



CITY OF LAWDALE

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

AGENDA LAWDALE CITY COUNCIL REGULAR MEETING Tuesday, September 7, 2021 - 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. You are still eligible to submit comment via the [Temporary eComment Policy for Public Meetings](#), the comments will be read verbatim into the record.

How to observe the Meeting:

To maximize public safety while still maintaining transparency and public access, members of the public can now observe the meeting in person, with limited capacity, while strictly adhering to the [City Facilities Entry Protocols](#). Members of the public are still be able to view the meeting on [YouTube "Lawndale CityTV"](#), the [City Website](#), or Lawndale Community Cable Television on Spectrum & Frontier Channel 3.

Copies of this Agenda may be obtained prior to the meeting in the Lawndale City Hall foyer. Copies of this Agenda packet may be obtained prior to the meeting outside of the Lawndale City Hall foyer or on the [City Website](#). 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. **PRESENTATION**
 - 1. **Water Shortage Contingency and Staged Mandatory Water Conservation & Rationing** (Presented by Katherine Nutting, Golden State Water Company)
- D. **PUBLIC SAFETY REPORT**
- E. **ITEMS FROM CITY CLERK**
- F. **ORAL COMMUNICATIONS - ITEMS NOT ON THE AGENDA** (Public Comments)
- G. **COMMENTS FROM COUNCIL**
- H. **CONSENT CALENDAR**

Items 2 through 5, will be considered and acted upon under one motion unless a City Councilmember removes individual items for further City Council consideration or explanation.

2. **Quarterly Investment Report for the Quarter Ended June 30, 2021**

Recommendation: that the City Council receive and file.

3. **Accounts Payable Register**

Recommendation: that the City Council adopt Resolution No. CC-2109-037, authorizing the payment of certain claims and demands in the amount of \$229,472.39.

4. **Minutes of the Lawndale City Council Regular Meeting – August 16, 2021**

Recommendation: that the City Council approve.

5. **Minutes of the Lawndale City Council Special Meeting – September 1, 2021**

Recommendation: that the City Council approve.

I. **PUBLIC HEARING (CONT.)**

6. **Adoption of Development Impact Fees**

Recommendation: that the City Council (a) determine the Development Impact Fee study is exempt from the Environmental Quality Act (CEQA), pursuant to Section (b)(3) of the CEQA Guidelines; and (b) approve and adopt Resolution CC-2108-035, the proposed Development Impact Fees as contained in Exhibit “A” of the Resolution.

J. **ADMINISTRATION**

7. **Memorandum of Understanding with the California Joint Powers Insurance Authority to Participate in their American with Disabilities Act Assistance Program**

Recommendation: that the City Council authorize the City Manager to execute the Memorandum of Understanding with California Joint Powers Insurance Authority for the American with Disabilities Act Assistance Program, for an amount of \$43,400.

K. **CITY MANAGER'S REPORT**

L. **ITEMS FROM CITY COUNCILMEMBERS**

8. **Mayor/City Councilmembers Report of Attendance at Meetings and/or Events**

M. **CLOSED SESSION**

9. **Conference with Labor Negotiator**

The City Council will conduct a closed session, pursuant to Government Code section 54957.6, with the City Manager Kevin M. Chun, the Assistant City Attorney Christina M. Burrows, and the City's negotiators, Assistant to the City Manager/Human Resources Director Raylette Felton and Special Counsel/Labor Attorney Katy Suttorp, regarding labor negotiations with Local 1895, Council 36, American Federation of State, County and Municipal Employees, AFL-CIO, representing the City's mid-management and classified employees.

N. ADJOURNMENT

The next regularly scheduled meeting of the City Council will be held at 6:30 p.m. on Monday, September 20, 2021 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 September 7, 2021 was posted not less than 72 hours prior to the meeting.

Matthew Ceballos, Assistant City Clerk



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

DATE: September 7, 2021

TO: Honorable Mayor and City Council

FROM: Matthew R. Ceballos, Assistant City Clerk 

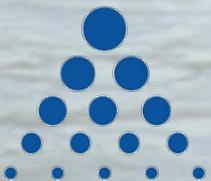
SUBJECT: Presentation from Katherine Nutting, Golden State Water Company - Water Shortage Contingency and Staged Mandatory Water Conservation & Rationing

Presentation Attached

GOLDEN STATE WATER COMPANY

Drought and Conservation

Staged Mandatory Water Conservation & Rationing



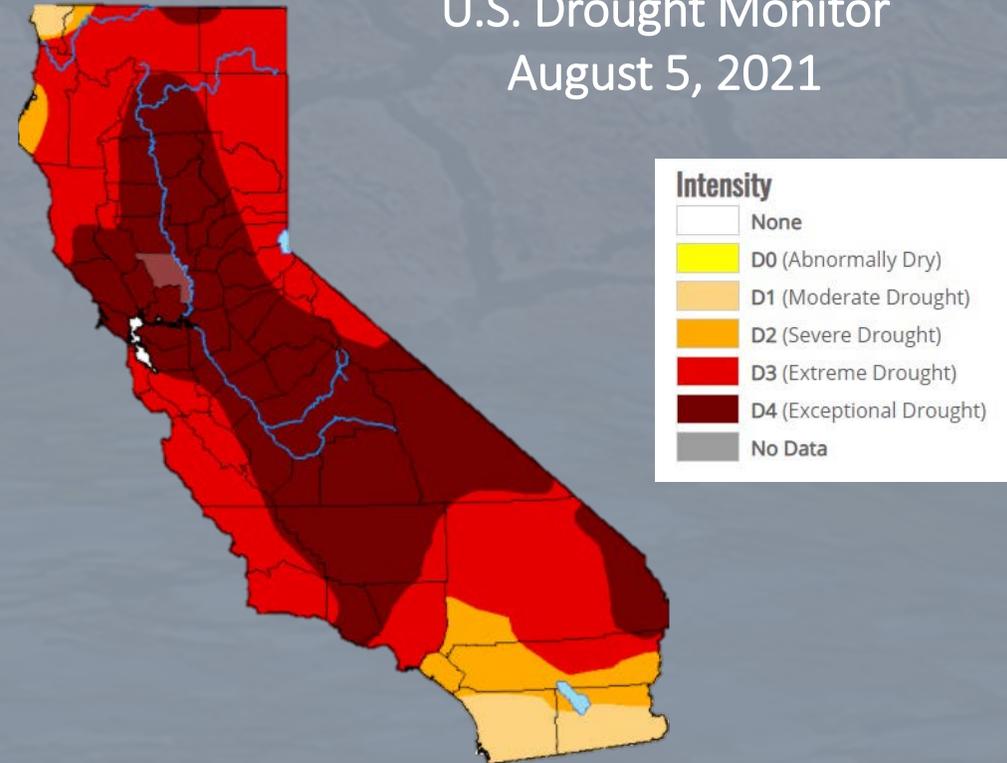
Golden State
Water Company
A Subsidiary of American States Water Company

September 7, 2021

DROUGHT UPDATE

- Governor Newsom has declared drought emergency in 50 of 58 counties in California
- Approximately 95% of the state is experiencing severe, extreme or exceptional drought conditions
- On July 8, Governor Newsom asked all Californians to voluntarily reduce water use by 15%
- Things may get worse before they get better: NOAA has predicted 70% chance of La Niña conditions in Winter 2021-22

U.S. Drought Monitor
August 5, 2021



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LOCAL CONDITIONS

- Lawndale supplied by a combination of groundwater and imported surface water from the Metropolitan Water District of Southern California (MWD)
- MWD declared a Water Supply Alert, but is well prepared for the drought due to investment in storage
- Another dry winter could lead to water supply shortages in southern California next year.



Mandatory Water Conservation & Rationing



Golden State
Water Company
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SCHEDULE 14.1

- GSWC filed companywide Schedule 14.1 with the California Public Utilities Commission (CPUC)
- Schedule 14.1 is required of regulated utilities to establish a detailed outline of mandatory conservation & rationing programs to achieve water-use reductions
- Requires approval from the CPUC



SCHEDULE 14.1

Stage 1 - Current Stage being proposed

- “Water Alert” – voluntary conservation encouraged
- Voluntary reduction target identified for each water system
- Customers are encouraged to limit outdoor irrigation to three days per week
 - Addresses ending in odd number: Tuesday, Thursday, Saturday
 - Addresses ending in even number: Wednesday, Friday, Sunday
 - All outdoor watering must occur between 7 pm - 8 am
- Failure to comply with these restrictions may result in the installation of a flow restrictor device along with associated fees for installation and removal.

STAGE
1



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SCHEDULE 14.1

Flow Restrictor Charges

- \$150 (5/8" and 1" meters)
- \$200 (1 ½ and 2" meters)
- \$300 (3" meters and larger)
- Flow restrictors will remain installed for a minimum of seven days



SCHEDULE 14.1

Stages 2 through 6 – only if the preceding Stage does not achieve necessary reductions due to water supply shortages or achieve water usage goals established by an authorized government agency or official

- The customer's allocation will be based on the 2020 baseline less the mandatory reduction %. Surcharges assessed for usage over allocation:
 - Stage 2 - 20% mandatory reduction (Moderate Shortage) - \$2.50/CCF surcharge
 - Stage 3 - 30% mandatory reduction (Severe Shortage) - \$5.00/CCF surcharge
 - Stage 4 - 40% mandatory reduction (Critical Shortage) - \$7.50 /CCF surcharge
 - Stage 5 - 50% mandatory reduction (Shortage Crisis) - \$10.00/CCF surcharge
 - Stage 6 - 55% mandatory reduction (Emergency Shortage) - \$15.00/CCF surcharge



SCHEDULE 14.1

Stages 2 through 6

- Customers will not be asked to reduce below 8 CcF (5,984 gallons) in a month
- Customers can appeal allocation through GSWC. Appeal form is available at gswater.com/appeal or call GSWC's customer service hotline at 800.999.4033.



CONSERVATION INFO & RESOURCES



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CONSERVATION

GSWC customers did a tremendous job reducing water use during the last drought, and most have continued those water-efficient practices and made conservation a way of life

- We must all work together to help protect valuable local and state water supplies
- Biggest opportunity to save: reduce the amount of water used for outdoor watering



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CONSERVATION

Golden State Water provides free water audits and offers rebates/programs to help customers improve their water efficiency:

- Available Rebates (Residential Customers)
 - Premium High-Efficiency Toilets
 - High-Efficiency Clothes Washers
 - Weather-Based Irrigation Controllers
 - Efficient Sprinkler Nozzles
 - Rain Barrels/Cisterns
 - Landscape Conversion
- FLUME Rebate
- Free Conservation Items
 - Indoor Conservation Kits

[GSWATER.COM/CONSERVATION](https://www.gswater.com/conservation)

+ Additional programs/rebates are available to commercial customers



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NEXT STEPS & LONG-TERM OUTLOOK

Anticipated Next Steps

- GSWC will notify customers directly in advance of any action to implement a new Stage of Schedule 14.1

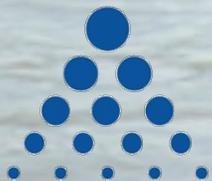
Long-Term Outlook

- State of California could issue mandatory water-use reductions
- SB 606 and AB 1668 established roadmap for responsible water use:
 - Indoor water-use standard: 55 gallons per person per day (systemwide average)





Thank You



Golden State
Water Company
A Subsidiary of American States Water Company



CITY OF LAWDALE

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

DATE: September 7, 2021
TO: Honorable Mayor and City Council
FROM: Kevin M. Chun, City Manager *KM*
SUBJECT: Quarterly Investment Report for the Quarter Ended June 30, 2021

BACKGROUND

The attached Quarterly Investment Report for the quarter ended June 30, 2021 is provided to City Council per the City of Lawndale's Investment Policy and State of California's Government Code Section 53646.

STAFF REVIEW

As of June 30, 2021, the City had total cash and invested funds (cost basis) of \$30,942,801 plus \$825,675 held with a trustee from the Lawndale Redevelopment Agency's Tax Allocation Bond 2009 issue, \$826,149 maintained in two retirement enhancement plans, and \$1,150 in petty cash,

United States Treasury rates for a year or less have remained low, since March 2020. The Treasury rates for a year or less have remained below 0.25%, and the current one year Treasury rate at June 30, 2021 was 0.07%. The two-year Treasury rates at June 30, 2021 was 0.25%. The State Local Agency Investment Fund (LAIF) had an interest rate of 0.262% at June 30, 2021. The Federally insured Certificates of Deposit have rates that exceed the Federal Treasury rates, so the City has about \$3.7M invested in several FDIC insured Certificates of Deposit. The Certificates of Deposit require more staff time to monitor because the balance with interest should remain below the FDIC insurance level of \$250,000. To maintain full FDIC insurance, the City also does not want to have more than one Certificate of Deposit at any one institution.



**CITY OF LAWNDALE
 INVESTMENT REPORT**
Summary of Investments
For Quarter Ended June 30, 2021

	Adjusted Cost Basis	Category Total	Percent of Portfolio
<u>On Call Deposits</u>			
Checking Accounts	8,758,330		
LAIF State Pool	18,467,471	27,225,801	87.99%
<u>Short-Term Investments (1 Year or Less)</u>			
Time Deposits FDIC Insured	990,000	990,000	3.20%
<u>Medium-Term Investments (1 to 3 Years)</u>			
Time Deposits FDIC Insured	1,484,000	1,484,000	4.80%
<u>Long-Term Investments (3 to 5 Years)</u>			
Time Deposits FDIC Insured	1,243,000		
US Government Agency Securities	0	1,243,000	4.02%
Total Cash and Investments		30,942,801	100.00%

LEGAL REVIEW

Not applicable.

FISCAL IMPACT

Not applicable.

RECOMMENDATION

Staff recommends that the City Council receive and file the Quarterly Investment Report for the quarter ended June 30, 2021.

Attachments: Quarterly Investment Report for the quarter ended June 30, 2021.



CITY OF LAWDALE
DETAIL OF INVESTMENTS
 For Quarter Ended June 30, 2021

	Par Value	Coupon Rate	Moody's/ S&P Rating	Purchase Date	Maturity/ Called Date	Days to Maturity	Yield to Maturity	Cost Basis	Category total	(memo only) Market Value
On Call Deposits										
Checking Account- Wells Fargo	8,711,235	N/A	N/A		Demand	1	None	8,711,235		8,711,235
Municipal Investment Account - US Bank	47,096	N/A	N/A		Demand	1	None	47,096		47,096
Local Agency Investment Fund- City of Lawndale	18,466,020	N/A	N/A		Demand	1	0.26%	18,466,020		18,466,020
Local Agency Investment Fund- Lawndale Housing Authority	1,450	N/A	N/A		Demand	1	0.26%	1,450		1,450
On Call Deposits	27,225,801								27,225,801	27,225,801
Short-Term Investments (1 Year or Less)										
<i>Time Deposits:</i>										
Ally Bank Utah	247,000	2.10%	FDIC	7/19	7/12/2021	12	2.10%	247,000		247,553
TIAA Bank Jacksonville	247,000	2.05%	FDIC	7/19	7/12/2021	12	2.05%	247,000		247,540
Discover Bank	248,000	1.50%	FDIC	8/16	8/10/2021	41	1.50%	248,000		248,688
Private Bank & Trust Co	248,000	1.50%	FDIC	9/16	8/30/2021	61	1.50%	248,000		248,858
Short-Term Investments (1 Year or Less)	990,000								990,000	992,639
Medium-Term Investments (1 to 3 Years)										
<i>Time Deposits:</i>										
Sallie Mae Bank Salt Lake	247,000	2.20%	FDIC	7/19	7/5/2022	370	2.20%	247,000		252,742
Goldman Sachs Bank	247,000	2.10%	FDIC	7/19	7/11/2022	376	2.10%	247,000		252,555
First Source Bank	247,000	2.00%	FDIC	7/19	9/12/2022	439	2.00%	247,000		253,099
Enerbank USA	247,000	1.80%	FDIC	9/19	3/13/2023	621	1.80%	247,000		254,514
Morgan Stanley Bank NA	247,000	2.20%	FDIC	7/19	7/11/2023	741	2.20%	247,000		257,862
Century Next Bank	249,000	2.00%	FDIC	7/19	7/17/2023	747	2.00%	249,000		258,972
Medium-Term Investments (1 - 3 Years)	1,484,000								1,484,000	1,529,745
Long-Term Investments (3 to 5 Years)										
<i>Time Deposits:</i>										
Morgan Stanley Private Bank	247,000	2.30%	FDIC	7/19	7/11/2024	1,107	2.30%	247,000		262,727
Merrick Bank	249,000	2.10%	FDIC	7/19	7/12/2024	1,108	2.10%	249,000		263,331
Commercial Bank Harrogate Tenn	249,000	2.00%	FDIC	7/19	7/15/2024	1,111	2.00%	249,000		262,586
Washington Federal	249,000	1.95%	FDIC	8/19	8/28/2024	1,155	1.95%	249,000		262,542
First Bank Puerto Rico	249,000	1.90%	FDIC	9/19	9/6/2024	1,164	1.90%	249,000		262,198
	1,243,000									1,313,384
Long-Term Investments (3 to 5 Years)	1,243,000								1,243,000	1,313,384
Total Cash and Investments	30,942,801								30,942,801	31,061,569

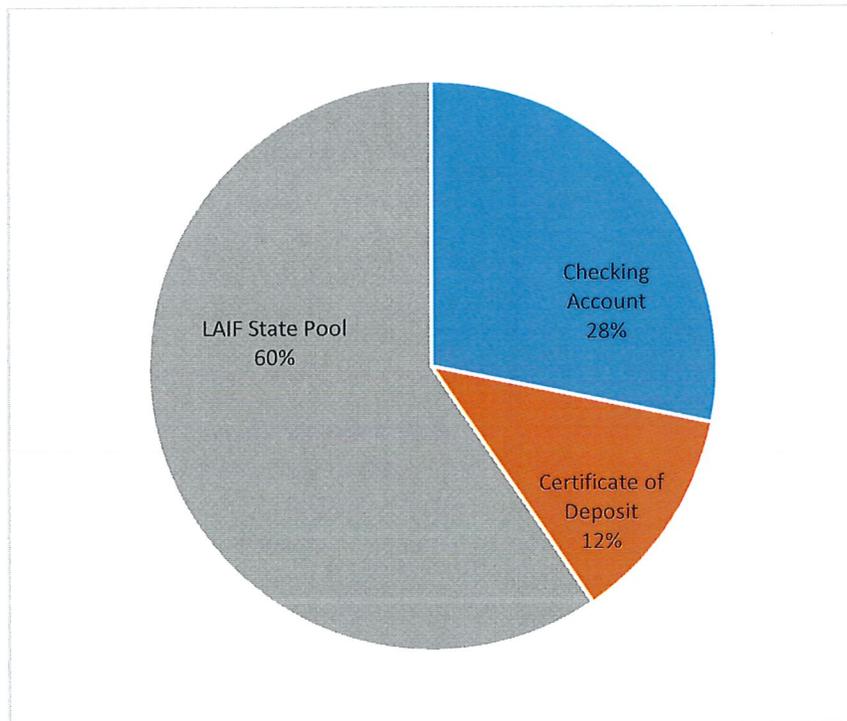


CITY OF LAWDALE INVESTMENT REPORT

Portfolio Statistics
For Quarter Ended June 30, 2021

Portfolio Composition

<u>Investment Type</u>	<u>Market Value</u>
Checking Account	8,758,330
Certificate of Deposit	3,835,768
LAIF State Pool	18,467,471
TOTAL	31,061,569



RESOLUTION NO. CC-2109-037

**A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF LAWDALE, CALIFORNIA
AUTHORIZING CERTAIN CLAIMS AND DEMANDS
IN THE SUM OF \$229,472.39**

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 City Manager, 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 201607 through 201684 for the aggregate total of \$229,472.39 are hereby authorized.

Effective Date: September 7th, 2021

Certified by:



Kevin Chun, City Manager

PASSED, APPROVED AND ADOPTED this 7th day of September, 2021.

Robert Pullen-Miles, Mayor

ATTEST:

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

I, Erica Harbison, 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-2109-037 at a regular meeting of said Council held on the 7th day of September, 2021, by the following roll call vote:

Name	Voting		Present, Not Voting		Absent
	Aye	No	Abstain	Not Participating	
Robert Pullen-Miles, Mayor					
Pat Kearney, Mayor Pro Tem					
Rhonda Hofmann Gorman					
Sirley Cuevas					
Bernadette Suarez					

 Erica Harbison, City Clerk

City of Lawndale
Summary of Audited Claims and Demands

Claims and Demands Paid By Check:

Check Date	Check Number		Aggregate Total
	Beginning	Ending	
8/12/2021	201607	201640	92,958.88
8/19/2021	201641	201660	16,146.41
8/26/2021	201661	201684	120,367.10
Total Checks			229,472.39

*Check # 201673 is a reissuance of previously approved check # 201137.

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			229,472.39

Check Register Report

Date: 08/12/2021
 Time: 7:46 am
 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							
201607	08/12/2021	Printed		6369	AM-TEC SECURITY	RE-INSTALL ALARM WIRING AT	660.00
201608	08/12/2021	Printed		4185-WEST	AMERICAN STRUCTURAL PEST	MONTHLY PEST CONTROL SERVICES	125.00
201609	08/12/2021	Printed		7470	ARAMARK REFRESHMENT SVCS LLC	COFFEE FOR PWD	83.58
201610	08/12/2021	Printed		2207	ASAP SIGN & BANNER	LABOR COST FOR REPLACING	438.45
201611	08/12/2021	Printed		7520	BEST LUBE AND TUBE PLUS	OIL CHANGE FOR PWD VEHICLE	61.21
201612	08/12/2021	Printed		0163	CAPITAL OF SOUTH BAY INC.	LIGHTING SUPPLIES - CITY HALL	125.05
201613	08/12/2021	Printed		7676	ENERGIZE ELECTRIC	BACKUP BATTERY RECONNECT	980.00
201614	08/12/2021	Printed		7767	ERICK ESCAMILLA	PLANNING COMMISSION STIPEND	100.00
201615	08/12/2021	Printed		1288	EWING IRRIGATION PRODUCTS INC	IRRIGATION PARTS	724.32
201616	08/12/2021	Printed		7808	CYNTHIA GARCIA	HIP HOP CLASS FEE REFUND	63.00
201617	08/12/2021	Printed		0441	GOLDEN STATE WATER CO.	WATER USAGE SERVICES	14,657.36
201618	08/12/2021	Printed		7791	GOVERNMENTAL FINANCIAL SVCS	JULY 2021 SERVICES	4,550.00
201619	08/12/2021	Printed		6231	GREENLAND SUPPLY INC.	IRRIGATION SUPPLIES	43.62
201620	08/12/2021	Printed		6051	INFANTE BROS LAWNMOWER SHOP	CHAINSAW OIL & STAFF HATS	81.59
201621	08/12/2021	Printed		3775	LOS ANGELES COUNTY FIRE DEPT	HAZ MAT DISCLOSURE PROGRAM	688.00
201622	08/12/2021	Printed		6134	JOHN MARTINEZ	PLANNING COMMISSION STIPEND	100.00
201623	08/12/2021	Printed		7227	OCCUPATIONAL HEALTH CENTERS	PRE PLACEMENT PHYSICAL	90.00
201624	08/12/2021	Printed		0367	OFFICE DEPOT	OFFICE SUPPLIES	315.03
201625	08/12/2021	Printed		1140	PACIFIC TIRE SERVICE	NEW TIRES FOR PWD VEHICLE#500	350.00
201626	08/12/2021	Printed		6326	PACKAGE PRODUCTS & SERVICES IN	2021/22 ANNUAL FEE- OPRA WORK	7,428.36
201627	08/12/2021	Printed		7764	NI KAL S. PRICE	PLANNING COMMISSION STIPEND	100.00
201628	08/12/2021	Printed		5068A	QUADIENT FINANCE USA INC	CITY HALL POSTAGE USAGE-	1,000.00
201629	08/12/2021	Printed		2051	MADONNA SITKA	PLANNING COMMISSION STIPEND	50.00
201630	08/12/2021	Printed		6680	SCOTT SMITH	PLANNING COMMISSION STIPEND	100.00
201631	08/12/2021	Printed		0435	SOUTH BAY CITIES COUNCIL	MEMBERSHIP DUES FOR FY 21/22	14,315.00
201632	08/12/2021	Printed		0435	SOUTH BAY CITIES COUNCIL	DOMINGUEZ CHANNEL WATERSHED	20,203.00
201633	08/12/2021	Printed		0439	SOUTHERN CALIFORNIA EDISON CO.	UTILITIES ELECTRICITY	20,667.77
201634	08/12/2021	Printed		0440	SOUTHERN CALIFORNIA GAS CO.	UTILITY GAS CHARGES	1,409.21
201635	08/12/2021	Printed		6349	STEAMX, LLC - SIGNAL HILLS	PRESSURE WASHER PARTS	73.07
201636	08/12/2021	Printed		3672-CSD	U.S. BANK	CREDIT CARD PAYMENT	169.45
201637	08/12/2021	Printed		3672-MSD	U.S. BANK	CREDIT CARD PAYMENT	1,126.16
201638	08/12/2021	Printed		2983	UNDERGROUND SERVICE ALERT SC	DIG ALERT TICKETS& MAINT. FEE	67.75
201639	08/12/2021	Printed		3373	VERIZON WIRELESS	M2M ACCOUNT SHARE DATA LINE	626.75
201640	08/12/2021	Printed		0480	VISTA PAINT	GRAFFITI SUPPLIES	1,386.15

Total Checks: 34 Checks Total (excluding void checks): 92,958.88

Total Payments: 34 Bank Total (excluding void checks): 92,958.88

Total Payments: 34 Grand Total (excluding void checks): 92,958.88

Check Register Report

Date: 08/19/2021
 Time: 9:08 am
 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							
201641	08/19/2021	Printed		7470	ARAMARK REFRESHMENT SVCS LLC	COFFEE/TEA SERVICES- JULY2021	209.52
201642	08/19/2021	Printed		2207	ASAP SIGN & BANNER	HATS FOR PUBLIC WORKS	88.20
201643	08/19/2021	Printed		7223	CHRISTINA CARROLL	PRSSC MEETING STIPEND	50.00
201644	08/19/2021	Printed		7809	DUNCAN'S SOO BAHK DO LLC	INSTRUCTOR FEE-LITTLE DRAGONS	879.38
201645	08/19/2021	Printed		0236	EMPLOYMENT DEVELOPMENT DEPT	SUI REIMB PE 6/30/2021	2,787.36
201646	08/19/2021	Printed		0441	GOLDEN STATE WATER CO.	WATER USAGE SERVICES	2,405.28
201647	08/19/2021	Printed		7804	HEALTH NET INC	COBRA PAYMENT - HEALTH INS	1,410.62
201648	08/19/2021	Printed		6051	INFANTE BROS LAWNMOWER SHOP	WEED SPRAY & HATS	326.29
201649	08/19/2021	Printed		7801	IGNATIUS LIN	PRSSC MEETING STIPEND	50.00
201650	08/19/2021	Printed		5560	MITSUBISHI ELECTRIC US, INC	ELEVATOR MAINTENANCE SERVICES	616.46
201651	08/19/2021	Printed		1140	PACIFIC TIRE SERVICE	TIRE REPAIR - PWD VEHICLE#503	20.00
201652	08/19/2021	Printed		6123	PRUDENTIAL OVERALL SUPPLY	WEEKLY MOP CHARGES	24.00
201653	08/19/2021	Printed		5895	RICOH USA INC	USAGE CHARGES FOR COPIER-	834.52
201654	08/19/2021	Printed		7810	SHUR ROOFING CO	SECURITY DEPOSIT REFUND	270.00
201655	08/19/2021	Printed		0211	SOUTHERN CALIFORNIA NEWS GROUP	LEGAL ADS	529.22
201656	08/19/2021	Printed		0346	SPARKLETTS	BOTTLE WATER SERVICE-JULY 2021	534.50
201657	08/19/2021	Printed		3672-CMD	U.S. BANK	CREDIT CARD PAYMENT	2,719.97
201658	08/19/2021	Printed		3672-PWD	U.S. BANK	CREDIT CARD PAYMENT	2,289.84
201659	08/19/2021	Printed		2883	UNDERGROUND SERVICE ALERT SC	DIG ALERT TICKETS& MAINT. FEE	51.25
201660	08/19/2021	Printed		6697	DANIEL T WOODS	PRSSC MEETING STIPEND	50.00

Total Checks: 20 **Checks Total (excluding void checks): 16,146.41**

Total Payments: 20 **Bank Total (excluding void checks): 16,146.41**

Total Payments: 20 **Grand Total (excluding void checks): 16,146.41**

Check Register Report

Date: 08/26/2021
 Time: 9:43 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							
201661	08/26/2021	Printed		3228	ALLIANT INSURANCE SERVICES	SPECIAL EVENT INSURANCE	893.83
201662	08/26/2021	Printed		0372C	AT & T - CALNET3	PHONE CHARGES	2,371.49
201663	08/26/2021	Printed		7811	CADMAN GROUP	BL OVERPAYMENT REFUND	45.75
201664	08/26/2021	Printed		0615	CLEANSTREET	STREET SWEEPING CITYWIDE	18,243.50
201665	08/26/2021	Printed		0190	COLONIAL LIFE & ACCIDENTS, INC	AUG. 2021-INS PRE-TAX/POST TAX	2,516.04
201666	08/26/2021	Printed		0216	DELTA DENTAL	AUG. 2021 DENTAL INSURANCE-REG	2,051.14
201667	08/26/2021	Printed		0389	DELTA DENTAL INS	AUGUST 2021 DENTAL PREMIUM	109.00
201668	08/26/2021	Printed		7438	DEPARTMENT OF PUBLIC HEALTH	LICENSING RENEWAL	400.00
201669	08/26/2021	Printed		1288	EWING IRRIGATION PRODUCTS INC	IRRIGATION PARTS	321.35
201670	08/26/2021	Printed		6636	FRONTIER COMMUNICATIONS	PHONE CHARGES	85.21
201671	08/26/2021	Printed		6231	GREENLAND SUPPLY INC.	IRRIGATION SUPPLIES	107.47
201672	08/26/2021	Printed		7812	DIONNE JOHNSON	BL OVERPAYMENT REFUND	92.00
201673	08/26/2021	Printed		7366	ANGELA LAM	SPR 19-01 DEP 4724 W 161ST ST	1,035.48
201674	08/26/2021	Printed		0308	LOS ANGELES COUNTY	ILLEGAL FIREWORKS SUPPRESSION	42,873.30
201675	08/26/2021	Printed		0337	MANAGED HEALTH NETWORK	EMPLOYEE ASSIST PROGRAM	89.87
201676	08/26/2021	Printed		0367	OFFICE DEPOT	OFFICE SUPPLIES	369.84
201677	08/26/2021	Printed		1071	SHOETERIA INC.	STEEL TOE WORK BOOTS FOR P.W.D	2,792.66
201678	08/26/2021	Printed		4533	SOUTH BAY LANDSCAPING INC	LANDSCAPING MAINTENANCE SVCS.	19,475.00
201679	08/26/2021	Printed		0440	SOUTHERN CALIFORNIA GAS CO.	UTILITY GAS CHARGES	42.03
201680	08/26/2021	Printed		0211	SOUTHERN CALIFORNIA NEWS GROUP	LEGAL ADS	409.68
201681	08/26/2021	Printed		2002	THE STANDARD, UNIT 22	LIFE AD<D INSURANCE PREM	1,515.40
201682	08/26/2021	Printed		6865	U.S. BANK PARS ACC #6745051500	EXCESS BENEFIT PLAN	23,700.00
201683	08/26/2021	Printed		0479	VISION SERVICE PLAN	VISION PREMIUM AUGUST 2021	777.06
201684	08/26/2021	Printed		7813	CRAIG WILSON	BL OVERPAYMENT REFUND	50.00

Total Checks: 24

Checks Total (excluding void checks): 120,367.10

Total Payments: 24

Bank Total (excluding void checks): 120,367.10

Total Payments: 24

Grand Total (excluding void checks): 120,367.10

**MINUTES OF THE
LAWNDALE CITY COUNCIL REGULAR MEETING
August 16, 2021**

A. CALL TO ORDER AND ROLL CALL

Mayor Pullen-Miles called the meeting to order at 6:30 p.m. in the City Hall council chamber, 14717 Burin Avenue, Lawndale, California.

Councilmembers Present: Mayor Robert Pullen-Miles, Mayor Pro Tem Pat Kearney, Councilmember Bernadette Suarez, Councilmember Rhonda Hofmann Gorman, Councilmember Sirley Cuevas

Other Participants: City Manager Kevin M. Chun, City Attorney Gregory M. Murphy, Los Angeles County Sheriff's Department Captain Duane Allen, Acting Assistant Chief of Los Angeles County Fire Department Brian Bennett, Community Services Director Mike Estes, Assistant to the City Manager/Human Resources Director Raylette Felton, Municipal Services Director Michael Reyes, Community Development Director Sean Moore, Assistant City Clerk Matthew Ceballos, Public Works Director Julian Lee

B. CEREMONIALS

Councilmember Rhonda Hofmann Gorman led the flag salute and Mayor Robert Pullen-Miles provided the inspiration.

C. PUBLIC SAFETY REPORT

Captain Duane Allen summarized the recent law enforcement activities.

Brian Bennett, Acting Assistant Chief of Los Angeles County Fire Department Station 21, introduced himself and the local firefighters, he then provided a brief report of 26 structure fires and 341 medical responses in the City.

D. ORAL COMMUNICATIONS - ITEMS NOT ON THE AGENDA

Griselda Sanchez, Community Outreach Coordinator of Fame Assistance Corporation, spoke about harmful effects from drifting tobacco smoke in multi-residential housing units.

Helen Vargas, Resident, spoke about exposure to tobacco smoke can be harmful to health.

Hernan Bonilla, Resident, spoke about issues in his home from tobacco smoke drifting in his multi-residential housing unit.

Ricardo Torres, Tobacco Program Director at Fame Assistance Corporation, expressed his worry and concern over second hand smoke.

Johnny London, Resident, spoke briefly about code enforcement and said his goodbye to Lawndale.

Pam London, Resident, spoke about code enforcement, the appearance of the homes, and her time here in Lawndale. Ms. London also said goodbye to the city.

E. COMMENTS FROM COUNCIL

The City Council responded generally to the comments.

F. CONSENT CALENDAR

1. **Revised City Council Policy 104-19 (Website and Social Media for Public Use)**
Recommendation: that the City Council adopt Resolution No. CC-2108-036, amending City Council Policy No. 104-19 – Website and Social Media for Public Use, to include a Website Privacy Policy.
2. **Notice of Completion – Traffic Signal Installation and Modification Projects at Manhattan Beach Boulevard/Hawthorne Boulevard and Marine Avenue/Osage Avenue Project No. 2019-04 & 09**
Recommendation: that the City Council (a) accept the project completed by DBX, Inc. for traffic signal installation and modification projects at Manhattan Beach Boulevard/Hawthorne Boulevard and Marine Avenue/Osage Avenue; (b) authorize staff to file the notice of completion with the Los Angeles County Registrar-Recorder County Clerk’s Office for the traffic signal installation and modification projects at Manhattan Beach Boulevard/Hawthorne Boulevard and Marine Avenue/Osage Avenue; and (c) authorize staff to release 5% retention in the amount of \$45,824 for the traffic signal installation and modification projects at Manhattan Beach Boulevard /Hawthorne Boulevard and Marine Avenue/Osage Avenue.
3. **Notice of Completion – Fiscal Year (FY) 2019-20 Annual Street Improvements Project CDBG Project No. 602074-19 and SB1)**
Recommendation: that the City Council (a) accept the project completion by Sequel Contractors Inc., for the FY 2019-20 Annual Street Improvements Project (CDBG Project No. 602074-19 and SB1 FY 2019-20); (b) authorize staff to file the notice of completion with the Los Angeles County Registrar-Recorder County Clerk’s Office for the FY 2019-20 Annual Street Improvements Project; and (c) authorize staff to release 5% retention in the amount of \$85,659.97 for the FY 2019-20 Annual Street Improvements Project.
4. **Accounts Payable Register**
Recommendation: that the City Council adopt Resolution No. CC-2108-034, authorizing the payment of certain claims and demands in the amount of \$244,093.60.
5. **Minutes of the Lawndale City Council Regular Meeting – August 2, 2021**
Recommendation: that the City Council approve.

Mayor Pro Tem Kearney inquired where the 5% retention amount is being generated from for item number 2. Public Works Director Julian Lee responded accordingly.

Mayor Pro Tem Kearney inquired on the budget amount for the automatic sliding doors.

Public Works Director Julian Lee responded the budget was \$30,000-\$35,000 for sliding doors in City Hall, Municipal Services Department and Public Works Department.

A motion by Mayor Pro Tem Kearney to approve the consent calendar was seconded by Councilmember Sirley Cuevas and carried by a vote of 5-0.

G. PUBLIC HEARING

6. Adoption of Development Impact Fees

Recommendation: that the City Council (a) determine the Development Impact Fee study is exempt from the Environmental Quality Act (CEQA), pursuant to Section (b)(3) of the CEQA Guidelines; and (b) approve and adopt Resolution CC-2108-035, the proposed Development Impact Fees as contained in Exhibit "A" of the Resolution.

Community Development Director Sean Moore provided a report on the Adoption of Development Impact Fees.

Councilmember Rhonda Hofmann Gorman inquired if the City is concerned about the various Accessory Dwelling Units (ADU's) and lack of parking. Community Development Director Sean Moore responded state law prohibits certain regulations of ADU's.

Mayor Pullen-Miles opened and closed the public hearing immediately at 7:22 p.m., there being no one to testify.

City Attorney Gregory Murphy noted that there was a missing table in the Resolution and recommended the item be tabled and taken at the next regular meeting.

Without objection, City Council tabled Item No. 6 to be heard at the next regular meeting.

H. ADMINISTRATION

7. Agreement with All City Management Services Inc. for School Crossing Guard Services

Recommendation: that the City Council approve a contract service agreement with All City Management Services, Inc. for a term of two years, not to exceed \$285,831.00.

Community Services Director Mike Estes provided a report on the Agreement with All City Management Services Inc. for School Crossing Guard Services.

Mayor Pullen-Miles inquired what the amount difference from this is proposed agreement and the last one.

Community Services Director Mike Estes responded the difference is going to be \$40,000 to \$41,000 because it went from 5400 hours per year to 6300 hours.

A lengthy dialogue ensued between City Council and staff regarding cost and issues.

Mayor Pullen-Miles recommended to table item 7 to a later time in the meeting to allow the All City Management Services representative to come back with more information.

Without objection, City Council tabled Item No. 7 to be heard at a later part of the meeting.

I. CITY MANAGER'S REPORT

City Manager Kevin Chun announced the next City Council meeting will be Tuesday September 7th due to the Monday holiday. City Manager Kevin Chun invited the community to the Blues Festival on Saturday, September 11th.

J. ITEMS FROM CITY COUNCILMEMBERS

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

Councilmember Suarez attended the Lawndale National Night Out and thanked all who participated. Councilmember Suarez attended a Zoom meeting with South Bay Cities Council of Government Steering Committee where SB 9 and SB 10 were discussed. Councilmember Suarez also attended the opening of water bottle filling stations at Rudolph Park donated by West Basin Municipal Water District.

Councilmember Cuevas announced she will not be present for the upcoming City Council meeting. Councilmember Cuevas attended the Lawndale National Night Out and commended Municipal Services Director Michael Reyes and his staff for putting the event together. Councilmember Cuevas inquired if Municipal Services Department can hold an Instagram account for a better outlook on the Department and to present the various community projects and programs. Councilmember Cuevas attended the General Plan & Hawthorne Boulevard Specific Plan with Community Development Department, attended the League of California Cities and attended a meeting with Los Angeles County Supervisor Holly J. Mitchell.

Councilmember Hofmann Gorman attended Lawndale National Night Out and commended Municipal Services Director Michael Reyes and his staff for a job well done.

Mayor Pro Tem Kearney attended Lawndale National Night Out and Sherriff's Liability Trust and Oversight Committee, he also attended the opening of water bottle filling stations at Rudolph Park donated by West Basin Municipal Water District.

Mayor Pullen-Miles attended a meeting with the L.A. County Sanitation District, Lawndale National Night Out, the opening of water bottle filling stations at Rudolph Park donated by West Basin Municipal Water District, and the General Plan & Hawthorne Boulevard Specific Plan. Mayor Pullen-Miles also attended a meeting with Los Angeles County Supervisor Holly J. Mitchell and proposed a mobile vaccination clinic during the Blues Festival.

At this time, Item H7 was brought back for Council discussion and consideration.

H. ADMINISTRATION (CONTINUED)

7. **Agreement with All City Management Services Inc. for School Crossing Guard Services**

Recommendation: that the City Council approve a contract service agreement with All City Management Services, Inc. for a term of two years, not to exceed \$285,831.00.

A dialogue ensued between City Council and the representative of All City Management Services Inc.

A motion by Councilmember Cuevas approve a contract service agreement with All City Management Services, Inc. for a term of two years, not to exceed \$285,831.00, was seconded by Councilmember Suarez and carried by a vote of 4-1, Councilmember Kearney voting No.

I. **CLOSED SESSION**

At 8:27 p.m. the City Council entered into closed session.

9. **Conference with Labor Negotiator**

The City Council will conduct a closed session, pursuant to Government Code section 54957.6, with the city manager, the city attorney and the City's negotiators, regarding labor negotiations with Local 1895, Council 36, American Federation of State, County and Municipal Employees, AFL-CIO, representing the City's mid-management and classified employees.

10. **Conference with Legal Counsel – Anticipated Litigation**

The City Council will conduct a closed session, pursuant to Government Code sections 54956.9(d)(2) and (d)(3), because there is a significant exposure to litigation in one (1) case.

At 9:17 p.m. the City Council entered back into open session.

City Attorney Gregory M. Murphy reported that the City Council met in Closed Session to discuss both items listed on the Closed Session agenda. The City Council was updated on both items and there was no reportable action taken.

J. **ADJOURNMENT**

There being no further business to conduct, the Mayor adjourned the meeting at 9:18 p.m.

Robert Pullen-Miles, Mayor

ATTEST:

Erica Harbison, City Clerk

Approved: 09/07/2021

**MINUTES OF THE
LAWNDALE CITY COUNCIL SPECIAL MEETING
September 1, 2021**

A. CALL TO ORDER AND ROLL CALL

Mayor Pullen-Miles called the meeting to order at 6:01 p.m. in the Lawndale Community Center, 14700 Burin Avenue, Lawndale, California.

Councilmembers Present: Mayor Robert Pullen-Miles, Mayor Pro Tem Pat Kearney, Councilmember Bernadette Suarez, Councilmember Rhonda Hofmann-Gorman, Councilmember Sirley Cuevas

Other Participants: Special Counsel Matthew Summers, Assistant City Clerk Matthew Ceballos

B. CEREMONIALS

Councilmember Bernadette Suarez led the flag salute.

C. ORAL COMMUNICATIONS - ITEMS NOT ON THE AGENDA

None.

D. COMMENTS FROM COUNCIL

None.

E. CLOSED SESSION

At 6:03 p.m. the City Council entered into closed session.

1. Conference with Legal Counsel – Anticipated Litigation

The City Council will conduct a closed session, pursuant to Government Code sections 54956.9(d)(2)&(e)(1) to confer with legal counsel regarding significant exposure to litigation, the facts and circumstances not known to potential plaintiffs, as not all the facts are known by the potential plaintiffs.

At 7:15 p.m. the City Council entered back into open session.

Special Counsel Matthew Summers reported that 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 and there was no reportable action taken.

F. ADJOURNMENT

There being no further business to conduct, the Mayor adjourned the meeting at 7:16 p.m.

Robert Pullen-Miles, Mayor

ATTEST:

Erica Harbison, City Clerk

Approved: 2/16/2021

DRAFT



CITY OF LAWNDALE

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

DATE: September 7, 2021

TO: Honorable Mayor and City Council

FROM: Kevin M. Chun, City Manager 

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

SUBJECT: **Case No. 19-35: Consideration of Adoption of Development Impact Fees and Approval of Categorical Exemption Pursuant to CEQA (Continued from August 16, 2021)**

BACKGROUND

As the City continues to experience redevelopment and new development, and the impacts on the City's infrastructure caused by each, it is imperative that the City plan for this inevitable growth and ensure that development pays its fair share of the costs of growth related infrastructure improvements. The City's infrastructure is in major need of upgrades and improvements, and continued development and redevelopment will only increase the already-substantial burden it is facing. Development Impact Fees (DIFs) are one-time charges to developers that are used to offset capital costs resulting from new development that necessitates the expansion of existing facilities or the development of new facilities to serve growth in a jurisdiction. The collection of these types of fees allows the City to provide the same level of services for new growth without impacting service levels or shifting the burdens of new growth on existing development.

The process for establishing an impact fee requires the preparation of a nexus study that fulfills the requirements of the Mitigation Fee Act (Government Code Sections 66000-66008), the law governing the imposition and administration of impact fees. Specifically, GC Section 66001 of the Mitigation Fee Act provides that in any action establishing, increasing, or imposing a fee as a condition of approval of a development project by a local agency must meet specific required findings.

In 2019, the City Council approved a contract with Willdan Financial to develop a comprehensive DIF study under the direction of the Community Development Department, working with key departments such as Public Works and Community Services. The DIF study was completed in June 2020, but due to the pandemic and the deleterious economic impacts related to COVID, staff held off on bringing forward the DIF study for consideration.

August 16th, 2021 City Council Meeting

On August 16th 2021, the City Council considered the proposed development impact fees, but unfortunately during the public hearing staff discovered the attached resolution to the staff report was missing a proposed development impact fee schedule. As a consequence, the City Council recommended continuance of the public hearing until September 7, 2021 to allow staff time to update the resolution with the updated development impact fee schedule for reconsideration by the City Council.

STAFF REVIEW

Pursuant to the Mitigation Fee Act, a public agency that establishes a DIF must demonstrate that there is a nexus or relationship between the amount of the proposed fee and the type of proposed development that the fee is imposed upon. Additionally, DIF revenue must be spent on new facilities, expansion of current facilities, or a fair share portion can be applied for expansions/new facilities if some of the facility will serve an existing development. Also, DIF revenue can be spent on capital facilities to serve new development, including but not limited to land acquisition, construction of buildings, infrastructure, the acquisition of vehicles or equipment, information technology, software licenses and equipment.

Survey South Bay Cities

As part of this process for updating the comprehensive DIF schedule, staff surveyed the surrounding cities of Carson, El Segundo, and Torrance to determine if they had adopted a DIF. Staff found that robust DIF programs have been adopted and fees are being collected by respective cities mentioned above.

This report summarizes an analysis of DIF revenue needed to support future development in Lawndale through 2040. It is City staff's recommendation, and the DIF report's conclusion, that the costs representing future development's share of public facilities and capital improvements be imposed on that development in the form of four development impact fees, also known as public facilities fees, divided into the categories listed below:

- *Traffic Facilities*
- *Parks and Recreation Facilities*
- *Parking Facilities*
- *Art in Public Places*

DIF Methodology

The fees identified in the Willdan DIF study are typical types of DIFs adopted by other jurisdictions throughout the state and in the South Bay. The methodology employed by Willdan Financial was a three-prong approach which included evaluation of the City's existing facilities, future planned facilities, and master planned approach to determine the appropriate level of fees. Additionally, these proposed impact fees do not affect existing development or property owners in the City, but only newly-proposed development and redevelopment.

The impact fees are triggered under the following conditions for commercial and residential projects:

- Residential - each new dwelling unit
- Nonresidential – any new building, and by any net increase in building square footage

The impact fee for Art in Public places is triggered under the following conditions:

- New construction projects, with a construction value of \$100,000 or higher, such as:
 - Residential developments of four units or more
 - Public and institutional buildings
 - Commercial, office, or industrial development projects

The development project would include a publicly accessible civic artwork valued at one percent of the projects building valuation. The developer has an option to instead contribute an in-lieu fee to the Art in Public Places fund valued at one percent of the building valuation.

ENVIRONMENTAL REVIEW

This ordinance 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. 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.

PUBLIC NOTICING

Notices of a public hearing were posted in the public notices board out front of City Hall and published in the *Daily Breeze* on August 6th and 11th 2021, pursuant to the City’s public noticing requirements. As of the drafting of this staff report, no comments were received from the public concerning this project. However, due to some missing development impact fee information from the resolution, the public hearing was continued until September 7, 2021.

COMMISSION REVIEW

Not applicable.

LEGAL REVIEW

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

FISCAL IMPACT

Unfortunately, the City’s infrastructure is deteriorating and in need of costly infrastructure improvements/upgrades. The City continues to be challenged meeting the community’s public infrastructure needs and is challenged financially in how to pay for the much need infrastructure improvements. However, with the adoption of the proposed impact fees as identified in the DIF study, the City will be able to offset those costly infrastructure expenditures over time, which will lessen the financial burden on the City.

RECOMMENDATION

Staff recommends that the City Council

- 1) Determine that the Development Impact Fee study is exempt from the Environmental Quality Act (CEQA), pursuant to Section (b)(3) of the CEQA Guidelines; and
- 2) Consider adopting the proposed Development Impact Fees as contained in Exhibit “A” of Resolution CC-2108-035.

Attachments:

- A. Willdan Financial Services June 8, 2021, Development Impact Fee Study
- B. City Council Resolution CC-2108-035
- C. Proof of Publishing

Attachment A

Willdan Financial Services June 8, 2021, Development Impact Fee Study

CITY OF LAWNSDALE

DEVELOPMENT IMPACT FEE STUDY

FINAL DRAFT

JUNE 8, 2021



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Phoenix, AZ
Sacramento, CA
Seattle, WA

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TABLE OF CONTENTS

EXECUTIVE SUMMARY	3
Background and Study Objectives	3
Facility Standards and Costs	3
Use of Fee Revenues	4
Development Impact Fee Schedule Summary	4
1. INTRODUCTION.....	6
Public Facilities Financing in California	6
Study Objectives	6
Fee Program Maintenance	7
Study Methodology	7
Types of Facility Standards	7
New Development Facility Needs and Costs	8
Organization of the Report	9
2. GROWTH FORECASTS.....	10
Land Use Types	10
Existing and Future Development	10
Occupant Densities	11
3. TRAFFIC FACILITIES.....	13
Trip Demand	13
Trip Growth	15
Existing Transportation Inventory	15
Existing Traffic Signal Inventory	16
Existing Traffic Signs	16
Cost Per Trip	17
Projected Impact Fee Revenue	17
Fee Schedule	18
4. PARKS AND RECREATION FACILITIES.....	19
Service Population	19
Existing Parkland and Park Facilities Inventory	19
Parkland and Park Facilities Unit Costs	20
Parkland and Park Facility Standards	21
<i>Mitigation Fee Act</i>	21
<i>Quimby Act</i>	21
City of Lawndale Parkland and Park Facilities Standards	22
Facilities Needed to Accommodate New Development	22
Parks Cost per Capita	23
Use of Fee Revenue	24
Fee Schedule	24
5. PARKING FACILITIES IN-LIEU FEE.....	26

Parking Requirements	26
Parking Facilities Unit Costs	27
Use of Fee Revenue	27
Fee Schedule	27
6. ART IN PUBLIC PLACES	29
7. IMPLEMENTATION	30
Impact Fee Program Adoption Process	30
Inflation Adjustment	30
Reporting Requirements	30
Programming Revenues and Projects with the CIP	32
Reimbursements	32
8. MITIGATION FEE ACT FINDINGS.....	33
Purpose of Fee	33
Use of Fee Revenues	33
Benefit Relationship	33
Burden Relationship	33
Proportionality	34

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Executive Summary

This report summarizes an analysis of development impact fees needed to support future development in The City of Lawndale through 2040. It is the City's intent that the costs representing future development's share of public facilities and capital improvements be imposed on that development in the form of a development impact fee, also known as a public facilities fee. The public facilities and improvements included in this analysis are divided into the fee categories listed below:

- Traffic Facilities
- Parks and Recreation Facilities
- Parking Facilities
- Art in Public Places

Background and Study Objectives

The primary policy objective of a development impact fee program is to ensure that new development pays the capital costs associated with growth. The primary purpose of this report is to calculate and present fees that will enable the City to expand its inventory of public facilities, as new development creates increases in service demands.

The City imposes public facilities fees under authority granted by the *Mitigation Fee Act (the Act)*, contained in *California Government Code* Sections 66000 *et seq.* This report provides the necessary findings required by the *Act* for adoption of the fees presented in the fee schedules contained herein.

All development impact fee-funded capital projects should be programmed through the City's five-year Capital Improvement Plan (CIP). Using a CIP can help the City identify and direct its fee revenue to public facilities projects that will accommodate future growth. By programming fee revenues to specific capital projects, the City can help ensure a reasonable relationship between new development and the use of fee revenues as required by the *Mitigation Fee Act*.

Facility Standards and Costs

There are three approaches typically used to calculate facilities standards and allocate the costs of planned facilities to accommodate growth in compliance with the *Mitigation Fee Act* requirements.

The **existing inventory** approach is based on a facility standard derived from the City's existing level of facilities and existing demand for services. This approach results in no facility deficiencies attributable to existing development. This approach is often used when a long-range plan for new facilities is not available. Only the initial facilities to be funded with fees are identified in the fee study. Future facilities to serve growth will be identified through the City's annual capital improvement plan and budget process and/or completion of a new facility master plan. This approach is to calculate the traffic facilities fees and the parks and recreation fees in this report.

The **planned facilities** approach allocates costs based on the ratio of planned facilities that serve new development to the increase in demand associated with new development. This approach is appropriate when specific planned facilities that only benefit new development can be identified, or when the specific share of facilities benefiting new development can be identified. Examples include street improvements to avoid deficient levels of service or a sewer trunk line extension to a previously undeveloped area. This approach is used to calculate the art in public places and parking in-lieu facilities fees in this report.

The **system plan** approach is based on a master facility plan in situations where the needed facilities serve both existing and new development. This approach allocates existing and planned facilities across existing and new development to determine new development's fair share of facility needs. This approach is used when it is not possible to differentiate the benefits of new facilities between new and existing development. Often the system plan is based on increasing facility standards, so the City must find non-impact fee revenue sources to fund existing development's fair share of planned facilities. This approach is not used in this report.

Use of Fee Revenues

The Mitigation Fee Act requires that this analysis "Identify the use to which the fee is to be put. If the use is financing public facilities, the facilities shall be identified. That identification may, but need not, be made by reference to a capital improvement plan as specified in Section 65403 or 66002, may be made in applicable general or specific plan requirements, or may be made in other public documents that identify the public facilities for which the fee is charged."¹ Each chapter in this report identifies the appropriate use of impact fee revenues for each particular impact fee category.

Impact fee revenue must be spent on new facilities or expansion of current facilities to serve new development. Facilities can be generally defined as capital acquisition items with a useful life greater than five years. Impact fee revenue can be spent on capital facilities to serve new development, including but not limited to land acquisition, construction of buildings, infrastructure, the acquisition of vehicles or equipment, information technology, software licenses and equipment.

Development Impact Fee Schedule Summary

Table E.1 summarizes the development impact fees that meet the City's identified needs and comply with the requirements of the *Mitigation Fee Act*. The table shows fees for development projects that meet their parking requirements onsite. Projects that cannot meet onsite parking requirements will have to pay the parking in-lieu fee for each required offsite parking space.

¹ California Government Code §66001 (a) (2).

Table E.1: Maximum Justified Impact Fee Summary

Land Use	Traffic Facilities	Parks and Recreation Facilities ¹	Total (Onsite Parking) ²
<i>Residential - Fee per Dwelling Unit</i>			
Single Family	\$ 4,508	\$ 12,612	\$ 17,120
Multifamily	3,310	8,456	11,766
<i>Nonresidential - Fee per 1,000 Sq. Ft.</i>			
Commercial	\$ 12,115		\$ 12,115
Office	8,377		8,377
Industrial	3,702		3,702

¹ Mitigation Fee Act fee shown. Quimby fees in lieu of parkland dedication only apply to development occurring in subdivisions. Quimby in-lieu fees are \$32,506 per single family unit and \$21,792 per multifamily unit.

² Assumes that development project provides parking onsite. Maximum justified fee of \$30,234 in-lieu of providing one space onsite. Refer to Residential and Commercial Parking Standards for detailed parking requirements.

Sources: Tables 3.5, 4.5, 5.3.

1. Introduction

This report presents an analysis of the need for public facilities to accommodate new development in the City of Lawndale. This chapter provides background for the study and explains the study approach under the following sections:

- Public Facilities Financing in California;
- Study Objectives;
- City of Lawndale Impact Fee Program;
- Fee Program Maintenance;
- Study Methodology; and
- Organization of the Report.

Public Facilities Financing in California

The changing fiscal landscape in California during the past 40 years has steadily undercut the financial capacity of local governments to fund infrastructure. Three dominant trends stand out:

- The passage of a string of tax limitation measures, starting with Proposition 13 in 1978 and continuing through the passage of Proposition 218 in 1996;
- Declining popular support for bond measures to finance infrastructure for the next generation of residents and businesses;
- Unfunded state and federal mandates; and,
- Steep reductions in federal and state assistance.

Faced with these trends, many cities and counties have had to adopt a policy of “growth pays its own way.” This policy shifts the burden of funding infrastructure expansion from existing ratepayers and taxpayers onto new development. This funding shift has been accomplished primarily through the imposition of assessments, special taxes, and development impact fees also known as public facilities fees. Assessments and special taxes require the approval of property owners and are appropriate when the funded facilities are directly related to the developing property. Development impact fees, on the other hand, are an appropriate funding source for facilities that benefit all development jurisdiction-wide. Development impact fees need only a majority vote of the legislative body for adoption.

Study Objectives

The primary policy objective of a public facilities fee program is to ensure that new development pays the capital costs associated with growth. The primary purpose of this report is to establish impact fees for Lawndale to ensure that growth pays its own way. The proposed fees will enable the City to expand its inventory of public facilities as new development leads to increases in service demands.

The City can impose public facilities fees under authority granted by the Mitigation Fee Act (the Act), contained in California Government Code Sections 66000 et seq. This report provides the necessary findings required by the Act for adoption of the fees presented in the fee schedules presented in this report.

Lawndale is nearly built out and has little growth forecast through this study's planning horizon of 2040. While the magnitude of growth is small, the lack of available space to provide public facilities will present many challenges in accommodating even small increases in service population. This growth will create an increase in demand for public services and the facilities

required to deliver them. Given the revenue challenges described above, Lawndale has decided to use a development impact fee program to ensure that new development funds the share of facility costs associated with growth. This report makes use of the most current available growth forecasts and facility plans to update the City's existing fee program to ensure that the fee program accurately represents the facility needs resulting from new development.

Fee Program Maintenance

Once a fee program has been adopted it must be properly maintained to ensure that the revenue collected adequately funds the facilities needed by new development. To avoid collecting inadequate revenue, the inventories of existing facilities and costs for planned facilities must be updated periodically for inflation, and the fees recalculated to reflect the higher costs. The use of established indices for each facility included in the inventories (land, buildings, and equipment), such as the *Engineering News-Record*, is necessary to accurately adjust the impact fees. For a list of recommended indices, see Chapter 7.

While fee updates using inflation indices are appropriate for annual or periodic updates to ensure that fee revenues keep up with increases in the costs of public facilities, it is recommended to conduct more extensive updates of the fee documentation and calculation (such as this study) when significant new data on growth forecasts and/or facility plans become available. For further detail on fee program implementation, see Chapter 7.

Study Methodology

Development impact fees are calculated to fund the cost of facilities required to accommodate growth. The six steps followed in this development impact fee study include:

1. **Estimate existing development and future growth:** Identify a base year for existing development and a growth forecast that reflects increased demand for public facilities;
2. **Identify facility standards:** Determine the facility standards used to plan for new and expanded facilities;
3. **Determine facilities required to serve new development:** Estimate the total amount of planned facilities, and identify the share required to accommodate new development;
4. **Determine the cost of facilities required to serve new development:** Estimate the total amount and the share of the cost of planned facilities required to accommodate new development;
5. **Calculate fee schedule:** Allocate facilities costs per unit of new development to calculate the development impact fee schedule; and
6. **Identify alternative funding requirements:** Determine if any non-fee funding is required to complete projects.

The key public policy issue in development impact fee studies is the identification of facility standards (step #2, above). Facility standards document a reasonable relationship between new development and the need for new facilities. Standards ensure that new development does not fund deficiencies associated with existing development.

Types of Facility Standards

There are three separate components of facility standards:

- ♦ *Demand standards* determine the amount of facilities required to accommodate growth, for example, park acres per thousand residents, square feet of library space per capita, or gallons of water per day. Demand standards may also reflect a level of service such as the vehicle volume-to-capacity (V/C) ratio used in traffic planning.

- ♦ *Design standards* determine how a facility should be designed to meet expected demand, for example, park improvement requirements and technology infrastructure for City office space. Design standards are typically not explicitly evaluated as part of an impact fee analysis but can have a significant impact on the cost of facilities. Our approach incorporates the cost of planned facilities built to satisfy the City's facility design standards.
- ♦ *Cost standards* are an alternate method for determining the amount of facilities required to accommodate growth based on facility costs per unit of demand. *Cost standards* are useful when demand standards were not explicitly developed for the facility planning process. *Cost standards* also enable different types of facilities to be analyzed based on a single measure (cost or value) and are useful when different facilities are funded by a single fee program. Examples include facility costs per capita, cost per vehicle trip, or cost per gallon of water per day.

New Development Facility Needs and Costs

A number of approaches are used to identify facility needs and costs to serve new development. This is often a two-step process: (1) identify total facility needs, and (2) allocate to new development its fair share of those needs.

There are three common methods for determining new development's fair share of planned facilities costs: the **existing inventory method**, the **planned facilities method**, and the **system plan method**. The formula used by each approach and the advantages and disadvantages of each method is summarized below:

Existing Inventory Method

The existing inventory method allocates costs based on the ratio of existing facilities to demand from existing development as follows:

$$\frac{\text{Current Value of Existing Facilities}}{\text{Existing Development Demand}} = \$/\text{unit of demand}$$

Under this method new development will fund the expansion of facilities at the same standard currently serving existing development. By definition the existing inventory method results in no facility deficiencies attributable to existing development. This method is often used when a long-range plan for new facilities is not available. Only the initial facilities to be funded with fees are identified in the fee study. Future facilities to serve growth are identified through an annual capital improvement plan and budget process, possibly after completion of a new facility master plan. This approach is to calculate the traffic facilities fees and the parks and recreation fees in this report.

Planned Facilities Method

The planned facilities method allocates costs based on the ratio of planned facility costs to demand from new development as follows:

$$\frac{\text{Cost of Planned Facilities}}{\text{New Development Demand}} = \$/\text{unit of demand}$$

This method is appropriate when planned facilities will entirely serve new development, or when a fair share allocation of planned facilities to new development can be estimated. An example of the former is a Wastewater trunk line extension to a previously undeveloped area. An example of the latter is a portion of a roadway that has been identified as necessary to mitigate the impact from new development through traffic modeling analysis. Under this method new development will fund the expansion of facilities at the standards used in the applicable planning documents. This approach is used to calculate the art in public places and parking in-lieu facilities fees in this report.

System Plan Method

This method calculates the fee based on the value of existing facilities plus the cost of planned facilities, divided by demand from existing plus new development:

$$\frac{\text{Value of Existing Facilities} + \text{Cost of Planned Facilities}}{\text{Existing} + \text{New Development Demand}} = \$/\text{unit of demand}$$

This method is useful when planned facilities need to be analyzed as part of a system that benefits both existing and new development. It is difficult, for example, to allocate a new fire station solely to new development when that station will operate as part of an integrated system of fire stations that together achieve the desired level of service.

The system plan method ensures that new development does not pay for existing deficiencies. Often facility standards based on policies such as those found in General Plans are higher than the existing facility standards. This method enables the calculation of the existing deficiency required to bring existing development up to the policy-based standard. The local agency must secure non-fee funding for that portion of planned facilities required to correct the deficiency to ensure that new development receives the level of service funded by the impact fee. This approach is not used in this report.

Organization of the Report

The determination of a public facilities fee begins with the selection of a planning horizon and development of growth projections for population and employment. These projections are used throughout the analysis of different facility categories and are summarized in Chapter 2.

Chapters 3 through 6 identify facility standards and planned facilities, allocate the cost of planned facilities between new development and other development, and identify the appropriate development impact fee for the following facility categories:

- Traffic Facilities
- Parks and Recreation Facilities
- Parking Facilities In-Lieu Fee
- Art in Public Places

Chapter 7 details the procedures that the City must follow when implementing a development impact fee program. Impact fee program adoption procedures are found in *California Government Code* Sections 66016 through 66018.

The five statutory findings required for adoption of the proposed public facilities fees in accordance with the Mitigation Fee Act are documented in Chapter 8.

2. Growth Forecasts

Growth projections are used as indicators of demand to determine facility needs and allocate those needs between existing and new development. This chapter explains the source for the growth projections used in this study based on a 2020 base year and a planning horizon of 2040.

Estimates of existing development and projections of future growth are critical assumptions used throughout this report. These estimates are used as follows:

- The estimate of existing development in 2020 is used as an indicator of existing facility demand and to determine existing facility standards.
- The estimate of total development at the 2040 planning horizon is used as an indicator of future demand to determine total facilities needed to accommodate growth and remedy existing facility deficiencies, if any.
- Estimates of growth from 2020 through 2040 are used to (1) allocate facility costs between new development and existing development, and (2) estimate total fee revenues.

The demand for public facilities is based on the service population, dwelling units or nonresidential development creating the need for the facilities.

Land Use Types

To ensure a reasonable relationship between each fee and the type of development paying the fee, growth projections distinguish between different land use types. The land use types that impact fees have been calculated for are defined below.

- **Single family:** Detached and attached one-unit dwellings.
- **Multifamily:** All attached multi-family dwellings including duplexes and condominiums.
- **Commercial:** All commercial, retail, educational, and hotel/motel development.
- **Office:** All general, professional, and medical office development.
- **Industrial:** All warehouse, manufacturing, and other industrial development.

Some developments may include more than one land use type, such as a mixed-use development with both multi-family and commercial uses. Another similar situation would be a warehousing facility that contains office space. In those cases, the facilities fee would be calculated separately for each land use type included within the building.

The City has the discretion to determine which land use type best reflects a development project's characteristics for purposes of imposing an impact fee and may adjust fees for special or unique uses to reflect the impact characteristics of the use.

Existing and Future Development

Table 2.1 shows the estimated number of residents, dwelling units, employees, and building square feet in Lawndale, both in 2020 and in 2040. The base year estimates of residents and dwelling units comes from the California Department of Finance. The future dwelling unit projection total is based on the increase in dwelling units from the most recent SCAG Regional Housing Needs Allocation and assumes that the proportion of single family to multifamily units will remain constant through 2040. The projection of residents in 2040 is based on the increase in dwelling units multiplied by the existing occupancy density factors, by dwelling unit type presented below in Table 2.2.

Estimates of base year employees come from the U.S. Census Bureau, LEHD Origin-Destination Employment Statistics, OnTheMap Application. Future employees are based on Growth Figures from Southern California Association of Governments: 2016-2040.

Table 2.1: Citywide Demographic Assumptions

	2020	2040	Increase
Residents ¹	32,624	40,549	7,925
Dwelling Units ²			
Single Family	6,737	8,387	1,650
Multifamily	3,434	4,275	841
Total	10,171	12,662	2,491
Building Square Feet (000s) ³			
Commercial	1,259	1,980	721
Office	779	1,226	446
Industrial	657	1,033	376
Total	2,695	4,239	1,543
Employment ⁴			
Commercial	2,631	4,138	1,507
Office	1,847	2,905	1,058
Industrial	736	1,157	421
Total	5,214	8,200	2,986

¹ Current population from California Department of Finance (DOF). Projection total for based on increase in dwelling units from 13-Feb-20 SCAG RHNA Allocation and dwelling unit density factors in Table 2.2.

² Current values from DOF. Total units projection is based on 13-Feb-20 SCAG RHNA Allocation allocated to single family and multifamily based on current proportions.

³ Equivalent building square footage estimated by dividing employees by occupancy density factors.

⁴ Base year from OnTheMap Application. Projection from 2016-2040 SCAG RTP/SCS allocated to land uses based on current proportions

Sources: Estimate of SCAG RHNA Allocation Based On Staff-Recommended Final RHNA Methodology; 2016-2040 RTP/SCS Final Growth Forecast by Jurisdiction; California Department of Finance (DOF), Table E-5, 2020; U.S. Census Bureau, OnTheMap Application, <http://onthemap.ces.census.gov>; Table 2.2, Willdan Financial Services.

Occupant Densities

All fees in this report are calculated based on dwelling units or building square feet. Occupant density assumptions ensure a reasonable relationship between the size of a development project, the increase in service population associated with the project, and the amount of the fee.

Occupant densities (residents per dwelling unit or workers per building square foot) are the most appropriate characteristics to use for most impact fees. The fee imposed should be based on the land use type that most closely represents the probable occupant density of the development.

The average occupant density factors used in this report are shown in **Table 2.2**. The residential density factors are based on data for Lawndale from the 2018 U.S. Census' American Community Survey, the most recent data available.

The nonresidential occupancy factors are based on occupancy factors found in the *Employment Density Study Summary Report*, prepared for the Southern California Association of Governments by The Natelson Company. Though not specific to Lawndale, the Natelson study covered employment density over a wide array of land use and development types, making it reasonable to apply these factors to other areas. The specific factors used in this report are specific to Los Angeles County.

Table 2.2: Occupant Density

<i>Residential</i>		
Single Family	3.58	Residents Per Dwelling Unit
Multifamily	2.40	Residents Per Dwelling Unit
<i>Nonresidential</i>		
Commercial	2.09	Employees per 1,000 square feet
Office	2.37	Employees per 1,000 square feet
Industrial	1.12	Employees per 1,000 square feet

Sources: U.S. Census Bureau, 2014-2018 American Community Survey 5-Year Estimates, Tables B25024 and B25033; The Natelson Company, Inc., *Employment Density Study Summary Report*, prepared for the Southern California Association of Governments, October 31, 2001, Los Angeles County data; Willdan Financial Services.

3. Traffic Facilities

This chapter summarizes an analysis of the need for transportation improvements, including intersection improvements, sidewalks, and roadway, to accommodate new development. The chapter documents a reasonable relationship between new development and the impact fee for funding of these facilities.

Trip Demand

The need for street improvements is based on the trip demand placed on the system by development. A reasonable measure of demand is the number of average vehicle trips during peak PM demand, adjusted for the type of trip. Vehicle trip generation rates are a reasonable measure of demand on the City's system of street improvements across all modes because alternate modes (transit, bicycle, pedestrian) often substitute for vehicle trips.

The two types of trips adjustments made to trip generation rates to calculate trip demand are described below:

- Pass-by trips are deducted from the trip generation rate. Pass-by trips are intermediates stops between an origin and a final destination that require no diversion from the route, such as stopping to get gas on the way to work.
- The trip generation rate is adjusted by the average length of trips for a specific land use category compared to the average length of all trips on the street system.

Table 3.1 shows the calculation of trip demand factors by land use category based on the adjustments described above. Data is based on extensive and detailed trip surveys conducted by the Institute of Traffic Engineers, and from the City of Los Angeles' VMT Calculator. It should be noted that the projections of current and future trip generation in this report are calculated based on these trip demand factors and the growth projections for the City of Lawndale from Table 2.1.

Table 3.1: Trip Rate Adjustment Factors

	Pass- Primary and by Diverted		Average Trip Length ²	Adjust- ment Factor ³	ITE Category	PM Peak Hour Trips ⁴	Trip Demand Factor ⁵
	Trips ¹	Trips					
<i>Residential - per Dwelling Unit</i>							
	A	B = 1 - A	C	$D = B \times C /$ Avg.		E	$F = D \times E$
Single Family	0%	100%	6.4	0.94	Single Family Housing (210)	1.00	0.94
Multifamily	0%	100%	7.0	1.03	Apartment (220)	0.67	0.69
<i>Nonresidential - per 1,000 Square Feet</i>							
Commercial	34%	66%	6.2	0.60	Shopping Center (820)	4.21	2.53
Office	0%	100%	8.4	1.23	General Office (710)	1.42	1.75
Industrial	0%	100%	6.3	0.93	General Light Industrial (110)	0.83	0.77

¹ Percent of total trips. A pass-by trip is made as an intermediate stop on the way from an origin to a primary trip destination without a route diversion. Pass-by trips are not considered to add traffic to the road network. Assumption based on ITE data.

² In miles. Based on City of Los Angeles VMT Calculator data for the South Los Angeles APC area.

³ The trip adjustment factor equals the percent of non-pass-by trips multiplied by the average trip length and divided by the statewide average trip length of 6.8 miles.

⁴ Trips per dwelling unit or per 1,000 building square feet.

⁵ The trip demand factor is the product of the trip adjustment factor and the trip rate.

Sources: City of Los Angeles VMT Calculator, v. 1.3; Institute of Traffic Engineers, Trip Generation Manual, 10th Edition; Institute of Traffic Engineers, Trip Generation Handbook, 3rd Edition; Willdan Financial Services.

Trip Growth

The planning horizon for this analysis is 2040. **Table 3.2** lists the 2020 and 2040 land use assumptions used in this study. The trip demand factors calculated in Table 3.1 are multiplied by the existing and future dwelling units and non-residential building square feet to determine the increase in trips caused by new development.

Table 3.2: Land Use Scenario and Total Peak Trips

	Trip Demand Factor	2020		Growth 2020 to 2040		Total - 2040	
		Units	Trips	Units	Trips	Units	Trips
<i>Residential - Dwelling Units</i>							
Single Family	0.94	6,737	6,333	1,650	1,551	8,387	7,884
Multi Family	0.69	3,434	2,370	841	580	4,275	2,950
Subtotal		10,171	8,703	2,491	2,131	12,662	10,834
<i>Nonresidential - per 1,000 Sq. Ft.</i>							
Commercial	2.53	1,259	3,180	721	1,821	1,980	5,001
Office	1.75	779	1,361	446	780	1,226	2,141
Industrial	0.77	657	507	376	290	1,033	797
Subtotal		2,695	5,048	1,543	2,891	4,239	7,939
Total			13,751		5,022		18,773
			73.2%		26.8%		100%

Sources: Tables 2.1 and 3.1.

Existing Transportation Inventory

The City of Lawndale maintains 30 miles of roadway and 56 miles of sidewalks. **Table 3.3** summarizes the City's existing transportation inventory in 2020. The City's traffic engineers prepared the cost estimates for sidewalk and roadway construction.

Table 3.3: Transportation Inventory

	A	B	C = B x 5,280ft	D	E = C x D	F = A x E
	Width Miles	Sq. Ft. per (Feet) Mile	Sq. Ft. per Mile	Cost per Sq. Ft. ¹	Cost per Mile	Total Cost
<i>Streets</i>						
Sidewalk Miles	56	5	26,400	\$ 6.00	\$ 158,400	\$ 8,870,400
Roadway Centerline Miles	30	36	190,080	8.00	1,520,640	45,619,200
Total Replacement Cost						\$ 54,489,600

¹ Sidewalks 4" Concrete, Roadway 6" AC over 6" AB

Sources: Table 3.2; City of Lawndale - Email dated 2/25/20; Re: DIF Study; City of Lawndale Traffic Signal Inventory, June 2019; Willdan Financial Services.

Existing Traffic Signal Inventory

The City of Lawndale maintains thirty-three signalized intersections. Many of these intersections are shared through a joint use agreement with neighboring cities. **Table 3.4** summarizes the current inventory of traffic signals and Lawndale's share of these facilities.

Table 3.4: Traffic Signal Inventory

	Lawndale Ownership		Cost per Unit	Total Cost
	Count	Share		
<i>Intersections</i>				
Signalized Intersections	16	100%	\$ 400,000	\$6,400,000
Signalized Intersections	1	84.4%	400,000	337,600
Signalized Intersections	1	77.5%	400,000	310,000
Signalized Intersections	1	67%	400,000	268,000
Signalized Intersections	4	50%	400,000	800,000
Signalized Intersections	1	45%	400,000	180,000
Signalized Intersections	1	43%	400,000	172,000
Signalized Intersections	1	41%	400,000	164,000
Signalized Intersections	1	38.5%	400,000	154,000
Signalized Intersections	1	33%	400,000	132,000
Signalized Intersections	1	29%	400,000	116,000
Signalized Intersections	2	25%	400,000	200,000
Signalized Intersections	1	13.7%	400,000	54,800
Signalized Intersections	1	11.2%	400,000	44,800
Total Replacement Cost - Signal Inventory				\$9,333,200

Sources: City of Lawndale Traffic Signal Inventory, June 2019; Willdan Financial Services.

Existing Traffic Signs

In addition to the roadways and signalized intersections listed in the preceding tables, the City has also made significant investments in street signage. **Table 3.5** displays the City's inventory of street signs, and their corresponding replacement costs. The replacement cost estimates were provided by the City for use in this analysis.

Table 3.5: Traffic Sign Inventory

	Count	Cost per Unit	Total Cost
Sign Only	4,777	\$ 100	\$ 477,700
Traffic Signal Signs	170	100	17,000
Post and Foundation Only	575	600	345,000
Total Replacement Cost - Sign Inventory			\$ 839,700

Sources: City of Lawndale.

Cost Per Trip

Every impact fee consists of a dollar amount, or the cost of projects that can be funded by a fee, divided by a measure of development. In this case, all fees are first calculated as a cost per trip demand unit. Then these amounts are translated into housing unit (cost per dwelling unit) and nonresidential building space (cost per 1,000 building square feet) by multiplying the cost per trip by the trip generation rate for each land use category. These amounts become the fee schedule.

Table 3.5 calculates the cost the cost per trip demand unit by dividing the existing traffic facility replacement costs from Table 3.3 and 3.4 by the existing 2020 peak PM hour trips from Table 3.2.

Table 3.5: Existing Standard Cost per Trip

Roadway Inventory	\$ 54,489,600
Traffic Signal Inventory	9,333,200
Traffic Signs	839,700
Total Replacement Cost	\$ 64,662,500
Total existing PM peak hour trips	13,751
Existing cost per PM peak hour trip	\$ 4,702

Sources: Tables 3.2 - 3.5.

Projected Impact Fee Revenue

Table 3.6 shows the projected impact fee revenue for the traffic facilities impact fee through the planning horizon of 2040. In total, new development is projected to contribute \$11,690,190 through 2040 based on the increase in trip demand at the existing standard cost per trip.

Table 3.6: Projected Impact Fee Revenue

Existing Cost per Trip	\$ 4,702
Growth in Trip Demand	5,022
Projected Impact Fee Revenue	\$23,613,444

Sources: Tables 3.2 and 3.5.

Fee Schedule

Table 3.7 shows the maximum justified traffic facilities fee schedule. The maximum justified fees are based on the cost per trip shown in Table 3.5. The cost per trip is multiplied by the trip demand factors in Table 3.1 to determine a fee per unit of new development. The total fee includes a two-percent (2%) administrative charge to fund costs that include: a standard overhead charge applied to all City programs for legal, accounting, and other departmental and administrative support, and fee program administrative costs including revenue collection, revenue and cost accounting, mandated public reporting, and fee justification analyses.

In Willdan's experience with impact fee programs, two percent of the base fee adequately covers the cost of fee program administration. The administrative charge should be reviewed and adjusted during comprehensive impact fee updates to ensure that revenue generated from the charge sufficiently covers, but does not exceed, the administrative costs associated with the fee program.

Table 3.7: Traffic Impact Fee Schedule

Land Use	A	B	C = A x B		D = C x 0.02	E = C + D	E / 1,000
	Cost Per Trip	PM Peak Hour Trip Rate	Base Fee ¹	Admin Charge ^{1, 2}	Total Fee ¹	Fee per Sq. Ft.	
<i>Residential - per Dwelling Unit</i>							
Single Family	\$ 4,702	0.94	\$ 4,420	\$ 88	\$ 4,508		
Multifamily	4,702	0.69	3,245	65	3,310		
<i>Nonresidential - per 1,000 Sq. Ft.</i>							
Commercial	\$ 4,702	2.53	\$ 11,877	\$ 238	\$ 12,115	\$ 12.12	
Office	4,702	1.75	8,213	164	8,377	8.38	
Industrial	4,702	0.77	3,629	73	3,702	3.70	

¹ Fee per dwelling unit or per 1,000 square feet of nonresidential.² Administrative charge of 2.0 percent for (1) legal, accounting, and other administrative support and (2) impact fee program administrative costs including revenue collection, revenue and cost accounting, mandated public reporting, and fee justification analyses.

Sources: Tables 3.1 and 3.5; Willdan Financial Services.

4. Parks and Recreation Facilities

The purpose of the parks and recreation facilities impact fee is to fund the park facilities needed to serve new development. The maximum justified impact fee is presented based on the existing plan standard of and park and recreation facilities per capita.

The following chapter documents the nexus analysis, demonstrating the need for new parks, recreation, and community center facilities demanded by new development.

Service Population

Table 4.1 shows the existing and future projected service population for park facilities from 2020 through the planning horizon of 2040. Population growth is projected using the demographic assumptions in Table 2.1.

Table 4.1: Park and Recreation Facilities Service Population

	Residents
Existing (2020)	32,624
Growth (2020 - 2040)	7,925
Total (2040)	40,549

Source: Table 2.1.

Existing Parkland and Park Facilities Inventory

The City of Lawndale maintains several parks and recreation facilities throughout the city. **Table 4.2** summarizes the City's existing parkland inventory in 2020. All facilities are owned by the City, or the City has a joint use agreement for their use. In total, the inventory includes a total of 28.63 acres of parkland.

Table 4.2: Park Land Inventory

Name	Address	Total Acres
Jane Adams Park	15114 Firmona Avenue	4.59
Hogan Park	4045 W. 167th Street	0.92
Hopper Park	4418 W. 162nd Street	0.63
Larry R. Rudolph Park	14725 Larch Avenue	1.44
Rogers/Anderson Park	4161 W. Manhattan Beach Boulevard	14.73
William Green Park	4558 W. 168th Street	4.06
McKenzie Gardens	4324 W. 160th St	0.55
Community Center North	14616 Grevillea Ave.	0.68
Harold E. Hofmann Community Center	14700 Burin Avenue	1.03
Total - Parkland		28.63

Source: City of Lawndale: Lawndale City Owned Land and Parking.xlsx

Table 4.3 summarizes the City's inventory of park buildings and special facilities. The total value of these facilities is divided by the total developed park acres to determine the value of existing park buildings per acre.

Table 4.3: Existing Special Use Park Facility Inventory

	Quantity	Units	Unit Cost ¹	Total Value
<i>Buildings and Special Use Facilities</i>				
Community Center North	12,900 Sq. ft.		\$ 300	\$ 3,870,000
Harold E. Hofmann Community Center	45,000 Sq. ft.		300	13,500,000
Total				\$17,370,000
Total Acres of Improved Parkland (From Table 4.2)				28.63
Special Use Facilities Cost per Acre				\$ 606,600

¹ Comparable facility cost 2014, building construction inflation adjusted to 2019.

Sources: City of Lawndale: Lawndale City Owned Land and Parking.xlsx; Table 4.2, Willdan Financial Services; Engineering News Record Building Cost Index, 2014 - Oct 2019, <https://www.enr.com/topics/604-construction-economics>.

Parkland and Park Facilities Unit Costs

Table 4.4 displays the unit costs necessary to develop parkland in Lawndale. The buildings and special use facilities cost per acre from Table 4.3 is added to the cost of an acre of standard park improvements to determine the total improvement cost per acre. A value of \$2,570,040 per acre for land is also included and is consistent with other land value assumptions used in this analysis. In total, this analysis assumes that it costs \$3,924,640 to acquire and develop an acre of parkland in Lawndale.

Table 4.4: Park Facilities Unit Costs

	Cost Per Acre	Share of Total Costs
Standard Park Improvements ¹	\$ 748,000	
Special Use Facilities	606,600	
Subtotal - Improvements	\$ 1,354,600	35%
Land Acquisition	\$ 2,570,040	65%
Total Cost per Acre	\$ 3,924,640	100%

¹ Improvement costs are estimated at \$748,000 per acre for site improvements (curbs, gutters, water, sewer, and electrical access), plus basic park and school field amenities such as basketball or tennis court, parking, tot lot, irrigation, turf, open green space, pedestrian paths, and picnic tables. Excludes special use facilities such as recreation centers, structures and pools.

Sources: Table 4.3; San Diego County Parks and Recreation; Prototypical Park Cost Estimate; Willdan Financial Services.

Parkland and Park Facility Standards

Park facility standards establish a reasonable relationship between new development and the need for expanded parkland and park facilities. Information regarding the City's existing inventory of existing parks facilities was obtained from City staff.

The most common measure in calculating new development's demand for parks is the ratio of park acres per resident. In general, facility standards may be based on the Mitigation Fee Act (using a city's existing inventory of parkland and park facilities), or an adopted policy standard contained in a master facility plan or general plan. Facility standards may also be based on a land dedication standard established by the Quimby Act.² In this case, the City will use the Mitigation Fee Act to impose park impact fees for development not occurring in subdivisions and will use the Quimby Act for development occurring in subdivisions.

Mitigation Fee Act

The Mitigation Fee Act does not dictate use of a particular type or level of facility standard for public facilities fees. To comply with the findings required under the law, facility standards must not burden new development with any cost associated with facility deficiencies attributable to existing development.³ A simple and clearly defensible approach to calculating a facility standard is to use the City's existing ratio of park acreage per 1,000 residents. Under this approach, new development is required to fund new parkland and park facilities at the same level as existing residents have provided those same types of facilities to date.

Quimby Act

The Quimby Act specifies that the dedication requirement must be a minimum of 3.0 acres and a maximum of 5.0 acres per 1,000 residents. A jurisdiction can require residential developers to

² California Government Code §66477.

³ See the *Benefit and Burden* findings in *Background Report*.

dedicate above the three-acre minimum if the jurisdiction's existing park standard at the time it adopted its Quimby Act ordinance justifies the higher level (up to five acres per 1,000 residents). The standard used must also conform to the jurisdiction's adopted general or specific plan standards.

The Quimby Act only applies to land subdivisions. The Quimby Act would not apply to residential development on future approved projects on single parcels, such as apartment complexes and other multifamily development.

The Quimby Act allows payment of a fee in lieu of land dedication. The fee is calculated to fund acquisition of the same amount of land that would have been dedicated.

The Quimby Act allows use of in-lieu fee revenue for any park or recreation facility purpose. Allowable uses of this revenue include land acquisition, park improvements including recreation facilities, and rehabilitation of existing park and recreation facilities.

City of Lawndale Parkland and Park Facilities Standards

Table 4.5 shows the existing standard for improved park acreage per 1,000 residents based on the type of parkland. In total the City has an existing parkland standard of 0.86 acres per 1,000 residents, which allows the City to charge at 3.0 acres per 1,000 residents under the Quimby Act. For development not subject to the Quimby Act, the fee analysis in this report will be based on maintaining a 0.88 acre per 1,000 service population standard as new development adds demand for parks in Lawndale.

Table 4.5: Parkland Standards

Total Park Acres	28.63
Service Population (2020)	32,624
Existing Standard (Acres per 1,000 Residents)	0.88
Quimby Standard (Acres per 1,000 Residents)	3.00

Sources: Tables 4.1 and 4.2.

Facilities Needed to Accommodate New Development

Table 4.6 shows the park facilities needed to accommodate new development at the existing standard and the Quimby standard, respectively. To achieve the standard by the planning horizon, depending on the amount of development subject to the Quimby Act, new development must fund the purchase and improvement of between 6.97 and 23.78 parkland acres, at a total cost ranging between \$27.4 million and \$70.6 million.

The facility standards and resulting fees under the Quimby Act are higher, because development will be charged to provide 3.0 acres of parkland per 1,000 residents, and 0.88 acres of improvements, whereas development not subject to the Quimby Act will be charged to provide only 0.88 acres of parkland per 1,000 service population, and 0.88 acres of improvements.

Table 4.6: Park Facilities to Accommodate New Development

	Calculation	Parkland	Improvements	Total ¹
<i>Parkland & Improvements (Mitigation Fee Act)²</i>				
Facility Standard (acres/1,000 capita)	A	0.88	0.88	
Service Population Growth (2020-2040)	B	7,925	7,925	
Facility Needs (acres)	$C = A \times B$	6.97	6.97	
Average Unit Cost (per acre)	D	\$ 2,570,040	\$ 1,354,600	
Total Cost of Facilities	$E = C \times D$	\$17,913,000	\$ 9,442,000	\$ 27,355,000
<i>Parkland (Quimby Act), Improvements (Mitigation Fee Act)³</i>				
Facility Standard (acres/1,000 capita)	A	3.00	0.88	
Service Population Growth (2020-2040)	B	7,925	7,925	
Facility Needs (acres)	$C = A \times B$	23.78	6.97	
Average Unit Cost (per acre)	D	\$ 2,570,040	\$ 1,354,600	
Total Cost of Facilities	$E = C \times D$	\$61,116,000	\$ 9,442,000	\$ 70,558,000

Note: Totals have been rounded to the thousands.

¹ Values in this column show the range of the cost of parkland acquisition and development should all development be either subject to the Quimby Act, or to the Mitigation Fee Act, respectively.

² Cost of parkland to serve new development shown if all development is subject to the Mitigation Fee Act. Parkland and improvements are charged at the existing standard.

³ Cost of parkland to serve new development shown if all development is subject to the Quimby Act. The Quimby Fee applies anytime the Subdivision Map Act is applied. Under the Quimby Act, an in-lieu fee is charged at 3.0 acres per 1,000 residents; improvements charged at the existing standard. If a subdivision has less than 50 units, then the Quimby "in-lieu" fee will apply. If a subdivision has more than 50 units, then the developer has the option of dedicating land to meet its Quimby parkland requirements or paying the fee.

Sources: Tables 4.1, 4.4, and 4.5; City of Lawndale Municipal Code; Willdan Financial Services.

Parks Cost per Capita

Table 4.7 shows the cost per capita of providing new parkland and park facilities at the existing facility standard, and at the Quimby standard. The cost per capita is shown separately for land and improvements. The cost per capita is shown separately for land and improvements. The costs per capita in this table will serve as the basis of three fees:

- A Quimby Act Fee in-lieu of land dedication. This fee is payable by residential development occurring in subdivisions.
- A Mitigation Fee Act Fee for land acquisition. This fee is payable by residential development not occurring in subdivisions.
- A Mitigation Fee Act Fee for parkland improvements. This fee is payable by all residential development.

A development project pays either the Quimby Act Fee in-lieu of land dedication, or the Mitigation Fee Act Fee for land acquisition, not both. All development projects pay the Mitigation Fee Act Fee for park improvements.

Table 4.7: Park Facilities Investment Per Capita

	Calculation	<u>Land</u>		<u>Improvements</u>
		Quimby Fee	Impact Fee	Impact Fee
Cost per Acre	A	\$ 2,570,040	\$ 2,570,040	\$ 1,354,600
Facility Standard	B	3.00	0.88	0.88
Investment Per Capita	$C = A/B$	\$ 7,710	\$ 2,262	\$ 1,192

Sources: Tables 4.1, and 4.6; Willdan Financial Services.

Use of Fee Revenue

The City plans to use parkland and park facilities fee revenue to purchase parkland or construct improvements to add to the system of park facilities that serves new development. The City may only use impact fee revenue to provide facilities and intensify usage of existing facilities needed to serve new development.

Fee Schedule

In order to calculate fees by land use type, the investment in park facilities is determined on a per resident basis for both land acquisition and improvement. These investment factors (shown in Table 4.7) are investment per capita based on the unit cost estimates and facility standards.

Tables 4.8a and **4.8b** show the park facilities fee based on the minimum Quimby standard and the existing standard, respectively. The City would collect the fee based on only one of the two approaches as appropriate. Each fee includes a component for park improvements based on the City's existing standard. The investment per capita is converted to a fee per dwelling unit.

The total fee includes an administrative charge to fund costs that include: (1) legal, accounting, and other administrative support and (2) impact fee program administrative costs including revenue collection, revenue and cost accounting, mandated public reporting, and fee justification analyses.

Table 4.8a: Park Facilities Impact Fee Schedule - Quimby Act

Land Use	A	B	C = A x B	D = C x 0.02	E = C + D
	Cost Per Capita	Density	Base Fee	Admin Charge ¹	Total Fee
<i>Single Family</i>					
Parkland	\$ 7,710	3.58	\$ 27,602	\$ 552	\$ 28,154
Improvements	1,192	3.58	4,267	85	4,352
Total	\$ 8,902		\$ 31,869	\$ 637	\$ 32,506
<i>Multifamily</i>					
Parkland	\$ 7,710	2.40	\$ 18,504	\$ 370	\$ 18,874
Improvements	1,192	2.40	2,861	57	2,918
Total	\$ 8,902		\$ 21,365	\$ 427	\$ 21,792

¹ Administrative charge of 2.0 percent for (1) legal, accounting, and other administrative support and (2) impact fee program administrative costs including revenue collection, revenue and cost accounting, mandated public reporting, and fee justification analyses.

Sources: Tables 2.2 and 4.7 Willdan Financial Services.

Table 4.8b: Park Facilities Impact Fee Schedule - Mitigation Fee Act

Land Use	A	B	C = A x B	D = C x 0.02	E = C + D
	Cost Per Capita	Density	Base Fee	Admin Charge ¹	Total Fee
<i>Single Family</i>					
Parkland	\$ 2,262	3.58	\$ 8,098	\$ 162	\$ 8,260
Improvements	1,192	3.58	4,267	85	4,352
Total	\$ 3,454		\$ 12,365	\$ 247	\$ 12,612
<i>Multifamily</i>					
Parkland	\$ 2,262	2.40	\$ 5,429	\$ 109	\$ 5,538
Improvements	1,192	2.40	2,861	57	2,918
Total	\$ 3,454		\$ 8,290	\$ 166	\$ 8,456

¹ Administrative charge of 2.0 percent for (1) legal, accounting, and other administrative support and (2) impact fee program administrative costs including revenue collection, revenue and cost accounting, mandated public reporting, and fee justification analyses.

Sources: Tables 2.2 and 4.7 Willdan Financial Services.

5. Parking Facilities In-Lieu Fee

The purpose of the parking in-lieu fee is to provide developers with an option to pay an established fee rather than provide the parking spaces onsite required by the Lawndale Municipal Code zoning requirements. The cost of planned facilities to accommodate the parking spaces otherwise required on site as part of projects determines the maximum justified Parking In-Lieu Fee. This chapter presents the nexus analysis, showing the need and projected cost of parking facilities to maintain the overall parking availability in Lawndale in accordance with the zoning requirements.

Parking Requirements

Table 5.1 shows the City of Lawndale parking requirements for residential and nonresidential development. As summarized in *City of Lawndale Residential Development Standards*, single and multifamily dwelling units require two parking spaces measuring nine by twenty feet (9' x 20'). Multifamily dwelling units require an additional one-half space (.5) as mandated "Guest Parking." *Lawndale Commercial Parking Standards* details commercial developments as requiring one space per 250 square feet of commercial retail, 300 square feet of business offices or 500 square feet of industrial uses. Examples of required parking spaces are shown for a prototypical 3 bedroom single or multifamily residential dwelling unit and per 1,000 square feet of nonresidential use. Refer to the City's *Residential and Commercial Parking Standards* for the full requirements as specific by the municipal code.

Table 5.1: Parking Requirements

	Required Parking Spaces per Unit ¹
<i>Dwelling Units</i>	
Single Family	2.00
Multifamily	2.50
Total	
<i>Building Square Feet (000s)</i>	
Commercial	4.00
Office	3.30
Industrial	2.00
Total	

¹Law ndale Municipal code requires one parking space per 250 square feet of commercial, per 300 square feet of office, and per 500 square feet of industrial. Refer to Residential and Commercial Parking Standards for full requirements.

Sources: City of Law ndale: Residential Development Standards; City of Law ndale: Commercial Parking Standards.

Parking Facilities Unit Costs

Table 5.2 details the unit cost per parking space to develop multistory above ground parking structures in Lawndale. The municipal code mandated parking space of nine by twenty feet (9' x 20') requires one hundred and eighty square feet (180 square feet) of floor space and additional ninety square feet (90 square feet) of space for entries, exits, ramps and circulation. A prototypical four-story parking garage requires sixty-eight square feet (68 square feet) of land per parking space. Table 5.2 calculates typical construction cost in Los Angeles County for a multistory parking garage and land acquisition cost in the City of Lawndale to determine a facility unit cost per city parking space of \$29,641.

Table 5.2: Parking Facility Unit Costs

	Parking Space ¹	Unit Cost per SqFt ²	Total Cost Per Space
<i>Aboveground Parking Facility</i> ³			
Construction	270 Sq. ft.	\$ 95	\$ 25,659
Land	68 Sq. ft.	59	3,983
Total			\$ 29,641

¹ Law ndale Municipal Code requires 180 sqft (9x20) for parking spaces. Circulation and entry/exit requires 90 sqft per space, total 270 sqft

² Comparable facility cost 2014, building construction inflation adjusted to 2019.

³ Prototypical 4 story parking structure, larger or smaller structure would change ratio of parking spaces to land use.

Sources: City of Law ndale: Commercial Parking Standards; Table 5.2, Willdan Financial Services; UCLA: Parking: Issues and Policies Transport and Sustainability, Volume 5, 2014.

Use of Fee Revenue

The City plans to use parking in lieu fee revenue to purchase land and construct improvements to add to parking space inventory. The City may only use parking in lieu fee revenue to provide facilities and intensify usage of existing facilities needed to serve new development.

Fee Schedule

Table 5.3 shows the maximum justified parking in-lieu fee schedule per required parking space. The maximum justified fees are based on the cost per parking space shown in Table 5.2. The cost per space can be used to determine the fee for projects that meet a fraction of the on-site parking space requirement. The total fee includes a two percent (2%) administrative charge to fund costs that include: a standard overhead charge applied to all City programs for legal, accounting, and other departmental and administrative support, and fee program administrative costs including revenue collection, revenue and cost accounting, mandated public reporting, and fee justification analyses.

In Willdan's experience with impact fee programs, two percent of the base fee adequately covers the cost of fee program administration. The administrative charge should be reviewed and adjusted during comprehensive impact fee updates to ensure that revenue generated from the charge sufficiently covers, but does not exceed, the administrative costs associated with the fee program.

Table 5.3: Maximum Justified Parking In Lieu Fee Schedule

	$C = A \times B$	$D = C \times 0.02$	$E = C + D$
	Admin		
	Base Fee ¹	Charge ^{1, 2}	Total Fee ¹
Cost per Space	\$ 29,641	\$ 593	\$ 30,234

¹ Fee in lieu of providing a parking space onsite. City of Lawndale Municipal code requires one parking space per 250 square feet of commercial space, per 300 square feet of office space, and per 500 square feet of industrial space. Refer to Residential and Commercial Parking Standards for full requirements.

² Administrative charge of 2.0 percent for (1) legal, accounting, and other administrative support and (2) impact fee program administrative costs including revenue collection, revenue and cost accounting, mandated public reporting, and fee justification analyses.

Sources: Tables 5.1 and 5.2; Willdan Financial Services.

6. Art in Public Places

The City of Lawndale requested an art in public places ordinance to expand the City's artistic and cultural resources by enhancing the environment and quality of life as new development occurs.

To comply with the proposed ordinance, a project would include a publicly accessible civic artwork valued at one percent of the project's building valuation. The developer may choose instead to contribute an in-lieu fee to the art in public places fund valued at one percent of the building valuation.

All new residential developments of four or more units, public and institutional buildings and all commercial, office, and industrial development projects with a construction value equal to or exceeding \$100,000 are subject to the fee.

A fee of one percent of construction value is a reasonable and commonly used by jurisdictions for art in public places fees. The one percent fee will always reflect the current price of construction, which is a direct measure of inflation. Because the fee is based on a cost that will always reflect the status of the local economy, the fee essentially updates itself annually.

7. Implementation

Impact Fee Program Adoption Process

Impact fee program adoption procedures are found in the *California Government Code* section 66016. Adoption of an impact fee program requires the City Council to follow certain procedures including holding a public hearing. Data, such as an impact fee report, must be made available at least 10 days prior to the public hearing. The City's legal counsel should be consulted for any other procedural requirements as well as advice regarding adoption of an enabling ordinance and/or a resolution. After adoption there is a mandatory 60-day waiting period before the fees go into effect.

Inflation Adjustment

The City has kept its impact fee program up to date by periodically adjusting the fees for inflation. Such adjustments should be completed regularly to ensure that new development will fully fund its share of needed facilities. We recommend that the following indices be used for adjusting fees for inflation:

- ♦ Buildings – Engineering News-Record's Building Cost Index (BCI)
- ♦ Equipment – Consumer Price Index, All Items, 1982-84=100 for All Urban Consumers (CPI-U)

The indices recommended can be found for local jurisdictions (state, region), and for the nation. With the exception of land, we recommend that the national indices be used to adjust for inflation, as the national indices are not subject to frequent dramatic fluctuations that the localized indices are subject to.

Due to the highly variable nature of land costs, there is no particular index that captures fluctuations in land values. We recommend that the City adjust land values based on recent land purchases, sales or appraisals at the time of the update.

While fee updates using inflation indices are appropriate for periodic updates to ensure that fee revenues keep up with increases in the costs of public facilities, the City will also need to conduct more extensive updates of the fee documentation and calculation (such as this study) when significant new data on growth forecasts and/or facility plans become available.

Reporting Requirements

The City should comply with the annual and five-year reporting requirements of the *Mitigation Fee Act*. For facilities to be funded by a combination of public fees and other revenues, identification of the source and amount of these non-fee revenues is essential. Identification of the timing of receipt of other revenues to fund the facilities is also important.

Table 7.1 summarizes the annual and five-year reporting requirements.

Table 7.1: Mitigation Fee Act - Annual and Five-year Administrative Requirements

CA Gov't Code Section	Timing	Reporting Requirements ¹	Recommended Fee Adjustment
66001.(d)	The fifth fiscal year following the first deposit into the account or fund, and every five years thereafter	(A) Identify the purpose to which the fee is to be put. (B) Demonstrate a reasonable relationship between the fee and the purpose for which it is charged. (C) Identify all sources and amounts of funding anticipated to complete financing in incomplete improvements. (D) Designate the approximate dates on which supplemental funding is expected to be deposited into the appropriate account or fund.	Comprehensive Update
66006. (b)	Within 180 days after the last day of each fiscal year	(A) A brief description of the type of fee in the account or fund. (B) The amount of the fee. (C) The beginning and ending balance of the account or fund. (D) The amount of the fees collected and the interest earned. (E) An identification of each public improvement on which fees were expended including share funded by fees. (F) An identification of an approximate date by which the construction of the public improvement will commence. (G) A description of any potential interfund transfers. (H) The amount of refunds made (if any).	Inflationary Adjustment

¹ Edited for brevity. Refer to the government code for full description.

Sources: CA Government Code sections 66001.(d) and 66006.(b).

Programming Revenues and Projects with the CIP

The City maintains a Capital Improvement Program (CIP) to plan for future infrastructure needs. The CIP identifies costs and phasing for specific capital projects. The use of the CIP in this manner documents a reasonable relationship between new development and the use of those revenues.

The City may decide to alter the scope of the planned projects or to substitute new projects as long as those new projects continue to represent an expansion of the City's facilities. If the total cost of facilities varies from the total cost used as a basis for the fees, the City should consider revising the fees accordingly.

Reimbursements

For some facility categories, particularly park facilities, developers occasionally dedicate parkland and construct facilities in lieu of paying the development impact fee. If a developer builds parkland that exceeds the development's share of needed facilities, that developer should be reimbursed for the amount of facilities created above and beyond that development's impact. However, we recommend that the City reimburse the difference based on a) the costs identified in the most recent CIP, and b) at the time that the City would be building the improvement had the development not occurred. By following these guidelines, the City will not be unfairly burdened with unanticipated costs.

8. Mitigation Fee Act Findings

Public facilities fees are one-time fees typically paid when a building permit is issued and imposed on development projects by local agencies responsible for regulating land use (cities and counties). To guide the widespread imposition of public facilities fees the State Legislature adopted the *Mitigation Fee Act* (the *Act*) with Assembly Bill 1600 in 1987 and subsequent amendments. The *Act*, contained in *California Government Code* Sections 66000 through 66025, establishes requirements on local agencies for the imposition and administration of fee programs. The *Act* requires local agencies to document five findings when adopting a fee.

The five statutory findings required for adoption of the public facilities fees documented in this report are presented in this chapter and supported in detail by the preceding chapters. All statutory references are to the *Act*.

Purpose of Fee

- ♦ *Identify the purpose of the fee (§66001(a)(1) of the Act).*

Development impact fees are designed to ensure that new development will not burden the existing service population with the cost of facilities required to accommodate growth. The purpose of the fees proposed by this report is to provide a funding source from new development to fund capital improvements to serve that development. The fees advance a legitimate City interest by enabling the City to provide public facilities to new development.

Use of Fee Revenues

- ♦ *Identify the use to which the fees will be put. If the use is financing facilities, the facilities shall be identified. That identification may, but need not, be made by reference to a capital improvement plan as specified in §65403 or §66002, may be made in applicable general or specific plan requirements, or may be made in other public documents that identify the facilities for which the fees are charged (§66001(a)(2) of the Act).*

Fees proposed in this report, if enacted by the City, would be used to fund expanded facilities to serve new development. Facilities funded by these fees are designated to be located within the City's sphere of influence. Fees addressed in this report have been identified by the City to be restricted to funding the following facility categories: traffic facilities, parks and recreation facilities and parking facilities.

Benefit Relationship

- ♦ *Determine the reasonable relationship between the fees' use and the type of development project on which the fees are imposed (§66001(a)(3) of the Act).*

The City will restrict fee revenue to the acquisition of land, construction of facilities and buildings, and purchase of related equipment, furnishings, vehicles, and services used to serve new development. Facilities funded by the fees are expected to provide a citywide network of facilities accessible to the additional residents and workers associated with new development. Under the *Act*, fees are not intended to fund planned facilities needed to correct existing deficiencies. Thus, a reasonable relationship can be shown between the use of fee revenue and the new development residential and non-residential use classifications that will pay the fees.

Burden Relationship

- ♦ *Determine the reasonable relationship between the need for the public facilities and the types of development on which the fees are imposed (§66001(a)(4) of the Act).*

Facilities need is based on a facility standard that represents the demand generated by new development for those facilities. For each facility category, demand is measured by a single facility standard that can be applied across land use types to ensure a reasonable relationship to the type of development. For traffic facilities this standard is expressed as a cost per trip. For parks and recreation facilities this standard is expressed as a cost per resident.

The standards used to identify growth needs are also used to determine if planned facilities will partially serve the existing service population by correcting existing deficiencies. This approach ensures that new development will only be responsible for its fair share of planned facilities, and that the fees will not unfairly burden new development with the cost of facilities associated with serving the existing service population.

Chapter 2, Growth Forecasts provides a description of how service population and growth forecasts are calculated. Facility standards are described in the *Facility Standards* sections of each facility category chapter.

Proportionality

- ♦ *Determine how there is a reasonable relationship between the fees amount and the cost of the facilities or portion of the facilities attributable to the development on which the fee is imposed (§66001(b) of the Act).*

The reasonable relationship between each facilities fee for a specific new development project and the cost of the facilities attributable to that project is based on the estimated new development growth the project will accommodate. Fees for a specific project are based on the project's size. Larger new development projects can result in a higher service population resulting in higher fee revenue than smaller projects in the same land use classification. Thus, the fees ensure a reasonable relationship between a specific new development project and the cost of the facilities attributable to that project.

See *Chapter 2, Growth Forecasts*, *Chapter 3, Trip Growth* or the *Service Population* section of *Chapter 4* in each facility category chapter for a description of how service populations or other factors are determined for different types of land uses. See the *Fee Schedule* section of each facility category chapter for a presentation of the proposed facilities fees

Attachment B

City Council Resolution CC-2108-035

RESOLUTION NO. CC-2108-035

**A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF LAWNSDALE, CALIFORNIA
ADOPTING DEVELOPMENT IMPACT FEES FOR TRAFFIC, PARKS
AND RECREATION, PARKING, AND PUBLIC ART FACILITIES**

WHEREAS, new development generates impacts on public services and public facilities for which revenues generated through property taxes and other means are generally insufficient to accommodate; and

WHEREAS, it is the City's intent and desire to have developers pay for their fair share of public costs associated with new development while at the same time facilitating growth that is in the public interest; and

WHEREAS, the fees established by this Resolution are based upon and do not exceed the costs of providing capital facilities necessitated by the new developments for which the fees are levied; and

WHEREAS, the imposition of impact fees is one of the preferred methods of ensuring that development is a proportionate share of the cost of capital facilities necessary to accommodate such development. This must be done in order to promote and protect the public health, safety and welfare; and

WHEREAS, the imposition of impact fees is one of the preferred methods of ensuring that development bears a proportionate share of the cost of capital facilities necessary to accommodate such development. This must be done in order to promote and protect the public health, safety and welfare;

WHEREAS, City staff has prepared the updated development impact fees, attached hereto as Exhibits "A" and incorporated herein by reference as development impact fees levied for new development; and

WHEREAS, the Mitigation Fee Act requires that development impact fees for municipalities show a reasonable relationship that is proportionate share of the cost of capital facilities necessary to accommodate such development; and

WHEREAS, Lawndale Municipal Code Chapter 3.32 requires the City Council to conduct a public hearing before the City adopts impact fees; and

WHEREAS, the City Council, after notice duly given as required by law, held a public hearing on August 16, 2021 and continued the public hearing until September 7, 2021 in the City Hall council chamber located at 14717 Burin Avenue, Lawndale, California, to consider staff's recommendation on this matter; and

WHEREAS, based upon oral and written presentations by City staff and members of the public, including but not limited to the staff report, exhibits, attachments, the fee analysis, the City Council now desires to adopt updated fees for certain building, electrical, mechanical, plumbing, grading, and landscape services.

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

SECTION 1. The recitals above are true and correct and incorporated herein by reference.

SECTION 2. The fees set forth on Exhibits "A" are derived from and are based upon, and do not exceed the costs of providing capital facilities necessitated by new land development for which the fees are levied.

SECTION 3. The City Council hereby adopts the development impact fees attached hereto and incorporated herein as Exhibit "A" as the City's development impact fees effective August 16, 2021.

SECTION 4. That the adoption of these Development Impact Fees is exempt from the provisions of the California Environmental Quality Act (CEQA) because the creation of a government funding mechanism which does not involve any commitment to any specific project is not a "project" under CEQA pursuant to Public Resources Code Section 21080 and CEQA Guideline 15378(b)(4).

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

SECTION 6. The City Clerk shall certify to the passage and adoption of this resolution, and shall make a minute of the passage and adoption thereof in the records of and the proceedings of the City Council at which the same is passed and adopted.

PASSED, APPROVED AND ADOPTED this 7th day of September 2021.

Robert Pullen-Miles, Mayor

ATTEST:

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

I, Erica Harbison, 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-2108-035 at a regular meeting of said Council held on the 7th day of September, 2021, by the following roll call vote:

Name	Voting		Present, Not Voting		Absent
	Aye	No	Abstain	Not Participating	
Robert Pullen-Miles, Mayor					
Pat Kearney, Mayor Pro Tem					
Rhonda Hofmann-Gorman					
Bernadette Suarez					
Sirley Cuevas					

Erica Harbison, City Clerk

APPROVED AS TO FORM:

Gregory M. Murphy, City Attorney

Exhibit A

Development Impact Fees

Table 3.7: Traffic Impact Fee Schedule

Land Use	A Cost Per Trip	B PM Peak Hour Trip Rate	C = A x B Base Fee ¹	D = C x 0.02 Admin Charge ^{1, 2}	E = C + D Total Fee ¹	E / 1,000 Fee per Sq. Ft.
<i>Residential - per Dwelling Unit</i>						
Single Family	\$ 4,702	0.94	\$ 4,420	\$ 88	\$ 4,508	
Multifamily	4,702	0.69	3,245	65	3,310	
<i>Nonresidential - per 1,000 Sq. Ft.</i>						
Commercial	\$ 4,702	2.53	\$ 11,877	\$ 238	\$ 12,115	\$ 12.12
Office	4,702	1.75	8,213	164	8,377	8.38
Industrial	4,702	0.77	3,629	73	3,702	3.70

¹ Fee per dwelling unit or per 1,000 square feet of nonresidential.

² Administrative charge of 2.0 percent for (1) legal, accounting, and other administrative support and (2) impact fee program administrative costs including revenue collection, revenue and cost accounting, mandated public reporting, and fee justification analyses.

Sources: Tables 3.1 and 3.5; Willdan Financial Services.

Table 4.8a: Park Facilities Impact Fee Schedule - Quimby Act

Land Use	A Cost Per Capita	B Density	C = A x B Base Fee	D = C x 0.02 Admin Charge ¹	E = C + D Total Fee
<i>Single Family</i>					
Parkland	\$ 7,710	3.58	\$ 27,602	\$ 552	\$ 28,154
Improvements	1,192	3.58	4,267	85	4,352
Total	\$ 8,902		\$ 31,869	\$ 637	\$ 32,506
<i>Multifamily</i>					
Parkland	\$ 7,710	2.40	\$ 18,504	\$ 370	\$ 18,874
Improvements	1,192	2.40	2,861	57	2,918
Total	\$ 8,902		\$ 21,365	\$ 427	\$ 21,792

¹ Administrative charge of 2.0 percent for (1) legal, accounting, and other administrative support and (2) impact fee program administrative costs including revenue collection, revenue and cost accounting, mandated public reporting, and fee justification analyses.

Sources: Tables 2.2 and 4.7 Willdan Financial Services.

Table 4.8b: Park Facilities Impact Fee Schedule - Mitigation Fee Act

Land Use	A Cost Per Capita	B Density	C = A x B Base Fee	D = C x 0.02 Admin Charge ¹	E = C + D Total Fee
<i>Single Family</i>					
Parkland	\$ 2,262	3.58	\$ 8,098	\$ 162	\$ 8,260
Improvements	1,192	3.58	4,267	85	4,352
Total	\$ 3,454		\$ 12,365	\$ 247	\$ 12,612
<i>Multifamily</i>					
Parkland	\$ 2,262	2.40	\$ 5,429	\$ 109	\$ 5,538
Improvements	1,192	2.40	2,861	57	2,918
Total	\$ 3,454		\$ 8,290	\$ 166	\$ 8,456

¹ Administrative charge of 2.0 percent for (1) legal, accounting, and other administrative support and (2) impact fee program administrative costs including revenue collection, revenue and cost accounting, mandated public reporting, and fee justification analyses.

Sources: Tables 2.2 and 4.7 Willdan Financial Services.

Table 5.3: Maximum Justified Parking In Lieu Fee Schedule

	$C = A \times B$	$D = C \times 0.02$	$E = C + D$
		Admin	
	Base Fee¹	Charge^{1, 2}	Total Fee¹
Cost per Space	\$ 29,641	\$ 593	\$ 30,234

¹ Fee in lieu of providing a parking space onsite. City of Lawndale Municipal code requires one parking space per 250 square feet of commercial space, per 300 square feet of office space, and per 500 square feet of industrial space. Refer to Residential and Commercial Parking Standards for full requirements.

² Administrative charge of 2.0 percent for (1) legal, accounting, and other administrative support and (2) impact fee program administrative costs including revenue collection, revenue and cost accounting, mandated public reporting, and fee justification analyses.

Sources: Tables 5.1 and 5.2; Willdan Financial Services.

ARTS IN PUBLIC PLACES

The City of Lawndale requested an art in public places ordinance to expand the City’s artistic and cultural resources by enhancing the environment and quality of life as new development occurs.

To comply with the proposed ordinance, a project would include a publicly accessible civic artwork valued at one percent of the project’s building valuation. The developer may choose instead to contribute an in-lieu fee to the art in public places fund valued at one percent of the building valuation.

All new residential developments of four or more units, public and institutional buildings and all commercial, office, and industrial development projects with a construction value equal to or exceeding \$100,000 are subject to the fee.

A fee of one percent of construction value is a reasonable and commonly used by jurisdictions for art in public places fees. The one percent fee will always reflect the current price of construction, which is a direct measure of inflation. Because the fee is based on a cost that will always reflect the status of the local economy, the fee essentially updates itself annually.

Table 7.1: Mitigation Fee Act - Annual and Five-year Administrative Requirements			
CA Gov't Code Section	Timing	Reporting Requirements¹	Recommended Fee Adjustment
66001.(d)	The fifth fiscal year following the first deposit into the account or fund, and every five years thereafter.	(A) Identify the purpose to which the fee is to be put. (B) Demonstrate a reasonable relationship between the fee and the purpose for which it is charged. (C) Identify all sources and amounts of funding anticipated to complete financing in incomplete improvements. (D) Designate the approximate dates on which supplemental funding is expected to be deposited into the appropriate account or fund.	Comprehensive Update
66006.(b)	Within 180 days after the last day of each fiscal year	(A) A brief description of the type of fee in the account or fund. (B) The amount of the fee. (C) The beginning and ending balance of the account or fund. (D) The amount of the fees collected and the interest earned. (E) An identification of each public improvement on which fees were expended including share funded by fees. (F) An identification of an approximate date by which the construction of the public improvement will commence. (G) A description of any potential interfund transfers. (H) The amount of refunds made (if any).	Inflationary Adjustment

¹ Edited for brevity. Refer to the government code for full description.

Sources: CA Government Code sections 66001.(d) and 66006.(b).

Attachment C

Proof of Publishing

Daily Breeze

400 Continental Blvd, Suite 600
El Segundo, CA 90245
310-543-6635
Fax: 310-316-6827

CITY OF LAWNSDALE/COMMUNITY
DEVELOPMENT DEPT
ACCOUNTS PAYABLE
14717 BURIN AVENUE
LAWNSDALE, CA 90260

Account Number: 5007749

Ad Order Number: 0011477186

Customer's Reference AGutierrez@lawnsdalecity.org
/ PO Number:

Publication: Daily Breeze

Publication Dates: 08/06/2021, 08/11/2021

Amount: \$455.32

Payment Amount: \$0.00

Invoice Text: CITY OF LAWNSDALE
NOTICE OF PUBLIC HEARING BEFORE THE CITY COUNCIL

Notice is hereby given that at 6:30 p.m. on Monday August 16, 2021, the Lawnsdale City Council will hold a public hearing in the City Council Chambers located at 14717 Burin Avenue, Lawnsdale, CA to review the following:

CASE NO. 19-35: CONSIDER-ATION TO ADOPT A DEVELOPMENT IMPACT FEE FOR DEVELOPMENT PROJECTS AND APPROVAL OF A CATEGORICAL EXEMPTION PURSUANT TO CEQA.

The files for this proposal are available for review Monday through Thursday, 7:00 a.m. to 6:00 p.m., in the Community Development Department offices located at 14717 Burin Avenue, Lawnsdale, California. Any grounds for opposing this project must be made at the time of the meeting or made in written correspondence. If you challenge this matter in court, you may be limited to raising only those issues that you or someone else raised during the meeting.

The City of Lawnsdale's contact person for this case is Sean M. Moore, AICP, Director of Community Development, Community Development Department, at (310) 973-3231.

Pub Aug 6, 11, 2021
(2)DB(11477186)

Daily Breeze

400 Continental Blvd, Suite 600
El Segundo, CA 90245
310-543-6635
Fax: 310-316-6827

5007749

CITY OF LAWDALE/COMMUNITY DEVELOPMENT
DEPT
ACCOUNTS PAYABLE
14717 BURIN AVENUE
LAWDALE, CA 90260

**PROOF OF PUBLICATION
(2015.5 C.C.P.)**

**STATE OF CALIFORNIA
County of Los Angeles**

I am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the above-entitled matter. I am the principal clerk of the printer of THE DAILY BREEZE, a newspaper of general circulation, printed and published in the City of Torrance*, County of Los Angeles, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of County of Los Angeles, State of California, under the date of June 10, 1974, Case Number SWC7146. The notice, of which the annexed is a printed copy (set in type not smaller than nonpareil), has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to wit:

08/06/2021, 08/11/2021

I certify (or declare) under the penalty of perjury that the foregoing is true and correct.

Dated at Torrance, California
On this 11th day of August, 2021.

Pauline Fernandez

Signature

*The Daily Breeze circulation includes the following cities: Carson, Compton, Culver City, El Segundo, Gardena, Harbor City, Hawthorne, Hermosa Beach, Inglewood, Lawndale, Lomita, Long Beach, Manhattan Beach, Palos Verdes Peninsula, Palos Verdes, Rancho Palos Verdes, Rancho Palos Verdes Estates, Redondo Beach, San Pedro, Santa Monica, Torrance and Wilmington.

(Space below for use of County Clerk Only)

Legal No. **0011477186**

**CITY OF LAWDALE
NOTICE OF PUBLIC
HEARING BEFORE THE
CITY COUNCIL**

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**Pub Aug 6, 11, 2021
(2) DB(11477186)**



CITY OF LAWNDALE

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

DATE: September 7, 2021

TO: Honorable Mayor and City Council

FROM: Kevin M. Chun, City Manager 

PREPARED BY: Julian Lee, Director of Public Works/City Engineer 

SUBJECT: **Consideration of a Memorandum of Understanding with the California Joint Powers Insurance Authority to Participate in their Americans with Disabilities Act Assistance Program**

BACKGROUND

On July 26, 1990, the Americans with Disabilities Act (ADA) was signed into law. The ADA is a comprehensive civil rights law prohibiting discrimination on the basis of disability. It is also a declaration of equality for people with disabilities, including the statement of congressional intent “to assure equality of opportunity, full participation, independent living, and economic self-sufficiency for individuals with disabilities.” It broadly protects the rights of individuals with disabilities in employment, access to state and local government services, public accommodation, transportation, communication, and other important areas of life activities.

To ensure compliance, Title II of the ADA requires all cities to perform self-evaluations of its facilities, policies, procedures, programs, activities and services provided. Cities must complete a self-evaluation to determine whether or not ADA requirements are being met and develop an ADA Transition Plan to address and implement any reasonable accommodations needed to meet those standards. Regardless of the size of the agency, every city must develop an ADA Transition Plan to delineate parameters for ADA modifications.

STAFF REVIEW

The City’s risk management and insurance provider, the California Joint Powers Insurance Authority (CJPIA), offers an ADA Assistance Program which provides financial assistance and resources to member agencies to assist in developing a complete transition plan. Currently, the City of Lawndale does not have an ADA Self Evaluation and Transition Plan. In January 2020, City staff met with CJPIA representatives to discuss the ADA Assistance Program and compliance. The City obtained a proposal and was selected by CJPIA to be a recipient of the Authority's ADA Assistance Program (Program).

Under the Program, the CJPIA's Executive Committee approve funding to member agencies that work with the ADA consulting firm, Disability Access Consultants (DAC), to develop an ADA Self-Evaluation and Transition Plan. The consultant is retained by the CJPIA to complete an assessment of a member agency's ADA compliance (through inspecting physical structures, public right-of-ways, and evaluating programs and services) and develop a transition plan. The CJPIA will provide funding up to

City Council Meeting – September 7, 2021

Consideration of a Memorandum of Understanding with the California Joint Powers Insurance Authority to Participate in their Americans with Disabilities Act Assistance Program

\$23,500 towards the total cost of \$66,900 for the development of the ADA Self-Evaluation and Transition Plan as part of the Program.

Disability Access Consultants (DAC), a consulting firm retained by the CJPIA, submitted a Proposal (Attachment 1) to develop the City's 2021 Self-Evaluation and Transition Plan. The services provided by DAC's certified ADA inspectors would be performed in full compliance with the ADA statutes. The Proposal's scope of services states that the ADA Self-Evaluation and Transition Plan would be completed within seven months. During the seven project months, DAC would perform site inspections, develop a comprehensive list of needed corrections, project the cost for each correction, review documents and programs, and seek input from the public.

The City, as a member agency of the CJPIA, is eligible to work with DAC to prepare the City's 2021 ADA Self-Evaluation and Transition Plan and receive a funding allowance under the Program as detailed in the Memorandum of Understanding (MOU) between the City and CJPIA (Attachment 2). Should the City participate in the Program, the City would execute an agreement with DAC and the Agreement between the Authority and DAC (Attachment 3) allows member agencies of the CJAIP to be an Additional Insured and become an indemnitee. To participate in the Program, the City would be required to sign the MOU (Attachment 1).

LEGAL REVIEW

The MOU between the CJPIA and the City of Lawndale and the agreement/addendum between the CJPIA and DAC have been reviewed and approved as to form by the City Attorney.

FISCAL IMPACT

The cost for the ADA Self-Evaluation and Transition Plan services total \$66,900. The CJPIA will contribute a total of \$23,500. The funding for the remaining \$43,400 was approved by City Council in the adoption of the current FY 2021-22 budget in account number 100-310-530.200. The cost to continue the software licensing after year one for the tracking database will be \$2,000 annually moving forward. The cost for the implementation plan is yet to be determined.

RECOMMENDATION

Staff recommends that the City Council authorize the City Manager to execute the Memorandum of Understanding with California Joint Powers Insurance Authority for the Americans with Disabilities Act Assistance Program.

ATTACHMENTS

1. Proposal for ADA Self-Evaluation and Transition Plan dated May 20, 2021
2. MOU between the California Joint Powers Insurance Authority and the City of Lawndale
3. Agreement and Addendum between California Joint Powers Insurance Authority and Disability Access Consultants

ATTACHMENT 1
Proposal for ADA Self-Evaluation and
Transition Plan dated May 20, 2021



City of Lawndale

Proposal for Accessibility Services

**AMERICANS WITH DISABILITIES ACT (ADA) SELF-EVALUATION AND
TRANSITION PLAN**

May 20, 2021

Disability Access Consultants
2862 Olive Highway, Suite D
Oroville, CA 95966





COVER LETTER

May 20, 2021

To: Kevin M. Chun, City Manager
City of Lawndale
14717 Burin Avenue
Lawndale, CA 90260

Re: Americans with Disabilities (ADA) Self-Evaluation and Transition Plan Proposal

Firm Information: Disability Access Consultants (DAC)

Headquarters: 2862 Olive Highway, Suite D
Oroville, CA 95966
bthorpe@dac-corp.com Phone: 1-800-743-7067

We appreciate the opportunity to submit our statement of qualifications and proposal for providing consultant services for an Americans with Disabilities Act (ADA) Self-Evaluation and Transition Plan for the City of Lawndale public facilities and public rights-of-way.

As you may be aware, under Title II of the ADA, the City of Lawndale is required to have a current Self-Evaluation and Transition Plan. Title II entities, such as the City of Lawndale may be at significant risk for claims and litigations by not having a current plan. Also, recent inquiries and enforcement activities by the DOJ, CalTrans and HUD have shown that Cities can be at risk of losing or not being able to receive their state and federal pass through funding should you not have a current plan in place.

DAC has extensive experience in the evaluation of program and facility accessibility and provides a full continuum of Americans with Disabilities Act (ADA) and accessibility services for public entities, such as the City of Lawndale. Founded as a California corporation and woman owned business in 1998, DAC has provided services for the past 23 years to assist public entities to comply and implement accessibility requirements in accordance with the ADA, Title 24 of the California Building Code, Section 504 and related federal, state and local disability-related nondiscrimination laws and regulation. DAC has conducted over 26,000 building inspections, surveyed thousands of parks and playgrounds, over 6,000 of miles of sidewalks and performed hundreds of programmatic reviews and self-evaluations to study the accessibility of programs, services, activities, events and related areas. DAC has a comprehensive understanding of applicable standards, regulations and requirements under Title II of the ADA, California Building Code and related state accessibility standards. DAC has completed over a hundred similar studies.

DAC has also worked on a project for the Department of Transportation in Washington, D.C. to develop a pilot study for potential duplication of methodologies in other geographic areas, using tools and standards for public rights-of-way accessibility reviews by means of a software program to update and manage the ADA public rights-of-way transition plan. DAC is providing recommendations for best practices and technologies for the DOT.

To provide for easy management of the transition plan and documentation of compliance efforts, DAC has developed web-based software called DACTrak. DACTrak is a powerful tool to manage and update the transition plan, project costs and document progress. Custom reports can be printed in a variety of formats.

Respectfully submitted by Barbara Thorpe, President

A handwritten signature in blue ink that reads 'Barbara Thorpe'.

FIRM ORGANIZATION AND DESCRIPTION OF QUALIFICATIONS

Since Disability Access Consultants was founded as a woman owned California Corporation in 1998, DAC has provided services for the past 23 years to assist public entities to comply and implement accessibility requirements in accordance with the ADA, Title 24 of the California Building Code, Section 504 and related federal, state and local disability-related nondiscrimination laws and regulation. DAC has extensive experience in the evaluation of program and facility accessibility and provides a full continuum of Americans with Disabilities Act (ADA) and accessibility services for public entities, such as the City of Lawndale.

As our founder, Barbara Thorpe, worked with a public entity for 20 years as the ADA Coordinator, 504 Coordinator, and Director of Planning and Compliance, she has extensive experience working with individuals with disabilities and organizations representing individuals with disabilities. In addition, she has collaborated with individuals with disabilities and organizations that represent individuals with disabilities in a facilitative manner that has benefited city and town governments during her work with other municipalities. Barbara and the DAC team members have demonstrated the ability to engage and interact with individuals and organizations to assist with the prioritization, long range planning and implementation of the ADA plan.

DAC has a team of more than 25 staff, with our Facility Team Leader Michael Boga holding CASp Certificate #152, dedicated to assisting public entities, such as the City of Lawndale, with ADA compliance. DAC has a comprehensive understanding of applicable standards, regulations and requirement under Title II of the ADA, California Building Code and related state accessibility standards.

DAC has a reputation to being responsive to the client's needs, providing on-time project completion within budgets. DAC has a proven track record for comprehensive experience in conducting ADA Self Evaluations and Transition Plans, implementation and related services.



Other public entities for which DAC has provided similar services include Fair Oaks Recreation and Park District, Padre Dam Water District, Hayward Parks and Recreation, 15 California Fairs, 160 California public school districts, and several large Joint Power Authorities and insurance carriers for groups of public entities.

DAC is currently assisting the California Joint Powers Insurance Authority (CJPIA) members, of which the City of Lawndale belongs, to assist members with ADA compliance at a discounted rate. DAC has been assisting several Joint Power Authorities since 2000 and currently provides updates, consultation, plan reviews and expert witness services. DAC has worked with public entities of all sizes, from one site to 506 sites. Members of the DAC team have also served as expert witnesses to assist public entities to defend their current practices and ADA plan. DAC has only served on the side to assist public entities to defend their practices and plan and has never assisted with litigation against a public entity. Our mission statement and philosophy embrace the enhancement and assistance to our clients to build an ADA accessibility plan while documenting previous and current compliance methods.

Over the 23 years of serving our clients, DAC has demonstrated financial stability, staff stability and has a no claims insurance record.

DAC provides a full continuum of professional services that include, but are not limited to:

- Facility inspections
- Self-evaluations for ADA and Section 504 of the Rehabilitation Act
- Policy review and development
- Transition plans
- Public rights-of-way surveys
- Consultation
- Accessibility compliance intake and management software – DACTrak

- DACTrak training to conduct your own inspections
- Expert witness services
- Plan reviews
- ADA Plan implementation assistance and consultation
- Outdoor developed and recreational areas (pools, parks, trails, camping areas)
- NPSI playground safety inspections
- ADA Playground inspections

DAC utilizes the appropriate standard(s) for the inspection that may include, but is not limited to:

- ADA 2010 Standards
- California Building Code
- ADA-ABA
- UFAS
- ANSI
- Section 504 of the Rehabilitation Act
- Outdoor developed and recreational standards
- National Playground Safety Institute (NPSI) standards
- PROWAG – Federal Public Rights-of-way Guidelines
- Federal Highway Administration’s Manual on Uniform Traffic Control Devices (MUTCD)

Our firm stands out in the public entity arena due to proven performance in a wide range of services, from programmatic and policy reviews, facility inspections, transition plans, consultation, plan reviews and expert witness services. We excel at providing a comprehensive assessment of our clients’ current status by preparing a study of all areas related to accessibility in different departments to document ongoing compliance.

Innovative Tools, Strategies and Best Practices

Based on experience and knowledge of the accessibility field and best practices, DAC continues to develop innovative methodologies, easy to use ADA management tools, and proven, successful strategies for evaluating programs, services, activities, events, facilities, parks and public rights-of-way. DACTrak was developed by DAC for the purpose of easy and useful importing and management of the accessibility data collected in the field. DACTrak is interactive web-based software and is not an enhanced Excel spread sheet. The ability to collect, compile, analyze and use report data in a practical format was one of the driving forces to develop the DACTrak intake and management software.

Our DAC accessibility management software, DACTrak, provides our clients with a powerful management tool to document compliance, project costs, print custom reports and record progress. DACTrak is not an Excel spreadsheet, but actual software that has been developed by our company to assist with the implementation and documentation of the City’s ADA plan and provides photographs of as-is site conditions, which has proved to be valuable documentation. Findings and recommendations, in addition to other data are preloaded into the DACTrak software. As DAC owns and licenses the DACTrak software, we can make custom modifications for our clients.

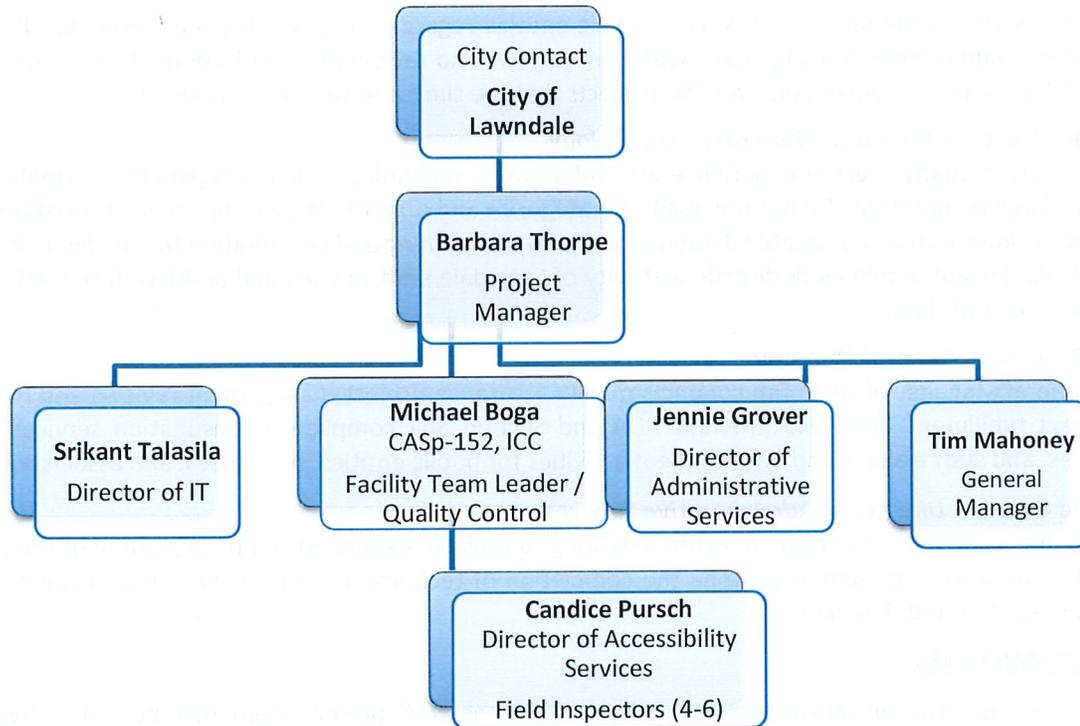
DACTrak Accessibility Management Software

The accessibility management software is included at **no cost** to the City for the first year as the cost is paid by the CJPIA. If the City decides to continue with the use of the web-based management software after the initial year, the cost is \$2,000 and includes unlimited seat licenses. The use of the DACTrak software includes the storage and maintenance of the data. If the City decides not to continue to use the online DACTrak Accessibility Management System to maintain, update and document compliance of the ADA plan, the data can be transferred to an Excel spreadsheet or an alternate format. DAC has found that usable and easy to manage software (instead of Excel spreadsheets) is imperative to maintaining and updating the ADA plan.

Categories can be customized, and findings organized as demonstrated in the screen shots of the DACTrak software included in the supplemental materials Appendix.

PROJECT TEAM STAFFING AND RESUMES

Disability Access Consultants (DAC) has a dedicated team of twenty-five professionals with backgrounds in administrative leadership roles with public entities, construction and code enforcement. DAC is an equal opportunity employer and our team composition includes minority and veteran representation. The team has worked together on numerous ADA compliance projects with City and Town governments and public entities. DAC works with several large JPA's and insurance pools to assist public entities with ADA compliance.



The DAC team has a proven record to provide on-site services in a collaborative and efficient manner. DAC has experienced team members who have worked with public entities for successful and on time completion of numerous projects. Necessary staff members have ICC, NPSI, and CASp certification. A CASp certified Team Leader will be involved with the project and field evaluations. The project team is organized to provide a representation of skills needed to accomplish the project objectives. In addition, teams that have worked together previously will be assigned to the City of Lawndale project.

Barbara Thorpe, M.Ed., LOT - DAC Project Manager

As DAC Project Manager, Barbara will coordinate activities and schedules and report to City's designee. Barbara will serve in the leadership role regarding the ADA Self-Evaluation of programs, services, activities and events along with the review of policies and procedures. Barbara brings twenty years of experience in public administration and providing services to individuals with disabilities to Disability Access Consultants. As an administrator in a public entity, Barbara provides unparalleled understanding of the application of the Americans with Disabilities Act and related legislation. In addition to assisting public entities with compliance with the ADA, Barbara has conducted compliance reviews for the Department of the Interior to audit for compliance with the ADA, Section 504 of the Rehabilitation Act and related civil rights laws and regulations. Barbara has served as an expert witness for the Department of Justice, Office of the Attorney General. Additionally, Barbara is a licensed occupational therapist. Barbara served on the Division of State Architect Advisory Board and served as the vice-chair for the DSA Access Compliance Committee. Barbara has worked on over 200 public entity projects that are similar to the City.



Michael Boga, B.A. Education, California Certified Access Specialist, ICC Accessibility, Usability and Plans Examiner - Facility Team Leader

As manager of the production and the inspection team, Michael brings a unique blend of experience in the building industry along with his understanding of individuals with disabilities to the accessibility team. Michael is a certified accessibility specialist through the International Conference of Building Officials (ICC), certified in Accessibility, Usability and Plans examination and is California certified CASp inspector #152. Michael has completed the updated DSA courses regarding the 2010 California Building Code. Michael has provided numerous staff development sessions to public entities regarding accessibility requirements. If requested, Michael would provide training, assist with plan reviews and review new work completed for compliance, as requested. Mike has worked on over 260 projects that are similar to the City of Lawndale.

Srikant Talasila - Director, Information Technology

Srikant brings many years of experience with information technology and management information services from a large corporation. He has the ability to categorize and organize large volumes of information regarding public facilities into a manageable database. He provides training and consultation to our clients in the use of DACTrak. Srikant would work directly with City of Lawndale staff to train and assist with the data entry and management of data.

Tim Mahoney -General Manager

As General Manager of DAC, Tim conducts quality assurance project management reviews and helps ensure contract fulfillment. Tim also provides ADA and Section 504 compliance consultation services for public entities, and staff training and development activities for public entities, businesses, and associations.

Jennie Grover – Director of Administrative Services

Jennie draws on her experience in technical writing to provide leadership and management of the production and technical writing team, organizing the completion of technical reports, as well as managing production schedules, staff and timelines.

SUBCONSULTANTS

DAC does not use subcontractors or subconsultants, as DAC prefers team members that have direct accountability and training by DAC to provide a seamless project delivery and interaction with City staff.

SCOPE OF WORK

Disability Access Consultants (DAC) understands that the City is seeking a qualified firm to inspect, evaluate and prepare reports identifying potential barriers in the City -owned buildings, parks, parking lots, public rights-of-way, bike path bridges and City trail heads.

The inspections will identify barriers or potential barriers in accordance with applicable Federal and State accessibility standards and regulations. In addition, it is understood that DAC will assist the City in developing a schedule for barrier removal over time in a cost effective and realistic manner, using programmatic solutions where available.

In order to successfully complete the project activities in a timely manner, DAC will work closely and collaboratively with the City of Lawndale without imposing unnecessary interruptions or burdens to staff. During the past 23 years, Barbara Thorpe and her team have developed ongoing working relationships with City, Town and County governments and have worked diligently to have clear lines of communication.

DAC has the extensive knowledge and experience with all Federal and State regulations during the past 23 years in business, that includes, but is not limited to the ADA up to and including the current 2010 American's Disability Act Standards (ADAS), 28 Code of Federal Regulation (CFR) 35, Title 24 California Building Standards Code, Title II of the ADA, PROWAG, MUTCD, Section 504 and related Federal and State Standards and Regulations.

Value Added Items to Enhance the Project at No Additional Cost or that Provide a Cost Savings

In addition to the above understandings and confirmations, DAC has found through its experience of working with City, Town and County Governments and Joint Power Authorities, such as the California Joint Powers Insurance Authority, of which the City of Lawndale is a member, that certain other items enhance the level of success and implementation of ADA Transition Plans and Self-Evaluations by public entities.

The California JPIA (CJPIA) offers a discounted price to its members that has been negotiated with DAC. The CJPIA is also assisting members, such as the City, with costs for selected services for ADA compliance.

The use of DACTrak by City staff to conduct surveys at facilities, process reports and manage the information to implement and document the plan may assist the City to more efficiently and effectively achieve the City's project objectives and will provide longevity to the plan.

As an additional value at no cost, DAC provides at least one photograph of each noncompliant accessible item or element, a record number for reference, estimated costs and other features to assist with the implementation of the Transition Plan. To provide for easy management of the transition plan and documentation of compliance efforts, DAC has developed online software called DACTrak. DACTrak is a powerful tool to manage and update the accessibility plan, project costs and document progress. Custom reports can be easily prepared, printed and saved in a variety of formats.

Disability Access Consultants (DAC) includes the following additions at no additional cost:

- Noncompliant findings and recommendations are included in the DACTrak software
- One or more photographs of each noncompliant finding are included
- Additional photographs can be viewed of the noncompliant item by one click
- DACTrak provides a method to schedule and track the barrier removal
- Documentation of progress and compliance using the progress reporting feature of DACTrak
- Priorities can be established and further refined using DACTrak

DACTrak provides for an organized input method that captures all the information gathered from the site inspections with photographs for each noncompliant finding. All of the field information is captured in a web-based software package and provides for "green" data collection and avoids paper and pencil checklists and unorganized photographs. DACTrak can also be used on a tablet pc to add new facilities and update compliance assessments and transition plans.

DAC has also found that having usable "software" and not just a database is very important to be able to easily manage and update the transition plan. Our extensive experience with clients needing to have an easy to manage and update plan was the catalyst for DAC to develop our DACTrak software for use by our clients. Thus, other critical issues include:

- Software to update and manage your Transition Plan
- The ability to document progress and barrier removal
- The ability to print custom reports
- The ability to update the plan "automatically" when codes change without re-inspecting sites
- The ability to project costs
- The ability to add or delete facilities

DAC's collection of actual measurements of as-is conditions and GIS information for public rights-of-way is another value-added item. The collection of an as-is condition is a valuable asset to allow the user to make an informed decision based on an actual measurement. For example, if a "yes" or "no" approach is utilized to indicate if an item is compliant, the user may not know what the actual level of noncompliance is and would not be able to set a priority or severity rating. If codes change, the information collected can be reprocess without the need to re-inspect, thus providing longevity of the plan and internal capacity of the City in a cost-effective manner.



SCOPE OF WORK OVERALL PHASES

DAC proposes to execute the project in two phases. Detailed activities and deliverables are provided in the following scope of work description.

Phase I: Study and Evaluation - Self-Evaluation/Facility Survey/Barrier Assessment

- a) DAC will conduct an initial project kick-off meeting, if requested, with selected City of Lawndale staff to establish roles and lines of communication, refine project goals, review the overall project schedule, schedule surveys of City of Lawndale facilities and identify key City of Lawndale personnel related to the project scope. Initial self-evaluation activities will be completed during this step.
- b) The initial orientation meeting should include an assessment of previous compliance activities and areas of current or potential litigation. The review of compliance activities and high priority areas will assist with the development of an overall project plan. The review and documentation of prior initiatives will also build a more defensible plan if the City is challenged by litigation.
- c) DAC will conduct field surveys of the buildings and facilities listed in the property schedule, as well as the maintained public rights-of-way to sidewalks, curb ramps and signalized intersections.
- d) Surveys will identify all physical barriers (interior and exterior) including the path of travel in and around the facility and from the public right-of-way at each site in accordance with Title 24 of the California Building Code and the ADA Standards (previously referred to as ADAAG).
- e) DAC currently provides geographical information (latitude and longitude) for each identified exterior barrier in the public right-of-way that can be incorporated into the City's Geographical Information System (GIS). DAC incorporated the map-linked GIS feature based on the needs of many of our Town, City and County clients. DAC uses a comprehensive approach to inspecting public rights-of-way (PROW). In order to assess all the requirements in the PROW, DAC conducts manual measurements of the field conditions and enters the information into our DACTrak pc tablet in the field. DAC has found that the use of automated equipment for running slopes on sidewalks, such as ultra-light profilers, do not provide an actual measurement, but only provide a chart showing ranges. In some cases, if a change in level is greater than ½ inch, no actual quantifiable information is reported of how much greater or of the severity. In order to get the actual measurements for the sidewalks and intersections, the use of a "profiler" does not provide the measurements needed for items such as automated pedestrian signals and street furniture.
- f) As required by the ADA, the 2010 ADA Standards will be compared with state codes (Title 24 of the California Building Code) and the standard that provides the greater level of accessibility utilized. As DAC collects as-is field conditions and records all information, data can be reprocessed if codes change without conducting a re-inspection, thus resulting in a significant savings when codes change, and the plan needs to be updated.
- g) Provisions and standards for historic buildings will be applied as appropriate.
- h) Assessments and reports will include a high degree of detail with photographs, code references, and cost estimates. The DACTrak software and reports will include additional specifics, such as as-built dimensions, progress reports, additional prioritizations, preset reporting features and other custom reports. Reports will be delivered in the format requested, and reports will also be available using DACTrak. The inclusion of photographs showing the as-is condition has proven to be valuable assistance to clients in the formulation of the decisions regarding barrier removal priorities. The DACTrak software provides an easy to use accessibility management platform that exceeds the ability to manage the plan by hard copies and binders. The assessment report of each facility will include cost estimates to correct deficiencies in accordance with the ADA, Title 24 of the California Building Code.
- i) Barriers are identified by building, floor, or location and given a unique identifier record number (UIN) to assist with navigation in the accessibility software and location of the finding and recommendation by area and site. Estimated applicable costs will be given by item and element in accordance with industry standards. Costs can be easily adjusted to adhere to any cost estimates the City may utilize.
- j) Physical access problems that require structural solutions will be documented in the Compliance Assessment/Transition Plan. The proposed method for removal will be provided. The transition plan will identify physical barriers that may limit accessibility of City programs, services or activities for individuals

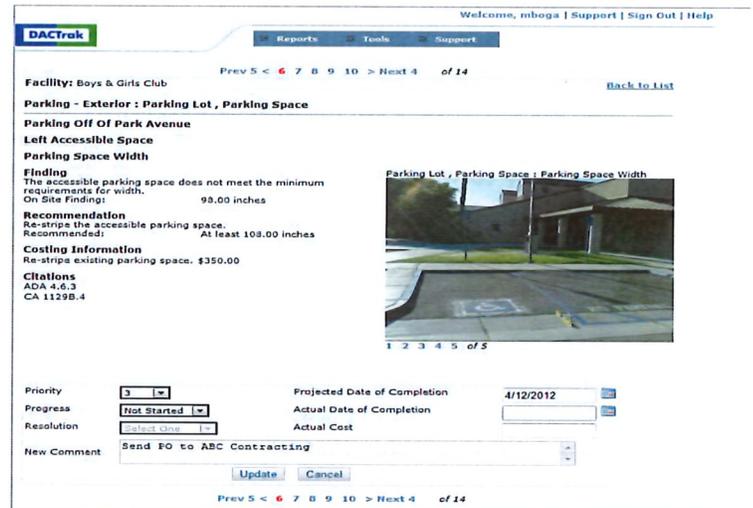
with disabilities. The schedule for removal of barriers and appropriate timelines will be developed in consultation with the City.

- k) The field survey information will be presented to the ADA Compliance Team as requested using the DACTrak web-based accessibility management system. Many different types of reports will be available for the City. Feedback will be incorporated as appropriate.
- l) The survey data will be compiled into a Transition Plan which will identify actual as-is conditions and prioritize current barriers, provide a schedule for barrier removal, as well as establish procedures for addressing future accessibility issues. The Transition Plan data can be exported to Excel or PDF formats. The Transition Plan data will include photographs, findings, recommendations, code references, estimated costs, priority settings (in addition to prioritized report) in accessibility software for accessibility management. Photographs and GIS coordinates are valuable for the development of the transition plan.
- m) DAC will assist the City to solicit input from members of the community and persons with disabilities. Methods will be utilized to solicit public input may include notices, information on the website and surveys.
- n) The Transition Plan data will be provided using DACTrak which has management, monitoring, and web-based tracking tools that allow staff to manage current and future accessibility issues, update the deficiency status, and generate reports to show progress in meeting the Transition Plan requirements.

Phase II: Implementation Phase - Transition Plan Development

- a) DAC will develop, in collaboration with the City, a comprehensive ADA Self-Evaluation and Transition plan for facilities, buildings, PROW and parks.
- b) DAC will develop a first draft of the ADA Transition Plan with recommended priority levels.
- c) DAC will meet with the City to review the draft document and incorporate any comments, changes or feedback.
- d) DAC will assist the City to conduct public outreach activities that may include website announcements, postings, surveys, announcements, individual meetings and other activities as requested.
- e) DAC will prepare and produce a second draft if necessary with a detailed description of the barrier and the proposed method for barrier removal.
- f) DAC will train the City in the use of the DACTrak online accessibility management system to prepare reports as well as update and manage the ADA Plan.
- g) DAC will provide an executive summary of the project.
- h) DAC does not recommend that the plan be adopted by the City, as adoption is not required and may cause additional discussion regarding projected dates in the plan that are meant to be "projected and estimated dates" and not final dates of barrier removal.
- i) DAC will provide the City with DACTrak, a web-based monitoring, tracking, and management system at project completion. DACTrak allows users to review and update progress in barrier removal, and to generate many different styles of reports to document progress. DACTrak contains one or more integrated photographs that are attached to the finding, eliminating the need to reference another area or report supplement. DACTrak is an actual accessibility management software, not just electronic database of items contained in the Facility Survey Report. DAC has found that an electronic database or Excel format does not provide the City with a tool containing integrated photographs needed to implement the plan, set priorities, make notes and print custom reports. If the City does not want to use the software, the data can be placed in an Excel spreadsheet.

- DAC will license DACTrak to the City to manage all the field data collected, print custom reports, document progress, estimate costs and perform other management functions;
 - Data collected will be the property of the City should the City decide for any reason not to continue to use the DACTrak accessibility intake and management software system;
 - The California JPIA, of which the City is a member, has an agreement with DAC to pay for the use of DACTrak;
 - DACTrak will include and provide correlation with field data collected, reports, transition plans, drawings, code references, estimated costs and photographs for each noncompliant accessibility item or element;
 - Reference maps for GIS information will be provided in addition to a linked mapping system for each item;
 - DACTrak provides a description, location and record number for each barrier that allows the user to access the information and location
- j) DAC will provide City staff with training regarding ADA Compliance from both a programmatic and administrative point of view and for facility management and maintenance.



COST PROPOSAL

- 1. Total estimated cost for the survey of the City’s facilities and parks (AL-2): \$31,900***

Facilities and Parks

- | | |
|-------------------------------|----------------------------|
| 1. Lawndale City Hall | 9. Jane Addams Park |
| 2. Community Center | 10. Little League |
| 3. Community Center North | 11. Bollinger Memorial Gym |
| 4. Lawndale Municipal Yard | 12. William Green Park |
| 5. Lawndale Sheriff's Station | 13. Rogers/Anderson Park |
| 6. Fire Station #21 | 14. Hogan Park |
| 7. (3) Dwellings | 15. Hopper Park |
| 8. Parking Lot | 16. Larry R. Rudolph Park |

- 2. Total estimated cost for the inspection of public rights-of-way, bridges and trail heads: \$28,000***

The City of Lawndale has indicated it currently owns an estimated 56 linear sidewalk miles within its owned Public Right -of-Way (PROW). DAC will survey an estimated 56 linear miles of sidewalks, curb ramps, 28 APS intersections and 11 bus stops/shelters for a total cost of \$28,000 using the rate of \$500 per linear mile of sidewalk.

Total cost for the PROW inspections is \$28,000.

***Note:** CJPIA is providing AL-2 assistance funding of \$16,500 toward the cost of items 1 & 2.

Net cost to the City of Lawndale for the facility, park and PROW inspections (AL-2) will be \$43,400.

Example:

- \$31,900(facilities/parks) + \$28,000 (PROW) = \$59,900
- \$59,900- \$16,500 (AL-2 assistance) = \$43,400

- 3. Review of policies, procedures and programs cost (AL-3): \$5,000**

Review of policies, procedures and programs and assistance with public input at a cost of \$5,000 which is paid by the CJPIA for a net cost of zero.



Cost Summary

1. Total estimated cost for facility/park inspections (AL-2):	\$31,900
2. Total estimated cost for Public Rights-of-Way inspections (AL-2):	<u>\$28,000</u>
a. Total estimated cost facilities, parks and PROW/trail head/bridge Inspection	\$59,900
b. Less AL-2 assistance funding provided by CJPIA	<u>(\$16,500)</u>
Total AL-2 Cost AL-2 to City of Lawndale	\$43,400
3. Cost of review of policies, procedures and programs and assistance with public input:	\$5,000
a. Review of programs, policies and procedures and public input process.	
b. Less AL-3 assistance funding provided by CJPIA	<u>(\$5,000)</u>
Total AL-3 to City of Lawndale	\$0.00
4. DACTrak Licensing is paid for by the CJPIA in year one.	\$2,000
a. Less CJPIA DACTrak assistance	<u>(\$2,000)</u>
b. Year 2 and beyond DACTrak licensing is \$2,000/year.	
Total DACTrak Cost to City of Lawndale in Year 1	\$0.00

**Total AL-2 and AL-3 Assistance provided by CJPIA: \$23,500*

SCHEDULE: SCOPE OF SERVICES SUMMARY BY ESTIMATED TIMELINES

Based upon experience, a project milestone chart is provided in months. It is estimated that the project will be completed in 7 months, or sooner. The chart below is a summary of major milestones and is not necessarily representative of all the individual project activities.

Scope of Service –Activity or Task	1	2	3	4	5	6	7
DAC Team meeting with City of Lawndale kick-off meeting; survey methodologies, deliverables and schedule confirmation							
Project planning, scheduling, procedures review							
Field inspection data compiled (compiled daily and available for review throughout the inspection process)							
Public input and community outreach							
Draft Self-Evaluation of services, policies, programs and practices							
First Draft Presentation to selected City staff (recommended that the review occur at several milestones, not only at the conclusion)							
Final Draft							
Deliverables completed and provided to City							



Consultant Responsibilities

DAC will arrange all project management activities for an efficient process to develop the ADA Transition plan and provide the City with an anticipated project schedule prior to commencement of work.

DAC will perform all work in conformance with current City policies and procedures and carry out the instructions received from the City, in cooperation with other City approved and involved agencies.

Additional Information

Conflict of Interest Statement

DAC does not have any financial, business or other relationship with the City that may have an impact upon the outcome of this contract and does not have any current clients that may have a financial interest in the outcome of this contract. Disability Access Consultants has no conflict of interest with the City of Lawndale, any associates, representative, consultants, sub consultants, or others.

DAC does not have any conditions that would affect our ability to perform the services described in this proposal. DAC does not have any previous, pending or current litigation. Our firm has not been debarred, suspended or declared ineligible to contract with any federal state or local public agency. The firm, owners or president is not in the Federal Excluded parties List System (EPLS) for Ineligible Professionals and Debarred Contractors.

Insurance Coverage and Stability

Disability Access Consultants carries all the necessary insurance coverage, such as general liability, automobile liability, worker's compensation and employer's liability, and professional errors and omissions malpractice liability insurance. DAC has a no claims record on all policies for our entire 23 years in business and does not have any pending, previous or current litigation.

DAC has the financial, operational and staff stability to complete a quality and comprehensive project on time. DAC has no adverse conditions.

Minority Utilization and Affirmative Action

DAC is an equal opportunity employer and has recruited minorities and veterans. DAC's quality control team leader is a Vietnam veteran with a disability.

Background Checks and Fingerprinting

All employees of Disability Access Consultants have been fingerprinted and have background checks. DAC has FBI and DOJ fingerprint clearances on file for DAC staff. We have conducted studies for school districts, state and local governments, the Federal Government, Judicial Chambers and Correctional Institutions that require background checks. DAC has found that background checks are important especially in situations where inspection staff may be working near children and are required in certain situations.

Supplemental Materials

Sample DACTrak Screen Shots and Information

These samples are generated from the DACTrak Accessibility Management web-based software program. The following screen shots are recent examples of the DACTrak Management software prepared for several public entity clients.

Buildings

Project Information
 Address : 78-495 Calle Tampico La Quinta, CA 92253
 Start Date : 7/6/2011

Facility List	
Boys & Girls Club	49995 Park Avenue La Quinta, CA 92253
City Of La Quinta Sports Complex	Sports Complex La Quinta, CA 92253
Civic Center	78-495 Calle Tampico La Quinta, CA 92253
Fire Station #70	54001 Madison Street La Quinta, CA 92253
Fire Station #93	44555 Adams Street La Quinta, CA 92253
La Quinta Library	78-275 Calle Tampico La Quinta, CA 92253
La Quinta Museum	77-885 Avenida Montezuma La Quinta, CA 92253
La Quinta Senior Center	78-450 Avenida La Fonda La Quinta, CA 92253
La Quinta YMCA Daycare	49-955 Avenue 50 La Quinta, CA 92253
New Fire Station (Fire Station #32)	78111 Avenue 52 La Quinta, CA 92253
Police Substation	51351 Avenida Bermidas La Quinta, CA 92253
Public Works & Maintenance	78109 Avenue 52 La Quinta, CA 92253
Silver Rock Temporary Clubhouse	79-179 Ahmanson Lane La Quinta, CA 92253
Silverrock Maintenance Building	79-600 54 Avenue La Quinta, CA 92253

Upon logging in to the secure DACTrak website, you are able to choose the facility you would like to view and manage. These two screen shots are examples of facility lists for two recent public entity transition plan projects.

Fair Oaks Recreation and Parks District

Project Information
 Address : 4150 Temescal Street Fair Oaks, CA 95628
 Start Date : 4/8/2011

Facility List	
Arts & Crafts Building	7997 California Avenue Fair Oaks, CA 95628
Bannister Park	3820 Bannister Road Fair Oaks, CA 95628
Community Clubhouse	7997 California Avenue Fair Oaks, CA 95628
District Office	4150 Temescal Street Fair Oaks, CA 95628
Fair Oaks Park	11549 Fair Oaks Boulevard Fair Oaks, CA 95628
Fair Oaks Preschool	8090 Grand Avenue Fair Oaks, CA 95628
Little Phoenix Park	9041 Phoenix Avenue Fair Oaks, CA 95628
McMillan Center	8020 Temple Park Road Fair Oaks, CA 95628
Miller Park	8480 Sunset Avenue Fair Oaks, CA 95628

Welcome, jgrover | Support | Sign Out | Help

DACTrak

Reports Tools

Text Report
Basic Photo Report
Dual Photo Report
Photo Summary Report
Summary Report
Progress Report
Total Unit Cost Report
Map Overlay
Multi Facility Reports

Clients: City of La Quinta

Facilities: La Quinta Senior Center

Civic Center

View All Photos
View Cover Page

Facility Information
Address : 78-495 Calle Tampico
La Quinta CA, 92253

Text Report
Photo Report
Progress Report

After choosing a facility, you are able to use Reports drop down menu to choose which report style to view. You may also choose to view multiple facilities in one report.

Please select the filter criteria and click "Generate Report" to view the Report.

Clients: City of La Quinta

Facilities: La Quinta Senior Center

Categories: All Categories

Key Word:

Sort By: Priority Category Location Entity

Progress: All, Not Started, In Progress, Completed

Projects: Buildings

Locations: All Locations

Priority: None, 1, 2, 3

Resolution: None, Corrected, Not Corrected, Not Applicable

Generate Report

Include Costing Information in this Report

Go To: 1 of 129 Find:

Accessibility Survey

This screenshot is an example of the home page for a Basic Photo Report. The sort and filter panel allows users to quickly run reports that generate findings for specified locations or categories, or by progress, priority or resolution status.

La Quinta Library

Doors - Chamber Of Commerce : Door , Hardware

Door Between Library & Chamber Of Commerce

Push Bar / Lever

Door , Hardware : Door Opening Pressure

Finding

The door opening force for this door is greater than allowed.

On-Site Finding 10.00 pounds

Recommendation

Adjust the closer on the door to meet the door opening force requirements.

Recommendation Up to 5.00 pounds

Costing Info (Estimated)

Adjust door closer pressure. \$25



Code Reference CA 1133B.2.5, ADA 404.2.9

Progress

Record Number	43596	Resolution	None
Progress	Not_Started	Actual Date	
Projected Date	06/30/2013	Priority	Two
Actual Cost	\$0.00		
Contractor			
Comments	No Comments		

These two screenshots are examples of a finding page in a Basic Photo Report. This type of report shows the user the finding, with accompanying recommendation to correct the non-compliant item, the associated photo, code reference(s), estimated cost to remove the barrier, and any progress that has been added to update the transition plan.

La Quinta Museum

Doors - Museum 1st Floor : Door , Hardware

Archives 102

Lever

Door , Hardware : Door Opening Pressure

Finding

The door opening force for this door is greater than allowed.

On-Site Finding 8.00 pounds

Recommendation

Adjust the closer on the door to meet the door opening force requirements.

Recommendation Up to 5.00 pounds

Costing Info (Estimated)

Adjust door closer pressure. \$25



Code Reference CA 1133B.2.5, ADA 404.2.9

Progress

Record Number	43936	Resolution	None
Progress	Not_Started	Actual Date	
Projected Date		Priority	Two
Actual Cost	\$0.00		
Contractor			
Comments	No Comments		

Fair Oaks Park

Path of Travel - Exterior : Path Of Travel , Walking Surfaces

Path Of Travel At The Basketball Court

Exterior Walkway

Walking Surface Slope

Finding

There are slopes greater than allowed maximum slope on the primary path of travel.

On-Site Finding 14.70 percent

Recommendation

Provide compliant sidewalk.

Recommended Up to 5.00 percent

Costing Information (Estimated)

Install compliant pathway. \$1,840

Path Of Travel , Walking Surfaces : Walking Surface Slope



Code Reference:
ADA 4.3.7, CA 1133B.7.3

Record Number : 988033

Path of Travel - Exterior : Path Of Travel , Walking Surfaces

Path Of Travel At The Entrance To The Horticultural Center

Exterior Walkway

Walking Surface Slope

Finding

There are slopes greater than allowed maximum slope on the primary path of travel.

On-Site Finding 6.40 percent

Recommendation

Provide compliant sidewalk.

Recommended Up to 5.00 percent

Costing Information (Estimated)

Install compliant pathway. \$1,840

Path Of Travel , Walking Surfaces : Walking Surface Slope



Code Reference:
ADA 4.3.7, CA 1133B.7.3

Record Number : 987873

This screenshot is an example of a finding page in a Dual Photo Report. This type of report shows the user two findings per page, with accompanying recommendations to correct the non-compliant item, the associated photo, code reference(s), and estimated cost to remove the barrier.

The Dual Photo and Basic Photo Reports may be exported to an Excel workbook for easy management of the transition plan data. The Excel workbook exports into a pre-formatted table with the filter function atop each data column. The report is a fully functioning Excel spreadsheet that may be sorted, filtered and manipulated by the user. The column for Picture identification numbers includes cells that are live links to the second tab of the workbook which contains report photos. Clicking the cell for a particular report finding will bring up the associated picture on the Photos tab.

Record Number	Picture	Category	Location	Sub Location	Description	Sub Description
438	11303	Reach Ranges	1st Floor	Science 112 & Biology 1	Fume Hood - Fume Hood	Cannot be Operated with one hand
439	11303	Reach Ranges	1st Floor	Science 112 & Biology 1	Fume Hood - Fume Hood	Element Highest Point of Operation

Record Number	Picture	Category	Location	Sub Location	Description	Sub Description
6	11754	Doors	Interior	Chamber Of Commerce	Door Between Library & Chamber Of Commerce	Push Bar / Lever
7	11756	Doors	Interior	Chamber Of Commerce	Door To Garden	Push Bar / D Handle

Welcome, Jgrover | Support | Sign Out | Help

DACTrak Reports Tools

Clients: City of La Quinta Buildings

Project Information
Address : 78-495 Calle Tampico La Quinta, CA 92253
Start Date : 7/6/2011

Facility List

Facility Name	Address
Boys & Girls Club	49995 Park Avenue La Quinta, CA 92253
City Of La Quinta Sports Complex	Sports Complex La Quinta, CA 92253
Civic Center	78-495 Calle Tampico La Quinta, CA 92253
Fire Station #70	54001 Madison Street La Quinta, CA 92253
Fire Station #93	44555 Adams Street La Quinta, CA 92253
La Quinta Library	78-275 Calle Tampico La Quinta, CA 92253
La Quinta Museum	77-885 Avenida Montezuma La Quinta, CA 92253
La Quinta Senior Center	78-450 Avenida La Fonda La Quinta, CA 92253
La Quinta YMCA Daycare	49-955 Avenue 50 La Quinta, CA 92253
New Fire Station (Fire Station #32)	78111 Avenue 52 La Quinta, CA 92253
Police Substation	51351 Avenida Bermidas La Quinta, CA 92253
Public Works & Maintenance	78109 Avenue 52 La Quinta, CA 92253
Silver Rock Temporary Clubhouse	79-179 Ahmanson Lane La Quinta, CA 92253
Silverrock Maintenance Building	79-600 54 Avenue La Quinta, CA 92253

Tools menu items: Project Portfolio, Project Home, Facility Home, Change Password, Contact Us, Record Manager, Global Progress Editor, Priority Manager

Users can update progress using the Tools drop down menu.

Record Manager allows each record to be updated individually.

Global Progress Editor allows many records to be updated at once with identical information.

Priority Manager allows many records to be updated at once with unique information.

DACTrak Reports Tools

Please select the client, project, facility, location and category to generate list of Intakes to manage on.

Clients: Fair Oaks Recreation and Parks District Projects: Fair Oaks Recreation and Parks District
Facilities: Fair Oaks Park Locations: All Locations
Categories: All Categories Generate List

Name	Deficiency Type	Location
Accessible Parking	Element	Exterior
Benches Near The Play Area	Element	Exterior
Community Garden Parking Lot	Element	Exterior
Continuing Path Of Travel From The Softball Fields To The Skate Park	Element	Exterior
Curb Ramp From The Accessible Space Near The Play Area	Element	Exterior
Directional Signage From The Public Right Of Way	Element	Exterior
Directional Signage To All Common Areas	Element	Exterior
Drinking Fountain At The Horticultural Center	Element	Exterior
Drinking Fountain Near The BBQ Area	Element	Exterior
Drinking Fountain Near The Restrooms	Element	Exterior
Drinking Fountain Near The Skate Park	Element	Exterior
Drinking Fountain Near The Softball Field Concession Stands	Element	Exterior
Gates To The Community Garden	Element	Exterior
Horticultural Center	Element	Exterior
Left Curb Ramp From The Accessible Spaces Near The Skate Park	Element	Exterior
Mens & Womens Restrooms	Element	Restrooms
Mens Restroom	Element	Restrooms
Mens Restroom	Element	Restrooms

Record Manager allows the user to choose which record to update individually.

DACtrak Reports Tools

1 2 of 2 [Back to List](#)

Facility: Fair Oaks Park

Curb Ramps - Exterior : Curb Ramp

Curb Ramp From The Accessible Space Near The Play Area

No Detectable Warnings

Finding
The curb ramp does not provide a detectable warning surface which includes truncated domes.
On Site Finding: Not Found

Recommendation
Provide compliant detectable warnings to surface.
Recommended: See Above

Costing Information
Provide detectable warning to surface. \$144.00

Citations
CA 11278.5.8
ADA 4.7.7



1 of 1

Priority: None
Progress: Not Started
Resolution: Select One

Projected Date of Completion:
Actual Date of Completion:
Actual Cost:

New Comment:

1 2 of 2

Once a record is chosen in Record Manager, the user can set the priority, select the status of progress, add projected and actual dates of completion and also document any notes regarding the record.

Drinking Fountains - Exterior : Drinking Fountains

Drinking Fountain Near The Skate Park

Clear Floor Space Slope

Finding
The Clear Floor Space Slope is not compliant.
On Site Finding: 8.40 percent

Recommendation
Provide compliant Clear Floor Space at the drinking fountain.
Recommended: Up to 2.00 percent

Costing Information
(None) \$0.00

Citations
ADA 4.15.5



1 of 1

Drinking fountain not operational at time of inspection.

Priority: 1
Progress: Completed
Resolution: Corrected

Projected Date of Completion: 6/1/2011
Actual Date of Completion: 7/8/2011
Actual Cost: 565.33

New Comment: Slope corrected and verified to be compliant by inspector #36. Repair grass area near fountain.

This screen shot represents an example of a record with progress, updates and comments added.

DACTrak Reports Tools

Please select the filter criteria and click "Generate List" to view the deficiencies you are able to edit.

Clients: Fair Oaks Recreation and Parks District Projects: Fair Oaks Recreation and Parks District
 Facilities: Fair Oaks Park Locations: All Locations
 Categories: Passenger Loading Zones Generate List

Location	Element Description	Finding	Progress	Projected Completion Date	Actual Completion Date
<input type="checkbox"/> Exterior	Passenger Loading Zone At The Horticultural Center	There is less than the minimum required length in the access aisle at the passenger loading zone.			
<input type="checkbox"/> Exterior	Passenger Loading Zone At The Horticultural Center	The slope of the asphalt surface for the access aisle at the passenger loading zone is greater than 2%.			
<input type="checkbox"/> Exterior	Passenger Loading Zone At The Horticultural Center	There is no signage designating accessibility posted at the passenger loading zone.			
<input type="checkbox"/> Exterior	Passenger Loading Zone At The Horticultural Center	There are no detectable warning devices provided at the passenger loading zone.			
<input type="checkbox"/> Exterior	Passenger Loading Zone Near The Restrooms	There is no signage designating accessibility posted at the passenger loading zone.			
<input type="checkbox"/> Exterior	Passenger Loading Zone Near The Restrooms	The slope of the asphalt surface for the access aisle at the passenger loading zone is greater than 2%.			
<input type="checkbox"/> Exterior	Passenger Loading Zone Near The Restrooms	There are curbs between the access aisle and the vehicle pull-up space.			

Projected Date: Clear
 Actual Date: Clear
 Priority: None
 Progress: Not Started
 Resolution: None Set

Select deficiencies from the list above, and enter new values below. To erase a value, leave the field blank and press Clear.

This is an example of Global Progress Editor, where the user may select many records to update at one time. In this example, the category has been filtered to Passenger Loading Zones using the Categories drop down menu.

DACTrak Reports Tools

Please select the filter criteria and click "Generate List" to view the deficiencies you are able to edit.

Clients: City of La Quinta Projects: Buildings
 Facilities: Silverrock Maintenance Building Locations: All Locations
 Categories: Sinks Generate List

Location	Element Description	Finding	On Site Finding	Priority	Progress	Resolution	Projected Completion Date	Actual Completion Date	Cost Responsibility	Contractor
<input type="checkbox"/> Interior	Maintenance Bay	Sink counter height is not compliant.	35.37 inches	<input type="text"/> None	<input type="text"/> None	<input type="text"/> None			<input type="text"/> None	
<input type="checkbox"/> Interior	Maintenance Bay	The height of the controls and operating mechanisms for the dispenser is not at the correct height.	55.75 inches	<input type="text"/> None	<input type="text"/> None	<input type="text"/> None			<input type="text"/> None	
<input type="checkbox"/> Interior	Maintenance Bay	The height of the controls and operating mechanisms for the dispenser is not at the correct height.	49.50 inches	<input type="text"/> None	<input type="text"/> None	<input type="text"/> None			<input type="text"/> None	

Select deficiencies from the list above, and enter new values. To erase a value, leave the field blank.

This is an example of Priority Manager, where the user may select many records to update with unique information from one screen. The user may select progress information from the drop down menus and enter dates for each line item. All information is updated with one click of the Submit button. In this example, the category has been filtered to Sinks using the Categories drop down menu.

When GPS information is recorded for the location of an outdoor finding, such as the sidewalk report below, a Map Overlay report is available to view on DACTrak. This report shows a map of the area where the survey was performed, and pinpoints the location of the finding. Clicking on the pinpoint brings up a screen showing the finding, recommendation to bring the item into compliance, a photo of the finding and the associated code references.

Edgemoor - North Side Of Ashley Place From Camel Lane To Desert Stream Drive
 Driveways 79050-79230 @ 93.71600, -116.285230
 Cross Slope
 Finding - Sidewalk cross slope is not compliant.
 Onsite Finding - 9.50 percent
 Recommendation - Repair the sidewalk surface with the recommended cross slope.
 Recommended Value - Up to 2.00 percent
 Record No - 37236
 Code Reference - CA 11336, ADA 504.202

Map Legend:
 Bus Stop, Curbcramp, Drinking Fountain, Exhibit, Fishing Pier, Intersection, Parking, Play Area, Pole Stop, Path of Travel, Sidewalk, Trail, Viewing Area

ATTACHMENT 2
MOU between the California Joint Powers
Insurance Authority and the City of Lawndale



MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding ("MOU") is between the California Joint Powers Insurance Authority ("CJPIA") and the City of Lawndale ("Member") for purposes of authorizing work related to CJPIA's ADA Assistance Program, which includes conducting self-evaluations and inspections, developing transition plans, and evaluating programs and services.

Disability Access Consultants (DAC) will perform all work for Member on behalf of the CJPIA in accordance with all terms, covenants, standards, and conditions set forth in that certain agreement between the CJPIA and DAC, entered into on March 14, 2017 of which Member shall be considered a third party beneficiary to that agreement. Copies of the agreement are attached hereto as and incorporated herein by reference as if fully set forth herein.

This MOU also discloses costs related to the aforementioned work, which will be billed directly to CJPIA. CJPIA will then invoice Member, less the amount of CJPIA ADA Assistance Program funding. Member agrees to pay the invoiced amount within 30 days of billing by CJPIA.

- | | |
|---|------------------|
| 1. Total cost for all work to be performed by DAC, as per attached DAC written proposal. | \$ 66,900 |
| 2. Total program funding provided by CJPIA to be paid directly to DAC on behalf of Member for the aforementioned work. | <u>\$ 23,500</u> |
| 3. Total amount owed by Member , representing difference between Line 1 and Line 2, which will be billed by CJPIA. | <u>\$ 43,400</u> |

Should additional inspection items be added to the scope of work, DAC will provide an addendum to the proposal. Member acknowledges and agrees to be responsible for any supplemental costs incurred from the addition of these items to the scope of work (e.g., buildings, facilities, bus stops, sidewalk mileage, etc.). A revised MOU must be executed by the Member and CJPIA, before proceeding with additional work.

Kevin Chun, City Manager, City of Lawndale

Date

Toni Consolo, Senior Risk Manager

Date

Attachments: DAC Proposal, DAC Professional Services Agreement, and addenda.

ATTACHMENT 3
Agreement and Addendum between
California Joint Powers Insurance Authority
and Disability Access Consultants

PROFESSIONAL SERVICES AGREEMENT

THIS AGREEMENT for Professional Services ("Agreement") is made this day of March 14, 2017 ("Effective Date") by and between the California Joint Powers Insurance Authority ("Authority") and Disability Access Consultants ("Consultant") (together sometimes referred to the "Parties").

Section 1. SERVICES. Subject to the terms and conditions set forth in this Agreement, Consultant shall provide to Authority the services described in the Scope of Work attached as Exhibit A, and incorporated here. Such work shall be provided at the time and place and in the manner specified in Exhibit A. In the event of a conflict in or inconsistency between the terms of this Agreement and Exhibit A, this Agreement shall prevail.

- 1.1 Term of Services.** The term of this Agreement shall begin on the Effective Date and shall end on June 30, 2018. Consultant shall complete the work described in Exhibit A prior to that date, unless the term of the Agreement is otherwise terminated or extended as provided for in Section 8. The time provided to Consultant to complete the services required by this Agreement shall not affect the Authority's right to terminate the Agreement, as provided for in Section 8.
- 1.2 Standard of Performance.** Consultant shall perform all services required pursuant to this Agreement in the manner and according to the standards observed by a competent practitioner including the necessary expertise or knowledge of the profession in which Consultant is engaged in the geographical area in which Consultant practices its profession and to the sole satisfaction of the project representative.
- 1.3 Assignment of Personnel.** Consultant shall assign only competent personnel to perform services pursuant to Agreement. In the event that Authority, in its sole discretion, at any time during the term of this Agreement, desires the reassignment of any such persons, Consultant shall, immediately upon receiving notice from Authority of such desire of Authority, reassign such person or persons.
- 1.4 Time.** Consultant shall devote such time to the performance of services pursuant to this Agreement as may be reasonably necessary to satisfy Consultant's obligations hereunder.
- 1.5 Authorization to Perform Services.** The Consultant is not authorized to perform any services or incur any costs whatsoever under the terms of this Agreement until receipt of authorization from the Authority's project representative.
- 1.6 Eligible Recipients of Services.** Authority members will receive a funding allowance toward ADA assistance level services as outlined under the scope of this agreement. Additional services outside of the ADA assistance level services shall be at the agreed upon hourly rate of \$98 per consultant. All members of the Authority are eligible, including but not limited to:

City of Agoura Hills, Agoura Hills/Calabasas Community Center, City of Aliso Viejo, Town of Apple Valley, Area B Disaster Management, Area E Disaster Management, City of Arroyo Grande, City of Artesia, City of Atascadero, City of Azusa, City of Bell Gardens, City of Bellflower, Big Bear City Community Services District, Big Bear Fire Authority, City of Big Bear Lake, City of Bishop, Black Gold Cooperative Library System, City of Bradbury, City of Brawley, City of Buellton, City of Calabasas, City of Camarillo, City of Carpinteria, City of Cerritos, City of Chino Hills, City of Claremont, Coachella Valley Association of Governments, Coachella Valley Conservation Commission, Coastal Animal Services Authority, City of Commerce, City of Dana Point, Desert Recreation District, City of Diamond Bar, City of Duarte, Eastern Sierra Transportation Authority, City of El Centro, City of Fillmore, City of Fountain Valley, Gateway Cities Council of Governments, City of Goleta, City of Grand Terrace, City of Grover Beach, City of Guadalupe, City of Hawaiian Gardens, City of Hidden Hills, City of Imperial, City of Indian Wells, City of Indio, City of Irwindale, City of La Canada Flintridge, City of La Habra Heights, LA IMPACT, City of La Mirada, City of La Palma, City of La Puente, City of La Quinta, City of La Verne, City of Laguna Niguel, City of Laguna Woods, City of Lake Elsinore, City of Lake Forest, City of Lakewood, LA-RICS, City of Lawndale, City of Loma Linda, City of Lomita, City of Malibu, Town of Mammoth Lakes, Midpeninsula Regional Open Space District, City of Mission Viejo, City of Monrovia, Monterey Peninsula Regional Park District, City of Moorpark, City of Morro Bay, Mountain Area Regional Transportation Authority, City of Needles, City of Norwalk, City of Ojai, Orange County Council of Governments, City of Palm Desert, City of Palos Verdes Estates, Palos Verdes Peninsula Transit Authority, City of Paramount, City of Paso Robles, City of Pico Rivera, City of Pismo Beach, Pomona Valley Transportation Authority, City of Port Hueneme, City of Poway, City of Rancho Palos Verdes, City of Rolling Hills, City of Rolling Hills Estates, City of Rosemead, City of San Clemente, City of San Dimas, City of San Gabriel, City of San Juan Capistrano, City of San Luis Obispo, City of San Marcos, City of San Marino, City of Santa Fe Springs, City of Santa Paula, City of Seal Beach, City of Seaside, Seaside County Sanitation, City of Sierra Madre, City of Signal Hill, City of Solvang, City of South El Monte, Southeast Area Animal Control Authority, Southern California Association of Governments, City of Temple City, Ventura Port District, City of Villa Park, City of Walnut, West Cities Police Communication Center, City of Westlake Village.

Section 2. **COMPENSATION.** Authority hereby agrees to pay Consultant in accordance with the payment schedule as set forth in Exhibit B, attached hereto and incorporated herein by reference as though set forth in full, based upon work completed, as defined in Exhibit A. In the event of a conflict between this Agreement and Exhibit A, regarding the amount of compensation, this Agreement shall prevail. Authority shall pay Consultant for services rendered pursuant to this Agreement at the time and in the manner set forth herein. The payments specified below shall be the only payments from Authority to Consultant for services rendered pursuant to this Agreement. Consultant shall submit all invoices to Authority in the manner specified herein. Except as specifically authorized in advance by Authority, Consultant shall not bill Authority for duplicate services performed by more than one person.

- 2.1 **Invoices.** Consultant shall submit invoices during the term of this Agreement, based on the work completed, and within 30 days. All work billed shall be on a per member basis, with an itemized detail of services performed.
- 2.2 **Payment.** Authority shall make monthly payments, based on invoices received, for services satisfactorily performed, and for authorized reimbursable costs incurred. Authority shall have 30 days from the receipt of an invoice that complies with all of the requirements above to pay Consultant.
- 2.3 **Total Payment.** Authority shall not pay any additional sum for any expense or cost whatsoever incurred by Consultant in rendering services pursuant to this Agreement. Authority shall make no payment for any extra, further, or additional service pursuant to this Agreement.
- 2.4 **Payment of Taxes.** Consultant is solely responsible for the payment of employment taxes incurred under this Agreement and any federal or state taxes.
- 2.5 **Payment upon Termination.** In the event that the Authority or Consultant terminates this Agreement pursuant to Section 8, the Authority shall compensate the Consultant for all outstanding costs and reimbursable expenses incurred for work satisfactorily completed as of the date of written notice of termination. Consultant shall maintain adequate logs and timesheets in order to verify costs incurred to that date.

Section 3. EQUIPMENT. Except as otherwise provided, Consultant shall, at its sole cost and expense, provide all supplies and equipment necessary to perform the services required by this Agreement.

Section 4. INSURANCE REQUIREMENTS. Without limiting Consultant's indemnification of Authority, and prior to commencement of Work, Consultant shall obtain, provide and maintain at its own expense during the term of this Agreement, policies of insurance of the type and amounts described below and in a form satisfactory to Authority.

- 4.1 **General Liability Insurance.** Consultant shall maintain commercial general liability insurance with coverage at least as broad as Insurance Services Office form CG 00 01, in an amount not less than \$1,000,000 per occurrence, \$2,000,000 general aggregate, for bodily injury, personal injury, and property damage. The policy must include contractual liability that has not been amended. Any endorsement restricting standard ISO "insured contract" language will not be accepted.
- 4.2 **Automobile Liability Insurance.** Consultant shall maintain automobile insurance at least as broad as Insurance Services Office form CA 00 01 covering bodily injury and property damage for all activities of the Consultant arising out of or in connection with Work to be performed under this Agreement, including coverage for any owned, hired, non-owned or rented vehicles, in an amount not less than \$1,000,000 combined single limit for each accident.

- 4.3 **Professional Liability (Errors & Omissions) Insurance.** Consultant shall maintain professional liability insurance that covers the Services to be performed in connection with this Agreement, in the minimum amount of \$1,000,000 per claim and in the aggregate. Any policy inception date, continuity date, or retroactive date must be before the effective date of this agreement and Consultant agrees to maintain continuous coverage through a period no less than three years after completion of the services required by this agreement.
- 4.4 **Workers' Compensation Insurance.** Consultant shall maintain Workers' Compensation Insurance (Statutory Limits) and Employer's Liability Insurance (with limits of at least \$1,000,000).
- 4.5 **Proof of Insurance.** Consultant shall provide certificates of insurance to Authority as evidence of the insurance coverage required herein, along with a waiver of subrogation endorsement for workers' compensation. Insurance certificates and endorsements must be approved by Authority's risk manager prior to commencement of performance. Current certification of insurance shall be kept on file with Authority at all times during the term of this contract. Authority reserves the right to require complete, certified copies of all required insurance policies, at any time.
- 4.6 **Duration of Coverage.** Consultant shall procure and maintain for the duration of the contract insurance against claims for injuries to persons or damages to property, which may arise from or in connection with the performance of the work hereunder by Consultant, its agents, representatives, employees or sub-consultants.
- 4.7 **Primary/Noncontributing.** Coverage provided by Consultant shall be primary and any insurance or self-insurance procured or maintained by Authority shall not be required to contribute with it. The limits of insurance required herein may be satisfied by a combination of primary and umbrella or excess insurance. Any umbrella or excess insurance shall contain or be endorsed to contain a provision that such coverage shall also apply on a primary and non-contributory basis for the benefit of Authority before the Authority's own insurance or self-insurance shall be called upon to protect it as a named insured.
- 4.8 **Authority's Rights of Enforcement.** In the event any policy of insurance required under this Agreement does not comply with these specifications or is canceled and not replaced, Authority has the right but not the duty to obtain the insurance it deems necessary and any premium paid by Authority will be promptly reimbursed by Consultant or Authority will withhold amounts sufficient to pay premium from Consultant payments. In the alternative, Authority may cancel this Agreement.
- 4.9 **Acceptable Insurers.** All insurance policies shall be issued by an insurance company currently authorized by the Insurance Commissioner to transact business of insurance or is on the List of Approved Surplus Line Insurers in the State of California, with an assigned policyholders' Rating of A- (or higher) and Financial Size Category Class VI

(or larger) in accordance with the latest edition of Best's Key Rating Guide, unless otherwise approved by the Authority's risk manager.

- 4.10 **Waiver of Subrogation.** All insurance coverage maintained or procured pursuant to this agreement shall be endorsed to waive subrogation against Authority, its elected or appointed officers, agents, officials, employees and volunteers or shall specifically allow Consultant or others providing insurance evidence in compliance with these specifications to waive their right of recovery prior to a loss. Consultant hereby waives its own right of recovery against Authority, and shall require similar written express waivers and insurance clauses from each of its sub-consultants.
- 4.11 **Enforcement of Contract Provisions (Non Estoppel).** Consultant acknowledges and agrees that any actual or alleged failure on the part of the Authority to inform Consultant of non-compliance with any requirement imposes no additional obligations on the Authority nor does it waive any rights hereunder.
- 4.12 **Requirements Not Limiting.** Requirements of specific coverage features or limits contained in this Section are not intended as a limitation on coverage, limits or other requirements, or a waiver of any coverage normally provided by any insurance. Specific reference to a given coverage feature is for purposes of clarification only as it pertains to a given issue and is not intended by any party or insured to be all inclusive, or to the exclusion of other coverage, or a waiver of any type. If the Consultant maintains higher limits than the minimums shown above, the Authority requires and shall be entitled to coverage for the higher limits maintained by the Consultant. Any available insurance proceeds in excess of the specified minimum limits of insurance and coverage shall be available to the Authority.
- 4.13 **Notice of Cancellation.** Consultant agrees to oblige its insurance agent or broker and insurers to provide to Authority with a thirty (30) day notice of cancellation (except for nonpayment for which a ten (10) day notice is required) or nonrenewal of coverage for each required coverage.
- 4.14 **Additional Insured Status.** General liability policies shall provide or be endorsed to provide that Authority and its officers, officials, employees, agents, volunteers, and members shall be additional insureds under such policies. This provision shall also apply to any excess/umbrella liability policies.
- 4.15 **Prohibition of Undisclosed Coverage Limitations.** None of the coverages required herein will be in compliance with these requirements if they include any limiting endorsement of any kind that has not been first submitted to Authority and approved of in writing.
- 4.16 **Separation of Insureds.** A severability of interests provision must apply for all additional insureds ensuring that Consultant's insurance shall apply separately to each insured against whom claim is made or suit is brought, except with respect to the

insurer's limits of liability. The policy/policies shall not contain any cross-liability exclusions.

- 4.17 **Pass Through Clause.** Consultant agrees to ensure that its sub-consultants, subcontractors, and any other party involved with the project who is brought onto or involved in the project by Consultant, provide the same minimum insurance coverage and endorsements required of Consultant. Consultant agrees to monitor and review all such coverage and assumes all responsibility for ensuring that such coverage is provided in conformity with the requirements of this section. Consultant agrees that upon request, all agreements with consultants, subcontractors, and others engaged in the project will be submitted to Authority for review.
- 4.18 **Authority's Right to Revise Specifications.** The Authority reserves the right at any time during the term of the contract to change the amounts and types of insurance required by giving the Consultant ninety (90) days advance written notice of such change. If such change results in substantial additional cost to the Consultant, the Authority and Consultant may renegotiate Consultant's compensation.
- 4.19 **Self-Insured Retentions.** Any self-insured retentions must be declared to and approved by Authority. Authority reserves the right to require that self-insured retentions be eliminated, lowered, or replaced by a deductible. Self-insurance will not be considered to comply with these specifications unless approved by Authority.
- 4.20 **Timely Notice of Claims.** Consultant shall give Authority prompt and timely notice of claims made or suits instituted that arise out of or result from Consultant's performance under this Agreement, and that involve or may involve coverage under any of the required liability policies.
- 4.21 **Additional Insurance.** Consultant shall also procure and maintain, at its own cost and expense, any additional kinds of insurance, which in its own judgment may be necessary for its proper protection and prosecution of the work.

Section 5. INDEMNIFICATION

Consultant shall indemnify, defend with counsel acceptable to Authority and hold harmless the Authority and its officials, officers, employees, agents, members, and authorized volunteers from and against any and all losses, liabilities, claims, suits, actions, arbitration proceedings, administrative proceedings, regulatory proceedings, damages and expenses of any kind, whether actual or threatened, (including but not limited to attorneys' fees and costs, court costs, interest defense costs, and expert witness fees) where the same arise out of, are a consequence of or are in any way attributable to, in whole or in part, the performance of this Agreement (or the failure to perform) by Consultant or by any individual or entity for which Consultant is legally liable, including but not limited to officers, agents, employees or subcontractors of Consultant. Such indemnification, defense and hold harmless extend to Consultant's provision, use, transport and storage of hazardous materials, as those commonly are defined under state and federal laws and regulations.

The foregoing obligation of Consultant shall not apply when (1) the injury, loss of life, damage to property or violation of law arises wholly from the negligence or willful misconduct of the Authority or its officers, employees, agents, members, or authorized volunteers and (2) the actions of Consultant or its employees, subcontractors or agents have contributed in no part to the injury, loss of life, damage to property, or violation of law.

It is understood that the duty of Consultant to indemnify and hold harmless includes the duty to defend as set forth in Section 2778 of the California Civil Code. Acceptance by Authority of insurance certificates and endorsements required under this Agreement does not relieve Consultant from liability under this indemnification and hold harmless clause. This indemnification and hold harmless clause shall apply to any damages or claims for damages whether or not such insurance policies shall have been determined to apply. By execution of this Agreement, Consultant acknowledges and agrees to the provisions of this Section and that it is a material element of consideration.

Section 6. STATUS OF CONTRACTOR.

- 6.1 Independent Contractor.** At all times during the term of this Agreement, Contractor shall be an independent contractor and shall not be an employee of Authority. Authority shall have the right to control Contractor only insofar as the results of Contractor's services rendered pursuant to this Agreement and assignment of personnel pursuant to Subparagraph 1.3; however, otherwise Authority shall not have the right to control the means by which Contractor accomplishes services rendered pursuant to this Agreement. Notwithstanding any other Authority, state, or federal policy, rule, regulation, law, or ordinance to the contrary, Contractor providing services under this Agreement shall not qualify for or become entitled to any compensation, benefit, or any incident of employment by Authority, including but not limited to eligibility to enroll in the California Public Employees Retirement System (PERS) as an employee of Authority and entitlement to any contribution to be paid by Authority for employer contributions and/or employee contributions for PERS benefits. It is understood by the parties that Contractor is independent and does not constitute a common law (employer-employee) relationship and said agreement is exempt for the post-retirement employment requirements.

Section 7. LEGAL REQUIREMENTS.

- 7.1 Governing Law.** The laws of the State of California shall govern this agreement.
- 7.2 Compliance with Applicable Laws.** Consultant and any subcontractor shall comply with all applicable local, state and federal laws and regulations applicable to the performance of the work hereunder.
- 7.3 Licenses and Permits.** Consultant represents and warrants to Authority that Consultant and its employees, agents, and any subcontractors have all licenses, permits, qualifications, and approvals of whatsoever nature that is legally required to practice their respective professions. Consultant represents and warrants to Authority that Consultant and its employees, agents, any subcontractors shall, at their sole cost and expense, keep in

effect at all times during the term or this Agreement any licenses, permits, and approvals that are legally required to practice their respective professions. In addition to the foregoing, Consultant and any subcontractors shall obtain and maintain during the term of this Agreement valid Business Licenses from Authority.

Section 8. TERMINATION AND MODIFICATION.

8.1 Termination. Authority and Consultant hereby agree that this Agreement may be cancelled upon 30 days' written notice.

In the event of termination, Consultant shall be entitled to compensation for services performed to the effective date of termination; Authority, however, may condition payment of such compensation upon Consultant delivering to Authority any or all documents, photographs, computer software, video and audio tapes, and other materials provided to Consultant or prepared by or for Consultant or the Authority in connection with this Agreement.

8.2 Extension. Both parties agree that extending the Agreement beyond that provided for in Subsection 1.1 may be in the best interest of all concerned. Any such extension shall require a written amendment to this Agreement, as provided for herein. Authority and Consultant understand and agree that, if both parties agree to such an extension, all terms and conditions of the original Agreement shall remain the same, and extended to the date provided for in said amendment.

8.3 Amendments. The parties may amend this Agreement only by a writing signed by all the parties.

8.4 Survival. All obligations arising prior to the termination of this Agreement and all provisions of this Agreement allocating liability between Authority and Consultant shall survive the termination of this Agreement.

8.5 Options upon Breach by Consultant. If Consultant materially breaches any of the terms of this Agreement, Authority's remedies shall include, but not be limited to, any or all of the following:

8.5.1 Immediately terminate the Agreement;

8.5.2 Retain the documents, and any other work product prepared by Consultant pursuant to this Agreement;

8.5.3 Retain a different Consultant to complete the work described in Exhibit A not finished by Consultant; or

8.5.4 Charge Consultant the difference between the costs to complete the work described in Exhibit A that is unfinished at the time of breach and the

amount that Authority would have paid Consultant pursuant to Section 2 if Consultant had completed the work.

Section 9. KEEPING AND STATUS OF RECORDS.

- 9.1 **Records Created as Part of Consultant's Performance.** All reports, data, maps, models, charts, studies, surveys, photographs, memoranda, plans, studies, specifications, records, files, or any other documents or materials, in electronic or any other form that Consultant prepares or obtains pursuant to this Agreement and that relate to the matters covered hereunder, shall be the property of the Authority. Consultant hereby agrees to deliver those documents to the Authority upon termination of the Agreement.
- 9.2 **Consultant's Books and Records.** Consultant shall maintain any and all ledgers, books of account, invoices, vouchers, canceled checks, and other records or documents evidencing or relating to charges for services or expenditures and disbursements charged to the Authority under this Agreement for a minimum of three (3) years, or for any longer period required by law, from the date of final payment to the Consultant to this Agreement.
- 9.3 **Inspection and Audit of Records.** Any records or documents that Section 9.2 of this Agreement requires Consultant to maintain shall be made available for inspection, audit, and/or copying at any time during regular business hours, upon oral or written request of the Authority. Under California Government Code Section 8546.7, if the amount of public funds expended under this Agreement exceeds Ten Thousand Dollars (\$10,000.00), the Agreement shall be subject to the examination and audit of the State Auditor, at the request of Authority or as part of any audit of the Authority, for a period of three (3) years after final payment under the Agreement.

Section 10. MISCELLANEOUS PROVISIONS.

- 10.1 **Attorneys' Fees.** If either party to this Agreement brings any action, including an action for declaratory relief, to enforce or interpret the provision of this Agreement, the prevailing party shall be entitled to reasonable attorneys' fees in addition to any other relief to which that party may be entitled. The court may set such fees in the same action or in a separate action brought for that purpose.
- 10.2 **Venue.** In the event that either party brings any action against the other under this Agreement, the parties agree that trial of such action shall be vested exclusively in Orange County.
- 10.3 **Severability.** If a court of competent jurisdiction finds or rules that any provision of this Agreement is invalid, void, or unenforceable, the provisions of this Agreement not so adjudged shall remain in full force and effect. The invalidity in whole or in part of any provision of this Agreement shall not void or affect the validity of any other provision of this Agreement.

- 10.4 No Implied Waiver of Breach.** The waiver of any breach of a specific provision of this Agreement does not constitute a waiver of any other breach of that term or any other term of this Agreement.
- 10.5 Successors and Assigns.** The provisions of this Agreement shall inure to the benefit of and shall apply to and bind the successors and assigns of the parties.
- 10.6 Consultant Representative.** All matters under this Agreement shall be handled for Consultant by Barbara Thorpe.
- 10.7 Authority Contract Administration.** This Agreement shall be administered by Norman Lefinann ("Contract Administrator"). All correspondence shall be directed to or through the Contract Administrator or his designee.
- 10.8 Notices.** Any written notice to Consultant shall be sent to:
- Barbara Thorpe, President/CEO
Disability Access Consultants
2243 Feather River Boulevard
Oroville, CA 95965
- Any written notice to Authority shall be sent to the project representative, Abraham Han.
- 10.9 Integration.** This Agreement, including the scope of work attached hereto and incorporated herein as Exhibit A, represents the entire and integrated agreement between Authority and Consultant and supersedes all prior negotiations, representations, or agreements, either written or oral.
- 10.10 Counterparts.** This Agreement may be executed in multiple counterparts, each of which shall be an original and all of which together shall constitute one agreement.

The Parties have executed this Agreement as of the Effective Date.

AUTHORITY

CONSULTANT


Jonathan Shull, Chief Executive Officer


Barbara Thorpe, President/CEO

EXHIBIT A
SCOPE OF SERVICES

Consultant will provide the necessary professional services:

1. Assistance Level 1: Member Assessment and Overall Diagnostic Profile

Consultant will perform an assessment to determine the current level of ADA compliance, in accordance with Title II of the Americans with Disabilities Act, Section 504 of the Rehabilitation Act and Title 24 of the California Building Code, and plan a course of action to enhance compliance. Consultant will review the initiatives of the Member to assess whether the Member has met any or all of the mandatory compliance requirements of the ADA, Section 504 of the Rehabilitation Act and Title 24 and related accessibility standards and requirements. If, after review, it is determined that the member needs to complete or revise any of the required compliance components, Consultant will provide a recommended compliance plan that may include other assistance-level options.

All members participating in the Authority's ADA Assistance Program shall receive Assistance Level 1 by default.

Following is a list of items determined during an assessment:

- An ADA coordinator has been designated, noticed, and posted.
- Each site has a current transition/barrier removal plan that meets the requirements under Title II of the ADA.
- A self-evaluation of programs, services, activities, policies, procedures, and practices has been completed.
- The member has updated its current transition/barrier removal plan, if applicable.
- Current ADA transition/barrier removal plans include all sites, such as new sites added since the completion of the previous plan.
- Space leased "to" others by the member is identified.
- Any current ADA-related concerns or issues are identified, including any pending or actual litigation.
- The member may need questions answered regarding the ADA, Title 24 of the California Building Code (CBC) or related accessibility standards.
- Staff development activities have been provided or are requested.
- Methods and priorities are recommended to members for achieving ADA compliance.

2. Assistance Level 2: Inspection of Sites, Development of Transition/Barrier Removal Plans

Consultant will inspect sites that may be new or not inspected previously, or have had extensive modernization or major remodeling. Work will include inspection of member facilities and public rights-of-way, and identification of barriers to accessibility, solutions to remove these barriers, and incorporation of the information into Consultant's accessibility management software.

As part of Assistance Level 2, Consultant will provide training regarding the use of the management portion of DACTrak. Assistance Level 2 does not include comprehensive training in the use of DACTrak for the member to collect their own data.

3. Assistance Level 3: Self-Evaluation of Policies, Procedures, Practices

Consultant will conduct a review of policies, procedures, and practices to determine if any are discriminatory or potentially discriminatory. Programs, services, and activities would be reviewed to determine accessibility by persons with disabilities.

EXHIBIT B
RATES AND SCHEDULE OF PAYMENTS

Billing and Reimbursement:

1. Assistance Level 1: Member Assessment and Overall Diagnostic Profile

The rate for this assistance level is a total one-time charge per member of \$2,800, which includes all expenses.

2. Assistance Level 2: Inspection of Sites, Development of Transition/Barrier Removal Plans

The hourly rate is \$98 per consultant, plus actual expenses. Any amounts for services provided beyond the \$16,500 per-member funding allowance will be billed to Authority for payment.

DACTrak Software License

Members that have DAC perform inspections of all facilities *and* public rights of way (Assistance Level 2) shall receive a one-year DACTrak software license at no cost to either the member or the Authority.

In all other instances, the Authority shall pay the first year of the DACTrak software license fee for the member.

Any DACTrak software license fees beyond the first year shall be paid by the member and not by the Authority.

The DACTrak annual software license fee is \$2,000.

3. Assistance Level 3: Self-Evaluation of Policies, Procedures, Practices

The hourly rate is \$98 per consultant, plus actual expenses. For amounts for services provided beyond the \$5,000 per-member funding allowance will be billed to Authority for payment.

4. Expenses

Reasonable, actual expenses will be charged as authorized by Authority and may include mileage at the IRS rate, hotel, meals, rental car, airfare (no first-class flights) and travel time.

**ADDENDUM TO AGREEMENT
BETWEEN THE CALIFORNIA JOINT POWERS INSURANCE AUTHORITY AND
DISABILITY ACCESS CONSULTANTS**

This Addendum ("ADDENDUM") is made and entered into this day of May 14, 2018, by and between the California Joint Powers Insurance Authority ("The AUTHORITY") and Disability Access Consultants ("CONSULTANT") (together sometimes referred to as "Parties").

WITNESSETH:

WHEREAS, the AUTHORITY and CONSULTANT entered into an Agreement (hereinafter referred to as "AGREEMENT") for the Americans with Disabilities Act (ADA) compliance consulting services related to the AUTHORITY's ADA Assistance Program, which was approved by the AUTHORITY's Chief Executive Officer on AGREEMENT dated March 14, 2017; and

WHEREAS, for and in consideration of the mutual advantages to be derived therefrom and in consideration of the execution of this ADDENDUM, both the AUTHORITY and CONSULTANT desire to revise AGREEMENT in the manner described herein; and

WHEREAS, AGREEMENT shall be amended as follows:

1. Section 1.1 ("Term of Services") of AGREEMENT shall reflect the term being extended until June 30, 2021. If all Parties agree that further extending AGREEMENT beyond June 30, 2021 is in the best interest of all Parties, then another addendum shall be executed at the appropriate time.
2. Section 1.6 ("Eligible Recipients of Services") of AGREEMENT shall read as follows:

California JPIA members will receive a funding allowance toward ADA assistance level services as outlined under the scope of this agreement. Additional services outside of the ADA assistance level services shall also be at the agreed upon hourly rate of \$98 per consultant. All members of the California JPIA are eligible, including but not limited to:

City of Agoura Hills, Agoura Hills and Calabasas Community Center, City of Alhambra, City of Aliso Viejo, Town of Apple Valley, Area B Disaster Management, Area E Disaster Management, City of Arroyo Grande, City of Artesia, City of Atascadero, City of Azusa, City of Bell Gardens, City of Bellflower, Big Bear City Community Services District, Big Bear Fire Authority, City of Big Bear Lake, City of Bishop, Black Gold Cooperative Library System, City of Bradbury, City of Brawley, City of Buellton, City of Calabasas, City of Camarillo, City of Carpinteria, City of Cerritos, City of Chino Hills, City of Claremont, Coachella Valley Association of Governments, Coachella Valley Conservation Commission, Coastal Animal Services Authority, City of Commerce, City of Dana Point, Desert Recreation District, City of Diamond Bar, City of Duarte, Eastern Sierra Transportation Authority, City of El Centro, City of Fillmore, Gateway Cities Council of Governments, City of Goleta, City of Grand Terrace, City of Grover Beach, City of Guadalupe, City of Hawaiian Gardens, City of Hidden Hills, City of Imperial, City of Indian Wells, City of Indio, City

of Irwindale, City of La Canada Flintridge, City of La Habra Heights, LA IMPACT, City of La Mirada, City of La Palma, City of La Puente, City of La Quinta, City of La Verne, City of Laguna Niguel, City of Laguna Woods, City of Lake Elsinore, City of Lake Forest, City of Lakewood, LA-RICS, City of Lawndale, City of Loma Linda, City of Lomita, City of Malibu, City of Mammoth Lakes, Midpeninsula Regional Open Space District, City of Mission Viejo, City of Monrovia, Monterey Peninsula Regional Park District, City of Moorpark, City of Morro Bay, Mountain Area Regional Transportation Authority, City of Needles, City of Norwalk, City of Ojai, Orange County Council of Governments, City of Palm Desert, City of Palos Verdes Estates, Palos Verdes Peninsula Transit Authority, City of Paramount, City of Paso Robles, City of Pismo Beach, Pomona Valley Transportation Authority, City of Port Hueneme, City of Poway, City of Rancho Palos Verdes, City of Rolling Hills, City of Rolling Hills Estates, City of Rosemead, City of San Clemente, City of San Dimas, City of San Gabriel, City of San Juan Capistrano, City of San Luis Obispo, City of San Marcos, City of San Marino, City of Santa Fe Springs, City of Santa Paula, City of Seal Beach, City of Seaside, Seaside County Sanitation, City of Sierra Madre, City of Signal Hill, City of Solvang, City of South El Monte, Southeast Area Animal Control Authority, Southern California Association of Governments, City of Temple City, Ventura Port District, City of Villa Park, City of Walnut, West Cities Police Communication Center, City of Westlake Village.

IN WITNESS WHEREOF, the Parties hereto have caused this ADDENDUM to be executed this day of May 14, 2018.

"The Authority"
California Joint Powers Insurance Authority



Jonathan Shull, Chief Executive Officer

"Consultant"
Disability Access Consultants



Barbara Thorpe, President/CEO



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

DATE: September 7, 2021
TO: Honorable Mayor and City Council
FROM: Matthew R. Ceballos, Assistant City Clerk *[Signature]*
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: September 7, 2021

TO: Honorable Mayor and City Council

FROM: Matthew R. Ceballos, Assistant City Clerk *MC*

SUBJECT: Conference with Labor Negotiator - Local 1895, Council 36, American Federation of State, County and Municipal Employees, AFL-CIO, representing the City's mid-management and classified employees

No public documents were forwarded to the City Clerk Department for this item.