-155;106;108;109		L P SENIOR PETTY CASH REIMB.	

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Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount	
227108	6/6/2022	893949 GARCIA, SONIA G.	(Continued)		004-2380	311.66	
					Total :	311.66	
227109	6/6/2022	892754 GARCIA, SYLVIA	829283		SENIOR TRIP REFUND (RENO)		
			829455		004-2383	140.00	
					SENIOR TRIP REFUND (RENO)		
					004-2383	150.00	
					Total :	290.00	
227110	6/6/2022	893344 GRAND ELECTRICAL SUPPLY	200314		REPAIR AT LAS PALMAS PARK		
					043-390-0000-4300	96.85	
					Total :	96.85	
227111	6/6/2022	101436 HACH COMPANY	13021196		WATER QUALITY SUPPLIES		
					070-384-0000-4310	135.82	
					Total :	135.82	
227112	6/6/2022	894118 HERNANDES, DUGLAS YONATAN	DR#21-2637		BOOKING FEE REFUND~		
					001-3725-0000	135.00	
					Total :	135.00	
227113	6/6/2022	894116 HERNANDEZ REYES, LUIS ALBERTO	DR#21-2245		BOOKING FEE REFUND~		
					001-3725-0000	135.00	
					Total :	135.00	
227114	6/6/2022	894111 HERNANDEZ, ANTHONY MAX	DR#21-2571		BOOKING FEE REFUND~		
					001-3725-0000	135.00	
					Total :	135.00	
227115	6/6/2022	101599 IMAGE 2000 CORPORATION	495824		VARIOUS COPIER MAINT CONTRACT-1		
					001-135-0000-4260	892.47	
					072-360-0000-4450	26.12	
					001-135-0000-4260	217.75	
			518793		ADMIN COPIER ALL TONERS~		
					001-190-0000-4300	23.00	
					Total :	1,159.34	

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227116	6/6/2022	894042 INLAND EMPIRE STAGES, LTD	56782	12631 12631	BUS TRANSPORTATION FOR SENIOR E 007-440-0443-4260 004-2383	1,144.50 40.00
					Total :	1,184.50
227117	6/6/2022	891777 IRRIGATION EXPRESS	15246667	12483	IRRIGATION SUPPLIES FOR REPAIRS / 029-335-0000-4300	205.06
			15247022-00	12483	IRRIGATION SUPPLIES FOR REPAIRS / 029-335-0000-4300	85.72
			15247125	12483	IRRIGATION SUPPLIES FOR REPAIRS / 029-335-0000-4300	9.85
			15247247	12483	IRRIGATION SUPPLIES FOR REPAIRS / 043-390-0000-4300	105.43
			15247257	12483	IRRIGATION SUPPLIES FOR REPAIRS / 001-311-0000-4300	14.34
			15247840	12483	IRRIGATION SUPPLIES FOR REPAIRS / 043-390-0000-4300	19.51
					Total :	439.91
227118	6/6/2022	894006 J.Z. LAWNMOWER SHOP	26520	12617	SMALL EQUIPMENT REPAIR. 043-390-0000-4300	29.81
					Total :	29.81
227119	6/6/2022	892118 JOHN ROBINSON CONSULTING, INC.	SF202001-27	12145	RESERVOIR RECONSTRUCTION 010-385-0716-4600	2,383.74
					Total :	2,383.74
227120	6/6/2022	893885 JOHNNY ALLEN TENNIS ACADEMY	MAY2022	12498	TENNIS PROGRAM 017-420-1327-4260	742.00
					Total :	742.00
227121	6/6/2022	101764 KEYSTONE UNIFORM DEPOT	068682		UNIFORMS 001-225-0000-4325	515.17
					Total :	515.17
227122	6/6/2022	101795 KOSMONT & ASSOCIATES	18-0099-039	12597	REAL ESTATE ADVISORY 001-151-0000-4270	1,935.70

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227122	6/6/2022	101795 KOSMONT & ASSOCIATES	(Continued) 18-0099-039.1			
			18-0099-041	12597	REAL ESTATE ADVISORY 001-151-0000-4270	1,534.00
			18-0099-042	12597	REAL ESTATE ADVISORY 001-151-0000-4270	3,753.10
				12597	REAL ESTATE ADVISORY 001-151-0000-4270	4,573.40
					Total :	11,796.20
227123	6/6/2022	101971 L.A. MUNICIPAL SERVICES	4947501000		WATER - 12900 DRONFIELD WELL 4A	
			5007501000		070-384-0000-4210 ELECTRIC & LIGHTNING - 13655 FOOTI	64.49
			6947501000		070-384-0000-4210 WATER/ELECTRIC - 13180 DRONFIELD	177.14
					070-384-0000-4210	4,121.01
					Total :	4,362.64
227124	6/6/2022	101852 LARRY & JOE'S PLUMBING	2224774-0001-02		NEW SHUT OFF VALVE FOR DRINKIN F	
			2225126-0001-02		043-390-0000-4300	12.84
					NEW SHUT OFF VALVE & SINK FAUCET	
					043-390-0000-4300	23.27
					Total :	36.11
227125	6/6/2022	894119 LEON TREJO, MARVIN	DR#21-2558		BOOKING FEE REFUND	
					001-3725-0000	135.00
					Total :	135.00
227126	6/6/2022	893957 LEONZO-KUNZE, TANYA XIOMARA	MAY 2022		ZUMBA INSTRUCTOR	
				12588	017-420-1337-4260	84.00
					Total :	84.00
227127	6/6/2022	894120 LEWIS, SOCORRO	BS2103065		BUILDING PERMIT REFUND	
					001-3320-0000	112.58
					055-3719-0154	2.00
					055-2247	4.00
					Total :	118.58

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227128	6/6/2022	894108 LOPEZ-RODRIGUEZ, CESAR JOEL	DR#21-2632		BOOKING FEE REFUND-	
					001-3725-0000	135.00
					Total :	135.00
227129	6/6/2022	101974 LOS ANGELES COUNTY	MARCH 2022		ANIMAL CARE & CONTROL SERVICES	
				12526	001-190-0000-4260	8,778.09
					Total :	8,778.09
227130	6/6/2022	892477 LOWES	1065		PW OPS CTR PATIO IRRIGATION	
			1585		043-390-0000-4300	35.61
			2856		PD BODY CAM BOARD INSTALL	
			2897		043-390-0000-4300	20.56
			2914		MISC ITEMS	
			2956		070-383-0000-4310	56.17
					PW OPS CTR PAINTING	
					043-390-0000-4300	22.22
					PD DRYWALL REPAIR	
					043-390-0000-4300	16.17
					CLEANING SUPPLIES	
					041-320-0000-4300	467.03
					Total :	617.76
227131	6/6/2022	894122 LUCERO, MARTA	REIMB.		ITEM FOR SR CLUB DANCE	
					004-2380	55.12
					Total :	55.12
227132	6/6/2022	102051 M & M LANDSCAPE	7151		LANDSCAPING AT WELL SITES, RESEF	
			7152	12525	070-384-0000-4260	1,500.00
			7153	12525	LANDSCAPING AT WELL SITES, RESEF	
				12525	070-384-0000-4260	400.00
				12525	LANDSCAPING AT WELL SITES, RESEF	
					070-384-0000-4260	1,500.00
					Total :	3,400.00
227133	6/6/2022	888468 MAJOR METROPOLITAN SECURITY	1106674		ALARM MONITORING AT ALL CITY FACI	
			1106675	12486	043-390-0000-4260	25.00
					ALARM MONITORING AT ALL CITY FACI	

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227133	6/6/2022	888468 MAJOR METROPOLITAN SECURITY	(Continued)			
			1106676	12486	043-390-0000-4260 ALARM MONITORING AT ALL CITY FACI	15.00
			1106677	12486	043-390-0000-4260 ALARM MONITORING AT ALL CITY FACI	15.00
			1106678	12486	043-390-0000-4260 ALARM MONITORING AT ALL CITY FACI	15.00
			1106679	12486	043-390-0000-4260 ALARM MONITORING AT ALL CITY FACI	25.00
			1106680	12486	043-390-0000-4260 ALARM MONITORING AT ALL CITY FACI	25.00
			1106681	12486	043-390-0000-4260 ALARM MONITORING AT ALL CITY FACI	25.00
			1106682	12486	043-390-0000-4260 ALARM MONITORING AT ALL CITY FACI	15.00
			1106683	12486	043-390-0000-4260 ALARM MONITORING AT ALL CITY FACI	15.00
			1106684	12486	043-390-0000-4260 ALARM MONITORING AT ALL CITY FACI	15.00
			1106685	12486	070-384-0000-4260 ALARM MONITORING AT ALL CITY FACI	23.00
			1106686	12486	070-384-0000-4260 ALARM MONITORING AT ALL CITY FACI	23.00
			1106687	12486	070-384-0000-4260 ALARM MONITORING AT ALL CITY FACI	23.00
			1106688	12486	070-384-0000-4260 ALARM MONITORING AT ALL CITY FACI	23.00
					Total :	297.00
227134	6/6/2022	894025 MATSUOKA, TODD	REIMB.		RGSTR-ICC CONTINUED EDUCATION (
					001-152-0000-4360	105.00
					001-152-0000-4370	67.28
					Total :	172.28
227135	6/6/2022	888242 MCI COMM SERVICE	7DL39365		ALARM LINE - 1100 PICO	
					001-420-0000-4220	34.57

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227135	6/6/2022	888242 MCI COMM SERVICE	(Continued)			
					Total :	34.57
227136	6/6/2022	893200 MCKESSON MEDICAL-SURGICAL	19382911		MEDICAL SUPPLIES	
			2277969		001-225-0000-4350	23.40
					CREDIT MEMO	-2.00
					001-225-0000-4350	21.40
					Total :	21.40
227137	6/6/2022	893442 MENDOZA, MARY	TRAVEL		PER DIEM-NALEO CONF IN CHICAGO,	
					001-101-0107-4370	60.00
					Total :	60.00
227138	6/6/2022	893402 MILITARY TRIBUTE BANNERS	220126220		BANNERS FOR THE VETERAN'S RECO	
			220126302	12635	053-420-1355-4300	2,808.00
				12635	BANNERS FOR THE VETERAN'S RECO	
				12635	053-420-1355-4300	416.80
					001-424-0000-4260	168.20
					Total :	3,393.00
227139	6/6/2022	102226 MISSION LINEN SUPPLY	516959048		LAUNDRY SERVICE FOR PD	
			516975447	12457	001-225-0000-4350	102.26
			517002049	12457	001-225-0000-4350	131.23
			517017508	12457	001-225-0000-4350	90.06
			517042716	12457	001-225-0000-4350	131.69
					001-225-0000-4350	97.84
					Total :	553.08
227140	6/6/2022	894110 MOJICA, JASMINE MARIE	DR#21-2229		BOOKING FEE REFUND-	
					001-3725-0000	135.00
					Total :	135.00
227141	6/6/2022	894103 MONTES, CARLOS EDILBERTO	#1MN03394-01		COURT COMMITMENT REFUND	
					001-3780-0000	200.00

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227141	6/6/2022	894103 894103 MONTES, CARLOS EDILBERTO	(Continued)		Total :	200.00
227142	6/6/2022	894124 MORENO VALLEY COLLEGE	TRAVEL		RGSTR-BASIC JAILER & CORR OFFICE 001-225-3688-4360	690.00 690.00
227143	6/6/2022	893369 MYRECDEPT.COM	03215578S	12569	SOFTWARE OPERATING SYSTEM REN 001-135-0000-4260	2,995.00 2,995.00
227144	6/6/2022	892916 NADA BUS INC	50691 50737	12632 12632	BUS TRANSPORTATION FOR SENIOR E 004-2383 BUS TRANSPORTATION FOR SENIOR E 004-2383	1,860.00 1,905.00 3,765.00
227145	6/6/2022	102351 NATIONAL PEN CO. LLC	112620348		PENS WITH DEPT INFORMATION 001-420-0000-4300	324.02 324.02
227146	6/6/2022	893247 NATIONAL READY MIXED	819995	12466	SUPPLIES FOR CONCRETE REPAIRS 015-310-0866-4600	726.43 726.43
227147	6/6/2022	893633 NORMAN A. TRAUB &	22002.1 22002.2	12649 12649	INTERNAL INVESTIGATION SERVICES 001-112-0000-4270 INTERNAL INVESTIGATION SERVICES 001-112-0000-4270	10,545.47 8,695.91 19,241.38
227148	6/6/2022	102423 OCCU-MED, INC.	0522901		PRE-EMPLOYMENT PHYSICAL 001-106-0000-4260	1,212.25 1,212.25
227149	6/6/2022	894100 ODP BUSINESS SOLUTIONS , LLC	240069412002 240204923001		OFFICE SUPPLIES 001-222-0000-4300 OFFICE SUPPLIES 001-222-0000-4300	5.94 47.64

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227149	6/6/2022	894100 ODP BUSINESS SOLUTIONS , LLC	(Continued) 240213915001 240213916001 240403781001 240798485001 2408274162001 240827463001 241630153001 243378844001 243379738001 244989519001 244989520001 2569981365	12652 12652	OFFICE SUPPLIES 001-222-0000-4300 OFFICE SUPPLIES 001-222-0000-4300 OFFICE SUPPLIES 001-130-0000-4300 OFFICE SUPPLIES 001-150-0000-4300 TONERS 001-152-0000-4300 OFFICE SUPPLIES 001-150-0000-4300 OFFICE SUPPLIES 001-222-0000-4300 OFFICE SUPPLIES 001-310-0000-4300 OFFICE SUPPLIES 001-310-0000-4300 HP LASERJET M681DH COLOR ALL-IN- 001-130-0000-4300 HP LASERJET M681DH COLOR ALL-IN- 001-130-0000-4300 OFFICE SUPPLIES 001-222-0000-4300	12.56 12.56 13.78 96.90 1,262.66 13.38 584.50 47.08 19.83 3,624.26 1,029.50 43.75 6,814.34
227150	6/6/2022	892572 OLIVAREZ MADRUGA	19160		LEGAL SERVICES 001-110-0000-4270	26,487.96 26,487.96
227151	6/6/2022	890095 O'REILLY AUTOMOTIVE STORES INC	4605-462049 4605-462128 4605-463086	12538 12538 12538	VEHICLE SERVICE, MAINT. AND REPAI 041-320-0390-4400 VEHICLE SERVICE, MAINT. AND REPAI 041-320-0152-4400 VEHICLE SERVICE, MAINT. AND REPAI 041-320-0311-4400	7.71 36.65 24.26

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227151	6/6/2022	890095 O'REILLY AUTOMOTIVE STORES INC	(Continued) 4605-463087	12538	VEHICLE SERVICE, MAINT. AND REPAI 041-320-0320-4400	132.24
			4605-464237	12538	VEHICLE SERVICE, MAINT. AND REPAI 041-320-0224-4400	45.42
					Total :	246.28
227152	6/6/2022	894024 ORTIZ ENTERPRISES, INC.	P2	12650	SF REGIONAL PARK INFILTRATION PR(72,700.00
				12650	010-310-0620-4600	177,250.00
					012-311-0620-4600	-3,635.00
					010-2037	-8,862.50
					012-2037	
					Total :	237,452.50
227153	6/6/2022	894106 ORTIZ, JESUS RICARDO	DR#21-2632		BOOKING FEE REFUND~	
					001-3725-0000	135.00
					Total :	135.00
227154	6/6/2022	894057 PAPER CUTS, INC.	050422CH		ON SITE RECORDS DESTRUCTION 41	
					001-420-0000-4300	9.00
					001-222-0000-4270	247.50
					001-130-0000-4260	184.50
					Total :	441.00
227155	6/6/2022	887381 PEDALERS WEST	041222		BIKE TUNE UP FOR 4 BICYCLES	
					001-222-0000-4320	360.00
					Total :	360.00
227156	6/6/2022	889545 PEREZ, MARIBEL	REIMB.		BASKETBALL & FACILITY SUPPLIES; M	
					001-423-0000-4300	525.38
					017-420-1328-4300	55.83
					001-420-0000-4390	26.51
					Total :	607.72
227157	6/6/2022	102688 PROFESSIONAL PRINTING CENTERS	19981	12519	PURCHASE OF PRE-PRINTED FORMS	
			19994		001-222-0000-4300	164.27
					FOCUS GROUP MEETING DOORHANG	
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227157	6/6/2022	102688 PROFESSIONAL PRINTING CENTERS	(Continued)		010-422-0156-4600	660.40
					Total :	824.67
227158	6/6/2022	890004 PTS	2087195		PD PAY PHONE - JUNE 2022	
					001-190-0000-4220	65.64
					Total :	65.64
227159	6/6/2022	892297 PUKUU CULTURAL COMMUNITY	7	12135	JAN'22-PROF SERVS AGREEMENT YO	14,171.60
			8	12135	110-422-3649-4270	
			9	12135	FEB'22-PROF SERVS AGREEMENT YO	13,965.37
				12135	110-422-3649-4270	14,949.63
					Total :	43,086.60
227160	6/6/2022	102738 QUINTERO ESCAMILLA, VIOLETA	MAY 2022	12549	CONTRACTED INSTRUCTOR: SENIOF	300.00
					017-420-1323-4260	
					Total :	300.00
227161	6/6/2022	894113 QUINTERO ROCHA, OSCAR ISIDRO	DR#21-2433		BOOKING FEE REFUND~	
					001-3725-0000	135.00
					Total :	135.00
227162	6/6/2022	893756 RODRIGUEZ, CELESTE	TRAVEL		PER DIEM-NALEO CONF IN CHICAGO,	70.00
					001-101-0104-4370	
					Total :	70.00
227163	6/6/2022	892921 RUIZ, ROSA	REIMB.		CENTERPIECES FOR SR CLUB MOTHE	65.70
					004-2380	
					Total :	65.70
227164	6/6/2022	102958 S & S WORLDWIDE INC	IN100987262		SUPPLIES FOR DAY CAMP	738.13
					017-420-1399-4300	
					Total :	738.13
227165	6/6/2022	887575 SAN FERNANDO EXPLORER POST 521	REIMB.		UNIFORMS AND LUNCH	249.29
					001-226-0230-4430	
						Page: 18

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Voucher List
CITY OF SAN FERNANDO

Bank code : bank3

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
227165	6/6/2022	887575 887575 SAN FERNANDO EXPLORER POST 521	(Continued)			Total : 249.29
227166	6/6/2022	103057 SAN FERNANDO VALLEY SUN	11473		1/4 DISPLAY AD - SPRING JAMBOREE	
			11510		001-424-0000-4260	436.65
					PUBLIC HEARING PUBLICATION OF D	
					001-150-0000-4230	956.99
					Total :	1,393.64
227167	6/6/2022	102967 SCOTT FAZEKAS & ASSOCIATES INC	21847		PLAN CHECK CONSULTANT SERVICES	
			21886	12407	001-140-0000-4270	800.00
			21932	12407	PLAN CHECK CONSULTANT SERVICES	
			21933	12407	001-2698	1,563.11
				12407	PLAN CHECK CONSULTANT SERVICES	
				12407	001-2698	3,479.46
				12407	PLAN CHECK CONSULTANT SERVICES	
				12407	001-140-0000-4270	1,260.00
					Total :	7,102.57
227168	6/6/2022	894115 SERAFIN MARTINEZ, JOSE TRINDAD	DR#21-2313		BOOKING FEE REFUND~	
					001-3725-0000	135.00
					Total :	135.00
227169	6/6/2022	103184 SMART & FINAL	0021		BREAK ROOM SUPPLIES	
			0070		001-222-0000-4300	23.94
			0164		SPARKLING WATER FOR SENIOR CLUB	
			0174		004-2380	112.60
			0251		SUPPLIES- SR CLUB MOTHERS DAY D	
			0340		004-2380	41.58
			0502		SUPPLIES FOR CALLES VERDES TREE	
					001-310-0000-4300	67.21
					BREAK ROOM SUPPLIES	
					001-222-0000-4300	33.94
					SUPPLIES- SR CLUB MOTHERS DAY D	
					004-2380	155.90
					SUPPLIES-SR CLUB MOTHER'S DAY D	
					004-2380	152.75
					Total :	587.92

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Bank code : bank3

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
227170	6/6/2022	103202 SOUTHERN CALIFORNIA EDISON CO.	700136176526		ELECTRIC-METER FOR MALL-MACLAY	
			700301226571		030-341-0000-4210	100.55
			700360580265		ELECTRIC - 1117 2ND	
			700363532503		043-390-0000-4210	6.54
			700577150347		ELECTRIC - 910 1ST	
					043-390-0000-4210	7,106.60
					ELECTRIC - VARIOUS LOCATIONS	
					043-390-0000-4210	5,045.54
					ELECTRIC - 190 PARK	
					027-344-0000-4210	880.63
					Total :	13,139.86
227171	6/6/2022	894010 SPECTRUM	0010518042922		REC. PARK CABLE- 04/29 - 5/28	
			0283057050522		001-420-0000-4260	247.50
			10328050522		LP PARK CABLE-05/05 - 06/04	
			222204042922		001-420-0000-4260	258.94
					CABLE AT CITY HALL~	
					001-190-0000-4220	162.75
					CABLE AT PW OPS CTR~	
					043-390-0000-4260	135.01
					Total :	804.20
227172	6/6/2022	100532 STATE OF CALIFORNIA, DEPARTMENT OF JUSTICE	577001	12459	DOJ LIVESCAN FINGERPRINTING	
			578883		004-2386	2,176.00
					FINGERPRINTS	
					001-106-0000-4270	192.00
					Total :	2,368.00
227173	6/6/2022	894101 SWEETWATER	32147580		PARK SOUND SYSTEM	
					001-420-0000-4300	673.25
					Total :	673.25
227174	6/6/2022	103318 TAG/AMS, INC.	2809639		RANDOM DRUG TEST	
					001-106-0000-4260	85.00
					Total :	85.00
227175	6/6/2022	103205 THE GAS COMPANY	090-620-6400-2		GAS-120 N MACNEIL	

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Bank code :		bank3				
Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
227175	6/6/2022	103205 THE GAS COMPANY	(Continued)		070-381-0000-4210 072-360-0000-4210 043-390-0000-4210 Total :	10.87 10.87 21.75 43.49
227176	6/6/2022	101528 THE HOME DEPOT CRC, ACCT#603532202490	1023812		BENCH REPAIR IN MALL 001-311-0000-4300 SAFETY KNEE PADS 001-311-0000-4300 PAINT & SUPPLIES FOR PW OPS CTR 043-390-0000-4300 INFRARED THERMOMETER & MISC. TC 041-320-0000-4300 PW OPS CTR PATIO 043-390-0000-4300 TOOLS 001-152-0000-4340 SUPPLIES & EQUIP. FOR WELL SITES # 070-384-0000-4320 SMALL TOOLS 001-311-0000-4300 HAND TOOLS; SUPPLIES FOR PD REP/ 043-390-0000-4300 MATERIAL FOR BODY CAM AT POLICE 043-390-0000-4300 PW OPS CTR PATIO IRRIGATION 043-390-0000-4300 Total :	115.98 248.04 181.61 1,061.59 190.51 105.67 1,378.32 148.59 167.75 167.61 145.29 3,910.96
227177	6/6/2022	890817 THE WALKING MAN, INC.	F2421		DISTRIBUTION OF FOCUS GROUP MEET 010-422-0156-4600 Total :	750.00 750.00
227178	6/6/2022	890833 THOMSON REUTERS	846269776	12467	DETECTIVE INVESTIGATIVE SOFTWARE 001-135-0000-4260	226.65
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Bank code :		bank3				
Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
227178	6/6/2022	890833 890833 THOMSON REUTERS	(Continued)		Total :	226.65
227179	6/6/2022	891252 TIMECLOCK PLUS	INV00140789	12654	TIMECLOCK PLUS PROF. ANNUAL REN 001-135-0000-4260 Total :	5,159.70 5,159.70
227180	6/6/2022	103413 TRANS UNION LLC	04204517		CREDIT CHECKS 001-222-0000-4260 Total :	85.00 85.00
227181	6/6/2022	894107 TREJO, MELVIN	DR#21-2664		BOOKING FEE REFUND~ 001-3725-0000 Total :	135.00 135.00
227182	6/6/2022	103463 U.S. POSTMASTER	MAY 2022		PRESORTED FIRST CLASS POSTAGE # 072-360-0000-4300 070-382-0000-4300 Total :	610.83 610.83 1,221.66
227183	6/6/2022	887939 ULINE SHIPPING SUPPLIES	148671488		DRUMS FOR FIREWORK DISPOSAL 001-222-0000-4300 Total :	456.35 456.35
227184	6/6/2022	103444 ULTRA GREENS, INC	53622	12490	LANDSCAPE & PLANT MATERIAL FOR (C 001-311-0000-4300 Total :	106.76 106.76
227185	6/6/2022	893167 UNITED MAINTENANCE SYSTEMS	15205	12516	CITY WIDE JANITORIAL SERVICES-APF 043-390-0000-4260 Total :	17,850.00 17,850.00
227186	6/6/2022	103439 UPS	831954192		COURIER SERVICES 001-190-0000-4280 Total :	210.19 210.19
227187	6/6/2022	103449 USA BLUE BOOK	957213	12447	MISC. WATER SUPPLIES 070-384-0000-4300	313.32
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CITY OF SAN FERNANDO

Bank code :		bank3				
Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
227187	6/6/2022	103449 USA BLUE BOOK	(Continued)			Total : 313.32
227188	6/6/2022	103516 VAIRO, ANTHONY	100		ARBITRATION HEARING 001-112-0000-4270	599.00 Total : 599.00
227189	6/6/2022	891220 VAN LANT & FANKHANEL, LLP	042722	12502	CITY'S ANNUAL AUDIT SERVICES 001-130-0000-4270	2,700.00 Total : 2,700.00
227190	6/6/2022	892794 VENEGAS, JULIAN	REIMB		COMM RESILIENCE WORKSHOPS 110-105-0184-4300 001-190-0000-4267	110.76 75.03 Total : 185.79
227191	6/6/2022	889644 VERIZON BUSINESS	67239789		CITY HALL LONG DIST (Y2619454) 001-190-0000-4220	51.90
			67239790		CITY YARD LONG DIST (Y2619455) 070-384-0000-4220	15.57
			67239791		CITY HALL LONG DIST (Y2619456) 001-190-0000-4220	25.95
			67239792		POLICE LONG DIST (Y2619457) 001-222-0000-4220	121.58
			67239793		CITY YARD LONG DIST (Y2619458) 070-384-0000-4220	10.38
			67239794		PARKS LONG DIST (Y2619459) 001-420-0000-4220	15.98
			67240333		CITY YARD LONG DIST (Y2620611) 001-310-0000-4220	5.29
			67240344		CITY HALL LINES (Y2620636) 001-190-0000-4220	57.97 Total : 304.62
227192	6/6/2022	100101 VERIZON WIRELESS-LA	9905024258		PD CELL PHONE PLANS 001-222-0000-4220	497.71
			9905035850		070-384-0000-4220 PW CELL PHONE PLANS	30.80

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Voucher List
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Bank code :		bank3				
Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
227192	6/6/2022	100101 VERIZON WIRELESS-LA	(Continued)		070-384-0000-4220 043-390-0000-4220 041-320-0000-4220 072-360-0000-4220	203.80 25.48 25.48 35.26
			9905047453		VARIOUS CELL PHONE PLANS 001-106-0000-4220	53.06 52.83
			9906109930		VARIOUS CELL PHONE PLANS 072-360-0000-4220 001-101-0108-4220 001-101-0102-4220 001-105-0000-4220	50.24 50.95 50.24 54.71 Total : 1,130.56
227193	6/6/2022	894112 VIELMA, GEORGE EDUARDO	DR#21-2318		BOOKING FEE REFUND~ 001-3725-0000	135.00 Total : 135.00
227194	6/6/2022	103603 VULCAN MATERIALS COMPANY	73282260	12449	UTILITY BASE COLD MIX, SAND FOR P 070-383-0000-4310	816.40
			73282261	12449	UTILITY BASE COLD MIX, SAND FOR P 072-360-0000-4300	588.08
				12449	070-383-0000-4310	469.31 Total : 1,873.79
227195	6/6/2022	888390 WEST COAST ARBORISTS, INC.	185426	12540	CITY-WIDE TREE TRIMMING 072-360-0000-4260	9,916.00 Total : 9,916.00
227196	6/6/2022	891531 WILLDAN ENGINEERING	00335959	12611	ON-CALL ENGINEERING SERVICES (12 025-311-0182-4600	7,509.50
				12611	024-311-0551-4600	260.00
				12611	001-310-0000-4270	1,648.25
				12611	012-311-0565-4600	130.00
				12611	024-371-0562-4600	130.00
				12611	012-311-0552-4600	65.00

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Voucher List
CITY OF SAN FERNANDO

Bank code : bank3

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
227196	6/6/2022	891531 WILLDAN ENGINEERING	(Continued)			
			00335960	12611	012-311-0553-4600	65.00
				12611	ON-CALL ENGINEERING SERVICES (12	
			00336080		024-311-0551-4600	136.25
					ON-CALL ENGINEERING SERVICES (12	
				12611	012-311-0552-4600	195.00
				12611	001-310-0000-4270	2,662.50
				12611	024-371-0562-4600	130.00
				12611	012-311-0565-4600	975.00
				12611	024-311-0551-4600	455.00
				12611	025-311-0182-4600	9,791.67
				12611	012-311-0553-4600	195.00
			00336203		ON-CALL ENGINEERING SERVICES (12	
				12611	024-371-0562-4600	195.00
				12611	012-311-0565-4600	975.00
				12611	024-311-0551-4600	1,568.75
				12611	001-310-0000-4270	1,013.50
				12611	025-311-0182-4600	7,150.00
			00336219		WELL 7A REGULATORY COMPLIANCE	
				12265	070-381-0000-4270	135.00
			00336223		NPDES CONSULTING SERVICES	
				12610	023-311-0000-4270	4,711.75
			00623174		ON-CALL ENGINEERING SERVICES (12	
				12611	012-311-0565-4600	270.00
					Total :	40,367.17
227197	6/6/2022	892023 WINDSTREAM	74812042		POLICE PHONE SERVICE	
					001-222-0000-4220	671.54
					001-420-0000-4220	465.80
					070-384-0000-4220	536.35
					001-190-0000-4220	2,142.20
					Total :	3,815.89
147 Vouchers for bank code :		bank3			Bank total :	690,152.02
147 Vouchers in this report					Total vouchers :	690,152.02

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Voucher List
CITY OF SAN FERNANDO

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Bank code : bank3

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
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RES. NO. 22-061

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Voucher List

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CITY OF SAN FERNANDO

Bank code : bank3

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
226934	5/12/2022	103648 CITY OF SAN FERNANDO	PR 5/13/22		REIMB FOR PAYROLL W/E 5/6/22	
					001-1003	492,169.91
					007-1003	168.63
					017-1003	2,397.16
					027-1003	4,659.90
					029-1003	3,815.55
					030-1003	5,260.52
					041-1003	9,895.14
					043-1003	21,343.32
					070-1003	43,693.58
					072-1003	23,146.66
					094-1003	144.09
					110-1003	4,698.95
					Total :	611,393.41
1	Vouchers for bank code :	bank3			Bank total :	611,393.41
1	Vouchers in this report				Total vouchers :	611,393.41

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SPECIAL CHECKS

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CITY OF SAN FERNANDO

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Bank code : bank3

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
226935	5/18/2022	103596 CALIFORNIA VISION SERVICE PLAN	DEMAND		VISION INS BENEFITS - MAY 2022 001-1160	2,294.29
					Total :	2,294.29
226936	5/18/2022	891230 DELTA DENTAL INSURANCE COMPANY	DEMAND		DENTAL INS BENEFITS - MAY 2022 001-1160	176.22
					Total :	176.22
226937	5/18/2022	890907 DELTA DENTAL OF CALIFORNIA	DEMAND		DENTAL INS BENEFITS - MAY 2022 001-1160	10,139.94
					Total :	10,139.94
226938	5/18/2022	887627 STANDARD INSURANCE	DEMAND		LIFE/AD&D INS BENEFITS - MAY 2022 001-1160	4,002.37
					Total :	4,002.37
4 Vouchers for bank code :		bank3			Bank total :	16,612.82
4 Vouchers in this report					Total vouchers :	16,612.82

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SPECIAL CHECKS**EXHIBIT "A"**
RES. NO. 22-061

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Voucher List
CITY OF SAN FERNANDO

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Bank code : bank3

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
226939	5/19/2022	103648 CITY OF SAN FERNANDO	SPR 5/19/22		REIMB FOR SPECIAL PAYROLL W/E 5/1 001-1003	5,426.02
Total :						5,426.02
1 Vouchers for bank code : bank3						Bank total : 5,426.02
1 Vouchers in this report						Total vouchers : 5,426.02

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CITY OF SAN FERNANDO

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Bank code : bank3

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
226940	5/9/2022	893115 P.E.R.S. CITY RETIREMENT	100000016738226		EMPL CONTRIB VARIANCE-03/26-04/08	
					018-222-0000-4124	176.18
					018-224-0000-4124	132.13
					018-225-0000-4124	1,893.92
					Total :	2,202.23
1 Vouchers for bank code :		bank3			Bank total :	2,202.23
1 Vouchers in this report					Total vouchers :	2,202.23

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Voucher List
CITY OF SAN FERNANDO

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Bank code : bank3

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
226941	5/19/2022	893115 P.E.R.S. CITY RETIREMENT	100000016738246		EMPL CONTRIB VARIANCE-04/09-04/22	
					018-222-0000-4124	180.98
					018-224-0000-4124	135.74
					018-225-0000-4124	1,945.59
					Total :	2,262.31
					Bank total :	2,262.31
					Total vouchers :	2,262.31

1 Vouchers for bank code : bank3

1 Vouchers in this report

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CITY OF SAN FERNANDO

Bank code : bank3

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
226942	5/26/2022	103648 CITY OF SAN FERNANDO	PR 5/27/22		REIMB POR PAYROLL W/E 5/20/22	
					001-1003	483,094.55
					007-1003	183.50
					017-1003	2,246.42
					027-1003	4,584.09
					029-1003	3,853.72
					030-1003	5,732.14
					041-1003	6,202.11
					043-1003	20,967.71
					070-1003	48,854.02
					072-1003	22,885.92
					094-1003	144.09
					110-1003	1,170.50
			SPR 5/26/22		REIMB FOR SPECIAL PAYROLL W/E 5/2	
					001-1003	21,900.99
					Total :	621,819.76
1	Vouchers for bank code :	bank3			Bank total :	621,819.76
1	Vouchers in this report				Total vouchers :	621,819.76

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Bank code : bank3

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
226943	6/1/2022	100286 BAKER, BEVERLY	22-Jun		CALPERS HEALTH REIMB 001-180-0000-4127	145.65
					Total :	145.65
226944	6/1/2022	100916 DEIBEL, PAUL	22-Jun		CALPERS HEALTH REIMB 001-180-0000-4127	232.94
					Total :	232.94
226945	6/1/2022	101781 KISHITA, ROBERT	22-Jun		CALPERS HEALTH REIMB 001-180-0000-4127	153.53
					Total :	153.53
226946	6/1/2022	101926 LILES, RICHARD	22-Jun		CALPERS HEALTH REIMB 001-180-0000-4127	232.94
					Total :	232.94
226947	6/1/2022	102126 MARTINEZ, MIGUEL	22-Jun		CALPERS HEALTH REIMB 070-180-0000-4127	570.78
					Total :	570.78
226948	6/1/2022	891031 ORTEGA, JIMMIE	22-Jun		CALPERS HEALTH REIMB 001-180-0000-4127	232.94
					Total :	232.94
226949	6/1/2022	891032 OTREMBA, EUGENE	22-Jun		CALPERS HEALTH REIMB 001-180-0000-4127	614.88
					Total :	614.88
226950	6/1/2022	891354 RAMIREZ, ROSALINDA	22-Jun		CALPERS HEALTH REIMB 001-180-0000-4127	153.53
					Total :	153.53
226951	6/1/2022	102940 RUIZ, RONALD	22-Jun		CALPERS HEALTH REIMB 001-180-0000-4127	630.87
					Total :	630.87
226952	6/1/2022	892782 TIGHE, DONNA	22-Jun		CALPERS HEALTH REIMB	

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Bank code : bank3

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
226952	6/1/2022	892782 TIGHE, DONNA	(Continued)		001-180-0000-4127	153.53
					Total :	153.53
10 Vouchers for bank code : bank3						Bank total : 3,121.59
10 Vouchers in this report						Total vouchers : 3,121.59

Voucher Registers are not final until approved by Council.

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Bank code :		bank3					
Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount	
226953	6/1/2022	100042 ABDALLAH, ALBERT	22-Jun		CALPERS HEALTH REIMB 001-180-0000-4127	1,385.79	
					Total :	1,385.79	
226954	6/1/2022	100091 AGORICHAS, JOHN	22-Jun		CALPERS HEALTH REIMB 001-180-0000-4127	232.94	
					Total :	232.94	
226955	6/1/2022	891039 AGUILAR, JESUS	22-Jun		CALPERS HEALTH REIMB 001-180-0000-4127	456.06	
					Total :	456.06	
226956	6/1/2022	100104 ALBA, ANTHONY	22-Jun		CALPERS HEALTH REIMB 001-180-0000-4127	614.88	
					Total :	614.88	
226957	6/1/2022	891011 APODACA-GRASS, ROBERTA	22-Jun		CALPERS HEALTH REIMB 001-180-0000-4127	232.94	
					Total :	232.94	
226958	6/1/2022	100260 AVILA, FRANK	22-Jun		CALPERS HEALTH REIMB 041-180-0000-4127	1,290.56	
					Total :	1,290.56	
226959	6/1/2022	100306 BARNARD, LARRY	22-Jun		CALPERS HEALTH REIMB 001-180-0000-4127	770.00	
					Total :	770.00	
226960	6/1/2022	100346 BELDEN, KENNETH M.	22-Jun		CALPERS HEALTH REIMB 001-180-0000-4127	1,202.00	
					Total :	1,202.00	
226961	6/1/2022	892233 BUZZELL, CAROL	22-Jun		CALPERS HEALTH REIMB 001-180-0000-4127	145.65	
					Total :	145.65	
226962	6/1/2022	891350 CALZADA, FRANK	22-Jun		CALPERS HEALTH REIMB		
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Bank code :		bank3					
Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount	
226962	6/1/2022	891350 CALZADA, FRANK	(Continued)		001-180-0000-4127	440.30	
					Total :	440.30	
226963	6/1/2022	100642 CASTRO, RICO	22-Jun		CALPERS HEALTH REIMB 001-180-0000-4127	1,577.74	
					Total :	1,577.74	
226964	6/1/2022	103816 CHAVEZ, ELENA	22-Jun		CALPERS HEALTH REIMB 001-180-0000-4127	630.87	
					Total :	630.87	
226965	6/1/2022	100752 COLELLI, CHRISTIAN	22-Jun		CALPERS HEALTH REIMB 001-180-0000-4127	1,722.43	
					Total :	1,722.43	
226966	6/1/2022	891014 CREEKMORE, CASIMIRA	22-Jun		CALPERS HEALTH REIMB 001-180-0000-4127	232.94	
					Total :	232.94	
226967	6/1/2022	893711 DAVIS, JAMES	22-Jun		CALPERS HEALTH REIMB 072-180-0000-4127	1,651.44	
					Total :	1,651.44	
226968	6/1/2022	100913 DECKER, CATHERINE	22-Jun		CALPERS HEALTH REIMB 070-180-0000-4127	614.88	
					Total :	614.88	
226969	6/1/2022	100925 DELGADO, RALPH	22-Jun		CALPERS HEALTH REIMB 001-180-0000-4127	440.30	
					Total :	440.30	
226970	6/1/2022	100960 DIEDIKER, VIRGINIA	22-Jun		CALPERS HEALTH REIMB 001-180-0000-4127	232.94	
					Total :	232.94	
226971	6/1/2022	100996 DRAKE, JOYCE	22-Jun		CALPERS HEALTH REIMB 001-180-0000-4127	232.94	
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Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
226971	6/1/2022	100996 100996 DRAKE, JOYCE	(Continued)			Total : 232.94
226972	6/1/2022	100995 DRAKE, MICHAEL	22-Jun		CALPERS HEALTH REIMB 070-180-0000-4127 072-180-0000-4127	116.47 116.47 Total : 232.94
226973	6/1/2022	100997 DRAPER, CHRISTOPHER	22-Jun		CALPERS HEALTH REIMB 001-180-0000-4127	1,722.43 Total : 1,722.43
226974	6/1/2022	101044 ELEY, JEFFREY	22-Jun		CALPERS HEALTH REIMB 001-180-0000-4127	1,745.00 Total : 1,745.00
226975	6/1/2022	891040 FISHKIN, RIVIAN	22-Jun		CALPERS HEALTH REIMB 001-180-0000-4127	153.53 Total : 153.53
226976	6/1/2022	101178 FLORES, ADRIAN	22-Jun		CALPERS HEALTH REIMB 001-180-0000-4127	1,410.74 Total : 1,410.74
226977	6/1/2022	101182 FLORES, MIGUEL	22-Jun		CALPERS HEALTH REIMB 043-180-0000-4127	1,410.74 Total : 1,410.74
226978	6/1/2022	892103 GAJDOS, BETTY	22-Jun		CALPERS HEALTH REIMB 001-180-0000-4127	153.53 Total : 153.53
226979	6/1/2022	891351 GARCIA, DEBRA	22-Jun		CALPERS HEALTH REIMB 001-180-0000-4127	1,546.42 Total : 1,546.42
226980	6/1/2022	891067 GARCIA, NICOLAS	22-Jun		CALPERS HEALTH REIMB 001-180-0000-4127	873.31

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Bank code :		bank3					
Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount	
226980	6/1/2022	891067 891067 GARCIA, NICOLAS	(Continued)			Total : 873.31	
226981	6/1/2022	101318 GLASGOW, KEVIN	22-Jun		CALPERS HEALTH REIMB 001-180-0000-4127	1,722.43 Total : 1,722.43	
226982	6/1/2022	891020 GLASGOW, ROBERT	22-Jun		CALPERS HEALTH REIMB 001-180-0000-4127	312.00 Total : 312.00	
226983	6/1/2022	101333 GODINEZ, FRAZIER C.	22-Jun		CALPERS HEALTH REIMB 001-180-0000-4127	1,878.66 Total : 1,878.66	
226984	6/1/2022	101409 GUERRA, LAUREN E	22-Jun		CALPERS HEALTH REIMB 072-180-0000-4127	630.87 Total : 630.87	
226985	6/1/2022	891021 GUIZA, JENNIE	22-Jun		CALPERS HEALTH REIMB 001-180-0000-4127	232.94 Total : 232.94	
226986	6/1/2022	101415 GUTIERREZ, OSCAR	22-Jun		CALPERS HEALTH REIMB 001-180-0000-4127	153.53 Total : 153.53	
226987	6/1/2022	102896 GUZMAN, ROSA	22-Jun		CALPERS HEALTH REIMB 001-180-0000-4127	1,410.74 Total : 1,410.74	
226988	6/1/2022	891352 HADEN, SUSANNA	22-Jun		CALPERS HEALTH REIMB 001-180-0000-4127	570.78 Total : 570.78	
226989	6/1/2022	101440 HALCON, ERNEST	22-Jun		CALPERS HEALTH REIMB 001-180-0000-4127	1,312.00 Total : 1,312.00	

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Bank code :		bank3					
Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount	
226990	6/1/2022	891918 HARTWELL, BRUCE	22-Jun		CALPERS HEALTH REIMB 001-180-0000-4127	614.88	
					Total :	614.88	
226991	6/1/2022	101465 HARVEY, DAVID	22-Jun		CALPERS HEALTH REIMB 001-180-0000-4127	153.53	
					Total :	153.53	
226992	6/1/2022	101466 HARVEY, DEVERY MICHAEL	22-Jun		CALPERS HEALTH REIMB 001-180-0000-4127	1,124.00	
					Total :	1,124.00	
226993	6/1/2022	101471 HASBUN, NAZRI A.	22-Jun		CALPERS HEALTH REIMB 001-180-0000-4127	1,410.74	
					Total :	1,410.74	
226994	6/1/2022	891023 HATFIELD, JAMES	22-Jun		CALPERS HEALTH REIMB 001-180-0000-4127	614.88	
					Total :	614.88	
226995	6/1/2022	892104 HERNANDEZ, ALFONSO	22-Jun		CALPERS HEALTH REIMB 001-180-0000-4127	1,589.28	
					Total :	1,589.28	
226996	6/1/2022	891024 HOOKER, RAYMOND	22-Jun		CALPERS HEALTH REIMB 001-180-0000-4127	232.94	
					Total :	232.94	
226997	6/1/2022	893616 HOUGH, LOIS	22-Jun		CALPERS HEALTH REIMB 001-180-0000-4127	145.65	
					Total :	145.65	
226998	6/1/2022	101597 IBRAHIM, SAMIR	22-Jun		CALPERS HEALTH REIMB 001-180-0000-4127	456.06	
					Total :	456.06	
226999	6/1/2022	101694 JACOBS, ROBERT	22-Jun		CALPERS HEALTH REIMB 001-180-0000-4127	770.00	
					Total :	770.00	

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Bank code :		bank3					
Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount	
226999	6/1/2022	101694 JACOBS, ROBERT	(Continued)			Total : 770.00	
227000	6/1/2022	892105 KAHMANN, ERIC	22-Jun		CALPERS HEALTH REIMB 001-180-0000-4127	456.06 Total : 456.06	
227001	6/1/2022	101786 KLOTZSCHE, STEVEN	22-Jun		CALPERS HEALTH REIMB 001-180-0000-4127	917.50 Total : 917.50	
227002	6/1/2022	891866 KNIGHT, DONNA	22-Jun		CALPERS HEALTH REIMB 001-180-0000-4127	146.52 Total : 146.52	
227003	6/1/2022	892929 LEWIS, WANDA	22-Jun		CALPERS HEALTH REIMB 001-180-0000-4127	232.94 Total : 232.94	
227004	6/1/2022	891043 LIEBERMAN, LEONARD	22-Jun		CALPERS HEALTH REIMB 001-180-0000-4127	153.53 Total : 153.53	
227005	6/1/2022	101933 LITTLEFIELD, LESLEY	22-Jun		CALPERS HEALTH REIMB 001-180-0000-4127	232.94 Total : 232.94	
227006	6/1/2022	102045 LLAMAS-RIVERA, MARCOS	22-Jun		CALPERS HEALTH REIMB 070-180-0000-4127	1,263.04 Total : 1,263.04	
227007	6/1/2022	102059 MACK, MARSHALL	22-Jun		CALPERS HEALTH REIMB 001-180-0000-4127	630.87 Total : 630.87	
227008	6/1/2022	891010 MAERTZ, ALVIN	22-Jun		CALPERS HEALTH REIMB 001-180-0000-4127	442.04 Total : 442.04	
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Bank code : bank3

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
227009	6/1/2022	888037 MARTINEZ, ALVARO	22-Jun		CALPERS HEALTH REIMB 001-180-0000-4127	2,079.36 2,079.36
227010	6/1/2022	102206 MILLER, WILMA	22-Jun		CALPERS HEALTH REIMB 001-180-0000-4127	232.94 232.94
227011	6/1/2022	102212 MIRAMONTES, MONICA	22-Jun		CALPERS HEALTH REIMB 001-180-0000-4127	1,410.74 1,410.74
227012	6/1/2022	102232 MIURA, HOWARD	22-Jun		CALPERS HEALTH REIMB 001-180-0000-4127	232.94 232.94
227013	6/1/2022	892106 MONTAN, EDWARD	22-Jun		CALPERS HEALTH REIMB 001-180-0000-4127	145.65 145.65
227014	6/1/2022	102365 NAVARRO, RICARDO A	22-Jun		CALPERS HEALTH REIMB 001-180-0000-4127	440.30 440.30
227015	6/1/2022	102473 ORDELHEIDE, ROBERT	22-Jun		CALPERS HEALTH REIMB 001-180-0000-4127	1,615.36 1,615.36
227016	6/1/2022	102483 OROZCO, ELVIRA	22-Jun		CALPERS HEALTH REIMB 001-180-0000-4127	145.65 145.65
227017	6/1/2022	102486 ORSINI, TODD	22-Jun		CALPERS HEALTH REIMB 001-180-0000-4127	2,191.57 2,191.57
227018	6/1/2022	102569 PARKS, ROBERT	22-Jun		CALPERS HEALTH REIMB 001-180-0000-4127	1,745.00

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Bank code : bank3

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
227018	6/1/2022	102569 102569 PARKS, ROBERT	(Continued)			1,745.00
227019	6/1/2022	102580 PATINO, ARMANDO	22-Jun		CALPERS HEALTH REIMB 001-180-0000-4127	1,745.00 1,745.00
227020	6/1/2022	102527 PISCITELLI, ANTHONY	22-Jun		CALPERS HEALTH REIMB 001-180-0000-4127	440.30 440.30
227021	6/1/2022	891033 POLLOCK, CHRISTINE	22-Jun		CALPERS HEALTH REIMB 001-180-0000-4127	312.00 312.00
227022	6/1/2022	102735 QUINONEZ, MARIA	22-Jun		CALPERS HEALTH REIMB 001-180-0000-4127	1,290.56 1,290.56
227023	6/1/2022	891034 RAMSEY, JAMES	22-Jun		CALPERS HEALTH REIMB 001-180-0000-4127	698.71 698.71
227024	6/1/2022	102864 RIVETTI, DOMINICK	22-Jun		CALPERS HEALTH REIMB 001-180-0000-4127	770.00 770.00
227025	6/1/2022	102936 RUELAS, MARCO	22-Jun		CALPERS HEALTH REIMB 001-180-0000-4127	1,546.42 1,546.42
227026	6/1/2022	891044 RUSSUM, LINDA	22-Jun		CALPERS HEALTH REIMB 001-180-0000-4127	153.53 153.53
227027	6/1/2022	103005 SALAZAR, TONY	22-Jun		CALPERS HEALTH REIMB 001-180-0000-4127	1,410.74 1,410.74

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Bank code :		bank3					
Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount	
227028	6/1/2022	103118 SENDA, OCTAVIO	22-Jun		CALPERS HEALTH REIMB 043-180-0000-4127	1,878.66	
					Total :	1,878.66	
227029	6/1/2022	892107 SHANAHAN, MARK	22-Jun		CALPERS HEALTH REIMB 001-180-0000-4127	456.06	
					Total :	456.06	
227030	6/1/2022	891035 SHERWOOD, NINA	22-Jun		CALPERS HEALTH REIMB 001-180-0000-4127	232.94	
					Total :	232.94	
227031	6/1/2022	103175 SKOBIN, ROMELIA	22-Jun		CALPERS HEALTH REIMB 001-180-0000-4127	1,080.65	
					Total :	1,080.65	
227032	6/1/2022	893677 SOLIS, MARGARITA	22-Jun		CALPERS HEALTH REIMB 001-180-0000-4127	1,187.26	
					Total :	1,187.26	
227033	6/1/2022	103220 SOMERVILLE, MICHAEL	22-Jun		CALPERS HEALTH REIMB 001-180-0000-4127	1,401.00	
					Total :	1,401.00	
227034	6/1/2022	103394 TORRES, RACHEL	22-Jun		CALPERS HEALTH REIMB 001-180-0000-4127	232.94	
					Total :	232.94	
227035	6/1/2022	889588 UFANO, VIRGINIA	22-Jun		CALPERS HEALTH REIMB 001-180-0000-4127	153.53	
					Total :	153.53	
227036	6/1/2022	103516 VAIRO, ANTHONY	22-Jun		CALPERS HEALTH REIMB 001-180-0000-4127	1,326.00	
					Total :	1,326.00	
227037	6/1/2022	888417 VALDIVIA, LAURA	22-Jun		CALPERS HEALTH REIMB 001-180-0000-4127	232.94	
					Total :	232.94	
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Bank code :		bank3					
Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount	
227037	6/1/2022	888417 888417 VALDIVIA, LAURA	(Continued)				Total : 232.94
227038	6/1/2022	103550 VANICEK, JAMES	22-Jun		CALPERS HEALTH REIMB 070-180-0000-4127	1,290.56	
					Total :	1,290.56	
227039	6/1/2022	103562 VASQUEZ, JOEL	22-Jun		CALPERS HEALTH REIMB 070-180-0000-4127	1,745.00	
					Total :	1,745.00	
227040	6/1/2022	888562 VILLALPANDO, SEBASTIAN FRANK	22-Jun		CALPERS HEALTH REIMB 070-180-0000-4127	873.31	
					Total :	873.31	
227041	6/1/2022	103692 VILLALVA, FRANCISCO	22-Jun		CALPERS HEALTH REIMB 001-180-0000-4127	1,878.66	
					Total :	1,878.66	
227042	6/1/2022	891038 WAITE, CURTIS	22-Jun		CALPERS HEALTH REIMB 001-180-0000-4127	1,096.31	
					Total :	1,096.31	
227043	6/1/2022	103612 WALKER, MICHAEL	22-Jun		CALPERS HEALTH REIMB 027-180-0000-4127	983.98	
					Total :	983.98	
227044	6/1/2022	103620 WARREN, DALE	22-Jun		CALPERS HEALTH REIMB 072-180-0000-4127	153.53	
					Total :	153.53	
227045	6/1/2022	891036 WATT, DAVID	22-Jun		CALPERS HEALTH REIMB 001-180-0000-4127	614.88	
					Total :	614.88	
227046	6/1/2022	893690 WATTS, STEVE M.	22-Jun		CALPERS HEALTH REIMB 072-180-0000-4127	1,290.56	
					Total :	1,290.56	
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Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
227047	6/1/2022	891037 WEBB, NANCY	22-Jun		CALPERS HEALTH REIMB 001-180-0000-4127	232.94
					Total :	232.94
227048	6/1/2022	103643 WEDDING, JEROME	22-Jun		CALPERS HEALTH REIMB 001-180-0000-4127	614.88
					Total :	614.88
227049	6/1/2022	103727 WYSBEEK, DOUDE	22-Jun		CALPERS HEALTH REIMB 001-180-0000-4127	232.94
					Total :	232.94
227050	6/1/2022	103737 YNIGUEZ, LEONARD	22-Jun		CALPERS HEALTH REIMB 001-180-0000-4127	1,096.31
					Total :	1,096.31
98	Vouchers for bank code :		bank3		Bank total :	82,060.20
98	Vouchers in this report				Total vouchers :	82,060.20

Voucher Registers are not final until approved by Council.

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AGENDA REPORT

To: Chair Mary Mendoza and Board Members

From: Nick Kimball, Executive Director
By: Sonia Gomez-Garcia, Interim Director of Finance/City Treasurer

Date: June 6, 2022

Subject: Consideration to Adopt a Resolution Approving the Warrant Register for the Successor Agency to the San Fernando Redevelopment Agency

RECOMMENDATION:

It is recommended that the Successor Agency to the San Fernando Redevelopment Agency adopt Resolution No. 170 (Attachment "A") approving the Warrant Register.

BACKGROUND:

1. On December 29, 2011, the California Supreme Court issued an opinion in California Redevelopment Association v. Matosantos, upholding Assembly Bill x126 (legislation dissolving redevelopment agencies) and invalidating Assembly Bill x127 (legislation permitting redevelopment agencies to continue operation if they made certain payments to the State).
2. On August 15, 2011, the City of San Fernando City Council adopted Resolution No. 7452 electing for the City to serve as the Successor Agency for the City's Redevelopment Agency upon the Agency's dissolution.
3. On February 1, 2012, as a result of the Supreme Court's decision, all redevelopment agencies in the State, including the San Fernando Redevelopment Agency, were dissolved. In addition, successor agencies were designated as successor entities to the former redevelopment agencies.
4. On February 6, 2012, the City Council, acting as the governing body of the Successor Agency to the San Fernando Redevelopment Agency, adopted Resolution No. 1 establishing rules and regulations for the operations of the Successor Agency as a new legal entity separate from the City, pursuant to Part 1.85 of Division 24 of the Health and Safety Code.

Consideration to Adopt a Resolution Approving the Warrant Register for the Successor Agency to the San Fernando Redevelopment Agency

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5. As the Successor Agency, the City is responsible for making payments to holders of enforceable obligation per the approved Recognized Obligation Payment Schedule (ROPS) for current period.
6. The current period is ROPS 21-22B, which covers payments for enforceable obligations from January 1, 2022 through June 30, 2022. All payments included on the attached warrant register are being made in accordance with the approved ROPS 21-22B.

ATTACHMENT:

- A. Resolution No. 170

RESOLUTION NO. 170

**A RESOLUTION OF THE SUCCESSOR AGENCY OF THE SAN FERNANDO
REDEVELOPMENT AGENCY ALLOWING AND APPROVING FOR PAYMENT
DEMANDS PRESENTED ON DEMAND/ WARRANT REGISTER NO. 170**

**THE SUCCESSOR AGENCY OF THE SAN FERNANDO REDEVELOPMENT AGENCY DOES
HEREBY RESOLVE, FIND, DETERMINE AND ORDER AS FOLLOWS:**

1. That the demands (EXHIBIT "A") as presented, having been duly audited, for completeness, are hereby allowed and approved for payment in the amounts as shown to designated payees and charged to the appropriate funds as indicated.
2. That the Secretary shall certify to the adoption of this Resolution and deliver it to the City Treasurer.

PASSED, APPROVED, AND ADOPTED this 6th day of June 2022.

Mary Mendoza, Chair of the Successor
Agency to the San Fernando Redevelopment
Agency

ATTEST:

Julia Fritz, Secretary

CERTIFICATION

I, Secretary of the Successor Agency to the San Fernando Redevelopment Agency, do hereby certify that the foregoing is a full, true, and correct copy of Resolution No. 170 which was regularly introduced and adopted by the Successor Agency to the San Fernando Redevelopment Agency, at a regular meeting thereof held on the 6th day of June 2022, by the following vote:

AYES:

NAYS:

ABSENT:

ABSTAINED:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of San Fernando, California, this ____ day of June, 2022.

Julia Fritz, Secretary

vchlist
06/01/2022 5:06:39PMVoucher List
CITY OF SAN FERNANDO

Page: 1

Bank code : bank2

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
10186	6/6/2022	101982 COUNTY OF LOS ANGELES	FY 2021-2022		APPROVAL OF THE REDEVEL SA DISS(098-1013	2,589,524.79
Total :						2,589,524.79
1 Vouchers for bank code : bank2						Bank total : 2,589,524.79
1 Vouchers in this report						Total vouchers : 2,589,524.79

Voucher Registers are not final until approved by Council.

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AGENDA REPORT

To: Mayor Mary Mendoza and Councilmembers

From: Nick Kimball, City Manager
By: Julia Fritz, City Clerk

Date: June 6, 2022

Subject: Consideration to Adopt a Resolution Re-Authorizing Remote Teleconference Meetings for the Period of June 14, 2022 to July 13, 2022, of the City of San Fernando's Legislative Bodies in Compliance with Government Code Section 54953(E) and Other Applicable Provisions of Assembly Bill 361

RECOMMENDATION:

It is recommended that the City Council adopt Resolution No. 8155 (Attachment "A") re-authorizing remote teleconference meetings for the period of June 14, 2022 to July 13, 2022, of the City of San Fernando's Legislative Bodies in compliance with Government Code (GC) Section 54953(E) and other applicable provisions of Assembly Bill 361.

BACKGROUND:

1. On October 4, 2021, the City Council was presented with an agenda report regarding adopting a resolution to continue remote teleconference meetings of the City of San Fernando's Legislative Bodies under the provisions of Assembly Bill (AB) 361 (Attachment "B"), which was signed into law on September 17, 2021. The City Council did not adopt the resolution, thereby reverting all legislative body meetings to comply with all Ralph M. Brown Act (Brown Act) requirements for public meetings.
2. On January 12, 2022, due to the surge of the Omicron variant of the COVID-19 virus, the City Council adopted Resolution No. 8089 to authorize remote teleconference meetings of the City of San Fernando's Legislative bodies under the provisions of AB 361 for a period of 30 days, effective January 12, 2022 through February 11, 2022.
3. On February 7, 2022, the City Council adopted Resolution No. 8119 re-authorizing remote teleconference meetings of the City of San Fernando's Legislative bodies under the provisions of AB 361 for a period of 30 days, effective February 12, 2022 through March 13, 2022.

Consideration to Adopt a Resolution Re-Authorizing Remote Teleconference Meetings for the Period of June 14, 2022 to July 13, 2022, of the City of San Fernando's Legislative Bodies in Compliance with Government Code Section 54953(E) and Other Applicable Provisions of Assembly Bill 361

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4. On March 7, 2022, the City Council adopted Resolution No. 8124 re-authorizing remote teleconference meetings of the City of San Fernando's Legislative bodies under the provisions of AB 361 for a period of 30 days, effective March 14, 2022 through April 13, 2022.
5. On April 4, 2022, the City Council adopted Resolution No. 8134 re-authorizing remote teleconference meetings of the City of San Fernando's Legislative bodies under the provisions of AB 361 for a period of 30 days, effective April 14, 2022 through May 13, 2022.
6. On May 2, 2022, the City Council adopted Resolution No. 8144 re-authorizing remote teleconference meetings of the City of San Fernando's Legislative bodies under the provisions of AB 361 for a period of 30 days, effective May 14, 2022 through June 13, 2022.

ANALYSIS:

In response to the COVID-19 pandemic, Governor Newsom issued Executive Order N-29-20 that waived certain teleconferencing requirements under the Brown Act, allowing public agencies to conduct public meetings via teleconference, while still complying with open meeting requirements and abiding by public health orders. The Executive Order N-29-20 expired on September 30, 2021.

AB 361 amends the Brown Act's Government Code Section 54953 to allow a local agency the option to hold teleconference meetings without complying with teleconferencing requirements of the Brown Act, if certain circumstances and findings are met. The special circumstances are found particularly in subsection (e) of Section 54953, and require that the legislative body holds a meeting during a proclaimed state of emergency and:

1. That state and local officials have imposed or recommended measures to promote social distancing; or
2. The legislative body holds a meeting for the purpose of determining, by majority vote, whether as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees; or
3. The legislative body holds a meeting and determines by majority vote, that as a result of the emergency, meeting in person would present imminent risks to the health or safety of the attendees.

On May 2, 2022, the City Council adopted Resolution No. 8144 making a determination approving findings in accordance with AB 361, to allow the City to continue the option to hold teleconference meetings without complying with certain teleconferencing requirements of the Brown Act. The resolution is only effective for 30 days and expires on June 13, 2022. The City

Consideration to Adopt a Resolution Re-Authorizing Remote Teleconference Meetings for the Period of June 14, 2022 to July 13, 2022, of the City of San Fernando's Legislative Bodies in Compliance with Government Code Section 54953(E) and Other Applicable Provisions of Assembly Bill 361

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Council may renew the resolution, every 30 days, at which time a subsequent resolution (Attachment "A") will need to be adopted. If the resolution lapses, the City's Legislative Bodies will be required to comply with the Brown Act (Pre-COVID-19 Pandemic) until a new resolution is adopted to make the initial determinations and findings again.

BUDGET IMPACT:

There is no fiscal impact associated with consideration of the proposed resolution. The cost of the Zoom virtual meeting platform is included in the FY 2021-2022 Adopted Budget.

CONCLUSION:

It is recommended that the City Council adopt Resolution No. 8155 (Attachment "A") re-authorizing remote teleconference meetings for the period of June 14, 2022 to July 13, 2022, of the City of San Fernando's Legislative Bodies in compliance with Government Code (GC) Section 54953(E) and other applicable provisions of Assembly Bill (AB) 361.

ATTACHMENTS:

- A. Resolution No. 8155
- B. Assembly Bill (AB) 361

RESOLUTION NO. 8155

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN FERNANDO, CALIFORNIA, RATIFYING THE PROCLAMATION OF A STATE OF EMERGENCY BY GOVERNOR NEWSOM ON MARCH 4, 2020, AND AUTHORIZING REMOTE TELECONFERENCE MEETINGS FOR ALL LEGISLATIVE BODIES OF THE CITY OF SAN FERNANDO, FROM JUNE 14, 2022 THROUGH JULY 13, 2022, PURSUANT TO GOVERNMENT CODE SECTION 54953(E) IN ACCORDANCE WITH ASSEMBLY BILL 361

WHEREAS, COVID-19 (also known as the "Coronavirus Disease") is a respiratory disease that was first reported in China in December 2019, it has now spread throughout the world, including the State of California and the City of San Fernando ("City"); and

WHEREAS, on March 4, 2020, Governor Gavin Newsom declared a State of Emergency in response to the rising cases of COVID-19 throughout the state of California; and

WHEREAS, on March 4, 2020, the Los Angeles County Board of Supervisors and Los Angeles County Department of Public Health ("LACDPH") declared a local emergency and local public health emergency in response to the spread of COVID-19 throughout the County; and

WHEREAS, on April 10, 2020, in response to the conditions of extreme peril to the safety of persons within the City, the San Fernando City Council ("City Council") declared a local emergency consistent with the declaration of local emergency by the LACPH; and

WHEREAS, on September 16, 2021, Governor Newsom signed into law Assembly Bill No. 361 ("AB 361"), which, until January 1, 2024, authorizes a local agency to use teleconferencing without complying with the teleconferencing requirements imposed by the Ralph M. Brown Act ("Brown Act") when a legislative body of a local agency holds a meeting during a declared state of emergency, as that term is defined, when state or local health officials have imposed or recommended measures to promote social distancing or when the legislative body has determined that meeting in person would present imminent risks to the health or safety of attendees; and

WHEREAS, since the declaration of emergency by LACDPH, LACDPH have issued a series of Health Officer Orders containing mandates and recommendations for keeping individuals safe and preventing the spread of COVID-19; and

WHEREAS, the LACDPH Health Officer Order issued March 23, 2022, and effective April 1, 2022, continues to advise that all individuals and businesses are strongly urged to follow the LACDPH Best Practices Guidance, containing health and safety recommendations for COVID-19;

WHEREAS, the LACDPH Best Practices Guidance provides, among other things:

1. Masks are *strongly recommended* in most indoor public settings to prevent transmission of the virus particularly to persons with prolonged, cumulative exposures (e.g., workers and to those with higher risk of illness (e.g., unvaccinated, older persons, or those with underlying medical conditions such as immunocompromised persons); and
2. Per state and federal law, visitors and workers must continue to wear masks in specified high-risk settings to continue protecting vulnerable populations and the workforce that delivers critical services in these settings; and
3. Identify and regularly clean frequently touched surfaces and objects such as doorknobs, elevator buttons, tools, handrails, phones, headsets, bathroom surfaces and steering wheels;
4. Whenever possible, take steps to reduce crowding indoors and encourage physical distancing including, but not limited to:
 - a. Limiting indoor occupancy to increase the physical space between employees at the worksite, between employees and customers, and between customers;
 - b. Using tape, signs, or other visual cues such as decals or colored tape on the floor, placed six feet apart, to guide customers about where to stand to avoid crowding and to encourage distancing where lines may form; and
 - c. Continuing, where feasible, to offer telework options and continue those teleworking arrangements that do not interfere with business operations as telework significantly reduces the risk of exposure for employees, their households, and communities.

WHEREAS, the surges in COVID-19 variants overseas have the potential to quickly spread in the United States warranting continued vigilance; and

WHEREAS, AB 361 requires legislative bodies that conduct teleconferenced meetings under its the relaxed and abbreviated teleconferencing procedures to give notice of the meeting and post agendas, as described, to allow members of the public to access the meeting and address the legislative body, to give notice of the means by which members of the public may access the meeting and offer public comment, including an opportunity for all persons to attend via a call-in option or an internet-based service option, and to conduct the meeting in a manner that protects the statutory and constitutional rights of the parties and the public appearing before the legislative body; and

WHEREAS, AB 361 requires the legislative body take no further action on agenda items when there is a disruption which prevents the public agency from broadcasting the meeting, or in the event of a disruption within the local agency's control which prevents members of the public from offering public comments, until public access is restored; and

WHEREAS, AB 361 prohibits the legislative body from requiring public comments to be submitted in advance of the meeting and specifies that the legislative body must provide an opportunity for the public to address the legislative body and offer comment in real time; and

WHEREAS, AB 361 prohibits the legislative body from closing the public comment period and the opportunity to register to provide public comment, until the public comment period has elapsed or until a reasonable amount of time has elapsed, as specified; and

WHEREAS, the City Council meetings and meetings of certain other subordinate bodies of the City (e.g, the Planning and Preservation Commission) are open and public, as required by the Brown Act, so that any member of the public may attend, participate, and watch the City Council or City Commission conduct their business; and

WHEREAS, in light of the continuing State declaration of emergency resulting from the COVID-19 pandemic, the continuing recommendation by Los Angeles County Public Health officials to maintain various infection control and containment measures referenced above , the City Council desires to make the findings required by AB 361 to allow the City Council and all City Boards and Commissions to continue to meet under AB 361's abbreviated teleconferencing procedures.

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

SECTION 1. The Recitals set forth above are true and correct and are incorporated into this Resolution by reference; and

SECTION 2. The City Council finds that the State and County declarations of emergency in response to the COVID-19 pandemic remain in place; and

SECTION 3. The City Council finds that local officials, specifically, the Los Angeles County Department of Public Health, has continued to recommend social distancing measures.

SECTION 4. The City of San Fernando staff along with the City Council are hereby authorized and directed to take all actions necessary to carry out the intent and purpose of this Resolution including, taking measures to ensure that meetings of the City Council, the Planning and Preservation Commission and all meetings of other commissions subject to the Brown Act are conducted in accordance with the provisions of Government Code Section 54953(e) to the extent such bodies continue to avail themselves of the relaxed and teleconferencing procedures permitted under AB 361.

SECTION 5. If any section, subsection, sentence, clause, or phrase of this Resolution is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Resolution. The City Council hereby declares that it would have passed this Resolution and each and every section, subsection, sentence, clause, or phrase not declared invalid or unconstitutional without regard to whether any portion of this Resolution would be subsequently declared invalid or unconstitutional.

SECTION 6. The operational provisions of this Resolution shall take effect June 14, 2022 and expire upon the earlier of the following (i) 12:00 am on July 13, 2022; or (ii) such time the City Council adopts a subsequent resolution in accordance with Government Code section 54953(e)(3) to extend the time during which the legislative bodies of the City of San Fernando may continue to teleconference without compliance with paragraph (3) of subdivision (b) of section 54953.

SECTION 7. The City Clerk shall certify to the adoption of this resolution and shall cause a certified resolution to be filed in the Office of the City Clerk.

PASSED, APPROVED, AND ADOPTED THIS 6th day of June, 2022.

Mary Mendoza, Mayor of the City of
San Fernando, California

ATTEST:

Julia Fritz, City Clerk

CERTIFICATION

I, City Clerk of the City of San Fernando, California, do hereby certify that the foregoing is a full, true, and correct copy of Resolution No. 8155 which was regularly introduced and adopted by the City Council of the City of San Fernando, California, at a regular meeting thereof held on the 6th day of June, 2022, by the following vote of the City Council:

AYES:

NAYS:

ABSENT:

ABSTAINED:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of San Fernando, California, this _____ day of June, 2022.

Julia Fritz, City Clerk

Assembly Bill No. 361

CHAPTER 165

An act to add and repeal Section 89305.6 of the Education Code, and to amend, repeal, and add Section 54953 of, and to add and repeal Section 11133 of, the Government Code, relating to open meetings, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor September 16, 2021.

Filed with Secretary of State September 16, 2021.]

LEGISLATIVE COUNSEL'S DIGEST

AB 361, Robert Rivas. Open meetings: state and local agencies: teleconferences.

(1) Existing law, the Ralph M. Brown Act requires, with specified exceptions, that all meetings of a legislative body of a local agency, as those terms are defined, be open and public and that all persons be permitted to attend and participate. The act contains specified provisions regarding the timelines for posting an agenda and providing for the ability of the public to directly address the legislative body on any item of interest to the public. The act generally requires all regular and special meetings of the legislative body be held within the boundaries of the territory over which the local agency exercises jurisdiction, subject to certain exceptions. The act allows for meetings to occur via teleconferencing subject to certain requirements, particularly that the legislative body notice each teleconference location of each member that will be participating in the public meeting, that each teleconference location be accessible to the public, that members of the public be allowed to address the legislative body at each teleconference location, that the legislative body post an agenda at each teleconference location, and that at least a quorum of the legislative body participate from locations within the boundaries of the local agency's jurisdiction. The act provides an exemption to the jurisdictional requirement for health authorities, as defined. The act authorizes the district attorney or any interested person, subject to certain provisions, to commence an action by mandamus or injunction for the purpose of obtaining a judicial determination that specified actions taken by a legislative body are null and void.

Existing law, the California Emergency Services Act, authorizes the Governor, or the Director of Emergency Services when the governor is inaccessible, to proclaim a state of emergency under specified circumstances.

Executive Order No. N-29-20 suspends the Ralph M. Brown Act's requirements for teleconferencing during the COVID-19 pandemic provided that notice and accessibility requirements are met, the public members are allowed to observe and address the legislative body at the meeting, and that a legislative body of a local agency has a procedure for receiving and swiftly resolving requests for reasonable accommodation for individuals with disabilities, as specified.

This bill, until January 1, 2024, would authorize a local agency to use teleconferencing without complying with the teleconferencing requirements imposed by the Ralph M. Brown Act when a legislative body of a local agency holds a meeting during a declared state of emergency, as that term is defined, when state or local health officials have imposed or recommended measures to promote social distancing, during a proclaimed state of emergency held for the purpose of determining, by majority vote, whether meeting in person would present imminent risks to the health or safety of attendees, and during a proclaimed state of emergency when the legislative body has determined that meeting in person would present imminent risks to the health or safety of attendees, as provided.

This bill would require legislative bodies that hold teleconferenced meetings under these abbreviated teleconferencing procedures to give notice of the meeting and post agendas, as described, to allow members of the public to access the meeting and address the legislative body, to give notice of the means by which members of the public may access the meeting and offer public comment, including an opportunity for all persons to attend via a call-in option or an internet-based service option, and to conduct the meeting in a manner that protects the statutory and constitutional rights of the parties and the public appearing before the legislative body. The bill would require the legislative body to take no further action on agenda items when there is a disruption which prevents the public agency from broadcasting the meeting, or in the event of a disruption within the local agency's control which prevents members of the public from offering public comments, until public access is restored. The bill would specify that actions taken during the disruption are subject to challenge proceedings, as specified.

This bill would prohibit the legislative body from requiring public comments to be submitted in advance of the meeting and would specify that the legislative body must provide an opportunity for the public to address the legislative body and offer comment in real time. The bill would prohibit the legislative body from closing the public comment period and the opportunity to register to provide public comment, until the public comment period has elapsed or until a reasonable amount of time has elapsed, as specified. When there is a continuing state of emergency, or when state or local officials have imposed or recommended measures to promote social distancing, the bill would require a legislative body to make specified findings not later than 30 days after the first teleconferenced meeting pursuant to these provisions, and to make those findings every 30 days thereafter, in order to continue to meet under these abbreviated teleconferencing procedures.

Existing law prohibits a legislative body from requiring, as a condition to attend a meeting, a person to register the person's name, or to provide other information, or to fulfill any condition precedent to the person's attendance.

This bill would exclude from that prohibition, a registration requirement imposed by a third-party internet website or other online platform not under the control of the legislative body.

(2) Existing law, the Bagley-Keene Open Meeting Act, requires, with specified exceptions, that all meetings of a state body be open and public and all persons be permitted to attend any meeting of a state body. The act requires at least one member of the state body to be physically present at the location specified in the notice of the meeting.

The Governor's Executive Order No. N-29-20 suspends the requirements of the Bagley-Keene Open Meeting Act for teleconferencing during the COVID-19 pandemic, provided that notice and accessibility requirements are met, the public members are allowed to observe and address the state body at the meeting, and that a state body has a procedure for receiving and swiftly resolving requests for reasonable accommodation for individuals with disabilities, as specified.

This bill, until January 31, 2022, would authorize, subject to specified notice and accessibility requirements, a state body to hold public meetings through teleconferencing and to make public meetings accessible telephonically, or otherwise electronically, to all members of the public seeking to observe and to address the state body. With respect to a state body holding a public meeting pursuant to these provisions, the bill would suspend certain requirements of existing law, including the requirements that each teleconference location be accessible to the public and that members of the public be able to address the state body at each teleconference location. Under the bill, a state body that holds a meeting through teleconferencing and allows members of the public to observe and address the meeting telephonically or otherwise electronically would satisfy any requirement that the state body allow members of the public to attend the meeting and offer public comment. The bill would require that each state body that holds a meeting through teleconferencing provide notice of the meeting, and post the agenda, as provided. The bill would urge state bodies utilizing these teleconferencing procedures in the bill to use sound discretion and to make reasonable efforts to adhere as closely as reasonably possible to existing law, as provided.

(3) Existing law establishes the various campuses of the California State University under the administration of the Trustees of the California State University, and authorizes the establishment of student body organizations in connection with the operations of California State University campuses.

The Gloria Romero Open Meetings Act of 2000 generally requires a legislative body, as defined, of a student body organization to conduct its business in a meeting that is open and public. The act authorizes the legislative body to use teleconferencing, as defined, for the benefit of the public and the legislative body in connection with any meeting or proceeding authorized by law.

This bill, until January 31, 2022, would authorize, subject to specified notice and accessibility requirements, a legislative body, as defined for purposes of the act, to hold public meetings through teleconferencing and to make public meetings accessible telephonically, or otherwise electronically, to all members of the public seeking to observe and to address the legislative body. With respect to a legislative body holding a public meeting pursuant to these provisions, the bill would suspend certain requirements of existing law, including the requirements that each teleconference location be accessible to the public and that members of the public be able to address the legislative body at each teleconference location. Under the bill, a legislative body that holds a meeting through teleconferencing and allows members of the public to observe and address the meeting telephonically or otherwise electronically would satisfy any requirement that the legislative body allow members of the public to attend the meeting and offer public

comment. The bill would require that each legislative body that holds a meeting through teleconferencing provide notice of the meeting, and post the agenda, as provided. The bill would urge legislative bodies utilizing these teleconferencing procedures in the bill to use sound discretion and to make reasonable efforts to adhere as closely as reasonably possible to existing law, as provided.

(4) This bill would declare the Legislature's intent, consistent with the Governor's Executive Order No. N-29-20, to improve and enhance public access to state and local agency meetings during the COVID-19 pandemic and future emergencies by allowing broader access through teleconferencing options.

(5) This bill would incorporate additional changes to Section 54953 of the Government Code proposed by AB 339 to be operative only if this bill and AB 339 are enacted and this bill is enacted last.

(6) The California Constitution requires local agencies, for the purpose of ensuring public access to the meetings of public bodies and the writings of public officials and agencies, to comply with a statutory enactment that amends or enacts laws relating to public records or open meetings and contains findings demonstrating that the enactment furthers the constitutional requirements relating to this purpose.

This bill would make legislative findings to that effect.

(7) Existing constitutional provisions require that a statute that limits the right of access to the meetings of public bodies or the writings of public officials and agencies be adopted with findings demonstrating the interest protected by the limitation and the need for protecting that interest.

This bill would make legislative findings to that effect.

(8) This bill would declare that it is to take effect immediately as an urgency statute.

DIGEST KEY

Vote: 2/3 Appropriation: no Fiscal Committee: yes Local Program: no

BILL TEXT

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1.

Section 89305.6 is added to the Education Code, to read:

89305.6.

(a) Notwithstanding any other provision of this article, and subject to the notice and accessibility requirements in subdivisions (d) and (e), a legislative body may hold public meetings through teleconferencing and make public meetings accessible telephonically,

or otherwise electronically, to all members of the public seeking to observe and to address the legislative body.

(b) (1) For a legislative body holding a public meeting through teleconferencing pursuant to this section, all requirements in this article requiring the physical presence of members, the clerk or other personnel of the legislative body, or the public, as a condition of participation in or quorum for a public meeting, are hereby suspended.

(2) For a legislative body holding a public meeting through teleconferencing pursuant to this section, all of the following requirements in this article are suspended:

(A) Each teleconference location from which a member will be participating in a public meeting or proceeding be identified in the notice and agenda of the public meeting or proceeding.

(B) Each teleconference location be accessible to the public.

(C) Members of the public may address the legislative body at each teleconference conference location.

(D) Post agendas at all teleconference locations.

(E) At least one member of the legislative body be physically present at the location specified in the notice of the meeting.

(c) A legislative body that holds a meeting through teleconferencing and allows members of the public to observe and address the meeting telephonically or otherwise electronically, consistent with the notice and accessibility requirements in subdivisions (d) and (e), shall have satisfied any requirement that the legislative body allow members of the public to attend the meeting and offer public comment. A legislative body need not make available any physical location from which members of the public may observe the meeting and offer public comment.

(d) If a legislative body holds a meeting through teleconferencing pursuant to this section and allows members of the public to observe and address the meeting telephonically or otherwise electronically, the legislative body shall also do both of the following:

(1) Implement a procedure for receiving and swiftly resolving requests for reasonable modification or accommodation from individuals with disabilities, consistent with the federal Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12101 et seq.), and resolving any doubt whatsoever in favor of accessibility.

(2) Advertise that procedure each time notice is given of the means by which members of the public may observe the meeting and offer public comment, pursuant to paragraph (2) of subdivision (e).

(e) Except to the extent this section provides otherwise, each legislative body that holds a meeting through teleconferencing pursuant to this section shall do both of the following:

(1) Give advance notice of the time of, and post the agenda for, each public meeting according to the timeframes otherwise prescribed by this article, and using the means otherwise prescribed by this article, as applicable.

(2) In each instance in which notice of the time of the meeting is otherwise given or the agenda for the meeting is otherwise posted, also give notice of the means by which members of the public may observe the meeting and offer public comment. As to any instance in which there is a change in the means of public observation and comment, or any instance prior to the effective date of this section in which the time of the meeting has been noticed or the agenda for the meeting has been posted without also including notice of the means of public observation and comment, a legislative body may satisfy this requirement by advertising the means of public observation and comment using the most rapid means of communication available at the time. Advertising the means of public observation and comment using the most rapid means of communication available at the time shall include, but need not be limited to, posting such means on the legislative body's internet website.

(f) All legislative bodies utilizing the teleconferencing procedures in this section are urged to use sound discretion and to make reasonable efforts to adhere as closely as reasonably possible to the otherwise applicable provisions of this article, in order to maximize transparency and provide the public access to legislative body meetings.

(g) This section shall remain in effect only until January 31, 2022, and as of that date is repealed.

SEC. 2.

Section 11133 is added to the Government Code, to read:

11133.

(a) Notwithstanding any other provision of this article, and subject to the notice and accessibility requirements in subdivisions (d) and (e), a state body may hold public meetings through teleconferencing and make public meetings accessible telephonically, or otherwise electronically, to all members of the public seeking to observe and to address the state body.

(b) (1) For a state body holding a public meeting through teleconferencing pursuant to this section, all requirements in this article requiring the physical presence of members, the clerk or other personnel of the state body, or the public, as a condition of participation in or quorum for a public meeting, are hereby suspended.

(2) For a state body holding a public meeting through teleconferencing pursuant to this section, all of the following requirements in this article are suspended:

(A) Each teleconference location from which a member will be participating in a public meeting or proceeding be identified in the notice and agenda of the public meeting or proceeding.

(B) Each teleconference location be accessible to the public.

(C) Members of the public may address the state body at each teleconference conference location.

(D) Post agendas at all teleconference locations.

- (E) At least one member of the state body be physically present at the location specified in the notice of the meeting.
- (c) A state body that holds a meeting through teleconferencing and allows members of the public to observe and address the meeting telephonically or otherwise electronically, consistent with the notice and accessibility requirements in subdivisions (d) and (e), shall have satisfied any requirement that the state body allow members of the public to attend the meeting and offer public comment. A state body need not make available any physical location from which members of the public may observe the meeting and offer public comment.
- (d) If a state body holds a meeting through teleconferencing pursuant to this section and allows members of the public to observe and address the meeting telephonically or otherwise electronically, the state body shall also do both of the following:
- (1) Implement a procedure for receiving and swiftly resolving requests for reasonable modification or accommodation from individuals with disabilities, consistent with the federal Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12101 et seq.), and resolving any doubt whatsoever in favor of accessibility.
 - (2) Advertise that procedure each time notice is given of the means by which members of the public may observe the meeting and offer public comment, pursuant to paragraph (2) of subdivision (e).
- (e) Except to the extent this section provides otherwise, each state body that holds a meeting through teleconferencing pursuant to this section shall do both of the following:
- (1) Give advance notice of the time of, and post the agenda for, each public meeting according to the timeframes otherwise prescribed by this article, and using the means otherwise prescribed by this article, as applicable.
 - (2) In each instance in which notice of the time of the meeting is otherwise given or the agenda for the meeting is otherwise posted, also give notice of the means by which members of the public may observe the meeting and offer public comment. As to any instance in which there is a change in the means of public observation and comment, or any instance prior to the effective date of this section in which the time of the meeting has been noticed or the agenda for the meeting has been posted without also including notice of the means of public observation and comment, a state body may satisfy this requirement by advertising the means of public observation and comment using the most rapid means of communication available at the time. Advertising the means of public observation and comment using the most rapid means of communication available at the time shall include, but need not be limited to, posting such means on the state body's internet website.
- (f) All state bodies utilizing the teleconferencing procedures in this section are urged to use sound discretion and to make reasonable efforts to adhere as closely as reasonably possible to the otherwise applicable provisions of this article, in order to maximize transparency and provide the public access to state body meetings.

(g) This section shall remain in effect only until January 31, 2022, and as of that date is repealed.

SEC. 3.

Section 54953 of the Government Code is amended to read:

54953.

(a) All meetings of the legislative body of a local agency shall be open and public, and all persons shall be permitted to attend any meeting of the legislative body of a local agency, except as otherwise provided in this chapter.

(b) (1) Notwithstanding any other provision of law, the legislative body of a local agency may use teleconferencing for the benefit of the public and the legislative body of a local agency in connection with any meeting or proceeding authorized by law. The teleconferenced meeting or proceeding shall comply with all otherwise applicable requirements of this chapter and all otherwise applicable provisions of law relating to a specific type of meeting or proceeding.

(2) Teleconferencing, as authorized by this section, may be used for all purposes in connection with any meeting within the subject matter jurisdiction of the legislative body. All votes taken during a teleconferenced meeting shall be by rollcall.

(3) If the legislative body of a local agency elects to use teleconferencing, it shall post agendas at all teleconference locations and conduct teleconference meetings in a manner that protects the statutory and constitutional rights of the parties or the public appearing before the legislative body of a local agency. Each teleconference location shall be identified in the notice and agenda of the meeting or proceeding, and each teleconference location shall be accessible to the public. During the teleconference, at least a quorum of the members of the legislative body shall participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction, except as provided in subdivisions (d) and (e). The agenda shall provide an opportunity for members of the public to address the legislative body directly pursuant to Section 54954.3 at each teleconference location.

(4) For the purposes of this section, "teleconference" means a meeting of a legislative body, the members of which are in different locations, connected by electronic means, through either audio or video, or both. Nothing in this section shall prohibit a local agency from providing the public with additional teleconference locations.

(c) (1) No legislative body shall take action by secret ballot, whether preliminary or final.

(2) The legislative body of a local agency shall publicly report any action taken and the vote or abstention on that action of each member present for the action.

(3) Prior to taking final action, the legislative body shall orally report a summary of a recommendation for a final action on the salaries, salary schedules, or compensation paid in the form of fringe benefits of a local agency executive, as defined in subdivision (d) of Section 3511.1, during the open meeting in which the final action is to be taken. This paragraph shall not affect the public's right under the California Public Records Act

(Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1) to inspect or copy records created or received in the process of developing the recommendation.

(d) (1) Notwithstanding the provisions relating to a quorum in paragraph (3) of subdivision (b), if a health authority conducts a teleconference meeting, members who are outside the jurisdiction of the authority may be counted toward the establishment of a quorum when participating in the teleconference if at least 50 percent of the number of members that would establish a quorum are present within the boundaries of the territory over which the authority exercises jurisdiction, and the health authority provides a teleconference number, and associated access codes, if any, that allows any person to call in to participate in the meeting and the number and access codes are identified in the notice and agenda of the meeting.

(2) Nothing in this subdivision shall be construed as discouraging health authority members from regularly meeting at a common physical site within the jurisdiction of the authority or from using teleconference locations within or near the jurisdiction of the authority. A teleconference meeting for which a quorum is established pursuant to this subdivision shall be subject to all other requirements of this section.

(3) For purposes of this subdivision, a health authority means any entity created pursuant to Sections 14018.7, 14087.31, 14087.35, 14087.36, 14087.38, and 14087.9605 of the Welfare and Institutions Code, any joint powers authority created pursuant to Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 for the purpose of contracting pursuant to Section 14087.3 of the Welfare and Institutions Code, and any advisory committee to a county-sponsored health plan licensed pursuant to Chapter 2.2 (commencing with Section 1340) of Division 2 of the Health and Safety Code if the advisory committee has 12 or more members.

(e) (1) A local agency may use teleconferencing without complying with the requirements of paragraph (3) of subdivision (b) if the legislative body complies with the requirements of paragraph (2) of this subdivision in any of the following circumstances:

(A) The legislative body holds a meeting during a proclaimed state of emergency, and state or local officials have imposed or recommended measures to promote social distancing.

(B) The legislative body holds a meeting during a proclaimed state of emergency for the purpose of determining, by majority vote, whether as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

(C) The legislative body holds a meeting during a proclaimed state of emergency and has determined, by majority vote, pursuant to subparagraph (B), that, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

(2) A legislative body that holds a meeting pursuant to this subdivision shall do all of the following:

(A) The legislative body shall give notice of the meeting and post agendas as otherwise required by this chapter.

(B) The legislative body shall allow members of the public to access the meeting and the agenda shall provide an opportunity for members of the public to address the legislative body directly pursuant to Section 54954.3. In each instance in which notice of the time of the teleconferenced meeting is otherwise given or the agenda for the meeting is otherwise posted, the legislative body shall also give notice of the means by which members of the public may access the meeting and offer public comment. The agenda shall identify and include an opportunity for all persons to attend via a call-in option or an internet-based service option. This subparagraph shall not be construed to require the legislative body to provide a physical location from which the public may attend or comment.

(C) The legislative body shall conduct teleconference meetings in a manner that protects the statutory and constitutional rights of the parties and the public appearing before the legislative body of a local agency.

(D) In the event of a disruption which prevents the public agency from broadcasting the meeting to members of the public using the call-in option or internet-based service option, or in the event of a disruption within the local agency's control which prevents members of the public from offering public comments using the call-in option or internet-based service option, the body shall take no further action on items appearing on the meeting agenda until public access to the meeting via the call-in option or internet-based service option is restored. Actions taken on agenda items during a disruption which prevents the public agency from broadcasting the meeting may be challenged pursuant to Section 54960.1.

(E) The legislative body shall not require public comments to be submitted in advance of the meeting and must provide an opportunity for the public to address the legislative body and offer comment in real time. This subparagraph shall not be construed to require the legislative body to provide a physical location from which the public may attend or comment.

(F) Notwithstanding Section 54953.3, an individual desiring to provide public comment through the use of an internet website, or other online platform, not under the control of the local legislative body, that requires registration to log in to a teleconference may be required to register as required by the third-party internet website or online platform to participate.

(G) (i) A legislative body that provides a timed public comment period for each agenda item shall not close the public comment period for the agenda item, or the opportunity to register, pursuant to subparagraph (F), to provide public comment until that timed public comment period has elapsed.

(ii) A legislative body that does not provide a timed public comment period, but takes public comment separately on each agenda item, shall allow a reasonable amount of time per agenda item to allow public members the opportunity to provide public comment, including time for members of the public to register pursuant to subparagraph (F), or otherwise be recognized for the purpose of providing public comment.

(iii) A legislative body that provides a timed general public comment period that does not correspond to a specific agenda item shall not close the public comment period or the

opportunity to register, pursuant to subparagraph (F), until the timed general public comment period has elapsed.

(3) If a state of emergency remains active, or state or local officials have imposed or recommended measures to promote social distancing, in order to continue to teleconference without compliance with paragraph (3) of subdivision (b), the legislative body shall, not later than 30 days after teleconferencing for the first time pursuant to subparagraph (A), (B), or (C) of paragraph (1), and every 30 days thereafter, make the following findings by majority vote:

(A) The legislative body has reconsidered the circumstances of the state of emergency.

(B) Any of the following circumstances exist:

(i) The state of emergency continues to directly impact the ability of the members to meet safely in person.

(ii) State or local officials continue to impose or recommend measures to promote social distancing.

(4) For the purposes of this subdivision, "state of emergency" means a state of emergency proclaimed pursuant to Section 8625 of the California Emergency Services Act (Article 1 (commencing with Section 8550) of Chapter 7 of Division 1 of Title 2).

(f) This section shall remain in effect only until January 1, 2024, and as of that date is repealed.

SEC. 3.1.

Section 54953 of the Government Code is amended to read:

54953.

(a) All meetings of the legislative body of a local agency shall be open and public, and all persons shall be permitted to attend any meeting of the legislative body of a local agency in person, except as otherwise provided in this chapter. Local agencies shall conduct meetings subject to this chapter consistent with applicable state and federal civil rights laws, including, but not limited to, any applicable language access and other nondiscrimination obligations.

(b) (1) Notwithstanding any other provision of law, the legislative body of a local agency may use teleconferencing for the benefit of the public and the legislative body of a local agency in connection with any meeting or proceeding authorized by law. The teleconferenced meeting or proceeding shall comply with all otherwise applicable requirements of this chapter and all otherwise applicable provisions of law relating to a specific type of meeting or proceeding.

(2) Teleconferencing, as authorized by this section, may be used for all purposes in connection with any meeting within the subject matter jurisdiction of the legislative body. All votes taken during a teleconferenced meeting shall be by rollcall.

(3) If the legislative body of a local agency elects to use teleconferencing, it shall post agendas at all teleconference locations and conduct teleconference meetings in a manner that protects the statutory and constitutional rights of the parties or the public appearing before the legislative body of a local agency. Each teleconference location shall be identified in the notice and agenda of the meeting or proceeding, and each teleconference location shall be accessible to the public. During the teleconference, at least a quorum of the members of the legislative body shall participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction, except as provided in subdivisions (d) and (e). The agenda shall provide an opportunity for members of the public to address the legislative body directly pursuant to Section 54954.3 at each teleconference location.

(4) For the purposes of this section, "teleconference" means a meeting of a legislative body, the members of which are in different locations, connected by electronic means, through either audio or video, or both. Nothing in this section shall prohibit a local agency from providing the public with additional teleconference locations.

(c) (1) No legislative body shall take action by secret ballot, whether preliminary or final.

(2) The legislative body of a local agency shall publicly report any action taken and the vote or abstention on that action of each member present for the action.

(3) Prior to taking final action, the legislative body shall orally report a summary of a recommendation for a final action on the salaries, salary schedules, or compensation paid in the form of fringe benefits of a local agency executive, as defined in subdivision (d) of Section 3511.1, during the open meeting in which the final action is to be taken. This paragraph shall not affect the public's right under the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1) to inspect or copy records created or received in the process of developing the recommendation.

(d) (1) Notwithstanding the provisions relating to a quorum in paragraph (3) of subdivision (b), if a health authority conducts a teleconference meeting, members who are outside the jurisdiction of the authority may be counted toward the establishment of a quorum when participating in the teleconference if at least 50 percent of the number of members that would establish a quorum are present within the boundaries of the territory over which the authority exercises jurisdiction, and the health authority provides a teleconference number, and associated access codes, if any, that allows any person to call in to participate in the meeting and the number and access codes are identified in the notice and agenda of the meeting.

(2) Nothing in this subdivision shall be construed as discouraging health authority members from regularly meeting at a common physical site within the jurisdiction of the authority or from using teleconference locations within or near the jurisdiction of the authority. A teleconference meeting for which a quorum is established pursuant to this subdivision shall be subject to all other requirements of this section.

(3) For purposes of this subdivision, a health authority means any entity created pursuant to Sections 14018.7, 14087.31, 14087.35, 14087.36, 14087.38, and 14087.9605 of the Welfare and Institutions Code, any joint powers authority created pursuant to Article 1

(commencing with Section 6500) of Chapter 5 of Division 7 for the purpose of contracting pursuant to Section 14087.3 of the Welfare and Institutions Code, and any advisory committee to a county-sponsored health plan licensed pursuant to Chapter 2.2 (commencing with Section 1340) of Division 2 of the Health and Safety Code if the advisory committee has 12 or more members.

(e) (1) A local agency may use teleconferencing without complying with the requirements of paragraph (3) of subdivision (b) if the legislative body complies with the requirements of paragraph (2) of this subdivision in any of the following circumstances:

(A) The legislative body holds a meeting during a proclaimed state of emergency, and state or local officials have imposed or recommended measures to promote social distancing.

(B) The legislative body holds a meeting during a proclaimed state of emergency for the purpose of determining, by majority vote, whether as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

(C) The legislative body holds a meeting during a proclaimed state of emergency and has determined, by majority vote, pursuant to subparagraph (B), that, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

(2) A legislative body that holds a meeting pursuant to this subdivision shall do all of the following:

(A) The legislative body shall give notice of the meeting and post agendas as otherwise required by this chapter.

(B) The legislative body shall allow members of the public to access the meeting and the agenda shall provide an opportunity for members of the public to address the legislative body directly pursuant to Section 54954.3. In each instance in which notice of the time of the teleconferenced meeting is otherwise given or the agenda for the meeting is otherwise posted, the legislative body shall also give notice of the means by which members of the public may access the meeting and offer public comment. The agenda shall identify and include an opportunity for all persons to attend via a call-in option or an internet-based service option. This subparagraph shall not be construed to require the legislative body to provide a physical location from which the public may attend or comment.

(C) The legislative body shall conduct teleconference meetings in a manner that protects the statutory and constitutional rights of the parties and the public appearing before the legislative body of a local agency.

(D) In the event of a disruption which prevents the public agency from broadcasting the meeting to members of the public using the call-in option or internet-based service option, or in the event of a disruption within the local agency's control which prevents members of the public from offering public comments using the call-in option or internet-based service option, the body shall take no further action on items appearing on the meeting agenda until public access to the meeting via the call-in option or internet-based service option is restored. Actions taken on agenda items during a disruption which prevents the

public agency from broadcasting the meeting may be challenged pursuant to Section 54960.1.

(E) The legislative body shall not require public comments to be submitted in advance of the meeting and must provide an opportunity for the public to address the legislative body and offer comment in real time. This subparagraph shall not be construed to require the legislative body to provide a physical location from which the public may attend or comment.

(F) Notwithstanding Section 54953.3, an individual desiring to provide public comment through the use of an internet website, or other online platform, not under the control of the local legislative body, that requires registration to log in to a teleconference may be required to register as required by the third-party internet website or online platform to participate.

(G) (i) A legislative body that provides a timed public comment period for each agenda item shall not close the public comment period for the agenda item, or the opportunity to register, pursuant to subparagraph (F), to provide public comment until that timed public comment period has elapsed.

(ii) A legislative body that does not provide a timed public comment period, but takes public comment separately on each agenda item, shall allow a reasonable amount of time per agenda item to allow public members the opportunity to provide public comment, including time for members of the public to register pursuant to subparagraph (F), or otherwise be recognized for the purpose of providing public comment.

(iii) A legislative body that provides a timed general public comment period that does not correspond to a specific agenda item shall not close the public comment period or the opportunity to register, pursuant to subparagraph (F), until the timed general public comment period has elapsed.

(3) If a state of emergency remains active, or state or local officials have imposed or recommended measures to promote social distancing, in order to continue to teleconference without compliance with paragraph (3) of subdivision (b), the legislative body shall, not later than 30 days after teleconferencing for the first time pursuant to subparagraph (A), (B), or (C) of paragraph (1), and every 30 days thereafter, make the following findings by majority vote:

(A) The legislative body has reconsidered the circumstances of the state of emergency.

(B) Any of the following circumstances exist:

(i) The state of emergency continues to directly impact the ability of the members to meet safely in person.

(ii) State or local officials continue to impose or recommend measures to promote social distancing.

(4) For the purposes of this subdivision, "state of emergency" means a state of emergency proclaimed pursuant to Section 8625 of the California Emergency Services Act (Article 1 commencing with Section 8550) of Chapter 7 of Division 1 of Title 2).

(f) This section shall remain in effect only until January 1, 2024, and as of that date is repealed.

SEC. 4.

Section 54953 is added to the Government Code, to read:

54953.

(a) All meetings of the legislative body of a local agency shall be open and public, and all persons shall be permitted to attend any meeting of the legislative body of a local agency, except as otherwise provided in this chapter.

(b) (1) Notwithstanding any other provision of law, the legislative body of a local agency may use teleconferencing for the benefit of the public and the legislative body of a local agency in connection with any meeting or proceeding authorized by law. The teleconferenced meeting or proceeding shall comply with all requirements of this chapter and all otherwise applicable provisions of law relating to a specific type of meeting or proceeding.

(2) Teleconferencing, as authorized by this section, may be used for all purposes in connection with any meeting within the subject matter jurisdiction of the legislative body. All votes taken during a teleconferenced meeting shall be by rollcall.

(3) If the legislative body of a local agency elects to use teleconferencing, it shall post agendas at all teleconference locations and conduct teleconference meetings in a manner that protects the statutory and constitutional rights of the parties or the public appearing before the legislative body of a local agency. Each teleconference location shall be identified in the notice and agenda of the meeting or proceeding, and each teleconference location shall be accessible to the public. During the teleconference, at least a quorum of the members of the legislative body shall participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction, except as provided in subdivision (d). The agenda shall provide an opportunity for members of the public to address the legislative body directly pursuant to Section 54954.3 at each teleconference location.

(4) For the purposes of this section, "teleconference" means a meeting of a legislative body, the members of which are in different locations, connected by electronic means, through either audio or video, or both. Nothing in this section shall prohibit a local agency from providing the public with additional teleconference locations

(c) (1) No legislative body shall take action by secret ballot, whether preliminary or final.

(2) The legislative body of a local agency shall publicly report any action taken and the vote or abstention on that action of each member present for the action.

(3) Prior to taking final action, the legislative body shall orally report a summary of a recommendation for a final action on the salaries, salary schedules, or compensation paid in the form of fringe benefits of a local agency executive, as defined in subdivision (d) of Section 3511.1, during the open meeting in which the final action is to be taken. This paragraph shall not affect the public's right under the California Public Records Act

(Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1) to inspect or copy records created or received in the process of developing the recommendation.

(d) (1) Notwithstanding the provisions relating to a quorum in paragraph (3) of subdivision (b), if a health authority conducts a teleconference meeting, members who are outside the jurisdiction of the authority may be counted toward the establishment of a quorum when participating in the teleconference if at least 50 percent of the number of members that would establish a quorum are present within the boundaries of the territory over which the authority exercises jurisdiction, and the health authority provides a teleconference number, and associated access codes, if any, that allows any person to call in to participate in the meeting and the number and access codes are identified in the notice and agenda of the meeting.

(2) Nothing in this subdivision shall be construed as discouraging health authority members from regularly meeting at a common physical site within the jurisdiction of the authority or from using teleconference locations within or near the jurisdiction of the authority. A teleconference meeting for which a quorum is established pursuant to this subdivision shall be subject to all other requirements of this section.

(3) For purposes of this subdivision, a health authority means any entity created pursuant to Sections 14018.7, 14087.31, 14087.35, 14087.36, 14087.38, and 14087.9605 of the Welfare and Institutions Code, any joint powers authority created pursuant to Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 for the purpose of contracting pursuant to Section 14087.3 of the Welfare and Institutions Code, and any advisory committee to a county-sponsored health plan licensed pursuant to Chapter 2.2 (commencing with Section 1340) of Division 2 of the Health and Safety Code if the advisory committee has 12 or more members.

(e) This section shall become operative January 1, 2024.

SEC. 4.1.

Section 54953 is added to the Government Code, to read:

54953.

(a) All meetings of the legislative body of a local agency shall be open and public, and all persons shall be permitted to attend any meeting of the legislative body of a local agency, in person except as otherwise provided in this chapter. Local agencies shall conduct meetings subject to this chapter consistent with applicable state and federal civil rights laws, including, but not limited to, any applicable language access and other nondiscrimination obligations.

(b) (1) Notwithstanding any other provision of law, the legislative body of a local agency may use teleconferencing for the benefit of the public and the legislative body of a local agency in connection with any meeting or proceeding authorized by law. The teleconferenced meeting or proceeding shall comply with all requirements of this chapter and all otherwise applicable provisions of law relating to a specific type of meeting or proceeding.

(2) Teleconferencing, as authorized by this section, may be used for all purposes in connection with any meeting within the subject matter jurisdiction of the legislative body. All votes taken during a teleconferenced meeting shall be by rollcall.

(3) If the legislative body of a local agency elects to use teleconferencing, it shall post agendas at all teleconference locations and conduct teleconference meetings in a manner that protects the statutory and constitutional rights of the parties or the public appearing before the legislative body of a local agency. Each teleconference location shall be identified in the notice and agenda of the meeting or proceeding, and each teleconference location shall be accessible to the public. During the teleconference, at least a quorum of the members of the legislative body shall participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction, except as provided in subdivision (d). The agenda shall provide an opportunity for members of the public to address the legislative body directly pursuant to Section 54954.3 at each teleconference location.

(4) For the purposes of this section, "teleconference" means a meeting of a legislative body, the members of which are in different locations, connected by electronic means, through either audio or video, or both. Nothing in this section shall prohibit a local agency from providing the public with additional teleconference locations.

(c) (1) No legislative body shall take action by secret ballot, whether preliminary or final.

(2) The legislative body of a local agency shall publicly report any action taken and the vote or abstention on that action of each member present for the action.

(3) Prior to taking final action, the legislative body shall orally report a summary of a recommendation for a final action on the salaries, salary schedules, or compensation paid in the form of fringe benefits of a local agency executive, as defined in subdivision (d) of Section 3511.1, during the open meeting in which the final action is to be taken. This paragraph shall not affect the public's right under the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1) to inspect or copy records created or received in the process of developing the recommendation.

(d) (1) Notwithstanding the provisions relating to a quorum in paragraph (3) of subdivision (b), if a health authority conducts a teleconference meeting, members who are outside the jurisdiction of the authority may be counted toward the establishment of a quorum when participating in the teleconference if at least 50 percent of the number of members that would establish a quorum are present within the boundaries of the territory over which the authority exercises jurisdiction, and the health authority provides a teleconference number, and associated access codes, if any, that allows any person to call in to participate in the meeting and the number and access codes are identified in the notice and agenda of the meeting.

(2) Nothing in this subdivision shall be construed as discouraging health authority members from regularly meeting at a common physical site within the jurisdiction of the authority or from using teleconference locations within or near the jurisdiction of the authority. A teleconference meeting for which a quorum is established pursuant to this subdivision shall be subject to all other requirements of this section.

(3) For purposes of this subdivision, a health authority means any entity created pursuant to Sections 14018.7, 14087.31, 14087.35, 14087.36, 14087.38, and 14087.9605 of the Welfare and Institutions Code, any joint powers authority created pursuant to Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 for the purpose of contracting pursuant to Section 14087.3 of the Welfare and Institutions Code, and any advisory committee to a county-sponsored health plan licensed pursuant to Chapter 2.2 (commencing with Section 1340) of Division 2 of the Health and Safety Code if the advisory committee has 12 or more members.

(e) This section shall become operative January 1, 2024.

SEC. 5.

Sections 3.1 and 4.1 of this bill incorporate amendments to Section 54953 of the Government Code proposed by both this bill and Assembly Bill 339. Those sections of this bill shall only become operative if (1) both bills are enacted and become effective on or before January 1, 2022, but this bill becomes operative first, (2) each bill amends Section 54953 of the Government Code, and (3) this bill is enacted after Assembly Bill 339, in which case Section 54953 of the Government Code, as amended by Sections 3 and 4 of this bill, shall remain operative only until the operative date of Assembly Bill 339, at which time Sections 3.1 and 4.1 of this bill shall become operative.

SEC. 6.

It is the intent of the Legislature in enacting this act to improve and enhance public access to state and local agency meetings during the COVID-19 pandemic and future applicable emergencies, by allowing broader access through teleconferencing options consistent with the Governor's Executive Order No. N-29-20 dated March 17, 2020, permitting expanded use of teleconferencing during the COVID-19 pandemic.

SEC. 7.

The Legislature finds and declares that Sections 3 and 4 of this act, which amend, repeal, and add Section 54953 of the Government Code, further, within the meaning of paragraph (7) of subdivision (b) of Section 3 of Article I of the California Constitution, the purposes of that constitutional section as it relates to the right of public access to the meetings of local public bodies or the writings of local public officials and local agencies. Pursuant to paragraph (7) of subdivision (b) of Section 3 of Article I of the California Constitution, the Legislature makes the following findings:

This act is necessary to ensure minimum standards for public participation and notice requirements allowing for greater public participation in teleconference meetings during applicable emergencies.

SEC. 8.

(a) The Legislature finds and declares that during the COVID-19 public health emergency, certain requirements of the Bagley-Keene Open Meeting Act (Article 9 (commencing with Section 11120) of Chapter 1 of Part 1 of Division 3 of Title 2 of the Government Code) were suspended by Executive Order N-29-20. Audio and video

teleconference were widely used to conduct public meetings in lieu of physical location meetings, and public meetings conducted by teleconference during the COVID-19 public health emergency have been productive, have increased public participation by all members of the public regardless of their location in the state and ability to travel to physical meeting locations, have protected the health and safety of civil servants and the public, and have reduced travel costs incurred by members of state bodies and reduced work hours spent traveling to and from meetings.

(b) The Legislature finds and declares that Section 1 of this act, which adds and repeals Section 89305.6 of the Education Code, Section 2 of this act, which adds and repeals Section 11133 of the Government Code, and Sections 3 and 4 of this act, which amend, repeal, and add Section 54953 of the Government Code, all increase and potentially limit the public's right of access to the meetings of public bodies or the writings of public officials and agencies within the meaning of Section 3 of Article I of the California Constitution. Pursuant to that constitutional provision, the Legislature makes the following findings to demonstrate the interest protected by this limitation and the need for protecting that interest:

(1) By removing the requirement that public meetings be conducted at a primary physical location with a quorum of members present, this act protects the health and safety of civil servants and the public and does not preference the experience of members of the public who might be able to attend a meeting in a physical location over members of the public who cannot travel or attend that meeting in a physical location.

(2) By removing the requirement for agendas to be placed at the location of each public official participating in a public meeting remotely, including from the member's private home or hotel room, this act protects the personal, private information of public officials and their families while preserving the public's right to access information concerning the conduct of the people's business.

SEC. 9.

This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the California Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order to ensure that state and local agencies can continue holding public meetings while providing essential services like water, power, and fire protection to their constituents during public health, wildfire, or other states of emergencies, it is necessary that this act take effect immediately.

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AGENDA REPORT

To: Mayor Mary Mendoza and Councilmembers

From: Nick Kimball, City Manager

Date: June 6, 2022

Subject: Consideration to Adopt a Resolution Declaring June 19th as “Juneteenth National Independence Day” and Observed as an Official Paid Holiday for City Employees

RECOMMENDATION:

It is recommended that the City Council:

- a. Adopt Resolution No. 8154 (Attachment “A”) declaring June 19th as “Juneteenth National Independence Day” and observed as an official paid holiday for City employees; and
- b. Authorize the City Manager to close City facilities on Monday, June 20, 2022, in observance of Juneteenth National Independence Day.

BACKGROUND:

1. June 19, 1865, is considered the date when the last slaves in America were freed when General Gordon Granger rode into Galveston, Texas, and issued General Order No. 3, almost two and one-half years after President Lincoln issued the Emancipation Proclamation.
2. On June 18, 2021, the United States Congress approved a bipartisan bill to approve June 19 as “Juneteenth National Independence Day”, to be observed as a legal public holiday, and the bill was signed into law by President Biden on June 17, 2021.
3. On November 15, 2021, City Council approved a Memorandum of Understanding (MOU) with the San Fernando Police Civilian Association (SFPCA), which included Juneteenth as the 13th City paid federal holiday.
4. On March 7, 2022, City Council approved a MOU with the San Fernando Management Group (SFMG), which included Juneteenth as the 13th paid federal holiday.

Consideration to Adopt a Resolution Declaring June 19th as “Juneteenth National Independence Day” and Observed as an Official Paid Holiday for City Employees

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ANALYSIS:

President Abraham Lincoln issued the Emancipation Proclamation on January 1, 1863, and declared that all persons held as slaves" within the rebellious states "are, and henceforward shall be free," paving the way for the passing of the thirteenth amendment which formally abolished slavery in the United States of America. June 19, 1865, is considered the date when the last slaves in America were freed when General Gordon Granger rode into Galveston, Texas, and issued General Order No. 3, almost two and one-half years after President Lincoln issued the Emancipation Proclamation.

June 19, which became known as “Juneteenth,” symbolizes freedom, celebrates the abolishment of slavery, reminds all Americans of the significant contributions of African Americans to our society, and is a time for reflection and rejoicing, assessment, self-improvement, and planning for the future. Juneteenth, also known as "Juneteenth National Independence Day," "Emancipation Day," "Emancipation Celebration," and "Freedom Day," is the oldest known celebration commemorating the ending of slavery in the United States.

By declaring Juneteenth as the twelfth federal legal holiday, the United States Congress encouraged all United States’ citizens to join together in celebration of freedom, family and community by embodying a spirit of peace, respect, and brotherly love, and to honor and salute our City’s rich cultural legacy and diversity.

Through the proposed resolution, the City of San Fernando is demonstrating leadership in celebrating, honoring, and recognizing Juneteenth by closing City facilities in observance of this federal holiday.

BUDGET IMPACT:

Adoption of the attached Resolution will result in an additional 8 hours of paid holiday time off for City employees. Additional overtime may be incurred by employees responding to work on the observed holiday per the provisions of each bargaining unit MOU.

CONCLUSION:

It is recommended that City Council adopt the proposed Resolution declaring June 19th as “Juneteenth National Independence Day” and observed as an official paid holiday for City employees.

ATTACHMENTS:

A. Resolution No. 8154

RESOLUTION NO. 8154

**A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF SAN FERNANDO
DECLARING JUNE 19, AS "JUNETEENTH NATIONAL INDEPENDENCE DAY"
AND OBSERVED AS AN OFFICIAL PAID HOLIDAY FOR CITY EMPLOYEES**

WHEREAS, Juneteenth, also known as "Juneteenth National Independence Day," "Emancipation Day," "Emancipation Celebration," and "Freedom Day," is the oldest known celebration commemorating the ending of slavery in the United States; and has been celebrated by the Black Community for over 150 years; and

WHEREAS, President Abraham Lincoln issued the Emancipation Proclamation on January 1, 1863, and declared that all persons held as slaves" within the rebellious states "are, and henceforward shall be free," paving the way for the passing of the thirteenth amendment which formally abolished slavery in the United States of America; and

WHEREAS, June 19, 1865, is considered the date when the last slaves in America were freed when General Gordon Granger rode into Galveston, Texas, and issued General Order No. 3, almost two and one-half years after President Lincoln issued the Emancipation Proclamation; and

WHEREAS, June 19, symbolizes freedom, celebrates the abolishment of slavery, reminds all Americans of the significant contributions of African Americans to our society, and is a time for reflection and rejoicing, assessment, self-improvement, and planning for the future; and

WHEREAS, on June 18, 2021, the United States Congress approved a bipartisan bill to approve June 19 as "Juneteenth National Independence Day", to be observed as a legal public holiday, and the bill was signed into law by President Biden on June 17, 2021; and

WHEREAS, the residents of the City of San Fernando are encouraged to join together in celebration of freedom, family and community by embodying a spirit of peace, respect, and brotherly love, and to honor and salute our City's rich cultural legacy and diversity.

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

SECTION 1: The representations set forth in the Recitals above, are true and correct.

SECTION 2: That, by adoption of this Resolution, the City Council of the City of San Fernando recognizes June 19 as "Juneteenth National Independence Day" observed as an official paid holiday for all City of San Fernando employees. When June 19 falls on a Saturday, the holiday shall be observed the preceding Friday and when June 19 falls on a Sunday, the holiday shall be observed on the following Monday; and

SECTION 3: The City Clerk shall certify to the adoption of this resolution and shall cause a certified resolution to be filed in the Office of the City Clerk.

PASSED, APPROVED, AND ADOPTED THIS 6th day of June, 2022.

Mary Mendoza, Mayor of the City of
San Fernando, California

ATTEST:

Julia Fritz, City Clerk

CERTIFICATION

I, City Clerk of the City of San Fernando, California, do hereby certify that the foregoing is a full, true, and correct copy of Resolution No. 8154 which was regularly introduced and adopted by the City Council of the City of San Fernando, California, at a regular meeting thereof held on the 6th day of June, 2022, by the following vote of the City Council:

AYES:

NAYS:

ABSENT:

ABSTAINED:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of San Fernando, California, this _____ day of June 2022.

Julia Fritz, City Clerk

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AGENDA REPORT

To: Mayor Mary Mendoza and Councilmembers

From: Nick Kimball, City Manager
By: Mathew Baumgardner, Director of Public Works
Kenneth Jones, Management Analyst

Date: June 6, 2022

Subject: Consideration to Adopt a Resolution Setting a Public Hearing Date to Consider the Placement of Liens on Real Property for Non-Payment of Residential and Commercial Solid Waste Collection Services Billings

RECOMMENDATION:

It is recommended that the City Council adopt Resolution No. 8152 (Attachment "A") declaring the City Council's intention to place liens on real property for non-payment of residential and commercial solid waste collection services billings and setting the date for the Public Hearing on July 18, 2022.

BACKGROUND:

1. On May 16, 2016, the City Council adopted Ordinance No. 1655 (Attachment "B"), authorizing the placement of liens on real property for non-payment of residential solid waste collection billings. The City's ability to place delinquent sums on the tax roll is conditioned upon the local solid waste hauler having made multiple attempts to collect the invoice by sending multiple notices to the customer and at least one notice to the owner of the property served by the solid waste account (in those instances where the customer and the property owner are different). After following the process prescribed by Government Code Sections 5473, 5473a and related statutes, the City Council, by resolution, may approve the placement of certain delinquent sums on the tax roll by 2/3 vote.
2. With the COVID-19 pandemic causing an economic hardship on families and businesses, City Council deferred the lien process in FY 2019-2020.
3. On August 16, 2021, City Council deferred the placement of liens on real property for non-payment of solid waste collection services billings for a second year (FY 2020-2021) to ameliorate economic hardships caused by the COVID-19 pandemic with the intention of reinstating the lien process the end of Fiscal Year 2021-2022.

Consideration to Adopt a Resolution Setting a Public Hearing Date to Consider the Placement of Liens on Real Property for Non-Payment of Residential and Commercial Solid Waste Collection Services Billings

Page 2 of 4

4. As of May 31, 2022, the total of all outstanding unpaid fees was \$156,854.88.

- 71 commercial business - \$97,658.44 in unpaid fees
- 156 residential properties - \$59,196.44 in unpaid fees

ANALYSIS:

Pursuant to Article 10 of the Franchise Agreement, the contractor is responsible for the billing and collection of payments for all solid waste collection services. Rates are set according to the Maximum Service Rates established as part of the franchise agreement. Article 10 specifies other billing terms, including partial month service, production of invoices, billing inserts, methods of payment and delinquent service accounts, among others.

Article 10, Section 10.01.7 of the City's franchise agreement includes provisions relative to delinquent service accounts. In accordance with this section, the contractor may report delinquent accounts to the City on a monthly basis. The City is not responsible for the collection of delinquent accounts or compensation of the contractor for lost revenue. Additionally, the City does not realize direct revenue related to these unpaid accounts. A franchise fee is provided by the contractor under the franchise agreement to fund the cost of administering the solid waste/recycling program and vehicle impacts to City streets, among others.

Lien Process for Delinquent Accounts.

After following the process prescribed by Government Code Sections 5473, 5473a and related statutes, the City Council, by resolution, may approve the placement of certain delinquent sums on the tax roll by 2/3 vote.

The following are some of the more salient aspects of the annual tax roll collection process:

- **Annual Report:** Annually, the City must prepare and file a report with the City Clerk describing each delinquent account and the real property parcel to which the account corresponds so that the delinquent sums may be placed on the annual tax roll (Health & Safety Code § 5473 and § 5473a).
- **Publication:** The City Clerk must also cause notice of the time and place for a Public Hearing wherein the report is to be considered and approved by the City Council before the delinquent accounts identified in the report and the sums owed may be placed on the tax roll. The Public Hearing notice must be published at least fourteen days prior to the date of the hearing and once a week for two consecutive weeks, with at least five days between publication dates. The notice must be published in a newspaper of general circulation (§ 5473.1).

Consideration to Adopt a Resolution Setting a Public Hearing Date to Consider the Placement of Liens on Real Property for Non-Payment of Residential and Commercial Solid Waste Collection Services Billings

Page 3 of 4

- **Mail Notice:** The City will also be required to undertake mailed notice of the hearing to each real property parcel tied to a delinquent service account (§ 5473.1).

Pursuant to City Council direction, both customer and property owner have been notified of their account delinquency. Additionally, property owners will be given one last opportunity to pay the delinquent sums prior to the placement on the tax roll. During the Public Hearing, the City Council will be able to make modifications to the report in so far as delinquencies are cured either in full or partially or in so far as a customer or property owner is able to prove to the reasonable satisfaction of the City Council that the account was never delinquent or that there is some other error in the report for which correction is justified.

The following timeline is proposed for placing delinquent sums on the property tax roll:

- June 6, 2022
 - Establish Final Payment Due Date of July 17, 2022
 - Set Public Hearing Date for July 18, 2022
- June 13, 2022
 - Mail Notice to Account Holders/Property Owners (Paid/Coordinated by Solid Waste Hauler) (Attachment "C")
- June 23 and 30, 2022
 - Publication of Public Hearing (Paid by Solid Waste Hauler)
- July 11, 2022
 - Annual Report/Listing of Delinquent Accounts Provided to City
- July 18, 2022
 - Public Hearing (Account Holders/Property Owners will have until Sunday, August 7, 2022 to bring account current); payments can be made online
- August 10, 2022
 - Updated Delinquent Account List Forwarded to LA County for Inclusion on Tax Roll

BUDGET IMPACT:

The City will incur administrative costs associated with the preparation of the annual report, complying with noticing requirements and payment of sums to the County of Los Angeles for their role in collecting delinquent sums on the tax roll. To offset these costs, the City's Ordinance authorizes a five percent (5%) administration fee to recover such costs which will be deducted

Consideration to Adopt a Resolution Setting a Public Hearing Date to Consider the Placement of Liens on Real Property for Non-Payment of Residential and Commercial Solid Waste Collection Services Billings

Page 4 of 4

from sums actually collected on the tax roll before sums owed to the solid waste hauler are remitted to the hauler by the City.

CONCLUSION:

It is recommended that the City Council approve Resolution No. 8152 setting a Public Hearing date of July 18, 2022, to consider the placement of liens on real property for non-payment of solid waste collection services billings.

ATTACHMENTS:

- A. Resolution No. 8152
- B. Ordinance No. 1655
- C. Draft Tax Lien Letter

RESOLUTION NO. 8152

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN FERNANDO, CALIFORNIA, DECLARING ITS INTENTION TO CONSIDER THE PLACEMENT OF LIENS ON REAL PROPERTY FOR NON-PAYMENT OF RESIDENTIAL AND COMMERCIAL SOLID WASTE COLLECTION SERVICES BILLINGS AND SETTING A DATE, TIME AND PLACE FOR A PUBLIC HEARING

WHEREAS, on the 16th day of May, 2016, the City Council adopted Ordinance No. 1655 declaring that periodically the City shall, by resolution, order that liens be placed on real property for the collection of solid waste fees reported delinquent pursuant to delinquent solid waste account reports; and

WHEREAS, the City will provide notice more than fourteen (14) days prior to the public hearing to all property owners and account holders by United States mail, that on July 18, 2022 at 6:00 p.m., a public hearing shall be held to hear the above mentioned report and any objections or protests thereto. In addition, a list of delinquent service addresses and outstanding balances will be published in a newspaper of general circulation on two (2) dates prior to the public hearing, as required by California Health and Safety Code Section 5470-5474.10;

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

SECTION 1: That the above recitals are all true and correct.

SECTION 2: That it is the intention of the City Council, consistent with the public interest and convenience, to consider the placement of liens on real property for non-payment of residential and commercial solid waste collection services billings.

SECTION 3: That account holders or property owners shall be allowed to resolve outstanding fees owed through July 17, 2022, to bring accounts current.

SECTION 4: Public Notice is hereby given that July 18, 2022, at the hour of 6:00 p.m., in the Council Chambers of the City Council of the City of San Fernando, 117 Macneil Street, San Fernando, California, being the regular meeting place of said City Council is the time and place fixed by this City Council for the hearing of protests, comments or objections in reference to the placement of liens on real property for non-payment of residential and commercial solid waste collection services billings. Any interested person who wishes to object to the placement of liens may file a written protest with the City Clerk prior to the conclusion of the public hearing, or, having previously filed a protest, may file a written withdrawal of that protest. A written protest shall state all grounds of objection, and a protest by a property owner shall contain a description sufficient to identify the property owned by the property owner. At the hearing, all interested

persons shall be afforded the opportunity to hear and be heard, and the City Council shall consider all oral statements and all written protests made or filed by any interested person.

SECTION 5: The City Clerk is hereby authorized and directed to publish a copy of this Resolution in The San Fernando Valley Sun newspaper, a newspaper of general circulation in said City; said publication shall be published once a week for two consecutive weeks, with at least five days between publication dates before the date of said Public Hearing.

SECTION 6: The City is hereby authorized and directed to mail written notice to affected property owners by United States mail, with postage properly affixed, informing them that at the meeting of July 18, 2022, at 6:00 p.m., in the Council Chambers of the City Council of the City of San Fernando, 117 Macneil Street, San Fernando, California, a public hearing shall be held to hear the above mentioned report and any objections or protests thereto. Said notice shall be mailed more than fourteen (14) days prior to the hearing.

SECTION 7: Inquiries relating to the procedures, protest procedure, documentation, and/or information of a procedural or technical nature, please contact the Department of Public Works, (818) 898-1222 or email: publicworks@sfcity.org.

SECTION 8: This Resolution shall take effect immediately upon its adoption by the City Council and the City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

PASSED, APPROVED, AND ADOPTED this 6th day of June, 2022.

Mary Mendoza, Mayor of the City of
San Fernando, California

ATTEST:

Julia Fritz, City Clerk

CERTIFICATION

I, City Clerk of the City of San Fernando, California, do hereby certify that the foregoing is a full, true, and correct copy of Resolution No. 8152 which was regularly introduced and adopted by the City Council of the City of San Fernando, California, at a regular meeting thereof held on the 6th day of June, 2022, by the following vote of the City Council:

AYES:

NAYS:

ABSENT:

ABSTAINED:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of San Fernando, California, this _____ day of June, 2022.

Julia Fritz, City Clerk

ORDINANCE NO. 1655

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
SAN FERNANDO, CALIFORNIA AMENDING CHAPTER 70
(SOLID WASTE AND RECYCLABLES COLLECTION
SERVICES) OF THE SAN FERNANDO MUNICIPAL CODE**

WHEREAS, pursuant to sections 5473 and 5473a of the California Health and Safety Code, municipalities may elect to have delinquent charges for trash service collected on the tax roll together with the general property tax paid by real property owners who are also residential trash service customers; and

WHEREAS, sections 5473 and 5473a of the California Health and Safety Code and related statutes set forth the procedures that must be followed by the City in order to collect delinquent solid waste fees and charges on the tax roll; and

WHEREAS, this ordinance is intended to establish procedures for the collection of such delinquent fees and charges in accordance with applicable law referenced above.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAN FERNANDO DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. The foregoing recitals are true and correct and made a part of this Ordinance.

SECTION 2. Section 70-3 (Defined terms and phrases) of Article I (General Provisions) of Chapter 70 (Solid Waste and Recyclable Collection Services) of the San Fernando Municipal Code is hereby amended by the addition of the following defined term which shall appear in alphabetical order immediately following the defined term "Container":

***Customer* means any person or entity maintaining a service account with a Collector for the performance of Solid Waste and Recyclables Collection Services authorized under this Chapter. The term Customer is inclusive of persons or entities who are not the Owners of the real property parcel or portion thereof to which the service account corresponds and which is receiving the benefit of the Solid Waste and Recyclables Collection Services provided by the Collector.**

SECTION 3. Section 70-3 (Defined terms and phrases) of Article I (General Provisions) of Chapter 70 (Solid Waste and Recyclable Collection Services) of the San Fernando Municipal Code is hereby amended by the addition of the following defined term which shall appear in alphabetical order immediately following the defined term "Multi-family residence":

***Owner* shall mean the person or other legal entity listed on the last equalized assessment roll for the County of Los Angeles as the owner of a lot or parcel of real property within the territorial boundaries of the City of San Fernando.**

SECTION 4. Section 70-32 (Billing and collection of fees) of Article III (Rates) of Chapter 70 (Solid Waste and Recyclables Collection Services) is hereby amended by the addition of the following sentence at the end of the paragraph that currently comprises Section 70-32:

“The foregoing notwithstanding, the City Council, in its sole and absolute discretion, reserves the right, but does not assume the obligation, to avail the City of the provisions and procedures of Health and Safety Code Sections 5473 and 5473a relating to the collection of delinquent solid waste service charges on the tax roll.”

SECTION 5. The current text of subsection (c) of Section 70-33 (Rates, billing and collection of fees for standard residential collection service) of Article III (Rates) of Chapter 70 (Solid Waste and Recyclables Collection Services) is hereby repealed and replaced with a new subsection (c) which shall state the following:

(c) *Collection of Delinquent Charges.*

- 1. Pursuant to, and to the extent authorized by, Health and Safety Code Sections 5473 and 5473a, the City may collect delinquent fees or charges for solid waste and recyclables collection services incurred by a Customer on the tax roll for collection by the Los Angeles County Assessor's Office.**
- 2. The Owner of any real property parcel or portion thereof located within the City of San Fernando and a Customer whose service account provides for the performance of solid waste and recyclables collection services at the subject real property parcel are jointly and severally liable for the payment of all fees and charges imposed by the Collector for the performance of such services. Owners and Customers shall also be liable for compliance with all provisions of this Chapter as relates to the subject real property parcel or portion thereof receiving solid waste and recyclables collection services.**
- 3. A solid waste and recyclables collection services bill lawfully issued by a Collector to a Customer shall be considered past due if not paid by a Customer within thirty (30) calendar days from the date payment is due or such longer grace period as may be authorized by written agreement between the Customer and the Collector. If such a bill becomes past due, the Collector shall be required to issue notice to the Customer that the bill is delinquent. If the bill is not paid in full within thirty (30) calendar days from the date the service bill is deemed past due, the Collector shall issue a second notice of delinquency to the Customer and shall also send a copy of the second notice of delinquency to the Owner, if different from the Customer. Each delinquency notice shall include the following information at a minimum:**
 - (i) A statement advising the customer that the service bill is past due;**
 - (ii) Information as to the service period to which the past due sums relate; and**
 - (iii) Information as to where the Customer may remit any and all past due sums;**
 - (iv) Information as to the proper procedures for disputing any sums set forth**

- in a service bill; and
- (v) Notice in bold print and capital letters that the matter will be submitted to the City for collection pursuant to the tax lien procedures established under this section, if the bill is not paid within thirty (30) calendar days from the date a second notice of delinquency is dated.

No later than the close of business on May 1st of each calendar year, a Collector may submit to the City a schedule of all unpaid delinquent billings from May 1st of the preceding year to May 1st of the present year accompanied by the corresponding parcel number for the real property parcel or portion thereof in question, as established or otherwise utilized by the Los Angeles County Assessor. The schedule shall also state the amount due for each delinquent Customer account for inclusion of said amount upon the property tax roll for collection by the Los Angeles County Assessor's Office. No delinquent billing shall be eligible for submission to the City on or before the 30th calendar day following the issuance of the Collector's second past due billing notice. No delinquent billing shall remain eligible for submission to the City after one year from the date the delinquent billing first becomes eligible for submission to the City.

- 4. In addition to any other requirements set forth under Health and Safety Code Sections 5473 and 5473a, the City shall adhere to the following procedures before submitting delinquent fees and charges to the Los Angeles County Assessor's Office for placement on the tax roll:
 - (i) The City will fix a time, date and place for a public hearing regarding the report of delinquencies submitted by the Collector and any objections and protests to the report. Notice of the hearing shall be mailed to the Owner of every real property parcel listed on the report not less than ten (10) days prior to the date of the hearing. At the hearing, City shall hear any objections or protests of Owners liable to be assessed for delinquent fees or charges. The City may make revisions or corrections to the report as it deems appropriate, after which, by resolution, the report shall be confirmed.
 - (ii) The delinquent fees and charges set forth in the report as confirmed shall constitute special assessments against the real property parcels listed in the report and are a lien on said real property for the amount of the delinquent fees and charges. A certified copy of the confirmed report shall be filed with the Los Angeles County Assessor's Office for the amounts of the respective assessments against the respective real property parcel as they appear on the current assessment roll. The lien created attaches upon recordation, in the office of the Los Angeles County Recorder, of a certified copy of the resolution of confirmation. The assessment may be collected at the same time and in the same manner as ordinary ad valorem property taxes are collected and shall be

subject to the same penalties and the same procedure and sale in case of delinquency as provided for those taxes.

- (iii) City shall remit to the Collector amounts collected pursuant to this process within thirty (30) days of receipt from the Los Angeles County Assessor, less any outstanding sums owed by the Collector to the City. In order to reimburse the City for any and all administrative costs associated with placing delinquent fees and charges on the tax roll and except as otherwise provided in any Collection Agreement between the City and a Collector, the City may deduct from the sums remitted by the Los Angeles County Assessor for a given tax year an amount equal to the lesser of the following: (a) the City's actual costs incurred to undertake the placement delinquent fees and charges on the tax roll, including but not limited to any and all fees or charges imposed by the Los Angeles County Assessor associated with the placement of the delinquent fees or charges on the tax roll as well as costs associated with all publication and noticing efforts; or (b) five percent (5%) of the total delinquent sums placed on the tax roll on behalf of an individual Collector.

SECTION 6. Adoption and implementation of this ordinance is exempt from the California Environmental Quality Act ("CEQA") as the ordinance amendments contemplated herein will have no impact on the environment.

SECTION 7. Severability. If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council declares that it would have passed this Ordinance and each and every section, subsection, sentence, clause or phrase not declared invalid or unconstitutional without regard to whether any portion of the Ordinance would be subsequently declared invalid or unconstitutional.

SECTION 8. Effective Date. In accordance with Government Code section 36937, this ordinance shall take effect and be in force 30 days after passage and adoption.

SECTION 9. Certification. The City Clerk is hereby authorized and directed to certify to the passage of this Ordinance by the City Council and shall cause it to be published or posted as required by law.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of San Fernando at a regular meeting held on the 16th day of May, 2016.



Robert C. Gonzales, Mayor

ATTEST:



Elena G. Chávez, City Clerk

APPROVED AS TO FORM:



Rick R. Olivarez, City Attorney

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS.
CITY OF SAN FERNANDO)

I, ELENA G. CHÁVEZ, City Clerk of the City of San Fernando, hereby certify that the foregoing Ordinance No. 1655 of the City Council of the City of San Fernando was approved and adopted by said City Council at its regular meeting held on the 16th day of May, 2016 by the following vote, to-wit:

AYES: Ballin, Fajardo, Lopez – 3

NOES: None

ABSTAIN: Soto – 1

ABSENT: Gonzales – 1



Elena G. Chávez, City Clerk

[DATE]

[NAME]

[ADDRESS]

[ADDRESS]

Re: Address: , SAN FERNANDO
 Account No.:
 Parcel #: «PARCEL» Amount Due: \$ «Total__Tax_lien_letter»

Dear Property Owner(s):

Pursuant to Chapter 70 (Sections 5473 & 5473A) of the San Fernando Municipal Code, the City shall place a lien for unpaid refuse collection charges on real property if the owner(s) of the property served does not make a payment directly to Consolidated Disposal Service, LLC. Consolidated's records indicate that the owner(s) of the property referenced above is delinquent in the payment for rubbish charges for the period of April 1, 2019 through March 31, 2022.

To avoid having a lien placed against your property for rubbish charges and collection costs, you must make payment directly to the City's Contractor (Consolidated) by **July 17, 2022**. **When making payment please mark "LIEN" on your payment envelope, as well as, your check/money order to help identify and record the payment. The contractor's address is as follows:**

CONSOLIDATED DISPOSAL SERVICE, LLC.
12949 TELEGRAPH ROAD
SANTA FE SPRINGS, CA 90610
Phone: (562) 347-4016 FAX: (562) 347-4092

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that if you wish to protest the charges, you may attend a Public Hearing to be held at City of San Fernando City Hall, City Council Chambers, 117 Macneil Street, San Fernando, **on July 18, 2022 at 6:00 pm**. All interested persons may attend and be heard at that time.

Sincerely,

Nick Kimball
 City Manager

.....
 PLEASE TEAR ALONG DOTTED LINE ABOVE AND MAIL THIS PORTION WITH YOUR PAYMENT IN THE ENCLOSED ENVELOPE

Subject Property/Service Address:**Dollar Amount of Delinquent fees and Penalty:**

\$ «Total__Tax_lien_letter»

Name and Phone Number of Company:

Consolidated Disposal Service

Providing Trash Collection Services:

(562) 347-4016

Account Number:**Parcel Number:**

«PARCEL»

IF PAYING BY CREDIT CARD OR DEBIT CARD, PLEASE FILL OUT BELOW. WE ALSO ACCEPT CHECKS BY PHONE

<input type="checkbox"/> MASTERCARD	<input type="checkbox"/> VISA	<input type="checkbox"/> AMERICAN EXPRESS	<input type="checkbox"/> ATM/DEBIT	<input type="checkbox"/> Security code on the back of Credit card _____
** WE WILL PROCESS YOUR PAYMENT OVER THE PHONE AT NO CHARGE BY CALLING 562 347 4016**				
CARDHOLDER NAME:				
CARDHOLDER ADDRESS:		ZIP:		
CARD NUMBER:		EXPIRES:		
SIGNATURE				
AMOUNT PAID: \$				

CONSOLIDATED DISPOSAL SERVICE

12949 TELEGRAPH ROAD, SANTA FE SPRINGS, CA 90670 - TELEPHONE (800) 298-4898 FAX (562) 347-4092

June 13, 2022

«O_NAME»

«O_ADD»

«O_CITY», «O_STATE», «O_ZIP»

PROPERTY OWNER NOTICE

Account #: 902 - «CUST»

Service Address: «S_ADD», «S_CITY»

Balance Due: \$ «TOTAL»

Parcel: «PARCEL»

Dear Customer,

The service address listed above has been identified as having an unpaid balance. This letter is a friendly reminder regarding the balance. Please bring the account current to avoid further collection action or additional charges that may be assessed against your property.

If your property is a rental, this letter may indicate that your tenant has a balance due for trash services. You may want to ask the tenant to bring the trash account current. The property owner may be held responsible for any unpaid trash service. In addition, unpaid balances may be placed on the property tax lien for the service location.

If you are a new property owner please fax or mail a copy of this letter including your escrow papers, grant deed and a phone number where you can be reached to **(562) 347-4092 or 12949 Telegraph Rd, Santa Fe Spring, CA 90670**.

If you have any questions regarding your account, please contact the Collection Department within the next Ten (10) days, by calling **(562) 347-4016**: or by mail to **12949 Telegraph Rd, Santa Fe Spring, CA 90670**

"Se Habla Español".

If you have already made arrangements for this balance to be paid, please disregard this notice.

Thank you for your prompt attention.

Respectfully,
Collection Department

For your convenience we now accept Visa, Master card, and checks over the phone.

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AGENDA REPORT

To: Mayor Mary Mendoza and Councilmembers

From: Nick Kimball, City Manager
By: Julian J. Venegas, Director of Recreation and Community Services
Juan Salas, Recreation and Community Services Supervisor

Date: June 6, 2022

Subject: Consideration to Adopt a Resolution Suspending Section 54-5 (Camping) and Section 54-4 (Fire) of the San Fernando Municipal Code for the Family Hiking and Wildlife Environmental Stewardship Program Overnight Camping Workshop

RECOMMENDATION:

It is recommended that the City Council:

- a. Adopt Resolution No. 8150 (Attachment "A") temporarily suspending Section 54-5 (Camping) and Section 54-4 (Fire) of the City of San Fernando Municipal Code for one night only on Saturday, July 16, 2022, for the Family Hiking and Wildlife Environmental Stewardship Program overnight camping workshop to be held at Rudy Ortega Sr. Park, and;
- b. Provide staff direction, as appropriate.

BACKGROUND:

1. On October 15, 2018, City Council authorized the submittal of a grant application to the California Department of Parks and Recreation, Habitat Conservation Fund program to fund the Family Hiking and Wildlife Environmental Stewardship Program (FHP).
2. On October 22, 2019, the City and the State entered into an agreement for the City to conduct educational workshops and implement wildlife activities that expose residents to diverse parks, wildlife areas, and ecosystems.
3. Recreation and Community Services (RCS) staff began to coordinate educational workshops, hiking excursions, and overnight camping trips. Nine (9) hiking outings and three (3) overnight camping trips were to take place between 2019 through 2024. However, the COVID-19 pandemic suspended the FHP and all activities were temporarily canceled.

Consideration to Adopt a Resolution Suspending Section 54-5 (Camping) and Section 54-4 (Fire) of the San Fernando Municipal Code for the Family Hiking and Wildlife Environmental Stewardship Program Overnight Camping Workshop

Page 2 of 3

4. In the latter part of 2021, the pandemic restrictions regarding in-person activities were lessened by the Los Angeles Department of Public Health (LADPH), allowing RCS staff to resume programming for the FHP.

ANALYSIS:

Through the Habitat Conservation Fund, the California Department of Parks and Recreation allocates approximately \$2 million each year to cities, counties, and districts. This program intends to protect, restore, and enhance wildlife habitat and fisheries, which are vital to maintaining California's quality of life. The impact of the increase in the state's human population results in an urgent need to fund projects that protect rapidly disappearing wildlife habitats that support California's unique and varied wildlife resources. Eligible projects include nature interpretation programs to bring urban residents into park and wildlife areas, protection of various plant and animal species, and acquisition and development of wildlife corridors and trails.

The City applied for and received a Habitat Conservation Fund grant to implement the Family Hiking and Wildlife Environmental Stewardship Program (FHP). The objective of FHP is to implement an education curriculum that educates and informs participants about the distinctions between state and national parks vs. a local urban park, the impact of humans on the ecosystems within each wildlife activity area, and how to support the protection, restoration, and enhancement of these areas as advocates and through career paths.

Nine (9) hiking trips and three (3) overnight camping trips were scheduled for the 2019 – 2024 funding cycle. The trips staff had originally planned included visits to Coldwater Canyon Park, Joshua Tree National Park, Malibu Creek State Park, Malibu Lagoon State Beach, and Catalina Island Conservancy. Each park visit also had a pre-park visit workshop scheduled to educate and provide participants with information on the wildlife area activity. Unfortunately, the onset of the COVID-19 pandemic shut down all in-person programming and the FHP was paused.

As COVID-19 restrictions were lifted, RCS resumed the FHP and staff hosted a hiking trip to Coldwater Canyon Park in November 2021 and another hiking activity at Malibu Creek in February 2022. RCS staff is currently planning an overnight camping trip to Joshua Tree National Park. Part of this trip will involve an overnight camping workshop planned at Rudy Ortega Sr. Park on July 9, 2022. The workshop provides participants with the fundamentals of overnight camping, including, but not limited to, site selection and tent set up, proper food storage, starting a campfire, tools and clothes to have on hand, etc.

The San Fernando Municipal Code, Chapter 54 (Parks and Recreation) Article 1 (General) Section 54-5 (Camping) states "No person shall camp or lodge within a park or recreation center without authorization. Such authorization can be obtained by applying to the City Council through the

Consideration to Adopt a Resolution Suspending Section 54-5 (Camping) and Section 54-4 (Fire) of the San Fernando Municipal Code for the Family Hiking and Wildlife Environmental Stewardship Program Overnight Camping Workshop

Page 3 of 3

Director of Recreation and Community Services, who will forward his recommendation to the Council for consideration before council approval.” Suspending Section 54-5 (Camping) of the Municipal Code allows RCS staff to host the overnight camping workshop at Rudy Ortega Sr. Park.

The City of San Fernando Municipal Code, Chapter 54 (Parks and Recreation) Article 1 (General) Section 54-4 (Fires) states “No person shall make or kindle a fire in any park or recreation center, except in picnic stoves or barbecue pits provided for that purpose, or without first having obtained a sidewalk vending permit issued in accordance with article III of Chapter 58 of this Code, or without prior authorization from the city council. Such authorization can be obtained by applying to the City Council through the Director of Recreation and Community Services, who will forward his recommendation to the council before council approval.” Suspending Section 54-4 (Fires) of the Municipal Code allows RCS staff to have campfires. No fires will be started without first having clearance and approval from Los Angeles Fire Department Inspector.

This camp workshop is scheduled to take place on Saturday, July 16, 2022, between 4:00 pm and 12:00 pm the next day, Sunday, July 17, 2022. The overnight camp workshop is only within the boundaries of Rudy Ortega Sr. Park. The National Parks Conservation Association, which will facilitate the workshop sessions, is providing the supplies needed to conduct the workshop. RCS staff has arranged the support of the Police Department to have reserve officers and explorers assist with security at the park. The workshops as well as the camping trip to Joshua Tree National Park are free for participants.

BUDGET IMPACT:

The Habitat Conservation grant requires a dollar-for-dollar match. The staff time committed to the workshop is approximately 45 hours; a total value of \$5,042. Funding for the in-kind staff is included in the Recreation and Community Services Department General Fund budget.

CONCLUSION:

It is recommended that the City Council adopt Resolution No. 8150 temporarily suspending Section 54-5 (Camping) and Section 54-4 (Fire) of the City of San Fernando Municipal Code for one night only on Saturday, July 16, 2022, for the overnight camping workshop being held at Rudy Ortega Sr. Park and provide staff direction, as appropriate.

ATTACHMENT:

A. Resolution No. 8150

RESOLUTION NO. 8150

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN FERNANDO, CALIFORNIA, AUTHORIZING THE TEMPORARY AND LIMITED SUSPENSION OF SECTION 54.5 (CAMPING) AND SECTION 54.4 (FIRES) OF ARTICLE I (IN GENERAL) OF CHAPTER 54 (PARKS AND RECREATION) OF THE SAN FERNANDO MUNICIPAL CODE TO FACILITATE AN OVERNIGHT CAMPING EVENT SCHEDULED FOR JULY 16, 2022

WHEREAS, the people of the State of California have enacted the California Wildlife Protection Act of 1990, which provides funds to the State of California for grants to local agencies to acquire, enhance, restore or develop facilities for public recreation and fish and wildlife habitat protection purposes; and

WHEREAS, the State Department of Parks and Recreation has been delegated the responsibility for the administration of the Habitat Conservation Fund (HCF) Program, setting up necessary procedures governing project application and grant awards under the HCF Program; and

WHEREAS, the State Department of Parks and Recreation awarded the City of San Fernando a HCF grant to implement the Family Hiking and Wildlife/Environmental Stewardship program (FHP); and

WHEREAS, the Recreation and Community Services Department will host an overnight camping program ("Event") as part of the FHP at Rudy Ortega Sr. Park, 2025 Fourth St. San Fernando, California 91340 on July 16, 2022; and

WHEREAS, Section 54.5 (Camping) of Article I (In General) of Chapter 54 (Parks and Recreation) of the San Fernando Municipal Code provides:

"No person shall camp or lodge within a park or recreation center without authorization. Such authorization can be obtained by applying to the city council through the director of recreation and community services, who will forward his recommendation to the council for consideration before council approval."; and

WHEREAS, Section 54.4 (Fires) of Article I (In General) of Chapter 54 (Parks and Recreation) of the San Fernando Municipal Code provides:

"No person shall make or kindle a fire in any park or recreation center, except in picnic stoves or barbecue pits provided for that purpose, or without first having obtained a sidewalk vending permit issued in accordance with article III of chapter 58 of this Code, or without prior authorization from the city council. Such authorization can be obtained by applying to the city council through the director of recreation and community services, who will forward his recommendation to the council before council approval."; and

WHEREAS, the City seeks to facilitate this Event by temporarily suspending Section 54.5 (Camping) and Section 54.4 (Fires) of Article I (In General) of Chapter 54 (Parks and Recreation) of the San Fernando Municipal for the limited purpose of allowing Event participants to attend an overnight camping workshop to learn essential camping lessons; and

WHEREAS, the City has determined that the public welfare and interest will be served by such suspension, subject to the terms, conditions and limitations set forth in this Resolution below.

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

SECTION 1: The representations set forth in the Recitals above are true and correct.

SECTION 2: The City temporarily suspends Section 54.5 (Camping) and Section 54.4 (Fires) of Article I (In General) of Chapter 54 (Parks and Recreation) of the San Fernando Municipal effective Saturday, July 16, 2022, between the hours of 4:00 pm to Sunday, July 17, 2022, 12:00 pm., at the following location: Rudy Ortega Sr. Park, 2025 Fourth St., San Fernando, California 91340, bordered by 4th St. on the west, Hubbard St. on the North and Meyer St. on the south.

SECTION 3: The temporary suspension shall be for the limited purpose of an overnight camping workshop and campfires. Participants will experience sleeping in a tent and learn the fundamentals of overnight camping. Including but not limited to site selection and tent set up, proper food storage, tools and clothes to have, etc.

SECTION 4: The workshop will occur two (2) hours before sundown. The park will be locked and secured at sunset. RCS staff, Reserve Officers and cadets will be onsite at all time during the overnight camping experience to ensure security.

SECTION 5: The specified section of the San Fernando Municipals (Section 54.5 and 54.4) shall remain in full force and effect throughout the remainder of the City.

SECTION 6: This Resolution shall take effect immediately upon its approval by the San Fernando City Council and the City Clerk shall certify to the adoption of this Resolution.

PASSED, APPROVED, AND ADOPTED this 6th day of June, 2022.

Mary Mendoza, Mayor of the City of
San Fernando, California

ATTEST:

Julia Fritz, City Clerk

CERTIFICATION

I, City Clerk of the City of San Fernando, California, do hereby certify that the foregoing is a full, true, and correct copy of Resolution No. 8150 which was regularly introduced and adopted by the City Council of the City of San Fernando, California, at a regular meeting thereof held on the 6th day of June, 2022, by the following vote of the City Council:

AYES:

NAYS:

ABSENT:

ABSTAINED:

IN WITNESS WHEREOF, I have here unto set my hand and affixed the official seal of the City of San Fernando, California, this _____ day of June, 2022.

Julia Fritz, City Clerk

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AGENDA REPORT

To: Mayor Mary Mendoza and Councilmembers

From: Nick Kimball, City Manager
By: Julian J. Venegas, Director of Recreation and Community Services

Date: June 6, 2022

Subject: Consideration to Authorize Release of a Notice Inviting Bids for the Design of the Las Palmas Park Revitalization Project

RECOMMENDATION:

It is recommended that the City Council authorize staff to release a Notice Inviting Bids (Attachment "A") soliciting professional services from qualified and experienced firms to develop a set of biddable plans, specifications and a project cost estimate for the Las Palmas Park Revitalization Project.

BACKGROUND:

1. On February 5, 2018, the City Council adopted the Parks and Recreation Master Plan (PMP) as an instrument for developing a comprehensive vision for park facility improvements and recreational programming offered to the residents of San Fernando. The PMP identified multiple park sites that needed improvements in order to maintain the continuity of recreational services.
2. On June 5, 2018, the voters of California approved Proposition 68, "Parks, Environment, and Water Bond Act." The measure authorized \$4 billion in general obligation bonds for state and local parks, environmental protection and restoration projects, water infrastructure projects, and flood protection projects. The California Department of Parks and Recreation was the agency assigned to administer a grants program for Proposition 68.
3. On July 10, 2020, the California Department of Parks and Recreation released the Statewide Park Development and Community Revitalization Grant Program (SPP) Round 4, for revitalizing projects throughout the State. SPP allocated \$395.3 million in competitive grant funding to create, expand or renovate parks in low-income and disadvantaged communities.
4. On February 16, 2021, the City Council authorized staff to submit a SPP grant application for Recreation, Las Palmas, and Pioneer Parks for facility renovations identified in the PMP and to enhance recreational opportunities for the community.

Consideration to Authorize Release of a Notice Inviting Bids for the Design of the Las Palmas Park Revitalization Project

Page 2 of 4

5. Throughout the application process, RCS staff discussed the renovation projects of the three park applications with the Parks, Wellness and Recreation Commission. In addition, staff conducted several community meetings via Zoom and in-person to gather feedback relating to the park renovation projects. The final grant application included the community's feedback on the planned renovations.
6. On December 8, 2021, the California Department of Parks and Recreation announced that the City's SPP grant application for the Las Palmas Park Revitalization Project had been selected for funding. The grant award of \$4.2 million includes pre-construction costs such as plan development, specifications, design, cost estimates, and construction documents.

ANALYSIS:

The Parks and Recreation Master Plan, along with input from community planning meetings involving families, seniors and youth groups, provided guidance and vision in developing the Las Palmas Park Revitalization Project. Additional design ideas came from residents and user groups via Zoom and in-person meetings. The Las Palmas Park Site Plan (Attachment "A", Exhibit "1") shows where the recommended park improvements are to be located. However, the final design for the project may differ based on a community engagement effort that will involve the contracted design consultant.

The initial design elements of the Las Palmas Park Revitalization project will be based on the Grant Scope Items detailed in the grant application. The project's recreational features and major support amenity improvements include:

- a) Renovation of the playground adding ADA accessibility and shading
- b) Renovation of the basketball court with lighting
- c) Construction of a new tennis/pickleball court with lighting
- d) Construction of a new splash pad
- e) Renovation of three baseball fields with lighting
- f) Renovation of the concession stand
- g) Renovation of the outside restrooms
- h) Construction of a new multi-purpose field with lighting
- i) Renovation of the outdoor exercise equipment
- j) Renovation of the picnic shelters and walking path lighting
- k) Construction of new landscaping throughout the park
- l) Renovation of the recreation center/learning center including 2 patio restrooms

Consideration to Authorize Release of a Notice Inviting Bids for the Design of the Las Palmas Park Revitalization Project

Page 3 of 4

The Notice Inviting Bids (NIB) requests the services from an experienced landscape architect/engineering firm to develop a cost estimate, a set of construction bid ready plans and specifications for the project. RFP submittals must respond to the guidelines and instructions detailed in the "Scope of Services" of the NIB (Attachment "A"). The minimal bid requirements include the following sections:

- A Proposal Summary
- The Firm's Profile
- The Firms Qualifications (detailing experience providing the requested service for similar projects/clients)
- A Project Work Plan
- A Project Staffing Description
- A Proposal Cost breakdown

Prospective firms must submit their bid package on or before 4:00 pm on Thursday, July 7, 2022.

BUDGET IMPACT:

The total estimated cost for the Las Palmas Park Revitalization Project is \$4,234,980. Funding is included in the City's Fiscal Year 2021-2022 adopted budget through the Statewide Park Development and Community Revitalization (SPP) Grant.

SOURCES		
Fund	Account Number	Allocation
Statewide Parks Program (Grant)	010-422-0156-4600	\$ 4,234,980
		\$
Total Sources:		\$ 4,234,980

USES		
Activity	Account Number	Cost
Pre-construction Cost	010-422-0156-4600	\$ 705,830
Plans, Specifications, Cost Estimates, Permits		\$ 0
Groundbreaking, public meetings		\$ 0
Construction	010-422-0156-4600	\$ 3,529,150
Expenditures-to-Date		\$ 0
Total Uses:		\$4,234,980

Consideration to Authorize Release of a Notice Inviting Bids for the Design of the Las Palmas Park Revitalization Project

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CONCLUSION:

It is recommended that the City Council authorize staff to release a Notice Inviting Bids soliciting professional services from qualified and experienced firms to develop a set of biddable plans, specifications and a project cost estimate for the Las Palmas Park Revitalization Project.

ATTACHMENT:

- A. Notice Inviting Bids
 - Exhibit 1: Las Palmas Park Site Plan

NOTICE INVITING BIDS

Notice is hereby given that sealed proposals will be received by the City of San Fernando, California, for furnishing the following:

DESIGN OF THE LAS PALMAS PARK REVITALIZATION PROJECT

in strict accordance with the Specifications on file in the office of the SAN FERNANDO RECREATION AND COMMUNITY SERVICES DEPARTMENT, 117 Macneil Street, San Fernando, California, 91340. Copies of specifications and proposal documents may be obtained from the City's website at <http://ci.san-fernando.ca.us/rfps-rfqs-nibs-nois>

One (1) original and one electronic copy of the proposal must be submitted to the CITY CLERK DEPARTMENT in a sealed envelope at CITY HALL, 117 Macneil Street, San Fernando, California, 91340, not later than 4:00 p.m. on Thursday, July 7, 2022. Bids must be clearly marked Bid for DESIGN OF THE LAS PALMAS PARK REVITALIZATION PROJECT. Any bidder may withdraw their proposal, without obligation, at any time prior to the scheduled closing time for receipt of proposals. A withdrawal will not be effective unless made personally or by telephonic notification received prior to the closing date. Proposals may later be referred to the City Council for appropriate action. The City reserves the right to reject any or all proposals as the best interests of the City may dictate.

By: _____
Julia Fritz, City Clerk

Published in **The San Fernando Sun** on **June 9, 2022.**

REQUEST FOR PROPOSALS



The Recreation and Community Services Department is requesting proposals for:

DESIGN OF THE LAS PALMAS PARK REVITALIZATION PROJECT

RELEASE DATE: Tuesday, June 7, 2022

RESPONSE DUE: Thursday, July 7, 2022

GENERAL INFORMATION

The City of San Fernando offers seven park facilities that provide recreational opportunities to the community. All park facilities are conveniently located within a 2-mile radius and easily accessible to residents. Typical amenities include activity rooms, picnic shelters, softball diamonds, and multi-purpose fields that may be reserved for private use; as well as indoor/outdoor basketball courts and picnic tables that are available on a first-come, first-served basis.

The City of San Fernando is interested in contracting with an experienced and qualified firm to provide professional design services for the Las Palmas Park Revitalization Project detailed in the Scope of Service. Las Palmas Park is approximately 7.7 Acres located at 505 North Huntington Street, San Fernando, CA 91340 in a residential neighborhood.

The existing park amenities include an open field, ball diamonds, a playground, several picnic shelters, and basketball courts. There is also a Community Center housing a gymnasium, Banquet room, and a Learning Center. The objective of the Las Palmas Park Renovation Project is to renovate, replace and enhance the major recreation features and park amenities to provide greater recreational opportunities for the surrounding community, provide employment or volunteer opportunities for residents, and incorporate environmental elements for efficient use of water and other natural resources.

The Statewide Park Development and Community Revitalization Grant Program is funding the Las Palmas Park Revitalization Project. As such, all contracted work must comply with the provisions of §1771.5 of the State Labor Code.

BACKGROUND

The City of San Fernando incorporated in 1911 is governed by a City Council/City Manager form of government with seven departments, consisting of the Administration, City Clerk, Community Development, Finance, Police, Public Works, and Recreation and Community Services Departments. The City employs approximately 125 full-time employees from a total Adopted Budget for the fiscal year 2021-2022 of \$62.7 million, which includes a General Fund budget of \$22.5 million. The City is a cost-conscious provider of outstanding public services to its citizens and local businesses. The City actively pursues grants to enhance the public services offered to its citizens and local businesses. The Recreation and Community Services Department is currently administering the Statewide Park Development and Community Revitalization Grant Program.

The City believes that the open competition for services and products provides the City with the best results for its public dollars. The City is interested in receiving responsive and competitive proposals from experienced and qualified firms that can demonstrate knowledge and expertise in developing a final design and contract documents for the Las Palmas Park Revitalization Project. A description of the technical environment, contractor staffing, qualifications, and performance expectations for this RFP follows.

INSTRUCTIONS FOR SUBMITTING FIRMS

A. Examination of Proposal Documents

By submitting a proposal, the prospective firm represents that it has thoroughly examined and has become familiar with the services required under this RFP and that it is capable of delivering quality services to the City in a creative, cost-effective & service-oriented manner.

B. Walkthrough

All prospective firms are encouraged to attend a walkthrough of the Las Palmas Park site scheduled for **Monday, June 20, 2022**, at 11:00 A.M. The project's scope discussion and site inspection will assist prospective bidders in designing the recreational features and major support amenities the grant will fund.

C. Questions/Clarifications

Please direct any questions regarding this RFP to Mr. Venegas, via e-mail at jvenegas@sfcity.org. Questions must be submitted by 1:30 p.m. on **Friday, June 24, 2022**. Responses to all questions will be posted to the city's website/Business at <http://ci.san-fernando.ca.us/rfps-rfqs-nibs-nois> by **Monday, June 27, 2022**.

D. Submission of Bid Proposals

Bid proposal submissions may be mailed and emailed. Mailed proposals can be sent to City Hall, 117 Macneil Street, San Fernando, California, 91340. Proposals must be received no later than **4:00 P.M. on Thursday, July 7, 2022**, (postmarks will not be accepted) and clearly marked "Design for Las Palmas Park Revitalization Project" c/o City Clerk. Email submittals must be addressed to Julian Venegas at jvenegas@sfcity.org, and the subject line shall read "City of San Fernando RFP – Design for the Las Palmas Park Revitalization Project." Emailed proposals must be received no later than **4:00 P.M. on Thursday, July 7, 2022**. All proposals received after that time will not be accepted.

The scheduled Bid opening is on **Thursday, July 7, 2022, at 4:15 P.M.** exactly.

E. Withdrawal of Proposals

A firm may withdraw its proposal at any time before the submission due date by delivering a written request for withdrawal signed by, or on behalf of the prospective firm.

F. Rights of City of San Fernando

This RFP does not commit the City to enter into a Contract, nor does it obligate the City to pay for any costs incurred in the preparation and submission of proposals or anticipation of a contract.

The City reserves the right to:

- 1) Make the selection based on its sole discretion;
- 2) Reject any and all proposals without prejudice;
- 3) Issue subsequent Requests for Proposal;
- 4) Postpone opening for its own convenience;
- 5) Remedy technical errors in the Request of Proposal process;
- 6) Approve or disapprove the use of particular sub-contractors;
- 7) Negotiate with any, all, or none of the prospective firms;
- 8) Solicit best and final offers from all or some of the prospective firms;
- 9) Accept other than the lowest offer; and/or
- 10) Waive informalities and irregularities in the proposal process.

G. Contract Type

It is anticipated that a standard form Professional Services Agreement contract will be executed subsequent to the City Council's review and approval of the recommended firm.

H. Collusion

By submitting a proposal, each prospective firm represents and warrants that; its proposal is genuine and not a sham or collusive or made in the interest of or on behalf of any person not named therein; that the prospective firm has not directly, induced, or solicited any other person to submit a sham proposal or any other person to refrain from submitting a proposal; and, that the prospective firm has not in any manner sought collusion to secure any improper advantage over any other person submitting a proposal.

SCOPE OF SERVICE

The following section describes the specific services requested by this Request for Proposal. The City of San Fernando is requesting landscape architect and engineering design services from qualified and experienced firms to develop a biddable set of plans, specifications and a project cost estimate to revitalize Las Palmas Park.

The Las Palmas Park Revitalization Project aligns with the City's Park and Recreation Master Plan in its continued effort to meet the recreational and facility needs of San Fernando residents. The Project is based on input from community planning meetings involving youth, seniors, and family groups. Additional design ideas came from residents and user group surveys. The Las Palmas Park

grant Concept Level Site Plan (Exhibit 1) shows the recommended park improvements. However, the proposed project design may recommend alternative locations for these major park amenities base on community feedback and to maximize land use. The improvement projects include the following:

- Renovation of the playground adding ADA accessibly and shading
- Renovation of the basketball court with lighting
- Construction of a new tennis/pickleball court with lighting
- Construction of a new splash pad
- Renovation of three baseball fields with lighting
- Renovation of the concession stand
- Renovation of the outside restrooms
- Construction of a new multi-purpose field with lighting
- Renovation of the outdoor exercise equipment
- Renovation of the picnic shelters and walking path lighting
- Construction of new landscaping throughout the park
- Renovation of the recreation center/learning center including 2 patio restrooms
- Design to incorporate projects that the California Conservation Corps will perform

The City a Statewide Park Development and Community Revitalization Grand funds recipient will mandate that the provisions of §1771.5 of the State Labor Code be followed for all contracted work related to the Las Palmas Park Revitalization Project.

The Project site, Las Palmas Park, is located at 505 North Huntington Street, San Fernando, CA 91340. Las Palmas Park is situated in an urban neighborhood surrounded by housing. There is no land available to expand the park, so the revitalization project intends to maximize land use to provide additional recreational opportunities for the community.

Upon execution of the agreement by all parties, City staff expects to schedule a meeting with the selected firm within 5 business days to discuss the project timeline, a conceptual design, engineering cost estimates, and the community engagement effort for the project. A minimum 60-day community engagement effort is expected for the project with the set of biddable plans, specifications, and cost estimates within 120 days from the agreement executed to date. The selected Firm and City shall work closely to develop and identify key milestones and project deliverable dates to ensure that the completion of the project is on or before June 30, 2025.

REQUIRED SERVICES

1. Community Engagement Plan

- The City values and focuses on enhancing the quality of life and community satisfaction. Community engagement is a method to guide major City decisions to ensure residents voice their needs.
- The Consultant shall develop a plan for engaging community feedback and incorporating their input in the final design of the Las Palmas Revitalization Project.

2. Obtain All Necessary Permits

- The consultant will support and provide all necessary services to obtain the required permits. The City has already filed a Negative Declaration according to CEQA.

3. Plans, Specifications, and Engineering Estimates

- Prepare plans, which will include at a minimum Title Sheet, General Notes, and Right-of-Way, Existing Conditions and Demolition Plans, Civil/Architectural Layout Plans, Grading, and Utilities Plans, Landscaping, and Irrigation Plans, Electrical and Lighting Plan, and all necessary details to construct the project.
- Prepare specifications and bid documents, which will include at a minimum, detailed projects description, working days for construction, bid schedule, bid item descriptions, payment methods, special provisions, technical specifications, and any specification detail sheets or standard plans, necessary to construct the project.
- Prepare engineering estimates consistent with the specifications and bid documents.
- The following plan check submittals shall be provided, at a minimum:
 - i. 1st Review – Conceptual Design presented to City staff for review, analysis, and recommendations.
 - ii. 2nd Review - 65% design based on a set of consolidated comments received from staff and presented at the City Council meeting for review and recommendations on or before the third Monday in September 2022.
 - iii. 3rd Review – 95% Plans, Specifications, and Cost Estimate that will be presented at a City Council meeting on or before the third Monday in November 2022.

4. Final Submittals

- Submit two full-size and two half-size (bond paper) final plan set master with the design engineer's seal and signature on each plan sheet and title sheet of specifications.
- Submit an electronic copy of all plans in AutoCAD and Adobe Acrobat format on a Flash Drive.
- Submit specification document in Microsoft Word format on a Flash Drive.
- Submit one set of quantity calculations and final engineering estimate in Microsoft Excel format on a Flash Drive.
- Submit all electronic files, including correspondence, photolog, and analyses, used in the project design on a Flash Drive. Files that are not in electronic format shall be scanned into a commonly used digital format and saved to the Flash Drive.

5. Project Coordination during Design Process

- Hold an appropriate number of meetings with City staff
- Provide monthly status reports.
- Provide design schedule with updates as required.
- Provide meeting minutes and action items.

6. Bidding Phase

- Attend the pre-bid meeting and respond to contractor requests for clarification during the bid process.

- Record and distribute among potential bidders answers and clarifications given to individual contractors, and prepare formal construction documentation addenda, if necessary
- Prepare any required addenda pre-bid and pre-construction meeting agenda, if requested at no additional charge.
- Attend pre-construction meeting.

7. Design Support during Construction Process

- If requested, the consultant will participate in the pre-construction kick-off meeting and clarify questions related to project specifications.
- Upon requests, the consultant needs to be prepared to answer questions posed during construction by the contractor or by the City, not addressed during the pre-construction meeting.
- Based on the consultant's experience with similar projects, estimate, and state in your proposal the time necessary for the consultant to spend on design support during construction (i.e. Project Management, monitoring, and reporting on project progress, compliance with provisions of §1771.5 of the State Labor Code.)

PROPOSED TERM OF CONTRACT

The proposed term of the contract is 270 days from the execution of the contract.

SCHEDULE FOR SELECTION

RFP notice posted on City website (http://ci.san-fernando.ca.us/rfps-rfqs-nibs-nois)	June 8, 2022
Walkthrough:	June 20, 2022
Deadline for Submittal of Questions:	June 24, 2022
Response to Questions:	June 27, 2020
Deadline for Submittal of Proposal:	July 7, 2022
Agreement Presented to Council for Review & Approval:	August 15, 2022

METHOD OF SELECTION AND NOTICES

A selection committee made up of staff from the Recreation and Community Services Department and Public Works Department will evaluate the information provided in the submitted proposals using the following criteria as a guideline:

- | | |
|--|-----|
| • Completeness and Comprehensiveness. | 20% |
| • Responsiveness to City's issues. | 20% |
| • Experience of the firm providing similar services to other municipalities. | 20% |
| • Cost-effectiveness. | 20% |
| • Quality of proposed staff. | 20% |

INFORMATION TO BE SUBMITTED

1. Prospective Firms must submit one digital copy of their proposal via email to ivenegas@sfcity.org

2. Include a *Proposal Summary* Section

This section shall discuss the highlights, key features, and distinguishing points of the Proposal. A separate sheet shall include all the contact people on the Proposal and how to contact with them.

3. Include a *Profile of the Proposing Firm(s)* Section

This section shall include a brief description of the Firm, including size, location of office(s), number of years providing service, the organizational structure of the responsible division, etc.

Additionally, this section shall include a listing of any lawsuit and the result of that action resulting from (a) any public project undertaken by the Firm where litigation is still pending or has occurred within the last five years or (b) any type of project where claims or settlements were paid by the Firm or its insurers within the last five years.

4. Include a *Qualifications of the Firm* Section

This section shall include a brief description of the Firm's qualifications and previous experience on similar or related projects. Provide a description of pertinent project experience with other public municipalities (maximum of four) that includes a summary of the work performed, the total project cost, the period over which the work was completed, and the name, title, and phone number of clients to be contacted for references. Give a brief statement of the Firm's adherence to the schedule and budget for each project.

5. Include a *Work Plan* Section

This section presents a well-conceived service plan. This section of the proposal shall establish the Firm's understanding of the City's objectives, work requirements, and the Firm's ability to satisfy those objectives and requirements. Describe the proposed approach for addressing the scope of service, outlining the approach that would be undertaken in providing the requested services. Include a timetable for providing the service. Describe related service experience by the Firm in similar work. Please describe the role, and extent of services (number of people used, engagement duration, and contract value).

6. Include a *Project Staffing* Section

In this section, discuss how the Firm would propose to staff this project. The firm's key project team members shall be identified by name, specific responsibilities on the project, and their qualifications. An organizational chart for the project team and resumes for key Firm personnel

shall be included. Key Firm personnel will be an important factor considered by the Recreation and Community Services Director. **There can be no change of key personnel once the proposal is submitted, without prior approval of the City.**

7. Include a *Proposal Costs Sheet and Rates* Section

In this section, include the proposed costs to provide the services desired. Include any other cost and price information that would be contained in a potential agreement with the City.

In addition, include the costs for any other services that are considered optional additions.

Las Palmas Park Site Plan

505 Huntington Street, San Fernando, CA 91340



Legend:

- A - Renovate Tot-Lot w/ADA access and Shading
- B1 - Renovate basketball court with lighting
- B2 - Construct a new tennis/pickleball court with lighting
- C - Construct new splash pad/water feature
- D - Renovate Baseball Complex
- E - Construct New Multipurpose Athletic Field
- F - Renovate outdoor exercise equipment
- G - Renovate Recreation Center/Learning Center including patio restrooms
- H - Construct new landscaping throughout park
- I - Install New Field Lights
- J - Renovate 3 picnic shelters
- K - Renovate 2 bathrooms; Renovate Concession stand (bathrooms and concession stand are in the same building)

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AGENDA REPORT

To: Mayor Mary Mendoza and Councilmembers

From: Nick Kimball, City Manager
By: Kanika Kith, Director of Community Development

Date: June 6, 2022

Subject: A Public Hearing to Consider Adopting a Resolution Approving the 6th Cycle 2021-2029 Housing Element, Safety Element Update, and Mitigated Negative Declaration

RECOMMENDATION:

It is recommended that the City Council:

- a. Conduct a Public Hearing;
- b. Adopt Resolution No. 8153 (Attachment "A") approving the 6th Cycle 2021-2029 Housing Element, Safety Element Update, and Mitigated Negative Declaration; and
- c. Authorize the City Manager to make iterative changes to the 2021-2029 Housing Element in response to comments from the California Department of Housing and Community Development (HCD) to support state certification of the 2021-2029 Housing Element.

BACKGROUND:

1. Since 1969, the State has required all cities and counties in California to adopt a Housing Element to adequately plan for and accommodate each jurisdiction's fair share of existing and projected housing needs for all economic segments of the community. The Housing Element is a chapter of the General Plan that serves as each jurisdiction's blueprint for how it plans to grow and develop. Policies and ordinances enacted by local jurisdictions must be compatible with state housing goals and regional housing needs.
2. The City of San Fernando is one of 197 local jurisdictions within the Southern California Association of Governments (SCAG), which is responsible for assigning the Regional Housing Needs Assessment (RHNA) allocation in Los Angeles, Orange, Riverside, San Bernardino, Imperial, and Ventura counties. State law requires updating the Housing Element every eight years to include policies and programs to meet existing and future housing needs for the City, as established by the California Department of Housing and Community Development (HCD) and SCAG.

A Public Hearing to Consider Adopting a Resolution Approving the 6th Cycle 2021-2029 Housing Element, Safety Element Update, and Mitigated Negative Declaration

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3. On August 22, 2019, HCD issued a RHNA of 1.34 million units (1,344,740 units) to the SCAG region. This number reflects the housing units that local jurisdictions in the region must plan for during the 8-year period from October 2021 to October 2029.
4. On September 18, 2019, SCAG sent a letter to HCD objecting HCD's RHNA of 1.34 million units for the SCAG region, and provided two alternatives, RHNA of 823,808 units and 920,772 units, which would be 39 percent and 32 percent less than HCD's RHNA, respectively.
5. On October 15, 2019, in response to SCAG's objection to HCD's RHNA, HCD issued a final determination of 1,341,827 housing units for SCAG's region. HCD did not alter its RHNA approach based on SCAG's objection.
6. On September 4, 2020, SCAG issued a draft of the 6th Cycle (2021 to 2029) RHNA allocation to all its member jurisdictions, which assigned 1,791 housing units to the City of San Fernando.
7. On October 26, 2020, the City filed an appeal of the RHNA allocation to SCAG arguing that the allocation does not reflect local planning factors such as jobs-housing balance, sewer and water infrastructure constraints, and availability of land in the City, among other issues.
8. On November 17, 2020, the City along with many other cities in the SCAG's region, sent a letter to SCAG President Rex Richardson to convene a closed session meeting of the SCAG Regional Council to discuss why SCAG decided not to pursue litigation against HCD.
9. On December 18, 2020, staff held a kick-off meeting with the City's Housing Consultant, Houseal Lavigne, to commence work on the Housing Element Update.
10. On January 11, 2021, the SCAG 6th Cycle RHNA Appeals Board considered and denied the appeal filed by the City, thus reaffirming the draft allocation of 1,791 housing units. Out of 52 jurisdictions who filed the appeal, only two jurisdictions (City of Pico Rivera and County of Riverside) received a re-allocation that was granted due to a mathematical miscalculation on SCAG's behalf.
11. On March 4, 2021, SCAG finalized their 6th Cycle RHNA allocation plan that increased the total allocation to the City of San Fernando from 1,791 to 1,795 units.
12. Virtual community meetings were held on March 25, 2021, May 12, 2021, and August 11, 2021, to share the process and receive feedback from the community.
13. Technical Advisory Committee (TAC) meetings were held on April 13, 2021, May 18, 2021, and December 2, 2021, to review the proposed Housing Element update and receive feedback.
14. On May 10, 2021 and October 12, 2021, discussions were held with the Planning and Preservation Commission regarding the RHNA allocation and Housing Element Update process.

A Public Hearing to Consider Adopting a Resolution Approving the 6th Cycle 2021-2029 Housing Element, Safety Element Update, and Mitigated Negative Declaration

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15. On October 29, 2021, a Draft 2021-2029 Housing Element Update was posted on the City's website for public review. Hard copies of the Draft Housing Element were made available at the San Fernando Library, Las Palmas Park, and Recreation Park.
16. On November 8, 2021, the Draft Housing Element Update was presented to the Planning and Preservation Commission.
17. On November 12, 2021, the Draft Housing Element Update was sent to the California Department of Housing and Community Development (HCD) for their initial 60-day review.
18. On December 16, 2021, a Draft Mitigated Negative Declaration (MND) was released for a 30-day public review period from December 16, 2021 to January 17, 2021. A Notice of Intent to adopt the Draft MND was published in the *San Fernando Sun* and submitted to the State Clearinghouse. The notice was also sent to all interested residents, regional, state, and federal agencies. A copy of the Draft MND is available at City Hall and on the City's website.
19. On December 22, 2021, a Draft Safety Element was posted on the City's website for public review. A copy the Draft Safety Element is available for public review at City Hall and on the City's website. The Safety Element was updated to satisfy Senate Bill (SB) 379 and SB 1035.
20. On January 11, 2022, HCD issued a letter finding that the Draft 2021-2029 Housing Element required revisions to comply with the State's housing element law.
21. The consultants have been working with staff to prepare revisions to the Housing Element and responding to HCD's comments. On April 14, 2022, staff and the consultants conferred with HCD to confirm specific changes needed to be eligible for certification.
22. On May 12, 2022, the proposed Housing Element, Safety Element, and MND were posted on the City's website ([click here](#)) for public review and a notice regarding the availability of these documents was published in the *San Fernando Sun* newspaper.
23. On May 25, 2022, the Planning the Preservation Commission ("Commission") held a special meeting to review the proposed 2021-2029 Housing Element, Safety Element, and Mitigated Negative Declaration. The Commission voted 2 ayes (Peña, Pacheco), 1 no (Bernal), and 1 abstain (Fajardo) recommending that the City Council adopt the proposed 6th Cycle 2021-2029 Housing Element, Safety Element, and Mitigated Negative Declaration with recommended changes to the proposed Housing Element and Safety Element.

ANALYSIS:

Housing Element Update

State law requires every city and county in California to adopt and implement a General Plan, which establishes overall goals and polices for future growth of the jurisdiction. A city's General Plan must include a Housing Element as one of seven mandatory elements (land use, transportation, conservation, noise, open space, safety, and housing).

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The Housing Element must include policies and programs to meet existing and future housing needs for the City, as established by HCD and SCAG.

State law further requires that housing elements identify housing sites that provide the development capacity to accommodate build out of the City's RHNA allocation. Housing elements are also required to consider ways to promote access (i.e. "affirmatively further fair housing") to housing that is attainable for residents at all income levels, beyond focusing solely on opportunities for production of new units.

The proposed update, the 2021-2029 Housing Element, identifies sites adequate to accommodate a variety of housing types for all income levels and needs of special population groups defined under State law (California Government Code Section 65583); analyzes governmental constraints to housing maintenance, improvement, and development; addresses conservation and improvement of the condition of existing affordable housing stock; and outlines policies that promote housing opportunities for all persons. The Housing Element update process serves as an opportunity to update housing and land-use strategies to reflect changing needs, resources, and conditions of the City during its applicable eight year planning period.

Housing Opportunity Sites

San Fernando has been allocated a minimum of 1,795 units by SCAG. Since RHNA uses June 30, 2020 as a baseline for growth projections for the planning period (October 15, 2021 to October 15, 2029) the City can count 52 units that received planning approval since June 30, 2020, and 39 units of current applications under review toward this RHNA cycle.

San Fernando is faced with limited opportunities to provide affordable housing due to historic land use patterns, its setting as an existing developed community, high land and housing costs, and scarcity of vacant land. To accommodate the City's RHNA need for all income levels, future housing development would occur through a variety of methods as detailed in the Housing Plan section of the proposed Housing Element. This includes development on vacant parcels, infill development in existing residential and commercial areas, development of accessory dwelling units (ADU), and development on City-owned parcels.

Table 35 of the Draft Housing Element Summarizes San Fernando's applicable RHNA credit and the remaining RHNA needed through October 15, 2029. With the anticipated ADU's, entitled projects, and projects under review, the City has an unmet RHNA need of 1,224 units (134 extremely low-income units, 177 very low-income units, 258 moderate-income, and 495 above moderate-income units, plus 15% no net loss). After accounting for the development credits and the realistic capacity of vacant and non-vacant inventory sites, the City identified 45 housing opportunity sites to fulfil its RHNA obligation. These sites are mostly within SP 5 area with a few sites outside of its boundary, as illustrated in Figure 1 below. More details of these sites are provided as an appendix to the proposed 2021-2029 Housing Element.

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The process of selecting the Housing Opportunity Sites proposed in the 2021-2029 Housing Element involved the following steps:

1. Identified potential housing sites through the community outreach process. An online interactive map (Map.Social) was made available on the City's website for the community to help identify potential housing sites.
2. Reviewed all sites for compliance with HCD criteria through a weighted suitability model to evaluate multiple criteria influencing the likelihood of development on a parcel-by-parcel basis. Each property was assigned a total weighted score, the higher the score, the greater the likelihood of development.
3. Discussion with Technical Advisory Committee (TAC) to Identify and eliminate remaining sites with development or environmental constraints.

A series of TAC meetings were held to further discuss comments received from the community outreach process. The TAC meetings included a more focused and in-depth conversation around the placement of housing opportunity sites, programs and policies that should be considered, and other insights and concerns regarding the availability of affordable housing.

Residential Mixed-Use Overlay

To accommodate housing on the opportunity housing sites, the proposed Housing Element includes a mixed-use overlay in existing commercial corridors along South Brand Boulevard and San Fernando Mission Boulevard. The proposed Housing Element also includes an amendment to Specific Plan 5 (SP 5) to expand the existing mixed-use/residential overlay to other commercial sites within SP 5.

The proposed mixed-use overlay helps protect existing residential neighborhoods by not increasing density to accommodate additional housing units. The overlay approach helps preserve the character of existing residential neighborhoods while directing developments to commercial corridors that can accommodate the demand for additional density to meet the RHNA allocation.

The proposed mixed-use overlay will not only help meet the RHNA allocation, but also bring several benefits to the City. The proposed mixed-use overlay will create flexibility for existing commercial properties to create a live-work environment that will:

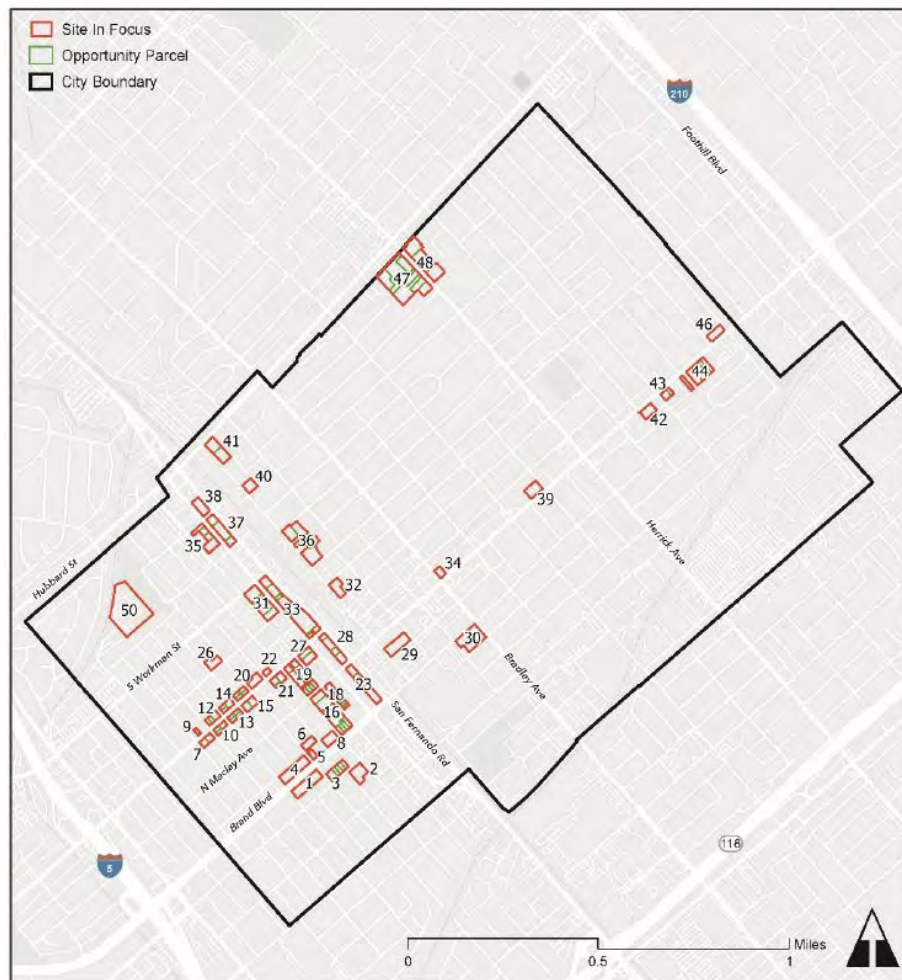
1. Help increase foot traffic to support local businesses.
2. Reduce the need for vehicle travel by bringing residents and visitors to one location to live, work, eat, shop, and play.
3. Bring shared community spaces to help foster interaction among community members.

Overall, the proposed mixed-use overlay will address the City's housing needs, help promote sustainability, and encourage economic development.

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Figure 1: Housing Opportunity Sites



Planning and Preservation Commission Review

At the Planning and Preservation Commission meeting of May 25, 2022, Commissioner Bernal suggested adding two sites (826 San Fernando Road and 211 S. Maclay). These two sites were previously analyzed during the selection process but were not selected because they did not meet the criteria for potential redevelopment during this planning period. However, they are included in our list of potential housing sites for further use.

New or Enhanced Housing Programs

Section VI of the proposed Housing Element contains the City's Housing Plan which sets forth the goals, policies, and programs the City intends to implement in order to address identified housing needs and comply with State Housing laws. In addition to five existing on-going housing programs being carried forward from the last Housing Element, 21 new or enhanced programs are proposed. A brief summary of the new programs are included as Attachment "F".

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Planning and Preservation Commission Review

The Planning and Preservation Commission recommended accelerating the date for releasing a Request for Proposals (RFP) for City Hall Redevelopment Study to be earlier than December 31, 2026. The RFP is to conduct a Site Redevelopment Study and explore potential public-private partnership for a future mixed-use development on City Hall site that will capitalize on the light rail stop that is planned for San Fernando in 2028. The RFP will state that City Hall will not be relocated, but staff will be temporary relocated during construction only. Staff recommends not accelerating the date for releasing the RFP because the proposed deadline of 2026 provide time for the City to better understand the plan and design of the proposed light rail stop before drafting the RFP. Also, the deadline does not prohibit releasing the RFP sooner than 2026.

Timeline of three programs that requires amendment to the Zoning Code has been changed to December 31, 2024 to be consistent with other programs requiring amendment to the Zoning Code. A redline version showing the changes is included as Attachment "B."

Housing and Community Development (HCD) Review of Housing Element

State law requires Housing Element updates within SCAG's jurisdiction to be adopted by individual cities and certified by HCD within 120 days of the October 15, 2021 statutory deadline (i.e. February 12, 2022). Any associated rezoning or ordinance amendments (i.e. proposed mixed-use overlay) required to implement an adopted Housing Element would be allowed a maximum three-year performance period to complete and adopt any identified amendments. If a jurisdiction did not meet the October 15th deadline, it would be subject to a 4-year cycle. However, recently adopted Assembly Bill 1398 (AB 1398) removed the 4-year cycle requirement for jurisdictions not meeting the deadline, but required completion of any rezoning and ordinance amendments by October 15, 2022 (i.e. only 4 ½ months) instead of the three-year performance period previously allowed.

A Draft Housing Element was submitted to HCD in November 2021 and comments from HCD were received on January 11, 2022 noting several deficiencies. Due to the receipt of HCD comments and insufficient time remaining (4 weeks) to prepare timely revisions and hold required public hearings before February 12, 2022, the statutory deadline could not be met. The letter from HCD is included as Attachment "G". A brief summary of key issues from HCD are provided below.

1. Further explanation on housing needs, resources, and constraints analysis relating to Affirmatively Furthering Fair Housing (AFFH).
2. Improve housing programs with removal of constraints for development of affordable housing.
3. Include quantified objectives to establish an estimate of housing units by income category.
4. Further explanation of public participation of all economic segments of the community.

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Staff and the consultants conferred with HCD on April 14, 2022 to confirm specific changes needed to be eligible for certification. The proposed 2021-2029 Housing Element (Attachment “B”) has been revised to address comments from HCD. A detailed summary of the comments received from HCD and how they are addressed in the proposed Housing Element is provided as Attachment “H.”

Upon City Council adoption of the proposed 2021-2029 Housing Element, staff intends to expedite its transmittal to HCD and develop a work plan for its implementation prior to the October 15, 2022 deadline.

Changes in State Housing Law

The proposed 2021-2029 Housing Element has been prepared to be consistent with recent changes in State law, all of which are detailed in the introduction of the proposed 2021-2029 Housing Element and summarized in Attachment “E.” The proposed 2021-2029 Housing Element incorporates and addresses all pertinent housing law changes through analysis and implementation of new policies or programs for the next eight years.

Non-Compliance with State Housing Law

Failure by the City to adopt a Housing Element could result in HCD revoking its finding of the City’s substantial compliance with the State’s housing law. Non-compliance with the State’s housing law would leave the City exposed for future legal action from the State or other interested parties, which could include, but is not limited to:

Litigation

- Litigation by the State that may be brought against the City by the State Attorney General for violations of the State’s housing-element law, as well as other housing laws, or directly by HCD.
- Litigation by outside entities (housing advocacy groups, developers) or individuals.

Fines

- Financial exposure of the City to court fines starting at \$10,000 to \$600,000 per month (may be multiplied by a factor of three to six, in extreme instances), plus attorneys’ fees.

Sanctions

- Mandatory Compliance and Loss of Local Land Use and Permitting Authority – Potential Consequences of Lawsuits
 1. Court-mandated approval of certain housing projects.
 2. Court-orders to strip the City Council of land use authority.
 3. Court-ordered mandatory rezoning of land within the City.
 4. In extreme cases, the court may appoint an agent with all powers necessary to bring the City’s Housing Element into compliance with state law and suspend the City’s authority to issue building permits for new construction.

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-
- Ineligible for Funding. The City will be ineligible for certain types of state and federal grant funding that require compliance with the housing-element law as an eligibility criterion and which funds may be used to fund transportation, infrastructure and housing programs and projects (e.g. Caltrans SB 1 Sustainable Communities Grant, Affordable Housing and Sustainable Communities Program, SB 2 Planning Grant, Prop 1 Housing Programs and Veterans Bond).

HCD's process for accountability is intended to be iterative and hinges on progressive sanctions. However, any of the potential consequences of non-compliance would be costly for the City and require the use of taxpayer funds and staff resources.

Outreach Process & Comments Received on Housing Element

Appendix A of the proposed 2021-2029 Housing Element detail the City's outreach efforts during the preparation and public review period of the Housing Element Update and include written comments resulting from:

- Three advertised and noticed outreach meetings – Town Hall meetings
- Four advertised and noticed public meetings – Three with Planning and Preservation Commission and one with City Council
- Housing Element Update Website
- A Housing Element Update Survey (with Spanish Translation)
- Map.Social (web-based interactive mapping tool)

Written Public Comments Summary

Six comment letters were received and summarized below. All comment letters are included as Attachment "I".

- SCAG and CalTrans (Responsible Agencies under CEQA) acknowledging receipt of the project notices.
- Santa Ynez Band of Chumash Indians acknowledging receipt of notices and noting no further comments.
- Property owner/developer (Selective 901 Truman, LLC) asking for their properties to be included in the Housing Sites Inventory.
 - These sites were not included because of their proximity to the railroad tracks.
- One comment letter from Californians for Homeownership threatening potential litigation against the City regarding compliance with State Housing law.
- One comment from Aszkenazy Development to add two sites (603 San Fernando Road and 411 S Brand Blvd) to the Housing Opportunity Sites.
 - 603 San Fernando Road did not meet the criteria as a potential housing site.
 - 411 S. Brand Blvd is included as Housing Opportunity Site No. 8.

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Housing Element Findings

On May 25, 2022, the Commission recommended that the City Council adopt the proposed 2021-2029 Housing Element with required findings contained in the Resolution, included as Attachment A. The Resolution has been drafted for the City Council to adopt the 2021-2029 Housing Element in its entirety to replace the existing Housing Element of the General Plan.

Non-Policy Changes by the City Manager

The Resolution also includes an action for the City Council to authorize the City Manager to make iterative changes to the 2021-2029 Housing Element in response to comments from HCD to support state certification of the 2021-2029 Housing Element.

Safety Element Update

As part of the Housing Element update, the Safety Element has been updated to address wildfire and climate adaptation as required by Senate Bill (SB) 379 and SB 1035. The proposed Safety Element incorporates information on natural and human-caused hazards, along with new policies related to environmental justice, wildfire prevention, climate change, and pandemic preparedness and response, among others. The purpose of the Safety Element is to reduce the potential short- and long-term risk of death, injuries, property damage, and economic and social disruption resulting from fires, floods, droughts, earthquakes, landslides, climate change, and other hazards.

Certain policies that cover broad areas of City activities are further broken down into subtopics. Each policy is supported by specific actions contained in the Action Plan that contains the specific, concrete steps the City will take to achieve the intent of each policy. The proposed Safety Element topics include:

- Disaster Preparedness
- Geologic and Seismic Hazards
- High Winds
- Wildland and Urban Fire
- Dam Failure Inundation Hazards
- Peak Load Water Demand
- Hazardous Materials Hazards
- Climate Change Hazards
- Public Safety Services and Crime Prevention

Planning and Preservation Commission Review

The Commission recommended modifying Goal 12.0 to include “preparedness for crime prevention” and adding a program to implement the modified goal. Staff recommends the changes shown in red text below to reflect the recommendation of the Commission. Pages of the Safety Element effected by the proposed changes are included as Attachment “C”.

- **Modify Goal 12.0:** San Fernando provides adequate emergency response and public safety services for the community’s needs with a focus on community-based crime prevention and emergency preparedness.

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- **Add Policy:** Staff Emergency Preparedness: Staff performing public safety services and emergency response duties will undergo regular trainings to fulfill their obligations. Staff will conduct emergency drills in partnership with the City of Los Angeles Fire Department and the community.
- **Add Two Programs to promote emergency preparedness:**
 - **Staff Training.** Implement regular trainings for staff including: damage assessment protocols, Emergency Operations Center (EOC) operations, Standardized Emergency Management System, and Incident Command System protocols and operations.
 - **Emergency Drills.** Conduct emergency drills in partnership with schools, recreational providers, and others to improve emergency preparedness, particularly for the most vulnerable community members.

Environmental Justice

Senate Bill 1000 (SB 1000), “The Planning for Healthy Communities Act” of 2016 amended Section 65302 of the Government Code Section 65040.12 to require all local jurisdictions to create an Environmental Justice Element or incorporate environmental justice policies when updating two or more elements of its General Plan. Environmental Justice is defined as “the fair treatment and meaningful involvement of people of all races, cultures and incomes, and national origins, with respect to the development, adoption, implementation, and enforcement of environmental laws, regulations, and policies”.

As part of the Housing Element and Safety Element Update process, the City commissioned the preparation of an Environmental Justice Technical Report which was completed in December 2021. The Environmental Justice Technical Report is included as an appendix to the proposed Safety Element.

Goal 14.0 in the Safety Element establishes environmental justice policies and actions to reduce disproportionate environmental burden present in San Fernando. The negative impact of environmental hazards and pollution on the San Fernando community is described across the following key focus areas:

- Pollution Exposure and Air Quality
- Public Facilities
- Safe and Sanitary Homes
- Physical Activity, Food Access, and Public Health
- Civic and Community Engagement

Section M of the proposed Safety Element (Attachment “C”, Pages 39-46) details the associated implementation measure or program for each topic area’s related policies with priority, timeframe for implementation, and responsible entity/department. These environmental justice policies will serve as the basis for a separate Environmental Justice Element, which staff will explore creating as part of a comprehensive General Plan update in the near future.

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Planning and Preservation Commission Review

The Commission recommended adding “access to healthy food” as an objective for Goal 14.0 and to seek grant for healthy food options and explore public/private partnership opportunity to attract healthy food options to the City. Staff recommends the changes shown in red text below to reflect the recommendation of the Commission. Pages of the Safety Element effected by the proposed changes are included as Attachment “C”.

- **Modify Objective for Goal 14.0 to promote access to healthy food options:**

Access to Public Facilities and Healthy Foods

Objectives

- Increase safe and accessible opportunities for physical activity and improve multi-modal connections to services, jobs, and recreation.
 - Enhance park and recreation amenities.
 - **Increase access to healthy foods.**
- **Add two Programs to promote access to healthy food options:**
 - **Healthy Foods.** Apply for grant programs to support increasing access to healthy foods (for local retailers and community service providers).
 - **Recruit Healthy Food Retailers.** Explore public/private partnerships with grocers and retailers, and other innovative strategies to increase access to healthy foods in San Fernando.

Written Comments Received on Safety Element

The City has not received separate written correspondence on the Safety Element outside of CEQA notification and review process.

Safety Element Finding

On May 25, 2022, the Commission recommended that the City Council adopt the updated Safety Element in its entirety to replace the existing Safety Element of the General Plan with the recommended changes provided by the Commission.

Environmental Review for Draft Housing and Safety Elements

Pursuant to the California Environmental Quality Act (CEQA), an Initial Study/Draft Mitigated Negative Declaration (MND) has been prepared for the Housing Element and Safety Element update. The Draft MND analyzed potential environmental impacts and included mitigation measures to mitigate any potential impacts to less than a significant level. The Draft MND was released for a 30-day public review period started on December 16, 2021 and concluded on January 17, 2022. The Draft MND is available on the City of San Fernando website and at the planning counter.

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Written Comments on IS/MND

Comment received and responses from the Environmental Consultant are included in Appendix D of the Draft IS/MND, which is included Attachment “D” to the staff report. As noted earlier, the following comments were received from SCAG and CalTrans related to their role as Responsible Agencies and from the Santa Ynez Band of Chumash Indians:

1. Miya Edmonson, IGR/CEQA Branch Chief, California Department of Transportation (Caltrans). Letter received on December 27, 2021.
2. Frank Wen, Manager, Planning Strategy Department, Southern California Association of Governments (SCAG). Letter received on January 13, 2022.
3. Kelsie Shroll, Administration Assistant, Elders’ Council and Cultural Department, Santa Ynez Band of Chumash Indians. Letter received on December 21, 2021

CEQA Findings

The Resolution (Attachment “A”) includes adoption of the Initial Study-Mitigated Negative Declaration (MND) and Mitigation Monitoring and Reporting Program with the required findings.

Public Notification

A public hearing notice was published on May 25, 2022 as a display advertisement in the *San Fernando Sun* newspaper to inform the community of the City Council’s consideration for adoption of the proposed Housing Element, Safety Element, and MND.

A public hearing notice was also published on May 12, 2022 as a display advertisement in the *San Fernando Sun* newspaper to inform the community of the Commission’s review of the proposed Housing Element, Safety Element, and MND.

BUDGET IMPACT:

The Housing Element Update is funded by a combination of state grant funds totaling \$310,000 from the Senate Bill 2 (SB 2) Planning Grant Program and the State’s Local Early Action Planning (LEAP) Grants Program.

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CONCLUSION:

Staff recommends that the City Council adopt a resolution approving the City's 6th Cycle 2021-2029 Housing Element, Updated Safety Element, and the Mitigation Negative Declaration, and authorize the City Manager to make iterative changes to the 2021-2029 Housing Element in response to comments from HCD to support state certification of the 2021-2029 Housing Element.

ATTACHMENTS:

- A. Resolution No. 8153
- B. Revised Draft 6th Cycle 2021-2029 Housing Element Update (City website at sfcity.org/community-development) and Pages with Redline Changes
- C. Draft Safety Element Update (City website at sfcity.org/community-development) and Pages with Redline Changes
- D. Draft Mitigated Negative Declaration with Mitigation Monitoring and Reporting Program (City website at sfcity.org/community-development)
- E. Recent State Housing Laws
- F. New or Enhanced Housing Programs
- G. HCD Comment Letter
- H. Summary Matrix of HCD comments on Draft Housing Element with Proposed Revisions
- I. Correspondences Received

RESOLUTION NO. 8153

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN FERNANDO, CALIFORNIA, ADOPTING THE 6TH CYCLE 2021-2029 HOUSING ELEMENT, SAFETY ELEMENT UPDATE, AND MITIGATED NEGATIVE DECLARATION FOR THE UPDATED ELEMENTS, AND TO AMEND THE GENERAL PLAN TO REPLACE THE HOUSING ELEMENT AND SAFETY ELEMENTS IN THEIR ENTIRETY, AND TO AUTHORIZE THE CITY MANAGER TO MAKE ITERATIVE CHANGES TO THE 2021-2029 HOUSING ELEMENT IN RESPONSE TO COMMENTS FROM HCD TO SUPPORT STATE CERTIFICATION OF THE 2021-2029 HOUSING ELEMENT.

WHEREAS, the California Legislature has determined that the availability of housing is a matter of statewide importance and the cooperation between government and the private sector is critical to attainment of the State's housing goals; and

WHEREAS, the General Plan Housing Element serves as a policy and action guide to address the comprehensive housing needs of the City of San Fernando; and

WHEREAS, all cities in the Southern California Association of Governments (SCAG) region are required by State law to prepare an update to their respective General Plan Housing Element for the 2021-2029 planning period and future housing needs; and

WHEREAS, on September 4, 2020, SCAG issued a draft of the 6th Cycle Regional Housing Needs Allocation (RHNA), which assigned 1,791 housing units to the City of San Fernando Element for the 2021-2029 planning period; and

WHEREAS, on March 4, 2021, SCAG finalized their 6th Cycle RHNA Allocation plan that increased the total allocation to the City of San Fernando from 1,791 to 1,795 units; and

WHEREAS, the City of San Fernando prepared the 6th Cycle 2021-2029 Housing Element Update in accordance with California Housing Element Law (Government Code section 65580 et. seq.); and

WHEREAS, California Government Code Section 65583 requires that the Housing Element Update contain: (i) an assessment of the City's housing needs and an analysis of the resources and constraints, both governmental and non-governmental, relevant to the meeting of these needs; (ii) an inventory of land suitable and available for residential development and an analysis of the development potential of such sites; (iii) a statement of the community's goals, quantified objectives, and policies relative to the maintenance, preservation, improvement, and development of housing; and (iv) programs that set forth a schedule of actions the local government is undertaking or intends to undertake to implement the policies and achieve the goals and objectives of the Housing Element Update; and

WHEREAS, Housing Element Law requires the Housing Element to identify adequate sites to accommodate the City's Regional Housing Needs Allocation ("RHNA") and the City has identified an adequate list of housing sites to accommodate the amount, type, and income levels required by RHNA; and

WHEREAS, State law requires that a City's General Plan include a Safety Element to address protection of its people from unreasonable risks associated with disasters, including earthquakes, floods, fires, landslides, and other hazards identified by the local community and California Government Code Section 65302(g) (GC 65302) requires all local jurisdictions to update their Safety Element upon each revision of the Housing Element or Local Hazard Mitigation Plan; and

WHEREAS, the proposed amendments to the City's Housing Element and Safety Element ("Elements") of the General Plan are intended to ensure that the needs of all residents in the City are met; and

WHEREAS, in conformance with Senate Bill 1000 (SB 1000), "The Planning for Healthy Communities Act" of 2016 which amended Section 65302 of the Government Code Section 65040.12 and requires environmental justice considerations and integrated policies be included in a General Plan if two or more elements are amended; and

WHEREAS, the City of San Fernando commissioned the preparation of an Environmental Justice Technical Report in December 2021; and

WHEREAS, the City of San Fernando held a series of public outreach meetings, from March 2021 to December 2021 during the preparation of the Housing Element and Safety Element Updates; and

WHEREAS, on November 12, 2021, the Draft 2021-2029 Housing Element amendment was transmitted to the California Department of Housing and Community Development (HCD) for review as required by state law; and

WHEREAS, An Initial Study/Mitigated Negative Declaration (IS/MND) was prepared for the Housing and Safety Element updates in accordance with the California Environmental Quality Act ("CEQA") and the State CEQA Guidelines; and

WHEREAS, on December 16, 2021, a Draft Mitigated Negative Declaration (MND) was released for a 30-day public review period from December 16, 2021 to January 17, 2022. A Notice of Intent to adopt the Draft MND was published in the *San Fernando Sun* newspaper and submitted to the State Clearinghouse. The notice was also sent to all interested residents, regional, state, and federal agencies. During said public review period of the Draft MND, the City received three written comment letters. The City prepared a Final Mitigated Negative Declaration (Final MND) that includes public comments along with response to comments and a Mitigation Monitoring and Reporting Program. On May 12, 2022, the draft Final MND was posted on the City's website and was provided to everyone who provided comments on the draft MND; and

WHEREAS, on January 11, 2022, HCD issued a letter finding that the proposed 2021-2029 Housing Element required revisions necessary to comply with the State's housing-element law; and

WHEREAS, in accordance with State law, on May 12, 2022, the City of San Fernando Community Development Department published a legal notice concerning the proposed 2021-2029 Housing Element, Safety Element, and MND in the *San Fernando Sun*, a local newspaper of general circulation, regarding the City of San Fernando Planning and Preservation Commission Special meeting of May 25, 2022; and

WHEREAS, on May 25, 2022, the Planning and Preservation Commission conducted a duly noticed public hearing, at which public testimony was taken concerning the proposed 2021-2029 Housing Element, updated Safety Element, and MND, and the Commission voted 2-1-1 recommending City Council adopt the proposed 2021-2029 Housing Element, Safety Element, and MND, and to authorize the City Manager to make iterative changes to the 2021-2029 Housing Element in response to comments from HCD to support state certification of the 2021-2029 Housing Element; and

WHEREAS, in accordance with State law, on May 25, 2022, the City of San Fernando City Clerk Department published a legal notice concerning the proposed 2021-2029 Housing Element, Safety Element, and MND in the *San Fernando Sun*, a local newspaper of general circulation, regarding the City of San Fernando City Council meeting of May 25, 2022; and

WHEREAS, on June 6, 2022, the City Council conducted a duly noticed public hearing, at which public testimony was taken concerning the proposed 2021-2029 Housing Element, updated Safety Element, and MND, and the City Council considered the proposed 2021-2029 Housing Element, Safety Element, and MND in conformance with California Housing Element Law, Government Code Section 65580 et seq.

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

SECTION 1: ENVIRONMENTAL REVIEW FINDINGS

The City of San Fernando determined that the proposed project required the preparation of an Initial Study to identify potential impacts under CEQA. The Initial Study identified potential impacts that can be addressed through mitigation measures, resulting in the preparation of a Mitigated Negative Declaration and a Mitigation Monitoring and Reporting Program.

As recommended by the Planning and Preservation Commission, the City Council, in light of the whole record before it, including, but not limited to, CEQA guidelines and threshold of significance, the Mitigated Negative Declaration incorporated herein by reference, Mitigation Monitoring and Reporting Program attached hereto as Exhibit "A", and other documents incorporated therein by reference, any written comments received and responses provided, and other substantial evidence, within the meaning of Public Resources Code Sections Section 21000 et. seq., within the record and/or provided at the public hearing, hereby find, determine, and certify the following:

1. Lead Agency: That the City of San Fernando is the lead agency for the project pursuant to the California Environmental Quality Act ("CEQA," Cal. Pub. Res. Code §21000 et seq.), State CEQA Guidelines (the "Guidelines," 14 Cal. Code Regs. §15000 et seq.)
2. Determination of Impacts: That the City's qualified consultant prepared a Mitigated Negative Declaration ("MND") for the project, and the MND concluded that there was evidence that the proposed project may have a significant impact.
3. Mitigation: That pursuant to CEQA Guidelines Section 15091(d), a Mitigation Monitoring and Reporting Program was prepared that would substantially lessen the potential effects identified in the MND.
4. Review Period: That the MND has been provided for public review within the duration required under CEQA Guidelines Sections 15073.
5. Compliance with Law: That the MND was prepared, processed, and noticed in accordance with CEQA (Public Resources Code Section 21000 et seq.), the CEQA Guidelines (14 California Code of Regulations Section 15000 et seq.), and the local CEQA guidelines and thresholds of significance adopted by the City of San Fernando. That the MND was presented to the Planning and Preservation Commission, and the Planning and Preservation Commission has reviewed and considered the information contained in the MND, and public testimony received thereon during the hearing, prior to any action on the project.
6. Independent Judgment: That the MND reflects and represents the City of Fernando's independent judgment and analysis and adequately addresses the impacts of, and proposes appropriate mitigation measures upon, the City's actions in approving or taking action on the proposed Project.
7. Mitigation Monitoring Program: That pursuant to CEQA Guidelines Section 15091(d), a Mitigation Monitoring and Reporting Program (MMRP) included in the Final MND are fully enforceable through permit conditions, agreements, or other measures as required by Public Resources Code Section 21081.6.
8. Modifications: That the modifications to the Final MND which have been made since circulation of the Draft MND do not constitute the addition of new significant information to the MND within the meaning of CEQA Guidelines Section 15073.5.

SECTION 2: HOUSING ELEMENT FINDINGS

As recommended by the Planning and Preservation Commission, the City Council adopt the findings described below for adoption of the 2021-2029 Housing Element in its entirety, incorporated herein by reference, to replace the existing Housing Element of the General Plan.

1. The State of California Government Code Section 65588 requires the review and adoption of a Housing Element that may be updated according to the Southern California Association of Governments Regional Housing Needs Assessment ("RHNA") planning cycle.

2. Revisions to the draft Housing Element were made based on comments received by HCD on January 11, 2022 and incorporated into the draft Housing Element.
3. City of San Fernando finds that the 2021-2029 Housing Element is in substantial compliance with the California Housing Element Law (Government Code Section 65580 et seq).
4. The City of San Fernando hereby finds that the 2021-2029 Housing Element, pursuant to Government Code Section 65860, would be externally consistent with the San Fernando Zoning Ordinance as the Housing Element programs commit the City of San Fernando to amend any zoning provisions in conflict of state law and to be consistent with the Housing Element.
5. Based on age and condition of non-residential structures on non-vacant sites, and the likelihood of commercial uses on non-vacant sites converting to mixed-use residential developments due to the continued decline of retail-only uses specifically within the Corridor Specific Plan (SP-5) commercial areas, the existing uses on the sites identified in the site inventory to accommodate lower income RHNA are likely to be integrated with new residential uses, and therefore are not considered significant impediments to additional residential development during the period covered by the Housing Element.

SECTION 3: SAFETY ELEMENT FINDINGS

As recommended by the Planning and Preservation Commission, the City Council make the findings described below for adoption of the updated Safety Element in its entirety, incorporated herein by reference, to replace the existing Safety Element in the General Plan.

1. That the Safety Element is consistent with City of San Fernando General Plan, its associated Sub-Elements, and policies.

SECTION 4: NON-POLICY CHANGES TO THE HOUSING ELEMENT FOR CERTIFICATION

As recommended by the Planning and Preservation Commission, the City Council authorize the City Manager to make iterative changes to the 2021-2029 Housing Element in response to comments from HCD to support state certification of the 2021-2029 Housing Element.

SECTION 5: RECORD OF PROCEEDING

The documents and other materials that constitute the record of the proceedings upon which the Planning and Preservation Commission's decision is based, which include, but are not limited to, the environmental documents, staff reports, as well as all materials that support the staff reports for the proposed project and are located in the Community Development Department of the City of San Fernando at 117 Macneil Street, San Fernando, CA 91340. The custodian of these documents is the City Clerk of the City of San Fernando.

SECTION 6: DETERMINATION

Based upon the findings outlined above, the City Council of the City of San Fernando hereby takes the following actions:

- A. Adopt the Final MND, incorporated herein by reference, and Mitigation Monitoring and Reporting Program for the 2021-2029 Housing Element and Safety Element, attached hereto as Exhibit "A"; and
- B. Adopt the 2021-2029 Housing Element in its entirety to replace the existing Housing Element of the General Plan; and
- C. Adopt the updated Safety Element in its entirety to replace the existing Safety Element of the General Plan; and
- D. Authorize the City Manager to make iterative changes to the 2021-2029 Housing Element in response to comments from HCD to support state certification of the 2021-2029 Housing Element.

SECTION 7: CERTIFICATION OF THE RESOLUTION

The City Clerk of the City of San Fernando, California, shall certify to the adoption of this resolution.

PASSED, APPROVED, AND ADOPTED this 6th day of June 2022.

Mary Mendoza, Mayor of the City of San Fernando, California

ATTEST:

Julia Fritz, City Clerk

CERTIFICATION

I, City Clerk of the City of San Fernando, California, do hereby certify that the foregoing is a full, true, and correct copy of Resolution No. 8153, which was regularly introduced and adopted by the City Council of the City of San Fernando, California, at a regular meeting thereof held on the 6th day of June, 2022, by the following vote of the City Council:

AYES:

NAYS:

ABSENT:

ABSTAINED:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of San Fernando, California, this _____ day of June, 2022.

Julia Fritz, City Clerk

ATTACHMENT B

Draft 2021-2029 Housing Element

Available on City Website

sfcity.org/community-development/

ATTACHMENT B

2021-2029 Housing Element (Pages with Redline Changes Only)

SAN FERNANDO, CA

HOUSING ELEMENT

DRAFT – May 12, 2022

Community Development Department
117 Macneil Street,
San Fernando, CA 91340
(818) 898-1227



9. TRANSITIONAL AND SUPPORTIVE HOUSING

The State requires that transitional and supportive housing be treated as residential uses. Additionally, AB 2162 requires supportive housing projects of 50 units or fewer to be permitted by right in zones where multi-family and mixed-use developments are permitted, when the development meets certain conditions. The bill prohibits minimum parking requirements for supportive housing within a half mile of a public transit stop.

2021-2029 Objectives:

- Amend the Zoning Code to clarify where transitional and supportive housing developments are permitted by right by ~~October 15, 2024~~. **December 31, 2024**
- Amend the Zoning Code to eliminate parking requirements for supportive housing within 0.5 miles of a public transit stop by right by ~~October 15, 2024~~. **December 31, 2024**

Funding Source: General Fund

Responsible Agency: Community Development Department

Time Frame: Revise the Zoning Code by ~~December 31, 2023~~. **December 31, 2024**

10. LOW BARRIER NAVIGATION CENTERS

AB 101 requires cities to allow a Low Barrier Navigation Center as a use by right in areas zoned for mixed uses and nonresidential zones that permit multi-family uses if they meet specified requirements. Low Barrier Navigation Centers may include options such as allowing pets, permitting partners to share living space, and providing storage for residents' possessions.

AB 139 changes the way local governments can regulate parking requirements for emergency shelters. Local governments may include parking requirements for emergency shelters specifying that adequate parking must be provided for shelter staff, but overall parking requirements for shelters may not exceed the requirements for residential and nonresidential uses in the same zone.

2021-2029 Objectives:

- Amend the Zoning Code to allow Low Barrier Navigation Centers by right in areas zoned for mixed use and nonresidential zones permitting multi-family uses by ~~October 15, 2024~~. **December 31, 2024**
- Amend the Zoning Code to meet the parking requirements set out in AB 139 by ~~October 15, 2024~~. **December 31, 2024**

Funding Source: General Fund

Responsible Agency: Community Development Department

Time Frame: Revise the Zoning Code by December 31, 2024.

11. EMPLOYEE AND FARMWORKER HOUSING

The Zoning Code currently does not address the requirements of the Employee Housing Act, specifically the following:

- Employee housing for six or fewer employees is considered and permitted similarly as a single-family residential use.
- Amend Zoning Code to remove agricultural uses from the M-1 and M-2 zones.

2021-2029 Objectives:

- Amend the Zoning Code to comply with the Employee Housing Act by ~~October 15, 2024~~ **December 31, 2024**

Funding Source: General Fund

Responsible Agency: Community Development Department

Time Frame: Revise the Zoning Code by December 31, 2024.

12. EFFICIENT PROJECT REVIEW UNDER SB35

The City will develop an application form, checklist, and written policy or project review and approval guidelines to specify a SB 35 (2017) streamlining approval process and standards for projects as set forth under Government Code §65913.4 and consistent with HCD's updated Streamlined Ministerial Approval Process Guidelines.

2021-2029 Objectives:

- Develop and make available on the City's website a SB35 eligibility checklist and application form.
- Develop Objective Development Standards

Funding Source: General Fund

Responsible Agency: Community Development Department

Time Frame: Completed and posted by December 31, 2023.

13. HOMELESS PLAN

The City will create a Housing Division and hire a Housing Coordinator to focus on housing related matters, such as affordable housing, homelessness, and community outreach. The new division will explore funding opportunities to support affordable housing development and rehabilitation and provide outreach and education around the services the City, the County of Los Angeles, and other regional organizations provide.

2021-2029 Objectives:

- Create a Housing Division and hire a Housing Coordinator.
- Develop a Homeless Plan

Funding Source: General Fund

Responsible Agency: Community Development Department

ATTACHMENT C

Updated Safety Element

Available on City Website

sfcity.org/community-development/

ATTACHMENT C

Updated Safety Element (Pages with Redline Changes Only)

City of San Fernando

Safety Element

Public Draft | May 2022

Policy 11.2. Program Support: Support programs that reduce congestion and vehicle trips such as the promotion of “Spare the Air” days.

Policy 11.3. Land Use Planning: Plan land uses to minimize exposure to toxic air pollutant emissions from industrial and other sources.

Policy 11.4. Particulate Matter: Reduce particulate matter emissions by prioritizing city-wide vehicle mile reduction measures.

Policy 11.5. Energy Emissions: Support efforts by the South Coast Air Quality Management District and public utility providers to reduce emissions from energy consumption.

Policy 11.6. Increased Accessibility: Improve accessibility for the City’s residents to places of employment, commercial centers, and other establishments.

Policy 11.7. Alternative Transportation Facilities: Ensure that new development incorporates facilities and features that support active and multi-modal transportation, including pedestrian, bicycle, transit, and alternative fuel vehicle facilities.

Policy 11.8. Transit Oriented Development: Promote Transit Oriented Development (TOD) across the city by requiring trip reduction, alternative transit, and congestion management measures for discretionary projects.

8. PUBLIC SAFETY SERVICES AND CRIME PREVENTION

GOAL 12.0

San Fernando provides adequate emergency response and public safety services for the community’s needs with a focus on community-based crime prevention and emergency preparedness.

Objective

To maintain superior emergency services in the city in order to limit preventable safety concerns and reduce crime.

POLICY

Policy 12.1. Police Staffing: Regularly monitor and review the level of police staffing to maintain sufficient levels of City law enforcement services and facilities to serve community needs.

Policy 12.2. Crime Tracking: Periodically track crime rates and prevalent incident types in the community to ensure resources are allocated appropriately to address the city-specific crime context.

Policy 12.3. Response Times: Address traffic congestion in areas that have been identified as being detrimental to achieving targeted emergency response times.

Policy 12.5. Staff Emergency Preparedness: Staff performing public safety services and emergency response duties will undergo regular trainings to fulfill their obligations. Staff will conduct emergency drills in partnership with the City of Los Angeles Fire Department and the community. [KK1]

Policy 12.4. Community-Oriented: Continue to foster positive, peaceful, mutually supportive relationships between San Fernando residents and the police.

Policy 12.5. Recreation and Youth: Encourage development and operation of community and recreational facilities as a pre-emptive strategy to reduce youth-related crime. Expand opportunities for positive law enforcement and youth interaction.

Policy 12.6. Construction and Road Maintenance: Actively maintain the City's transportation infrastructure to ensure safe conditions for pedestrians, bicyclists, and vehicles, and prioritize improvements that increase safety for all modes of travel. Coordinate transportation construction projects to limit congestion and avoid unsafe conditions and disseminate project information on a regular basis to affected community members.

GOAL 13.0

The San Fernando community prioritizes the safety of residents, visitors and businesses designing the built environment to reduce opportunities for criminal activity.

Objective

To maintain a well-designed community environment in a manner that fosters safety and community well-being.

POLICY

Policy 13.1. Design Strategies: Encourage the use of Crime Prevention Through Environmental Design (CPTED) principles in the design of projects and buildings.

Policy 13.2. Retrofitting: Retrofit City-owned public spaces, including parks, parking lots, and public facilities with adequate lighting and natural surveillance landscaping to limit criminal activity holistically.

Policy 13.3. Signage: Require residences and businesses to maintain visible and clearly legible signs and/or street numbers to shorten the response times of emergency personnel.

9. ENVIRONMENTAL JUSTICE

GOAL 14.0

The San Fernando community are meaningfully engaged in public decision-making processes, have equitable access to public facilities, healthy foods, clean air and water, and safe homes, and experience positive health outcomes.

Civic and Community Engagement

Objective

- Increase the number and diversity of community members engaged in local decision-making processes by instituting equitable engagement strategies.

Program Number	Implementation Measure or Program	Priority	Time Frame (Short, Intermediate, Long)	Responsibility	Funding Needs (Low, Medium, High)
Public Safety Services					
42	Police Department Staffing Ratio. Work with the police department to establish a concrete resource needs determination to sustain minimum staffing levels.	High	Short Term	Police Department, City Manager's Office	Low
43	Staff Training. Implement regular trainings for staff including: <u>damage assessment protocols, Emergency Operations Center (EOC) operations, Standardized Emergency Management System, and Incident Command System protocols and operations.</u>	High	Long Term	Police Department, City Manager's Office	Medium
44	Emergency Drills. Conduct emergency drills in partnership with schools, recreational providers, and others to improve emergency preparedness, particularly for the most vulnerable community members.	High	Long Term	Police Department,	Low
45	Crime Prevention Design. Update zoning code to ensure that site design and planning techniques that reduce the potential for criminal activity (e.g., CPTED) are included.	Medium	Short Term	Police Department, Building & Safety Division, Planning Division	Medium
46	Traffic Study. Conduct a traffic study and develop a traffic mitigation strategy in areas where response time targets are not achieved due to congestion.	Medium	Intermediate Term	Police Department	Medium
47	Community and Recreational Programs. Establish/expand community and after-school programming for at-risk youth.	Medium	Intermediate Term	Recreation and Community Services	Medium
Environmental Justice – Civic and Community Engagement					
48	Equitable Engagement Toolkit. Develop an equitable engagement toolkit for City staff that establishes strategic engagement practices tailored to the diversity needs of San Fernando.	High	Short Term	City Manager's Office	Low
49	Annual Training. Require all City staff to undergo annual diversity and equity training as part of an effort to improve community accessibility and empower historically disenfranchised groups.	Medium	Intermediate Term	City Manager's Office	Medium
50	ESL Workshops. Host a series of City-sponsored English as a Second language (ESL) workshops focused on writing, speaking, and vocabulary for the English language.	Medium	Intermediate Term	Recreation and Community Services	Medium
Environmental Justice – Access to Public Facilities and Healthy Foods					
49	Park Maintenance. Develop a park maintenance program that comprehensively assesses the quality of City parks and establishes plans for amenity improvement.	Medium	Intermediate Term	Recreation and Community Services	Medium
50	Sidewalk Inventory. Develop an ongoing inventory of current sidewalk conditions and the sidewalk network availability.	Medium	Intermediate Term	Public Works	Low

Program Number	Implementation Measure or Program	Priority	Time Frame (Short, Intermediate, Long)	Responsibility	Funding Needs (Low, Medium, High)
51	Sidewalk Conditions. Establish a priority-based program for addressing identified deficiencies in the sidewalk network, as identified in the inventory of sidewalk conditions.	Medium	Intermediate Term	Public Works	Low
52	Implementation Plan. Address identified sidewalk deficiencies within the Safe and Active Streets Implementation Plan.	Medium	Intermediate Term	Public Works	High
<u>53</u>	<u>Healthy Foods. Apply for grant programs to support increasing access to healthy foods for existing local retailers and community service providers.</u>	<u>Medium</u>	<u>Long Term</u>	<u>Planning Division, Recreation and Community Services</u>	<u>Medium</u>
<u>54</u>	<u>Recruit Grocer Retailers. Explore public/private partnerships with grocers and other innovative strategies to increase access to healthy foods in San Fernando.</u>	<u>Medium</u>	<u>Long Term</u>	<u>Recreation and Community Services, City Manager's Office</u>	<u>Medium</u>

City of San Fernando

Appendix A Safety Element Existing Conditions Report

Public Draft | May 2022

5. PEAK LOAD WATER DEMAND

The existing water supplies available to the city include local groundwater extracted from the Sylmar Groundwater Basin. The City also has access to imported water from the Metropolitan Water District (MWD) as an emergency connection, and from the City of Los Angeles to be accessed only in extreme emergencies. The Sylmar Groundwater basin has been adjudicated, and the City of San Fernando has a current allotted draw from the basin of 3,570 acre-feet per year.⁶ Additionally, the City has the right to receive stored water credit in the Sylmar Basin. In addition to these sources, the City of San Fernando 2021 Urban Water Management Plan (UWMP) discusses alternate water sources such as recycled stormwater, greywater (water used from bathroom sinks, showers, tubs, and washing machines), and desalinated seawater, as well as plans for reactivating one of the City's inactive ground wells to increase groundwater production capabilities.⁷

The 2020 UWMP includes a Water Shortage Contingency Plan. The City is allotted 3,570-acre feet per year (AFY), which is below the natural safe yield of the Sylmar Basin estimated at approximately 7,140 AFY54. By 2030, the city is expected to have 629 AFY of available imported water from Metropolitan Water District and 3,570 AFY available from the Sylmar Basin. The 2030 supply (4,199 AFY) is expected to exceed 2030 demand (2,960 AFY) by 1,239 AFY. MWD's 2020 UWMP finds that MWD can meet full service demands of its member agencies with existing supplies from 2025 through 2045 during normal years, single dry year, and multiple dry years. Prolonged dry periods may impact the City's imported water supply capacities significantly due to reductions in MWD's storage reservoirs resulting from increases in regional demand.

The City of San Fernando Water Production Division is responsible for the operation and maintenance of the City's four water wells, three booster pump stations, four reservoirs, and two pressure regulation stations. The current storage capacity for potable water across the City's four reservoirs is approximately 8.9 million gallons (MG). Peak day demand for the city as of 2008 was approximately 7.3 million gallons, or 82 percent of total storage capacity⁸. The City of San Fernando did not purchase any water during the window of peak demand from May 1st through September 30th during 2017, 2018, or 2019,⁹ indicating that the City was able to supply enough water to meet peak demand during those years. The City of San Fernando is a member agency of the MWD but does not rely on imported water on a regular basis. The City purchased water from MWD in 2015, however, the last year the City purchased imported water from MWD was 2014 in the amount of 110 AF, and the City purchased no water at all from MWD during the period of 2015-2020. In 2022, San Fernando shut down one of the City's wells due to changes in nitrate levels and imported water from MWD as a temporary measure until a nitrate removal treatment system is installed¹⁰.

⁶ City of San Fernando Urban Water Management Plan. 2020. https://ci.san-fernando.ca.us/wp-content/uploads/2021/06/San-Fernando_2020-UWMP_Public-Draft_2021-06-02.pdf Accessed 10/5/21

⁷ Greywater Action. 2021. <https://greywateraction.org/greywater-reuse/#:~:text=Greywater%20is%20gently%20used%20water,and%20certain%20household%20cleaning%20products>. Accessed 10/8/2021

⁸ City of San Fernando 2013-2021 Housing Element. 2014. <https://ci.san-fernando.ca.us/wp-content/uploads/2016/02/Adopted-2013-2021-Housing-Element-1.21.20141.pdf> Accessed 9/30/21

⁹ Metropolitan Water District Urban Water Management Plan. 2020. <https://www.mwdh2o.com/media/21641/2020-urban-water-management-plan-june-2021.pdf> Accessed 9/30/21

¹⁰ City of San Fernando. 2022. City Council and Successor Agency to the San Fernando Redevelopment Agency. Regular Meeting Agenda Summary. Monday, April 18, 202 – 6:00 PM.

City of San Fernando

Appendix B *Environmental* *Justice Element* *Technical Report*

Public Draft | May 2022

~~Water pollution is also a present source of pollution within the census tracts in San Fernando. For two of the four census tracts within the city, the drinking water pollution exposure indicator was measured to be higher than 75 percent of all census tracts in California. The drinking water exposure indicator is an index score combining information about 13 water contaminants and two types of water quality violations that are sometimes found when taking drinking water samples.~~

San Fernando contains hazardous material sites such as LUST sites, contaminated groundwater sites under the jurisdiction of the State Water Resources Control Board (SWRCB) Site Cleanup Program, and hazardous sites under the California Department of Toxic Substances Control (DTSC) Site Cleanup Program. There are 19 open or active cleanup sites in the city that have not been remediated or closed and 15 closed sites. A map of the hazardous material sites is provided in the Safety Element Update, Existing Conditions Report as Figure 7.

B. Public Facilities

3.B.1 Parks and Open Space

Adequate access to public facilities is a factor that may impact the general wellbeing and health of a community. Parks and open spaces are critical public facilities that enable communities to participate in physical exercise and social engagement. According to the California Department of Parks and Recreation, in San Fernando approximately 98 percent of the population live within walking distance (half-mile) of a park. The City's adopted Parks and Recreation Master Plan mapped a 0.5-mile service area radius around each park and recreation facility to identify areas of the city that may be underserved (Figure 5). The spatial distribution of parks and recreation in the city is even across the community, with the exception of residential areas located in the northwestern and southeastern corners. The City's Parks and Recreation Master Plan also calculated that the city's current ratio of parkland per 1,000 residents is 0.75 acres. This is significantly lower than the typical park and recreation ratio of 9.5 acres/1,000 residents found nationally, according to agencies surveyed by the National Recreation and Park Association Agency. The measures outlined above indicate that the spatial distribution of parks within the city is adequate for community accessibility, however local parks may be overburdened as the number of parks relative to the population size is below the nationwide average.

3.B.2 Roads, Bicycle, Transit, and Pedestrian Facilities

Safe roads, bicycle, transit, and pedestrian facilities are also critical in promoting the health of a community and serve to prevent injury or fatalities associated with collisions. The design and maintenance of streets, sidewalks, and intersections can help to reduce the severity of collisions that could occur. According to the Healthy Places Index Tool, in San Fernando, one out of four census tracts has a higher average rate of severe and fatal injuries than 74 percent of other California census tracts. The San Fernando Safe and Active Streets Plan (2017) evaluates the conditions and locations of various collisions throughout the city. According to most recent data available at the time the plan was prepared, 41 pedestrian-vehicle collisions and 29 bicycle-vehicle collisions occurred from 2009 to 2013. According to the SafeTREC Transportation Injury Mapping System (TIMS), 8.25 percent of crashes in the City of San Fernando involved a collision with a pedestrian. Table 1 below displays the crash type data for the year 2018 in San Fernando.

Table 1 SafeTREC Crash Type Statistics for San Fernando (2018)

Type of Crash	Count	Percent (%)
Not Stated	1	1.03
Head-On	9	9.28
Sideswipe	8	8.25
Rear End	13	13.40
Broadside	50	51.55
Hit Object	4	4.12
Overturned	2	2.06
Vehicle/Pedestrian	8	8.25
Other	2	2.06

The City developed the Safe and Active Streets Plan in 2017. The plan aims to bolster active transportation throughout the community by improving pedestrian and bicycle safety for the future of San Fernando streets.

3.B.3 Tree Canopy

Tree canopy is a natural public amenity that can serve to promote walkability, improve heat protection, and mitigate pollution within an area. The San Fernando City Council recently adopted a 'Strategic Goal' to plant 2,000 trees between 2022 and 2027. This goal is supported through multiple efforts, including the Calles Verdes tree planting program in partnership with TreePeople and the California State Coastal Conservancy. Currently, San Fernando neighborhoods have less than 17 percent tree cover, which is less than half the average of higher-income communities in the Los Angeles region. The Calles Verdes initiative aims to grow the city tree inventory by more than 10 percent. Improving the tree canopy within the city would allow for increased physical activity better overall health, and less type 2 diabetes, high blood pressure, asthma¹ and reduced pollution burden across the city. The City also prioritizes increased tree canopy through the Urban Forest Management Plan. The plan aims to improve air quality and expand native habitat in the community through greening efforts. Expanding San Fernando's tree canopy would improve climate resiliency and would allow for increased physical activity and improve the overall health of the community.

3.B.4 Broadband Internet

Broadband internet is a public facility that improves economic outcomes for both individuals and communities by allowing for expanded information and educational access. Individuals without access to the internet may be limited by the inability to access critical information that is published in online platforms. According to the U.S. Census, 2015-2019 American Community Survey, approximately 21 percent of households in San Fernando do not have access to a broadband internet superscription. This is slightly higher percentage of households than in the City of Los Angeles which had approximately 17 percent of

¹ https://www.fs.fed.us/pnw/pubs/journals/pnw_2016_ulmer001.pdf

households without broadband internet superscription. Approximately 13 percent of San Fernando households lack a computer in the home, while 8 percent of Los Angeles households lacked a computer. In response to gaps in broadband internet access, the California Broadband Council has developed a “Broadband for All” plan in 2020 which focuses on achieving high-performance broadband at home, schools, libraries, and businesses in order to provide access to all Californians.

Public Wi-Fi hotspots are internet access points which allow public users to connect to broadband internet using a digital device outside of the home. According to the County of Los Angeles, there are six Wi-Fi hotspot access points within San Fernando. These access points include public facilities that offer internet accessibility and commercial facilities that offer public hotspots. Sufficient availability of Wi-Fi hotspots within a community enables residents without personal home broadband to access the internet at key locations outside of the home. Improving internet accessibility for residents of San Fernando may contribute to increased educational attainment and improved economic outcomes.

C. Safe and Sanitary Homes

Access to safe and sanitary homes is critical to the general health of a community. Poor quality housing, resulting from structural aging, overcrowding, or landlord neglect, may expose community members to contaminants and health hazards that can impact life expectancy. Communities with a high housing burden are more likely to be impacted by the effects of unsafe homes. This is a result of multiple factors associated with financial burden, including inability to afford necessary upgrades, increased likelihood of overcrowding, and lack of tenant agency associated with income. The housing burden in San Fernando is relatively high, with over 60 percent of renters spending more than 30 percent of their income on housing. Additionally, San Fernando has a higher rate of overcrowding and severe overcrowding than the general Southern California Association Governments region, with 24 percent of rental units occupied by more than one person per room and 11 percent of rental units occupied by more than 1.5 persons per room. The extent of the overcrowding and housing burden within San Fernando may indicate an issue regarding the safety and sanitation of homes within the city. Promoting safe and sanitary home environments within San Fernando can significantly improve the wellbeing and health outcomes of community members.

The City is establishing a Housing Division within the Community Development Department to implement new local housing programs, including a Rehabilitation Loan Program. The goal of the division is to improve housing conditions and quality of life for low-income households within San Fernando.

D. Physical Activity, Food Access, and Public Health

Communities with higher pollution exposure and a lack of access to resources (public facilities, safe and sanitary homes, tree canopy) may have poorer health outcomes as a result of these issues. Improving the environmental context of these communities can serve to bolster health outcomes and longevity. Asthma and low birth weight are both negative health outcomes associated with pollution and access. Asthma is also associated with lack of neighborhood tree cover. Within San Fernando, the asthma rate across all census tracts is within the 80th to 90th percentile. This means that the San Fernando community has a higher rate of asthma than over 80 percent of all census tracts in California. In addition, low birth weight is also significantly high across most of the census tracts in the city, with three out of four census tracts ranking in the 77 percentile or higher for low birthweight. Addressing pollution concerns in San Fernando can improve the measured disparity in health outcomes in the city relative to state levels.

Having access to a nearby supermarket can encourage a healthier diet and eating behaviors, lower the costs of obtaining food, reduce chronic diseases, and lower the risk of food insecurity. Hundreds of studies have documented that people who live close to a supermarket have healthier diets and better health

ATTACHMENT D

Mitigated Negative Declaration & Mitigation Monitoring and Reporting Program

Available on City Website

sfcity.org/community-development/

Summary of Changes in State Housing Laws

1. Affordable Housing Streamlined Approval Process - SB 35 (2017), AB 168, and AB 831. These bills support a streamlined, ministerial review process for qualifying multifamily, urban infill projects in jurisdictions that have failed to approve housing projects sufficient to meet their state-mandated RHNA.
2. Additional Housing Element Sites Analysis Requirements - AB 879 (2017) and AB 1397 (2017). These bills require additional analysis and justification of the sites included in the sites inventory of the City's Housing Element.
3. Affirmatively Furthering Fair Housing - AB 686 (2017). AB 686 requires the City to administer its housing programs and activities in a manner to affirmatively further fair housing and not take any action that is inconsistent with this obligation.
4. No-Net-Loss Zoning - SB 166 (2017). SB 166 amended the No-Net-Loss rule to require that the land inventory and site identification programs in the Housing Element include sufficient sites to accommodate any unmet RHNA, should it exist. The San Fernando sites inventory far exceeds the City's RHNA, allowing for additional sites to be used for additional housing units as needed.
5. Safety Element to Address Adaptation and Resilience - SB 1035 (2018). SB 1035 requires the General Plan Safety Element to be reviewed and revised to include any new information on fire hazards, flood hazards, and climate adaptation and resiliency strategies with each revision of the Housing Element.
6. By Right Transitional and Permanent Supportive Housing - AB 2162 (2018) and AB 101 (2019). AB 2162 requires the City to change its Zoning Code to provide a "by right" process and expedited review for supportive housing. Additionally, AB 101 requires that a Low Barrier Navigation Center development be an allowed use by right in mixed-use zones and nonresidential zones permitting multi-family uses if it meets specified requirements.
7. Accessory Dwelling Units - AB 2299 (2016), SB 1069 (2016), AB 494 (2017), SB 229 (2017), AB 68 (2019), AB 881 (2019), AB 587 (2019), SB 13 (2019), AB 670 (2019), AB 671 (2019), and AB 3182 (2020). The 2016 and 2017 updates to State law included changes pertaining to the allowed size of accessory dwelling units (ADU's), permitting ADUs by right in at least some areas of a jurisdiction, and limits on parking requirements related to ADUs. More recent bills reduce the time to review and approve ADU applications to 60 days, remove lot size and replacement parking space requirements, and require local jurisdictions to permit junior ADUs.
8. Density Bonus - AB 1763 (2019) and AB 2345 (2020). AB 1763 amended California's density bonus law to authorize significant development incentives to encourage 100 percent affordable housing projects, allowing developments with 100 percent affordable housing units to receive an 80 percent density bonus from the otherwise maximum allowable density

on the site. AB 2345 created additional density bonus incentives for affordable housing units provided in a housing development project. It also requires that the annual housing report include information regarding density bonuses that were granted.

9. Housing Crisis Act of 2019 - SB 330. SB 330 enacts changes to local development policies, permitting, and processes that will be in effect through January 1, 2025. Recent updates to this act include the proposed SB 8 (2019), which would extend the operation of SB 330 until January 1, 2030.
10. Surplus Land Act Amendments - AB 1486 and AB 1255 (2019). AB 1486 refines the Surplus Land Act to provide clarity and further enforcement to increase the supply of affordable housing. AB 1255 requires the City to create a central inventory of surplus and excess public land each year. The City is required to transmit the inventory to the California Department of Housing and Community Development (HCD) and to provide the list to the public upon request.
11. Housing Impact Fee Data - AB 1483 (2019). AB 1483 requires the City to publicly share information about zoning ordinances, development standards, fees, exactions, and affordability requirements.
12. Emergency and Transitional Housing Act of 2019 - AB 139 (2019). AB 139 established new criteria for evaluating the needs of the homeless population.
13. Standardization of Sites Inventory Analysis and Reporting - SB 6 (2019). SB 6 requires the City to electronically submit the sites inventory to HCD starting in 2021.
14. Evacuation Routes - SB 99 and AB 747 (2019). AB 747 and SB 99, require the General Plan Safety Element to be updated to identify evacuation routes and their capacity, safety, and viability under a range of emergency scenarios and to include information identifying residential developments in hazard areas that do not have at least two emergency evacuation routes.

Proposed New/Enhanced Programs for 2021-2029 Housing Element

1. FACILITATE AFFORDABLE AND SPECIAL NEEDS HOUSING DEVELOPMENT. Enhance existing program to encourage and facilitate affordable and special needs housing through removal of regulatory constraints and by further supporting and guiding applicants through the administrative process. **This is an ongoing program throughout the housing cycle.**
2. CONSERVATION OF EXISTING AND FUTURE AFFORDABLE UNITS. Monitor the status of the existing and future affordable rental housing stock in San Fernando. **This is an ongoing program throughout the housing cycle.**
3. REMOVAL OF GOVERNMENTAL CONSTRAINTS. Continue to monitor Federal and State legislation and minimize governmental constraints to the development, improvement, and maintenance of housing. **This program must be completed by December 2024.**
4. COMMUNITY DEVELOPMENT DEPARTMENT EXPANSION. Establish a Housing Division in the Community Development Department for planning, developing, coordinating, and implementing the City's housing and homeless related services and program, assisting the public in affordable housing development, financing, landlord/tenant services, and other related programs and services. **This is an ongoing program throughout the housing cycle.**
5. SECTION 8 RENTAL SUBSIDIES PROGRAM. Expand the program contracted through a cooperative agreement with the County of Los Angeles Community Development Commission. **The program must be implemented by December 31, 2023 and ongoing throughout the housing cycle.**
6. AFFIRMATIVELY FURTHERING FAIR HOUSING. Expand the range of housing opportunities provided in San Fernando, including housing for seniors on fixed incomes, lower and moderate-income residents (including extremely low-income households), the disabled, large families, female-headed households with children, and the homeless. **This is an ongoing program throughout the housing cycle.**
7. ADEQUATE HOUSING OPPORTUNITY SITES FOR RHNA. To implement the Housing Element, the City is required to approve amendments to the Zoning Code and adjust the zoning designation of select parcels. **This program must be completed by October 15, 2022.**
8. BY-RIGHT APPROVAL OF PROJECTS WITH 20 PERCENT AFFORDABLE UNITS PER AB 1397. Amend Zoning Code to allow by-right approval of housing development that includes 20 percent affordable units to lower income households. **This program must be implemented by December 31, 2023.**
9. MONITOR RESIDENTIAL CAPACITY PER SB 166. Monitor the consumption of residential acreage to ensure an adequate inventory is available to meet the City's RHNA obligations.

This program must be implemented by December 31, 2023 and monitor throughout the housing cycle.

10. NO NET LOSS OF RESIDENTIAL CAPACITY TO ACCOMMODATE RHNA PER SB 166. Develop a process to track the number of housing units within the city. **This program must be implemented by December 31, 2023 and monitor throughout the housing cycle.**
11. REPLACEMENT UNIT PROGRAM PER GOVERNMENT CODE SECTION 65915, SUBDIVISION (C)(3). Adopt a policy requiring replacement housing units on sites identified in the site inventory when a new development (residential, mixed-use, or non-residential) occurs. **This program must be implemented by December 31, 2024 and monitor throughout the housing cycle.**
12. LOT CONSOLIDATION. Promote lot consolidation provisions and incentives to facilitate development of small lots and adjust incentives or utilize other strategies as appropriate. **This program must be implemented by December 31, 2024 and monitor throughout the housing cycle.**
13. DENSITY BONUS UPDATE. Update the City Density Bonus Ordinance to align with State Density Bonus law and to include objective design standards and incentives for community-focused designs to facilitate development of deed-restricted affordable housing units. **This program must be completed by December 31, 2024.**
14. ACCESSORY DWELLING UNITS (ADU) ORDINANCE UPDATE AND PROGRAM. Amend City ADU regulations to align with current State mandates and continue to distribute informational handouts and brochures to the public at City Hall and on the City's website. **This program must be completed by October 15, 2023.**
15. TRANSITIONAL AND SUPPORTIVE HOUSING. Amend the Zoning Code to align with State law by identifying where transitional and supportive housing are permitted by right and to eliminate parking requirements for supportive housing within 0.5 miles of a public transit stop. **This program must be completed by October 15, 2024.**
16. LOW BARRIER NAVIGATION CENTERS. Amend the Zoning Code to allow Low Barrier Navigation Centers to be developed by right in areas zoned for mixed-use and nonresidential zones where multi-family uses are allowed and appropriate parking. **This program must be completed by October 15, 2024.**
17. EMPLOYEE AND FARMWORKER HOUSING. Amend the Zoning Code to permit employee housing for six or fewer employees as a single-family residential use and to remove agricultural uses from the M-1 and M-2 zones. **This program must be completed by October 15, 2024.**

18. SB 35 PROJECT REVIEW. Develop an application form, checklist, written policy of project review, and approval guidelines to streamline approval process and standards for projects as set forth under Government Code §65913.4 and consistent with HCD's updated Streamlined Ministerial Approval Process Guidelines. **This program must be completed by December 21, 2023.**
19. HOMELESS PLAN. Create a new Housing Division and hire a Housing Coordinator to focus on housing related matters, such as affordable housing, homelessness, community outreach and education, and funding opportunities to support affordable housing development and rehabilitation. **This program must be completed by December 31, 2024.**
20. CITY HALL REDEVELOPMENT STUDY. Release a Request For Proposals (RFP) for a Site Redevelopment Study and potential public-private partnership for a future mixed-use development that will capitalize on the light rail stop that is planned for San Fernando in 2028. The RFP will state that City Hall will not be relocated, but staff will be temporary relocated during construction only. **RFP must be released by December 31, 2026.**
21. REMOVE SINGLE-FAMILY FROM MULTI-FAMILY ZONES. Amend the Zoning Code to prohibit development of new single-family homes in the Multi-Family zoning districts. Existing single-family homes will be permitted to remain. **This program must be completed by December 31, 2024.**

**DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
DIVISION OF HOUSING POLICY DEVELOPMENT**

2020 W. El Camino Avenue, Suite 500
Sacramento, CA 95833
(916) 263-2911 / FAX (916) 263-7453
www.hcd.ca.gov



January 11, 2022

Kanika Kith, Director
Community Development Department
City of San Fernando
117 Macneil Street
San Fernando, CA 91340

Dear Kanika Kith:

RE: City of San Fernando's 6th Cycle (2021-2029) Draft Housing Element

Thank you for submitting the City of San Fernando's (City) draft housing element received for review on November 12, 2021. Pursuant to Government Code section 65585, subdivision (b), the California Department of Housing and Community Development (HCD) is reporting the results of its review.

The draft element addresses many statutory requirements; however, revisions will be necessary to comply with State Housing Element Law (Article 10.6 of the Gov. Code). The enclosed Appendix describes the revisions needed to comply with State Housing Element Law.

As a reminder, the City's 6th cycle housing element was due October 15, 2021. As of today, the City has not completed the housing element process for the 6th cycle. The City's 5th cycle housing element no longer satisfies statutory requirements. HCD encourages the City to revise the element as described above, adopt, and submit to HCD to regain housing element compliance.

For your information, pursuant to Assembly Bill 1398 (Chapter 358, Statutes of 2021), if a local government fails to adopt a compliant housing element within 120 days of the statutory deadline (October 15, 2021), then any rezoning to accommodate the regional housing needs allocation (RHNA), including for lower-income households, shall be completed no later than one year from the statutory deadline. Otherwise, the local government's housing element will no longer comply with State Housing Element Law, and HCD may revoke its finding of substantial compliance pursuant to Government Code section 65585, subdivision (i).

Several federal, state, and regional funding programs consider housing element compliance as an eligibility or ranking criteria. For example, the CalTrans Senate Bill

Kanika Kith, Community Development Director

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(SB) 1 Sustainable Communities grant; the Strategic Growth Council and HCD's Affordable Housing and Sustainable Communities programs; and HCD's Permanent Local Housing Allocation consider housing element compliance and/or annual reporting requirements pursuant to Government Code section 65400. With a compliant housing element, the City will meet housing element requirements for these and other funding sources.

For your information, some general plan element updates are triggered by housing element adoption. HCD reminds the City to consider timing provisions and welcomes the opportunity to provide assistance. For information, please see the Technical Advisories issued by the Governor's Office of Planning and Research at:

http://opr.ca.gov/docs/OPR_Appendix_C_final.pdf and

http://opr.ca.gov/docs/Final_6.26.15.pdf.

HCD appreciates the City's dedication and cooperation in the housing element update. We are committed to assisting the City in addressing all statutory requirements of State Housing Element Law. If you have any questions, please contact Gerlinde Bernd, of our staff, at Gerlinde.Bernd@hcd.ca.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "Paul McDougall".

Paul McDougall
Senior Program Manager

Enclosure

APPENDIX CITY OF SAN FERNANDO

The following changes are necessary to bring the City's housing element into compliance with Article 10.6 of the Government Code. Accompanying each recommended change, we cite the supporting section of the Government Code.

Housing element technical assistance information is available on HCD's website at <http://www.hcd.ca.gov/community-development/housing-element/housing-element-memos.shtml>. Among other resources, the housing element section contains HCD's latest technical assistance tool, Building Blocks for Effective Housing Elements (Building Blocks), available at <http://www.hcd.ca.gov/community-development/building-blocks/index.shtml> and includes the Government Code addressing State Housing Element Law and other resources.

A. Housing Needs, Resources, and Constraints

1. *Affirmatively further[ing] fair housing (AFFH) in accordance with Chapter 15 (commencing with Section 8899.50) of Division 1 of Title 2...shall include an assessment of fair housing in the jurisdiction. (Gov. Code, § 65583, subd. (c)(10)(A).)*

Public Outreach: The element provides a brief discussion of community outreach conducted in Chapter V.B.1. but it generally does not address affirmatively furthering fair housing (AFFH) requirements. While AFFH outreach can be conducted with the other portions of the housing element, it must also be specific to AFFH. For example, the outreach could specifically target fair housing organizations or neighborhoods with relatively concentrated poverty for input related to housing and community development needs and access to opportunities such as education and transportation.

Assessment of Fair Housing: The element reports and maps data on some components of the assessment of fair housing (e.g., segregation and integration, disparities in access to opportunity) but it must also analyze the information, such as evaluating patterns, trends, conditions and circumstances, coincidence with other components of the assessment of fair housing and the effectiveness of past and current strategies to promote inclusive and equitable communities. This analysis should be complemented by local data and knowledge, including input from commenters, and other relevant factors as described below.

Enforcement: The element mentions local capacity for fair housing education and outreach, but is should also address any trends and characteristics of fair housing complaints and enforcement. In addition, the element should address compliance with existing fair housing laws as well as any past or current fair housing lawsuits, findings, settlements, judgements, or complaints. Based on the outcomes of this evaluation, the element should summarize issues, identify contributing factors, and formulate meaningful goals and actions as described below.

Sites Inventory and AFFH: The element includes some general discussion about the identification of adequate sites and affirmatively further fair housing but generally does

not address this requirement. The analysis must examine sites by location, number of units by income group, impact of identified sites on existing patterns of socio-economic concentrations and any isolation of the RHNA by income group to determine whether sites improve or exacerbate conditions. The analysis should address all components of the assessment of fair housing (e.g., segregation and integration, disparities in access to opportunity and disproportionate housing needs including displacement). If sites exacerbate conditions, the element should identify further program actions that will be taken to promote inclusive communities and equitable quality of life throughout the community (e.g., new housing choices and affordability, anti-displacement, and place-based community revitalization strategies).

Local Data and Knowledge: The element should incorporate local data and knowledge of the jurisdiction into the AFFH section. To assist in meeting this requirement, the element should provide local data not captured in regional, state, or federal data analysis. For example, the element notes differences in the age of the housing stock, but it should incorporate information from the housing condition survey (p. 25) to better evaluate difference in housing conditions to formulate appropriate policies and programs. Also, the element points out differences in neighborhoods by income group but should supplement that data with local knowledge such as housing conditions or other factors that indicate differences in quality of life.

Other Relevant Factors: The element must include other relevant factors that contribute to fair housing issues in the jurisdiction. The element should analyze historical land use, zoning, governmental and nongovernmental spending, including transportation investments, demographic trends, historical patterns of segregation, or other information that may have impeded housing choices and mobility.

Contributing Factors: The element should re-assess and, particularly, prioritize contributing factors upon completion of the analysis and make revisions as appropriate.

Goals, Actions, Metrics, and Milestones: Goals and actions must create meaningful impact to overcome contributing factors to fair housing issues. Currently, programs are not sufficient to facilitate meaningful change and address AFFH requirements. Based on the outcomes of a complete analysis, the element must be revised to add or modify goals and actions accordingly. Goals and actions must specifically respond to the analysis and to the identified and prioritized contributing factors to fair housing issues and must be significant and meaningful enough to overcome identified patterns and trends. Actions must have metrics and milestones as appropriate and must address housing mobility enhancement, new housing choices and affordability in high opportunity areas, place-based strategies for community preservation and revitalization and displacement protection. For further guidance, please visit HCD's Affirmatively Furthering Fair Housing in California webpage at <https://www.hcd.ca.gov/community-development/affh/index.shtml>.

2. *Include an analysis and documentation of household characteristics, including level of payment compared to ability to pay, housing characteristics, including overcrowding, and housing stock condition. (Gov. Code, § 65583, subd. (a)(2).)*

Extremely Low-Income Households (ELI): While the element includes some basic information regarding ELI households such as the number of households, it must also include an analysis of their housing needs to better formulate policies and programs. For example, the element should analyze tenure, cost burden, and other household characteristics then examine the availability of resources to determine gaps in housing needs. For additional information, see the Building Blocks at <http://www.hcd.ca.gov/community-development/building-blocks/housing-needs/extremely-low-income-housing-needs.shtml>.

3. *An inventory of land suitable and available for residential development, including vacant sites and sites having realistic and demonstrated potential for redevelopment during the planning period to meet the locality's housing need for a designated income level, and an analysis of the relationship of zoning and public facilities and services to these sites. (Gov. Code, § 65583, subd. (a)(3).)*

Parcel Listing: The element lists parcels by various factors such as size, zoning, general plan designation and existing use. However, the description of existing use is generic and should include sufficient detail to facilitate an analysis of the potential for additional development on nonvacant sites. For example, many sites describe existing uses as commercial by year built. Instead, the inventory could also describe condition, improvement to land value, vacancies, expiring leases, lack of improvements or other indicators of use turnover, expressed interest in residential development and an existing floor area 0.1 versus allowable floor area (e.g., “underutilization index”).

Nonvacant Sites: While the element identifies nonvacant sites to accommodate the regional housing need for lower-income households, it must include a methodology that demonstrates the potential for additional development in the planning period. The methodology must consider factors including the extent to which existing uses may constitute an impediment to additional residential development, past experience with converting existing uses to higher density residential development, the current market demand for the existing use, an analysis of any existing leases or other contracts that would perpetuate the existing use or prevent redevelopment of the site for additional residential development, development trends, market conditions, and regulatory or other incentives or standards to encourage additional residential development on these sites. (Gov. Code, § 65583.2, subd. (g).) For example, the element describes factors utilized in identifying nonvacant sites, but it should also examine development trends and past experience to support these factors and relate those circumstances to identified sites. Additionally, the element should include some discussion on whether existing uses preclude redevelopment and how planned regulatory and other incentives, such as the mixed-use overlay, can encourage redevelopment.

In addition, if the housing element relies upon nonvacant sites to accommodate more than 50 percent of the regional housing needs allocation (RHNA) for lower-income households, it must demonstrate existing uses are not an impediment to additional residential development and will likely discontinue in the planning period. (Gov. Code, § 65583.2, subd. (g)(2).) Absent findings (e.g., adoption resolution) based on substantial evidence, the existing uses will be presumed to impede additional residential development and will not be utilized toward demonstrating adequate sites to accommodate the RHNA.

Realistic Capacity: The element (p. 67) mentions an assumption of 75 percent of maximum allowable densities to calculate residential capacity on identified sites. However, the element should include supporting information on typical densities of existing or approved residential developments at a similar affordability level. For example, the element mentions the calculation is based on recent projects, but it could list these projects by zone, acreage, built density, allowable density, level of affordability and presence of exceptions, such as a density bonus.

In addition, the element appears to assume residential development on sites with zoning that allows 100 percent nonresidential uses. While the element mentions the mixed-use overlay, it must still account for the likelihood of nonresidential uses given base zoning. For example, the element could analyze all development activity in these nonresidential zones, how often residential development occurs and adjust residential capacity calculation, policies, and programs accordingly. The element should include analysis based on factors such as development trends, performance standards or other relevant factors.

City-Owned Sites: The element should include a discussion of City-Owned sites (e.g., City Hall) identified to accommodate the RHNA. Specifically, the analysis should address whether existing uses impede additional development, any known conditions that preclude development in the planning period, the potential schedule for development and necessary actions to facilitate development (e.g., consolidation) as intended in the sites inventory. In addition, the housing element must include a description of whether there are any plans to dispose of the properties during the planning period and how the jurisdiction will comply with the Surplus Land Act (commencing with Government Code section 54220) and add or modify programs as appropriate.

Environmental Constraints: While the element generally describes a few environmental conditions, it must relate those conditions to identified sites and describe any other known environmental or other constraints (e.g., easements, conditions and restrictions, site shape and known contamination) that could impact housing development on identified sites in the planning period.

Infrastructure: The element describes infrastructure limitations (p. 60) in the City. However, it must also demonstrate sufficient total water and sewer capacity (existing and planned) to accommodate the RHNA and include programs if necessary.

For your information, water and sewer service providers must establish specific procedures to grant priority water and sewer service to developments with units affordable to lower-income households. (Gov. Code, § 65589.7.) Local governments are required to immediately deliver the housing element to water and sewer service providers. While the element discusses the City will deliver the adopted housing element and coordinate with providers, it also appears to indicate the City is a water provider. As a result, the element should discuss whether the City has procedures to grant priority and include programs if necessary. For additional information and sample cover memo, see the Building Blocks at <http://www.hcd.ca.gov/community-development/building-blocks/other-requirements/priority-for-water-sewer.shtml>.

Accessory Dwelling Units (ADU): ADUs may be counted toward the RHNA based on past permitted units and other factors. In the element, the City projects 100 ADUs per year based on 80 ADUs permitted over the last three years. These past trends do not support an assumption of 100 ADUs per year. The element states the increase is based on a consistent trend; however, the trend appears consistent around 80 ADUs a year. As a result, the element should either adjust assumptions or include analysis based on additional trends, other relevant factors and policies and programs.

Sites Identified in Prior Planning Periods: Sites identified in prior planning periods shall not be deemed adequate to accommodate the housing needs for lower-income households unless a program rezones sites to permit housing development by right pursuant to statutory requirements. While the element has a program, it should also denote which sites were previously identified in prior planning periods and include programs as appropriate.

Electronic Sites Inventory Form: Pursuant to Government Code section 65583.3, subdivision (b), the City must utilize standards, forms, and definitions adopted by HCD when preparing the sites inventory. Please see HCD's housing element webpage at <https://www.hcd.ca.gov/community-development/housing-element/index.shtml> for a copy of the form and instructions. The City can reach out to HCD at sitesinventory@hcd.ca.gov for technical assistance. Please note, upon adoption of the housing element, the City must submit an electronic version of the sites inventory with its adopted housing element to sitesinventory@hcd.ca.gov.

4. *An analysis of potential and actual governmental constraints upon the maintenance, improvement, or development of housing for all income levels, including the types of housing identified in paragraph (1) of subdivision (c), and for persons with disabilities as identified in the analysis pursuant to paragraph (7), including land use controls, building codes and their enforcement, site improvements, fees and other exactions required of developers, and local processing and permit procedures... (Gov. Code, § 65583, subd. (a)(5).)*

Land Use Controls: The element must identify and analyze all relevant land-use controls impacts as potential constraints on a variety of housing types. The analysis should analyze land-use controls independently and cumulatively with other land-use controls. The analysis should specifically address requirements related to multifamily lot coverages. The analysis should address any impacts on cost, supply, housing choice, affordability, timing, approval certainty and ability to achieve maximum densities and include programs to address identified constraints.

Processing and Permit Procedures: The element discusses a typical review process for a single-family residence but should also evaluate the typical process for a multifamily development, particularly as anticipated in the element. The analysis should address the approval body, typical number of hearings if any, approval findings and typical timeframes. The analysis should evaluate impacts on cost, supply (whether project densities are reduced in the approval process), timing and approval certainty and add or modify programs as appropriate.

Housing for Persons with Disabilities: The element notes the City adopted a reasonable accommodation procedure; however, it should describe and analyze that procedure, including approval findings, for any constraints on housing for persons with disabilities. In addition, the element indicates group homes for seven or more persons are subject to a conditional use permit (CUP). The element must analyze the CUP procedure as constraints on housing for persons with disabilities and add or modify programs to promote objectivity and approval certainty for these housing types.

SB 35 Streamlined Ministerial Approval Process: The element must clarify whether there are written procedures for SB 35 (Chapter 366, Statutes of 2017) Streamlined Ministerial Approval Process and add a program to address these requirements.

Building Codes and their Enforcement: The element provides an overview of the building code implementation in the City, but it should also identify any local amendments to the building code and analyze impacts on the cost and supply of housing.

B. Housing Programs

1. *Identify actions that will be taken to make sites available during the planning period with appropriate zoning and development standards and with services and facilities to accommodate that portion of the city's or county's share of the regional housing need for each income level that could not be accommodated on sites identified in the inventory... Sites shall be identified as needed to facilitate and encourage the development of a variety of types of housing for all income levels... (Gov. Code, § 65583, subd. (c)(1).)*

As noted in Finding A3, the element does not include a complete site analysis. Based on the results of a complete sites inventory and analysis, the City may need to add or revise programs to address a shortfall of sites or zoning available to encourage a variety of housing types. In addition, the element should be revised as follows:

- *Program 11 (Adequate Housing Opportunity Sites for RHNA)*: The Program should be revised to meet all requirements pursuant to Government Code section 65583.2, subdivision (h) and (i), specifically permit at least 16 units per site. In addition, the Program should commit to a minimum acreage to be rezoned.
- *Program 16 (Lot Consolidation)*: The Program should commit to proactively coordinate with property owners (beyond posting on the City's website) on a specific timeframe (e.g., annually) and include a discrete timeline for adjusting incentives or utilizing other strategies (e.g., within six months of monitoring effectiveness).
- *Program 14 (No Net Loss of Residential Capacity to Accommodate RHNA)*: The Program should commit to when the City will establish a process.
- *City-Owned Sites*: The Program should be revised with actions based on a complete analysis of City-owned properties, including a schedule of actions to

facilitate development such as requests for proposals, coordination with property owners, incentives, and permit streamlining.

2. *The housing element shall contain programs which assist in the development of adequate housing to meet the needs of extremely low-, very low-, low- and moderate-income households. (Gov. Code, § 65583, subd. (c)(2).)*

Program 4 (Facilitate Affordable and Special Needs Housing Development): The Program includes commitment to annually apply for funding, but is should also commit to similar timing for the other listed actions in the Program (e.g., contact, coordination, and support to developers).

3. *Address and, where appropriate and legally possible, remove governmental and nongovernmental constraints to the maintenance, improvement, and development of housing, including housing for all income levels and housing for persons with disabilities. The program shall remove constraints to, and provide reasonable accommodations for housing designed for, intended for occupancy by, or with supportive services for, persons with disabilities. (Gov. Code, § 65583, subd. (c)(3).)*

As noted in Findings A4, the element requires a complete analysis of potential governmental constraints. Depending upon the results of that analysis, the City may need to revise or add programs and address and remove or mitigate any identified constraints.

4. *Promote and affirmatively further fair housing opportunities and promote housing throughout the community or communities for all persons regardless of race, religion, sex, marital status, ancestry, national origin, color, familial status, or disability, and other characteristics... (Gov. Code, § 65583, subd. (c)(5).)*

As noted in Finding A1, the element must include a complete assessment of fair housing. Based on the outcomes of that analysis, the element must add or modify programs.

5. *Develop a plan that incentivizes and promotes the creation of accessory dwelling units that can be offered at affordable rent, as defined in Section 50053 of the Health and Safety Code, for very low, low-, or moderate-income households. For purposes of this paragraph, "accessory dwelling units" has the same meaning as "accessory dwelling unit" as defined in paragraph (4) of subdivision (i) of Section 65852.2. (Gov. Code, § 65583, subd. (c)(7).)*

Program 18 (Accessory Dwelling Units): The Program should go beyond exploring the possibility of waiving fees and make a specific commitment to establish incentives in the planning period. Also, in addition to monitoring program effectiveness, the Program should commit to alternative actions (e.g., incentives, rezoning) within a specified timeframe (e.g., six months) if ADUs are not produced or affordable as assumed in the element.

C. Quantified Objectives

Establish the number of housing units, by income level, that can be constructed, rehabilitated, and conserved over a five-year time frame. (Gov. Code, § 65583, subd. (b)(1 & 2).)

The element must include quantified objectives to establish an estimate of housing units by income category that can be constructed, rehabilitated, and conserved over the planning period. For more information, please see the Building Blocks at <https://www.hcd.ca.gov/community-development/building-blocks/program-requirements/program-overview.shtml>.

D. Public Participation

Local governments shall make a diligent effort to achieve public participation of all economic segments of the community in the development of the housing element, and the element shall describe this effort. (Gov. Code, § 65583, subd.(c)(8).)

While the element includes a general summary of the public participation process (pp. 7-8), it should also demonstrate diligent efforts were made to involve all economic segments of the community in the development of the housing element. The element could describe the efforts to circulate the housing element among low- and moderate-income households and organizations that represent them and to involve such groups and persons in the element throughout the process.

In addition, the element (Appendix A) should summarize the public comments and describe how they were considered and incorporated into the element.

In addition, the City should confirm if the element was available to the public concurrent with its submittal to HCD. Providing an opportunity for the public to review and comment on a draft of the element in advance of submission is a statutory mandate ensuring the City makes a diligent effort to encourage the public's participation in the development of the element. Not providing the opportunity for the public reduces HCD's ability to consider public comments in its review. The availability of the document to the public and opportunity for public comment prior to submittal to HCD is essential to the public process and HCD's review. The City must proactively make future revisions available to the public, including any commenters, prior to submitting any revisions to HCD and diligently consider and address comments, including revising the document where appropriate. HCD's future review will consider the extent to which the revised element documents how the City solicited, considered, and addressed public comments in the element. The City's consideration of public comments must not be limited by HCD's findings in this review letter.

HCD Review Comments (received 1/11/22)

A. Housing Needs, Resources, and Constraints

1 AB4:E19ffirmatively further[ing] fair housing (AFFH) in accordance with Chapter 15 (commencing with Section

		Addressed in Section	Page(s)
	Public Outreach: The element provides a brief discussion of community outreach conducted in Chapter V.B.1. but it generally does not address affirmatively furthering fair housing (AFFH) requirements. While AFFH outreach can be conducted with the other portions of the housing element, it must also be specific to AFFH. For example, the outreach could specifically target fair housing organizations or neighborhoods with relatively concentrated poverty for input related to housing and community development needs and access to opportunities such as education and transportation.	I. Introduction Section E. Public Participation	pg. 8
		V. AFFH Section B. Key Data and Background	pg. 88
		V. AFFH Section C. Assessment of Fair Housing	pg. 90
	Assessment of Fair Housing: The element reports and maps data on some components of the assessment of fair housing (e.g., segregation and integration, disparities in access to opportunity) but it must also analyze the information, such as evaluating patterns, trends, conditions and circumstances, coincidence with other components of the assessment of fair housing and the effectiveness of past and current strategies to promote inclusive and equitable communities. This analysis should be complemented by local data and knowledge, including input from commenters, and other relevant factors as described below.	V. AFFH Section C. Assessment of Fair Housing	pg. 88-143
		V. AFFH Section D. Summary of Fair Housing	pg.147
		V. AFFH Section E. Contributing Factors	pg. 153
	Enforcement: The element mentions local capacity for fair housing education and outreach, but is should also address any trends and characteristics of fair housing complaints and enforcement. In addition, the element should address compliance with existing fair housing laws as well as any past or current fair housing lawsuits, findings, settlements, judgements, or complaints. Based on the outcomes of this evaluation, the element should summarize issues, identify contributing factors, and formulate meaningful goals and actions as described below.	V. AFFH Section C. Assessment of Fair Housing	pg. 88
	Sites Inventory and AFFH: The element includes some general discussion about the identification of adequate sites and affirmatively further fair housing but generally does not address this requirement. The analysis must examine sites by location, number of units by income group, impact of identified sites on existing patterns of socio-economic concentrations and any isolation of the RHNA by income group to determine whether sites improve or exacerbate conditions. The analysis should address all components of the assessment of fair housing (e.g., segregation and integration, disparities in access to opportunity and disproportionate housing needs including displacement). If sites exacerbate conditions, the element should identify further program actions that will be taken to promote inclusive communities and equitable quality of life throughout the community (e.g., new housing choices and affordability, anti-displacement, and place-based community revitalization strategies).	V. AFFH Section C. Assessment of Fair Housing	pg. 90 - 146

	Local Data and Knowledge: The element should incorporate local data and knowledge of the jurisdiction into the AFFH section. To assist in meeting this requirement, the element should provide local data not captured in regional, state, or federal data analysis. For example, the element notes differences in the age of the housing stock, but it should incorporate information from the housing condition survey (p. 25) to better evaluate difference in housing conditions to formulate appropriate policies and programs. Also, the element points out differences in neighborhoods by income group but should supplement that data with local knowledge such as housing conditions or other factors that indicate differences in quality of life.	V. AFFH Section B. Key Data and Background	pg. 87 - 90
	Other Relevant Factors: The element must include other relevant factors that contribute to fair housing issues in the jurisdiction. The element should analyze historical land use, zoning, governmental and nongovernmental spending, including transportation investments, demographic trends, historical patterns of segregation, or other information that may have impeded housing choices and mobility.	V. AFFH Section E. Identification and Prioritization of Contributing Factors	pg.152 - 155
	Contributing Factors: The element should re-assess and, particularly, prioritize contributing factors upon completion of the analysis and make revisions as appropriate.	V. AFFH Section E. Identification and Prioritization of Contributing Factors	pg.152 - 153
	Goals, Actions, Metrics, and Milestones: Goals and actions must create meaningful impact to overcome contributing factors to fair housing issues. Currently, programs are not sufficient to facilitate meaningful change and address AFFH requirements. Based on the outcomes of a complete analysis, the element must be revised to add or modify goals and actions accordingly. Goals and actions must specifically respond to the analysis and to the identified and prioritized contributing factors to fair housing issues and must be significant and meaningful enough to overcome identified patterns and trends. Actions must have metrics and milestones as appropriate and must address housing mobility enhancement, new housing choices and affordability in high opportunity areas, place-based strategies for community preservation and revitalization and displacement protection. For further guidance, please visit HCD's Affirmatively Furthering Fair Housing in California webpage at https://www.hcd.ca.gov/community-development/affh/index.shtml .	V. AFFH Section F. Implementation Actions	pg.154 - 155

2 *Include an analysis and documentation of household characteristics, including level of payment compared to ability*

		Addressed in Section	Page(s)
	Extremely Low-Income Households (ELI): While the element includes some basic information regarding ELI households such as the number of households, it must also include an analysis of their housing needs to better formulate policies and programs. For example, the element should analyze tenure, cost burden, and other household characteristics then examine the availability of resources to determine gaps in housing needs. For additional information, see the Building Blocks at http://www.hcd.ca.gov/community-development/building-blocks/housing-needs/extremely-low-income-housing-needs.shtml .		

3 *An inventory of land suitable and available for residential development, including vacant sites and sites having*

		Addressed in Section	Page(s)
	<p>Parcel Listing: The element lists parcels by various factors such as size, zoning, general plan designation and existing use. However, the description of existing use is generic and should include sufficient detail to facilitate an analysis of the potential for addition development on nonvacant sites. For example, many sites describe existing uses as commercial by year built. Instead, the inventory could also describe condition, improvement to land value, vacancies, expiring leases, lack of improvements or other indicators of use turnover, expressed interest in residential development and an existing floor area 0.1 versus allowable floor area (e.g., “underutilization index”).</p>	Appendix C: Opportunity Sites Inventory	pg. 191 - 195
	<p>Nonvacant Sites: While the element identifies nonvacant sites to accommodate the regional housing need for lower-income households, it must include a methodology that demonstrates the potential for additional development in the planning period. The methodology must consider factors including the extent to which existing uses may constitute an impediment to additional residential development, past experience with converting existing uses to higher density residential development, the current market demand for the existing use, an analysis of any existing leases or other contracts that would perpetuate the existing use or prevent redevelopment of the site for additional residential development, development trends, market conditions, and regulatory or other incentives or standards to encourage additional residential development on these sites. (Gov. Code, § 65583.2, subd. (g).) For example, the element describes factors utilized in identifying nonvacant sites, but it should also examine development trends and past experience to support these factors and relate those circumstances to identified sites. Additionally, the element should include some discussion on whether existing uses preclude redevelopment and how planned regulatory and other incentives, such as the mixed-use overlay, can encourage redevelopment. In addition, if the housing element relies upon nonvacant sites to accommodate more than 50 percent of the regional housing needs allocation (RHNA) for lower-income households, it must demonstrate existing uses are not an impediment to additional residential development and will likely discontinue in the planning period. (Gov. Code, § 65583.2, subd. (g)(2).) Absent findings (e.g., adoption resolution) based on substantial evidence, the existing uses will be presumed to impede additional residential development and will not be utilized toward demonstrating adequate sites to accommodate the RHNA.</p>	II. Housing Needs Assessment B. Household Income	pg. 17 - 18
	<p>Realistic Capacity: The element (p. 67) mentions an assumption of 75 percent of maximum allowable densities to calculate residential capacity on identified sites. However, the element should include supporting information on typical densities of existing or approved residential developments at a similar affordability level. For example, the element mentions the calculation is based on recent projects, but it could list these projects by zone, acreage, built density, allowable density, level of affordability and presence of exceptions, such as a density bonus. In addition, the element appears to assume residential development on sites with zoning that allows 100 percent nonresidential uses. While the element mentions the mixed-use overlay, it must still account for the likelihood of nonresidential uses given base zoning. For example, the element could analyze all development activity in these nonresidential zones, how often residential development occurs and adjust residential capacity calculation, policies, and programs accordingly. The element should include analysis based on factors such as development trends, performance standards or other relevant factors.</p>	IV. Housing Opportunities B. Housing Opportunity Sites Inventory	pg. 73 - 74

	City-Owned Sites: The element should include a discussion of City-Owned sites (e.g., City Hall) identified to accommodate the RHNA. Specifically, the analysis should address whether existing uses impede additional development, any known conditions that preclude development in the planning period, the potential schedule for development and necessary actions to facilitate development (e.g., consolidation) as intended in the sites inventory. In addition, the housing element must include a description of whether there are any plans to dispose of the properties during the planning period and how the jurisdiction will comply with the Surplus Land Act (commencing with Government Code section 54220) and add or modify programs as appropriate.	IV. Housing Opportunities B. Housing Opportunity Sites Inventory	pg. 75
		VI. Housing Plan A. Goal Policies Programs Goal 5.0 Program 14. City Hall redevelopment Study	pg. 173
	Environmental Constraints: While the element generally describes a few environmental conditions, it must relate those conditions to identified sites and describe any other known environmental or other constraints (e.g., easements, conditions and restrictions, site shape and known contamination) that could impact housing development on identified sites in the planning period.	III. Housing Constraints C. Environmental and Infrastructure Constraints	pg. 65 - 67
	Infrastructure: The element describes infrastructure limitations (p. 60) in the City. However, it must also demonstrate sufficient total water and sewer capacity (existing and planned) to accommodate the RHNA and include programs if necessary. For your information, water and sewer service providers must establish specific procedures to grant priority water and sewer service to developments with units affordable to lower-income households. (Gov. Code, § 65589.7.) Local governments are required to immediately deliver the housing element to water and sewer service providers. While the element discusses the City will deliver the adopted housing element and coordinate with providers, it also appears to indicate the City is a water provider. As a result, the element should discuss whether the City has procedures to grant priority and include programs if necessary. For additional information and sample cover memo, see the Building Blocks at http://www.hcd.ca.gov/community-development/building-blocks/other-requirements/priority-for-water-sewer.shtml .	III. Housing Constraints C. Environmental and Infrastructure Constraints	pg. 65 - 68
	Accessory Dwelling Units (ADU): ADUs may be counted toward the RHNA based on past permitted units and other factors. In the element, the City projects 100 ADUs per year based on 80 ADUs permitted over the last three years. These past trends do not support an assumption of 100 ADUs per year. The element states the increase is based on a consistent trend; however, the trend appears consistent around 80 ADUs a year. As a result, the element should either adjust assumptions or include analysis based on additional trends, other relevant factors and policies and programs.	III. Housing Constraints Government Constraints - ADU Definition	pg. 48
		IV. Housing Opportunities A. Land Resources	pg. 69 - 70
		VI. Housing Plan A. Goal Policies Programs Goal 5.0 Program 8. Accessory Dwelling Units	pg. 170
	Sites Identified in Prior Planning Periods: Sites identified in prior planning periods shall not be deemed adequate to accommodate the housing needs for lower-income households unless a program rezones sites to permit housing development by right pursuant to statutory requirements. While the element has a program, it should also denote which sites were previously identified in prior planning periods and include programs as appropriate.	VI. Housing Plan A. Goal Policies Programs Goal 5.0 Program 1. Adequate Housing opportunity Sites for RHNA	pg. 165 - 166
	Electronic Sites Inventory Form: Pursuant to Government Code section 65583.3, subdivision (b), the City must utilize standards, forms, and definitions adopted by HCD when preparing the sites inventory. Please see HCD's housing element webpage at https://www.hcd.ca.gov/community-development/housing-element/index.shtml for a copy of the form and instructions. The City can reach out to HCD at sitesinventory@hcd.ca.gov for technical assistance. Please note, upon adoption of the housing element, the City must submit an electronic version of the sites inventory with its adopted housing element to sitesinventory@hcd.ca.gov .	See: Electronic Sites Inventory for HCD.xlsx	

4 *An analysis of potential and actual governmental constraints upon the maintenance, improvement, or development*

		Addressed in Section	Page(s)
	Land Use Controls: The element must identify and analyze all relevant land-use controls impacts as potential constraints on a variety of housing types. The analysis should analyze land-use controls independently and cumulatively with other land-use controls. The analysis should specifically address requirements related to multifamily lot coverages. The analysis should address any impacts on cost, supply, housing choice, affordability, timing, approval certainty and ability to achieve maximum densities and include programs to address identified constraints.	III. Housing Constraints A. Governmental Constraints	pg. 39-44
	Processing and Permit Procedures: The element discusses a typical review process for a single-family residence but should also evaluate the typical process for a multifamily development, particularly as anticipated in the element. The analysis should address the approval body, typical number of hearings if any, approval findings and typical timeframes. The analysis should evaluate impacts on cost, supply (whether project densities are reduced in the approval process), timing and approval certainty and add or modify programs as appropriate.	III. Housing Constraints A. Governmental Constraints	pg. 57 - 62
	Housing for Persons with Disabilities: The element notes the City adopted a reasonable accommodation procedure; however, it should describe and analyze that procedure, including approval findings, for any constraints on housing for persons with disabilities. In addition, the element indicates group homes for seven or more persons are subject to a conditional use permit (CUP). The element must analyze the CUP procedure as constraints on housing for persons with disabilities and add or modify programs to promote objectivity and approval certainty for these housing types.	II. Housing Needs Assessment A. Governmental constraints	pg. 50 - 53
	SB 35 Streamlined Ministerial Approval Process: The element must clarify whether there are written procedures for SB 35 (Chapter 366, Statutes of 2017) Streamlined Ministerial Approval Process and add a program to address these requirements.	III. Housing Constraints A. Governmental Constraints	pg. 60
		VI. Housing Plan A. Goal Policies Programs Goal 5.0 Program 12. Efficient Project Review Under SB35	pg. 172
	Building Codes and their Enforcement: The element provides an overview of the building code implementation in the City, but it should also identify any local amendments to the building code and analyze impacts on the cost and supply of housing.	III. Housing Constraints A. Governmental Constraints	pg. 61 - 62

B. Housing Programs

- 1** *Identify actions that will be taken to make sites available during the planning period with appropriate zoning and As noted in Finding A3, the element does not include a complete site analysis. Based on the results of a complete*

		Addressed in Section	Page(s)
	Program 11 (Adequate Housing Opportunity Sites for RHNA): The Program should be revised to meet all requirements pursuant to Government Code section 65583.2, subdivision (h) and (i), specifically permit at least 16 units per site. In addition, the Program should commit to a minimum acreage to be rezoned.	VI. Housing Plan A. Goal Policies Programs Goal 5.0 Program 1. Adequate Housing Sites for RHNA	pg. 165 - 166
	Program 16 (Lot Consolidation): The Program should commit to proactively coordinate with property owners (beyond posting on the City's website) on a specific timeframe (e.g., annually) and include a discrete timeline for adjusting incentives or utilizing other strategies (e.g., within six months of monitoring effectiveness).	VI. Housing Plan A. Goal Policies Programs Goal 5.0 Program 6. Lot Consolidation	pg. 168 - 169
	Program 14 (No Net Loss of Residential Capacity to Accommodate RHNA): The Program should commit to when the City will establish a process.	VI. Housing Plan A. Goal Policies Programs Goal 5.0 Program 4. No Net Loss of Residential Capacity	pg. 167 - 168
	City-Owned Sites: The Program should be revised with actions based on a complete analysis of City-owned properties, including a schedule of actions to facilitate development such as requests for proposals, coordination with property owners, incentives, and permit streamlining.	VI. Housing Plan A. Goal Policies Programs Goal 5.0 Program 14. City Hall Redevelopment Study	pg. 173
2	<i>The housing element shall contain programs which assist in the development of adequate housing to meet the</i>		
	Program 4 (Facilitate Affordable and Special Needs Housing Development): The Program includes commitment to annually apply for funding, but is should also commit to similar timing for the other listed actions in the Program (e.g., contact, coordination, and support to developers).	VI. Housing Plan A. Goal Policies Programs Goal 2.0 Program 1. Facilitate Affordable and Special Needs Housing Developments	pg. 159 - 160
3	<i>Address and, where appropriate and legally possible, remove governmental and nongovernmental constraints to</i>		
	As noted in Findings A4, the element requires a complete analysis of potential governmental constraints. Depending upon the results of that analysis, the City may need to revise or add programs and address and remove or mitigate any identified constraints.	VI. Housing Plan A. Goal Policies Programs Goal 2.0 Program 3. Removal of Governmental Constraints	pg. 160 - 161
4	<i>Promote and affirmatively further fair housing opportunities and promote housing throughout the community or</i>		
	As noted in Finding A1, the element must include a complete assessment of fair housing. Based on the outcomes of that analysis, the element must add or modify programs.	VI. Housing Plan A. Goal Policies Programs Goal 3.0 Program 4. Affirmatively Furthering Fair Housing	pg. 163
5	<i>Develop a plan that incentivizes and promotes the creation of accessory dwelling units that can be offered at</i>		
	Program 18 (Accessory Dwelling Units): The Program should go beyond exploring the possibility of waiving fees and make a specific commitment to establish incentives in the planning period. Also, in addition to monitoring program effectiveness, the Program should commit to alternative actions (e.g., incentives, rezoning) within a specified timeframe (e.g., six months) if ADUs are not produced or affordable as assumed in the element.	VI. Housing Plan A. Goal Policies Programs Goal 5.0 Program 8. Accessory Dwelling Units	pg. 170

C. Quantified Objectives

1	<i>Establish the number of housing units, by income level, that can be constructed, rehabilitated, and conserved over a</i>		
		Addressed in Section	Page(s)
	The element must include quantified objectives to establish an estimate of housing units by income category that can be constructed, rehabilitated, and conserved over the planning period. For more information, please see the Building Blocks at https://www.hcd.ca.gov/community-development/building-blocks/program-requirements/program-overview.shtml .	VI. Housing Plan B. Quantified Objectives	pg. 174

D. Public Participation

1	<i>Local governments shall make a diligent effort to achieve public participation of all economic segments of the</i>		
		Addressed in Section	Page(s)
	While the element includes a general summary of the public participation process (pp. 7-8), it should also demonstrate diligent efforts were made to involve all economic segments of the community in the development of the housing element. The element could describe the efforts to circulate the housing element among low- and moderate-income households and organizations that represent them and to involve such groups and persons in the element throughout the process.	I. Introduction E. Public Participation	pg. 7 -9
	In addition, the element (Appendix A) should summarize the public comments and describe how they were considered and incorporated into the element.	Appendix A. Public Participation	pg. 175 - 184
	In addition, the City should confirm if the element was available to the public concurrent with its submittal to HCD. Providing an opportunity for the public to review and comment on a draft of the element in advance of submission is a statutory mandate ensuring the City makes a diligent effort to encourage the public's participation in the development of the element. Not providing the opportunity for the public reduces HCD's ability to consider public comments in its review. The availability of the document to the public and opportunity for public comment prior to submittal to HCD is essential to the public process and HCD's review. The City must proactively make future revisions available to the public, including any commenters, prior to submitting any revisions to HCD and diligently consider and address comments, including revising the document where appropriate. HCD's future review will consider the extent to which the revised element documents how the City solicited, considered, and addressed public comments in the element. The City's consideration of public comments must not be limited by HCD's findings in this review letter.	I. Introduction E. Public Participation	pg. 7 -9



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January 13, 2022

Mr. Gerardo Marquez, Interim Senior Planner
City of San Fernando
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RE: SCAG Comments on the Initial Study/Mitigated Negative Declaration for the San Fernando Housing Element Update [SCAG NO. IGR10542]

Dear Mr. Marquez,

Thank you for submitting the Notice of Intent to adopt a Mitigated Negative Declaration (IS/MND) for the San Fernando Housing Element Update ("proposed project") to the Southern California Association of Governments (SCAG) for review and comment. The proposed project includes updates to the General Plan Housing and Safety Elements as well as incorporation of new General Plan Environmental Justice policies.

Based on SCAG staff's review, the proposed project supports overall the goals of the 2020 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS or Connect SoCal). SCAG staff comments are detailed in the attachment to this letter.

When available, please send project related documents and notices to IGR@scag.ca.gov. If you have any questions regarding the attached comments, please contact the Intergovernmental Review (IGR) Program, attn.: Anita Au, Senior Regional Planner, at (213) 236-1874 or IGR@scag.ca.gov. Thank you.

Sincerely,

Frank Wen, Ph.D.
Manager, Planning Strategy Department

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**COMMENTS ON THE NOTICE OF INTENT TO ADOPT A
MITIGATED NEGATIVE DECLARATION FOR
SAN FERNANDO HOUSING ELEMENT UPDATE [SCAG NO. IGR10542]**

SUMMARY

Pursuant to Senate Bill (SB) 375, SCAG is the designated Regional Transportation Planning Agency under state law and is responsible for preparation of the Regional Transportation Plan (RTP) including the Sustainable Communities Strategy (SCS). SCAG's feedback is intended to assist local jurisdictions and project proponents to implement projects that have the potential to contribute to attainment of Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) goals and align with RTP/SCS policies.

Based on SCAG staff review, the proposed project generally supports the applicable goals of the 2020 Connect SoCal, however the references to population growth in the IS/MND are not based on the growth forecasts adopted as part of the 2020 Connect SoCal.

CONNECT SOCIAL GOALS

The SCAG Regional Council fully adopted [Connect SoCal](#) in September 2020. Connect SoCal, also known as the 2020 – 2045 RTP/SCS, builds upon and expands land use and transportation strategies established over several planning cycles to increase mobility options and achieve a more sustainable growth pattern. The long-range visioning plan balances future mobility and housing needs with goals for the environment, the regional economy, social equity and environmental justice, and public health. The goals included in Connect SoCal may be pertinent to the proposed project. These goals are meant to provide guidance for considering the proposed project. Among the relevant goals of Connect SoCal are the following:

SCAG CONNECT SOCIAL GOALS	
Goal #1:	<i>Encourage regional economic prosperity and global competitiveness</i>
Goal #2:	<i>Improve mobility, accessibility, reliability and travel safety for people and goods</i>
Goal #3:	<i>Enhance the preservation, security, and resilience of the regional transportation system</i>
Goal #4:	<i>Increase person and goods movement and travel choices within the transportation system</i>
Goal #5:	<i>Reduce greenhouse gas emissions and improve air quality</i>
Goal #6:	<i>Support healthy and equitable communities</i>
Goal #7:	<i>Adapt to a changing climate and support an integrated regional development pattern and transportation network</i>
Goal #8:	<i>Leverage new transportation technologies and data-driven solutions that result in more efficient travel</i>
Goal #9:	<i>Encourage development of diverse housing types in areas that are supported by multiple transportation options</i>
Goal #10:	<i>Promote conservation of natural and agricultural lands and restoration of habitats</i>

Connect SoCal Strategies

To achieve the goals of Connect SoCal, a wide range of land use and transportation strategies are included in the accompanying twenty (20) technical reports. To view Connect SoCal and the accompanying technical reports, please visit the [Connect SoCal webpage](#). Connect SoCal builds upon the progress from previous RTP/SCS cycles and continues to focus on integrated, coordinated, and balanced planning for land use and transportation that helps the SCAG region strive towards a more sustainable region, while meeting statutory requirements pertinent to RTP/SCSs. These strategies within the regional context are provided as guidance for lead agencies such as local jurisdictions when the proposed project is under consideration.

SCAG Staff Comments

SCAG staff recommends that you review 2020 Connect SoCal and consider its adopted goals and policies when finalizing the proposed project.

DEMOGRAPHICS AND GROWTH FORECASTS

A key, formative step in projecting future population, households, and employment through 2045 for Connect SoCal was the generation of a forecast of regional and county level growth in collaboration with expert demographers and economists on Southern California. From there, jurisdictional level forecasts were ground-truthed by subregions and local agencies, which helped SCAG identify opportunities and barriers to future development. This forecast helps the region understand, in a very general sense, where we are expected to grow, and allows SCAG to focus attention on areas that are experiencing change and may have increased transportation needs. After a year-long engagement effort with all 197 jurisdictions one-on-one, 82 percent of SCAG's 197 jurisdictions provided feedback on the forecast of future growth for Connect SoCal. SCAG also sought feedback on potential sustainable growth strategies from a broad range of stakeholder groups – including local jurisdictions, county transportation commissions, other partner agencies, industry groups, community-based organizations, and the general public. Connect SoCal utilizes a bottom-up approach in that total projected growth for each jurisdiction reflects feedback received from jurisdiction staff, including city managers, community development/planning directors, and local staff. Growth at the neighborhood level (i.e., transportation analysis zone (TAZ) reflects entitled projects and adheres to current general and specific plan maximum densities as conveyed by jurisdictions (except in cases where entitled projects and development agreements exceed these capacities as calculated by SCAG). Neighborhood level growth projections also feature strategies that help to reduce greenhouse gas emissions (GHG) from automobiles and light trucks to achieve Southern California's GHG reduction target, approved by the California Air Resources Board (CARB) in accordance with state planning law. Connect SoCal's Forecasted Development Pattern is utilized for long range modeling purposes and does not supersede actions taken by elected bodies on future development, including entitlements and development agreements. SCAG does not have the authority to implement the plan -- neither through decisions about what type of development is built where, nor what transportation projects are ultimately built, as Connect SoCal is adopted at the jurisdictional level. Achieving a sustained regional outcome depends upon informed and intentional local action. To access jurisdictional level growth estimates and forecasts for years 2016 and 2045, please refer to the [Connect SoCal Demographics and Growth Forecast Technical Report](#). The growth forecasts for the region and applicable jurisdictions are below.

	Adopted SCAG Region Wide Forecasts				Adopted City of San Fernando Forecasts			
	Year 2020	Year 2030	Year 2035	Year 2045	Year 2020	Year 2030	Year 2035	Year 2045
Population	19,517,731	20,821,171	21,443,006	22,503,899	24,707	25,717	26,209	27,119
Households	6,333,458	6,902,821	7,170,110	7,633,451	6,197	6,638	6,823	7,146
Employment	8,695,427	9,303,627	9,566,384	10,048,822	11,644	11,923	12,063	12,504

SCAG Staff Comments

The discussion in Section 14 Population and Housing starting on page 103 of the IS/MND indicates that population forecasts were not based on the most recently adopted SCAG 2020 Connect SoCal Regional Growth Forecasts. SCAG staff recommends updating the discussion to reflect the latest regional growth forecasts, as provided in the table above.

MITIGATION**SCAG Staff Comments**

SCAG staff recommends that you review the [Final Program Environmental Impact Report](#) (Final PEIR) for Connect SoCal for guidance, as appropriate. SCAG's Regional Council certified the PEIR and adopted the associated Findings of Fact and a Statement of Overriding Considerations (FOF/SOC) and Mitigation Monitoring and Reporting Program (MMRP) on May 7, 2020 and also adopted a PEIR Addendum and amended the MMRP on September 3, 2020 (please see the [PEIR webpage](#) and scroll to the bottom of the page for the PEIR Addendum). The PEIR includes a list of project-level performance standards-based mitigation measures that may be considered for adoption and implementation by lead, responsible, or trustee agencies in the region, as applicable and feasible. Project-level mitigation measures are within responsibility, authority, and/or jurisdiction of project-implementing agency or other public agency serving as lead agency under CEQA in subsequent project- and site- specific design, CEQA review, and decision-making processes, to meet the performance standards for each of the CEQA resource categories.

REGIONAL HOUSING NEEDS ALLOCATION

On March 4, 2021 SCAG's Regional Council adopted the [6th cycle Final Regional Housing Needs Assessment \(RHNA\) Allocation Plan](#) which covers the planning period October 2021 through October 2029. The 6th cycle Final RHNA allocation for the applicable jurisdiction is below.

SCAG 6 th Cycle Final RHNA Allocation for City of San Fernando	
Income Category	RHNA Allocation (Units)
Very low income	461
Low income	273
Moderate income	284
Above moderate income	777
Total RHNA Allocation	1,795

Sixth cycle housing elements were due to the California Department of Housing and Community Development (HCD) by October 15, 2021. SCAG encourages jurisdictions to adopt a housing element in compliance with State housing law as determined by review from HCD. Jurisdictions that do not have an adopted compliant housing element may be ineligible for certain State funding and grant opportunities and may be at risk for legal action from stakeholders or HCD.

SCAG staff would like to call your attention to SCAG's [HELPR 2.0](#), a web-mapping tool developed by SCAG to help local jurisdictions and stakeholders understand local land use, site opportunities, and environmental sensitivities for aligning housing planning with the state Department of Housing and Community Development's (HCD) [6th cycle housing element requirements](#).

January 13, 2022
Mr. Marquez

SCAG No. IGR10542
Page 5

SCAG Staff Comments

Table 1. San Fernando RHNA Allocation for 2021-2029 by Income Category on page 9 of the IS/ND includes the correct Final RHNA Allocation numbers.

ENVIRONMENTAL JUSTICE

Per [Senate Bill 1000](#) (SB 1000), local jurisdictions in California with disadvantaged communities are required to develop an Environmental Justice (EJ) Element or consider EJ goals, policies, and objectives in their General Plans when updating two or more General Plan Elements. SCAG staff recommends that you review the [Environmental Justice Technical Report](#) and the updated [Environmental Justice Toolbox](#), which is a resource document to assist local jurisdictions in developing EJ-related goals and policies regarding solutions for EJ-related community issues.

DEPARTMENT OF TRANSPORTATION

DISTRICT 7

100 S. MAIN STREET, MS 16

LOS ANGELES, CA 90012

PHONE (213) 269-1124

FAX (213) 897-1337

TTY 711

www.dot.ca.gov

*Making Conservation
a California Way of Life*

December 27, 2021

Mr. Gerardo Marquez
Community Development Department
City of San Fernando
117 North MacNeil Street
San Fernando, CA 91340

RE: San Fernando Housing Element Update
SCH # 2021120390
Vic. LA-05, LA-210, SR-118 Citywide
GTS # LA-2021-03799-MND

Dear Mr. Marquez:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the above referenced environmental document. The proposed plan involves updates to the General Plan Housing and Safety Element as well as incorporation of new General Plan Environmental Justice policies. The 2021-2029 Housing Element is being driven by the following regulatory requirements: (1) The Housing Element Update would update the City's Housing Element as part of the 6th Cycle Regional Housing Needs Allocation (RHNA) and per compliance with California Government Code Sections 65580 to 65589.11. (2) The Safety Element Update would update the City's Safety Element to integrate climate adaptation and resiliency strategies into the General Plan per Senate Bill (SB) 379, which amended California Government Code Section 65302. (3) Update of the Housing and Safety elements would include the addition of Environmental Justice-related goals, policies, and objectives per SB 1000, which amended Government Code Section 65302.

The mission of Caltrans is to provide a safe and reliable transportation network that serves all people and respects the environment. Senate Bill 743 (2013) has codified into CEQA law and mandated that CEQA review of transportation impacts of proposed development be modified by using Vehicle Miles Traveled (VMT) as the primary metric in identifying transportation impacts for all future development projects. You may reference the Governor's Office of Planning and Research (OPR) for more information:

<http://opr.ca.gov/ceqa/updates/guidelines/>

Mr. Gerardo Marquez

December 27, 2021

Page 2 of 4

As a reminder, VMT is the standard transportation analysis metric in CEQA for land use projects after July 1, 2020, which is the statewide implementation date.

Caltrans is aware of challenges that the region faces in identifying viable solutions to alleviating congestion on State and Local facilities. With limited room to expand vehicular capacity, all future developments should incorporate multi-modal and complete streets transportation elements that will actively promote alternatives to car use and better manage existing parking assets. Prioritizing and allocating space to efficient modes of travel such as bicycling and public transit can allow streets to transport more people in a fixed amount of right-of-way.

Caltrans supports the implementation of complete streets and pedestrian safety measures such as road diets and other traffic calming measures. Please note the Federal Highway Administration (FHWA) recognizes the road diet treatment as a proven safety countermeasure, and the cost of a road diet can be significantly reduced if implemented in tandem with routine street resurfacing. Overall, the environmental report should ensure all modes are served well by planning and development activities. This includes reducing single occupancy vehicle trips, ensuring safety, reducing vehicle miles traveled, supporting accessibility, and reducing greenhouse gas emissions.

For future specific projects, we encourage the Lead Agency to evaluate the potential of Transportation Demand Management (TDM) strategies and Intelligent Transportation System (ITS) applications in order to better manage the transportation network, as well as transit service and bicycle or pedestrian connectivity improvements. For additional TDM options, please refer to the Federal Highway Administration's *Integrating Demand Management into the Transportation Planning Process: A Desk Reference* (Chapter 8). This reference is available online at:

<http://www.ops.fhwa.dot.gov/publications/fhwahop12035/fhwahop12035.pdf>

You can also refer to the 2010 *Quantifying Greenhouse Gas Mitigation Measures* report by the California Air Pollution Control Officers Association (CAPCOA), which is available online at:

<http://www.capcoa.org/wp-content/uploads/2010/11/CAPCOA-Quantification-Report-9-14-Final.pdf>

Mr. Gerardo Marquez

December 27, 2021

Page 3 of 4

Also, Caltrans has published the VMT-focused Transportation Impact Study Guide (TISG), dated May 20, 2020 and the Caltrans Interim Land Development and Intergovernmental Review (LD-IGR) Safety Review Practitioners Guidance, prepared in On December 18, 2020. You can review these resources at the following links:

<https://dot.ca.gov/-/media/dot-media/programs/transportation-planning/documents/sb-743/2020-05-20-approved-vmt-focused-tisg-a11y.pdf>

<https://dot.ca.gov/-/media/dot-media/programs/transportation-planning/documents/sb-743/2020-12-22-updated-interim-lidigr-safety-review-guidance-a11y.pdf>

Caltrans encourages lead agencies to prepare traffic safety impact analysis for all developments in the California Environmental Quality Act (CEQA) review process so that, through partnerships and collaboration, California can reach zero fatalities and serious injuries by 2050.

We concur that “implementation of the 2021-2029 Housing Element would result in housing development within urban infill areas of San Fernando, particularly along transit corridors and near existing commercial development. Infill development typically decreases VMT because it places residential uses closer to services that support residents (e.g., grocery stores, restaurants, and other services) and encourages alternative modes of travel, such as walking and cycling. Furthermore, the Housing Opportunity Sites are, in many cases, situated near or adjacent to transportation corridors and transit areas, facilitating fewer and shorter trip lengths. SCAG’s Regional Transportation Improvement Program has programs to increase alternative transportation that would likewise be supported by infill development on the housing sites throughout San Fernando, as described in the 2021-2029 Housing Element.”

We also concur that “the 2021-2029 Housing Element, in and of itself, does not propose specific projects but puts forth goals and policies that regulate various aspects of new housing development in San Fernando. Because it is a policy document, the 2021-2029 Housing Element will not, in and of itself, result in impacts to transportation or affect existing plans that address transportation and mobility. Furthermore, future development accommodated under the 2021-2029 Housing Element would be subject to development plan review to determine potential concerns related to transportation and VMT based on site-specific locations and development design. Development proposals for individual projects would be subject to adopted development guidelines, including standards that govern VMT, transportation, GHG, and associated issues. Any impacts identified for an individual 2021-2029 Housing Element project would be addressed through the project approval process, including design review specific to any potential impacts of that project.” Therefore, the traffic impacts would be less than significant.

Mr. Gerardo Marquez

December 27, 2021

Page 4 of 4

If you have any questions, please feel free to contact Mr. Alan Lin the project coordinator at (213) 269-1124 and refer to GTS # LA-2021-03799-MND.

Sincerely,

A handwritten signature in black ink that reads "Miya Edmonson". The script is cursive and fluid.

MIYA EDMONSON
IGR/CEQA Branch Chief

email: State Clearinghouse



Santa Ynez Band of Chumash Indians
Tribal Elders' Council

P.O. Box 517 ♦ Santa Ynez ♦ CA ♦ 93460

Phone: (805)688-7997 ♦ Fax: (805)688-9578 ♦ Email: elders@santaynezchumash.org

December 21, 2021

City of San Fernando
Community Development Department
117 North MacNeil Street
San Fernando, CA 91340

Att.: Gerardo Marquez, Interim Senior Planner

Re: San Fernando Housing Element Update Notice of Intent to Adopt a Mitigated Negative Declaration

Dear Mr. Marquez:

Thank you for contacting the Tribal Elders' Council for the Santa Ynez Band of Chumash Indians.

At this time, the Elders' Council requests no further consultation on this project; however, we understand that as part of NHPA Section 106, we must be notified of the project.

Thank you for remembering that at one time our ancestors walked this sacred land.

Sincerely Yours,

Kelsie Shroll
Administrative Assistant | Elders' Council and Culture Department
Santa Ynez Band of Chumash Indians | Tribal Hall
(805) 688-7997 ext. 7516
kshroll@santaynezchumash.org

Selective 901 Truman, LLC

a California limited liability company

16830 Ventura Blvd., Suite 320
Encino, CA 91436
818-995-4900 • Fax 818-995-4911
www.SelectiveRE.com

January 14, 2022

Mr. Gerardo Marquez

Associate Planner

117 Macneil St, San Fernando, CA 91340

email: GMarquez@sfcity.org

RE: City of San Fernando
SAN FERNANDO HOUSING ELEMENT UPDATE
Rinon Consulting – DRAFT Initial Study-Mitigated Negative Declaration
APNs: 2522-001-003 & -004 | 901 – 1041 Truman Street, San Fernando, CA 91340

Dear Mr. Marquez:

Per our several conversations during the last month, I am writing the below summary of thoughts related to possible locations for housing within the City of San Fernando to meet State of California housing planning requirements. The updated plan as currently proposed is flawed as, while it does make some effort, it does not incorporate sites that clearly should be identified for high density housing. The Rincon study is encumbered by the city's previously adopted ordinance SP-5 limiting housing.

Given the shortage of housing in the state and LA County in particular, local communities throughout the state are updating their plans to allow and seek for housing to be close to mass transit, including rail. In almost all cases on record in nearly all communities throughout our state, communities are aggressively seeking additional housing near mass transit locations. Unfortunately, the City of San Fernando, largely based on the push of certain local developers to try to benefit their properties, previously implemented San Fernando Corridors Specific Plan (SP-5) which does not permit housing to be developed within 200 feet of railroad rights of way. This ordinance, SP-5, puts San Fernando at a disadvantage to growing its community in a manner to enable more housing while reducing the need for personal cars. Ordinance SP-5 basically says that the State of California and nearly all other communities in California are in error and that housing should not be near mass transit as rail.

I strongly suggest the City of San Fernando engage a true “neutral” housing consulting group familiar with the ordinances being adopted throughout the State of California to confirm what may be the best practices for the City of San Fernando to both grow its economy, provide affordable housing, and benefit its residents and businesses.

I have reviewed the proposed update to the General Plan and would like you to consider adding for future housing consideration the city block we own along Truman to the Housing Element. The location for discussion is 901-1041 Truman Street (photograph attached).

The 901-1041 Truman location comprises a city block from Maclay to Brand along Truman Street and currently has a Denny's restaurant at Maclay and continues with retail shops to a liquor store adjacent to Brand Blvd. The assessor APNs are: 2522-001-003 and -004.

Based on rail being so integral to this City and bisecting it, the City of San Fernando has an excellent opportunity to provide housing along the railway. Given the 901-1041 Truman Street size of 84,000 square feet of land, a sizeable housing or mixed use project could be provided in close location to City Hall in San Fernando, food and other amenities, bus stops, and the main rail station. Overall, housing close the city center would make a lot of sense.

We own several properties in the City of San Fernando as listed below.

<u>Ownership</u>	<u>APNs</u>	<u>Common Address</u>	<u>Lot Size (sq. ft.)</u>
Selective 1111 Harris	2520-009-002, 003 & 005 & 007; 2520-018-006	1416 – 1700 1 st Street	122,356
Selective 1407 Truman	2521 001 006	1407 Truman Street	35,935
Selective Ashlan	2522 002 006	1013-1015 San Fernando Road	4,500
Selective 901 Truman	2522-001-003 & -004	901-1041 Truman St.	84,682

This letter is NOT to advocate for our projects alone. We are only advocating for housing for the location at 901-1041 Truman Street which, after review by any expert familiar with housing community planning and development, would recommend this site be slated for dense housing or mixed use with housing above commercial. Any expert would suggest that City of San Fernando Ordinance SP-5 be eliminated in areas where housing and/or density makes sense for an overall benefit to the community.

Any future housing should be developed to both meet the needs of the State of California. Many examples of throughout Los Angeles and its surrounding counties are actively seeking housing adjacent to the expanding Metro, Expo and other rail lines. Housing is being encouraged near freeway or other mass transit sites. Projects are being designed with insulated windows and with no sound barriers to projects. There are so many examples of successful housing projects next to transit that there are just too many to identify. From the Bay Area, and its surrounding communities, to Los Angeles and Long Beach, to downtown San Diego, the lists of newly planned or developed housing projects as close to mass transit as possible are in the hundreds. A common example which has been a success is the housing project at Howard Hughes center at LAX which is adjacent to the 405 with no sound walls and all attenuation done in the residences.

I appreciate this letter being put in the public record and would welcome the opportunity to help the City of San Fernando grow its economic base and transition towards the future.

Included is an image of 901-1041 Truman Street and its relationship to the core of the City of San Fernando. This site should be housing and/or mixed-use commercial with housing. Ordinance SP-5 should be modified to provide a benefit as additional housing is needed.



I can be reached at the above phone should you wish to discuss further.

Sincerely,

Selective 901 Truman, LLC
a California Limited Liability Company

By: Selective Retail 215, LLC,
A California Limited Liability Company, its Manager

Brian Fagan

By: Brian A. Fagan, President



CALIFORNIANS FOR
HOMEOWNERSHIP

MATTHEW GELFAND, COUNSEL
MATT@CAFORHOMES.ORG
TEL: (213) 739-8206

March 30, 2022

Kanika Kith
City of San Fernando
Email: KKanika@sfcity.org; CommunityDevelopment@sfcity.org

RE: San Fernando's failure to timely adopt a Sixth Cycle Housing Element.

Dear Kanika Kith:

Californians for Homeownership is a 501(c)(3) non-profit organization that uses impact litigation to address California's housing crisis. We are monitoring local compliance with the law governing housing elements. Our understanding is that the City has not adopted a sixth cycle housing element, which it was required to do by October 15, 2021.¹ It also missed the second compliance deadline of February 12, 2022, subjecting it to additional penalties.² We are currently preparing for litigation against cities that have not timely adopted housing elements, like yours.

In light of the City's failure to timely adopt its housing element, our organization could immediately sue the City under Code of Civil Procedure Section 1085 to compel it to adopt a compliant housing element.³ As a result of this litigation, in addition to being ordered to adopt a housing element on a short timeline,⁴ the City could also face a number of serious penalties. For example, the court could suspend all non-residential permitting,⁵ or could judicially approve housing development projects within the City.⁶ And the court could impose these penalties while the litigation is pending, even before reaching a final decision.⁷ Housing element litigation is given priority in the court system,⁸ and a successful plaintiff can obtain attorneys' fees under Code of Civil Procedure Section 1021.5. Indeed, in a recent case involving the City of Huntington Beach's housing element, a court awarded another non-profit organization over \$3.5 million in fees.⁹

The purpose of this letter is to offer the City a pathway to avoid immediate litigation by our organization. Enclosed is an Acknowledgment that sets forth some of the penalties to which the City is currently subject in light of the City's failure to adopt a housing element. If the City signs and returns the Acknowledgment, we will not initiate litigation against the City at this time.

¹ Gov. Code § 65588(e)(3).

² Gov. Code §§ 65583(c)(1)(A), 65583.2(c), and 65588(e)(4)(C).

³ Gov. Code §§ 65587, 65751.

⁴ Gov. Code § 65754.

⁵ Gov. Code § 65755(a)(1).

⁶ Gov. Code § 65755(a)(4).

⁷ Gov. Code § 65757.

⁸ Gov. Code § 65752.

⁹ <https://www.communitylegalsocal.org/kennedy-commission-awarded-3-5-million-in-attorneys-fees-for-advocacy-in-huntington-beach-low-income-housing-case/>



March 30, 2022

Page 2

We ask that you return the Acknowledgement by April 6, 2022. If you decline to do so, understand that we may initiate litigation against the City, using the City's refusal to acknowledge these basic requirements of state housing law to demonstrate the existence of a dispute necessitating judicial intervention. As part of the litigation, we would likely seek a judicial declaration that the City is subject to the same penalties described in the Acknowledgment, among other remedies. We have dedicated in-house resources sufficient to maintain at least 10 simultaneous housing element lawsuits as part of our commitment to enforcing this important aspect of state housing law.

Finally, while we acknowledge that it takes a significant dedication of resources to comply with the requirements of state housing element law, it is worth noting that many cities throughout the Southern California (SCAG) region, both big and small, have already adopted their sixth cycle housing elements after fully complying with state law mandates governing consultation with the public and the state Department of Housing and Community Development (HCD). We believe that, with appropriate planning, all of the SCAG cities could have adopted their housing elements by the October 15, 2021 deadline. For this reason, it would not be productive to respond to this letter by listing the steps the City has taken towards adoption, or the obstacles it has faced. Instead, we simply ask that the City sign the Acknowledgment. There are no statutory exceptions to the penalties identified in the Acknowledgment, and HCD does not have the authority to excuse the City from them.

We look forward to receiving the signed Acknowledgment. If you would like to discuss any of this with me, please do not hesitate to give me a call at (213) 739-8206.

Sincerely,



Matthew Gelfand

cc: Richard Padilla, Esq., Assistant City Attorney (by email to rpadilla@omlowlaw.com)

ACKNOWLEDGMENT

The City of San Fernando hereby acknowledges that it has not timely adopted a sixth cycle revised housing element of its general plan within the deadline set forth in Government Code Section 65588, and that its housing element is therefore not in substantial compliance with Article 10.6 of the Government Code. As a result, the City is subject to the following:

1. Pursuant to Government Code Sections 65583(c)(1)(A), 65583.2(c), and 65588(e)(4)(C), the City will be required to complete any rezoning required under housing element law in connection with the City's sixth cycle housing element by October 15, 2022.
2. The City is currently prohibited from rejecting housing development projects based on subdivisions (d)(1) and (d)(5) of the Housing Accountability Act (HAA), Government Code Section 65589.5. The City acknowledges that this means that, unless another exception within subdivision (d) applies, the City is prohibited from using its general plan and zoning standards to reject a proposal that meets the affordability requirements described in subdivision (h)(3) of the HAA.

The public, including without limitation any applicant to develop any project involving residential units, may rely on this Acknowledgment as the City's binding commitment to comply with the provisions of state law described above.

DATED: _____, 2022

CITY OF SAN FERNANDO

By: _____
[Signature]

[Name]

Its: _____
[Title]

Kanika Kith

From: Aaron Aszkenazy <aaron@aszkenazy.com>
Sent: Monday, May 2, 2022 3:11 PM
To: Kanika Kith
Subject: Housing Sites

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Kanika,

I am emailing you with two sites we would be interested in developing housing in the future and request to be included in the housing plan as opportunity sites.

See below.

- 603 San Fernando Road, San Fernando, CA 91340
- 411 S Brand Blvd, San Fernando, CA 91304

Please let me know if you have any questions.



Aaron Aszkenazy
Development/Finance
200 San Fernando Mission Blvd. Ste #200
San Fernando, CA 91340
t. (818) 270-9090 | m. (323) 868-1242
w. www.aszkenazy.com



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AGENDA REPORT

To: Mayor Mary Mendoza and Councilmembers

From: Nick Kimball, City Manager
By: Matt Baumgardner, Director of Public Works

Date: June 6, 2022

Subject: Consideration to Adopt a Resolution Requiring the Adoption of Mandatory Water Conservation Measures in the City of San Fernando

RECOMMENDATION:

It is recommended that the City Council:

- a. Adopt Resolution No. 8151 (Attachment "A") requiring the adoption of mandatory water conservation measures in the City of San Fernando; and
- b. Authorize the City Manager to implement education and enforcement programs to support mandatory water conservation efforts to reduce water usage by 20 percent from 2020 water usage levels.

BACKGROUND:

1. The hydrological conditions in the Colorado River system and in California are at historically low levels. Fifty percent of the Southern California region's water supply comes from the state water reserves (State Water Project) located in Northern California.
2. On June 21, 2021, the City Council adopted the City's 2020 Urban Water Management Plan, which included a new chapter on the City's Water Shortage Contingency Plan required by the California Department of Water Resources.
3. On July 8, 2021, Governor Gavin Newsom declared a drought emergency for most counties in the State of California, requesting a voluntary 15% reduction for counties from their 2020 levels. This declaration excluded Los Angeles County.
4. On October 19, 2021, Governor Newsom issued a proclamation that extended his previous drought declaration to the entire state and included Los Angeles County.
5. On November 15, 2021, the City Council adopted Resolution No. 8105 declaring a multi-year drought emergency and implementing voluntary conservation measures of 10 percent.

Consideration to Adopt a Resolution Requiring the Adoption of Mandatory Water Conservation Measures in the City of San Fernando

Page 2 of 4

6. On April 13, 2022, the City had to shut down its highest producing groundwater well, Well No. 2A, as a result of elevated nitrate levels in the drinking water.
7. Since April 13, 2022, the City has been importing water from the Metropolitan Water District (MWD) to meet its water demand.
8. On May 16, 2022, staff provided an informational report to City Council on a 3-year cash flow analysis of the City's water system and water conservation. Staff was directed to return to City Council with a resolution to consider more stringent water conservation measures.
9. On May 25, 2022, the State Water Resources Control Board adopted emergency regulations that require all urban water suppliers to implement conservation actions under Level 2 of their adopted Water Shortage Contingency Plan (WSCP).

ANALYSIS:

The state and Southern California region has been experiencing a historical drought period for multiple consecutive years. This has resulted in a significantly reduced water supply for the region. In response to this, San Fernando has made great strides in water conservation, as water demand in the City has decreased by 27% since 2008 – from 138 gallons per capita per day (gpcd) in 2008 to 101 gpcd in 2020. This compares with an average of 121 gpcd statewide and 107 gpcd for the South Coast region, which includes the County of Los Angeles. While the City has outperformed regional and state averages, this unprecedented drought period requires continued water conservation action. The need for action is accentuated by the fact that the City is currently importing water from MWD for the first time since 2015 and, for a temporary period, is no longer self-sufficient on City-owned groundwater wells.

On May 25, 2022, the State Water Resources Control Board adopted new regulations that require all urban water suppliers to consult their Water Shortage Contingency Plan (Attachment "B") and implement Level 2 mandatory water conservation measures. In order to meet this State mandate, the City's adopted WSCP highlights Level 2 measures that require a mandatory 20 percent reduction in water consumption. The required prohibitions outlined in the WSCP include the following:

- a) Gutter flooding – No person shall cause or permit any water furnished to any property to run or escape into any gutter if such running can be reasonably prevented.
- b) Washing hard-surfaced areas – No person shall use any water furnished to any property within the city to wash sidewalks, driveways, etc. by hosing.
- c) Irrigation – No person shall water any type of vegetation or landscaping during the hours of 10:00 am and 5:00 pm.

Consideration to Adopt a Resolution Requiring the Adoption of Mandatory Water Conservation Measures in the City of San Fernando

Page 3 of 4

- d) Ornamental facilities – No person shall refill any fountain, pool or other facility containing water solely for ornamental purposes.
- e) Leaks – No person shall permit leaks of water, which he/she has the authority to eliminate.
- f) Restaurants – Restaurants shall only serve water to customers upon request.
- g) Washing vehicles – Washing of vehicles, trailers, boats, etc. shall be done only with a handheld buckets or hose equipped with a shut-off nozzle for quick rinses, except that washing may be done with reclaimed water or a commercial car wash using recycled water.
- h) Watering lawns and landscape – All lawns and landscape shall be watered not more than every other day, on the assigned day (either an odd-numbered or even-numbered day).
- i) Wasting generally – No person shall cause or permit water under his or her control to be wasted.

Watering Restrictions.

With respect to the restriction of watering lawns and landscape, MWD's board of directors adopted emergency measures on April 26, 2022, that restrict the irrigation of landscapes to one day a week. All cities and water suppliers that receive State Project water from Northern California through MWD are required to follow the same emergency restrictions. The City is currently receiving Colorado River water from MWD. Staff has been told that in the next few months, the same restrictions may apply to the Colorado River source, as well.

As a result, staff is recommending that the City implement a more stringent measure than is highlighted in the WSCP in order to be compliant-ready with the MWD measures that will soon apply to the Colorado River water supply. This requirement would match what was put into effect by MWD, which will restrict watering of lawns and landscapes to just one day a week. The exception to this restriction is for the use of a drip system that is used for growing food, plants, or trees. As up to 50 percent of water consumption can come from irrigation, restricting the watering of lawns and landscapes to just one day a week can have a significant impact on the success of the City's ability to reach its mandatory requirement of an overall 20 percent reduction in water consumption.

BUDGET IMPACT:

With the current need to import water from MWD, the City is absorbing these costs within the Water Fund. Any success in reducing the amount of water that is imported from MWD through conservation measures will have a positive impact in reducing overall expenditures within the Water Fund in FY 2022-2023.

Consideration to Adopt a Resolution Requiring the Adoption of Mandatory Water Conservation Measures in the City of San Fernando

Page 4 of 4

CONCLUSION:

It is recommended that the City Council adopt Resolution No. 8151, which will require a mandatory 20 percent reduction in water consumption.

ATTACHMENTS:

- A. Resolution No. 8151
- B. Water Shortage Contingency Plan (adopted June 21, 2021)

RESOLUTION NO. 8151

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN FERNANDO, CALIFORNIA, DECLARING AND IMPLEMENTING PHASE II OF THE CITY'S WATER SHORTAGE CONTINGENCY PLAN AND RELATED MANDATORY WATER CONSERVATION MEASURES PURSUANT TO CHAPTER 94, ARTICLE III, DIVISION 4 OF THE SAN FERNANDO MUNICIPAL CODE

WHEREAS, the City of San Fernando ("The City") owns and operates its own water system and is the only disadvantaged community that is entirely represented as a member agency of the Metropolitan Water District of Southern California ("MWD"); and

WHEREAS, the City of San Fernando's two main sources of water, 1) local groundwater, and 2) imported water through MWD, face continuing drought conditions; and

WHEREAS, hydrological conditions in the Colorado River system and in California are at historically low levels, triggering the first ever shortage declared by the United States Department of the Interior; and

WHEREAS, extreme heat and exceptionally dry soils have depleted run-off and natural replenishment of groundwater in the Sylmar Basin, along the Colorado River, and in the Northern Sierra; and

WHEREAS, the City of San Fernando relies primarily on groundwater from the Sylmar Basin to supply water to residents and businesses; and

WHEREAS, statewide storage reserves in Lake Powell, Lake Mead and Lake Oroville, which accounts for fifty-percent (50%) of Southern California's supply, are in record low conditions; and

WHEREAS, on June 21, 2021, the City Council adopted an Urban Water Management Plan, which includes a Water Shortage Contingency Plan; and

WHEREAS, on July 8, 2021, Governor Gavin Newsom requested voluntary conservation measures in most counties in California to reduce demands to fifteen percent below 2020 levels under Executive Order N-10-21 and issued a proclamation on October 19, 2021, to extend the voluntary measures statewide; and

WHEREAS, on November 15, 2021, the City Council declared a multi-year drought emergency and requested ten percent (10%) voluntary conservation measures citywide; and

WHEREAS, on April 26, 2022, MWD's Board of Directors adopted emergency measures to restrict watering of lawns and landscape to one day a week; and

WHEREAS, on May 25, 2022, the State Water Resources Control Board adopted regulations that requires all urban water suppliers to implement Level 2 provisions of their Water Shortage Contingency Plans, which requires a mandatory twenty-percent (20%) reduction of water consumption; and

WHEREAS, the City of San Fernando's residents have maintained water supply demands at least fifteen percent (15%) below 2013 levels when the last drought began and have reduced per capita usage by twenty-seven percent (27%) since 2008 (Water Demand: in 2008 - 138 gpcd; in 2013 - 126 gpcd; and in 2020 - 101 gpcd); and

WHEREAS, the State goal for per capita water usage by 2030 is 50 gallons per capita per day (gpcd); and

WHEREAS, Section 94-286 (Phase II water shortage (mandatory conservation) of the Division 4 of Article III of Chapter 94 of the San Fernando Municipal Code provides as follows:

- (a) A phase II shortage shall be declared when the city determines that a shortage of up to 20 percent will occur in water supplies.

All elements of section 94-288 (Prohibitions) shall apply in phase II on a mandatory basis.

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

SECTION 1. The City Council finds that all of the recitals, above, are true and correct. The City Council declares that the region continues to be in a state of an imminent multi-year drought emergency and that a shortage of up to 20 percent will occur in water supplies. Accordingly, the City Council hereby declares a Phase II water shortage as authorized under Section 94-286 of the San Fernando Municipal Code

SECTION 2. The City Council calls for additional, more restrictive conservation measures and preparations to avert the impacts of the looming extreme weather and shortage conditions. These measures, outlined in the City's Water Shortage Contingency Plan, include the following:

- Gutter flooding – No person shall cause or permit any water furnished to any property to run or escape into any gutter if such running can be reasonably prevented.
- Washing hard-surfaced areas – No person shall use any water furnished to any property within the city to wash sidewalks, driveways, etc. by hosing.
- Irrigation – No person shall water any type of vegetation or landscaping during the hours of 10:00 am and 5:00 pm.
- Ornamental facilities – No person shall refill any fountain, pool or other facility containing water solely for ornamental purposes.
- Leaks – No person shall permit leaks of water, which he/she has the authority to eliminate.
- Restaurants – Restaurants shall only serve water to customers upon request.

- Washing vehicles – Washing of vehicles, trailers, boats, etc. shall be done only with a handheld buckets or hose equipped with a shut-off nozzle for quick rinses, except that washing may be done with reclaimed water or a commercial car wash using recycled water.
- Watering lawns and landscape – All lawns and landscape shall be watered not more than one day per week, on an assigned day. The exception to this is for the use of drip-style irrigation that is used to grow food or water plants or trees.
- Wasting generally – No person shall cause or permit water under his or her control to be wasted.

SECTION 3. In addition to the mandatory measures referenced above, the City Council also strongly encourages its businesses, residents and agency partners to implement all efficiency measures through personal choices of responsible water use, use of existing conservation rebates, and planting of California native and drought tolerant vegetation, landscaping and trees.

SECTION 4. The City Council directs City Staff to work with regional partners to customize communication materials, outreach efforts and education programs with residents, businesses, educational institutions, faith-based organizations, and other institutions operating in the City about the developing water crisis and the measures to combat its impacts.

SECTION 5. The City Council requests mandatory conservation measures from businesses and residents to reduce water demands twenty percent below 2020 levels.

SECTION 6. This Resolution shall take effect immediately upon its adoption by the City Council and the City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

PASSED, APPROVED, AND ADOPTED THIS 6th day of June, 2022.

Mary Mendoza, Mayor of the City of
San Fernando, California

ATTEST:

Julia Fritz, City Clerk

CERTIFICATION

I, City Clerk of the City of San Fernando, California, do hereby certify that the foregoing is a full, true, and correct copy of Resolution No. 8151 which was regularly introduced and adopted by the City Council of the City of San Fernando, California, at a regular meeting thereof held on the 6th day of June, 2022, by the following vote of the City Council:

AYES:

NAYS:

ABSENT:

ABSTAINED:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of San Fernando, California, this _____ day of June 2022.

Julia Fritz, City Clerk



SECTION 8

WATER SHORTAGE CONTINGENCY PLAN

8.1 INTRODUCTION

Water supplies may be interrupted or reduced significantly in a number of ways including droughts, earthquakes, and power outages, which can hinder a water agency's ability to effectively deliver water. Drought impacts increase with the length of a drought as carry-over supplies in reservoirs are depleted and water levels in groundwater basins decline. The ability to manage water supplies in times of drought or other emergencies is an important part of water resources management for a community. Although the majority of the City's water supply is produced locally, response to an emergency will be a coordinated effort between its own staff and other local and regional water agencies.

Recent water supply challenges throughout the American Southwest and the State of California have resulted in the development of a number of policy actions that water agencies would implement in the event of a water shortage. In Southern California, the development of such policies has occurred at both the wholesale and retail level. This section addresses elements related to the urban water supplier's Water Shortage Contingency Plan (WSCP) describing new and existing policies that MWD and the City have in place to respond to water supply shortages, including a catastrophic interruption and a greater than 50 percent mandatory reduction in total potable water supply. The City will also coordinate with MWD to implement water shortage plans on a regional level.

8.2 WATER SUPPLY RELIABILITY ANALYSIS

8.2.1 Water Service Reliability Assessment

Southern California is expected to experience an increase in regional demands in the years 2025 through 2045 as a result of population growth. Although increases in demand are expected, future demands are effectively limited due to the requirements of SBx7-7. It can be reasonably expected that the majority of agencies have met or were near their compliance targets for 2020 and will continue to meet, or will soon meet, their per-capita usage limit in the future.

The data in the MWD 2020 UWMP shows supply reliability projections for average and single dry years and is important to effectively project and analyze supply and demand over the next 25 years for many regional agencies. Projected supplies during single and multiple dry year scenarios indicate MWD's projected supply will exceed its projected single dry year demands in all years. Likewise, for average years, MWD supply exceeds projected demands for all years.



Due to the semi-arid nature of the City's climate and as a result of past drought conditions, the City is vulnerable to water shortages due to its climatic environment and seasonally hot summer months. **Section 6** describes the water availability during single and multiple dry year scenarios. **Tables 8.1, 8.2, and 8.3** summarize the supply and demand comparisons during normal, single-dry year, and multiple dry year, respectively.

Table 8.1: Normal Year Supply & Demand Comparison (AF) (DWR Table 7-2 R)

	2025	2030	2035	2040	2045
Supply totals	4,199	4,199	4,199	4,199	4,199
Demand totals	2,910	2,960	3,011	3,062	3,114
Difference	1,289	1,239	1,188	1,137	1,085

Table 8.2: Single Dry Year Supply & Demand Comparison (AF) (DWR Table 7-3 R)

	2025	2030	2035	2040	2045
Supply totals	3,570	3,570	3,570	3,570	3,570
Demand totals	3,273	3,329	3,386	3,444	3,503
Difference	297	241	184	126	67

Table 8.3: Multiple Dry Year Supply & Demand Comparison (AF) (DWR Table 7-4 R)

		2025	2030	2035	2040	2045
First year	Supply totals	3,570	3,570	3,570	3,570	3,570
	Demand totals	3,238	3,293	3,349	3,406	3,465
	Difference	332	277	221	164	105
Second year	Supply totals	3,570	3,570	3,570	3,570	3,570
	Demand totals	3,443	3,502	3,562	3,623	3,684
	Difference	127	68	8	(53)	(114)
Third year	Supply totals	3,570	3,570	3,570	3,570	3,570
	Demand totals	3,535	3,595	3,656	3,719	3,782
	Difference	35	(25)	(86)	(149)	(212)
Fourth year	Supply totals	3,570	3,570	3,570	3,570	3,570
	Demand totals	3,358	3,416	3,474	3,533	3,594
	Difference	212	154	96	37	(24)
Fifth year	Supply totals	3,570	3,570	3,570	3,570	3,570
	Demand totals	2,892	2,942	2,992	3,043	3,095
	Difference	678	628	578	527	475



As shown in **Tables 8.1 to 8.3**, the City can meet the majority of future demands through 2045; however, the City service area indicates supply deficits in the analysis. Because the City has access to MWD water, a shortfall of groundwater supplies may be supplemented by imported water supply from MWD. Furthermore, these projections do not include groundwater right agreements with outside agencies. The City may consider groundwater lease agreements with the City of Los Angeles to pump additional groundwater if they anticipate to exceed their adjudicated groundwater rights within the Sylmar Groundwater Basin.

8.2.2 Five-Year Drought Risk Assessment

Due to the surface and subsurface inflows from the Santa Susana and San Gabriel Mountains and natural percolation, the Sylmar Basin has moderate dry season groundwater supply protection. Additionally, due to the stipulations of the Sylmar Judgment, the City may extract up to 10 percent in excess of its adjudicated right of 3,570 AFY. If the City leases additional groundwater from the City of Los Angeles, this will result in even greater supply reliability benefits during dry seasons that may occur during the course of the City's lease. Furthermore, since the City will continue to have access to imported water, the City may import water to meet demand, if necessary.

Imported water supplies, like groundwater, are subject to demand increases and reduced supplies during dry years; however, MWD modeling in its 2020 UWMP, as referenced in **Tables 6.2 to 6.3** in **Section 6**, results in 100 percent reliability for full-service demands through the year 2045 for all climatic conditions. Based on the conditions described above, the City anticipates the ability to meet water demand for all climatic conditions for the near future.

New to the 2020 UWMP is the Drought Risk Assessment (DRA) over a 5-year period examining the reliability of the City's water supplies. **Table 8.4** shows the results of the analysis. The analysis was done utilizing DWR's DRA Planning Tool to determine supply and demand projections, and to analyze the City's vulnerability to droughts. The tool also allows water purveyors to utilize potential water usage saving or supply augmentation methods to mitigate supply shortfalls. These water usages saving methods (restrictions) and supply augmentations are further discussed in the WSCP. As shown, the City is capable to meet the projected demands based on the estimated water supplies during drought conditions without the need for WSCP stage implementation.

Table 8.4: Five-Year Drought Risk Assessment (AF) (DWR Table 7-5)

	2021	2022	2023	2024	2025
Total Water Use	2,871	2,881	2,891	2,900	2,910
Total Supplies	3,570	3,570	3,570	3,570	3,570
Surplus/Shortfall w/o WSCP Action	699	689	679	670	660
Planned WSCP Actions (Use Reduction and Supply Augmentation)					
Supply Augmentation Benefit from WSCP Response	0	0	0	0	0
Use Reduction Savings Benefit from WSCP Response	0	0	0	0	0
Revised Surplus/Shortfall	699	689	679	670	660
Resulting % Use Reduction from WSCP Action	0%	0%	0%	0%	0%



Figure 8.1: Severe Droughts Highlight the Importance of Conservation Ordinances (Lake Oroville in 2014)

Response to a future drought would follow the water use efficiency mandates of the City's phased water conservation program along with implementation of the appropriate stage of regional plans, such as MWD's Water Surplus Drought Management (WSDM) Plan as described later in this section.

8.3 ANNUAL WATER SUPPLY AND DEMAND ASSESSMENT PROCEDURES

Under CWC Section 10632(a)(2), beginning by July 1, 2022, each urban water supplier is required to prepare their annual water supply and demand assessment (Annual Assessment) and submit an Annual Water Shortage Assessment Report to DWR. The Annual Water Shortage Assessment Report will be due by July 1 of every year, as required by CWC Section 10632.1.

This section outlines the City's procedures used in conducting an Annual Assessment, including the following: 1) written decision-making process for determining water supply reliability; and 2) key data inputs and assessment methodology for evaluating the water supply reliability for the current year and one dry year.

8.3.1 Decision-Making Process

The City's Annual Assessment will be mostly based on daily recorded water production and supply figures. Water consumption is monitored regularly through the metering of all City service connections in its distribution system. To determine its water supply reliability and actual reductions in water use during declared water shortages or emergencies, the City can rely on its daily records as well as the weekly, monthly, and annual reports prepared. These periodical



analyses are used by the City to manage resources to meet projected demands and adjust to changing conditions (i.e., precipitation) throughout the year.

Starting in 2022, City staff will submit and present a finalized Annual Water Shortage Assessment Report to the City Council for approval by June each year. City staff will also present determination of recommended water shortage response actions deemed appropriate as a result of the Annual Assessment. Following approval, City staff will submit the approved Annual Water Shortage Assessment Report to DWR by July 1 of every year. The functional procedures for the decision-making process are depicted in the following timeline shown in **Figure 8.2**.

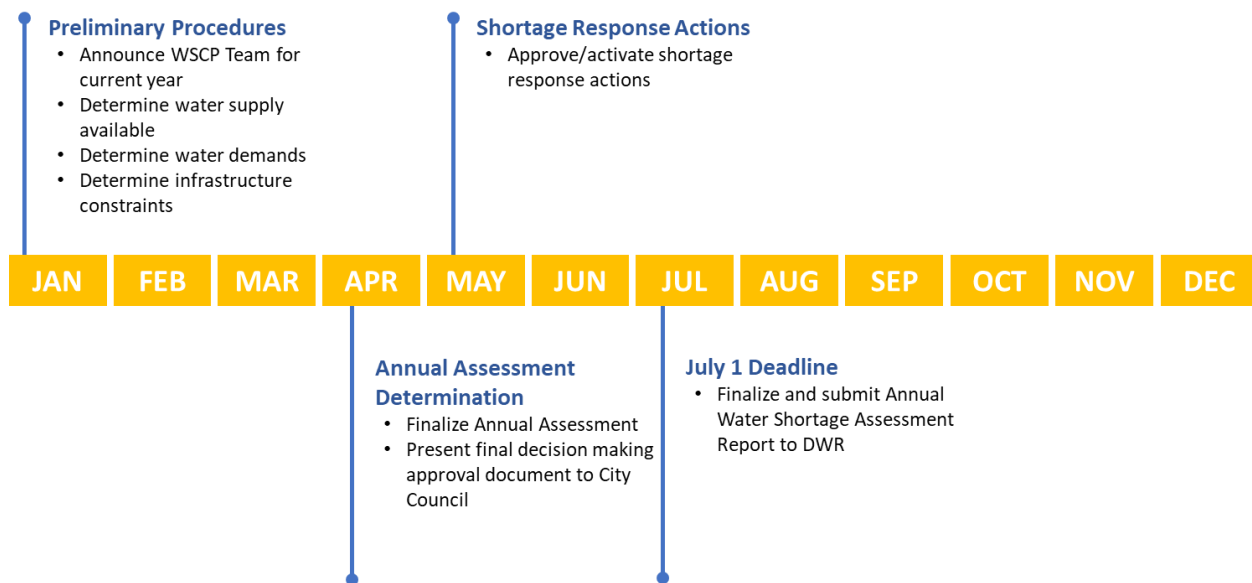


Figure 8.2: Sample Annual Assessment Decision-Making Process Timeline

8.3.2 Key Data Inputs and Assessment Methodology

This section defines the key data inputs and assessment methodology used to evaluate the water supply reliability for the anticipated conditions for the current year and for one dry year that follows. The Annual Assessment determination will focus on the current year unconstrained demand, infrastructure constraints, and total water supply availability. Moreover, the Annual Assessment will consider the current year's weather, population growth, policies in place that will impact demands, and other influencing factors. The current year available supply will incorporate the hydrological regulatory conditions for the current year and following dry year.

Locally Applicable Evaluation Criteria

The locally applicable evaluation criteria that will be consistently relied on for each Annual Assessment include the following:

- 1) Assumed unconstrained demand (i.e., demand without any conservation measures) for current year and one dry year
- 2) Assumed total water supply availability for current year and one dry year



- 3) Existing infrastructure capabilities and plausible constraints
- Any known issues with the water facilities (including water quality conditions limiting local sources)
 - Planned power outages for operation and maintenance
 - New construction and repairs
 - Environmental mitigation measures
 - Other constraints that may affect near-term water supply reliability

Water Supply Sources Description and Quantification

As part of the Annual Assessment, the total available water supply evaluation criteria will comprise of the City's water supply sources as shown and quantified in **Tables 8.5** and **8.6**.

Table 8.5: 2020 Water Supply (AF) (DWR Table 6-8 Retail)

Water Supply	Additional Detail on Water Supply	2020		
		Actual Volume	Water Quality	Total Right or Safe Yield
Purchased or Imported Water	MWD	0	Drinking Water	629
Groundwater (not desalinated)	Sylmar Groundwater Basin	2,862	Drinking Water	3,570
Total		2,862		4,199

Table 8.6: Projected Water Supply Availability (AF) (DWR Table 6-9 Retail)

Water Supply	Additional Detail on Water Supply	Projected Water Supplies				
		2025	2030	2035	2040	2045
Purchased or Imported Water	MWD	629	629	629	629	629
Groundwater (not desalinated)	Sylmar Groundwater Basin	3,570	3,570	3,570	3,570	3,570
Total		4,199	4,199	4,199	4,199	4,199

Imported Water Purchases

The City receives its imported water supply from MWD. Supply from MWD originates from the Colorado River and the Sacramento-San Joaquin River Delta in Northern California. From 2015 to 2020, imported water has accounted for 0 percent of the City's potable water supply total. This independence from imported water is the result of the City's groundwater pumping ability. The City is projected to be able to have access to its full Tier 1 limit supply with MWD of 629 AFY as shown in **Table 8.6**.



Groundwater Supply

The City uses its groundwater wells to extract groundwater from the Sylmar Groundwater Basin and has an adjudicated right of about 3,570 AFY. The City currently maintains three active wells (Well Nos. 2A, 4A, and 7A) and one standby well (Well No. 3) for groundwater extraction.

8.4 SHORTAGE STAGES AND SHORTAGE RESPONSE ACTIONS

8.4.1 MWD Stages of Action

Water Surplus & Drought Management Plan (WSDM)

In addition to the provisions of the City's Conservation Ordinance, the City will also work in conjunction with MWD to implement conservation measures within the framework of MWD's WSDM Plan. The WSDM Plan was developed in 1999 by MWD with assistance and input with its member agencies. The plan addresses both surplus and shortage contingencies.

The WSDM Plan guiding principle is to minimize adverse impacts of water shortage and ensure regional reliability. The plan guides the operations of water resources (local resources, Colorado River, SWP, and regional storage) to ensure regional reliability. It identifies the expected sequence of resource management actions MWD will take during surpluses and shortages of water to minimize the probability of severe shortages that require curtailment of full-service demands. Mandatory allocations are avoided to the extent practicable; however, in the event of an extreme shortage, an allocation plan will be implemented.

MWD's WSDM and WSAP Plans help guide drought management for many agencies throughout the region.

In addition to its WSDM Plan, MWD developed a Water Supply Allocation Plan (WSAP), which provides a standardized methodology for allocation of supplies during times of extreme shortage (Stage 7 in MWD's WSDM Plan). During a shortage, the City's imported water supplies will be allocated based on the methodology documented in MWD's allocation plan.

The following description of shortage stages is from MWD's 2020 UWMP, page 2-29:

"Shortage: Metropolitan can meet full-service demands and partially meet or fully meet interruptible demands, using stored water or water transfers as necessary.

Severe Shortage: Metropolitan can meet full-service demands only by using stored water, transfers, and possibly calling for extraordinary conservation.

Extreme Shortage: Metropolitan allocates available supply to full-service customers.



Figure 8.3: Lake Mead “Bathtub Ring” (December 20, 2020)

The WSDM Plan also defines six shortage management stages to guide resource management activities. These stages are not defined merely by shortfalls in imported water supply, but also by the water balances in Metropolitan’s storage programs. Thus, a 10 percent shortfall in imported supplies could be a stage one shortage if storage levels are high. If storage levels are already depleted, the same shortfall in imported supplies could potentially be defined as a more severe shortage.

When Metropolitan must make net withdrawals from storage to meet demands, it is considered to be in a shortage condition. Under most of these stages, Metropolitan is still able to meet all end-use demands for water. For shortage stages 1 through 3, Metropolitan will meet demands by withdrawing water from storage. At shortage stages 4 and 5, Metropolitan may undertake additional shortage management steps, including issuing public calls for extraordinary conservation and exercising water transfer options, or purchasing water on the open market.”

MWD Water Supply Allocation Plan (for WSDM Shortage Stage 7)

In February 2008, MWD’s Board of Directors adopted a WSAP, which includes a methodology for calculating supply allocations in the event that MWD enters a Shortage Stage 7 and is unable to meet the demands of its member agencies. MWD revised its WSAP in 2014 to include the following updates: new FY 12-13 to FY 13-14 baseline, implement a Conservation Demand

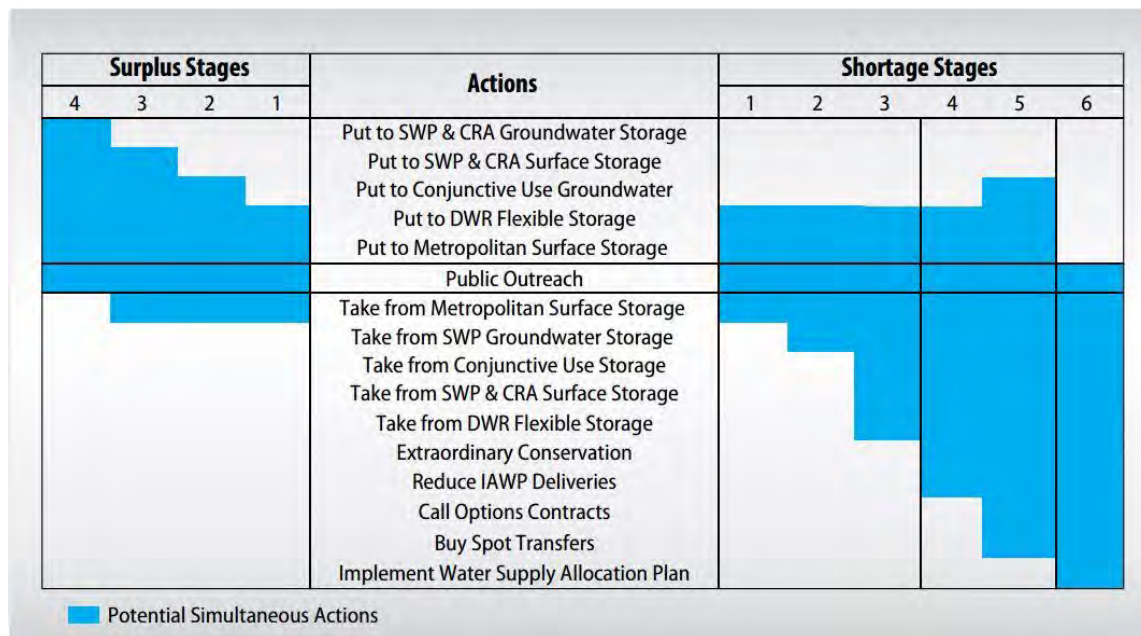


Figure 8.4: MWD WSDM Surplus & Drought Stages

Hardening Adjustment, create a separate Groundwater Replenishment Allocation for applicable agencies, and replace WSAP Penalty Rates with Allocation Surcharges based on the marginal costs of turf removal. It should be noted that the WSAP is not a rationing plan. Rather, it is a pricing plan where water is allocated at regular prices and agencies that choose to take more than the allocated water pay surcharges. The surcharge pricing mechanism acts to discourage the use of water above the allocation. The WSAP uses a combination of estimated total retail demands and historical local supply production within the member agency service area to estimate the demands on MWD from each member agency in a given year. Based on a number of factors, including storage and supply conditions, MWD then determines whether it has the ability to meet these demands or will need to allocate its limited supplies among its member agencies. Thus, implicit in MWD's decision not to implement an allocation of its supplies is that, at a minimum, MWD will be able to meet the demands identified for each of the member agencies.

According to MWD's 2015 IRP, the approach seeks to balance the impacts of a shortage at the retail level while maintaining equity on the wholesale level and takes into account growth, local investments, changes in supply conditions and the demand hardening aspects of non-potable recycled water use and the implementation of conservation savings programs. The methodology attempts to allocate supplies based on an estimate of an agency's relative need for imported water using the following process:

1. Establish a baseline for total retail demands (and adjust for growth) to determine the allocation year total retail demands. ("What are your total water demands?")

When a WSDM Shortage Stage 7 is triggered, MWD's WSAP helps to assess resources in the most equitable way possible.



Figure 8.5: MWD's Diamond Valley Lake (Potential Reserves for WSAP Allocations)

2. Estimate the amount of local supplies to be utilized in the allocation year and subtract from total retail demands. This is the allocation year baseline demand on MWD. (*"How much imported water do you need from MWD?"*)
3. Apply the minimum allocation percentage (per the regional shortage level) to the allocation year baseline demand and provide minor adjustments based on various criteria. (*"Restrict normal supply deliveries and provide allocation."*)

Base Period Calculations (Used to Determine WSAP Reductions)

The Base Period is calculated using data from FY 2012-13 and FY 2013-14. Base Period wholesale demands are based on the two-year average of demands on MWD during the Base Period, including full-service, seawater barrier, seasonal shift, and surface storage operating agreement demands.

Local supplies for the base period are calculated using a two-year average of groundwater production, groundwater recovery, Los Angeles Aqueduct supply, surface water production, and other imported supplies. Non-potable recycling production is not included in this calculation, which, according to MWD, is intended to address the impact of demand hardening due to recycled water use.



Total potable retail demands for the Base Period are then calculated by adding the Base Period wholesale demands on MWD and the Base Period local supplies.

WSAP Allocation Year Calculations

The next step is to estimate water needs in an allocation year by (1) adjusting the Base Period total retail demands for population or economic growth, and (2) accounting for changes in local supplies.

The Base Period retail demands are adjusted for growth using the average annual rate of population growth occurring since the two-year base period based on county-level data generated by the California Department of Finance.

Next, these growth-adjusted demands are adjusted again to account for (1) gains and losses of local supply, and (2) extraordinary increases in production over the base year. According to MWD, these adjustments are made to give a more accurate estimate of actual supplies in the allocation year, and, in turn, more accurately reflect an agency's demand for MWD supplies.

The adjustment for gains in local supplies is intended to account for planned or scheduled gains in local supply production above the Base Period, which are not due to extraordinary actions to increase water supply in the allocation year. These previously scheduled increases in supply programs (i.e., San Diego County Water Authority/Imperial Irrigation District) or local production are added to the base period local supplies. Again, new supplies from non-potable recycling projects are not counted as local supplies.

While the local agency does become more reliable with the addition of the new supplies, assuming that the new supplies are available during an allocation, the benefits of these programs are partially offset because the impact of adding the new supplies to the Base Period local supplies is to reduce an agency's dependence on MWD and thus their allocation under the WSAP.

Alternatively, only a portion of the additional supplies from what are termed "extraordinary increases in production" are added back to Allocation Year local supplies depending on the retail shortage level. Extraordinary increases in production include such efforts as purchasing transfers or mining of groundwater basins. By adding only a percentage of the yield from these supplies to Allocation Year local supplies, it has the effect of "setting aside" the majority of yield for the agency who procured the supply.

Table 8.7 reflects the set of percentages used in the WSAP to establish water allocations for each agency.



Table 8.7: Water Allocation Percentages

Regional Shortage Level	Regional Shortage Percentage	Wholesale Minimum Percentage	Maximum Retail Impact Adjustment Maximum
1	5%	92.5%	2.5%
2	10%	85.0%	5.0%
3	15%	77.5%	7.5%
4	20%	70.0%	10.0%
5	25%	62.5%	12.5%
6	30%	55.0%	15.0%
7	35%	47.5%	17.5%
8	40%	40.0%	20.0%
9	45%	32.5%	22.5%
10	50%	25.0%	25.0%

8.4.2 City of San Fernando Response Plan

The City has implemented a water conservation program to reduce water demands since the drought period of the early 1990s. On October 20, 2014, the City Council adopted a revised version Water Conservation Ordinance (Ordinance No. 1638, see **Appendix G**), which establishes three phases of water shortage severity based on predicted or actual water supply reductions. The City implements certain initiatives to optimize water supply during water shortages or drought conditions. In the event of a water shortage, the director of utilities will declare the appropriate water conservation stage by resolution.

The objectives of the response plan are to:

1. Prioritize essential uses of available water
2. Avoid irretrievable loss of natural resources
3. Manage current water supplies to meet ongoing and future needs
4. Maximize local municipal water supplies
5. Eliminate water waste city-wide
6. Create equitable demand reduction targets
7. Minimize adverse financial effects

The following priorities for uses of available water are listed in order from highest to lowest priority:

1. Health and Safety including: consumption and sanitation for all water users; fire suppression; hospitals, emergency care, nursing/convalescent homes and other similar health care facilities; shelters and water treatment



2. Institutions, including government facilities and schools such as public safety facilities, essential government operations, public pools and recreation areas
3. All non-essential commercial and residential water uses
4. Landscaped areas of significance, including parks, cemeteries, open spaces, government-facility landscaped areas and green belt areas
5. New water demand

City of San Fernando Stages of Action

During water shortages, the City has the ability to meet its demands by applying a Phased Water Conservation Plan. This plan imposes phases of mandatory water reduction of water use up to and greater than 50 percent and consists of three phases that help reduce water use within the City's system in order to meet a water supply reduction target based on the severity of the drought conditions or supply shortage. The City's two potable water sources are local groundwater and imported deliveries through MWD. Rationing stages may be triggered by a shortage in one source or a combination of sources, and shortages may trigger a stage at any time. **Table 8.8** shows the stages of action of the ordinance.

Per CWC Section 10632(a)(3)(B), a supplier may continue using their own water shortage levels that were previously used. In accordance with this allowance, the City has chosen to continue to use its current water shortage levels in its new WSCP and has included a graphic (**Table 8.8**) to correlate its water shortage levels to the six standard water shortage levels mandated by CWC Section 10632(a)(3)(A).

Table 8.8: Water Supply Shortage Stages and Conditions – Rationing Stages

City Shortage Levels			Mandated Standard Shortage Levels	
Stage Phase	Restriction Type	% Shortage	Shortage Level	% Shortage
I	Voluntary	Up to 10%	1	Up to 10%
II	Mandatory	Up to 20%	2	Up to 20%
III	Mandatory	Up to 50% or greater	3	Up to 30%
			4	Up to 40%
			5	Up to 50%
			6	>50%

As reflected in **Table 8.8**, the mandatory prohibitions applied by Phase 3 will curtail water use more than 50 percent below the projected water consumption level. Correspondingly, the City's shortage levels depicted in **Table 8.8** are bundled in such a way that if a conservation stage to reduce water consumption by 40 percent were mandated (CWC standard shortage level 4), the prohibitions and additional conservation measures activated by the City's Phase 3 will provide more than enough shortage responses to exceed the conservation goal.



The City Council will implement the provisions of the Phased Water Conservation Plan, following a public hearing, upon determination that the projected water shortage and the appropriate measures should be implemented. Any provision requiring curtailment in the use of water shall become effective no sooner than the first billing period commencing on or after the date of publication of the measures adopted.

The type of event that may prompt the City Council to declare a water shortage and implement the Water Conservation Plan includes a drought, a state or local emergency, a natural disaster that critically impacts the supply or water conveyance system, and a localized event that critically impacts the water supply. The water supply can be impacted due to deficient water treatment and/or water quality, and problems with storage, transmission, or the water distribution system. Also, restricted use could be triggered by the City's wholesale water agency requesting extraordinary water conservation efforts in order to avoid mandatory water allocations in accordance with the WSAP.

8.4.3 Prohibitions

Mandatory Prohibitions

In accordance with the City's conservation policies, the City has enacted several water use restrictions which are enacted during times of shortage as part of the City's Ordinance Code 1638 (see **Appendix G**). In addition, the City has planned to review its current conservation plan in the near future.

Prohibitions of the current conservation plan include, but are not limited to:

- *Gutter flooding* – No person shall cause or permit any water furnished to any property to run or escape into any gutter if such running can be reasonably prevented.
- *Washing hard-surfaced areas* – No person shall use any water furnished to any property within the city to wash sidewalks, driveways, etc. by hosing.
- *Irrigation* – No person shall water any type of vegetation or landscaping during the hours of 10:00 am and 5:00 pm.
- *Ornamental facilities* – No person shall refill any fountain, pool or other facility containing water solely for ornamental purposed.
- *Leaks* – No person shall permit leaks of water which he/she has the authority to eliminate.
- *Restaurants* – Restaurants shall only serve water to customers upon request.
- *Washing vehicles* – Washing of vehicles, trailers, boats, etc. shall be done only with a hand-held buckets or hose equipped with a shut-off nozzle for quick rinses, except that washing may be done with reclaimed water or a commercial car wash using recycled water.
- *Watering lawns and landscape* – All lawns and landscape shall be watered not more than every other day, on the assigned day (either an odd-numbered or even-numbered day).
- *Wasting generally* – No person shall cause or permit water under his or her control to be wasted.



8.4.4 Consumption Reduction Methods

In addition to the City's demand management measures, the following is a list of some of the consumption reduction methods that the City may implement during a water shortage:

- Reduced pressure in water mains
- Flow & water use restrictions
- Restrict building permits
- Restrict for only priority uses
- Water Shortage pricing
- Mandatory rationing

8.4.5 Catastrophic Supply Interruption

Given the great distances imported water supplies travel to reach the City service area, the region is vulnerable to interruptions along hundreds of miles of aqueducts, pipelines and other facilities associated with delivering the supplies to the region. Additionally, this water is distributed to customers through an intricate network of pipes and water mains that are susceptible to damage from earthquakes and other disasters, natural or otherwise.

MWD

MWD has comprehensive plans for stages of actions it would undertake to address a catastrophic interruption in water supplies through its WSDM and WSAP Plans. MWD also developed an Emergency Storage Objective to mitigate potential interruption in water supplies resulting from catastrophic occurrences within the Southern California region, including seismic events along the San Andreas Fault. In addition, MWD is working with the state to implement a comprehensive improvement plan to address catastrophic occurrences that could occur outside of the Southern California region, such as a probable maximum seismic event in the Delta that would cause levee failure and disruption of SWP deliveries.

In July 2019, MWD's Board adopted amendments to their Administrative Code allowing deliveries of member agency water supplies in MWD's system during an emergency. With these enabled deliveries, MWD's member agencies will be able to deliver their water through MWD's system under specific emergency conditions. Emergency deliveries using a portion of MWD's system can only be made if MWD is unable to make deliveries to a member agency due to physical damage to its system resulting from a natural disaster or other emergency, and there are no alternatives.

City of San Fernando

A water shortage emergency could be caused by a catastrophic event such as result of drought, failures of transmission facilities, a regional power outage, earthquake, flooding, supply contamination from chemical spills, and other adverse conditions.



The City has an Emergency Operations Center (EOC) that can be activated in times of local and regional emergencies. The City is also a part of the Member Agency Response System (MARS), a radio communication system developed by MWD, which allows the City to contact other water member agencies during an emergency or disaster for assistance. In addition, the City maintains its equipment and vehicles in good repair in preparation for responding to emergency conditions. The water system is designed with redundant features in its production, storage and distribution systems, and it has been recently automated by the installation of a telemetry and control system.



Figure 8.6: Reservoirs Provide Emergency Supplies (Lake Skinner)

The City is currently updating its Emergency Response Plan (ERP), which describes the actions the City will take during a catastrophic interruption of water supplies including, a regional power outage, an earthquake, a fire, emergency chlorination, damage or destruction to its facilities and other disaster.

Due to the planning efforts of the MWD, large reservoirs are capable of supplying the City's (and the region's) water needs for several months provided that the water use restrictions of each agency are met. Lake Castaic is a large nearby reservoir that can provide emergency supplies of up to 324,000 AF of emergency and non-emergency supplies.

During a disaster, the City will work cooperatively with LADWP and MWD through the radio communication MARS to facilitate the flow of information and requests for mutual-aid within MWD's 5,100 square mile service area. In the event of groundwater supply loss, all supply could be imported from MWD's reservoirs, and it is confirmed that the necessary capacity is available to do so.

Additional emergency services in the State of California include the Master Mutual Aid Agreement, California Water Agencies Response Network (WARN), and Plan Bulldozer. The Master Mutual Aid Agreement includes all public agencies that have signed the agreement and is planned out of the California Office of Emergency Services. WARN includes all public agencies that have signed the agreement to WARN and provides mutual aid assistance. It is managed by a State Steering Committee. Plan Bulldozer provides mutual aid for construction equipment to any public agency in times of disasters when danger to life and property exists.

8.4.6 Seismic Risk Assessment and Mitigation Plan

Introduction

Earthquakes can vary significantly in magnitude and the amount of damage caused. Major earthquakes can cause loss of electrical power, damage to the City's structures and equipment,



disruption of service, and injuries to staff. This section provides a description of the City's procedures (i.e., response and mitigation) after an earthquake event.

As mandated in CWC Section 10632.5, beginning January 1, 2020, water suppliers are required to include a seismic risk assessment and mitigation plan as part of their WSCP to assess the vulnerability of each of the various facilities of their water system and mitigate those vulnerabilities. If an urban water supplier does not have a seismic risk assessment and mitigation plan, the urban water supplier may instead, per CWC Section 10632.5(c), include a local hazard mitigation plan (LHMP) or a multi-hazard mitigation plan. This requirement is satisfied by the incorporation of elements and analyses from the City's Risk and Resilience Assessment (RRA) and ERP as well as the 2019 County of Los Angeles All-Hazards Mitigation Plan. The complete RRA and ERP documents are not presented within this plan due to the highly confidential nature of the reports. Although the City does not currently have a Seismic Risk Assessment and Mitigation Plan, it plans to prepare a Local Hazard Mitigation Plan by the end of 2021.

Seismology of Water Facilities & Vulnerability

An earthquake is caused by the shifting of tectonic plates beneath the Earth's surface. Ground shaking from moving geologic plates collapses buildings and bridges, and sometimes triggers landslides, avalanches, flash floods, fires and tsunamis. The strong ground motion of earthquakes has the potential to cause a great deal of damage to drinking water and wastewater utilities, particularly since most utility components are constructed from inflexible materials (i.e., concrete, metal pipes). Earthquakes create many cascading and secondary impacts that may include, but are not limited to:

- Structural damage to facility infrastructure and equipment
- Water tank damage or collapse
- Water source transmission line realignment or damage
- Damage to distribution lines due to shifting ground and soil liquefaction, resulting in potential water loss, water service interruptions, low pressure, contamination and sinkholes and/or large pools of water throughout the service area
- Loss of power and communication infrastructure
- Restricted access to facilities due to debris and damage to roadways

According to the maps provided on the California Office of Emergency Services' online planning tool (My Plan) and the California Geological Survey's online earthquake hazards zone application (EQ Zapp), one known fault traverses the City's service area, which is the San Fernando Fault Zone. In addition, there are areas with increased risk due to soil liquefaction. The known regional fault lines, landslide zones, and liquefaction zones are shown in **Figure 8.7**.

ERP – Earthquake Emergency Response

The City is currently preparing a new ERP to replace its existing ERP by December 31, 2021 in order to meet the requirements of America's Water Infrastructure Act of 2018 (AWIA). The ERP provides City staff with the necessary information, strategies, procedures, and mitigation actions

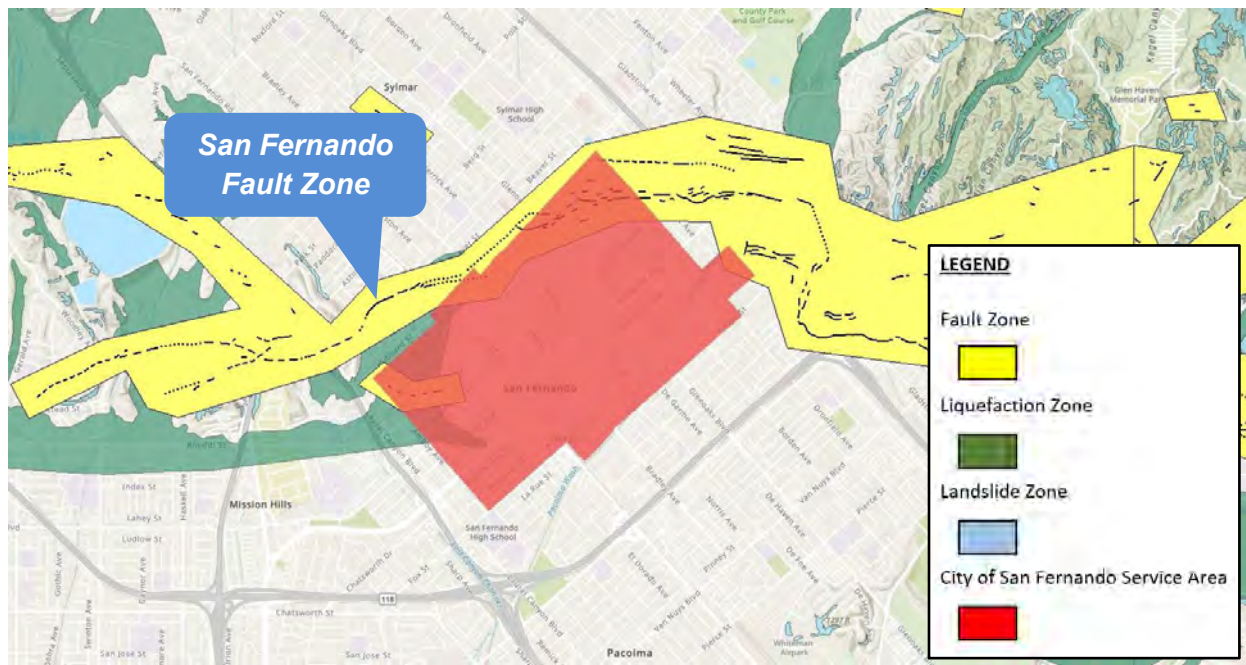


Figure 8.7: Seismic Hazards within the City's Service Area (California Geological Survey)

to address earthquake emergencies. The Water Operations Personnel will be a part of the City Emergency Response Team in case of a citywide emergency. The City's ERP policies are intended to guide disaster management planners and emergency responders, and to provide a consistently high level of preparedness at all the facilities.

Per the ERP, after a major earthquake, the EOC will be activated if potential or significant damage has occurred in the City, and the situation cannot be handled by routine public safety response or immediate mutual aid assistance. In the event of an emergency, the Public Works Superintendent will inform the Water Operations Personnel, who will be required to inspect all facilities for apparent signs of damage or abnormal conditions and conserve the existing water supply in the reservoirs from loss through water line breaks in the distribution system. In addition, Water Operations Personnel will notify the EOC to have the Police Department warn nearby residents if imminent danger from flooding might occur from structural damage to reservoirs. The Public Works Superintendent will also inform the Fire Department of the status of availability of water for firefighting and other purposes.

Mitigation Actions

Hazard mitigation may occur during any phase of a threat, emergency, or disaster. Mitigation can and may take place during the preparedness (before), response (during), and recovery (after) phases. The process of hazard mitigation involves evaluating a hazard's impact and identifying and implementing actions to minimize or eliminate the impact.

County of Los Angeles

The goals of the County of Los Angeles All-Hazards Mitigation Plan are based on a risk assessment, representing a long-term vision for hazard reduction or enhanced mitigation capabilities.

The five mitigation goals and descriptions are listed below:

1. ***Protect Life and Property*** – Implement activities that assist in protecting lives by making homes, businesses, infrastructure, critical facilities, and other property more resistant to losses from natural, human-caused, and technological hazards. Improve hazard assessment information to make recommendations for avoiding new development in high-hazard areas and encouraging preventive measures for existing development in areas vulnerable to natural, human-caused, and technological hazards.
2. ***Enhance Public Awareness*** – Develop and implement education and outreach programs to increase public awareness of the risks associated with natural, human-caused, and technological hazards. Provide information on tools, partnership opportunities, and funding resources to assist in implementing mitigation activities.
3. ***Preserve Natural Systems*** – Support management and land use planning practices with hazard mitigation to protect life. Preserve, rehabilitate, and enhance natural systems to serve hazard mitigation functions.
4. ***Encourage Partnerships and Implementation*** – Strengthen communication and coordinate participation with public agencies, citizens, nonprofit organizations, business, and industry to support implementation. Encourage leadership within the County and public organizations to prioritize and implement local and regional hazard mitigation activities.
5. ***Strengthen Emergency Services*** – Establish policy to ensure mitigation projects are considered for critical facilities, services, and infrastructure.



Figure 8.8: The Five Phases of Emergency Management

The mitigation actions and goals established by the County of Los Angeles to mitigate seismic risks and vulnerabilities are further described within its hazard mitigation plan.

City of San Fernando

After a major earthquake event, City staff will follow the emergency management phases described in the ERP, which include Immediate Actions, Post-Emergency Actions, and Incident



Investigation Process and Reporting. After the Immediate Actions phase, City staff will begin review actions to repair damaged water facilities and prepare for future earthquake emergencies.

Post-Emergency Actions include the following:

1. Water Operations will prepare an action plan for cleanup and repair activities based on the damage caused by the earthquake.
2. If electric power and/or communications remain unavailable for an extended time, the Public Works Superintendent will plan frequent personnel visits to affected facilities.
3. Once the electricity is restored, the facility will be inspected and reset to ensure all active components are functioning properly, including the alarm systems. If any part of the alarm system cannot be restored, the Public Works Superintendent will plan frequent personnel visits to the affected facilities.
4. An incident report will be prepared. In addition, a Response Information Management Form will be completed.

To minimize recurrence and enhance the lessons learned from each earthquake event, an incident investigation will be conducted and a report produced. The following guidance statements are provided to facilitate the process:

1. Personnel directly involved with the incident may record the sequence of events of an incident.
2. An incident investigation shall be initiated by a Public Works Field Supervisor or appropriate Manager.
3. The following notes may facilitate the incident investigation process:
 - Photograph the area affected by the incident and any damaged equipment.
 - Put together a committee familiar with the systems affected and related operations and maintenance.
 - Convene at least one meeting of the committee to:
 - a) Review the facts and chain of events
 - b) Identify the root cause of the incident
 - c) Identify action items to improve the system and/or operation to minimize likelihood of recurrence
 - An incident investigation report shall be produced that may include the following:
 - a) Date and time of the event
 - b) Circumstances that led to event initiation



- c) Method by which the event was discovered
- d) Description of the event
- e) Actions taken by various employees and other entities
- f) Persons injured; extent of injury and reasons for the injury
- g) Equipment involved; reasons for involvement; extent of damage
- h) Agencies notified (time of notification and persons contacted)
- i) Observations in terms of what went right and what went wrong; what was the root causes of the event and “what went wrong”, what can be done to minimize the likelihood of occurrence of such conditions or to minimize their adverse impact.

Specific seismic mitigation actions/measures are further described in the City’s recently updated ERP.

8.5 COMMUNICATION PROTOCOLS

8.5.1 Introduction

The City’s communication protocol includes the various channels that the City will utilize to convey critical messages regarding water shortage allocations and voluntary and mandatory actions. A strong communication strategy and a common understanding on the water supply situation and necessary actions between the City and its customers, the public, elected officials, and other key stakeholders are essential should the WSCP need to be activated. How the water shortage messages are addressed to the public are described in this communication protocol. The communication protocol will be in place prior to a water supply shortage and be initiated in Phase II water supply shortage. Activation of the communication protocol will continue through all subsequent water shortage phases. The City will ensure outreach efforts are reaching key audiences as needed.

It is important to communicate to its customers the following when urgent conservation is needed:

- Which shortage stage is being implemented;
- What response actions are triggered to save water;
- Why water needs to be saved; and
- What actions the City is taking to respond to the water supply situation.

8.5.2 Coordination

The goal of the City’s outreach plans during dry periods and water shortages is to maintain effective coordination with key audiences. In order to maintain reliability in this communication, the City will work closely with the City Council. During dry periods or other times of limited supply, the frequency and extent of coordination will increase to ensure outreach tactics are consistent with the changing needs of the City and its customers. In addition to collaboration with



its wholesaler, MWD, the City will seek opportunities with outside organizations and agencies to complement its own outreach.

8.5.3 Communication Goals

Communication objectives during an existing or anticipated water shortage condition include the following:

- Motivate key audiences (i.e., customers) to increase conservation in following any voluntary or mandatory actions called for at the current stage of the WSCP.
- Raise awareness of the drought, regulations, or other conditions affecting water sources and supplies.
- Educate customers, key stakeholders, elected officials, and the general public about water supply reliability, water quality, and water delivery.
- Prepare customers for any potential escalation of the supply shortage stages.

8.5.4 Communication Protocol for Current or Predicted Shortage

A current or predicted shortage, as determined by the City's Annual Assessment, will be addressed to the public and its customers upon submittal of the Annual Water Shortage Assessment Report to DWR by July 1 of every year. This notice may be conducted by the City's website, signage in front of City Hall, and wholesale agency coordination.

8.5.5 Communication Protocol for Shortage Response Actions Triggered or Anticipated to be Triggered

The City's customers and public will be notified about any triggered or anticipated to be triggered shortage response actions. The City monitors and measures the projected supply and demand for water by its customers monthly and recommends the phase of conservation required to the Members of the City Council. The City Council will change the phase designation as appropriate; however, the City Council will not impose mandatory measures without first conducting a duly-noticed public hearing pursuant to CWC Sections 350 et seq., or 375 et seq. The appropriate phase of water conservation and the shortage response action triggered by the phase is then declared in a public notification posted on the City's website and published in a daily newspaper. Upon declaration by the City Council that a water shortage emergency exists, the WSCP shall be implemented. The plan shall remain in effect until the City Council declares the water shortage emergency has ended.

8.5.6 Other Relevant Communication Protocols

To reduce water use consumption during any water shortage phase, the City will increase its public education and outreach efforts to build awareness of needed actions from the public. Moreover, the City will regularly revise its outreach campaign to reflect current supply conditions. Key communication strategies and associated water shortage phase implementation are listed below:

- Promote available water assistance resources for vulnerable populations; specialized



outreach for impacted industries (Phase II).

- Keep stakeholders aware of conditions (all Phases).
- Proclaim phase change to key stakeholders and the general public (all Phases).
- Conduct meetings with elected officials and other key civic and business leaders (Phase II).
- Encourage reduced optional outdoor use through outreach (Phase I).

The City may implement these communication strategies through its newsletters, website, and social media platforms to reflect supply conditions. In addition, the City may conduct news briefings or other media outlets (i.e., TV, radio, newspapers) to announce changes in supply conditions.

8.5.7 Crisis Communication Protocol

In the event of a catastrophic supply interruption due to a natural disaster or damage to the City's facilities, the City will implement communication procedures in accordance with local, regional, state, and federal emergency response guidelines as outlined in its ERP. Depending upon the severity of the emergency and potential damage to the City's facilities, the City may determine that it is necessary to utilize the Standardized Emergency Management System (SEMS) response and the Incident Command System (ICS). Public information and crisis communication are an integral part of the ICS structure. National Incident Management System (NIMS), SEMS, and ICS have been integrated into the ERP. It provides for a strategic response by all employees and assigns specific responsibilities in the event the plan is activated.

When an incident occurs interrupting supply, the Public Works Superintendent will go to the designated EOC and begin implementation of City procedures and employ appropriate strategies from the shortage stages in **Table 8.8**. The City is required to use SEMS when the EOC is activated or a local emergency is declared in order to be eligible for state funding of response-related personnel costs.

Crisis communication efforts will concentrate on providing information to the public and external audiences. Furthermore, outreach messaging will reflect emergency conditions and the need to focus on health and public safety. The City will keep the Members of the City Council informed of incident status and coordinate with public health officials.

The City will maintain communication with its wholesaler and its customers. In addition, the City may also authorize release of public information to news media to announce conditions and explain needed action. Finally, the City will ensure ongoing coordination with emergency response services with daily advisories or alerts as needed.

8.6 COMPLIANCE AND ENFORCEMENT

The means by which the City will use to safeguard compliance with and enforcement of water shortage rules include, but are not limited to, the following:

- Warning and citation protocols



- Water-waste patrols
- Fines and surcharges
- Rules and measures associated with fixing breaks or leaks in irrigation systems
- Customer service, education, and communication programs
- Other responses

The City may penalize repeat violators of water waste prohibitions through an escalating series of imposed actions. Compliance and enforcement protocols for violators are further detailed in the City's Water Conservation Plan.

8.6.1 Penalties or Charges

Any customer who is suspected of violating the prohibitions triggered by the Water Conservation Plan, will be given a preliminary notice in writing of the violation including a description of the violation. The person will have 24 hours to correct the violation or terminate the use. If the violation is not corrected or the use terminated, the City's Water Division may either:

- (1) Disconnect service;
- (2) Install flow-restricting devices restricting water service; or
- (3) Order issuance of a second preliminary notice.

Service disconnected or restricted may only be restored upon payment of the turn-on and any other fixed charges by the Water Conservation Plan or the rules and regulations of the water division.

Violation of the regulations and restrictions on water use in accordance with the City's Water Conservation Plan will result in penalties punishable by fees and additional water restrictions as follows:

- 1) *First Violation*: \$50 fine
- 2) *Second Violation*: \$100 fine
- 3) *Third Violation*: \$200 fine along with a flow-restrictor at the customer's expense
- 4) *Fourth Violation*: Termination of service along with a \$100 fee for termination

8.6.2 Exemption from Compliance

A customer may be exempted from water shortage supply prohibitions to a certain type of use if the City's Public Works Director issues a permit allowing such use and if such permit issuance is based on a finding that the enforcement of the water use restriction would either:

- 1) Cause an unnecessary and undue hardship to the applicant or the public; or
- 2) Cause or threaten an emergency condition affecting the health, sanitation, fire protection or safety of the applicant or the public.

The Public Works Director may require the use of water conservation devices or practices as he deems appropriate as a condition of the exemption permit.



8.6.3 Enforcement

The Public Works Director, the fire chief, police chief, water superintendent, or designee have the duty and are authorized to enforce water shortage supply prohibitions and have all the powers and authority contained in the California Penal Code § 836.5, including the power to issue written notice to appear.

Each law enforcement officer shall, in connection with his duties imposed by law, diligently enforce this division.

8.7 LEGAL AUTHORITIES

Under California law, including CWC Chapter 3 (commencing with Section 350) of Division 1, Parts 2.55 and 2.6 of Division 6, Division 13, and Article X, Section 2 of the California Constitution, the City Council is authorized to implement the water shortage response actions outlined in this section. In all water shortage cases, shortage response actions to be implemented will be at the discretion of the City Council and will be based on an assessment of the supply shortage, customer response, and need for demand reductions.

It is noted that upon proclamation by the Governor of a state of emergency under the California Emergency Services Act, Chapter 7 (commencing with Section 8550) of Division 1 of Title 2 of the Government Code, based on drought conditions, the state will defer to implementation of locally adopted water shortage contingency plans to the extent practicable. The City will coordinate with any city or county within which it provides water supply services for the possible proclamation of a local emergency, as defined in Section 8558 of the Government Code.

8.8 FINANCIAL CONSEQUENCES OF WSCP IMPLEMENTATION

The City's water rate structure is designed to provide adequate reserves to allow operation of the system during periods of low consumption due to water shortages. The rates have been designed to recover fixed costs through the monthly service charge based on meter size, and commodity charge based on water usage. The City generates a positive revenue stream from continued water sales and maintains a reserve fund. This structure minimizes the City's vulnerability to funding shortages when water consumption levels are reduced.

8.9 MONITORING AND REPORTING

8.9.1 Evaluation of Reductions

Under normal conditions, potable water production figures are recorded daily. Weekly and monthly reports are prepared and monitored. This data is used as a baseline to measure the effectiveness of any water shortage contingency stage that may be implemented.

During rationing conditions, the water budget will be monitored on a weekly, daily, or hourly basis depending on the severity of the drought. During a disaster shortage, production figures will be monitored on an ongoing basis. In addition, meter readings may be performed more



frequently than the normal bi-monthly schedule.

The City prepares an annual report (eARDWP) that includes water production, consumption, and other information regarding its distribution system. Such reports are used to determine reductions in water use and take into consideration seasonal and annual fluctuations in water production.

8.10 SPECIAL WATER FEATURE DISTINCTION

As required under CWC 10632(b), water features that are not pools or spas must be analyzed and defined separately from pools and spas in the WSCP. Non-pool or non-spa water features may use recycled water, whereas, for health and safety considerations, pools and spas must use potable water. Although the City does not currently use recycled water and does not have the ability to use recycled water due to a lack of infrastructure, the City would use non-potable water for non-pool water features if and when recycled water supply ever becomes available to the City. Furthermore, the WSCP requires potable water recirculation for fountains and decorative water features.

8.11 WSCP ADOPTION AND REFINEMENT PROCEDURES

8.11.1 WSCP Public Notice and Adoption

To encourage broad community participation in the WSCP preparation process, the City provided 60-day notification letters to agencies within the City's service area. Copies of the draft WSCP were made available for public review at City Hall and on the City website prior to the public hearing. Shortly before the public hearing, a two-week and a one-week notice was published in the local press alerting the public of the public hearing. At a subsequent board meeting following the public hearing, the City's final WSCP was approved and adopted by its Councilmembers on June 21, 2021. **Appendix D** contains the City resolution adopting the WSCP. The final plan was submitted to DWR within 30 days of Board adoption and includes all information necessary to meet the requirements of CWC Section 10632.

By June 21, 2021, the City's approved WSCP was filed with DWR. By July 1, 2021, the City's plan was submitted to the California State Library, County of Los Angeles, and cities within its service area. The City will make the plan available for public review no later than 30 days after filing with DWR.

8.11.2 WSCP Refinement Procedures

This section discusses the process for reviewing and updating the WSCP to ensure it remains actively used, relevant and appropriate to the community, and consistent with applicable state and requirements. It is vital that the City's WSCP remain up to date so as to best ensure shortage risk tolerance is adequate, appropriate water shortage mitigation strategies are implemented as needed, proper procedures for water efficient practices are in place for the community, and better alignment with long-term water use goals.

The City's Public Works Superintendent is responsible for maintaining this plan and updating it as needed. The Civil Engineering Assistant is the primary City staff member who will carry out



this process, under the direction of the Public Works Superintendent or other appropriate staff member. In addition, the Public Works Superintendent, or their designee, will serve as the WSCP project manager and will coordinate maintenance of the plan, conduct the formal review process, and direct the plan updates. The project manager will assign tasks, which may include collecting data, developing new or updated water shortage mitigation measures, updating sections of the plan, and presenting the plan to others.

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AGENDA REPORT

To: Mayor Mary Mendoza and Councilmembers

From: Nick Kimball, City Manager
By: Sonia Gomez-Garcia, Interim Director of Finance/City Treasurer

Date: June 6, 2022

Subject: Fiscal Year 2022-2023 Budget Study Session No. 3

RECOMMENDATION:

It is recommended that the City Council review and discuss the Fiscal Year (FY) 2022-2023 Proposed Budget.

BACKGROUND:

1. On February 18, 2022, the City Council held a Special Study Session to review the 2022-2027 Strategic Goals and discuss FY 2022-2023 City Council Priorities.
2. On March 7, 2022, the City Council received a presentation of the Annual Comprehensive Financial Report for the fiscal year ending June 30, 2021, FY 2021-2022 Mid-year Budget update, and FY 2022-2023 Budget Outlook. This marked the kick-off of the FY 2022-2023 Budget season.
3. During April 2022, the City Manager and Interim Director of Finance met with each Department to develop the FY 2022-2023 Proposed Budget, which includes revenues and expenditures for the General Fund, Enterprise Funds, and all Special Revenue Funds.
4. On April 18, 2022, the City Council received a presentation from Management Partners summarizing the City Council Priority-setting Workshop held on February 18, 2022.
5. On May 2, 2022, the City Council received a copy of the City of San Fernando FY 2022-2023 Proposed Budget and it was made available on the City's website at <https://ci.san-fernando.ca.us/finance/#1644253170471-6d73f4d7-1072>.
6. On May 23, 2022, the City Council held Budget Study Session No. 1 and discussed the Budget Overview, Administration Department and Public Works Department Operating and Capital Improvement Projects.

Fiscal Year 2022-2023 Budget Study Session No. 3

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7. On May 31, 2022, the City Council held Budget Study Session No. 2 and discussed the Community Development Department, Recreation and Community Services Department, Police, Finance (including Information Technology), and City Clerk Department.
8. The next Budget Study Sessions are scheduled for Monday, June 13, 2022 (if necessary) to discuss additional follow up items from prior Budget Study Sessions and Tuesday, June 21, 2022, for final review and Budget Adoption.

ANALYSIS:

Based on City Council direction, within the remaining Department Budget presentations, staff has included a high-level of performance goals and related performance indicators to align with the City strategic goals, provide clarity, and focus during the budget process. The key intention is to provide information to the community and better understanding of the City's decision-making process.

In addition, Council requested to identify other funding sources such as Grants or other Special Revenue funds to offset staff time or other cost from the General Fund. Within the budget process, staff updates the City's Cost Allocation Plan to ensure that citywide administrative and support costs (accounting, payroll, HR, legal, city administration) are equitably allocated to internal and external sources and that a reasonable share will be returned to the City's General Fund. For FY 2022-2023 the General Fund will recover \$1.5M from other funding sources. This amount is already included in the proposed budget.

Budgetary Items By Department.

The following items have a budgetary impact and require City Council consideration to appropriate funds.

Administration Department:

- Increase the proposed part-time Personnel Office Clerk to full time to create a position to support Payroll and act as backup for the Payroll Technician for processing payroll. (Ongoing: \$67,517)
- Limit the part-time Personnel Office Clerk to temporary part-time (e.g., the position lapses after 3 years) rather than create a permanent position. (Ongoing \$18,834 per yr. & included in the proposed budget)

Community Development Department:

- Increase the part-time Community Preservation Officer to full time (approx.. 20 additional hours per week). (Ongoing: \$74,478)

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- Add a full time Community Preservation Officer to address code enforcement issues. (Ongoing:\$112,391 to be split with Water Fund)

Police Department:

- Add an additional School Resource Officer (for a total of 2) to deploy onto our local school campuses and will be responsible for safety and crime prevention. Furthermore, serve as an informal counselor to students and an educator, especially in areas of law enforcement and positive student behavior. (Ongoing: \$155,626)
- Appropriate funds for two (2) additional police bicycles and related equipment. (One-time: \$4,950)

Public Works Department:

- Appropriate funds to implement the Parking Management Plan to identify the parking concerns and needs. (One-time: \$100,000)

Recreation and Community Services:

- Appropriate additional funds for Senior Programs (e.g., Mothers/Father's day dances). (One-time: \$3,000)
- Appropriate funds for Scholarship Programs for Special Needs and Foster Care populations. (Ongoing: \$5,000)
- Add a Community Service Coordinator to implement Social Service programs for the community and establish a Financial Literacy program. (Ongoing: \$100,018)
- Appropriate funds to collaborate with an outside agency to implement Social Service programs and deliver services to the community. (Ongoing: \$2,500 for supplies & \$5,500 for contractual services, total \$8,000)

There were no additional budgetary items identified for the Finance Department or City Clerk Department.

Objectives and Work Plan by Department.

The following items have an impact on the Department's work play, but do not require City Council consideration to appropriate funds. Unless otherwise noted, these items will be included in each Department's final work plan identified in the adopted budget.

Administration Department:

- Include additional information in the City Manager's Message on the state of the City's water system with some historical information on prior capital investment and necessary improvements to make the system more resilient.
- Include additional information in the City Manager's Budget Message on the long-term plan for addressing the condition of City streets.

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Administration Department (continued):

- Analyze organizational structure of Information Technology Services to ensure it reports to the Department that has knowledge in network services.
- If Deputy City Manager/Economic Development is not approved, then the Economic Development function will stay within the Community Development Department.

Community Development Department:

- The correct name to be used for the economic development study approved during the FY 2021-2022 Budget process is the *Downtown Master Plan*.
- Re-word the Community Development Accomplishments and Work Plan narrative to generalize City Council actions rather than assume a certain course of action will be adopted.
- More detail related to the \$75,000 professional services request to provide productivity outcomes.
 - a. Contract Building Official and supplemental Building Inspector services (\$25,000): The service outcome would be approximately 30 inspection days per year to continue to provide service to the community when the staff Building Inspector is not available due to paid time off. They will also be available to provide additional service when there are extremely busy periods and more inspections are requested then can be performed by City staff.
 - b. Contract Planning, Environmental, and Architectural Services (\$50,000): The service outcome would be the ability to review and process approximately 3 to 4 additional planning projects per month that require a higher level of review.

Police Department:

- Explore options to enhance parking enforcement or alternative methods to increase the City's parking enforcement activities.

Public Works Department:

- Explore additional funding in the Water Enterprise Fund to increase reserves and ensure sufficient funding to add treatment facilities to all City Wells (Well 4).
- Explore changing the position title from Senior Tree Trimmer position title to Senior Tree Care Specialist.
- Explore funding opportunities for reconstruction of the poorest condition City streets when the slurry seal program is complete.

Recreation and Community Services:

- Explore setting aside CDBG funds to provide Recreation Program Scholarships to families of children with special needs.

Finance Department:

- Update the User Fee for Services to ensure that cost for services are recovered.

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Budget Overview.

The theme of the FY 2022-2023 City Manager's Proposed Budget is to lay a solid foundation on which the next version of San Fernando will be built. The blueprint was drawn by the City Council through the Strategic Goals 2022-2027 that were adopted in March 2021. All FY 2021-2022 Accomplishments, FY 2022-2023 Objectives (i.e., Work Plan) and Enhancements have been carefully reviewed to align with the City Council Strategic Goals.

The Proposed Budget includes salary and benefit changes contained in the City's six (6) labor agreements as well as a five percent (5%) increase to operating budget to offset significant Consumer Price Index (CPI) increases in the current economic environment.

More than \$3.5 million in General Fund enhancement requests were submitted by City Departments. After initial review of the proposed budget, the City Manager is recommending \$740,818 in ongoing enhancements and \$415,620 in one-time enhancements in the General Fund. More detailed information on approved enhancements is included in the "Recommended Enhancements" section of proposed budget document.

Overall, the General Fund has a budget surplus (i.e., total revenues exceed total expenditures) of approximately \$261,082. More information regarding the FY 2022-2023 Proposed General Fund Budget has been provided through the scheduled Budget Study Sessions.

Measure A and Measure SF.

In June 2013, San Fernando voters approved a 0.50% local transaction use tax (Measure A) for a period of seven years. In November 2018, voters approved to extend the tax indefinitely, which will provide financial stability to the City in the near future. In November 2020, San Fernando voters approved an additional 0.25% local transaction use tax (Measure SF), for a total local transaction use tax of .75%. This effort was critical to keep sales tax local and avoid other taxing entities from passing a transaction tax that would otherwise be imposed on San Fernando customers, but spent regionally rather than locally.

The Local Transaction Use Tax is projected to raise approximately \$4.67 million in FY 2022-2023 and will continue to be used to pay off existing debt, strength rainy day fund reserves, enhance services to the community and provide the financial resources necessary to implement the City's Strategic Goals 2022-2027. More detail on City's Local Transaction Use Tax expenditures, can be found in the City Manager's Budget Message in the Proposed Budget document.

Capital Improvements.

The FY 2022-2023 includes funding for a number of critical capital improvements to address the backlog of deferred maintenance, particularly street and parking lot resurfacing, water improvements and transportation and traffic safety improvements.

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Funding for these capital improvements is provided primarily through Special Revenue Funds, Capital Funds and Enterprise Funds.

Category	Carry Over from Previous Years	FY 2022-2023 Proposed	Total Appropriation	Funding Sources
Street & Sidewalk Improvements	2,584,175	2,015,053	4,599,228	SB-1, Measure R & M and Prop C
Parking Lot Improvements	-	100,000	100,000	Parking & Maintenance Operations
Water System & Street Improvements	22,030,637	-	22,030,637	Measure W, Enterprise Funds, Prop C, and Grants
Transportation/Traffic Safety Improvements	9,012,666	-	9,012,666	Prop C, Measure R & M, SB-1 and Grants
Total	33,627,478	2,115,053	35,742,531	

More detailed information regarding the FY 2022-2023 Proposed Capital Improvement Program may be found in the “Capital Projects” section of proposed budget document.

BUDGET IMPACT:

The total Proposed Budget for all funds is approximately \$53.5 million. The Proposed General Fund budget is \$25.0 million (13% increase from FY 2021-2022). In accordance with the City’s Budget Policy, the FY 2022-2023 Proposed General Fund Budget represents a balance budget, with General Fund revenues of \$25.2 million and expenditures of \$25.0 million estimating a surplus of \$261,082.

CONCLUSION:

It is recommended that the City Council review the FY 2022-2023 Proposed Budget and allocate the resources required to move the 2022-2027 Strategic Goals and Council Priorities forward in the upcoming fiscal year.

ATTACHMENT:

- A. FY 2022-2023 City Manager’s Proposed Budget Message
- B. FY 2022-2023 Proposed Budget - provided under separate cover and is available on the City’s website at the following link: <https://ci.san-fernando.ca.us/finance/#financial-documents>

Enhancement Request Summary FY 2022-2023

ATTACHMENT "A"

Request	Dept.	Request	Ongoing Recommend	One-Time Recommend
Reclassify Economic Development Manager to Deputy City Manager/Econ.	Admin.	41,265	41,265	-
Add a Personnel Office Clerk (PT)	Admin.	18,834	18,834	-
Advertising for added recruitments	Admin.	7,500	-	7,500
Additional Contractual Services for pre-employment physicals/DOJ Bkgrd checks	Admin.	5,000	-	5,000
Agenda & Meeting Management Software Program	City Clerk	5,500	-	5,500
Add a Information Technology System Administrator	Finance	176,000	176,000	-
Lexipol Jail Manual Daily Training for Jail & Law Enforcement	PD	27,100	-	27,100
Building Inspection Services	CD	100,000	-	25,000
Add Administrative Assistant	CD	86,651	86,651	-
On-Call Environmental / Architectural Design Review & Planning	CD	75,000	-	50,000
Tuition Reimbursement	CD	1,500	-	1,500
Add a Management Analyst	PD	155,555	155,555	-
Additional Detective Training	PD	14,600	-	14,600
Ballistic Vests (replacement required every 5 years)	PD	32,500	-	32,500
New Officers Equipment and Uniforms	PD	10,000	-	10,000
Four (4) New Bicycles & Equipment for six (6)	PD	45,844	-	18,420
Additional Police Officers Training	PD	13,500	-	13,500
Staff Augmentation for Public Work Engineering	PW	150,000	-	150,000
Personnel Trailer Improvements and Furniture	PW	55,000	-	55,000
Add a Senior Tree Care Specialist	PW	110,000	110,000	-
Add a RCS Office Clerk (PT) - Recreation Park	RCS	39,360	18,834	-
Program Specialist	RCS	93,679	93,679	-
City Birthday Celebration	RCS	8,530	5,000	-
Fourth of July Celebration	RCS	35,000	35,000	-
Total Included in the Proposed Budget		1,307,918	740,818	415,620

FY 2022-2023 Measure A/SF funds: Establish Reserves	Dept.	Request	Ongoing Recommend	One-Time Recommend
Other Pension Employee Benefits (OPEB)	FIN	500,000	-	500,000
Self Insurance Fund (SIF)	FIN	750,000	-	750,000
Total Measure A/SF Uses		1,250,000	-	1,250,000
Total Enhancement Request		2,557,918	740,818	1,665,620

Total Proposed General Fund Expenditures 25,032,914

City Council Enhancement Request: Not Included in Proposed Budget	Dept.	Request	Ongoing Recommend	One-Time Recommend
Add Office Clerk Personnel/Payroll	Admin.	67,517	67,517	-
Increase Part-time Community Preservation Officer to Full Time	CD	74,478	74,478	-
Add FT Community Preservation Officer	CD	112,391	112,391	-
Add a additional School Resource Officer	PD	155,626	155,626	-
Funds (2) two additional bicycles & equipment	PD	4,950	-	4,950
Implementation of the Parking Management Plan	PW	100,000	-	100,000
Senior Programs (Mother/Father Day Dances)	RCS	3,000	-	3,000
Scholarship Programs for Special Needs/Foster Care population	RCS	5,000	5,000	-
Add a FT Community Service Coordinator	RCS	100,018	100,018	-
Implement Social Programs by collaborating with outside Agencies	RCS	8,000	8,000	-
TOTAL		630,980	523,030	107,950

Total Projected General Fund Revenues 25,293,996
General Fund Annual Surplus/Deficit (369,898)

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AGENDA REPORT

To: Mayor Mary Mendoza and Councilmembers

From: Nick Kimball, City Manager
By: Kanika Kith, Director of Community Development

Date: June 6, 2022

Subject: Second Reading for Adoption of Ordinance No. 1710 Adding Chapter 24 to the San Fernando Municipal Code to Prohibit Smoking in Multi-Unit Housing

RECOMMENDATION:

It is recommended that the City Council conduct a second reading, in title only, of Ordinance No. 1710 (Attachment "A") titled, "An Ordinance of the City Council of the City of San Fernando, California, adding Chapter 24 to the San Fernando Municipal Code to prohibit smoking in multi-unit housing."

BACKGROUND:

1. On May 25, 2021, then Mayor Ballin requested to agendize an item to a future meeting regarding a presentation by Pueblo y Salud (PyS) about the benefits associated with a smoke-free housing policy.
2. On September 3, 2021, PyS attended the Green City/Street and Parkway Tree Ad Hoc Committee meeting and presented information regarding the organization's background and purpose, including, but not limited to, assisting cities with recommendations on steps towards enacting tobacco policies relating to Smoke-Free Multi-Unit Housing.
3. On September 20, 2021, the City Council received a presentation from PyS regarding information on educating communities regarding civic participation, public health, culture, and drug, alcohol and tobacco prevention services and discussed a proposed smoke-free multi-unit housing policy. After a robust discussion, the City Council continued the discussion to the first City Council meeting in November 2021 and directed staff to send out notices to residents and owners of multi-unit housing properties in the City notifying them of the upcoming agenda item.
4. On October 25, 2021, staff mailed approximately 800 notices to residents and owners of multi-unit housing properties in the City.

Second Reading for Adoption of Ordinance No. 1710 Adding Chapter 24 to the San Fernando Municipal Code to Prohibit Smoking in Multi-Unit Housing

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5. On November 2021, a Smoke-Free Multi-Unit Housing Model Ordinance was presented to the City Council for discussion. The City Council expressed interest in reviewing a draft ordinance that balances the needs of protecting the health of non-smokers with the needs of individuals who smoke due to recreational uses, addiction, or otherwise.
6. On March 7, 2022, the City Council reviewed a draft Smoke-Free Multi-Unit Housing Ordinance that was tailored to address the concerns received at prior meetings, and the City Council provided direction to staff to finalize the ordinance for City Council's consideration for adoption.
7. On April 18, 2022, the City Council conducted a public hearing to consider the proposed Ordinance, received two public comments relating to enforcement and community outreach, and continued the public hearing to May 2, 2022.
8. On May 2, 2022, the City Council conducted a public hearing and discussed the proposed Ordinance. Due to an emergency evacuation of City Hall, no action was taken.
9. On May 16, 2022, the City Council conducted a public hearing and voted 3-2 introducing the proposed Ordinance for adoption with the following changes: (1) Exempt Single-Family homes; (2) Penalties are limited to administrative citation or infraction; and (3) Outdoor Designated Smoking areas do not need to be removed after 5 years.

ANALYSIS:

To protect and promote the public health, the City currently regulates smoking in accordance with state and local regulations. State law prohibits smoking on public school property and in vehicles with minors. City of San Fernando Municipal Code, Chapter 23 – OUTDOOR SMOKING REGULATIONS (Attachment "B"), prohibits all forms of vaping, smoking and the use of tobacco products in the following unenclosed places within the City: 1) Recreational areas, 2) Service areas, 3) Dining areas, 4) Places of employment, and 5) Other public places, when being used for a public event, including but not limited to a farmers' market, parade, craft fair, festival, or any other event which may be attended by the general public.

Smoking is not currently prohibited on private residential property. For tenants and owners of multi-unit housing, such as apartments and common interest communities, tobacco smoke from a neighboring unit that infiltrates their homes can pose a daily problem. As a result, many local governments have taken proactive steps to prevent or eliminate secondhand smoke from infiltrating living spaces.

Second Reading for Adoption of Ordinance No. 1710 Adding Chapter 24 to the San Fernando Municipal Code to Prohibit Smoking in Multi-Unit Housing

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May 16, 2022 City Council Meeting Summary.

On May 16, 2022, a revised Ordinance that addressed previous comments from the City Council was presented. The Ordinance was revised as follows:

- Generally consistent with model ordinance and City's Outdoor Smoking Regulations (Chapter 23)
- Enforcement designated by City Manager. Police officers or code enforcement officials have authority to enforce. Enforcement pursuant to general code enforcement provisions in the City's Municipal Code.
- Violations punishable as administrative citation, infraction, or misdemeanor.
- Infraction or administrative citation can result in:
 - 1st violation: a fine not exceeding \$100
 - 2nd violation: a fine not exceeding \$200
 - 3rd violation: a fine not exceeding \$500 for each additional violation within one year
- Misdemeanor punished by fine not exceeding \$1000 or imprisonment for not more than 6 months
- City retains the right to prosecute violations by civil action in the discretion of city attorney
- Private parties may also bring civil action

The City Council considered the revised Ordinance and voted 3-2 to amend the revised ordinance and introduce the following proposed Ordinance for adoption with direction to revise the Ordinance to reflect the following changes:

1. Exempt Single-Family homes.
2. Penalties are punishable by administrative citation or infraction.
3. Outdoor Designated Smoking areas do not need to be removed after 5 years.

The attached Ordinance has been revised to reflect the changes voted by City Council on May 16, 2022 as follows:

Section 2. Definition.

- Exempt Single-Family homes, regardless if any unit is for rent or not.

Section 8. Penalties and Enforcement.

Second Reading for Adoption of Ordinance No. 1710 Adding Chapter 24 to the San Fernando Municipal Code to Prohibit Smoking in Multi-Unit Housing

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- Violations punishable as administrative citation/infraction only. Misdemeanor has been removed.
- Leave in place for private parties to bring civil action.

Section 3. Smoking Restrictions.

- Remove former Subsection (e) that required Designated Smoking Area be removed after five years from effective date of the Ordinance. Removal of this section will allow Designated Smoking Area to remain.
- Former Subsection (e) also prohibited smoking inside detached housing units after five years. Therefore, Subsection (c) has been amended to state that smoking inside detached units is allowed from the effective date of the Ordinance to five years after effective date. This modification does not change the Ordinance as it was presented to the City Council on May 16, 2022.

Other Minor changes

- Minor technical changes throughout the Ordinance for clean-up purposes.

Community Outreach.

In May, August, and October 2021, PyS conducted independent outreach to residents of multi-unit housing properties in San Fernando. PyS collected 98 cards from multi-unit housing residents in support of a Smoke-Free Multi-Unit Housing Ordinance in San Fernando. There are an estimated 2,212 multi-unit housing units in San Fernando.

On October 25, 2021, staff mailed a “Notice of Upcoming Agenda Item” to approximately 800 residents and owners of multi-family housing properties to inform them of the November 1, 2021 City Council meeting. The notice included, among other information, a brief description of the item being considered, the date, place, and time of the City Council meeting, and multiple methods for submitting comments.

On April 7, 2022, a public hearing notice was published as a 1/8-page display advertisement (Attachment “C”) in the San Fernando Sun newspaper to inform the community of the City Council’s consideration of the proposed Ordinance.

Environmental Review.

The adoption of this Ordinance is be exempt from the California Environmental Quality Act (CEQA) under CEQA Guidelines Section 15061(b)(3) (the “common sense exemption”) and 15378(b)(5) since it can be seen with certainty that there is no possibility that adopting an ordinance will have a significant effect on the environment since the project involves administrative activities that do not significantly impact the environment. The Ordinance is also exempt under CEQA Guidelines Section 15307 and 15308, as a regulatory action that protects

Second Reading for Adoption of Ordinance No. 1710 Adding Chapter 24 to the San Fernando Municipal Code to Prohibit Smoking in Multi-Unit Housing

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natural resources and the environment, since the regulation of existing smoking and the related education and outreach activities in the Ordinance will reduce existing smoking practices, improve air quality, and reduce litter and waste from smoking debris, which includes plastic-based cigarette filters that would otherwise impact the environment.

BUDGET IMPACT:

City Attorney expenditures for ordinance review are included in the Fiscal Year 2021-2022 Budget. In addition, there will also be costs associated with preparing and distributing educational materials, as well as staff time to educate and enforce the ordinance that will be included in the Fiscal Year 2022-2023 Budget.

CONCLUSION:

It is recommended that the City Council conduct a second reading for adoption of Ordinance No. 1710, Adding Chapter 24 to the San Fernando Municipal Code to Prohibit Smoking in Multi-Unit Housing.

ATTACHMENT:

- A. Ordinance No. 1710 – Redline
- B. City of San Fernando Municipal Code, Chapter 23 – OUTDOOR SMOKING REGULATIONS
- C. Advertisement placed in San Fernando Sun on April 7, 2022

ORDINANCE NO. 1710 (*Redline*)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN FERNANDO, CALIFORNIA, ADDING CHAPTER 24 TO THE SAN FERNANDO MUNICIPAL CODE TO PROHIBIT SMOKING IN MULTI-UNIT HOUSING

WHEREAS, tobacco use causes death and disease and continues to be an urgent public health threat. According to the World Health Organization (WHO), tobacco kills up to half of its users, amounting to more than 8 million deaths each year worldwide, including nearly half a million people who die prematurely from smoking in the United States.¹ According to the United State Department of Health and Human Services, tobacco use can cause disease in nearly all organs of the body and is responsible for an estimated 87% of lung cancer deaths, 32% of coronary heart disease deaths, and 79% of all chronic obstructive pulmonary disease deaths, in the United States. It is estimated that 5.6 million of today's Americans who are younger than 18 are projected to die prematurely from a smoking-related illness;² and

WHEREAS, tobacco use is the number one cause of preventable death in California and continues to be an urgent public health issue, as evidenced by the fact that an estimated 40,000 California adults die from smoking annually.² Each year, smoking costs California an estimated \$13.3 billion in direct health care expenses, \$3.6 billion in Medicaid costs, and \$10.4 billion in productivity losses.³ Research indicates that more than 25% of all adult cancer deaths in California are attributable to smoking;⁴ and

WHEREAS, secondhand smoke has repeatedly been identified as a health hazard, as evidenced by the following:

- In 2006, the U.S. Surgeon General concluded that there is no risk-free level of exposure to secondhand smoke;⁵
- In 2006, the California Air Resources Board identified secondhand smoke as a toxic air contaminant, in the same category as the most toxic automotive and industrial air

¹ World Health Organization. *WHO Report on the Global Tobacco Epidemic, 2019: Offer Help to Quit Tobacco Use*. 2019. Available at: <https://apps.who.int/iris/handle/10665/326043>.

² U.S. Department of Health and Human Services. *The Health Consequences of Smoking: 50 Years of Progress. A Report of the Surgeon General*. Atlanta, GA: U.S. Department of Health and Human Services, Centers for Disease Control and Prevention, National Center for Chronic Disease Prevention and Health Promotion, Office on Smoking and Health. 2014. Available at: https://www.ncbi.nlm.nih.gov/books/NBK179276/pdf/Bookshelf_NBK179276.pdf.

³ Campaign for Tobacco-Free Kids. *The Toll of Tobacco in California*. Available at: www.tobaccofreekids.org/problem/toll-us/california. Accessed June 2, 2020.

⁴ Lortet-Tieulent J, Sauer AG, Siegel RL, et al. State-level cancer mortality attributable to cigarette smoking in the United States. *JAMA Intern Med*. 2016;176(12):1792–1798. doi:10.1001/jamainternmed.2016.6530.

⁵ U.S. National Cancer Institute. *A Socioecological Approach to Addressing Tobacco-Related Health Disparities*. National Cancer Institute Tobacco Control Monograph 22. NIH Publication No. 17-CA-8035A. Bethesda, MD: U.S. Department of Health and Human Services, National Institutes of Health, National Cancer Institute. 2017. Available at: <https://cancercontrol.cancer.gov/brp/tcrb/monographs/22/index.html>.

pollutants, and a serious health threat for which there is no safe level of exposure;⁶

- In 2006, the California Environmental Protection Agency added secondhand smoke to the Proposition 65 list of chemicals known to the state of California to cause cancer, birth defects, and other reproductive harm;⁷
- The American Society of Heating, Refrigerating, and Air Conditioning Engineers (ASHRAE) finds that acceptable indoor air quality in multi-unit housing requires the absence of secondhand smoke, cannabis smoke, and aerosol from electronic smoking devices;⁸
- The American Heart Association and the American Lung Association recommend all adults and children be protected from secondhand smoke in multi-unit housing;^{9, 10} and

WHEREAS, exposure to secondhand smoke causes death and disease, as evidenced by the fact that since 1964, approximately 2.5 million nonsmokers have died from health problems caused by exposure to secondhand smoke and secondhand smoke was responsible for an estimated 34,000 heart disease-related and 7,300 lung cancer-related deaths among nonsmoker adults each year during 2005-2009 in the United States.² Research indicates that exposure to secondhand smoke increases the risk of coronary heart disease by 25% to 30% and increases the risk of stroke by 20% to 30%.^{2,11} Centers for Disease Control and Prevention estimated that secondhand smoke kills more than 400 infants every year; and

WHEREAS, nonsmokers who live in multi-unit dwellings can be exposed to neighbors' secondhand smoke, as evidenced by the following:

- Research demonstrates that secondhand smoke in multi-unit housing can and does transfer between units, seeping into smoke-free areas from areas where smoking occurs;¹²

⁶ California Identifies Secondhand Smoke as a "Toxic Air Contaminant" [press release]. January 26, 2006. Available at: www.arb.ca.gov/newsrel/nr012606.htm. Accessed June 2, 2020.

⁷ U.S. Department of Health and Human Services. *The Health Consequences of Involuntary Exposure to Tobacco Smoke. A Report of the Surgeon General*. Atlanta, GA: U.S. Department of Health and Human Services, Centers for Disease Control and Prevention, National Center for Chronic Disease Prevention and Health Promotion, Office on Smoking and Health. 2006. Available at: www.cdc.gov/tobacco/data_statistics/sgr/2006/index.htm.⁸ Air Resources Board, California Environmental Protection Agency. *Frequently Asked Questions—Environmental Tobacco Smoke*. Available at: www.arb.ca.gov/toxics/ets/factsheetets.pdf. Accessed June 2, 2020.

⁸ American Society of Heating Refrigerating and Air Conditioning Engineers (ASHRAE). *2015 Addenda Supplement to ANSI/ASHRAE Standard 62.1-2013, Ventilation for Acceptable Indoor Air Quality*. Atlanta, GA: ASHRAE. 2015. Available at: https://www.ashrae.org/file%20library/technical%20resources/standards%20and%20guidelines/standards%20addenda/62_1_2_013_2015supplement_20150203.pdf.

⁹ American Heart Association. *Policy Position on Smoke-Free Policies in Multi-Unit Housing*. Washington, DC: American Heart Association. 2013. Available at: www.heart.org/idc/groups/ahaacc-public/@wcm/@adv/documents/downloadable/ucm_469126.pdf.

¹⁰ American Lung Association. *Public Policy Position – Healthy Air*. Chicago, IL: American Lung Association. 2019. Available at: <https://www.lung.org/policy-advocacy/public-policy-agenda/public-policy-position-healthy-air>.

¹¹ DiGiacomo SI, Jazayeri MA, Barua RS, Ambrose JA. Environmental Tobacco Smoke and Cardiovascular Disease. *Int J Environ Res Public Health*. 2018;16(1):96. doi: 10.3390/ijerph16010096.

¹² King BA, Travers MJ, Cummings KM, Mahoney MC, Hyland AJ. Secondhand smoke transfer in multiunit housing. *Nicotine*

- Residents of multi-unit housing have higher levels of cotinine (a biomarker for nicotine) in their blood and saliva than those living in detached houses;¹³
- Among children who live in homes in which no one smokes indoors, those who live in multi-unit housing have 45% higher cotinine levels than children who live in detached houses;^{12,13}
- Twelve studies have found between 26% and 64% of residents of multi-unit housing report secondhand smoke drifting into their home;¹³
- Surveys have found that 65% to 90% of multi-unit housing residents who experience secondhand smoke in their home are bothered by it,¹³ and a 2019–2020 survey documented variations in secondhand smoke source among multi-unit housing residents in Los Angeles County, who reported secondhand smoke exposure from tobacco (39%), marijuana (36%), and e-cigarettes (9%);¹⁴
- Between 44.0% and 46.2% of Californians living in multi-unit housing with personal smoke-free home policies are exposed to secondhand smoke in their home;¹⁵ and

WHEREAS, several studies have confirmed that smoke-free multi-unit housing policies are an effective method to reduce secondhand smoke exposure to residents living in multi-unit housing.^{16,17,18}

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAN FERNANDO DOES HEREBY ORDAIN AS FOLLOWS:

SECTION I. The recitals above are true and correct and incorporated herein by reference.

SECTION II. Chapter 24 in the City of San Fernando Municipal Code (“Code”) is hereby added to read as follows:

Section 1. INTENT AND PURPOSE.

Tob Res. 2010;12:1133-1141. doi:10.1093/ntr/ntq162.

¹³ Snyder K, Vick JH, King BA. Smoke-free multiunit housing: a review of the scientific literature. *Tob Control.* 2016;25:9-20. doi:10.1136/tobaccocontrol-2014-051849.

¹⁴ Toy P, Yount C, Meng YY, et al. *Health at Risk: Policies Are Needed to End Cigarette, Marijuana, and E-Cigarette Secondhand Smoke in Multi-Unit Housing in Los Angeles.* Los Angeles, Calif.: UCLA Center for Health Policy Research. 2020. Available at: <http://healthpolicy.ucla.edu/publications/Documents/PDF/2020/Health-at-Risk-policybrief-may2020.pdf>.

¹⁵ King BA, Babb SD, Tynan MA, Gerzoff RB. National and state estimates of secondhand smoke infiltration among U.S. multiunit housing residents. *Nicotine Tob Res.* 2013; 15(7):1316–1321. doi:10.1093/ntr/nts254.

¹⁶ Hollar TL, Cook N, Quinn D, Phillips T, DeLucca M. Smoke-free multiunit housing policies show promise in reducing secondhand smoke exposure among racially and ethnically diverse, low-income seniors. *J Immigr Minor Health.* 2017;19(6):1281–1289. doi.org/10.1007/s10903-016-0430-2.

¹⁷ Gentzke AS, Hyland A, Kiviniemi M, Travers MJ. Attitudes and Experiences with Secondhand Smoke and Smoke-Free Policies Among Subsidised and Market-Rate Multiunit Housing Residents Living in Six Diverse Communities in the USA. *Tob Control.* 2018;27(2):194-202. doi: 10.1136/tobaccocontrol-2016-053374.

¹⁸ Young W, Karp S, Bialick P, et al. Health, Secondhand Smoke Exposure, and Smoking Behavior Impacts of No-Smoking Policies in Public Housing, Colorado, 2014-2015. *Prev Chronic Dis.* 2016;13:E148. doi: 10.5888/pcd13.160008.

This Chapter protects the public from nonconsensual exposure to secondhand smoke in and around their homes by prohibiting smoking in certain locations of Multi-Unit Housing. Exposure to secondhand smoke has been proven to cause adverse health effects including but not limited to cancer, cardiovascular disease, respiratory infections, asthma, and ear and nasal problems. The intent and purpose of prohibiting smoking at the identified locations is to protect the public health, safety, and welfare by reducing the number of locations in the City of San Fernando where exposure to secondhand smoke can occur.

Section 2. DEFINITIONS.

For the purposes of this Chapter the following definitions shall govern unless the context clearly requires otherwise:

- (a) "Common Area" means every enclosed area and unenclosed area of a Multi-Unit Housing that residents of more than one unit are entitled to access, enter or use, including, but not limited to, lobbies, hallways, pathways, lobbies, courtyards, elevators, stairwells, laundry rooms, community rooms, restrooms or offices, entryways, playgrounds, gym facilities, swimming pool areas, parking garages/structures, parking lots, grassy or landscaped areas, walking paths, cooking areas, sitting areas and eating areas.
- (b) "Common interest development" means:
 - (1) A community apartment project as defined in California Civil Code section 4105, or any successor legislation;
 - (2) A condominium project as defined in California Civil Code section 4125, or any successor legislation;
 - (3) A planned development as defined in California Civil Code section 4175, or any successor legislation; and
 - (4) A stock cooperative as defined in California Civil Code section 4190, or any successor legislation.
- (c) "Designated Smoking Area" shall mean an area where smoking is permitted, as designated by a landlord, HOA or other person with legal control of the premises, and has been established in accordance with the provisions of this Chapter.
- (d) "Detached Unit" means a unit in a Multi-Unit Housing that is completely detached from other structures and contains no shared common wall, floor or ceiling with an adjacent unit.
- (e) "Electronic smoking device" means any device that may be used to deliver any aerosolized or vaporized substance to the person inhaling from the device, including, but not limited to, an e-cigarette, e-cigar, e-pipe, vape pen, or e-hookah.

- (f) “Enclosed area” means all space between a floor and a ceiling that is bounded by walls, doorways, or windows, whether open or closed, covering more than 50 percent of the combined surface area of the vertical planes constituting the perimeter of the area. A wall includes any retractable divider, garage door, or other physical barrier, whether temporary or permanent.
- (g) “Homeowners’ association” or “HOA” means an organization or entity established for the purpose of managing or maintaining a common interest development. A homeowners’ association shall also mean “association” as defined in California Civil Code section 4080, or any successor legislation.
- (h) “Landlord” means any person or agent of a person who owns, manages, or is otherwise legally responsible for a unit in a multi-unit residence that is leased to a residential tenant. For purposes of this ordinance, a tenant who sublets their unit (e.g., a sublessor) is not a landlord.
- (i) “Multi-Unit Housing” means a residential property containing two or more units, including, but not limited to, apartment buildings, common interest developments, senior and assisted living facilities, and long-term health care facilities.

For purposes of this Chapter the definition of Multi-Unit Housing does not include the following:

- (1) ~~A hotel or motel that meets the requirements of California Civil Code Section 1940(b)(2);~~
 - (2) A mobile home park;
 - (3) A single-family home, except if used as a health care facility subject to licensing requirements; ~~and~~
 - (4) A single-family home with an attached or detached accessory dwelling unit, junior accessory dwelling unit or second primary dwelling unit (Senate Bill 9 urban dwelling unit) permitted pursuant to California Government Code sections 65852.1, 65852.2, 65852.21 or 65852.22 or an ordinance of the City adopted pursuant to those sections, except where one or more of the units is ~~rented or offered for rent or is~~ used as a health care facility subject to licensing requirements.
- (j) “New Lease” means any lease or rental agreement that allows a person to occupy a unit that is entered into on or after [effective date of ordinance].
 - (k) “Nonsmoking Area” means enclosed or unenclosed area of a Multi-Unit Housing in which smoking is prohibited by:
 - (1) this Chapter or other law;
 - (2) binding agreement relating to the ownership, occupancy, or use of real property; or

(3) a person with legal control over the area.

(l) "Person" means any natural person, partnership, cooperative association, corporation, personal representative, receiver, trustee, assignee, or any other legal entity, including government agencies.

(m) "Smoking" means:

(1) inhaling, exhaling, or burning, any tobacco, nicotine, cannabis, or plant product, whether natural or synthetic;

(2) carrying any lighted, heated, or activated tobacco, nicotine, marijuana, or plant product, whether natural or synthetic, intended for inhalation; or

(3) using an "electronic smoking device."

Smoking does not include the use of traditional, sacred tobacco as part of a lawfully recognized religious, spiritual, or cultural ceremony or practice.

(n) "Unenclosed area" means any area that is not an Enclosed Area.

(o) "Unit" means a personal dwelling space, even one lacking cooking facilities or private plumbing facilities, and includes any associated exclusive-use area, such as a private balcony, porch, deck, or patio. "Unit" includes, without limitation, an apartment; a condominium; a townhouse; a room in a senior facility; a room in a long-term health care facility, assisted living facility, community care facility, or hospital; a room in a hotel or motel; a dormitory room; a room in a single-room occupancy facility; a room in a homeless shelter; a mobile home; a camper vehicle or tent; a single-family home; and an accessory dwelling unit, junior accessory dwelling unit or second unit. Unit includes a New Unit and an Existing Unit.

(1) "New Unit" means a unit that is issued a certificate of occupancy after *[effective date of ordinance]* or any unit that is leased or rented for residential use for the first time after *[effective date of ordinance]*.

(2) "Existing Unit" means a unit in existence on or before *[effective date of ordinance]*.

Section 3. SMOKING RESTRICTIONS.

(a) Effective as of *[effective date]*, smoking is prohibited anywhere on the premises of a Multi-Unit Housing as follows:

(1) In all New Units and Existing Units governed by a New Lease, together with any associated outdoor exclusive-use unenclosed areas such as a private balcony, deck, porch or patio.

(b) Two (2) years from *[effective date]*, smoking is prohibited anywhere on the premises

of a Multi-Unit Housing as follows:

- (1) In all Units, together with any associated outdoor exclusive-use areas such as balconies, decks, or patios; and
- (2) In all Common Areas and other outdoor areas except for a Designated Smoking Area established in compliance with subsection (d).
- (c) Notwithstanding subsections (a) and (b), smoking is permitted inside the enclosed area of a Detached Unit, as of [effective date] ~~and subject to subsection (e)].~~ This exception does not apply to and smoking is not allowed in any outdoor exclusive-use unenclosed areas such as balconies, decks or patios associated with ~~the Detached Unit.~~ a Detached Unit. This subsection (c) shall remain in effect until [effective date plus 5 years] and as of that date is repealed.
- (d) Notwithstanding subsection (b), as of two (2) years from [effective date] ~~and subject to subsection (e)].~~ smoking is permitted in a Designated Smoking Area that meets all the following conditions:
 - (1) Must not be an enclosed area.
 - (2) Must be at least twenty-five (25) feet from any indoor area, doorway, or window, and outdoor recreation area such as a tennis court, swimming pool, and picnic area, or outdoor area primarily used by children such as a playground.
 - (3) Must be no more than 10 percent of the total unenclosed area of the property.
 - (4) Must have a clearly marked perimeter.
 - (5) Must be identified by conspicuous signs. The signs shall have letters of no less than one (1) inch in height and shall be installed and maintained by the Landlord or Homeowner Association with legal control over the Designated Smoking Area.
 - (6) If the requirements set forth in this ~~subdivision~~ subsection (d) cannot be satisfied due to unique circumstances affecting a Multi-Unit Housing, the Director of Community Development or designee may approve a smoking area that meets the requirements of this Chapter to the extent practicable or, if in his or her judgment such an area cannot be designed, the Director of Community Development or designee may exempt the landlord or HOA from the Designated Smoking Area requirement.

~~(e) The requirements to permit smoking in the enclosed areas of a Detached Unit as set forth in subdivision (c) and in Designated Smoking Areas as set forth in subdivision (d) shall remain in effect until [effective date plus 5 years] and as of that date are repealed.~~

~~(f)~~(e) No person with legal control over a Multi-Unit Housing shall permit smoking anywhere on the premises, except as provided in subsections (c) and (d).

~~(g)~~(f) No person with legal control over a Common Area in which smoking is prohibited by this Chapter or other law shall knowingly permit the presence of ashtrays, ashcans, or other receptacles designed for or primarily used for disposal of smoking waste within the area.

Section 4. REQUIRED AND IMPLIED LEASE TERMS FOR ALL NEW AND EXISTING UNITS IN MULTI-UNIT HOUSING.

(a) After *[effective date]*, every lease or other rental agreement for the occupancy of a Unit in a Multi-Unit Housing, entered into, renewed, or continued month-to-month, shall be amended to include the following provisions:

(1) A clause providing that as of *[effective date for new units and existing units governed by a new lease and as of 2 years after effective date for all units]*, it is a material breach of the agreement to smoke or allow smoking in designated nonsmoking areas and units, including exclusive-use areas such as balconies, porches, or patios. Such clause shall be substantially consistent with the following:

“Tenant agrees and acknowledges that the premises to be occupied by tenant and members of tenant’s household have been designated as a smoke-free living environment. As of *[effective date for new units and existing units governed by a new lease or two (2) years after effective date for all units]*, tenant, members of tenant’s household, and any guests under control of the tenant will not smoke anywhere:

- a) In the unit rented by tenant, including any associated balconies, decks, or patios, other than the enclosed areas of a detached unit; or
- b) In the common areas of the property, other than a designated smoking area.

As of *[five (5) years from effective date]* for all units, tenant, members of tenant’s household, and any guests under control of the tenant will not smoke anywhere on the premises.

Tenant acknowledges that a breach of the smoke-free policy may render tenant liable to landlord for the costs to repair tenant’s unit due to damage from smoke odors or residue. A breach of the smoke-free policy is a breach of the lease and grounds for immediate enforcement action, including potential termination of the lease by the landlord.

Tenant will inform tenant’s guests of the smoke-free policy. Tenant will also promptly give landlord a written statement of any incident where tenant observes smoking not allowed by this policy or believes smoke is migrating into the tenant’s unit from sources outside the tenant’s unit.”

- (2) A clause providing that it is a material breach of the agreement for tenant to violate any law regulating smoking while anywhere on the property, or to knowingly and intentionally allow any other person subject to the control of the tenant to engage in such behavior. Such clause shall be substantially consistent with the following:

“It is a material breach of this agreement for tenant to violate any law regulating smoking while anywhere on the property. Moreover, it is a material breach of this agreement for tenant to knowingly or intentionally allow any other person subject to the control of the tenant to violate any law regulating smoking while anywhere on the property.”

- (3) A clause expressly conveying third-party beneficiary status to all occupants of the Multi-Unit Housing as to the smoking provisions of the lease or other rental agreement. Such clause shall be substantially consistent with the following:

“Tenant agrees that other tenants of the rental community are third-party beneficiaries of tenant’s smoke-free policy agreement with landlord. A tenant may sue another tenant for an injunction to prohibit smoking or for damages but does not have the right to evict another tenant. Any lawsuit between tenants does not create a presumption that the landlord breached this lease.”

- (b) Whether or not a landlord complies with subsection (a) above, the clauses required by those subsections shall be implied and incorporated by law into every agreement to which subsection (a) applies as of *[effective date for new units and existing units governed by a new lease or two (2) years after effective date for all units]*.
- (c) A tenant who breaches, or knowingly and intentionally allows any other person subject to the control of the tenant to breach, a smoking provision of a lease or other rental agreement for the occupancy of a unit in a Multi-Unit Housing shall be liable for the breach to (i) the landlord; and (ii) any occupant of the Multi-Unit Housing who is exposed to smoke or who suffers damages as a result of the breach.
- (d) Failure to enforce any smoking provision required by this Chapter shall not affect the right to enforce such provision in the future, nor shall a waiver of any breach constitute a waiver of any subsequent breach or a waiver of the provision itself.

Section 5. REQUIREMENTS FOR RENTAL PROPERTIES.

The following requirements apply to Multi-Unit Housing other than units in a common interest development that are not being rented:

- (a) On or before *[effective date]*, every landlord shall deliver to a tenant of each New Unit or Existing Unit, as applicable, a copy of this Chapter and a written notice clearly stating:
- (1) All new units and existing units governed by a new lease are designated nonsmoking units and smoking is prohibited in any such unit, including any associated private balcony, porch, deck, or patio, with the exception of enclosed areas of a detached unit, as of *[effective date]*;

- (2) All units are designated nonsmoking units and smoking is prohibited in any unit, including any associated private balcony, porch, deck, or patio, with the exception of enclosed areas of a detached unit, as of [*two (2) years after effective date*]; and
 - (3) All common areas with the exception of Designated Smoking Areas in compliance with Section 2(d) of this Chapter are designated nonsmoking and smoking is prohibited as of [*two (2) years after effective date*]; and
 - (4) The entire premises, including all units, any associated private balcony, porch, deck, or patio, and all common areas, are designated nonsmoking and smoking is prohibited anywhere on the premises effective as of [*five (5) years from effective date*].
- (b) As of [*effective date*], every landlord shall provide prospective tenants with written notice clearly stating that:
- (1) All units are designated nonsmoking and smoking is prohibited in any unit, including any associated private balcony, porch, deck, or patio, with the exception of enclosed areas of a detached unit, as of [*two (2) years after effective date*]; and
 - (2) All common areas, with the exception of Designated Smoking Areas in compliance with Section 2(d) of this Chapter are designated nonsmoking and smoking is prohibited as of [*two (2) years after effective date*]; and
 - (3) The entire premises, including all units, any associated private balcony, porch, deck, or patio, and all common areas, are designated nonsmoking and smoking is prohibited anywhere on the premises effective as of [*five (5) years from effective date*].
- (c) As of [*two (2) years after effective date*], the person or persons with legal control over Common Areas shall post and maintain clear and unambiguous “No Smoking” signs at entrances and exits, in common areas, and in conspicuous places adjoining the property grounds. In addition, as of [*effective date + two (2) years*], the person or persons with legal control over the Multi-Unit Housing shall post and maintain signs in sufficient numbers and locations in the Multi-Unit Housing to indicate that smoking is prohibited in all Units. The absence of signs shall not be a defense to a violation of any provision of this Chapter. “No Smoking” signs are not required inside or on doorways of units.
- (d) Landlords with knowledge of violations shall take reasonable steps to investigate and enforce the regulations, including a written notice to the resident of the landlord’s knowledge of the violation, a request to cease the violation, and the course of action to be taken if the violation is not corrected. The landlord shall also provide resources provided by the City and/or County of Los Angeles to assist with nicotine dependence, such as referrals to quitline or online resources.

Section 6. REQUIREMENTS FOR COMMON INTEREST DEVELOPMENTS.

The following requirements apply to common interest developments:

(a) On or before *[effective date]*, the HOA shall provide to all owners of Units a copy of this Chapter and a written notice clearly stating that:

- (1) All new units are designated nonsmoking and smoking is prohibited in any new unit, including any associated private balcony, porch, deck, or patio, with the exception of enclosed areas of a detached unit, as of *[effective date]*;
- (2) All units are designated nonsmoking and smoking is prohibited in any unit, including any associated private balcony, porch, deck, or patio, with the exception of enclosed areas of a detached unit, as of *[two (2) years after effective date]*; and
- (3) All common areas, with the exception of Designated Smoking Areas in compliance with Section 2(d) of this Chapter are designated nonsmoking and smoking is prohibited as of *[two (2) years after effective date]*;
- (4) The entire premises, including all units, any associated private balcony, porch, deck, or patio, and all common areas, are designated nonsmoking and smoking is prohibited anywhere on the premises effective as of *[five (5) years from effective date]*.

(b) As of *[effective date]* every seller or lessor of a Unit shall provide prospective buyers or renters, a copy of this Chapter and a written notice clearly stating that:

- (1) All units are designated nonsmoking and smoking is prohibited in any unit, including any associated private balcony, porch, deck, or patio, with the exception of enclosed areas of a detached unit, as of *[two (2) years after effective date]*; and
- (2) All common areas, with the exception of Designated Smoking Areas in compliance with Section 2(d) of this Chapter are designated nonsmoking and smoking is prohibited as of *[two (2) years after effective date]*; and
- (3) The entire premises, including all units, any associated private balcony, porch, deck, or patio, and all common areas, are designated nonsmoking and smoking is prohibited anywhere on the premises effective as of *[five (5) years from effective date]*.

(c) As of *[effective date + two (2) years]*, the HOA, or any person having legal ownership or control over Common Areas, shall post and maintain clear and unambiguous "No Smoking" signs in sufficient numbers and locations in the common interest development to make it obvious to a reasonable person that smoking is prohibited throughout the common interest development. The absence of signs shall not be a defense to a violation of any provision of this ~~chapter~~Chapter.

- (d) HOAs with knowledge of violations shall take reasonable steps to investigate and enforce the regulations, including a written notice to the resident of the HOA's knowledge of the violation, a request to cease the violation, and the course of action to be taken if the violation is not corrected. The HOA shall also distribute resources provided by the City and/or County of Los Angeles to assist with nicotine dependence, such as referrals to a *quitline* or other online resources.

Section 7. NUISANCE; OTHER

- (a) The provisions of this Chapter shall be liberally construed to protect the public health to the maximum effect possible. Notwithstanding (i) any provision of this Chapter or of this Code, (ii) any failure by any person to restrict smoking under this Chapter, or (iii) any explicit or implicit provision of this Code that allows smoking in any place, nothing in this Code shall be interpreted to limit any person's legal rights under other laws with regard to smoking, including rights in nuisance, trespass, property damage, and personal injury or other legal or equitable principles.
- (b) Any violation of this Chapter is hereby declared to be a public nuisance.
- (c) Nonconsensual exposure to smoke from smoking occurring on or drifting into residential property is a nuisance.

Section 8. PENALTIES AND ENFORCEMENT.

- (a) The remedies provided by this Chapter are cumulative and in addition to any other remedies available at law or in equity.
- (b) Enforcement of this ~~chapter~~Chapter shall be the responsibility of city manager or his/her designee. In addition, any peace officer or code enforcement official also may enforce this ~~chapter~~Chapter.
- (c) Any violation of this Chapter shall be punishable by administrative citation, or infraction, ~~or misdemeanor~~ and subject to fines pursuant to Chapter 1, articles II and III of this Code.
- (d) ~~Any~~A violation of this Chapter ~~may, in the discretion of~~ shall not constitute a misdemeanor; and no violation of any provision of this Chapter shall be prosecuted by the city attorney, be prosecuted or city prosecutor as a misdemeanor, or as an infraction; or may be; or remedied by a civil action, including but not limited to, administrative or judicial nuisance abatement proceedings, civil code enforcement proceedings, and suits for injunctive relief.
- (e) Causing, permitting, aiding, abetting, or concealing a violation of any provision of this Chapter shall also constitute a violation of this Chapter.

- (f) No person shall intimidate, harass, or otherwise retaliate against any person who seeks compliance with this Chapter.
- (g) Any Person acting for the interests of itself, its members, or the general public may bring a civil action in any court of competent jurisdiction, including small claims court, to enforce this Chapter. Upon proof of the violations, a court shall grant all appropriate relief including awarding actual or statutory damages including court costs and attorney fees, and issuing an injunction or conditional judgement.
- (h) Enforcement of this Chapter is at the sole discretion of the City. Under no circumstances shall the City have any responsibility or obligation to enforce or seek any legal redress, at law or in equity, for any violation of this Chapter. Nothing in this Chapter shall create a right of action in any Person against the City or its agents to compel public enforcement of this Chapter against private parties.

SECTION III. CEQA Finding.

The City Council hereby finds that the adoption of this Ordinance would be exempt from the California Environmental Quality Act (CEQA) under CEQA Guidelines Section 15061(b)(3) (the “common sense exemption”) and 15378(b)(5) since it can be seen with certainty that there is no possibility that adopting an ordinance will have a significant effect on the environment since the project involves administrative activities that do not significantly impact the environment. The Ordinance is also exempt under CEQA Guidelines Section 15307 and 15308, as a regulatory action that protects natural resources and the environment, since the regulation of existing smoking and the related education and outreach activities in the Ordinance will reduce existing smoking practices, improve air quality, and reduce litter and waste from smoking debris, which includes plastic-based cigarette filters that would otherwise impact the environment.

SECTION IV. Inconsistent Provisions.

Any provision of this Code or appendices thereto inconsistent with the provisions of this Ordinance, to the extent of such inconsistencies and no further, is hereby repealed or modified to the extent necessary to implement the provisions of this Ordinance.

SECTION V. Severability.

If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of any competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed this Ordinance, and each and every section, subsection, sentence, clause, or phrase not declared invalid or unconstitutional without regard to whether any portion of the Ordinance would be subsequently declared invalid or unconstitutional.

SECTION VI. Construction.

The City Council intends this Ordinance to supplement, not to duplicate or contradict, applicable state and federal law and this Ordinance shall be construed in light of that intent. To the extent the provisions of this Code as amended by this Ordinance are substantially the same as the provisions of this Code as it read prior to the adoption of this Ordinance, those amended provisions shall be construed as continuations of the earlier provisions and not as new enactments.

SECTION VII. Publication and Effective Date.

The City Clerk shall attest to the passage of this Ordinance and cause the same to be published once in a newspaper of general circulation within fifteen (15) days after its adoption. This Ordinance shall become effective thirty (30) days after adoption.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of San Fernando this 6th day of June, 2022.

ATTEST:

Julia Fritz, City Clerk

Mary Mendoza, Mayor of the City of San
Fernando, California**APPROVED AS TO FORM:**

Richard A. Padilla, Assistant
City Attorney

CERTIFICATION

I, City Clerk of the City of San Fernando, California, do hereby certify that the foregoing is a full, true, and correct copy of Ordinance No. 1710 which was introduced on May 16, 2022 and adopted by the City Council of the City of San Fernando, California at a regular meeting thereof held on the 6th day of June, 2022, by the following vote of the City Council:

AYES:

NAYS:

ABSENT:

ABSTAINED:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of San Fernando, California, this _____ day of June, 2022.

Julia Fritz, City Clerk

Chapter 23 - OUTDOOR SMOKING REGULATIONS

Footnotes:

--- (1) ---

Cross reference— *Tobacco retailing, § 22-430 et seq.; environment, ch. 34; health and sanitation, ch. 42; smoking prohibited in parks, playgrounds and recreation centers, § 54-27.*

Sec. 23-1. - Definitions.

The following words and phrases, whenever used in this chapter shall have the meanings defined in this section unless the context clearly requires otherwise:

Business means any sole proprietorship, partnership, joint venture, corporation, association, or other entity formed for profit-making purposes.

Dining area means any area, including streets and sidewalks, which is available to or customarily used by the general public or an employee, and which is designed, established, or regularly used for consuming food or drink.

Employee means any person who is employed or retained as an independent contractor by any employer or nonprofit entity in consideration for direct or indirect monetary wages or profit, or any person who volunteers his or her services for an employer or nonprofit entity.

Employer means any business or nonprofit entity that retains the service of one or more employees.

Enclosed area means an area in which outside air cannot circulate freely to all parts of the area, and includes an area that has:

- (1) Any type of overhead cover whether or not that cover includes vents or other openings and at least three walls or other vertical boundaries of any height whether or not those boundaries include vents or other openings; or
- (2) Four walls or other vertical boundaries that exceed six feet in height whether or not those boundaries include vents or other openings.

Grounds shall include, without limitation, landscaped areas, patios, stairways, walls, parking lots, and walkways on publicly owned property adjacent to the San Fernando Plaza and San Fernando Library Plaza.

Nicotine means a toxic colorless or yellowish oily liquid that is the chief active constituent of tobacco.

Nonprofit entity means any entity that meets the requirements of California Corporations Code section 5003 as well as any corporation, unincorporated association or other entity created for charitable, religious, philanthropic, educational, political, social or similar purposes, the net proceeds of which are committed to

the promotion of the objectives or purposes of the entity and not to private gain. A government agency is not a nonprofit entity within the meaning of this chapter.

Person means any natural person, business, cooperative association, nonprofit entity, personal representative, receiver, trustee, assignee, or any other legal entity including government agencies.

Place of employment means any area under the legal or de facto control of an employer, that an employee or the general public may have cause to enter in the normal course of the operations, regardless of the hours of operation.

Public place means any place, publicly or privately owned, which is open to the general public regardless of any fee or age requirement.

Reasonable distance means a distance of 25 feet in any direction from an area in which smoking is prohibited.

Recreational area means any area, including streets and sidewalks, that is publicly or privately owned /owned, controlled or used by the city and open to the general public for recreational purposes, regardless of any fee or age requirement. The term "recreational area" includes but is not limited to parks, picnic areas, playgrounds, sports fields, golf courses, walking paths, gardens, hiking trails, bike paths, riding trails, swimming pools, roller- and ice-skating rinks, skateboard parks, amusement parks, and beaches.

Service area means any publicly or privately owned area, including streets and sidewalks, that is designed to be used or is regularly used by one or more persons to receive a service, wait to receive a service or to make a transaction, whether or not such service or transaction includes the exchange of money. The term "service area" includes but is not limited to areas including or adjacent to information kiosks, automatic teller machines (ATMs), ticket lines, bus stops or shelters, mobile vendor lines or cab stands.

Smoke means the gases, particles, or vapors released into the air as a result of combustion, electrical ignition or vaporization, when the apparent or usual purpose of the combustion, electrical ignition or vaporization is human inhalation of the byproducts, except when the combusting material contains no tobacco or nicotine and the purpose of inhalation is solely olfactory, such as, for example, smoke from incense. The term "smoke" includes, but is not limited to, tobacco smoke, electronic cigarette vapors, and marijuana smoke.

Smoking means engaging in an act that generates smoke, such as, for example: possessing a lighted pipe, a lighted hookah pipe, an operating electronic cigarette, a lighted cigar, or a lighted cigarette of any kind; or lighting or igniting a pipe, a hookah pipe, a cigar, or a cigarette of any kind.

Tobacco product means any substance containing tobacco leaf, and any product or formulation of matter containing biologically active amounts of nicotine that is manufactured, sold, offered for sale, or otherwise distributed with the expectation that the product or matter will be introduced into a human body,

but does not include any cessation product specifically approved by the United States Food and Drug Administration for use in treating nicotine or tobacco dependence.

Unenclosed area means any area that is not an enclosed area.

Vaping means to inhale and exhale the vapor produced by an electronic cigarette or similar device, such as, for example: mini E-cigarettes, Gig-A-likes, mid-sized vaporizers, vape pens, and mods.

(Ord. No. 1623, § 1, 9-4-2012; Ord. No. 1672, § 1, 2-20-2018)

Sec. 23-2. - Prohibition of smoking and tobacco product use in unenclosed areas.

- (a) All forms of vaping, smoking and the use of tobacco products is prohibited in the unenclosed areas of the following places within the city, except places where smoking or the use of tobacco products is already prohibited by state or federal law, in which case those laws apply:
 - (1) Recreational areas;
 - (2) Service areas;
 - (3) Dining areas;
 - (4) Places of employment;
 - (5) Other public places, when being used for a public event, including but not limited to a farmers' market, parade, craft fair, festival, or any other event which may be attended by the general public, provided that smoking is permitted on streets and sidewalks being used only in a traditional capacity as pedestrian or vehicular thoroughfares, unless otherwise prohibited by this chapter or other law.
- (b) Nothing in this chapter prohibits any person, employer, or nonprofit entity with legal control over any property from prohibiting vaping, smoking and tobacco product use on any part of such property, even if vaping, smoking or the use of tobacco products is not otherwise prohibited in that area.

(Ord. No. 1623, § 1, 9-4-2012; Ord. No. 1672, § 1, 2-20-2018)

Sec. 23-3. - Reasonable smoking distance required.

- (a) Vaping, smoking and the use of tobacco products in all unenclosed areas shall be prohibited within a reasonable distance from any doorway, window, opening, crack, or vent into an enclosed area in which vaping and smoking is prohibited, except while the person smoking or vaping is actively passing on the way to another destination and provided smoke does not enter any enclosed area in which smoking is prohibited.
- (b) Vaping, smoking and the use of tobacco products in unenclosed areas shall be prohibited within a reasonable distance from any unenclosed areas in which smoking is prohibited under sec. 23-2 of

this chapter, except while the person smoking is actively passing on the way to another destination and provided smoke does not enter any unenclosed area in which smoking is prohibited.

(Ord. No. 1623, § 1, 9-4-2012; Ord. No. 1672, § 1, 2-20-2018)

Sec. 23-4. - Other requirements and prohibitions.

- (a) No person, employer, or nonprofit entity shall knowingly permit vaping, smoking or the use of tobacco products in an area which is under the legal or de facto control of that person, employer or nonprofit entity and in which vaping, smoking or the use of tobacco products is prohibited by law, unless otherwise required by state or federal law.
- (b) No person, employer, or nonprofit entity shall knowingly or intentionally permit the presence or placement of ash receptacles, such as, for example, ash trays or ash cans, within an area under the legal or de facto control of that person, employer or nonprofit entity and in which vaping, smoking or the use of tobacco products is prohibited by law, including, without limitation, within a reasonable distance required by this chapter from any area in which vaping, smoking or the use of tobacco products is prohibited. notwithstanding the foregoing, the presence of ash receptacles in violation of this subsection shall not be a defense to a charge of vaping, smoking or the use of tobacco products in violation of any provision of this chapter.
- (c) No person shall dispose of used vaping, smoking or tobacco product waste within the boundaries of an area in which vaping and smoking is prohibited, including within any reasonable distance required by this chapter.
- (d) A person, employer, or nonprofit entity that has legal or de facto control of an unenclosed area in which vaping, smoking or the use of tobacco products is prohibited by this chapter shall post a clear, conspicuous and unambiguous "no smoking no vaping" or no use of tobacco products or "smokefree" or "tobacco-free" sign at each point of ingress to the area, and in at least one other conspicuous point within the area. The signs shall have letters of no less than one inch in height and shall include the international "no smoking no vaping" symbol (consisting of a pictorial representation of a burning cigarette and e-cigarette enclosed in a red circle with a red bar across it). Signs posted on the exterior of buildings to comply with this section shall include the reasonable distance requirement set forth in section 23-3. For purposes of this section, the city administrator or his/her designee shall be responsible for the posting of signs in regulated facilities owned or leased in whole or in part by the city. Notwithstanding this provision, the presence or absence of signs shall not be a defense to a charge of vaping, smoking or the use of tobacco products in violation of any other provision of this chapter.
- (e) No person, employer, or nonprofit entity shall intimidate, threaten any reprisal, or effect any reprisal, for the purpose of retaliating against another person who seeks to attain compliance

with this chapter.

- (f) Each instance of vaping, smoking or tobacco product use in violation of this chapter shall constitute a separate violation. For violations other than for vaping or smoking, each day of a continuing violation of this chapter shall constitute a separate violation.

(Ord. No. 1623, § 1, 9-4-2012; Ord. No. 1672, § 1, 2-20-2018)

Sec. 23-5. - Penalties and enforcement.

- (a) The remedies provided by this chapter are cumulative and in addition to any other remedies available at law or in equity.
- (b) Each incident of vaping, smoking or use of tobacco products in violation of this chapter is an infraction subject chapter 1, articles II and III of the City Code. Other violations of this chapter may, in the discretion of the city attorney, be prosecuted as infractions when the interests of justice so requires. Enforcement of this chapter shall be the responsibility of city administrator or his/her designee. In addition, any peace officer or code enforcement official also may enforce this chapter.
- (c) Any violation of this chapter is hereby declared to be a nuisance.
- (d) In addition to other remedies provided by this chapter or by other law, any violation of this chapter may be remedied by a civil action brought by the city attorney, including, but not limited to, administrative or judicial nuisance abatement proceedings, civil or criminal code enforcement proceedings, and suits for injunctive relief.

(Ord. No. 1623, § 1, 9-4-2012; Ord. No. 1672, § 1, 2-20-2018)

THE CITY OF SAN FERNANDO

CITY COUNCIL

MAYOR
MARY MENDOZA

VICE MAYOR
HECTOR A. PACHECO

COUNCILMEMBER
SYLVIA BALLIN

COUNCILMEMBER
CINDY MONTAÑEZ

COUNCILMEMBER
CELESTE T. RODRIGUEZ

NOTICE OF A PUBLIC HEARING BY THE CITY OF SAN FERNANDO CITY COUNCIL TO CONSIDER ADDING A NEW CHAPTER TO THE SAN FERNANDO MUNICIPAL CODE TO PROHIBIT SMOKING IN MULTI-UNIT HOUSING

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the City Council of the City of San Fernando on April 18, 2022 to consider adding a new chapter to the San Fernando Municipal Code to prohibit smoking in multi-unit housing.

HEARING DATE: April 18, 2022
TIME: 6:00 P.M.
HEARING LOCATION: City Hall Council Chambers, 117 Macneil Street, San Fernando, CA 91340
PROJECT LOCATION: City Wide

Copies of the staff report will be available for public review after 12:00 noon on Friday, April 15, 2022 on the City's website <https://ci.san-fernando.ca.us/> and at the City Clerk's Office, 117 Macneil Street, San Fernando, CA 91340. For further information regarding this project, please contact Kanika Kith, Director of Community Development, at (818) 898-1227 or kkith@sfcity.org, or by written correspondence to: City of San Fernando, Community Development Department, 117 Macneil Street, San Fernando, CA 91340-2993.

Dated this 7th day of April 2022
City of San Fernando, California

Julia Fritz, City Clerk

COMMUNITY
DEVELOPMENT

117 MACNEIL STREET
SAN FERNANDO
CALIFORNIA
91340

(818) 898-1222

WWW.SFCITY.ORG

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AGENDA REPORT

To: Mayor Mary Mendoza and Councilmembers

From: Councilmember Sylvia Ballin

Date: June 6, 2022

Subject: Discussion Regarding a Cleanup and Improved Light and Safety Measures on the Bike Path

RECOMMENDATION:

I have placed this item on the agenda for the City Council to discuss and consider a cleanup and improved light and safety measures on the bike path.

BACKGROUND/ANALYSIS:

See Attachment "A" that was submitted to request to agendize for the June 6, 2022 City Council Meeting to discuss and consider improved safety measures on the bike path.

BUDGET IMPACT:

There is no impact to the budget by discussing this item. Additional future costs to be determined based on City Council direction.

CONCLUSION:

Discussion and consideration of a cleanup and improved safety measures on the bike path, and provide direction to staff, as applicable.

ATTACHMENTS:

A. Request to Agendize an Item for City Council Discussion/Consideration

From: [Sylvia Ballin](#)
To: [Julia Fritz](#)
Subject: Agenda Item
Date: Wednesday, May 25, 2022 9:57:39 PM

Please add the following item on the June 6 agenda:

Clean up of the bike path, improved light and safety measures.

Sent from my iPhone