



CITY OF LAWDALE

14717 Burin Avenue, Lawndale, California 90260
Phone (310) 973-3200 – www.lawndalecity.org

AGENDA
LAWDALE CITY COUNCIL REGULAR MEETING
LAWDALE HOUSING AUTHORITY REGULAR MEETING
Monday, November 4, 2019 - 6:30 p.m.
Lawndale City Hall Council Chamber
14717 Burin Avenue

Any person who wishes to address the City Council regarding any item listed on this agenda or any other matter that is within its subject matter jurisdiction is invited, but not required, to fill out a public meeting speaker card and submit it to the city clerk prior to the oral communications portion of the meeting. The purpose of the card is to ensure that speakers' names are correctly recorded in the meeting minutes and, where appropriate, to provide contact information for later staff follow-up.

Copies of this agenda may be obtained prior to the meeting in the Lawndale City Hall foyer. Copies of staff reports or other written documentation relating to each agenda item are available for public inspection in the Lawndale City Hall foyer and the public library. Interested parties may contact the City Clerk Department at (310) 973-3213 for clarification regarding individual agenda items.

This agenda is subject to revision up to 72 hours before the meeting.

- A. **CALL TO ORDER AND ROLL CALL**
- B. **CEREMONIALS** (Flag Salute and Inspiration)
- C. **PUBLIC SAFETY REPORT**
- D. **ORAL COMMUNICATIONS - ITEMS NOT ON THE AGENDA** (Public Comments)
- E. **COMMENTS FROM COUNCIL**
- F. **CONSENT CALENDAR**

The consent calendar, agenda items 1 through 3, will be considered and acted upon under one motion unless a councilmember/commissioner removes individual items for further council/authority consideration or explanation.

1. **Accounts Payable Register**
Recommendation: that the City Council adopts Resolution No. CC-1911-050 authorizing the payment of certain claims and demands in the amount of \$261,047.01.
2. **Minutes of the Lawndale City Council Regular Meeting – October 21, 2019**
Recommendation: that the City Council approve.

LAWDALE HOUSING AUTHORITY

3. **Minutes of the Lawndale Housing Authority Regular Meeting – August 5, 2019**
Recommendation: that the Commissioners approve.

G. ADMINISTRATION

4. Presentation and Discussion of the Proposed Desalination Plant and Final Environmental Impact Report

Recommendation: that the City Council (a) receive the presentation from representatives of both the LA Waterkeeper and West Basin Municipal Water District and (b) provide further direction to staff regarding the City's position: in opposition, in support, or take no action regarding the proposed Desalination Plant.

5. Budget Update for the Quarter Ended September 30, 2019

Recommendation: that the City Council (a) receive and file the Quarterly Investment Report for the quarter ended September 30, 2019; and (b) approve all recommend adjustments as detailed in the staff report.

6. Authorize Application For and Receipt of Senate Bill 2 (SB 2) Planning Grants Program Funds

Recommendation: that the City Council (a) determine that the consideration of Resolution No. 1911-051 is exempt from the California Environmental Quality Act ("CEQA") pursuant to Section 15378 of the CEQA Guidelines; and (b) adopt Resolution No. 1911-051 authorizing staff to submit an application for grant funding from the SB 2 Planning Grants Program.

7. Residential Development Standards and Design Guidelines

Recommendation: that the City Council (a) determine that the consideration of Resolution No. 1911-052 is exempt from the California Environmental Quality Act ("CEQA") pursuant to Section 15061(b)(3) of the CEQA Guidelines; and (b) adopt Resolution No. 1911-052 approving the Residential Development Standards and Design Guidelines.

H. ITEMS FROM COUNCILMEMBERS

8. Mayor/Councilmember Report of Attendance at Meetings and/or Events

I. CLOSED SESSION

9. Public Employee Appointment

The City Council will conduct a closed session, pursuant to Government Code section 54957(b), to consider an appointment to the position of City Manager.

10. Conference with Legal Counsel – Anticipated Litigation

The City Council will conduct a closed session, pursuant to Government Code section 54956.9(d)(4), because the City is considering whether to initiate litigation in one (1) case.

LAWNDALE HOUSING AUTHORITY

11. Conference with Real Property Negotiator

The Authority will conduct a closed session, pursuant to Government Code section 54956.8, to enable the commissioners to consider negotiations and to give direction to its

negotiators regarding that certain real property, 4019 W. 169th Street, APN 4074-016-015. The Authority's real property negotiators, its executive director and housing director, will seek direction from the commissioners regarding the price and terms for this property.

J. ADJOURNMENT

The next regularly scheduled meeting of the City Council will be held at 6:30 p.m. on Monday, November 18, 2019 in the Lawndale City Hall council chamber, 14717 Burin Avenue, Lawndale, California.

It is the intention of the City of Lawndale to comply with the Americans with Disabilities Act (ADA) in all respects. If, as an attendee or a participant at this meeting, you will need special assistance beyond what is normally provided, we will attempt to accommodate you in every reasonable manner. Please contact the City Clerk Department (310) 973-3213 prior to the meeting to inform us of your particular needs and to determine if accommodation is feasible. Please advise us at that time if you will need accommodations to attend or participate in meetings on a regular basis.

I hereby certify under penalty of perjury under the laws of the State of California that the agenda for the regular meeting of the City Council to be held on November 4, 2019 was posted not less than 72 hours prior to the meeting.

Matthew Ceballos, Assistant City Clerk

RESOLUTION NO. CC-1911-050

**A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF LAWDALE, CALIFORNIA
APPROVING PAYMENT OF CLAIMS AND DEMANDS
IN THE SUM OF \$261,047.01**

THE CITY COUNCIL OF THE CITY OF LAWDALE, CALIFORNIA, DOES HEREBY RESOLVE, DETERMINE AND ORDER AS FOLLOWS:

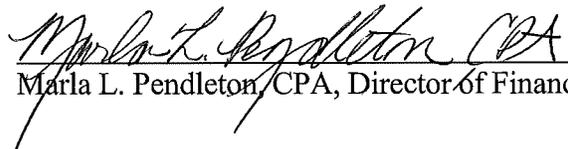
SECTION 1. That in accordance with Sections 37202 and 37209 of the Government Code, the Director of Finance, as certified below, hereby attests to the accuracy of these demands and to the availability of funds for the payment thereof.

SECTION 2. That the following claims and demands have been audited as required by law, and that appropriations for these claims and demands are included in the annual budget as approved by the City Council.

SECTION 3. That the claims and demands paid by check numbers 198516 through 198585 for the aggregate total of \$261,047.01 are hereby authorized.

Effective Date: November 4, 2019

Certified by:


Marla L. Pendleton, CPA, Director of Finance

PASSED, APPROVED AND ADOPTED this 4th day of November, 2019.

Robert Pullen-Miles, Mayor

ATTEST:

State of California)
County of Los Angeles) SS
City of Lawndale)

I, Rhonda Hofmann Gorman, City Clerk of the City of Lawndale, California, do hereby certify that the City Council of the City of Lawndale duly approved and adopted the foregoing Resolution No. CC-1911-050 at a regular meeting of said Council held on the 4th day of November, 2019 by the following roll call vote:

Name	Voting		Present, Not Voting		Absent
	Aye	No	Abstain	Not Participating	
Robert Pullen-Miles, Mayor					
Daniel Reid, Mayor Pro Tem					
James H. Osborne					
Pat Kearney					
Bernadette Suarez					

Rhonda Hofmann Gorman, City Clerk

**City of Lawndale
 Summary of Audited Claims and Demands
 From October 17-24, 2019**

Claims and Demands Paid By Check:

Check Date	Check Number		Aggregate Total
	Beginning	Ending	
10/17/2019	198516	198546	169,946.81
10/24/2019	198547	198585	91,100.20
Total Checks			261,047.01

Claims and Demands Paid By Electronic ACH Transfer:

Date	Name of Payee	Description	Amount
Total ACH Payments			0.00

Total Audited Claims and Demands Paid 261,047.01

Check Register Report

Date: 10/17/2019
 Time: 9:35 am
 Page: 1

City of Lawndale

BANK: WELLS FARGO BANK N.A

Check Number	Check Date	Status	Void/Stop Date	Vendor Number	Vendor Name	Check Description	Amount
WELLS FARGO BANK N.A Checks							
198516	10/17/2019	Printed		1541	ALESHIRE & WYNDER, LLP	LEGAL SERVICES-SEPT 2019	35,038.58
198517	10/17/2019	Printed		0112	ALL CITY MANAGEMENT SVCS, INC	SCHOOL CROSSING GUARD SVCS	6,804.37
198518	10/17/2019	Printed		6878	ALTA LANGUAGE SERVICES	LISTENING & SPEAKING TEST	68.00
198519	10/17/2019	Printed		2207	ASAP SIGN & BANNER	2 FLAGS FOR CITY HALL	225.38
198520	10/17/2019	Printed		7293	BRINKS INC	ARMORED SVCS OCT 2019	164.05
198521	10/17/2019	Printed		0615	CLEANSTREET	STREET SWEEPING SVC SEPT 2019	15,830.00
198522	10/17/2019	Printed		7389	GERARDO & MARTHA CONEJO	REFUND CONST&DEMO DEPOSIT	126.00
198523	10/17/2019	Printed		0219	COUNTY OF LA DEPT OF PUBLIC WK	TRAFF SIGNAL MAINT THRU AUG-19	17,940.25
198524	10/17/2019	Printed		7052	AMALEA FISHER	INSTRUCTOR FEE-SR FITNESS	130.00
198525	10/17/2019	Printed		0441	GOLDEN STATE WATER CO.	UTILITIES WATER SERVICES	15,811.03
198526	10/17/2019	Printed		6231	GREENLAND SUPPLY INC.	IRRIGATION SUPPLIES R A PARK	20.79
198527	10/17/2019	Printed		7390	GSC A DIV. OF TOTAL HEAL	REFUND CONST&DEMO DEPOSIT	3,800.00
198528	10/17/2019	Printed		3377	H F & H CONSULTANTS, LLC	SOLID WASTE SVCS-AUG 2019	7,216.08
198529	10/17/2019	Printed		6051	INFANTE BROS LAWNMOVER SHOP	OIL MIX	28.67
198530	10/17/2019	Printed		7104	KILGORE FITNESS SVC, LLC	FITNESS ROOM PARTS & SERVICE	449.03
198531	10/17/2019	Printed		7362	LA UNIFORMS & TAILORING	UNIFORM	1,106.35
198532	10/17/2019	Printed		0323	LEGACY TRAVEL & TOURS	DEPOSIT SR. TRIP 2/28/2020	400.00
198533	10/17/2019	Printed		6445	MICHAEL BAKER INTL, INC	CDBG ADMIN SVCS-SEPT 2019	882.50
198534	10/17/2019	Printed		6144	MV TRANSPORTATION INC	LAWNDALE BEAT SVCS-SEPT 2019	38,480.89
198535	10/17/2019	Printed		0367	OFFICE DEPOT	OFFICE SUPPLIES-CSD	80.04
198536	10/17/2019	Printed		1140	PACIFIC TIRE SERVICE	TIRE REPAIR PWD VEHICLE #504	20.00
198537	10/17/2019	Printed		7047	PRECISION AUTO CARE, INC	OIL CHANGE PWD VEH #501	156.27
198538	10/17/2019	Printed		6123	PRUDENTIAL OVERALL SUPPLY	UNIFORM CLEANING SVCS PWD	39.36
198539	10/17/2019	Printed		6499	RJS CONSTRUCTION SUPPLIES	BASE MATERIAL FOR ST. REPAIR	16.48
198540	10/17/2019	Printed		6910	SMARTSHEET INC	SUBSCRIPTION SVCS WK MGMT-PWD	745.00
198541	10/17/2019	Printed		6034	SOUTH COAST MECHANICAL INC	CALL BACK SVC A/C UNIT-PWD	238.00
198542	10/17/2019	Printed		4306	SOUTHERN CALIFORNIA EDISON	ELECTRICAL INSTALLATION LINE	4,412.02
198543	10/17/2019	Printed		6238	SOUTHERN COMPUTER WAREHOUSE	STATE OF CA WASTE FEE	1,342.85
198544	10/17/2019	Printed		0444	SPCA LA	ANIMAL SHELTERING SVC JUL2019	17,865.00
198545	10/17/2019	Printed		0462	TODD PIPE & SUPPLY-HAWTHORNE	IRRIAGATION PARTS PVC PIPE RA	10.11
198546	10/17/2019	Printed		3373	VERIZON WIRELESS	CELL PHONES SVCS SEP 04-OCT 03	499.71

Total Checks: 31

Checks Total (excluding void checks): 169,946.81

Total Payments: 31

Bank Total (excluding void checks): 169,946.81

Total Payments: 31

Grand Total (excluding void checks): 169,946.81

Check Register Report

Date: 10/24/2019
 Time: 3:09 pm
 Page: 1

BANK: WELLS FARGO BANK N.A

City of Lawndale

Check Number	Check Date	Status	Void/Stop Date	Vendor Number	Vendor Name	Check Description	Amount
WELLS FARGO BANK N.A Checks							
198547	10/24/2019	Printed		2615	A-THRONE CO., INC	PORTABLE RESTROOMS	95.11
198548	10/24/2019	Printed		7263	ACCOUNTING PRINCIPALS INC	TEMP SVCS-WK END 10/06/19	2,188.80
198549	10/24/2019	Printed		7396	AML-GLOBAL AMERICAN LANGUAGE	PROP 218 PUBLIC HEARING NOTICE	999.00
198550	10/24/2019	Printed		0372C	AT & T - CALNET3	PHONE CHARGES 9/13/19-10/12/19	1,674.35
198551	10/24/2019	Printed		1056	AT&T GLOBAL SERVICES, INC.	BILLING FOR 10/21/19-11/20/19	865.67
198552	10/24/2019	Printed		6922	SVETLANA AVERBUKH	INSTRUCTOR SVCS-SR ZUMBA GOLD	260.00
198553	10/24/2019	Printed		7397	YOLANDA CAMARENA	REFUND FOR SECURITY DEPOSIT	2,000.00
198554	10/24/2019	Printed		0163	CAPITAL OF SOUTH BAY INC.	ELECTRICAL PHOTO CELLS P.W.D.	16.26
198555	10/24/2019	Printed		0190	COLONIAL LIFE & ACCIDENTS, INC	SECTION 125-PRE TAX & POST TAX	2,445.01
198556	10/24/2019	Printed		0216	DELTA DENTAL	ADJUSTMENT-2EE PAID SEPT 2019	2,409.26
198557	10/24/2019	Printed		0218	DEPARTMENT OF JUSTICE	FINGERPRINT APPLICANT (2)	64.00
198558	10/24/2019	Printed		1820	DIGITAL MAP PRODUCTS, L.L.C.	SUBSCRIPTION & LICENSE FEE	16,170.00
198559	10/24/2019	Printed		6886	EMPIRE CLEANING SUPPLIES	MAINTENANCE CLEANING SUPPLIES	1,849.79
198560	10/24/2019	Printed		0236	EMPLOYMENT DEVELOPMENT DEPT	UNEMPLOYMENT 30-JUN-2019	3,352.75
198561	10/24/2019	Printed		7398	ROBIN FERNANDEZ	REFUND RES PROP RPT LOG 19-104	205.30
198562	10/24/2019	Printed		7393	WILLIAM FISCHER	REFUND CONSTR/DEMO DEPOSIT	475.80
198563	10/24/2019	Printed		7052	AMALEA FISHER	SENIOR FITNESS CLASSES-YOGA	130.00
198564	10/24/2019	Printed		7399	OSCAR FRANCO	REFUND SPR 19-28 DEPOSIT	1,118.52
198565	10/24/2019	Printed		0441	GOLDEN STATE WATER CO.	UTILITIES WATER SERVICES	2,452.12
198566	10/24/2019	Printed		2214	MARIA R GUERRA	REFUND-WAIVER OF PREM BENEFIT	306.79
198567	10/24/2019	Printed		7394	ERNEST INNEH	REFUND FOR RESERVATION DATES	821.00
198568	10/24/2019	Printed		0319	LAWNDALE ELEM SCH DIST	BOLLINGER GYM USE-JUL-SEPT2019	5,375.00
198569	10/24/2019	Printed		5068A	MAILROOM FINANCE, INC	POSTAGE 9/10/19 & 9/25/19	1,000.00
198570	10/24/2019	Printed		5493	REFUGIO MARQUEZ	REFUND CONST/DEMO DEPOSIT	3,960.00
198571	10/24/2019	Printed		0367	OFFICE DEPOT	OFFICE SUPPLIES-FINANCE	709.99
198572	10/24/2019	Printed		7392	ONLINE SOLUTIONS LLC	SVC AGMT/ANNUAL SUBSCRIPTION	34,700.00
198573	10/24/2019	Printed		2192	JAMES H OSBORNE	MILEAGE & PARKING 10/16/2019	33.68
198574	10/24/2019	Printed		6123	PRUDENTIAL OVERALL SUPPLY	UNIFORM CLEANING SVC 10/15/19	39.36
198575	10/24/2019	Printed		5895	RICOH USA INC	COPIER SERVICE 9/01-10/01/19	817.30
198576	10/24/2019	Printed		0439	SOUTHERN CALIFORNIA EDISON CO.	UTILITIES ELECTRICITY	72.45
198577	10/24/2019	Printed		0440	SOUTHERN CALIFORNIA GAS CO.	UTILITY GAS CHRS 9/13-10/14/19	56.22
198578	10/24/2019	Printed		3677	SOUTHWEST HAULING, DISPOSAL &	REFUND CONSTR/DEMO DEPOSIT	120.00
198579	10/24/2019	Printed		0346	SPARKLETTS	SPARKLETTS WATER BOTTLE SVC	969.43
198580	10/24/2019	Printed		4142	TIME WARNER CABLE	CABLE BROADCAST-CITY HALL	193.28
198581	10/24/2019	Printed		4662	CLARENCE A. ULRICH	SR LUNCH THANKSGIVING 11/25/19	300.00
198582	10/24/2019	Printed		0480	VISTA PAINT	TRAFFIC PAINT	63.96
198583	10/24/2019	Printed		6916	BARBARA A WHITE	REFUND SECURITY DEPOSIT	400.00
198584	10/24/2019	Printed		7400	BRITTNEY WILBURN	REFUND SECURITY DEPOSIT	500.00
198585	10/24/2019	Printed		7278	MARTHA ZAMBRANO	MEXICAN FOLKLORIC CLASS	1,890.00

Total Checks: 39

Checks Total (excluding void checks): 91,100.20

Total Payments: 39

Bank Total (excluding void checks): 91,100.20

**MINUTES OF THE
LAWNDALE CITY COUNCIL REGULAR MEETING
October 21, 2019**

A. CALL TO ORDER AND ROLL CALL

Mayor Pullen-Miles called the meeting to order at 6:31 p.m. in the City Hall council chamber, 14717 Burin Avenue, Lawndale, California.

Councilmembers Present: Mayor Robert Pullen-Miles, Mayor Pro Tem James H. Osborne, Councilmember Pat Kearney, Councilmember Daniel Reid, Councilmember Bernadette Suarez

Other Participants: City Clerk Rhonda Hofmann Gorman, City Attorney Tiffany J. Israel, Los Angeles County Sheriff's Department Lieutenant Christopher Lio, Community Services Director Mike Estes, Assistant to the City Manager/Human Resources Director Raylette Felton, Municipal Services Director Michael Reyes, Finance Director Marla Pendleton, Community Development Director Sean Moore, Assistant City Clerk Matthew Ceballos and approximately 15 audience members.

B. CEREMONIALS

Councilmember Suarez led the flag salute and Pastor Bob Dobranski, Way to God Church, provided the inspiration.

C. PRESENTATIONS

1. Senator Bradford's Office – Legislative Update

Senator Steven Bradford, 35th State Senate District, provided a legislative update for the year 2018-2019.

City Council made various comments about the Senator's Legislative Update relating to homelessness and cannabis industry equity. They also thanked the Senator for attending the City Council meeting and providing the update.

D. PUBLIC SAFETY REPORT

Lieutenant Lio summarized recent law enforcement activities.

E. ITEMS FROM CITY CLERK

City Clerk Rhonda Hofmann Gorman made the following announcements: the West Basin Municipal Water Districts 24th Annual Water Festival; the Annual Lawndale Halloween Haunt Event; 4th Annual Field of Honor; that the City was accepting applications for the Media and Technology Advisory Committee; and the Centinela Valley Union High School District was accepting applications for its Citizens Oversight Board.

F. ORAL COMMUNICATIONS - ITEMS NOT ON THE AGENDA

- Edgar Murillo, Resident, spoke about public safety and the need for the City to become a 2nd amendment sanctuary City.
- Johnny Castro, Resident, requested to receive a Metro Rail Green Line update.
- Regina Brown, Resident, requested to receive a Metro Rail Green Line update, noted that she had witnessed drug use and homelessness on the metro system, and inquired about rent control in L.A. County.
- Jessica Romero, Library Manger, spoke about various Library programs.
- Pam London, Resident, thanked the Sheriff's Department for assisting a stalled vehicle, she then spoke about parking and permitting issues throughout the City and in her neighborhood.

G. COMMENTS FROM COUNCIL

The City Council responded generally to the comments, but did not request placement of any issues on a future meeting agenda.

H. CONSENT CALENDAR

2. **Motion to read by title only and waive further reading of all ordinances listed on the agenda**
Recommendation: that the City Council approve.
3. **Service Order with Spectrum (formerly Time Warner) to upgrade the Dedicated Internet Access and Ethernet Private Line Service (Transport Line) between City Hall and Public Works/City Yard**
Recommendation: that the City Council approve the service order with Spectrum for upgraded bandwidth on Dedicated Internet Access and Ethernet Private Line Service (Transport Line) between City Hall and Public Works/City Yard, for a five year term for an amount not to exceed \$17,700.00 annually.
4. **Accounts Payable Register**
Recommendation: that the City Council adopts Resolution No. CC-1910-049, authorizing the payment of certain claims and demands in the amount of \$1,006,581.96.
5. **Minutes of the Lawndale City Council Special Meeting – October 1, 2019**
Recommendation: that the City Council approve.
6. **Minutes of the Lawndale City Council Regular Meeting – October 7, 2019**
Recommendation: that the City Council approve.

A motion by Councilmember Suarez to approve the consent calendar was seconded by Councilmember Reid and carried by a vote of 5-0.

I. ADMINISTRATION

7. Budget Update for the Quarter/Year Ended June 30, 2019

Recommendation: that the City Council (a) receive and file the Quarterly Budget Report for the quarter ended June 30, 2019; and (b) approve and direct the Finance Department to make the recommended FY 2018-2019 year-end adjustments including:

- General Fund net increase in estimated revenue (Page 2 of the Staff Report) \$566,000.00
- Operating Fund Transfer from the General Fund to Gas Tax Fund (Page 9 of the Staff Report) \$86,543.00
- Use of Unrestricted Fund Balance – General Fund for prior year negative fund balances (Page 9 of the Staff Report) \$186,647.00

Finance Director Marla Pendleton reported on the proposed Budget Update for the Quarter/Year Ended June 30, 2019.

Mayor Pro-Tem Osborne, inquired about the how the prior methodology worked when analyzing fund reserves. City Attorney Tiffany Israel explained how the prior reporting and analysis was incorrect.

Mayor Pullen-Miles, inquired about the various accounts that had budget over-runs. Finance Director Pendleton went over the funds/accounts that had over-run their budgets, noted that she brought forward the imbalances to ensure that future budgeted accounts were balanced.

A motion by Councilmember Suarez to a receive and file the Quarterly Budget Report for the quarter ended June 30, 2019 and approve and direct the Finance Department to make the recommended FY 2018-2019 year-end adjustments was seconded by Councilmember Kearney and carried by a vote of 5-0.

8. Amending Lawndale Municipal Code Chapter 8.80, Residential Property Report Requirements in the City of Lawndale – 2nd Reading and Adoption

Recommendation: that the City Council approve the second reading and adopt Ordinance No. 1164-19, amending Chapter 8.80 of the Municipal Code, modifying the Residential Property Report requirements from mandatory to voluntary, with the exception of garage inspections.

Community Development Director Sean Moore reported on the proposed amendment to Lawndale Municipal Code Chapter 8.80, Residential Property Report Requirements in the City of Lawndale.

Municipal Services Department Director Michael Reyes clarified the enforcement and inspection component of the Residential Property Report inspection, he noted that visible violations during the inspection would still be enforced.

Councilmember Suarez, spoke about the need for inspection reports to be voluntary, listed the various State laws that were recently passed to support Accessory Dwelling Units, and the history of the inspection reports.

A dialogue ensued between staff and Council regarding the Accessory Dwelling Units process, the future of that process, and the continued enforcement of building and safety codes.

Public Comment

Pam London, Resident, spoke about illegal construction and conversions in the City and stated that these issues would never be caught if not for the residential property report.

Randal Abram, Resident, spoke about this ordinance being a good compromise rather than making the entire Residential Property Report optional.

A motion by Councilmember Reid to approve the consent calendar was seconded by Councilmember Kearney and carried by a vote of 4-1, Councilmember Suarez voting No, following City Attorney Israel's reading of the title of Ordinance No. 1164-19.

9. Review of City Council Policy 102-19, "Parkway Design Policy Guidelines"

Recommendation: that the City Council review and discuss City Council Policy 102-19, "Parkway Design Policy Guidelines" and provide direction to staff accordingly.

Community Development Director Sean Moore reported on the review of City Council Policy 102-19, "Parkway Design Policy Guidelines" and provided a PowerPoint presentation.

A lengthy dialogue ensued between Council and staff regarding the percentage of landscape to hardscape, feedback from residents, enforcement of illegal parkways, the height requirements of certain plants, taking into account plant growth, and contractor verses home owner permitting requirements.

Public Comment

Pam London, Resident, spoke about her prior parkway construction and the permitting process of that parkway.

A motion by Mayor Pro Tem Osborne to direct staff to include a ratio of 75% landscape to 25% hardscape, a 12 inch maximum height on certain landscape while preserving walkways, and to eliminate the requirement of a contractor to perform any work to the parkway, was seconded by Councilmember Kearney and carried by a vote of 5-0.

J. ITEMS FROM COUNCILMEMBERS

10. Renaming of the City's Annual Music Festival – requested by Councilmember Kearney.

Recommendation: that the City Council discuss the request to agendize the re-naming of the annual Music Festival at a future City Council meeting and provide direction to staff.

Assistant to the City Manager/Human Resources Director Raylette Felton reported on the proposed renaming of the City's Annual Music Festival.

Councilmember Kearney spoke about his reasons for wanting to change the current festival to a diverse music selection.

Mayor Pro Tem Osborne provided a background of the Lawndale Blues Festival and its current form.

A lengthy dialogue ensued between the Council and staff regarding the continuation of the Lawndale Blues Festival, potential for multiple or alternative events, attendance and engagement of the Blues Festival.

Community Services Director Mike Estes briefly overviewed events that have been suggested in the past.

The dialogue continued between the Council and staff regarding exploring other events, a possible survey of the resident's preference, costs of additional events, music selection, and sponsorships.

City Council reached a general consensus to direct staff to conduct a survey of the community to identify event and music preferences.

11. Mayor/Councilmember Report of Attendance at Meetings and/or Events

Councilmember Reid had nothing to report.

Councilmember Kearney attended South Bay Workforce Investment Board Annual Awards Dinner, Beacon Awards Dinner, League of California Cities Annual Conference, and the Fort MacArthur Centennial event.

Councilmember Suarez had nothing to report.

Mayor Pro Tem Osborne attended League of California Cities Annual Conference and the Fort MacArthur Centennial event.

Mayor Pullen-Miles attended L.A. County Sanitation District Meeting, League of California Cities Annual Conference, Beacon Awards Dinner, a Housing Seminar, a Municipal Finance Seminar, and the South Bay Workforce Investment Board Annual Awards Dinner.

K. CLOSED SESSION

Mayor Pullen-Miles removed item 12 from the agenda.

At 8:24 p.m. the City Council entered into closed session.

~~12. Conference with Legal Counsel – Anticipated Litigation~~

~~The City Council will conduct a closed session, pursuant to Government Code section 54956.9(d)(4), because the City is considering whether to initiate litigation in one (1) case.~~

13. Public Employee Performance Evaluation and Compensation

The City Council will hold a closed session with the City's Personnel Officer, the Interim City Manager, pursuant to Government Code Sections 54957 and 54957.6(a), to conduct an employee performance evaluation of the City Attorney and to discuss the compensation provided to the City Attorney.

At 8:44 p.m. the City Council entered back into open session.

City Attorney Tiffany Israel reported the City Council met in Closed Session to discuss the one item listed on the Closed Session agenda. The City Council was updated on the item number 13 and there was no reportable action taken.

L. ADJOURNMENT

There being no further business to conduct, the mayor adjourned the meeting at 8:45 p.m.

Robert Pullen-Miles, Mayor

ATTEST:

Rhonda Hofmann Gorman, City Clerk

Approved: 11/4/2019

**MINUTES OF THE
LAWNDALE HOUSING AUTHORITY REGULAR MEETING
August 5, 2019**

Note: Lawndale Housing Authority Agenda was combined with the August 5, 2019 Regular City Council Agenda and Meeting

A. CALL TO ORDER AND ROLL CALL

The meeting was called to order at 6:30 p.m. in the Lawndale City Hall council chamber, 14717 Burin Avenue, Lawndale, California. The commissioners met concurrently with the City Council.

Commissioners Present: Chairperson Robert Pullen-Miles, Vice Chairperson Daniel Reid, Commissioner James H. Osborne and Commissioner Bernadette Suarez

Commissioners Absent: Commissioner Pat Kearney

Other Participants: Secretary Rhonda Hofmann Gorman, Executive Director Stephen N. Mandoki, General Counsel Tiffany Israel, Finance Officer Marla Pendleton, Director of Housing Sean Moore

B. CEREMONIALS

Mayor Pro Tem Osborne led the flag salute and Pastor George Magdalany, Hope Chapel, provided the inspiration.

D. ORAL COMMUNICATIONS - ITEMS NOT ON THE AGENDA

No oral communications specific to the Lawndale Housing Authority.

E. COMMENTS FROM COMMISSIONERS

No comments specific to the Lawndale Housing Authority.

F. CONSENT CALENDAR

10. Updated Authorization to participate in the State Local Agency Investment Fund (LAIF)

Recommendation: that the City Council adopt Resolution No. LHA-1908-01, authorizing investment of monies in the Local Agency Investment Fund.

11. Minutes of the Housing Authority Regular Meeting – June 17, 2019

Recommendation: that the Commissioners approve.

A motion by Mayor Pro Tem Osborne to approve the consent calendar was seconded by Mayor Pullen-Miles and carried by a vote of 4-0, Councilmember Kearney was absent.

H. ITEMS FROM COMMISSIONERS

No items specific to the Lawndale Housing Authority.

J. ADJOURNMENT

There being no further business to conduct, the meeting was adjourned at 7:22 p.m.

Robert Pullen-Miles, Chairperson

ATTEST:

Rhonda Hofmann Gorman, Secretary

Approved: 11/04/2019



CITY OF LAWNDALE

14717 BURIN AVENUE, LAWNDALE, CALIFORNIA 90260
PHONE (310) 973-3200, FAX (310) 644-4556
www.lawndalecity.org

DATE: November 4, 2019

TO: Honorable Mayor and City Council

FROM: Stephen N. Mandoki, Interim City Manager 
Raylette Felton, Assistant to the City Manager/Human resources Director

SUBJECT: Proposed Desalination Plant – Final Environmental Impact Report –
Presentations from Water Keepers and West Basin Municipal Water District.

BACKGROUND

At the July 15, 2019 City Council meeting, Ms. Kelly Clark, a staff attorney for the Los Angeles based environmental organization Water Keepers, spoke during public comments. Ms. Clark asked that the City Council agenize a future agenda item to oppose the proposed ocean desalination plant being studied for construction in El Segundo by the West Basin Municipal Water District. Ms. Clark added that the neighboring cities of Carson, Culver City, Hermosa Beach, Manhattan Beach and Redondo Beach have taken action to oppose the proposed desalination plant.

On September 3, 2019, the matter of the proposed ocean desalination plant came back before the City Council and representatives from Water Keepers (seeking opposition to the project) and West Basin Municipal Water District (seeking support for the project) made presentations to the City Council. At that meeting, the City Council asked that the matter be brought back when the final environmental impact report was ready. The 1, 431 page report, was released on October 23, 2019 and is available on line at West Basin Municipal Water District's web site: <https://westbasindesal.com/final-eir.html>

The new ocean water desalination facility would be constructed at the existing 33-acre ESGS site, an industrial property located on the Santa Monica Bay coast at 301 Vista del Mar, El Segundo. The proposed Desalination Project consists of:

- A new ocean water desalination facility consisting of a pretreatment system and a reverse osmosis (RO) system to be constructed at the existing El Segundo Generating Station (ESGS) site that would produce 20 MGD (expandable to 60 MGD) of potable drinking water.
- An ocean water intake system and brine discharge system consisting of repurposing and upgrading existing offshore intake and discharge tunnels that would deliver raw ocean water to the desalination facility and discharge concentrated seawater back to the ocean.
- A desalinated water conveyance system to be constructed inland of the ESGS to deliver potable water produced at the new desalination facility to the local and regional water supply systems.

STAFF REVIEW

The 1,431 page final environmental impact report is extensive. West Basin Municipal Water District has attempted to address the environmental issues and respond to comments.

Both Water Keepers and West Basin Municipal Water District have confirmed that they will be present at tonight's meeting to make comment about the Final Environmental Impact Report and provide their perspective and concerns to the City Council.

FISCAL IMPACT

Not applicable.

RECOMMENDATION

That the City Council receive the presentations from both Water Keepers and West Basin Municipal Water District.

Based on the information, presentations and discussions, the City Council may wish to take one of the following actions: opposition the proposed ocean desalination plant, support the proposed ocean desalination plant, or take no action.

Attachments:

1. West Basin Municipal Water District – Ocean Water Desalination Project FAQ
2. LA Waterkeeper – Information and Background Materials on the expected effects of the West Basin Desalination Project

1. West Basin Municipal Water District – Ocean Water Desalination Project FAQ



Ocean Water Desalination Project

Frequently Asked Questions (FAQs)

1 Why is West Basin considering ocean water desalination?

Southern California is an arid region that averages 14 inches of rain every year. Water supply reliability and confidence in our water resources is critical to this region's economy and quality of life. The need for a locally controlled water supply has grown due to the increased frequency and duration of droughts, periodic restrictions on imported water and uncertainties surrounding climate change.

To ensure water supply reliability for our customers and communities in our service area, the West Basin Municipal Water District has developed a goal to achieve a diverse water supply portfolio, as detailed in the 2015 Urban Water Management Plan. For West Basin, water supply reliability can be achieved by: reducing dependence on imported water; increasing water conservation; expanding recycled water production; and developing a locally-controlled, drought-proof water supply.

Presently, in pursuing the District's mission to provide a safe and reliable supply of high-quality water to the communities it serves, West Basin is examining ocean water desalination as a new potable supply. This source would further diversify the District's water supply portfolio, which already includes recycled water production, water conservation programs, groundwater replenishment and imported water purchases. This new source of drinking water would enhance regional water reliability, especially during periods of drought and water scarcity (e.g., loss of snowpack in the Sierra Nevada Mountains, catastrophic interruptions of water supply and uncertain impacts of climate change).

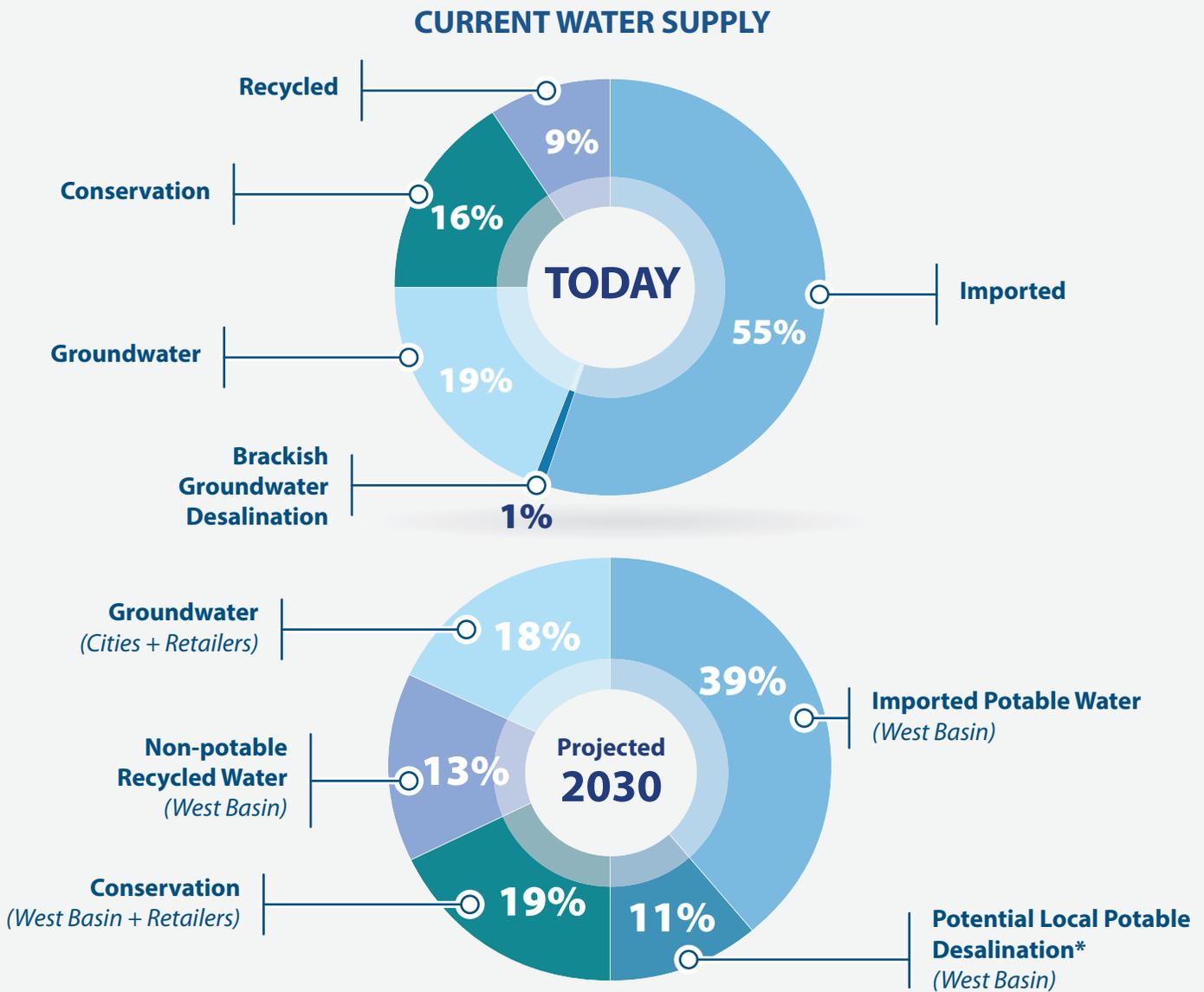
2 What is the West Basin Ocean Water Desalination Project?

The potential Ocean Water Desalination Project (Project) would produce approximately 20 million gallons per day (MGD) of drinking water from the ocean. The 20 MGD capacity facility (Local Project) would generate approximately 21,500 acre-feet per year of high-quality drinking water to meet local demands.

A 20 MGD ocean water desalination facility could add approximately 10% of new reliable water to the service area, further diversifying the District's water supply portfolio and enhancing water security for those the District serves.

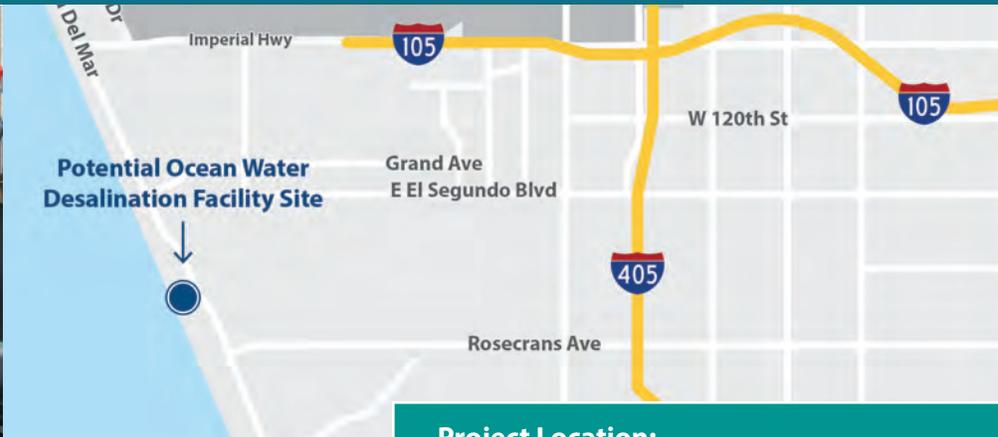
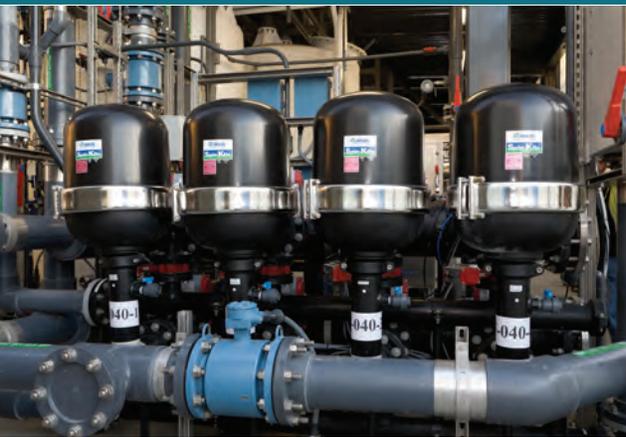
The potential Project would include a low velocity, screened intake system to deliver ocean water to the facility, reverse osmosis membrane technology, a brine discharge diffuser system to return concentrated seawater back to the ocean, and a drinking water delivery system to distribute drinking water to the local and regional water supply systems.

Targeted 2030 Water Supply Portfolio



Note: Parenthesis indicates the entity/entities that control the specified water supply. (Reference: 2015 Urban Water Management Plan)

*10% of potential Project and ~1% of brackish groundwater



Project Location:
301 Vista del Mar, El Segundo, California

3 Where will the Project be located?

The potential Project site would be at an existing 33-acre industrially zoned location within the El Segundo Generating Station at 301 Vista del Mar in the City of El Segundo, California. Today, the site houses a heavy industrial power generation facility. The potential desalination plant is considered a light industrial facility.

4 Why is desalination important for the region?

West Basin is looking into solutions to address conditions that may impact water supply reliability such as drought, regulatory uncertainty, climate change and natural disasters. Drought and climate change continue to have a profound impact on California's water resources, as seen in dramatic fluctuations in snowpack size, river flows and groundwater levels.

The California Department of Water Resources predicts that by the end of the century, Sierra Nevada Mountains will experience a 48-65% loss in snowpack. This is significant, as mountain snowpack from Central and Northern California provides as much as a third of California's water supply by accumulating snow during winter and releasing it slowly during the spring and summer. As temperatures continue to rise, snow will melt faster and earlier, which will make the water from it difficult to store and use as a reliable water supply in Southern California.

In addition, several factors are affecting the Sacramento-San Joaquin Bay Delta, which is a key source of water for the State Water Project. Sea level rise, early snow melt flooding, and prolonged drought each present challenges to managing the delicate ecosystem in the Delta. These factors along with regulations needed to protect the ecosystem have led to reduced water deliveries to Central and Southern California (including West Basin) in three of the past eight years.

Our current water supply is vulnerable to climate change and to potential infrastructure failures caused by natural disasters such as earthquakes. These challenges have reinforced the importance of reducing the need for imported water and increasing locally-controlled, drought-proof, potable water supplies in the West Basin service area.

5 What are the objectives of the Project?

The Project is being explored as one component of the District's mission to provide a safe and reliable water to the communities it serves through the following objectives:

- Diversify the District's water supply portfolio to increase reliability in the near and intermediate term (5-15 years) and long term (15-30 years), while reducing reliance on imported water
- Improve ability to adapt by developing a water supply that is less vulnerable to climate variations
- Increase local control of water supplies and infrastructure
- Improve the District's ability to control water costs and provide long term price stability
- Develop a potable water supply that is cost effective and environmentally responsible

6 What ocean water desalination experience does West Basin have?

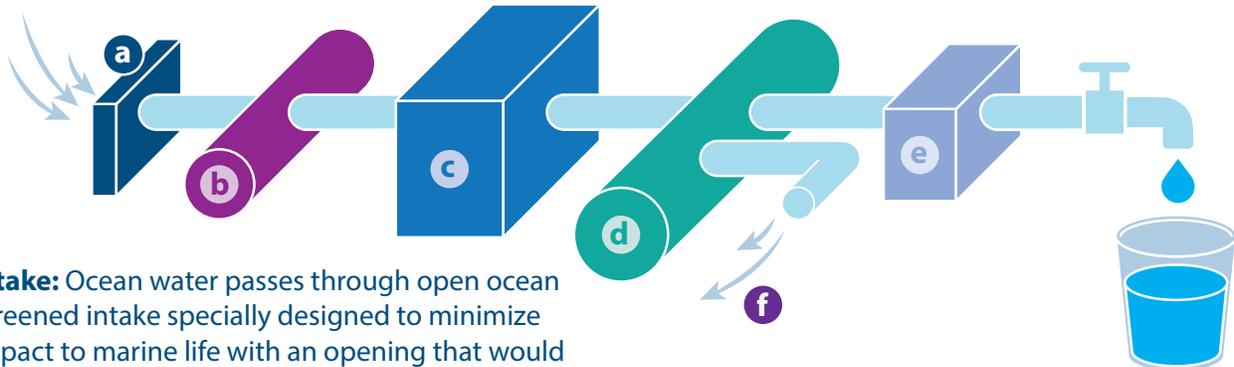
For more than 15 years, West Basin has researched ocean water desalination issues related to the operation and incorporation of desalinated ocean water into its existing water supply. In 2002, West Basin initiated a Desalination Pilot Project (Pilot Project) at the El Segundo Generating Station. The data collected during the Pilot Project led to the development of the Ocean Water Desalination Demonstration Facility (OWDDF) at the Science, Education, and Adventure Lab (SEA Lab) in Redondo Beach. The OWDDF conducted larger-scale testing and operated continuously from October 2011 to December 2014. These efforts led to the development of a comprehensive 2013 Ocean Water Desalination Program Master Plan (PMP), which offered a full-scale design, permitting and operations

approach for incorporating ocean water desalination into the West Basin water supply portfolio. The PMP contains a detailed analysis of over 2000 pages of desalination technical studies and can be viewed under "Project Materials" at: www.westbasin.desal.com



7 How does desalination work?

The ocean water desalination process involves removal of dissolved salts and impurities to produce clean water for human use and consumption. The potential ocean water desalination Project would involve the following steps:



a Intake: Ocean water passes through open ocean screened intake specially designed to minimize impact to marine life with an opening that would not exceed 1 mm. Water is taken into the system at a velocity less than 0.5 feet per second (fps) ensuring minimal marine life impingement. The screens will be designed in accordance with the 2015 California Ocean Plan Amendment for desalination.

b Media Filtration: Filters remove coarse materials from the water, such as sand and sea shell pieces.

c Membrane Filtration: Fine membranes remove the microscopic material in the ocean water, such as bacteria.

d Reverse Osmosis: The filtered water is pumped under high pressure through reverse osmosis (RO) membranes to purify it, removing salt, minerals and any remaining viruses. This results in water that meets or surpasses state and federal drinking water requirements. The discarded salt water is referred to as brine.

e Post-Treatment: Due to the pure water quality that results from the RO process, minerals are added back to the water to stabilize it and prevent water pipes from corroding. The water is then disinfected so it is safe for drinking.

f Brine Disposal: The brine from the RO process is returned to the ocean where it reaches ambient salinity levels between 45 to 63 feet from the discharge point (depending on final design and operations) to minimize impacts on marine life. This avoids the creation of salt plumes or oxygen-starved areas on the seafloor. The 2015 Ocean Plan prescribes 328 feet to reach ambient salinity levels, but the Project discharge would be well below that threshold (45 to 63 feet).

8 Where is ocean water desalination used?

Ocean water desalination has been used around the world successfully for decades, with over 18,000 facilities currently operating in 150 countries including Saudi Arabia, Israel, Australia, Japan, Italy, Spain, Portugal, India, and South Africa. The largest facility is in Saudi Arabia, which produces over 270 million gallons of fresh water per day. The United States has hundreds of desalination

plants and groundwater desalters, some of which have been operating for decades. Two desalination plants are in operation in Carlsbad and Santa Barbara. Another plant located on Catalina Island uses desalination to provide water during severe drought conditions. Across the world, it is estimated that desalination produces over 21 billion gallons of drinking water a day to more than 300 million people.

9 What is the quality of desalinated water?



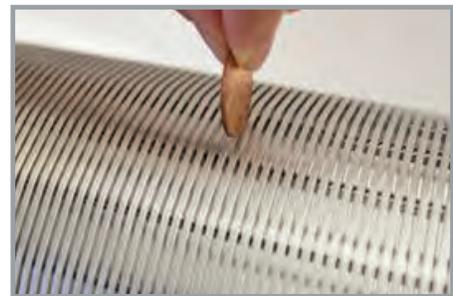
The desalination process produces high-quality drinking water. The quality of desalinated water surpasses all state and federal drinking water standards, based on the data reported by similar facilities across the world as well as thousands of water quality tests conducted during the District-led pilot and full-scale equipment demonstration studies (2002-2014).

10 How will the Project affect marine life?

Since 2002, West Basin has taken a responsible, science-based approach to its Ocean Water Desalination Program to protect marine life, maximize energy efficiency and minimize cost by engaging experts in this field.

The West Basin proposed wedge-wire, ocean screened intake will protect marine life through a screen barrier with slots less than 1mm wide. This width is less than the thickness of a single penny. Water will also be drawn into the intake system at a very slow velocity of less than 0.5 fps. Marine life will also be protected by designing an effective brine discharge and dilution system that will prevent concentrated areas of salt – or salt plumes. This site-specific design, as well as the local currents action will accelerate the

brine dilution process. The analysis of potential impacts to marine life are included in the Draft EIR and possible mitigation measures will be detailed in the Final EIR.



11 How much energy does desalination require?

Producing one acre-foot of desalinated ocean water currently requires more energy than importing a similar amount of water due to the high water pressure required for the advanced purification process. However, advancements in membrane technology, high-efficiency pumps and energy recovery systems are making ocean water desalination more energy efficient. For instance, ocean water desalination plants in Santa Barbara and Carlsbad have been successful in reducing their energy consumption by using such devices. Many similar facilities are also taking advantage of available renewable energy as more environmentally sustainable power sources, such as solar and wind power, become more readily available as part of the energy grid.

West Basin is committed to evaluating all energy sources, including renewable energy, to power the Project and achieve a net carbon neutral portfolio. Additional details and opportunities for energy efficiency will be provided in more detail if the Project moves into the design phase.

12 How will the Project affect greenhouse gas emissions?

The Project will be consistent with Assembly Bill 32 (AB32) greenhouse gas (GHG) reduction goals on both a Project level and a District-wide water supply portfolio level. The Project's potential effects on global climate change, including construction-related and operational GHG emissions, have been evaluated in the Draft EIR. West Basin has committed to reducing the additional

GHG emissions through methods that include carbon offsets. The Project will also strive to meet the State's continued efforts to reduce GHG emissions, which the State has currently set to 80 percent below 1990 levels by 2050 (Senate Bill 350).

13 How much will the facility cost, and how will it affect water rates?

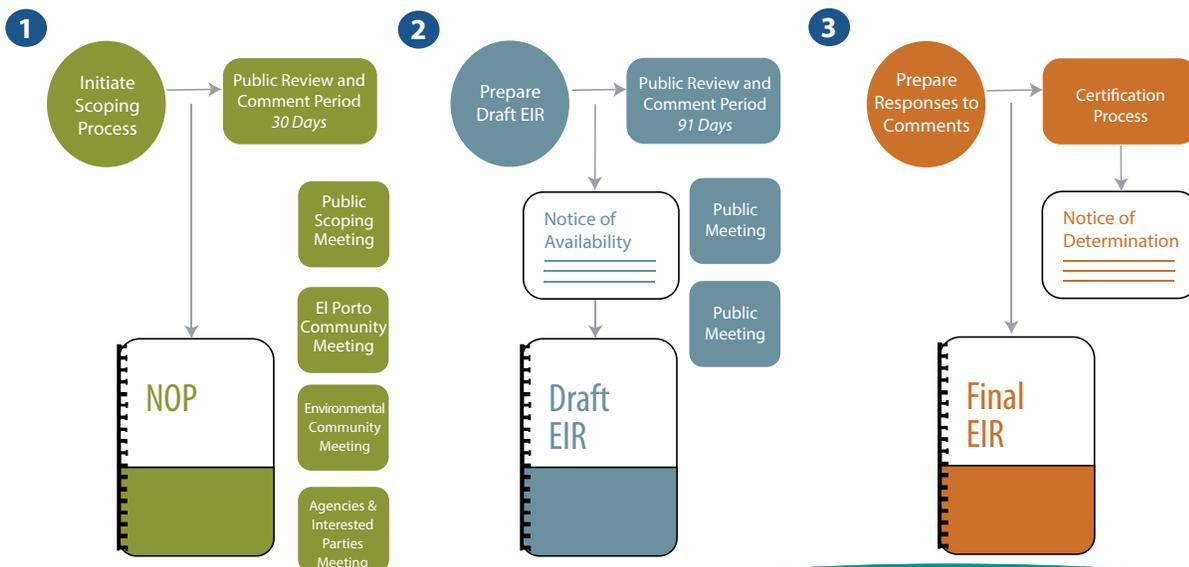
West Basin is sensitive to delivering a cost-effective project that will enhance water security and price stability into the future. Currently, the District is conducting a cost benefit analysis and rate study for the potential Project that is expected to be completed

in 2020. This analysis will be publicly presented as a part of the design approvals and will be consistent with the Project objective of increasing West Basin's ability to control future drinking water costs.

14 What phase is the Project in?

The Draft Environmental Impact Report (EIR) published in the spring of 2018 evaluated the possible impacts of constructing and operating the potential Project and identified mitigation strategies to avoid, minimize, or compensate for impacts. The District received 213 comments and letters from agencies, municipalities, interested groups, and the general public. A Final EIR has been prepared that provides detailed responses to each comment received in accordance

with the California Environmental Quality Act (CEQA). If the Final EIR is certified by the West Basin Board of Directors, and the potential Project is approved, it will then advance to the permit approval phase in which the District will be required to meet the regulations and compliance requirements of local, regional, state and federal agencies. The West Basin Municipal Water District will be conducting a Special Board of Directors Meeting for EIR certification consideration on Monday, November 18, 2019 at 3:00 pm at the Carson Event Center, Community Hall A, 801 E. Carson St., Carson, CA 90745.



15 What will be included in the Final EIR?

The Final EIR will include:

a. The Draft EIR

Topics evaluated in Draft EIR include:

Aesthetics, Light and Glare

Air Quality

Biological Resources – Terrestrial

Cultural Resources

Energy

Geology and Soils

Greenhouse Gas Emissions

Hazards and Hazardous Materials

Hydrology and Water Quality

Land Use and Planning

Marine Biological Resources

Noise

Public Services

Recreation

Transportation and Traffic

Utilities and Service Systems

b. Comments and recommendations received on the Draft EIR

c. A list of persons, organizations, and public agencies commenting on the Draft EIR

d. Prepared responses to the submitted questions and comments

e. Any other information added by the Lead Agency (the District)

16 What agencies would be required to permit the Project?

Ocean water desalination projects in California require detailed coordination and permitting from numerous local, regional, state and federal agencies. The California Ocean Plan, a set of standards created by the State Water Resources Control Board to protect the quality of the ocean waters, specifically addresses design requirements for ocean water desalination facilities. West Basin is actively working with agencies to explore a facility that meets and surpasses the State's strict environmental protection goals, while enhancing water supply reliability and by reducing the region's dependence on imported water supplies.

West Basin has been engaged with the following Federal and State Agencies on the Project: California Coastal Commission; California Energy Commission; California Department of Fish and Wildlife; California State Lands Commission; California State Parks; Division of Boating and Waterways; Los Angeles Regional Water Quality Control Board; National Oceanic and Atmospheric Administration; National Marine Fisheries Service; State Water Resources Control Board – Division of Drinking Water; United States Army Corps of Engineers; and United States Fish and Wildlife Service as well as local community leaders.





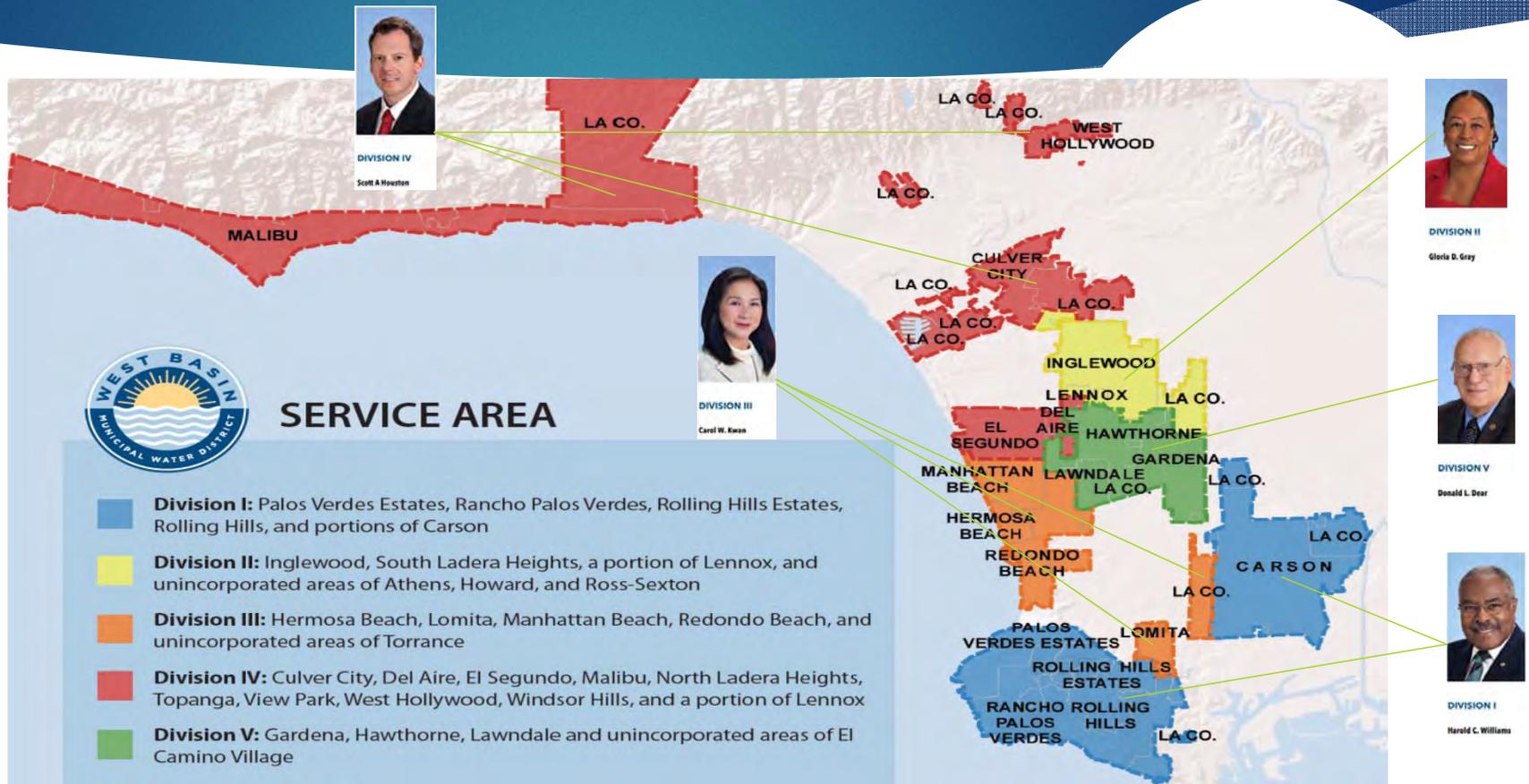
For More Information, Contact Us At:

West Basin Municipal Water District
17140 S. Avalon Blvd.,
Carson, CA 90746

✉ desaleir@westbasin.org
🌐 www.westbasin.org/desal
☎ (310) 660-6200

2. LA Water Keeper –
Information and Background
Materials on the expected
effects of the West Basin
Desalination Project

The West Basin Board



We DON'T want DESAL

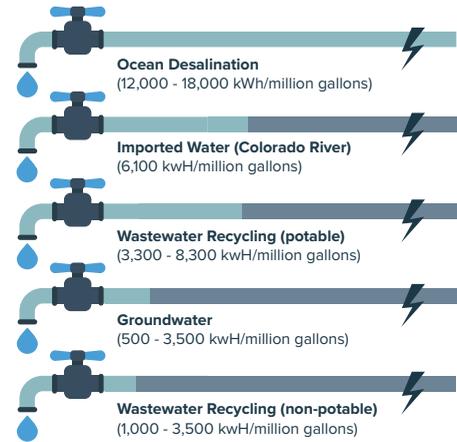


Desal wastes money.

Desalinated ocean water **costs twice as much** as a gallon of imported water and up to **three times as much** as stormwater. Ratepayers will be footing the bill for this plant for decades to come. We can't afford ocean desalination.

Desal wastes energy.

Every other source of water — even imported water — is more energy efficient. In the face of climate change, we can do better than ocean desal.

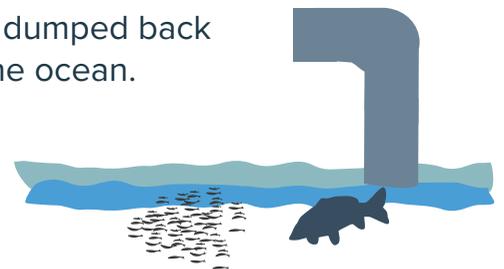


Desal wastes time.

This project takes resources away from more energy-efficient, cost-effective & environmentally-beneficial water supplies for our region, such as recycled water. Now is the time for smart investments, NOT ocean desal.

Desal is dangerous.

Intake pipes suck up more than seawater — they also suck up marine life. In addition, the byproduct of ocean desalination is a salty brine that can be toxic when dumped back into the ocean.





California State Assembly Select Committee on
Water Consumption and Alternative Sources

New Sources for California's Water Supply



Select Committee Report of March 2016

Richard S. Gordon, Chair

Katcho Achadjian
Luis Alejo

Autumn Burke
Rocky J. Chávez
Young Kim

Miguel Santiago
Anthony Rendon

Nuriel Moghavam, Committee Staff

INTRODUCTION

California could have enough water. In the midst of an historic drought, with reservoirs and groundwater basins reaching their lowest recorded levels, it may seem that California simply doesn't have the water it needs to meet its thirsty urban, agricultural and environmental needs. However, the successful response to Governor Edmund G. Brown's April 2015 Executive Order B-29-15, ordering 25% water conservation statewide, and the potential to expand stormwater capture, water recycling and perhaps desalination all show that **California could have all the water it needs – we just need proper planning and investments to use our water more efficiently and wisely.**

The Assembly Select Committee on Water Consumption and Alternative Sources was established in February 2015 to examine the strategies California could take to improve water conservation and expand the portfolio of water sources. Given that California rose to the challenge of conservation, the committee turned its attention to alternative water source strategies such as stormwater capture, ocean desalination and water recycling, holding specific hearings to discuss the latter two in greater detail.

All this was considered through the lens of a changing climate in California, one that is set to be warmer overall with faster fluctuations between El Niño and La Niña periods of wet and dry. Periodic droughts and floods may be our new normal, and the state might have to decrease its reliance on snowpack filling our reservoirs. We will therefore need to better utilize alternative water sources to keep our cities and farms hydrated.

This report is the culmination of several hearings held across the state on issues of water use and opportunities for expanding water sources. It includes summaries of expert testimony at those hearings, including illustrative slides from their presentations, as well as a list of key findings and recommendations compiled by committee staff and approved by the Chair. These findings and recommendations were not voted on by members of the Select Committee and may not reflect the view of each Select Committee member. This report is meant to provide knowledge regarding California's drought, climate change future, and viability of water sourcing strategies including stormwater capture, water recycling and desalination. This knowledge will be essential in adapting California's water infrastructure to climate changes and devising the most effective and environmentally friendly approach to endure the next California drought.

The committee webpage can be found at the URL below and includes background documents for each hearing, speaker biographies, and the slides presented by the experts during their presentation:

<http://asmdc.org/members/a24/other-resources/select-committee-on-water-consumption-and-alternative-sources>

KEY FINDINGS

The following are key findings that highlight the important takeaways from the Select Committee's three hearings.

- **Hot droughts are our future.** California has long experienced intermittent periods of wet and dry but about half of past droughts coincided with colder weather. Climate change trends suggest that all droughts in the future will be hot ones, increasing their severity and the need for water sources not reliant on snowpack.
- **California's response to Governor Brown's conservation mandate was critical and impressive, but it won't be enough.** Conservation represents the best method to improve California's water security: it is rapid, effective and free. But for California's environmental, agricultural and urban needs to be met, new water sources will need to be developed.
- **Not all alternative water source options are equal.** While the California Water Plan recommends an "all of the above" strategy for improving the diversity of California's water portfolio, the scientific consensus is that some options are more reliable, cheaper and less energy-intensive than others. Regions looking to invest in new water sources should do so with diligence, considering energy costs and local impacts in their analyses.
- **Centralization and decentralization of water recycling are both strong water source options, but there is a tension between them.** On-site reuse is a decentralized water conservation strategy that could yield substantial water savings to the state in conjunction with centralized water projects. However, increased decentralization will present challenges to centralized water systems that depend on revenues to pay for fixed infrastructure costs and sewer systems that depend on high levels of water flow to move sewage.
- **Greater potable reuse of recycled water will be critical to California's water future.** Indirect potable reuse is occurring in California now and is set to expand. The feasibility of regulating direct potable reuse is currently being studied by the State Water Resources Control Board and, if allowed, could be a strategy to use water more effectively.
- **Stormwater capture is an important way to generate new water, but currently faces substantial financing challenges.** Proposition 218 currently limits local agencies' abilities to generate funding necessary to build and operate stormwater capture systems, making it difficult to take advantage of this valuable water source.
- **Innovations in the water sector are scarce.** While high costs of energy and State support for research spurred innovation in the energy sector, the fact that water remains underpriced and the state has not invested in water research has led to a stifled environment for water technology innovations.

POLICY RECOMMENDATIONS

- **California should pursue a diverse water portfolio.** The California Water Action Plan's strategy of promoting a multitude of water sources for our state is the right approach, and underscores that the diversity of our state necessitates a diversity of solutions.
- **Improve elements of California's water management, particularly with data collection and dissemination.** The Sustainable Groundwater Management Act will vastly improve our understanding of California's water, but the lack of a common water accounting framework between state agencies could be limiting our ability to study it and develop new innovative solutions based on our deeper scientific understanding.
- **Proposition 1 funding should be directed at projects suited for California's changing climate.** In the next several years, billions in bond sales authorized by 2014's Proposition 1 will be allocated to water projects. Those that reduce greenhouse gases, improve storage capacity in a warm climate, and are not at risk due to sea level rise should be favored.
- **Desalination should be used as an option of last resort.** Nearly the totality of the testimony between our several hearings agreed that desalination should only be considered after a region has been successful with conservation and has embarked on substantial water reclamation projects as well. Approved projects should be well-sited, well-sized, and minimize environmental impacts to the extent possible.
- **Educate the public about potable reuse of water, especially direct potable reuse.** Expert testimony at our hearings relayed that the scientific and public health communities are approving of the current approach to direct potable reuse. Public perception remains a major barrier to implementation, though data shows improved acceptance with education.
- **Adopt regulations for potable reuse.** The State Water Board will issue its regulatory recommendations for indirect potable reuse and its feasibility study for regulation of direct potable reuse by the end of the year. To speed the implementation of potable reuse in urban California, the legislature should adopt recommendations of those reports.
- **Develop new financing methods and incentives for stormwater capture.** Creating incentives for local agencies that capture stormwater may open up new avenues for financing reclamation projects to secure this valuable water source.
- **The state should provide support for water innovation research and deployment.** The solar power industry expanded in California because of our support for research and commitment to the deployment of solar power technology. This has been a major boon for the state in both the reduction of greenhouse gases and in the creation of thousands of green jobs. California could become a leader in water technology using similar methods.

Excerpt from West Basin Ocean
Water Desalination Project
Draft Environmental Impact
Report

increase only minimally (approximately 0.4 percent annually) through 2040, so additional supplies are not required to support any increase in demand.

While the Project would provide a new water source within West Basin's service area, it would replace imported water distribution through the service area and therefore would not induce future growth. Rather, as a project to support future reliability by creating a new local water source, the Project would accommodate existing demand and a very small (0.4 percent) annual increase in demand such that water infrastructure reliability would not be an impediment to already planned growth. As a water supply agency, West Basin has no authority over the approval of General Plans that forecast population increases. Additionally, the Project would be implemented in phases to ensure the new supply is appropriately keeping up with population growth. As a result, the Project neither supports nor encourages growth within West Basin's service area to a greater degree than presently estimated by the 2015 UWMP and land use agencies with jurisdiction over the Project area. Similarly, the Regional Project would be implemented consistent with regional water management planning of participating jurisdictions. The Project would not remove any obstacles to growth and would not indirectly have a significant impact on growth inducement. As a result, impacts to growth inducement would be less than significant.

6.3 Environmental Justice

The following section discusses the environmental justice issues pertaining to the Project and evaluates the potential for the Project to disproportionately affect minority and low-income populations. Data presented in this section was obtained from two data sets from the U.S. Census Bureau 2011–2015 American Community Survey (ACS) 5-year estimates.

6.3.1 Regulatory Setting

Federal

The National Environmental Project Act (NEPA) and CEQA-Plus procedures outlined in the State Revolving Fund (SRF) financing guidelines include compliance with Executive Order 12898 (59 Fed. Reg. 32) (February 16, 1994), which outlines federal actions to address environmental justice in minority populations and low-income populations.

Executive Order 12898 states that agencies shall identify and address disproportionately high and adverse human health or environmental effects on minority and low-income populations. A new interagency Federal Working Group on Environmental Justice was created in 1994 to develop strategies for programs and policies regarding minority and low-income populations to promote enforcement of all health and environmental statutes, improve research and data collection in relation to health and environment, identify different patterns of consumption of natural resources, and ensure greater public participation.

6.3.2 Environmental Setting

Population

The Project facilities including distribution facilities are located in the city of El Segundo, city of Hawthorne, and city of Lawndale. The proposed facilities would be located in 17 different census tracts throughout these cities within Los Angeles County. However, this analysis focuses on the aboveground Project components (i.e., not conveyance facilities) because the environmental justice analysis focuses on the permanent impacts to the low-income and minority populations. The proposed conveyance pipelines would have temporary construction impacts but would be returned to pre-project conditions once in operation so the tracts in which the pipelines would occur are not included in the analysis.

As a result, the city of El Segundo (desalination facility) and the city of Hawthorne (pump station) are the only cities where aboveground infrastructure would be implemented. The aboveground facilities include the ocean desalination facility and the proposed regional pump station (with potential locations in 5 of the 17 tracts: tract 6021.03, 6021.06, 6027, 9800.30, and 9800.13). The total population of individuals within these census tracts is 15,796. **Table 6-2** lists all of the census tracts affected by the Local Project and Regional Project facilities and the City of Manhattan Beach tract (Tract 6202.01) located adjacent to the proposed desalination plant, using data from the 2011–2015 ACS 5-year estimates. The total population of the adjacent tract in 2015 was 1,446 (U.S. Census Bureau 2017).

Demographics

The demographic characteristics of the census tracts affected by the Local and Regional Project components are summarized in Table 6-2. The demographic data provided by the U.S. Census is organized into four categories: Black (individuals identifying primarily with a Black ethnicity), Hispanic (individuals identifying primarily with a Hispanic ethnicity), White (individuals identifying primarily with a Non-Hispanic, White ethnicity), and Other (individuals identifying primarily with all other ethnicities not aforementioned, as well as those identifying with more than one ethnicity). According to the U.S. Census, “minorities” are defined as all individuals that are not Non-Hispanic, single-race Whites.

For purposes of this analysis, an area is considered to have a significantly greater minority population if the affected census tract or group of tracts has a minority population at least 10 percent greater on average than the overall city or census-designated place (CDP). Table 6-2 includes the demographic data for all cities and census tracts affected by the Project-components.

According to the U.S. Census Bureau data, the tracts affected by the Project within the city of El Segundo do not have populations residing within them so there is no demographic data available. The tracts affected by the Project within the city of Hawthorne have a relatively smaller minority population (Hispanic) and slightly larger minority population (Black) on average than the overall city itself. The city of Hawthorne’s affected tracts have a 7.23 percent higher Black population (31 percent) compared to that of the overall city (23.8 percent), while it has a 1.27 percent lower Hispanic population (53.4 percent) than the overall city (54.7 percent).

**TABLE 6-2
DEMOGRAPHIC DISTRIBUTION BY CITY AND CENSUS TRACT**

City/Census Tract	Hispanic	White	Black	Other
City of El Segundo	19%	64.8%	1.3%	14.9%
Tract 9800.30	-	-	-	-
Tract 9800.13	-	-	-	-
<i>Average</i>	-	-	-	-
City of Hawthorne	54.7%	9.8%	23.8%	11.7%
Tract 6021.03	73.4%	10.7%	11.3%	4.6%
Tract 6021.06	63.4%	7.3%	18.0%	11.3%
Tract 6027	23.5%	2.7%	63.8%	10.0%
<i>Average</i>	<i>53.4%</i>	<i>6.9%</i>	<i>31.0%</i>	<i>8.63%</i>
City of Manhattan Beach	9.4%	75.3%	0.8%	14.5%
Tract 6202.01	12.2%	76%	2.7%	9.1%

SOURCE: Data obtained from US Census Survey, ACS 2011–2015 5-Year Estimates.

Income

Low income is classified by the California Department of Housing and Community Development (DHCD) using population and income distribution within each county. For the purposes of this analysis, the potentially affected census tracts must have an average median household income at least \$10,000 below that of the overall city or CDP to be considered significantly lower income. Furthermore, as household income classification is dependent on household size, the income amount must be equal to or below the low income threshold designated for the average family size within the city or CDP. **Table 6-3** shows the Los Angeles County median household income level classifications for two-, three- and four-person households. **Table 6-4** shows the income data and poverty status within all affected cities and census tract sets.

**TABLE 6-3
LOS ANGELES COUNTY AREA MEDIAN HOUSEHOLD INCOME CLASSIFICATION IN U.S. DOLLARS**

	2 persons in household	3 persons in household	4 persons in household
Extremely low income	21,650	24,350	27,050
Very low income	36,050	40,550	45,050
Low Income*	57,700	64,900	72,100
Median Income	51,850	58,300	64,800
Moderate Income	62,200	70,000	77,750

*Low income exceeding median income is due to Department of Housing and Urban Development (HUD) adjustments to the Very Low income limit to account for high housing costs.

SOURCE: Data obtained from California Department of Community Development 2017 State Income Limits

**TABLE 6-4
MEDIAN HOUSEHOLD INCOME AND POVERTY STATUS BY CITY AND CENSUS TRACT**

City/Census Tract	Median Household Income	Percent Below Poverty Level (Individuals)
City of El Segundo	\$85,727	7.3%
Tract 9800.30	-	-
Tract 9800.13	-	-
<i>Average</i>	-	-
City of Hawthorne	\$44,504	20.1%
Tract 6021.03	\$32,632	21.6%
Tract 6021.06	\$43,520	13.1%
Tract 6027	\$77,708	17.7%
<i>Average</i>	\$51,287	17.5%
City of Manhattan Beach	\$144,868	3.7%
Tract 6202.01	\$116,761	8.4%

As shown in Table 6-4, there is no median household or poverty level data available for the tracts affected by the Project within the city of El Segundo because there are no residents living in the tracts.

The affected tracts within the city of Hawthorne shows a slightly higher average median household income level compared to the respective overall city data. The city of Hawthorne affected tracts' average median household income differs by \$6,783 compared to the rest of the city. With an average household size of three persons in the city of Hawthorne, this income level is considered "very low income" (DHCD 2017).

The tract sets mentioned above also show they do not have a significantly higher percent of population living below poverty level than the respective city. The city of Hawthorne's affected tracts have a percent of population living below the poverty level that is 2.63 percent lower than the overall city. The national poverty level or threshold is determined every year by the U.S. Census Bureau. The national average poverty threshold in 2015 for a family of three was \$18,871 (U.S. Census Bureau 2015).

6.3.3 Significance Thresholds and Criteria

For the purposes of this EIR and consistency with NEPA or CEQA-Plus Guidelines, applicable local plans, and agency and professional standards, the Proposed Project would be considered to have a significant effect on environmental justice if it would:

- Affect the health or environment of minority or low-income populations disproportionately.

Impacts and Mitigation Measures

Generally speaking, operation of proposed facilities including desalination facilities and the pump station, would not create localized impacts that could negatively affect the surrounding environment or community public health (as evidenced in the analyses provided in other sections of this EIR).

Based on all census data presented above, Local Project and Regional Project components in the cities of El Segundo and Hawthorne would not be located in areas with significantly larger minority and/or low-income populations on average, relative to the overall characteristics of their respective cities. The proposed locations of the ocean water desalination facility and pump station have been based on criteria such as elevation and proximity and connectivity to existing facilities. During operation of the Local and Regional Projects, residential areas would not be significantly impacted because the location of the ocean water desalination facility would be within an existing power generating facility site.

Operation of the proposed pump station could occur adjacent to residential areas, but all potential locations are on vacant and/or disturbed land. Even though the proposed regional pump station could be located within an area of the city of Hawthorne with a higher minority population (Black or Hispanic), the area is not considered to have a significantly high minority population because it is within 10 percent of the overall city's minority population percentage. As a result, the census data shows that the location of the Local and Regional Project would not be within areas significantly characterized by low income or minority populations. Nonetheless, the location of such facilities in areas characterized by minority or low income populations would not adversely affect the environment or public health of such communities. Impacts are considered less than significant.

6.4 References

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- U.S. Census Bureau, 2015. Poverty Thresholds for 2015 by Size of Family and Number of Related Children Under 18 Years, Available online at:

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U.S. Census Bureau, 2017. American Fact Finder: 2011-2015 American Community Survey 5 Year Estimates, Available online at: <https://factfinder.census.gov/>, Accessed on November 30, 2017.

West Basin Municipal Water District (West Basin), 2016. West Basin Municipal Water District Draft 2015 Urban Water Management Plan, May 2016.



**CALIFORNIA
COMMUNITIES
AGAINST TOXICS**



June 25, 2018

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Sent via e-mail to: DesalEIR@WestBasin.org

RE: Environmental Justice, Community, and Indigenous Groups' Comments on West Basin Municipal Water District Ocean Desalination Draft Environmental Impact Report

Dear Dr. Yu:

We the undersigned environmental justice, community, and indigenous groups thank you for this opportunity to comment on West Basin Municipal Water District's (West Basin) Draft Environmental Impact Report (DEIR) prepared pursuant to the California Environmental Quality Act (CEQA) for the proposed Ocean Water Desalination Project (Project).

West Basin’s longstanding and seemingly steadfast commitment to ocean-water desalination over less expensive and more energy friendly means of increasing water supply—conservation, recycling, stormwater capture, and brackish groundwater desalination—will result in a significant and disproportionate impact on low income and minority populations. The Project would produce *the* most expensive water¹ in an unnecessary amount² for a vast service area that encompasses widely disparate communities, the most disadvantaged of which will bear the brunt of the Project’s high costs, adverse environmental impacts, and outsized energy use.

The DEIR environmental justice analysis is inadequate for the reasons detailed below. We also find it notable that out of a 1000+ page DEIR, **only half of a single page is dedicated to the analysis of the Project’s environmental justice impacts** and the conclusion that the impacts would be less than significant. (See DEIR, 6-13.)

The Project Will Increase Water Rates and Disproportionately Impact Low-Income Populations.

Ocean desalination is the most expensive option for increasing our local water supplies at \$2,100 to \$2,500 per acre-foot.³ West Basin estimates the cost to build the Project will be half-a-billion dollars. The Project will inevitably increase water rates for West Basin’s ratepayers. This increase in water rates will disproportionately impact low-income populations in West Basin’s service area relative to the more affluent populations. For example, a \$10 increase to water rates that seems modest in affluent Rolling Hills Estates has a significantly great impact on a ratepayer living below the federal poverty line in Inglewood, Hawthorne, Lawndale, or Gardena, each of which 100% of the population is disadvantaged communities. The DEIR also does not account for the cumulative impact on water rates that the Project may have in light of, for example, Metropolitan Water District’s commitment to funding the multi-billion-dollar twin-tunnels project.⁴

The Project Will Effectively Result in Disadvantaged Communities Subsidizing Affluent Communities’ Excessive Water Consumption.

We applaud West Basin’s significant conservation savings over the past 25 years, but challenge the agency’s assertion that demand has hardened to a point that makes it difficult to realize the additional savings West Basin claims is needed if the Project is not built. Such opportunities for realizing additional conservation savings are clear when looking at the disparity between West Basin’s affluent communities’ and its low-income and minority communities’ residential per capita water usage (R-GPCD). West Basin customers in affluent communities such as Palos

¹ HEATHER COOLEY & RAPICHAN PHURISAMBAN, THE COST OF ALTERNATIVE WATER SUPPLY AND EFFICIENCY OPTIONS IN CALIFORNIA 13 (Pac. Inst. 2018), *available at* http://pacinst.org/wp-content/uploads/2016/10/PI_TheCostofAlternativeWaterSupplyEfficiencyOptionsinCA.pdf.

² Comment Letter from Los Angeles Waterkeeper to West Basin Municipal Water District (explaining that the need for 21,500 acre-feet a year of new potable water supply is not supported in the DEIR).

³ COOLEY & RAPICHAN, *supra* note 1, at 13.

⁴ Bettina Boxxall, *Southern California Water Votes to Controversial Plan to Build Two Delta Tunnels*, LA TIMES (Apr. 10, 2018, 8:15 PM), <http://www.latimes.com/local/lanow/la-me-delta-tunnel-mwd-20180410-story.html>.

Verdes use upwards of 200 R-GPCD—almost three times the South Coast region average⁵—while customers in Hawthorne use only 62 R-GPCD, (DEIR, 7-13.).⁶ Yet, West Basin seeks to impose the steep costs of building and operating an ocean desalination plant across its entire service area. This scenario effectively results in low income and minority communities subsidizing wealthier communities’ excessive water consumption.

The DEIR Fails to Account for Adverse Impacts to Disadvantaged Communities Outside of Hawthorne.

West Basin’s contention that its Project’s impact on disadvantaged communities is less than significant does not tell the whole story. The DEIR only analyzes the Project’s impacts to the census tracts where aboveground infrastructure would be implemented (census tracts in El Segundo and Hawthorne). (DEIR, 5-13.) For Hawthorne, the DEIR compares the demographics of the 3 impacted census tracts in Hawthorne to the demographics of the city of Hawthorne as a whole. (DEIR, 6-10–6-11.) However, in doing so, the DEIR averages the minority population percentages of the 3 impacted census tracts *before* comparing them to the minority population percentage of the whole city of Hawthorne, thus diluting the actual minority percentages of the individual, impacted tracts. (DEIR, 6-11.) This allows the DEIR to find that the impacted census tracts do not have significantly greater minority populations, and thus, the Project does not disproportionately impact minority populations. (DEIR, 6-10, 6-13.)

This Hawthorne-to-Hawthorne comparison is disingenuous. Hawthorne’s population is 100% disadvantaged communities (DAC). The Project would provide a water supply for all customers in West Basin’s service area, therefore at a minimum, the DEIR environmental justice analysis should look at West Basin’s service area as a whole and assess the impacts of the Project on the disadvantaged communities *relative to the Project’s impacts on the affluent communities*. By unreasonably, geographically limiting the environmental justice analysis, **the DEIR fails to account for the Project’s impacts to Carson, which is 82.1% DAC, Inglewood, which is 100% DAC, Gardena, which is 100% DAC, and Lawndale, which is 100% DAC.**

The DEIR Should Consider the Environmental Justice Impacts of the Project’s Air Quality Impacts.

Ocean desalination is the most energy-intensive option for increasing local water supplies.⁷ The continuous energy demand of the 20 MGD desalination plant is equivalent to the average annual

⁵ From July 2017 to August 2017 alone the average residential per capita water use for the South Coast region decreased from 69.63 R-GPCD to 65.87 R-GPCD. (*Is California Water Use Increasing?* 89.3 KPCC, <http://projects.scpr.org/applications/monthly-water-use/region/south-coast/>.)

⁶ STATE WATER RESOURCES CONTROL BOARD, *August Supplier Conservation*, 9, 10 (2017), https://www.waterboards.ca.gov/water_issues/programs/conservation_portal/docs/2017oct/supplierconservation_100317.pdf.

⁷ HEATHER COOLEY & MATTHEW HEBERGER, KEY ISSUES IN SEAWATER DESALINATION IN CALIFORNIA: ENERGY AND GREENHOUSE GAS EMISSIONS (Pac. Inst. 2013), available at <http://pacinst.org/wp-content/uploads/2013/05/desal-energy-ghg-full-report.pdf>; NAT. RES. DEF. COUNCIL, ET AL., PROCEED WITH CAUTION II: CALIFORNIA’S DROUGHTS AND DESALINATION IN CONTEXT (2016), available at <https://www.nrdc.org/sites/default/files/california-drought-desalination-2-ib.pdf>.

energy demand of almost twice the number of households in Lawndale.⁸ Many of West Basin’s low-income and minority customers are among those most disproportionately burdened by multiple sources of pollution.⁹ These communities already suffer from poor air quality.¹⁰ Southern California Edison (SCE) would supply the energy needed by the Project, and while the DEIR discusses SCE’s power mix, it does not identify the specific plants on which SCE relies. (DEIR, 5.5-6–5.5-7.) The communities in or near where these plants are located, will be disproportionately impacted by the Project’s adverse impacts to air quality. Yet, the DEIR does not disclose which communities these are or analyze the impacts.

The DEIR Should Consider the Environmental Justice Impacts of the Project’s Greenhouse Gas Impacts.

Based on the 2014 power mix of SCE,¹¹ the 20 MGD ocean desalination plant would contribute as much as 44,702 metric tons of CO₂e emissions per year and the 60 MGD plant would contribute as much as 146,879 metric tons per year.¹² The Project’s significant GHG emission contributions will exacerbate climate change, and **disproportionately impact low-income and minority communities, which are least able to adapt to or recover from climate change impacts.**¹³

The DEIR Should Consider the Environmental Justice Impacts of the Project’s Marine Impacts.

The Project would use an open-ocean intake and discharge system to draw in ocean water and discharge concentrated brine, which has the potential to adversely impact marine life. The DEIR environmental justice analysis fails to discuss the potential impacts this may have on communities that rely on marine life for subsistence.

For all of the above reasons, West Basin’s CEQA analysis fails to comply with the Government Code¹⁴, CEQA, and the California Attorney General’s instructive Fact Sheet, *Environmental Justice at the Local and Regional Level Legal Background*.¹⁵

The bottom line is that ocean desalination is not the answer, and we call on West Basin to take a step back and see that the Project’s costs overwhelmingly outweigh any benefit, particularly in light of the more cost-effective, environmentally sound options available for meeting our water

⁸ See POWERS ENGINEERING, ASSESSMENT OF ENERGY INTENSITY AND GREENHOUSE EMISSIONS OF PROPOSED WEST BASIN DESALINATION PLANT AND WATER SUPPLY ALTERNATIVES 19 (2018), available at https://www.smarterwaterla.org/wp-content/uploads/2018/01/Powers_Engineering_2018_WB_Desal.pdf.

⁹ CALENVIROSCREEN 3.0, <https://oehha.ca.gov/calenviroscreen/report/calenviroscreen-30> (last visited June 4, 2018).

¹⁰ *Id.*

¹¹ POWERS ENGINEERING, *supra* note 8, at 16.

¹² POWERS ENGINEERING, *supra* note 8, at 21.

¹³ U.S. GLOBAL CHANGE RESEARCH PROGRAM, THE IMPACTS OF CLIMATE CHANGE ON HUMAN HEALTH IN THE UNITED STATES: A SCIENTIFIC ASSESSMENT (2016), available at <https://health2016.globalchange.gov/>.

¹⁴ “[E]nvironmental justice” means the fair treatment of people of all races, cultures, and incomes with respect to the development, adoption, implementation, and enforcement of environmental laws, regulations, and policies.” (Gov. Code, § 65040.12(e).)

¹⁵ OFFICE OF THE CALIFORNIA ATTORNEY GENERAL, ENTVL. JUSTICE AT THE LOCAL AND REG’L LEVEL LEGAL BACKGROUND (2012), available at https://oag.ca.gov/sites/all/files/agweb/pdfs/environment/ej_fact_sheet.pdf.

supply needs. Operation of an ocean desalination plant will have the perverse result of low-income communities subsidizing West Basin’s most affluent communities’ excessive water consumption. In addition, the Project will adversely impact air quality and contribute to climate change impacts on communities that already bear a disproportionate pollution burden.¹⁶ West Basin should be exploring opportunities for expanding its successful conservation and recycling programs and other water supply options that do not compromise the health and economic well-being of communities. Ocean desalination should be considered an option of last resort and one that West Basin should not be pursuing at this time.

Sincerely,

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Environmental Justice

Jane Williams
Executive Director
California Communities
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¹⁶ CALENVIROSCREEN 3.0, <https://oehha.ca.gov/calenviroscreen/report/calenviroscreen-30> (last visited June 4, 2018).

Analyzing Southern California Supply Investments from a Human Right to Water Perspective

The Proposed Poseidon Ocean Water
Desalination Plant in Orange County



UCLA

**Luskin Center
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Disclaimer

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Executive Summary

In 2012, California Governor Brown signed Assembly Bill 685 into law, confirming California’s unique commitment among U.S. states to ensuring a Human Right to Water (HRW) for every individual in the state. This bill recognizes that “every human being has the right to safe, clean, affordable, and accessible water.” As many water systems consider investing in new or enhanced sources of water supply to meet their own water security goals, it is more important than ever to assess the household-level Human Right to Water (HRW) impacts of these investments.

This report analyzes the likely impacts of one proposed strategy for greater local water security on environmental justice and HRW concerns in Orange County. We examine the likely impact of desalinated ocean water supply on the county’s disadvantaged households based on a proposed agreement for Poseidon Resources LLC (Poseidon) to sell 56,000 acre feet of desalinated ocean water per year to the Orange County Water District (OCWD) for a period of 30 years.¹ We assess this potential agreement in the context of a broader suite of water security and local water reliance strategies currently being pursued by nearly all major water suppliers across the Southern California region. This analysis can be used not only to inform public knowledge regarding the likely impacts of the Poseidon agreement, but also to evaluate the costs and benefits of various water security and local water reliance strategies in similarly water-scarce regions.

Our analysis of the likely impacts of the Poseidon agreement on disadvantaged households includes an assessment of: a) how this new source of supply would impact the landscape of existing HRW outcomes in Orange County; b) short-term and medium-term projections of the expected cost of Poseidon agreement water (Agreement Water) as compared to imported water and other locally generated water supply options; and c) the role the county’s water systems will likely play via their rate-making decisions in either passing through or shielding the greater costs of new supply to low-income households consuming modest amounts of water.

While potential positive HRW benefits from desalinated ocean water can occur in certain contexts, we find that no such benefits can be plausibly realized by the Poseidon agreement in Orange County. Nearly all of the county’s households are connected to community water systems which already provide high-quality, reliable water service and thus would not see supply improvement from ocean desalination. Those served by the county’s small underperforming systems, whose lower-quality water might be improved through new desalinated supply, will not be served by the proposed agreement to purchase desalinated water. The only plausible impact of Agreement Water on disadvantaged households in the county will be a decrease in affordability due to higher system rates.

The final aggregate cost of water from the Poseidon agreement is not yet determined and we do not independently estimate the aggregate cost impact of the agreement on ratepayers. We do find that all available reputable sources—including Orange County Water District (OCWD),

1 From here forward we use the terms “Poseidon agreement” as shorthand for this agreement, and “Agreement Water” to describe the water that would be provided to the OCWD via this agreement.

Municipal Water District of Orange County (MWDOC) and Irvine Ranch Water District (IRWD)—show the upfront unit cost of water from the agreement to be substantially more expensive than the unit cost of all other local supply options. Our own analysis also yielded no evidence to reasonably project that Agreement Water will be cost competitive with any incremental supply investments for the next several decades. After this time, cost projections (and potential water supply options) are inherently uncertain. Moreover, the comparison between the cost of Agreement Water and imported WaterFix supply depends on several assumptions given recent changes in cost estimates. Only in an unlikely scenario where alternative water supply costs rise rapidly, Agreement Water costs grow minimally, and the Metropolitan Water District authorizes a proposed \$450 million subsidy to the project, could the Poseidon agreement yield a cost-competitive water supply. Among other reasons, its cost risk has led several independent expert assessments to judge Agreement Water to be the least desirable supply option for the county.

We next outline the potential scope of pass-through rate increases stemming from the Poseidon agreement on the county’s disadvantaged households. We use data on each of the county drinking water systems’ existing rate structures and levels, as well as a review of existing rate cases in Orange County, and provide a retrospective assessment of the pass-through rate changes arising from a separate, finalized Poseidon agreement in San Diego County. Progressive rate restructuring could theoretically shield low-income households, with only basic household water use, from any system-level cost increases resulting from the Poseidon agreement. However, we find that such equitable rate restructuring in the event of supply cost increases is uncommon and discouraged by rate consultants, partly due to concerns with Proposition 218 requirements.

Accordingly, we conclude that the Poseidon agreement will likely make drinking water for disadvantaged households in Orange County moderately to severely less affordable. It would yield no offsetting HRW benefits as compared to the continued pursuit of alternative local water supplies and demand management options which have historically proven to be more efficient and affordable. We also conclude that more research and policy innovation must be undertaken to enable and encourage water systems to make progressive rate structure reforms to shield disadvantaged households from the impact of water supply portfolio-related cost increases in Southern California over the coming decades.



June 25, 2018

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Sent via e-mail to: DesalEIR@WestBasin.org

RE: Environmental Organizations and Green Business Comments on West Basin Municipal Water District Ocean Desalination Draft Environmental Impact Report

Dear Dr. Yu:

We, the undersigned environmental organizations and green businesses, thank you for this opportunity to comment on West Basin Municipal Water District's (West Basin) Draft

Environmental Impact Report (DEIR) prepared pursuant to the California Environmental Quality Act (CEQA) for the proposed Ocean Water Desalination Project (Project).

While we are not opposed to ocean desalination as a source of potable water in appropriate circumstances, we are opposed to West Basin pursuing ocean desalination until the agency has exhausted more cost-effective and environmentally sound options to promote local water self-sufficiency, including:

- Significant additional conservation and efficiency measure to alleviate demand;
- Greater investment in multi-benefit stormwater capture and use;
- Expanding West Basin’s successful water recycling program; and
- Remediation of groundwater in the West Coast Basin through brackish desalination.

In addition to ocean desalination’s detrimental impacts to marine ecosystems, especially when open-ocean intakes are used as is the case of with the proposed Project, it is the most energy-intensive and expensive method of meeting our local water supply needs. At a time when we must be doing everything in our power to reduce our carbon footprint, West Basin must not invest its limited resources in a project whose energy demand will exacerbate climate change impacts, the burden of which will disproportionately impact the communities least equipped to deal with them. Likewise, West Basin should not be pursuing the most expensive option available to enhance local water supplies when much more cost-effective options exist.

In a world of limited resources, committing valuable money, time, and expertise to ocean desalination is not only unwise, but inevitably hinders or even precludes more environmentally and financially sound options. For these reasons, ocean desalination should only be pursued as an option-of-last-resort.¹

CEQA requires that an agency avoid turning the environmental impact report into a post-hoc justification for its preferred alternative. (*Save Tara v. W. Hollywood* (2008) 45 Cal.4th 116, 136.) We are, thus, particularly concerned that the DEIR only analyzes three “build” alternatives and **all three alternatives evaluated involve construction and operation of an ocean desalination plant.** The DEIR does not allow a fully informed consideration of the Project by the public or the decisionmakers. The analyses, in several areas, are inadequate for failing to evaluate significant adverse environmental impacts and adequately mitigate for such impacts. In many areas, the DEIR also lacks substantial evidence to support its findings of less than significant impacts. We thank you for your careful consideration of the comments below.

Energy Impacts

- **The Project would result in the inefficient, wasteful, and unnecessary consumption of energy** and fails to comply with the directive of CEQA Guidelines Appendix F. Ocean desalination is the most energy-intensive option for increasing local water

¹ See CAL. STATE ASSEMBLY SELECT COMM. ON WATER CONSUMPTION AND ALTERNATIVE SOURCES, NEW SOURCES FOR CALIFORNIA’S WATER SUPPLY 3 (2016), available at <https://mavensnotebook.com/wp-content/uploads/2016/04/Final-Report-Select-Committee-on-Water-Consumption-and-Alternative-Sources.pdf> (making the policy recommendation that desalination should be used as an option of last resort).

supplies.² The 20 MGD plant would have the electricity demand of as much as 18,185 homes and the 60 MGD plant would have the electricity demand of as many as 59,751 homes.³ In stark contrast, water conservation results in energy savings. For example, between June 2015 and May 2016, when statewide conservation measures were in place, California’s conservation rate of 24.5% over 2013 levels resulted in electricity savings of 1,830 GWh or the electricity use of 274,000 average Californian homes for a year.⁴ In light of the water supply opportunities available that would have significantly less energy impacts or could even result in energy savings, the Project would result in the inefficient, wasteful, and unnecessary consumption of energy.

- The DEIR energy analysis does not present substantial evidence to support its conclusion that the impacts from *the most energy-intensive option for increasing local water supplies would have a less than significant energy impact*. For example, the analysis does not evaluate the potential significant impacts from the SCE electrical power grid upgrades that the DEIR states are anticipated to be required to supply the Project’s operations (DEIR, 5.5-21) and does not account for the recent SoCalGas Aliso Canyon natural gas storage facility blowout and limits the grid operator may now impose on usage under certain peak demand conditions.⁵

Greenhouse Gas Impacts

- The Project’s greenhouse gas (GHG) impacts should be considered significant. The Project would result in a greater contribution of GHG emissions into our atmosphere, than importing water over hundreds of miles through the State Water Project.⁶ Based on the 2014 power mix of Southern California Edison (SCE),⁷ the **20 MGD ocean desalination plant would contribute as much as 44,702 metric tons of CO₂e emissions per year and the 60 MGD plant would contribute as much as 146,879 metric tons per year.**⁸
- While the DEIR states “West Basin is committed to reducing the Project’s GHG emissions to ‘net zero’ (net carbon neutral) *compared to continued use of imported water*

² HEATHER COOLEY & MATTHEW HEBERGER, KEY ISSUES IN SEAWATER DESALINATION IN CALIFORNIA: ENERGY AND GREENHOUSE GAS EMISSIONS (Pacific Institute 2013), available at <http://pacinst.org/wp-content/uploads/2013/05/desal-energy-ghg-full-report.pdf>; NAT. RES. DEF. COUNCIL, ET AL., PROCEED WITH CAUTION II: CALIFORNIA’S DROUGHTS AND DESALINATION IN CONTEXT (2016), available at <https://www.nrdc.org/sites/default/files/california-drought-desalination-2-ib.pdf>.

³ POWERS ENGINEERING, ASSESSMENT OF ENERGY INTENSITY AND GREENHOUSE EMISSIONS OF PROPOSED WEST BASIN DESALINATION PLANT AND WATER SUPPLY ALTERNATIVES 19 (2018), available at https://www.smarterwaterla.org/wp-content/uploads/2018/01/Powers_Engineering_2018_WB_Desal.pdf.

⁴ Edward S. Spang et al., 2018 *Environ. Res. Lett.* 13 014016, 2, 5–6.

⁵ See POWERS ENGINEERING, *supra* note 3, at 23.

⁶ POWERS ENGINEERING, *supra* note 3, at 22.

⁷ *Id.* at 16.

⁸ *Id.* at 21.

supplied by M[etropolitan] W[ater] D[istrict]” (emphasis added DEIR, 5.7-20.), **the DEIR fails to provide any evidence that MWD will reduce the volume of imported water on a one-to-one basis as a result of the Project.** As a result, the DEIR lacks substantial evidence to show the Project’s GHG contribution could be reduced to “net zero,” and the resulting mitigation proposed is inadequate.

Energy and GHG Mitigation

- **The DEIR fails to adopt adequate mitigation measures for energy and GHG impacts.** In light of the alternative water supply options available that could avoid the significant energy and GHG impacts of the Project, including conservation, stormwater capture, recycling, and remediating brackish groundwater, the DEIR should have analyzed the Project’s impacts in comparison to such alternatives, and ultimately, proposed mitigation that reduced the Project’s GHG emissions *below* that of imported water.

Land Use

- **The Project would conflict with El Segundo’s Local Coastal Program (ESLCP), and therefore, land use impacts should be considered significant.** The ESLCP may need to be amended before a coastal development permit could be issued for the Project because the ESLCP only anticipated minor modifications of existing energy facilities and construction of shoreline protective structures, not major construction of a new ocean desalination facility.
- With the hazards of sea-level rise and the shoreline’s growing susceptibility to erosion, it is unwise to invest half-a-billion dollars to build infrastructure on the coast that will exacerbate climate change.

Marine Biological Resources & Hydrology and Water Quality

- The DEIR uses an improper baseline to determine significant marine biological and water quality impacts by **arbitrarily limiting the environmental setting** to a small rectangular portion of the Santa Monica Bay. As a result of this limited marine study area, the DEIR **fails to account for the interconnectivity between ecosystems within Santa Monica Bay as a whole** and thus, fails to analyze a reasonable scope of impacts. In particular, the DEIR fails to analyze the significant impacts to the network of Marine Protected Areas in the Bay—Mugu Lagoon to Latigo Point Area of Special Biological Significance, the Point Dume State Marine Conservation Area and State Marine Reserve, the Point Vicente SMCA, and the Abalone Cove SMCA.
- While the DEIR discusses the requirements of the California Ocean Plan Desalination Amendment (Ocean Plan), it does not incorporate any of these requirements as a threshold of significance in the marine biological resources or hydrology and water quality analyses. As the Ocean Plan is the regulatory framework specifically adopted to address such impacts from ocean desalination facilities, **the DEIR should have**

evaluated the extent to which the Project will “minimize intakes and mortality to all forms of marine life”⁹ and applied this as a threshold of significance.

- The Ocean Plan requires desalination plants be sited, designed, utilize technology, and be operated to “minimize intakes and mortality to all forms of marine life.”¹⁰ Once-through cooling (OTC) infrastructure was decommissioned due to its adverse environmental impacts. Because the Project, proposes to use this decommissioned intake and discharge infrastructure, the Project’s intake and discharge will have adverse environmental impacts. **Use of this decommissioned OTC infrastructure is not appropriate.**
- The DEIR does not present substantial evidence to support its conclusion that impacts to marine biological resources and water quality would be less than significant. For example, the mere fact that the Project’s intake and brine discharge technology is permissible under the Ocean Plan does not preclude the potential for significant impacts. In fact, the Pacific Institute reports that the **“impacts of impingement and entrainment from desalination plants on the marine environment are not well understood” and may result in significant loss of biological productivity.**¹¹ With respect to **brine discharge impacts**, there is also a “lack of baseline ecological data,” but **studies “clearly demonstrate the potential for acute and chronic toxicity and small-scale alterations to community structure in marine environments.”**¹²

Environmental Justice

- Out of a 1000+ page draft environmental impact report, **only half of a single page is dedicated to analysis of environmental justice impacts and mitigation measures.** (See DEIR, 6-13.)
- **The DEIR analysis fails to account for multiple low-income or minority populations (such as Carson, 82.1% of which is disadvantaged communities, and Inglewood, 100% of which is disadvantaged communities)** by analyzing only census tracts where aboveground infrastructure would be implemented (El Segundo and Hawthorne). (DEIR, 5-13.)
- The DEIR compares the Project’s impacts on census tracts in Hawthorne to impacts on the city of Hawthorne as a whole. This is an unreasonably limited environmental setting and **fails to account for the Project’s impacts on low-income or minority populations in West Basin’s service area as whole, compared to the Project’s impacts on affluent communities in West Basin’s service area.** (DEIR, 6-11.)

⁹ See ST. WATER RESOURCES CONTROL BOARD, FINAL STAFF REPORT INCLUDING THE FINAL SUBSTITUTE ENVIRONMENTAL DOCUMENTATION FOR THE AMENDMENT TO THE WATER QUALITY CONTROL PLAN FOR THE WATERS OF CALIFORNIA, ADDRESSING DESALINATION FACILITY INTAKES, BRINE DISCHARGES, AND THE INCORPORATION OF OTHER NON-SUBSTANTIVE CHANGES, Adopted May 6, 2015, *available at* https://www.waterboards.ca.gov/board_decisions/adopted_orders/resolutions/2015/rs2015_0033_sr_apx.pdf.

¹⁰ *Id.* at 11.

¹¹ HEATHER COOLEY ET AL., KEY ISSUES IN SEAWATER DESALINATION IN CALIFORNIA: MARINE IMPACTS 3 (Pac. Inst. 2013), *available at* <http://pacinst.org/wp-content/uploads/2013/12/desal-marine-impacts-full-report.pdf>.

¹² *Id.* at 14.

- The Project’s significant GHG emission contributions will exacerbate climate change, and **disproportionately impact low-income and minority communities, which are least able to adapt to or recover from climate change impacts.**¹³
- Many low-income and minority communities in West Basin’s service area already suffer from poor air quality.¹⁴ While the DEIR discusses SCE’s power mix, it does not identify the specific plants on which SCE relies. Thus, the **DEIR does not analyze the impacts to the communities that will be most heavily impacted by the Project’s high energy demand.**
- The half-a-billion dollar cost of building the Project will inevitably increase water rates for West Basin’s ratepayers. This **increase in water rates will disproportionately impact low-income populations** in West Basin’s service area relative to the more affluent populations.
- Further, there is significant disparity in the residential per capita water usage (R-GPCD) between the affluent communities and the low-income communities in West Basin’s service area. For example, affluent communities such as Palos Verdes use upwards of 200 R-GPCD, while customers in Hawthorne use only 62 R-GPCD, (DEIR, 7-13.).¹⁵ **The Project would effectively result in low-income communities subsidizing affluent communities’ excessive water consumption.**

Cumulative Impacts

- While the DEIR provides a “Cumulative Projects List” (DEIR, Table 4-1) of past, present, and probable future projects/development in the Project area, **the DEIR does not address how the combined nature of such projects would impact the region.** The mere fact that such future projects would be required to conform to the requirements of applicable regulations, does not necessarily preclude the potential for significant impacts.

Alternatives to the Project

- **The only alternatives the DEIR analyzes are variations on building an ocean desalination plant. The DEIR does not analyze conservation, stormwater capture, recycling, brackish groundwater desalination, or any combination of these water supply options in its alternatives analysis.**
- **The DEIR relies on an unsubstantiated need for the development of 21,500 acre-feet per year (AFY) of new, potable water supply.** Neither West Basin’s 2015 Urban Water Management Plan nor MWD’s Integrated Water Resources Plan support the need

¹³ U.S. GLOBAL CHANGE RESEARCH PROGRAM, THE IMPACTS OF CLIMATE CHANGE ON HUMAN HEALTH IN THE UNITED STATES: A SCIENTIFIC ASSESSMENT (2016), available at <https://health2016.globalchange.gov/>.

¹⁴ See CALENVIROSCREEN 3.0, <https://oehha.ca.gov/calenviroscreen/report/calenviroscreen-30> (last visited June 8, 2018).

¹⁵ STATE WATER RESOURCES CONTROL BOARD, *August Supplier Conservation*, 9, 10 (2017), https://www.waterboards.ca.gov/water_issues/programs/conservation_portal/docs/2017oct/supplierconservation_100317.pdf.

for 21,500 AF of new potable water supply. Yet, the DEIR includes a requirement that 21,500 acre-feet per year (AFY) of new, potable water supply be developed. This 21,500 AFY requirement is not disclosed as a project objective, and instead, operates as a shadow objective, which the DEIR uses to eliminate conservation, stormwater capture, and recycling as alternatives to the Project.

- **Conservation, stormwater capture, recycling, and brackish groundwater desalination are alternatives that would increase local water supplies, avoid the significant adverse environmental impacts of the Project, including the energy, GHG, marine, water quality, and environmental justice impact, and would meet most of the DEIR’s stated project objectives.** The DEIR alternatives analysis is inadequate for failing to, at least, analyze a hybrid alternative that includes a combination of such alternatives.
- In particular, West Basin has been a leader in recycled water with its Edward C. Little Water Recycling Facility (ECLWRF) that currently recycles approximately 35 MGD of secondary effluent from the Hyperion Water Reclamation Plant. While we applaud West Basin’s efforts to increase recycling at ECLWRF to 70 MGD, ECLWRF is “designed for ultimate expansion to 100 MGD.”¹⁶ **Expanding recycling at ECLWRF to its maximum capacity would more than eliminate the need for the 20 MGD plant.**

For the reasons outlined above, as well as those expressed in Los Angeles Waterkeeper and Heal the Bay’s comment letters, we respectfully request that the DEIR be revised and recirculated. We also strongly encourage West Basin to employ a Reduce, Reuse, Recycle, and Restore approach to developing its water supply portfolio and comprehensively explore the numerous opportunities it has for increasing conservation, stormwater capture, recycling, and brackish groundwater remediation, instead of pursuing ocean desalination at this time. Once again, thank you for your careful consideration of our comments.

Sincerely,



Melissa Kelly
Los Angeles Waterkeeper

On behalf of:

Craig Cadwallader
Surfrider, South Bay Chapter

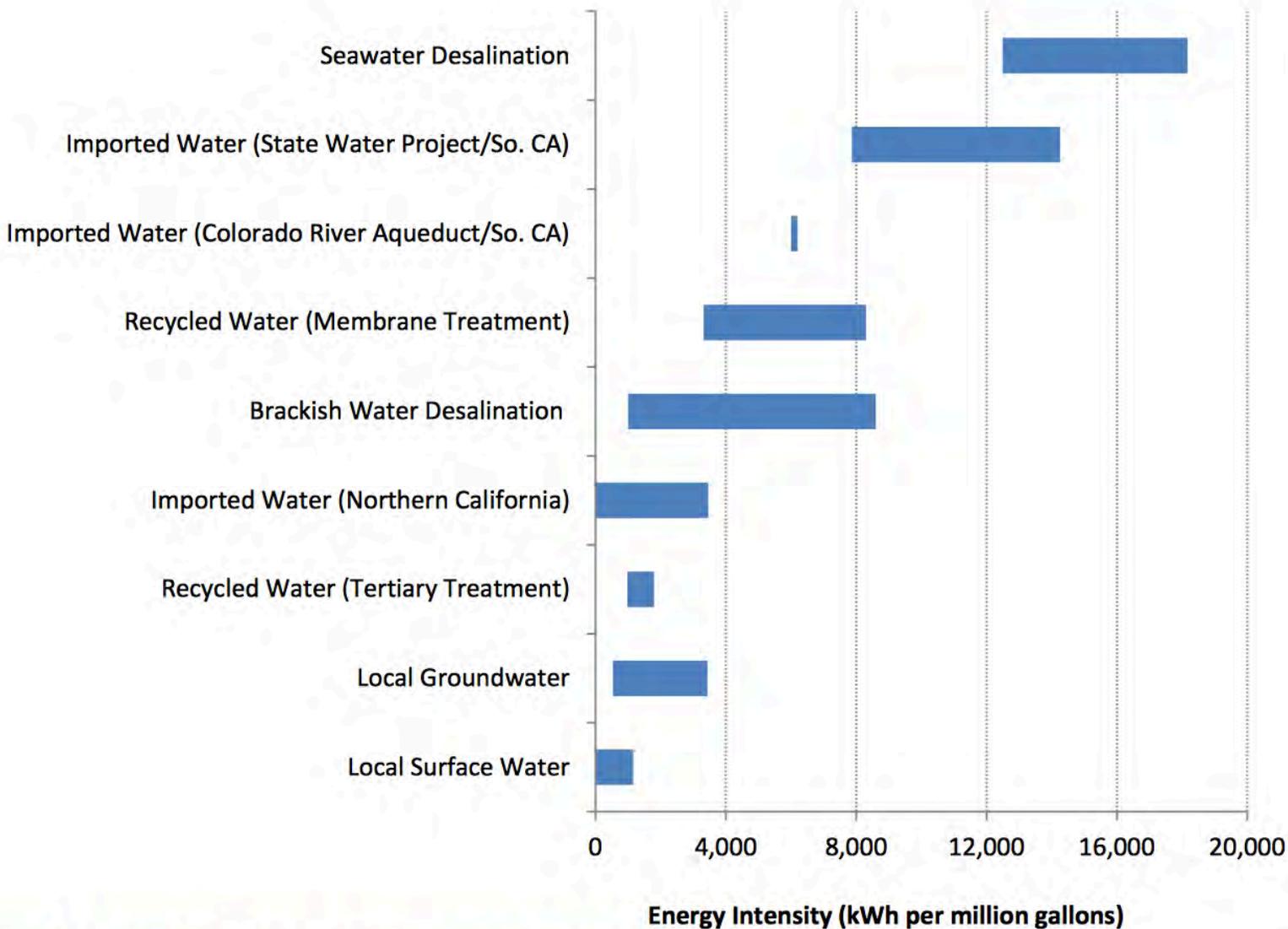
Conner Everts
Desal Response Group

Nancy Shrodes
Heal the Bay

Marcus Eriksen
5 Gyres

¹⁶ CH2M HILL, WATER REUSE CASE HISTORY: WEST BASIN WATER RECYCLING/PETROLEUM REFINERY REUSE PROGRAM (WATER MATCH).

Merle Moshiri President Residents for Responsible Desalination	Susan Jordan Executive Director California Coastal Protection Network	Conner Everts Environmental Water Caucus	Veronica Padilla Pacoima Beautiful
Sherry Lear and Damien Luzzo Co-Organizers 350 South Bay Los Angeles	Marco Gonzalez Coastal Environmental Rights Foundation	Jonathan Parfrey Climate Resolve	Pamela Berstler Green Gardens Group
Sean Bothwell Policy Director California Coastkeeper Alliance	Graham Hamilton Surfrider, Los Angeles Chapter	Finian Makepeace Kiss the Ground	Charming Evelyn Sierra Club
Pam Heatherington Board of Directors Environmental Center of San Diego	Siobhan Dolan Southern California Watershed Alliance	Azita Yazdani President and CEO Exergy Systems, Inc.	Melanie Winter The River Project
Leslie Mintz Tamminen Director Seventh Generation Advisors	Joseph K. Lyou President & CEO Coalition for Clean Air	Adam Scow Food and Water Watch	Dan Silver Endangered Habitats League
Stephen Mejia-Carranza Friend of the LA River	Alison Lipman SELVA International	Mia Lehrer Studio-MLA	Anna Ehrgott Sagebrush



Energy intensity of various water supply options

Figure 2. Comparison of the Energy Intensity of California Water Supplies

Notes: Estimates for local and imported water sources shown here do not include treatment, while those for desalination and recycled water include treatment. Typical treatment requires less than 500 kWh per million gallons. The upper range of imported water for Northern California is based on the energy requirements of the State Water Project along the South Bay Aqueduct. Energy requirements for recycled water refer to the energy required to bring the wastewater that would have been discharged to recycled water standards. Estimates for brackish water desalination are based on a salinity range of 600 - 7,000 mg/l.

Sources: Veerapaneni et al. 2011; GWI 2010; Cooley et al. 2012; GEI Consultants/Navigant Consulting, Inc. 2010

The Most Expensive Option



Median cost of alternative water sources | \$/Acre-foot of Water | 2015 dollars

Figures are for 'large' facilities, except Water Recycling (Non-Potable), which is defined as $\leq 10,000$ AFY.



CITY OF LAWNDALE

14717 BURIN AVENUE, LAWNDALE, CALIFORNIA 90260
PHONE (310) 973-3200 ♦ www.lawndalecity.org

DATE: November 4, 2019
TO: Honorable Mayor and City Council
FROM: Stephen N. Mandoki, City Manager 
PREPARED BY: Marla L. Pendleton, CPA, Director of Finance/ City Treasurer 
SUBJECT: Budget Update for the Quarter Ended September 30, 2019

BACKGROUND

In order to provide an update on the City of Lawndale's financial position through September 30, 2019, a Quarterly Budget Update has been prepared to focus on the revenue and expenditures of the General Fund. The focus is on the General Fund since the spending is at the discretion of Council to support the day-to-day activities of the City. The spending for other funds are for various restricted purposes.

The FY 2019-20 Budget was adopted by Council on June 17, 2018, Resolution CC-1906-033. Projected General Fund revenue and expenditures as adopted was \$15,261,700 and \$14,566,950, respectively. The amended expenditure budget as of September 30, 2019 is \$14,753,233, an increase of \$186,283 from the adopted budget. The additional expenditure authority is attributed to capital projects outstanding at fiscal year-end, where the appropriation authority was continued into FY19-20 for payment.

STAFF REVIEW

The quarterly report has been prepared to provide Council with an update of the General Fund budget as of September 30, 2019. Budget adjustments have been proposed based on events or amounts not known at the time the annual budget was adopted. The Director of Finance recommends Council approve those adjustments detailed in the attached report.

LEGAL REVIEW

Not applicable.

FISCAL IMPACT

All recommended adjustments have offsetting funding either proposed or use of existing fund balance.

RECOMMENDATION

City Council should receive and file the Quarterly Investment Report for the quarter ended September 30, 2019 and approve all recommended adjustments.

Attachments: Quarterly Budget Update for the quarter ended September 30, 2019.



City of Lawndale
Quarterly Budget Update
First Quarter of Fiscal Year 2019-2020

September 30, 2019

OVERVIEW

This quarterly report represents the City’s General Fund revenues and expenditures through September 30, 2019.

GENERAL FUND

The General Fund supports the day-to-day activities of the City, which includes general government, public safety, municipal services, and public works. The planning and community development, recreation and community services departments were separated from the General Fund this fiscal year and are accounted for in their own enterprise funds; however, contract services for crossing guards are still included in the General Fund. The Operating Transfers budgeted in the General Fund for the 20% housing set aside (Dept 410) and support for the recreation and senior programs (Dept 510) have been separated into a General Fund Support budget since these transfers are not related to any specific department. The General fund activities are primarily supported from motor vehicle in-lieu, sales and use, district transactional (Measure L), utility users and property taxes.

General Fund Financial Condition: With a 60-day accrual period, any revenue and expenditures due at June 30 are accrued back to the previous fiscal year. Therefore, the first quarter financial results do not reflect a three month period; with the exception of payroll costs which only 50% of one pay period was accrued back to fiscal year 2018-19. As of September 30, General Fund revenues are at 6% of the budget estimate and expenditures are at 13%; compared to 6% and 15.7% during the same time period in FY18-19.

GENERAL FUND YTD SUMMARY				
	Amended Budget	Actual YTD	Actual % to Budget	
Total Revenue	\$ 15,261,700	\$ 873,703	6%	
Total Expenditures	14,753,233	1,847,330	13%	

Revenue. The General Fund accounts for about 54% of the City’s total revenues. The first quarter General Fund revenues are consistent with the same quarter last fiscal year and are meeting budget expectations overall.

GENERAL FUND REVENUE BY SOURCE				
Revenue Source	Amended Budget	Actual YTD	Actual % to Budget	
Motor Vehicle In-Lieu Tax	\$ 3,795,000	\$ -	0%	
Sales & Use Tax	3,156,000	254,094	8%	
Sales Trans Tax	2,100,000	204,959	10%	
Other Taxes	1,849,700	43,636	2%	
Utility Users Tax	1,800,000	254,129	14%	
Property Tax	1,382,000	-	0%	
Court & Traffic Fines	666,700	106,130	16%	
Use of Money & Property	200,000	(36,547)	-18%	
Charges for Services	139,700	40,584	29%	
Operating Transfers In	90,000	-	0%	
Other Revenue	42,000	3,011	7%	
Licenses & Permits	40,600	3,707	9%	
Total General Fund	\$ 15,261,700	\$ 873,703	6%	

- **Motor Vehicle In-Lieu Tax:** The additional transfer of property tax revenue in lieu of State Vehicle License Fee is received equally on 1/31 and 5/31 with one additional adjustment during the year. Therefore, the first installments is not anticipated until the third quarter of the fiscal year.
- **Sales and Use Taxes:** Sales tax receipts are 12.3% lower than the same period last year. The budget assumes a 0.75% increase over prior year; however, due to processing delays at the State, the fiscal year 2018-19 distributions included sales tax collections from the previous fiscal year. No budget adjustment is being recommended at this time, but we will closely monitor the receipts and inform Council of any changes in the future.
- **Sales Transaction Tax- Measure L:** Since it’s April 1, 2019 effective date, the City has received \$926,101 from the ¾ cent district transaction tax attributed to the passage of Measure L. Assuming this is the pattern of revenue to be received for the fiscal year, we anticipate meeting and slightly exceeding the \$2.1 million anticipated revenue for the fiscal year.

Expenditures. At the end of the first quarter, General Fund expenditures overall are on target; however, three items were note-worthy. Actual expenditures for General Operations was at 38% of the budget, which is attributed to the annual unfunded PERS liability payment made in full at the beginning of the fiscal year. Personnel costs allocated to the General Fund for Public Works Administration and Engineering both will exceed the appropriation budget for the year. The allocations will be reviewed and adjustments to these budgets will be proposed at mid-year.

GENERAL FUND EXPENDITURES BY DEPARTMENT				
Department	Amended Budget	Actual YTD	Actual % to Budget	
General Fund Support	1,323,223	330,806	25%	
City Council	169,759	40,402	24%	
City Attorney	451,000	0	0%	
City Clerk	291,885	48,324	17%	
City Manager	582,842	114,737	20%	
Administrative Svcs	187,113	24,696	13%	
General Operations	1,691,718	647,814	38%	
Cable Television	195,741	39,080	20%	
Information Systems	285,050	47,025	16%	
Finance	547,266	98,518	18%	
Police Services	6,018,252	115	0%	
Municipal Services	1,189,714	222,711	19%	
Public Works Admin.	254,403	23,177	9%	
Grounds Maintenance	1,080,607	157,599	15%	
Street Maintenance	332,063	41,494	12%	
Engineering	26,507	10,832	41%	
Community Svcs- Crossing Guards	126,100	0	0%	
Total General Fund	\$ 14,753,233	\$ 1,847,330	13%	

For more information: This summary is based on detailed information from the City’s financial management system. For any questions about this report please contact Marla L. Pendleton, CPA, Director of Finance / City Treasurer at 310-973-3241.



City of Lawndale
Quarterly Budget Update
First Quarter of Fiscal Year 2019-2020

Following are recommended budget adjustments for Council consideration and approval.

Authorization for Use of Park Development Funds

On September 3, 2019, the Park Development Fee Disclosure Report for Fiscal Year Ended June 30, 2019 was presented to Council informing them the unexpended balance of \$33,173.69 was available for the restricted use of park development and the need to identify viable park improvement project(s) for the use of the collected fee. Since this time, the Community Development Director has identified a viable project and has requested funding to install five water bottle filling stations at the City parks. The total estimated project cost is \$28,026 which includes \$18,026 for the water bottle filling stations and an estimated \$10,000 for installation. Quotes are currently being received for the installation services. In order to perform the water bottle filling station project, the following budget adjustment is recommended:

Increase appropriations:

236-510-550.510	Park Dev Fund- Com Srvs- Park Improvements	\$ 28,026
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Establishing Budget for Code Enforcement Abatement

In order to resolve some of the long-term outstanding Code Enforcement cases, the City has determined that procuring contractor services is the quickest and easiest solution to remedy incomplete home improvement construction projects. In these rare circumstances, Municipal Services will work with those in violation to resolve the case. If determined necessary, the city will then pay for the services and seek reimbursement. In order to approach the resolution in this new manner, budgeted appropriations are needed to cover the initial services. Based on the outstanding cases estimated to complete this fiscal year, an appropriation budget and corresponding reimbursement budget is requested in the amount of \$40,000. Following is the recommended budget adjustment:

Increase appropriations:

100-300-540.170	GF Municipal Services- Abatement Costs	\$ 40,000
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Increase revenue:

100-000-430.502	GF - Abatement Recovery	\$ 40,000
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Transfer Designated Funds for Development Impact Fee Study

On May 6, 2019, Council approved setting aside, through General Fund designation, \$1,400,000, to update elements of the Comprehensive General Plan, Hawthorne Boulevard Specific Plan and an Environmental Impact Report over a three year period. This was noted in the adopted Fiscal Year 2019-20 budget with a comment that the funding would also be used for a Development Impact Fee Study, rather than specifically budgeting an additional \$40,000 to cover the fee study. An agreement with Willdan Financial Services for Development Impact Fee Nexus Study was approved by Council on August 5, 2019 not to exceed \$31,360; however, designated funds has not been release and appropriations established to pay the contracted costs. A budget recommendation to undesignate from the General Fund, appropriate in the Community Development budget, and transfer money between funds in the amount of \$31,360 is requested.



City of Lawndale
Quarterly Budget Update
First Quarter of Fiscal Year 2019-2020

Increase appropriations:		
279-410-540.200	Community Dev - Special Expenses	\$ 31,360
Increase Operating Transfer from General Fund:		
279-410-480.100	Community Dev - Operating Transfer-In	\$ 31,360
Increase Operating Transfer to Community Development:		
100-000-560.100	General Fund - Operating Transfer-Out	\$ 31,360
Decrease Fund Balance Designation		
100-000-300.410	General Fund – Designated for City Gen Plan	\$ 31,360

Establishing Budget For Measure A and Proposition A Projects and Reimbursement

In November 2016 Los Angeles County voters approved Measure A authorizing an annual special tax of .015 cents per square foot of building floor area on all taxable real property in the County to be dedicated local funding for park, recreation, and open space projects and annual project maintenance. Since the first allocation in fiscal year 2018-19, the City of Lawndale has received annual formula-based allocations. These funds could not be spent until Proposition A money had been fully expended; which it was as of June 30, 2019. In order to expend the allocations, it is recommended to open a separate fund for tracking allowable expenditures, reimbursement revenue and the outstanding balance available for Measure A projects and maintenance. The budget will reflect the available appropriations allocated to the City and any unexpended amounts at the end of each fiscal year will be continued into the next fiscal year for budget purposes. Annual allocations may accrue up to five years prior to expending. Below are the annual allocations available to date which is recommended to budget.

	FY 2018-19	FY2019-20	Total
Community-based Park Investment Program Allocation (Category 1)	90,110.95	94,198.49	184,309.44
Neighborhood Parks, Healthy Communities, & Urban Greening Allocation (Category 2)	66,867.41	69,900.60	136,768.01
Total Allocation	156,978.36	164,099.09	321,077.45
Maintenance & Servicing	21,786.34	22,774.59	44,560.93
Total Measure A	178,764.70	186,873.68	365,638.38

Increase revenue:		
281-000-465.451	Measure A – Grant Revenue	\$ 365,638.38

Increase appropriations:		
281-510-580.200	Meas A - Community-based Cat 1	\$ 184,309.44
281-510-580.210	Meas A - Neighborhood Pks Cat 2	136,768.01
281-510-580.220	Meas A - Maintenance & Servicing	<u>44,560.93</u>
		\$ 365,638.38



City of Lawndale
Quarterly Budget Update
First Quarter of Fiscal Year 2019-2020

In addition, Proposition A will continue to have small amounts annually available to fund maintenance and servicing of funded park projects. For 2019-20, there is \$3,951.09 available which the amount was previously unknown and unbudgeted. The following budget adjustment is recommended to track the available funding.

Increase revenue:

257-000-465.451	LA Co Pks Maint Grant- Grant Revenue	\$ 3,951.09
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Increase appropriations:

257-000-580.220	LA Co Pks Maint Grant- Maint & Servicing	\$ 3,951.09
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Public, Educational and Government (PEG) Access Fees Available to Expend

On May 15, 2017, Council approved an interfund loan between the General Fund and the Lawndale Cable Usage Corporation (LCUC- Fund 217) pledging future Public, Educational and Government (PEG) Access fees for partial reimbursement of the cable editing room upgrade project and cable video van. To date, the capital projects have been fully paid leaving a balance of \$61,756 of PEG fee money available as of June 30, 2019 and an estimated \$40,000 available from 2019-20 projected revenue. Therefore, the operating transfer of \$40,000 budgeted from LCUC to the General Fund will not be necessary and a budget adjustment to remove this from the budget is requested. In addition, Council may want to consider and recommend use of the \$101,756 available. PEG fees are restricted to finance capital equipment for PEG programming, which could include improvements to the Council chamber video equipment.

Decrease Operating Transfer to General Fund:

100-000-480.100	General Fund- Operating Transfer-In	\$ 40,000
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Decrease Operating Transfer from LCUC:

217-170-560.100	LCUCV- Operating Transfer-Out	\$ 40,000
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Inglewood Avenue Project Reimbursement from School District

As part of the Inglewood Avenue Corridor Widening Project, the City removed/ reconstructed three existing driveways in the front of Lawndale High School for a cost of \$41,000 which the School District has agreed to reimburse the City. A budget adjustment is recommended for the reimbursement revenue and to add the funding back to the project.

Increase revenue:

207-000-470.100	Prop C – Local Transit Assist	
	Other Gov Agencies Revenue	\$ 41,000

Increase appropriations:

207-310-700.151	Prop C – Local Transit Assist:	
	Inglewd Ave Corr Wide Phase I	\$ 41,000



CITY OF LAWDALE

14717 BURIN AVENUE, LAWDALE, CALIFORNIA 90260
PHONE (310) 973-3200 ♦ www.lawndalecity.org

DATE: November 4th, 2019

TO: Honorable Mayor and City Council

FROM: Stephen N. Mandoki, Interim City Manager 

PREPARED BY: Sean M. Moore, AICP, Community Development Director 

SUBJECT: ADOPT RESOLUTION 1911-051 AUTHORIZING APPLICATION FOR AND RECEIPT OF SENATE BILL 2 (SB 2) PLANNING GRANTS PROGRAM FUNDS

BACKGROUND

In October of 2017, Governor Brown signed into law Senate Bill (SB) 2, which established a permanent source of funding to increase affordable housing stock throughout the state. On March 28, 2019, the California Department of Housing and Community Development (HCD) released a Notice of Funding Availability (NOFA) for approximately \$123 million in revenue for local government planning grants.

HCD has determined maximum award amounts for large, medium, and small localities based on population estimates from the State Department of Finance. The City of Lawndale falls within the "small localities" category, which means that Lawndale is eligible for up to \$160,000 in grant funding from SB 2. The objective of the Planning Grants Program is to achieve the following:

- *Accelerate housing production;*
- *Streamline the approval of housing developments affordable to owner and renter households at all income levels;*
- *Facilitate housing affordability, particularly for lower- and moderate-income households;*
- *Promote development consistent with the State Planning Priorities (Government Code Section 65041.1); and*
- *Ensure geographic equity in the distribution and expenditure of the program's funds.*

Pursuant to the SB 2 Program eligibility requirements, public agencies must demonstrate a nexus to accelerating housing production which may include the following:

- *Updates to general plans, community plans, and/or specific plans;*
- *Updates to zoning ordinances;*
- *Environmental analysis that eliminates the need for project-specific review; and*
- *Local improvements to permit processes that expedite planning review.*

In addition, other program requirements state that a public agency must have a certified/compliant Housing Element and have submitted the required Annual Progress Reports (APR's) to HCD.

STAFF REVIEW

The SB 2 Planning Grants Program provides the City with an opportunity to receive funding for eligible planning projects such as general plan updates, zoning code revisions, expedited project review, and specific plan updates. The application for these funds must be authorized by the City Council. The attached resolution authorizes the submission of an application and the execution by the City Manager or his designee of the agreement with the State of California, and other documents if necessary, required to receive the grant funding. Staff recommends that the City Council designate the grant funding, once awarded, to assist with updating the City's General Plan (GP) and Hawthorne Blvd. Specific Plan (HBSP). The deadline for filing for the grant application is November 30, 2019.

ENVIRONMENTAL REVIEW

Staff is requesting that the City Council determine that the project is exempt from the California Environmental Quality Act (CEQA) under Section 15378 as the application does meet CEQA's definition of a "project" and would not result in either a direct physical change or a reasonably foreseeable indirect physical change in the environment.

COMMISSION REVIEW

Not applicable

LEGAL REVIEW

The City Attorney has reviewed the resolution and approved it as to form.

FISCAL IMPACT

There will be minimal impact by utilizing staff resources to prepare the application and other related materials for submittal of the grant application to HCD. The SB 2 Planning Grants Program does not require a local financial commitment or matching from jurisdictions requesting grant funding

RECOMMENDATION

It is recommended that the City Council take the following actions:

- A. Determine that the consideration of Resolution No. 1911-051 is exempt from the California Environmental Quality Act ("CEQA") pursuant to Section 15378 of the CEQA Guidelines; and
- B. Approve Resolution No. 1911-051 authorizing staff to submit an application for grant funding from the SB 2 Planning Grants Program.

ATTACHMENTS

- A. Resolution 1911-051 SB 2 Planning Grant Program
- B. SB 2 Planning Grant Guidelines

C. Senate Bill No. 2

ATTACHMENT A

RESOLUTION 1911-051 SB 2 PLANNING GRANT PROGRAM

RESOLUTION NO. CC-1911-051

**A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF LAWNSDALE, CALIFORNIA
AUTHORIZING APPLICATION FOR AND RECEIPT OF
SB 2 PLANNING GRANTS PROGRAM FUNDS**

WHEREAS, the State of California, Department of Housing and Community Development (Department) has issued a Notice of Funding Availability (NOFA) dated March 28, 2019, for its Planning Grants Program (PGP); and

WHEREAS, the City Council of the City of Lawnsdale desires to submit a project application for the PGP program to accelerate the production of housing and will submit a 2019 PGP grant application as described in the Planning Grants Program NOFA and SB 2 Planning Grants Program Guidelines released by the Department for the PGP Program; and

WHEREAS, the Department is authorized to provide up to \$123 million under the Senate Bill 2 Planning Grants Program established by the Building Homes and Jobs Trust Fund (as described in Health and Safety Code section 50470 et seq. (Chapter 364, Statutes of 2017 (SB 2)) in connection with the PGP Program.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAWNSDALE, CALIFORNIA DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. The City Council hereby authorizes and directs the City Manager, or his designee, to apply for and submit to the Department a completed 2019 Planning Grants Program application seeking a grant in the amount of \$160,000.

SECTION 2. In connection with the PGP grant, if the application is approved by the Department, the City Manager or designee is authorized to enter into, execute, and deliver a State of California Agreement (Standard Agreement) for the amount of \$160,000, and any and all other documents required or deemed necessary or appropriate to evidence and secure the PGP grant, the City of Lawnsdale's obligations related thereto, and all amendments thereto (collectively, the "PGP Grant Documents").

SECTION 3. The City of Lawnsdale shall be subject to the terms and conditions as specified in the Standard Agreement, the SB 2 Planning Grants Program Guidelines, and any applicable PGP guidelines published by the Department. Funds are to be used for allowable expenditures as specifically identified in the Standard Agreement. The application in full is incorporated as part of the Standard Agreement. Any and all activities funded, information provided, and timelines represented in the application will be enforceable through the executed Standard Agreement. The City of Lawnsdale hereby agrees to use the funds for eligible uses in the manner presented in the application as approved by the Department and in accordance with the Planning Grants NOFA, the Planning Grants Program Guidelines, and 2019 Planning Grants Program Application.

PASSED, APPROVED, AND ADOPTED this 4th day of November, 2019.

Robert Pullen-Miles, Mayor

ATTEST:

State of California)
County of Los Angeles) SS
City of Lawndale)

I, Rhonda Hofmann Gorman, City Clerk of the City of Lawndale, California, do hereby certify that the City Council of the City of Lawndale duly approved and adopted the foregoing Resolution No. CC-1911-051 at a regular meeting of said Council held on the 4th day of November, 2019, by the following roll call vote:

Name	Voting		Present, Not Voting		Absent
	Aye	No	Abstain	Not Participating	
Robert Pullen-Miles, Mayor					
James Osborne, Mayor Pro Tem					
Pat Kearney					
Daniel Reid					
Bernadette Suarez					

Rhonda Hofmann Gorman, City Clerk

APPROVED AS TO FORM:

Tiffany J. Israel, City Attorney

ATTACHMENT B

SB 2 PLANNING GRANT GUIDELINES

Senate Bill 2 Planning Grants Program Year 1 Guidelines



**State of California
Governor Edmund G. Brown Jr.**

**Alexis Podesta, Secretary
Business, Consumer Services and Housing Agency**

**Ben Metcalf, Director
Department of Housing and Community Development**

**Zachary Olmstead, Deputy Director
Department of Housing and Community Development
Division of Housing Policy Development**

**2020 West El Camino Avenue, Suite 500
Sacramento, CA 95833**

December 2018

The matters set forth herein are regulatory mandates, and are adopted in accordance with the authorities set forth below:

Quasi-legislative regulations ... have the dignity of statutes ... [and]... delegation of legislative authority includes the power to elaborate the meaning of key statutory terms...

Ramirez v. Yosemite Water Co., 20 Cal. 4th 785, 800 (1999)

In consultation with stakeholders, the California Department of Housing and Community Development (Department) may adopt Guidelines to implement this section, including determining allocation methodologies. Any guideline, rule, policy, or standard of general application employed by the Department in implementing this chapter shall not be subject to the requirements of the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Gov. Code).

NOTE: Authority Cited: Health and Safety Code section 50470, subdivision (d).

The Department reserves the right, at its sole discretion, to suspend or amend the provisions of these Guidelines, including, but not limited to, grant award amounts.

INTRODUCTION

Chapter 354, Statutes of 2017 (SB 2, Atkins) was part of a 15 bill housing package signed by Governor Brown that was aimed at addressing the state's housing shortage and high housing costs. Specifically, it establishes a permanent source of funding intended to increase the affordable housing stock in California. The revenue from SB 2 will vary from year to year, as revenue is dependent on real estate transactions with fluctuating activity. The legislation directs the California Department of Housing and Community Development (Department) to use 50 percent of the revenue in the first year to establish a program that provides financial and technical assistance to local governments to update planning documents and zoning ordinances in order to streamline housing production, including, but not limited to, general plans; community plans; specific plans; implementation of sustainable communities strategies; and local coastal programs. Eligible uses also include new environmental analyses that eliminate the need for project-specific review and local process updates that improve and expedite local permitting.

Guidelines for the SB 2 Planning Grants program are organized into seven Articles as follows:

Article I. General provisions: This Article includes information on the purpose of the Guidelines, program objectives, and definitions used throughout the document.

Article II. Eligibility and threshold criteria: This Article describes the eligibility requirements for applicants and proposals in order to apply for funds under the SB 2 Planning Grants program.

Article III. Eligible activities and uses: This Article describes eligible uses for the SB 2 Planning Grants funds, including priority policy areas and ineligible uses.

Article IV. Award amounts and distribution: This Article describes award amounts and geographic distribution.

Article V. Application review: This Article describes the application review process.

Article VI. Administration: This Article describes administrative functions such as terms, non-performance remedies and reporting requirements.

Article VII. Technical assistance: This Article describes technical assistance.

SB 2 Planning Grants Program: Year 1 Guidelines

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ARTICLE I. GENERAL PROVISIONS

Section 100. Purpose and Scope

- (a) These Guidelines (hereinafter "Guidelines") implement, interpret, and make specific the Chapter 364, Statutes of 2017 (SB 2, Atkins) (hereinafter "SB 2") as authorized by Health and Safety Code section 50470.
- (b) These Guidelines establish terms, conditions, and procedures for a local government to submit an application for planning grants funds to the Department.

NOTE: Authority cited: Health and Safety Code section 50470, subdivision (d). Reference cited: Health and Safety Code section 50470, subdivision (b)(1)(A).

Section 101. Program Objectives

- (a) The principal goal of this program is to make funding available to all local governments in California for the preparation, adoption and implementation of plans that streamline housing approvals and accelerate housing production.
- (b) This grant program is meant to facilitate planning activities that will foster an adequate supply of homes affordable to Californians at all income levels. It is designed to help local governments meet the challenges of preparing and adopting land use plans and integrating strategies to promote housing development.
- (c) Funded activities are intended to achieve the following program objectives:
 - Accelerate housing production
 - Streamline the approval of housing development affordable to owner and renter households at all income levels
 - Facilitate housing affordability for all income groups
 - Promote development consistent with the State Planning Priorities (Government Code section 65041.1)
 - Ensure geographic equity in the distribution and expenditure of allocated funds

NOTE: Authority cited: Health and Safety Code section 50470, subdivision (d) and Government Code section 65041.1. Reference cited: Health and Safety Code section 50470, subdivision (b)(1)(A).

Section 102. Definitions

All terms not defined below shall, unless their context suggests otherwise, be interpreted in accordance with the meanings of terms described in Health and Safety Code section 50470.

- (a) "Accelerating Housing Production" means improving the timing, cost, feasibility, approval and amount of development through various mechanisms such as zoning incentives (e.g., increased density and heights, reduced parking requirements), upzoning, zoning amendments to permit residential in non-residential zones, corridor planning, development standards modifications, non-discretionary review, financing strategies, sliding scale fee modifications, facilitating adequate infrastructure to support development, approval streamlining that addresses quickness and ease of entitlements, and other mechanisms that promote production or remove or mitigate regulatory barriers.
- (b) "Affordability" means a housing unit that satisfies at least one of the following criteria:
 1. It is available at an "affordable rent" as that term is used and defined in Section 50053 of the Health & Safety Code;
 2. It is offered at an "affordable housing cost", as that term is used and defined in Section 50052.5 of the Health & Safety Code; or
 3. It is available at an "affordable rent" or an "affordable housing cost" according to the alternative percentages of income for agency-assisted rental and cooperative housing developments pursuant to Department regulations adopted under Health and Safety Code section 50462(f).
- (c) "Annual Progress Report" (APR) means the housing element Annual Progress Report required by Government Code section 65400 on the prior year's activities and due to the Department April 1 of each year.
- (d) "Department" means the California Department of Housing and Community Development.
- (e) "Disaster Recovery Area" means a locality experiencing a state or federally declared disaster in the last five years, where proposed planning activities will significantly address the present and future housing needs of the disaster, including climate adaptation.
- (f) "Fund" means the Building Homes and Jobs Trust Fund pursuant to Health and Safety Code section 50470.
- (g) "High-quality transit corridor" means an existing corridor with fixed route bus service with service intervals no longer than 15 minutes during peak commute hours. An existing stop along a high-quality transit corridor may include a stop currently in service or a planned and funded stop that is included in an adopted regional transportation improvement program.
- (h) "Housing" means any development that satisfies both of the following criteria:

1. At least two-thirds of the square footage of the development must be designated for residential use; and
2. Includes a house, an apartment, a mobile home or trailer, a group of rooms, or a single room that is occupied as separate living quarters, or, if vacant, is intended for occupancy as separate living quarters. Separate living quarters are those in which the occupants live separately from any other individuals in the building and which have a direct access from the outside of the building or through a common hall.

Note: accessory dwelling units (ADU) and junior accessory dwelling units (JADU) pursuant to Gov. Code sections 65852.2 and 65852.22 meet the definition above.

- (i) "Local government" or "Locality" means any city, including a charter city, county, including a charter county or city and county, including a charter city and county.
- (j) "Location Efficient" means either of the following definitions (1) within one half of a mile of a major transit stop or high-quality transit corridor, or (2) where the household per capita vehicle miles traveled is below the regional average per capita vehicle miles travelled, as determined by a regional travel demand model.
- (k) "Lower-Income" means households whose incomes are less than 80 percent of area median income pursuant to Health and Safety Code section 50079.5.
- (l) "Lower-income Community" means a locality with a median household income at or below 80 percent of the state median income.
- (m) "Major Transit Stop" means a site containing an existing rail transit station, a ferry terminal served by either a bus or rail transit service, or the intersection of two or more major bus routes with frequencies of service intervals of 15 minutes or less during the morning and afternoon peak-commute periods. An existing "Major Transit Stop" may include a planned and funded stop that is included in an adopted regional transportation improvement program.
- (n) "Moderate-Income" means households whose income is above 80 percent of area median income but does not exceed 120 percent of area median income pursuant to Health and Safety Code section 50093.
- (o) "Objective zoning standard", "objective subdivision standard", and "objective design review standard" means standards that involve no personal or subjective judgment by a public official and are uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official prior to submittal. "Objective design review standards" means only objective design standards published and adopted by ordinance or resolution by a local jurisdiction before submission of a development application, which are broadly applicable to development within the jurisdiction.

(p) "Other Planning Priorities" means planning, policies, programs or investments to promote housing choices and affordability to lower and moderate income households, the encouragement of conservation of the existing affordable housing stock and efforts to take into account current and future impacts of climate change, including hazard mitigation.

(q) "Priority Policy Areas" means any of the following:

1. Rezone to Permit By-right: Rezoning for additional housing capacity without or lesser discretionary review or establishing zoning to permit residential development by-right, particularly multifamily, without discretionary action pursuant to Government Code Section 65583.2(h) and (i).
2. Objective design and development standards: Developing objective design standards or pre-approved site and architectural plans that facilitate non-discretionary permitting.
3. Specific plans or Form Codes coupled with CEQA streamlining: Designating and rezoning for additional housing capacity or preparing specific plans or form codes that include zoning and development standards and plan-level environmental analysis that can be used to streamline future housing projects and facilitate affordability.
4. Accessory Dwelling Units and other innovative building strategies: Encouraging ADUs and other innovative building types through ordinances, outreach, fee waivers, pre-approved plans, website zoning clearance assistance, and other homeowner tools or finance tools.
5. Expedited processing: Speeding up approvals and permit processing, including instituting programs that streamline or consolidate the review process or create a separate process for expedited review of housing projects.

NOTE: Priority policy areas are subject to change and will be defined in the Notice of Funding Availability (NOFA).

(r) "Program" means the program developed to implement the first year of the Fund pursuant to Health and Safety Code section 50470(b)(1)(A).

(s) "State Planning Priorities" means priorities which are intended to promote equity, strengthen the economy, protect the environment, and promote public health and safety in the state, including in urban, suburban, and rural communities pursuant to Gov. Code Section 65041.1.

(t) "Streamlined Housing Production" means improving the entitlement process through actions such as removing, mitigating or minimizing local regulatory requirements, reforming the local approval process to reduce processing times, the number of local discretionary approvals and permits needed for projects, improving

approval certainty, establishing non-discretionary processes, modifying development standards such as reducing parking requirement and increasing height limits or other efforts such as taking the fullest advantage of existing streamlining mechanisms provided in state law.

(u) "Under-resourced Localities" means

1. Lower-income community that meets either of the following criteria: (1) a population less than 25,000 (2018 Department of Finance (DOF) population estimate, report E-5) and two or less planners (as reported to the Office of Planning and Research (OPR) in 2018) or (2) a population less than 50,000 and three or less planners.

or

2. A locality demonstrating to the Department a significant lack of planning capacity based on population size, poverty levels, median household incomes relative to the state median incomes, unemployment rates, number of planners, and budget size.

NOTE: Authority cited: Health and Safety Code section 50470, subdivision (d). Reference cited: Health and Safety Code section 50470.5 and 50470, subdivision (b)(1)(A).

ARTICLE II. ELIGIBILITY AND THRESHOLD CRITERIA

The Program does not use a competitive process to award funds. All localities that meet the eligibility requirements outlined below will be funded as provided in these Guidelines.

Section 200. Eligible Applicants

- (a) Eligible applicants are limited to local governments.
- (b) Local governments may partner through legally binding agreements with other forms of governments or entities where the proposal will have a direct effect on land-use or development within the locality. This includes, but is not limited to, partnerships with other localities, regional governments, housing authorities, school districts, special districts, community based organizations, or any duly constituted governing body of an Indian Reservation or Rancheria. Multi-jurisdictional partnerships between local governments are encouraged to coordinate with regional governments, leverage regional and state investment, promote consistency with the sustainable communities strategy, and affirmatively further fair housing.

NOTE: Authority cited: Health and Safety Code section 50470, subdivision (d). Reference cited: Health and Safety Code section 50470, subdivision (b)(1)(A).

Section 201. Threshold Criteria

Applicants must meet all the following threshold requirements for participation in the Program:

- (a) **Housing element compliance:** The applicant must have a housing element that has been adopted by the jurisdiction's governing body by the deadline specified in the NOFA and subsequently determined to be in substantial compliance with state housing element law pursuant to Gov. Code Section 65585.
1. The jurisdiction's adopted housing element will be deemed to have met this requirement if the adopted element is received by the Department on or prior to the date specified in the NOFA and the Department subsequently determines the adopted housing element to be in substantial compliance pursuant to Gov. Code Section 65585 without further amendment.
 2. However, applicants not meeting housing element requirements may be considered to meet this threshold requirement at the discretion of the Department and based on factors such as significant progress in meeting housing element requirements (e.g., a draft found to meet statute, rezoning near completion), proposing activities to meet housing element requirements (e.g., rezoning to accommodate housing needs pursuant to Gov. Code Section 65583(c)(1)) and adoption of a compliant element prior to the award of funds.
 3. No documentation is necessary to meet this threshold requirement if an adopted housing element has been found in substantial compliance by the Department.

A jurisdiction's current housing element compliance status can be obtained by referencing the Department's website at <http://www.hcd.ca.gov/community-development/housing-element/index.shtml> or by contacting Paul McDougall at paul.mcdougall@hcd.ca.gov.

- (b) **Annual Progress Report (APR) on the housing element:** The applicant must submit the APR to the Department as required by Gov. Code section 65400 for the current or prior year by the date established in the NOFA.
1. Charter cities are not exempt from this specific Program requirement and must submit an APR to be eligible for the Program.
 2. Please be advised that the Department will not accept other reports in lieu of the APR. Housing Authority Financial Reports, Redevelopment Reports, and other similar reports will not be accepted as meeting this requirement. If uncertain of the status of the report submittal for a jurisdiction, please contact the Department for more information.
 3. The proposed use of the planning grant shall be included in the locality's funding plan and annual progress reports pursuant to Gov. Code section 50470(b)(2)(B)(ii)(II) and (III).

4. No documentation is necessary to meet this threshold requirement.

- (c) **Nexus to accelerating housing production:** The applicant must propose and document plans or processes that accelerate housing production. The application must demonstrate a significant positive effect on accelerating housing production through timing, cost, approval certainty, entitlement streamlining, feasibility, infrastructure capacity, or impact on housing supply and affordability. An application not utilizing priority policy areas must include an explanation and documentation of the nexus plans or processes impact on accelerating housing production based on a reasonable and verifiable methodology and must utilize the Department's form (see Attachment 1). A verifiable methodology may include a statement of support from a non-profit or for-profit developer that is active in the locality.

Applicants proposing priority policy areas do not require a nexus demonstration and are automatically deemed to accelerate housing production without any documentation.

- (d) **State Planning and Other Planning Priorities:** Applicants must demonstrate that the locality is consistent with State Planning or Other Planning Priorities. Consistency may be demonstrated through activities (not necessarily proposed for SB 2 funding) that were completed within the last five years. Applicants must self-certify utilizing the Department's form (see Attachment 2).

NOTE: Authority cited: Health and Safety Code section 50470, subdivision (d). Reference cited: Health and Safety Code section 50470, subdivision (b)(1)(A).

ARTICLE III. ELIGIBLE ACTIVITIES AND USES

Section 300. Eligible Activities

- (a) Eligible activities must demonstrate a nexus to accelerating housing production.
- (b) Eligible activities may include:
1. Updates to general plans, community plans, specific plans, local planning related to implementation of sustainable communities strategies, or local coastal plans;
 2. Updates to zoning ordinances;
 3. Environmental analyses that eliminate the need for project-specific review; and
 4. Local process improvements that improve and expedite local planning.

Applicants proposing priority policy areas are automatically deemed to accelerate housing production without any documentation or demonstration to the Department.

- (c) Eligible activities are not necessarily jurisdiction-wide and may include a smaller geography with a significant impact on housing production. For example, eligible activities may include a housing development-related project with a significant community level impact or planning or process improvement for a project with an ongoing community impact beyond the project. Eligible activities also include an overlay district, project level specific plan or development standards modifications proposed for significant areas of a locality, such as corridors, downtown or priority growth areas.
- (d) Eligible activities may include the creation or enhancement of a housing sustainability district pursuant to AB 73 (Chapter 371, Statutes of 2017), workforce housing opportunity zone pursuant to SB 540 (Chapter 369, Statutes of 2017), zoning for by-right supportive housing, pursuant to Government Code section 65651 (Chapter 753, Statutes of 2018), zoning incentives for housing for persons with special needs, including persons with developmental disabilities, rezoning to meet requirements pursuant to Government Code Section 65583.2(c) and other rezoning efforts to facilitate supply and affordability, rezoning for multifamily housing in high resource areas (according to Tax Credit Allocation Committee/Housing Community Development Opportunity Area Maps), pre-approved architectural and site plans, regional housing trust fund plans, SB 2 funding plans, and infrastructure financing plans.
- (e) Eligible activities may include environmental hazard assessments, data collection on permit tracking, feasibility studies, site analysis, or other background studies that are ancillary and part of the proposed activity.
- (f) Eligible activities may be part of a larger planning effort (e.g., a comprehensive zoning code update) if proposed activities have not been completed prior to the NOFA date, are distinct, and demonstrate a nexus to accelerating housing production.

NOTE: Authority cited: Health and Safety Code section 50470, subdivision (d). Reference cited: Health and Safety Code section 50470, subdivision (b)(1)(A).

Section 301. Ineligible Activities

- (a) Activities unrelated to housing production.
- (b) Activities that obstruct or hinder housing production, e.g. moratoriums, downzoning, planning documents with conditional use permits that significantly impact approval certainty and timing, planned development, or other similarly constraining processes.
- (c) The Department may consider proposals that include activities under subdivisions (a) and (b) if a significant housing component is also present and the net effect on accelerating housing production is positive. For example, an applicant may propose combining an open-space designation, downzoning, or anti-displacement measures with by-right upzoning that has a significant net gain in housing capacity.

NOTE: Authority cited: Health and Safety Code section 50470, subdivision (d). Reference cited: Health and Safety Code section 50470, subdivision (b)(1)(A).

Section 302. Eligible Uses

- (a) Grant funds shall be used for the costs of preparing and adopting the proposed activity.
- (b) Program grant funds may not be used for administrative costs of persons employed by the grantee for activities not directly related to the preparation and adoption of the proposed activity.
- (c) A jurisdiction that receives funds under this Program may use a subcontractor. The subcontract shall provide for compliance with all the requirements of the Program. The subcontract shall not relieve the jurisdiction of its responsibilities under the Program.
- (d) Applicants will enter into a State Standard Agreement (Standard Agreement) for distribution of funds. Program grant funds must be spent by the anticipated end of the grant term (June 30, 2022).
- (e) Unless otherwise noted, no costs incurred prior to the execution date of the Standard Agreement may be charged to Program funds. After the contract has been executed by the state, eligible expenditures may be incurred and expended for the project(s) subject to the terms and conditions of the Standard Agreement.

NOTE: Authority cited: Health and Safety Code section 50470, subdivision (d). Reference cited: Health and Safety Code section 50470, subdivision (b)(1)(A).

ARTICLE IV. AWARD AMOUNTS AND DISTRIBUTION

Section 400. Award Amounts

- (a) The minimum award is \$25,000.
- (b) The maximum award amount is a sliding scale based on population estimates from the Department of Finance (DOF) (2018 DOF Population Estimates, E-5), as follows:
 - 1. \$500,000 for large localities (greater than 200,000 people)
 - 2. \$250,000 for medium localities (60,000 to 200,000 people)
 - 3. \$125,000 for small localities (less than 60,000 people)

For a link to the 2018 DOF Population Estimates, E-5, see <http://www.dof.ca.gov/Forecasting/Demographics/Estimates/E-5/>.

- (c) Applicants seeking partnerships with other local governments will be additive. For example, two large localities could submit a proposal for up to \$1,000,000.
- (d) The maximum or minimum award amounts may be adjusted based on the amount collected in the Fund.
- (e) The maximum or minimum awards may be adjusted in the event the Department considers a supplemental round of funding.

NOTE: Authority cited: Health and Safety Code section 50470, subdivision (d). Reference cited: Health and Safety Code section 50470, subdivision (b)(1)(A).

Section 401. Geographic Distribution

- (a) The Department will ensure geographic equity in the distribution and expenditure of funds through marketing, outreach and technical assistance to potential applicants.
- (b) In the event of a supplemental round of funding, the Department will ensure geographic equity through criteria such as minimum set-asides, under-resourced localities, disaster recovery, and location efficient communities (e.g., access to transportation).

NOTE: Authority cited: Health and Safety Code section 50470, subdivision (d). Reference cited: Health and Safety Code section 50470, subdivision (b)(1)(C).

ARTICLE V. APPLICATION REVIEW AND AWARD

Section 500. Application Review

- (a) The Program will not initially utilize a competitive process to award funds. Funds will be available to eligible applicants upon request ("over the counter").
- (b) Funds will be available for an eight-month over-the-counter period, commencing from the date of the NOFA.
- (c) The Department may extend the over-the-counter period.
- (d) Applicants must submit an application to be eligible for funding. An application form will be available upon release of the NOFA and will include forms to demonstrate meeting threshold requirements, a proposed budget and timeline, and a request for letters of support from key stakeholders and decision-makers in the adoption process.
- (e) The Department may request additional information to complete the initial application for funding.

- (f) Applications recommended for funding are subject to conditions specified by the Department. Applicants will receive an official letter of award after the Department approves funding recommendations.
- (g) If funds are not fully awarded at the conclusion of the over-the-counter period, the Department may consider a supplemental funding round.
 - 1. The supplemental funding round will be available to prior applicants and localities that have not submitted a request for funding. The supplemental funding round will either use the initial complete application for funding, a new application where localities have not submitted a request for funding, or a new application and NOFA.
 - 2. Localities that have not submitted a previous request for funding will receive top priority in the supplemental funding round, subject to the minimum and maximum award amounts described in Section 400. All other applicants for the supplemental funding round will be subject to scoring criteria. Scoring criteria will include priority policy areas, under-resourced localities, disaster recovery, and location efficient. A tiebreaker will use factors such as impact on housing supply and affordability, level of housing need, and affirmatively furthering fair housing.
 - 3. The Department may adjust scoring criteria to accommodate changes in conditions and circumstances, such as the results of the initial funding round and equitable geographic distribution.

NOTE: Authority cited: Health and Safety Code section 50470, subdivision (d). Reference cited: Health and Safety Code section 50470, subdivision (b)(1)(A).

ARTICLE VI. ADMINISTRATION

Section 600. Grant Execution and Term

- (a) The Department will notify the grantee if they have been selected for a grant award.
- (b) After the Standard Agreement and attachments have been finalized, the grantee will be provided instructions for signing all required documents. The grantee must submit all supporting materials and a signed Standard Agreement within the timeline provided in the instructions or risk forfeiting the grant award.
- (c) The grant term begins on the day the Department and the grantee have both signed the completed Standard Agreement. The Department will notify the grantee and partners when work may proceed.
- (d) The end of the grant term will be determined by the state based on the availability of grant funds and the administrative requirements for liquidation. The anticipated grant term runs through June 30, 2022.

NOTE: Authority cited: Health and Safety Code section 50470, subdivision (d). Reference cited: Health and Safety Code section 50470, subdivision (b)(1)(A).

Section 601. Payment and Accounting of Grant Funds

- (a) Grant funds cannot be disbursed until the Standard Agreement has been fully executed.
- (b) The grantee will be responsible for compiling and submitting all invoices and reporting documents. Grantees will submit for reimbursements to the Department based on actual cost incurred.
- (c) The grantee must bill the state based on clear deliverables outlined in the Standard Agreement. Only approved and eligible costs incurred for work after the NOFA date, continued past the date of the Standard Agreement and completed during the grant term will be reimbursable. Approved and eligible costs incurred prior to the NOFA date are ineligible.
- (d) Work must be completed prior to requesting reimbursement.
- (e) Grant fund payment will be made on a reimbursement basis; advance payments are not allowed. The grantee and partners must have adequate cash flow to pay all grant-related expenses prior to requesting reimbursement from the Department. Project invoices will be submitted to the Department by the grantee on a quarterly basis.
- (f) In unusual circumstances, the Department may consider alternative arrangements to reimbursement and payment methods based on documentation demonstrating cost burdens, including the inability to pay for work.
- (g) Supporting documentation may include, but is not limited to: purchase orders, receipts, progress payments, subcontractor invoices, time cards, etc.
- (h) Invoices must be accompanied by reporting materials where appropriate. Invoices without the appropriate reporting materials will not be paid. The Department may withhold 10 percent of the grant until grant terms have been fulfilled.

NOTE: Authority cited: Health and Safety Code section 50470, subdivision (d). Reference cited: Health and Safety Code section 50470, subdivision (b)(1)(A).

Section 602. Accounting Records and Audits

- (a) The grantee must establish a separate ledger account for receipts and expenditures of grant funds and maintain expenditure details in accordance with the attached Work Plan and Budget. Separate bank accounts are not required.

- (b) The grantee shall maintain documentation of its normal procurement policy and competitive bid process (including the use of sole source purchasing), and financial records of expenditures incurred during the course of the project in accordance with generally accepted accounting principles.
- (c) The grantee agrees that the state or designated representative shall have the right to review and to copy any records and supporting documentation pertaining to the performance of the Standard Agreement.
- (d) The grantee agrees to maintain such records for possible audit for a minimum of three (3) years after final payment, unless a longer period of records retention is stipulated.
- (e) Subcontractors employed by the grantee and paid with moneys under the terms of this Standard Agreement shall be responsible for maintaining accounting records as specified above.
- (f) At any time during the term of the Standard Agreement, the Department may perform or cause to be performed a financial audit of any and all phases of the award. At the Department's request, the awardee shall provide, at its own expense, a financial audit prepared by a certified public accountant. The State of California has the right to review project documents and conduct audits during project implementation and over the project life.

NOTE: Authority cited: Health and Safety Code section 50470, subdivision (d). Reference cited: Health and Safety Code section 50470, subdivision (b)(1)(A).

Section 603. Remedies of Non-performance

- (a) In the event that it is determined, at the sole discretion of the state, that the grantee is not meeting the terms and conditions of the Standard Agreement, immediately upon receiving a written notice from the Department to stop work, the grantee shall cease all work under the Standard Agreement. The Department has the sole discretion to determine that the grantee meets the terms and conditions after a stop work order, and to deliver a written notice to the grantee to resume work under the Standard Agreement.
- (b) Both the grantee and the Department have the right to terminate the Standard Agreement at any time upon 30 days written notice. The notice shall specify the reason for early termination and may permit the grantee or the Department to rectify any deficiency(ies) prior to the early termination date. The grantee will submit any requested documents to the Department within 30 days of the early termination notice.
- (c) There must be a strong implementation component for the funded activity through this Program, including, where appropriate, agreement by the locality to formally adopt the completed planning document. Localities that do not formally adopt the funded activity could be subject to repayment of the grant.

NOTE: Authority cited: Health and Safety Code section 50470, subdivision (d). Reference cited: Health and Safety Code section 50470, subdivision (b)(1)(A).

Section 604. Reporting

- (a) During the term of the Standard Agreement, and according to the annual deadline identified in the Standard Agreement, the awardee shall submit, upon request of the Department, a performance report that demonstrates satisfaction of all requirements identified in the Standard Agreement.
- (b) Upon completion of all deliverables within the Standard Agreement, the awardee shall submit a close out report. See Attachment 3.

NOTE: Authority cited: Health and Safety Code section 50470, subdivision (d). Reference cited: Health and Safety Code section 50470, subdivision (b).

ARTICLE VII. TECHNICAL ASSISTANCE

Section 700. Method

- (a) Five percent of the SB 2 planning funds will be available for the Department and the Governor's Office of Planning and Research (OPR) to provide technical assistance to localities requesting grant funds to update planning documents, zoning ordinances, environmental analyses, or local processes to meet the objectives of the Program.
- (b) Technical assistance provided by the Department and OPR to localities will include at least three phases, including assistance in meeting threshold requirements, providing tools, models and best practices to supplement proposed activities related to accelerating housing production, and direct assistance to applicants.
- (c) The Department will coordinate with OPR on technical assistance related to the SB 2 planning funds.
- (d) With minor exceptions and accounting for equitable geographic distribution, technical assistance will be used on priority policy areas.
- (e) Technical assistance will incorporate the Department's responsibility to affirmatively further fair housing.

NOTE: Authority cited: Health and Safety Code section 50470, subdivision (d). Reference cited: Health and Safety Code section 50470, subdivision (b)(1)(A).

Section 701. Geographic Distribution

- (a) The Department will prioritize geographic distribution in the provision of technical assistance to potential applicants.
- (b) Geographic distribution considerations include minimum set-asides, under-resourced localities, disaster recovery, or location efficiency (e.g., access to jobs and a variety of transportation modes).

NOTE: Authority cited: Health and Safety Code section 50470, subdivision (d). Reference cited: Health and Safety Code section 50470, subdivision (b)(1)(A).

Attachment 1
Nexus to Accelerating Housing Production
Form
(Only for proposals not using the priority policy
areas)

Locality: _____

Planned Activity: _____

Applicants shall demonstrate how the application includes a nexus to accelerating housing production. Applicants selecting priority policy areas are automatically deemed to demonstrate a nexus to accelerating housing production and do not need to complete this form. Please complete the following chart by providing information about the current conditions and expected outcomes with respect to the planned activity and housing production.

Application Nexus to Accelerating Housing Production				
Type (Select At least One)	Baseline*	Projected**	Difference***	Additional notes
Timing (e.g., reduced number of days of processing)				
Development cost (e.g., land, fees, financing, construction costs per unit)				
Approval certainty and reduction in discretionary review (e.g., prior versus proposed standard and level of discretion)				
Entitlement streamlining (e.g., number of approvals)				
Feasibility of development				
Infrastructure Capacity (e.g, number of units)				
Impact on housing supply and affordability (e.g., number of units)				
Other				
<small>* Baseline – Current conditions in the jurisdiction (e.g. 6-month development application review) **Projected – Expected conditions in the jurisdiction because of the planning grant actions (e.g. 2-month development application review) ***Difference – Potential change resulting from the planning grant actions (e.g., 4-month acceleration in permitting, creating a more expedient development process)</small>				

Attachment 2

State Planning and Other Planning Priorities Form

Locality: _____

Applicants shall report on meeting state objectives by showing activities completed prior to application submittal in one or more of the State Planning Priorities (i.e., Infill and Equity, Resource Protection, Efficient Development Patterns) or Other Planning Priorities (i.e., Affordability, Conservation, Climate Change)

Please select one or more of the areas in the following chart by marking X in the completed box and describe the action and completion date.

STATE PLANNING PRIORITIES (Select one or more)		
Action	Completed	Describe Action and Completion Date
Promote Infill and Equity		
Rehabilitating, maintaining, and improving existing infrastructure that supports infill development and appropriate reuse and redevelopment of previously developed, underutilized land that is presently served by transit, streets, water, sewer, and other essential services, particularly in underserved areas.		
Seek or utilize funding or support strategies to facilitate opportunities for infill development.		
Other (describe how this meets subarea objective)		
Promote Resource Protection		
Protecting, preserving, and enhancing the state's most valuable natural resources, including working landscapes such as farm, range, and forest lands; natural lands such as wetlands, watersheds, wildlife habitats, and other wildlands; recreation lands such as parks, trails, greenbelts, and other open space; and landscapes with locally unique features and areas identified by the state as deserving special protection.		

Actively seek a variety of funding opportunities to promote resource protection in underserved communities.		
Other (describe how this meets subarea objective)		
Encourage Efficient Development Patterns		
<p>Ensuring that any infrastructure associated with development, other than infill development, supports new development that does the following:</p> <ul style="list-style-type: none"> (1) Uses land efficiently. (2) Is built adjacent to existing developed areas to the extent consistent with environmental protection. (3) Is located in an area appropriately planned for growth. (4) Is served by adequate transportation and other essential utilities and services. (5) Minimizes ongoing costs to taxpayers. 		
Other (describe how this meets subarea objective)		

OTHER PLANNING PRIORITIES
(Select one or more)

Action	Completed	Describe Action and Completion Date
Affordability and Housing Choices		
Incentives and other mechanisms beyond State Density Bonus Law to encourage housing with affordability terms.		
Efforts beyond state law to promote accessory dwelling units or other strategies to intensify single-family neighborhoods with more housing choices and affordability.		
Upzoning or other zoning modifications to promote a variety of housing choices and densities.		
Utilizing surplus lands to promote affordable housing choices.		
Efforts to address infrastructure deficiencies in disadvantaged communities pursuant to Government Code Section 65302.10.		
Other (describe how this meets subarea objective)		
Conservation of Existing Affordable Housing Stock		
Policies, programs or ordinances to conserve stock such as an at-risk preservation ordinance, mobilehome park overlay zone, condominium conversion ordinance and acquisition and rehabilitation of market rate housing programs.		
Policies, programs and ordinances to protect and support tenants such as rent stabilization, anti-displacement strategies, first right of refusal policies, resources to assist tenant organization and education and "just cause" eviction policies.		
Other (describe how this meets subarea objective)		

Climate Adaptation		
Building standards, zoning and site planning requirements that address flood and fire safety, climate adaptation and hazard mitigation.		
Long-term planning that addresses wildfire, land use for disadvantaged communities, and flood and local hazard mitigation.		
Community engagement that provides information and consultation through a variety of methods such as meetings, workshops, and surveys and that focuses on vulnerable populations (e.g., seniors, people with disabilities, homeless, etc.).		
Other (describe how this meets subarea objective)		

I certify under penalty of perjury that all of the information contained in this SB 2 Planning Grants State Planning and Other Planning Priorities Form is true and correct.

Certifying official's name: _____

Certifying official's title: _____

Certification date: _____

Certifying official's signature: _____

Attachment 3

Close Out Reporting Form

SB 2 Planning Close Out Reporting Template

Brief Summary

- Overview of the project
- Project start date and duration
- Project goals and relevance to SB 2 Planning Grants Program goals
- Outcomes

Lead Agency and Partnerships

- List lead agency and partnerships (including names, titles, organizations, and roles and responsibilities of each)
- What did those collaborative relationships and processes look like?

Drivers

- Did any local, state, or federal legislation or mandates drive the project? (SB 35, AB 1397, etc.)
- Was it a community driven effort?
- Were there additional funding opportunities present?

Engagement Process

- Who were your stakeholders?
- What did the engagement process look like?
- What role did stakeholders play in the process? (Keep in mind: training, education, council formation, technical assistance, etc.)
- What were the outcomes of the engagement process?

Challenges

- What challenges were encountered?
- What solutions were encountered or created?
- Are there areas for improvement of policy alignment at the state or federal level to help achieve this project more easily?

Outcomes

- What are the current or projected outcomes? Benefits?
- Were outcomes as anticipated?
- Have new opportunities arisen as a result of this project?
- What are the next steps?

SB 2 Planning Close Out Reporting Template

Replicability

- What aspects of the project could be replicated in other communities?
- Useful resources and tools? For a specific region or sector?

Additional Resources

- Links to the project itself
- Links to resources used throughout and any other relevant resources

Further Information

- Who can be reached to ask more questions about this project?
 - o Name
 - o Number and/or email

ATTACHMENT C

SENATE BILL NO. 2



Senate Bill No. 2

CHAPTER 364

An act to add Section 27388.1 to the Government Code, and to add Chapter 2.5 (commencing with Section 50470) to Part 2 of Division 31 of the Health and Safety Code, relating to housing, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor September 29, 2017. Filed with
Secretary of State September 29, 2017.]

LEGISLATIVE COUNSEL'S DIGEST

SB 2, Atkins. Building Homes and Jobs Act.

Under existing law, there are programs providing assistance for, among other things, emergency housing, multifamily housing, farmworker housing, home ownership for very low and low-income households, and downpayment assistance for first-time home buyers. Existing law also authorizes the issuance of bonds in specified amounts pursuant to the State General Obligation Bond Law. Existing law requires that proceeds from the sale of these bonds be used to finance various existing housing programs, capital outlay related to infill development, brownfield cleanup that promotes infill development, and housing-related parks.

This bill would enact the Building Homes and Jobs Act. The bill would make legislative findings and declarations relating to the need to establish permanent, ongoing sources of funding dedicated to affordable housing development. The bill would impose a fee, except as provided, of \$75 to be paid at the time of the recording of every real estate instrument, paper, or notice required or permitted by law to be recorded, per each single transaction per single parcel of real property, not to exceed \$225. By imposing new duties on counties with respect to the imposition of the recording fee, the bill would create a state-mandated local program. The bill would require that a county recorder quarterly send revenues from this fee, after deduction of any actual and necessary administrative costs incurred by the county recorder, to the Controller for deposit in the Building Homes and Jobs Fund, which the bill would create within the State Treasury.

The bill would, upon appropriation by the Legislature, except as provided, require (1) for moneys collected on and after January 1, 2018, and until December 31, 2018, that 50% of the moneys deposited in the fund be made available to local governments for specified purposes, and 50% made available to the Department of Housing and Community Development to assist persons experiencing or at risk of homelessness, and (2) for moneys collected on and after January 1, 2019, that 70% of the moneys deposited in the fund be provided to local governments in accordance with a specified formula and 30% made available to the department for specified purposes,

including a continuous appropriation of moneys to the California Housing Finance Agency for the purpose of creating mixed income multifamily residential housing for lower to moderate income households, as provided. The bill would also provide that funds allocated to a local government that does not have a documented plan to expend certain moneys allocated to it within 5 years would revert and be deposited in the Housing Rehabilitation Loan Fund, to be used for specified purposes. By continuously appropriating moneys for use by the California Housing Finance Agency, this bill would make an appropriation. The bill would require that 20% of all moneys in the fund be expended for affordable owner-occupied workforce housing, and that moneys in the fund allocated to local governments be expended to support affordable housing, home ownership opportunities, and other housing-related programs, as specified. The bill would impose certain auditing and reporting requirements.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

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

Appropriation: yes.

The people of the State of California do enact as follows:

SECTION 1. This act shall be known as the Building Homes and Jobs Act.

SEC. 2. (a) The Legislature finds and declares that having a healthy housing market that provides an adequate supply of homes affordable to Californians at all income levels is critical to the economic prosperity and quality of life in the state.

(b) The Legislature further finds and declares all of the following:

(1) Funding approved by the state's voters in 2002 and 2006, as of June 2015, has financed the construction, rehabilitation, and preservation of over 14,000 shelter spaces and 245,000 affordable homes. These numbers include thousands of supportive homes for people experiencing homelessness. In addition, these funds have helped tens of thousands of families become or remain homeowners. Nearly all of the voter-approved funding for affordable housing has been awarded.

(2) The requirement in the Community Redevelopment Law that redevelopment agencies set aside 20 percent of tax increment for affordable housing generated roughly \$1 billion per year. With the elimination of redevelopment agencies, this funding stream has disappeared.

(3) In 2014, the Legislature committed 10 percent of ongoing cap-and-trade funds for affordable housing that reduces greenhouse gas emissions and dedicated \$100 million in one-time funding for affordable

multifamily and permanent supportive housing. In addition, the people of California thoughtfully approved the repurposing of \$600 million in already committed bond funds for the creation of affordable rental and permanent supportive housing for veterans through the passage of Proposition 41.

(4) In 2015, the Legislature approved \$2 billion in revenue bonds for the construction and rehabilitation of permanent supportive housing for homeless individuals with mental illness through the “No Place Like Home” initiative and increased funding for the CalWORKs Housing Support Program to \$47 million per year. Another \$45 million was directed to Emergency Solutions Grants to fund rapid rehousing, outreach, shelters, and homeless prevention and \$10 million was provided to reduce homelessness among families who are part of the child welfare system.

(5) Despite these investments, the need for affordable housing in the State of California greatly exceeds the available resources, demonstrated by the Public Policy Institute of California finding that, as of January 2016, 31.5 percent of mortgaged homeowners and 47 percent of all renters are spending more than 35 percent of their household incomes on housing.

(6) California has 12 percent of the United States population, but 20 percent of its homeless population. California has the highest percentage of unsheltered homeless in the nation, with 64 percent of homeless Californians not having shelter. California has 24 percent of the nation’s homeless veterans population and one-third of the nation’s chronically homeless population. California also has the largest population of unaccompanied homeless children and youth, with 28 percent of the national total.

(7) Furthermore, four of the top 10 metropolitan areas in the country with the highest rate of homelessness are in the following metropolitan areas in California: San Jose-Sunnyvale-Santa Clara, Los Angeles-Long Beach-Santa Ana, Fresno, and Stockton.

(8) California continues to have the second lowest homeownership rate in the nation, and the Los Angeles metropolitan area is now a majority renter area. In fact, five of the eight lowest homeownership rates are in metropolitan areas in California.

(9) Los Angeles and Orange Counties have been identified as the epicenter of overcrowded housing, and numerous studies have shown that children in crowded homes have poorer health, worse scores on mathematics and reading tests, and higher rates of depression and behavioral problems—even when poverty is taken into account.

(10) Millions of Californians are affected by the state’s chronic housing shortage, including seniors, veterans, people experiencing chronic homelessness, working families, people with mental, physical, or developmental disabilities, agricultural workers, people exiting jails, prisons, and other state institutions, survivors of domestic violence, and former foster and transition-aged youth.

(11) California has 109 federally recognized tribes and 723,000 residents with Native American ancestry, the largest number of tribes and residents in the United States. Due to historic dislocation and lack of housing choices,

most do not live on tribal lands and those who do live in severely substandard, overcrowded homes lacking quality water and sewer services at rates greater than the general population.

(12) Low rates of teacher recruitment and retention have been exacerbated by many factors, including housing. In high housing cost areas, low teacher recruitment and retention rates are largely a consequence of salaries insufficient to cover housing costs. In rural areas, rental housing is often unavailable. In both instances, the long commute faced by teachers and other classified employees further pushes school employees to leave their position or the profession entirely. School employee housing provides a tool that school districts can use to recruit and retain qualified teachers.

(13) Eight of the top 10 hardest hit cities by the foreclosure crisis in the nation were in California. They include the Cities of Stockton, Modesto, Vallejo, Riverside, San Bernardino, Merced, Bakersfield, and Sacramento.

(14) California's workforce continues to experience longer commute times as persons in the workforce seek affordable housing outside the areas in which they work. If California is unable to support the construction of affordable housing in these areas, congestion problems will strain the state's transportation system and exacerbate greenhouse gas emissions.

(15) Many economists agree that the state's higher than average unemployment rate is due in large part to massive shrinkage in the construction industry from 2005 to 2009, including losses of nearly 700,000 construction-related jobs, a 60-percent decline in construction spending, and an 83-percent reduction in residential permits. Restoration of a healthy construction sector will significantly reduce the state's unemployment rate.

(16) The lack of sufficient housing impedes economic growth and development by making it difficult for California employers to attract and retain employees.

(17) To keep pace with continuing demand, the state should identify and establish a permanent, ongoing source or sources of funding dedicated to affordable housing development. Without a reliable source of funding for housing affordable to the state's workforce and most vulnerable residents, the state and its local and private housing development partners will not be able to continue increasing the supply of housing after existing housing bond resources are depleted.

(18) The investment will leverage billions of dollars in private investment, lessen demands on law enforcement and dwindling health care resources as fewer people are forced to live on the streets or in dangerous substandard buildings, and increase businesses' ability to attract and retain skilled workers.

(19) In order to promote housing and homeownership opportunities, the recording fee imposed by this act shall not be applied to any recording made in connection with a sale of real property. Purchasing a home is likely the largest purchase made by Californians, and it is the intent of this act to not increase transaction costs associated with these transfers.

SEC. 3. Section 27388.1 is added to the Government Code, to read:

27388.1. (a) (1) Commencing January 1, 2018, and except as provided in paragraph (2), in addition to any other recording fees specified in this code, a fee of seventy-five dollars (\$75) shall be paid at the time of recording of every real estate instrument, paper, or notice required or permitted by law to be recorded, except those expressly exempted from payment of recording fees, per each single transaction per parcel of real property. The fee imposed by this section shall not exceed two hundred twenty-five dollars (\$225). “Real estate instrument, paper, or notice” means a document relating to real property, including, but not limited to, the following: deed, grant deed, trustee’s deed, deed of trust, reconveyance, quit claim deed, fictitious deed of trust, assignment of deed of trust, request for notice of default, abstract of judgment, subordination agreement, declaration of homestead, abandonment of homestead, notice of default, release or discharge, easement, notice of trustee sale, notice of completion, UCC financing statement, mechanic’s lien, maps, and covenants, conditions, and restrictions.

(2) The fee described in paragraph (1) shall not be imposed on any real estate instrument, paper, or notice recorded in connection with a transfer subject to the imposition of a documentary transfer tax as defined in Section 11911 of the Revenue and Taxation Code or on any real estate instrument, paper, or notice recorded in connection with a transfer of real property that is a residential dwelling to an owner-occupier.

(b) The county recorder shall remit quarterly, on or before the last day of the month next succeeding each calendar quarterly period, the fees, after deduction of any actual and necessary administrative costs incurred by the county recorder in carrying out this section, to the Controller for deposit in the Building Homes and Jobs Trust Fund established by Section 50470 of the Health and Safety Code, to be expended for the purposes set forth in that section. In addition, the county shall pay to the Controller interest, at the legal rate, on any funds not paid to the Controller before the last day of the month next succeeding each quarterly period.

(c) If the Department of Housing and Community Development determines that any moneys derived from fees collected are being allocated by the state for a purpose not authorized by Section 50470 of the Health and Safety Code, the county recorder shall, upon notice of the determination, immediately cease collection of the fees, and shall resume collection of those fees only upon notice that the moneys derived from the fees collected are being allocated by the state only for a purpose authorized by Section 50470 of the Health and Safety Code.

SEC. 4. Chapter 2.5 (commencing with Section 50470) is added to Part 2 of Division 31 of the Health and Safety Code, to read:

CHAPTER 2.5. BUILDING HOMES AND JOBS ACT

Article 1. General Provisions

50470. (a) (1) There is hereby created in the State Treasury the Building Homes and Jobs Trust Fund. All interest or other increments resulting from the investment of moneys in the fund shall be deposited in the fund, notwithstanding Section 16305.7 of the Government Code.

(2) Moneys in the Building Homes and Jobs Trust Fund shall not be subject to transfer to any other fund pursuant to any provision of Part 2 (commencing with Section 16300) of Division 4 of Title 2 of the Government Code, except to the Surplus Money Investment Fund.

(b) Moneys in the Building Homes and Jobs Trust Fund shall be appropriated either through the annual Budget Act, or as provided in this subdivision, in accordance with the following:

(1) Moneys collected on and after January 1, 2018, and until December 31, 2018, shall, upon appropriation by the Legislature, be allocated as follows:

(A) Fifty percent of deposits into the fund shall be made available for local governments to update planning documents and zoning ordinances in order to streamline housing production, including, but not limited to, general plans, community plans, specific plans, sustainable communities strategies, and local coastal programs. Eligible uses also include new environmental analyses that eliminate the need for project-specific review and local process updates that improve and expedite local permitting.

(i) Five percent of the funds specified by this subparagraph shall be available for technical assistance to jurisdictions updating specified planning documents. Technical assistance shall be provided by the department and the Governor's Office of Planning and Research.

(ii) The funds to be allocated pursuant to this subparagraph shall be held by the department until a local government submits a request for use. The request shall include a description of the proposed use of the funds in the interest of accelerating housing production. The proposed use of these funds shall be included in the local government's funding plan and annual reports pursuant to subclauses (II) and (III) of clause (ii) of subparagraph (B) of paragraph (2). Any of these funds not allocated by the department within the first two years that those funds are available shall be made available by the department for the Multifamily Housing Program (Chapter 6.7 (commencing with Section 50675)).

(B) Fifty percent of deposits into the fund shall be made available to the department to assist persons experiencing or at risk of homelessness, including, but not limited to, providing rapid rehousing, rental assistance, navigation centers, and the new construction, rehabilitation, and preservation of permanent and transitional rental housing.

(C) The department shall ensure geographic equity in the distribution and expenditure of funds allocated pursuant to this paragraph.

(2) Moneys collected on and after January 1, 2019, shall be allocated as follows:

(A) Twenty percent of all moneys in the fund shall, upon appropriation by the Legislature, be expended for affordable owner-occupied workforce housing.

(B) (i) Seventy percent of moneys deposited in the fund shall, upon appropriation by the Legislature, be made available to local governments as follows:

(I) Ninety percent of the moneys specified in this subparagraph shall be allocated based on the formula specified in Section 5306 of Title 42 of the United States Code, in accordance with the distribution of funds pursuant to that formula for the federal Fiscal Year 2017, except that the portion allocated to nonentitlement areas pursuant to that section shall be distributed through a competitive grant program, administered by the department, as follows:

(ia) The department shall award priority points to a county that has a population of 200,000 or less within the unincorporated areas of the county, to a local government that did not receive an award based on the formula specified in Section 5306 of Title 42 of the United States Code in 2016, and to a local government that pledges to use the money awarded pursuant to a competitive grant under this subclause to assist persons experiencing or at risk of homelessness, including, but not limited to, providing rapid rehousing, rental assistance, navigation centers, and the new construction, rehabilitation, and preservation of permanent and transitional rental housing.

(ib) Moneys awarded to a local government pursuant to the competitive grant program shall be used for the purposes specified in subparagraph (D).

(II) The remaining 10 percent of the moneys specified in this subparagraph shall be allocated equitably among local jurisdictions that are nonentitlement areas pursuant to the formula specified in Section 5306 of Title 42 of the United States Code for federal Fiscal Year 2017.

(ii) To receive moneys pursuant to this subparagraph, local governments shall document minimum standards including the following:

(I) Submit a plan to the department detailing the manner in which allocated funds will be used by the local government in a manner consistent with this paragraph and to meet the local government's unmet share of the regional housing needs allocation.

(II) Have a compliant housing element with the state and submit a current annual report pursuant to Section 65400 of the Government Code.

(III) Submit an annual report to the department that provides ongoing tracking of the uses and expenditures of any allocated funds.

(IV) Funds may be expended for the uses listed in subparagraph (D). Two or more local governments that receive an allocation pursuant to this subparagraph may expend those moneys on a joint project that is an authorized use under subparagraph (D).

(V) Prioritize investments that increase the supply of housing to households that are at or below 60 percent of area median income, adjusted for household size.

(VI) If a local government does not have a documented plan to expend the moneys allocated to it pursuant to this subparagraph within five years of that allocation, those moneys shall be exempt from the allocation requirements in this paragraph and shall revert to, and be paid and deposited in, the Housing Rehabilitation Loan Fund established pursuant to Section 50661 to be used for the Multifamily Housing Program (Chapter 6.7 (commencing with Section 50675)) or for technical assistance for local governments.

(VII) A local government may petition the department to return any moneys allocated to it pursuant to this subparagraph. Any moneys returned pursuant to this clause shall be used for the Multifamily Housing Program (Chapter 6.7 (commencing with Section 50675)).

(C) Thirty percent of moneys deposited in the fund shall be made available to the department for use as follows:

(i) Five percent of the moneys deposited in the fund shall, upon appropriation by the Legislature, be used for state incentive programs, including loans and grants administered by the department. If the department receives insufficient funding applications for incentive programs financed pursuant to this clause, the department shall make those funds available for the Multifamily Housing Program (Chapter 6.7 (commencing with Section 50675)).

(ii) Ten percent of the moneys deposited in the fund shall, upon appropriation by the Legislature, be used to address affordable homeownership and rental housing opportunities for agricultural workers and their families.

(iii) Fifteen percent of the moneys deposited in the fund shall, notwithstanding any other provision of this section or Section 13340 of the Government Code, be continuously appropriated to the California Housing Finance Agency for the purpose of creating mixed income multifamily residential housing for lower to moderate income households pursuant to Chapter 6.7 (commencing with Section 51325) of Part 3.

(D) The moneys in the fund allocated to local governments may be expended for the following purposes:

(i) The predevelopment, development, acquisition, rehabilitation, and preservation of multifamily, residential live-work, rental housing that is affordable to extremely low, very low, low-, and moderate-income households, including necessary operating subsidies.

(ii) Affordable rental and ownership housing that meets the needs of a growing workforce earning up to 120 percent of area median income, or 150 percent of area median income in high-cost areas.

(iii) Matching portions of funds placed into local or regional housing trust funds.

(iv) Matching portions of funds available through the Low and Moderate Income Housing Asset Fund pursuant to subdivision (d) of Section 34176 of the Health and Safety Code.

(v) Capitalized reserves for services connected to the creation of new permanent supportive housing, including, but not limited to, developments

funded through the Veterans Housing and Homelessness Prevention Bond Act of 2014.

(vi) Assisting persons who are experiencing or at risk of homelessness, including providing rapid rehousing, rental assistance, navigation centers, emergency shelters, and the new construction, rehabilitation, and preservation of permanent and transitional housing.

(vii) Accessibility modifications.

(viii) Efforts to acquire and rehabilitate foreclosed or vacant homes.

(ix) Homeownership opportunities, including, but not limited to, downpayment assistance.

(x) Fiscal incentives or matching funds to local agencies that approve new housing for extremely low, very low, low-, and moderate-income households.

(3) A state or local entity that receives an appropriation or allocation pursuant to this chapter shall use no more than 5 percent of that appropriation or allocation for costs related to the administration of the housing program for which the appropriation or allocation was made.

(c) Both of the following shall be paid and deposited in the fund:

(1) Any moneys appropriated and made available by the Legislature for purposes of the fund.

(2) Any other moneys that may be made available to the department for the purposes of the fund from any other source or sources.

(d) In consultation with stakeholders, the department may adopt guidelines to implement this section, including to determine allocation methodologies. Any guideline, rule, policy, or standard of general application employed by the department in implementing this chapter shall not be subject to the requirements of the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code).

50470.5. For purposes of this chapter:

(a) "Department" means the Department of Housing and Community Development.

(b) "Local government" means any city, county, or city and county.

50471. The department and the California Housing Finance Agency shall report on the expenditure of funds pursuant to this chapter in accordance with Sections 50408 and 51005, respectively.

Article 2. Audits and Reporting

50475. (a) The Office of State Audits and Evaluation may conduct periodic audits to ensure that the annual allocation to individual programs is awarded by the department in a timely fashion consistent with the requirements of this chapter.

(b) The department shall reimburse the Office of State Audits and Evaluation for the actual costs of audit work performed pursuant to this section.

SEC. 5. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because a local agency or school district has the authority to levy service charges, fees, or assessments sufficient to pay for the program or level of service mandated by this act, within the meaning of Section 17556 of the Government Code.

SEC. 6. 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 provide affordable housing opportunities at the earliest possible time, it is necessary for this act to take effect immediately.



CITY OF LAWDALE

14717 BURIN AVENUE, LAWDALE, CALIFORNIA 90260
PHONE (310) 973-3200 ♦ www.lawndalecity.org

DATE: November 4th, 2019

TO: Honorable Mayor and City Council

FROM: Stephen N. Mandoki, Interim City Manager 

REVIEWED BY: Sean M. Moore, AICP, Community Development Director 

PREPARED BY: Jared Chavez, Associate Planner 

SUBJECT: **CASE NO. 18-15: CONSIDERATION OF PROPOSED RESIDENTIAL DEVELOPMENT STANDARDS AND DESIGN GUIDELINES; AND A FINDING OF EXEMPTION FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT**

BACKGROUND

Staff has prepared draft Residential Development Standards and Design Guidelines (the "Guidelines") for consideration by the public, the Planning Commission, and City Council. The objective of the Guidelines is to improve the quality of life throughout the City's residential neighborhoods. The proposed draft guidelines are intended to achieve the following:

- *Help improve the quality of residential development;*
- *Ensure that new development is compatible in mass, scale, and other design features with surrounding developments; and*
- *Assist residents, property owners, developers and designers in understanding and implementing the principles contained in this document to enhance the City's residential neighborhoods.*

These proposed Guidelines contain both residential development standards and design guidelines. They provide a comprehensive overview of the design guidelines required to be implemented in any proposed future residential development, including certain modifications of existing residential structures. The Guidelines are intended to work in conjunction with the development standards and are meant to offer incentives and ideas that will help improve building form and accommodate attractive design alternatives throughout the residential areas in the City.

The goal of these development standards and design guidelines is to encourage creative solutions for improved building form and offer a variety of architectural styles consistent with the overall intent of ensuring architectural compatibility within the City's neighborhoods.

PUBLIC OUTREACH

The first draft of the Guidelines were presented for review at the Planning Commission as follows:

- **June 26, 2019:** *The draft Guidelines were brought to the Commission for public and Planning Commission input, with a 30 day continuance to allow staff to make revisions and bring the Guidelines back for further review and additional comments. The Guidelines were noticed on June 15, 2019;*
- **July 24, 2019:** *The draft Guidelines were revised and a second draft was brought to the Planning Commission for public input at a hearing, as a continued item. Some additional public comments were received and incorporated into the draft as well as comments from the Commissioners; and*
- **September 11, 2019:** *The final draft Guidelines were publicly noticed and brought back to the Commission for final review. Final comments were received and revisions were made.*

The draft Guidelines were out for public comment for a total of 76 days and were publicly noticed before the Planning Commission recommended forwarding the Guidelines to City Council for consideration. All comments received from the public and the Planning Commission were made part of the draft Guidelines being presented to the City Council at this time.

SUMMARY:

The proposed Guidelines are divided into Sections I, II, III, and IV which include development standards for single family and multi-family developments, as well as, design guidelines for these respective development types. The proposed Guidelines include examples of the following:

- **Building heights;**
- **Setbacks;**
- **Parking;**
- **Lot Coverage; and**
- **Wall and Fences.**

The Guidelines also address architectural design features such as building mass and bulk, roof articulation, garage placement, landscaping, and walls and fences. Staff endeavored to make the Guidelines consistent with comments from the Planning Commission and City Council on residential projects over the last several years. At this time, staff is seeking input, comments, amendments, recommendations from the City Council and the public on the proposed Guidelines. If the City Council does not believe further revisions of the Guidelines are needed at this time, the City Council may approve Resolution CC-1911-052 to adopt the Guidelines. Once adopted the Guidelines will be posted on the City's website.

ENVIRONMENTAL ASSESSMENT

The adoption of the Guidelines is an activity that is exempt from the California Environmental Quality Act (CEQA) under Section 15061(b)(3) of the CEQA Guidelines, which provides that CEQA only applies to projects that have the potential for causing a significant effect on the environment. If it can

be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, then the activity is not subject to CEQA. Where, as here, it is certain that the administrative act of adopting the Guidelines will not have a significant, or any, impact on the environment, this is not a project subject to CEQA. Moreover, the future development projects subject to the adopted Guidelines will themselves be subject to CEQA.

COMMISSION REVIEW

At a public hearing on September 11, 2019, the Planning Commission adopted Resolution No. 19-12, recommending that the City Council adopt the Residential Development Standards and Design Guidelines.

LEGAL REVIEW

The City Attorney's office has reviewed and approved Resolution No. CC-1911-052 as to form.

FISCAL IMPACT

Not Applicable

RECOMMENDATION

It is recommended that the City Council:

1. Determine that the adoption of the Guidelines is categorically exempt from the California Environmental Quality Act pursuant to Section 15061(b)(3) of the CEQA Guidelines; and
2. Adopt Resolution No. 1911-052 approving the Residential Development Standards and Design Guidelines.

ATTACHMENTS:

- A. PC Resolution No. 19-12
- B. CC Resolution No. CC-1911-052
- C. Residential Development Standards And Design Guidelines

ATTACHMENT A

PC Resolution No. 19-12

RESOLUTION NO. 19-12

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LAWNSDALE, CALIFORNIA DIRECTING STAFF TO FORWARD THE RESIDENTIAL DEVELOPMENT STANDARDS AND DESIGN GUIDELINES TO THE CITY COUNCIL FOR ITS REVIEW AND CONSIDERATION

WHEREAS, the City of Lawndale ("City") has prepared a draft Residential Development Standards and Design Guidelines (Guidelines) to improve the quality of life throughout the City's residential neighborhoods; and

WHEREAS, the Guidelines are intended to, help improve the quality of residential development; and

WHEREAS, the Guidelines shall ensure that new development is compatible in mass, scale and other design features with surrounding development; and

WHEREAS, the Guidelines shall assist residents, property owners, developers and designers in understanding and implementing the principles contained in this document to enhance the City's residential neighborhoods; and

WHEREAS, the proposed draft Guidelines were publicly noticed to the Planning Commission for Planning Commission and public comment on June 16, 2019; and

WHEREAS, the Guidelines were continued three (3) times for a period of thirty (30) days to allow enough time for public input.

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF LAWNSDALE, CALIFORNIA DOES HEREBY RESOLVE AND RECOMMEND AS FOLLOWS:

Section 1. The Planning Commission finds and determines that the recitals above are true and correct.

Section 2. The proposed Guidelines are intended to work in conjunction with the development standards.

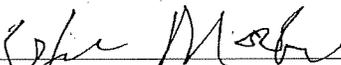
Section 3. The proposed Guidelines are meant to offer incentives and ideas that will help improve building form and accommodate attractive design alternatives throughout the residential areas in the City.

Section 4. That the City Council find that the Design Guidelines are exempt from the requirements of the California Environmental Quality Act ("CEQA") under the general rule of CEQA Guidelines, Section 15061(b)(3), in that there is no possibility that the Guidelines may have a significant negative physical impact on the environment.

Section 5. The Planning Commission proposes that the guidelines be reviewed and revised every five years, from the day of adoption, to ensure that the guidelines continue to promote attractive design alternatives, improve building form, and work in conjunction with development standards.

Section 6. The Planning Commission proposes that the guidelines be translated into Spanish to provide additional accessibility for residents and the public when using or referring to the guidelines. The Planning Commission also proposes to translate the guidelines in other languages when the need is evident and when it is financially feasible.

PASSED, APPROVED AND ADOPTED THIS 11TH DAY OF SEPTEMBER, 2019



Uffe Moller, Chairperson
Lawndale Planning Commission

ATTEST

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS
CITY OF LAWNSDALE)

I, Sean M. Moore, AICP, Community Development Director for the City of Lawndale, California, do hereby certify that the foregoing **Resolution No. 19-12** was duly approved and adopted by the Planning Commission of the City of Lawndale at a regular meeting of said Commission held on the **11^h day of September, 2019** by the following roll call vote:

AYES: **Moller, Martinez, Cuevas, Smith, Rose-Pryor**
NOES:
ABSENT:
ABSTAINED:



Sean M. Moore, AICP
Community Development Director

ATTACHMENT B

CC Resolution No. CC-1911-052

RESOLUTION NO. CC-1911-052

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
LAWNDALE, CALIFORNIA ADOPTING RESIDENTIAL
DEVELOPMENT STANDARDS AND DESIGN GUIDELINES AND
RECOMMENDING A FINDING OF AN EXEMPTION FROM CEQA.**

WHEREAS, the City of Lawndale has prepared (“City”) Residential Development Standards and Design Guidelines (“Guidelines”) to improve the quality of life throughout the City’s residential neighborhoods by improving the quality of residential development; and

WHEREAS, the Guidelines will ensure that residential development is compatible in mass, scale, and other design features with surrounding development; and

WHEREAS, the easy to understand and illustrated Guidelines will assist residents, property owners, developers and designers in understanding and implementing the principles contained in the Guidelines to enhance the City’s residential neighborhoods; and

WHEREAS, on September 11, 2019 the Planning Commission held its third public hearing to review the Guidelines and recommended that the City Council adopt the Guidelines; and

WHEREAS, evidence was heard and presented from all persons interested in affecting said proposal, from all persons protesting the same and from members of the City staff, and the City Council has reviewed, analyzed, and studied said proposal.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAWNDALE, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. The City Council finds and determines that the recitals above are true and correct and incorporated herein by this reference.

SECTION 2. The Residential Development Standards and Design Guidelines, attached hereto and incorporated herein as “Attachment 1” are hereby approved and adopted as the City’s Guidelines.

SECTION 3. The City Council does hereby determine that the Guidelines are exempt from the California Environmental Quality Act (“CEQA”) under Section 15061(b)(3) of the CEQA Guidelines, which provides that CEQA only applies to projects that have the potential for causing a significant effect on the environment. Where, as here, it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.

SECTION 4. This Resolution shall take effect from and after the date of passage and adoption.

PASSED, APPROVED, AND ADOPTED this 4th day of November, 2019.

Robert Pullen-Miles, Mayor

ATTEST:

State of California)
County of Los Angeles) SS
City of Lawndale)

I, Rhonda Hofmann Gorman, City Clerk of the City of Lawndale, California, do hereby certify that the City Council of the City of Lawndale duly approved and adopted the foregoing Resolution No. 1911-052 at its regular meeting held on the 4th day of November, 2019, by the following roll call vote:

Name	Voting		Present, Not Voting		Absent
	Aye	No	Abstain	Not Participating	
Robert Pullen-Miles, Mayor					
James H. Osborne, Mayor Pro Tem					
Pat Kearny					
Daniel Reid					
Bernadette Suarez					

Rhonda Hofmann Gorman, City Clerk

APPROVED AS TO FORM:

Tiffany J. Israel, City Attorney

ATTACHMENT C

Residential Development Standards and Design Guidelines

City of Lawndale

Residential Development Standards and Design Guidelines



**Sean M. Moore, AICP
Community Development Director
14717 Burin Avenue
Lawndale, California 90260**

November 2019

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GLOSSARY OF TERMS Appendix A

I. INTRODUCTION

A. Purpose

The goal and community objective of the City of Lawndale is to improve the quality of life in its residential neighborhoods. This document is intended to:

- *Help improve the quality of residential development;*
- *Ensure that new development is compatible in mass, scale, and other design features with surrounding development; and*
- *Assist residents, property owners, developers and designers in understanding and implementing the principles contained in this document to enhance the City's residential neighborhoods.*

This document contains both residential development standards and design guidelines. It provides a comprehensive overview of design guidelines required to be implemented in any proposed future residential development. The design guidelines work in conjunction with the development standards offering incentives and ideas that will help improve building form and accommodate attractive design alternatives. Although the guidelines are considered discretionary, incorporation of these design elements will be considered in Design Review or procedures applicable to development under the Zoning Ordinance.

The goal of these development and design guidelines is to encourage creative solutions for improved building form and a variety of architectural styles consistent with the overall intent of insuring compatibility with the neighborhood. Although the design guidelines have been prepared as a guide to improve the quality of residential development, they are not by any measure a complete solution to good design. Any proposal to improve the quality and design of any development will be considered, but the guidelines do provide a thoughtful analysis of various design considerations that if incorporated into the project beyond the minimal standards will, ultimately, yield a better development project for the residents as well as the community as a whole.



B. Background

The City of Lawndale is predominantly a 1.9 square mile urbanized bedroom community with a population of approximately 32,000. Residential uses make up a major part of Lawndale's land area consisting of 24% single-family residential, 60% low-density multi-family residential, 13% medium-density multi-family residential, and 3% high-density multi-family residential. The City is generally built out with little vacant land available.

1. Single-Family Residential

The design guidelines are applicable to the R-1 zone, which is characterized by:

- Lots typically ranging from 5,000 to 8,000 square feet in size, and lot frontages typically between 25 to 50 feet in width and;
- A trend of tearing down modest homes and replacing them with much larger homes that have a mass and bulk out of character with the established neighborhood.

A major concern is how the architectural style of new homes and additions fit in with the architectural character of the neighborhood. Some neighborhoods contain a wide variety of styles and dates of construction, while other neighborhoods have homes mostly built at the same time with a limited variety of styles. It is not the intent of the design guidelines to dictate particular architectural styles. However, it is important that new construction utilize styles, forms, and materials that are compatible with the styles of surrounding homes.

Other concerns in single-family neighborhoods include the transition from private spaces to public spaces along the street frontage; dominance of garages along the street frontage; lack of open space and landscaping, impacts of walls; and impacts of roof decks and mezzanines.

2. Multi-Family Residential

In multiple-family zones, new development is typically 2 or 3 unit condominiums (depending on the zone) that replace the pre-existing single-family homes in these zones. Since over 80% of the residential land uses in Lawndale are zoned R-2, lots with existing single-family homes that could be potentially replaced by multi-family development represent a significant development potential that can drastically alter the composition and character of many existing residential neighborhoods.

Some multi-family neighborhoods have already transitioned in character and have been built to the limits of existing zoning standards relating to setbacks, open space, parking requirements and other development requirements. In addition, the design guidelines discussed in Section IV, further focus on reducing the appearance of mass and bulk by emphasizing roof forms and various architectural features. Other issues in the multi-family zones include creating design variety and high quality architecture, and providing a transition from private spaces to public spaces along the street frontage.

C. Using the Design Guidelines

The Residential Design Guidelines should be used as a starting point for the creative design process. Property owners and developers are encouraged to involve Planning Department staff and adjacent property owners in the design process. Standards that employ the word "shall" are mandatory and reflect requirements in the Zoning Ordinance. Guidelines which employ the word "should" or "encourage" are not mandatory, but reflect recommended or desirable design solutions (while not precluding other design solutions) that meet or exceed the intent of the guideline.

During the review of development proposals by Planning Department staff, each submittal will be reviewed to determine if all pertinent mandatory zoning standards have been

complied with and assess that the intent of the discretionary design guidelines have been reasonably addressed and incorporated into the project as appropriate.

Decisions on multi-family developments for two or more units are made by the Planning Commission at a public hearing, pursuant to Planning Commission Design Review procedures. The decision of the Planning Commission can be appealed to the City Council.

II SINGLE- FAMILY RESIDENTIAL ZONE

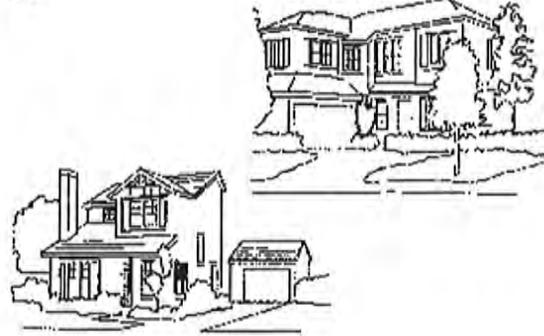
A. Introduction

These design guidelines apply to all new buildings and structures in the R-1 single-family residential zone.



B. Development Standards

The following are development standards that are intended to work in conjunction with the design guidelines to reduce the appearance of mass and bulk and enhance neighborhood compatibility in single-family neighborhoods.



1. Density

For the R-1 Single-Family Residential District, the maximum density allowed is four thousand eight hundred ninety five (4,895) square feet per unit or 8.7 units per acre within R-1 zoned areas.

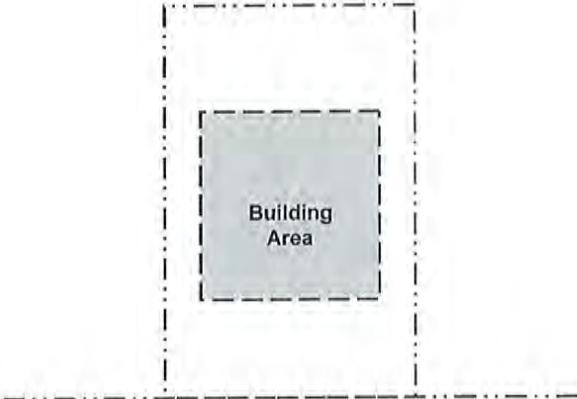
According to City of Lawndale General Plan, the R-1 Single-Family Residential District represents approximately thirteen percent (13%) of all residential lots in the City. The R-1 district is characterized by a minimum lot size of 5,000 square feet and comprised of typically older and narrow (approximately 40 feet wide) single-family lots.

There are a few non-conforming lots within the city that do not meet the minimum lot size. The code allows for existing non-conforming lots to be developed with the approval of a lot-size exemption (variance), subject to the establishment's alteration, enlargement, occupancy or use not be detrimental to the environment or to the public health safety and general welfare; and subject to conditions of approval.

2. Lot Coverage

For all Single-Family Residential Districts, all new developments are restricted to a maximum lot coverage of 50 percent, excluding roof overhangs, trellis areas, and uncovered porches.

Generally, lot coverage is defined as that portion of the lot that is covered by buildings or structures or the relationship between the building footprint and lot area. Similar to setback and building height requirements, the lot coverage restriction is intended to define an appropriate building envelope for future developments. Although, lot coverage is a common tool used within the application of non-residential areas to limit building size on commercial properties, this application within single-family residential areas can reduce the potential for overbuilding or more commonly referred to as "Mansonization." Other benefits include helping to create better building forms while ensuring that various amenities are provided for the enhancement of the community and future residents. As an example, based upon a minimum lot size of 5,000 square feet for an R-1 zoned lot, the maximum lot coverage is 2,500 square feet even though the remaining lot area exceeds the area required for setback requirements while providing usable open space.



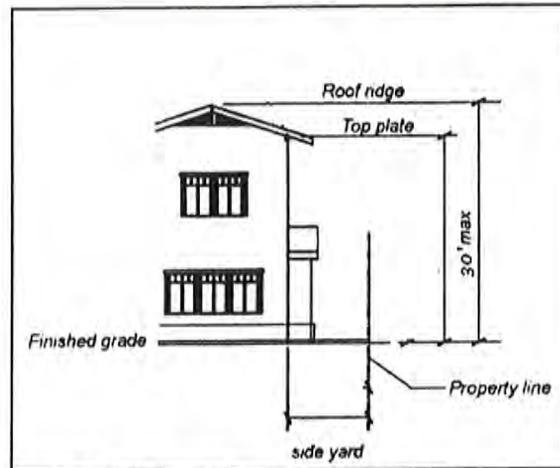
Building Area (Covered) Sq.Ft./Lot Sq. Ft. = Lot Coverage
2500/5000 = 50% Lot Coverage

3. Building Height

Buildings and structures in an R-1 zone shall not exceed a maximum of thirty (30) feet to top of the ridge from finished grade.

(Architectural elements exceeding height limit: Chimneys and other architectural features that enhance the character of the structures are allowed to exceed the maximum plate height limit. These architectural features are subject to design review and may not be permitted if such features add significant mass and bulk.)

The building height requirements are intended to work in conjunction with lot coverage and setback requirements to help define a building envelope that would not only create better building form but also accommodate sufficient open areas and enhance compatibility with surrounding homes.



Maximum building height of 30-feet.

4. Setbacks

The following setbacks have been established for construction within R-1 zoned single-family neighborhoods:

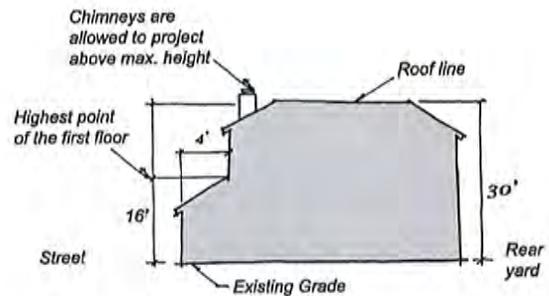
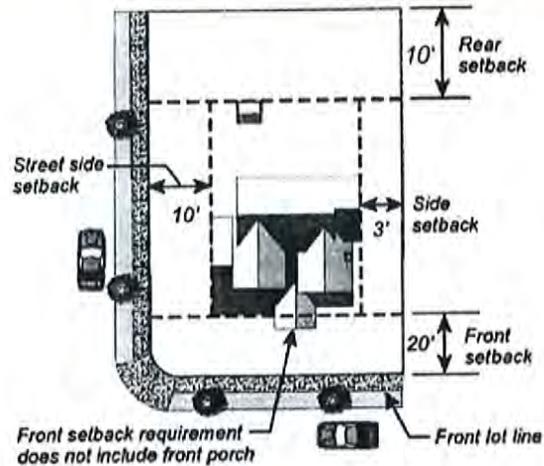
Front: The minimum building setback for residential units fronting either a private street or a public street shall be twenty (20) feet from the property line. The second story requires a setback of (24) feet setback.

Side (Interior lot): The minimum side yard setback shall be three (3) feet from the property line.

Side (Abutting Street Side): The minimum building setback for residential units having side yards on a private or public street shall be ten (10) feet from the property line. For parking spaces facing a side street the side yard setback shall be twenty (20) feet.

Rear: The minimum rear yard setback shall be five (5) feet, except for garages with access from an alley in which case the rear yard setback shall be ten (10) feet from the property line

Projections into required yards. Architectural features and projections which are part of the dwelling unit such as eaves, cornices, awnings, chimneys, rain gutters and other similar features may project into setback areas two (2) feet. Projection issues not addressed by this Section shall be as reviewed and interpreted by the City Planner. However, porches and trellises may encroach upon the required front yard no more than four (4) feet.



(Determination of Second Story Setbacks. Where the top of plate of the wall of the front facing facade exceeds a height of 16 feet, that portion of the front facing elevation shall be treated as a second story for purposes of calculating the required second-story setback average.)

To further reduce the often bulky, boxlike forms resulting from two story structures built close to the minimum front setback, an additional second story setback of 4 feet from the front wall of the first story will be required to reduce such impacts. In some circumstances, it may not be appropriate to step back the second floor or be reasonably feasible for additions to existing homes. Such exceptions shall be as reviewed and interpreted by the City Planner. Subject to design review approval before the Planning Commission, provided the required average second story front setback is not reasonably feasible and provided other design solutions are utilized to minimize the appearance of mass and bulk along the front and side elevations.



A residence with a second story setback.

As a means to enhance the quality of life in single-family neighborhoods, a reasonable amount of yard area provided for private outdoor use and open space is an integral part of living within a single-family community. The zoning ordinance requires a rear setback of five (5) feet, which does not permit any reasonable use and enjoyment of the rear yard. Hence, it is recommended that the rear setback be increased to accommodate an average setback of ten (10) feet.

5. Parking

Subject to the provisions of Section 17.72.010 of the Zoning Ordinance, the following off-street parking facilities are to be provided for each single-family dwelling unit on an R-1 zoned lot.

Two (2) parking spaces within an enclosed garage required for each single-family dwelling unit plus one (1) space for each additional bedroom in excess of 3 bedrooms per unit.

III. MULTI-FAMILY RESIDENTIAL DEVELOPMENT STANDARDS

A. Introduction

Although the design guidelines in Section IV are intended to apply to all new buildings and structures in all the multi-family residential zoned properties in the City, special attention and consideration should be provided to these development standards for R-2 zoned properties which currently comprise more than 80% of residential zoned lots within the City of Lawndale.



B. Development Standards

The following are development standards that are intended to work in conjunction with the design guidelines to reduce the appearance of mass and bulk and enhance neighborhood compatibility with pre-existing single-family homes in multi-family zoned neighborhoods.

1. Density

Within the R-2 Multi-Family Residential District, the maximum density requirement is two thousand five hundred (2,500) square feet per unit or 17.42 units per acre within R-2 zoned areas.

Residential densities in the R-2, R-3, and R-4 Districts are calculated based on Table 2 and conform to residential densities allowed in the General Plan. The maximum density requirement is the number of dwelling units per net acre within multi-family districts allowed when a development project meets minimum City development standards *and* substantially complies with design guidelines as set forth in Section IV.

TABLE 2 - MULTI-FAMILY RESIDENTIAL DENSITIES

District	Maximum Density – Dwellings/ac.
R-2	17.42
R-3	33.0
R-4	33.0
Development Requirements	Development project must comply with minimum development standards and applicable design guidelines

For R-3 and R-4 Multi-Family Residential Districts, the maximum density requirement is one thousand three hundred twenty (1,320) square feet per unit or 33.0 units per acre within both R-3 and R-4 zoned areas.

The R-2 Medium Density Residential District is designed to allow a mix of single-family dwellings, duplexes, townhouses, condominiums, garden apartments and other types of residential development at densities in the range of eight and nine-tenths (8.9) to seventeen and forty-two one hundredths (17.42) dwellings per acre with an appropriate level of on-site amenities and open space.

Typically, a residential development at this density allows two units on a minimum 5,000 square foot lot. Some examples of permitted developments may include single-family detached, duplex, condominiums, townhomes or any combination of the above and ancillary uses.

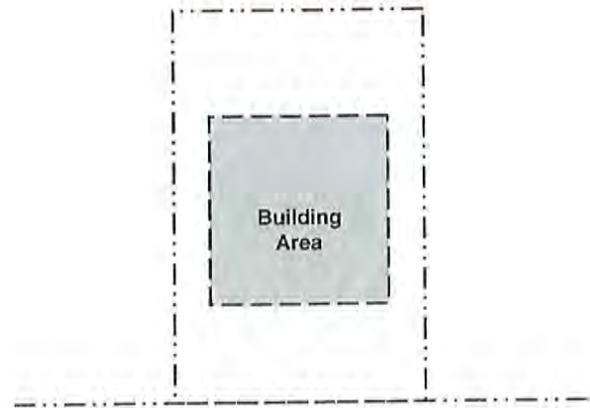
The R-3 and R-4 High Density Residential District accommodates higher density multiple-family dwellings, including apartments, townhouses and condominiums at densities ranging from seventeen and six-tenth (17.6) to thirty-three (33) dwellings per acre with amenities and open spaces. At this density, a minimum 5,000 square foot lot is required. Some examples of permitted development in these districts include single-family detached, duplex, condominiums, townhomes, apartments, manufactured housing or any combination of the above if deemed appropriate and compatible with surrounding land uses and ancillary uses.

In addition to fulfilling the density requirements for all proposed multi-family development, a determination of substantial compliance with design guidelines shall be made by the City Planner prior to consideration before the Planning Commission/Design Review Board.

2. Lot Coverage

Within the R-2 Multi-Family Residential District, all new developments are proposed to be restricted to a maximum lot coverage of 60 percent, excluding roof overhangs, trellis areas, and covered porches.

Generally, lot coverage is defined as that portion of the lot that is covered by buildings or structures or the relationship between the building footprint and lot area. Similar to setback and building height requirements, the lot coverage restriction is intended to define an appropriate building envelope for future developments. Although, lot coverage is a common tool used within the application of non-residential areas to limit building size on commercial properties, this application within multi-family residential areas can reduce the potential for overbuilding or more commonly referred to as "Mansonization." Other benefits include helping to create better building forms while ensuring that various amenities are provided for the enhancement of the community and future residents. As an example, based upon a minimum lot size of 5,000 square feet for an R-2 zoned lot, the maximum lot coverage is 3000 square feet. The remaining lot area exceeds the area required for setback requirements while providing usable open space.



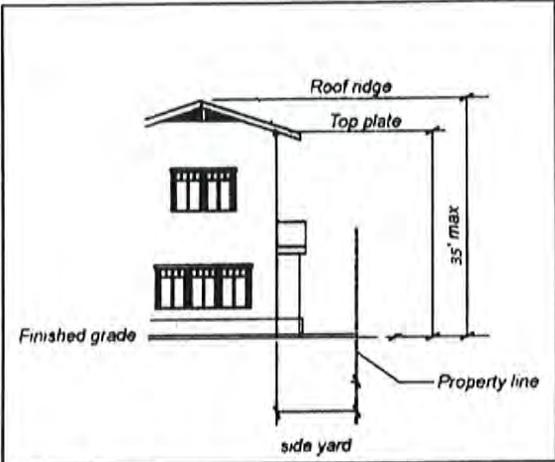
$$\text{Building Area (Covered) Sq.Ft./Lot Sq. Ft.} = \text{Lot Coverage}$$
$$3000/5000 = 60\% \text{ Lot Coverage}$$

3. Building Height

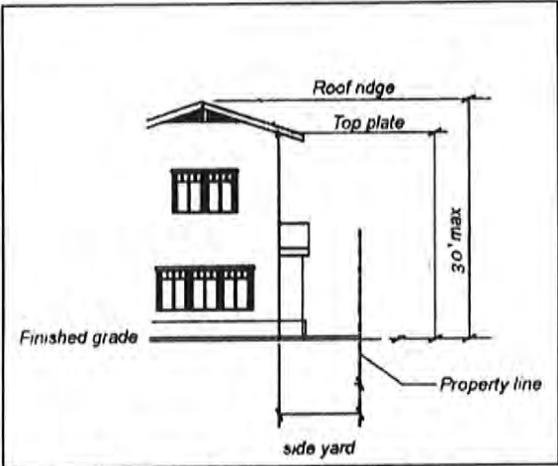
Buildings and structures in an the R-2 zone shall not exceed a maximum of thirty (30) feet. For R-3 and R-4 districts, the building height shall have a maximum building height of 35 feet.

(Architectural elements exceeding height limit: Chimneys and other architectural features that enhance the character of the structures are allowed to exceed the maximum plate height limit. These architectural features are subject to design review and may not be permitted if such features add significant mass and bulk.)

Because many of the remaining R-3 and R-4 multi-family zoned areas are principally located along major streets or within close proximity or abutting commercial areas, the building height requirements for these multi-family developments shall remain unchanged at a maximum building height requirement of 35 feet or two stories, whichever is greater.



R-3 & R-4 Maximum building height of 35-feet



R-2 Maximum building height of 30-feet

4. Setbacks

The following setbacks have been established for construction within R-2 zoned multi-family neighborhoods:

Front: The minimum building setback for residential units fronting either on a private street or a public street shall be twenty (20) feet from the property line. Require a second story setback of an average of four (4) ft more than the required average first floor setback. Balconies and mezzanines cannot be located within second story front setback.

Side (Interior): The minimum side yard setback shall be three (3) feet from the property line. For 3 or more units, a minimum side yard setback shall be five (5) feet from the property line.

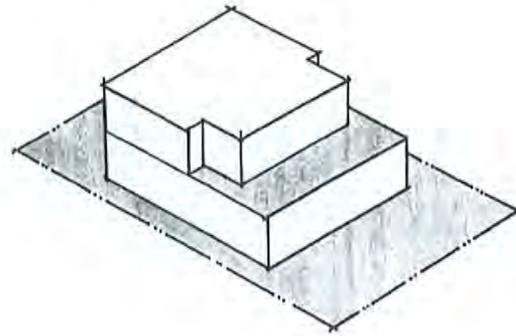
Side (Street Side): The minimum building setback for residential units having side yards on a private or public street shall be ten (10) feet from the property line.

Rear: The minimum rear yard setback shall be an average of ten (10) feet from the property line. (see R-2 requirements for calculations).

Building Separation: The minimum distance between any buildings or accessory structure(s) on a site shall be 6 feet.

(For R-3 and R-4 setback requirements, refer to Table 1 under "Setback: Front, Side, Rear.")

Projections into required yards: Architectural features and projections which are part of the dwelling unit such as eaves, cornices, awnings, chimneys, rain gutters and other similar features may project into setback areas up to two (2) feet. Projection issues not addressed by this Section shall be as reviewed and interpreted by the City Planner. However, porches and trellises may encroach upon the required front yard no more than four (4) feet.



Second Story Setback

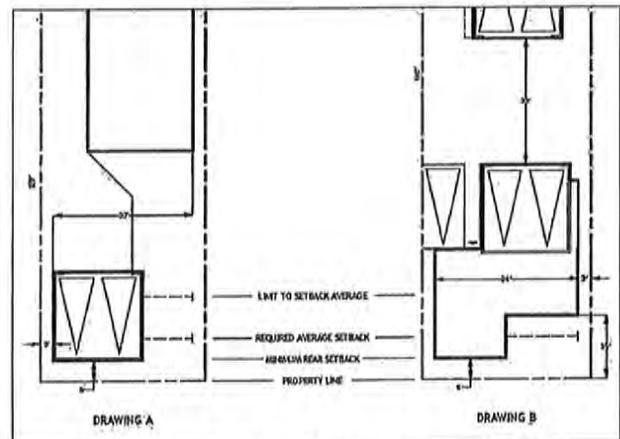


Diagram 17.48.130(a)

1. The depth of a setback is measured from property line to the building line (wall).
2. Where the building line of the second story extends over (cantilevers) the first story, the second story defines the setback.
3. Building setbacks in excess of 20'-0" will be counted at 20'-0".
4. Where a structural support, such as a post for an entry or a deck is present, this support will define the building line.
5. No building line shall extend closer to a property line than the 5-foot minimum setback.
6. Refer to Section 17.44.020 relating to permitted encroachments into required setbacks.

To further reduce the often bulky, boxlike forms resulting from two story structures built close to the minimum front setback, an additional second story setback of 4 feet from the front wall of the first story will likely reduce such impacts. In some circumstances, it may not be appropriate to step back the second floor or be reasonably feasible for additions to existing homes. Such exceptions shall be as reviewed and interpreted by the City Planner. For additions to existing homes, a partial or full reduction in the average second story front setback may be permitted subject to design review approval before the Planning Commission, provided the required average second story front setback is not reasonably feasible and provided other design solutions are utilized to minimize the appearance of mass and bulk along the front and side elevations.

As a means to enhance the quality of life in residential neighborhoods, a reasonable amount of yard area provided for private outdoor use and open space is integral. The existing zoning ordinance requires a rear setback of five (5) feet, which does not permit any reasonable use and enjoyment of the rear yard. It is recommended that the rear setback be increased to accommodate an average setback of ten (10) feet.

5. Parking

Subject to the provisions of Section 17.72.010 of the Zoning Ordinance, the following off-street parking facilities are to be provided for each multi-family dwelling unit on an R-2 zoned lot or parcel of land.

Two (2) parking spaces within an enclosed garage must be provided for each multi-family dwelling unit plus one space for each additional bedroom in excess of 3 bedrooms per unit. A minimum dimension of 10'x20' shall be provided for each parking space.

Require ½ space is also required per unit for guest/visitor parking. Guest/visitor parking can be open, and unenclosed but cannot be located within the front yard setback.

Subterranean Parking. To reduce the appearance of a third story and reduce mass and bulk, it is recommended that semi-subterranean areas be counted as a story if

there is more than 3' from existing grade to the floor above for 50% or more of the perimeter of the building.



An example of a residence with a second story setback.

6. Open Spaces

For the R-2 Multi-Family Residential District, the following standards govern the placement and location of private and common open space:

At least one-half (½) of the required open space area must be provided at the ground level, not including front yard setbacks, and not more than ½ of the open space requirement is to be satisfied by balconies or roof decks;

Common open space shall have a minimum contiguous area of two hundred (200) square feet per dwelling unit with no dimension less than ten (10) feet in any direction. Private open space located at ground level shall have a minimum contiguous area of two hundred (200) square feet in area per unit with no dimension less than ten (10) feet in any direction and must be directly accessible to the unit. Open space located on roof decks or balconies must have a minimum contiguous area of fifty (50) square feet in area and a minimum dimension of seven (7) feet in any one (1) direction;

All required ground floor open spaces shall be planted with permanent landscaping or be devoted to recreational facilities, such as swimming pools, tennis courts, tot lots, patios, or similar open space and/or recreational facilities;

Common and private open spaces are to be permanently maintained in an orderly fashion;

Private, ground level open space on the street side of a structure is to be suitably screened from the streets by a fence, densely planted shrub, or combination of both; and

Parking areas, driveways or service areas shall not be counted in the minimum open space requirements.

Some characteristics to be incorporated into private and common open spaces:

- Common open space provides opportunities for casual social interaction and safe play areas for children while reducing the perception of bulk. Common open spaces should be considered in the design of multi-family residential developments.
- The design and orientation of common open spaces should take advantage of available sunlight and should be sheltered from the noise and traffic of adjacent streets or other incompatible uses.
- Common open spaces should be conveniently located for the majority of units with children's play areas that are visible from as many units as possible.
- Private open space (such as a side yard, patio, balcony, etc.) should be contiguous and directly accessible to the units they are to serve and screened from public view.
- Boundaries between common and private open space should be clearly defined by elements such as low walls, fences, and/or landscaping.
- Accommodate pedestrian circulation, where appropriate:
 - a. Where possible, multi-family projects should incorporate pedestrian connections to adjoining residential or commercial areas and other compatible land use facilities.
 - b. Pedestrian paths should be provided to link dwelling units with common open space areas, parking areas and the street. Curvilinear paths provide a more inviting and interesting experience and are generally preferred over long, straight alignments. Paths, which traverse common open space areas, are encouraged.
 - c. Pedestrian paths should be safe, visually attractive, and well

defined by landscaping and lights. Use of decorative pavement is encouraged. At a minimum, decorative paving should be used to delineate crossings at circulation drives and parking aisles.

Because many of the residential lots in the City are typically narrow (with 40'-45' lot frontage), providing adequate off-street parking for two or second unit developments can often be difficult. But due to the lack of off-street parking in many residential neighborhoods, this condition has resulted in an increased demand for on-street parking where often the character of many residential streets has become dominated with parked vehicles on both sides of the street. Such a condition may often be exacerbated when the streets are narrow and traffic flow becomes constrained. To reduce demand for on-street parking, it is important that new residential development provide the needed parking spaces to support the new or additional units. In particular, narrow lots are difficult to develop where more than two enclosed spaces are required.

IV. DESIGN GUIDELINES

A. Applicability and Purpose

These design guidelines apply to all new buildings and structures in the R-1, R-2, R-3, and R-4 single and multiple-family residential zones. The design guidelines are intended to provide more detailed design criteria to supplement the general design criteria applicable under the Zoning Ordinance. The design guidelines are intended to ensure:

- Compatibility with the neighborhood,
- High quality design,
- Consistency of architectural style,
- Softening of the appearance of mass and bulk, variety and creativity in design solutions, and
- Integration with the natural features of the landscape.

B. Design Guidelines

1. Project Considerations

In an effort to provide better building form and improve community aesthetics within the City's residential neighborhoods, some general project considerations may include that:

- a. All new developments should be compatible with the character of the neighborhood.
- b. Existing site amenities should be preserved and incorporated within new projects whenever feasible.
- c. Mature trees on a site add character to the neighborhood and should be preserved and incorporated into development proposals whenever possible.
- d. New residential development should respect the development in the immediate area through the use of similar setbacks, complementary building arrangements, buffer yards and avoidance of overwhelming building scale and visual obstructions.
- e. Appropriate building siting should be used to reduce the perception of bulk with varying setbacks to provide visual interest, and vary shadow patterns.
- f. Clustering of multi-family units should be a consistent site-planning element. Large projects should be broken up into groups of structures. Continuous elements of various heights in building clusters are encouraged.

2. Building Scale and Mass

The mass and scale of buildings should be proportionate to the site, open spaces, street locations, and surrounding developments. The bulk of the building should be divided to reduce the apparent scale and provide visual interest. Box-like designs should be avoided.

The following guidelines, in combination with lot coverage and second story setback requirements, ensure that the mass and scale of new homes and additions to existing homes are compatible with the surrounding neighborhood.



Multiple massing and second story setbacks help create varying rooflines and facades.

- a. Use variations in the building footprints, facades, and roof forms.
- b. Use a variety of shapes and forms including architectural projections such as roof overhangs, bay windows, entry elements such as porches, stoops, balconies, trellises, and cantilevers that create shadows on the building.

- c. Use contrasting vertical and horizontal elements that help break the visual mass of facades into smaller areas.



Contrasting facades along street frontage with use of multiple massing, architectural projections and variable rooflines.

- d. The scale and mass of new infill buildings should be reduced by stepping down the building height toward the street and adjacent smaller structures.



Multiple rooflines with second story setback and inset windows and entries provide a pleasing street façade.

- e. Where a semi-subterranean level is visible along the street frontage, the second story above that level should be set back to soften the appearance of a multi-story building mass.
- f. Entries and massing of stories is encouraged to be in proportion to the building facade as a whole. High-ceiling single-story areas may be permitted within the building provided the building wall of the first story elevation facing the street does not exceed a height of 16 feet above the existing grade.
- g. Varied building heights provide visual interest and give the appearance of smaller structures. Combination of one, one and a half, and two story units create variation and visual interest, and are encouraged (applicable to larger developments comprising multiple lots).

3. Architectural Detailing

The following guidelines are intended to encourage high quality design to enhance the character of residential neighborhoods. It is not the intent of these guidelines to promote any particular architectural style or to preclude creative design solutions consistent with the overall spirit and intent of the design guidelines.

a. *Style.* Construction should reflect a chosen style through appropriate detailing, properly applied materials, and quality workmanship. A consistent architectural style should be used for a building and the elements that relate to it, such as trellises, planters, light-standards, and the like. More than one (1) style may be used within projects with more than one (1) building, however an attempt should be made to unify the project by using massing, cornice lines, and architectural elements, such as bays and balconies.

b. *Façade Articulation.* Facades that are visible from adjacent streets or common open spaces should display greater visual interest. This can be done by using architectural elements that break up the massing of large buildings, such as windows, porches, bay windows, balconies, and other architectural features (see guidelines on Building Scale and Mass). Color and material changes should be used to add interest and reduce a building's apparent scale. Other methods to break up the massing of a building may include:

- Portions of upper floors should be set back in order to scale down facades that face the street, common open space, and adjacent residential structures. Upper story setbacks are recommended either as full length "stepbacks" or partial indentations for upper story balconies, decks, and/or aesthetic setbacks.

- Long unarticulated exterior walls are discouraged on all structures. Massing offsets, varied textures, openings, recesses, and design accents on building walls are strongly encouraged in order to enhance the architecture. Front facades shall include windows.



Articulated windows and entries enhance the neighborhood character.

c. *Architectural Features.* Shadow patterns created by architectural elements such as overhangs, projection or recession of stories, balconies, reveals, and awnings contribute to a building's character while aiding in climate control. Further, changes in the roof level or planes provide architectural interest. In particular, low-medium density and multi-family residential development should be designed with upgraded architecture through increased delineation of surface treatment and architectural details.

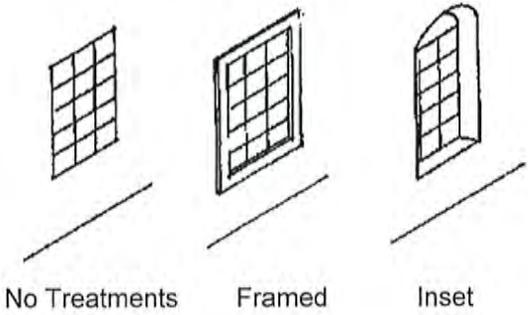
d. *Windows.* Windows should either be inset or framed to create a more substantial appearance.

e. *Gutters, Vents and Downspouts.* Gutters, vents and downspouts should be concealed unless designed as a continuous architectural feature. Exposed gutters used as architectural features should be colored to match fascia or wall material. Exposed downspouts should be colored to match the surface to which they are attached. Roof vents should be colored to match roofing materials or the dominant trim color of the structure.

f. *Front Entries.* Along the front portion of the lot, entrances to buildings should be located on the front facade, be clearly articulated, and be directly visible from the street. While special ornamental treatments may be focused on front and entry facades, quality articulation and finishes should be provided on all visible sides of buildings. Other considerations may include:

- Front porches, back porches and/or decks, which permit casual observation of alleys and streets, are encouraged.
- Front porches are encouraged to create an attractive interface with semi-public front yard areas. Front porches having a minimum depth of four (4) feet and a minimum length of ten (10) feet is desired.

- The primary entry and windows are encouraged to be the dominant elements of the front facade. It is encouraged to face the primary entry and windows towards the street. This provides pedestrian scale and "eyes on the street" security.



Use of awnings, trellises and porch adds form and interest to building façade.

Similar roof pitch for entry and main roof



provides a unified design.

- g. *Additions and Accessory Structures.* Additions, renovations and accessory structures should be designed to provide a variety and interest while creating an overall unified image. Building facades should be designed with consideration of appropriate materials, complementary colors, and by using materials with textures and depth of materials such as brick or stone. The additions of accessory structures should be designed in a manner that is integrated with the existing structures and avoids the appearance of being simply tacked on by the owner. This can be accomplished by:
- Using similar roof pitches and types;
 - Using complementary or consistent materials and colors;
 - Designing additions as an integral part of the building;
 - Maintaining appropriate proportions of the existing building design; and
 - Maintain a balance between the proportions of the existing building in terms of building mass and scale. Avoid placing architectural elements that are visually more massive or heavier above elements that are visually lighter or less massive.

4. Roof Articulation

The roof design plays an important role in the sense of mass and scale of the building and in the architectural integrity of the building as a whole. The roof pitch and orientation also impacts the transition between neighboring buildings.



Similar and multiple rooflines enhance the building façade and strengthens the street character of a neighborhood.



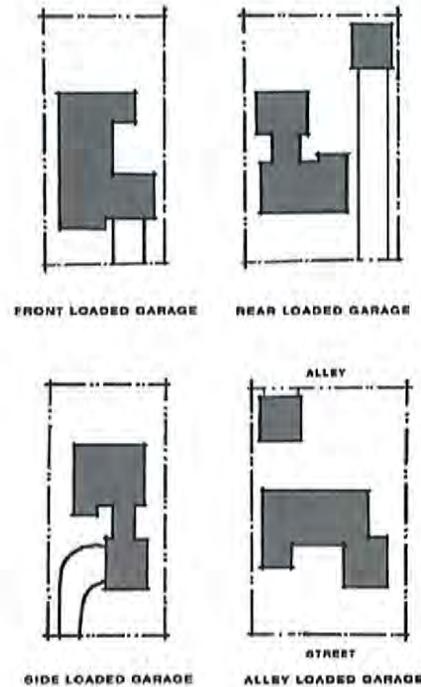
Use of a roof pitch 1:4, shown for entry) lower than that of the main building (1:3, shown for main roof) is considered acceptable.

- a. New roof designs are encouraged to be compatible with the existing neighborhood character, such as type, slope, size, materials, and colors.
- b. The use of traditional roof forms such as gables, hips, and dormers are encouraged. The use of "non traditional" residential roof forms, such as geodesic domes, "A" frames, and flat roofs are strongly discouraged. Flat roofs without a decorative cornice are strongly discouraged.
- c. Roof forms are encouraged to be consistent on all sides of the house and garage. All roofs are encouraged to have a similar pitch except for the limited use of flat roof.
- d. The roof pitch of front porches is encouraged to be slightly lower than that of the main building.
- e. Avoid box-like appearance through variations in the roofline and building elevations.
- f. Vary roof lines through changes in height and form to break up massing. Long, single-ridge rooflines (over 50 feet long) are discouraged.
- g. The style and form of roof additions to existing buildings should be compatible with the existing roof style and form. Style, materials, and pitch should be taken into consideration when designing a roof addition.
- h. Roofs may reflect a residential appearance through pitch and use of materials.

5. Garage Placement

Street frontage dominated by front-loaded garages is detrimental to the sense of a people-friendly neighborhood. The following guidelines are intended to reduce the impacts of garages on the character of the neighborhood.

- a. Garage design and placement should diminish the visual impact of garage doors along street frontages. Garages are discouraged from facing the street. If the garage door must face the street, the doors should contain windows and/or architectural detailing.
- b. Detached rear garages and alley-loaded garages (where there are alleys) are encouraged.
- c. Side-loaded garages may be considered as an alternative to diminish the visual impact of the garage along street frontages.
 - The width of the garage opening on a front-facing garage should be less than 50% of the width of the lot where the lot width is greater than 36 feet.
 - Garages should not dominate the street. If a garage faces a street, windows and other architectural detailing are encouraged to be used on garage doors to reduce their blank wall impact and scale.
- d. Under-structure parking, while not prohibited, should be designed to minimize its visual impact by seeking side or rear access whenever physically possible.
- g. On through-lots (lots having frontage on two parallel or approximately parallel streets), garage access must be provided from the street abutting the rear property line, or if there is an alley, garage access to be provided from the alley.





Alley-access garages or minimizing appearance of garages along street frontage enhances the neighborhood character.

h. Driveway Guidelines

- Adequate space is encouraged to be provided between two adjacent driveways to allow for landscaping that breaks the continuity of impervious surface. A minimum 18-inch wide planter should be provided where feasible between the side property line and the driveway.
- Design new driveways with special design features to minimize their visual impact. The use of wheel well "Bermuda" or "Hollywood" driveways, soft materials such as turf blocks, or other special design features are encouraged to reduce the "hard" visual impact.
- Driveways on corner lots should be located as far as possible from street intersections.
- Where curb cuts are necessary, minimizing curb cut widths is encouraged. Driveway widths are encouraged to be kept to a minimum to lessen the appearance of bulk and mass.
- No curb cut shall be permitted except in connection with approved driveways that provide direct access to a garage or for access to public walkways approved by the City. (Curbs shall be restored and driveway aprons removed in conjunction with new residential construction or cumulative additions of more than 500 square feet where the existing curb cut does not provide direct access to a garage.) Abandoned driveways that are no longer used to access the garage should be replaced with landscaping.
- No more than one curb cut per residential lot shall be permitted along the same street frontage.
- The use of alternative materials in place of asphalt or concrete to pave driveways is encouraged to reduce impervious surfaces.

6. Landscaping

Neighborhood character is enhanced by limiting paved surfaces, maintaining landscaped front yards, and encouraging visible entries. Reducing paved surfaces provides additional benefits such as reducing flooding risks and protecting water quality. Reducing paving also provides opportunities for landscaping that softens the appearance of bulk. Additional benefits of visible front entries include enhancing interaction between neighbors and improving safety by providing "eyes on the street."

a. Front yard hardscape/paving is determined by dividing the area of the front yard, which is occupied or covered by impervious areas, including paved driveways and walkways by the gross front yard area of that lot. The front yard area is defined as the area within the front yard setback. Pervious surfaces include materials such as brick and uniblock where water can penetrate through to the soil.

- The front yard hardscape/paving should not exceed 50% of the front yard area.
- The transition of public and private spaces between the street and the building is an important residential neighborhood characteristic. Primary entrances are encouraged to face the street with a connecting walkway to the public sidewalk. Alternatively, entry elements may be visible from the street without the door necessarily facing the street.
- Sufficient area should be available for use of extensive landscaping in the front yard. Clear entry space sequences, extending from the public sidewalk to the private front door are encouraged.



The "layered" look using groundcover, shrubs and trees minimizes the scale of this wall.



Trees and shrubs softens the appearance of the building façade and fence along the street frontage.

- b. Landscaping is encouraged to be used to frame, soften and embellish the quality of residential environment, or to buffer incompatible uses or undesirable views.
- c. Landscaped areas should generally incorporate plantings utilizing a three-tier system; 1) grasses and ground covers, 2) shrubs and vines, and 3) trees.

- d. Plant materials should be placed so that they do not interfere with lighting of the premises or restrict access to emergency apparatus such as fire hydrants or fire alarm boxes. Trees or large shrubs should not be planted under overhead lines or over underground utilities if their growth might interfere with such public utilities.
- e. The following planting design concepts are encouraged within each project:
- A specimen tree (36-inch box or more) in the front yard of a single lot development, or trees in informal groupings or rows at major focal points for larger multiple-lot developments;
 - Use of flowering vines both on walls and arbors or trellises;
 - Use of planting to create shadow and patterns against walls;
 - Use of planting to soften building lines and emphasize the positive features of the site;
 - Trees to create canopy and shade, especially in parking areas and passive open space areas, and
 - Berms, plantings, and walls to screen parking lots, trash enclosures, storage areas, utility boxes, etc.
- f. Vehicular entries provide a good opportunity to introduce and identify multi-family developments. The vehicular entry zone in multi-family developments is the area between the public street and the project's internal circulation system. The vehicular entry zone should be treated with special landscape elements that will give individual identity to the project (i.e. special paving, graphic signage, specialty lighting, specimen trees, flowering plants).
- g. Textured paving or interlocking pavers may be used to delineate site entries.
- h. Vines and climbing plants integrated upon buildings, trellises, and perimeter walls are encouraged.
- i. Gravel, bark, Astroturf, concrete, or similar materials are not allowed as a substitute for plant materials.
- j. Impervious surfaces should be minimized in all open space and setback areas.
- k. Landscaping is encouraged to emphasize water-efficient plants.
- l. All young trees are securely staked with double staking and/or guy-wires. Root barriers should be required for any tree placed in paved or other situations where roots could disrupt adjacent paving/curb surfaces.

7. Materials

The overall pattern, texture, and color of materials have a significant effect on the scale, style, and character of the building. The following guidelines should be referred to when selecting materials. There is no requirement for City approval of colors for single-family homes.

- a. *Base and top treatments.* All facades should have a recognizable "base" and "top." The base should visually carry the weight of the building. The base should comprise approximately one-eighth of a building's height. Techniques for establishing a base include (but are not limited to): (a) thicker walls, (b) richly textured materials (e.g., clapboard siding, tile or stucco treatments), (c) darker colored materials, mullion, and/or panels, and/or (d) enriched landscaping with a mature height of at least eighteen (18) inches and permanently maintained. "Tops" take advantage of the visual prominence of a building's silhouette and should be approximately one-eighth of a building height. Techniques for clearly expressing a top include (but are not limited to): (a) cornice treatments, (b)

roof overhangs with brackets, (c) richly textured materials (e.g. tile or stucco treatments), and/or (e) differently colored materials.

b. *Exterior materials.* High quality building materials are encouraged. Recommended materials include stucco, exterior plaster, wood siding, tile, or stone. Veneers that are visibly prefabricated are not recommended. Materials and detailing should have a substantial and long-lasting appearance.

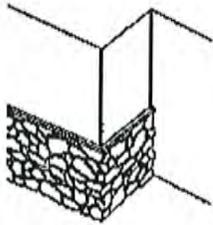
c. *Material changes.* To avoid the false appearance of lightweight veneers, material changes should not occur at external corners. Material changes may occur at "reverse" or interior corners or as a "return" at least four (4) feet from external corners.

d. *Roof Materials.* Roofing materials should be durable and display frequent, clearly marked shadow lines. Roofing materials that are generally acceptable include metal standing seam, concrete tile, ceramic tile, and slate or slate-like materials.

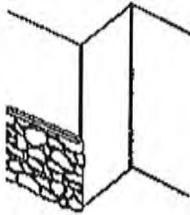
e. *Colors.* For larger building surfaces (excluding trim), colors should be muted and lighter in value. Muted colors contain a mix of complementary colors that result in off-whites, tans, and other "softer colors." Lighter colors have a value equivalent to thirty percent (30%) or less on a grey scale. Accent colors may include brighter and darker colors. Primary, bright, and/or neon like colors are discouraged.



Use of architectural features (i.e., porch/entryway, multiple rooflines, building trim), with complementary colors and materials highlights the architectural style of this home.



Preferred



Discouraged

8. Miscellaneous Subjects

Lighting

- a. All lighting in parking areas should be arranged to prevent direct glare of illumination onto adjacent units.
- b. The type and location of site and building lighting should preclude direct glare onto adjoining property, streets, or skyward.
- c. Pedestrian-scaled lighting should be located along all pedestrian routes of travel within multi-family communities.
- d. All lighting should be designed to shine downward and eliminate all skyward glare.

Trash Area

- a. Trash enclosures should be in areas located away from public view.

- e. Common open spaces in larger projects should be adequately lighted with durable low maintenance fixtures.

Mechanical Equipment

- a. In addition to the following guidelines, mechanical equipment shall be appropriately screened from public view with landscaping or other screened enclosure.
- b. Utility meters, electric transformers, fire standpipes, water heaters and similar equipment should be placed in locations that are not exposed to view from the street or they should be suitably screened.
- c. All screening devices are to be compatible with the architecture and color of the adjacent buildings.

Glossary of Terms

The following terms are used within this guideline manual. For terms not defined in this glossary, please refer to the City of Redondo Beach Zoning Ordinance and/or General Plan.

Adjacent - Property that abuts the subject property on the same side as the street.

Aesthetics - The science and philosophy of beauty. If something is aesthetic, it is of beauty or artistic.

Alignment (Architectural) - The visual alignment and placement of architectural elements such as windows, cornice elements, soffits, awnings, etc. or structures in order to promote blockscape continuity.

Alley - A public or private way permanently reserved for vehicular access to the rear or side of properties.

Arch - A curved structure supporting its weight over an open space such as a door or window.

Arcade - An exterior covered passageway along a faced open to the street.

Articulation - The degree or manner in which a building wall or roofline is made up of distinct parts or elements. A highly articulated wall will appear to be composed of a number of different vertical and horizontal planes, usually made distinct by their change in direction (projections and recesses) and/or changes in materials, colors or textures.

Awning - A fixed cover, typically comprised of cloth over a metal frame, that is placed over windows or building openings as protection from the sun and rain.

Balcony - A platform that projects from the wall of a building, typically above the first level, and is surrounded by a rail balustrade or parapet.

Baluster - The upright portion of the row of supports for a porch railing.

Basement - Floor area partially or completely below grade and not qualifying as a story as defined in the Uniform Building Code. However, for the purposes of these design guidelines, basements shall not include garages.

Bay (Structural) - A regularly repeated spatial element in a building defined by beams or ribs and their supports.

Blockscape/ Blockface - The properties abutting on one side of a street and lying between the two nearest intersecting or intercepting streets, or nearest intersecting or intercepting street and railroad right-of-way, unsubdivided land, watercourse, or city boundary.

Buffer - A method or materials used to visually conceal one element of a development from other elements or from adjacent development.

Building - Any structure having a roof supported by columns or walls for the housing or enclosure of persons, animals, chattels, or property of any kind.

Carport - A permanent roofed accessory structure with not more than two enclosed sides intended for vehicle storage.

Column - A vertical support, usually cylindrical, consisting of a base, shaft and capital, either monolithic or built-up of drums the full diameter of the shaft.

Compatibility - Provision of site design, architectural design, and high quality materials that are compatible with the existing neighborhood.

Cornice - The horizontal member along the top of the building, which visually finishes it.

Curb Cuts - The elimination of a street curb to enable vehicles to cross sidewalks and enter driveways or parking lots.

Facade - The exterior face of a building which is the architectural front, sometimes distinguished from other faces by elaboration of architectural or ornamental details.

Fenestration - The arrangement and design of windows in a building.

Floor Area Ratio - Floor Area Ratio (FAR) is the relationship between a building's total floor area and the total area of the lot. FAR helps control the appearance of bulk while at the same time maintaining a reasonable opportunity to build a larger home on larger lots, without reducing the character of an existing neighborhood.

FLOOR AREA RATIO =

GROSS FLOOR AREA OF A BUILDING
TOTAL AREA OF THE LOT

Focal Point - A building, object or natural element in a streetscene that stands out and serves as a point of focus, catching and holding the viewer's attention.

Gable Roof - the vertical triangular end of a budding from cornice or eaves to ridge.

Grade - the degree of inclination of a slope.

Height - the distance from the existing grade to the top of a structures roof line.

Hip Roof - A roof with four uniformly pitched sides.

Impervious Surface - A surface that does not offer an opportunity for water to infiltrate into the ground.

Landscaping - An area devoted to or developed and maintained with native or exotic planting, lawn, ground cover, gardens, trees, shrubs, and other plant materials, decorative outdoor landscape elements, pools, fountains, water feature, paved or decorated surfaces of rock, stone, brick, block, or similar material (excluding driveways, parking, loading, or storage areas), and sculpture elements. Plants on rooftops, porches or in boxes attached to buildings are not considered landscaping.

Lot - Any number of lettered parcel shown on the a recorded final map, record of survey pursuant to an approved division of land, or a parcel map and abuts a street, alley or recorded access easement.

Lot Width - The horizontal distance between side lot lines, measured along a line that is parallel to the front lot line and located the minimum exterior setback distance from the front lot line.

Mansard - Traditionally, a roof with two slopes on each side, the lower slope being much steeper. In contemporary commercial development, the second portion of the roof is replaced with a flat roof or an equipment well. These are referred to as Mansard roofs but bear little resemblance to the original.

Mass - Mass describes three dimensional forms, the simplest of which are cubes, boxes (or "rectangular solids"), cylinders, pyramids and cones. Buildings are rarely one of these simple forms, but generally are composites of varying types of assets. This composition is generally described as the "massing" of forms in a building.

Ornamentation - Details added to a structure solely for decorative reasons (i.e. to add shape, texture or color to an architectural composition).

Open Space - Open space substantially free of structures set aside, dedicated, designated, or reserved for public or private use for recreation.

Parapet - A low wall generally running around the outside of a flat roof.

Park - An area that is predominantly open space, used principally for recreation.

Parkway - A section of land not less than six (6) feet in width intended to contain landscaping for the purpose of creating a physical and visual separation between the street and sidewalk.

Pattern - The use of construction materials to add texture, character, scale, and balance to a building.

Pervious Surface - A surface that present an opportunity for water to infiltrate into the ground.

Pier - A stout column or pillar.

Pilaster - A column attached to a wall or pier constructed to coordinate with the style of the building.

Pitch - The slope of a roof expressed in terms of ratio of height to span.

Porch - An opened or covered platform, usually having a separate roof, at an entrance to a dwelling, or an open or enclosed gallery or room, which is not heated or cooled, that is attached to the outside of a building.

Project - Any proposal for new or changed use, or for new construction, alteration, or enlargement of any structure, that is subject to the provisions of this manual.

Proportion - The ratio between building elements. Proportion can describe height-to-height ratios, width to width ratios, width to height ratios, as well as ratios of massing. Landscaping can be used to establish a consistent rhythm along a streetscape which will disguise the lack of proportion in building size and placement.

Recess - A hollow place, as in a wall.

Reconstruction - The construction, on its original site or a replica of a building or facility which no longer exists, based upon archeological, historical, documentary and physical evidence. Both modern and traditional construction techniques may be used.

Rehabilitation, Renovation - The modification of or changes to an existing building in order to extend its useful life or utility through repairs or alterations, while preserving the features of the building that contribute to its architectural, cultural or historical character.

Rhythm (Horizontal, Vertical) - The regular or harmonious recurrence of lines, shapes, forms, elements or colors, usually within a proportional system.

Ridge - The highest line of a roof; where the sloping planes intersect.

Roofline - The profile of a roof.

Scale - The general feeling of mass and size of the building as related to that of other buildings.

Setback - A line across the front, side, rear of any property or public property which delineates an area adjoining a property line in which

erection of a building, fence, or other structure is prohibited except as otherwise provided in the zoning ordinance.

Sidewalk - An improved pedestrian surface that is typically located adjacent to a parkway or roadway.

Siding - The finish covering on the exterior of a frame building (with the exception of masonry). The term cladding is often used to describe any exterior wall covering, including masonry.

Sill - The framing member that forms the lower side of an opening, such as a doorsill. A windowsill forms the lower, usually projecting, lip on the outside face of a window.

Story - The portion of a building included between the surface of any floor and the surface of the floor or finished undersurface of the roof directly above it.

Structure - Anything constructed or erected that requires a location on the ground, excluding swimming pools, patios, walks, access drive, or similar paved areas.

Stucco - An exterior finish, usually textured, composed of portland cement, lime and sand, which are mixed with water.

Teardown - Demolition and subsequent removal of a structure.

Texture - Texture refers to variations in the exterior facade and may be described in terms of roughness of the surface material, the patterns inherent in the material or the patterns in which the material is placed. Texture and lack of texture influence the mass, scale and rhythm of a building. Texture can add intimate scale to large buildings by the use of small detailed patterns (e.g. brick masonry patterns).

Window, Bay - A projecting bay with windows that form an extension to the floor space of the interior rooms.

Yard - An open space on the same site as a structure, unoccupied and unobstructed by structures from the ground upward except as otherwise provided in the zoning ordinance, including a front yard, side yard, or rear yard.



CITY OF LAWDALE
14717 BURIN AVENUE, LAWDALE, CALIFORNIA 90260
PHONE (310) 973-3200 ♦ www.lawndalecity.org

DATE: November 4, 2019
TO: Honorable Mayor and City Council *MC*
FROM: Matthew R. Ceballos, Assistant City Clerk
SUBJECT: Mayor/Councilmember Report of Attendance at Meetings and/or Events

No supporting documentation was forwarded to the City Clerk Department for this item.



CITY OF LAWNDALE
14717 BURIN AVENUE, LAWNDALE, CALIFORNIA 90260
PHONE (310) 973-3200 ♦ www.lawndalecity.org

DATE: November 4, 2019
TO: Honorable Mayor and City Council
FROM: Matthew R. Ceballos, Assistant City Clerk *mc*
SUBJECT: Public Employee Appointment – City Manager

No public documents were forwarded to the City Clerk Department for this item.



CITY OF LAWNDALE
14717 BURIN AVENUE, LAWNDALE, CALIFORNIA 90260
PHONE (310) 973-3200 ♦ www.lawndalecity.org

DATE: November 4, 2019
TO: Honorable Mayor and City Council
FROM: Matthew R. Ceballos, Assistant City Clerk *MC*
SUBJECT: Conference with Legal Counsel – Anticipated Litigation (One Case)

No public documents were forwarded to the City Clerk Department for this item.



CITY OF LAWDALE
14717 BURIN AVENUE, LAWDALE, CALIFORNIA 90260
PHONE (310) 973-3200 ♦ www.lawndalecity.org

DATE: November 4, 2019

TO: Honorable Chair and Commissioners

FROM: Matthew R. Ceballos, Assistant City Clerk *MC*

SUBJECT: **Lawndale Housing Authority**: Conference with Real Property Negotiator - 4019 W. 169th Street, APN 4074-016-015.

No public documents were forwarded to the City Clerk Department for this item.