

CITY COUNCIL AGENDA

June 25, 2013

TO: Honorable Mayor and City Council

SUBJECT: Zone Change No. 112 and Vesting Tentative Tract Map No. 72071, for a 72-Unit Planned Development, located at 2922 South Street.

INTRODUCTION

City Ventures is requesting approval of a Zone Change for a 156,546 square-foot (3.59 acre) parcel of land, located on the south side of South Street, approximately 1,400 feet west of Downey Avenue. The applicant is proposing the development of 72 condominium units on this parcel and requests that 1) the current zoning classification of the site be changed from M-F-R (Multiple Family Residential) to PD-MF (Multiple-Family Dwelling Unit Planned Development) 2) approval of a Precise Plan and 3) approval of Vesting Tentative Tract Map No. 72071 to subdivide the property.

The PD-MF zoning designation is desirable as it allows greater flexibility in the design and configuration of a project than is allowed by the M-F-R development standards. PD-MF zoning allows for development standards and other requirements to be tailored to a specific project site while ensuring compatibility with surrounding land uses. The ultimate development standards by which the project is built are established by the approval of the Precise Plan by the City Council.

The elements that are to be considered in this zone change to PD-MF involve the following:

- Approval of the proposed Zone Change designation from M-F-R to PD-MF;
- Approval of the Development Plan and the Precise Plan required by the PD-MF zoning;
- Approval of Vesting Tentative Tract Map No. 72071.
- Approval of the Mitigated Negative Declaration for the project;

The Planning and Environment Commission has considered the environmental impacts of the project, the appropriateness of the desired land use and land use compatibility, the proposed Development Plan and the Precise Plan, and the Tentative Map and is recommending approval of this project to the City Council.

STATEMENT OF FACTS

The subject site is located on the south side of South Street, approximately 1,400 feet west of Downey Avenue. The site is the former location of the Sully-Miller Construction Company. All improvements were removed in 1994, and the site has remained vacant since that time. Immediately to the east is the Church of Latter Day Saints and beyond that is the Whispering Fountains senior housing project, a three-story medical office building, and a Winco grocery store.

There is a 30-foot wide alley on the west and beyond that are single- and multiple-family residences within the City of Long Beach (see Vicinity Map and Aerial View). Table 1 below lists the land uses and zoning designations for the site and the surrounding properties.

Table 1: Land Uses and Zoning of Surrounding Properties.

AREA	EXISTING LAND USE	ZONE DESIGNATION
Subject Site	Vacant	M-F-R (Multi-Family Residential)
North	Commercial	City of Long Beach
East	Church (Latter Day Saints)	M-F-R (Multi-Family Residential)
South	Paramount Petroleum storage tanks	M-1 (Light Manufacturing)
West	Single- and multiple-family residences	City of Long Beach

The site is currently 156,546 square feet in area. As part of this project the applicant will be required to dedicate for road purposes a triangular 10-foot by 10-foot corner of northeastern portion of the site. After the tract map has been recorded, the site will have a net area of 156,496 square feet, or 3.59 acres.

The site is generally flat with scattered grasses, scrub vegetation, and some palm trees. A six-foot tall block wall separates the site from the church property to the east. The remainder of the site is bounded by a six-foot tall chain link fence.

The project requests various application approvals for the purpose of constructing a 72-unit condominium development (see Exhibits "A" through "N"). The project includes 16 buildings, 72 two-car garages, 40 open parking spaces, a 600 square-foot shade structure, a roofed trash enclosure, affiliated infrastructure, landscaping and hardscape.

Table 2 below compares the development standards of the M-F-R zone with that proposed for this development and demonstrates that the development criteria of the project parallels or exceeds the M-F-R standards except for front yard setback requirements and private open space:

Table 2: Development Standard Comparison between Project and M-F-R Standards.

Development Criteria	Proposed PD-MF Project	M-F-R Standards
Building Height	38'-0" – All Buildings are three stories tall, built at-grade.	Max. 2-stories or 25'. May be taller if authorized by C.U.P.
Allowable Density/Acre	20 units per acre.	20 - 30 units per acre.
Minimum Floor Area/Unit	Plan 1 (2 bedrooms) 1,677 sq. ft. Plan 2 (3 bedrooms) 1,697 sq. ft. Plan 2X (3 bedrooms) 1,681 sq. ft.	2-bedrooms: 900 sq. ft. min. 3-bedrooms: 1,050 sq. ft. min.
Minimum Front Yard Setback	15 feet.	20 and 25 feet for multi-story.
Minimum Side Yard Setback	5.2 feet.	7'-0" – three story units.
Minimum Rear Yard Setback	25-foot rear yard setback.	15-foot rear yard setback.
Distance Between Buildings	28 feet (excludes shade structure).	15 feet minimum.
Min. Private Open Space	171-436 square feet/dwelling.	130 square feet/dwelling.
Total Open Space	43,600 square feet.	37,440 square feet.
Open Space Per Unit	606 square feet O.S. per unit.	650 square feet O.S. per unit
Min. 5% of the 156,496 sq. ft. site must be landscaped.	17,735 square feet (11.33%) will be provided.	7,825 square feet (5%) min.
Trash Areas	Two trash carts per dwelling, two 3-yard bins, landscaper removes green the day service is provided.	Three trash enclosures.
Private Storage	2' x 7' x 9' storage in each garage.	4' wide x 4' deep x 8' tall next to each private open space.
Perimeter Walls	42" max. height in front yard, 6' max. height at side, rear yards.	
Minimum Off-Street Parking	(72) 2-car garages and (40) open spaces for a total of 184 spaces.	

Floor Plans. Twelve of the buildings will each contain five dwelling units and the remaining four buildings will each contain three dwelling units. There are three different floor plans for this project. Plan-1, Plan-2, and Plan P-2x. Six of the Plan 2x floor plans will be ADA accessible. All of the floor plans feature a two-car garage on the first floor, along with 280-295 square feet of habitable area, including a half-bathroom. The second floor of each floor plan includes living and dining areas, a kitchen, and a 1/2-bathroom. The third floor of each floor plan includes either two or three bedrooms, two bathrooms, and a laundry closet.

Table 3 below highlights the features of each floor plan, the square footages of each level, and the quantity of each floor plan that will be included in this development.

Table 3: Comparison of Floor Plans.

Floor Plan No. 1		Square Feet*	Qty.
First Floor	Bonus room and 1/2-bath, 466 sq. ft. 2-car garage and storage.	280	24
Second Floor	Living, dining, kitchen, sitting, and a 1/2-bathroom.	750	
Third Floor	Two bedrooms, two baths, laundry closet, and tech area.	647	
Total:		1,677	
Floor Plan No. 2		Square Feet*	
First Floor	Bonus room and 1/2-bath, 466 sq. ft. 2-car garage and storage.	280	16
Second Floor	Great room, kitchen, and a 1/2- bathroom.	750	
Third Floor	Three bedrooms, two baths, and a laundry closet.	667	
Total:		1,697	
Floor Plan No. 2x		Square Feet*	
First Floor	Bonus room and 1/2-bath, 454 sq. ft. 2-car garage and storage.	295	32
Second Floor	Great room, kitchen, and a 1/2- bathroom.	756	
Third Floor	Three bedrooms, two baths, and a laundry closet.	701	
Total:		1,681	

* Note: Does not include square footage of garage.

Open Space. A courtyard will be situated in front of each dwelling for the exclusive open space use of that unit. Each courtyard will be enclosed with a three-foot tall wall or fence, depending on the exterior design theme of that part of the development. The square footages of the courtyards range from approximately 171 square feet to 436 square feet. The combined total of private open space is 14,190 square feet.

The development will include landscaped common areas that will include passive and active open space areas as well as pedestrian walkways. The common area will be owned and maintained by the project's homeowners association. There will be approximately 29,410 square feet of common open space and 14,190 square feet of private open space. The combined total of common and private open space is about 43,600 square feet. This averages to approximately 605 square feet of open space per unit.

The use of common open space areas by the residents is enhanced and encouraged by allowing the following accessory structures and uses: arbors, gazebos, barbeques, swimming pools, spas, and playground equipment. These uses shall be required to be a minimum of five feet from any site property line. Such uses will be subject to the review and approval of the homeowners association of this subdivision and, where applicable, by the Development Review Board prior to the issuance of any planning approvals or permits. Under these requirements, an amendment to the development plan/precise plan to accommodate these amenities will not be necessary.

Fences and Walls. Security for the project site and aesthetics will be enhanced by, a six-foot (6') tall split-face block wall that will be built along the east and south property lines of the site. A six-foot tall tubular steel fence will be installed along the westerly property line, and a sliding tubular steel gate will protect the southwest vehicle entrance. Three tubular steel gates will provide pedestrian access between the development and the project's open parking spaces. All fence heights shall be measured from highest grade. A Knox Box or gate access code shall be provided to Fire Department personnel for emergency access prior to occupancy. All fencing within the first 15 feet of the property shall have a maximum allowable height of 42 inches.

Parking and Traffic. A traffic impact analysis was prepared for this project to determine if the project would have any impacts relating to traffic and capacity ratios at key intersections (the traffic impact analysis is contained in Appendix "B" of the Environmental Checklist). The traffic impact analysis studied certain intersections, projected traffic from the project as well as other future projects to determine forecasted trips. Some of the intersections are within the City of Lakewood and some are within the City of Long Beach. The increase in trips was compared to City of Lakewood and City of Long Beach thresholds of significance. The traffic impact analysis found that the proposed project will not result in any significant impacts. As a result, the traffic impact analysis concluded that no mitigation measures were required. The project will not individually or cumulatively impact the level of service standards under the Congestion Management Program. The traffic impact analysis was reviewed and approved by the City of Lakewood's traffic engineering consultant. The City of Long Beach has provided no further comments on this project with respect to the traffic impact analysis.

The site will be developed with 72 two-car garages and 40 open parking spaces, which is a total of 184 parking spaces provided on-site. This averages as 2.55 parking spaces per dwelling unit. Section 9490.T.2 of the Code requires two parking spaces for each dwelling with two bedrooms and 2½ spaces for each unit with three bedrooms, plus an additional 10% of the total off-street parking facilities for guest parking. Section 9332.2.A.5 requires that, for condominium projects, a minimum of a 2-car enclosed garage be provided for each unit. The project will have 24 two-bedroom units and 48 three-bedroom units, which requires 168 parking spaces, plus an additional 17 spaces for guest parking. This yields a total of 185 required parking spaces. The proposed site plan shows 184 parking spaces, however, there are nine open parking spaces located at the southwest corner of the site and each of those parking spaces is nine feet wide. The site plan is required to be modified to convert these spaces to compact vehicle spaces which are eight feet in

width in order to provide 10 open parking spaces thereby providing the required 185 off-street parking spaces, which yields an average of 2.57 parking spaces per dwelling unit.

The garage access driveways are also fire lanes. Therefore, each garage will be equipped with an automatic garage door opener to facilitate easier vehicle access to garages. A condition of approval is that the garage door openers must be maintained in operating condition at all times.

The on-site storage of boats, recreational vehicles, trailers or similar vehicles, as well as inoperative vehicles may result in instances of unsightly conditions and a reduction of available on-site parking, thereby resulting in inadequate parking facilities. The Conditions, Covenants, and Restrictions (CC&R's) approved for this project are required to include provisions that ensure sufficient on-site parking. The garages should remain unobstructed so as to allow two vehicles to park in each garage. The CC&R's shall specify that no boats, recreational vehicles, trailers or other such vehicles be stored in any garage, open parking space, or any other location on this tract, and that no non-emergency auto repairs be allowed in any open parking space. Similarly, the CC&R's shall specify that no garage parking space shall be rented out or otherwise made available to any person who is not an occupant of that dwelling unit.

There will be approximately 330 linear feet of common driveway with a minimum width of 28 feet. Signs are to be posted designating the common driveways as fire lanes to ensure adequate Fire Department access. Driveway areas adjacent to private garages will feature a low rolled curb while standard six-inch curbs will be elsewhere within the development.

Trash Disposal. Space for two trash carts, one for trash and one for recyclables, will be provided inside each garage. Residents will be responsible for rolling their trash carts to their designated pick-up locations where they will be emptied by a trash truck. All landscaped areas will be maintained by a homeowner's association, and the designated landscape maintenance company will be responsible for hauling away green waste.

Two three-yard trash bins will be located in a trash enclosure adjacent to the alley at the west side of the site. The bins will be for "overflow" and the occasional large items that will not fit into the trash carts. The trash bins will be picked up weekly, or more often, depending on demand. The trash enclosure shall have a roof and will be designed to prevent non-residents from accessing the bins. The trash enclosure will have a lock on the alley-side of the enclosure and a separate pedestrian gate on the development-side of the enclosure. The City's designated trash contractor will have a key to access the trash enclosure.

The applicant is seeking approval of the Development Plan as contained within the Precise Plan. Section 9472.C.2 of the Code specifies that the Development Plan must consist of the following maps and other materials:

- (a) The site proposed for planned unit development, including boundary designations (See Exhibit "J" – Site Plan).
- (b) The location and dimensions of any existing property lines within the site (See Exhibit "G" – Los Angeles County Tax Assessor's Map).
- (c) The names of the owner or owners and developers of the site (See Exhibit A – Applicant's request for zone change letter and related applications).
- (d) The width, location, and names of surrounding or adjoining streets; and potential street alignments within the site and connections to existing streets (See Exhibit "C" – Vicinity Map, Exhibit "D" – Aerial View, and Exhibit "J" – Site Plan).
- (e) The character and use of adjoining properties (See Exhibit "C" – Vicinity Map and Exhibit "D" – Aerial View).
- (f) The existing and tentative changes in topography of the site at not less than two-foot contour intervals (See Exhibit "I" – Preliminary Grading Plan).
- (g) The location and capacities of existing utilities in the vicinity of the site and tentative extensions to the site (See Exhibit "H" Vesting Tentative Tract Map).
- (h) The location of any structure upon the site designated for retention or removal, and tentative locations for future buildings (Site is vacant – See Exhibit "D" - Aerial View. Exhibit "J" is the site plan showing the locations of future buildings. Exhibit "U" is the Anticipated Development Schedule).
- (i) The approximate areas proposed for various categories of land use, and a tabular summary of estimates of population densities and building intensities (See Exhibit "S" – Statement of Density).
- (j) Sketches demonstrating tentative architectural concepts of the buildings proposed to be constructed on the site (See Exhibits "M" and "N" – Exterior Elevations).
- (k) A statement of proposed land use, meaning single-family residential or multiple-family residential (See Exhibit "T" – Narrative Description).
- (l) Preliminary designations of areas proposed for open space, recreation, parking, and other public buildings and uses (See Exhibit "J" – Site Plan).
- (m) A narrative description of the proposed improvements to be installed (See Exhibit "T" – Narrative Description).

Precise Plan. Notwithstanding the granting of the PD-MF for the proposed project based upon a Development Plan, no building permit can be issued until a Precise Plan has been approved by the Planning and Environment Commission and the City Council. A Precise Plan is required in order to protect the public health, safety and welfare and to promote the general comfort and convenience. Section 9472.4.B of the Code specifies that the Precise Plan is intended to be a detailed refinement of the Development Plan and shall contain the following:

- (1) The total Development Plan showing the dimensions and locations of proposed structures, buildings, streets, parking, yards, playgrounds, school sites, open spaces, and other public or private facilities (see Exhibit "J" – Site Plan).

- (2) A Statement of Proposed Use, meaning PD-SF or PD-MF (see Exhibit "T" – Narrative Description).
- (3) A Density Statement describing the resultant densities of persons and building intensities (see Exhibit "S" – Statement of Density).
- (4) Detailed engineering site plans, including proposed finished grades and drainage facilities, permanent boundaries survey information, and other information required by the City Engineer (see Exhibit "H" – Vesting Tentative Tract Map and Exhibit "I" – Preliminary Grading Plan).
- (5) Where required by the City Engineer, any pertinent information required by the Subdivision ordinance (see Exhibit "H" – Vesting Tentative Tract Map).
- (6) Landscaping plans and details (see Exhibits "O" – Conceptual Landscape Plan).
- (7) Architectural drawings demonstrating the design and character of the proposed structures, buildings, uses and facilities and the physical relationship of the foregoing (see Exhibits "M" and "N" – Exterior Elevations).
- (8) Other pertinent information as may be deemed necessary by the Planning Commission and City Council to determine that the contemplated arrangement or use makes it desirable to apply regulations and requirements differing from those ordinarily applicable under this Chapter (All other pertinent information has been included in the staff report and attached Exhibits).
- (9) A Development Schedule indicating the time when commencement and completion of the construction will occur under the approved Precise Plan (see Exhibit "U" - Anticipated Development Schedule).

Section 9476.A of the Lakewood Municipal Code states that if a Precise Plan is not filed with the City within 180 days after approval of the Development Plan, then the PD Zone Change must be terminated. The Precise Plan, if filed within that 180 days, must be reviewed and approved by the Development Review Board and subsequently will come to a public hearing before the Planning Environment Commission and the City Council. In this case, the project has already received approval from the Development Review Board, and the applicant is requesting simultaneous approval of both the Development Plan and the Precise Plan.

Vesting Tentative Tract Map No. 72071. On November 27, 2012, the Division of Land Committee reviewed Vesting Tentative Tract Map No. 72071 pursuant to Section 9213.C of the Lakewood Municipal Code, and on May 28, 2013 the Los Angeles County Department of Public Works recommended approval of this map. The findings and conditions of the committee, as well as staff's suggested conditions and subsequent comments from reviewing agencies, have been incorporated into the proposed Resolution of Approval for this Vesting Tentative Tract Map. The conditions of approval contained in that Resolution shall be incorporated into the Final Tract Map prior to its approval.

Zone Change No. 112
Vesting Tentative Tract Map No. 72071
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California Environmental Quality Act. An Initial Study has been prepared for this project pursuant to Section 15063 of the California Environmental Quality Act Guidelines, as amended. Staff recommends that the Planning and Environment Commission recommend that the City Council approve the Mitigated Negative Declaration for this project, pursuant to Section 15070, et. seq., of the Guidelines. The Initial Study identified the potential for certain impacts as the result of this project. Based on the mitigation measures contained in the Initial Study the project will have no significant effect on the environment, following implementation of the mitigation measures contained therein.

SUMMARY

The applicant is requesting approval of a Zone Change, a Precise Plan, and a Tentative Tract Map for the development of a Condominium Planned Development on a property located at 2922 South Street. The applicant requests that the zoning of the site be changed from M-F-R (Multiple Family Residential) to PD-MF (Multiple-Family Dwelling Unit Planned Development). The approval of the Zone Change, Precise Plan, and Vesting Tentative Tract Map will allow for the construction of 72 residential units on the subject site. The potential impacts of this project have been considered, a Mitigated Negative Declaration has been prepared, and mitigation measures have been prescribed. On June 6, 2013, the Planning and Environment Commission held a public hearing on this project and is recommending that the City Council approve the project as proposed.

RECOMMENDATION

The Planning and Environment Commission recommends that the City Council hold a public hearing on the Zone Change, a Precise Plan, and Vesting Tentative Tract Map No. 72071 and review the environmental document prepared for this project (Mitigated Negative Declaration). Following the public hearing the Planning and Environment Commission recommends that the City Council introduce Ordinance No. 2013-1 approving Zone Change No. 112 and adopt the Resolution approving Vesting Tentative Tract Map No. 72071.


Sonia Bias Southwell, AICP
Director of Community Development


Howard L. Chambers
City Manager 

EXHIBIT "A"



City Ventures
{ INSPIRED CITY ENCLAVES }

May 28, 2013

Mr. Paul Kuykendall, AICP
Senior Planner
Phone: (562) 866-9771, extension 2344
Fax: (562) 866-0505
E-mail: pkuykend@lakewoodcity.org

RE: City Ventures – Tract 72071 – Lakewood, California

Dear Mr. Kuykendall,

Please accept this request for a zone change from MFR to PD-MF at our proposed project location 2922 South Street, Tentative Tract Map No. 72071.

Please feel free to contact me with any questions or concerns you may have at (949) 258-7531.

Sincerely,

A handwritten signature in black ink, appearing to read "Joe Oftelie". The signature is fluid and cursive, written over a light gray background.

Joe Oftelie
Director of Development

EXHIBIT "B"

Site Photos (Page 1 of 3)

View of property from the southwest side alley looking east towards the church.



View of adjacent property to the south.



View of adjacent property to the west.

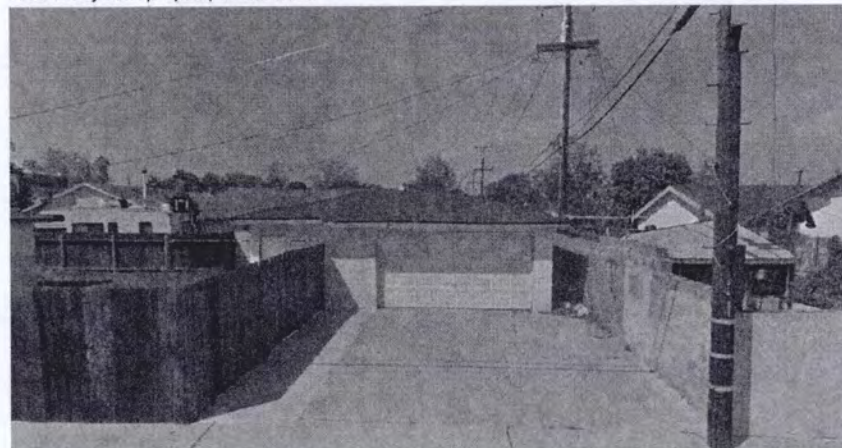
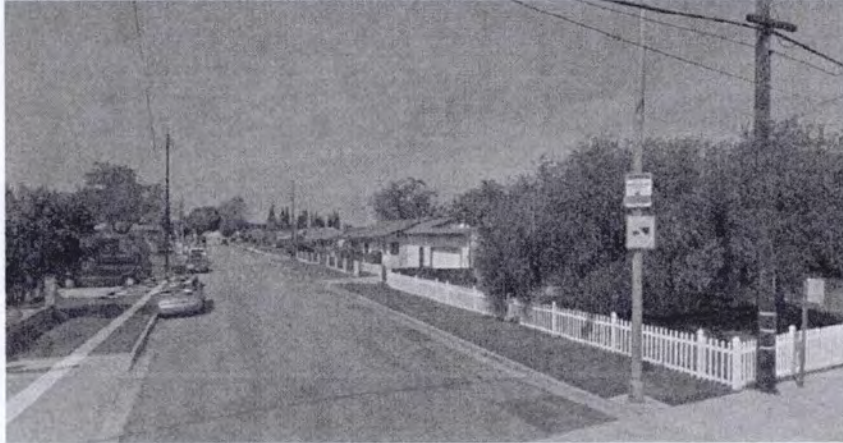


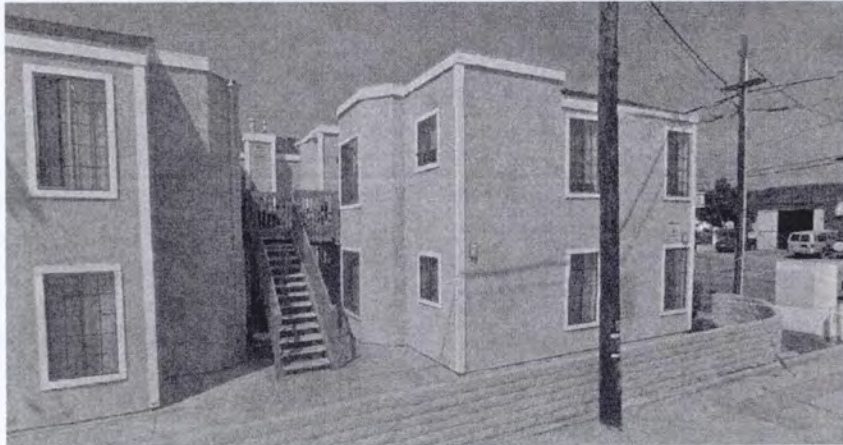
EXHIBIT "B"

Site Photos (Page 2 of 3)

View from west side of property down E. 57th street.



View of apartments located across the alley to the west of the property along South Street.



View of property from the northwest corner of the alley and South Street facing southeast.



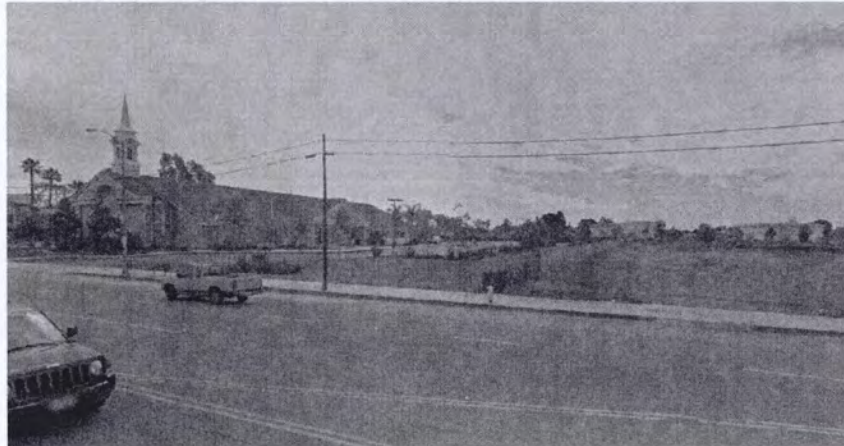
EXHIBIT "B"

Site Photos (Page 3 of 3)

View of commercial/retail property across South Street from the property facing north.



View of property and adjacent church to the east, facing South off of South Street.



View of property from South street facing south.

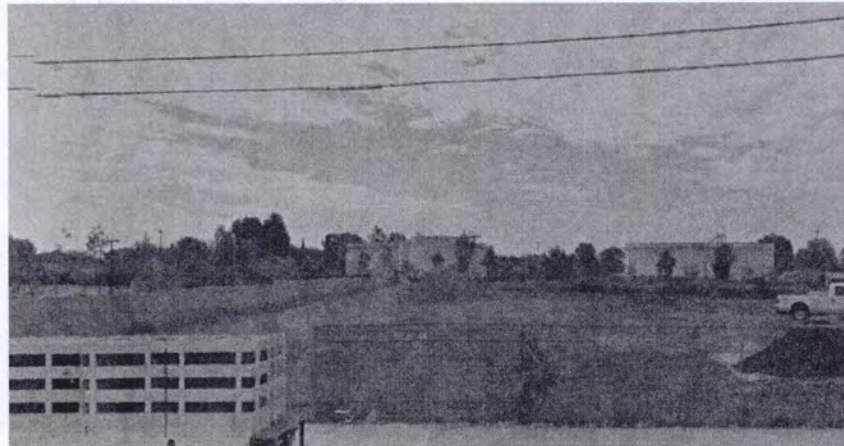


EXHIBIT "C"

VICINITY MAP

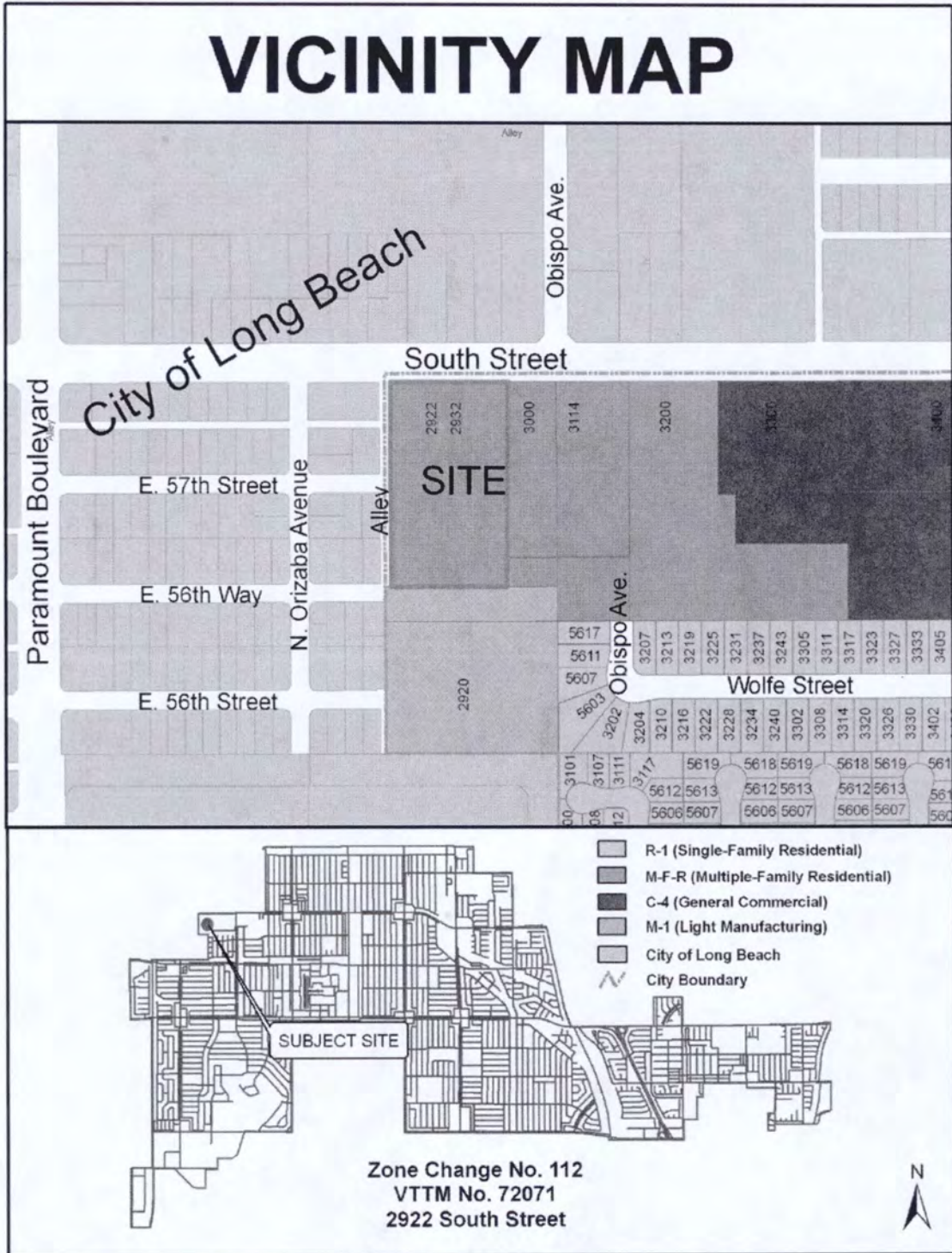


EXHIBIT "D"



EXHIBIT "E"

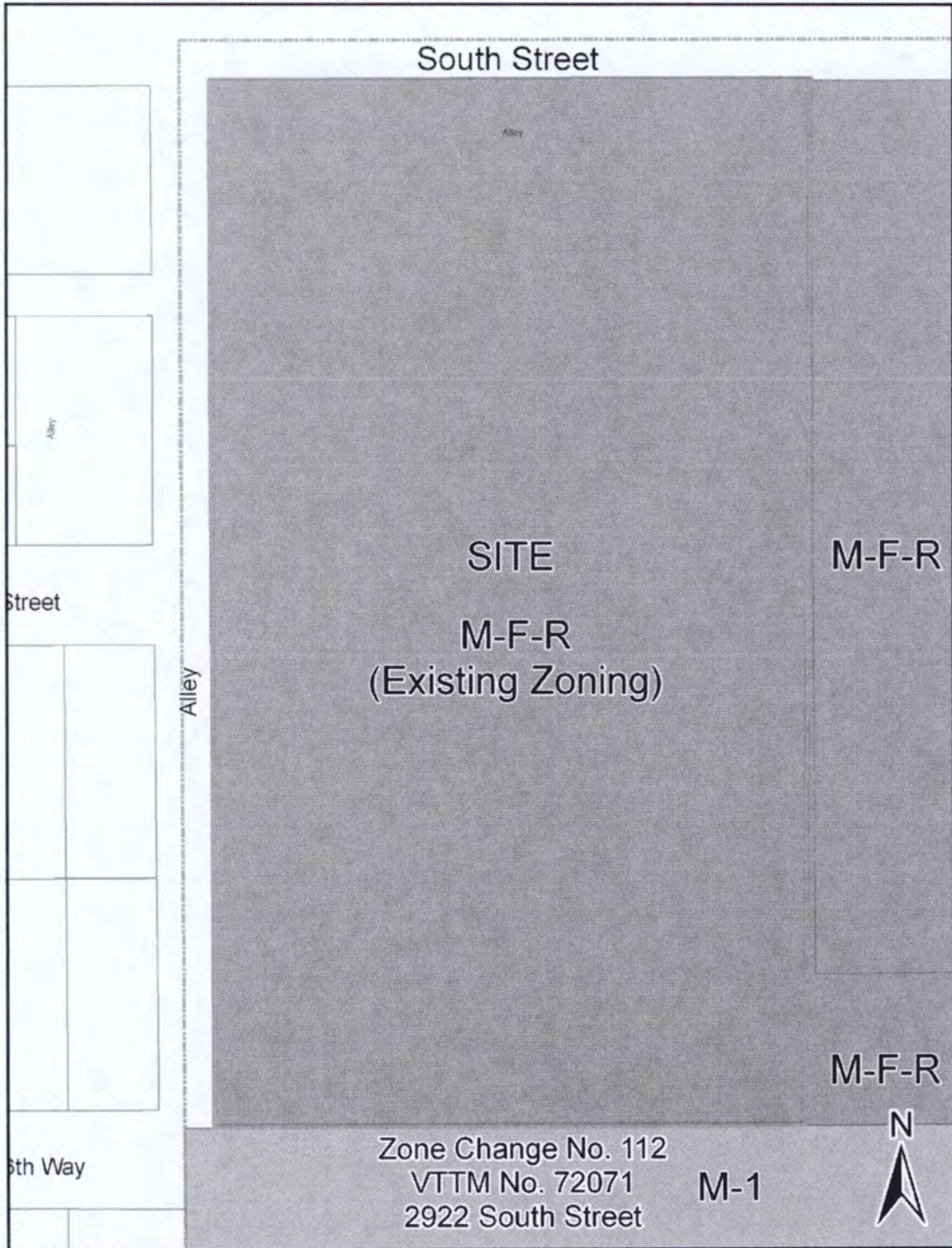
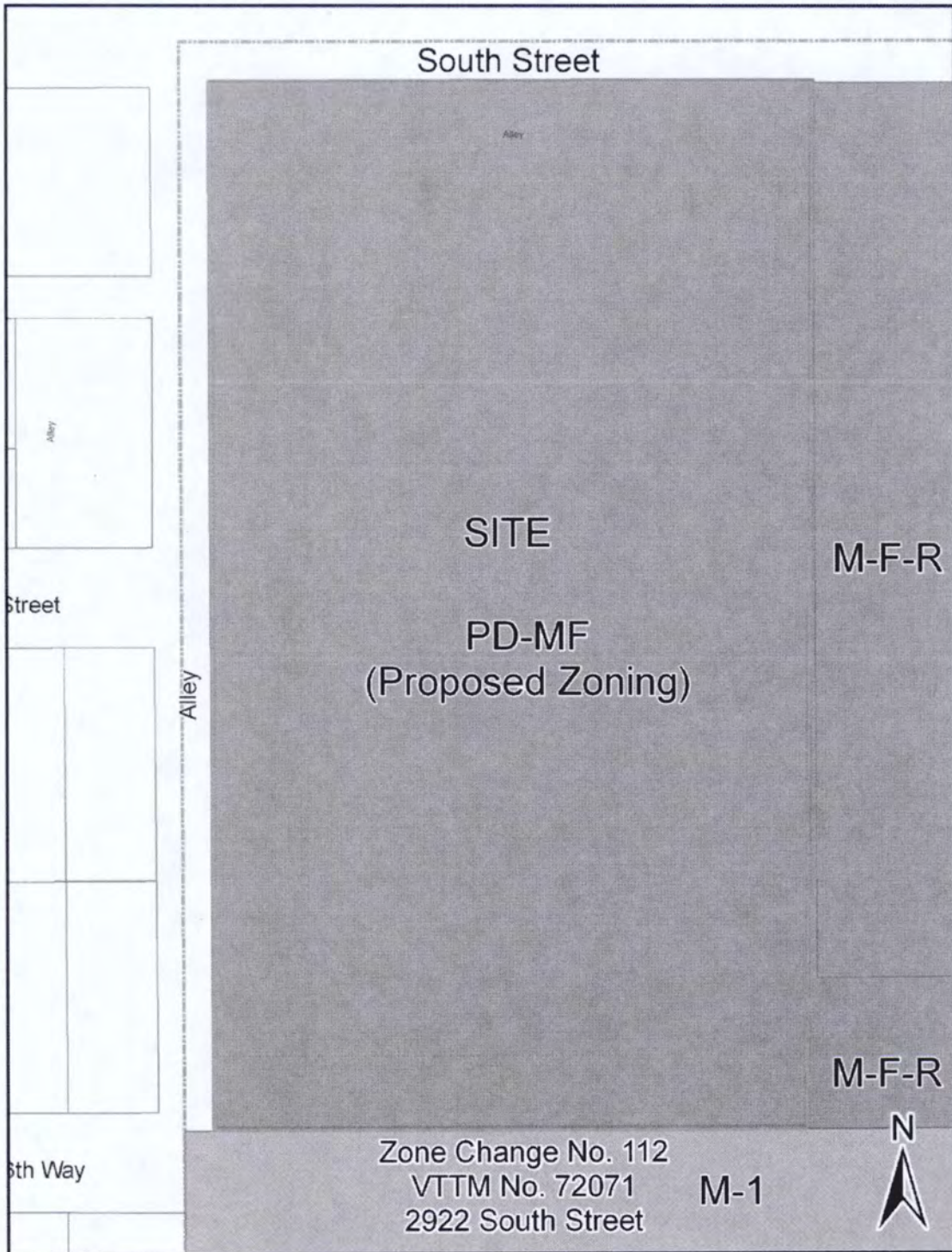


EXHIBIT "F"



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COUNTY OF LOS ANGELES
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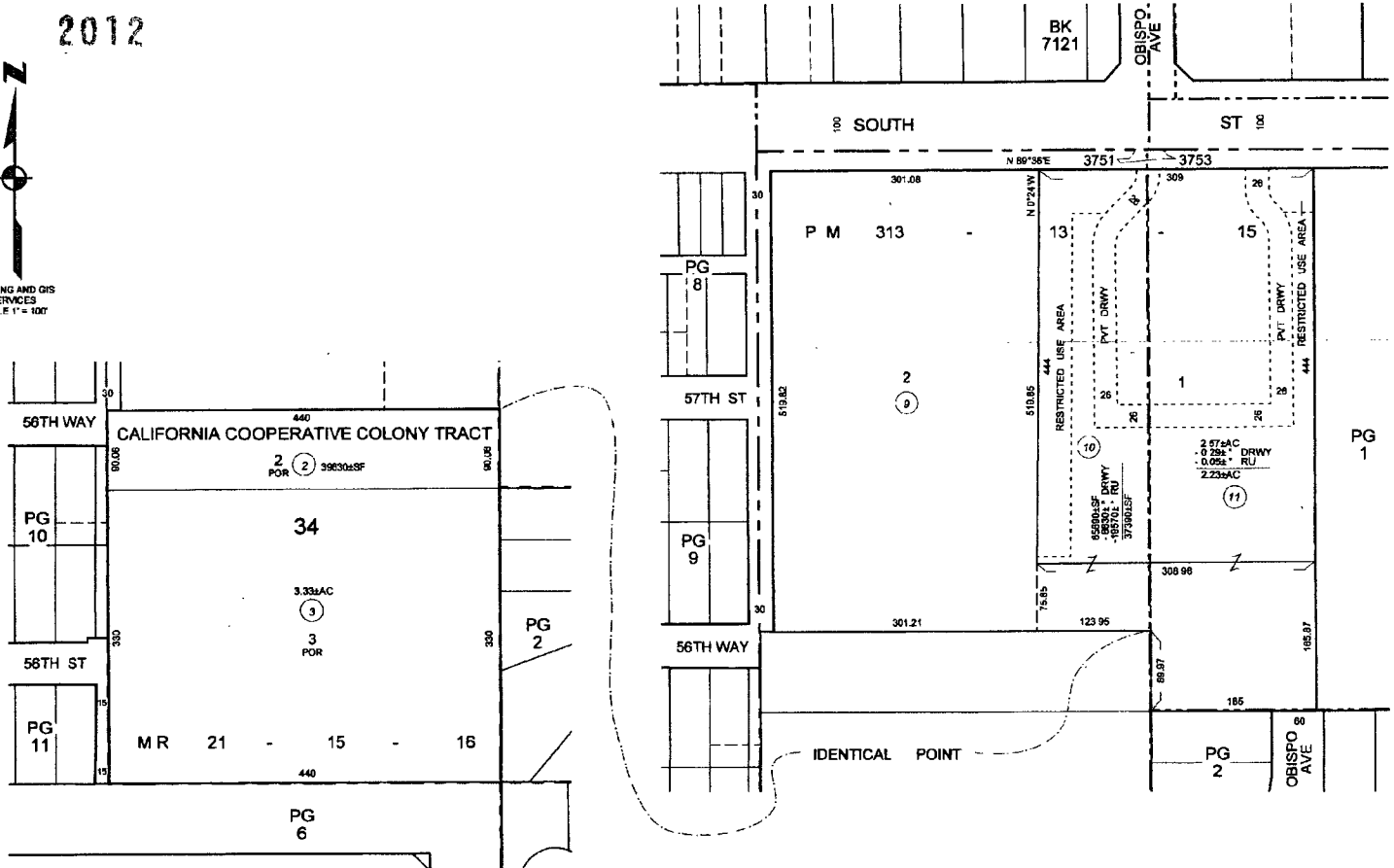


EXHIBIT "G"

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NOTICE

The architectural renderings for this project are copyrighted materials. They are available for review during regular business hours in the office of the City Clerk or in the Community Development Department, 5050 Clark Avenue, Lakewood, CA.

EXHIBIT "S"

Statement of Density

Projected Population Density

The site is currently vacant. The 2010 United State Census estimates that there are 3.10 persons per dwelling unit in Lakewood. The site will be developed with 72 condominium units. Assuming each dwelling unit accommodates 3.10 persons, there would be 223 persons living on the property. The site area is about 3.59 acres in area, which yields an average density of 62.1 persons per acre (see Table 1 below).

Table 1: Population Density

	Existing Conditions	Proposed Project
Assumed Number of Persons per Dwelling Unit	0	3.1
Number of Dwelling Units	0	72
Total Persons on Site	0	223
Site Area (square feet) *	156,546	156,496
Site Area (acres)	3.59	3.59
Number of Persons per Acre	0	62

*The difference in site area is attributed to a reduction in square feet after road dedication for the proposed project.

Projected Building Density

The site is currently vacant. The site is approximately 156,546 gross square foot in area and will have a net area of 156,496 square feet after dedication of a 10-foot by 10-foot truncation of the northwest corner. The allowable density is not less than 20 dwelling units per acre and not more than 30 dwelling units per acre. The project proposes 72 dwelling units for a density of 20 units per acre (see Table 2 below).

Table 2: Building Density

	Existing Conditions	Proposed Project
Number of Dwelling Units	0	72
Site Area (square feet) *	156,546	156,496
Gross Square Feet Per Unit	0	2,173.55
Site Area (acres)	3.59	3.59
Number of Units per Acre	0	20

*The difference in site area is attributed to a reduction in square feet after road dedication for the proposed project.

EXHIBIT "T"

Narrative Description

The project calls for the subject site to be rezoned from M-F-R to PD-MF for the purpose of constructing a 72-unit condominium development (see Exhibits "A" through "N"). The project includes 16 buildings, 72 two-car garages, approximately 40 open parking spaces, a 600 square-foot shade structure, a trash enclosure, and affiliated infrastructure, hardscaping, and landscaping. Twelve of the buildings will each contain five dwelling units and the remaining four buildings will each contain three dwelling units. There are three different floor plans for this project. Plan-1, Plan-2, and Plan P-2x. Table 1 below highlights the features of each floor plan.

Table 1: Comparison of Floor Plans

Floor Plan No. 1		Square Feet	Quantity
First Floor	Bonus room and 1/2-bath, 466 sq. ft. 2-car garage and storage.	280	24
Second Floor	Living, dining, kitchen, sitting, and a 1/2-bathroom.	750	
Third Floor	Two bedrooms, two baths, laundry closet, and tech area.	647	
Total:		1,677	
Floor Plan No. 2		Square Feet	16
First Floor	Bonus room and 1/2-bath, 466 sq. ft. 2-car garage and storage.	280	
Second Floor	Great room, kitchen, and a 1/2-bathroom.	750	
Third Floor	Three bedrooms, two baths, and a laundry closet.	667	
Total:		1,697	
Floor Plan No. 2x		Square Feet	32
First Floor	Bonus room and 1/2-bath, 454 sq. ft. 2-car garage and storage.	295	
Second Floor	Great room, kitchen, and a 1/2-bathroom.	756	
Third Floor	Three bedrooms, two baths, and a laundry closet.	701	
Total:		1,681	

*Six of the Plan 2x floor plans will be ADA accessible. Total square feet does not include garage square footage.

A fenced courtyard will be situated in front of each dwelling for the exclusive use of each particular unit. There will be (72) two-car garages and 41 open parking spaces for a total of 185 parking spaces, or 2.55 parking spaces per dwelling unit, including guest parking. Space for two trash carts, one for trash and one for recyclables, will be provided inside each garage. Also, two (2) three-yard bin will be located in a trash enclosure adjacent to the alley.

A courtyard will be situated in front of each dwelling unit for the exclusive use of that unit. Each courtyard will be enclosed with a three-foot tall wall or fence, depending on the exterior design theme of that part of the development. The square footage of the courtyards range from approximately 171 square feet to 436 square feet. The combined total of private open space is 14,190 square feet. The development will include landscaped common areas that will provide open space and pedestrian access to each dwelling unit. The common area will be commonly owned and maintained by the project's homeowners association. There will be approximately 43,600 square feet of common open space. The combined total of common and private open space is 43,600 square feet, which averages to 605 square feet of open space per unit.

To enhance the use of common open space area by the residents, the following accessory structures and uses will be permitted within this subdivision; arbors, gazebos, barbeques, swimming pools, spas, and playground equipment. Such uses should be a minimum of five feet (5') from any site property line. Such uses should be subject to review and approval by the Homeowners Association of this subdivision and the Development Review Board prior to the issuance of any planning approvals or permits. Under these requirements, an amendment to the development plan/precise plan will not be necessary.

To ensure security for the project site and to improve aesthetics, a six-foot (6') tall block wall will be built along the east and west property lines of the subject site, and an eight-foot (8') tall block wall will be built along the southerly property line to separate the project from the adjacent sites. Six-foot and eight-foot tall wrought iron-style gates will be installed in line with the front of Buildings 1 and 2, so as to secure the side yards, pedestrian walkway, and driveway. All fence heights shall be measured from highest grade. A Knox Box will allow Fire Department and Law Enforcement personnel access to site.

EXHIBIT "U"

Anticipated Development Schedule

The anticipated Development Schedule for this project is as follows:

June 6, 2013	Planning and Environment Commission recommends approval of General Plan Amendment, Zone Change, and Tentative Tract Map.
June 25, 2013	City Council approves General Plan Amendment, Zone Change, and Tentative Tract Map.
July 2013	Submit working drawings to Building and Safety for Plan Check.
August 2013	Final Tract Map due to the City with Letter of Approval from Los Angeles County Department of Public Works.
October 2013	Submit CC&R's to City for review.
December 2014	Completion of Building Plan Check process.
January 2014	Submit proof of recordation of CC&R's to City.
January 2014	Approval/signature of Final Tract Map.
February 2014	Final Tract Map submitted to Los Angeles County Recorder for recording.
February 2014	Applicant submits proof of map recordation to City.
March 2014	Obtain permits and begin construction.
March 2014	Construction begins.
June 2014	Construction completed.

RESOLUTION NO. 10-2013

A RESOLUTION OF THE PLANNING AND ENVIRONMENT COMMISSION OF THE CITY OF LAKEWOOD, RECOMMENDING WITH REPORT AND FINDINGS, ADOPTION OF AN AMENDMENT TO THE LAKEWOOD MUNICIPAL CODE AND OFFICIAL ZONING ORDINANCE AND ZONING MAP, CHANGING THE ZONING FROM M-F-R (MULTIPLE FAMILY RESIDENTIAL) TO PD-MF (MULTIPLE-FAMILY DWELLING UNIT PLANNED DEVELOPMENT) ON THAT PROPERTY LOCATED AT 2922 SOUTH STREET, DESIGNATED AS ZONE CHANGE CASE NO. 112.

THE PLANNING AND ENVIRONMENT COMMISSION OF THE CITY OF LAKEWOOD DOES HEREBY FIND, RESOLVE AND DETERMINE AS FOLLOWS:

SECTION 1. The Planning and Environment Commission of the City of Lakewood, having had submitted to it the written proposal of City Ventures Homebuilding, LLC, 1900 Quail Street, Newport Beach, California 92660, owner of an interest in the following described real property, requesting approval of a change of zone from M-F-R (Multiple Family Residential) to PD-MF (Multiple-Family Dwelling Unit Planned Development) pursuant to the provisions under Sections 9411 of the Lakewood Municipal Code on that certain real property within the City of Lakewood described as Lot 2 of Certificate Of Compliance for Lot Line Adjustment No. 2011-2 recorded December 20, 2011, as Instrument No. 1722125 of Official Records being that portion of Parcel 2 of Parcel Map No. 26346 in the City Of Lakewood, County of Los Angeles, State of California, as Per Map Recorded in Book 313, Pages 13 through 15, inclusive, of Parcel Maps, in the County Recorder's Office of Said County, also known as Los Angeles County Assessor's Parcel Number 7157-007-009, Lakewood, California, all as set forth in the maps attached hereto, marked Exhibits "E" and "F," and incorporated herein.

A public hearing was held before the Planning and Environment Commission in respect to said zone change on June 6, 2013, and the Commission does hereby report with recommendation and findings to the City Council, pursuant to the provisions of Chapter 4, Title 7 of the Government Code. This Resolution, with findings and recommendation herein contained, as well as the Minutes of the meeting of the Commission, and the records, files and exhibits in this matter, shall constitute the report of the Commission to the City Council.

SECTION 2. The Planning and Environment Commission reports that legal publication was made in the Press-Telegram, that notice to property owners was mailed, and notice of public hearings was posted, all as required by ordinance and in the time and manner required by law. A summary of the hearing is contained in the Minutes of the Commission meeting of June 6, 2013.

SECTION 3. The Planning and Environment Commission recommends a change of zone, from M-F-R (Multiple Family Residential) to PD-MF (Multiple-Family Dwelling Unit Planned Development) as designated on the maps marked Exhibits "E" and "F" attached hereto, based on the following findings:

A. Development as a Multiple-Family Dwelling Unit Planned Development will insure compatible development with the surrounding area.

B. The development will not adversely increase traffic, noise and light levels in the area because they are at acceptable levels or can and shall be mitigated through proper design, as set forth in the Mitigated Negative Declaration.

C. The proposed change of zone will help implement the housing development goals of the General Plan, which include goals to encourage development of housing to meet the City's regional fair share of housing needs as specified by the Southern California Association of Governments (SCAG) Regional Housing Needs Assessment (RHNA). The change of zone will facilitate progress in meeting the City's responsibility to provide new housing units as called for by the RHNA.

D. The change in zoning will be consistent with the General Plan.


E. The density of this project is consistent with the City of Lakewood Comprehensive General Plan, including the Housing Element.

F. The remaining sites identified in the City of Lakewood Housing Element are adequate to accommodate the jurisdiction's share of the Regional Housing Need Assessment pursuant to Section 65584 of the California Government Code.

SECTION 4. Pursuant to the terms and provisions of the California Environmental Quality Act Guidelines and Resolution No. 73-29, the Director of Community Development, following the completion of an Initial Study, has caused to be prepared a Mitigated Negative Declaration, pursuant to Section 15070 of the California Environmental Quality Act Guidelines. Based on the Environmental Checklist and the Initial Study and the mitigation measures contained therein, this project is found to have no significant effect on the environment.

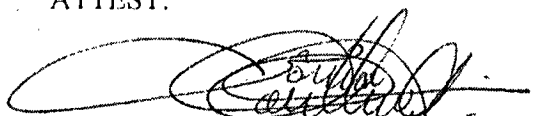
ADOPTED AND APPROVED this 6th day of June 2013, by the Planning and Environment Commission of the City of Lakewood voting as follows:

AYES:	COMMISSIONERS: Samaniego, Wade, McKinnon, Quarto, Stuckey
NOES:	COMMISSIONERS:
ABSENT:	COMMISSIONERS:
ABSTAIN:	COMMISSIONERS:



 Jan McKinnon, Chairperson

ATTEST:



Sonia Dias Southwell, AICP
Secretary

RESOLUTION NO. 11-2013

A RESOLUTION OF THE PLANNING AND ENVIRONMENT COMMISSION OF THE CITY OF LAKEWOOD RECOMMENDING TO THE CITY COUNCIL OF THE CITY OF LAKEWOOD APPROVAL OF VESTING TENTATIVE TRACT MAP NO. 72071, A 72-UNIT MULTIPLE FAMILY DWELLING UNIT PLANNED DEVELOPMENT PROJECT LOCATED AT 2922 SOUTH STREET, LAKEWOOD, CALIFORNIA.

THE PLANNING AND ENVIRONMENT COMMISSION OF THE CITY OF LAKEWOOD DOES HEREBY FIND, RESOLVE AND DETERMINE AS FOLLOWS:

SECTION 1. The written proposal of City Ventures, Inc., 1900 Quail Street, Newport Beach, California 92660, owner of an interest in the following described real property, requests approval to subdivide that real property within the City of Lakewood described as: Lot 2 of Certificate Of Compliance for Lot Line Adjustment No. 2011-2 recorded December 20, 2011, as Instrument No. 1722125 of Official Records being that portion of Parcel 2 of Parcel Map No. 26346 in the City Of Lakewood, County of Los Angeles, State of California, as Per Map Recorded in Book 313, Pages 13 through 15, inclusive, of Parcel Maps, in the County Recorder's Office of Said County, also known as Los Angeles County Assessor's Parcel Number 7157-007-009 and Vesting Tentative Tract Map No. 72071. The proposal was received by the Planning and Environment Commission (PEC) and considered at its meeting on the 6th day of June, 2013, as shown in the attached minutes and report, attached hereto and made a part hereof as though set forth in full. The Planning and Environment Commission does hereby recommend for approval as set forth hereinafter.

This resolution, along with the findings and recommendations herein contained, with records of the proceedings before the PEC as well as all files and exhibits in this matter, shall constitute the report of the PEC to the City Council.

SECTION 2. The Planning and Environment Commission does hereby find that an Initial Study has been prepared for the proposed project, Zone Change No. 112, and Vesting Tentative Tract Map No. 72071 pursuant to Section 15063 of the California Environmental Quality Act Guidelines, as amended. A Mitigated Negative Declaration has been prepared for the project, pursuant to Section 15070, et. seq., of the Guidelines. Based on the Environmental Checklist and the Initial Study and the mitigation measures contained therein, this project is found to have no significant effect on the environment, following implementation of the mitigation measures contained therein

SECTION 3. The Planning and Environment Commission (PEC) does hereby report that a public hearing was held before the PEC in respect to said application on the 6th day of June, 2013 and notification of said hearing was made as required by law. A summary of the hearing is contained in the minutes of the PEC.

SECTION 4. The Planning and Environment Commission of the City of Lakewood, hereby finds and determines:

A. Notice of the time and place of the public hearing in connection with this matter has been given in the manner required by State law and Section 9422 of the Lakewood Municipal Code.

B. The proposed map and design and improvements of the proposed subdivision are consistent with the General Plan.

C. The site is physically suitable for the type of development and the proposed density of the development.

D. The design of the subdivision or the proposed improvements is not likely to cause substantial environmental damage, or substantially and avoidably injure fish or wildlife and their habitat.

E. The design of the subdivision and the type of improvement is not likely to cause serious physical health problems.

F. The design of the subdivision or the type of improvement will not conflict with easements acquired by the public at large for access through, or use of the property within the proposed subdivision.

G. Approval is requested for Vesting Tentative Tract Map No. 72071, a 72-unit Multiple Family Dwelling Unit Planned Development project at 2922 South Street.

H. The Division of Land Committee met to review the subject tentative tract and made findings and recommendations to the PEC by written report, pursuant to Section 9213.C of the Lakewood Municipal Code.

I. The proposed project complies with Sections 9470, et seq., of the Lakewood Municipal Code, which governs such projects in the PD-MF (Multiple-Family Dwelling Unit Planned Development) zone, which is the proposed zoning of the subject site.

J. The discharge of sewage from this land division into the public sewer system will not violate the requirements of the California Regional Water Quality Control Board pursuant to Division 7 (commencing with Section 1300) of the Water Code.

SECTION 5. The Planning and Environment Commission hereby further finds and recommends that said subdivision and map marked as Exhibit "H," should be approved as to area improvements and lot design, flood water drainage controls, and the requirements of the Subdivision Ordinance, subject to the conditions hereinafter set forth:

A. Approval of Vesting Tentative Tract Map No. 72071 is based on Exhibit "H."

B. Provisions shall be made for the continual maintenance of the common areas. This shall be achieved by the formation of a homeowner's association, comprised of the owners of the residential units responsible for the maintenance of the common areas.

C. Covenants, Conditions, and Restrictions (CC&R's) shall be prepared and approved by the Director of Community Development and the City Attorney. In reviewing and approving the CC&R's, adequate provisions shall be made and included in the CC&R's, for the following:

1. Compliance with the terms and provisions of the Precise Plan.
2. Responsible management and the perpetual succession of management for the homeowner's association.
3. Name and address of the person who will serve as the responsible manager and the appointment of a successor to the manager.
4. Recording the name and address of any successors to the management.
5. Fix and determine management responsibility for all service and utility connections.
6. Establish the responsibility for the homeowners' association to maintain all common areas and facilities, including walls, driveways, sidewalks, landscaped areas, trash enclosure, lighting, hardscape, common area structures, and for the collection of the cost of repair or on-going maintenance thereof.
7. Establish the responsibility for compliance with all of the terms and provisions of the Development Review Board approval, any Precise Plan approval, and compliance with the zoning, building and other ordinances of the City, including said permit.
8. Establish the responsibility for management to be a person or persons upon whom service of any notice, summons, city or court order may be made, and that such service will be binding on all owners of the property in respect to the occupancy, use, or compliance with the terms and provisions of subdivision approval, Precise Plan, approval of the Development Review Board, and compliance with the ordinances of the City, including said permit.
9. Require that use of the project site for condominium, planned development, community apartment, stock cooperative project, or investment apartment purposes shall continue only during the existence and compliance with the terms and conditions of this subdivision approval, Development Review Board approval, and the Development Plan and Precise Plan.
10. Require the maintenance of the exterior and interior of each dwelling unit by the respective property owner of each dwelling unit, unless that responsibility or portions of that

responsibility are specifically assigned to the homeowners' association in writing.

11. Require each garage to be equipped with an automatic garage door opener and that such automatic door openers shall be maintained in operating condition at all times.

12. Require that all garages remain unobstructed so as to allow two vehicles to park in each garage and require that all exterior parking spaces remain unobstructed to allow one vehicle to park in each designated parking space.

13. Require that no boats, recreational vehicles, trailers or other such vehicles shall be stored in any garage, exterior parking space, or any other location on this tract, and that no non-emergency auto repairs shall be allowed in any parking space.

14. Prohibit the outdoor storage of personal items, except for outdoor patio furniture, landscaping pots and portable barbecues.

15. Require that there shall be no amendment to the CC&R's without the approval of the Planning and Environment Commission.

16. The CC&R's shall contain a provision that the aforementioned enumerated conditions 1 through 15 shall run in favor of the City of Lakewood, a Municipal Corporation, as well as all other persons interested in said subdivision, and in the event of violation may be enforced by the City of Lakewood, but the failure to do so shall not bar their enforcement in any future proceedings brought by the City of Lakewood or any other interested party.

D. The following accessory structures and uses are permitted within the rear yards of this subdivision: Arbors, Gazebos, Barbeques, Swimming Pools, Spas, and Playground Equipment. The rear yard for this subdivision is defined as a yard extending across the full width of the lot between the side lot lines and measured between the rear lot line and the nearest rear line of the main building. Said accessory structures and uses shall be not less than five feet (5') from any site property line. Such accessory structures and uses shall be subject to review and approval by the Homeowners Association of this subdivision and the Development Review Board prior to the issuance of any planning approvals or permits. An amendment to the development plan/precise plan shall not be necessary for said accessory structures and uses.

E. The project shall comply with the requirements of the Hydrology Study which was conceptually approved on May 21, 2013, to the satisfaction of the Los Angeles County Department of Public Works. Approval of the map pertaining to drainage is recommended.

F. The final map shall be approved by the County of Los Angeles Geotechnical and Materials Engineering Division (GMED) to assure that all geotechnical requirements have been properly depicted. For Final Map clearance guidelines refer to GS051.0 in the Manual for Preparation of Geotechnical Reports ([ftp://www.dpw.lacounty.gov/gmed/manual.pdf](http://www.dpw.lacounty.gov/gmed/manual.pdf)).

G. A grading plan and soil and geology report shall be geotechnically approved by GMED prior to Final Map approval. The grading depicted on the plan shall agree with grading depicted on the tentative tract or parcel map and the conditions approved by the Planning and Environment Commission. If the subdivision is to be recorded prior to the completion and acceptance of grading, corrective geologic bonds may be required.

H. Prior to grading plan approval, a detailed engineering geology and soils engineering report shall be submitted which addresses the proposed grading. All recommendations of the geotechnical consultants shall be incorporated into the plan (Refer to the Manual for Preparation of Geotechnical Reports at (<ftp://www.dpw.lacountv.gov/gmed/manual.pdf>)).

I. The following note shall be placed on the Final Map: "Geotechnical Note, Potential Building Site: For grading and corrective work requirements for access and building areas for Lot(s) No(s). All refer to reports by Alta California Geotechnical, Inc. dated March 14, 2012 and December 5, 2012.

J. At the grading plan stage, submit two sets of grading plans to the Soils section for verification of compliance with County codes and policies.

K. Provide approval of the latest drainage report by the Los Angeles County Department of Public Works' Land Development Division, Storm Drain and Hydrology Section.

L. Provide approval of the grading plan by the Geotechnical and Materials Division.

M. Provide approval of permits and/or letters of non-jurisdiction from all State and Federal agencies, as applicable. These agencies may include, but are not be limited to, the State of California Regional Water Quality Control Board, State of California Department of Fish and Game, State of California Department of Energy Conservation, Division of Oil, Gas, and Geothermal Resources; and the U.S. Army Corps of Engineers.

N. Submit a grading plan for approval. The grading plan shall show and call out the following items, including but not limited to; construction of all drainage devices and details, paved driveways, elevation and drainage of all pads, SUSMP and LID devices (if applicable); and any required landscaping and irrigation not within common area or maintenance easement. Acknowledgement and/or approval from all easement holders may be required.

O. A maintenance agreement or Covenant, Conditions, and Restrictions may be required for all privately maintained drainage devices, slopes, and other facilities.

P. Dedicate additional right of way for a 10-foot by 10-foot corner cut-off at the corner of South Street and the alley west of the property, along the property frontage, to the satisfaction of the City of Lakewood.

Q. Reconstruct the existing curb ramp at the corner of South Street and the alley west of the property, along the property frontage, to the satisfaction of the City of Lakewood.

R. Construct new driveways to meet current Americans with Disabilities Act guidelines along the property frontage on South Street to the satisfaction of the City of Lakewood.

S. Repair any displaced, broken, or damaged pavement that occurred during construction along the property frontage on South Street and the alley west of the property to the satisfaction of the City of Lakewood.

T. Prior to final map approval, enter in an agreement with the City's franchised cable TV operator (if an area is served) to permit the installation of cable in a common utility trench to the satisfaction of the City of Lakewood or provide documentation that steps to provide cable TV to the proposed subdivision have been initiated to the satisfaction of the City of Lakewood.

U. Comply with recommended mitigation measures contained in the traffic impact analysis, if any, as a means of mitigating any traffic impacts as identified in the traffic impact analysis approved as approved by the City of Lakewood.

V. Install and dedicate main line sewers on-site and off-site per PC 13-1 Lakewood and serve each building with a separate house lateral to the satisfaction of the City of Lakewood. Unless otherwise required by the City, construction of additional off-site sewer mainline per PC 02-1 Lakewood will be required should this sewer system not exist, posting of bonds will also be necessary prior to recordation should the improvements not be completed before then.

W. Obtain a will serve letter from the Los Angeles County Sanitation District for the discharge of sewer into the trunk system.

X. Easements are required, subject to review by the City to determine the final locations and requirements.

Y. Provide a minimum 10-foot sewer easement on the private driveway and fire lane to the satisfaction of the City.

Z. An on-site water system maintained by the developer or Home Owners' Association, with appurtenant facilities to serve all buildings on the land division, must be provided. The system shall include fire hydrants of the type and location as determined by the Fire Department. The water mains shall be sized to accommodate the total domestic and fire flows.

AA. There shall be filed with the City Engineer a statement from the water purveyor indicating that the water system will be operated in a manner approved by the purveyor, and that under normal conditions, the system will meet the requirements for the land division and that water service will be provided to each building, to the satisfaction of the City of Lakewood.

BB. Place a note on the final map, to the satisfaction of the City Engineer, indicating that this map is approved as a condominium project for 72 units.

CC. Label driveways and multiple access strips as private driveway and fire lane and delineate on the final map to the satisfaction of the City Engineer.

DD. If required, provide a suitable turnaround and label the driveway "Private Driveway and Fire Lane" on the final map to the satisfaction of the Fire Department.

EE. Provide reciprocal easement for drainage, ingress/egress, sewer, water, utilities, maintenance purposes, and etc., over the common driveway in a document to the satisfaction of the City Engineer.

FF. Provisions shall be made for the continual maintenance of the common areas and utility lines. This can be achieved by the formation of a homeowner's association comprised of the owners of the residential units responsible for the maintenance of the common areas.

GG. Relocate or quitclaim any easements interfering with building locations to the satisfaction of the City Engineer.

HH. Developer shall provide addressing information in Microsoft Excel format to the satisfaction of the City Engineer.

II. Private easements shall not be granted or recorded within areas proposed to be granted, dedicated, or offered for dedication until after the final map is filed with the Los Angeles County Registrar-Recorder/County Clerk's office. If easements are granted after the date of tentative approval, a subordination shall be executed by the easement holder prior to the filing of the final map.

JJ. A final guarantee shall be required at the time the final map is filed with the Los Angeles County Registrar-Recorder/County Clerk's office.

KK. A final map prepared by or under the direction of a pre-1982 registered Civil Engineer or licensed Land Surveyor, shall be processed through the City Engineer prior to being filed with the Los Angeles County Registrar-Recorder/County Clerk's office.

LL. Construct and/or replace all cracked and damaged curbs, gutters, driveways, sidewalks, and pavement according to Los Angeles County standards and their encroachment permit.

MM. New driveways shall be installed according to Los Angeles County standards and permit.

NN. Developer shall install/replace disabled person ramp according to Los Angeles County standards and permit.

OO. Developer shall provide a plan showing sufficient detail to demonstrate how trash and recycling containers will be placed for collection including space for bulky item collection that will be satisfactory for collection operations by EDCO Disposal. The disposal plan shall be approved by EDCO.

PP. Private roadways used for on-site refuse collection shall accommodate vehicle weights of 55,000 pounds or more.

QQ. Roof and lot drainage shall flow under sidewalks. Curb drains shall be at least one foot from property line and on each side of the driveway approach. Curb drains shall be according to Los Angeles County standards and permit.

RR. Existing street lighting on South Street in public right-of-way is sufficient. Developer shall install street lighting for the parking on the west side of the development adjacent to the alley, as well as security cameras.

SS. Developer shall comply with all NPDES requirements, adopted by the Regional Board on November 8, 2012, and effective December 28, 2012, including low-impact development requirements, and provide letter committing to maintenance of all drainage facilities and inclusion in future maintenance program permit system to be developed and implemented by the City of Lakewood in conformance with the aforementioned permit.

TT. Provide to City of Lakewood, Public Works Department, all access codes to the complex.

UU. Street trees are not required in the parkway on South Street.

VV. For trash and recycling purposes, the project is defined as a commercial collection account and will be served by and billed directly by the City's exclusive solid waste contractor.

WW. All requests for service or complaints from project residents shall be made to the homeowner's association and transmitted to City's exclusive solid waste contractor. Any calls received by either City's exclusive solid waste contractor or by the City of Lakewood from any resident regarding individual service requests will be referred to the homeowner's association.

XX. At the request of the developer, collection will be conducted via individual automated carts. Each dwelling unit shall provide space for one 65 gallon trash cart and one 65 gallon recycling cart within the garage. No additional carts, cans, bags, boxes or bundles shall be permitted.

YY. The developer shall install patterned concrete delineating 144 numbered spaces for placement of the carts for collection. The spaces and the carts will be numbered with the corresponding unit numbers. The developer will furnish to City of Lakewood for approval a site plan showing the concrete pattern, two foot spaces between the cart pads, and the proposed method for unit number identification. The site plan shall show the location and dimensions of a covered trash

enclosure with a capacity for two three-cubic-yard bins. The trash enclosure shall be constructed and maintained in accordance with plans approved by the City of Lakewood.

ZZ. Carts shall be set out for collection prior to 6:00 a.m. Any carts not placed within the appropriately identified collection space will not be collected by City's exclusive solid waste contractor, and no trash skip pickups will be made.

AAA. The developer shall install one trash enclosure with sufficient space to accommodate one three-cubic-yard trash bin and one three-cubic-yard recycling bin. The homeowner's association shall contract with City's exclusive solid waste contractor for a minimum of weekly pickup for each three-cubic-yard, and shall contract for more frequent weekly service as necessary. The homeowner's association shall be financially responsible for any scout service required to move or empty the three-cubic-yard bins.

BBB. The City's exclusive solid waste contractor will bill the homeowner's association one unified bill for all monthly service under the commercial rate chart approved annually by the City of Lakewood. The cart collection service will be billed under the commercial rate chart for once per week collection of commercial automated carts. No credit will be allowed for vacant dwelling units except during the initial sales period. During the initial sales period, the monthly billing cart collection service will be based upon the monthly rate multiplied by the number of dwelling units sold, until all dwelling units have been sold. Once all dwelling units have been sold, no reduction in the monthly bill will be made for any dwelling units or units that are vacant or which are in escrow.

CCC. As a commercial account, project residents are not entitled to individual bulky item collection. Bulky item collection may be contracted for by the homeowner's association on a periodic basis by ordering a 40-cubic-yard roll-off bin from City's exclusive solid waste contractor, which will be billed at the regular commercial rates.

DDD. Greenwaste generated by any landscape work shall be removed from the site and recycled by the homeowner's association's landscape contractor. The homeowner's association shall maintain records of greenwaste recycling and furnish them to the City of Lakewood upon request.

EEE. Annual Christmas tree collection and recycling shall be done by the homeowner's association's landscape contractor, or the homeowner's association may contract with City's exclusive solid waste contractor for the appropriate commercial containers for Christmas tree recycling. The homeowner's association shall maintain annual records of Christmas tree collection and furnish them to the City of Lakewood upon request.

FFF. The developer or the homeowner's association shall pay for the initial acquisition of the specified new carts and for the dwelling unit labeling of those carts prior to delivery to the project site. The City's exclusive solid waste contractor will deliver the carts as each dwelling unit is sold. It shall be the responsibility of the developer or the homeowner's association to notify the City's exclusive solid waste contractor that a unit has been sold for the purpose of delivering the carts. The replacement cost for any missing or damaged or stolen carts shall be the responsibility of the homeowner's association.

GGG. Any items dumped or left in the open parking spaces or within the trash enclosure area shall be the responsibility of the homeowner's association.

HHH. Access shall comply with Section 503 of the Fire Code, which requires all weather access. All weather access may require paving.

III. Private driveways shall be indicated on the final map as "Private Driveway and Fire Lane" with the widths clearly depicted and shall be maintained in accordance with the Fire Code.

JJJ. Vehicular access shall be provided and maintained serviceable throughout construction to all required fire hydrants. All required fire hydrants shall be installed, tested and accepted or bonded prior to construction.

KKK. Provide Fire Department or City-approved street signs and building addresses, and gate access codes prior to occupancy.

LLL. Submit three copies of the final map to the Los Angeles County Fire Department for review and approval prior to recordation.

MMM. Provide water mains, fire hydrants and fire flows as required by the County of Los Angeles Fire Department, for all land shown the map which shall be recorded.

NNN. The required fire flow for public fire hydrants at this location is 2,000 gallons per minute at 20 psi for a duration of two hours, over and above maximum daily domestic demand. Two hydrants flowing simultaneously may be used to achieve the required fire flow.

OOO. All hydrants shall measure 6" X 4" X 2-1/2", brass or bronze, conforming to current AWWA Standard C503, or an approved equal. All on-site hydrants shall be installed a minimum of 25 feet from a structure or protected by a two-hour rated firewall. Location: As per map on file with the Los Angeles County Fire Department office. Install one new public fire hydrant adjacent to building "I" as shown on the Vesting Tentative Tract Map dated April 15, 2013. Install one new public fire hydrant on South Street, on the same side (south side) as the proposed development at the westerly property line.

PPP. Additional water system requirements may be required when this land is further divided and/or during the building permit process.

QQQ. A fee for park and recreational purposes in the amount of \$394,722.22 shall be paid to the City of Lakewood upon final inspection, or the date certificate of occupancy is issued, whichever occurs last.

SECTION 6. A Certified copy of the excerpts of the minutes applicable to this case and this resolution shall be delivered to the applicant.


ADOPTED AND APPROVED this 6th day of June 2013, by the Planning and Environment Commission of the City of Lakewood voting as follows:

AYES: COMMISSIONERS: Samanico, Wade, McKinnon, Quarto, Stuckey
NOES: COMMISSIONERS:
ABSENT: COMMISSIONERS:
ABSTAIN: COMMISSIONERS:



Jan McKinnon, Chairperson

ATTEST:



Sonia Dias Southwell, AICP
Secretary

ORDINANCE NO. 2013-1

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD AMENDING THE ZONING MAP OF THE CITY OF LAKEWOOD BY CHANGING THE ZONING FROM M-F-R (MULTIPLE FAMILY RESIDENTIAL) TO PD-MF (MULTIPLE-FAMILY DWELLING UNIT PLANNED DEVELOPMENT) ON THAT PROPERTY LOCATED AT 2922 SOUTH STREET, DESIGNATED AS ZONE CHANGE CASE NO. 112

THE CITY COUNCIL OF THE CITY OF LAKEWOOD DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. The Zoning Map of the City of Lakewood heretofore adopted by Section 9311 of Part I, of Chapter 3, of Article IX of the Lakewood Municipal Code is amended as shown on Exhibit "F", attached hereto and made a part hereof, so as to change the official zoning from M-F-R (Multiple Family Residential) to PD-MF (Multiple-Family Dwelling Unit Planned Development) for the property located at 2922 South Street, Lakewood, California in accordance with and subject to the Development Plan attached hereto and made a part hereof as though set forth in full.

SECTION 2. Pursuant to the terms and provisions of the California Environmental Quality Act Guidelines and Resolution No. 73-29, the Director of Community Development, following an Initial Study, has caused to be prepared a Mitigated Negative Declaration, pursuant to Section 15070 of the California Environmental Quality Act Guidelines, as amended. Based on the Mitigated Negative Declaration with the mitigation measures therein contained, this project is found to have no significant effect on the environment. Therefore, said Mitigated Negative Declaration is hereby approved.

SECTION 3. The aforementioned amendment to the official zoning ordinance of the City of Lakewood has been adopted pursuant to an application for the designation of PD-MF zoning on the subject property in accordance with and subject to a Development Plan submitted with said application. No building permit or use permit shall be issued for any development of said land, nor shall any development of the site be undertaken until the precise plan has been approved by the City Planning Commission and City Council.

SECTION 4. The aforementioned amendment to the official Zoning Ordinance of the City of Lakewood has been adopted pursuant to a public hearing held before the City Council on the 25th day of June, 2013 following published, posted, and mailed notice in accordance with the Government Code and local ordinances.

SECTION 5. The Development Plan and Precise Plan as set forth in Exhibits "A" through "U" are hereby approved.

SECTION 6. No person shall violate any provision, or fail to comply with any of the requirements of this Ordinance. Any person violating any of the provisions, or failing to comply with any of the mandatory requirements of this Ordinance shall be guilty of a misdemeanor. Any person convicted of a misdemeanor under the provisions of this Ordinance shall be punished

by a fine equal to the maximum amount allowed under state law, or by imprisonment in the City or County Jail for a period not exceeding six months, or by both fine and imprisonment. Each such person shall be guilty of a separate offense for each and every day during any portion of which any violation of any provisions of this Ordinance is committed, continued, or permitted by such person, and shall be punished accordingly.

In addition to the penalties hereinabove provided, any condition caused or permitted to exist in violation of any provisions of this Ordinance shall be deemed a public nuisance, and may be by this City summarily abated as such, and each day such condition continues shall be regarded as a new and separate offense.

SECTION 7. The City Council hereby declares it would have passed this Ordinance sentence by sentence, paragraph by paragraph, and section by section, and does hereby declare the provisions of this Ordinance are severable and, if, for any reason, any section of this Ordinance should be held invalid, such decision shall not affect the validity of the remaining parts of this Ordinance.

SECTION 8. The City Clerk shall certify to the adoption of this ordinance. The City Council hereby finds and determines there are no newspapers of general circulation both published and circulated within the City, and incompliance with Section 36933 of the Government Code, directs the City Clerk to cause said ordinance within fifteen (15) days after its passage to be posted in at least three public places within the City. This ordinance shall take effect thirty (30) days after its adoption.

ADOPTED AND APPROVED THIS _____ DAY OF _____, 2013, BY THE FOLLOWING ROLL CALL VOTE:

	AYES	NAYS	ABSENT
Council Member Rogers	_____	_____	_____
Council Member Piazza	_____	_____	_____
Council Member DuBois	_____	_____	_____
Council Member Wood	_____	_____	_____
Mayor Croft	_____	_____	_____

Mayor

ATTEST:

City Clerk

RESOLUTION NO. 2013-27

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
LAKEWOOD APPROVING VESTING TENTATIVE TRACT
MAP NO. 72071

THE CITY COUNCIL OF THE CITY OF LAKEWOOD DOES FIND, DETERMINE
AND RESOLVE AS FOLLOWS:

SECTION 1. The City Council finds the Planning and Environment Commission by Resolution No. 11-2013 adopted on June 6, 2013, attached hereto and made a part hereof as though set forth in full, approved Vesting Tentative Tract Map No. 72071, a 72 dwelling unit division of property located at 2922 South Street, Lakewood, California, and that said Resolution is the report and recommendation of the Planning and Environment Commission. Said Resolution, along with all other pertinent evidence, was heard by the City Council on June 25, 2013, and the City Council does hereby declare its findings and determinations in respect to Vesting Tentative Tract Map No. 72071.

SECTION 2. The City Council finds and determines that:

A. Notice of the time and place of the public hearing in connection with this matter has been given in the same form as that specified in Section 9422 of the Lakewood Municipal Code.

B. With the conditions as recommended by the Planning and Environment Commission, and as herein amended, (1) the proposed map and design and improvement of the proposed subdivision is consistent with the General Plan, (2) the site is physically suitable for the type of development and the proposed density of the development, (3) the design of the subdivision, or the proposed improvement, is not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat, (4) the design of the subdivision and the type of improvement is not likely to cause serious physical health problems, (5) the design of the subdivision, or the type of improvement, will not conflict with easements acquired by the public at large for access through, or use of the property within the proposed subdivision.

SECTION 3. The City Council finds that an Initial Study has been prepared for the proposed project, Zone Change No. 112, and Vesting Tentative Tract Map No. 72071 pursuant to Section 15063 of the California Environmental Quality Act Guidelines, as amended. The project was found to have no significant effect on the environment, after implementation of the mitigation measures contained therein. Therefore, said Mitigated Negative Declaration is hereby approved.

SECTION 4. The City Council has considered all evidence and reports pertaining to this matter and Planning and Environment Commission Resolution No. 11-2013 attached hereto is approved as set forth having adopted in full. Said Resolution incorporates herein as though set

forth in full the findings and determinations of Section 4 of said Resolution No. 11-2013 except as follows:

“none”

SECTION 5. The City Council finds and determines that said subdivision should be approved subject to the conditions set forth in Section 5 of said Resolution No. 11-2013, except as follows:

“none”

SECTION 6. The City Council further reports the discharge of waste from the proposed subdivision into existing community sewer systems would not result in violation of existing requirements specified by the California Regional Quality Control Board, pursuant to Division 7, commencing with Section 13000 of the Water Code.

ADOPTED AND APPROVED THIS 25TH DAY OF JUNE, 2013.

Mayor

ATTEST:

City Clerk

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CITY COUNCIL AGENDA

June 25, 2013

TO: Honorable Mayor and Members of the City Council

SUBJECT: Lakewood Center Sign Program Specific Plan, Amendment No. 1

INTRODUCTION

The application is for an amendment to the Lakewood Center Sign Program Specific Plan (Sign Program). The existing Sign Program allows for the construction of new freestanding signs and when modifications are proposed to existing freestanding signs at Lakewood Center or the Candlewood Shops. This amendment adds an additional sign type to the four sign types already listed in the Sign Program and authorizes the relocation of one "Type A" sign. The General Plan Land Use designation of the subject site is Commercial and it is located in the C-4 (General Commercial) zone. The proposed amendment has been prepared pursuant to Government Code Section 65450-65457 and is a statutory Specific Plan proposed to be adopted by ordinance by the City Council. This Sign Program modifies the sign regulations as applicable to the construction of certain freestanding identification signs on the subject site.

STATEMENT OF FACTS

The subject site is generally described as all of the parcels bounded by Lakewood Boulevard on the west, Candlewood Street on the north, Clark Avenue on the east, and Del Amo Boulevard on the south, except for that parcel immediately adjacent to the northeast corner of Lakewood and Del Amo Boulevards known as 4910 Lakewood Boulevard. The subject site also includes those commercially zoned parcels on the north side of Candlewood Street between Lakewood Boulevard and Clark Avenue. Two of the "Type A" signs may be located within the public right-of-way which requires an encroachment permit from the City.

The site is developed with a regional shopping center and the Candlewood shops, which collectively have a gross area of 145 acres. The site is developed with a variety of retailers, financial institutions, restaurants, service-oriented businesses, and other companies. Table 1 below lists the land uses and zoning designations for the site and the surrounding properties (See Vicinity Map and Aerial View).

Table 1: Specific Plan Parcel List

Assessor's Parcel Number	Property Address
7172-001-023	326 Lakewood Center
7172-001-025	500 Lakewood Center
7172-001-027	67 Lakewood Center
7172-001-028	5000 Hardwick Street
7172-001-029	5015 Del Amo Boulevard

Lakewood Center Sign Program Specific Plan

June 25, 2013

Page 2

7172-001-030	98 Lakewood Center
7172-001-031	141 Lakewood Center
7172-001-032	5200 Faculty Avenue
7172-001-041	340 Lakewood Center
7172-001-042	500 Lakewood Center
7172-001-043	500 Lakewood Center
7170-011-028	4895 through 5001 Candlewood Street
7170-011-029	5305 Clark Avenue
7170-011-030	4711 Candlewood Street
7170-011-031	4771 Candlewood Street
7170-011-032	4833 Candlewood Street
7170-022-001	4327-4645 Candlewood Street
7170-022-002	5310 Candlewood Street and 5316 Lakewood Boulevard

The purpose of the Sign Program is to inform motorists about the tenants located within Lakewood Center. The existing Sign Program allows four types of signs; four "Type A" signs, eight "Type B" signs, two "Type C" signs, and a variable number of "Type D" signs for pad building tenants. The proposed amendment will add one "Type E" sign to the signs listed in the Sign Program. The "Type E" sign will only be used by the tenant located on the second floor of the main mall building.

The "Type E" sign is a three dimensional high freestanding sign in the shape of a bowling pin. It is approximately 62½ inches at the widest point with a maximum overall height of 18 feet, which includes a 12-inch tall concrete sign base (See Exhibit "C"). The color of the concrete base shall match Scofield Lithochrome Color Hardener A-53 Arizona Tan.

The proposed amendment will limit one "Type E" sign to be located approximately eight feet, six inches from the south side of the east wing of the main mall building, approximately 50 feet west of the main entrance of the southerly entrance to the east wing of the main mall building (See Exhibits "A" and "B").

The proposed amendment also makes other minor clarifications to the existing ordinance with respect to the location of "Type A" signs and to require "Type D" signs to include an illuminated accent element similar to those found on the "Type A" signs.


The proposed amendment was approved by the Development Review Board on June 12, 2013 and the Planning and Environment Commission adopted Resolution No. 9-2013 recommending approval of this project at its June 6, 2013 meeting. The project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15311, Class 11, of the CEQA Guidelines of 1970, as amended.

SUMMARY

The proposed project is for the amendment to a Specific Plan for the “Lakewood Center Sign Program.” This project will not adversely affect or be materially detrimental to adjacent uses, buildings, or structures. Furthermore, light, air, open space, or vision will not be adversely affected. The amendment to the “Lakewood Center Sign Program Specific Plan” has been prepared pursuant to Government Code Section 65450-65457. The plan is a statutory Specific Plan to be adopted by ordinance and effectively modifies the sign regulations as applicable to the construction of certain freestanding identification signs on the subject site. The necessary approvals have been outlined and discussed in this report, and the project has been deemed to be Categorically Exempt pursuant to the California Environmental Quality Act. The Planning and Environment Commission held a public hearing on this project and recommends adoption of the Specific Plan Ordinance by the City Council.

RECOMMENDATION

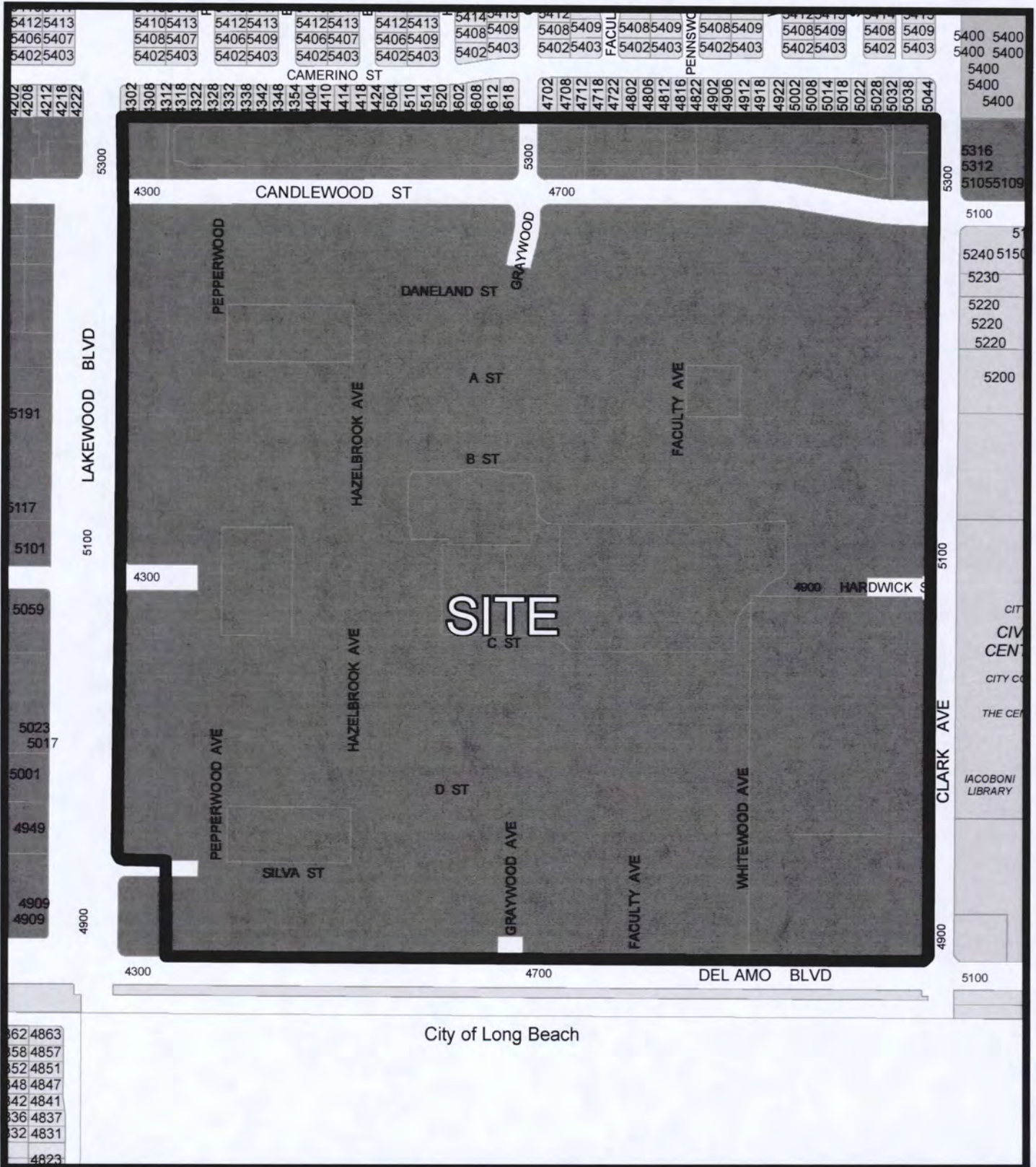
The Planning and Environment Commission recommends that the City Council introduce Ordinance No. 2013-2.


Sonia Dias Southwell, AICP
Director of Community Development

Howard L. Chambers
City Manager



VICINITY MAP



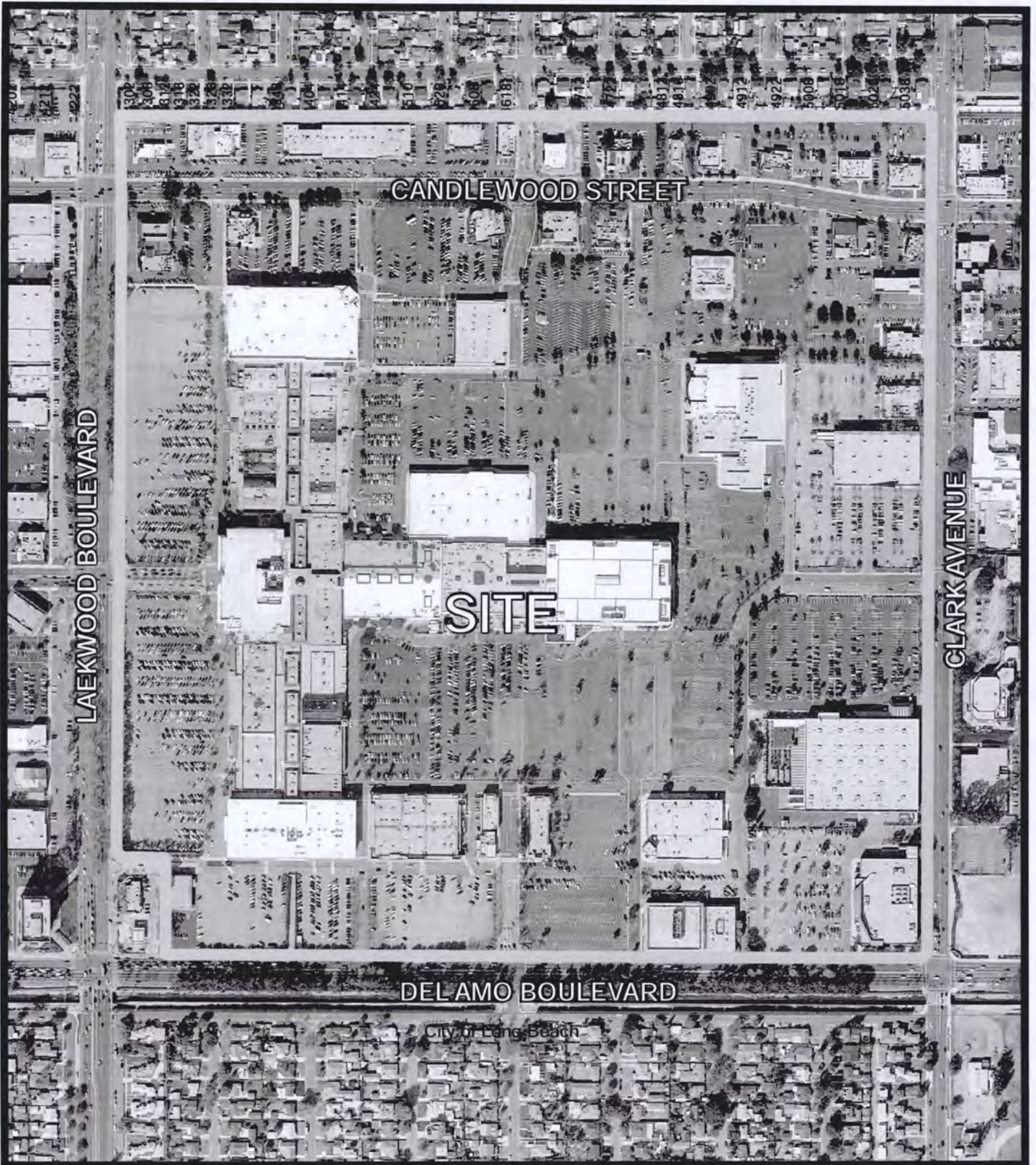
Legend

- Single Family (R-1) or Planned Development Residential (PDSF)
- Open Space Land (O-S)
- Neighborhood Commercial (C-1)
- General Commercial (C-4)

Specific Plan 2011-2, Amendment No. 1
June 25, 2013
Macerich Company



AERIAL VIEW



Specific Plan 2011-2, Amendment No. 1
June 25, 2013
Macerich Company

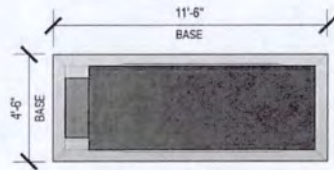




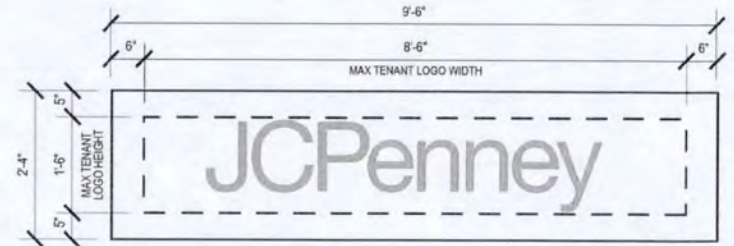
NOTICE

The architectural renderings for this project are copyrighted materials. They are available for review during regular business hours in the office of the City Clerk or in the Community Development Department, 5050 Clark Avenue, Lakewood, CA.

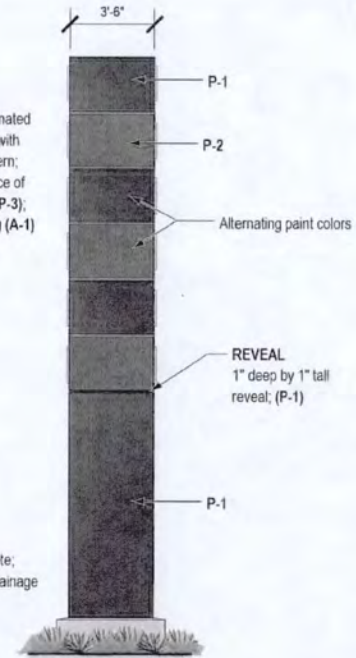
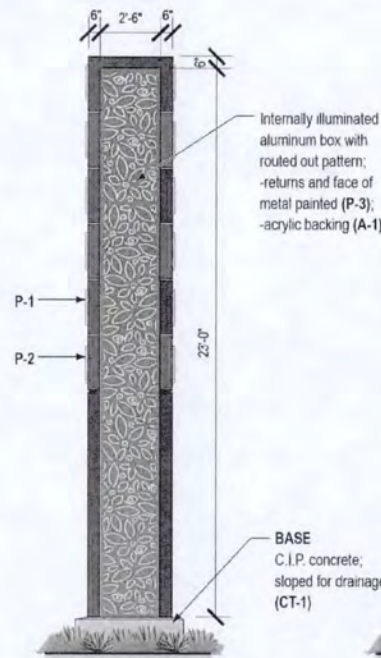
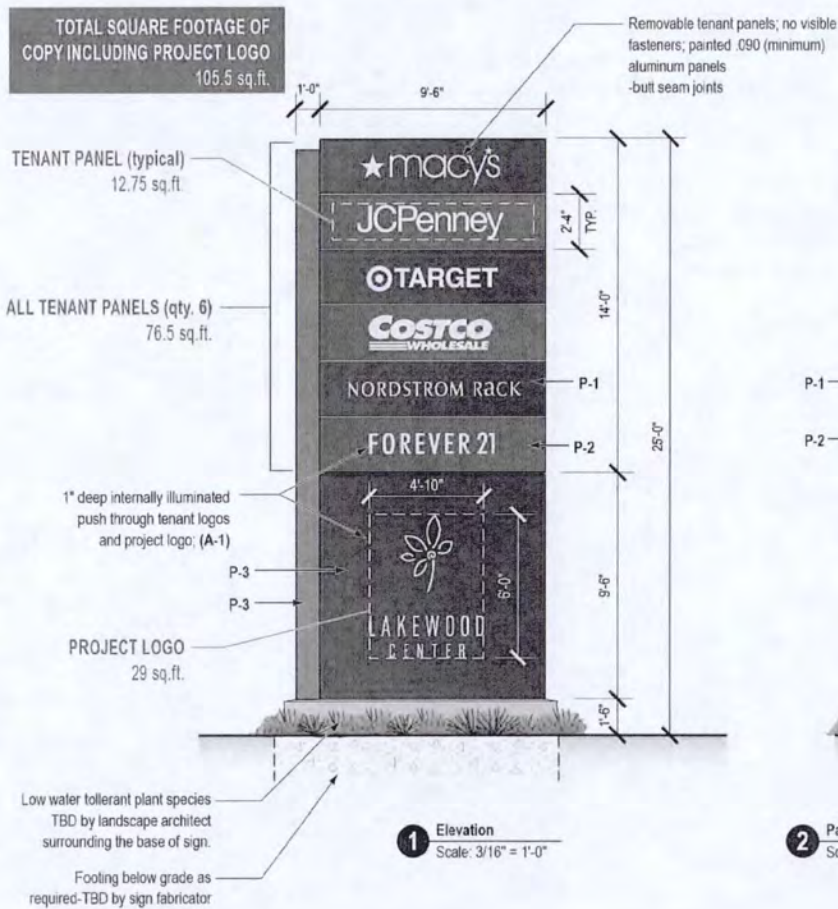
Sign Type "A"



5 Plan View
Scale: 3/16" = 1'-0"



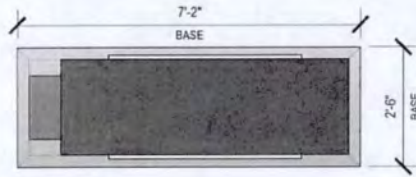
6 Tenant Panel TYPICAL
Scale: 1/2" = 1'-0"



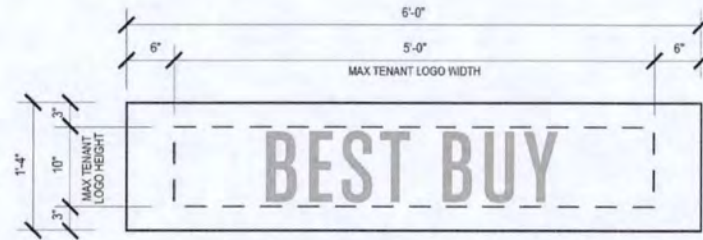
GENERAL NOTES

- 1) tenant panel message schedule TBD by owner
- 2) all internally illuminated lighting to be 3000-3500°k warm white color temp
- 3) all exposed concrete will require finish forms to achieve a smooth, clean and consistent finish with the integral colors as specified

Sign Type "B"

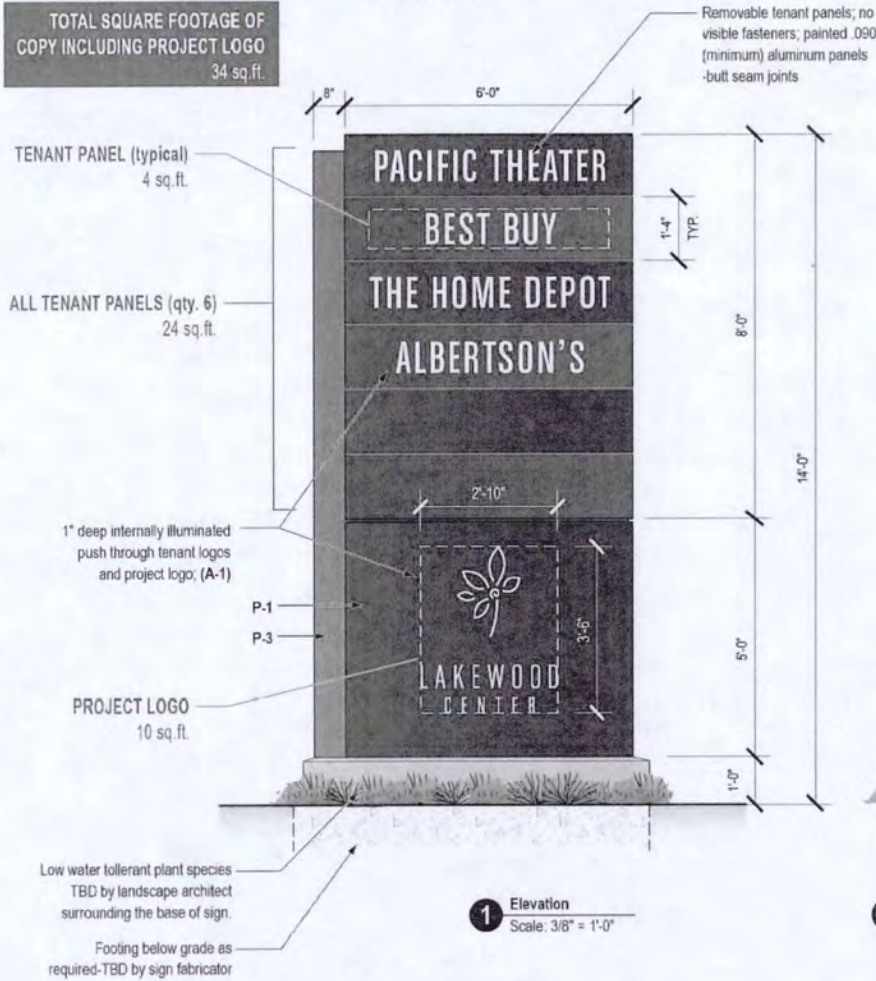


5 Plan View
Scale: 3/8" = 1'-0"

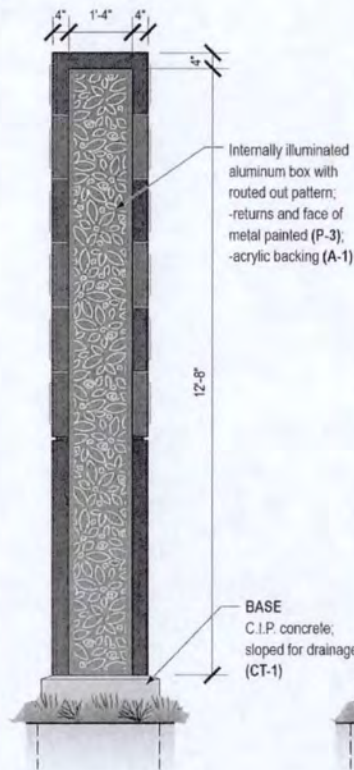


6 Tenant Panel TYPICAL
Scale: 3/4" = 1'-0"

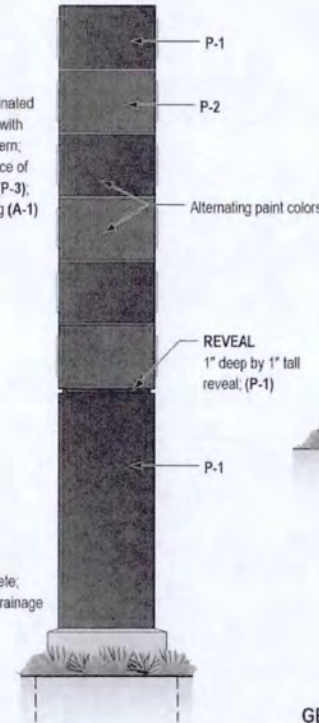
TOTAL SQUARE FOOTAGE OF COPY INCLUDING PROJECT LOGO
34 sq. ft.



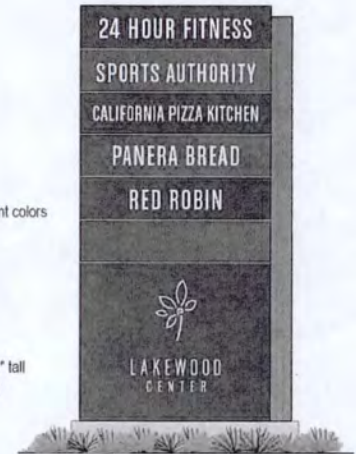
1 Elevation
Scale: 3/8" = 1'-0"



2 Pattern End View
Scale: 3/8" = 1'-0"



3 End View
Scale: 3/8" = 1'-0"

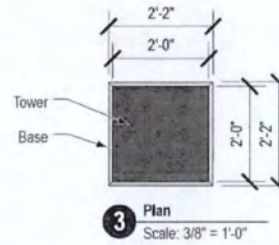
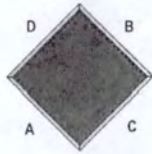


4 Back Elevation
Scale: 1/4" = 1'-0"

GENERAL NOTES

- 1) tenant panel message schedule TBD by owner
- 2) all internally illuminated lighting to be 3000-3500°k warm white color temp
- 3) all exposed concrete will require finish forms to achieve a smooth, clean and consistent finish with the integral colors as specified

Sign Type "C"

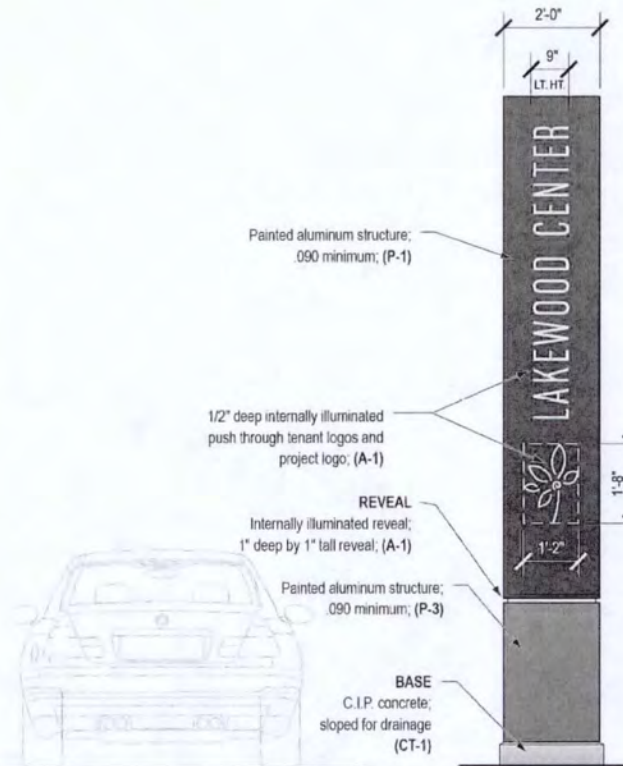


GENERAL NOTES

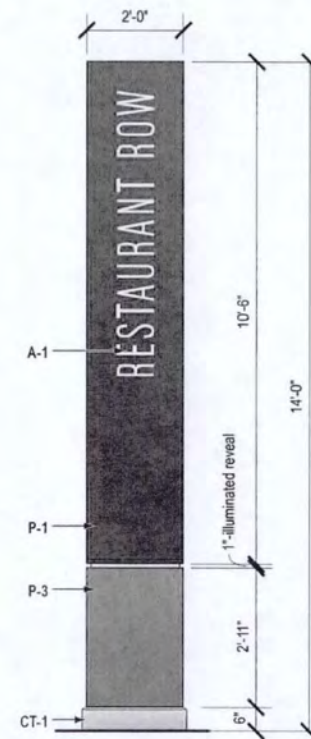
- 1) tenant panel message schedule TBD by owner
- 2) all internally illuminated lighting to be 3000-3500°k warm white color temp
- 3) all exposed concrete will require finish forms to achieve a smooth, clean and consistent finish with the integral colors as specified



4 Flattened Elevation
Scale: 3/8" = 1'-0"



1 Elevation-SIDES A & B
Scale: 3/8" = 1'-0"



2 Elevation-SIDES C & D
Scale: 3/8" = 1'-0"

Sign Type "D"

Freestanding Tenant Monument Sign:

Sign shop drawings for all signs, logos and graphics must be submitted to the Landlord for final approval prior to fabrication/installation.

Landlord will allow one freestanding sign for stand-alone tenants only along their frontage street provided the design of the freestanding sign meets all the requirements below:

- Internally illuminated letters are required and must meet 'illumination' requirements found in the Ground Lease Pad Tenant Package.
- Sign background must be painted metal or aluminum.
- Sign base must be concrete-to match Lakewood Center Standard color as shown.
- Landscape options must be specified at base and/or along the side of the sign fixture.
- External lighting and control devices are to be concealed within the grade and auxiliary landscaping.
- Animated and flashing components are prohibited.
- Exposed bulbs are prohibited.
- No monument sign shall exceed 6'-0" in total height (including base).
- No monument sign body shall exceed 7'-6" in width.
- Max. sign area is 45 square feet per side.
- The outward facing end cap of such signs viewable from the street shall incorporate an illuminated accent element similar to those installed on the "Type A" and "Type B" signs.

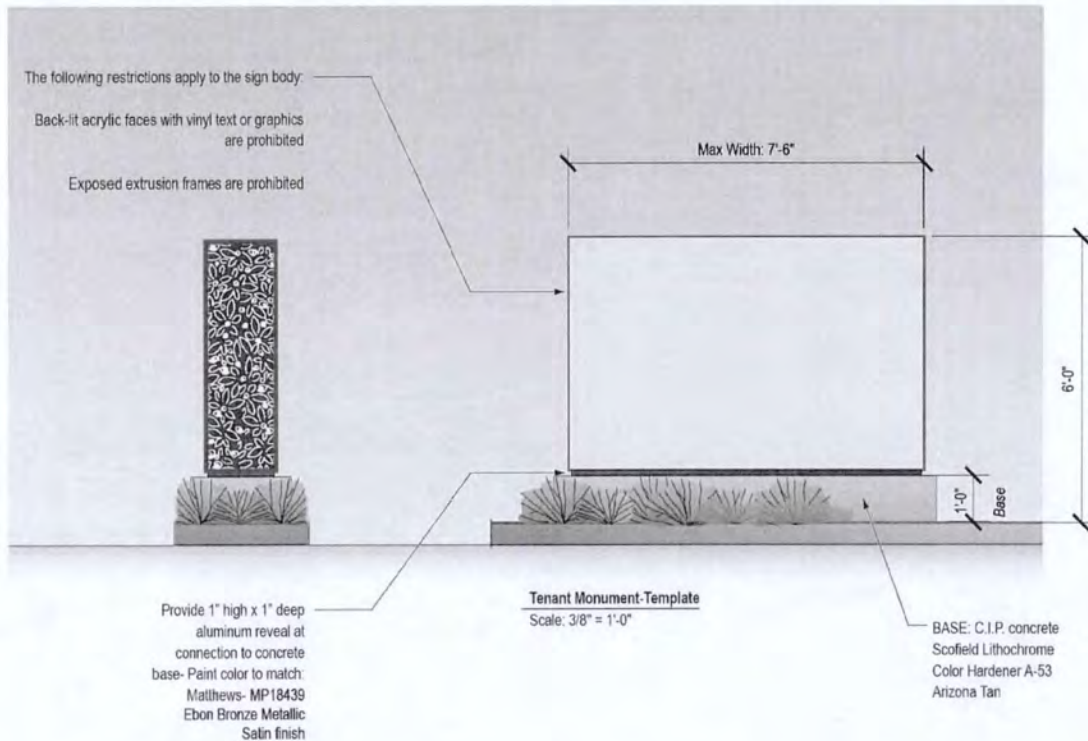
For the sign body, the following construction methods are required:

- Halo illuminated channel letters mounted to the signing body. Colored light may be used, but is subject to landlord approval. Letters may be painted, brushed or polished metal.
- Acrylic push through letters with an opaque face, with 1/2" minimum thickness.
- Sign must be designed to be an extension of the tenant building design, using colors/materials that are found in the building design.

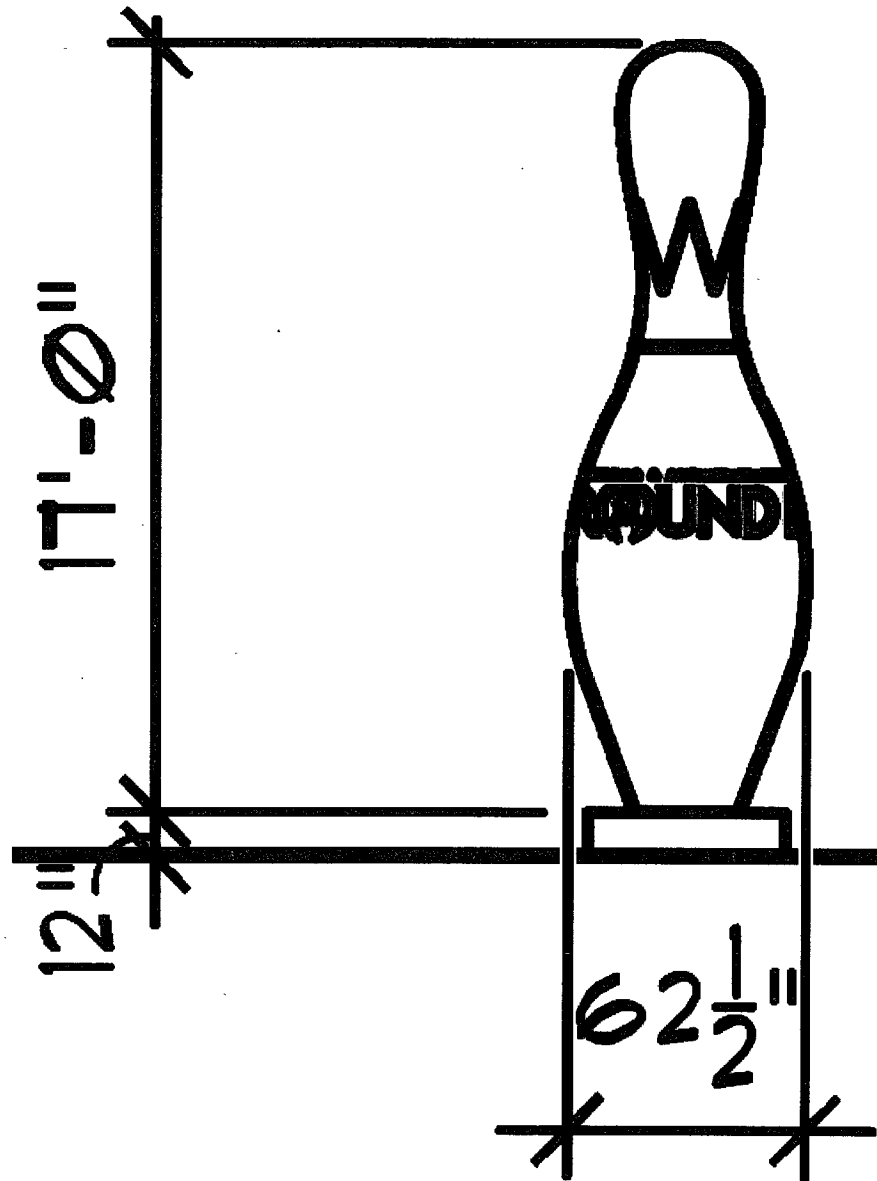
DRAWING REQUIREMENTS:

Tenant's licensed sign contractor shall submit Sign Shop Drawings, PDF file only, directly to Landlord's Tenant Coordinator, as instructed, for approval prior to fabrication of signage. Drawings must be fully detailed and dimensioned.

Landlord Approved drawings must accompany the submission set to the city for final permit prior to fabrication and installation of signage.



Sign Type "E"



NOT TO SCALE



ORDINANCE NO. 2013-2

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD ADOPTING THE LAKEWOOD CENTER ~~PERIMETER~~ SIGN PROGRAM SPECIFIC PLAN.

THE CITY COUNCIL OF THE CITY OF LAKEWOOD DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. INTRODUCTION

PURPOSE

This plan is a Statutory Specific Plan designed to implement the City's General Plan for a specific geographic area. Once this Specific Plan is adopted, all new freestanding signs and modifications proposed to existing freestanding signs at the site must be consistent with this Specific Plan. The purpose of the Lakewood Center ~~Perimeter~~ Sign Program Specific Plan (the "Specific Plan") is to establish a uniform design and sign style for all ~~perimeter~~-freestanding signs on the site.

The Specific Plan is prepared in accordance with the statutory requirements of California Government Code Sections 65450-65457. These provisions of the Government Code require the Specific Plan be consistent with the General Plan.

SPECIFIC PLAN SITE

A. Project Location

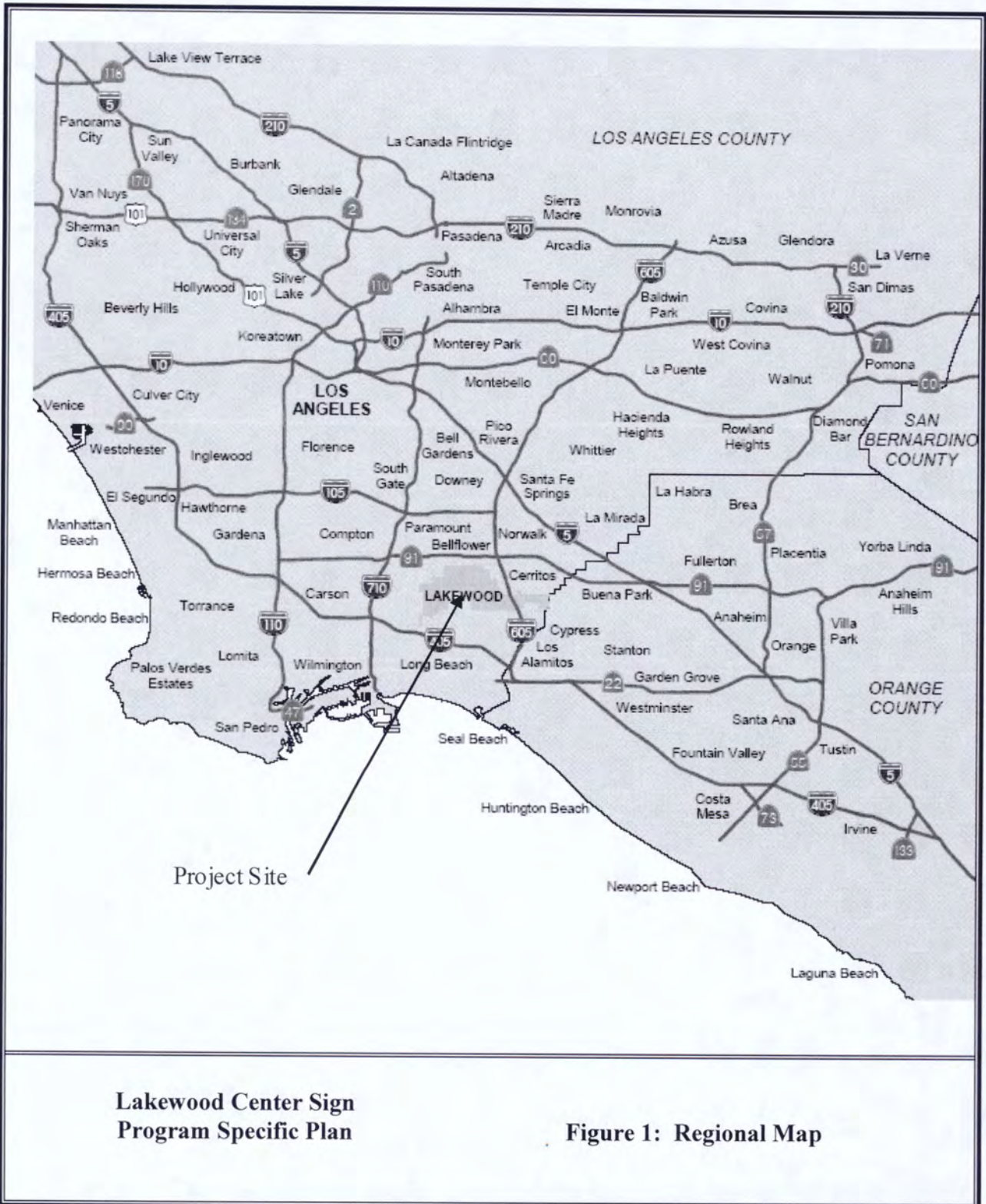
This project site is generally described as all of the parcels bounded by Lakewood Boulevard on the west, Candlewood Street on the north, Clark Avenue on the east, and Del Amo Boulevard on the south, except for that parcel immediately adjacent to the northeast corner of Lakewood Boulevard and Del Amo Boulevard, more commonly known as 4910 Lakewood Boulevard. The subject site also includes those commercially zoned parcels on the north side of Candlewood Street between Lakewood Boulevard and Clark Avenue. ~~One-Two~~ of the proposed signs ~~will~~ may be located within the public right-of-way and ~~will~~ which requires an encroachment permit from the City. Figure 1 shows the location of the City of Lakewood in a regional context and the location of the Specific Plan site within the City. Figures 2 and 3 shows the Los Angeles County Assessor's maps of the site and Figure 4 is an aerial view of the site.

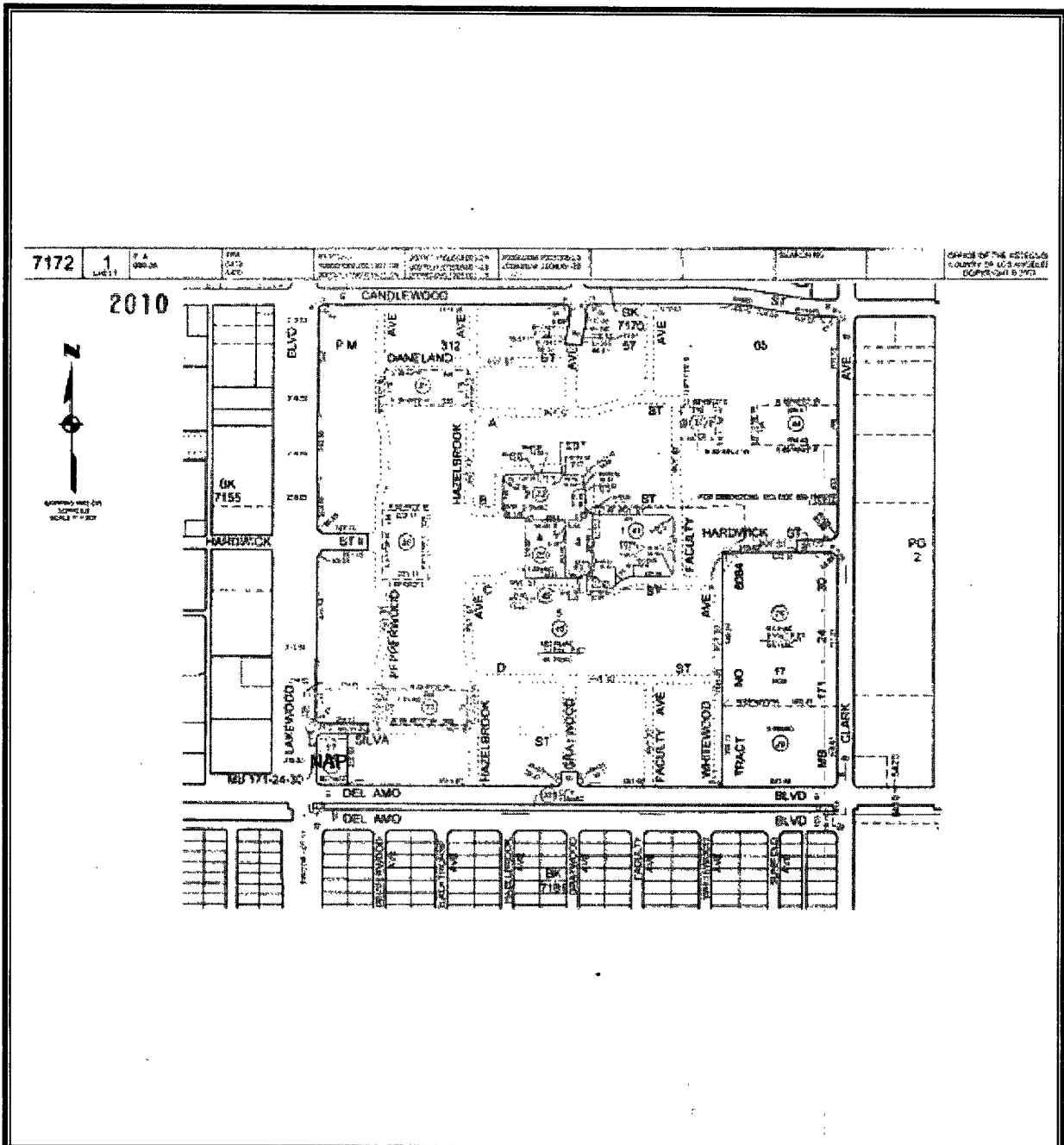
B. Property Ownership

All of the signs will be constructed on the subject properties which are owned by the Macerich Company, except for ~~one-two~~ "Type A" signs which may be located in the public right-of-way.

C. Existing Setting

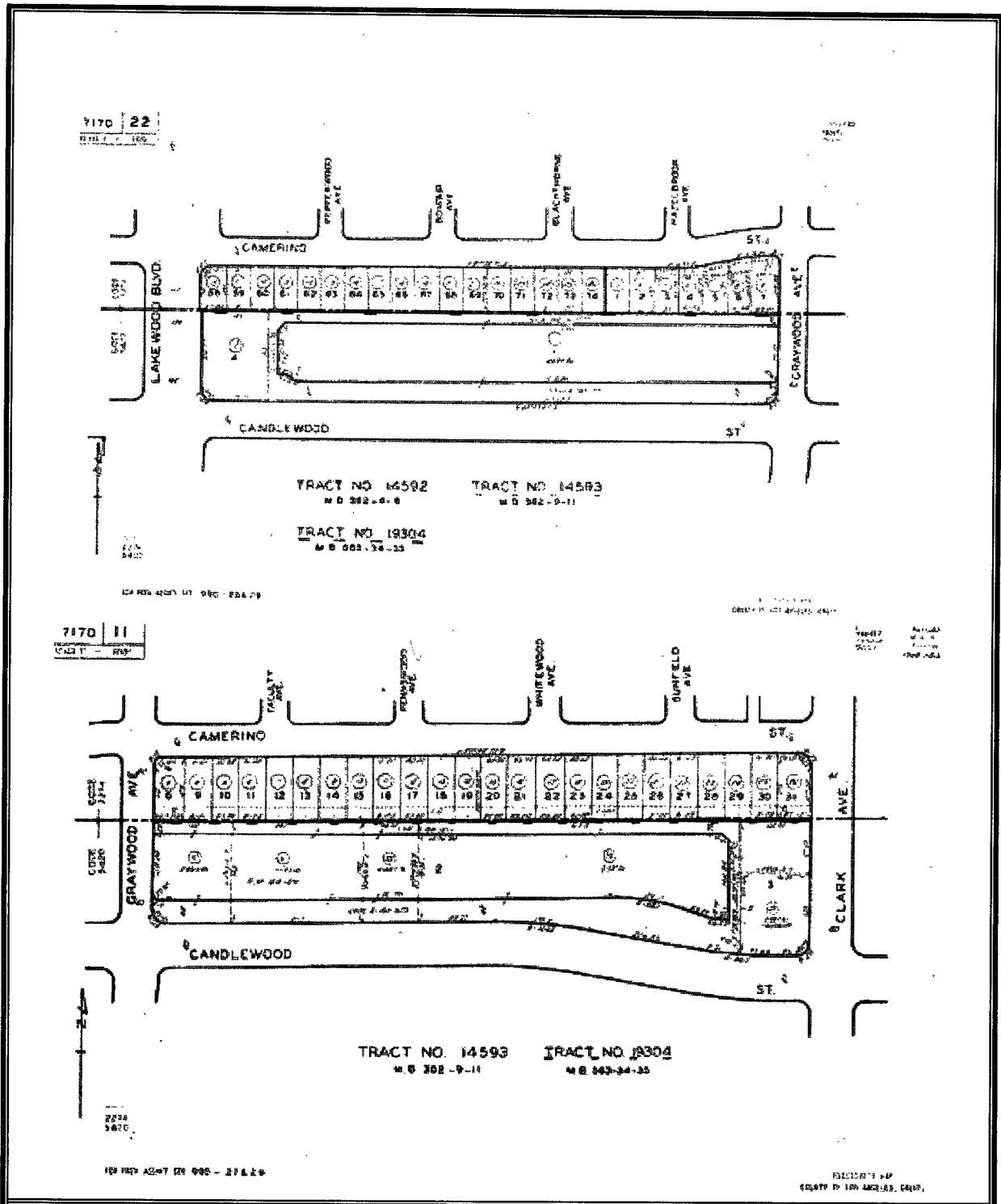
The site is designated by the General Plan for Commercial uses and is in the C-4 (General Commercial) zone. The site is developed with a regional shopping center and the Candlewood shops, which collectively are 145 acres in area. The site is developed with a variety of retailers, financial institutions, restaurants, service oriented businesses, and other companies.





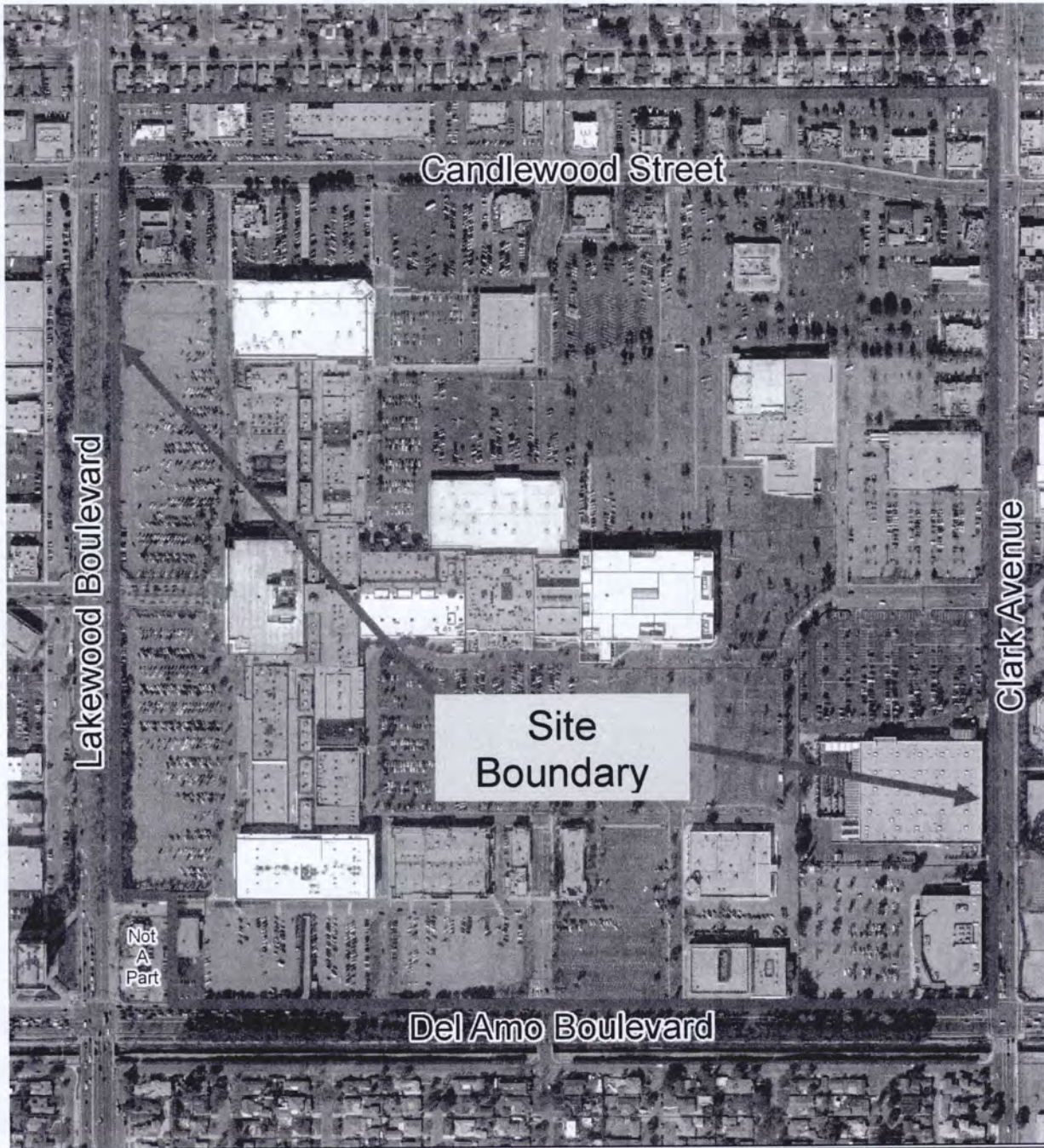
Lakewood Center Sign
Program Specific Plan

Figure 2: Assessor's Map
Lakewood Center



Lakewood Center Sign
 Program Specific Plan

Figure 3: Assessor's Map
 Candlewood Shops



Lakewood Center Sign
Program Specific Plan

Figure 4: Aerial View

D. Surrounding Uses

To the north of the Candlewood Shops are single-family homes in the R-1 (Single Family Residential) zone. To the east, across Clark Avenue and within the C-1 zone, are various office buildings and the Lakewood Civic Center. To the south, across Del Amo Boulevard, are a flood control channel, St. Anthony High School, a church, and single-family and multi-family residences within the City of Long Beach. To the west, across Lakewood Boulevard are various retailers, financial institutions, restaurants, service oriented businesses, grocery and drug stores, and offices within the C-4 zone.

GOALS

The goal of the proposed Specific Plan is to improve the regulations governing freestanding signs at Regional Shopping Centers in a manner that complies with the intent of the City of Lakewood General Plan while establishing a uniform sign program.

SECTION 2. PLANNING CONTEXT

INTRODUCTION

Lakewood Center is a Regional Shopping Center as defined by Section 9302.39.a of the Lakewood Municipal Code. Section 9500 et al of the Municipal Code contains regulations that govern the area, height, number, and other criteria pertaining to the construction and maintenance of freestanding signs on commercially zoned properties. Together with the Candlewood Shops, the site area is 145 acres and generally has a square shape. The length of each side of this square is approximately 2,500 feet, or nearly a half mile in length. Consequently, motorists on the streets around Lakewood Center and the Candlewood Shops cannot see all of the major and minor tenants on the site at any given point along those streets.

The Municipal Code allows individual tenants to apply for a Conditional Use Permit for more than one freestanding sign in an effort to improve their street-side presence. However, this method has unintentionally resulted in a growing number of dissimilar signs around the perimeter of Lakewood Center and the Candlewood Shops. These freestanding signs include a mixture of low freestanding signs and high freestanding signs which vary widely from one another in area, height, and design. As a consequence, there is no common element which helps identify the individual businesses as being part of a regional shopping center. Finally, the Conditional Use Permit approach to multiple freestanding signs has not resolved the need for individual tenants to have greatly needed street-side identification opposite from the location of the actual building within Lakewood Center.

This Specific Plan allows the City to regulate the size, design, location, and number of freestanding signs on the site in a manner that helps to maximize street-side exposure of multiple tenants at Lakewood Center and the Candlewood Shops. At the same time, this Specific Plan provides for common design elements found in all of the freestanding signs which shoppers recognize that the tenants are part of Lakewood Center.

AUTHORITY

The California Government Code authorizes cities to adopt specific plans either by resolution as policy, or by ordinance as regulation. Both the Planning and Environment Commission and the City Council hearings are required as part of the adoption process. Specific plans must be adopted by the City Council to be effective. Lakewood chooses to adopt Specific Plans by ordinance and, therefore, an ordinance has been drafted for the adoption of this Specific Plan. This Specific Plan is a regulatory document and serves to direct the type of development on the subject site. Future development plans, site plans and tentative tract and parcel maps, as applicable, within the planning area shall be consistent with this Specific Plan. This Specific Plan is established through the authority granted to the City of Lakewood, by the California Government Code, Title 7, Division 1, Chapter 3, Article 8, Sections 65450 through 65457.

GENERAL PLAN LAND USE ELEMENT

The Lakewood General Plan designation for the subject site is Commercial. The subject signs are ancillary uses to commercial establishments and are compatible structures at the site.

PUBLIC PARTICIPATION PROCESS

The Specific Plan was prepared by the City of Lakewood. Public participation is, and will continue to be, maximized through open discussion at advertised public hearings before the Planning and Environment Commission and the City Council. All interested persons will be afforded an opportunity to provide input into the planning process at the public hearings.

CALIFORNIA ENVIRONMENTAL QUALITY ACT COMPLIANCE

In compliance with the requirements of the California Environmental Quality Act (CEQA) and the City's environmental clearance procedures, the proposed project was found to be Categorical Exempt from the California Environmental Quality Act (CEQA) based on Section 15311.(a) of the CEQA Guidelines of 1970, as amended. Class 11 includes construction, or placement of minor structures accessory to (appurtenant to) existing commercial, industrial, or institutional facilities, including but not limited to: (a) On-premises signs.

LOCAL CIRCULATION

The subject site is served by Lakewood Boulevard, Del Amo Boulevard, Clark Avenue, and Candlewood Street. Implementation of this Specific Plan will not result in a significant increase in traffic. Any new facilities proposed to be constructed on the subject site will be reviewed pursuant to the California Environmental Quality Act.

UTILITIES

The subject site has access to electricity, water, sewer, gas, storm drains, and telephone services.

SECTION 3. DEVELOPMENT STANDARDS AND GUIDELINES

GENERAL PROVISIONS

As a regulatory document, all freestanding signs on the site shall be in accordance with the development standards and guidelines contained herein. The development standards and guidelines of this Specific Plan are applied in addition to the provisions of the Lakewood Municipal Code. If there is a difference or conflict between the Specific Plan and the Zoning

Ordinance, the provision of this Specific Plan shall prevail. Any development topic not specifically covered in this Specific Plan shall defer to the regulations contained within the Municipal Code.

FREESTANDING SIGNS

The following regulations shall apply to all new freestanding signs and all existing freestanding signs when a modification to that existing sign is proposed:

1. **SITE.** This Specific Plan applies to the site generally described as all of the parcels bounded by Lakewood Boulevard on the west, Candlewood Street on the north, Clark Avenue on the east, and Del Amo Boulevard on the south, except for that parcel immediately adjacent to the northeast corner of Lakewood Boulevard and Del Amo Boulevard, more commonly known as 4910 Lakewood Boulevard. The subject site also includes those commercially zoned parcels on the north side of Candlewood Street between Lakewood Boulevard and Clark Avenue. Two of the proposed signs may be located within the public right-of-way which requires an encroachment permit. Collectively, these parcels are defined as the project site and are listed in Table 1 below by Assessor's Parcel Number. The effective date of these Assessor Parcel Numbers is June 21, 2011.

Table 1: Specific Plan Parcel List

Assessor's Parcel Number	Property Address
7172-001-023	326 Lakewood Center
7172-001-025	500 Lakewood Center
7172-001-027	67 Lakewood Center
7172-001-028	5000 Hardwick Street
7172-001-029	5015 Del Amo Boulevard
7172-001-030	98 Lakewood Center
7172-001-031	141 Lakewood Center
7172-001-032	5200 Faculty Avenue
7172-001-041	340 Lakewood Center
7172-001-042	500 Lakewood Center
7172-001-043	500 Lakewood Center
7170-011-028	4895 through 5001 Candlewood Street
7170-011-029	5305 Clark Avenue
7170-011-030	4711 Candlewood Street
7170-011-031	4771 Candlewood Street
7170-011-032	4833 Candlewood Street
7170-022-001	4327-4645 Candlewood Street
7170-022-002	5310 Candlewood Street and 5316 Lakewood Boulevard

2. **SIGN TYPES.** Not more than five types of freestanding signs are allowed on the site; “Type A” signs, “Type B” signs, “Type C” signs, “Type D” signs, and a “Type E” sign. For the purpose of this Specific Plan, Direction Signs as defined by Section 9502.9 of the Lakewood Municipal Code are not to be considered herein as freestanding signs.

“Type A” signs shall be not more than ten feet, six inches wide, 42 inches thick, and 25 feet tall, the height of which includes an eighteen-inch tall concrete sign base. The upper portion of the “Type A” signs shall have space for up to six store identification panels. Each panel shall be two feet, four inches tall and nine feet, six inches wide, with a maximum allowable letter height of 18 inches and a maximum tenant logo/name width of eight feet, six inches. Each panel shall display the name of a major anchor at Lakewood Center. The lower portion of the sign shall feature a 29 square foot name and logo for “Lakewood Center.” A one-foot wide, 22-foot, six-inch tall accent element shall be positioned on the outward facing side of the signs. The color of the concrete base shall match Scofield Lithochrome Color Hardener A-53 Arizona Tan.

“Type B” signs shall be not more than six feet, eight inches wide, two feet thick, and 14 feet tall, the height of which includes a twelve-inch tall concrete sign base. The upper portion of the “Type B” signs shall have space for up to six store identification panels. Each panel shall be 16 inches tall and six feet wide, and shall have a maximum letter height of ten inches and a maximum tenant logo/name width of five feet. Each panel shall display the name of a secondary anchor at Lakewood Center. The lower portion of the sign shall feature a ten square foot name and logo for “Lakewood Center.” A 12-foot, two-inch tall, eight-inch wide accent element shall be positioned on the outward facing side of each sign. The eight “Type B” signs shall be located around the perimeter of the mall with two signs along each of Lakewood Center’s four sides. The color of the concrete base shall match Scofield Lithochrome Color Hardener A-53 Arizona Tan.

“Type C” signs shall be not more than two feet square and 14 feet tall, the height of which includes a six-inch tall concrete sign base. The alternate sides of the sign shall display the name and logo for “Lakewood Center” and “Restaurant Row.” The maximum letter and logo height shall be 14 inches. The color of the concrete base shall match Scofield Lithochrome Color Hardener A-53 Arizona Tan.

“Type D” signs shall be not more than seven feet, six inches wide and not more than six feet tall, the height of which includes a twelve-inch tall concrete sign base. The maximum allowable letter height shall not exceed 12 inches and the maximum allowable logo height shall be limited to 36 inches. The color of the concrete base shall match Scofield Lithochrome Color Hardener A-53 Arizona Tan. The outward facing end cap of such signs viewable from the street shall incorporate an illuminated accent element similar to those installed on the “Type A” and “Type B” signs.

The “Type E” sign is a three dimensional high freestanding sign in the shape of a bowling pin. It is approximately five feet, two inches at the widest point with a maximum overall height of 18 feet, which includes a 12-inch tall concrete sign base. The color of the concrete base shall match Scofield Lithochrome Color Hardener A-53 Arizona Tan.

3. NUMBER OF SIGNS. Each sign shall be limited to the quantity as described below:

- “Type A” signs. There shall not be more than four “Type A” signs.
- “Type B” signs. There shall not be more than eight “Type B” signs.
- “Type C” signs. There shall not be more than two “Type C” signs.
- “Type D” signs. There shall not be more than one “Type D” sign for each tenant building or multi-tenant building not directly attached to the main mall building.
- “Type E” signs. There shall be not more than one “Type E” sign, which shall be for the exclusive use of a tenant located within the main mall building.

4. LOCATION OF SIGNS. Each freestanding sign shall be limited to locations on the site as described herein and in Table 2. Unless specified otherwise, all “Type A,” “Type B,” “Type C,” and “Type D” signs shall be permitted no farther than 50 feet from the public right-of-way, as measured from center of the sign to the property line at the closest point. No freestanding sign shall be allowed to encroach into the triangular safety area as defined under Section 9503.D of the Lakewood Municipal Code.

Each “Type A” sign shall be permitted adjacent to one of the following intersections: Graywood Avenue and Del Amo Boulevard, Clark Avenue and Hardwick Street, Graywood Avenue and Candlewood Street, and Lakewood Boulevard and Hardwick Street. If a “Type A” sign will encroach into the public right-of-way, an encroachment permit shall be obtained for the placement of that sign.

Each “Type B” sign shall be permitted mid-point between a “Type A” sign and the following street intersections: Lakewood Boulevard and Del Amo Boulevard, Clark Avenue and Del Amo Boulevard, Clark Avenue and Candlewood Street, and Lakewood Boulevard and Candlewood Street.

One “Type C” sign shall be permitted at the northeast corner of Lakewood Boulevard and Candlewood Street and one “Type C” sign shall be permitted at the northwest corner of Clark Avenue and Candlewood Street.

No “Type D” sign shall be located farther than 50 feet from the public right-of-way, as measured from center of the sign to the property line at the closest point. No “Type D” sign shall be located closer than 50 feet to any other freestanding sign.

The “Type E” sign shall be located adjacent to the south side of the east wing of the main mall building, approximately 50 feet west of the main southerly entrance.

Table 2: Sign Types and Locations

Sign Identifier	Sign Type	General Location
A1	Type A	Driveway median east of intersection of Lakewood and Hardwick, approximately 90 feet east of the Lakewood Boulevard centerline.
A2	Type A	Northwest corner of Graywood Avenue and Del Amo Boulevard.

A3	Type A	Northwest corner of Clark Avenue and Hardwick Street.
A4	Type A	Southeast corner of Graywood Avenue and Candlewood Street.
B1	Type B	East of Lakewood Bl., 725 feet south of the Candlewood centerline.
B2	Type B	East of Lakewood Bl., 475 feet south of the Hardwick centerline.
B3	Type B	Northwest corner of Hazelbrook Avenue and Del Amo Boulevard.
B4	Type B	Northeast corner of Whitewood Avenue and Del Amo Boulevard.
B5	Type B	West side of Clark Avenue, 600 feet north of the Del Amo centerline.
B6	Type B	West side of Clark Avenue, 300 feet south of the Candlewood centerline.
B7	Type B	South side of Candlewood, 600 feet west of the Clark Ave. centerline.
B8	Type B	South side of Candlewood, 380 feet west of the Graywood centerline.
C1	Type C	Northeast corner of Lakewood Boulevard and Candlewood Street.
C2	Type C	Northwest corner of Clark Avenue and Candlewood Street.
<u>E1</u>	<u>Type E</u>	<u>South side of the east wing of the main mall building, approximately 50 feet west of the main southerly entrance.</u>

5. **SIGN ILLUMINATION.** All “Type A,” “Type B,” and “Type C” signs shall be internally illuminated. All “Type D” signs and the “Type E” sign may be illuminated externally or internally. All external lighting and associated control devices shall be concealed within the grade and landscaping elements. Exposed bulbs and neon tubes are prohibited. Animated and flashing components are prohibited.

SECTION 4. IMPLEMENTATION AND ADMINISTRATION

PURPOSE

This Section sets forth guidelines for implementing the Specific Plan, determining consistency with the Lakewood Comprehensive General Plan and amending the Specific Plan.

GENERAL PLAN CONSISTENCY

California State Law requires a specific plan to be consistent with the General Plan. The specified regulations are consistent with the General Plan Commercial land use designation of the site and all applicable policies of the General Plan.

RELATIONSHIP TO THE MUNICIPAL CODE

Any development standards or other regulations not specifically addressed in this Specific Plan are subject to the Lakewood Municipal Code. Where those Specific Plan regulations differ from provisions of the Municipal Code, the Specific Plan supersedes those provisions. When an issue, condition or situation occurs that is not covered or provided for in this Specific Plan, the regulation(s) of the Code that is most applicable to the issue, condition or situation shall apply.

INTERPRETATION

The Director of Community Development shall have the responsibility to interpret the provisions of this Specific Plan. If there is a conflicting requirement for building standards in regards to Uniform Building Code, the most stringent standard will prevail. All such interpretations shall be reduced to written form and permanently maintained. Any person aggrieved by such an interpretation may request that the Planning and Environment Commission review such interpretation.

COMPLIANCE WITH GOVERNMENT CODE

All development and construction within the Specific Plan site shall comply with the applicable codes of all governmental agencies having jurisdiction on such matters including, but not limited to, building, mechanical, fire and electrical codes and codes pertaining to drainage, wastewater, public utilities and grading.

PROJECT APPROVAL PROCESS AND OPERATION CONDITIONS

The proposed project is subject to the review of the City's Community Development Department and the Development Review Board. Any change to the Specific Plan requires an amendment to the Specific Plan, and approval by the Planning and Environment Commission and the City Council.

SPECIFIC PLAN IMPLEMENTATION

The Specific Plan establishes standards and guidelines for freestanding signs within the boundaries of the Specific Plan site. It is the policy of the City to continually work toward the effective implementation of the Specific Plan. Therefore, this Specific Plan shall guide decisions with regard to discretionary permit applications and public improvements.

SECTION 5. The City Council hereby declares it would have passed this Ordinance sentence by sentence, paragraph by paragraph and section by section, and does hereby declare the provisions of this Ordinance are severable, and if for any reason any section of this Ordinance should be held invalid, such decision shall not affect the validity of the remaining parts of this Ordinance.

SECTION 6. No person shall violate any provision, or fail to comply with any of the requirements of this Ordinance, and any person violating any provision, or failing to comply with any provision of this Ordinance is guilty of a misdemeanor. Any person convicted of a misdemeanor under the provisions of this Ordinance shall be punished by a fine equal to the maximum amount allowed under state law or by imprisonment in the City or County jail for a period not exceeding six (6) months or by both, such fine and imprisonment.

SECTION 7. The City Clerk shall certify to the adoption of this Ordinance. The City Council hereby finds and determines there are no newspapers of general circulation both published and circulated within the City and, in compliance with Section 36933 of the Government Code, directs the City Clerk to cause said Ordinance within fifteen (15) days after its passage to be posted in at least three (3) public places within the City as established by Ordinance. This Ordinance shall take effect thirty (30) days after its adoption.

ADOPTED AND APPROVED THIS _____ DAY OF _____, 2013, BY THE FOLLOWING ROLL CALL VOTE:

	AYES	NAYS	ABSENT
Council Member Rogers	_____	_____	_____
Council Member Piazza	_____	_____	_____
Council Member DuBois	_____	_____	_____
Council Member Wood	_____	_____	_____
Mayor Croft	_____	_____	_____

Mayor

ATTEST:

City Clerk

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TO: The Honorable Mayor and City Council

SUBJECT: Award of Bid – Public Works Contract 2011-04
Mayfair Park H.V.A.C. Replacement Project

INTRODUCTION

On June 17, 2013 the City Clerk received and opened three bids for replacement of the heating, ventilating and air conditioning systems at Mayfair Park Activity Building. Staff recommends the contract be awarded to the lowest, responsible bidder.

STATEMENT OF FACT

Six (6) Contractors qualified to bid the HVAC replacement project by attending the mandatory pre-bid conference; seven contractors purchased plans and specifications and three submitted bid proposals. The bids range from \$236,000 to \$297,450. The summary of Total Itemized Bids is listed on Attachment A at the end of this report.

Staff recommends that the contract be awarded to the lowest responsive and responsible bidder, Pardess Air, Inc. References checked on Pardess Air, Inc. indicated that their past work was favorable and their contract documents and license are in order. Pardess Air recently successfully completed The Centre HVAC Replacement Project and also completed the City Hall Data Equipment Room Upgrade Project for us several years ago. Pardess Air, Inc. assured staff that they could complete the replacement improvements as specified for the amount of their bid and are happy to be able to work with the City again.

The project is funded by the General Fund, and there are not adequate funds in the CIP project account to cover the specified improvements, consultant engineering and architectural work associated with the construction phase of this project, and leave a balance for contract contingencies. Staff requests an appropriation to the project account to cover these expenses.

In addition, the Architect's agreement requires amending to cover the construction phase portion of the work, and to include an amount for splitting the original contract documents to allow for the snack bar portion of the building to be completed ahead of the contract improvements, as the air conditioning there had totally failed. Staff reports that the new A/C and fan units are in and operational at this time, and ready for the busy summer season.


SUMMARY


Bids have been received on Public Works Contract 2011-04. Staff recommends the contract be awarded to the lowest responsible bidder, Pardess Air, Inc. Staff also recommends that the project Architect's agreement be amended.

RECOMMENDATION

Staff recommends that the City Council:

- (1) Adopt the plans, specifications, Addendum and working details for the subject project.
- (2) Award a contract for “Mayfair Park H.V.A.C. Replacement Project”, Public Works Contract 2011-04, in the amount of \$236,000, to Pardess Air, Inc. of Los Angeles, California and authorize the Mayor to sign the contract in a form approved by the City Attorney.
- (3) Amend the existing professional services agreement with Meyer & Associates in the amount of \$4,850 and authorize the Mayor to sign the contract in a form approved by the City Attorney.
- (4) Appropriate \$320,000 from the General Fund reserves to the Mayfair HVAC Project Account.
- (5) Authorize staff to approve a cumulative total of change orders as necessary to Mayfair Park H.V.A.C. Replacement Project scope of work not to exceed \$24,000.

Lisa A. Rapp 
Director of Public Works

Howard L. Chambers 
City Manager

ATTACHMENT A

MAYFAIR PARK HVAC REPLACEMENT PROJECT - PW 11-04 BID SUMMARY

ITEMIZED BIDS/BIDDER	RANGE OF BIDS FROM LOWEST TO HIGHEST		
	PARDESS AIR	LA AIR	SOUTH BAY HVAC
1. Mobilization (not to exceed 7% of Contract)	\$ 12,000	\$ 18,585	\$ 20,000
2. Demolition	\$ 7,000	\$ 9,445	\$ 18,200
3. AC Units, 1, 2,3,4,5 6 & 7 EF 1,2,3,4,11 & 12 and FA 1 & 2 complete	\$ 135,000	\$ 103,727	\$ 130,200
4. Ducting Installation Complete	\$ 50,000	\$ 27,698	\$ 51,900
5. Duct Cleaning Complete	\$ 12,000	\$ 15,500	\$ 26,200
6. Misc. Items Not covered by above Categories	\$ 20,000	\$ 90,558	\$ 50,950
TOTAL LUMP SUM BID	\$ 236,000	\$ 265,513	\$ 297,450

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COUNCIL AGENDA

June 25, 2013

TO: The Honorable Mayor and City Council

SUBJECT: Award of Bid – Public Works Contract 2013-02
Arbor Yard Office Building Lighting Replacement Project

INTRODUCTION

On June 17, 2013 the City Clerk received and opened two bids for replacement of ceiling light fixtures and miscellaneous control switching in the Water Resources Department office building at Arbor Yard. Staff recommends the contract be awarded to the lowest, responsible bidder.

STATEMENT OF FACT

Three (3) Contractors qualified to bid the lighting replacement project by attending the mandatory pre-bid conference; three contractors purchased plans and specifications and two submitted bid proposals. The bids were \$16,500 and \$19,400 respectively. The summary of Itemized Bids is listed on Attachment A at the end of this report.

Staff recommends that the contract be awarded to the lowest responsive and responsible bidder, References checked on J. Kim Electric, Inc. indicated that their past work was favorable and their contract documents and license are in order. J. Kim Electric recently successfully completed projects for the jurisdictions of Los Angeles County, City of Orange and University of California Irvine.

The project is funded by the Water Fund, and there are adequate funds in the CIP project account to cover the specified improvements, and leave a small balance for contract contingencies.

SUMMARY

Bids have been received on Public Works Contract 2013-02. Staff recommends the contract be awarded to the lowest responsible bidder, J. Kim Electric, Inc.

RECOMMENDATION

Staff recommends that the City Council:

- (1) Adopt the plans, specifications, Addendum and working details for the subject project.
- (2) Award a contract for “Arbor Yard Office Building Lighting Replacement Project”, Public Works Contract 2013-02, in the amount of \$16,500, to J. Kim Electric, Inc. of Fullerton, California and authorize the Mayor to sign the contract in a form approved by the City Attorney.

- (3) Authorize staff to approve a cumulative total of change orders as necessary to Arbor Yard Office Building Lighting Replacement Project scope of work not to exceed \$1,200.

Lisa A. Rapp *LAR*
Director of Public Works

Howard L. Chambers
City Manager



Attachment A: Summary of Bids – Page 3

ATTACHMENT A

**ARBOR YARD OFFICE BUILDING LIGHTING REPLACEMENT PROJECT
 PW 13-02 BID SUMMARY**

ITEMIZED BIDS/BIDDER	RANGE OF BIDS FROM LOWEST TO HIGHEST	
	J. KIM ELECTRIC	FINELINE ELECTRIC
1. Mobilization (not to exceed 7% of Contract)	\$ 1,100	\$ 1,000
2. Demolition	\$ 1,200	\$ 2,000
3. Electrical Complete	\$11,360	\$16,400
4. Misc. Items Not covered by above Categories	\$ 2,840	\$ 00
TOTAL LUMP SUM BID	\$16,500	\$19,400

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TO: The Honorable Mayor and City Council

SUBJECT: Establishing a Comprehensive Purchasing Policy

INTRODUCTION

The City's purchasing guidelines are currently provided for in the Lakewood Municipal Code Section 2700, various resolutions and city attorney memos. The desire is to have a comprehensive purchasing policy reflective of the municipal code, related resolutions and past practice.

STATEMENT OF FACT

The attached policy was developed from the current language in the Lakewood Municipal Code, as well as policies put in place in other municipalities. Staff researched and constructed the policy over the past year to ensure it met all the city's requirements while maintaining internal controls and limits.

During the process of writing the Purchasing Policy, staff became aware that Resolution No. 2000-71 should be rescinded. In 2000, the City adopted Resolution No. 2000-71 which specified the use of recycled products and regular reporting by the Purchasing Officer. This resolution was adopted to demonstrate to the now defunct California Integrated Waste Management Board that the city was making a maximum effort to comply with AB 939, the law that addressed recycling in California, and to justify our petition for a lower recycling goal. The CIWMB no longer exists, and the conditions the city had that allowed a lower goal are no longer in effect. The proposed purchasing Policy encompasses the commitment to purchase recycled content products, as well as routine reporting procedures.

An Ordinance will need to be adopted to remove Lakewood Municipal Code Section 2700. Section 2700 of the code does not cover all purchasing guidelines and keeping this language in the code could be unnecessary. The proposed Purchasing Policy fully incorporates the language and intent of Section 2700.

STAFF RECOMMENDATION

It is respectfully recommended that the City Council:

- Adopt Resolution Establishing the Purchasing Policy as presented and rescinding Resolution No. 2000-71
- Hold a public hearing and introduce reading of Ordinance No. 2013-4



Diane Perkin
Director of Administrative Services

Howard L. Chambers
City Manager



RESOLUTION NO. 2013-28

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
LAKEWOOD ADOPTING A PURCHASING POLICY.

THE CITY COUNCIL OF THE CITY OF LAKEWOOD HEREBY RESOLVES AS
FOLLOWS:

SECTION 1. The City Council hereby adopts the "Purchasing Policy" attached hereto as Exhibit "A" as the official Purchasing Policy of the City of Lakewood. In the event of any conflict between such Purchasing Policy and any other City Ordinance, Resolution or policy, the provisions of the attached Purchasing Policy shall prevail.

SECTION 2. If any section, subsection, subdivision, paragraph, sentence, clause or phrase in this Resolution, or any part hereof, is held invalid or unconstitutional, such decision shall not affect the validity of the remaining sections or portions of this Resolution. The City Council hereby declares that it would have adopted each section, subsection, subdivision, paragraph, sentence, clause or phrase in this Resolution irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases may be declared invalid or unconstitutional.

SECTION 3. The City Clerk shall certify to the adoption of this Resolution.

ADOPTED AND APPROVED THIS 25TH DAY OF JUNE, 2013.

Mayor

ATTEST:

City Clerk

CITY OF LAKEWOOD

Purchasing Policy

PURPOSE

The purpose of this policy is to emulate best practices in purchasing procedures.

OBJECTIVES

The objective of this policy is to establish an efficient procedure for the purchase of supplies and equipment, and procurement of services, and references purchase/acquisition of real property and contracting for the construction of public works projects consistent with state law. These procedures shall not be overly time consuming and cumbersome, while allowing the City to obtain the best professional services, and acquire quality supplies, general services, and equipment in an overall economic manner at the lowest reasonable cost.

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OVERVIEW

In accordance with the provisions of Sections 54201 and 54204 of the Government Code of the State of California, and the procedures in this policy, the authority for the purchase of supplies, equipment, and services is vested in the Purchasing Officer and such procedures and policies shall govern all purchases of supplies and equipment.

The provisions of this policy apply to the purchase of supplies, equipment, services, and references the purchase of real property as prescribed by state and federal law, and public works projects as defined by Section 37901 of the Government Code. This policy identifies binding documents such as contracts, agreements and letter agreements as "contract(s)".

The provisions of this policy do not apply to the purchase of supplies, equipment, and professional services where the City Council has, by contract or resolution, contracted for or transferred the authority to make the purchase of supplies, equipment, and services to another governmental agency or officer and where the other governmental agency or officer, in the purchase of supplies, equipment, and services, follows to the satisfaction of the purchasing officer this policy and procedures in substantial compliance with provisions of Sections 54201 and 54204 of the Government Code of the State of California.

Duties of the Purchasing Officer

The City Manager, or his/her authorized representative(s), shall act as the City's Purchasing Officer and be responsible for the purchase of all supplies, equipment and services for all departments and divisions of the City. The duties of the Purchasing Officer may be combined with those duties of any other officer or position in the City. The Purchasing Officer shall have the authority and duty to:

- (a) Purchase or contract for needed City supplies, equipment and services, which are not included within a construction contract or proposed specifications for a construction contract of public work being administered by any other City department;
- (b) Investigate, keep knowledgeable about, negotiate, and recommend on the execution of contracts or the purchasing of supplies, equipment and services pursuant to the procedures of this policy, and such administrative rules and regulations as prescribed by the City Council;
- (c) Keep informed of current developments concerning purchasing, prices, market conditions, and new products and services;
- (d) Prescribe and maintain such forms and procedures as necessary for the proper operation of the purchasing and contracting system;
- (e) Operate and maintain the warehouse and designated storage facilities of the City and such control records as are necessary for the proper inventory of stocks and supplies.
- (f) Inventory and keep a record of all purchases and supplies of the City;
- (g) Maintain up-to-date bidder's list, vendor's catalogs, files, and such other records as needed to perform these duties;

- (h) Ensure that purchasing specifications are written to encourage full competition, as such, he/she shall negotiate and recommend execution of contracts for the purchase of supplies, equipment, and services and seek the needed quality at least expense to the City, and discourage collusive bidding and endeavor to obtain as full and open competition as possible on all purchases;
- (i) Inspect supplies and equipment delivered, and contractual services performed, to determine their conformance with the specifications set forth in the order or contract. Purchasing Officer shall have authority to require chemical and physical tests of samples submitted with bids and samples of deliveries which are necessary to determine their quality and conformance with specifications;
- (j) The Purchasing Officer shall submit a report to the City Council quarterly on all such equipment and vehicle purchases over \$500.00;
- (k) Recommend the transfer of surplus or unused supplies and equipment between departments as needed and the sale of all supplies and equipment which cannot be used by any agency or which have become unsuitable for City use;
- (l) Review and monitor service contracts to ensure adherence to contractual terms, limitations and deadlines, and that service contracts are being performed with requisite quality, on time and within budget. Maintain a positive relationship with the service providers and/or companies. Assure customers are satisfied with the service under the contract.
- (m) Perform such other tasks as may be necessary for the proper conduct of purchasing of supplies, equipment, and services.

PROCEDURES

Estimates of Requirements

All Department Heads shall file detailed estimates of their requirements in supplies, equipment and services in such a manner, at such time, and for such future periods as the City Manager shall prescribe.

Requisitions

Department Heads or their designees shall submit requests for supplies, equipment and services to the Purchasing Officer by the standard requisition electronic entry procedure.

Purchase Orders

The purpose of a purchase order is to ensure compliance with this Purchasing Policy.

- (a) Purchases of supplies and equipment shall be made only by purchase order issued by the Purchasing Officer.
- (b) Securing of services shall be made by purchase order for an amount under \$5,000.00, purchases of services shall be made by contract if equal to or in excess of \$5,000.00.

Encumbrance of Funds

Except in cases of urgency or emergency as described in this policy, the Purchasing Officer shall not issue any purchase order or contract, for the purchase of supplies, equipment, and services unless there exists an unencumbered appropriation in the fund account against which such purchase is to be charged or City Council has authorized said purchase.

Purchases on Behalf of the City

Purchases may be made on behalf of the City through any governmental entity, including, but not limited to, the State of California, the County of Los Angeles, other cities or special districts, provided that the government entity acquiring the supplies, equipment or service substantially adheres to the procedures for the purchase of supplies, equipment, and professional services set forth in this policy.

AWARD OF CONTRACTS: GENERAL OR PROFESSIONAL SERVICES

Except as provided by this policy, the procurement of services not included in the construction contract or bid specification for a public works project shall be by Request for Proposal/Qualifications (RFP/Q) procedure as provided in this policy, and shall be made as follows:

- (a) Contracts, as referenced in this policy, represent all written contracts, agreements or letter agreements, rate schedules, and amendments. All written contracts, agreements or letter agreements shall be approved by City Attorney as to form.
- (b) All service contracts shall require the provider to meet the California Joint Powers Insurance Authority's insurance coverage recommendations, unless deemed inappropriate by the Risk Manager and/or City Attorney who will then determine the appropriate insurance coverage.
- (c) A Department Head may approve the contracting for services up to \$1,000.00 with qualified consultants/firms.
- (d) Services provided for an amount under \$5,000.00 may be secured by purchase order and approved by the City Manager.
- (e) A contract shall be prepared for all general or professional services for the amount of \$5,000.00 and over.
- (f) Services secured by contract for an amount greater than \$1,000.00 and under \$20,000.00 shall be approved and/or awarded by the City Manager.
- (g) Services secured by contract with a dollar amount equal to or exceeding \$20,000.00 shall be approved and/or awarded by City Council.
- (h) Contract amendments. An Amendment shall be used to modify the contract documents regarding contract price, schedule of payments, completion date, plans and specifications, expanding scope of work due to change in conditions, and for unit price overruns and under runs, as specified in the contract. Work description and justification should relate to the original project and should be necessary to achieve original scope of project. After a determination that costs is merited by developments in a specific project,

the City Manager is authorized to issue Amendments up to the contract contingency amount approved by the City Council for the individual contract as follows:

- (1) If the contract was originally executed for an amount under \$20,000.00, the City Manager shall have the authority to issue Contract Amendments, provided that the sum of all amendments, plus original contract amount, shall not exceed \$20,000.00. If the amended contract will exceed \$20,000.00, City Council shall approve the contract amendment.
- (2) Once the original contract plus all accumulated Amendments is in an amount that exceeds \$20,000.00, subsequent Amendments must be approved by City Council prior to commencing the work.
- (3) For a contract originally executed for an amount in excess of \$20,000.00 and originally approved by City Council, the City Manager shall have authority to issue Amendments, provided that the sum of all contract amendments for any single contract shall not exceed the limit approved by City Council. If the amended contract will exceed the limit previously approved by City Council, the contract amendment must be approved by City Council.
- (4) Any single Amendment which results in the total contract exceeding \$20,000.00 must be approved by City Council prior to commencing with the work. In urgency situations where stopping the work will result in severe repair or replacement delays and subject the City to excessive additional costs due to the delay in the project, and City Manager may approve such a Amendment and shall give notice to City Council at the next City Council meeting.

General Services Contracts

General services contracts are to be used for routine, recurring, and usual work and for services which do not require any unique skill, special background or training, and obtaining such services at the lowest cost should be the single most important factor in selection, which is to include long-term and opportunity costs.

General Service Contracts shall be procured either through the purchasing bid process or Request for Proposal/Qualification (RFP/Q) process with the emphasis on awarding to the "lowest responsive responsible bidder".

- (a) If it is determined by the Department Head in consultation with the City Manager that all vendors providing a service classification can equally provide the service satisfactorily, a bid process would be appropriate. However, if factors other than price need to be considered in awarding the contract, this becomes a Professional Services Contract.
- (b) General Services shall be awarded based reasonableness of cost, plus qualifications that will impact long-term type costs and/or opportunity costs.
- (c) A Statement of Work shall identify the specific scope of work under contract.
- (d) Task Orders as listed in the Statement of Work shall be issued pursuant to the Maintenance Service Contract and the City Manager shall have authority to execute such Task Order for individual projects.
- (e) General Services Single or Multi-year Contracts may be awarded to multiple service providers following a formal RFP/Q process using the procedures set forth in this policy.

Professional Service Contracts

For those Professional Services as defined in Government Code Section 4526 (and as otherwise amended), professional services contracts and/or multi-year contracts with several

consultants with a general scope of work may be set up for a total not-to-exceed dollar amount or an unspecified dollar amount if for on-call type services as approved by City Council. For contacts approved with an unspecified do-not-exceed dollar amount, a fee schedule shall be annually submitted to the City Council for approval.

When factors other than price need to be considered in awarding the contract, this becomes a Professional Services Contract and the Request for Proposal/Qualification (RFP/Q) process may be used. Examples of areas other than price that may be important in awarding the contract include: experience level, competence, resources/equipment, staffing levels, services available/time factors, licenses and other qualifications determined by each City department responsible for recommending the service contract that may be important to consider.

- (a) A formal RFP/Q process shall be used and awarded based on qualifications.
- (b) A Statement of Work shall identify the specific scope of work under contract.
- (c) Task Orders as listed in the Statement of Work shall be issued pursuant to the Professional Service Contract and the City Manager shall have authority to execute such Task Order for individual projects.

Award of Contracts Based Upon Competence

Factors to consider. In contracting for professional services listed in Government Code Section 4526, selection shall be based on demonstrated competence and on professional qualifications necessary for the satisfactory performance of the services and solicited through a Request for Proposal/Qualification process.

In contracting for professional services (other than those listed in Government Code Section 4526), professional services contracts should only be awarded to firms or persons who have demonstrated "adequate competence" meaning: an adequate level of experience, competence, training, credentials, character, integrity, reputation, financial responsibility, resources, equipment, staffing, and other professional qualifications necessary for more than a satisfactory performance of the service required at the time period needed and price. The cost of the service may be considered, however, the lowest cost may not be the sole factor in deciding which firm or who shall be awarded the contract. It may be in the City's best interest to award the contract to a higher priced proposal based on the scope of services, availability, unique skills, licenses, staffing levels, timing, prior experience, familiarity with the City and other factors required by the department. The information needed for determining that level of competence and other qualifications and the procedure for selecting such services shall be determined by the Department Head responsible for recommending the service contract.

- (a) Request for Proposal/Qualifications. The initial acquiring of services shall be procured through negotiated contract following a Request for Proposal/Qualifications (RFP/Q) process. Contracting for services is decentralized and shall be the responsibility of the Department Head requesting the service.
- (b) Contracts for an amount equal to or exceeding \$5,000.00 but under \$20,000.00: The requesting department shall meet the following requirement unless an urgency exists pursuant to this policy:
 - (1) Selection Process: Prepare an informal written document and contact as many companies as necessary to receive a minimum of three (3) written responses from consultants/firms. The requirement may be waived for good cause in writing by the

Department Head and Purchasing Officer as designated by the City Manager in consultation with one another and with the approval of the City Manager.

- (2) Award: The Department Head shall prepare a written recommendation to the City Manager for the firm or person to be awarded the contract. The City Manager shall award the contract.
 - (3) Contract document. A written contract must be established and approved as to form by the City Attorney, and the City Manager shall sign/approve service contracts exceeding \$5,000.00 but not more than \$20,000.00.
- (c) Contract for an amount equal to or exceeding \$20,000.00. Department Heads shall utilize a Sealed request for Proposal process essentially meeting the following requirements unless an urgency exists pursuant to this policy:
- (1) Request for Proposal/Qualification (RFP/Q) solicitation process. A formal Sealed Request for Proposal/Qualification (RFP/Q) document shall be developed for solicitation of professional, management, or general and special services for an amount exceeding \$20,000.00.
 - (2) Advertisement. The requesting department shall advertise in appropriate publications and/or contact the consultants/firms previously utilized by the City during the solicitation process.
 - (3) Notice Contents. The notice shall include a description of general type of service needed, how the RFP/Q minimum scope of work can be obtained, any pre-proposal conferences anticipated, the requirement of a written sealed proposal, state the closing date, and place and time for submission of the RFP/Q.
 - (4) Solicitation Procedure. Sealed RFP/Q should be submitted to the Purchasing Officer as identified in the RFP/Q. All proposals shall be analyzed by the requesting department for compliance with RFP/Q requirements, and value of the total scope of services. Follow-up interviews of the most qualified of those submitting a proposal should be held.

Waive Competition

Although the City prefers a competitive process for securing services, in certain circumstances, where the claim can be adequately justified, a RFP/Q Waiver or a Sole Source process may be used.

- (a) The RFP/Q process may be waived if it is determined with acceptable justification that competition is neither practical nor in the best interest of the City.
- (b) The vendor has an established business relationship with the City and has proven to adhere to contractual terms, limitations and deadlines, and the service provided is being performed with requisite quality, on time and within budget.

Franchise Agreements and Services Provided by Franchise Utilities

The City enters into multi-year agreements with utility companies that have infrastructure in the City's right-of-ways or on City facilities. City approved service and/or equipment upgrades by utility operators are exempted from the bidding and RFP/Q processes and can be approved by the City Manager or his/her designee when the increase in projected utility costs to the City is under \$20,000.00 per year. If the expected increase in utility costs is greater than \$20,000.00 per year, the upgrade shall be approved by the City Council.

BIDDING: SUPPLIES AND EQUIPMENT

Except as provided by this policy, purchases of supplies and equipment and the sale of supplies and equipment not included in the construction contract or bid specification for a public works project shall be by bid procedure as provided in this policy, and shall be made as follows:

- (a) Direct Purchase Order. The purchase of supplies and equipment with the estimated value equal to or less than \$20,000.00, or \$40,000.00 for vehicles, shall be made by the Purchasing Officer as follows:
 - (1) Procure whenever possible at least three informal bids/quotes or enter into competitive negotiation or purchase through a governmental entity as described in this policy.
 - (2) Solicit bids by written request to prospective vendors, by telephone, or by other notice.
 - (3) Award the bid and purchase said supplies and equipment provided the same is awarded to the lowest responsible bidder and within the budgeted amount therefore.
 - (4) Keep a record of all such bids received and purchases made, which shall be open to public inspection.

- (b) Formal Bid Procedures. Except as otherwise provided, purchases of equipment and supplies of an estimated value greater than \$20,000.00 or \$40,000.00 for vehicles per unit shall be awarded by the City Council to the lowest responsible bidder pursuant to the following procedure:
 - (1) Notice Inviting Bids. Notices inviting bids include a general description of the articles to be purchased or sold, shall state where bid documents and specifications may be secured, and the time and place for opening bids.
 - (i) Published Notice. Notice Inviting Bids shall be given at least ten (10) days before the date of opening of the bids. Notice shall be published at least once in a newspaper of general circulation, printed and published in the city, or if there is none, it shall be posted in at least three public places in the City that have been designated by ordinance as the places for posting public notices.
 - (ii) Bidders' List. The Purchasing Officer shall also solicit sealed bids from all responsible prospective suppliers whose names are on the Bidders' List or who have requested their names be added thereto.

- (c) Bidder's Security. When deemed necessary by the Purchasing Officer, bidder's security may be prescribed in public notices inviting bids. Bidders shall be entitled to return of bid security; provided that a successful bidder shall forfeit his bid security upon refusal or failure to execute the contract within ten (10) days after the notice of award of contract has been mailed, unless the City is responsible for the delay. The City Council may, on refusal or failure of the successful bidder to execute the contract, award it to the next lowest responsible bidder. If the City Council awards the contract to the next lowest bidder, the amount of the lowest bidder's security shall be applied by the City to the difference between the low bid and the second lowest bid, and the surplus, if any, shall be returned to the lowest bidder.

- (d) Bid Opening Procedure. Sealed bids shall be submitted to the City Clerk and shall be identified as bids on the envelope. Bids shall be opened in public at the time and place stated in the public notices. A tabulation of all bids received shall be open for public inspection during regular business hours for a period of not less than thirty (30) days after the bid opening.
- (e) Rejection of Bids. In its discretion, the City Council may reject any and all bids presented and re-advertise for bids
- (f) Award of Contracts. Contracts shall be awarded by the City Council to the lowest responsible bidder except as otherwise provided by this policy.
- (g) Tie Bids. If two or more bids received are for the same total amount or unit price, quality and service being equal, the City Council may accept the one it chooses or accept the lowest bid made by negotiation with the tie bidders at the time of the bid opening.
- (h) Performance Bonds. The City Council shall have authority to require a performance bond before entering into a contract in such amount as it shall find reasonably necessary to protect the best interests of the City. If the City Council requires a performance bond, the form and amount of the bond shall be described in the Notice Inviting Bids.

Cooperative, Piggyback, and Multiple Awarded Bid Purchasing With Other Agencies

Purchases may be made on behalf of the City through any governmental entity, including, but not limited to, the State of California, the County of Los Angeles, other cities or special districts, or cooperatives, provided that the entity acquiring the supplies or equipment substantially adhere to the procedures for the purchase of supplies and equipment set forth in this policy.

Approval and award of cooperative, "piggy-back" or multiple awarded purchases shall be obtained by the Purchasing Officer for an amount equal to or less than \$20,000.00, or \$40,000.00 for vehicles, and by the City Council for purchases in an amount exceeding \$20,000.00 or \$40,000.00 for vehicles.

- (a) Cooperative Purchasing. The bidding requirements in this policy shall not apply to the purchasing of any equipment or supplies which the Purchasing Officer determines to be in the best interest of the City to obtain through a cooperative competitive bidding procedure being prepared by and processed through another local, state, or federal governmental agency.
- (b) Piggyback. If the Purchasing Officer determines it to be in the best interest of the City, the Purchasing Officer is authorized to "piggy-back" onto or join into an existing written purchase contract obtained through a competitive bidding process prepared by and awarded by another local, state or federal government agency.
- (c) Multiple Awarded Bids. Multiple awarded bids are generally conducted by larger government agencies. A competitive bidding process is conducted for a specified product. Several vendors whose product meets the specification are awarded the contract. Maximum item price and contract terms are established. If the Purchasing Officer determines it to be in the City's best interest, the Purchasing Officer is authorized to use federal, state, or other governmental agency multiple awarded contracts. The Purchasing

Officer must obtain quotes from at least three vendors on the awarded contract list and award the bid to the lowest responsive and responsible bidder.

Staging of Purchases Prohibited

Purchases and contracts shall not be knowingly staged or separated into smaller units or segments solely for the purpose of evading the competitive formal or informal bidding requirements of this policy.

Recycled Supply Products Specification

If in procuring supplies, a recycled or recyclable/reusable product can achieve the necessary City performance standard, and if such recycled product is readily available, specifications should, if economically feasible, require products made with recycled materials, or products that are recyclable, be bid. Unless the Department Head determines that:

- (a) A recycled or recyclable/reusable product lacks performance capabilities or needed quality levels.
- (b) A sufficient amount of said recycled or reusable product is not currently available in the market, then a reduced percentage can be required, or the supply specification can be limited to non-recycled or virgin materials.

When recycled products are required, reasonable efforts shall be made to label the products as containing recycled materials. As used in this section, recycled product does not mean used products, but is limited to new products made with materials which have been recycled.

Purchase Local Specification

If in procuring supplies, a locally manufactured and/or product sold within the City of Lakewood can achieve the necessary City performance standard, and if such locally manufactured and/or product sold is readily available, specifications should, if economically feasible, require products locally manufactured and/or sold be bid; unless the Department Head determines that a locally manufactured and/or product sold does not meet required performance capabilities or quality.

Disposition Of Surplus Supplies And Equipment

All Department Heads shall submit to the Purchasing Officer at such times and in such form as he/she prescribes, reports showing all supplies and equipment which are no longer used or which have become obsolete or worn out. The Purchasing Officer shall have authority to sell all supplies and equipment which cannot be used by any department or which have become unsuitable for City use, or trade in the same for new supplies and equipment, or otherwise dispose of the same for, as provided below:

- (a) Supplies and equipment certified by the Department Head as having a value of less than \$100.00 may be sold or disposed by the Purchasing Officer by current available means.
- (b) Supplies and equipment certified by the Department Head as having value over \$100.00 and under \$5,000.00 shall be sold at auction.
- (c) Supplies and equipment certified by the Department Head as having value equal to or greater than \$5,000.00 shall be sold only by sealed bid following the giving of notice as provided in this policy for purchases greater than \$20,000.00, or \$40,000.00 for vehicles.

Such sales shall be awarded by the City Council to the highest bidder, provided however, the City Council may in any notice calling for bids provide that it will receive at the time and place of public hearing before the City Council oral bids in excess of 10% of the highest sealed bid and in such case the City Council shall sell the supplies or equipment to such highest bidder.

- (d) In the event any such supplies and equipment cannot be disposed of as provided in this policy, at the discretion of the Purchasing Officer, be sold as junk or disposed of by any other means.
- (e) City employees may not purchase surplus City property directly from the City or any auction service employed by the City unless the City Manager should determine in writing that said employee was not involved in any recommendation or decision-making as to the sale of said property or the value thereof.

SOLE SOURCE PURCHASES

Sole Source Purchases. Unique commodities or services that can be obtained from only one vendor, or one distributor authorized to sell in this area, with singular characteristics or performance capabilities or which have specific compatibility components with existing City products are exempt from the competitive bidding requirements and are deemed sole source purchases. Sole source purchases may include proprietary items sold direct from the manufacturer.

- (a) All sole source purchases shall be supported by written documentation indicating the facts and nature supporting the determination of a sole source, signed by the Department Head and forwarded to the Purchasing Officer. The City Manager shall approve sole source acquisitions in an amount under \$20,000.00.
- (b) Approval of any sole source acquisition shall be obtained from City Council for an award of a contract for an amount equal to or exceeding \$20,000.00.

In purchasing equipment and supplies that need to be compatible with existing equipment and supplies, or to perform complex or unique functions, the City Manager and Department Head in consultation with one another may:

- (a) Limit bidding to a specific product type, or a brand name product; or
- (b) Utilize a request for proposal approach where warranties, service and/or maintenance obligations, and product performance will be evaluated in addition to the price of the product or service. The award of the contract should be to the proposer that staff deems is in the best public interest.

PETTY CASH AND REIMBURSEMENTS

For occasional use in securing over-the-counter delivery of miscellaneous supplies which are not regular City stock and which are necessary to fulfill an immediate need of a department, the department head may authorize an employee to make such a purchase and be reimbursed by the City through the use of a petty cash form. Such purchases shall be limited to amounts not exceeding \$75.00. All petty cash forms must be approved by the Department Head or his/her designee and the Director of Finance, and be signed by the person receiving the reimbursement.

For miscellaneous items purchased on a regular basis from a single vendor, the Department Head will contact the Purchasing Officer who will establish a purchasing arrangement with such vendors.

Employees who incur miscellaneous expenditures for meetings on an ongoing basis must complete an Individual Expense Report on a monthly basis.

TRAVEL REQUESTS AND EXPENSES

Travel and related expenses are to only occur when there is substantial benefit to the City. The Travel or Conference Authorization Request form must be submitted to and approved by the City Council for officials and by the City Manager for staff prior to the event. For reimbursement and payment for travel expenses, the Travel Request and Expense Report form must be completed by the traveler and approved by the City Council for officials or City Manager for staff. No official or staff shall sustain personal monetary loss as a result of duties performed in the service of the City. However, all expenditures and requests for reimbursement shall logically relate to the conduct of City business and shall be "necessary" to accomplish the purpose of such business and shall be "reasonable" in amount.

(a) Authorized Expenses

City funds, equipment, supplies (including letterhead), titles, and staff time must only be used for the performance of official duties. Such duties include, but are not necessarily limited to:

- (1) Meeting and communicating with representatives of other cities, county/regional, state and national government on City adopted policy positions and discuss the communities' concerns.
 - (i) Participating in local, county/regional, state and national organizations whose activities affect the City's interest
 - (ii) Attending meetings and participating in activities conducted in conjunction with such meetings, of civic and governmental committees and organizations in which the city has retained membership or has provided funds for the financing thereof
- (2) Business-related meetings or trips where a benefit to the City can be defined, including meetings with staff officials from other cities, and conferences and meetings of the City's membership organizations
 - (i) Attending City events and meetings with City service providers, both contracted service providers and other public agencies.
 - (ii) Attending meetings to implement a City-approved strategy for attracting or retaining businesses to the City
 - (iii) Attending City-sponsored or co-sponsored events including those requiring an invitation from the sponsoring or co-sponsoring organization
- (3) Attending educational seminars designed to improve the skill and knowledge of officials and staff
- (4) Recognizing service to the city
- (5) Other charity or City-related events or meetings that provide a benefit to the public or the City as authorized by the City Manager for staff or Council for officials.

(b) Non-reimbursable Expenses

- (1) The personal expense portion of any trip
- (2) Family expenses, including partner's expenses when accompanying City staff and/or officials on City-related business, as well as children and/or pet related expenses
- (3) Entertainment expenses, including theater, movies (either in-room or at a theater), attendance at sporting events, or other cultural events that are non-conference events
- (4) Non-mileage personal automobile expenses, including repairs, traffic citations, insurance or fuel
- (5) Other expenses as determined by the City Manager.

(c) Cost Control

To conserve the City's resources and to keep expenses within standards for public officials and staff, travel related expenditures should adhere to the guidelines in this policy. Expenses for which staff or official receives reimbursement from another agency are not reimbursable by the City. The cost borne or reimbursed by the City shall be limited to costs that fall within the listed guidelines:

- (1) Transportation: The most economical mode and class of transportation reasonably consistent with scheduling needs and cargo space requirements must be used, using the most direct and time-efficient route.
 - (i) Airfare: All officials and staff shall utilize coach or economy class accommodations when traveling by commercial airlines. Reservations, where practical, should be made in sufficient advance to receive discount pricing. Increased fees related to late booking or purchasing higher priced refundable tickets may be allowed with a sound business reason such as making changes to tickets to accommodate illness or schedule changes. Officials and staff may at their own expense pay to upgrade their airline accommodations.
 - (ii) Baggage handling fees at the rate charged by the airline or other mass transportation line.
 - (iii) Automobile: The rules regarding expenses relating to the use of council members' vehicle in the performance of City duties are set forth in Resolution 2005-39. For appointed officials and staff members, automobile mileage is reimbursed at the Internal Revenue Service (IRS) rate presently in effect. These rates are designed to compensate the driver for fuel, insurance, maintenance, and other vehicle related expenses. The amount does not include bridge and road tolls, which are reimbursable.
 - (iv) Car rental: Rental rates that are equal to or less than those available through the American Automobile Association (AAA) or other standard discount services shall be considered the most economical and reasonable for purposes of reimbursement.
 - (v) Taxis/shuttles: Taxi or shuttle fares may be reimbursed, including a reasonable gratuity per fare, when the cost of such fare is equal to or less than the cost of car rentals, fuel and parking combined, or when such transportation is necessary for time-efficiency
 - (vi) Garage and parking expenses: Expenses for necessary parking and storage of private, rented or City vehicles may be authorized. Receipts should be

provided to obtain reimbursement (except where not available such as metered parking). Parking in lots at airports or other mass travel related lots may be reimbursed. Officials and staff are encouraged to use parking at non-premium rates unless such parking is inappropriate due to time constraints or safety concerns.

- (2) **Lodging:** Lodging expenses will be reimbursed or paid when travel on official City business reasonably requires an overnight stay. Where lodging is in connection with a conference or other organized educational activity, reasonable lodging cost shall not exceed the maximum group rate published by the conference or activity sponsor, providing that lodging at the group rate is available at the time of booking. If the group rate is not available, the official or staff member shall be entitled to reimbursement for actual costs of lodging that is comparable in location and quality. Every effort shall be made to secure adequate lodgings that are conveniently located and moderately priced. In many instances, it makes sense to stay at the conference hotel for convenience and safety, and to avoid additional transportation costs. Government discounts and any discounts the official or staff is personally eligible for should always be sought at the time of reservation. The cost of lodging may be paid directly by the City or paid by the official or staff and subsequently reimbursed.
 - (3) **Communication and internet service:** Officials and staff shall be reimbursed for actual phone, mobile, fax and internet access expenses incurred as a consequence of City business necessity. Personal calls to the staff or official's family of a reasonable duration may be reimbursed for travel requiring overnight lodging.
 - (4) **Meals:** IRS reimbursement amounts shall be considered reasonable per se, and expenses incurred beyond such amounts shall be reimbursed only if necessary based upon location, type of venue, nature of event, or extraordinary circumstances.
 - (5) **Gratuity:** Meal expenses and associated gratuities incurred should be moderate, while taking into account the prevailing restaurant costs of the area.
 - (6) **Other:** All items of expenses otherwise unclassified shall be considered in this category. Examples are duplicating expenses, publications, and other expenses as necessary when traveling on City business may be allowed and should be included within this classification when requesting reimbursement.
- (d) Reimbursement limitations shall not apply to the following circumstances:
- (1) A conference or meeting at which a set amount is charged for participation in a meal or activity
 - (2) A City-hosted meal or event
 - (3) A business related meal, meeting or event at which the City official or staff member is required to pay more than his/her proportional share of the costs on a reciprocal basis with officials or staff from other cities
 - (4) Expenditure authorized in advance by the City Council at a City Council meeting for officials, or by the City Manager for staff.
- (e) Submission of expense reports and audits:
- (1) All expenses must have prior approval by the City Council for officials and by the City Manager for staff. The Travel or Conference Authorization Request form is used to receive this prior authorization.
 - (2) Once the costs are incurred, the Travel Request and Expense Report form with corresponding receipts documenting each expense must be submitted for approval

for the official or staff to receive reimbursement. All expenses are subject to verification that they comply with this policy.

- (3) Expense reports and receipts documenting each expense shall be submitted for reimbursement within 30 days of being incurred.
- (4) Each Council Member shall file a brief written report on meetings attended at City expense at the next available City Council meeting.

VISA CAL-CARD PURCHASES

To promote operational efficiency the City has initiated the City's credit card program.

- (a) The VISA Cal-Card program is intended to allow designated City employees to pay for training and travel type expenses, and to purchase occasional services and supplies at or below \$1,000.00 per transaction using a designated bank issued credit card. The card can be used for internet, telephone or walk-in ordering. Transactions in excess of \$1,000.00 are only allowed for travel and conference related expenses and must be pre-approved by the City Manager.
- (b) The program does not replace the Purchase Order process. The Purchasing Order process must remain the primary purchasing process for a majority of purchases.
- (c) The credit card is for official government use only subject to transaction limits, authorized vendors, and approved procedures.
- (d) The City Manager is the Program Manager, or his/her designee and sets policies and procedures and card limits. The Program Manager makes the final decision on any dispute or issue concerning the use of the card, and has the authority to suspend the use of any credit card for any reason.
- (e) The Director of Finance or his or her designee acts as the Program Coordinator and is responsible for the administration and implementation of the Cal Card policies and procedures.
- (f) The card will be issued to the Department Head and Department Head approved managers whose names will appear on the card as the Cardholder. The Cardholder is responsible for the proper use of the card.
- (g) The Program Coordinator will determine the contact person for the timely payment of accounts who will be authorized to make changes on the designated bank's website; such as limit increase/decrease, or adding/deleting card holders. These actions must be pre-approved by the Program Manager or his/her designee.
 - (1) Obtaining a credit card
 - (i) The Department Head must submit a "Request for Credit Card" memo to the Program Manager for approval.
 - (ii) The Cardholder must sign for the card.

(2) Using the credit card

- (i) Cardholder must complete an orientation course with the servicing bank and sign a Cal Card agreement form. This agreement certifies that the Cardholder understands and accepts his or her responsibilities under the program.
 - (ii) The Cardholder must instruct the vendor to include the Cardholder's name and department and the term "Cal Card" purchase or "credit card" as mode of payment on the shipping label, packing list, and invoice.
 - (iii) Each card is assigned transaction and monthly limits.
 - (iv) The Cardholder is responsible for retaining all supporting documentation (such as packing slips and sales receipts) on all card activities that are reconciled to the monthly Statement of Account. The documentation must be submitted with the Statement of Account to ensure timely payment of purchases.
 - (v) The Cardholder will receive a Statement of Account and must promptly review the statement, certify the statement's accuracy and attach all supporting documentation. The Statement of Account along with the supporting documentation must be submitted to the Program Coordinator within five (5) business days of receipt.
 - (vi) The Program Coordinator or his or her designee will review the card activities and supporting documentation prior to forwarding to the Program Manager for payment approval.
 - (vii) In case of any error in the Statement of Account, the Cardholder must immediately notify the Program Coordinator. The Program Coordinator or his or her designee will be responsible for resolving the error.
 - (viii) If the card is lost or stolen, the Cardholder must immediately notify the issuing bank customer service, at the phone number listed on the back of the card, and the Program Coordinator.
 - (ix) If the card is worn, defective or cancelled, the Cardholder must immediately return the card to the Program Coordinator.
 - (x) The Cardholder is responsible for returning merchandise to the vendor and for receiving the appropriate credit. The credit memo or equivalent must be retained by the Cardholder and submitted along with the Statement of Account to the Program Coordinator.
 - (xi) Personal use of the card is strictly prohibited and is subject to disciplinary action up to and including termination. The cardholder will be immediately required to return the goods to the vendor in full and/or to reimburse the City for the subject amount.
 - (xii) The Program Manager will decide on any issue or conflict on the above policies and procedures.
- (3) Changes to cardholder information. Changes to a cardholder's name, address, or Department/Division must be immediately reported by memo to the Program Coordinator who will request a new credit card if needed.
- (4) Cancellation. Should the Cardholder terminate employment with the City, the Cardholder shall submit his/her credit card and any supporting documentation to his or her Department Head. The Human Resources Division and the Department Head shall notify the Program Coordinator of the termination. The Program Coordinator or his/her designee shall notify the bank.

PURCHASING CARDS

To promote operational efficiency the City has initiated the City's purchase card program.

- (a) The Purchase Card program is intended to allow designated City employees to pay for an item that is not stocked in the purchasing warehouse and the item is needed right away.
- (b) The purchase card is for official government use only subject to transaction limits, authorized vendors, and approved procedures.
- (c) The program does not replace the Purchase Order process. The Purchasing Order process must remain the primary purchasing process for a majority of purchases.
 - (1) Obtaining a credit card
 - (i) The Department Head must submit a "Request for Purchase Card" memo to the Director of Finance for approval.
 - (ii) The Cardholder must sign for the card.
 - (2) Using the purchase card
 - (i) Cardholder is responsible for the card in their possession and each charge on the card.
 - (ii) The Cardholder must use it only for City related expenses.
 - (iii) If the Purchasing Card is missing, lost or stolen, the Cardholder must immediately contact the Director of Finance or his/her designee.
 - (iv) If there is an issue while trying to make a purchase transaction, the cardholder is to contact the Director of Finance.
 - (v) The Cardholder must track all purchases and retain all receipts.
 - (vi) If an item must be returned, the Cardholder is responsible in performing this task. The Cardholder must inform the Director of Finance to ensure that the refund/credit is in the next invoice.
 - (vii) The Director of Finance or his/her designee is responsible for resolving questions and issues of Cardholders and/or from the card provider.
 - (viii) The bill and register receipt must include invoice numbers for reference. Each invoice is entered into the requisition system and approval workflow.
 - (ix) The monthly card provider statements listing all transactions conducted for the month are to be reconciled with the outstanding invoices as provided by the Cardholder and ensures that all charges in the statement belong to the City.
 - (x) The Director of Finance by written request from a Department Head has the capability to increase the limit for purchasing cards.
 - (xi) The Director of Finance is responsible for updating the charge card list per store, and has the capability to issue new cards, and cancel and/or stop the card.
 - (xii) The Director of Finance is responsible for resolving disputes.
 - (3) Changes to a cardholder's name, address, or Department/Division must be immediately reported by memo to the Director of Finance who will request a new credit card if needed.

- (4) Should the Cardholder terminate employment with the City, the Cardholder shall submit his/her credit card and any supporting documentation to his or her Department Head. The Human Resources Division and the Department Head shall notify the Director of Finance of the termination. The Director of Finance or his/her designee shall notify the Vendor.

The City has initiated the City's purchase card program with the following vendors: Home Depot; Smart & Final; and Costco.

- (a) Home Depot, Smart & Final, and Costco do not accept purchase orders. The City's practice is to pay via a purchase order. The charge card is in lieu of the purchase order.

- (1) Home Depot

- (i) The Home Depot charge card has a limit of \$13,000.00 per month for the whole City.
- (ii) Each Cardholder does not have an individualized limit.
- (iii) Each Home Depot charge card bears the employee's name.

- (2) Smart & Final

- (i) The Smart & Final charge card has a limit of \$10,000.00 per month for the whole City.
- (ii) Each Cardholder does not have an individualized limit.
- (iii) Each Smart & Final charge card bears the City's name.

- (3) Costco

- (i) The Costco charge card has a limit of \$500.00 for majority of City Cardholders per month, except for three individuals. These three individuals are: the Purchasing Officer, Administrative Services Assistant Director, and Emergency Operations Center Coordinator (EOC).
- (ii) Each Costco charge card bears both the name of the City and the Cardholder.
- (iii) The pre-requisite for getting a Costco charge card is for the Cardholder to have their own personal Costco membership.
- (iv) The City maintains one business membership held under the Purchasing Officer designee's name. Any staff member without a Costco membership card can arrange for purchases through the Purchasing Officer's designee.

- (4) Or other Purchase Cards as approved by the Administrative Services Department

PURCHASE/ACQUISITION OF REAL PROPERTY

Land acquisition by lease or purchase shall be performed as prescribed by state and federal law.

PUBLIC WORKS PROJECTS

Public Works Projects shall be performed pursuant to State public contract code.

EXEMPTIONS

The competitive bid and request for proposal/qualifications (RFP/Q) processes are not applicable to certain purchases. The following are exempt from bid processes:

- (a) Department purchases under \$20,000.00;
- (b) Travel/expense advances;
- (c) Subscriptions;
- (d) Trade circulars, training materials or books;
- (e) Insurance premiums;
- (f) Insurance claims;
- (g) Reimbursement of expenses;
- (h) Petty cash reimbursement;
- (i) Medical payments;
- (j) Newspaper advertisements and notices;
- (k) Dues to approved organizations;
- (l) Payments to other government units;
- (m) Utility service payments, utility connection and/or installation charges;
- (n) Attorney services;
- (o) Postage, courier/delivery messenger services;
- (p) Land;
- (q) Buildings;
- (r) Water rights;
- (s) Debt services;
- (t) Grants;
- (u) Claim settlements.

Purchases of supplies and equipment and the sale of supplies and equipment shall be by bid procedure, and the procurement of services shall be by RFP/Q procedure as provided in this policy, with the exception that the Purchasing Officer is hereby given authority to and make such purchases and sales, and procurement without further complying with the terms and provisions of this policy where:

- (a) The head of the department involved or the Purchasing Officer certifies that the supply, equipment or service can be obtained from only one vendor, provided first authorized by the City Council;
- (b) Purchase of supplies, equipment and services provided for and sufficiently identified in the Budget approved by the City Council for the current fiscal year not exceeding \$1,000.00. Such purchases must be approved by the Director of Finance as to availability of funds and budgetary authorization.
- (c) In case of an emergency which requires that supplies, equipment or service be obtained immediately by purchase, lease, rental or other use arrangement, the Purchasing Officer may secure the same on the open market at the lowest obtainable price without following the procedure specified in the Purchasing Policy, provided, however, that a full report of the circumstances of the emergency and of the necessity or making such an acquisition or procurement shall be filed with the City Council at its next regular meeting following such an acquisition or procurement and shall be subject to ratification by the City Council.
- (d) Emergency, shall mean those cases wherein needed supplies, equipment or services are

not on hand or in place and must be procured immediately on the open market at the nearest available source of supply and there is insufficient time to follow the bid or RFP/Q procedure specified in this policy because of:

- (1) There is a great public calamity, or
- (2) There is immediate need to prepare for national or local defense, or
- (3) There is a breakdown in machinery or an essential service which requires the immediate purchase of supplies or equipment to protect the public health, safety or welfare, or
- (4) An essential department operation affecting the public health, safety and welfare would be greatly hampered if the prescribed purchasing procedure would cause an undue delay in procurement of such supplies, equipment or service.

EMERGENCY PROCEDURE

In cases of great emergency as determined by the City Council, including, but not limited to, states of emergency defined in Section 8558 of the Government Code, when repair or replacements are necessary to permit the continued conduct of the operation of services of the City, or to avoid danger to life or property the City Council, by majority vote, may proceed at once to replace or repair any public facility without adopting plans, specification, or working details, or give notice for bids to let a contract(s). The work may be done by City forces, by contract, or by combination of the two. The City Council delegates to the City Manager, the authority to declare a public emergency subject to confirmation by the City Council by a four-fifths (4/5) vote, at its next meeting.

The City's Emergency Plan provides for effective mobilization of all the resources of this City, both public and private, to meet any condition constituting a Local Emergency, State of Emergency, or State of War Emergency. Any expenditure made in connection with Emergency activities, including mutual aid activities, shall be deemed conclusively to be for the direct protection and benefit of the inhabitants and property of the City. [Resolution 2011-9]

WAIVING OF PURCHASING PROCEDURES

In its discretion, the City Council may at any time, without amending this policy, waive the purchasing procedures or alter these proceedings to fit a specific purchase or contract, when such waiver is not in violation of state or federal law. A request for waiver should occur only when unforeseen circumstances arise that justify an exception to following the provisions of this policy and is in the best interest of the City.

SUMMARY

TYPE	CATEGORY	AUTHORIZATION	FEATURES
OCCASIONAL SUPPLIES & EXPENSES Reimbursement by the City can only be made through the use of petty cash form submitted and authorized by the Director of Finance.	PETTY CASH	DEPARTMENT HEAD	» For <u>occasional use</u> in securing over-the-counter delivery of miscellaneous supplies which are not regular City stock and which are necessary to fulfill an immediate need of a department, the Department Head may authorize an employee to make such purchase and be reimbursed by the City through the use of petty cash form. Such purchases shall be limited to the amounts <u>not exceeding \$75.00</u> . For miscellaneous items purchased on a regular basis from a single vendor, contact Purchasing Division staff who will establish an appropriate arrangement with such vendors. » Those employees who incur miscellaneous expenditures for meetings on an ongoing basis should complete an Individual Expense Report on a monthly basis.
	NOT TO EXCEED \$75		
SUPPLIES & EQUIPMENT All departmental requests for supplies and equipment shall be submitted to the Purchase Officer utilizing the standard requisition process. Purchasing supplies and equipment shall be made only by Purchase Order.	LESS THAN \$1,000	DEPARTMENT HEAD	» Item must be budgeted » No Bids required
	\$1,000 TO \$20,000 (\$40,000 for vehicles)	CITY MANAGER	» Item must be budgeted » Whenever possible (this should be 99% of the time) at least three (3) informal bids/quotes must be obtained. Whether received in writing or verbally, a written record of the bid/quote information must be retained. » All bids/quotes shall be kept by the Purchasing Officer and open to public inspection.
	OVER \$20,000 (over \$40,000 for vehicles)	CITY COUNCIL	» Item must be budgeted » Formal bid process <ul style="list-style-type: none"> • Notice Inviting Bids required • Notice must be published in newspaper and posted in three (3) public places • Ten-day notice must be given before opening bids
SERVICE AGREEMENTS All departmental requests for services shall be submitted to the City Manager utilizing the standard requisition process. Securing services shall be made only by Purchase Order or Contract.	LESS THAN \$1,000	DEPARTMENT HEAD	» Item must be budgeted » Department Head signature
	\$1,000 TO \$5,000	CITY MANAGER	» Item must be budgeted » Services secured by Purchase Order » City Manager signature » May need approval as to form by the City Attorney
	\$5,000 TO \$20,000	CITY MANAGER	» Item must be budgeted » Services secured by Contract, Agreement or Letter » City Manager signature » Approved as to form by the City Attorney
	OVER \$20,000	CITY COUNCIL	» Item must be budgeted » Services secured by Contract or Agreement » Written report submitted to the City Council » Approved as to form by the City Attorney

TYPE	CATEGORY	AUTHORIZATION	FEATURES
AMENDMENT	10% OR \$20,000, WHICHEVER IS LESS	CITY MANAGER	<ul style="list-style-type: none"> » Item must be budgeted » Applies to: <ul style="list-style-type: none"> • Purchase of Supplies and Equipment • Procurement of Professional Services » City Manager Signature
AMENDMENT	OVER 10% OR \$20,000	CITY COUNCIL	<ul style="list-style-type: none"> » Item must be budgeted » Applies to: <ul style="list-style-type: none"> • Purchase of Supplies and Equipment • Procurement of Professional Services » Written report submitted to the City Council
PURCHASE OF REAL PROPERTY	ANY VALUE	CITY COUNCIL	<ul style="list-style-type: none"> » Item must be budgeted » Obtain appraisal report » May be required to submit proposed acquisition to the Planning and Environment Commission » Written report submitted to the City Council
CONSTRUCTION AND PUBLIC WORKS PROJECTS	OVER \$5,000	CITY COUNCIL	<ul style="list-style-type: none"> » Item must be budgeted » Section 37901 of the Government Code applies, C.P.P.C.. » Written report submitted to the City Council » Overseen by Public Works
CHANGE ORDERS	Authorization set by Council at Bid Award	PUBLIC WORKS DIRECTOR	<ul style="list-style-type: none"> » Funds must be budgeted or appropriated » Applies to Construction and Public Works Projects » City Manager consultation » Director of Public Works signature
CHANGE ORDERS	Over the authorization set by Council	CITY COUNCIL	<ul style="list-style-type: none"> » Funds must be budgeted or appropriated » Applies to Construction and Public Works Projects » Written report submitted to the City Council

GLOSSARY

- (a) Bidder's List. "Bidder's List" shall mean a list of responsible prospective vendors capable of providing the items being bid upon.
- (b) Competitive Bid. Transparent procurement method in which bids from competing contractors, suppliers, or vendors are invited by openly advertising the scope, specifications, and terms and conditions of the proposed contract as well as the criteria by which the bids will be evaluated. Competitive bidding aims at obtaining goods and services at the lowest prices by stimulating competition, and by preventing favoritism. In (1) open competitive bidding (also called open bidding), the sealed bids are opened in full view of all who may wish to witness the bid opening; in (2) closed competitive bidding (also called closed bidding), the sealed bids are opened in presence only of authorized personnel.
- (c) Cooperative Bid. "Cooperative Bid" is when several government agencies join together to create one bid document combining all agencies product volume for consideration of the bidder in determining the unit cost.
- (d) Emergency. As determined by the City Council, including, but not limited to, states of emergency defined in Section 8558 of the Government Code, when repair or replacements are necessary to permit the continued conduct of the operation of services of the City, or to avoid danger to life or property, repair or replace any public facility without adopting plans, specification, or working details or give notice for bids to let a contract or Public Works Construction Contract.
- (e) Equipment. "Equipment" shall mean unique supplies, computers, furnishings, machinery, vehicles, rolling stock, and other personal property used in the City's business, which are not generally and regularly ordered in bulk by the City and which must perform complex tasks, or integrate efficiently with existing equipment.
- (f) General Services. "General Services" are services which do not require any unique skill, special background, training, and obtaining such services at the lowest cost should be the single most important factor in selection, as opposed to personal performance. Examples of general services include uniform cleaning and maintenance services.
- (g) Informal Bids/Quotes. Request for "Informal Bids" or "Quotes" shall mean the gathering of pricing for the same product or service, and is used when the City has determined an exact product or service required to resolve its need, and this product and/or services falls below the dollar value requiring competitive bid or request for proposal.
- (h) Maintenance Work. "Maintenance Work" shall mean:
 - (1) Routine, recurring, and usual work for the cleaning, preservation, or protections of any publicly owned or publicly operated facility for its intended purposes.
 - (2) Minor repainting.
 - (3) Resurfacing of streets and highways at less than one inch.
 - (4) Landscape maintenance, including mowing, watering, trimming, pruning, planting, replacement of plants, and servicing of irrigation and sprinkler systems.

- (5) Work performed to keep, operate, and maintain publicly owned water or waste disposal systems including, but not limited to, wells and reservoirs.
- (i) Multiple Awarded Bid. When a bid is awarded to more than one vendor for the same or similar products. A multiple awarded bid schedule is usually set up and provides information of product type/brand and vendor who is providing the product.
- (j) Piggyback. Use of another public agency's existing contract to purchase the same product(s) as outlined in the awarding bid document.
- (k) Professional, Management, or Special Services. "Professional," "Management", or "Special Services" shall mean any work performed by an attorney, doctor, architect, engineer, land surveyor, construction manager, appraiser, expert, accounting firm, instructor, consultant or those services such as computer services, golf course operating services, concession services, parking garage operation services, and transportation/transit operator services. Factors for determining whether professional, management, or special services are needed include but, are not limited to, services which require professional judgment, licensing, qualified expertise in a specific area of work, or other unique factors other than simply obtaining the service at the lowest cost to the City. Professional Management and Special Services are not subject to the informal, formal or competitive bidding requirements of this policy and may be procured through negotiated contract or Requests for Qualification and/or Proposal process.
- (l) Public Works. "Public Works" shall mean a type of public construction project subject to the regulation of the State Public Contract Code and State Labor Code and as defined in California Labor Code Division 2, Chapter 1, Article 1, Section 1720 and as further amended. Examples of a Public Works Project include:
- (1) The erection, construction of, alteration, major painting, repair, or demolition of public buildings, streets, walkways, water and sewer facilities, drainage facilities, or other public facilities, whether owned, leased, or operated by the City.
 - (2) Furnishing supplies or materials for any of the above works or projects.
 - (3) A public work does not include maintenance work as defined in this article.
- (m) Purchase. "Purchase" shall include the renting, leasing, purchasing, licensing, or a trade of equipment or supplies.
- (n) Purchasing Officer. The "Purchasing Officer," for the purposes of this policy, shall be the City Manager or his/her designated representative.
- (o) Request For Proposal. "Requests for Proposal (RFP)" shall mean requests for a project or professional service. Requests for proposals allow bidders to highlight their experience and knowledge in an area through the proposal itself. Request for proposals list requirements of products or services, such as function, work flow, integration specifications and goals, providing in great detail how the requested product or service will be accommodated. Requests for proposals include a scope of work (SOW), pricing information, price quotes, contract terms and conditions, and detailed reference information. The scope of work describes tasks, products, services and even external factors that may not be required to satisfy the proposal. A request for proposals is developed when the City has discovered a need to resolve an issue, without a specific

plan for the way that the need should be fulfilled and allowing vendors to express individual creativity when presenting products or services as a response to a request for a proposal.

- (p) **Sealed Bid.** "Sealed Bids" shall contain information regarding a project including project parameters and pricing. All entities that submit a sealed bid are not aware of what others have bid. Sealed bids are turned in to the City Clerk. Sealed bids contain the actual pricing associated with the project. Sealed bids allow for all bidders to submit pricing to a the City in a confidential manner. Sealed bids are used to keep bidding results confidential until a winner is selected. Sealed bids are submitted by a specified date and time to the City Clerk.
- (q) **Supplies.** "Supplies" shall mean office supplies, janitorial supplies, materials, goods, tools, or other commodities used in the general conduct of the City's business, excepting supplies or materials for a public work which is regulated under the California Public Contract Code Sections 20160, et seq.
- (r) **Task Order.** Supplementary contractual and obligating document that usually includes task description, used in task type contracts, and means a task, delivery, or call order for supplies and/or services placed against an established contract, agreement or blanket purchase order.
- (s) **Task Type Contract.** Two-part contract in which one part lays down the general provisions of the contract, and the other part (represented by one or more task orders) gives the details of the specific job to be performed.
- (t) **Quotes/Informal Bids.** Request for "Quotes" or "Informal Bids" shall mean the gathering of pricing for the same product or service, and is used when the City has determined an exact product or service required to resolve its need, and this product and/or services falls below the dollar value requiring competitive bid or request for proposal.
- (u) **Urgency.** "Urgency" shall exist when the service, repair, or replacements are immediately necessary to permit the continued performance of the operations or services of the City, or to avoid the immediate danger to life, health, or property.

ORDINANCE NO. 2013-4

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD REPEALING THE PURCHASING PROVISIONS CONTAINED IN THE LAKEWOOD MUNICIPAL CODE.

THE CITY COUNCIL OF THE CITY OF LAKEWOOD DOES ORDAIN AS FOLLOWS:

SECTION 1. Chapter 7 of Title II of the Lakewood Municipal Code, comprised of Sections 2701 through 2712, inclusive, is hereby repealed in its entirety.

SECTION 2. The City Council hereby declares it would have passed this Ordinance sentence by sentence, paragraph by paragraph and section by section, and does hereby declare the provisions of this Ordinance are severable, and if for any reason any section of this Ordinance should be held invalid, such decision shall not affect the validity of the remaining parts of this Ordinance.

SECTION 3. The City Clerk shall certify to the adoption of this Ordinance. The City Council hereby finds and determines there are no newspapers of general circulation both published and circulated within the City and, in compliance with Section 36933 of the Government Code, directs the City Clerk to cause said Ordinance within fifteen (15) days after its passage to be posted in at least three (3) public places within the City as established by Ordinance.

ADOPTED AND APPROVED THIS ____ DAY OF _____, 2013, BY THE FOLLOWING ROLL CALL VOTE:

	AYES	NAYS	ABSENT
Council Member Rogers	_____	_____	_____
Council Member Piazza	_____	_____	_____
Council Member DuBois	_____	_____	_____
Council Member Wood	_____	_____	_____
Mayor Croft	_____	_____	_____

Mayor

ATTEST:

City Clerk

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Reports

COUNCIL AGENDA

June 25, 2013

TO: The Honorable Mayor and City Council

SUBJECT: Draft Green Street Policy and Low Impact Development Ordinance

INTRODUCTION

The Los Angeles Regional Water Quality Control Board adopted a new NPDES Municipal Separate Storm Sewer (MS4) permit, which became effective on December 28, 2012, and it contains many provisions regarding development and public works projects. This report presents a draft Green Streets Policy and draft Low Impact Development Ordinance necessary to submit our Notice of Intent for the three watersheds of which we are associated.

STATEMENT OF FACT

The Municipal Separate Storm Sewer System (MS4) Permit (LARWQCB Order No. R-2012-0175) was adopted by LARWQCB on November 8, 2012. This updated MS4 permit is a several hundred page document that contains many new requirements related to the management of surface water quality in Los Angeles County. The City of Lakewood is one of the municipalities named as a permittee in the MS4 Permit. Lakewood is cooperating with other nearby cities in the Los Cerritos Channel Watershed, the San Gabriel River and Coyote Creek watersheds, and the Los Angeles River Watershed, in order to comply with the requirements of the MS4 Permit. The City is a member of the Gateway Regional Water Management Authority Joint Powers Agency, as well as participant in existing MOA's for the development of TMDLs for the three watersheds.

In cooperation with nearby cities, City staff recommends Lakewood pursue a compliance path under the MS4 Permit that involves the preparation of a Watershed Management Program (WMP) which must be submitted to the LARWQCB by June 28, 2014. The MS4 Permit requires the City submit to the LARWQCB a Notice of Intent (NOI) describing: the City's intent to prepare a WMP, a list of priority pollutants (TMDLs) found in waters downstream of the City, discharge limitations, and a list of participating agencies. In addition, the MS4 Permit requires the adoption of a Green Streets Policy and a Low Impact Development (LID) Ordinance. This report presents drafts of the proposed ordinance and policy. Both of these documents will require further refinement over the next couple of months, before they are proposed for final approval by Council.

Notice of Intent (NOI)

The MS4 Permit requires the City notify the LARWQCB by June 28, 2013 of its intent to comply with the permit by pursuing one of several possible compliance paths. In cooperation with the Gateway Water Management Authority (GWMA) and the cities that participate in the three watersheds, City staff recommends Lakewood follow a compliance path that involves preparation of Watershed Management Plans. The consultants who have been assisting the

Draft Green Street Policy and Low Impact Development Ordinance

June 25, 2013

Page 2 of 3

GWMA and the cities have prepared draft NOIs for each watershed and the cities must sign Letters of Intent to participate. Each of the watersheds plan to jointly submit an NOI that contains more specific details about the proposed compliance path under the MS4 Permit. Staff recommends that the City Manager be authorized to sign each of our Letters of Intent.

Green Streets Policy

Permittees electing to prepare a Watershed Management Program or an Enhanced Watershed Management Program under the MS4 Permit are required to demonstrate that there are green streets policies in place and/or commence development of policies that specify the use of green street strategies for transportation corridors within 60 days of the effective date of the Order and have a draft policy within 6 months of the effective date of the Order. Lakewood cooperated with the development of a model Green Streets Policy through the GWMA and its consultant. The Draft Lakewood Green Streets Policy (attached) is based on the model document of the GWMA.

Staff will continue to refine the Draft Lakewood Green Streets Policy and submit the policy for review by the City Attorney prior to its adoption. Staff intends to return to the City Council with a revised draft by October 2013.

Low Impact Development Ordinance

Permittees electing to prepare a Watershed Management Program under the MS4 Permit are required to establish a LID Ordinance to lessen the impacts of development by using smart growth practices and to integrate LID practices and standards for stormwater pollution mitigation for new development and redevelopment projects. The draft LID Ordinance must be developed by June 28, 2013. Lakewood cooperated with the development of model LID Ordinance through the GWMA and its consultant. The Draft LID Ordinance (attached) is based on a combination of the model document of the GWMA, plus other features from the County of Los Angeles draft ordinance. Since the City of Lakewood uses the Los Angeles County Department of Public Works for development plan check, it will be most efficient to include similar features in our ordinance to the County's to expedite plan checking.

Staff will continue to refine the draft LID Ordinance and seek review by the City Attorney prior to its introduction and adoption. Staff intends to return to the City Council with a revised draft ordinance for introduction by October 2013.

Fiscal Impact


There is no direct fiscal impact of the recommended actions. However, adoption of a Green Streets Policy and a Low Impact Development ordinance in compliance with the MS4 Permit will likely increase costs of some future city street projects and some future private development projects. The costs of compliance with the MS4 Permit cannot be precisely estimated at this time, but are expected to be in the millions of dollars.

RECOMMENDATION

Staff recommends that the City Council:

1. Authorize the City Manager to sign each watershed Letter of Intent to be submitted for each Notice of Intent to prepare a Watershed Management Plan.
2. Approve a Draft Lakewood Green Streets Policy and direct staff to further refine the draft and return with a recommended final draft for adoption at a City Council meeting in October 2013; and
3. Approve a Draft Low Impact Development Ordinance and direct staff to further refine the draft and return with a final draft for introduction at a City Council meeting in October 2013.

Lisa Ann Rapp 
Director of Public Works

Howard L. Chambers 
City Manager

Sonia Southwell 
Director of Community Development

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD, CALIFORNIA, AMENDING THE LAKEWOOD MUNICIPAL CODE PERTAINING TO LOW IMPACT DEVELOPMENT

THE CITY COUNCIL OF THE CITY OF LAKEWOOD DOES FIND AND ORDAIN AS
FOLLOWS:

SECTION 1. FINDINGS.

- (A) The City of Lakewood is authorized by Article XI, §5 and §7 of the State Constitution to exercise the police power of the State by adopting regulations to promote public health, public safety and general prosperity.
- (B) The City of Lakewood has authority under the California Water Code to adopt and enforce ordinances imposing conditions, restrictions and limitations with respect to any activity which might degrade the quality of waters of the State.
- (C) The City is a permittee under the "Waste Discharge Requirements for Municipal Separate Storm Sewer System (MS4) Discharges within the Coastal Watersheds of Los Angeles County, Except those Discharges Originating from the City of Long Beach MS4," issued by the California Regional Water Quality Control Board--Los Angeles Region," (Order No. R4-2012-0175) which also serves as an NPDES Permit under the Federal Clean Water Act (NPDES No. CAS004001), as well as Waste Discharge Requirements under California law (the "Municipal NPDES permit"). In order to participate in a Watershed Management Program and/or Enhanced Watershed Management Program, the Municipal NPDES permit requires permittees to develop and implement a LID Ordinance.
- (D) The City of Lakewood is committed to a stormwater management program that protects water quality and water supply by employing watershed-based approaches that balance environmental, social, and economic considerations.
- (E) Urbanization has led to increased impervious surface areas resulting in increased water runoff and less percolation to groundwater aquifers causing the transport of pollutants to downstream receiving waters.
- (F) The City of Lakewood needs to take a new approach to managing rainwater and urban runoff while mitigating the negative impacts of development and urbanization.
- (G) LID is widely recognized as a sensible approach to managing the quantity and quality of stormwater runoff by setting standards and practices to maintain or restore the natural hydrologic character of a development site, reduce off-site runoff, improve water quality, and provide groundwater recharge.

- (H) It is the intent of the City of Lakewood to expand the applicability of the existing Standard Urban Stormwater Mitigation Plan (SUSMP) requirements by providing stormwater and rainwater LID strategies for Development and Redevelopment projects as defined under “Applicability.” Where there are conflicts between this Ordinance and previously adopted SUSMP and/or LID standards, the standards in this Ordinance shall prevail.

- (I) The proposed LID Ordinance qualifies for a Class 8 California Exemption under the provisions of the California Environmental Quality Act (CEQA) Section 15308. Class 8 exempts actions taken by regulatory agencies as authorized by State or local ordinance to assure the maintenance, restoration, enhancement or protection of the environment where the regulatory process involves procedures for protection of the environment.

SECTION 2. LOW IMPACT DEVELOPMENT ORDINANCE

Part 7 of Chapter 3 of Article IX of the Lakewood Municipal Code pertaining to General Provisions Relating to Uses is hereby amended by adding the following:

9379. LOW IMPACT DEVELOPMENT - DEFINITIONS.

For the purposes of this Section, the following definitions apply:

- A. **Automotive Service Facility** means a facility that is categorized in any one of the following Standard Industrial Classification (SIC) and North American Industry Classification System (NAICS) codes. For inspection purposes, Permittees need not inspect facilities with SIC codes 5013, 5014, 5541, 5511, provided that these facilities have no outside activities or materials that may be exposed to stormwater (Source: Order No. R4-2012-0175).

- B. **Basin Plan** means the Water Quality Control Plan, Los Angeles Region, Basin Plan for the Coastal Watersheds of Los Angeles and Ventura Counties, adopted by the Regional Water Board on June 13, 1994 and subsequent amendments (Source: Order No. R4-2012-0175).

- C. **Best Management Practice (BMP)** means practices or physical devices or systems designed to prevent or reduce pollutant loading from stormwater or non-stormwater discharges to receiving waters, or designed to reduce the volume of stormwater or non-stormwater discharged to the receiving water (Source: Order No. R4-2012-0175).

- D. **Biofiltration** means a LID BMP that reduces stormwater pollutant discharges by intercepting rainfall on vegetative canopy, and through incidental infiltration and/or evapotranspiration, and filtration. Incidental infiltration is an important factor in achieving the required pollutant load reduction. Therefore, the term “biofiltration” as used in this Ordinance is defined to include only systems designed to facilitate incidental

infiltration or achieve the equivalent pollutant reduction as biofiltration BMPs with an underdrain (subject to approval by the Regional Board's Executive Officer). Biofiltration BMPs include bioretention systems with an underdrain and bioswales (Modified from: Order No. R4-2012-0175).

- E. **Bioretention** means a LID BMP that reduces stormwater runoff by intercepting rainfall on vegetative canopy, and through evapotranspiration and infiltration. The bioretention system typically includes a minimum 2-foot top layer of a specified soil and compost mixture underlain by a gravel-filled temporary storage pit dug into the in-situ soil. As defined in the Municipal NPDES permit, a bioretention BMP may be designed with an overflow drain, but may not include an underdrain. When a bioretention BMP is designed or constructed with an underdrain it is regulated by the Municipal NPDES permit as biofiltration (Modified from: Order No. R4-2012-0175).
- F. **Bioswale** means a LID BMP consisting of a shallow channel lined with grass or other dense, low-growing vegetation. Bioswales are designed to collect stormwater runoff and to achieve a uniform sheet flow through the dense vegetation for a period of several minutes (Source: Order No. R4-2012-0175).
- G. **City** means the City of Lakewood.
- H. **Clean Water Act (CWA)** means the Federal Water Pollution Control Act enacted in 1972, by Public Law 92-500, and amended by the Water Quality Act of 1987. The Clean Water Act prohibits the discharge of pollutants to Waters of the United States unless the discharge is in accordance with an NPDES permit.
- I. **Commercial Development** means any development on private land that is not heavy industrial or residential. The category includes, but is not limited to: hospitals, laboratories and other medical facilities, educational institutions, recreational facilities, plant nurseries, car wash facilities; mini-malls and other business complexes, shopping malls, hotels, office buildings, public warehouses and other light industrial complexes (Order No. R4-2012-0175).
- J. **Commercial Malls** means any development on private land comprised of one or more buildings forming a complex of stores which sells various merchandise, with interconnecting walkways enabling visitors to easily walk from store to store, along with parking area(s). A commercial mall includes, but is not limited to: mini-malls, strip malls, other retail complexes, and enclosed shopping malls or shopping centers (Source: Order No. R4-2012-0175).
- K. **Construction Activity** means any construction or demolition activity, clearing, grading, grubbing, or excavation or any other activity that result in land disturbance. Construction does not include emergency construction activities required to immediately protect public health and safety or routine maintenance activities required to maintain the integrity of structures by performing minor repair and restoration work, maintain the original line and grade, hydraulic capacity, or original purposes of the facility. See "Routine Maintenance"

definition for further explanation. Where clearing, grading or excavating of underlying soil takes place during a repaving operation, State General Construction Permit coverage by the State of California General Permit for Storm Water Discharges Associated with Industrial Activities or for Stormwater Discharges Associated with Construction Activities is required if more than one acre is disturbed or the activities are part of a larger plan (Source: Order No. R4-2012-0175).

- L. **Control** means to minimize, reduce or eliminate by technological, legal, contractual, or other means, the discharge of pollutants from an activity or activities (Source: Order No. R4-2012-0175).
- M. **Development** means construction, rehabilitation, redevelopment or reconstruction of any public or private residential project (whether single-family, multi-unit or planned unit development); industrial, commercial, retail, and other non-residential projects, including public agency projects; or mass grading for future construction. It does not include routine maintenance to maintain original line and grade, hydraulic capacity, or original purpose of facility, nor does it include emergency construction activities required to immediately protect public health and safety (Source: Order No. R4-2012-0175).
- N. **Directly Adjacent** means situated within 200 feet of the contiguous zone required for the continued maintenance, function, and structural stability of the environmentally sensitive area (Source: Order No. R4-2012-0175).
- O. **Discharge** means any release, spill, leak, pump, flow, escape, dumping, or disposal of any liquid, semi-solid, or solid substance.
- P. **Disturbed Area** means an area that is altered as a result of clearing, grading, and/or excavation (Source: Order No. R4-2012-0175).
- Q. **Flow-through BMPs** means modular, vault type “high flow biotreatment” devices contained within an impervious vault with an underdrain or designed with an impervious liner and an underdrain (Modified from: Order No. R4-2012-0175).
- R. **Full Capture System** means any single device or series of devices, certified by the Executive Officer, that traps all particles retained by a 5 mm mesh screen and has a design treatment capacity of not less than the peak flow rate Q resulting from a one-year, one-hour storm in the sub-drainage area (Order No. R4-2012-0175).
- S. **General Construction Activities Storm Water Permit (GCASP)** means the general NPDES permit adopted by the State Board which authorizes the discharge of stormwater from construction activities under certain conditions.
- T. **General Industrial Activities Storm Water Permit (GIASP)** means the general NPDES permit adopted by the State Board which authorizes the discharge of stormwater from certain industrial activities under certain conditions.

- U. **Green Roof** means a LID BMP using planter boxes and vegetation to intercept rainfall on the roof surface. Rainfall is intercepted by vegetation leaves and through evapotranspiration. Green roofs may be designed as either a bioretention BMP or as a biofiltration BMP. To receive credit as a bioretention BMP, the green roof system planting medium shall be of sufficient depth to provide capacity within the pore space volume to contain the design storm depth and may not be designed or constructed with an underdrain (Source: Order No. R4-2012-0175).
- V. **Hazardous Material(s)** means any material(s) defined as hazardous by Division 20, Chapter 6.95 of the California Health and Safety Code.
- W. **Hillside** means a property located in an area with known erosive soil conditions, where the development contemplates grading on any natural slope that is 25% or greater and where grading contemplates cut or fill slopes (Source: Order No. R4-2012-0175).
- X. **Impervious Surface** means any man-made or modified surface that prevents or significantly reduces the entry of water into the underlying soil, resulting in runoff from the surface in greater quantities and/or at an increased rate, when compared to natural conditions prior to development. Examples of places that commonly exhibit impervious surfaces include parking lots, driveways, roadways, storage areas, and rooftops. The imperviousness of these areas commonly results from paving, compacted gravel, compacted earth, and oiled earth.
- Y. **Industrial/Commercial Facility** means any facility involved and/or used in the production, manufacture, storage, transportation, distribution, exchange or sale of goods and/or commodities, and any facility involved and/or used in providing professional and non-professional services. This category of facilities includes, but is not limited to, any facility defined by either the Standard Industrial Classifications (SIC) or the North American Industry Classification System (NAICS). Facility ownership (federal, state, municipal, private) and profit motive of the facility are not factors in this definition (Order No. R4-2012-0175).
- Z. **Industrial Park** means land development that is set aside for industrial development. Industrial parks are usually located close to transport facilities, especially where more than one transport modalities coincide: highways, railroads, airports, and navigable rivers. It includes office parks, which have offices and light industry (Source: Order No. R4-2012-0175).
- AA. **Infiltration BMP** means a LID BMP that reduces stormwater runoff by capturing and infiltrating the runoff into in-situ soils or amended onsite soils. Examples of infiltration BMPs include infiltration basins, dry wells, and pervious pavement (Source: Order No. R4-2012-0175).
- BB. **LID** means Low Impact Development. LID consists of building and landscape features designed to retain or filter stormwater runoff (Source: Order No. R4-2012-0175).

CC. **MS4** means Municipal Separate Storm Sewer System (MS4). The MS4 is a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, or storm drains):

- i. Owned or operated by a State, city, town, borough, county, parish, district, association, or other public body (created by or pursuant to State law) having jurisdiction over disposal of sewage, industrial wastes, stormwater, or other wastes, including special districts under State law such as a sewer district, flood control district or drainage district, or similar entity, or an Indian tribe or an authorized Indian tribal organization, or a designated and approved management agency under section 208 of the CWA that discharges to waters of the United States;
- ii. Designed or used for collecting or conveying stormwater;
- iii. Which is not a combined sewer; and
- iv. Which is not part of a Publicly Owned Treatment Works (POTW) as defined at 40 CFR §122.2.

(40 CFR § 122.26(b)(8)) (Source: Order No. R4-2012-0175)

DD. **National Pollutant Discharge Elimination System (NPDES)** means the national program for issuing, modifying, revoking and reissuing, terminating, monitoring and enforcing permits, and imposing and enforcing pretreatment requirements, under CWA §307, 402, 318, and 405. The term includes an “approved program” (Source: Order No. R4-2012-0175).

EE. **Natural Drainage System** means a drainage system that has not been improved (e.g., channelized or armored). The clearing or dredging of a natural drainage system does not cause the system to be classified as an improved drainage system (Source: Order No. R4-2012-0175).

FF. **New Development** means land disturbing activities; structural development, including construction or installation of a building or structure, creation of impervious surfaces; and land subdivision (Source: Order No. R4-2012-0175).

GG. **Non-Stormwater Discharge** means any discharge to a municipal storm drain system that is not composed entirely of stormwater (Source: Order No. R4-2012-0175).

HH. **Outfall** means a point source as defined by 40 CFR 122.2 at the point where a municipal separate storm sewer discharges to waters of the United States and does not include open conveyances connecting two municipal separate storm sewers, or pipes, tunnels or other conveyances with connect segments of the same stream or other waters of the United States and are used to convey waters of the United States. (40 CFR Section 122.26(b)(9)) (Order No. R4-2012-0175).

II. **Parking Lot** means land area or facility for the parking or storage of motor vehicles used for businesses, commerce, industry, or personal use, with a lot size of 5,000 square feet or

more of surface area, or with 25 or more parking spaces (Source: Order No. R4-2012-0175).

JJ. **Person** means any individual, partnership, co-partnership, firm, company, corporation, association, joint stock company, trust, state, governmental entity or any other legal entity, or their legal representatives, agents or assigns. The masculine gender shall include the feminine and the singular shall include the plural where indicated by the context.

KK. **Planning Priority Projects** means development projects subject to Permittee conditioning and approval for the design and implementation of post-construction controls to mitigate stormwater pollution, prior to completion of the project(s) (Modified from: Order No. R4-2012-0175).

LL. **Pollutant** means any "pollutant" defined in Section 502(6) of the Federal Clean Water Act or incorporated into the California Water Code Sec. 13373. Pollutants may include, but are not limited to the following:

- (1) Commercial and industrial waste (such as fuels, solvents, detergents, plastic pellets, hazardous substances, fertilizers, pesticides, slag, ash, and sludge).
- (2) Metals (such as cadmium, lead, zinc, copper, silver, nickel, chromium, and non-metals such as phosphorus and arsenic).
- (3) Petroleum hydrocarbons (such as fuels, lubricants, surfactants, waste oils, solvents, coolants, and grease).
- (4) Excessive eroded soil, sediment, and particulate materials in amounts that may adversely affect the beneficial use of the receiving waters, flora, or fauna of the State.
- (5) Animal wastes (such as discharge from confinement facilities, kennels, pens, recreational facilities, stables, and show facilities).
- (6) Substances having characteristics such as pH less than 6 or greater than 9, or unusual coloration or turbidity, or excessive levels of fecal coliform, or fecal streptococcus, or enterococcus.

MM. **Project** means all development, redevelopment, and land disturbing activities. The term is not limited to "Project" as defined under CEQA (Pub. Resources Code §21065) (Source: Order No. R4-2012-0175).

NN. **Rainfall Harvest and Use** means a LID BMP system designed to capture runoff, typically from a roof but can also include runoff capture from elsewhere within the site, and to provide for temporary storage until the harvested water can be used for irrigation or non-potable uses. The harvested water may also be used for potable water uses if the

system includes disinfection treatment and is approved for such use by the local building department (Source: Order No. R4-2012-0175).

OO. Receiving Water means “water of the United States” into which waste and/or pollutants are or may be discharged (Source: Order No. R4-2012-0175).

PP. Redevelopment means land-disturbing activity that results in the creation, addition, or replacement of 5,000 square feet or more of impervious surface area on an already developed site. Redevelopment includes, but is not limited to: the expansion of a building footprint; addition or replacement of a structure; replacement of impervious surface area that is not part of routine maintenance activity; and land disturbing activity related to structural or impervious surfaces. It does not include routine maintenance to maintain original line and grade, hydraulic capacity, or original purpose of facility, nor does it include emergency construction activities required to immediately protect public health and safety (Source: Order No. R4-2012-0175).

QQ. Regional Board means the California Regional Water Quality Control Board, Los Angeles Region.

RR. Restaurant means a facility that sells prepared foods and drinks for consumption, including stationary lunch counters and refreshment stands selling prepared foods and drinks for immediate consumption (SIC Code 5812) (Source: Order No. R4-2012-0175).

SS. Retail Gasoline Outlet means any facility engaged in selling gasoline and lubricating oils (Source: Order No. R4-2012-0175).

TT. Routine Maintenance projects include, but are not limited to projects conducted to:

1. Maintain the original line and grade, hydraulic capacity, or original purpose of the facility.
2. Perform as needed restoration work to preserve the original design grade, integrity and hydraulic capacity of flood control facilities.
3. Includes road shoulder work, regrading dirt or gravel roadways and shoulders and performing ditch cleanouts.
4. Update existing lines* and facilities to comply with applicable codes, standards, and regulations regardless if such projects result in increased capacity.
5. Repair leaks

Routine maintenance does not include construction of new** lines or facilities resulting from compliance with applicable codes, standards and regulations.

* Update existing lines includes replacing existing lines with new materials or pipes.

** New lines are those that are not associated with existing facilities and are not part of a project to update or replace existing lines (Source: Order No. R4-2012-0175).

UU. Significant Ecological Areas (SEAs) means an area that is determined to possess an example of biotic resources that cumulatively represent biological diversity, for the

purposes of protecting biotic diversity, as part of the Los Angeles County General Plan. Areas are designated as SEAs, if they possess one or more of the following criteria:

1. The habitat of rare, endangered, and threatened plant and animal species.
2. Biotic communities, vegetative associations, and habitat of plant and animal species that are either one of a kind, or are restricted in distribution on a regional basis.
3. Biotic communities, vegetative associations, and habitat of plant and animal species that are either one of a kind or are restricted in distribution in Los Angeles County.
4. Habitat that at some point in the life cycle of a species or group of species, serves as a concentrated breeding, feeding, resting, migrating grounds and is limited in availability either regionally or within Los Angeles County.
5. Biotic resources that are of scientific interest because they are either an extreme in physical/geographical limitations, or represent an unusual variation in a population or community.
6. Areas important as game species habitat or as fisheries.
7. Areas that would provide for the preservation of relatively undisturbed examples of natural biotic communities in Los Angeles County.
8. Special areas (Source: Order No. R4-2012-0175).

VV. **Site** means land or water area where any “facility or activity” is physically located or conducted, including adjacent land used in connection with the facility or activity (Source: Order No. R4-2012-0175).

WW. **Storm Drain System** means any facilities or any part of those facilities, including streets, gutters, conduits, natural or artificial drains, channels, and watercourses that are used for the purpose of collecting, storing, transporting or disposing of stormwater and are located within the City of Lakewood.

XX. **Storm Water or Stormwater** means water that originates from atmospheric moisture (rain or snow) and that falls onto land, water, or other surfaces. Without any change in its meaning, this term may be spelled or written as one word or two separate words.

YY. **Stormwater Runoff** means that part of precipitation (rainfall or snowmelt) which travels across a surface to the storm drain system or receiving waters.

ZZ. **SUSMP** means the Los Angeles Countywide Standard Urban Stormwater Mitigation Plan. The SUSMP was required as part of the previous Municipal NPDES Permit (Order No. 01-182, NPDES No. CAS004001) and required plans that designate best management practices (BMPs) that must be used in specified categories of development projects.

AAA. **Urban Runoff** means surface water flow produced by storm and non-storm events. Non-storm events include flow from residential, commercial, or industrial activities involving the use of potable and non-potable water.

9379.1. STORMWATER POLLUTION CONTROL MEASURES FOR DEVELOPMENT PLANNING AND CONSTRUCTION ACTIVITIES

- (A) **Objective.** The provisions of this Section establish requirements for construction activities and facility operations of Development and Redevelopment projects to comply with the current "Order No. R4-2012-0175," lessen the water quality impacts of development by using smart growth practices, and integrate LID practices and standards for stormwater pollution mitigation through means of infiltration, evapotranspiration, biofiltration, and rainfall harvest and use. LID shall be inclusive of new development and/or redevelopment requirements.
- (B) **Scope.** This Section contains requirements for stormwater pollution control measures in Development and Redevelopment projects and authorizes the City of Lakewood to further define and adopt stormwater pollution control measures, develop LID principles and requirements, including but not limited to the objectives and specifications for integration of LID strategies, grant waivers from the requirements of the LID requirements, and collect funds for projects that are granted waivers. Except as otherwise provided herein, the City of Lakewood shall administer, implement and enforce the provisions of this Section.
- (C) **Applicability.** The following Development and Redevelopment projects, termed "Planning Priority Projects," shall comply with the requirements of Article IX, Section 9379 et seq.:
- (1) All development projects equal to 1 acre or greater of disturbed area that adds more than 10,000 square feet of impervious surface area.
 - (2) Industrial parks 10,000 square feet or more of surface area.
 - (3) Commercial malls 10,000 square feet or more of surface area.
 - (4) Retail gasoline outlets with 5,000 square feet or more of surface area.
 - (5) Restaurants (Standard Industrial Classification (SIC) of 5812) with 5,000 square feet or more of surface area.
 - (6) Parking lots with 5,000 square feet or more of impervious surface area, or with 25 or more parking spaces.
 - (7) Streets and roads construction of 10,000 square feet or more of impervious surface area.
 - (8) Automotive service facilities (Standard Industrial Classification (SIC) of 5013, 5014, 5511, 5541, 7532-7534 and 7536-7539) 5,000 square feet or more of surface area.

- (9) Projects located in or directly adjacent to, or discharging directly to an Environmentally Sensitive Area (ESA), where the development will:
- a. Discharge stormwater runoff that is likely to impact a sensitive biological species or habitat; and
 - b. Create 2,500 square feet or more of impervious surface area

(10) Single-family hillside homes.

(11) Redevelopment Projects

- a. Land disturbing activity that results in the creation or addition or replacement of 5,000 square feet or more of impervious surface area on an already developed site on Planning Priority Project categories.
- b. Where Redevelopment results in an alteration to more than fifty percent of impervious surfaces of a previously existing development, and the existing development was not subject to post-construction stormwater quality control requirements, the entire project must be mitigated.
- c. Where Redevelopment results in an alteration of less than fifty percent of impervious surfaces of a previously existing development, and the existing development was not subject to post-construction stormwater quality control requirements, only the alteration must be mitigated, and not the entire development.
- d. Redevelopment does not include routine maintenance activities that are conducted to maintain original line and grade, hydraulic capacity, original purpose of facility or emergency redevelopment activity required to protect public health and safety. Impervious surface replacement, such as the reconstruction of parking lots and roadways which does not disturb additional area and maintains the original grade and alignment, is considered a routine maintenance activity. Redevelopment does not include the repaving of existing roads to maintain original line and grade.
- e. Existing single-family dwelling and accessory structures are exempt from the Redevelopment requirements unless such projects create, add, or replace 10,000 square feet of impervious surface area.

(D) Effective Date. The Planning and Land Development requirements contained in Section 7 of Order No. R4-2012-0175 shall become effective 30 days from the adoption of the Ordinance. This includes Planning Priority Projects that are discretionary permit projects or project phases that have not been deemed complete for processing, or discretionary permit projects without vesting tentative maps that have not requested and received an extension of previously granted approvals within 90 days of adoption of the Ordinance.

Projects that have been deemed complete within 90 days of adoption of the Ordinance are not subject to this chapter.

(E) Stormwater Pollution Control Requirements. The Site for every Planning Priority Project shall be designed to control pollutants, pollutant loads, and runoff volume to the maximum extent feasible by minimizing impervious surface area and controlling runoff from impervious surfaces through infiltration, evapotranspiration, bioretention and/or rainfall harvest and use.

(1) A new single-family hillside home development shall include mitigation measures to:

- a. Conserve natural areas;
- b. Protect slopes and channels;
- c. Provide storm drain system stenciling and signage;
- d. Divert roof runoff to vegetated areas before discharge unless the diversion would result in slope instability; and
- e. Direct surface flow to vegetated areas before discharge, unless the diversion would result in slope instability.

(2) Street and road construction of 10,000 square feet or more of impervious surface shall follow the City of Lakewood's Green Street Policy and Guidelines.

(3) The remainder of Planning Priority Projects shall prepare a LID Plan to comply with the following:

- a. Retain stormwater runoff onsite for the Stormwater Quality Design Volume (SWQDv) defined as the runoff from:
 - i. The 85th percentile 24-hour runoff event as determined from the Los Angeles County 85th percentile precipitation isohyetal map; or
 - ii. The volume of runoff produced from a 0.75 inch, 24-hour rain event, whichever is greater.
- b. Minimize hydromodification impacts to natural drainage systems as defined in order NO. R4-2012-0175.
- c. When, as determined by the Approving Agency, 100 percent onsite retention of the SWQDv is technically infeasible, partially or fully, the infeasibility shall be demonstrated in the submitted LID Plan. The technical infeasibility may result from conditions that may include, but are not limited to:

- i. The infiltration rate of saturated in-situ soils is less than 0.3 inch per hour and it is not technically feasible to amend the in-situ soils to attain an infiltration rate necessary to achieve reliable performance of infiltration or bioretention BMPs in retaining the SWQDv onsite.
 - ii. Locations where seasonal high groundwater is within five to ten feet of surface grade;
 - iii. Locations within 100 feet of a groundwater well used for drinking water;
 - iv. Brownfield development sites or other locations where pollutant mobilization is a documented concern;
 - v. Locations with potential geotechnical hazards;
 - vi. Smart growth and infill or redevelopment locations where the density and/ or nature of the project would create significant difficulty for compliance with the onsite volume retention requirement.
- d. If partial or complete onsite retention is technically infeasible, the project Site may biofiltrate 1.5 times the portion of the remaining SWQDv that is not reliably retained onsite. Biofiltration BMPs must adhere to the design specifications provided in the Municipal NPDES Permit.
- i. Additional alternative compliance options such as offsite infiltration may be available to the project Site. The project Site should contact the Approving Agency to determine eligibility. Alternative compliance options are further specified in CASQA's Post-Construction BMP Handbook
- e. The remaining SWQDv that cannot be retained or biofiltered onsite must be treated onsite to reduce pollutant loading. BMPs must be selected and designed to meet pollutant-specific benchmarks as required per the Municipal NPDES Permit. Flow-through BMPs may be used to treat the remaining SWQDv and must be sized based on a rainfall intensity of:
- i. 0.2 inches per hour, or
 - ii. The one year, one-hour rainfall intensity as determined from the most recent Los Angeles County isohyetal map, whichever is greater.
- f. A Multi-Phased Project may comply with the standards and requirements of this section for all of its phases by: (a) designing a system acceptable to the Approving Agency to satisfy these standards and requirements for the entire Site during the first phase, and (b) implementing these standards and requirements for each phase of Development or Redevelopment of the Site during the first phase or prior to commencement of construction of a later phase, to the extent necessary to treat the stormwater from such later phase. For purposes of this section, "Multi-Phased

Project” shall mean any Planning Priority Project implemented over more than one phase and the Site of a Multi-Phased Project shall include any land and water area designed and used to store, treat or manage stormwater runoff in connection with the Development or Redevelopment, including any tracts, lots, or parcels of real property, whether Developed or not, associated with, functionally connected to, or under common ownership or control with such Development or Redevelopment.

(E) Other Agencies of the City. All City departments, offices, entities and agencies, shall establish administrative procedures necessary to implement the provisions of this Article on their Development and Redevelopment projects and report their activities annually to the Public Works Department.

(F) Validity. If any provision of this Ordinance is found to be unconstitutional or otherwise invalid by any court of competent jurisdiction, such invalidity shall not affect remaining provisions of this Ordinance are declared to be severable.

SECTION 3. Savings Clause. Neither the adoption of this ordinance nor the repeal of any other ordinance of this City shall in any manner affect the prosecution for violations of ordinances; which violations were committed prior to the effective date hereof, nor be construed as a waiver of any license or penalty or the penal provisions applicable to any violation thereof. The provision of this ordinance, insofar as they are substantially the same as ordinance provisions previously adopted by the City relating to the same subject matter, shall be construed as restatements and continuations, and not as new enactments.

SECTION 4. Effective Date. This Ordinance shall become effective thirty (30) calendar days from and after its adoption.

SECTION 5. The City Clerk shall attest to the adoption of this Ordinance and shall cause this Ordinance to be posted in the manner required by law.

PASSED, APPROVED AND ADOPTED this _____ day of _____, 2013.
CITY OF LAKEWOOD

By: _____
Mayor

ATTEST:

City Clerk

RESOLUTION NO. 2013-

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF LAKEWOOD CALIFORNIA, ESTABLISHING A
GREEN STREETS POLICY**

The City Council of the City of Lakewood, California, hereby resolves, determines and orders as follows:

Section 1. The Municipal Separate Storm Sewer System (MS4) Permit (Order No. R-2012-0175) was adopted by the California Regional Water Quality Control Board, Los Angeles Region on November 8, 2012. Municipalities electing to prepare a Watershed Management Program under this Permit are required to demonstrate that Green Street policies are in place that specifies the use of green street strategies for transportation corridors.

Section 2. Green Streets are enhancements to street and road projects to improve the quality of storm water and urban runoff through the implementation of infiltration, bio-treatment, xeriscaping parkways and tree lined streets.

Section 3. That on FEBRUARY 26, 2013, the City notified the Gateway Water Management Authority that development of a Green Street Policy has been initiated.

Section 4. That the City Council of the City of Lakewood, California, hereby directs the Director of Public Works to implement Green Streets for transportation corridors as described in the City of Lakewood Green Street Manual. The Green Street Manual is hereby approved and a copy of which shall be maintained in the office of the City Clerk.

Section 5. Routine maintenance including but not limited to: slurry seals, grind and overlay and reconstruction to maintain original line are grade are excluded from the Green Street Policy.

Section 6. At its regular meeting held on _____, 2013, after considering the adoption of this policy, the City Council determined that the public interest and necessity justify the adoption of the Green Street Policy.

PASSED, APPROVED, AND ADOPTED at a regular meeting of the City Council of the City of Lakewood, California, on this [DAY] day of [MONTH] 2013.

Steve Croft,
MAYOR

ATTEST:

CITY CLERK

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TO: The Honorable Mayor and City Council

SUBJECT: Storage Tanks and Delivery of 12.5% Sodium Hypochlorite

INTRODUCTION

The City currently utilizes around 48,000 gallons of 12.5% sodium hypochlorite per year to disinfect the City's water system. The FY 13-14 budget provides for this expenditure under Special supplies for Water treatment. The Purchasing Officer was requested to solicit proposals for the installation and maintenance of storage tanks and the bulk delivery of 12.5% sodium hypochlorite.

STATEMENT OF FACT

Required legal notices were posted and RFP (Request for Proposal) packages were distributed to four potential vendors. On May 28, 2013, the Purchasing Officer opened one sealed proposal. The Director of Water Resources, the Water Operations Superintendent, and the Purchasing Officer reviewed the proposal to determine that specifications had been successfully met.

Only Brenntag Pacific, Inc. of Santa Fe Springs, CA submitted a proposal. Brenntag has been the City's reliable supplier of sodium hypochlorite and other chemicals used for water treatment for over ten years.

Brenntag's proposed prices are firm for the period July 1, 2013 to June 30, 2014. Our current price for a usual order of 1,000+ gallons is \$1.349. These prices will also apply to deliveries to the City's Mayfair and McCormick Pools.

	BRENNTAG
QTY.	
<400 gallons	\$ 1.69
401-700 gallons	1.58
701-1000 gallons	1.442
1001+ gallons	1.299

*Prices are per gallon

STAFF RECOMMENDATION

It is recommended that the City Council authorize the purchase of 12.5% sodium hypochlorite from Brenntag Pacific for a contract period of three years ending on June 30, 2016, with option to extend by another two years.


Diane Perkin
Director of Administrative Services

Howard L. Chambers
City Manager 

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TO: The Honorable Mayor and City Council

SUBJECT: Upgrade Automated Meter Reading System Pilot Project

INTRODUCTION

In November 1995 the City Council approved the purchase of a hand held automated meter reading (AMR) radio system for 308 water meters various parts the city's service area. Since the initial project implementation, the City has installed the devices on an additional 143 water meters. In November 2003 the Council approved the upgrade of the AMR system with new technology. The AMR currently gathers water usage from those meters in areas that are difficult to read; Lakewood Center Mall, recycled water and industrial customers. The AMR technology has advanced significantly over the last 10 years, which allows the AMR to gather more data in an efficient manner.

STATEMENT OF FACT

The current AMR system gathers reads using a handheld device that interrogates the communication device on each meter as water personnel comes within the range of the water service. This provides the current reading to generate the water bill. The new AMR technology gathers and stores water use up to 90 days of hourly consumption, which allows the water utility to retrieve data and examine the historical water use of the customer on an hourly, daily or weekly basis to assist with leak detection. This feature will allow early leak detection so the customer can repair leaks to avoid water waste and high water bills. The system also allows for drive by data collection or retrieval of data remotely from a central location at defined intervals.

Badger Meter Company has submitted a proposal to the City for the implementation of the ORION SE, which is an upgrade to Lakewood's existing Orion data collection system. The SE pilot project would include installing of at least 422 replacement meters in Books 1, and 99, and other areas with high water use. Each meter will be equipped with the smart transponder. The proposal also includes the purchase of a ruggedized laptop and the equipment to retrieve the data from the meter along with an upgraded hand held device for spot checks on reread inquiries. No-cost upgraded billing software is included in the package. The proposed pilot project cost is not-to-exceed \$275,000.


To remain compatible with the existing meter reading system the City will purchase the system upgrade from Badger Meter Company. Section 2705-A of the Lakewood Municipal Code allows the Purchasing Officer to make purchases without the bidding process where the supply or equipment can be obtained from only one vendor, provided first authorized by the City Council. Funds for this pilot project are included in the FY2013-2014 budget.


Upgrade Automated Meter Reading System Pilot Project
June 25, 2013
Page 2

RECOMMENDATION

City Council Water Resources Committee recommends that the City Council approve the agreement with Badger Meter Company for a not-to-exceed cost of \$275,000 for the implementation of the pilot project for the upgrade of the automated meter reading system and upon approval of the City Attorney as to form, authorize its execution by the Mayor on behalf of the City.


Diane Perkin
Administrative Services Director

Howard L. Chambers 
City Manager

James B. Glancy 
Director of Water Resources

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*Housing
Successor*

**CITY OF LAKEWOOD SUCCESSOR AGENCY - HOUSING
FUND SUMMARY 6/13/2013**

In accordance with section 2521 of the Lakewood Municipal Code there is presented herewith a summary of obligations to be paid by voucher 27 through 27. Each of the following demands has been audited by the Director of Administrative Services and approved by the City Manager.

3901	HOUSING SUCCESSOR AGENCY	<u>31.00</u>
		31.00

Council Approval

_____ Date

_____ City Manager

Attest

_____ City Clerk

_____ Director of Administrative Services

**CITY OF LAKEWOOD SUCCESSOR AGENCY - HOUSING
SUMMARY CHECK REGISTER**

<u>CHECK #</u>	<u>CHECK DATE</u>	<u>VEND #</u>	<u>VENDOR NAME</u>	<u>GROSS</u>	<u>DISC.</u>	<u>CHECK AMOUNT</u>
27	06/12/2013	40572	CHICAGO TITLE CO.	31.00	0.00	31.00
			Totals:	<u>31.00</u>	<u>0.00</u>	<u>31.00</u>